

**United States Election Assistance Commission**  
**Board of Advisors Annual Meeting**

Held at

1:00 p.m. EST

Monday, May 16, 2022

Via Zoom Meeting

VERBATIM TRANSCRIPT

DRAFT

The following is the verbatim transcript of the United States Election Assistance Commission (EAC) Board of Advisors Annual Meeting that was held virtually via Zoom on Monday, May 16, 2022. The meeting convened at 1:00 p.m. and adjourned at 4:16 p.m.

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CHAIRMAN MCLAUGHLIN:

Good afternoon, and welcome to the 2022 meeting of the EAC Board of Advisors. My name is Alysoun McLaughlin. I am the acting Election Director for Montgomery County, Maryland, and Chair of this board.

I would like to take this moment while I have the microphone to thank the EAC staff for their hard work, really tireless work over the last few years and for all that they do to support election officials and to support the entirety of the election community, all of us who work in election policy, election management in the election space, and really for being so open to our advice and our assistance and so deserving of our support.

I ran for this role as Chair of the EAC Board of Advisors on a platform, and the key elements of that platform were to build engagement of the members of this body and to conduct this meeting in person. We are not conducting this meeting in person, and so that is really an unfulfilled promise, as of course everything that we can do in order to build engagement of this body so that the EAC can really thrive based on our feedback and support. I'm very excited to see those who have stepped forward to lead, to put their

name in the ring to lead this group moving forward as I step down as Chair.

The last thing that I will say before I move on with the business of this meeting is that it is truly an honor and a privilege to work with all of you, and I look forward to all that is to come.

I will now recognize Ricky Hatch, Secretary of the EAC Board of Advisors, to call the roll of the meeting.

MR. HATCH:

Thank you, Madam Chair. We will be calling, doing a roll call today by association or by the nominating organization, and because we're doing it virtually, I will confirm that I've heard your note you are present by saying thank you or maybe I'll say hey in the chat or some sort of verbal notification for you.

So let's go ahead and start.

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[Mr. Hatch called the roll.]

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MS. BARTON:

And, Secretary Hatch, I have two individuals in the waiting room who I have sent messages to to identify themselves. They just show phone numbers, so I cannot identify them, so therefore, I cannot let them in.

MR. HATCH:

Okay. Thank you, Ms. Barton. Madam Chair, I show on the roll call the individuals who have confirmed attendance. That exceeds the required minimum of 18, so we do have a quorum present.

CHAIRWOMAN MCLAUGHLIN:

Wonderful. Thank you very much.

I will now turn the meeting over to EAC Chairman Tom Hicks for his welcoming remarks.

COMMISSIONER HICKS:

Thank you, Chair McLaughlin, for giving me a moment to address the Board of Advisors annual meeting. It's good to see all the members here today, even with the old list, even though we are still virtual as well. I'd like to thank all of you for your service to the Board of Advisors and your valuable feedback provided to the EAC.

The Board of Advisors is made up of members from many different fields, from academia to activist to election officials. As such, you bring an important perspective in addition to the input we receive from the Standards Board, the TGDC, and the new Local Leadership Council.

You've been appointed to this board to be stewards for your various constituencies, and today's meeting will include a robust and respectful dialogue. You'll be covering a range of topics during today's meeting, but I hope you get a feel for the EAC's many new

resources for election officials. These resources, from toolkits to communication, election, and postelection processes, to guides about accessible issues, language minorities, and poll worker training. So I want to thank you for your service to the EAC.

Today's meeting has a full agenda, so I'll turn it back over to your Chair, and I look forward to hearing from all of you. Thank you.

CHAIRWOMAN MCLAUGHLIN:

Thank you very much. And I would now like to recognize Commissioner Hovland, who I believe also has some opening remarks.

COMMISSIONER HOVLAND:

Thank you, Chair McLaughlin. I'd like to also welcome all the members of the Board of Advisors to the 2022 annual meeting. Thank you for your service to this board and the feedback that you've provided to the EAC. That input is critical as the agency continues to expand the resources we provide election officials across the country.

Throughout 2022, the EAC is recognizing 20 years of the Help America Vote Act and reflecting on how the agency and election administration have changed since that landmark legislation was passed. This presents the opportunity to reflect but

also to look forward at how we meet the challenges the election administration community is now facing.

During today's meeting, you'll hear about threats to election officials and how they can respond to protect themselves. You'll also hear about some of the highlights from last year and how the EAC is working to support election officials as they serve voters and combat the ongoing mis- and disinformation that has eroded public confidence and challenged our democracy. As the agency continues to grow, it's important to hear from stakeholders about their needs and the needs of the communities they serve.

Thank you again for your participation on the Board of Advisors. And as the new Designated Federal Officer for the Board of Advisors, I look forward to continuing to work more closely this coming year. Thank you.

CHAIRWOMAN MCLAUGHLIN:

Thank you very much, Commissioner. And I would now like to ask you to administer the oath of office to all of the members of the EAC Board of Advisors.

COMMISSIONER HOVLAND:

Great, thank you. If you all can repeat after me but leave your microphones on mute so that we don't have most people talking over each other, that would be great. So you can raise your right hands.

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[Commissioner Ben Hovland led the recitation of the Oath of Office.]

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COMMISSIONER HOVLAND:

Thank you all.

CHAIRWOMAN MCLAUGHLIN:

Thank you very much.

COMMISSIONER HOVLAND:

Chair McLaughlin, back to you.

CHAIRWOMAN MCLAUGHLIN:

Thank you very much. I'd like to ask our staff, Kristen, can you show the agenda on the screen so that I can then call for a vote to approve the agenda for the meeting? And once we get to the bottom, do I have a motion to approve the agenda for today's meeting?

MR. STARK:

I move that we approve the agenda, Phil Stark.

CHAIRWOMAN MCLAUGHLIN:

Do we have a second?

MR. DICKSON:

Jim Dickson, I second.

CHAIRWOMAN MCLAUGHLIN:

All in favor, say aye.

[Chorus of ayes]

CHAIRWOMAN MCLAUGHLIN:

Any opposed, say nay.

[No response]

CHAIRWOMAN MCLAUGHLIN:

In the opinion of the Chair, the ayes have it. The agenda for the meeting is approved.

I will not have the minutes shared on the screen unless it is requested. Do I have a motion to approve the minutes of our previous meeting?

MR. MOORE:

I move the minutes be approved from the previous meeting.

CHAIRWOMAN MCLAUGHLIN:

Thank you. Is there a second?

MR. HATCH:

I'll second.

CHAIRWOMAN MCLAUGHLIN:

All in favor, please say aye.

[Chorus of ayes]

CHAIRWOMAN MCLAUGHLIN:

Opposed, say nay.

[No response]

CHAIRWOMAN MCLAUGHLIN:



In the opinion of the Chair, the ayes have it. The minutes have been adopted for our previous meeting.

And pursuant to the bylaws, I will now appoint the Election Certification Committee. I have appointed Larry Norden to serve on the Election Certification Committee and Sarah Ball Johnson and Dean Logan. The committee will see the results of the election from Tina Barton of the EAC, will review and confirm voting procedures were properly implemented and followed, and will certify the result of the election.

As a reminder, the bylaws permit voting by proxy for all board matters. A Proxy Committee was named today and reviewed the proxy designations. We received one proxy designation, which was for Liz Howard, who gave her proxy to Mr. Larry Norden. Without objection, these proxies are adopted.

So pursuant to the bylaws, there is one nominee for the position of Chair of the EAC Board of Advisors, and the election for that will therefore take place by voice vote. The nominee is for Greg Moore. I will entertain a motion to take a vote to elect Greg Moore as Chair of the Board of Advisors.

MR. STARK:

I move that we vote to elect Greg Moore as the Chair of the Board of Advisors.

CHAIRWOMAN MCLAUGHLIN:

Is there a second?

MS. JOHNSON:

This is Sarah Johnson. I'll second.

CHAIRWOMAN MCLAUGHLIN:

It has been moved and seconded that this body vote to elect the Chair.

I'll now take a voice vote to elect Greg Moore as Chair of the Board of Advisors.

All in favor, say aye.

[Chorus of ayes]

CHAIRWOMAN MCLAUGHLIN:

Any opposed, say nay.

[No response]

CHAIRWOMAN MCLAUGHLIN:

In the opinion of the Chair, the eyes have it.

Congratulations, Greg Moore, for your election as the new Chair of the EAC Board of Advisors.

MR. MOORE:

Thank you very much. I appreciate your support. Thank you.

CHAIRWOMAN MCLAUGHLIN:

We have one nominee for the position of Secretary, and accordingly, the election of that officer will also take place by voice

vote. And I need to clarify information that is in what I have received here, so give me one moment to clarify. Okay. I just needed to make sure that we were proceeding with this properly. And so we are not moving on the Vice Chairman position next. We are moving on the position of Secretary next. So the nominee that we have is Mark Ritchie, and I will now entertain a motion to take a vote to elect Mark Ritchie as Secretary of the EAC Board of Advisors.

MS. SIMONS:

I so move. This is Barbara Simons.

CHAIRWOMAN MCLAUGHLIN:

Is there a second?

MR. STARK:

Second.

CHAIRWOMAN MCLAUGHLIN:

It has been moved and seconded. We will now take a voice vote to elect Mark Ritchie as Secretary of the EAC Board of Advisors.

CHAIRWOMAN MCLAUGHLIN:

All in favor, please say aye.

[Chorus of ayes]

CHAIRWOMAN MCLAUGHLIN:

Any opposed, say nay.

[No response]

CHAIRWOMAN MCLAUGHLIN:

In the opinion of the Chair, the ayes have it.

Congratulations, Mark Ritchie, for your election to Secretary of the EAC Board of Advisors.

And now procedurally we will move to the Vice Chair position for which we have received two nominations. Pursuant to the bylaws, this vote will be taken by secret ballot, and I now recognize Board of Advisors Assistant Designated Federal Officer Tina Barton, who will review the election process. Tina? Not sure if Tina is muted.

MS. MUTHIG:

It's her volume. She'll be with you in one moment.

MR. ROBBINS:

Chair McLaughlin, Tina is pulling together different audio and visual systems, so we apologize for the delay.

CHAIRWOMAN MCLAUGHLIN:

Not a problem at all.

MS. BARTON:

Sorry about that. Somehow, my volume got disconnected.

Can you hear me now?

CHAIRWOMAN MCLAUGHLIN:

Yes, we can.

MS. BARTON:

Okay, thank you. On May 13th you should have all received an email from me with the agenda for today's meeting and information about the election. The Chair and Secretary position, you each voted on those already. The Vice Chair position has two nominations, and you should have received the nomination forms, as well as the candidate statements. An anonymous ballot will be electronically cast for that position. The email sent on Friday had instructions on how to cast your ballot, as well as the password for the ballot. As indicated in the email, we will send the link to the ballot after the roll call, which we've done today, so if you participated in roll call, you will be getting a link. If you arrived after roll call was done and you do not get a link to the ballot, you can put the notification for that in the chat. Let us know or we will also have an email where you can contact us in case you're calling in by phone.

Once you receive the link, it will not be active yet until we say. Once I conclude, we will activate the link and you will have 30 minutes to cast your ballot. We will provide warnings at 15 minutes and five minutes remaining via the chat. Please pay attention to the time as the 30 minutes is likely to expire during one of our presentations.

Once voting is closed, EAC staff will send the results to the Election Certification Committee, who will declare the winner. Again, if you have not received one of the emails that I've described or you're having technical difficulty, please leave a message in the chat. Kim from our team will be monitoring that and able to assist. If you do not have access to the chat, you can email Kammi at KFoote@EAC.gov. That's K-F-o-o-t-e@EAC.gov. She will be monitoring her email for issues.

We will go ahead and activate the link when the Chair is ready for us to open the polls.

Chair McLaughlin, I'll turn that back over to you. If you're ready, we will open the polls.

MS. LAMONE:

Alysoun, it's Linda Lamone. There are several of us that have not gotten the link.

CHAIRWOMAN MCLAUGHLIN:

Yes, I see. I see in the chat.

MS. BARTON:

Yes, the link is going out right now. They were waiting for me to be done speaking before they sent the link, so you should have the link in the next few minutes, and as soon as they notify me -- so it's just been notified to me that the link was just sent. So we will start the clock if you're ready, Chair McLaughlin, for 30 minutes.

CHAIRWOMAN MCLAUGHLIN:

I am just checking to confirm. I just received mine as well, and so, Linda, have you received yours? I do see a few others in the chat saying they have received theirs.

MS. LAMONE:

Yep, I got it. Thank you. I got it.

CHAIRWOMAN MCLAUGHLIN:

Okay. No, it sounds like we don't have any major issue with the link being received, so thank you. Yes, let's go ahead and begin the 30-minute period for members to cast their ballots.

MS. BARTON:

I have opened the polls.

MS. MITCHELL:

What is the password?

CHAIRWOMAN MCLAUGHLIN:

You should have a --

MS. MITCHELL:

Oh, there it is.

CHAIRWOMAN MCLAUGHLIN:

-- password in an email that you would have received on Friday from Tina.

MS. MITCHELL:

I did not receive that.

MS. BARTON:

Ms. Mitchell, I will send you the password privately in the chat.

MS. SIMONS:

Would you send it to me, too? Barbara Simons.

MS. BARTON:

Yes, ma'am.

MS. SIMONS:

I never received the email on the 13th. At least I can't find it. I was traveling then, so --

MS. BARTON:

Okay. I will send you the --

MR. MOORE:

And, Tina, my -- I'm sorry. Tina, mine needs to come to the Gmail account as well if you could, please.

MS. BARTON:

I'm sorry. So I have Greg, Barb, and Clea all need the password.

MR. IVEY-SOTO:

And, Tina, this is Daniel Ivey-Soto. I need the password as well. And actually, Maggie Toulouse Oliver also needs the password. There may have been a problem with it coming into New Mexico.



MS. SIMONS:

And I need the password, too.

MS. BARTON:

Okay.

MS. SIMONS:

Barbara Simons. I got the link, but I don't have the password.

MS. BARTON:

Just a moment, please. Okay. I just sent another email out actually to everyone with the password, so if you don't get that in the next few minutes, please let me know and I will reach out to you personally.

MR. RITCHIE:

Thank you.

MS. BARTON:

You're welcome.

MR. HATCH:

Madam Chair, while we're waiting, I just wanted to let folks know that Kyle Ardoin did join after the roll call, so he is present. And also, I noticed that I had recorded the attendees a couple of them in the wrong column, and so the actual number of attendance right now I show as 24.

CHAIRWOMAN MCLAUGHLIN:

Thank you. Thank you very much. And I know for myself I believe I've got security things here preventing me from copying and pasting the password, so I'm typing it. You may need to do the same.

MS. BARTON:

Is there anyone else who still needs the password, or has everyone been helped?

MS. WALKER:

I've not received the link. This is Christine Walker.

MS. BARTON:

The password or the link to the ballot?

MS. WALKER:

The link.

MS. BARTON:

Okay. I'm on it.

MS. WALKER:

I put the email in the message or the comments.

MS. BARTON:

Okay, thank you.

MS. WALKER:

Thank you.

MS. SIMONS:

This is Barbara Simons. I have a question. Is there any material that was submitted by either of the candidates about why we should vote for that person?

MS. BARTON:

Yes, ma'am. That was sent out a few weeks ago to each of you. You should have all gotten their nomination forms, as well as their candidate statements.

MS. SIMONS:

I'm just wondering if things have been lost. So could you tell me the date, please?

MS. BARTON:

Just a moment, Ms. Simons, and I will look for that.

MS. SIMONS:

Thank you so much. Sorry about that.

MS. BARTON:

No, it's fine.

MS. JOINER:

Hi, it's Amanda Joiner. The date of that email was May 1st.

I just looked it up, Tina.

MS. BARTON:

Thank you.

CHAIRWOMAN MCLAUGHLIN:

It would appear that we have the technical questions largely resolved, and so I will ask, Amanda, would you like us to go ahead and proceed onto the next part of the agenda while members are casting their ballots?

MS. JOINER:

Sure, that would be great. And I believe I am next, so --

CHAIRWOMAN MCLAUGHLIN:

Great. I'll recognize then Amanda Joiner, acting General Counsel to the EAC, for the overview of the FACA membership guidelines and bylaws.

MS. JOINER:

Thank you, Madam Chair. And good aft -- good morning to everyone here. Happy to be with you virtually. Hopefully, next year we will be in person. I'm here today to give you a short presentation on FACA board membership, as well as a brief overview of the bylaws procedure which brought the amendments to you for your consideration later today. So if you give me just a moment, I will share my screen and we will begin.

Okay. It looks like we're all set here, so I will begin. Again, my name is Amanda Joiner. I am the Committee Management Officer and acting General Counsel here at the EAC. And today, I'm going to review with you what it means to be a member of a FACA board.

The Help America Vote Act established three permanent advisory boards to assist the EAC in carrying out its mandates under the law. In 2021 the EAC established a fourth advisory board, the Local Leadership Council. And each of these boards is subject to the Federal Advisory Committee Act, which is the FACA, the Board of Advisors, Standards Board, TGDC, and the LLC.

Here's a brief overview of the FACA. Essentially, what FACA does is it governs the establishment, operation, and termination of advisory committees. There's quite a few steps that have to be taken to establish a new FACA. Like I said, three of ours were established in our statute, the Help America Vote Act, while the EAC established a fourth one last year to solicit more feedback from our local election official partners.

The duties of the advisory committees vary based on which committee you are a member of. The Board of Advisors and Standards Board are required to review the VVSG, voluntary guidance under Title III and best practice recommendations contained in those reports. The TGDC assists the Executive Director of the Commission in developing the Voluntary Voting System Guidelines, VVSG, and the new Local Leadership Council provides recommendations and feedback to the EAC on a range of election administration topics from the local perspective.

Each member is expected to participate in meetings and on subcommittees as they can, to comport yourself with integrity so as not to trade upon your position as a member of an advisory board for your own personal benefit, and the law also requires that any permissible direct communications with Congress in your official capacity as a board member be made only through official channels at the EAC. Federal law also prohibits you from being a federally registered lobbyist. However, these restrictions do not prohibit you from lobbying members on your own time and in your personal capacity. If you ever have questions about this, you can reach out to us directly and to me directly and I can give you a little bit more advice based on your individual circumstances.

Now, agency heads are required to appoint Designated Federal Officers who are responsible for management and supervision of agency committees. Each committee has a charter filed, and those charters must be renewed every two years or they will terminate based on the sunset provisions of the FACA.

Generally, advisory committee member selections are to be balanced in terms of points of view represented and geographical representation. Meetings are open to the public except for subcommittee meetings, and meeting locations must accommodate public access and participation. The DFO approves all committee and subcommittee meetings and agendas.

Detailed minutes of each meeting will be kept and are kept, and they contain the date, time, and location, record of attendees present, and a description of all matters discussed and conclusions reached during the FACA meetings.

Now, I'll talk to you a little bit today about the bylaws amendments, which you will be considering at a later point in the meeting today. According to your bylaws now, the board may amend the bylaws with a 2/3 vote of those present and by proxy. The proposed amendments must be submitted to the DFO 45 days prior to the meeting. The DFO transmits the proposed changes to the Bylaws Committee for consideration, and the Bylaws Committee then submits the proposed bylaws amendments to the full board no later than 30 days prior to the meeting. And I can confirm for you today that the bylaws that will be presented to you did follow this procedure, as required by your current bylaws.

I mentioned earlier the DFOs. I'm sure you're all aware that Commissioner Ben Hovland is the DFO for the Board of Advisors and Tina Barton is the alternate DFO for the Board of Advisors. I thank them for their leadership. Chairman Hicks is the DFO for the TGDC, Vice Chairwoman Christy McCormick is the DFO for the LLC, and Commissioner Palmer is the DFO for the Standards Board.

Finally, here are a few citations in case you are very much interested in reading more about FACA and the prohibitions and requirements there are on the membership here as a FACA board member.

And last, I left my phone number and email address to you if you have any questions. I'm always happy to help. And I thank you for your service here on the Board of Advisors.

I will turn it back over to you, Madam Chair.

CHAIRWOMAN MCLAUGHLIN:

Thank you very much, Amanda. I will note -- and, Tina, I assume that you saw in the chat that we do still have some questions coming in from people who are trying to access the ballot.

MS. BARTON:

Yes, I do need to mention that there are some people, when they are voting, they are not selecting the word "finish" so that we have about three or four people that did not completely finish voting their ballot. So make sure that once you have selected, you go to next, and then you have to select "finished" or it will not count your ballot.

CHAIRWOMAN MCLAUGHLIN:

Okay. How much time do we have remaining on the vote?

MS. BARTON:



We have 17 minutes.

CHAIRWOMAN MCLAUGHLIN:

Okay. Amanda, do we have any further information to provide as far as the bylaws, or should we move into the Bylaws Committee's update?

MS. JOINER:

We can move into the Bylaws Committee update. If anyone has any questions during that time, I will be here to answer them. But, you know, as I mentioned in my presentation, what you'll be considering today has gone through the process as required by the current iteration of the bylaws, and we look forward to your consideration of that. And I will be here to assist however I can.

CHAIRWOMAN MCLAUGHLIN:

Okay. Well, then what I would like to do then is to go ahead and we will move into the Bylaws Committee update, and we will just see how far we get through it. When we hit the end of the clock on voting, I will recognize Ricky Hatch, Secretary of the board and Chair of the Bylaws Committee. What we will be doing is pulling up each one of these documents and reviewing them and then voting on them separately.

Ricky, the floor is yours.

MR. HATCH:

Thank you, Madam Chair. I'll try to do better at this than I did at the roll call.

So the Bylaws Committee has met and discussed each of the changes, and the changes had the recommendation of the Bylaws Committee. We encourage robust, full discussion of the changes. Some of these are quite minor and some are a little bit more significant. So we will address these one at a time and open discussion for each one before we move onto the next one. And with Madam Chair's approval, we can take a vote on each one before moving onto the next proposed item.

Great, thank you.

CHAIRWOMAN MCLAUGHLIN:

Approved.

MR. HATCH:

I've shared the screen and show the changes. I want to thank Philip Stark. He brought many of these suggested changes forward, and I will most likely rely on you, Phil, to clarify and expand on anything that I may have missed in my description as to why we're proposing this change.

So proposed change one deals with the dates and deadlines for meeting notices and agendas. This simply [inaudible] agenda notice requirement from 60 days to 45 and then reduces again from the deadline for board members to submit agenda items from 45

days to 30 days prior to the meeting. And then lastly -- oh, sorry, we have two more. Also, the requirement to provide notice that there will be a closed section of the meeting – sorry, a closed session of the meeting, that notice requirement is proposed to be moved from 45 days to 30 days. And then lastly, proposed bylaws changes the deadline to provide notice for those changes moved from 45 days to 30 days before the meeting. The thought process here is that moving the deadline a little bit closer to the meeting will provide a little bit more flexibility in being able to address any issues that have arisen closer to the meeting, but still provides sufficient time for EAC staff to prepare all of the required documents and obtain all the necessary approvals.

Dr. Stark, do you have anything you want to add regarding this proposed change number one?

MR. STARK:

Nothing at the moment unless anyone has any questions for clarification.

MR. HATCH:

Great, thank you.

Madam Chair, if you're okay, if there are any questions, I'm happy to take those questions now.

CHAIRWOMAN MCLAUGHLIN:

Are there any questions for the Chair of the Bylaws  
Committee on proposed change number one?

[No response]

CHAIRWOMAN MCLAUGHLIN:

If there are no questions, then --

MR. ARDOIN:

Madam Chair --

CHAIRWOMAN MCLAUGHLIN:

Oh, I hear a question.

MR. ARDOIN:

Madam Chair, yes, Kyle Ardoin, Louisiana. I just wanted to inquire why change the deadline for a closed session? What was the reasoning for that, changing it from 45 days to 30 days?

CHAIRWOMAN MCLAUGHLIN:

And I will defer to the Chair of the Bylaws Committee to answer that question.

MR. HATCH:

And I will defer that back over to Dr. Stark.

MR. STARK:

It seemed like it was unnecessarily long. It would allow us to be a little bit more agile in the event of emergent news or emergent issues, so it really was my lay, not expert, judgment that that will be enough time to call a meeting for people to get organized and to

actually have it and give us an opportunity to respond a little more quickly [inaudible] .

MR. ARDOIN:

I guess my concern would be is that you're creating a closed session, and notice of that is going down 15 days. And so, there would not be -- I'm assuming there wouldn't be any public input allowed in a closed session.

MR. HATCH:

That's my understanding.

CHAIRWOMAN MCLAUGHLIN:

Yes.

MR. ARDOIN:

I'm sorry, there were two people talking at the same time.

MR. HATCH:

Kyle, that's my understanding. This is Ricky. My understanding that in closed sessions there is no public comment allowed .

MS. JOINER:

Hi, this is Amanda Joiner, acting General Counsel. I can confirm that a closed session is closed to the public. And the bylaws and Federal law generally have certain requirements for a closed session. It has to be for specific topics, and it has to be verified as well before the session can be closed.

MR. ARDOIN:

And can you help me with what's in there in a closed session? Is that like personnel issues or is that something broader like general policy issues?

MR. STARK:

So that's actually, I think, addressed elsewhere in the document. Forgive me for jumping in, but typically, closed sessions would be closed because of concerns about national security or something sensitive that wouldn't be appropriate to discuss in front of the general public at least at that stage. Please correct me if I'm wrong.

MR. ARDOIN:

Okay. I understand.

MR. ROBBINS:

Folks, this is Mark Robbins, the interim Executive Director. In addition to national security issues, obviously, if we were dealing with issues with regard to manufacturers or systems, we would close if we were getting into proprietary information that's unique to those organizations that would need to be protected. National security, if there were personally identifiable information dealing with individuals, we would have to close it. So there are very limited reasons that a FACA board would close its proceedings, but they're very definite.

MR. ARDOIN:

Thank you. Thank you for that. I guess my question would be or my concern is that if there are issues that are going to be addressed, those issues are on the agenda and I certainly understand the need for those issues to be discussed at a closed session. I'm not opposed to that. But if there are individuals or concerned entities that want to provide information, we've now cut their ability, the time frame down by 15 days, and I just have concerns with that. But I'm not going to hold up the debate.

[inaudible].

CHAIRWOMAN MCLAUGHLIN:

Are there any additional questions or clarifications that anyone has about this proposed bylaw amendment before I call for a vote?

MS. MITCHELL:

I have a question. This is Cleeta Mitchell.

CHAIRWOMAN MCLAUGHLIN:

Yes.

MS. MITCHELL:

Are we just talking about proposed change number two?

Are we going to vote on these seriatim?

CHAIRWOMAN MCLAUGHLIN:

We are --

MS. MITCHELL:

Because I have a question about number four.

CHAIRWOMAN MCLAUGHLIN:

We are going to vote on these individually, so the first vote --

MS. MITCHELL:

Okay.

CHAIRWOMAN MCLAUGHLIN:

-- will only be on proposed change number one.

MS. MITCHELL:

Okay. Thank you.

CHAIRWOMAN MCLAUGHLIN:

I will note that a 2/3 vote is required for any of these amendments to be adopted by the body, and there are no amendments in order from the floor. Any amendment needs to go in its entirety through the process of the Bylaws Committee's review.

And so, it is the opinion of the Chair that there are no additional questions or comments to be made on this prior to calling for a vote. Well, I did ask for opinions or questions. I do not know if there is any further debate on the question. Is there any debate on the question?

[No response]

CHAIRWOMAN MCLAUGHLIN:



Hearing none, then --

MR. ARDOIN:

Madam Chair, if you're asking if there is any objection -- this is Kyle Ardoin of Louisiana -- I'm going to, you know, object to this.

CHAIRWOMAN MCLAUGHLIN:

So noted. We will have a roll call vote on the amendment.

So I will now take a motion to vote to adopt proposed amendment number one. Do I have a motion to vote?

MR. LOGAN:

Madam Chair, this is Dean Logan. I will move to adopt proposed change number one to the bylaws.

CHAIRWOMAN MCLAUGHLIN:

Thank you for that motion. Do I have a second?

MS. JOHNSON:

This is Sarah Johnson. I'll second.

CHAIRWOMAN MCLAUGHLIN:

Okay. I will turn to both Bylaws Committee Chair and Secretary to go through the roll. And when you are called, please cast your vote by stating aye or nay.

MS. BARTON:

Secretary Hatch, would you like for me to call the roll?

MR. HATCH:

Yes, if you wouldn't mind. Thank you.

MS. BARTON:

Thank you, sir. Representative Bratcher?

[No response]

MS. BARTON:

Senator Daniel Ivey-Soto?

MR. IVEY-SOTO:

Yes, please.

MS. BARTON:

The Honorable Kyle Ardoin?

MR. ARDOIN:

Nay.

MS. BARTON:

The Honorable Maggie Toulouse Oliver?

MS. TOULOUSE OLIVER:

Yes.

MS. BARTON:

Keith Ingram?

MR. INGRAM:

Yes.

MS. BARTON:

Linda Lamone?

MS. LAMONE:

Yes.

MS. BARTON:

Ricky Hatch?

MR. HATCH:

Yes.

MS. BARTON:

Alysoun McLaughlin?

CHAIRWOMAN MCLAUGHLIN:

Yes.

MS. BARTON:

Liz Howard? And I believe Mr. Larry Norden has her proxy  
vote.

MR. NORDEN:

I'll vote yes for her.

MS. BARTON:

Tim Mattice?

MR. MATTICE:

Yes.

MS. BARTON:

Dean Logan?

MR. LOGAN:

Yes.

MS. BARTON:

Eric Fey?

MR. FEY:

Yes.

MS. BARTON:

Christine Walker?

[No response]

MS. BARTON:

Cleta Mitchell?

MS. MITCHELL:

No.

MS. BARTON:

Jenny Carroll?

MS. CARROLL:

Yes.

MS. BARTON:

Richard Pilger?

MR. PILGER:

Abstain.

MS. BARTON:

That was a nay, is that correct?

MR. PILGER:

No, I'm abstaining.

MS. BARTON:

Abstaining? Okay. Thank you. Chris Herren?

MR. HERREN:

Abstain.

MS. BARTON:

David Beirne?

[No response]

MS. BARTON:

Philip Stark?

MR. STARK:

Yes.

MS. BARTON:

Elliot Berke?

MR. BERKE:

No.

MS. BARTON:

Barb Simons? Barb Simons?

[No response]

MS. BARTON:

Sarah Ball Johnson?

MS. JOHNSON:

Yes.

MS. BARTON:

Gregory Moore?

MR. MOORE:

DRAFT

Yes.

MS. BARTON:

Larry Norden?

MR. NORDEN:

Yes.

MS. BARTON:

John Fogarty?

MR. FOGARTY:

No.

MS. BARTON:

Don Gray?

MR. GRAY:

No.

MS. BARTON:

Jim Dickson?

[No response]

MS. BARTON:

Mark Ritchie?

MR. RITCHIE:

Yes.

MS. BARTON:

Rick Stream?

MR. STREAM:

Yes.

MS. BARTON:

Shane Schoeller?

MR. SCHOELLER:

This is Shane. Yes.

MR. DICKSON:

This is Jim Dickson. I voted yes.

MS. BARTON:

Thank you, sir.

CHAIRWOMAN MCLAUGHLIN:

We are voting on proposed change number one regarding dates and deadlines for meeting notices and agendas. I'm just stating that in order to answer a question that was put in the chat.

You may continue, Tina.

MS. BARTON:

Okay. I have a total, and I'll ask if someone can confirm. I had 18 yesses, five nays, and I had two abstains.

MS. SIMONS:

I lost my screen during the voting, so I don't think you got my vote, so --

MS. BARTON:

You're correct, ma'am, I did not.

MS. SIMONS:

This is Barbara Simons. I vote yes.

MS. BARTON:

Thank you, ma'am. So that makes 19 --

MS. WALKER:

This is Christine Walker. I did not hear my name either but  
may have been called, and I vote yes.

MS. BARTON:

Yes. Okay. Thank you. We did call on you.

MS. WALKER:

Okay.

MS. BARTON:

So that makes 20 yesses. So anyone else who was missed  
during roll call votes? So I have 20 yesses, five nays, and two  
abstains.

CHAIRWOMAN MCLAUGHLIN:

Thank you very much. In the opinion of the Chair then, the  
ayes have it. The vote is now complete and proposed change  
number one is adopted. How much time do we have left in voting  
for the position of Vice Chair?

MS. BARTON:

We just hit 56 seconds.

CHAIRWOMAN MCLAUGHLIN:



Then I will go ahead and we will move on to proposed change number two except that I will note that anyone who is having any technical issues with casting their ballot, please say so in the chat now so that we can flag that before voting closes. And I authorize the EAC staff to go ahead and address any issues in the chat and work with the Election Certification Committee upon the closing of the polls.

So while that staff work is going on behind the scenes, Ricky, if you would like to continue with the presentation of proposed change number two, please do so.

MR. HATCH:

Thank you, Madam Chair. Proposed change number two deals with closed sessions, which we had talked about briefly. This change, it strikes the requirement to consider matters involving industry or others and replaces it with the public. And I will ask Mr. Philip Stark if you would please explain the reasoning behind this. Thank you.

MR. STARK:

I was concerned that the -- I'm sorry, am I audible?

CHAIRWOMAN MCLAUGHLIN:

Yes, you are.

MR. STARK:

Okay. I was concerned that the current wording wasn't merely protecting, say, trade secrets but was protecting commercial interests. And I think that elections require as much transparency as we can possibly have. Closing a meeting because it was not in the interest of a vendor did not seem like the right message or the right approach for the EAC advisory board to be taking.

That said, considering what's in the public interest in a larger sense seems exactly where we should be. And to the extent that that does include private commercial interests, it includes private commercial interests. So this was really a change in emphasis. I'm not sure whether it amounts to a substantive change or not.

MR. HATCH:

Okay. Thank you, Mr. Stark. And the Bylaws Committee did talk about this a fair amount and regarding proprietary information or things that could harm a vendor, and our thoughts as a committee were that if it would be harmful to one of the election providers that we felt that it could be interpreted that it would also be harmful to the government to use as their services. And so that was one thing that the Bylaws Committee discussed.

I'm now open to any questions or comments.

CHAIRWOMAN MCLAUGHLIN:

What I'd actually like to do is to go ahead and entertain a motion to adopt proposed change number two, and once we have a motion and a second, then I will open the floor for debate.

Do I have a motion to adopt proposed change number two?

MR. HATCH:

Madam Chair, I'll make that motion. This is Ricky.

CHAIRWOMAN MCLAUGHLIN:

Thank you. Do we have a second?

MS. JOHNSON:

This is Sarah Johnson. I'll second.

CHAIRWOMAN MCLAUGHLIN:

Okay. The floor is open for debate on the question. Is there any? This would be a good time for you to ask any questions that you have as well.

[No response]

CHAIRWOMAN MCLAUGHLIN:

In the opinion of the Chair, there are no questions. There is no debate, so debate has now ended. And I will call for a roll call vote on proposed change number two regarding closed meetings. When your name is called, please cast your vote by stating aye or nay. Tina, will you call the roll?

MS. BARTON:

Yes, ma'am.

Senator Ivey-Soto?

MR. IVEY-SOTO:

Aye.

MS. BARTON:

The Honorable Kyle Ardoin?

MR. ARDOIN:

Yes.

MS. BARTON:

The Honorable Maggie Toulouse Oliver?

MS. TOULOUSE OLIVER:

Yes.

MS. BARTON:

Keith Ingram?

MR. INGRAM:

Aye.

MS. BARTON:

Linda Lamone?

MS. LAMONE:

Aye.

MS. BARTON:

Ricky Hatch?

MR. HATCH:

Aye.

MS. BARTON:

Alysoun McLaughlin?

CHAIRWOMAN MCLAUGHLIN:

Aye.

MS. BARTON:

Liz Howard, proxy Larry Norden?

MR. NORDEN:

Aye.

MS. BARTON:

Tim Mattice?

MR. MATTICE:

Aye.

MS. BARTON:

Dean Logan?

MR. LOGAN:

Aye.

MS. BARTON:

Eric Fey?

MR. FEY:

Aye.

MS. BARTON:

Christine Walker?

MS. WALKER:

DRAFT

Aye.

MS. BARTON:

Christine Walker?

MS. WALKER:

Yes.

MS. BARTON:

Cleta Mitchell? Cleta Mitchell?

MS. MITCHELL:

Aye.

MS. BARTON:

Jenny Carroll?

MS. MITCHELL:

Aye.

MS. BARTON:

Okay, thank you.

MS. CARROLL:

This is Jenny Carroll. Aye.

MS. BARTON:

Thank you. Richard Pilger?

MR. PILGER:

Abstain.

MS. BARTON:

Chris Herren?

MR. HERREN:

Abstain.

MS. BARTON:

Philip Stark?

MR. STARK:

Aye.

MS. BARTON:

Elliot Berke?

MR. BERKE:

Aye.

MS. BARTON:

Barb Simons?

MS. SIMONS:

Yes.

MS. BARTON:

Sarah Ball Johnson?

MS. JOHNSON:

Aye.

MS. BARTON:

Gregory Moore?

MR. MOORE:

Aye.

MS. BARTON:

DRAFT

Larry Norden?

MR. NORDEN:

Aye.

MS. BARTON:

John Fogarty?

MR. FOGARTY:

Aye.

MS. BARTON:

Don Gray?

MR. GRAY:

Aye.

MS. BARTON:

Jim Dickson?

MR. DICKSON:

Aye.

MS. BARTON:

Mark Ritchie?

MR. RITCHIE:

Aye.

MS. BARTON:

Rick Stream?

MR. STREAM:

Aye.

DRAFT



MS. BARTON:

Shane Schoeller?

MR. SCHOELLER:

Aye.

MS. BARTON:

Chair McLaughlin, you have all ayes with two abstain.

CHAIRWOMAN MCLAUGHLIN:

Thank you. In the opinion of the Chair, the ayes have it.

The proposed change number two is adopted.

And, Tina, would it be in order for us to move on to proposed change number three, or do we need to do anything administratively regarding the close of the polls and the vote at this time?

MS. BARTON:

No, we're all set so you can go ahead and move on to change number three. Thank you.

CHAIRWOMAN MCLAUGHLIN:

Perfect. Thank you very much.

And I will turn the floor back to the Chair of the Bylaws Committee to review proposed change number three.

MR. HATCH:

Thank you, Madam Chair. Change number three deals with proxy designations, and the Bylaws Committee felt that we needed

a little bit more structure around the designation of proxy. And so, what this does is it requires that a proxy designation, it clarifies that it can be submitted via email, as well as in writing, one or the other. We just wanted that clarification. And we also, subpoint C says that proxy votes may only be cast if the designation that identifies the board member who is authorized to cast the votes was filed in advance in writing or by email with the Chair, and it also requires that the Chair communicate the proxy designations to the Secretary, and then prior to any put forward, the Secretary shall announce the designated proxy voters.

Chair, that's all I have as far as --

CHAIRWOMAN MCLAUGHLIN:

Okay.

MR. HATCH:

-- descriptions.

CHAIRWOMAN MCLAUGHLIN:

Great. Thank you very much. I will take a motion to adopt proposed change number three.

MS. MITCHELL:

So moved.

MR. LOGAN:

Chair, this is Dean Logan. I will make a motion to approve proposed change number three.

CHAIRWOMAN MCLAUGHLIN:

Do I have a second?

MS. MITCHELL:

And this is Cleta Mitchell. I move to second.

CHAIRWOMAN MCLAUGHLIN:

Thank you very much. I will now open the floor for debate on the question. Do we have any debate?

MR. DICKSON:

This is Jim Dickson. How much advanced notice? Does this speak to when a proxy can be given? If a member has to leave during a meeting, which has happened several times, can you give a proxy at that point?

CHAIRWOMAN MCLAUGHLIN:

Chairman Hatch?

MR. HATCH:

I will look that up right now, but, Amanda Joiner, you may have more immediate knowledge of the timing requirements.

MS. JOINER:

Sure. Traditionally, proxies must be submitted prior to the meeting, and that can be up to one minute before a meeting begins. Submitting during the meeting presents some complications, including having the Proxy Committee take time to review the proxy designation and to verify the eligibility. I say that,

however, the bylaws are silent, so our practice up until this point has been to accept them only before the meeting and not during the meeting.

MR. STARK:

This is Phil Stark. We discussed this a bit when the Bylaws Committee met, and we were intending to allow flexibility for a designation if, say, someone needs to leave for the airport during the meeting before a vote is anticipated. We didn't want to be too prescriptive though, because the designation of a proxy depends on the Chair actually checking email or this or that in order to verify that it has happened. So this does impose a burden on the Chair to necessarily take extra measures to ensure that he or she has collected all the proxy designations but allows for that possibility if something happens before a vote. So we're sort of intentionally mute.

CHAIRWOMAN MCLAUGHLIN:

I will also note, as the Chair, that I was present for the conversation on this point, and there was some fairly extensive discussion about it. And we have made those exceptions in the past where we have had situations where somebody was leaving for the airport and there was a vote and we have allowed for proxy designations at that point. And the use of the word timely from what I recall of our discussion introduced some additional

subjectivity that I believe the committee actually wanted to remove and that if a proxy is filed in advance of a vote, that it ought to be recognized without needing to sort of enter into a discussion of what timely is. Advance is advance. Is that a fair characterization of the discussion?

MR. STARK:

Yes.

MS. JOINER:

And I would also like to note, considering those discussions, if you look at point E in the current bylaws right here, it says, "Proxy vote shall be accepted for all board votes." So without that prescription about, you know, having the votes before the meeting, that would give you the flexibility you need to accept during the meeting. So while you're still silent, you know, that does allow for that to take place as you describe.

CHAIRWOMAN MCLAUGHLIN:

Do we have any further discussion or debate on the question?

MR. ARDOIN:

Yes. This is Kyle Ardoin. So I guess my question is, you know, timely and it has been filed in advance with the Chair in writing or by email, so [inaudible] that the interpretation is it's

before each vote being taken or before the board meeting itself?  
Because I [inaudible] not any individual vote.

CHAIRWOMAN MCLAUGHLIN:

I will defer to Chairman Hatch. I had a little bit of trouble hearing the full question. I don't know if we need to have Kyle repeat his question or were you able to hear it well enough to answer?

MR. HATCH:

I apologize. I wasn't able to decipher enough.

MR. ARDOIN:

Is this better?

CHAIRWOMAN MCLAUGHLIN:

Oh, much better. Thank you.

MR. ARDOIN:

Okay. Sorry about that. So my question is if we're taking out timely and that we're saying that has to be filed in advance with the Chair in writing or by email, then are you all saying that the interpretation is before any vote or -- my interpretation would be it would have to be before the meeting. That's the way I read this, but I'm just trying to get clarification of intent.

MR. HATCH:

That's a good question, Kyle, and Philip or Alysoun, please correct me if I'm saying this wrong. Our thought was that that

would be -- in advance means in advance of the vote because in those instances where someone has to leave the meeting, for example, either they don't feel well or need to go, they could still vote while they're there but then have a proxy for any votes that they would miss.

CHAIRWOMAN MCLAUGHLIN:

That is my interpretation as well.

MR. STARK:

Mine, too.

CHAIRWOMAN MCLAUGHLIN:

Is there any further discussion or debate on the question?

[No response]

CHAIRWOMAN MCLAUGHLIN:

Hearing none, debate has ended and I will call for a roll call vote to adopt proposed change number three regarding proxy designations. Tina Barton, would you please call the roll? When you're called, I should say, please cast your vote by stating aye or nay. Tina, will you call the roll?

MS. BARTON:

Yes, ma'am.

Senator Ivey-Soto?

MR. IVEY-SOTO:

Aye.

MS. BARTON:

The Honorable Kyle Ardoin?

MR. ARDOIN:

Nay.

MS. BARTON:

The Honorable Maggie Toulouse Oliver?

MS. TOULOUSE OLIVER:

Aye.

MS. BARTON:

Keith Ingram?

MR. INGRAM:

Aye.

MS. BARTON:

Linda Lamone?

MS. LAMONE:

Aye.

MS. BARTON:

Ricky Hatch?

MR. HATCH:

Aye.

MS. BARTON:

Alysoun McLaughlin?

CHAIRWOMAN MCLAUGHLIN:



Aye.

MS. BARTON:

Liz Howard, proxy Larry Norden?

MR. NORDEN:

Aye.

MS. BARTON:

Tim Mattice?

MR. MATTICE:

Aye.

MS. BARTON:

Dean Logan?

MR. LOGAN:

Aye.

MS. BARTON:

Eric Fey?

MR. FEY:

Aye.

MS. BARTON:

Christine Walker? Christine Walker?

[No response]

MS. BARTON:

Cleta Mitchell?

MS. MITCHELL:

DRAFT

Aye.

MS. BARTON:

Jenny Carroll?

MS. CARROLL:

Aye.

MS. BARTON:

Richard Pilger?

MR. PILGER:

Abstain.

MS. BARTON:

Chris Herren?

MR. HERREN:

Abstain.

MS. BARTON:

Philip Stark?

MR. STARK:

Aye.

MS. BARTON:

Elliot Berke?

MR. BERKE:

Aye.

MS. BARTON:

Barb Simons?

MS. SIMONS:

Aye.

MS. BARTON:

Sarah Ball Johnson?

MS. JOHNSON:

Aye.

MS. BARTON:

Gregory Moore?

MR. MOORE:

Aye.

MS. BARTON:

Larry Norden?

MR. NORDEN:

Aye.

MS. BARTON:

John Fogarty?

MR. FOGARTY:

Aye.

MS. BARTON:

Don Gray?

MR. GRAY:

Yes.

MS. BARTON:

DRAFT

Jim Dickson?

MR. DICKSON:

Aye.

MS. BARTON:

Mark Ritchie?

MR. RITCHIE:

Aye.

MS. BARTON:

Rick Stream?

MR. STREAM:

Aye.

MS. BARTON:

Shane Schoeller?

MR. SCHOELLER:

Aye.

MS. BARTON:

The ayes have it.

CHAIRWOMAN MCLAUGHLIN:

Thank you very much. In the opinion of the Chair, the ayes have it and the vote is complete and proposed change number three is adopted.

Chairman Hatch, would you like to please continue on with item number four?

MR. HATCH:

Thank you, Madam Chair.

Item number four has a couple of very minor changes and then some that are more significant. So we'll talk -- the minor changes are simply changing the reference to the Voting System Standard Committee to the correct reference, which is the Voluntary Voting System Guidelines Committee, and then the more substantial change; currently, the committee, the bylaws specify particular organizations having a representative sitting on this committee. Keep in mind this is not in reference to the actual VVSG Standards Committee. This is a reference to a committee within the Board of Advisors that discusses the VVSG. Originally, it had up to 11 members, and it was specified how many members -- a minimum of how many members would come to be represented by certain groups.

The Bylaws Committee talked about this and felt that maybe rather than specifying which organization had to have somebody, we could focus more on the skills that each organization would bring or the skills that would be desired to be on this committee, and so the Bylaws Committee broke it down into more skills or experience, and that's what we have here under subparagraph C. We did also include a statement that the Chair could appoint

somebody to represent more than one of those areas if that member has the relevant experience and expertise.

And with that, Madam Chair, I'm available for any questions.

CHAIRWOMAN MCLAUGHLIN:

Okay, great. We will take questions -- well, let's go ahead.

Are there any questions, not debate but questions for the Chair?

MS. MITCHELL:

I have a question, Cleta Mitchell.

CHAIRWOMAN MCLAUGHLIN:

Thank you, yes.

MS. MITCHELL:

Are the members or the areas of expertise described -- I mean, is this a committee that is a committee of this advisory board, and the members of this standing committee would be members of this board, or can they be people who are not on this board?

MR. STARK:

This is a subcommittee of this board.

MS. MITCHELL:

Okay. Thank you. I have one other -- I don't know when this would be appropriate. I have a comment. It's not a question; it's just a comment.

CHAIRWOMAN MCLAUGHLIN:

Please, go ahead.

MS. MITCHELL:

Well, the one thing I think is important, this will be -- and you will hear this from me on numerous occasions. I think that one of the things that is missing here is transparency and citizen engagement. As you all know, there's a great deal of conversation among citizens about the voting systems and all. And if there is one area where I really think we need to take steps to try to make the voting systems -- we need to make this as transparent as possible to restore confidence in the voting systems. I think this is probably one of the biggest challenges that we face in elections today.

And so, I don't know -- I wish that we had as one of the areas of expertise or areas of interest people who are on this subcommittee for the purpose of making sure that we look at everything with transparency and restoring citizen confidence in the voting systems, because I think that's a huge challenge nationwide. So I don't know which of these that would fit in. I just wish we would articulate that at some point.

CHAIRWOMAN MCLAUGHLIN:

All right. Chairman Hatch, do you have or if you want to defer to any other member of the committee who has any -- what I would like to do is I would like to first have our conversation just

focus on questions that are, you know, as far as the intent or as far as how this -- you know, what this is intended to accomplish and what was taken into consideration by the committee, and then I do want to separately then move into the debate. I'd like to allow the sort of questions first, so that members of the body can sort of think through on the basis of those questions whether they want to support or oppose this question, and then I'll move into the actual debate once questions have had an opportunity to surface and the members of the Bylaws Committee a chance to sort of fully explain the thinking behind the way this language was crafted.

So, Chairman Hatch, do want to speak to this?

MR. HATCH:

Yes, I'll speak briefly, and it's a good question. I believe -- and my memory sometimes is pretty wimpy, but I believe that the Bylaws Committee did talk about this somewhat and felt that accessibility covered a portion of that, as well as the administration portion because there is a public outreach and education effort in relation to that.

Other members of the committee, please chime in if I've missed something.

MR. MOORE:



Yes, Madam Chair, I think there was conversation at that committee meeting where we talked about advocacy as the place where some of those folks might fit.

I want to ask a question though whether or not there is a comma between disability and advocacy. I thought there was. I thought it was disability, advocacy, and assistance technology, but I may be reading that wrong. But I thought we had talked about that at the committee meeting as well.

MR. STARK:

First, I agree with Ms. Mitchell that transparency is absolutely essential, I think, to restoring trust or building trust and trustworthy systems. I would put that under election verification and the ability of the public to confirm that election results are correct. I sort of feel it's part of that. It also -- it really, I think, plays a role in many of these things, including election law, including election technology, and including the advocacy and assistive technology that you mentioned before.

We have not called it out as a separate area of expertise even though it is an area of concern and interest. What organized our thinking around this was thinking about what experience and expertise, what skill sets would be valuable to have on the VVSG subcommittee or the VVSG committee rather as members of the AB, the AB already representing a diverse group of organizations

and interests, so it's already selected from people who have been selected for those attributes.

MS. MITCHELL:

Yes, I guess I would think of those is different, and I just would hope that one of the principles -- and, as I said, you're going to hear this from me a lot -- is that transparency is going to be key. I know there's a lot of talk about misinformation and all. I think the flipside of that is transparency and accountability, which will go a long way toward avoiding some of the problems. So I just wish that there were spelled out, but maybe we can offer an amendment for next time to spell it out.

CHAIRWOMAN MCLAUGHLIN:

I would like to just take the prerogative of the Chair to comment that this is a really weighty question. You know, I think that where the rubber really hits the road in terms of the role of the Board of Advisors in many ways is on the voting systems guidelines.

MS. MITCHELL:

Yes.

CHAIRWOMAN MCLAUGHLIN:

And, you know, certainly it is the prerogative of the Chair to appoint the members of the VVSG Committee. And the way that we have, I would say, from the genesis of HAVA, really thought

about this is in terms of who is the appointing authority. So what the discussion of the committee -- and I did participate in that discussion -- you know, really reflected to me, as I listened to it and as the committee strove to sort of identify what these key areas were, is really grappling with this question of whether the Chair, when appointing the members of this committee, should be, you know, one from column A, one from column B, in terms of who the appointing authorities were and whether it was time.

I mean, there's an organization here listed that was the National Association of County Recorders, Election Officials, and Clerks that no longer existed, and so, it is time for this list to be revised. And whether the committee was going to go in the direction of recommending a change to but continuation of that concept, that there would be certain appointing authorities that would be singled out to have a seat on the VVSG Committee or whether to go in another direction, which is the direction that the Bylaws Committee chose, which was to identify certain areas of expertise that the Chair ought to be taking into account in identifying what the members of this committee would be.

And so, having said that and having sort of noted what I would say is kind of the fork in the road here in terms of how we think about the membership of this particular committee, I certainly want to entertain any further comments or questions, but I do see

that Commissioner Hovland actually has a hand up, so I would recognize Commissioner Hovland for whatever statements, comment, or question he would like to make.

COMMISSIONER HOVLAND:

Thank you for that. I just want to step back a second. I know we're kind of down the rabbit hole on this specific thing, but just to put it into context overall for folks. So with the HAVA process, and we haven't done this in a little while, but the Technical Guidelines Development Committee kicks off that process and makes a recommendation to the Executive Director of the EAC. The Executive Director then forwards that to the advisory boards, to the Board of Advisors and the Standards Board and so, I mean, which is outlined in the HAVA process and really is totally part of the transparency of the VVSG amendment process. And so this subcommittee is really the body that takes the lead for this board to review the VVSG and make a recommendation to the broader board.

Obviously, the representation that is currently in the bylaws I suspect, while I wasn't here, I suspect that was to ensure various stakeholders had their viewpoints heard and, again, as part of a broader transparency, recognize the recommendation to do that. I just I think it's useful to see where this fits in the broader process of VVSG amendments. I hope that's helpful.

CHAIRWOMAN MCLAUGHLIN:

Yes, thank you very much, Commissioner Hovland.

Before we move into debate on the question, do we have any further clarifying questions or comments?

MR. DICKSON:

Yes, this is Jim Dickson. I have a question. Is accessibility lumped in a category with advocacy, or is accessibility a separate category?

CHAIRWOMAN MCLAUGHLIN:

Committee Chairman Hatch, would you like to answer that question?

MR. MOORE:

I believe it's there twice, Mr. Chair --

MR. HATCH:

Yes.

MR. MOORE:

-- where disability in the first section, and then under number two, accessibility and usability are matched together for the second point from my recollection from the conversation.

MR. STARK:

If I could chime in, category one is disability advocacy and assistive technology. Category two is accessibility and usability.

So these issues are coming up in two different categories because there's overlap but they're not coextensive.

MR. DICKSON:

Thank you.

CHAIRWOMAN MCLAUGHLIN:

The old language said that at least one member shall represent a disability advocacy group, and the new language says that at least one member shall have expertise and experience in disability advocacy and assistive technology. And then the second item is accessibility and usability.

MR. DICKSON:

And this is Jim again. I'm unclear about something. In the past, there have been disability, accessibility experts appointed to this committee who are not on the Board of Advisors. Does this amendment prohibit that from happening in the future?

MR. STARK:

This is just about a committee comprised of members of the Board of Advisors that takes the lead on issues related to VVSG for the Board of Advisors. It's not about the VVSG committee itself, which is comprised of other people, some of whom may be members of the advisory board.

CHAIRWOMAN MCLAUGHLIN:

I think the question of whether an individual can be appointed to serve on a Board of Advisors committee, that's a legal matter that I would refer to the EAC. I believe that predates my time here with the board, and I don't recall and I don't have knowledge or expertise on whether we can appoint someone to this VVSG Committee that is not on the board itself.

MR. DICKSON:

This is Jim again. If I understand what committee we're talking about, Diane Golden served as the disability accessibility expert on this body, and she is not a member of the Board of Advisors.

CHAIRWOMAN MCLAUGHLIN:

On the TGDC or on the VVSG Committee of the Board of Advisors?

MR. DICKSON:

She was on the TGDC.

CHAIRWOMAN MCLAUGHLIN:

Oh, okay. Yes, this language is just to the VVSG Committee of the Board of Advisors.

MR. DICKSON:

Oh, I see. Okay. Thank you.

CHAIRWOMAN MCLAUGHLIN:

Any further clarifying questions or comments before I call for  
debate on the question?

MS. MITCHELL:

This is Cleta --

MR. ARDOIN:

Yes, Madam Chair.

MS. MITCHELL:

Go ahead.

MR. ARDOIN:

This is Kyle Ardoin. My question would be has this  
committee ever met?

CHAIRWOMAN MCLAUGHLIN:

The committee has met in the past and has been very active  
in the past. The committee has not met this year.

MR. ARDOIN:

Could you tell me who the Secretary of State from the NASS  
organization was? Because we don't recall ever being asked for an  
appointment.

CHAIRWOMAN MCLAUGHLIN:

I do not have that information in front of me. I don't know if  
the staff does.

MR. ARDOIN:

Staff?



MS. BARTON:

I would have to check our records. I can send out an email afterwards.

MR. ARDOIN:

I'm in contact with our Executive Director, and he's never been asked for an appointment, which either Maggie would have appointed someone -- excuse me, Secretary Toulouse Oliver would have appointed one prior to me or Paul Pate prior to her, and that's a yearly thing. We change officers on a yearly basis, so one of us would have remembered at least making an appointment.

CHAIRWOMAN MCLAUGHLIN:

[inaudible] --

MS. BARTON:

I can work with our [inaudible] to check our records.

COMMISSIONER HOVLAND:

For what it's worth, as you all recall, the last time this board entertained a VVSG update was through the process in 2019 and 2020. I believe Secretary Condos was on the Board of Advisors at that time. I don't know if he served in this role on the subcommittee, but it has been a little bit of time, and so I think it would be reasonable that it didn't get constituted this year with no pending VVSG amendments before the board.

MR. ARDOIN:

Okay. I'll save the rest for debate. Thank you.

CHAIRWOMAN MCLAUGHLIN:

Okay, great.

I am -- in the opinion of the Chair, I think that we've had sufficient opportunity for members to ask their clarifying questions and comments. We did have a motion and a second. No, we did not have a motion and a second. Do I have a motion to adopt proposed change number four?

MR. MOORE:

So moved.

CHAIRWOMAN MCLAUGHLIN:

Do I have a second?

MR. HATCH:

I'll second.

CHAIRWOMAN MCLAUGHLIN:

Okay. I will now open the floor for debate on the question.

Is there any debate?

MR. ARDOIN:

Madam Chair, this is Kyle Ardoin. I'm going to oppose this. And I think at this time frame I think changing the membership after everything that we've gone through at this point in time as a country and as election administrators, this creates, in my opinion, a big problem. So -- my apologies. We're on the road. To me, it creates

a very difficult process in my opinion, in that we are dealing with significant issues of trust around the country. Whether you agree with it or not, those of us as chief elections officers are absolutely dealing with it, and I know that local administrative election officials are dealing with it and we have a lot going on with regards to this.

When I look at the new positions that are being -- interest groups or the sections of interest, and you certainly have a local election administration representation, but number four provides for state election administration. And, as I understand it under HAVA, that can be an appointed director. It does not have to be the chief elections officer of any State. And with us as chief elections officers, I think it's significant that we be part of this process.

If we are going to be dealing with the voluntary guidelines that States are going to be looked at for implementation, then to take the entire group of chief elections officers out of this process -- and you may say, well, you know, that would be hard to do, but it could be done because there is no specificity that there be a NASS member on this like it was before and NASED. So we understand what local election administrators are, that's specified here, but you're not specifying chief elections officer, and I have some people who have a real problem with that.

I also think you have a problem with, number one, (i) and (ii), I think you are -- I think the intent of the committee may not be to

combine those, but I think that there's a sufficient overlap that you've created a situation where, you know, you're going to create some issues with clarifying, you know, exactly what should be dealt with and how, in terms of having basically a double vote walking into the situation.

I don't understand exactly what the election verification and election audit is. Election audits in some States are done by outside entities, for example, New Mexico. They have a separate audit process not even connected to elections. Election verification, I mean, I guess, you know, that could just be any local election official that's verifying the vote for their county or parish.

As much hard work as I can see that you all put into this, I think we have -- this creates significant issues. I will tell you as a chief elections officer in the State of Louisiana, which had no problems, I'm still dealing with concerns that happened in other States that the appearance may have happened here. And I think we're creating ourselves a whole lot more trouble in a time when we really don't need to. And I don't think we're very clear on the participants of this. And to give this much authority to a Chair with the importance of VVSG I just think is an inappropriate action at this time, so I have to oppose it. And I hope you all understand where I'm coming from.

CHAIRWOMAN MCLAUGHLIN:

Thank you. I see that Clela Mitchell has her hand up.

MS. MITCHELL:

Yes, Madam Chair. I have to agree that -- I know that the subcommittee or the Bylaws Committee has recommended these to change the designation from particular organizations to particular skills or expertise, but I do think one and two are -- I think they're the same thing. They're duplication, which is an overemphasis, I think, on something that should be included, but I don't think it should have double inclusion.

When you're talking about election law, I think that you need to have, you know, voter rights and enfranchisement, but also I think you have to have something about enforcement. And I think you have to have something about transparency and accountability, because if you want to pick the one thing that I hear about and that citizens are talking about and that I think is a -- and I'm not somebody who believes there was some big issue with the voting machines. And I get a lot of attacks because I don't admit that to people. I say that. I don't believe that happens.

But there is such suspicion among millions of Americans that I think that failure for -- this is supposed to be an advisory board to the EAC, and this is a subcommittee, and I think there is no issue more important to the work that is being done by election officials than to somehow figure out how to restore confidence in the voting

system, the software. There is just so much suspicion, and I think there's nothing in this committee or this standing committee that would acknowledge that. People think that the vendors control everything, and they're very suspicious.

And I think that this should go back to the drawing board for another -- I would even recommend that there be a special meeting to consider a change in this. But I would not want to see -- and even if we adopt this, I still think it needs to go back to the drawing board and come back with some recommended changes to address some of these issues because I don't think this is finished work.

CHAIRWOMAN MCLAUGHLIN:

Thank you very much.

Is there further debate on the question?

MR. STARK:

May I respond with some comments I hope will be clarifying?

CHAIRWOMAN MCLAUGHLIN:

Please do, yes, and then after Philip I see that Jenny Carroll has a hand up.

MR. STARK:

So with regard to the trustworthiness of the systems, I think the last three items, cybersecurity, election verification, and election

audits and election technology, were intended to encompass part of that skill set.

With regard to the first two items, I actually think usability and accessibility, again, they overlap with disability advocacy and assistive technology, but usability and accessibility are important for all voters, not just voters with particular disabilities. So I think that it's worth having those two split out.

And the last clarifying comment I wanted to make is the amendment does say that the same individual may provide expertise in more than one of these categories, so this is not saying that there needs to be one person contributing expertise in disability advocacy and assistive technology and a different person contributing expertise for accessibility and usability. It might be the same person.

Again, part of what motivated these changes is that the carveouts for particular organizations have now actually become obsolete and two of the organizations at least have merged, so the language does need some updating regardless.

I'll stop there.

CHAIRWOMAN MCLAUGHLIN:

Jenny Carroll, you had your hand up?

MS. CARROLL:

Yes, so Clela's question actually -- or comment raised a question for me. So as I read this -- and maybe I've been reading this wrong -- is that this is just saying that has to include at least one member, that you could certainly have other people and would have other people on these committees, but that these are just areas of which one member would be included in the no more than 11. Is that a misinterpretation?

MR. STARK:

This committee consists entirely of members of the Board of Advisors.

MS. CARROLL:

All right. So let me be clearer, though. So if the question is about these areas of expertise, the way this reads, as I read it -- and again, it was Clela's comment that made me think of this -- is so these are the articulated 1 through 8 areas of expertise that you want at least one member of this board to be on, but there could be other members of the board that fell outside of these areas of expertise. Is that correct?

MR. STARK:

Absolutely, yes. This is just trying to get skill set represented in the committee to help inform the opinions of the remaining members of the advisory board when it comes to a vote by all of us. This is trying to make sure that the relevant expertise is there



discussing things in smaller rooms before the rest of us would be voting on issues.

MS. CARROLL:

So there's --

MR. STARK:

And there could be members who do not have skills that fall into any of these eight categories also on it, because the requirement is to have no more than 11, and this says here are eight categories. They might be filled by some smaller number than eight people and there's no more than 11 in all.

MS. CARROLL:

And, sorry, two other questions. And so, one, there would be nothing that would preclude the Chair from appointing someone who fell within one of the categories that are being stricken by this amendment? And two, so they could either have the area of expertise, but even if they didn't, they could still be appointed by the Chair as one of those three additional spots?

And then my other question is could you have someone serve in multiple areas of expertise? For example, could you have someone who is both a local election and state election administrative expert?

MR. STARK:

Yes, so I believe if we scroll down further in that document, it may clarify the Chair may appoint a member to represent more than one of these areas if that member has the relevant expertise and experience.

MS. CARROLL:

Thank you.

CHAIRWOMAN MCLAUGHLIN:

I have three individuals up next, Maggie Toulouse Oliver, Christine Walker, and then Greg Moore I recognize in order.

Maggie?

MS. TOULOUSE OLIVER:

Thank you, Madam Chair.

I just want to say, first of all, I really appreciate -- I know those of you that do this subcommittee work, it's hard, it's exacting, and you're never going to please everybody. And that's generally the way of working in elections in general.

I do have a concern that we went away from an organization representation-based committee to being just sort of a general area of expertise-based committee. I think it's a little bit hard to -- I think it's a lot harder to make that determination, right, as to whether or not you actually have an appropriate makeup based on expertise. I, as somebody who's been working in elections for 15 years at the local and State level, could probably make the argument that I

qualify under any of these categories. But, you know, it's subjective, right?

So my preference would be that we maybe take another bite at this apple, go back to looking at maybe updating organizational representation, and it doesn't necessarily have to be the full panoply that we saw in the previous version, but maybe a consolidated version. And then, add some sort of requirements, you know, some additional members. If we look at those individuals and say, you know, we really are missing somebody from the disability advocacy community here or we're really missing someone, you know, with cybersecurity expertise and, you know, think about how to do that in a way that is, you know, not quite so subjective but, you know, it's hard for me as a member from NASS to say I'm willing to, you know, give up position on a subcommittee to go to a much more subjective way of deciding this. So that's my two cents. Thank you.

MR. STARK:

I'll just interject briefly that there was a draft version that did exactly that. It saved some of the carveouts for some of these named institutions, and then after some deliberation, we ended up eliminating the institutional carveouts and going to expertise and experience. We did consider that. I understand the concern, and I'll shut up.

CHAIRWOMAN MCLAUGHLIN:

Christine Walker, I have you next.

MS. WALKER:

Thank you, Madam Chair and Board of Advisors.

So I am a representative from iGO, as well as Eric Fey. We are the merger between the NACRC -- and of course we're always good for acronyms here -- NACRC and IACREOT. The accumulation was the the International Association of Government Officials. So I wanted to just clarify that on there.

And also, I agree with a lot of the sentiments and comments made throughout this conversation. I believe that the associations are the voice of their members in a cumulative fashion rather than just one voice. As a representative of those associations, you have a great buy-in to your members, which are people from all around, not only the country, but the entire world as well, and I think that voice still needs to be heard in this Board of Advisors.

Also, another suggestion would be to look at sizes of jurisdictions. If we have representatives that only represent very large jurisdictions, we're not getting a different view based on very small and medium-sized jurisdictions. So I think that some consideration needs to be put into that because, let's face it, we have a lot of rural communities around the country as well, not just the large metropolitan areas.

And that's mainly what I wanted to express, so thank you for your time.

CHAIRWOMAN MCLAUGHLIN:

Thank you very much. Greg Moore.

MR. MOORE:

Yes, thank you, Madam Chair. Yes, this has been a very good conversation and healthy actually, and I really did remember some of these concerns being raised at the subcommittee level when we were looking at this. So I would, as the person who offered the motion, ask that we table this resolution, go back in the interest of time and in the interest of the concerns that have been raised and take another bite at this apple. So I don't know if that's in order, Madam Chair, but I would like to -- and Mr. Chair of the committee -- also make that recommendation to you as well.

CHAIRWOMAN MCLAUGHLIN:

I will take the discretion of the Chair to make a brief statement on this, but then I would say that in the opinion of the Chair, that motion is in order, and without objection, I will want to pursue that after making a statement.

I think that this question that we are grappling with here today is an important one, and I think that it is very good that this sort of question of really who are we as a Board of Advisors has come out and been discussed in this way. We are not the

Standards Board. We are not the Local Leadership Council. We are a body that has a unique combination of voices, but those voices also do include election officials. This is a body that is really sort of a hybrid of all of those. And so, it is my belief that this is an important conversation for us to have, and I would encourage people to do some thinking on this question on how we as a body ought to be doing our internal discussion and decision-making on our positions about the VVSG and how the bylaws create the structure for that as we move forward into having what I hope and expect to be another bite at this apple, as was said earlier.

And so without objection, I would like to refer this question back to the Bylaws Committee with the expectation that there will be another proposal that will come before this body the next time that we meet. Without objection --

MS. BARTON:

Chair McLaughlin?

CHAIRWOMAN MCLAUGHLIN:

Yes.

MS. BARTON:

I would like clarification. Was there a motion made on voting on this?

CHAIRWOMAN MCLAUGHLIN:

There was a motion --

MS. BARTON:

Because a motion was made --

CHAIRWOMAN MCLAUGHLIN:

There was a motion, and the maker of the motion has asked that we withdraw the motion and that we refer the question back to the Bylaws Committee.

MS. BARTON:

Right. I want to just clarify with general counsel that that is correct, that we can do that without taking a vote.

MR. MOORE:

Okay. And does that require a second or are we okay with just the maker withdrawing?

CHAIRWOMAN MCLAUGHLIN:

Does the second need to withdraw their second as well?

MS. JOINER:

So just to clarify, you are withdrawing your previous motion to move for a vote on this issue?

MR. MOORE:

Right, I was using that discretion as the maker of the motion to withdraw in light of the conversation that we had, so, yes, that would be my -- the action I would take here to allow that to fall within the guidelines.

MS. JOINER:

Okay. If the Chair recognizes that the motion has been withdrawn, then that would be proper. Then it's to the Chair how we proceed next. I would advise possibly asking for a motion to postpone or postpone indefinitely the question for proposed change number four.

CHAIRWOMAN MCLAUGHLIN:

Let's go with that approach. Is there a motion to postpone the question of amendment number four indefinitely in light of the conversation that has just occurred?

MALE SPEAKER:

I'll make that motion.

CHAIRWOMAN MCLAUGHLIN:

Is there a second?

MS. TOULOUSE OLIVER:

I second. This is Maggie.

CHAIRWOMAN MCLAUGHLIN:

Okay. Unless anyone interjects with any questions or debate on that question, I'll just call for a voice vote.

All in favor of postponing this question, please say aye.

[Chorus of ayes]

CHAIRWOMAN MCLAUGHLIN:

Any opposed?

MALE SPEAKER:



Nay.

CHAIRWOMAN MCLAUGHLIN:

In the opinion of the Chair, the ayes have it. The question is postponed.

And we will move on to the next question put before us by the Bylaws Committee.

MR. HATCH:

Thank you, Madam Chair. Proposed change number five hopefully will be a little simpler and less concerning. This deals with ad hoc committees. Right now, the ad hoc committees are established by a majority vote, and what we felt was that for the ease of functioning and for the speed rather than having to call a full meeting, that ad hoc committees would be established by the Chair. However, we didn't want an ad hoc committee to just continue forever at the will of the Chair, and so we put in an additional statement saying that any ad hoc committees beyond one year have to be approved by a majority vote of the board members.

CHAIRWOMAN MCLAUGHLIN:

I will take a motion to adopt proposed change number five regarding ad hoc committees. Is there a motion?

MS. JOHNSON:

This is Sarah Johnson. I make the motion.

CHAIRWOMAN MCLAUGHLIN:

Is there a second?

MR. DICKSON:

This is Jim Dickson. I'll second.

CHAIRWOMAN MCLAUGHLIN:

Is there any debate on the question?

[No response]

CHAIRWOMAN MCLAUGHLIN:

Hearing no debate, I will call for the roll call vote. If our  
ADFO Tina Barton, if you will please call the roll on proposed  
change number five.

MS. BARTON:

Thank you, Chair McLaughlin.

Senator Ivey-Soto?

MR. IVEY-SOTO:

Aye.

MS. BARTON:

I'm sorry?

MR. IVEY-SOTO:

Yes, aye.

MS. BARTON:

Thank you, sorry. The Honorable Kyle Ardoin?

MR. ARDOIN:

Aye.

MS. BARTON:

The Honorable Maggie Toulouse Oliver?

MS. TOULOUSE OLIVER:

Aye.

MS. BARTON:

Keith Ingram?

[No response]

MS. BARTON:

Linda Lamone?

MS. LAMONE:

Aye.

MS. BARTON:

Ricky Hatch?

MR. HATCH:

Aye.

MS. BARTON:

Alysoun McLaughlin?

CHAIRWOMAN MCLAUGHLIN:

Aye.

MS. BARTON:

Liz Howard, proxy Larry Norden?

MR. NORDEN:

Aye.

MS. BARTON:

Tim Mattice?

MR. MATTICE:

Aye.

MS. BARTON:

Dean Logan?

MR. LOGAN:

Aye.

MS. BARTON:

Eric Fey?

MR. FEY:

Aye.

MS. BARTON:

Christine Walker?

MS. WALKER:

Aye.

MS. BARTON:

Cleta Mitchell?

MS. MITCHELL:

Aye.

MS. BARTON:

Thank you. Jenny Carroll?

DRAFT

MS. CARROLL:

Aye.

MS. BARTON:

Richard Pilger?

MR. PILGER:

Abstain.

MS. BARTON:

Chris Herren?

MR. HERREN:

Abstain.

MS. BARTON:

Philip Stark?

MR. STARK:

Aye.

MS. BARTON:

Elliot Berke?

MR. BERKE:

Aye.

MS. BARTON:

Barbara Simons?

MS. SIMONS:

Aye.

MS. BARTON:

DRAFT

Sarah Ball Johnson? Sarah Ball Johnson?

MS. JOHNSON:

Oh, aye. Sorry. I couldn't unmute myself.

MS. BARTON:

That's okay. Gregory Moore?

MR. MOORE:

Aye.

MS. BARTON:

Larry Norden?

MR. NORDEN:

Aye.

MS. BARTON:

John Fogarty?

MR. FOGARTY:

Aye.

MS. BARTON:

Don Gray?

MR. GRAY:

Aye.

MS. BARTON:

Jim Dickson?

MR. DICKSON:

Aye.

MS. BARTON:

Thank you. Mark Ritchie?

MR. RITCHIE:

Yes.

MS. BARTON:

Rick Stream?

MR. STREAM:

Aye.

MS. BARTON:

Shane Schoeller?

MR. SCHOELLER:

Aye.

MS. BARTON:

And Keith Ingram has in the chat that he's a yes on this. So,  
Chair McLaughlin, the ayes have it.

CHAIRWOMAN MCLAUGHLIN:

Thank you. The ayes have it, and proposed change number  
five is adopted.

I will note as we move onto proposed change number six  
that while if you look at our agenda you might think that we are  
running behind schedule. The schedule would have had us  
breaking early in the event that there had been no significant

discussion about the bylaws amendments, and of course, we have had significant discussion.

So we are going to move on with the final item in the Bylaws Committee report. I'm going to ask the members if you wish to take a scheduled break after that or not, please let me know in the chat. I will make the decision based on the comments in the chat whether we will be taking a break after the bylaws discussion or whether we will be moving straight into the general EAC update.

Chairman Hatch, please proceed with the Bylaws Committee report.

MR. HATCH:

Thank you, Madam Chair.

This proposed change number six deals with the election of officers. I brought this forward, and I have to first be clear that I am totally fine if we wanted to delay implementation of this as it could appear self-serving to me to kind of lock in myself to the highly coveted Chair position of the Board of Advisors, so that was absolutely not -- in my experience with organizations, if you have a set rotation, you tend to have better leadership, a more prepared person as they step into the presidency or into the Chair because they are able to spend a couple of years involved, but in the background able to look and see how things are done and be better prepared for when they take the helm, so to speak.



So, in a nutshell, what proposed change number six does is it establishes a rotation, an automatic succession plan. After a person is elected as Secretary, they would then, in the following years, move up to Vice Chair and then to Chair, so there would be no elections for Chair and Vice Chair. The only election would be for the Secretary.

We also realize that there will be vacancies that occur during the people's tenure, and so we put in some language that would address those vacancies, determining how that vacancy would be filled if there was just one vacancy or if there was more than one vacancy, and so that's the bulk of the changes that we have here. We added a special elections section to deal with situations where there was -- to fill those vacancies in between the annual meetings. So there's a section there for that.

And I think rather than read through all of these, I think I'll be quiet and you can ask questions. Just know that the intention here was to establish a more experienced person at the Chair. As they come in, they'd be able to have some more experience. That's all I had.

MR. STARK:

May I chime in briefly?

CHAIRWOMAN MCLAUGHLIN:

Please do.

MR. STARK:

Philip Stark. So my understanding is this is how the Board of Advisors in fact operated for some time. It was how it was operating when I first joined the Board of Advisors, although what we're doing seems to have been inconsistent with the bylaws, so I'm not sure when the practice has changed and when it changed back.

CHAIRWOMAN MCLAUGHLIN:

Before I call for a motion, I will ask if there are any other clarifying questions or comments as far as the intent or language of the motion. And actually, I'm going to kick off those questions and I'm going to ask whether because in particular the provisions of this for a special election, I would like to ask if the EAC staff and counsel have had an opportunity to review this language and if there's any sort of question or comments that EAC staff or counsel would like to make on that.

MS. JOINER:

We have reviewed this language, and from my perspective I have no concerns to put forth.

CHAIRWOMAN MCLAUGHLIN:

Okay, thank you.

Do the members of the body have any clarifying questions or comments to make before a call for a motion?

MR. ARDOIN:

Madam Chair, Kyle Ardoin. I do have a question, and it may be in there and just I am not able to see it or find it as quickly as I wanted. But if in the event that there are three vacancies, then who would be in charge, and how would that functionality occur in terms of calling for the election? I think that's probably just a little housekeeping, and I'm just probably not seeing what I should see.

CHAIRWOMAN MCLAUGHLIN:

I'll defer that question to EAC counsel, how we handle if you had vacancies in, let's say, all of the officer positions of the Board of Advisors, how that would be handled currently and how that would be handled any differently under this bylaws amendment?

MS. JOINER:

Sure, the Designated Federal Officer would put into place an election proceeding to fill those positions, and that's the same -- and that would apply in this situation if this bylaws amendment were to pass.

MR. ARDOIN:

Okay. Thank you so much.

CHAIRWOMAN MCLAUGHLIN:

Further clarifying questions or comments?

Do I have a motion to adopt --

MR. DICKSON:

I have a question.

CHAIRWOMAN MCLAUGHLIN:

Yes, Jim?

MR. DICKSON:

I'm sorry. So what's the time cycle on this? I forget. People serve for one year, so it's three years would go by before the cycle is completed, or is it six years?

CHAIRWOMAN MCLAUGHLIN:

Three years would be my interpretation of the language because officers would serve for a term of one year. And the language would be stricken that says that officers may serve for no more than two consecutive terms. It would be replaced with language that simply says that the Vice Chair would ascend to the position of Chair and so on.

MR. DICKSON:

And then, if something were to come up and somebody were to decide that they wanted to run against the person who was going to be assuming the Chair, is that allowed or is that not allowed?

CHAIRWOMAN MCLAUGHLIN:

I'm scanning the language. Ricky, would you like to answer that?

MR. HATCH:

Yes. That would not be allowed under the proposed changes. The only election that would be held competitively is the Secretary, and the remainder would be automatic succession.

MR. STARK:

Unless there's a vacancy, but yes.

MR. HATCH:

Correct.

CHAIRWOMAN MCLAUGHLIN:

Okay. Not hearing other clarifying questions, do I have a motion to approve proposed change number six regarding the election of officers?

MALE SPEAKER:

So moved.

CHAIRWOMAN MCLAUGHLIN:

Do I have a second?

MR. HATCH:

I'll second.

CHAIRWOMAN MCLAUGHLIN:

Is there debate on the question?

MR. DICKSON:

This is Jim again. I'm going to vote no. I'm torn because I do think there's a lot to be said for a process and deep knowledge when assuming the Chair.

On the other hand, as we all have painfully become aware, election administration can become very controversial, and controversial about different things within a three-year cycle. And thinking about the need for credibility and openness, I'm afraid that we might be hurting our credibility but also, as things change, we may not be changing as flexibly as we should.

CHAIRWOMAN MCLAUGHLIN:

I see that Jenny Carroll would also like to speak.

MS. CARROLL:

So I share some of Jim's concerns that he just articulated, if I may call you Jim. But I also question whether or not this particular amendment actually achieves the articulated goals --

All right. I'm hearing someone else, but I don't know --

MS. BARTON:

I'm sorry. If you're not speaking right now, please make sure you are on mute. Please make sure you are on mute if you're not speaking right now to the rest of the board. Thank you.

MS. CARROLL:

So what I was saying is I understand what you're saying, Ricky, and I do think that experience is an important component of serving as an official, but I wonder if our desire is to have a Chair who's experienced, that seems like we should be encouraging either multiple years in the chairmanship or, in the alternative,

encouraging people to run for reelection as Chairs. And my concern with the way this is written is it essentially locks a slate in. It's not responsive in the way that you were articulating, Jim. But I think it also can exclude people who either may only be able to participate for a year and are not willing or able to commit for three consecutive years. And I realize there is an out, but I would suggest that just the requirement and the suggestion that you serve for three consecutive years may cause some people to choose not to run for a position that they might be very well-qualified to run for.

I also am concerned that it may have the results of excluding people like myself who made a decision to run even though this was my first year on the board, not because I necessarily have a terrific amount of experience in this, but because I want to become more involved, and this seems like it locks you into following a track that may not necessarily be beneficial for diversity and inclusion.

And having served on other boards where there is this type of structure, I have heard from people that they chose not to take leadership positions because of structures like this.

So for those reasons, I am concerned about this proposed amendment and will be voting against it.

CHAIRWOMAN MCLAUGHLIN:

Is there further debate on the question? I see Greg Moore has a hand up.

MR. MOORE:

Yes, this is just a clarification question for counsel, either Ricky. So the language we see here that says officer shall serve for a term of one year, then we delete language that says they can serve no more than two terms. Going back to Jenny Carroll's question, is this clarifying language saying that a person has to serve three terms to keep the succession going or whether or not it's restricted to one term? Just to clarify that because that looks like there's a little confusion there, at least in my mind.

CHAIRWOMAN MCLAUGHLIN:

Ricky, would you like to answer that?

MR. HATCH:

Yes, I'll give it a try. I think the requirement is simply one term in a given office with a small exception of midterm replacements. I think the concept of it being, you know, basically you're being locked in for three years, I think that's implied in there but I don't think it's explicitly stated.

MR. STARK:

This is Philip Stark. The language says if eligible and willing, so this doesn't lock anyone in to more than a year.

MR. MOORE:

Does it restrict the person to one year? I'm just trying to get clarification on it also. Does the language restrict any officer from



just serving one term? And that's what I'm just trying to make sure we --

MR. STARK:

No, I think in order to serve more than one term, the officer has to be willing, both willing and eligible. So this is not compulsory service. That said, on rereading this, what is missing is the possibility that after serving as Chair, someone might want to run again for Secretary and sort of do another stint in leadership.

CHAIRWOMAN MCLAUGHLIN:

I don't know anybody who would do that, but, you know, I'm sure they could.

Is there further debate on the question?

[No response]

CHAIRWOMAN MCLAUGHLIN:

Hearing none, I will offer a roll call vote to adopt the proposed amendment.

MS. BARTON:

Thank you, Chair McLaughlin.

CHAIRWOMAN MCLAUGHLIN:

Thank you.

MS. BARTON:

Senator Ivey-Soto?

MR. IVEY-SOTO:

Nay.

MS. BARTON:

I'm sorry, was it yea or nay?

MR. IVEY-SOTO:

That was a nay.

MS. BARTON:

Nay, okay, thank you. The Honorable Kyle Ardoin?

MR. ARDOIN:

Aye.

MS. BARTON:

The Honorable Maggie Toulouse Oliver?

MS. TOULOUSE OLIVER:

Aye.

MS. BARTON:

Keith Ingram?

MR. INGRAM:

No.

MS. BARTON:

Linda Lamone?

MS. LAMONE:

No.

MS. BARTON:

Ricky Hatch?

MR. HATCH:

Aye.

MS. BARTON:

Alysoun McLaughlin?

CHAIRWOMAN MCLAUGHLIN:

After some consideration, I'm voting nay on this question.

MS. BARTON:

Liz Howard, proxy Larry Norden?

MR. NORDEN:

I'm going to abstain.

MS. BARTON:

Tim Mattice?

MR. MATTICE:

I'm going to abstain.

MS. BARTON:

Dean Logan?

MR. LOGAN:

No.

MS. BARTON:

Eric Fey?

MR. FEY:

Aye.

MS. BARTON:

DRAFT

Christine Walker? Christine Walker?

[No response]

MS. BARTON:

Cleta Mitchell?

MS. MITCHELL:

No.

MS. BARTON:

Jenny Carroll?

MS. CARROLL:

No.

MS. BARTON:

Richard Pilger?

MR. PILGER:

I abstain.

MS. BARTON:

Chris Herren?

MR. HERREN:

Abstain.

MS. BARTON:

Philip Stark?

MR. STARK:

Aye.

MS. BARTON:

DRAFT

Elliot Berke?

CHAIRWOMAN MCLAUGHLIN:

I believe he had to leave.

MS. BARTON:

Barbara Simons?

MS. SIMONS:

This is a difficult one. I'll vote aye.

MS. BARTON:

Sarah Ball Johnson?

MS. JOHNSON:

Aye.

MS. BARTON:

Gregory Moore?

MR. MOORE:

I am going to abstain.

MS. BARTON:

Larry Norden?

MR. NORDEN:

No.

MS. BARTON:

John Fogarty?

MR. FOGARTY:

No.

MS. BARTON:

Don Gray?

MR. GRAY:

No.

MS. BARTON:

Jim Dickson?

MR. DICKSON:

No.

MS. BARTON:

Mark Ritchie?

MR. RITCHIE:

Yes.

MS. BARTON:

Rick Stream?

MR. STREAM:

Aye.

MS. BARTON:

Shane Schoeller?

MR. SCHOELLER:

Aye.

MS. BARTON:

I have 11 noes.

CHAIRWOMAN MCLAUGHLIN:

DRAFT

Yes, I have nine yesses, 11 noes, and five abstentions if I have counted this correctly. In the opinion of the Chair, this proposed bylaw amendment has not received the necessary 2/3 vote that would have been required for its adoption, so the bylaws amendment fails.

And I believe that concludes the Bylaws Committee's report, is that correct, Ricky?

MR. HATCH:

Yes, Madam Chair, that's it. Thank you.

CHAIRWOMAN MCLAUGHLIN:

Okay. I have not received any feedback on my question about whether to take the scheduled break, and so I'm actually going to roll right through so that we can attempt to close out this afternoon's meeting as expeditiously as possible. We do have the time allotted in the agenda where we should end really right on time at four o'clock for when this meeting was scheduled to end.

So I therefore recognize Mark Robbins, interim Executive Director of the EAC, for a general EAC update. Thank you, Mark.

MR. ROBBINS:

Thank you, Chair McLaughlin. I also want to thank EAC Chair Hicks and our DFO for the Board of Advisors, Commissioner Hovland. Also, allow me a second to give a shout-out to the EAC staff. Whether these meetings are held in person or virtually, it is a

logistical feat to get them organized, and I'm quite appreciative of the time and effort that staff has put in to get this meeting set up today, so thanks to them.

Had anyone told me on New Year's Day that I'd be addressing this board as the interim Executive Director, I'd have either dismissed you as crazy or I'd have at least invited you out for a beer to figure out whether you're crazy or not. But here I am, because I got calls from a four individual Commissioners. The Commission had lost or was going to lose its Executive Director and its General Counsel approximately at the same time for completely unrelated reasons, personal to each of them, and they were looking for someone who could fill in while they go through the HAVA process, as you all know, which is quite complicated, of replacing the Executive Director. And all four of them assured me that, yes, indeed, you can go home again, which is completely contrary to any kind of intuitive thought I would have had. But not only can you go home again, but you can go home again and find out that it's actually better than you remembered it when you were there.

When I was General Counsel of the Election Assistance Commission from 2010 to 2012 and including six months as acting Executive Director, those were dark times for the Commission. We do not have the confidence of our stakeholders, State and local



elections officials. We had Members of Congress actively trying to abolish us. We went from four Commissioners to three to two to zero. We then lost the Executive Director. Our budget was decreasing. They were dark times. I come back 10 years later, and I think we've achieved quite a bit. And it's thanks mostly to members like you on this particular FACA board and the other two FACA boards. And we have gained the respect of Members of Congress, both parties. We've gained the respect of the administrations of both parties. We've gained the respect of stakeholders in elections across the country. And I think we are beginning to get to critical mass with what we're doing to bring value to everything we do do at the EAC. So for me it's a joy. It's a joy to be back.

Now, I will tell you I am interim Executive Director. HAVA allows for the appointment for six months, and I've no intention of applying for the job full-time, so I am here truly to help the Commission meet its mission. I'm here to help staff meet the needs of the Commissioners while we're going through the process and to keep you all updated on that because you do play a role in selecting the next Executive Director. We've posted the job vacancy on USAJOBS, which is the central repository of all vacancies for the Federal Government. That closes on June 13th. We've posted once before. We had gone through an assessment.

Some of the candidates had met minimum qualifications and they are still active candidates; some are not meeting minimum qualifications. We've also engaged a headhunting firm, an executive search firm which is helping the search. So by mid-June the Commissioners will be in a position to vet the applicants, determine who warrants interviews, and we will move forward.

The position of General Counsel, we've had some qualified candidates apply. The Commissioners are scheduled to begin interviewing in mid-June and hope to have that position filled probably a little bit sooner than the Executive Director, but we're making progress. And in the interim, I'm going to do everything I can to make sure that we're meeting everyone's expectations.

I've been given 10 minutes to cover all of our accomplishments in 2021 and all of our priorities in 2022, so in the words of Bette Davis, fasten your seatbelts. This is going to be a really quick review.

With regard to 2021 and our budget positions in general, I can tell you that we're making some progress with Congress. Our budget for fiscal 2021 was \$17 million with about 45 staffers. For the enacted 2022 we're at \$20 million with what we had hoped to be about 55. We're going to start backfilling positions that have been open for a while and then move towards new positions that the Commissioners have identified as being high priority. And then

the Congressional budget justification, which this administration submitted last month, projects a requested budget of the EAC for fiscal '23 at \$30 million, which would include about 75 staffers. Now, that is a work product that is not exclusive to the EAC. The administration, and OMB had quite a bit to play in that, so we will be working in the coming months, as is normal process, with Congress to justify the request and to outline what our needs are, and then obviously, we will follow Congress's lead and whatever the President eventually signs for a fiscal '23 budget.

You'll be hearing a just a minute from our Testing and Cert staff, but we've got a couple of really good 2021 accomplishments there. The Voluntary Voting System Guidelines 2.0, VVSG, were adopted in 2021, and the Lifecycle Policy was adopted just about two months ago by the Commissioners.

With the support of the four Commissioners, I've instituted a new policy on our anomalies, investigations, and reporting process. We've talked already today about transparency, and I completely agree. Unless we have transparency, we will not have the support of the American people, who are ultimately our customers here. And so, every anomaly that's reported for a voting system that's in place that has been approved by the EAC for Federal elections will be reported publicly, will go through the process, will work with the manufacturers and the jurisdictions that are involved and work out

an investigation as to what the problem is, what a solution is, and what the results should be. We will then issue a public statement following that process. It doesn't matter if this is a major anomaly problem or a minor one. And in the last couple of years we've never had more than minor problems.

But, you know, we find occasionally that there are stakeholders that are protective of the process. You can't be protective of the process to the extent that's in conflict with transparency for the American people. Now, I understand and staff understands completely that there may be national security issues or proprietary intellectual property issues that need to be protected, but those considerations do not shield the process itself from transparency, so we're moving on. That's the new policy.

Our clearinghouse function, which was long the stepchild of our HAVA functions, has been developed incredibly in the last couple of years, way beyond what I recognized coming back the second time. We've got a professional staff of subject matter experts. And let me just say, last year, we put out nine pieces of work product. These are now independent pieces of work product. When I was here the first time, clearinghouse merely re-posted links to articles of interest and academic studies. We are now able to independently analyze issues that are of concern to our stakeholders, which are elections officials and the American public.

Let me give you a link -- and this is available on our webpage, but all of the clearinghouse work product is available now at the [EAC.gov/election-officials](https://www.eac.gov/election-officials). And this is actually the core beginning of our elections official portal that we are in the process of developing, which will be a protected space on our website just for elections officials to avail themselves of our work product and to communicate with each other on issues of mutual concern.

So we're in the process of dealing with a number of issues. We've got our quick start guides, we've got elections 101 materials, we've got toolkits that we've put up. All of our work product is designed so that State and local officials can tinker with them to add their own particular information that they want to push out to the public. They can co-brand with us. In fact, this administration signed Executive Order 14019 back in March of '21, which requires Federal agencies to reach out to their constituencies about opportunities to register people to vote. Our materials will be available to those agencies that want to co-brand with us and push out to whomever their constituencies are.

So really a shout-out to my clearinghouse staff because they're doing wonderful work, and it's relatively new. And we just had, for instance, the State of Alaska work with us to co-brand a whole group of products that they're going to push out within the State of Alaska, so that's exactly what we want to do there.

As has been mentioned, we have a brand-new FACA board, the LLC, Local Leadership Council. The goal there is to reach out to a level of election administration that HAVA didn't quite completely anticipate. You know, mostly what we deal with are the State elections officials because when we push up grant money that's been appropriated by Congress, it's up to the State officials, whether it's the Secretary of State or an election commission or board that deals with that money, and they will push it down to the local level as they see appropriate. But it also means we don't have a direct relationship except through our FACA boards with Local Leadership, so the LLC is designed to fill that gap so that we're getting information as needed from the local officials.

Moving into 2022 and 2023, with regard to the budget, the Commissioners have made known two very big priorities that they want me to pursue on top of everything else. We need a new modernized webpage. Our webpage is not user-friendly. As I was coming on board as the new interim Executive Director, I was busy trying to Google on -- or not Google, I was trying to use the EAC webpage to get all current documents so that I could refresh my recollection, as attorneys like to say, on issues relevant to the board. It was much easier for me to just go to Google or Yahoo, type in an issue, and then the EAC link would come up in the search and I could go directly there than I could going through our

own webpage. We've got to update that, and the Commissioners have given me a priority that that's what they want to do starting in fiscal '22. That's also imperative if we're going to house this new portal for elections officials.

Secondly, we're going to be bolstering our Testing and Cert staff, and you'll be hearing from Jon Panek next. We want to be able to supplement what they do. We'd like to become proactive, reach out to jurisdictions, have an auditing process in the field so that we're not just simply reacting to States dealing with anomalies and reporting them to us but that we've got eyes and ears out on the ground.

We've got our EAVS survey coming up. It comes out every two years on election year, the Election Administrative and Voting Survey.

The OMB process, which is paperwork reduction, has been completed. I left the contract about a month ago. It consists of two portions. We'll have a policy survey to go to the 56 jurisdictions, the States, the District of Columbia, and the territories. That'll go out sometime in August. And then the EAVS survey itself will go out shortly after the election in November. It goes to 6,460 local elections jurisdictions. The last time we did this in 2020 we had a 99.1 percent response rate. That's kind of like elections in the old Soviet Union. That's just remarkable. And it gives us an incredible

amount of data that we can use to better facilitate policy and best practices, so I'm quite excited about that.

We'll probably receive the data from EAVS in March of 2023. It takes staff about four months to analyze it and then to put out the formal report that goes to the public, that goes to Congress, it'll go to the White House. So keep an eye out for that.

With regard to our grants program, when I was at EAC the first time, we had received the \$3.2 billion first two installments in HAVA monies, and 10 years later, we were still closing out and monitoring that money. We hadn't received anything new in 10 years. And then in 2018 the EAC got an appropriations from Congress for \$380 million for election security funds that was followed in 2020 by \$425 million. It's a grand total of \$805 million for elections security HAVA funds going out to the States. This is a formula grant. Every State and jurisdiction gets the money according to the population calculation.

In 2020, we got the COVID CARES Act money, \$400 million. That money was actually turned out. States and territories needed to have spent that money by December 31st, 2020, in order to qualify for it. We're in the process of doing our closeout reconciliation for those monies. And then the past – the omnibus bill that just passed a couple of months ago included \$15 million in formula grants.



Now, the big news for the EAC is that in our Congressional budget justification, the administration has proposed two grant programs. The first is called election innovation grants funded at \$250 million for fiscal '23. That for the first time in EAC's history would be a competitive program, so it's going to be up to -- assuming this budget passes, it will be up to the EAC working with Congress to figure out what the criteria would be, what the standards for States and qualified jurisdictions, because in some States local jurisdictions aren't allowed to apply directly for Federal monies. So we will follow State law in that regard if this is passed. And we'll have to set standards for what is innovation. What would bring value to the whole, to all jurisdictions in the country? What are people doing?

Even bigger than that would be a proposed program, \$10 billion over 10 years, for elections capital infrastructure investment. And the administration calls this a consistent funding to allow States to invest in the process, the hardware, the software of elections systems and administration. Now, obviously, this being only in a Congressional budget justification, we're going to need to work closely with Congress to answer whatever questions they've got, and Congress in its wisdom will appropriate what it sees as appropriate.

So that is where we are. Ten years brings change. As I said when I started this conversation, I'm truly excited to be back. I'm looking forward to getting back to retirement as soon as possible, so I'm pushing the Commissioners to keep moving on the process of selecting an Executive Director. But it's an honor for me to be here with you all today. And we don't have a lot of time for questions, but my email is quite simple. It's the standard formula, MRobbins@EAC.gov. If you've got questions, if you've got comments, if you've got points you want to make, email me directly. I'm pretty accessible.

So thank you, Chair McLaughlin. I appreciate the time.

CHAIRWOMAN MCLAUGHLIN:

Thank you. We'll now recognize Jon Panek, the Testing and Certification Program Director, for a further EAC update.

MR. PANEK:

Thank you, Madam Chair. Can you hear me okay? Okay. Give me a second just to share my screen here. Okay.

Good afternoon, Board Members. It's a pleasure to be here with you today. And I want to thank you for being here to advise the EAC and the service that you guys provide. Today, I'm going to give a brief presentation on the VVSG Lifecycle Policy that was recently adopted on April 5th, as well as an update on the status of

the EAC's efforts to establish an e-pollbook evaluation pilot program.

So the EAC VVSG Lifecycle Policy facilitates migration to new VVSG standards. It provides guidance on several topics here that are bulleted, major and minor VVSG version changes, deprecations of obsolete major standards. It defines changes that may be made to systems certified to deprecated standards, and it establishes an annual VVSG review process.

While the policy has been introduced at the same time or during implementation of VVSG 2.0, it's not directly tied to it. It's independent of any individual standard, and it will apply to all future versions of the standard.

So there's three sections in the policy that I'll talk about each one briefly. The first section of the policy talks about version conventions, essentially major version changes that necessitate, for example, changing from a 2.0 to a 3.0, and there are minor version changes less significant that will change the nomenclature of the standard from 2.0 to a 2.1.

In general, major version changes will require new hardware or upgrades to voting system equipment that will render equipment certified under prior versions to become obsolete while minor versions do not have those types of hardware or upgrades.

The need for lab accreditation for any new version of the standard will be based on consultation between the EAC and NIST, National Voluntary Lab Accreditation Program or NVLAP, and metrics such as changing core or non-core competencies, required skills, or other criteria deemed necessary by the EAC that are the results of the standard update. In general, we expect there to be no need for lab accreditation for minor version changes, and major version changes may need lab accreditation for that specific update.

The second section of the policy deals with deprecation of obsolete standards. We define deprecation in the policy. It means that the use of a standard will be discontinued except in certain limited circumstances, which I will discuss on the next slide. It's important to highlight that deprecation of a standard does not mean decertification. Previously certified systems shall maintain their status and may continue to be sold.

When at least one test lab is accredited to test voting system equipment to a new major revision of VVSG, then obsolete major VVSG revisions will be deprecated 12 months after that date of accreditation. Once the obsolete standard has been deprecated, the manufacturers will be required to submit voting systems to the latest VVSG standard.

In certain limited circumstances, changes may be made to voting systems certified to deprecated standards. These items are important to frame out exceptions that are being granted to ensure maintenance of fielded systems if possible so that jurisdictions can fully realize the expected lifespan of their voting equipment.

A change to a system certified to a deprecated standard may be allowed in one or more of the following categories, what you see on the screen, so security updates, bug fixes, commercial off-the-shelf replacement for end-of-life scenarios, and jurisdictional rule changes that require a change in functionality or some modification to a system based on that jurisdictional rule change.

Lastly, changes to one or more components outside of one of the prior four categories will be permitted provided the proposed changes meet the most current VVSG standard. Whoops. Did I just un-share my screen? Sorry about that. Give me a second here. Okay, here we go.

So those are the exceptions that we're going to grant to allow systems certified to previous standards to be modified. When a manufacturer applies for a modification, in this instance they must clearly state under which category they're applying and must supply supporting documentation for this claim.

The final section of the Lifecycle Policy addresses two separate items, the VVSG review cycle and the update process.

First, the policy establishes an annual review for revisions to the VVSG. This will be the process of collecting and reviewing feedback and potential recommendations from all stakeholders for updating the VVSG. The Testing and Cert Program Director will submit a report to the EAC Executive Director at the end of each fiscal year detailing proposed updates received. This report will be shared with the EAC's FACA boards for review and feedback.

The second part of the section specifies steps in the VVSG update process. These steps are derived directly from HAVA, but the policy is a little bit more granular in its description of how those steps are actually executed. Feedback from stakeholders on proposed changes to the VVSG from the annual review feeds into this process. If the Executive Director determines that a new version of VVSG should be published, process detailed in Section 222 of HAVA will be followed. We will adhere to the established practice of public review and comment, agency review and comment, and consideration by the Commissioners. And to be clear, it is not intended for the VVSG to update on a yearly basis. That is the annual review process, so those are two separate functions that are described in that last section of the Lifecycle Policy.

The next thing I'm going to discuss briefly is the e-pollbook evaluation pilot program. Staff has been working on standards and

a manual for an e-pollbook evaluation pilot over the last nine months. This pilot will contour the existing voting system Testing and Certification Program, and it will develop the following key elements: requirements and responsibility for participants, manufacturer registration to formally participate in the program, testing requirements and procedures, reporting and certification artifacts, and a quality monitoring program. As with the voting system Testing and Certification Program, participation will be voluntary.

A draft of requirements is currently in development. We're working on accessibility requirements right now. The security portion of the draft is largely complete. We've shared these requirements with NIST, and they provided feedback. We've also shared these with the subcommittee of the Standards Board and are looking forward to receiving any feedback they may provide.

Last November, the EAC held a roundtable discussion on considerations for this pilot. A video of this roundtable can be found on our website, as well as the EAC's YouTube channel. Manufacturers, voting system test labs, and election officials participated, and each group provided a lot of substantive feedback. And so, in taking in that feedback, as we work to develop this pilot program, our next steps are to complete the

accessibility requirements and to share with stakeholders for feedback. We hope to have those complete in the July time frame.

And that concludes my presentation. As Mark said, I'm not sure if we have time for questions, so I will defer to Chair McLaughlin.

CHAIRWOMAN MCLAUGHLIN:

Thank you, Jon. I am just checking the time and where we are in our agenda. I think it would be appropriate for us to allow for at least maybe some -- if individuals have comments or questions that they would like to raise, it may be that EAC staff will need to get back to us on things, but I would like to go ahead and open the floor if anyone has questions that they would like to raise. You can either do so in the chat or go ahead and raise your hand and unmute yourself.

I will go ahead and ask a question. I noted that the pollbook testing that you just referred to, Jon, that, you know, you did get engagement, and certainly members of this body were advised of the work on the e-pollbook, the thinking on an e-pollbook certification program as it has evolved over time. And you don't have to answer this now, but I would just ask you maybe to sort of give some thought or share any thoughts with us now over what we can best do as a Board of Advisors to help you get the feedback from others in the community. You did note that election officials



certainly and vendors and test labs had participated. One of the challenges that we as a board have before us is to find our best way to be a conduit for the voices of other stakeholders of the campaigns, the advocates, those in, you know, other areas of the election sphere to sort of -- you know, as we're dealing with pollbooks, there's a lot that comes from what those pollbooks provide for us in terms of functionality that is important, whether it's reporting, whether it is, you know, the information that we're able to get from the pollbook or the security of the pollbook. There are a lot of other stakeholders beyond the election officials and the vendors and the test labs have. And so, whether you want to speak to that now or whether, you know, I just park that as a thought for later, what we as a body can do to help you sort of raise the voices of those who need to know what to do in order to engage in this space.

MR. PANEK:

Yes, absolutely, and thank you for the question. I think the first thought that comes to mind is that we are focusing on security and accessibility requirements. We've been made aware that there are a whole host of functional aspects to the pollbook systems that are different to every jurisdiction, and so, we felt that this would be the best way to, you know, create a program because security and accessibility are universal, whereas some of these functional

aspects can be variable and may not be critical functionality and that sort of thing, and it's difficult to have visibility on all the different things that we might want to take into consideration.

In terms of how the board can best provide feedback, I think, you know, we certainly are going to put the standards out for public comment at some point in time. I don't know exactly when that's going to be. But also, you know, we've shared the security draft with the subcommittee of the Standards Board, and we can certainly do some function similar to that here with the Board of Advisors to get your feedback.

CHAIRWOMAN MCLAUGHLIN:

We also had a question that was asked in the chat, Richard Pilger was asking. Will Federal election materials retention law be addressed as a functionality of the e-pollbook project? Is that in scope or in the discussion?

MR. PANEK:

Is that 22 months retention law?

CHAIRWOMAN MCLAUGHLIN:

Yes.

MR. PANEK:

I don't know off the top of my head right now if that's in the standards, but I think that's, you know, something for consideration for sure.

CHAIRWOMAN MCLAUGHLIN:

Barbara Simons, you have a question, and then Cleta Mitchell, I see that you have your hand up next.

MS. SIMONS:

Thank you. This may have already been discussed, in which case, please forgive me for asking it again. Is there a mechanism for rapidly decertifying and asking that they be removed any kind of election technology in the event that major problems are discovered, as happened with the WINVote machines in Virginia back several years ago when it was found that they were interacting with smartphones? I mean, they were fundamentally insecure. Virginia immediately did decertify them and replaced them, but is there any mechanism for doing that nationally?

CHAIRWOMAN MCLAUGHLIN:

In the interest of time, Jon, hold on one moment on this, what I'm going to ask is that we sort of speed round this where Barbara has raised her question about decertifying equipment, and then I'd actually like to ask Cleta and Jim Dickson to also raise your questions, and then we can have Jon or Mark respond to those questions, and then I would like to move on into the next presentation.

MS. MITCHELL:

I'll be --

MR. PANEK:

Sure.

CHAIRWOMAN MCLAUGHLIN:

Cleta, if you can --

MS. MITCHELL:

I'll be quick.

MR. PANEK:

Go ahead.

MS. MITCHELL:

Can you hear me?

CHAIRWOMAN MCLAUGHLIN:

Yes.

MR. PANEK:

Yes.

MS. MITCHELL:

Along the same lines as the comment earlier about stakeholders, there's a lot of concern about e-pollbooks among citizens, and last week in Georgia, maybe 10 days ago, in early voting, the e-pollbooks went down and were down for a while. And it turns out that there was a problem with some software update. And that just causes people a lot of nervousness.

And I wonder if building into some process -- as I said at the outset, I am going to bring these concerns to this board because I

think this is how we address some of this. But somehow thinking about how in real time when things are happening and there are problems with e-pollbooks, how can people register those concerns, and how can we alleviate fears among voters during the election process? I just would hope that we would build that in to everything because that's how we restore confidence.

CHAIRWOMAN MCLAUGHLIN:

So decertifying equipment, how we alleviate fears and address issues kind of in real time. And, Jim, did you have another issue or question you wanted to raise?

MR. DICKSON:

Yes. I want to echo the fear in real time question but also ask, have there been kind of time trials in the standards, something that says to the manufacturers speed in terms of identifying an appropriate voter and giving them whatever is needed so they can vote, it seems to me that it would be important to somehow value speed of processing, as well as security and accuracy.

CHAIRWOMAN MCLAUGHLIN:

So decertifying equipment, alleviating fears in real time, and the question of speed in the functional standards for equipment.

Jon, what can you share with us on those?

MR. PANEK:

So the first question -- and thank you all for your questions -- rapid decertification, that's a challenging topic to get into because, you know, decertification is a challenge with voting systems and extending that to e-pollbooks, it's not the kind of thing that we would take lightly, to apply that, you know, nationwide to a certain system that's being utilized in a variety of different jurisdictions. I will say that any jurisdiction or State that is running a system that finds issues with them, typically, they have a unilateral ability to be able to decertify something on their own. But certainly we'll have some form of anomaly reporting similar to voting systems in place that will make us aware of situations where something's been observed in the field during an election, and that can be relayed to us through reporting, and then we can in turn communicate that to jurisdictions that may not be aware of that and they can make those decisions if necessary.

Let's see. The second question --

COMMISSIONER HOVLAND:

Sorry, Jon, to cut you off. I'm just going to --

MR. PANEK:

Yes.

COMMISSIONER HOVLAND:

Can everybody hear me better? Just I know my audio was messed up earlier. Just in the interest of time and knowing what

we have on the agenda, I mean, the manual outlines the decertification process. Certainly conscious of the public concerns around e-pollbooks, as you probably all know, e-pollbooks weren't really a thing when HAVA was created. This is a pilot program that we have entered into to try to figure out how to be able to do more. E-pollbooks have been left out of the historic scope of the VVSG in that process as well, so really this is an effort, again, that is focused on security and accessibility around e-pollbooks and really laying a baseline to see what we can do or there has been an array of bills introduced in Congress, both chambers, both parties interested in e-pollbooks, and so we want to be in a better position to inform anything that ends up moving in that regard as well. But globally, I think it's important to recognize the limitations on this agency and the authority that we've been given in this space.

CHAIRWOMAN MCLAUGHLIN:

Okay. Great. Well, additional questions can certainly be raised in the chat, and we will relay them. And you plant the seeds for the conversations that continue.

Because we are tight on time and we are going to go over time and at the discretion of the Chair I'm calling that okay because I think it is important for us to cover these questions, and I also want to make sure that our next guest presenter does not need to rush through his presentation and so give it the time that it needs,

Neal. We have Neal Kelley, the former Registrar of Voters for Orange County, California, and former Chair of this body, who has a presentation to give to us on the discussion about threats against election officials.

And so what I actually -- I have notes to myself here. I was not supposed introduce Neal. I was supposed introduce Larry, and Larry, I think you must've had something to say before Neal begins speaking. Larry?

MR. NORDEN:

Well, Alysoun, you did a pretty good job. I don't have much to add. Neal doesn't really need an introduction to this group. I will say folks may not know that in addition to serving on this board and as Registrar of Voters for Orange County, California, Neal also had a career in law enforcement, which began in 1986 when he joined the Riverside County Sheriff's Department, and he worked in various capacities, including in the jails, patrol, and court services, and later served with the San Bernardino Police Department as a patrol officer for four years. And Neal is now of course retired from both law enforcement and elections, kind of. He has graciously decided to work on this very pressing threat to election administration in the United States, threats and attacks against election workers, which have increased dramatically, particularly since the 2022 election. And he is now working with a cross-



partisan group of experts and leaders in election administration and law enforcement with the goal of protecting election workers and voters from violence, threats, and intimidation.

So, Neal, I'm going to turn it over to you. Thanks so much for joining us.

MR. KELLEY:

Larry, thank you so much for the introduction. I'm just going to share my screen here real quick. Okay, great.

Thank you again for the introduction, and thank you so much to the Commissioners and the Chair and members of this body. It's great to be here, and I'm conscious of your time, so I'll work to keep my remarks brief.

As Larry mentioned and as Mr. Robbins pointed out, sometimes you can come out of retirement for good reasons, and I think this is a really important issue. It's not lost on any of you that threats to election officials have been occurring across the country, and I don't think this is going to subside. I think this is going to be an issue that we're going to be dealing with for some time.

While violence has not erupted out of this, we are reminded unfortunately daily that violence is all around us. And I think it's good for us to be prepared and to work on ways that we can reduce the risk, and that's the reason that I'm involved with this group, which I'll talk a little bit more about in just a second.

For those of you that are election officials, this obviously will be familiar to you, but I think it's important that all of you become aware of the issues and how we are messaging to local election officials across the country ways that they can increase their partnerships with their local law enforcement officials and what they can do to reduce the risks, as I mentioned earlier. Because a lot of election officials don't have the kinds of relationships with law enforcement until it's too late, in other words, they're bringing them in because something occurred, you can do things proactively ahead of time, which I think is really important.

Real briefly on Federal and State agencies, they play a super important role in all of this, but they are more strategic in nature, and they are really focused on assisting with long-term infrastructure support like, you know, what DHS has done, what the FBI does. They're not first responders, and that's why we're really focusing on that local law enforcement perspective.

I will tell you this, that just before I retired, my work with the FBI increased quite a bit, working with special agents and supervisory special agents, the LA field office in Orange County, because they became more involved postelection or responding to complaints than I saw in my previous years, and I did it for 18 years, so they definitely have a very important role to play.

And just quickly, I'm sure all of you are aware, but if you're not, the FBI has a process now where you can make them aware of threats or issues that arise in your jurisdiction, and they can make assessments on that and respond to it. There's a little bit of I think concern amongst some local election officials that some of the threats aren't being taken as serious. But the reality is that prosecutors, as we know, Federal and State and county, have to look at these issues and decide whether it rises to the level of a threat or it's a First Amendment issue, and so there's a lot of back-and-forth that goes into that.

With respect to local law enforcement, it's really important that those relationships are built because when you call 911, they're going to be the first ones to respond to an issue. I want to give you just a very quick story. A couple years ago I was in the field on one of our major elections, and I responded to an incident because someone called 911 from the polling place. And I arrived, and the reason was is that they overheard somebody that was trying to intimidate a voter or to interfere with a voter and the voting process and was actually trying to get them to assist a candidate, who was also on scene. And these law enforcement folks showed up and very well-intended and meaning, but they had no idea what they were dealing with. And they even asked me. They said is this even a crime? Where would I find this in the Penal Code? And I

had to respond. It's not in the Penal Code. It's in the Election Code. And because of that, I wanted to build a really strong partnership with our locals from that point forward. And I'll show you some of those products that came out of that in just a second.

As part of this discussion, I think it's important to also note that response times across the country can vary widely. Here's 11 major response times from large jurisdictions across the country. And I had it at 10, but I threw in Orange County to give you some perspective. Chicago at 3 1/2 minutes and you can go all the way down to Denver at 13 minutes on average response times, so it varies quite a bit. And if you have that local partnership with your law enforcement agency, you know you might be doing things ahead of time to proactively work with them that can increase response times or especially leading up to election day can heighten the awareness for law enforcement officials.

Now, I think it's a sign of the times when you look at what's in the news lately. Secretary Raffensperger in Georgia has called for protection of polling places. Hong Kong police to deploy police, one for each voter, which blows me away in a special election, but these are some of the things that are taking place across the country and the world right now even as we speak.

But the problem with all that is is that most local law enforcement agencies are not prepared for election issues because

they are dealing with things on a daily basis that have nothing to do with elections, and making them more aware down the road and in the future is something that's really going to assist in that.

What we don't want, though, is a show of force at polling places. That is certainly an issue. In California and many States across the country law enforcement in uniform are prohibited at polling places unless they're on official business and for good reason. So you don't want to post, you know, law enforcement outside of polling places to offer protection. And I'll talk about one of the ways that we did that in Orange County to reduce that issue of that kind of show of force. You know, and this is just a reminder that law enforcement, election day is like every day for them. They're dealing with all of these other issues in front of them which requires that additional attention.

So what can election officials do today, and specific to the threats, but also just to sort of protection of poll workers and protection of polling places in general? And we have a few pieces of advice I think that are very helpful. First is identifying where all critical election activities are taking place. In the 2020 election I hosted a very large vote center at our local hockey rink, ice rink that a lot of jurisdictions across the country did it in these very large venues, and that draws additional attention, so it's really important to let them know.

Sharing election schedules and details with local law enforcement ahead of time is very helpful. One of the things that I also did was to provide names of poll workers to law enforcement officials ahead of the election so that they could do background checks where they could identify individuals that might be a problem.

It's also really important to have a liaison in a local election. This is what we're seeing and having discussions with in this group that Larry talked about earlier is that there aren't a lot of relationships between local election officials and law enforcement officials. One of the ways to think about doing this or starting it is that a lot of election officials are doing work to do outreach to inmates in jails for voting, and that's already an "in" with law enforcement that they can capitalize on moving forward.

Creating policies, reports of threats, and providing them to law enforcement is another very good activity that they can be doing. Contacting stakeholders and making them aware of this and using community groups and forums to bring awareness to this issue also will help put, I don't want to say pressure, but will help to raise the awareness to law enforcement officials.

Here's an example of what I did in Orange County and what we're trying to do on this work nationally is to build these partnerships with Federal, State, and local officials. And one of the

things I wanted to point out here was our District Attorney's Office and the work that I did with them. Because of that issue and that story I talked to you about with the responding officer to one of the polling places, and that is to provide plainclothes investigators in the field on election day or during vote center voting so that they could respond quickly to issues, but also not be a presence in a polling place or vote center that was related to a uniformed officer. And that's something that if you build that partnership can really help in the short term.

Because of that same issue, I created these pocket reference guides for law enforcement officers to put into their pockets on election day. Most law enforcement officers will carry around a quick reference guide for Vehicle Code sections or Penal Code sections in their pocket. They also carry Miranda warnings, those kind of things. And this allows them to quickly reference criminal election code sections, including threats to election officials that are on the books in their local States. I'm very proud of the work that the group has been doing, and already you're seeing this duplicated in states like Wisconsin and Michigan and others, and we hope to be spreading that nationwide in a much bigger way very soon.

So, just very quickly on the group that we've assembled, I know you're going to hear more about this group in the coming

weeks, and I think what's very unique about this, there's work being done across the country related to threats against election officials by a variety of organizations, but what I think makes us unique is that we have brought together law enforcement officials and election officials to the same table to work on this issue. We have a committee of about 25 individuals which you'll hear about the membership very soon in the future, and this work will continue at least for the coming year.

Some of the plans that we plan to work on are things like policy recommendations to legislators, bridge-building between local election officials and law enforcement. These pocket guide templates that I was talking to you about, for instance, perhaps a website that a jurisdiction can enter code sections into, and a pocket guide could automatically produce a PDF so that they could go to print or distribute it to local law enforcement. TTX Injects, for instance, when you might be working election security, this could be a component of that, these threats to election officials on how to work on those threats and reducing them.

One of the things that we want to do is to have this replicated in any jurisdiction. One of the things you can do in building these relationships is not really impacting your budget, because it is a technique and it's a process and we want to educate local election officials on how they can do that. A big component of



this will be through media, op-eds, communications, and a website coming up soon where you'll hear more information.

So I promised to keep it tight. I want to thank you so much again for the time and the opportunity and again, not asking for action from your body today, but we might be back in the future to stakeholders around the country asking for assistance of some kind.

And with that, Madam Chair, I will turn it back over to you.

CHAIRWOMAN MCLAUGHLIN:

Thank you, Neal. That was really a very helpful presentation. Thank you for sharing that information with us so we have the --

MR. KELLEY:

Thank you.

CHAIRWOMAN MCLAUGHLIN:

-- understanding of the direction this work is headed.

I will ask -- I forget who it was. Is it Larry? Are you the one who was going to report out on the results of the special -- I see Tina nodding, so Larry Norden, if you would please report out on the results from the Election Committee.

MR. NORDEN:

Yes. So, I guess on behalf of the Election Certification Committee, we've got vote totals for the position of Vice Chair.

That's 20 votes for Ricky Hatch and four votes for Jenny Carroll, so Ricky has prevailed.

CHAIRWOMAN MCLAUGHLIN:

Congratulations to Ricky. Then I will recognize Commissioner Hovland to administer the oath of office to the incoming officers of the EAC Board of Advisors. And so --

COMMISSIONER HOVLAND:

Thank you, Chair McLaughlin, and congratulations to the new Executive Board for the coming year. So similar to earlier, you can leave it on mute, but please raise your right hand and repeat after me.

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[Commissioner Ben Hovland led the recitation of the Oath of Office.]

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COMMISSIONER HOVLAND:

Thank you, and congratulations again.

CHAIRWOMAN MCLAUGHLIN:

Thank you. And those incoming officers, just to confirm, so that is Greg Moore is coming in as the new Chair of the Board of Advisors, Ricky Hatch is coming in as the new Vice Chair of the Board of Advisors, and Mark Ritchie is coming in as the new Secretary of the Board of Advisors, all really exceptional individuals

who have amazing contributions to this field. And I am just absolutely delighted to pass the baton on.

I have really nothing more substantive to share beyond what I had stated in my opening remarks and in the side conversation that we had on the Bylaws Committee report about really something that I think all of us have reflected on in some way in the course of our appointment to this body, which is that as I had indicated earlier, we are not the Standards Board, and we are not the local election officials group. We are a very unique body created under HAVA for the express purpose of bringing together a certain mix of individuals who have a certain mix of expertise. And it is truly an honor to have played my moment in the leadership of this body, but I know that each of the incoming individuals who have taken on a leadership role also have some very deep thoughts on how this body can really work together and move forward and serve our role in not just offering our own individual advice but really representing those that are from our appointing authorities to this particular body in the role that we play with the EAC.

So I will end there with my remarks, but I do want to say first and foremost if the incoming Chair, Greg Moore, if you have any remarks, any statements that you would like to make before we adjourn the meeting?

MR. MOORE:

Well, first of all, my first statement is thank you for the opportunity to serve in this capacity. Many of you know I've been a longtime supporter of the EAC even before we were fully reconstructed, so very happy to see the great work that's been done and the great accomplishments that's taken place by this staff and even the excitement around the questions with this Board of Advisors, so thank you for that.

Second, I want to thank Alysoun McLaughlin. She has actually been a leader of this organization, has been active in it. She asked me to step up and take on this role so that she might go about doing those other things that she has to do. And so, I somewhat reluctantly said okay, but as you all know, I am very committed and passionate about this organization and the work that it does. And my congratulations to Ricky Hatch, as well as Mark Ritchie, who all have very great deep histories in this. And thank you to Jenny Carroll for her willingness to serve in a leadership capacity.

Again to the staff, and particularly Mark Robbins who came back and gave us another run at this, you all have been just outstanding. I've seen this organization grow over the years, and I just couldn't be happier. So thank you for this opportunity, and I'm looking forward to the next year. And hopefully, we'll be back in

person again and we can break bread and have real interaction around this really important time in our country's history where this work is so important. So thank you.

CHAIRWOMAN MCLAUGHLIN:

Thank you.

Ricky, did you have anything additional that you would like to share?

MR. HATCH:

Nothing additional. Greg and you did a great job. Thank you.

CHAIRWOMAN MCLAUGHLIN:

Great. And I think Mark is still with us.

MR. RITCHIE:

Yes.

CHAIRWOMAN MCLAUGHLIN:

There he is.

MR. RITCHIE:

And thank you to all who served for so many years. Some of us are from day one. This is a long-term investment that we're making that will be for times we shall never see, and I'm pleased to take this turn, this rotation, this opportunity to help make it stronger with our other officers but with everybody who serves as a member of the advisory board and the staff and leadership. Thank you.

CHAIRWOMAN MCLAUGHLIN:

Commissioner Hovland, Commissioner Hicks, or Tina,  
anybody from the -- Mark, anyone from the EAC side have any  
closing remarks that you would like to make?

COMMISSIONER HICKS:

Thank you all. That's all I have to say.

CHAIRWOMAN MCLAUGHLIN:

Thank you.

Well, then, I will entertain a motion if there is one to adjourn  
this meeting.

MR. STARK:

I move that we adjourn. Philip Stark.

CHAIRWOMAN MCLAUGHLIN:

Is there a second?

MR. RITCHIE:

Second. Second. Mark Ritchie.

CHAIRWOMAN MCLAUGHLIN:

All in favor, say aye.

[Chorus of ayes]

CHAIRWOMAN MCLAUGHLIN:

Any opposed?

[No response]

CHAIRWOMAN MCLAUGHLIN:

In the opinion of the Chair, the ayes have it. The meeting is adjourned. Thank you all very much.

MR. MOORE:

Thank you. Bye-bye.

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[The Virtual Public Hearing of the United States Election Assistance Commission adjourned at 4:16 p.m.]

bw/cms

DRAFT