



**U.S. ELECTION ASSISTANCE COMMISSION  
BOARD OF ADVISORS**

**Moved that,**

[The Board of Advisors] adopt the recommendations of the Special Committee to Review the Structure of EAC Board of Advisors Meetings.

Moved by: Mr. Doug Lewis

Seconded: Mr. Joe Crangle

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Motion carried unanimously; Thursday, June 2, 2009  
Final recommendations attached.

The committee submits the following recommendations:

1. The annual board meeting should be 2 ½ days in length, beginning at 9:00 a.m. on Day 1 and ending at 12:00 noon on Day 3.
2. Board members should be encouraged to make their travel plans such that they will be present for the entire meeting.
3. **Motions from the Floor.** The committee recommends and strongly urges that board members be encouraged to offer motions from the floor in lieu of resolutions. The committee believes this will streamline and expedite consideration of matters and allow for more efficient use of time at the board meetings.
4. With respect to the **Submission of Resolutions**, the committee recognizes that members may want to introduce a resolution. To that end, the committee considered the variations of resolutions that could be presented to the board and offers the following recommendations:
  - Resolutions are to be submitted according to the standard format.
  - Resolutions being offered by standing, ad hoc and special committees should be submitted to the DFO at least 25 days before the meeting so they can be included in the board member briefing books, which are sent to members about 2 weeks before the meeting.
  - Resolutions offered by individual members should be submitted to the DFO
    - 25 days before the meeting, if possible.
    - In advance of the meeting, if possible.
    - Once the meeting begins, resolutions would be submitted to the Chair of the Resolutions Committee but no later than the end of the lunch break on Day 2.
    - Resolutions presented after the deadline should not be considered at the meeting.
5. With respect to the **Consideration of Resolutions**, the committee recommends the following timelines to provide ample time for board members to fully consider the resolution and work out variances and proposed amendments directly with the maker of the resolution before it is brought to the body for a vote.
  - Committee Resolutions should be discussed at the time the committees make their reports to the board. For Days 1 and 2 of the meeting, if the committee report is made in the morning, then the resolution(s) should be voted in the afternoon. If the committee report is made in the afternoon, then the resolution(s) should be voted the next morning.
  - Individual Resolutions should be considered at regular intervals throughout the meeting agenda, following the same timeline above. If a resolution is discussed in the morning then it should be voted that afternoon. If a resolution is discussed in the afternoon, then it should be voted the following morning.



**U.S. ELECTION ASSISTANCE COMMISSION  
BOARD OF ADVISORS**

**Moved that,**

Regarding the proposed Election Operations Assessment, the Voting Systems Standards Committee recommendations be approved and accepted.

Moved by: Mr. Keith Cunningham

Seconded: Mr. Doug Lewis

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Motion carried, two voted in opposition; Thursday, June 4, 2009  
Final recommendations are attached.

### **Election Operations Assessment Recommendations**

The Voting System Standards Committee recommends that the board submits the following recommendations to EAC.

1. The scope of the "Election Operations Assessment" should be limited primarily to the development of future Voluntary Voting System Guidelines and testing protocols by NIST.
2. The "Election Operations Assessment" should specify that the recommendations and revisions contained therein do not apply to the current generation of voting systems, which have not been tested under the proposed revisions of these Guidelines.
3. The "Election Operations Assessment," to the greatest extent possible, should utilize commonly accepted terminology that is generally understood by election administrators in order to avoid confusion.
4. The "Election Operations Assessment" should include instructions on how to read and interpret the graphs, models and other visual depictions included in the document.



**U.S. ELECTION ASSISTANCE COMMISSION  
BOARD OF ADVISORS**

**Moved that,**

The EAC Board of Advisors concurs with the draft Election Data Collection Grant Program Evaluation Report with the recommendation that further evaluation of the data contained on page 41 and any necessary amendments be made.

Moved by: Ms. Terri Hegarty

Seconded: Secretary Chris Nelson

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Motion carried unanimously; Thursday, June 3, 2009



**U.S. ELECTION ASSISTANCE COMMISSION  
BOARD OF ADVISORS**

**Moved that,**

The Board adopt the Voting System Standards Committee's recommendations with an amendment that the Update to the 2005 VVSG be numbered Version 3.1 as opposed to Version 3.2.

Moved by: Mr. Keith Cunningham

Seconded: Secretary Chris Nelson

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Motion carried unanimously; Thursday, June 3, 2009  
Final recommendations attached.

## **Voting System Standards Committee Recommendations for 2005 VVSG**

The Voting System Standards Committee submits the following set of recommendations (listed below) to the EAC Board of Advisors concerning the proposed updates and improvements to the 2005 Voluntary Voting System Guidelines (VVSG).

### **General Reference Recommendations**

- *Rename the reference to the VVSG*

The current practice of naming the federal voting system standards according to a year is misleading and could undermine public acceptance of the information. The future and past versions should be named accordingly:

1990 VSS: Version 1

2002 VSS: Version 2

2005 VVSG: Version 3

Update to 2005 VVSG: Version 3.1

Next Iteration: Version 4

- *Use of language regarding various versions of the VVSG*

While working on updates to Version 3, EAC needs to develop and use language that will keep Version 3.1 relevant while Version 4 is being developed. Continued work and discussion of Version 4 should emphasize that it is for the next generation of voting systems yet to be manufactured, and that Version 3.1, once adopted, will be the current standards.

- *Accessibility Requirements*

Create an appendix to Version 3.1 that details all of the accessibility requirements.

- *User Guides*

EAC should consider creating a best practice for the issuance of user guides.

- *Numeration of Appendices*

Clarify / renumber appendices to differentiate between Volume I and Volume II.

### **Section Specific Recommendations**

- *Volume 1. Section 4.1.2.13 - Testing under extreme conditions*

Manufacturers shall specify the temperature and humidity ranges that their systems are designed to handle. The systems shall be tested to the manufacturer's specifications. Systems that exceed the standard shall be so noted in the certification.

- *Volume 1. Section 4.1.5.1. Testing voting systems with all ballot sources*

Testing of a system shall include all variations of ballots (early voting, ballot on demand, etc.) to test for misfeeds.

- *Volume 2. Section 2.1.1.1. - User Manual/Documentation Instructions for functionality and set up*  
User Manual/Documentation shall clearly identify how to set up the systems operating system, security functionality and accessibility functionality according to manufacturer specifications as certified.
- *Volume 2. Section 2.1.1.1. Apply usability standards to user documentation*  
Standards shall specify that the manufacturer shall develop user guides for the systems. VSTLs shall test to the user documentation. User guides shall be presented in plain language for usability by local election officials. Usability testing shall apply to all user guides and operations manuals submitted under the VVSG.
- *Volume 2. Section 2.1.3- Protection of Proprietary Information*  
b. Labeling Submission "...will render the markings moot,"  
Replace the word "moot" with "invalid."
- *Volume 2. Section 2.6 – Accessibility Documentation in TDP*  
TDP and User Documentation shall contain a distinct accessibility section that clearly identifies the system's accessibility functionality, how the system meets the accessibility requirements and set up procedures for accessibility.
- *Volume 2. Section 5.4 - Software Workmanship – Coding Standards*  
Test labs shall verify that what manufacturers claim conforms to the requirements for Software Workmanship/Coding Standards is published and credible as outlined in the standard.

**Test Suite Recommendation - Standard Ballot Format Recommendation**

Create a standard ballot format for the test suites that contains a large number of races and ballot propositions, including lengthy propositions, in order to test the system's ability to handle long ballots.



**U.S. ELECTION ASSISTANCE COMMISSION  
BOARD OF ADVISORS**

**Moved that,**

The Board of Advisors adopts the Voting System Standards Committee recommendation regarding VVSG Volume I Section 3.3.1-e, as proposed with the date of 2013.

Moved by: Mr. Keith Cunningham

Seconded: Mr. Ron Gardner

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Motion carried unanimously; Thursday, June 3, 2009  
Referenced recommendation attached.

**Section Specific Recommendation – Submitted to Board of Advisors from the Voting System Standards Committee**

- *3.3.1 – e – Verification of a paper record by the voter*

The standard shall specify that an accessible voting system shall enable the voter to verify a paper ballot in the same style and manner as the ballot was generated. (large text size, audio, etc).

Sub-standard 3.3.1-E.1 shall be deleted.

Recommend changing the requirement to read as follows, *“If the Acc-VS uses or generates a paper record (or some other durable, human-readable record) that can be the official ballot or determinative vote record, then the system shall allow the voter to verify the paper record using the same access features as were used to generate the ballot. Voting equipment or systems currently in use are not subject to these accessibility requirements. As of January 1<sup>st</sup>, 2013, systems submitted for complete end to end testing shall meet this requirement.”*



**U.S. ELECTION ASSISTANCE COMMISSION  
BOARD OF ADVISORS**

**Moved that,**

[VVSG Volume I Section 3.3.1-e] include the language “non-visual access” as appropriate when defining alternative means for voting and casting ballots.

Moved by: Mr. Ron Gardner

Seconded: Mr. Philip Jenkins

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Motion carried unanimously; Thursday, June 3, 2009  
Referenced recommendation attached.

**Section Specific Recommendation – Submitted to Board of Advisors from the Voting System Standards Committee**

- *3.3.1 – e – Verification of a paper record by the voter*

The standard shall specify that an accessible voting system shall enable the voter to verify a paper ballot in the same style and manner as the ballot was generated. (large text size, audio, etc).

Sub-standard 3.3.1-E.1 shall be deleted.

Recommend changing the requirement to read as follows, *“If the Acc-VS uses or generates a paper record (or some other durable, human-readable record) that can be the official ballot or determinative vote record, then the system shall allow the voter to verify the paper record using the same access features as were used to generate the ballot. Voting equipment or systems currently in use are not subject to these accessibility requirements. As of January 1<sup>st</sup>, 2013, systems submitted for complete end to end testing shall meet this requirement.”*



**U.S. ELECTION ASSISTANCE COMMISSION  
BOARD OF ADVISORS**

**Moved that,**

The date [included in VVSG Volume I Section 3.3.1-e] is amended from January 1, 2013 to January 1, 2011.

Moved by: Mr. Ron Gardner

Seconded: Mayor Rhine McClin

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Motion defeated by a show of hands; Thursday, June 3, 2009



**U.S. ELECTION ASSISTANCE COMMISSION  
BOARD OF ADVISORS**

**Moved that,**

Sections 3.3.4 (b) and (c) in Volume I of the VVSG [be changed] to read "The accessible voting system shall provide an industry standard jack used to connect a personal assistive technology switch to the voting system. As of January 1<sup>st</sup>, 2013, systems submitted for complete end-to-end testing shall meet this requirement."

Adding to the end, an exception on Volume 1, 3.3.1 (c). to read: "This requirement shall not apply to personal assistive technology required to comply with 3.3.4 (b) – support for non-manual input."

That the Board of Advisors recommends that the EAC shall create management guidance regarding the needs of people with several disabilities, types of personal assistive technology switches, and best practices for poll workers in jurisdictions serving those voters.

Moved by: Mr. Ron Gardner

Seconded: Dr. Barbara Simons

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Motion carried unanimously; Thursday, June 3, 2009



**U.S. ELECTION ASSISTANCE COMMISSION  
BOARD OF ADVISORS**

**Moved that,**

The recommendations as submitted by the Voting System Standards Committee, including the specific recommendations regarding accessibility, be approved and adopted as proposed.

Moved by: Mr. Doug Lewis

Seconded: Mr. Ron Gardner

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Motion carried unanimously; Thursday, June 3, 2009  
Final recommendations attached.



**U.S. ELECTION ASSISTANCE COMMISSION  
BOARD OF ADVISORS**

**Moved that,**

The [draft] Resolution, submitted by Secretary Nelson, be referred to the Voting System Standards Committee to work out exactly the issues that were brought forth in terms of seeing what can be accomplished, whether its with the EAC or with vendors or with some other government agency, to get the Board a fiscal analysis before Version 4.0 is published for comment.

Moved by: Secretary Chris Nelson

Seconded: Secretary Todd Rokita

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Motion carried unanimously; Thursday, June 4, 2009  
Draft resolution, authored by Secretary Chris Nelson, is attached.



**U.S. ELECTION ASSISTANCE COMMISSION  
BOARD OF ADVISORS**

**PROPOSED RESOLUTION**

**Whereas**, The United States Election Assistance Commission (EAC) is an agency of the United States federal government created by the Help America Vote Act of 2002 (HAVA); and

**Whereas**, the United States Election Assistance Commission, Board of Advisors, passed Resolution 2007-[D10];

**Whereas**, that Resolution recommended that the Election Assistance Commission provide a fiscal analysis for new Voluntary System Guidelines;

**Whereas**, that Resolution was silent regarding the scope of analysis;

**Whereas**, that Resolution did not contain a timeframe for the conclusion of the analysis

**Now, Therefore Be It Resolved**, that any such fiscal analysis should report projected cost increases or decreases on a State and National basis for Version 4.0 of the Voluntary Voting System Guidelines. This analysis should be completed following the public comment period and prior to the adoption of the next iteration of the Voluntary Voting System Guidelines by the Election Assistance Commission.

**Resolved**, That the Board of Advisors

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Submitted by **Secretary Chris Nelson** on June 3, 2009

Approved as to Form by Resolutions Committee on June 3, 2009



**U.S. ELECTION ASSISTANCE COMMISSION  
BOARD OF ADVISORS**

**Moved that,**

The [Election Assistance] Commission consider convening a series of sessions involving lots of local jurisdictions and States to explore and refine how Federal laws and regulations are beginning to impact the cost of elections.

Moved by: Mr. Doug Lewis

Seconded: Mr. Keith Cunningham

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Motion carried unanimously; Thursday, June 4, 2009



**U.S. ELECTION ASSISTANCE COMMISSION  
BOARD OF ADVISORS**

**Moved that,**

the Board of Advisors recommends that the EAC, upon request of the Board of Advisors or the Standards Board, prepare a report for presentation at the meetings of both Boards regarding the status of all Resolutions that have been presented to the EAC for consideration by either Board. The report should indicate the Resolution number; a short description of the Resolution; the status of the Resolution including whether the Resolution was implemented at all; and the reason for the status of each Resolution. The presentation should include adequate time for discussion of the report.

Moved by: Secretary Todd Rokita

Seconded: Secretary Chris Nelson

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Motion carried unanimously; Thursday, June 4, 2009



**U.S. ELECTION ASSISTANCE COMMISSION  
BOARD OF ADVISORS**

**Moved that,**

The Secretary [of the Board of Advisors] prepare a Resolution commending those members who have left the Board since the 2008 meeting, thanking them for their service.

Moved by: Mr. Keith Cunningham

Seconded: Ms. Helen Purcell

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Motion carried unanimously; Thursday, June 4, 2009



**U.S. ELECTION ASSISTANCE COMMISSION  
BOARD OF ADVISORS**

**Moved that,**

The Secretary [of the Board of Advisors] be directed to prepare a Resolution thanking Chair Thomas for his service on behalf of the Board.

Moved by: Mr. Keith Cunningham

Seconded: Secretary Pedro Cortès

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Motion carried unanimously; Thursday, June 4, 2009



**U.S. ELECTION ASSISTANCE COMMISSION  
BOARD OF ADVISORS**

**Moved that,**

The current standard in Section 3.3.4-c which reads: “If the paper ballot VVPAT is the official ballot of record, a voter who lacks fine motor control issues must have a way to submit the ballot without handling the paper ballot or record” be changed according to the VSS Committee’s recommendation.

“The Acc-VS shall provide features that enable voters who lack fine motor control or the use of their hands to submit their ballots privately and independently without manually handling the ballot. Voting equipment or systems currently in use are not subject to these accessibility requirements. As of January 1<sup>st</sup>, 2013, systems submitted for complete end to end testing shall meet this requirement.”

Moved by: Mr. Ron Gardner

Seconded: Secretary Mary Herrera

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Motion carried unanimously; Thursday, June 3, 2009