

> >  
> >  
> >  
> > -----Original Message-----  
> > From: Job Serebrov [mailto: [REDACTED]]  
>  
> > Sent: Monday, May 08, 2006 9:41 PM  
> > To: Patrick J. Rogers  
> > Subject: Working Group meeting  
> >  
> > Pat:  
> >  
> > The working group meeting for the voter fraud  
> > project is scheduled for  
> > May 18th in DC but David Norcross can't attend.  
> > Could you come? If so,  
> > we need to arrange travel and a hotel for you.  
> >  
> > Regards,  
> >  
> > Job  
> >  
>

---

> > Modrall, Sperling, Roehl, Harris & Sisk, P.A.  
> >  
>

---

> > THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE  
> > INDIVIDUAL OR ENTITY TO  
> > WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION  
> > THAT IS PRIVILEGED,  
> > CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER  
> > APPLICABLE LAW. If the  
> > reader of this message is not the intended  
> recipient  
> > or agent  
> > responsible for delivering the message to the  
> > intended recipient, you  
> > are hereby notified that any dissemination or  
> > copying of this  
> > communication is strictly prohibited. If you have  
> > received this  
> > electronic transmission in error, please delete it  
> > from your system  
> > without copying it, and notify the sender by reply  
> > e-mail or by calling  
> > [REDACTED] so that our address record can be  
> > corrected. Thank you.  
> >  
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>



"Tova Wang"  
[Redacted]  
05/02/2006 04:42 PM

To dromig@eac.gov  
cc psims@eac.gov  
Subject RE: Voting Fraud/Voter Intimidation Project Working Group

Barbara says that you have been working it out with her assistant Valerie, that they have spoken to you several times.

-----Original Message-----

**From:** dromig@eac.gov [mailto:dromig@eac.gov]  
**Sent:** Tuesday, May 02, 2006 8:46 AM  
**To:** [Redacted]  
**Cc:** psims@eac.gov  
**Subject:** Voting Fraud/Voter Intimidation Project Working Group

Dear Tova,

I am working with Peggy Sims in order to set a date for the Voting Fraud/Voter Intimidation Project Working Group. I have been trying to reach Barbara Arnwine in order to find out which days in May she is potentially available to attend this meeting but all of my attempts have been unsuccessful.

I would appreciate any help that you could provide in this matter.

Sincerely,

Devon Romig  
U.S. Election Assistance Commission  
1225 New York Ave. NW - Suite #1100  
Washington, D.C. 20005  
(202)566-2377

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM -----



"Weinberg and Utrecht"  
[Redacted]  
05/04/2006 01:34 PM

To psims@eac.gov  
cc  
Subject Re: Voting Fraud-Voter Intimidation

that would be fine

----- Original Message -----

**From:** psims@eac.gov  
**To:** [Redacted]  
**Sent:** Thursday, May 04, 2006 1:08 PM  
**Subject:** Voting Fraud-Voter Intimidation

000302

Barry:

It appears that the afternoon of Thursday, May 18 is best for a meeting of the working group. I know you said you would not be available in the morning that day. If we started at 1 PM, would that be too soon for you?

Peggy Sims  
Election Research Specialist  
U.S. Election Assistance Commission  
1225 New York Ave, NW - Ste 1100  
Washington, DC 20005  
Phone: 866-747-1471 (toll free) or [REDACTED]  
Fax: 202-566-3127  
email: psims@eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM -----

Margaret Sims/EAC/GOV  
05/04/2006 02:08 PM

To "Weinberg and Utrecht"  
[REDACTED]@GSAEXTERNAL  
cc [REDACTED]

Subject Re: Voting Fraud-Voter Intimidation 

OK, thanks. I'll get back to you with more information. --- Peggy

"Weinberg and Utrecht" [REDACTED]



"Weinberg and Utrecht"  
[REDACTED]  
05/04/2006 01:34 PM

To psims@eac.gov  
cc  
Subject Re: Voting Fraud-Voter Intimidation

that would be fine

----- Original Message -----

**From:** psims@eac.gov

**To:** [REDACTED]

**Sent:** Thursday, May 04, 2006 1:08 PM

**Subject:** Voting Fraud-Voter Intimidation

Barry:

It appears that the afternoon of Thursday, May 18 is best for a meeting of the working group. I know you said you would not be available in the morning that day. If we started at 1 PM, would that be too soon for you?

000303

Peggy Sims  
Election Research Specialist  
U.S. Election Assistance Commission  
1225 New York Ave, NW - Ste 1100  
Washington, DC 20005  
Phone: 866-747-1471 (toll free) or [REDACTED]  
Fax: 202-566-3127  
email: psims@eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM -----



"Job Serebrov" [REDACTED]

05/12/2006 02:33 PM

To psims@eac.gov

cc

Subject Re: Fraud Definition

Sounds good to me. If not Ginsburg try Braden.

--- psims@eac.gov wrote:

> I will add "DRAFT" to the definition and, yes, the  
> WG will have  
> suggestions. I do plan to send packets to you and  
> Tova containing the  
> same materials being provided to the WG. I haven't  
> sent anything yet  
> because I was hoping to finalize the WG list for  
> inclusion. (Still  
> waiting for a response from Ginsberg.)  
>  
> Regarding Tova's response, we may want to have a  
> very short meeting after  
> the WG disperses, followed by a teleconference the  
> following Monday  
> afternoon. Tuesday is bad for me because I'll be  
> out of the office  
> attending a series of EAC meetings that begin that  
> day. --- Peggy

>  
>  
>  
>  
> "Job Serebrov" [REDACTED]  
> 05/12/2006 12:52 PM  
>  
> To  
> psims@eac.gov, wang@tcf.org  
> cc  
>  
> Subject  
> Re: Fraud Definition  
>  
>

000304

>  
>  
>  
>  
> This is ok, given the fact that the WG may have  
> suggestions. Will you be sending us the same packets  
> that you are sending the WG? Also, I figure with  
> Tova's response we will need to have a  
> teleconference  
> on the report once I return to Little Rock. We will  
> need to do it that following Monday or Tuesday.  
>  
>  
>  
> --- psims@eac.gov wrote:  
>  
> > Would you please take a look at the attached? I  
> > combined both of your  
> > definitions, reformatted the list, removed a  
> > reference to the fraud having  
> > to have an actual impact on the election results  
> > (because fraud can be  
> > prosecuted without proving that it actually  
> changed  
> > the results of the  
> > election), and taken out a couple of vague  
> examples  
> > (e.g.; reference to  
> > failing to enforce state laws --- because there  
> may  
> > be legitimate reasons  
> > for not doing so).  
> >  
> > I have made contact with Ben Ginsberg's office and  
> > am waiting to hear if  
> > he accepts our invitation to join the working  
> group.  
> > --- Peggy  
> >  
> >  
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----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM -----

Margaret Sims/EAC/GOV

05/12/2006 02:56 PM

To "Job Serebrov"

cc [REDACTED]@GSAEXTERNAL

Subject Re: Fraud Definition 

I am reluctant to invite Braden until after I have received a "No" from Ginsberg. --- Peg

000305 4

"Job Serebrov" [REDACTED]



"Job Serebrov"  
[REDACTED]  
05/12/2006 02:33 PM

To psims@eac.gov  
cc  
Subject Re: Fraud Definition

Sounds good to me. If not Ginsburg try Braden.

--- psims@eac.gov wrote:

> I will add "DRAFT" to the definition and, yes, the  
> WG will have  
> suggestions. I do plan to send packets to you and  
> Tova containing the  
> same materials being provided to the WG. I haven't  
> sent anything yet  
> because I was hoping to finalize the WG list for  
> inclusion. (Still  
> waiting for a response from Ginsberg.)  
>  
> Regarding Tova's response, we may want to have a  
> very short meeting after  
> the WG disperses, followed by a teleconference the  
> following Monday  
> afternoon. Tuesday is bad for me because I'll be  
> out of the office  
> attending a series of EAC meetings that begin that  
> day. --- Peggy

> "Job Serebrov" [REDACTED]  
> 05/12/2006 12:52 PM

> To  
> psims@eac.gov, [REDACTED]  
> cc  
>  
> Subject  
> Re: Fraud Definition

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>  
>  
> This is ok, given the fact that the WG may have  
> suggestions. Will you be sending us the same packets  
> that you are sending the WG? Also, I figure with  
> Tova's response we will need to have a  
> teleconference  
> on the report once I return to Little Rock. We will  
> need to do it that following Monday or Tuesday.

000306

>  
>  
>  
> --- psims@eac.gov wrote:  
>  
> > Would you please take a look at the attached? I  
> > combined both of your  
> > definitions, reformatted the list, removed a  
> > reference to the fraud having  
> > to have an actual impact on the election results  
> > (because fraud can be  
> > prosecuted without proving that it actually  
> > changed  
> > the results of the  
> > election), and taken out a couple of vague  
> > examples  
> > (e.g.; reference to  
> > failing to enforce state laws --- because there  
> > may  
> > be legitimate reasons  
> > for not doing so).  
> >  
> > I have made contact with Ben Ginsberg's office and  
> > am waiting to hear if  
> > he accepts our invitation to join the working  
> > group.  
> > --- Peggy  
> >  
> >  
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----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM -----



"Job Serebrov"

05/09/2006 11:35 AM

To psims@eac.gov  
cc

Subject Re: Working Group-Perez

I did not get any attachments.

--- psims@eac.gov wrote:

> Did you look at the attached excerpts from Texas  
> Code? --- Peggy

>  
>  
>  
>

> "Job Serebrov" <[REDACTED]>  
> 05/09/2006 11:23 AM

000307

>  
> To  
> psims@eac.gov  
> cc  
> [REDACTED]  
> Subject  
> Re: Working Group-Perez

>  
>  
>  
>  
>  
>  
> We have the same set-up here in Arkansas. We hired a  
> person just like Perez. However, given this, I would  
> still like to know if he has a party affiliation and  
> this brings up another issue. How is the county  
> election commission chosen. In Arkansas it is the  
> Chairmen of the Republican and Democrat Parties or  
> if  
> he/she does not want to serve a person is elected in  
> his/her stead and a third member picked by the party  
> with the most constitutional officers. Practically  
> that has meant that the Democrats have controlled  
> election commissions in Arkansas since the end of  
> Reconstruction. This is why I want to know the  
> situation in Texas.

>  
>  
>  
> --- psims@eac.gov wrote:

>  
> > As you may recall, the Commissioners directed me  
> to  
> > find a nonpartisan  
> > local election official to serve on the Working  
> > Group. The three of us  
> > discussed the desirability of having a Hispanic.  
> I  
> > proposed that I find  
> > someone from Texas because of that State's  
> colorful  
> > history of voting  
> > fraud and their innovative approaches to combat  
> it.  
> > In those Texas  
> > counties that hire Election Administrators to run  
> > elections, rather than  
> > having elected officials do so (Tax Assessor for  
> > voter registration;  
> > County Clerk for balloting), the Election  
> > Administrator is hired by the  
> > County Election Commission and is supposed to  
> > perform his or her duties in  
> > a nonpartisan manner. (See attached excerpts from  
> > Texas Election Code  
> > regarding election administrator hiring and  
> > restrictions on partisan  
> > activity.)  
> > Any experienced Texas election official will be  
> > familiar with voting fraud

000308

> > and voter intimidation schemes used in that State.  
>  
> > Mr. Perez has over 13  
> > years experience as a county Election  
> Administrator  
> > in Texas. You won't  
> > find many news articles mentioning him because he  
> > has kept his nose clean.  
> > (The Texas press, as in many other parts of the  
> > country, prefers to  
> > report bad news.) Mr. Perez is plugged into the  
> > association of Texas  
> > election officials and the two largest  
> organizations  
> > of election officials  
> > in this country: the International Association of  
> > Clerks, Recorders,  
> > Election Officials and Treasurers (IACREOT); and  
> The  
> > Election Center. He  
> > is a past President and past Chairman of the  
> > Legislative Committee for the  
> > Texas Association of Election Administrators. He  
> > currently serves on  
> > IACREOT's Election Officials Committee, which  
> plans  
> > the educational  
> > sessions for election officials that are conducted  
> > at that organization's  
> > conferences. His peers in IACREOT and The  
> Election  
> > Center have selected  
> > his submissions on web presentations (IACREOT) and  
> > his professional  
> > practices papers (Election Center) for awards.  
> Mr.  
> > Perez also has access  
> > to information from other States through his  
> > membership in IACREOT and The  
> > Election Center. He also has a sense of humor,  
> > which you will note if you  
> > access the staff web page on the Guadalupe County  
> > Elections web site and  
> > hear the Mission Impossible theme .. something  
> that  
> > might be useful in the  
> > upcoming meeting.  
> >  
> > Guadalupe County is small but growing. In 2004,  
> the  
> > county had over 65  
> > thousand registered voters (a number more than  
> > doubled the number of  
> > registered voters in 1988). A third of the  
> county's  
> > population claims  
> > Hispanic or Latino origin, according to the U.S.  
> > Census Bureau. The county  
> > is in south central Texas and is bordered by  
> Comal,  
> > Hays, Cladwell,

000309

> > Gonzales, Wilson, and Bexar counties. In the  
> 1980s,  
> > the county was  
> > predominately a farming community; but in recent  
> > years, many people have  
> > moved from San Antonio (Bexar County) to Guadalupe  
> > County, preferring to  
> > live in Guadalupe County and work in Bexar County.

> > --- Peggy

> >

> >

> >

> >

> >

> > "Job Serebrov" [REDACTED]

> > 05/08/2006 11:30 PM

> >

> > To

> > psims@eac.gov

> > cc

> >

> > Subject

> > Re: Working Group

> >

> >

> >

> >

> >

> > Peggy:

> >

> > What political party is Perez with? How political

> > is

> > he? Is the position in Texas neutral or political?

> > Who

> > appointed Perez?

> >

> > As to Pat I will contact him but I can't promise

> > anything. If Pat can't come, who is getting

> > knocked

> > off Tova's list?

> >

> > Job

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--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM ---



"Job Serebrov" [REDACTED]

[REDACTED]

05/04/2006 11:17 AM

To psims@eac.gov

cc

000310



Subject Re: Good News

I will have a better idea about [redacted] condition today after surgery.

See:

[redacted]  
P.O. Box 2168  
Albuquerque, NM 87103-2168

[redacted]  
Asst: Carol Casstevens  
[redacted]

--- psims@eac.gov wrote:

- > Job:
- > Secretary Rokita is available May 18. I'm going to
- > talk with the Chairman
- > today about substituting Rogers for Norcross. Do
- > you have contact
- > information for Rogers? --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM ---



"Job Serebrov"

[redacted]  
05/03/2006 01:46 PM

To psims@eac.gov  
cc

Subject Re: Working Group Meeting

Monday afternnon I have a commission meeting.

--- psims@eac.gov wrote:

- > Job and Tova:
- >
- > As of now, the afternoon of Thursday, May 18 appears
- > to be the best
- > possible date for the meeting. Norcross is not
- > available to attend in
- > person that day (he is available only 2 days during
- > the first three weeks
- > of May). We won't have confirmation of the
- > availability of Secretary
- > Rokita until tomorrow --- but I am hopeful.
- >
- > I'll give you an update tomorrow. Maybe we can
- > schedule a teleconference
- > on Monday afternoon. --- Peggy

000311

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----



"Tova Wang"

05/11/2006 01:33 PM

To psims@eac.gov, dromig@eac.gov

cc

Subject RE: research summaries

I did send you the Brennan piece, but not the other one.

-----Original Message-----

**From:** Tova Wang

**Sent:** Thursday, May 11, 2006 12:31 PM

**To:** psims@eac.gov; dromig@eac.gov

**Subject:** research summaries

I have the feeling we didn't include these in the original batch I sent you. Could you double check and if not, would you please include them in the existing research materials? Sorry and thanks. I'm kind of doing all of this on my own in case you couldn't tell. List is coming...

Tova Andrea Wang  
Democracy Fellow  
**The Century Foundation**

phone: 212-452-7767 FAX: 212-533-5335

Visit our Web site [www.centuryfoundation.org](http://www.centuryfoundation.org) for the latest news, analysis, opinions, and events.

[Click here](#) to receive our weekly e-mail updates.

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----

Margaret Sims/EAC/GOV

05/09/2006 11:23 AM

To Devon E. Romig/EAC/GOV

cc

Subject Re: Fw: May 18th Meeting at EAC

Devon:

Send an email to Perez to remind him to contact Adventure Travel ASAP. We don't have confirmation of Rogers participation yet, though we have had a number of voice mails flying back and forth, so we cannot yet notify him to make travel arrangements immediately. --- Peggy

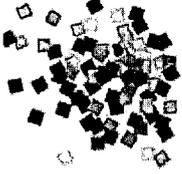
Devon E. Romig/EAC/GOV



Devon E. Romig/EAC/GOV

Margaret Sims/EAC/GOV@EAC

000312



05/09/2006 11:12 AM

To  
cc  
Subject Fw: May 18th Meeting at EAC

Devon Romig  
United States Election Assistance Commission  
1225 New York Ave. NW, Suite 1100  
Washington, DC 20005  
202.566.2377 phone  
202.566.3128 fax  
www.eac.gov

----- Forwarded by Devon E. Romig/EAC/GOV on 05/09/2006 11:12 AM -----



"Marvin Brokaw"



To dromig@eac.gov  
cc

05/09/2006 11:04 AM

Subject RE: May 18th Meeting at EAC

Hi Devon:

We have heard from Mark Hearne and Todd Rokita. They are both flying in and out on the 18th and will not need hotel rooms. We're kind of waiting to see if Perez and Rogers need rooms before booking any hotel. As soon as we get approval of Hearne and Rokita air schedules and get them booked, we'll forward their itineraries to you.

Kind Regards,  
Marvin

-----Original Message-----

**From:** dromig@eac.gov [mailto:dromig@eac.gov]  
**Sent:** Tuesday, May 09, 2006 8:31 AM  
**To:** [Redacted]  
**Cc:** psims@eac.gov  
**Subject:** May 18th Meeting at EAC

Hello Marvin,

I just wanted to follow up with the voicemail message that I left for you yesterday. We will be holding a meeting at our offices in Washington DC on May 18, 2006. I have informed the out of state attendees to contact you for their travel arrangements.

We have been authorized to pay for the attendees airfare and hotel arrangements. Please note that all of the participants are authorized for a two night hotel room stay, as long as the dates are May 17th and 18th.

I attached the list of the meeting participants that will be contacting you about their travel arrangements for the May 18th meeting in Washington DC.

000313

Let me know if you have any questions for me or if you need any more information from me.

Thanks for your help!

Devon Romig  
United States Election Assistance Commission  
1225 New York Ave. NW, Suite 1100  
Washington, DC 20005  
202.566.2377 phone  
202.566.3128 fax  
www.eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----



"Tova Wang"

05/02/2006 05:06 PM

To dromig@eac.gov

cc psims@eac.gov

Subject RE: Voting Fraud/Voter Intimidation Project Working Group

Can you please give me an idea where we are at with all this? I'd like to be able to figure out my schedule. Thanks -- and thanks for all your assistance on this. Tova

-----Original Message-----

**From:** dromig@eac.gov [mailto:dromig@eac.gov]

**Sent:** Tuesday, May 02, 2006 3:54 PM

**To:** [REDACTED]

**Subject:** RE: Voting Fraud/Voter Intimidation Project Working Group

Yes, I have spoken to her assistant several times but today has been the first time that I have ever spoken to her assistant. We did get the information that we needed. Thanks for your help!

Devon Romig  
U.S. Election Assistance Commission  
1225 New York Ave. NW - Suite #1100  
Washington, D.C. 20005  
(202)566-2377

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----

Margaret Sims/EAC/GOV

05/02/2006 05:41 PM

To "Tova Wang" [REDACTED]

cc

Subject RE: Voting Fraud/Voter Intimidation Project Working Group



I hope to have a better idea tomorrow, if Rokita's office responds. If not, we'd better have a teleconference to discuss our options. --- Peggy

000314 {

"Tova Wang" <wang@tcf.org>



"Tova Wang"

05/02/2006 05:06 PM

To dromig@eac.gov

cc psims@eac.gov

Subject RE: Voting Fraud/Voter Intimidation Project Working Group

Can you please give me an idea where we are at with all this? I'd like to be able to figure out my schedule. Thanks -- and thanks for all your assistance on this. Tova

-----Original Message-----

**From:** dromig@eac.gov [mailto:dromig@eac.gov]

**Sent:** Tuesday, May 02, 2006 3:54 PM

**To:** [redacted]

**Subject:** RE: Voting Fraud/Voter Intimidation Project Working Group

Yes, I have spoken to her assistant several times but today has been the first time that I have ever spoken to her assistant. We did get the information that we needed. Thanks for your help!

Devon Romig  
U.S. Election Assistance Commission  
1225 New York Ave. NW - Suite #1100  
Washington, D.C. 20005  
(202)566-2377

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----



05/03/2006 02:25 PM

To psims@eac.gov, [redacted]

cc dromig@eac.gov

Subject Re: Working Group Meeting

Sounds good. I'm available any time on Monday. Tova

----- Original Message -----

**From:** psims@eac.gov

**To:** [redacted]; [redacted]

**Cc:** dromig@eac.gov

**Sent:** Wednesday, May 03, 2006 1:44 PM

**Subject:** Working Group Meeting

Job and Tova:

000315

As of now, the afternoon of Thursday, May 18 appears to be the best possible date for the meeting. Norcross is not available to attend in person that day (he is available only 2 days during the first three weeks of May). We won't have confirmation of the availability of Secretary Rokita until tomorrow --- but I am hopeful.

I'll give you an update tomorrow. Maybe we can schedule a teleconference on Monday afternoon. ---  
Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----



"Donsanto, Craig"  
<Craig.Donsanto@usdoj.gov  
>  
05/11/2006 03:36 PM

To psims@eac.gov  
cc "Mitchell, Cynthia" <Cynthia.Mitchell@usdoj.gov>  
Subject RE: Voting Fraud-Voter Intimidation Working Group

Peg - -

I plan to be here tomorrow, although I may have to go to the main building during the day. If you are here and I am out, just leave the packet with the receptionist. Thank you.

---

**From:** psims@eac.gov [mailto:psims@eac.gov]  
**Sent:** Thursday, May 11, 2006 3:34 PM  
**To:** Donsanto, Craig  
**Subject:** RE: Voting Fraud-Voter Intimidation Working Group

Craig:

I would love to have an updated list for our research files. For purposes of getting this information out to our participants, I will note that the consultants' summary is based upon information provided as of January 2006. Thanks.

Do you expect to be at your office tomorrow afternoon? I can walk over with the information packet we will have put together for the Working Group. --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/11/2006 02:55 PM

To psims@eac.gov  
cc  
Subject RE: Voting Fraud-Voter Intimidation Working Group

000316

Peggy - -

I have Cynthia Mitchell in here with me now.

She says that the figures you listed in your attachment are your analysis of our product, and that therefore we cannot re-evaluate them.

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We can update the public list and send that to you, if you'd prefer. That would allow you to represent that the numbers are current up through now. But if you would prefer, you can use what you have as long as it is represented as complete only through January, 2006.

Let us know your desires - - -

---

**From:** psims@eac.gov [mailto:psims@eac.gov]  
**Sent:** Thursday, May 11, 2006 2:35 PM  
**To:** Donsanto, Craig  
**Subject:** Voting Fraud-Voter Intimidation Working Group  
**Importance:** High

Craig:

I think we have resolved the issue of Barbara Arnwine's absence from the upcoming meeting by having one of her staff represent her (and her organization). Please review the attached rough summary of DOJ Cases ASAP and let me know if I need to delete reference to the open investigations. Hopefully, we won't have to remove this information as it does not specify the defendants or States involved. --- Peg

**Rough Summary of Department of Justice, Public Integrity Section Activities, October 2002-January 2006**

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Noncitizen voting: 20  
Vote buying: 49  
Double voting: 12  
Registration fraud: 13  
Civil Rights: 4  
Voter Intimidation: 2  
Unclear: 1

000317

Open Investigations (note: a few cases overlap with prosecutions and convictions)

- Noncitizen voting: 3
- Vote buying: 25
- Double voting: 15
- Registration fraud: 29
- Absentee ballot fraud: 9
- Official: 8
- Ineligibles: 4
- Deceptive Practices: 1
- Civil Rights: 14
- Intimidation: 6
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Cases and Investigations Closed for Lack of Evidence

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- Absentee Ballot Fraud: 14
- Ineligible Voting: 3
- Intimidation: 8
- Double Voting: 5
- Ballot Box Stuffing: 1
- Vote Buying: 14
- Ballot/machine tampering: 2
- Other: 8
- Unclear: 3

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----



"Tova Wang"

[Redacted]  
04/24/2006 09:23 AM

To psims@eac.gov  
cc  
Subject invoice

Hi Peg,

Can you please check this before I fax it? Thanks! And can we talk sometime today?

Tova Andrea Wang  
Democracy Fellow  
The Century Foundation

[Redacted]  
[Redacted]

000318

Visit our Web site, [REDACTED] for the latest news, analysis, opinions, and events.

[Click here](#) to receive our weekly e-mail updates.



voucher 3-26-4-22.doc

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----

Margaret Sims/EAC/GOV

05/04/2006 02:23 PM

To Jeannie Layson/EAC/GOV

cc bwhitener@eac.gov

Subject Fw: Voting Fraud-Voter Intimidation Working Group Meeting

Oops! I forgot to cc. you on this. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 05/04/2006 02:23 PM -----

Margaret Sims/EAC/GOV

05/04/2006 02:07 PM

To Paul DeGregorio, Ray Martinez, Donetta Davidson, Gracia Hillman

twilkey@eac.gov, jthompson@eac.gov, Gavin S.

Gilmour/EAC/GOV@EAC, Amie J. Sherrill/EAC/GOV@EAC,

cc Adam Ambrogi/EAC/GOV@EAC, Elieen L.

Colliver/EAC/GOV@EAC, Sheila A. Banks/EAC/GOV@EAC,

bbenavides@eac.gov, Karen Lynn-Dyson/EAC/GOV@EAC

Subject Voting Fraud-Voter Intimidation Working Group Meeting

Dear Commissioners:

This is to let you know that the Working Group for our Voting Fraud and Voter Intimidation preliminary research project is scheduled to meet in EAC's large conference room the afternoon of Thursday, May 18. I will provide more information about this meeting to you later.

Peggy Sims  
Election Research Specialist

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----



[REDACTED]  
05/13/2006 10:54 AM

To psims@eac.gov

cc "Job Serebrov" [REDACTED]

Subject Fw: research summary



Existing\_research\_thoughts.doc Job found it. I'm assuming its too late to include so as I said I'll just present it if thats OK. Thanks again Job. T

000319

----- Original Message -----  
From: "Job Serebrov" <serebrov@sbcglobal.net>  
To: <wang@tcf.org>  
Sent: Saturday, May 13, 2006 10:12 AM  
Subject: Re: research summary

> T~  
>  
> Are you talking about this?  
>  
> J~  
>  
> --- wang@tcf.org wrote:  
>  
>> In the middle of the night I got the feeling that  
>> you may be right, that I did do a summary of the  
>> existing literature review (that Job, you approved)  
>> . I'll have to look for it on Monday (unless I go  
>> into the office over the weekend, which is  
>> possible). I may be hallucinating, but if not, I'll  
>> just present it at the meeting rather than try to  
>> get it to them ahead of time. Tova

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----



"Donsanto, Craig"  
<Craig.Donsanto@usdoj.gov  
>

To psims@eac.gov  
cc

05/11/2006 02:55 PM

Subject RE: Voting Fraud-Voter Intimidation Working Group

Peggy --

I have Cynthia Mitchell in here with me now.

She says that the figures you listed in your attachment are your analysis of our product, and that therefore we cannot re-evaluate them.

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We can update the public list and send that to you, if you'd prefer. That would allow you to represent that the numbers are current up through now. But if you would prefer, you can use what you have as long as it is represented as complete only through January, 2006.

Let us know your desires ---

---

**From:** psims@eac.gov [mailto:psims@eac.gov]  
**Sent:** Thursday, May 11, 2006 2:35 PM  
**To:** Donsanto, Craig  
**Subject:** Voting Fraud-Voter Intimidation Working Group  
**Importance:** High

000320

Craig:

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Ineligible Voting: 3  
Intimidation: 8  
Double Voting: 5  
Ballot Box Stuffing: 1  
Vote Buying: 14  
Ballot/machine tampering: 2

000321

Other: 8

Unclear: 3

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----

Margaret Sims/EAC/GOV

05/11/2006 03:33 PM

To "Donsanto, Craig"

<Craig.Donsanto@usdoj.gov>@GSAEXTERNAL

cc

Subject RE: Voting Fraud-Voter Intimidation Working Group 

Craig:

I would love to have an updated list for our research files. For purposes of getting this information out to our participants, I will note that the consultants' summary is based upon information provided as of January 2006. Thanks.

Do you expect to be at your office tomorrow afternoon? I can walk over with the information packet we will have put together for the Working Group. --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>



"Donsanto, Craig"  
<Craig.Donsanto@usdoj.gov>  
>

05/11/2006 02:55 PM

To psims@eac.gov

cc

Subject RE: Voting Fraud-Voter Intimidation Working Group

Peggy - -

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**Subject:** Voting Fraud-Voter Intimidation Working Group  
**Importance:** High

000322

Craig:

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Intimidation: 8  
Double Voting: 5  
Ballot Box Stuffing: 1  
Vote Buying: 14

000323

Ballot/machine tampering: 2  
Other: 8  
Unclear: 3

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----



"Tova Wang"  
[REDACTED]  
05/11/2006 01:10 PM

To psims@eac.gov  
cc [REDACTED]  
Subject: new working group representative

is Jon Greenbaum

Here's his info in full:

[REDACTED]

He is the Director of the Voting Rights Project for the Lawyers Committee for Civil Rights. He will be representing Barbara Arnwine, the Executive Director of the Lawyers Committee.

His contact and mailing info is:

[REDACTED]

Suite 400  
Washington, DC 20005

Tova Andrea Wang  
Democracy Fellow  
**The Century Foundation**

[REDACTED]

Visit our Web site, [REDACTED] for the latest news, analysis, opinions, and events.

[Click here](#) to receive our weekly e-mail updates.

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----



Devon E. Romig/EAC/GOV  
05/09/2006 09:31 AM

To [REDACTED]  
cc Margaret Sims/EAC/GOV@EAC  
Subject May 18th Meeting at EAC

000324

Hello Marvin,

I just wanted to follow up with the voicemail message that I left for you yesterday. We will be holding a meeting at our offices in Washington DC on May 18, 2006. I have informed the out of state attendees to contact you for their travel arrangements.

We have been authorized to pay for the attendees airfare and hotel arrangements. Please note that all of the participants are authorized for a two night hotel room stay, as long as the dates are May 17th and 18th.

I attached the list of the meeting participants that will be contacting you about their travel arrangements for the May 18th meeting in Washington DC. Let me know if you have any questions for me or if you need any more information from me.

Thanks for your help!

Devon Romig  
United States Election Assistance Commission  
1225 New York Ave. NW, Suite 1100  
Washington, DC 20005  
202.566.2377 phone  
202.566.3128 fax  
www.eac.gov



OUT OF STATE PARTICIPANTS VFVI Meeting.doc

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM ---

Margaret Sims/EAC/GOV

05/08/2006 01:05 PM

To "Job Serebrov"

cc

Subject Re: Working Group 

@GSAEXTERNAL

Job:

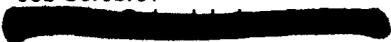
I don't think we can put you on teleconference for 4 1/2 hours. We really need to have you here in person if you are to help conduct the Working Group meeting. You should make your travel arrangements ASAP.

--- Peggy

"Job Serebrov" <serebrov@sbcglobal.net>



"Job Serebrov"

 05/08/2006 10:14 AM

To psims@eac.gov, wang@tcf.org

cc

Subject Re: Working Group

000325

Peggy:

4:00 eastern on Tuesday is fine however, given the financial restrictions that you indicated would be in place for use of my car (I would actually loose money coming to DC) and given the cost of hotels at this time (I can't afford to front these costs and wait for months to be repaid), etc, it would take a miracle for this working group meeting to take place in person. It is looking like the only way it will get done is by teleconference. I also share Tova's concern about the unknown nature of Mr. Perez.

Job

--- psims@eac.gov wrote:

> Hi, Folks:  
>  
> Teleconference  
> Are both of you available for a teleconference next  
> Tuesday afternoon at  
> about 4 PM EST? If this does not work for you,  
> please suggest another  
> date and/or time. I would like to discuss our  
> preparations for the  
> Working Group meeting.  
>  
> Working Group Members  
> We have a very good person to fill the slot for the  
> nonpartisan local  
> election official: J.R. Perez, Elections  
> Administrator for Guadalupe  
> County, TX. Attached is his bio. Hope you have no  
> objections to him. He  
> is available on May 18. I have place 2 calls to Pat  
> Rogers office, but  
> have not yet received a reply. Job, if you have any  
> pull with him, you  
> may want to contact him, too.  
>  
> Travel Arrangements  
> You should make your own travel arrangements,  
> including hotel. Travel  
> time cannot be billed to the contract, except for  
> hours actually worked on  
> the contract (i.e.; reviewing materials in  
> preparation for the meeting,  
> and the like). Current Federal rates follow:  
>  
> Maximum Lodging = \$180 per day- does not include  
> hotel taxes (if you  
> cannot get this rate, we have covered reasonable  
> rates that are a little  
> higher)  
> Meals & Incidentals = \$64 per day (except that it is  
> \$48 on the first and  
> last day of travel)  
> Mileage for Personally Owned Vehicle = \$ .445 per  
> mile

000326

>  
> Under the new contract, I do not have to fill out a  
> travel authorization  
> for you. I can approve your trip via email.  
> Afterwards, when you turn in  
> your next pay voucher, you can attach the airline  
> receipt (or mileage  
> documentation), hotel receipt(s), and ground  
> transportation receipts and a  
> copy of any printed itineraries. Calculate the  
> total travel expenses due  
> you, including applicable per diem. I do not need  
> meal receipts.  
>  
> Job, under Federal travel regulations, deviations  
> for personal reasons are  
> not normally accommodated. What you can do,  
> however, is to give me a  
> comparison of the cost of roundtrip mileage, hotel,  
> and per diem of doing  
> it your way against the cost of a roundtrip flight,  
> ground transportation,  
> hotel, and per diem. If your way costs less, it  
> should be no problem to  
> cover the full cost. If your way is more expensive,  
> we may only pay up to  
> the amount of traditional travel. (The same rules  
> apply to me when I  
> travel.) If you can tell me where, other than DC,  
> you will spend the  
> night, I can check on applicable per diem rates.  
>  
> Peggy  
>  
>

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----



"Job Serebrov"

05/10/2006 04:55 PM

To psims@eac.gov  
cc

Subject Re: Latham

Do you have any other suggestions?

--- psims@eac.gov wrote:

> One sources suggests the Georgetown Inn has  
> vacancies and pillow top beds.  
> Try 1-800-424-2979 or 202-353-8900.  
>  
>  
>  
>

000327

> "Job Serebrov" [REDACTED]  
> 05/10/2006 02:35 PM  
>  
> To  
> psims@eac.gov  
> cc  
>  
> Subject  
> Latham  
>  
>  
>  
>  
> The Latham is booked solid. I called. I am checking  
> out some possibilities but this is not looking good.  
>  
>  
>  
>

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----

Margaret Sims/EAC/GOV

05/10/2006 11:45 AM

To "Job Serebrov"

cc

Subject Re: Update 

[REDACTED] SAEXTERNAL

Why is the hotel suggestion not workable? (I need to know as we continue our search.) -- Peg

"Job Serebrov" [REDACTED]



"Job Serebrov"

05/10/2006 10:29 AM

To psims@eac.gov

cc

Subject Update

Peggy:

Pat just e-mailed me. He has something he can't move on the 18th. So I am now down one person and still no good hotel situation. Devon's suggestion is not workable.

Job

000328

Margaret Sims/EAC/GOV  
04/30/2007 06:25 PM

To eaccon@eac.gov  
cc  
bcc  
Subject Vote fraud Study-Archived Email Part 1

Here is the first batch of my archived email related to the vote fraud study.

Peg Sims

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----



"Job Serebrov"

08/02/2006 07:12 PM

To psims@eac.gov  
cc  
Subject Project

Peg:

Where are we on things?

Job

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Margaret Sims/EAC/GOV  
09/25/2006 03:39 PM

To Juliet E. Hodgkins/EAC/GOV  
cc  
Subject Fw: Definition of Voting Fraud and Voter Intimidation

I think this is the communication to which you referred this afternoon. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 09/25/2006 03:39 PM -----

Gavin S. Gilmour/EAC/GOV  
11/30/2005 10:19 AM

To Margaret Sims/EAC/GOV@EAC  
cc jthompson@eac.gov  
Subject Re: Definition of Voting Fraud and Voter Intimidation

Peggy,

Per our discussion, I have some initial concerns regarding the definitions that have been proposed.

1. Fraud is a legal term of art. Fraud is an intentional act or omission (i.e. actual fraud or constructive

000329

fraud) of misrepresentation or deceit. There is no such thing as defacto fraud or quasi fraud. Fraud must be intentional.... negligence alone is not fraud.

The general definition of voter fraud must concise and universally applicable (this in the challenging part). After this definition is created and intellectually tested, one can then create examples and explanations. These would 1) apply the definition to the entire election process (from beginning to end) and (2) apply it to action by voters, 3rd parties and election officials. Through this process a determination may be made regarding whether three definitions are needed or just one.

2. The document has no definition of voter intimidation. What is voter intimidation and how does it differ from voter fraud? I assume this would also be an intentional act.

3. Definitions need to be concise and tight. Such definitions need to be able to be broken down into elements. Each of these elements must have clear, applicable and enforceable meaning. This can be a challenge. For example use of the term "any illegal act" is unclear, begs the question and suggests that fraud only occurs in the course of committing a related crime.

These are just my initial thoughts.

GG  
Gavin S. Gilmour  
Associate General Counsel  
United States Election Assistance Commission  
1225 New York Ave., NW, Ste 1100  
Washington, DC 20005  
(202) 566-3100  
Margaret Sims/EAC/GOV

Margaret Sims/EAC/GOV

11/30/2005 09:28 AM

To jthompson@eac.gov, Gavin S. Gilmour/EAC/GOV@EAC  
cc

Subject Definition of Voting Fraud and Voter Intimidation

Attached discusses the definitions that Job and Tova would like to use. I have already taken issue with the exclusion of all voter registration shenanigans and the inclusion of administrative mistakes. Would be pleased to have your feedback and, if possible, your assistance for 15 minutes of a teleconference today (3:30 PM to 3:45 PM). --- Peggy



combined defining Fraud 11-18-05.doc

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ---



"Tova Wang"

08/08/2006 12:05 PM

To psims@eac.gov  
cc

Subject FW: bibliographic form

000330

**From:** Tova Wang [REDACTED]  
**Sent:** Wednesday, July 26, 2006 9:31 AM  
**To:** psims@eac.gov  
**Cc:** 'Job Serebrov'; [REDACTED]  
**Subject:** bibliographic form

Hi Peg, Here is the list of literature reviewed in bibliographic form. Please let us know if you have been able to look over any of the materials. Starting this afternoon, I will be pretty unavailable for the next two weeks.  
Thanks

Tova Andrea Wang  
Democracy Fellow  
The Century Foundation  
[REDACTED]  
[REDACTED]

Visit our Web site [REDACTED] for the latest news, analysis, opinions, and events.

[Click here](#) to receive our weekly e-mail updates.



Lit review in bibliographic form.doc

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ---



[REDACTED]  
08/11/2006 02:46 PM

To psims@eac.gov  
cc

Subject Re: direct deposit

I'm assuming we will get the extension for the revision period. Thanks.  
----- Original Message -----  
From: <psims@eac.gov>  
To: [REDACTED]  
Sent: Friday, August 11, 2006 2:39 PM  
Subject: Re: direct deposit

>  
> Tova:  
>  
> I show only 2 hours left on your contract as of 7/15/06 -- but here is the  
> form you requested. --- Peggy  
>  
> (See attached file: EFT Form.rtf)  
>

000331



Hey Peg,

Hope you are well. Whenever you have a chance, I need the form to change the direct deposit to my new bank account. Thanks so much.

Tova

PS -- Keep me posted on what's going on with the report

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Juliet E.  
Thompson-Hodgkins/EAC/G  
OV  
08/10/2006 04:24 PM

To Margaret Sims/EAC/GOV@EAC  
cc  
Subject John Tanner Comments

Juliet Thompson Hodgkins  
General Counsel  
United States Election Assistance Commission  
1225 New York Ave., NW, Ste 1100  
Washington, DC 20005  
(202) 566-3100

----- Forwarded by Juliet E. Thompson-Hodgkins/EAC/GOV on 08/10/2006 04:25 PM -----



"Cameron.Quinn@usdoj.gov"  
<Cameron.Quinn@usdoj.gov  
>  
08/10/2006 12:29 PM

To "jthompsonhodgkins@eac.gov"  
<jthompsonhodgkins@eac.gov>  
cc  
Subject



Tova Wang.doc

Cameron P. Quinn  
Counsel to the Assistant Attorney General  
Civil Rights Division, US Dept. of Justice  
Washington DC 20530  
202-305-9750

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Jeannie Layson/EAC/GOV  
10/12/2006 04:08 PM

To twilkey@eac.gov  
cc jthompson@eac.gov, ggilmour@eac.gov,  
klynndyson@eac.gov, psims@eac.gov

000333

Subject Brennan Center letter

Tom,

A draft letter is attached. I've incorporated comments from Gavin and Julie.

Jeannie Layson  
U.S. Election Assistance Commission  
1225 New York Ave., NW  
Suite 1100  
Washington, DC 20005  
Phone: 202-566-3100



[www.eac.gov](http://www.eac.gov) brennan center letter.doc

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Margaret Sims/EAC/GOV

10/10/2006 01:56 PM

To Sheila A. Banks/EAC/GOV

cc

Subject Fw: Letter from Barbara Arnwine

Any chance you could send a pdf version of the letter to me? --Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 10/10/2006 01:55 PM -----

Gracia Hillman/EAC/GOV

10/10/2006 12:12 PM

To Margaret Sims/EAC/GOV@EAC

cc "Julie Thompson-Hodgkins" <jthompson@eac.gov>, "Tom Wilkey" <twilkey@eac.gov>, sbanks@eac.gov

Subject Re: Letter from Barbara Arnwine 



The letter was addressed to the commissioners. I will ask Sheila to give a copy to you.

Per our normal procedures, I would guess a reply should be drafted for the Chairman's signature (especially as he is the DFO for the Board of Advisors) but you should check that with Tom.

Thanks.

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Margaret Sims/EAC/GOV

10/11/2006 01:45 PM

To Jeannie Layson/EAC/GOV

cc twilkey@eac.gov, Juliet E. Hodgkins/EAC/GOV@EAC, bwhitener@eac.gov

Subject Re: Voting Fraud-Voter Intimidation Report 

000334

I would hope that we can refer to it as a status report on the research project (prepared by EAC staff based upon information available at the time from our consultants, Tova and Job). Calling it a preliminary report has given rise to some confusion. That confusion has led to complaints from project working group members and requests from outsiders, who mistakenly think that EAC has released the document written by our consultant that fully reports on the preliminary research into voting fraud and voter intimidation and makes recommendations for future EAC action. --- Peggy

Jeannie Layson/EAC/GOV

Jeannie Layson/EAC/GOV

10/11/2006 12:33 PM

To Margaret Sims/EAC/GOV@EAC

cc

Subject Re: Voting Fraud-Voter Intimidation Report 

Thanks for the update. Per legal, the preliminary report is absolutely public information which is why we had to give it to the reporter when he asked for it.

Jeannie Layson  
U.S. Election Assistance Commission  
1225 New York Ave., NW  
Suite 1100  
Washington, DC 20005  
Phone: 202-566-3100  
www.eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Margaret Sims/EAC/GOV

10/13/2006 02:49 PM

To Tova Andrea Wang, Job Serebrov

cc

Subject Don't Believe Everything You Read

Tova and Job:

I am home recuperating, but see that in my absence, a USA Today article has gotten everyone stirred up. The report to which the article refers is only the status report on the voting fraud-voter intimidation research project that was delivered to our Standards Board and Board of Advisors last spring. I provided a copy of this document to both of you. but have attached another copy for your information. This document is subject to public release because it was presented at a public meeting.

Due to internal resource allocation problems, your final report has not yet been reviewed by the Commissioners. It is considered a working document (not subject to public release) until it has completed the review process and the Commissioners have agreed to release it. There has been no attempt by the Commission to hold up the report. I bear responsibility for any delays in moving it along. Please be

000335

reassured that we would not release your report without letting you know.

Peggy Sims  
Election Research Specialist  
U.S. Election Assistance Commission  
1225 New York Ave, NW - Ste 1100  
Washington, DC 20005  
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)  
Fax: 202-566-3127  
email: psims@eac.gov



VF-VI Study Status 5-17-06.pdf

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Jeannie Layson/EAC/GOV

10/13/2006 10:50 AM

To [REDACTED]

cc

Subject Your inquiry

Mr. Levine,

Per your inquiry from yesterday, the status report on the EAC's voter fraud and intimidation research project is attached. It was prepared by EAC staff and presented to our Standards Board and Board of Advisors at a meeting that was open to the public in May of this year. EAC staff is currently working on a final report.

Please let me know if I can be of further assistance, and I'd be glad to add you to our distribution list so you'll get updates on this and other EAC projects.

Jeannie Layson  
U.S. Election Assistance Commission  
1225 New York Ave., NW  
Suite 1100  
Washington, DC 20005  
Phone: 202-566-3100



www.eac.gov VF-VI Study Status 5-17-06.pdf

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Paul DeGregorio/EAC/GOV

10/11/2006 10:20 AM

To Jeannie Layson/EAC/GOV@EAC

cc Amie J. Sherrill/EAC/GOV@EAC, Margaret  
Sims/EAC/GOV@EAC

Subject Re: Interview Request 



000336

Find a time that works. There's a story in today's St Louis PD that points to over 1000 suspect voter registrations.

-----  
Sent from my BlackBerry Wireless Handheld

----- Original Message -----

**From:** Jeannie Layson  
**Sent:** 10/11/2006 10:15 AM  
**To:** Paul DeGregorio  
**Cc:** Amie Sherrill; Margaret Sims  
**Subject:** Interview Request

Mr. Chairman,  
Will Lester of the Associated Press wants to interview you briefly via phone about the preliminary fraud report. I recommend you accomodate him, as he has dutifully covered EAC, and plans to include us in a story next week about the election lanscape. He has requested a copy of the preliminary report, which I am sending to him. He only needs a few minutes, and as we discussed, i think the message is that these are preliminary findings that we presented to our advisory boards to get their input. When the final report is complete, we will release it. You can also use some of the talking pts from your speech, such as the challenge related to the very definition of the term "fraud," as people define it differently. How about I set it up for noon?

The only question he asked that I don't know the answer to is when we expect the final report. Peg... please weigh in on this.

Jeannie Layson  
U.S. Election Assistance Commission  
1225 New York Ave., NW  
Suite 1100  
Washington, DC 20005  
Phone: 202-566-3100  
[www.eac.gov](http://www.eac.gov)

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Bryan Whitener/EAC/GOV  
10/11/2006 11:34 AM

To: Thomas R. Wilkey/EAC/GOV@EAC  
cc: Jeannie Layson/EAC/GOV@EAC, Margaret Sims/EAC/GOV@EAC, Karen Lynn-Dyson/EAC/GOV@EAC, Juliet E. Hodgkins/EAC/GOV@EAC  
Subject: Fw: request for reports - Wendy Weiser, Brennan Center

Tom,

Do we have a policy on distributing the items she is requesting?

----- Forwarded by Bryan Whitener/EAC/GOV on 10/11/2006 11:33 AM -----



"Wendy Weiser"

000337



[Redacted]

10/11/2006 10:57 AM

To bwhitener@eac.gov  
cc  
Subject request for reports

Mr. Whitener,

I write to request a copy of the following two reports submitted to the Election Assistance Commission:

- (1) a report on voter fraud and voter intimidation, outlining a future research agenda, prepared by Tova Wang and Job Serebrov, and discussed in this morning's USA TODAY;
- (2) a report on provisional ballots and voter ID, prepared by the Moritz School of Law at Ohio State University in collaboration with others.

It is my understanding that these reports were commissioned by and submitted to the EAC several months ago. It is in the public interest to release these reports since they will advance the public discussion and understanding of important election administration issues.

Thank you very much for your attention to this request. Please let me know when I can expect to receive a copy of these reports. If this request is denied, please provide an explanation as to why.

Sincerely,

Wendy R. Weiser  
Deputy Director, Democracy Program  
Brennan Center for Justice at NYU School of Law  
161 Avenue of the Americas, 12th Floor  
New York, NY 10013

[Redacted signature block]

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Jeannie Layson/EAC/GOV  
10/11/2006 01:03 PM

To Margaret Sims/EAC/GOV@EAC  
cc  
Subject Re: Voting Fraud-Voter Intimidation Report

Has the working group met since the preliminary report was given to the Standards Bd?

000338

-----  
Sent from my BlackBerry Wireless Handheld

Margaret Sims

----- Original Message -----

**From:** Margaret Sims  
**Sent:** 10/11/2006 12:34 PM  
**To:** Paul DeGregorio; Jeannie Layson; Thomas Wilkey  
**Cc:** Amie Sherrill; Juliet Hodgkins; Bryan Whitener; Tamar Nedzar  
**Subject:** Re: Voting Fraud-Voter Intimidation Report

Just a note to clarify that we are not releasing the preliminary report on voting fraud and voter intimidation (Tova & Job's report) because the draft report is going through EAC review. The only document we can offer at this time is the status report on the research project, which was delivered to our boards and which apparently is considered public information. The status report does not address any recommendations for future EAC action.

I am using some of my work at home time on the draft report. Hopefully, I can meet with Julie and Tamar next week. After that, we will have a better idea of when it will be ready for a Commissioner briefing. ---  
Peggy

Paul DeGregorio/EAC/GOV



Paul DeGregorio/EAC/GOV

10/11/2006 10:20 AM

To Jeannie Layson/EAC/GOV@EAC

cc Amie J. Sherrill/EAC/GOV@EAC, Margaret Sims/EAC/GOV@EAC

Subject Re: Interview Request

Find a time that works. There's a story in today's St Louis PD that points to over 1000 suspect voter registrations.

-----  
Sent from my BlackBerry Wireless Handheld

----- Original Message -----

**From:** Jeannie Layson  
**Sent:** 10/11/2006 10:15 AM  
**To:** Paul DeGregorio  
**Cc:** Amie Sherrill; Margaret Sims  
**Subject:** Interview Request

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000339

am sending to him. He only needs a few minutes, and as we discussed, i think the message is that these are preliminary findings that we presented to our advisory boards to get their input. When the final report is complete, we will release it. You can also use some of the talking pts from your speech, such as the challenge related to the very definition of the term "fraud," as people define it differently. How about I set it up for noon?

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Jeannie Layson  
U.S. Election Assistance Commission  
1225 New York Ave., NW  
Suite 1100  
Washington, DC 20005  
Phone: 202-566-3100  
www.eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Margaret Sims/EAC/GOV  
10/11/2006 01:57 PM

To Jeannie Layson/EAC/GOV  
cc twilkey@eac.gov, Juliet E. Hodgkins/EAC/GOV@EAC,  
bwhitener@eac.gov  
Subject Re: Voting Fraud-Voter Intimidation Report 

The working group met prior to the meeting of the EAC boards, but too late for its deliberations to be summarized in the written status report on the project that was delivered to the boards. The status report notes that a meeting of the working group was about to be held to review the research so far and make recommendations. ---- Peggy

Jeannie Layson/EAC/GOV

Jeannie Layson/EAC/GOV  
10/11/2006 01:03 PM

To Margaret Sims/EAC/GOV@EAC  
cc  
Subject Re: Voting Fraud-Voter Intimidation Report 

Has the working group met since the preliminary report was given to the Standards Bd?

-----  
Sent from my BlackBerry Wireless Handheld  
Margaret Sims  
----- Original Message -----

From: Margaret Sims  
Sent: 10/11/2006 12:34 PM  
To: Paul DeGregorio; Jeannie Layson; Thomas Wilkey

000340

**Cc:** Amie Sherrill; Juliet Hodgkins; Bryan Whitener; Tamar Nedzar  
**Subject:** Re: Voting Fraud-Voter Intimidation Report

Just a note to clarify that we are not releasing the preliminary report on voting fraud and voter intimidation (Tova & Job's report) because the draft report is going through EAC review. The only document we can offer at this time is the status report on the research project, which was delivered to our boards and which apparently is considered public information. The status report does not address any recommendations for future EAC action.

I am using some of my work at home time on the draft report. Hopefully, I can meet with Julie and Tamar next week. After that, we will have a better idea of when it will be ready for a Commissioner briefing. ---  
Peggy

Paul DeGregorio/EAC/GOV



Paul DeGregorio/EAC/GOV  
10/11/2006 10:20 AM

To Jeannie Layson/EAC/GOV@EAC  
cc Amie J. Sherrill/EAC/GOV@EAC, Margaret  
Sims/EAC/GOV@EAC  
Subject Re: Interview Request

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Sent from my BlackBerry Wireless Handheld

----- Original Message -----

**From:** Jeannie Layson  
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**Cc:** Amie Sherrill; Margaret Sims  
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The only question he asked that I don't know the answer to is when we expect the final report. Peg...

000341

please weigh in on this.

Jeannie Layson  
U.S. Election Assistance Commission  
1225 New York Ave., NW  
Suite 1100  
Washington, DC 20005  
Phone: 202-566-3100  
www.eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----



Paul DeGregorio/EAC/GOV

09/28/2006 11:27 PM

To Margaret Sims/EAC/GOV

cc

Subject Speech

Peg,

I thought I would share with you the speech I am going to given on Fraud and Intimidation in Salt Lake City at noon on Friday. If you have time, please read it over and let me know if you see anything I shouldn't say. Thanks.



Speech on Fraud intimidation Sept 29 06 Salt Lake City.doc

Paul DeGregorio  
Chairman  
US Election Assistance Commission  
1225 New York Ave, NW  
Suite 1100  
Washington, DC 20005  
1-866-747-1471 toll-free  
202-566-3100  
202-566-3127 (FAX)  
pdegregorio@eac.gov  
www.eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Thomas R. Wilkey/EAC/GOV

10/11/2006 11:42 AM

To Bryan Whitener/EAC/GOV@EAC

cc Jeannie Layson/EAC/GOV@EAC, Margaret  
Sims/EAC/GOV@EAC, Karen Lynn-Dyson/EAC/GOV@EAC,  
Juliet E. Hodgkins/EAC/GOV@EAC

Subject Re: request for reports - Wendy Weiser, Brennan Center

000342

Both of these reports are draft reports to the EAC and are currently being reviewed by staff. While we have released some of the data tables that Eagleton nether of these reports can be released.

-----  
Sent from my BlackBerry Wireless Handheld  
Bryan Whitener  
----- Original Message -----

**From:** Bryan Whitener  
**Sent:** 10/11/2006 11:34 AM  
**To:** Thomas Wilkey  
**Cc:** Jeannie Layson; Margaret Sims; Karen Lynn-Dyson; Juliet Hodgkins  
**Subject:** Fw: request for reports - Wendy Weiser, Brennan Center

Tom,

Do we have a policy on distributing the items she is requesting?

----- Forwarded by Bryan Whitener/EAC/GOV on 10/11/2006 11:33 AM -----



"Wendy Weiser"

10/11/2006 10:37 AM

To bwhitener@eac.gov

cc

Subject request for reports

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Thank you very much for your attention to this request. Please let me know when I can expect to receive a copy of these reports. If this request is denied, please provide an explanation as to why.

Sincerely,

000343

Wendy R. Weiser  
Deputy Director, Democracy Program  
Brennan Center for Justice at NYU School of Law  
161 Avenue of the Americas, 12th Floor  
New York, NY 10013



----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Bryan Whitener/EAC/GOV

10/11/2006 03:21 PM

To Thomas R. Wilkey/EAC/GOV@EAC

cc Jeannie Layson/EAC/GOV@EAC, Juliet E.  
Hodgkins/EAC/GOV@EAC, Karen  
Lynn-Dyson/EAC/GOV@EAC, Margaret  
Sims/EAC/GOV@EAC

Subject Re: request for reports - Wendy Weiser, Brennan Center 

Tom,

Thanks but Wendy Weiser seems to be under the assumption that we provided all of this material to USA Today. As agreed to by the commissioners, counsel and staff, we only provided USA Today with the public documents that were presented to the advisory boards at the May meetings. Should we not clarify this to Wendy and provide her or anyone else with the same. I also just received the same request from election officials in Cook County, IL and King County, WA. Reporters are pestering them for information based on the USA Today article so election officials now want it from EAC. Looks like this is only the start so we need to get ahead of the curve.

Thomas R. Wilkey/EAC/GOV

Thomas R. Wilkey/EAC/GOV

10/11/2006 11:42 AM

To Bryan Whitener/EAC/GOV@EAC

cc Jeannie Layson/EAC/GOV@EAC, Margaret  
Sims/EAC/GOV@EAC, Karen Lynn-Dyson/EAC/GOV@EAC,  
Juliet E. Hodgkins/EAC/GOV@EAC

Subject Re: request for reports - Wendy Weiser, Brennan Center 

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-----  
Sent from my BlackBerry Wireless Handheld

Bryan Whitener

----- Original Message -----

From: Bryan Whitener

Sent: 10/11/2006 11:34 AM

000344

To: Thomas Wilkey  
Cc: Jeannie Layson; Margaret Sims; Karen Lynn-Dyson; Juliet Hodgkins  
Subject: Fw: request for reports - Wendy Weiser, Brennan Center

Tom,

Do we have a policy on distributing the items she is requesting?

----- Forwarded by Bryan Whitener/EAC/GOV on 10/11/2006 11:33 AM -----



"Wendy Weiser"

10/11/2006 10:57 AM

To bwhitener@eac.gov

cc

Subject request for reports

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Sincerely,

Wendy R. Weiser  
Deputy Director, Democracy Program  
Brennan Center for Justice at NYU School of Law  
161 Avenue of the Americas, 12th Floor  
New York, NY 10013



000345

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Margaret Sims/EAC/GOV

08/22/2006 02:09 PM

To "Donsanto, Craig"  
<Craig.Donsanto@usdoj.gov>@GSAEXTERNAL  
cc

Subject RE: Does EAC have access to stats on -- 

We don't have a summary in numbers. We just have a summary of cases, some of which do not appear to reach the level of election fraud, and the charts of newspaper articles, some of which only contain allegations and some of which report convictions. These charts were on the CD I sent you before the Working Group meeting. Unfortunately, we have a long way to go before we have what I would classify as statistics.

Peggy Sims  
Election Research Specialist  
U.S. Election Assistance Commission  
1225 New York Ave, NW - Ste 1100  
Washington, DC 20005  
Phone: 866-747-1471 (toll free)   
Fax: 202-566-3127  
email: psims@eac.gov

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>



"Donsanto, Craig"  
<Craig.Donsanto@usdoj.gov  
>  
08/22/2006 01:54 PM

To psims@eac.gov  
cc  
Subject RE: Does EAC have access to stats on --

Peggy - - I can take whatever you got!!! What does the data you got show?

---

**From:** psims@eac.gov [mailto:psims@eac.gov]  
**Sent:** Tuesday, August 22, 2006 1:53 PM  
**To:** Donsanto, Craig  
**Subject:** Re: Does EAC have access to stats on --

No reliable, comprehensive data --- just the preliminary research results from case law, literature review, and interviews. --- Peggy

000346

"Donsanto, Craig"  
<Craig.Donsanto@usdoj.gov>

08/22/2006 12:50 PM

To: psims@eac.gov, bhancock@eac.gov  
cc: "Campbell, Benton" <Benton.Campbell@usdoj.gov>, "Simmons, Nancy"  
<Nancy.Simmons@usdoj.gov>  
Subject: Does EAC have access to stats on --

-- State and local level prosecutions dealing with electoral fraud?

This message was brought to you by Dr. D's fabulous Blackberry!

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Margaret Sims/EAC/GOV

10/11/2006 02:37 PM

To: Jeannie Layson/EAC/GOV@EAC

cc: twilkey@eac.gov, Juliet E. Hodgkins/EAC/GOV@EAC,  
bwhitener@eac.gov

Subject: Re: Voting Fraud-Voter Intimidation Report 

The answer is tricky. The working group met *after the written report was submitted* for the board meetings, but *before the status report was formally presented* (orally) at the board meetings. --- Peggy

Jeannie Layson/EAC/GOV

Jeannie Layson/EAC/GOV

10/11/2006 02:27 PM

To: Margaret Sims/EAC/GOV@EAC

cc:

Subject: Re: Voting Fraud-Voter Intimidation Report 

So the answer is yes, they did meet after the status report was presented?

Jeannie Layson  
U.S. Election Assistance Commission  
1225 New York Ave., NW  
Suite 1100  
Washington, DC 20005  
Phone: 202-566-3100  
www.eac.gov  
Margaret Sims/EAC/GOV

000347

Margaret Sims/EAC/GOV

10/11/2006 02:26 PM

To Jeannie Layson/EAC/GOV@EAC  
cc twilkey@eac.gov, Juliet E. Hodgkins/EAC/GOV@EAC,  
bwhitener@eac.gov  
Subject Re: Voting Fraud-Voter Intimidation Report

The status report was written on May 17, 2006 (the last day it could be submitted for the upcoming board meetings). The first and only meeting of the working group was May 18, 2006. --- Peggy

Jeannie Layson/EAC/GOV

Jeannie Layson/EAC/GOV

10/11/2006 02:06 PM

To Margaret Sims/EAC/GOV@EAC  
cc  
Subject Re: Voting Fraud-Voter Intimidation Report

Yes, that is what prompted my question. So the answer is no -- they have not met since May 17?

Jeannie Layson  
U.S. Election Assistance Commission  
1225 New York Ave., NW  
Suite 1100  
Washington, DC 20005  
Phone: 202-566-3100  
www.eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Thomas R. Wilkey/EAC/GOV

10/13/2006 01:33 PM

To Margaret Sims/EAC/GOV@EAC  
cc  
Subject Re: Funding

Peggy,  
Could you give Jeannie a call she needs some help fashioning a statment regarding the USA Today article since Tova  
and Job are hoping mad  
Thanks

-----  
Sent from my BlackBerry Wireless Handheld

000348

Lynn-Dyson/EAC/GOV@EAC  
Subject Status Report on Voting Fraud-Voter Intimidation Study

Bryan:

An electronic copy of the status report is attached, as requested for the USA Today inquiry. The status report includes the attachment listing the Working Group members. I suggest that you check to ensure that I have protected the copy against any manipulation, and protect it yourself if I have not, before sending it out to anyone. --- Peggy



EAC Boards VF-VI Status Report.doc  
--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ---

Jeannie Layson/EAC/GOV  
10/12/2006 04:20 PM

To Thomas R. Wilkey/EAC/GOV@EAC  
cc ggilmour@eac.gov, jthompson@eac.gov,  
klynndyson@eac.gov, psims@eac.gov  
Subject Re: Brennan Center letter 

Who is signing the letter?

Jeannie Layson  
U.S. Election Assistance Commission  
1225 New York Ave., NW  
Suite 1100  
Washington, DC 20005  
Phone: 202-566-3100  
www.eac.gov

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ---

Thomas R. Wilkey/EAC/GOV  
10/12/2006 04:27 PM

To Jeannie Layson/EAC/GOV@EAC  
cc ggilmour@eac.gov, jthompson@eac.gov,  
klynndyson@eac.gov, psims@eac.gov  
Subject Re: Brennan Center letter 

I will IF they sign off on it

000349

Thomas R. Wilkey  
Executive Director  
US Election Assistance Commission  
1225 New York Ave, NW - Suite 1100  
Washington, DC 20005  
(202) 566-3109 phone  
TWilkey@eac.gov

Jeannie Layson/EAC/GOV

10/12/2006 04:20 PM

To Thomas R. Wilkey/EAC/GOV@EAC  
cc ggilmour@eac.gov, jthompson@eac.gov, klynndyson@eac.gov, psims@eac.gov  
Subject Re: Brennan Center letter [Link](#)

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www.eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Jeannie Layson/EAC/GOV

10/12/2006 04:14 PM

To twilkey@eac.gov, psims@eac.gov, jthompson@eac.gov,  
ggilmour@eac.gov  
cc

Subject Fw: reporter - Art Levine, Salon.com

See questions below. I can answer the first two, but see if this language is acceptable for questions 3 and 4.

Can I get full report submitted by Tova Wang? If not, why not? EAC staff is currently reviewing the data, and we have not compiled a final report. I will make sure you receive the final report when it is issued.

This answer will probably not make him happy, but it's the best I can come up with. Suggestions?

----- Forwarded by Jeannie Layson/EAC/GOV on 10/12/2006 04:06 PM -----  
Bryan Whitener/EAC/GOV

000350

10/12/2006 04:09 PM

To Jeannie Layson/EAC/GOV@EAC  
cc  
Subject reporter [REDACTED]

Art Levine

[REDACTED]

[REDACTED]  
deadline today or tomorrow

What exactly is the document USA Today refers to ?  
Is it a report or just a staff document ?  
Can I get full report submitted by Tova Wang ?  
If not, why not ?

FYI

Google search shows this on the DLC website

[http://www.dlc.org/ndol\\_ci.cfm?kaid=139&subid=275&contentid=253439](http://www.dlc.org/ndol_ci.cfm?kaid=139&subid=275&contentid=253439)

Art Levine

Senior Fellow

Progressive Poliy Institute

3003 Van Ness St. NW, Apt. W-516

Washington, D.C. 20008

[REDACTED]  
Also,

Salon's shameful six

There was Florida in 2000 and Ohio in 2004. Here are the six states where vote suppression could cost voters their voice -- and Democrats the election -- in 2006.

Salon News

By Art Levine

Eva Steele has a son in the military who is supposed to be fighting for freedom in Iraq, but sitting in a wheelchair in her room in a Mesa, Ariz., assisted-living facility, she wonders why it's so hard for her to realize a basic freedom back here in America: the right to vote.

000351

Arriving in Arizona in January from Kansas City, weakened by four heart attacks and degenerative disk disease, Steele, 57, discovered that without a birth certificate she can't register to vote. Under a draconian new Arizona law that supposedly targets illegal immigrants, she needs proof of citizenship and a state-issued driver's license or photo I.D. to register. But her van and purse were stolen in the first few weeks after she moved to Mesa, and with her disability checks going to rent and medicine, she can't afford the \$15 needed to get her birth certificate from Missouri. Her wheelchair makes it hard for her to navigate the bus routes or the bureaucratic maze required to argue with state bureaucrats. She's unable to overcome the hurdles thrown in her way -- and in the way of as many as 500,000 other Arizona residents -- by the state's Republican politicians.

###

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Jeannie Layson/EAC/GOV

10/12/2006 10:59 AM

To Thomas.Hicks@mail.house.gov

cc

Subject Research update

Tom,

Per our conversation, attached is the update the Standards Bd. and Bd. of Adv. received at their May meeting. That's all it was -- a status report. And we clearly stated in our Fed. Register notice that we would deliver an update on our research projects. And this meeting was open to the public.

Take care, and let's get together soon. Let me know if you need anything else.

Jeannie Layson  
U.S. Election Assistance Commission  
1225 New York Ave., NW  
Suite 1100  
Washington, DC 20005  
Phone: 202-566-3100



www.eac.gov VF-VI Study Status 5-17-06.pdf

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Jeannie Layson/EAC/GOV

10/12/2006 05:26 PM

To ghillman@eac.gov, pdegregorio@eac.gov,  
ddavidson@eac.gov

cc twilkey@eac.gov, jthompson@eac.gov, ggilmour@eac.gov,  
psims@eac.gov, klyndyson@eac.gov, bwhitener@eac.gov

Subject FOR YOUR APPROVAL

Commissioners,

Wendy Weiser of the Brennan Center has requested some of the information that was distributed to the Bd. of Adv. and the Standards Bd. at the May meeting. Her request is below. Attached is a draft letter that I

000352

suggest accompany the information we provide. Also enclosed would be the resolutions passed by both entities. Please let me know if the letter meets your approval. (The letter would be from Tom.)

I write to request a copy of the following two reports submitted to the Election Assistance Commission:

- (1) a report on voter fraud and voter intimidation, outlining a future research agenda, prepared by Tova Wang and Job Serebrov, and discussed in this morning's USA TODAY;
- (2) a report on provisional ballots and voter ID, prepared by the Moritz School of Law at Ohio State University in collaboration with others.

It is my understanding that these reports were commissioned by and submitted to the EAC several months ago. It is in the public interest to release these reports since they will advance the public discussion and understanding of important election administration issues.

Thank you very much for your attention to this request. Please let me know when I can expect to receive a copy of these reports. If this request is denied, please provide an explanation as to why.

Jeannie Layson  
U.S. Election Assistance Commission  
1225 New York Ave., NW  
Suite 1100  
Washington, DC 20005  
Phone: 202-566-3100



[www.eac.gov](http://www.eac.gov) brennan center letter.doc

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----



"Donsanto, Craig"  
<Craig.Donsanto@usdoj.gov>  
>  
08/22/2006 02:44 PM

To "Campbell, Benton" <Benton.Campbell@usdoj.gov>,  
"Simmons, Nancy" <Nancy.Simmons@usdoj.gov>  
cc psims@eac.gov

Subject FW: Does EAC have access to stats on --

Ben - -

This forwards a short e-mail chain between me and Peg Sims at the EAC. Peg is an institution where this sort of thing is concerned and if there were national stats available she would be the first place I would go - - which come to think of it is why I did!

Her remarks bring-up another issue: apples and oranges.

There are a lot of categories of crime that could arguably fit under the umbrella of "election crime" but which would not be the sort of thing we would find useful for present purposes. Examples would be theft of election materials unrelated to an intent to corrupt the election, campaigning or assaults in or near polls, "campaign slander" (i.e., lying about one's opponent) which is not a federal crime but is potentially a crime in 20 or so states, corruption in the procurement of election equipment (i.e., Louisiana had a recent high

000353

profile case against its secretary of state who took bribes from voting equipment vendors in exchange for buying their machines). This stuff is criminal, but it does not involve corruption of the electoral process itself.

Also, some local prosecutors who do enforce the laws dealing with particularly vote buying - - for various reasons - - chose to prosecute the voters for selling their votes rather than the corrupt political operatives who buy the votes. Many times this is simply because slamming the voter rather than the corrupt pols is easier, quicker and does not entangle the prosecutor in the caldron of local politics. In other instances it is more sinister: I am aware of several instances where local prosecutors tried to charge voters whose names surfaced as people whose votes locally prominent pols had been bought in order to silence them in the federal case. Federally, we usually treat the voters as victims and go after those who tried to purchase their birthright. In one case in Western North Carolina, the target of our case was a local DA. When our indictment against him was returned it named the voters whose votes he was being charged with having bought (we try to avoid this now!). His first act of defense was to charge all these voters with selling their votes under N.C. law. We had to intercede for him - - through the U.S. Attorney at that time - -with the N.C. Governor to pardon these voters so that they could testify concerning the material facts without incriminating themselves.

My point here is this:

Even if we can get some State stats, since the State concept of "election crime" and ours is usually different, and since state prosecutors often approach this type of case from an entirely different perspective than we do at the federal level, State stats will likely have minimal value to substantiating the thesis we are trying to advance: that local law enforcement in the election crime area is not adequate.

----- Message from psims@eac.gov on Tue, 22 Aug 2006 14:09:06 -0400 -----

**To:** "Donsanto, Craig" <Craig.Donsanto@crm.usdoj.gov>

**Subject:** RE: Does EAC have access to stats on --

We don't have a summary in numbers. We just have a summary of cases, some of which do not appear to reach the level of election fraud, and the charts of newspaper articles, some of which only contain allegations and some of which report convictions. These charts were on the CD I sent you before the Working Group meeting. Unfortunately, we have a long way to go before we have what I would classify as statistics.

Peggy Sims  
Election Research Specialist  
U.S. Election Assistance Commission  
1225 New York Ave, NW - Ste 1100  
Washington, DC 20005  
Phone: 866-747-1471 (toll free) [REDACTED]  
Fax: 202-566-3127  
email: psims@eac.gov

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

08/22/2006 01:54 PM

To psims@eac.gov

cc

Subject RE: Does EAC have access to stats on --

000354

Peggy - - I can take whatever you got!!! What does the data you got show?

---

**From:** psims@eac.gov [mailto:psims@eac.gov]  
**Sent:** Tuesday, August 22, 2006 1:53 PM  
**To:** Donsanto, Craig  
**Subject:** Re: Does EAC have access to stats on --

No reliable, comprehensive data --- just the preliminary research results from case law, literature review, and interviews. --- Peggy

"Donsanto, Craig"  
<Craig.Donsanto@usdoj.gov>

08/22/2006 12:50 PM

To psims@eac.gov, bhancock@eac.gov  
cc "Campbell, Benton" <Benton.Campbell@usdoj.gov>, "Simmons, Nancy"  
<Nancy.Simmons@usdoj.gov>  
Subje Does EAC have access to stats on --  
ct

-- State and local level prosecutions dealing with electoral fraud?

This message was brought to you by Dr. D's fabulous Blackberry!

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ---



"Tova Wang"  
  
10/03/2006 10:41 AM

To "Ambrogi, Adam (Rules)"  
<Adam\_Ambrogi@rules.senate.gov>, psims@eac.gov  
cc  
Subject RE: Chapin Survey

000355

Thanks Adam. As the current project moves forward and then proceeds to phase 2, this will be a great resource I'm sure. Tova

Tova Andrea Wang, Democracy Fellow  
**The Century Foundation**

Visit our Web site [\[redacted\]](#) for the latest news, analysis, opinions, and events.

---

**From:** Ambrogi, Adam (Rules) [mailto:Adam\_Ambrogi@rules.senate.gov]  
**Sent:** Monday, October 02, 2006 11:39 AM  
**To:** psims@eac.gov; wang@tcf.org  
**Subject:** Chapin Survey

Peggy and Tova:

I know that we had been looking for a state survey of election fraud and intimidation statutes—as you may have seen, doug chapin recently released a report on this info-attached here. I hope all is well with the both of you.

Best regards,  
Adam

-----  
Adam D. Ambrogi  
Democratic Professional Staff Member  
Senate Committee on Rules and Administration  
Russell Senate Office Building, Room 479  
Washington, D.C. 20510  
202-224-0279

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Margaret Sims/EAC/GOV  
10/13/2006 04:40 PM

To Jeannie Layson/EAC/GOV  
cc twilkey@eac.gov  
Subject Fw: Don't Believe Everything You Read

Jeannie:

Attached is the email I sent to Tova and Job, and Job's response. (I have not yet heard back from Tova.)

000356

--- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 10/13/2006 04:37 PM ---



"Job Serebrov"

10/13/2006 03:26 PM

To psims@eac.gov, wang@tcf.org

cc

Subject Re: Don't Believe Everything You Read

Peg:

We saw both the USA Today article and a similar thing was reported on Rush Limbaugh's show naming both of us. I had a talk this morning with folks at the EAC. I told them at this point there needs to be a press release sent out by the Chairman saying just what you stated. This is the only way to rehabilitate the work we did, the Chairman's credibility, and our reputations. I also fear that if this is not done the EAC will begin to receive calls from Congressman and Senators regarding the "report" and its effect on voter ID requirements.

Peg, up to now Tova and I have refused to speak with the press at all out of respect for the EAC and its mission. We both stand by our work and its conclusions. We both also feel that if a statement (as well phrased as you did in this e-mail clarifying the issue) is not forthcoming from the Chairman then I will have to correct this error with the Press. I explained this in my conversation this morning with the EAC.

Tova and I worked hard to produce a correct, accurate and truthful report. I could care less that the results are not what the more conservative members of my Party wanted. Neither one of us was willing to conform results for political expediency. I think its important for me to note that I was very impressed with Tova's members of the Working Group and I can't say enough about Tova's partnership effort in this endeavor. While neither one of us really care about outside opinions, we do care that the Chairman was quoted or misquoted in a way that would disparage our year-long effort and all of the tax payer money that went into it. For this reason, we believe that a press release clarifying the situation is necessary from either the Chairman or from me.

Regards,

Job

*psims@eac.gov* wrote:

Tova and Job:

I am home recuperating, but see that in my absence, a USA Today article has gotten everyone stirred up. The report to which the article refers is only the status report on the voting fraud-voter intimidation research project that was delivered to our Standards Board and Board of Advisors last spring. I provided a copy of this document to both of you. but have attached another copy for your information. This

000357

document is subject to public release because it was presented at a public meeting.

Due to internal resource allocation problems, your final report has not yet been reviewed by the Commissioners. It is considered a working document (not subject to public release) until it has completed the review process and the Commissioners have agreed to release it. There has been no attempt by the Commission to hold up the report. I bear responsibility for any delays in moving it along. Please be reassured that we would not release your report without letting you know.

Peggy Sims  
Election Research Specialist  
U.S. Election Assistance Commission  
1225 New York Ave, NW - Ste 1100  
Washington, DC 20005  
Phone: 866-747-1471 (toll free) or [REDACTED]  
Fax: 202-566-3127  
email: psims@eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Jeannie Layson/EAC/GOV

10/13/2006 04:11 PM

To psims@eac.gov

cc

Subject job and tova

Please forward me the email you sent Tova and Job, as he is calling me and I want to make sure I understand what is being communicated to them. Thank you.

Jeannie Layson  
U.S. Election Assistance Commission  
1225 New York Ave., NW  
Suite 1100  
Washington, DC 20005  
Phone: 202-566-3100  
www.eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Jeannie Layson/EAC/GOV

10/11/2006 08:22 AM

To pdegregorio@eac.gov, ghillman@eac.gov,  
ddavidson@eac.gov

cc twilkey@eac.gov, jthompson@eac.gov, psims@eac.gov,  
bwhitener@eac.gov

Subject USA Today

See story below that ran in today's USA Today. This reporter requested the info a few weeks ago, and we had to release it b/c it was distributed at a Standards Bd. meeting, which is considered a public venue.

000358

Also, the document was not labeled draft.

I anticipate that we may get questions about why we haven't released it. I propose the following response. Please let me know if you approve. The story follows.

"This was a preliminary report presented to our oversight committees. The EAC is waiting on a final report, which we will release upon its completion."

## Report refutes fraud at poll sites

Updated 10/11/2006 8:05 AM ET

By Richard Wolf, USA TODAY

WASHINGTON — At a time when many states are instituting new requirements for voter registration and identification, a preliminary report to the U.S. Election Assistance Commission has found little evidence of the type of polling-place fraud those measures seek to stop.

USA TODAY obtained the report from the commission four months after it was delivered by two consultants hired to write it. The commission has not distributed it publicly.

### **NEW LAWS: Thousands of voters shut out**

At least 11 states have approved new rules for independent voter-registration drives or requirements that voters produce specific forms of photo ID at polling places. Several of those laws have been blocked in court, most recently in Arizona last week. The House of Representatives last month approved a photo-ID law, now pending in the Senate.

The bipartisan report by two consultants to the election commission casts doubt on the problem those laws are intended to address. "There is widespread but not unanimous agreement that there is little polling-place fraud, or at least much less than is claimed, including voter impersonation, 'dead' voters, non-citizen voting and felon voters," the report says.

The report, prepared by Tova Wang, an elections expert at the Century Foundation think tank, and Job Serebrov, an Arkansas attorney, says most fraud occurs in the absentee ballot process, such as through coercion or forgery. Wang declined to comment on the report, and Serebrov could not be reached for comment.

Others who reviewed the report for the election commission differ on its findings. Jon Greenbaum of the liberal Lawyers' Committee for Civil Rights Under Law says it was convincing. The committee wrote to the commission Friday seeking its release.

Conservatives dispute the research and conclusions. Thor Hearne, counsel to the American Center for Voting Rights, notes that the Justice Department has sued Missouri for having ineligible voters registered, while dead people have turned up on the registration rolls in Michigan. "It is just wrong to say that this isn't a problem," he says.

That's one reason the commission decided not to officially release the report. "There was a division of opinion here," Chairman Paul DeGregorio says. "We've seen places where fraud does occur."

The consultants found little evidence of that. Barry Weinberg, former deputy chief of the voting section in the Justice Department's civil rights division, reviewed their work. "Fraud at the polling place is generally difficult to pull off," he says. "It takes a lot of planning and a lot of coordination."

Jeannie Layson  
U.S. Election Assistance Commission  
1225 New York Ave., NW

000358

Suite 1100  
Washington, DC 20005  
Phone: 202-566-3100  
www.eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----



Gracia Hillman/EAC/GOV

10/11/2006 09:54 AM

To Jeannie Layson/EAC/GOV@EAC

cc bwhitener@eac.gov, d davidson@eac.gov,  
jthompson@eac.gov, pdegregorio@eac.gov,  
psims@eac.gov, twilkey@eac.gov

Subject Re: USA Today

The proposed response sounds okay but the story is out. Other media may want the information. That the material given USA Today wasn't identified as draft or preliminary findings is now our problem.

I hope we are working post haste to have the report ready to release less we be seen as trying to bury this. It seems to me that other articles will be written, if not from the document that we sent to USA Today, then certainly from the USA Today article as the source document.

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Thomas R. Wilkey/EAC/GOV

09/22/2006 05:17 PM

To Bryan Whitener/EAC/GOV@EAC, Margaret  
Sims/EAC/GOV@EAC, Karen Lynn-Dyson/EAC/GOV@EAC,  
Juliet E. Hodgkins/EAC/GOV@EAC, Gavin S.  
Gilmour/EAC/GOV@EAC

cc Jeannie Layson/EAC/GOV@EAC

Subject Re: Media request - USA Today

My initial reaction is that both reports are currently under review by EAC staff. I will entertain other thoughts but that is pretty much the what is the situation right now. Both research projects were designed to give the EAC issues and recommendations in both of these areas and are currently being reviewed. As a matter of fact the report from our consultants on Voter fraud and Intimaation has not been forwarded by staff to the Commissioners but Peg will need to weigh in on that.

-----  
Sent from my BlackBerry Wireless Handheld

Bryan Whitener

----- Original Message -----

**From:** Bryan Whitener  
**Sent:** 09/22/2006 05:10 PM  
**To:** Margaret Sims; Karen Lynn-Dyson; Thomas Wilkey; Juliet Hodgkins; Gavin Gilmour  
**Cc:** Jeannie Layson  
**Subject:** Media request - USA Today

000360

All

Richard Wolf of USA Today called and asked for the following. Jeannie and I ask that you consider this carefully and let us know ASAP what to provide .

(1) The status report on voter fraud and consultant update that was presented to the advisory boards in May, 2006.

(2) The status of the required guidance document on provisional voting and voter ID that is referenced in the following passage in today's Electionline Weekly by Doug Chapin.

In addition to the EAC's considerable election management responsibilities (especially in the area of voting equipment certification and testing), the agency has key policy issues to resolve in the immediate to near-term future, including a required guidance document on provisional voting and voter ID (now nearly two years overdue) and continued regulatory oversight over state implementation of "motor voter". This latter issue will almost certainly involve questions about the intersection of state and federal laws on voter registration - questions which divided the Commission when applied to Arizona, and could divide it again as Republicans and Democrats continue their traditional struggle to balance access to the franchise with concerns about the potential for fraud at the polls.

Thanks,  
Bryan

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Thomas R. Wilkey/EAC/GOV  
10/12/2006 04:19 PM

To Jeannie Layson/EAC/GOV@EAC  
cc ggilmour@eac.gov, jthompson@eac.gov,  
klynndyson@eac.gov, psims@eac.gov  
Subject Re: Brennan Center letter 

I like this..it needs to go to the 3 C's for review and approval.  
We also need to be prepared as to what happens when they receive it.  
Thanks for your help.  
Tom

Thomas R. Wilkey  
Executive Director  
US Election Assistance Commission  
1225 New York Ave, NW - Suite 1100  
Washington, DC 20005  
(202) 566-3109 phone  
TWilkey@eac.gov

Jeannie Layson/EAC/GOV

000361

Hodgkins/EAC/GOV@EAC, Margaret  
Sims/EAC/GOV@EAC, Jeannie Layson/EAC/GOV@EAC  
Subject AP voter fraud story posted

**Report: Voter fraud may be overstated**

By WILL LESTER  
Associated Press Writer  
Oct 11, 4:40 PM EDT  
October 11, 2006

WASHINGTON (AP) -- The most common form of voter fraud involves absentee ballots, including forgery and coercion in getting older or ailing voters to fill them out, according to a preliminary report to the U.S. Election Assistance Commission.

But the report, delivered in May, suggested that reports of polling place fraud involving "dead" voters and voting by felons and non-citizens might be overstated. The researchers said there is far more anecdotal evidence about voter fraud than specific verifiable claims.

"On balance, more researchers find it to be less of a problem than is commonly described in political debate," the report said.

"Many times people put their own partisan spin on voter fraud and voter intimidation," EAC Chairman Paul DeGregorio said Wednesday.

DeGregorio said the report was only preliminary and cautioned that more investigation is needed to understand the amount of voter fraud in this country.

"Many times you see people attempting to commit fraud, but it never gets to the level of being reported," said DeGregorio, a former elections official in St. Louis. He noted a case of more than 1,400 suspect voter registration cards being investigated in St. Louis.

The preliminary report was prepared by Tova Wang, an elections expert at the Century Foundation think tank and Job Serebrov, an Arkansas attorney.

Conservatives have argued the problem of voter fraud is severe in some states, while liberals generally argue that voters face too many restrictions.

New state laws requiring voters to present identification at polling places have faced legal challenges in states such as Arizona and Georgia.

"It's absolutely a serious problem," said Thor Hearne, counsel to the American Center for Voting Rights. "It's an unfortunate reality, particularly in battleground states."

Those problems include voter fraud and voter intimidation, he said.

The final voter fraud report is expected after the Nov. 7 midterm elections, DeGregorio said.

###

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Jeannie Layson/EAC/GOV  
10/12/2006 10:32 AM

To [REDACTED]

000362

cc  
Subject today's posting

Dan,

Just wanted to let you know that the USAT article is not about a research report but a "status" report, which was presented to the Standards Bd. and the Bd. of Advisors at a meeting held in May. During this meeting, these entities received updates on many EAC activities, and the aforementioned status report was just one of those updates. And by the way, the meeting was open to the public, and posted on our website and in the Fed. Register. In the Fed. Register notice you'll see that the agenda included an update on our research projects.

Please let me know if you have any questions. Thank you for your consideration in this matter.

Jeannie Layson  
U.S. Election Assistance Commission  
1225 New York Ave., NW  
Suite 1100  
Washington, DC 20005  
Phone: 202-566-3100  
[www.eac.gov](http://www.eac.gov)

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Thomas R. Wilkey/EAC/GOV  
10/12/2006 04:26 PM

To Jeannie Layson/EAC/GOV@EAC  
cc ggilmour@eac.gov, jthompson@eac.gov, psims@eac.gov  
Subject Re: Fw: reporter - Art Levine, Salon.com 

- A.) The "report" they refer to was a status report written by staff
- B.) The full report is currently being reviewed by staff and the report was intended to give recommendations to the EAC on how and what to do additional studies or guidance on.
- C.) the report will be available at some future time after staff has had an opportunity to review and evaluate it's contents.

Thomas R. Wilkey  
Executive Director  
US Election Assistance Commission  
1225 New York Ave, NW - Suite 1100  
Washington, DC 20005

000363

[REDACTED]  
TWilkey@eac.gov

Jeannie Layson/EAC/GOV

10/12/2006 04:14 PM

To twilkey@eac.gov, psims@eac.gov, jthompson@eac.gov, ggilmour@eac.gov  
cc  
Subject Fw: reporter - Art Levine, Salon.com

See questions below. I can answer the first two, but see if this language is acceptable for questions 3 and 4.

Can I get full report submitted by Tova Wang? If not, why not? EAC staff is currently reviewing the data, and we have not compiled a final report. I will make sure you receive the final report when it is issued.

This answer will probably not make him happy, but it's the best I can come up with. Suggestions?

----- Forwarded by Jeannie Layson/EAC/GOV on 10/12/2006 04:06 PM -----  
Bryan Whitener/EAC/GOV

10/12/2006 04:09 PM

To Jeannie Layson/EAC/GOV@EAC  
cc  
Subject reporter - [REDACTED]

Art Levine  
[REDACTED]  
[REDACTED]

deadline today or tomorrow

What exactly is the document USA Today refers to ?

Is it a report or just a staff document ?

Can I get full report submitted by Tova Wang ?

If not, why not ?

000364

FYI

Google search shows this on the DLC website

[http://www.dlc.org/ndol\\_ci.cfm?kaid=139&subid=275&contentid=253439](http://www.dlc.org/ndol_ci.cfm?kaid=139&subid=275&contentid=253439)

Art Levine

Senior Fellow

Progressive Poliy Institute

Washington, D.C. 20008

Also,

Salon's shameful six

There was Florida in 2000 and Ohio in 2004. Here are the six states where vote suppression could cost voters their voice -- and Democrats the election -- in 2006.

Salon News

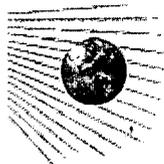
By Art Levine

Eva Steele has a son in the military who is supposed to be fighting for freedom in Iraq, but sitting in a wheelchair in her room in a Mesa, Ariz., assisted-living facility, she wonders why it's so hard for her to realize a basic freedom back here in America: the right to vote.

Arriving in Arizona in January from Kansas City, weakened by four heart attacks and degenerative disk disease, Steele, 57, discovered that without a birth certificate she can't register to vote. Under a draconian new Arizona law that supposedly targets illegal immigrants, she needs proof of citizenship and a state-issued driver's license or photo I.D. to register. But her van and purse were stolen in the first few weeks after she moved to Mesa, and with her disability checks going to rent and medicine, she can't afford the \$15 needed to get her birth certificate from Missouri. Her wheelchair makes it hard for her to navigate the bus routes or the bureaucratic maze required to argue with state bureaucrats. She's unable to overcome the hurdles thrown in her way -- and in the way of as many as 500,000 other Arizona residents -- by the state's Republican politicians.

###

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----



Paul DeGregorio/EAC/GOV

09/27/2006 12:36 PM

To Margaret Sims/EAC/GOV@EAC

cc

Subject Re: Last Submission from Vote Fraud-Voter Intimidation Consultants

No big deal--and no big delay. Don't worry about it.

Paul DeGregorio

Chairman

US Election Assistance Commission

000365

1225 New York Ave, NW  
Suite 1100  
Washington, DC 20005  
1-866-747-1471 toll-free  
202-566-3100  
202-566-3127 (FAX)  
pdegregorio@eac.gov  
www.eac.gov

Margaret Sims/EAC/GOV

Margaret Sims/EAC/GOV  
09/27/2006 12:18 PM

To pdegregorio@eac.gov  
cc  
Subject Last Submission from Vote Fraud-Voter Intimidation  
Consultants

Dear Mr. Chairman:

The last submission from the Vote Fraud-Voter Intimidation Study consultants is dated August 8. At this time, EAC staff are reviewing all items submitted for the report to the Commission with an eye toward the best way of presenting the information to the Commissioners for their consideration. There has been some delay in this staff review process, for which I take full responsibility.

Peggy Sims  
Election Research Specialist

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Jeannie Layson/EAC/GOV  
10/12/2006 02:03 PM

To twilkey@eac.gov  
cc jthompson@eac.gov, psims@eac.gov, ggilmour@eac.gov,  
klyndyson@eac.gov  
Subject response to Wendy Weiser

Attached is a proposed draft. I have to get this resolved ASAP as she is demanding a delivery time from me. I literally cannot answer my phone. Unfortunately, the Brennan Center can and will make a big stink if we don't respond. We don't need more accusations about us sitting on research.

The letter would be accompanied by the resolutions passed at the May meetings.

000366

And, I need to know who is supposed to sign this letter.

Jeannie Layson  
U.S. Election Assistance Commission  
1225 New York Ave., NW  
Suite 1100  
Washington, DC 20005  
Phone: 202-566-3100



[www.eac.gov](http://www.eac.gov) brennan center letter.doc

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Jeannie Layson/EAC/GOV

10/12/2006 01:18 PM

To [twilkey@eac.gov](mailto:twilkey@eac.gov)

cc [klynndyson@eac.gov](mailto:klynndyson@eac.gov), [jthompson@eac.gov](mailto:jthompson@eac.gov),  
[ggilmour@eac.gov](mailto:ggilmour@eac.gov), [psims@eac.gov](mailto:psims@eac.gov)

Subject Brennan Center

Please note that Wendy Weiser has asked me to provide a time frame for when I will provide the following documents. Tom, per our conversation, I can write a letter, but how do we address her request for the voter ID info? Also, is this something Karen should handle as these are for research docs? I need an answer soon...

Mr. Whitener,

I write to request a copy of the following two reports submitted to the Election Assistance Commission:

- (1) a report on voter fraud and voter intimidation, outlining a future research agenda, prepared by Tova Wang and Job Serebrov, and discussed in this morning's USA TODAY;
- (2) a report on provisional ballots and voter ID, prepared by the Moritz School of Law at Ohio State University in collaboration with others.

It is my understanding that these reports were commissioned by and submitted to the EAC several months ago. It is in the public interest to release these reports since they will advance the public discussion and understanding of important election administration issues.

Thank you very much for your attention to this request. Please let me know when I can expect to receive a copy of these reports. If this request is denied, please provide an explanation as to why.

Sincerely,

Wendy R. Weiser

000367

10/12/2006 04:08 PM

To twilkey@eac.gov  
cc jthompson@eac.gov, ggilmour@eac.gov, klynndyson@eac.gov, psims@eac.gov  
Subject Brennan Center letter

Tom,  
A draft letter is attached. I've incorporated comments from Gavin and Julie.

Jeannie Layson  
U.S. Election Assistance Commission  
1225 New York Ave., NW  
Suite 1100  
Washington, DC 20005  
Phone: 202-566-3100



www.eac.gov brennan center letter.doc

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ---

Margaret Sims/EAC/GOV

09/25/2006 12:36 PM

To Juliet E. Hodgkins/EAC/GOV@EAC, twilkey@eac.gov

cc Karen Lynn-Dyson/EAC/GOV@EAC

Subject Preparation for Vote Fraud Conference in Utah

Matt (and Amy) are working on a speech for the Chairman to deliver at the Vote Fraud conference in Utah at the end of the week. Matt has asked for the consultants' definition of vote fraud/voter intimidation and the draft recommendations. As neither have been through full Commission review, I would like to speak with one or both of you before I drop this information in any one Commissioner's lap. Matt is looking for this information today. FYI, attached are copies of the consultants' definition and the draft recommendations from the consultants and others from the working group. Also attached is a summary of concerns expressed by the working group. --- Peggy



Fraud Project Definition-rev 6-27.doc RECOMMENDATIONS - final2.doc Working Group Recommendations final.doc



Key Working Group Comments and Observations AND concerns final.doc

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ---

Bryan Whitener/EAC/GOV

10/11/2006 05:29 PM

To Paul DeGregorio/EAC/GOV@EAC, Donetta L.

Davidson/EAC/GOV@EAC, Gracia Hillman/EAC/GOV@EAC

cc Thomas R. Wilkey/EAC/GOV@EAC, Juliet E.

000368

Deputy Director, Democracy Program  
Brennan Center for Justice at NYU School of Law  
161 Avenue of the Americas, 12th Floor  
New York, NY 10013  
(212) 998-6130 (direct)  
(212) 995-4550 (fax)

[REDACTED]

Jeannie Layson  
U.S. Election Assistance Commission  
1225 New York Ave., NW  
Suite 1100  
Washington, DC 20005  
Phone: 202-566-3100  
www.eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Margaret Sims/EAC/GOV  
10/13/2006 04:18 PM

To Jeannie Layson/EAC/GOV@EAC  
cc twilkey@eac.gov  
Subject Research Project Descriptions

Jeannie:

Here are the changes I suggested for the Vote Count-Recount and the Voting Fraud-Voter Intimidation research projects. I don't think they will help the current situation much, as the original VF-VI description already stated that it is preliminary research. As it is preliminary research, we did not expect that it would provide a total picture of voting fraud and voter intimidation in this country. We just wanted to get some sense of what is going on, and a better idea of the direction future EAC research on the subject should take. To ensure that the research would be balanced, we had consultants and project working group members from opposing sides of the political spectrum.

According to folks intimately familiar with the development of HAVA, disputes over the extent to which voting fraud and voter intimidation existed caused Congress to add the study of these subjects to EAC's list of research projects. Given the nature of the subject (most offenders try to hide their activities, sufficient evidence is hard come by with some types of activity, and prosecution of offenses may not occur for political or budgetary reasons), it is doubtful that we will ever have completely reliable statistics on occurrences of voting fraud and voter intimidation, but we may be able to obtain better statistics than anyone else has. And we should be able to identify where in the voting process most offenses tend to occur and to explore alternatives for addressing vulnerabilities that leave the process open to corruption.

--- Peggy



Rev Descriptions for Web Site Descriptions of Vote Counts- Recounts and Voting Fraud Research 9-6-06.doc

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----



"Job Serebrov"

[REDACTED]  
10/13/2006 03:26 PM

To psims@eac.gov, wang@tcf.org  
cc

000369



Subject Re: Don't Believe Everything You Read

Peg:

We saw both the USA Today article and a similar thing was reported on Rush Limbaugh's show naming both of us. I had a talk this morning with folks at the EAC. I told them at this point there needs to be a press release sent out by the Chairman saying just what you stated. This is the only way to rehabilitate the work we did, the Chairman's credibility, and our reputations. I also fear that if this is not done the EAC will begin to receive calls from Congressman and Senators regarding the "report" and its effect on voter ID requirements.

Peg, up to now Tova and I have refused to speak with the press at all out of respect for the EAC and its mission. We both stand by our work and its conclusions. We both also feel that if a statement (as well phrased as you did in this e-mail clarifying the issue) is not forthcoming from the Chairman then I will have to correct this error with the Press. I explained this in my conversation this morning with the EAC.

Tova and I worked hard to produce a correct, accurate and truthful report. I could care less that the results are not what the more conservative members of my Party wanted. Neither one of us was willing to conform results for political expediency. I think its important for me to note that I was very impressed with Tova's members of the Working Group and I can't say enough about Tova's partnership effort in this endeavor. While neither one of us really care about outside opinions, we do care that the Chairman was quoted or misquoted in a way that would disparage our year-long effort and all of the tax payer money that went into it. For this reason, we believe that a press release clarifying the situation is necessary from either the Chairman or from me.

Regards,

Job

*psims@eac.gov* wrote:

Tova and Job:

I am home recuperating, but see that in my absence, a USA Today article has gotten everyone stirred up. The report to which the article refers is only the status report on the voting fraud-voter intimidation research project that was delivered to our Standards Board and Board of Advisors last spring. I provided a copy of this document to both of you. but have attached another copy for your information. This document is subject to public release because it was presented at a public meeting.

Due to internal resource allocation problems, your final report has not yet been reviewed by the Commissioners. It is considered a working document (not subject to public release) until it has completed the review process and the Commissioners have agreed to release it. There has been no attempt by the Commission to hold up the report. I bear responsibility for any delays in moving it along.

000370

Please be reassured that we would not release your report without letting you know.

Peggy Sims  
Election Research Specialist  
U.S. Election Assistance Commission  
1225 New York Ave, NW - Ste 1100  
Washington, DC 20005  
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)  
Fax: 202-566-3127  
email: psims@eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Margaret Sims/EAC/GOV

09/26/2006 12:50 PM

To Thomas Wilkey

cc

Subject Fw: Preparation for Vote Fraud Conference in Utah

Here are the documents I sent you yesterday. Also attached is a copy of the status report on this research that was provided to the Standards Board and Board of Advisors earlier this year. --- Peggy



EAC Boards VF-VI Status Report.doc

----- Forwarded by Margaret Sims/EAC/GOV on 09/26/2006 12:48 PM -----

Margaret Sims/EAC/GOV

09/25/2006 12:36 PM

To Juliet E. Hodgkins/EAC/GOV@EAC, twilkey@eac.gov

cc Karen Lynn-Dyson/EAC/GOV@EAC

Subject Preparation for Vote Fraud Conference in Utah

Matt (and Amy) are working on a speech for the Chairman to deliver at the Vote Fraud conference in Utah at the end of the week. Matt has asked for the consultants' definition of vote fraud/voter intimidation and the draft recommendations. As neither have been through full Commission review, I would like to speak with one or both of you before I drop this information in any one Commissioner's lap. Matt is looking for this information today. FYI, attached are copies of the consultants' definition and the draft recommendations from the consultants and others from the working group. Also attached is a summary of concerns expressed by the working group. --- Peggy



Fraud Project Definition-rev 6-27.doc



RECOMMENDATIONS - final2.doc



Working Group Recommendations final.doc



Key Working Group Comments and Observations AND concerns final.doc

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Karen Lynn-Dyson/EAC/GOV

09/25/2006 12:39 PM

To Margaret Sims/EAC/GOV@EAC

000371

cc

Subject Re: Preparation for Vote Fraud Conference in Utah 

Many, many thanks for keeping me in the loop on this  
(I think)

:-)

Karen Lynn-Dyson  
Research Director  
U.S. Election Assistance Commission  
1225 New York Avenue , NW Suite 1100  
Washington, DC 20005  
tel:202-566-3123

000372

Margaret Sims/EAC/GOV  
04/26/2007 05:24 PM

To eaccon@eac.gov  
cc  
bcc  
Subject Vote Fraud Project

A new email you may want to add to the collection.

Peggy Sims  
Election Research Specialist  
U.S. Election Assistance Commission  
1225 New York Ave, NW - Ste 1100  
Washington, DC 20005  
Phone: 866-747-1471 (toll free) [REDACTED]  
Fax: 202-566-3127  
email: psims@eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/26/2007 05:22 PM -----

Margaret Sims/EAC/GOV  
04/26/2007 05:14 PM

To Jeannie Layson/EAC/GOV  
cc jthompson@eac.gov  
Subject Re: tova 

Do we know who received her letter? I haven't seen it. --- Peggy

Jeannie Layson/EAC/GOV

Jeannie Layson/EAC/GOV  
04/26/2007 04:45 PM

To psims@eac.gov, jthompson@eac.gov  
cc  
Subject tova

See her [press release](#) (third item).

Jeannie Layson  
U.S. Election Assistance Commission  
1225 New York Ave., NW  
Suite 1100  
Washington, DC 20005  
Phone: 202-566-3100  
www.eac.gov

000373

Bryan Whitener/EAC/GOV  
03/09/2007 02:47 PM

To Thomas R. Wilkey/EAC/GOV@EAC, Juliet E.  
Hodgkins/EAC/GOV@EAC  
cc Margaret Sims/EAC/GOV@EAC, Jeannie  
Layson/EAC/GOV@EAC  
Subject Response Requested - Fw: info request re: House  
Appropriations subcommittee hearing

All,

Please see Dan Seligson's questions and request. Exactly what are we going to provide to the House subcommittee and when? Once they receive it, can the subcommittee or its members then release it to anyone they choose? Do we plan to release it to everyone once we've provided it to the subcommittee?

----- Forwarded by Bryan Whitener/EAC/GOV on 03/09/2007 02:29 PM -----



"Dan Seligson"

[REDACTED]  
03/09/2007 02:26 PM

To "Bryan Whitener" <bwhitener@eac.gov>  
cc  
Subject info request re: House Appropriations subcommittee hearing

Bryan -

As I mentioned on the phone, I am seeking information as a follow up to the House Appropriations Subcommittee on Financial Services. At the hearing, Rep. Maurice Hinchey, D-N.Y., requested that the EAC submit the original version of a report written by Tova Wang and Job Serebrov. Chairwoman Davidson said she would provide the original report (I believe) within three days. Is that still the case? Will the subcommittee have the original report, as submitted by the consultants, on Monday? And if so, may we have a copy as well?

Thanks,  
Dan

Daniel Seligson  
editor  
[REDACTED]  
1025 F St. NW Suite 900  
Washington, DC 20004  
[REDACTED]

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 04:22 PM -----

Margaret Sims/EAC/GOV  
03/13/2007 02:31 PM

To Jeannie Layson/EAC/GOV

000374

cc ddavidson@eac.gov, jthompson@eac.gov, twilkey@eac.gov  
Subject Re: Voter ID, Fraud & Intimidation--Need your input

Looks fine to me. Of course, she is probably referring to our decision not to release the consultants' draft final report. --- Peggy

Jeannie Layson/EAC/GOV

Jeannie Layson/EAC/GOV

03/13/2007 02:25 PM

To jthompson@eac.gov, twilkey@eac.gov, psims@eac.gov,  
ddavidson@eac.gov

cc

Subject Voter ID, Fraud & Intimidation--Need your input

Hello all,

A columnist from the WaPo has asked for info about both the voter ID and the fraud and intimidation reports. This was prompted by the accusation that the president was concerned that the fired prosecutors were not aggressively pursuing voter fraud cases. She had heard that we were refusing to release this information, so I am trying to demonstrate otherwise, as well as show that we have discussed these projects numerous times in public meetings. Please take a look at my draft email to her and let me know if you have any suggestions. She needs to hear back from me by 4 p.m. Thanks for your help with this.

Ms. Cocco,

Per your questions, go [here](#) to view the testimony regarding voter ID from our Feb. 2 public meeting. As I mentioned, at this meeting EAC Chair Donetta Davidson requested that staff review the initial research provided by Eagleton and produce a final report, which would include recommendations for further study on this subject. Currently, staff is working to finalize the voter ID report.

Regarding the voter fraud and intimidation research, at a May 2006 public meeting of our Standards Board and Board of Advisors, the EAC project manager for this research presented a staff update on the project. Go [here](#) to view the agenda, page 3. The document you referred to was the update the project manager gave at this public meeting, and it has been made available to anyone who asked for it. The final culmination of this project can be found [here](#), and links to the attachments provided by the consultants are available by going to page 24 of this report. The commissioners adopted this report at a [public meeting in Dec. 2006](#).

As a small agency of 23 employees, including the four commissioners, it is necessary for the agency to contract with consultants to gather the initial data for these projects. After EAC receives the initial data, the agency reviews the data for accuracy and then releases a final report.

Jeannie Layson  
U.S. Election Assistance Commission  
1225 New York Ave., NW  
Suite 1100  
Washington, DC 20005  
Phone: 202-566-3100

000375

www.eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 04:22 PM -----

Juliet E. Hodgkins/EAC/GOV

04/02/2007 11:29 AM

To Karen Lynn-Dyson/EAC/GOV@EAC, Margaret  
Sims/EAC/GOV@EAC, Swolson@eac.gov

cc

Subject Re: 

The info that is on the website should be everything that you and she need. If you have trouble locating that info, Jeannie can probably direct you to where you can find it.

-----  
Sent from my BlackBerry Wireless Handheld

Karen Lynn-Dyson

----- Original Message -----

**From:** Karen Lynn-Dyson

**Sent:** 04/02/2007 11:02 AM EDT

**To:** Margaret Sims

**Cc:** Juliet Hodgkins; stephanie.wolson@gmail.com

Peg-

This week Heather Moss, a research intern will be starting with us. Heather is presently in law school and worked for DOJ in the Voting Rights Division for four years. Heather's primary responsibility (for the next month or so) will be helping us develop the follow- on research project for the Election Crimes study.

Also as an FYI- Commissioner Hunter and her Special Assistant, Stephanie Wolson have expressed an interest in working closely with staff on this project.

I would like to schedule a call/meeting for later on this week so that everyone can be brought up to speed on this work.

In preparation for this meeting I would like to give Heather the project materials which Job and Tova worked on and any relevant material you may have .

Could you direct me to these files so that Heather may begin her work on this project? Could you also let me know dates and times this week that might work for you?

Thanks

Karen Lynn-Dyson  
Research Director  
U.S. Election Assistance Commission  
1225 New York Avenue , NW Suite 1100  
Washington, DC 20005  
tel:202-566-3123

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 04:22 PM -----

Margaret Sims/EAC/GOV

To Jeannie Layson/EAC/GOV@EAC

000376

04/03/2007 06:22 PM

cc jthompson@eac.gov, klynndyson@eac.gov, Thomas R. Wilkey/EAC/GOV@EAC  
Subject Re: Please review my responses

Julie has already raised the point that most concerned me: I don't think it is accurate to say the consultant's recommendations were their findings. The recommendations were a combination of consultant recommendations and working group recommendations for future EAC action. We did not ask the consultants to provide "findings" because this research was never supposed to be the definitive study on the subject. Instead, it was supposed to be an initial effort to see what relevant information is available, to define voting fraud and voter intimidation, and to make recommendations to EAC regarding how to pursue the subject (next steps). --- Peggy

Jeannie Layson/EAC/GOV

Jeannie Layson/EAC/GOV  
04/03/2007 05:33 PM

To psims@eac.gov, jthompson@eac.gov,  
klynndyson@eac.gov, Thomas R. Wilkey/EAC/GOV@EAC  
cc  
Subject Please review my responses

This are questions from a "freelance" reporter who is very hot about the "Tova Wang report." Please let me know if my answers are accurate, and I welcome any suggestions you may have. I need to get your input by COB tomorrow. I am also looking for more clarification on what didn't make it into the fraud report. She is asking if we included all of their "findings" and their "research."

Thanks.

1) You said that the Wang/Serebrov report has not been released because it was predecisional. Was the Moritz/Eagleton report released because it was not predecisional? The Moritz/Eagleton report was a predecisional document. The commissioners took an action not to adopt a final report based upon the Moritz/Eagleton report, but to release all the predecisional information (the draft report).

2) I understood you to say that the December EAC report includes all of the Wang/Serebrov recommendations but not all of the Wang/Serebrov findings. Is that correct? The report does include all of their recommendations, which were their findings, and all of the research they conducted.

3) I understood you to say that EAC staff added results of their own research to the December EAC report. Is that correct? What I said was EAC staff reviewed the report for accuracy, for grammar and added language that reflected the commission's decision to adopt the final version based upon the initial research provided by the consultants.

4) If I'm correct on questions 2 and 3, would it be accurate to say that

000377

readers of the December report cannot tell how much of that report does and does not reflect the original Wang/Serebrov findings? The consultants' recommendations are their findings. All of the recommendations are included in the final report, so readers can make the determination regarding the recommendations.

5) I called earlier today requesting the Wang/Serebrov report, and you sent me the December EAC report. I am concerned that if I had not already been researching this closely, I would have thought that you'd sent me the Wang/Serebrov report and would have reported incorrectly that you had. Does the EAC have any comment on this manner of repoding to press inquiries? (I contacted you to request the report after I read in the Statesman Journal of Salem, Oregon, an article by Marie Cocco that says: "The bipartisan commission didn't widely release the consultants' review, but makes it available on request." Did the EAC indeed give Ms. Cocco a copy of the "consultants' review"? Or has she misunderstood you in the way I'm concerned about?) I sent you a link to the "EAC report" because it is what was adopted by the commission based upon the research conducted by the consultants. The final report clearly states how it was compiled and includes bios for both of the consultants. Regarding Ms. Cocco, I explained the entire process to her. I provided the staff update on the project which was presented at a public meeting in May 2006 and the final report, which is posted on the EAC website. Regarding "this manner of responding to press inquiries," I have forwarded your comments to my supervisor so he can review my performance regarding the handling of your inquiry.

6) I understood you to say that the EAC did not release the Wang/Serebrov report in its original form because the EAC has to do due diligence and its staff is small. Do I understand you correctly? As a small agency of 23 employees, including the four commissioners, it is necessary for the agency to contract with consultants to gather the initial data for research projects. After EAC receives the initial data, the agency reviews the data for accuracy. What form of due diligence does the EAC's staff routinely conduct on research that is contracted out to experts before that research is released? You mentioned "vetting" the research. What does that vetting entail? It depends on the project. For instance, if it is information directly related to a mandate within the Help America Vote Act (HAVA), staff will make sure that the information is consistent with the law. In addition, we often ask for input from our Standards Board and Board of Advisors, which combined consist of more than 147 members. If we are using research that will eventually become guidance, we are required by HAVA to seek the input of these boards. Go here for more information about these boards and its members. If the board members have feedback, then we must make the determination whether to incorporate it, and, if so, how to incorporate their changes. If the research is focused on election laws throughout the country, we make sure the laws are cited correctly and that state legislatures haven't changed or amended these laws since the research was conducted. (As you probably know, there have been many new election laws introduced at the state level since 2004.) Throughout the process, we review for grammar as well as make sure the document flows and is arranged logically -- the basic tenets of editing.

Jeannie Layson  
U.S. Election Assistance Commission  
1225 New York Ave., NW  
Suite 1100  
Washington, DC 20005  
Phone: 202-566-3100  
[www.eac.gov](http://www.eac.gov)

000378

believe you can find it at the following link:

[attachment "20070411voters\_draft\_report.url" deleted by Gavin S. Gilmour/EAC/GOV]

I will need to get back with you regarding the Contract Employees scope of work.

Gavin S. Gilmour  
Deputy General Counsel  
United States Election Assistance Commission  
1225 New York Ave., NW, Ste 1100  
Washington, DC 20005  
(202) 566-3100

THIS MESSAGE IS FOR ITS INTENDED RECIPIENT ONLY. IT IS A PRIVILEGED DOCUMENT AND SHALL NOT BE RELEASED TO A THIRD PARTY WITHOUT THE CONSENT OF THE SENDER.

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 04:21 PM -----

**Margaret Sims/EAC/GOV**

04/17/2007 01:27 PM

To Jeannie Layson/EAC/GOV

cc Juliet E. Hodgkins/EAC/GOV@EAC

Subject Re: Vote fraud report 

As far as I know, you are absolutely correct! Julie did the bulk of the rewrite and used my analyses of the preliminary info submitted by our contractors. I know that I had no contact with the administration regarding this study. --- Peggy

Jeannie Layson/EAC/GOV

**Jeannie Layson/EAC/GOV**

04/17/2007 01:16 PM

To psims@eac.gov, Thomas R. Wilkey/EAC/GOV@EAC,  
jthompson@eac.gov

cc

Subject Vote fraud report

The St. Louis Post Dispatch wrote an editorial that said the administration edited our report. I am almost absolutely sure that is not true, but I wanted to confirm that with you before I request a correction. Thanks.

Jeannie Layson

000379

U.S. Election Assistance Commission  
1225 New York Ave., NW  
Suite 1100  
Washington, DC 20005  
Phone: 202-566-3100  
www.eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 04:21 PM -----

Margaret Sims/EAC/GOV

04/17/2007 03:18 PM

To Juliet E. Hodgkins/EAC/GOV@EAC

cc

Subject Re: Need emails 

Julie:

The attached appears to be the Job Serebrov email, a portion of which was quoted in the NY Times. He was responding to my email advising him that recent press reports were referring to the status report on the vote fraud-voter intimidation project, and that we had not released the final report. (A copy of my email is attached.) There are no follow-up emails on this topic. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/17/2007 03:07 PM -----



"Job Serebrov"

[REDACTED]

10/13/2006 03:26 PM

To psims@eac.gov, wang@tcf.org

cc

Subject Re: Don't Believe Everything You Read

Peg:

We saw both the USA Today article and a similar thing was reported on Rush Limbaugh's show naming both of us. I had a talk this morning with folks at the EAC. I told them at this point there needs to be a press release sent out by the Chairman saying just what you stated. This is the only way to rehabilitate the work we did, the Chairman's credibility, and our reputations. I also fear that if this is not done the EAC will begin to receive calls from Congressman and Senators regarding the "report" and its effect on voter ID requirements.

Peg, up to now Tova and I have refused to speak with the press at all out of respect for the EAC and its mission. We both stand by our work and its conclusions. We both also feel that if a statement (as well phrased as you did in this e-mail clarifying the issue) is not forthcoming from the Chairman then I will have to correct this error with the Press. I explained this in my conversation this morning with the EAC.

Tova and I worked hard to produce a correct, accurate and truthful report. I could care less that the results are not what the more conservative members of my Party wanted. Neither one of us

000330

was willing to conform results for political expediency. I think its important for me to note that I was very impressed with Tova's members of the Working Group and I can't say enough about Tova's partnership effort in this endeavor. While neither one of us really care about outside opinions, we do care that the Chairman was quoted or misquoted in a way that would disparage our year-long effort and all of the tax payer money that went into it. For this reason, we believe that a press release clarifying the situation is necessary from either the Chairman or from me.

Regards,

Job

*psims@eac.gov* wrote:

Tova and Job:

I am home recuperating, but see that in my absence, a USA Today article has gotten everyone stirred up. The report to which the article refers is only the status report on the voting fraud-voter intimidation research project that was delivered to our Standards Board and Board of Advisors last spring. I provided a copy of this document to both of you. but have attached another copy for your information. This document is subject to public release because it was presented at a pubic meeting.

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Peggy Sims  
Election Research Specialist  
U.S. Election Assistance Commission  
1225 New York Ave, NW - Ste 1100  
Washington, DC 20005  
Phone: 866-747-1471 (toll free) or [REDACTED]  
Fax: 202-566-3127  
email: *psims@eac.gov*

Juliet E. Hodgkins/EAC/GOV

Juliet E. Hodgkins/EAC/GOV  
04/17/2007 02:58 PM

To Margaret Sims/EAC/GOV@EAC  
cc

Subject Need emails

Peggy,

Can you pull out the emails between you and Job that were quoted in the NYT? I need anything that has to do with the subject that was referred to in the quoted email as well as any follow up to that email. We

000381

need it to be able to respond to the letter from Sen. Feinstein, and I figured you could identify those easier than me searching through the reams of paper in Jeannie's office.

Juliet T. Hodgkins  
General Counsel  
United States Election Assistance Commission  
1225 New York Ave., NW, Ste 1100  
Washington, DC 20005  
(202) 566-3100

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 04:21 PM -----

Margaret Sims/EAC/GOV

04/18/2007 05:40 PM

To Jeannie Layson/EAC/GOV@EAC

cc Juliet E. Hodgkins/EAC/GOV@EAC, Thomas R.  
Wilkey/EAC/GOV@EAC

Subject Re: Need your help ASAP 

Jeannie:

I did not receive your request in time to type responses on my blackberry by 2 PM, given the information needed. Here are the answers to your questions:

*1. Why did we only contact DOJ officials regarding the accuracy of their interviews?*

As far as I know, we didn't. contact DOJ officials about this except in response to concerns they had previously expressed to us. Also, I don't believe we ever allowed DOJ to edit the summaries. (I certainly didn't.) I believe the consultants and I discussed the idea of having all the interviewees review their respective interview summaries, but the consultants objected to the idea and there were concerns that the all of the money remaining available was needed to complete the final report.

Craig Donsanto, Election Crimes Branch, saw the summary of his interview among the documents provided to the Working Group (prior to the meeting of that group), and pointed out an important factual error. The summary, as originally written, portrayed DOJ as switching from the prosecution of conspiracies to the prosecution of individuals. I was present at this interview and this was not what Craig had said, nor is it supported by the information available on the election crimes pursued by that branch. DOJ continues to pursue conspiracies and, in addition, has begun to pursue individuals (specifically, double voting, felon voting and alien voting) in an effort to deter others from election crime.

To my knowledge, John Tanner, Voting Section, Civil Rights Division, had not seen the consultants' full summary of his interview; but he expressed concern to Tova Wang and EAC about the consultants' characterization of the interviews with Donsanto and him that had been included in the May 2006 status report. This report was provided to the members of the EAC Standards and Advisory Boards. Per HAVA requirements, the Voting Section is represented on the Advisory Board. Tanner pointed to the following errors:

- First, the consultants stated that DOJ was not pursuing voter suppression cases. Tanner responded that "[t]he Department has brought two 11(b) cases, one of the two in this Administration. The focus of DOJ activity has shifted, in fact, to voter suppression as there are fewer cases over voter dilution (challenges to at-large election systems, etc.) being brought by anyone as the number of jurisdictions with at-large election systems has shrunk dramatically. This Administration has, in fact, brought far more voter-suppression cases ... than ever in the past, including a majority of all cases under Sections 203 and 208 of the Act, and such key recent Section 2 cases as US v. City of Boston and US

000382

- v. Long County, Georgia." Second, the consultants implied that DOJ is not pursuing instances of unequal implementation of ID rules. Tanner's response was that "[c]hallenges based on race and unequal implementation of ID rules are indeed actionable and we have brought lawsuits, such as in Boston and Long County; we have not identified instances of such discrimination in which we have not taken action."

Tanner also pointed to the consultants' refusal during the interview to define what they meant by "voter intimidation", which Tanner suspected did not jibe with the meaning of the term in federal prosecutions and probably contributed to misunderstandings. (Federal voter intimidation prosecutions require the threat of economic or physical harm.)

By the way, both of these officials are career attorneys, not political appointees. They have years of service at DOJ, working under a number of different administrations.

## *2. Exactly what did we change and why?*

In the case of the Donsanto interview summary, I spoke with our consultants and asked them to make the correction. At first, they both refused. Later, they revised the summary to be a little less blatant, but the implication that there had been a complete change in approach remained. We revised the summary to clearly indicate that prosecution of conspiracies continues. The revised paragraph is on page 4 of the published summary. We also added an intro paragraph similar to other interview summaries submitted by the consultants to summarize the enforcement authority of the Election Crimes Branch and to distinguish it from the Voting Section, Civil Rights Division.

In the case of the actual John Tanner interview summary, we added an intro paragraph similar to other interview summaries submitted by the consultants to summarize the enforcement authority of the Voting Section and to distinguish it from the Election Crimes Branch. We also moved the consultants' note about the refusal to share certain internal working papers to the end of the summary because it seemed to distract from the main interview points if left as an introduction.

Making the distinction between the Election Crimes Branch and the Voting Section is important. The Voting Section brings cases involving "systemic" discrimination because federal voting statutes focus on discriminatory action by local governments. It is criminal statutes that involve malfeasance by individuals and that are enforced by the Election Crimes Branch through Us Attorneys' offices. The difference is key to understanding federal election law enforcement.

Peggy Sims  
Election Research Specialist  
U.S. Election Assistance Commission  
1225 New York Ave, NW - Ste 1100  
Washington, DC 20005  
Phone: 866-747-1471 (toll free) or [REDACTED]  
Fax: 202-566-3127  
email: psims@eac.gov

Jeannie Layson/EAC/GOV

Jeannie Layson/EAC/GOV  
04/18/2007 12:17 PM

To psims@eac.gov  
cc Juliet E. Hodgkins/EAC/GOV@EAC, Thomas R.  
Wilkey/EAC/GOV@EAC  
Subject Need your help ASAP

000333

Peg,

If possible, I need answers for these questions in reference to the vote fraud/voter intimidation project by 2 p.m. today for an inquiry for Congressional Quarterly:

1. Why did we only contact DOJ officials regarding the accuracy of their interviews?
2. Exactly what did we change and why?

Jeannie Layson  
U.S. Election Assistance Commission  
1225 New York Ave., NW  
Suite 1100  
Washington, DC 20005  
Phone: 202-566-3100  
www.eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 04:21 PM -----

Margaret Sims/EAC/GOV

04/19/2007 08:53 AM

To Jeannie Layson/EAC/GOV@EAC

cc Juliet E. Hodgkins/EAC/GOV@EAC, Karen  
Lynn-Dyson/EAC/GOV@EAC

Subject Correction to Cost of Vote Fraud Contracts

FYI - I noticed that some newsclips are saying we spent \$100,000 on the Voting Fraud-Voter Intimidation project. Each of the consultants had two contracts totaling almost \$75,000 (not including funds set aside for related travel), so the total between them would have been closer to \$150,000. If anyone needs to know the added travel costs, Wang spent about \$4,500 and Serebrov \$1,200 over the course of the 2 contracts.

Peggy Sims  
Election Research Specialist  
U.S. Election Assistance Commission  
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Washington, DC 20005  
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Fax: 202-566-3127  
email: psims@eac.gov

000384

Margaret Sims/EAC/GOV  
04/24/2007 03:57 PM

To eaccon@eac.gov  
cc  
bcc  
Subject Voter Fraud Project Emails

Here are most of the emails from my active email files. A few did not hold the check mark, so I will send them separately. I'm trying to work out the best way to hand off copies of the emails from my archived files.

Peggy Sims  
Election Research Specialist  
U.S. Election Assistance Commission  
1225 New York Ave, NW - Ste 1100  
Washington, DC 20005  
Phone: 866-747-1471 (toll free) o [REDACTED]  
Fax: 202-566-3127  
email: psims@eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:52 PM -----



"Tova Wang"  
[REDACTED]  
08/21/2006 12:16 PM

To psims@eac.gov  
cc  
Subject call

Hi Peg, I left you a voice message last week -- you might have been at NCSL. Anyway, would you give me a call when you have a moment? Thanks.

Tova Andrea Wang, Democracy Fellow  
**The Century Foundation**  
[REDACTED]

Visit our Web site [REDACTED] for the latest news, analysis, opinions, and events.

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:52 PM -----

Juliet E. Hodgkins/EAC/GOV  
11/03/2006 06:42 PM

To Margaret Sims/EAC/GOV@EAC  
cc  
Subject Job and Tova

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000385

Juliet Thompson Hodgkins  
General Counsel  
United States Election Assistance Commission  
1225 New York Ave., NW, Ste 1100  
Washington, DC 20005  
(202) 566-3100

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:52 PM -----

Margaret Sims/EAC/GOV

11/03/2006 07:11 PM

To Juliet E. Hodgkins/EAC/GOV@EAC

cc

Subject Re: Job and Tova 

Julie:

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If you want, I can cross reference each of these with the list of articles and ID any missing summaries. I could do that over the weekend. --- Peggy

Juliet E. Hodgkins/EAC/GOV

Juliet E. Hodgkins/EAC/GOV

11/03/2006 05:42 PM

To Margaret Sims/EAC/GOV@EAC

cc

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(202) 566-3100

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM -----

Juliet E. Hodgkins/EAC/GOV

11/03/2006 07:14 PM

To Margaret Sims/EAC/GOV@EAC

cc

Subject Re: Job and Tova 

000386

I think we should use the content of those articles or some summary of them as a background of what we know about VF and VI. I just didn't want to have to read all of those articles to be able to make some generalized statements about their contents.

-----  
Sent from my BlackBerry Wireless Handheld  
Margaret Sims  
----- Original Message -----

**From:** Margaret Sims  
**Sent:** 11/03/2006 06:11 PM  
**To:** Juliet Hodgkins  
**Subject:** Re: Job and Tova

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Juliet E. Hodgkins/EAC/GOV

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11/03/2006 05:42 PM  
To Margaret Sims/EAC/GOV@EAC  
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1225 New York Ave., NW, Ste 1100  
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----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM -----

Juliet E. Hodgkins/EAC/GOV  
11/03/2006 07:41 PM  
To Margaret Sims/EAC/GOV@EAC  
cc

000387

Subject Re: Job and Tova

I appreciate it. I will send you a copy of the outline that I am working from. It is somewhat subject to change as I am still trying to gel in my mind what goes first, second ....

-----  
Sent from my BlackBerry Wireless Handheld

Margaret Sims

----- Original Message -----

**From:** Margaret Sims  
**Sent:** 11/03/2006 06:38 PM  
**To:** Juliet Hodgkins  
**Subject:** Re: Job and Tova

I can review them over the weekend and attempt to summarize what they tell us.--- Peggy

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Sent from my BlackBerry Wireless Handheld

Juliet E. Hodgkins

----- Original Message -----

**From:** Juliet E. Hodgkins  
**Sent:** 11/03/2006 06:14 PM  
**To:** Margaret Sims  
**Subject:** Re: Job and Tova

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Juliet E. Hodgkins/EAC/GOV

Juliet E. Hodgkins/EAC/GOV  
11/03/2006 05:42 PM

To Margaret Sims/EAC/GOV@EAC  
cc

000388

Subject Job and Tova

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1225 New York Ave., NW, Ste 1100  
Washington, DC 20005  
(202) 566-3100

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM -----

Margaret Sims/EAC/GOV

11/06/2006 11:07 AM

To Juliet E. Hodgkins/EAC/GOV@EAC

cc

Subject Re: VF\_VI Literature Review 

Julie:

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EAC-Learned from Lit Review 11-6-06.doc EAC Lit Review Notes 11-5-06.doc

Juliet E. Hodgkins/EAC/GOV

Juliet E. Hodgkins/EAC/GOV

11/03/2006 06:41 PM

To Margaret Sims/EAC/GOV@EAC

cc

Subject Re: Job and Tova 

I appreciate it. I will send you a copy of the outline that I am working from. It is somewhat subject to change as I am still trying to gel in my mind what goes first, second ....

-----  
Sent from my BlackBerry Wireless Handheld

000389

Margaret Sims

----- Original Message -----

**From:** Margaret Sims  
**Sent:** 11/03/2006 06:38 PM  
**To:** Juliet Hodgkins  
**Subject:** Re: Job and Tova

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Sent from my BlackBerry Wireless Handheld

Juliet E. Hodgkins

----- Original Message -----

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Juliet E. Hodgkins/EAC/GOV

11/03/2006 05:42 PM

To Margaret Sims/EAC/GOV@EAC

cc

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000396

Juliet Thompson Hodgkins  
General Counsel  
United States Election Assistance Commission  
1225 New York Ave., NW, Ste 1100  
Washington, DC 20005  
(202) 566-3100

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM -----

Juliet E. Hodgkins/EAC/GOV

11/06/2006 11:50 AM

To Margaret Sims/EAC/GOV@EAC

cc

Subject Re: VF\_VI Literature Review 

sorry, about that. Here's the outline...

I. BACKGROUND/INTRODUCTION

- A. WHAT WE KNOW ABOUT FRAUD
- B. PURPOSE OF THE EAC STUDY
- C. METHODOLOGY OF THE EAC STUDY

II. DEFINITION OF ELECTION CRIMES

- A. VOTER FRAUD IS TOO LIMITED
- B. COLLOQUIAL DEFINITION IS TOO BROAD
- C. ELECTION CRIMES
- D. WHAT IS NOT AN ELECTION CRIME FOR PURPOSES OF THIS STUDY

III. RECOMMENDATIONS ON HOW TO STUDY ELECTION CRIMES

- A. ACCEPTED RECOMMENDATIONS
  - i. SURVEY LAW ENFORCEMENT, INVESTIGATORY AGENCIES, AND PROSECUTORS
  - ii. REVIEW ADMINISTRATIVE COMPLAINTS FILED WITH STATES
  - iii. REVIEW DOJ/USA ACTIONS
- B. REJECTED RECOMMENDATIONS
  - i. REASONS WHY REJECTED

Juliet Thompson Hodgkins  
General Counsel  
United States Election Assistance Commission  
1225 New York Ave., NW, Ste 1100  
Washington, DC 20005

000391

(202) 566-3100  
Margaret Sims/EAC/GOV

Margaret Sims/EAC/GOV  
11/06/2006 11:07 AM

To Juliet E. Hodgkins/EAC/GOV@EAC  
cc  
Subject Re: VF\_VI Literature Review 

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EAC-Learned from Lit Review 11-6-06.doc EAC Lit Review Notes 11-5-06.doc

Juliet E. Hodgkins/EAC/GOV

Juliet E. Hodgkins/EAC/GOV  
11/03/2006 06:41 PM

To Margaret Sims/EAC/GOV@EAC  
cc  
Subject Re: Job and Tova 

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Sent from my BlackBerry Wireless Handheld  
Margaret Sims  
----- Original Message -----

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**Sent:** 11/03/2006 06:38 PM  
**To:** Juliet Hodgkins  
**Subject:** Re: Job and Tova

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-----  
Sent from my BlackBerry Wireless Handheld  
Juliet E. Hodgkins  
----- Original Message -----

**From:** Juliet E. Hodgkins  
**Sent:** 11/03/2006 06:14 PM  
**To:** Margaret Sims  
**Subject:** Re: Job and Tova

000392

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-----  
Sent from my BlackBerry Wireless Handheld

Margaret Sims

----- Original Message -----

**From:** Margaret Sims  
**Sent:** 11/03/2006 06:11 PM  
**To:** Juliet Hodgkins  
**Subject:** Re: Job and Tova

Julie:

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Juliet E. Hodgkins/EAC/GOV

Juliet E. Hodgkins/EAC/GOV

11/03/2006 05:42 PM

To Margaret Sims/EAC/GOV@EAC

cc

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General Counsel  
United States Election Assistance Commission  
1225 New York Ave., NW, Ste 1100  
Washington, DC 20005  
(202) 566-3100

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM -----

Margaret Sims/EAC/GOV

11/06/2006 12:21 PM

To Juliet E. Hodgkins/EAC/GOV

cc

000393

Subject Re: VF\_VI Literature Review 

Is this an outline of an EAC staff report to accompany the consultants' report, or has there been a decision not to publish the consultants' report at all? (Just curious, as I have been a little out of the loop.) --- Peg  
----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM -----

Juliet E. Hodgkins/EAC/GOV

11/06/2006 12:30 PM

To Margaret Sims/EAC/GOV@EAC

cc

Subject Re: VF\_VI Literature Review 

The consultant's report is a draft of an EAC report. We will take the consultant's report and finalize it into OUR report.

Juliet Thompson Hodgkins

General Counsel

United States Election Assistance Commission

1225 New York Ave., NW, Ste 1100

Washington, DC 20005

(202) 566-3100

Margaret Sims/EAC/GOV

Margaret Sims/EAC/GOV

11/06/2006 12:21 PM

To Juliet E. Hodgkins/EAC/GOV@EAC

cc

Subject Re: VF\_VI Literature Review 

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----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM -----

Juliet E. Hodgkins/EAC/GOV

11/06/2006 05:18 PM

To Margaret Sims/EAC/GOV@EAC

cc

Subject Re: VF\_VI Literature Review 

Peggy,

I wanted to let you know that I had a chance to review your summaries today. I think that these are some excellent conclusions that we can definitely use in our report. Thank you for doing such a detailed and thorough job. If tomorrow goes quietly, hopefully I will have some time to write.

Juliet Thompson Hodgkins

000394

General Counsel  
United States Election Assistance Commission  
1225 New York Ave., NW, Ste 1100  
Washington, DC 20005  
(202) 566-3100  
Margaret Sims/EAC/GOV

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Sent from my BlackBerry Wireless Handheld

Juliet E. Hodgkins

----- Original Message -----

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000395

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Juliet E. Hodgkins/EAC/GOV

Juliet E. Hodgkins/EAC/GOV  
11/03/2006 05:42 PM  
To Margaret Sims/EAC/GOV@EAC  
cc  
Subject Job and Tova

I spoke to Job about the documents that I need. He will send me his summary of the articles/books that he read. However, he said that Tova also summarized some of those articles/books. I don't have a contact number/email for Tova. Could you contact her and ask her to provide us with any summary of the articles/books that she read as they are listed in Appendix 2?

Juliet Thompson Hodgkins  
General Counsel  
United States Election Assistance Commission  
1225 New York Ave., NW, Ste 1100  
Washington, DC 20005  
(202) 566-3100

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM -----

000398

Margaret Sims/EAC/GOV  
11/06/2006 06:36 PM

To Juliet E. Hodgkins/EAC/GOV@EAC  
cc  
Subject Re: VF\_VI Literature Review 

Julie:

Happy to help, especially as I have to assume the blame for the report turned in by the consultants. I think you were aware that I was disappointed that it was not a more professional product. As I was not clear what the Commission's position is on editing such reports after receipt of the final, and as the consultants insisted that their work not be changed, I felt a bit stymied. Let me know what else I can do.

In the meantime, I'm revisiting some drafts received on the Vote Count-Recount best practices to see if I can encourage more improvements before submission of the final. We're still waiting for the state-by-state summary of practices, originally delayed by the subcontractor's nonperformance, which could affect goes into the best practices. I think some of the emphasis I see in the drafts on post election audits and proper recordkeeping will help respond to some of the issues raised in the literature review for the voting fraud-voter intimidation study.

--- Peggy

Juliet E. Hodgkins/EAC/GOV

Juliet E. Hodgkins/EAC/GOV  
11/06/2006 05:18 PM

To Margaret Sims/EAC/GOV@EAC  
cc  
Subject Re: VF\_VI Literature Review 

Peggy,

I wanted to let you know that I had a chance to review your summaries today. I think that these are some excellent conclusions that we can definitely use in our report. Thank you for doing such a detailed and thorough job. If tomorrow goes quietly, hopefully I will have some time to write.

Juliet Thompson Hodgkins  
General Counsel  
United States Election Assistance Commission  
1225 New York Ave., NW, Ste 1100  
Washington, DC 20005  
(202) 566-3100  
Margaret Sims/EAC/GOV

Margaret Sims/EAC/GOV  
11/06/2006 11:07 AM

To Juliet E. Hodgkins/EAC/GOV@EAC  
cc  
Subject Re: VF\_VI Literature Review 

000397

Julie:

I have not received the outline, but went ahead with reviewing the literature researched. Attached are my perspectives on what we learned and a listing of the literature with portions of the analysis for each. Both of these documents are on the shared drive under T:\RESEARCH IN PROGRESS\VOTING FRAUD-VOTER INTIMIDATION\Research Summaries. Hope these help. Let me know what else you need from me. --- Peggy



EAC-Learned from Lit Review 11-6-06.doc EAC Lit Review Notes 11-5-06.doc

Juliet E. Hodgkins/EAC/GOV

Juliet E. Hodgkins/EAC/GOV

11/03/2006 06:41 PM

To Margaret Sims/EAC/GOV@EAC

cc

Subject Re: Job and Tova 

I appreciate it. I will send you a copy of the outline that I am working from. It is somewhat subject to change as I am still trying to gel in my mind what goes first, second ....

-----  
Sent from my BlackBerry Wireless Handheld

Margaret Sims

----- Original Message -----

**From:** Margaret Sims  
**Sent:** 11/03/2006 06:38 PM  
**To:** Juliet Hodgkins  
**Subject:** Re: Job and Tova

I can review them over the weekend and attempt to summarize what they tell us.--- Peggy

-----  
Sent from my BlackBerry Wireless Handheld

Juliet E. Hodgkins

----- Original Message -----

**From:** Juliet E. Hodgkins  
**Sent:** 11/03/2006 06:14 PM  
**To:** Margaret Sims  
**Subject:** Re: Job and Tova

I think we should use the content of those articles or some summary of them as a background of what we know about VF and VI. I just didn't want to have to read all of those articles to be able to make some generalized statements about their contents.

-----  
Sent from my BlackBerry Wireless Handheld

Margaret Sims

----- Original Message -----

**From:** Margaret Sims  
**Sent:** 11/03/2006 06:11 PM

000398

**To:** Juliet Hodgkins  
**Subject:** Re: Job and Tova

Julie:

All of the summaries received are in the shared drawer under T:\RESEARCH IN PROGRESS\VOTING FRAUD-VOTER INTIMIDATION\Research Summaries. There are too many of them to append to this message, or I would do it. The researchers did not propose to include these summaries in the report. Are you considering adding them?

If you want, I can cross reference each of these with the list of articles and ID any missing summaries. I could do that over the weekend. --- Peggy

Juliet E. Hodgkins/EAC/GOV

Juliet E. Hodgkins/EAC/GOV  
11/03/2006 05:42 PM

To Margaret Sims/EAC/GOV@EAC  
cc  
Subject Job and Tova

I spoke to Job about the documents that I need. He will send me his summary of the articles/books that he read. However, he said that Tova also summarized some of those articles/books. I don't have a contact number/email for Tova. Could you contact her and ask her to provide us with any summary of the articles/books that she read as they are listed in Appendix 2?

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Washington, DC 20005  
(202) 566-3100

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM -----

Karen Lynn-Dyson/EAC/GOV  
11/07/2006 07:05 AM

To Juliet E. Hodgkins/EAC/GOV@EAC  
cc Margaret Sims/EAC/GOV@EAC  
Subject Fw: please investigate

Hi-

Is this the kind of thing I should be passing on to you or Gavin?

000399

Thanks

Karen Lynn-Dyson  
Research Director  
U.S. Election Assistance Commission  
1225 New York Avenue , NW Suite 1100  
Washington, DC 20005  
tel:202-566-3123

— Forwarded by Karen Lynn-Dyson/EAC/GOV on 11/07/2006 07:03 AM —



[REDACTED]  
11/06/2006 07:47 PM

To [REDACTED]m, HAVAinfo@eac.gov, [REDACTED]

cc

Subject please investigate

Please investigate this incident or pass it on to the proper authority.

This morning, I received a recorded message saying that my polling place was "St. Francis" something or other. Later in the day, I wondered why I was informed of this change via a phone number with an out of state area code. I just check the Mahoning County Board of Elections site and the polling location is still listed as "Frank Ohl School" which is where I've voted since moving here. Since I received another call about the same time, I'll give you information on both numbers.

For the first call (which I believe is the culprit) the information on my caller ID was "Unknown Name 320-230-0961". They claimed they were from American for Reform Now or something like that. When I dialed that number, I received this message: "Mailbox for Rob Olsen is full." While writing this email, I just received another call from this number. Now the recorded message was from Ohio for Fair Minimum Wage.

For the other call (from this morning) the information on my caller ID was "Amer Voice Retr 206-706-2650". When I dialed that number I got a recording which identified them as "People for Washington State Democrats... authorized by K1 2006."

Thank you for your time and attention to this matter.

Cheryl Bollinger  
Austintown, OH  
[REDACTED]

— Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM —

Juliet E. Hodgkins/EAC/GOV

11/07/2006 09:33 AM

To Margaret Sims/EAC/GOV@EAC

cc

000400