

Standards Board – Resolutions & EAC Action

Date Title EAC Action Resolution with Justification

Date	Number of Resolutions
2006 (05-24-06)	3
2007 (02-23-07)	5
2007 (12-13-07)	15
2009 (02-27-09)	6
Total - 29	

Date	Title	EAC Action	Resolution with Justification
2006 (05-24-06)	RESOLUTION 2006-01	<p><input type="checkbox"/> EAC staff is in the process of developing policies and procedures, for review and consideration by the Commission, related to a peer review process to be used for all applicable research studies.</p> <p>Pursuant to HAVA (42 USC 15381) EAC requires that each research study undertaken consider “promoting methods of voting and administering elections which...will be efficient and cost-effective for use”</p> <p><input type="checkbox"/> EAC’s Strategic Plan (SP): Fiscal Years 2009-2014, Goal 3, Objective 2, states that EAC will “amend” the survey to include “data on new and emerging election administration topics...”</p> <p>The EAC anticipates that its draft 2010 Election Day Survey will be ready to begin the 120 day public comment OMB clearance process in August 2009.</p>	<p>WHEREAS, the U.S. Election Assistance Commission is conducting studies and research on a wide variety of subjects related to elections.</p> <p>RESOLVED that the Standards Board recommends—</p> <p>The EAC carefully review each study and recommendation of researchers to ensure that findings are based on facts that are clearly defended by quantitative data, rather than suspicions or assumptions;</p> <p><input type="checkbox"/> The EAC require researchers to study and report on the practicality and expense of implementing each recommendation;</p> <p><input type="checkbox"/> Election Day survey questions be considered and completed and noticed to states no later than two years before the election in which the data is to be collected.</p>

Standards Board – Resolutions & EAC Action

Date	Title	EAC Action	Resolution with Justification
		<p>EAC’s Strategic Plan is available here: http://www.eac.gov/about/docs/strategic-plan-final.pdf/attachment_download/file</p>	
2006 (05-24-06)	RESOLUTION 2006-02	<p><input type="checkbox"/> The special assistant to the DFO of the Standards Board is the designated contact and provides support to its members. To provide further support, EAC hired a meetings coordinator to assist the Board with travel, lodging and meeting logistics.</p> <p><input type="checkbox"/> The DFO, in accordance with the Standards Board bylaws and Federal Register notification requirements, will continue to ensure that members receive timely notification of meetings and other activities. The bylaws are available here: http://www.eac.gov/about/committees/standards/docs/standards-board-bylaws-amended-2-26-09-certified.pdf/attachment_download/file</p> <p><input type="checkbox"/> Consistent with HAVA Section 215, EAC provides and will continue to provide reports to the boards and to all stakeholders.</p>	<p>WHEREAS, the U.S. Election Assistance Commission Standards Board charter states that the annual cost for operating the Standards Board includes a one-quarter (1/4) staff year for support services; WHEREAS, the one-quarter (1/4) staff year has never been dedicated to the board, it has been determined that a need for such staffing is present. RESOLVED that the Standards Board recommends:</p> <p><input type="checkbox"/> The EAC adhere to the provision of the Charter of the U.S. Election Assistance Commission Standards Board and dedicate staff support; <input type="checkbox"/> The EAC staff person provide early and timely notice to the Standards Board relative to proposed meetings of the Standards Board and other activities so as to allow members meaningful opportunity to study materials in preparation for active participation or such meetings; and <input type="checkbox"/> Consistent with HAVA Section 215(c) notice of all reports be forwarded to Standards Board members.</p>
2006 (05-24-06)	RESOLUTION 2006-03	<p><input type="checkbox"/> EAC’s SP includes the strategy for collecting data,</p>	<p>WHEREAS, the Help America Vote Act requires the EAC to report on finite and specific topics that are clearly listed in the law;</p>

Standards Board – Resolutions & EAC Action

Date	Title	EAC Action	Resolution with Justification
		<p>which focuses on data mandated by HAVA, as well as a list of the specific research topics. Under Goal 3, Objective 2, the Research, Policy and Programs Division will “identify data required by law to be collected and data needed by Congress, election officials and other stakeholders.”</p> <p>Pursuant to HAVA (42 USC 15381) EAC studies various aspects of election administration, including “[s]uch other matters as the Commission determines are appropriate.” EAC believes that by sharing the best practices and the information contained in its studies and educational materials, election officials with limited budgets, as well as local and state legislators who are considering election administration practices, are well-served.</p> <ul style="list-style-type: none"> <input type="checkbox"/> EAC recognizes the unique election laws and procedures among the states. EAC is developing a clearinghouse policy that will include information about state election laws and practices provided by election officials, thus illustrating the diverse landscape in elections. The draft clearinghouse policy will be available for public 	<p>WHEREAS, Taxpayer dollars are being used to prepare these reports at a great deal of expense in terms of funding and time, WHEREAS, the EAC itself is not performing the Research, but instead contracting out such research to various individuals, policy institutes, think tanks, and/or activist groups, RESOLVED that the Standards Board recommends:</p> <ul style="list-style-type: none"> <input type="checkbox"/> That the EAC adhere strictly to the plain language meaning of the Help America Vote Act, where it clearly lists the specific topics that are to be reported on and the parameters thereof, without assuming tangential issues or taking action that would lead to an increased project scope; <input type="checkbox"/> That the EAC recognize that the wide disparity of state election laws may make quantitative analysis difficult depending on the subject being discussed. As a result, there is value in recognizing this fact alone and where this is the case, federal and taxpayer funds should not be used in making assumptions that cannot be carried in a nationwide forum; <input type="checkbox"/> That the EAC has a role in promulgating limited guidance in those areas specifically enumerated in Title III of HAVA, and otherwise the EAC is simply acting as a nationwide clearinghouse of state election practices. These EAC roles should be clearly enunciated on all EAC final and interim reports (through, for example; preambulatory language or “Draft” watermarks on each page) and should be clearly emphasized to the media and public in any statements or communication made by the EAC or its Commissioners.

Standards Board – Resolutions & EAC Action

Date	Title	EAC Action	Resolution with Justification
		<p>comment before the end of the year, and election officials will have the opportunity to comment on its proposed components. EAC has already launched a Voting System Reports Clearinghouse that includes information about voting systems submitted by local and state officials. View the Clearinghouse here: http://www.eac.gov/program-areas/research-resources-and-reports/copy_of_docs/state-local-voting-system-reports</p> <p>For the 2008 EAC Election Day Survey the states and territories completed a Statutory Overview that summarized state laws and statutes pertaining to various aspects of election administration and certain election terms contained in the survey. This Statutory Overview will be available on EAC's website in September 2009, and it will also educate the public about the wide diversity in state election laws.</p> <p>□ EAC's SP outlines the plan, including timelines, for adopting the HAVA-mandated guidance of Title III.</p> <p>EAC will continue to clearly identify the status of documents, including drafts. EAC reiterates the nature of</p>	

Standards Board – Resolutions & EAC Action

Date	Title	EAC Action	Resolution with Justification
		<p>these documents in public meeting announcements and stakeholder updates and clearly labels them as such on the Web site. This same approach applies to “guidance” and “best practices.”</p>	
<p>2007 (02-23-07)</p>	<p>RESOLUTION 2007-01</p>	<p>EAC is prohibited from lobbying the U.S. Congress, a jurisdiction, or an official of any government (federal, state, or local) pursuant to 18 U.S.C. 1913, the Anti-Lobbying Act. Therefore EAC cannot generally proactively offer opinions or suggestions to Congress. However, Congress may explicitly require that EAC make recommendations on specific topics. See for example HAVA sections 241, 244, 245, 246. The Anti-Lobbying Act also permits agencies to respond to questions or requests for information from Congress and other government officials. EAC can and does, in response to requests from Members of Congress, Committees, and other government officials, provide information concerning the possible impacts proposed legislation or policy may have on the election community. For example, in response to questions posed by Members during Congressional hearings,</p>	<p>Whereas, the Help America Vote Act of 2002 (HAVA) represents the most ambitious and comprehensive election reform and civil rights legislation since the Voting Rights Act of 1965; and Whereas, the States have collectively and aggressively taken on the challenge of implementing the changes proposed by HAVA and have had good success to date in implementing those changes, and Whereas, these changes need time to root and take shape so that good data as to the effects of these changes can be obtained and therefore, be used to discuss the need and type of any future changes.</p> <p>Now Therefore, Be It Resolved that the Standards Board recommends to the United States Election Assistance Commission that it should, in strong and bipartisan fashion, inform Congress and the public, at every opportunity of the following:</p> <ol style="list-style-type: none"> 1) That HAVA is still being implemented and needs to remain untouched for a longer period of time in order to determine the effect of HAVA and realize its benefits or detriments. 2) That Congress promised the states, local jurisdictions and the American people full funding of the HAVA mandate and to date that promise remains unfulfilled. 3) That Congress should fulfill its monetary promise under HAVA before suggesting any additional changes to election administration in the United States. 4) That after Congress meets its promises under HAVA and if Congress contemplates further federal election administration changes, that such changes only be promulgated with full funding as that funding is determined with full input from state and local election officials. 5) That after Congress meets its promises under HAVA and if Congress contemplates further federal election administration changes, that it only promotes a timeline that reflects full input from state and local election officials, and in no case should such changes already proposed have effective dates before July 2010.

Standards Board – Resolutions & EAC Action

Date	Title	EAC Action	Resolution with Justification
		<p>individual Commissioners have cited the lack of full funding of HAVA as a concern of election officials and the need to take into consideration timelines and election schedules when considering election law changes.</p>	
2007 (02-23-07)	RESOLUTION 2007-02	<p>No such policy has been adopted. However, the groups cited are represented on either the Board of Advisors or the TGDC. EAC already makes an effort to reach out to stakeholders represented by these organizations. For instance, EAC regularly attends their conferences sponsored and provides updates on the VVSG.</p>	<p>Whereas, the Election Assistance Commission is an agency of the United States federal government created by the Help America Vote Act; and Whereas, the Technical Guidelines Development Committee (TGDC) is considering new complex standards for the next iteration of the VVSG that might include much higher “Mean Time Between Failure” (MTBF) design for individual machine failure rates; “Software Independence” standards by which strict methods of detecting errors by auditing and verifying the overall election results as a whole are required; new requirements focused on Infrared (IR) and Radio Frequency (RF) communications to insure “air gaps” to separate voting equipment from wireless modules employed to transmit election results; and, analysis of equipment source logic as well as source codes which may require each piece of equipment to be separately encrypted with its own chip; and, Whereas, the approval of such new and complex standards for new equipment under the next iteration of the VVSG will greatly increase the time and expense for design and development of such new equipment by equipment vendors, the time and expense for certification of new equipment, as well as increasing the ultimate cost of such equipment for the end-users; and, Whereas, the approval of such new and complex standards for new equipment under the next iteration of the VVSG will pose significant challenges for election administrators in level of training and cost of training of poll workers; Now Therefore, Be It Resolved that the Standards Board recommends to the United States Election Assistance Commission that it consider the value and importance of having NIST and TGDC in their research of new standards for the next iteration of the VVSG consult with at least two selected independent election expert groups such as NASED, Election Center, Joint Elections Officials Liaison Council (JEOLC), International Association of Clerks, Recorders, Election Officials, and Treasurers (IACREOT), as well as with at least two selected equipment vendor task forces such as OASIS and IEEE to secure reasonable, practical, and testing consultation on the impact of complex new standards of core requirements and testing for security and transparency. Be It Further Resolved that the Standards Board recommends to the United States Election Assistance Commission that it undertake to secure the recommended</p>

Standards Board – Resolutions & EAC Action

Date	Title	EAC Action	Resolution with Justification
2007 (02-23-07)	RESOLUTION 2007-03	<p>The notice of joint rulemaking with the FEC was published in the Federal Register on July 28, 2009. The transfer of the NVRA regulations to EAC will be effective on August 28, 2009. Visit the following link to access the notice: http://edocket.access.gpo.gov/2009/pdf/E9-18031.pdf.</p> <p>EAC anticipates beginning its formal review of NVRA regulations in late 2009. During this extensive regulatory review process, all stakeholders will have several opportunities to comment during the rulemaking process.</p> <p>EAC’s The 2007-2008 NVRA report contained data provided by the states -- it did not include observations regarding the impact of the law from the public and election officials.</p>	<p>consultations itself between the times that TGDC makes its recommendations for the next iteration of the VVSG to the Standards Board and the time that the Standards Board makes its recommendations to the United States Election Assistance Commission for public hearing, comment, and eventual adoption and release.</p> <p>Whereas, the Election Assistance Commission is an agency of the United States federal government created by the Help America Vote Act; and Whereas, section 802 of the Help America Vote Act transferred to the Election Assistance Commission all functions under section 9(a) of the National Voter Registration Act of 1993; and, Whereas, section 9(a)(3) of the National Voter Registration Act states that the Election Assistance Commission “not later than June 30 of each odd-numbered year, shall submit to the Congress a report assessing the impact of the Act on the administration of elections for Federal office during the preceding 2-year period and including recommendations for improvements in Federal and State procedures, forms, and other matters affected by this Act”;</p> <p>Now Therefore, Be It Resolved that the Standards Board recommends that the United States Election Assistance Commission consider providing a period to receive public comments to allow election officials and voters the opportunity to provide observations of the impacts of the National Voter Registration Act and to include an analysis of such observations in the report and recommendations to Congress due June 30, 2007.</p>
2007 (02-23-07)	RESOLUTION 2007-04	<p>EAC recognized the need to immediately clarify the 2005 VVSG to improve the testing and certification of systems. Therefore, EAC has undertaken a revision to the 2005 VVSG that incorporates those areas of the next iteration that could be</p>	<p>Whereas, the Election Assistance Commission is an agency of the United States federal government created by the Help America Vote Act; and Whereas, the 2005 Voluntary Voting System Guidelines don’t take effect until December 13, 2007; and, Whereas, consideration and adoption of a voluminous new version of the VVSG at the same time as the 2005 Guidelines take effect will be confusing to elections officials, manufacturers and the public about what takes effect and when; and, Whereas, the TGDC does not fully consider affordability and logistics for elections administrators when recommending new guidelines;</p>

Standards Board – Resolutions & EAC Action

Date	Title	EAC Action	Resolution with Justification
		<p>implemented immediately. More information is available here: http://www.eac.gov/News/pres/120-day-public-comment-period-for-vvsg-1-1-begins-today/base view</p> <p>The schedule has been driven by the needs of the Testing and Certification Program, as well as the public comment periods built into the process.</p>	<p>Now Therefore, Be It Resolved that the Standards Board recommends to the United States Election Assistance Commission that it and the TGDC seriously narrow the scope of the next iteration of the VVSG to only those matters that are time-sensitive and emergency in nature.</p> <p>Be It Further Resolved that the Standards Board recommends to the United States Election Assistance Commission that it establish a regular schedule for future changes to the VVSG that keeps each new version narrow in scope and understandable for elections administrators, manufacturers and the public.</p>
2007 (02-23-07)	RESOLUTION 2007-05	No such policy has been adopted.	<p>Whereas, the Election Assistance Commission is an agency of the United States federal government created by the Help America Vote Act; and</p> <p>Whereas, voluntary voting system standards were adopted in 1990 by the Federal Election Commission (FEC) with additional standards issued by the FEC in 2002; and,</p> <p>Whereas, the U.S. Election Assistance Commission adopted voluntary voting system guidelines and anticipates adopting the next iteration; and,</p> <p>Whereas, the changes for election administrators and for voting equipment vendors have been sweeping, broad and complex since the presidential election of November, 2000; and,</p> <p>Whereas, the changes in the voluntary equipment systems guidelines have become increasingly frequent with only two years separating the 2005 VVSG from the anticipated next iteration of the VVSG; and,</p> <p>Whereas, the election administrators need reasonable time frames to justify and fund new voting equipment, and voting equipment vendors need reasonable time frames to design, develop, certify and market new products;</p> <p>Now Therefore, Be It Resolved that the Standards Board recommends to the United States Election Assistance Commission that it give careful consideration to the need for a policy that the VVSG shall not be updated more frequently than every four years, beginning after the issuance of the next iteration of the VVSG.</p>
2007 (12-13-07)	RESOLUTION 2007-06	<p>This will be a policy consideration as we continue to work to adopt the next iteration of the VVSG.</p> <p>However, at EAC's request, NIST researched alternatives to software independence to help inform the review process.</p>	<p>Whereas, The Election Assistance Commission is an agency of the United States federal government created by the Help America Vote Act (HAVA); and</p> <p>Whereas, There is uncertainty about the development of future voting technology; and</p> <p>Whereas, Any accessibility requirements in the next iteration of the Voluntary Voting System Guidelines (VVSG) must meet all accessibility requirements under federal law; and</p> <p>Whereas, The innovation class as proposed in the next iteration of the VVSG contains no certification standards or certification process, it is premature to require software</p>

Standards Board – Resolutions & EAC Action

Date	Title	EAC Action	Resolution with Justification
		<p>This research is available at http://www.eac.gov/program-areas/voting-systems/docs/nist-response.pdf/attachment_download/file</p>	<p>independence; now, therefore, be it Resolved, That the Standards Board recommends to the United States Election Assistance Commission that the next iteration of the VVSG provide that software independence not be a requirement.</p>
2007 (12-13-07)	RESOLUTION 2007-07	<p>This will be a policy consideration as we continue to work to adopt the next iteration of the VVSG.</p>	<p>Whereas, The Election Assistance Commission is an agency of the United States federal government created by the Help America Vote Act (HAVA); and Whereas, Open ended vulnerability testing is by nature an open test without restrictions; and Whereas, Open ended vulnerability testing is not conducive to a conformance assessment; now, therefore, be it Resolved, That the Standards Board recommends to the United States Election Assistance Commission that it should remove the requirement for open ended vulnerability testing until such time as standards can be created to allow vulnerability testing to be a uniform and defined process for each voting system.</p>
2007 (12-13-07)	RESOLUTION 2007-08	<p>This will be a policy consideration as we continue to work to adopt the next iteration of the VVSG. EAC and NIST have already begun reviewing the next iteration to identify requirements that could be constructed as “procedures” to determine if they can be revised, reworded or removed.</p>	<p>Whereas, The Election Assistance Commission is an agency of the United States federal government created by the Help America Vote Act (HAVA); and Whereas, The next iteration of the Voluntary Voting System Guidelines (VVSG) is intended as a standards document for voting equipment; and Whereas, Individual election jurisdictions create their own election administration practices; and Whereas, The United States Election Assistance Commission’s Election Management Guidelines are intended as recommendations to election officials regarding election management practices; now, therefore, be it Resolved, That the Standards Board recommends to the United States Election Assistance Commission that it should remove all requirements that mandate election procedures instead of equipment standards.</p>
2007 (12-13-07)	RESOLUTION 2007-09	<p>No such policy decision has been made. In the meantime, EAC staff is working with stakeholders regarding concerns about the costs of testing. For instance, in January 2009 the Voting System Testing and Certification Division held a summit regarding the cost of testing and asked election</p>	<p>Whereas, The Election Assistance Commission is an agency of the United States federal government created by the Help America Vote Act (HAVA); and Whereas, The next iteration of the Voluntary Voting System Guidelines (VVSG) is a total rewrite of the previous version of the VVSG; and Whereas, The next iteration of the VVSG creates expanded requirements for security, accessibility, usability, and testing; and Whereas, The need for these requirements must be balanced against the cost of implementing these requirements; and Whereas, No cost analysis was used in the creation of the next iteration of the VVSG; and Whereas, The federal government has already appropriated 3.1 billion dollars for the</p>

Standards Board – Resolutions & EAC Action

Date	Title	EAC Action	Resolution with Justification
		<p>officials for input. An initial meeting about the costs of testing was held in March 2007. The meeting transcript, presentations, participant list and other information is available at http://www.eac.gov/News/meetings/unified-testing-initiative-and-cost-of-testing-meeting</p>	<p>purchase of voting equipment by the states; and Whereas, Most of the money appropriated has been spent or committed by the states in order to meet the requirements of HAVA; and Whereas, Total funding of HAVA has not yet taken place; and Whereas, The potential cost of the next generation of voting machines must be known by election officials prior to the adoption of the next iteration of the VVSG; now, therefore, be it Resolved, That the Standards Board recommends to the United States Election Assistance Commission that it conduct research into and consider the financial impact of the next iteration of the VVSG in the areas of cost to develop, acquire, test, and administer the next generation of voting systems.</p>
2007 (12-13-07)	RESOLUTION 2007-10	<p>This will be a policy consideration as we continue to work to adopt the next iteration of the VVSG. However, at EAC’s request, NIST researched these issues, and the information is available at http://www.eac.gov/program-areas/voting-systems/docs/nist-response.pdf/attachment_download/file</p>	<p>Whereas, The Election Assistance Commission is an agency of the United States federal government created by the Help America Vote Act (HAVA); and Whereas, The next iteration of the Voluntary Voting System Guidelines (VVSG) is a total rewrite of the previous versions of the VVSG; and Whereas, The next iteration of the VVSG creates expanded requirements for security, accessibility, usability, and testing; and Whereas, Many of the requirements in the next iteration of the VVSG could have an unintended impact on voter convenience and voter turnout; and Whereas, The expanded requirements of the VVSG could have a chilling effect on the availability of the type of voting systems available; and Whereas, The number of voters choosing to use early voting is increasing; and Whereas, There is an increasing number of jurisdictions choosing to use vote centers; now, therefore, be it Resolved, That the Standards Board recommends to the United States Election Assistance Commission that it consider the impact on the election administrator’s ability to provide early voting and vote centers before adopting a standard.</p>
2007 (12-13-07)	RESOLUTION 2007-11	<p>This will be a policy consideration as we continue to work to adopt the next iteration of the VVSG. EAC and NIST have already begun reviewing the next iteration to identify requirements that could be considered “goal level” and therefore non-testable to determine if they can be revised, reworded or removed.</p>	<p>Whereas, The Election Assistance Commission is an agency of the United States federal government created by the Help America Vote Act (HAVA); and Whereas, The next iteration of the Voluntary Voting System Guidelines (VVSG) is a standards document intended to be tested against; now, therefore, be it Resolved, That the Standards Board recommends to the United States Election Assistance Commission that it should request the Technical Guidelines Development Committee (TGDC) to clearly identify all “goal level” or non-testable requirements contained in the next iteration of the VVSG.</p>
2007 (12-13-07)	RESOLUTION 2007-12	This will be a policy	Whereas, The Election Assistance Commission is an agency of the United States

Standards Board – Resolutions & EAC Action

Date	Title	EAC Action	Resolution with Justification
		consideration as we continue to work to adopt the next iteration of the VVSG.	federal government created by the Help America Vote Act (HAVA); and Whereas, Many states require their voting systems to be tested to the 2002 Voting Systems Standards (VSS) or 2005 Voluntary Voting System Guidelines (VVSG); and Whereas, The 2005 VVSG becomes effective on December 13th, 2007; now, therefore, be it Resolved, That the Standards Board recommends to the United States Election Assistance Commission that it should remove any editorializing concerning the 2002 VSS or 2005 VVSG from the next iteration of the VVSG because it could undermine confidence in the voting process.
2007 (12-13-07)	RESOLUTION 2007-13	This will be a policy consideration as we continue to work to adopt the next iteration of the VVSG.	Whereas, The Election Assistance Commission is an agency of the United States federal government created by the Help America Vote Act (HAVA); and Whereas, The Standards Board has identified several areas of concern and has put those concerns forward in resolutions; now, therefore, be it Resolved, That the Standards Board recommends to the United States Election Assistance Commission that it seek to fully understand the consequences of the next iteration of the Voluntary Voting System Guidelines (VVSG) before establishing an effective date for the new set of standards.
2007 (12-13-07)	RESOLUTION 2007-14	This will be a policy consideration as we continue to work to adopt the next iteration of the VVSG. However, we implemented a similar process when adopting the 2005 VVSG, in which our policy was to stop end to end testing and modifications for any 2002 system as of Dec. 13, 2007. The press release about the adoption of the 2005 VVSG is available here: http://www.eac.gov/News/press/2005/news-121305-2	Whereas, The Election Assistance Commission is an agency of the United States federal government created by the Help America Vote Act; and Whereas, For two full years after the adoption of the 2005 Voluntary Voting System Guidelines (VVSG) no system has been certified to the 2005 VVSG; now, therefore, be it Resolved, That the Standards Board recommends to the United States Election Assistance Commission that it create a period of time where it would allow already 2005 certified voting systems to be upgraded or modified under the 2005 VVSG while all uncertified voting systems must be tested under the next iteration of the VVSG.
2007 (12-13-07)	RESOLUTION 2007-15	EAC received the report and the issues contained within it will be policy considerations as EAC works to adopt a final version.	Whereas, The Election Assistance Commission is an agency of the United States federal government created by the Help America Vote Act (HAVA); and Whereas, The Executive Board of the Standards Board requested the assistance of the Voluntary Voting System Guidelines (VVSG) Ad Hoc Committee to review the next iteration of the VVSG; and Whereas, The VVSG Ad Hoc Committee has spent many hours reviewing the next iteration of the VVSG; and Whereas, The VVSG Ad Hoc Committee has provided an extensive report with

Standards Board – Resolutions & EAC Action

Date	Title	EAC Action	Resolution with Justification
			<p>suggestions titled “Additional Resolution Issues”; and Whereas, The Standards Board would like to formally acknowledge the efforts of the VVSG Ad Hoc Committee; now, therefore, be it Resolved, That the Standards Board hereby forwards the VVSG Ad Hoc Committee Report to the United States Election Assistance Commission for their consideration during their review of the next iteration of the VVSG.</p>
2007 (12-13-07)	RESOLUTION 2007-16	This will be a policy consideration as we continue to work to adopt the next iteration of the VVSG.	<p>Whereas, The Election Assistance Commission is an agency of the United States federal government created by the Help America Vote Act (HAVA); and Whereas, The Standards Board has suggestions about general references and definitions of words in the Voluntary Voting System Guidelines (VVSG); and Whereas, The draft recommendations from the Technical Guidelines Development Committee (TGDC) are in need of typographical and formatting corrections; now, therefore, be it Resolved, That the Standards Board recommends to the United States Election Assistance Commission that when temperature is referred to in the document, it should be in both Fahrenheit and Celsius; and, be it further Resolved, That the Standards Board recommends to the United States Election Assistance Commission that it would be helpful to have an appendix listing all tables and figures contained within the document, including a brief description of the table/figure and where it can be found within the document; and, be it further Resolved, That the Standards Board recommends to the United States Election Assistance Commission that the following typographical and formatting errors should be edited to reflect the suggested changes:</p>
2007 (12-13-07)	RESOLUTION 2007-17	This will be a policy consideration. However, EAC staff and NIST continue to work on human factors testing and standards for the next iteration.	<p>Whereas, The Election Assistance Commission is an agency of the United States federal government created by the Help America Vote Act (HAVA); and Whereas, The National Institute of Standards and Technology (NIST) conducted usability testing for the purpose of creating usability benchmarks for the next iteration of the Voluntary Voting System Guidelines (VVSG); and Whereas, The usability testing conducted by NIST did not include a representative sample of the voting population; now, therefore, be it Resolved, That the Standards Board recommends to the United States Election Assistance Commission that the Technical Guidelines Development Committee direct NIST to use a demographic sample that is more closely reflective of the voting population when developing usability test methods.</p>
2007 (12-13-07)	RESOLUTION 2007-18	This will be a policy consideration as we continue to work to adopt the next iteration of the VVSG. However, at EAC’s request, NIST researched these issues,	<p>Whereas, The Election Assistance Commission is an agency of the United States federal government created by the Help America Vote Act (HAVA); and Whereas, Electronic ballot markers (EBMs) and electronic ballot printers (EBPs) mark ballots but do not count ballots; now, therefore, be it Resolved, That the Standards Board recommends to the United States Election Assistance Commission that in Part 1, Parts 5.6.1-B, 5.6.1-C, 5.6.2-B and 5.6.2-C the</p>

Standards Board – Resolutions & EAC Action

Date	Title	EAC Action	Resolution with Justification
		and the information is available at http://www.eac.gov/program-areas/voting-systems/docs/nist-response.pdf/attachment_download/file	phrase “except electronic ballot markers (EBMs) and electronic ballot printers (EBPs) that rely on hardwired telephone lines” should be inserted following the term “electronic devices”.
2007 (12-13-07)	RESOLUTION 2007-19	This will be a policy consideration as we continue to work to adopt the next iteration of the VVSG.	Whereas, The Election Assistance Commission is an agency of the United States federal government created by the Help America Vote Act (HAVA); and Whereas, Previous versions of the 2002 Voting System Standards (VSS) and the 2005 Voluntary Voting System Guidelines (VVSG) prevented unauthorized re-opening of the polls; and Whereas, Changes made after an authorized reopening of a poll can be documented and audited; and Whereas, Each state can institute its own procedures if it should decide to allow polls to be re-opened; now, therefore, be it Resolved, That the Standards Board recommends to the United States Election Assistance Commission that it continue to allow authorized re-opening of the polls in the next iteration of the VVSG.
2007 (12-13-07)	RESOLUTION 2007-20	This will be a policy consideration as we continue to work to adopt the next iteration of the VVSG.	Whereas, The Election Assistance Commission is an agency of the United States federal government created by the Help America Vote Act (HAVA); and Whereas, The Help America Vote Act (HAVA) requires accessible voting equipment to comply with Sec. 203 of the Voting Rights Act for minority languages; and Whereas, The next iteration of the Voluntary Voting System Guidelines (VVSG) includes a requirement for complete information to be presented to the voter in alternative languages; and Whereas, There are jurisdictions that are required to provide alternative languages to voters that are unwritten based on Sec. 203 of the Voting Rights Act; now, therefore, be it Resolved, That the Standards Board recommends to the United States Election Assistance Commission that it change Part 1- Chapter 3.2.7-A.2 to remove the text “whether the language is written or spoken” at the end of the sentence and replace it with, “for those languages that are written”.
2009 (02-27-09)	RESOLUTION 2009-01	As a result of comments received from EAC boards, EAC staff has refocused the project to center on an analysis that would be applicable to the next iteration of the VVSG. As part of this activity, EAC has	Whereas, The Election Assistance Commission is an agency of the United States federal government created by the Help America Vote Act (HAVA); and Whereas, the US Election Assistance Commission (EAC) has contracted for the development of a comprehensive risk assessment of voting systems to assist with the adoption of the next iteration of voting system standards; and Whereas, Phase 1 of the EAC’s risk assessment was submitted to the Standards Board for comment at the February 2009 meeting for the first time; and

Standards Board – Resolutions & EAC Action

Date	Title	EAC Action	Resolution with Justification
		<p>renamed the project: The Elections Operations Assessment. Virtual meeting room comments from the Standards Board resolutions are posted on http://www.eac.gov/about/committees/standards/resolutions</p>	<p>Whereas, the Standards Board finds the Phase 1 document extremely technical and finds it unclear how the Risk Assessment Project will assist the EAC with the evaluation and adoption of the next iteration of voting system standards; Whereas, Election Officials use a variety of processes and procedures, such as chain of custody procedures or polling place management, to mitigate possible risks posed to voting systems used in their jurisdiction; now, therefore, be it Resolved, that the EAC work with the Standards Board to develop a process to refine this risk analysis project so that it better meets the original goal of advising the EAC on the adoption of the next iteration of the voting system standards, and that the final deliverable be a document that is understandable to the Standards Board.</p>
2009 (02-27-09)	RESOLUTION 2009-02	<p>This will be a policy consideration as we continue to work to adopt the next iteration of the VVSG.</p>	<p>Whereas, The Election Assistance Commission is an agency of the United States federal government created by the Help America Vote Act (HAVA); and Whereas the US Election Assistance Commission (EAC) is responsible for adoption of the Voluntary Voting System Guidelines (VVSG) and certification of voting systems; and Whereas, the pace of certification of voting systems and adoption of VVSG has contributed to a slowdown in the ability of jurisdictions to purchase new systems or obtain upgrades of systems; and Whereas, a lack of certainty in both certification timelines and the pace of VVSG adoption creates disincentives for vendors to produce new, innovative systems; now therefore, be it Resolved, that the EAC, after approval of the next iteration of the VVSG, should adopt a regular schedule of VVSG adoption based on five (5) year intervals.</p>
2009 (02-27-09)	RESOLUTION 2009-03	<p>EAC’s SP states that EAC will “amend” the survey to include “data on new and emerging election administration topics...” No policy decision has been made regarding changes to the 2010 Election Day survey instrument.</p> <p>EAC anticipates that its draft 2010 Election Day survey will be ready to begin the 120-day public comment OMB clearance process in August 2009.</p> <p>Development of the survey</p>	<p>Whereas, The Election Assistance Commission is an agency of the United States federal government created by the Help America Vote Act (HAVA); and Whereas the US Election Assistance Commission (EAC) Election Day Survey places a heavy burden on state and local election officials; and Whereas, the EAC has made improvements in the design of questions and the mechanism for reporting the data; and Whereas, Election Officials attempt to program data collection into their state-wide voter registration databases and require adequate lead time in the “off” year to program and test those systems; and Whereas, A number of the questions in the Election Day Survey have obvious value and a number of questions have dubious value to legitimate research and public policy decision-making; and Whereas, the EAC has not formalized a process for what data is important to collect and why; now therefore be it Resolved, that the EAC use the 2008 Election Day Survey questions as the 2010 Election Day Survey; the EAC entertain no additional questions beyond those statutorily required; and that EAC conduct a review of the existing survey questions</p>

Standards Board – Resolutions & EAC Action

Date	Title	EAC Action	Resolution with Justification
		instrument is a public process involving a public comment period and updates at EAC public meetings. Both boards are also asked to review and comment on the survey instrument.	with all users with the objective of improving existing questions and eliminating those questions of little elections value, and that a wider review be conducted in advance of the 2012 election; and Be it further resolved that the EAC complete all work on the 2010 Election Day Survey no later than August of 2009; and Be it finally resolved that EAC shall establish a formal process for making decisions on what data to collect and election officials should be part of the formal process.
2009 (02-27-09)	RESOLUTION 2009-04	The Standards Board DFO is working to establish a regular briefing about the VVSG and the Testing and Certification Program for the Executive Committee of the Standards Board.	Whereas, The Election Assistance Commission is an agency of the United States federal government created by the Help America Vote Act (HAVA); and Whereas, the US Election Assistance Commission (EAC) continues to evaluate the next iteration of the voting system standards and the EAC has decided to incorporate portions of the next iteration of the voting system standards into the 2005 voting system standards; and Whereas, the Standards Board has no communications from the EAC concerning the status of the next iteration or revision of the 2005 standards since December 2007; and Whereas, the Standards Board is required to make comments and recommendations to the EAC regarding proposed standards; now therefore be it Resolved, that the EAC staff conduct regular telephone conferences to update the Executive Committee of the Standards Board, or designated sub-committee of the Standards Board, to provide updates regarding status of proposed voting system standards; and Be it further resolved that the Executive Committee of the Standards Board provide regular updates to the entire membership.
2009 (02-27-09)	RESOLUTION 2009-05	EAC will continue to solicit comments from both the Standards Board and the Board of Advisors prior to adoption in accordance with HAVA.	Whereas, The Election Assistance Commission is an agency of the United States federal government created by the Help America Vote Act (HAVA); and Whereas, the proposed iteration of the Voluntary Voting System Guidelines (VVSG) contain many areas of concern and controversy; and Whereas, the Standards Board had great difficulty with many sections of the proposed iteration of the VVSG at their 2007, Austin, TX meeting; and Whereas, the Standards Board voiced their concerns at the 2007, Austin, TX meeting, which prompted the EAC to move forward modifications to the 2005 VVSG as an interim set of standards until approval of the next iteration of the VVSG; and Whereas, the Standards Board believes that it is paramount that all future iterations of the VVSG be formally reviewed at an in-person meeting prior to final adoption of the US Election Assistance Commission (EAC); now therefore be it Resolved, that the EAC Standards Board requests the EAC to provide the Standards Board an opportunity to review and comment on all future iterations of the VVSG prior to adoption.

Standards Board – Resolutions & EAC Action

Date	Title	EAC Action	Resolution with Justification
2009 (02-27-09)	RESOLUTION 2009-06	No policy determination has been made.	<p>Whereas, The Election Assistance Commission is an agency of the United States federal government created by the Help America Vote Act (HAVA); and Whereas, the Standards Board is a large board with the possibility of 110 members and the management of a board of that size can be and is a challenge; and Whereas, the Standards Board provides a vital function in keeping the US Election Assistance Commission (EAC) connected to the workings of election officials at the state, local, and US territory levels; and Whereas, it is vitally important for the Standards Board members to keep current with actions and decisions of the EAC; and Whereas, with the 2011 election of the Standards Board Executive Committee there could be a complete change of members; and Whereas, it has become the regular practice of the EAC to rotate the Designated Federal Officer (DFO) committee assignments of the EAC Commissioners on an annual basis; and Whereas, the change from one EAC Commissioner to another as DFO can be a cause for a lack of continuity between the Standards Board members and the EAC; and Whereas, vacancies in the office of EAC Commissioners provide an even greater opportunity for additional loss of continuity for the Standards Board; Resolved, that EAC Commissioners and staff members research viable methods for providing strong continuity for the continued functioning of the Standards Board; and Be it further resolved that the Standards Board DFO shall communicate the agreed upon plan to provide this continuity to the Executive Committee and the full membership of the Standards Board before the next DFO is assigned to the Standards Board.</p>