

Thomas R. Wilkey/EAC/GOV
03/28/2007 12:11 PM

To Donetta L. Davidson/EAC/GOV@EAC, Gracia
Hillman/EAC/GOV@EAC, Caroline C.
Hunter/EAC/GOV@EAC, Rosemary E.
cc DeAnna M. Smith/EAC/GOV@EAC, Jeannie
Layson/EAC/GOV@EAC, Karen
Lynn-Dyson/EAC/GOV@EAC

bcc

Subject Tally Vote on Voter Identification Draft Report

Commissioners;

Please be advised that I am withdrawing the Tally Vote on the Voter Identification Draft Report which closes at 1PM today.

The Tally Vote memo will be re-issued later this afternoon and will close within 48 Hours after issuing.

Tom Wilkey

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

010376

Thomas R. Wilkey/EAC/GOV
03/27/2007 05:51 PM

To Juliet E. Hodgkins/EAC/GOV@EAC
cc
bcc
Subject Fw: Voter ID Statement

History  This message has been replied to.

What do you think

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

— Forwarded by Thomas R. Wilkey/EAC/GOV on 03/27/2007 05:49 PM —



Gracia Hillman/EAC/GOV
03/27/2007 01:40 PM

To Thomas R. Wilkey/EAC/GOV@EAC
cc
Subject Voter ID Statement

Is the final statement to be a signed or unsigned document?

Sent from my BlackBerry Wireless Handheld

010377

**Deliberative Process
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"Rosemary Rodriguez"

03/27/2007 02:20 PM

To jlayson@eac.gov, ddavidson@eac.gov, chunter@eac.gov,
ghillman@eac.gov, rrodriguez@eac.gov
cc twilkey@eac.gov, klynndyson@eac.gov,
jthompson@eac.gov, bwhitener@eac.gov, ekuala@eac.gov,
stephanie.wolson@gmail.com, sbanks@eac.gov,
bcc

Subject Re: FOR YOUR APPROVAL: Voter ID PR and Roll Out
Strategy

I think we should be prepared to answer a question that may go something like: *What are your specific objections/concerns with the methodologies utilized by Eagleton?*

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

From: "jlayson@eac.gov" <jlayson@eac.gov>
To: ddavidson@eac.gov; [REDACTED] chunter@eac.gov; ghillman@eac.gov
Cc: twilkey@eac.gov; klynndyson@eac.gov; jthompson@eac.gov; bwhitener@eac.gov;
ekuala@eac.gov; [REDACTED] sbanks@eac.gov; bbenavides@eac.gov
Sent: Tuesday, March 27, 2007 2:02:01 PM
Subject: FOR YOUR APPROVAL: Voter ID PR and Roll Out Strategy

Commissioners,

I have incorporated your edits, so please take a look at the latest drafts of both documents and let me know if you have further changes. I recommend making this public on Thursday. If possible, please let me know by the end of the day on Wed. if you have additional edits. Press release edits were made in the first two paragraphs, including backing off calling this a "multi-year study," and a more direct description of the action you took -- you declined to adopt the report. The only edit in the memo is new language in the Q&A that points out that the \$500K included work for both prov. voting and voter ID.

Thank you, and let me know if you have any questions.

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

8:00? 8:25? 8:40? Find a flick in no time
with the Yahoo! Search movie showtime shortcut.

010378

Jeannie Layson /EAC/GOV
03/27/2007 02:02 PM

To ddavidson@eac.gov, rosemaryrod2003@yahoo.com,
Caroline C. Hunter/EAC/GOV@EAC, ghillman@eac.gov
cc twilkey@eac.gov, klynndyson@eac.gov,
jthompson@eac.gov, bwhitener@eac.gov, Eileen L.
Kuala/EAC/GOV@EAC, stephanie.wolson@gmail.com,
bcc

Subject FOR YOUR APPROVAL: Voter ID PR and Roll Out Strategy

Commissioners,

I have incorporated your edits, so please take a look at the latest drafts of both documents and let me know if you have further changes. I recommend making this public on Thursday. If possible, please let me know by the end of the day on Wed. if you have additional edits. Press release edits were made in the first two paragraphs, including backing off calling this a "multi-year study," and a more direct description of the action you took -- you declined to adopt the report. The only edit in the memo is new language in the Q&A that points out that the \$500K included work for both prov. voting and voter ID.

Thank you, and let me know if you have any questions.

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



www.eac.gov VoterIDRollOutProposal REV.doc VoterIDTallyVotePRDRAFT3-27.doc

010379



*Deliberative Process
Privilege*

March 27, 2007

MEMORANDUM

To: Commissioners Davidson, Rodriguez, Hunter and Hillman
Fr: Jeannie Layson
Cc: Tom Wilkey, Julie Hodgkins, Karen Lynn-Dyson, Bryan Whitener
RE: Communications Strategy for Release of Voter ID Tally Vote Results

In anticipation of the release of the results of the tally vote and all of the information provided by the contractor, I suggest taking the following steps to effectively communicate your decision. Taking this approach will help us control how the information is distributed, how it is framed, and how to focus the discussion on the positive outcome of your decision.

The bottom line is that we want to try our best to make this a story about EAC's decision to conduct a thorough and in-depth look into the subject of voter ID, and we have decided to release the preliminary research. We do not want this to evolve into a storyline about squabbling between EAC and Eagleton.

I have provided a suggested overall message that reflects the action taken, as well as questions we should be prepared to answer.

Please let me know if you have any questions about my proposal, and I look forward to your input.

010380

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PRELIMINARY ACTIVITIES

Prior to the completion of the tally vote and the subsequent release of the results and the contractor's materials, I suggest taking the following steps:

1. Discuss EAC's decision with the contractors in advance of distributing the press release and discussions with reporters so that they have an opportunity to respond and also so they will be well informed and prepared to discuss the facts with reporters or others who will most likely contact them.
2. Prior to release of EAC's decision, reach out to key Hill staffers who have been following this issue, including those members who have requested this data in the past. This should include staffers for the House Appropriations Committee Subcommittee on Financial Services and General Government since the Committee requested this information a few weeks ago. It should be made clear to committee staffers that the tally vote is the culmination of a directive made by the EAC chair in Feb. that the agency move forward to complete this project. These staffers should also be included on our list of key stakeholders.
3. Executive director should determine whether there are other key stakeholders that should be made aware of this decision from EAC personally, not from a press release. Possible candidates include members of Congress, NASS, individual secretaries of state, DOJ, and NASED.

PUBLIC ROLL-OUT

Once the above preliminary steps have been completed, EAC Communications will:

1. Post the press release and the related data on the website, with a link from the home page.
2. Prior to release of the tally vote decision and related data, call Richard Whitt of USA Today, Will Lester of AP, Chris Drew of the NYT, and Zach Goldfarb of the WaPo and let them know we are about to release the information. Offer interviews with the chair or other commissioners.
3. Send the press release (with a link to the research) to all recipients in the media database. This includes national dailies, as well as wire services such as the Associated Press.
4. Send the press release (with a link to the research) to all recipients in the stakeholder database. The database consists of election officials, advocates, and other interested parties, including representatives from organizations who have been critical of EAC, including VoteTrust USA and the People for the American Way.

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OVERALL MESSAGE

Voter identification at the polling place is an important issue that affects voters in jurisdictions throughout the country. Understanding that this issue deserves a more in-depth approach, EAC has decided to move forward with a thorough, multi-year research project that will examine everything from turnout to voter education.

The findings of the preliminary research, which focused exclusively on the 2004 general elections, was insufficient to provide meaningful conclusions and raises more questions than provides answers. Future research will be expanded to include more than one election cycle and will examine environmental and political factors including, the many changes in state laws and regulations that have occurred since the 2004.

Q&A

We should be prepared to answer the following questions:

Q: Why not release the draft fraud report, too?

A: EAC issued a final Voting Fraud and Voter Intimidation Report in December 2006, which included recommendations adopted by the Commission to conduct a comprehensive assessment of all claims, charges and prosecutions of voting crimes.

In the case of the voter ID report, the Commission chose not to adopt a final report because it was determined that there was insufficient data to provide meaningful conclusions.

Q: You cited concerns with the contractor's methodology and analysis. Didn't your contract with Eagleton include specific language regarding these issues?

A: Yes, but in retrospect, perhaps we could have done a better job articulating how we wanted this research to be conducted.

Q: During the course of the project, did you see draft reports? If so, why didn't these concerns get addressed at that time?

A: We did receive progress reports, and when we identified areas of concern, we discussed it with the contractor. It was because of these concerns that EAC decided to revisit the methodologies used so that we could provide a more in-depth look at the subject matter.

Q: During the course of the contract, did you ever express these concerns with Eagleton?

A: Yes, and as a result of these conversations, EAC decided to revisit the methodologies used so that we could provide a more in-depth look at the subject matter.

Q: You spent more than \$500,000 for a report the Commission doesn't think should be adopted – so basically you're flushing a lot of money down the drain. Is this a wise use of taxpayer dollars?

A: There is value in what Eagleton provided, and this included work they did for us regarding provisional voting. As a result of the research on provisional voting, EAC

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issued a set of best practices last fall. The voter ID data will help provide a baseline for how to move forward. And even though their research raised many questions, contemplating the answers to those questions has informed us on how to move forward.

Q: If you were not satisfied with the final product, why did you pay for it?

A: We adhered to the terms of the contract.

Q: EAC received this data in June of last year. What has taken so long to bring it to a conclusion?

A: This is an important issue, one that deserves careful deliberation and a thorough approach. Yes, we like to get things done quickly, but it is more important to take the time to get things right.

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TRANSITION PHRASES

To stay on message and avoid being dragged into discussions about anything other than the action taken, employ the following phrases and transition back to the overall message.

Overall Message

Voter identification at the polling place is an important issue that affects voters in jurisdictions throughout the country. Understanding that this issue deserves a more in-depth approach, EAC has decided to move forward with a thorough, multi-year research project that will examine everything from turnout to voter education.

The findings of the preliminary research, which focused exclusively on the 2004 general elections, were insufficient to provide meaningful conclusions and raises more questions than provides answers. Future research will be expanded to include more than one election cycle and will examine environmental and political factors, including the many changes in state laws and regulations that have occurred since 2004.

Bridge/Transition Phrases

- What's really important here...
- The bottom line is...
- The point is...
- We have a responsibility to...
- I'll let others speak to that, but let me tell you what's important to EAC...
- Everyone agrees that...



U.S. ELECTION ASSISTANCE COMMISSION
1225 New York Ave. NW – Suite 1100
Washington, DC 20005

EAC to Launch Comprehensive Study of Voter ID Laws

For Immediate Release
DATE, 2007

Contact: Jeannie Layson
Bryan Whitener
(202) 566-3100

WASHINGTON – The U.S. Election Assistance Commission (EAC) has voted unanimously to launch a comprehensive study focused on voter identification laws. The initial research on voter identification laws are available at www.eac.gov, but because this research focused exclusively on the 2004 general elections, included populations that are not eligible to vote, and did not take into account influential factors such as the competitiveness of campaigns, it was insufficient to provide meaningful conclusions and thus the Commission declined to adopt a report based on it.

“New voter identification laws have been enacted recently, and the Commission began working to determine the possible impact of these new laws,” said EAC Chair Donetta Davidson. “After careful consideration of the initial research conducted by our contractor, the Commission decided this important issue deserves a more in-depth research approach and that it should be examined beyond only one election cycle. The bottom line is that the research raises more questions than provides answers.

EAC’s strategy for moving forward is based upon an examination of the initial research and the testimony and discussion about this research project at the Commission’s February 8, 2007, public meeting. For more information about the public meeting agenda, transcript, and testimony go to http://www.eac.gov/Public_Meeting_020807.asp.

EAC’s future research on this topic will be expanded to include more than one election cycle and to examine environmental and political factors and the numerous changes in state laws and regulations related to voter identification requirements that have occurred since 2004. EAC’s comprehensive research approach will undertake the following activities:

- Convene a working group of advocates, academics, research methodologists and election officials to discuss EAC’s next study of voter identification. Topics to be discussed include methodology, specific issues to be covered in the study and timelines for completing an EAC study on voter identification.
- Conduct an ongoing state-by-state review, reporting and tracking of voter identification requirements. This will include tracking states’ requirements that require a voter to state his or her name, to sign his or her name, to match his or her signature to a signature on file, to provide photo or non-photo identification or to swear an affidavit affirming his or her identity.
- Establish a baseline of information that will include factors that may affect or influence Citizen Voting Age Population (CVAP) voter participation, including various voter identification requirements, the competitiveness of a race and certain environmental or political factors. EAC will use some of the information already collected as well as additional data from the states to develop this baseline.

010385

- Study how voter identification provisions that have been in place for two or more Federal elections have impacted voter turnout, voter registration figures and fraud. Included in this study will be an examination of the relationship between voter turnout and other factors such as race and gender. Study the effects of voter identification provisions, or the lack thereof, on early, absentee and vote-by-mail voting.
- Publish a series of best practice case studies which detail a particular state's or jurisdiction's experiences with educating poll workers and voters about various voter identification requirements. Included in the case studies will be detail on the policies and practices used to educate and inform poll workers and voters.

EAC is an independent bipartisan commission created by the Help America Vote Act of 2002 (HAVA). It is charged with administering payments to states and developing guidance to meet HAVA requirements, implementing election administration improvements, adopting voluntary voting system guidelines, accrediting voting system test laboratories and certifying voting equipment and serving as a national clearinghouse and resource of information regarding election administration. The four EAC commissioners are Donetta Davidson, chair; Rosemary Rodriguez, Caroline Hunter and Gracia Hillman.

###

DRAFT

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Karen Lynn-Dyson/EAC/GOV
03/21/2007 01:43 PM

To Jeannie Layson/EAC/GOV@EAC
cc jthompson@eac.gov
bcc
Subject Re: voter ID press release 

It looks fine to me.

I do have a pet peeve about using impacted as a verb rather than a noun (bullet four). I'm about the only one who seems to have a problem with it, however.

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

Jeannie Layson /EAC/GOV

03/21/2007 12:14 PM

To jthompson@eac.gov, klyndyson@eac.gov
cc
Subject voter ID press release

Let me know what you think of 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 VoterIDreport.doc

010387

Jeannie Layson /EAC/GOV
03/21/2007 12:14 PM

To jthompson@eac.gov, klynndyson@eac.gov
cc
bcc
Subject voter ID press release

Let me know what you think of 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 VoterIDreport.doc

010388



U.S. ELECTION ASSISTANCE COMMISSION
1225 New York Ave. NW – Suite 1100
Washington, DC 20005

**Deliberative Process
Privilege**

EAC to Launch Comprehensive Study of Voter ID Laws *Releases Initial Research*

For Immediate Release
March 23, 2007

Contact: Jeannie Layson
Bryan Whitener
(202) 566-3100

WASHINGTON – The U.S. Election Assistance Commission (EAC) has voted unanimously to launch a comprehensive, multi-year study on the impact of voter identification laws in the states based upon initial efforts that focused on the 2004 election cycle. The Commission also voted to provide all of the initial research conducted by its consultant, Rutgers, the State University of New Jersey, through its Eagleton Institute of Politics. The information is available at www.eac.gov.

“Many new voter identification laws have been enacted recently, and the Commission began working to determine the impact of these new laws,” said EAC Chair Donetta Davidson. “However, after careful consideration of the initial research conducted by our contractor, the Commission decided this important issue deserves a more in-depth research approach and that it should be examined beyond only one election cycle.”

EAC’s strategy for moving forward is based upon an examination of the initial research and the testimony and discussion of this research at the Commission’s February 8, 2007 public meeting. For more information about the meeting agenda, transcript, and testimony go to http://www.eac.gov/Public_Meeting_020807.asp.

EAC’s future research on this topic will be expanded to include more than one election cycle, environmental and political factors, and the numerous changes in state laws and regulations related to voter identification requirements that have occurred since 2004. EAC comprehensive research approach will undertake the following activities:

- Conduct an ongoing state-by-state review, reporting and tracking of voter identification requirements. This will include tracking states’ requirements which require a voter to state this or her name, to sign his or her name, to match his or her signature to a signature on file, to provide photo or non-photo identification or to swear an affidavit affirming his or her identify.
- Establish a baseline of information that will include factors that may affect or influence Citizen Voting Age Population (CVAP) voter participation, including various voter identification requirements, the competitiveness of a race and certain environmental or political factors. EAC will use some of the information collected by Eagleton as well as additional data from the states to develop this baseline.
- Convene a working group of advocates, academics, research methodologists and election officials to discuss EAC’s next study of voter identification. Topics to be discussed include methodology, specific issues to be covered in the study and timelines for completing an EAC study on voter identification.
- Study how voter identification provisions that have been in place for two or more Federal elections have impacted voter turnout, voter registration figures, and fraud, study the effects of voter identification provisions, or the lack thereof, on early, absentee and vote-by-mail voting. Included in this study will be an examination of the relationship between voter turnout and other factors such as race and gender.

010389

- Publish a series of best practice case studies which detail a particular state's or jurisdiction's experiences with educating poll workers and voters about various voter identification requirements. Included in the case studies will be detail on the policies and practices used to educate and inform poll workers and voters.

EAC is an independent bipartisan commission created by the Help America Vote Act of 2002 (HAVA). It is charged with administering payments to states and developing guidance to meet HAVA requirements, implementing election administration improvements, adopting voluntary voting system guidelines, accrediting voting system test laboratories and certifying voting equipment and serving as a national clearinghouse and resource of information regarding election administration. The four EAC commissioners are Donetta Davidson, chair; Rosemary Rodriguez, Caroline Hunter and Gracia Hillman.

###

010390

Karen Lynn-Dyson/EAC/GOV
03/21/2007 09:13 AM

To Jeannie Layson/EAC/GOV@EAC
cc jthompson@eac.gov
bcc
Subject Re: voter ID materials 

Hi-

Have given DeAnna the notebook with the complete set delivered to EAC on June 28th.

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

Jeannie Layson/EAC/GOV

03/21/2007 08:27 AM

To ktlyndyson@eac.gov, jthompson@eac.gov
cc
Subject voter ID materials

In anticipation of the release of this material, I need to get a complete set of what we are planning to release. Karen -- could you send that to me? Thanks.

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

010391

Karen Lynn-Dyson/EAC/GOV

To Juliet E. Hodgkins/EAC/GOV@EAC

03/20/2007 01:31 PM

cc twilkey@eac.gov

bcc

Subject Forwarding e-mail exchanges on the Voter ID statement

When you get a moment please send me copies of the various e-mail exchanges related to the voter ID statement (between EAC staff and the Commissioners), that I may have missed since late last week.

I'll have these to file in my records.

Many thanks

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

010392

Juliet E. Hodgkins/EAC/GOV
04/17/2007 01:25 PM

To Jeannie Layson/EAC/GOV@EAC
cc
bcc
Subject Re: Vote fraud report 

I did not request that the White House or administration review our report, nor did I send it to them.

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

010393

Juliet E. Hodgkins/EAC/GOV
03/30/2007 10:24 AM

To Jeannie Layson/EAC/GOV@EAC
cc
bcc
Subject Re: voter id 

Dale Oak - House Approps majority staff. Just tell him that I asked youi to call. DaAnna has his contact info.

I assume you will send to all oversight and approps staff anyway??

Sent from my BlackBerry Wireless Handheld

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

From: Jeannie Layson
Sent: 03/30/2007 08:28 AM EDT
To: Juliet Hodgkins
Subject: voter id

This is going out today (finally). Is there anyone on the Hill I need to reach out to, like that guy who calls you a million times a day or someone on Hinchey's staff?

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

010394

Juliet E. Hodgkins/EAC/GOV
03/20/2007 05:07 PM

To Jeannie Layson/EAC/GOV@EAC
cc
bcc
Subject Re: voter id stuff 

That's fine

Sent from my BlackBerry Wireless Handheld

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

From: Jeannie Layson
Sent: 03/20/2007 05:12 PM EDT
To: Juliet Hodgkins
Subject: voter id stuff

They want me to add a line that says "The material Eagleton provided is attached." And then they will be ready to take a tally vote. I wasn't sure where you were with the last round of edits, so do you want to finish this up in the a.m.?

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

010395

Juliet E. Hodgkins/EAC/GOV
03/27/2007 05:45 PM

To Thomas R. Wilkey/EAC/GOV@EAC
cc
bcc
Subject Re: Voter ID Statement 

My thoughts...it would have more impact if it were signed.

Sent from my BlackBerry Wireless Handheld
Thomas R. Wilkey
----- Original Message -----

From: Thomas R. Wilkey
Sent: 03/27/2007 05:51 PM EDT
To: Juliet Hodgkins
Subject: Fw: Voter ID Statement

What do you think

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

----- Forwarded by Thomas R. Wilkey/EAC/GOV on 03/27/2007 05:49 PM -----



Gracia Hillman/EAC/GOV
03/27/2007 01:40 PM

To Thomas R. Wilkey/EAC/GOV@EAC
cc
Subject Voter ID Statement

Is the final statement to be a signed or unsigned document?

Sent from my BlackBerry Wireless Handheld

010396

Juliet E.
Thompson-Hodgkins/EAC/G
OV

04/28/2006 02:41 PM

To Thomas R. Wilkey/EAC/GOV@EAC

cc

bcc

Subject Fw: Voter ID Paper --Final Draft

The hole or dearth of common sense grows!

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 04/28/2006 02:45 PM -----

Karen Lynn-Dyson/EAC/GOV

04/28/2006 12:44 PM

To "Tom O'neill" [REDACTED]

cc [REDACTED]

Subject Re: Voter ID Paper --Final Draft [REDACTED]

Tim, Tom, John, et.al--

The EAC has identified three academics who are going to serve as peer reviewers of the Eagleton Voter ID paper and research.

They are Jonathan Nagler of New York University, Jan Leighley, University of Arizona, and Adam Berinsky of MIT.

They are ready to review the documents as soon as they are available.

I would like to them one week to review the material and then have a joint conference call on **Thursday, May 11**, in which we would all have an opportunity to discuss the research methodology and statistical analysis, along with general comments and suggestions.

If you are able to get to me the paper and the supporting data analysis, I will distribute to the documents ASAP.

Also let me know, if you would, your availability on May 11 to do this conference all.

I anticipate that it will last approximately 90 minutes.

Regards-

Karen Lynn-Dyson
Research Manager
U.S. Election Assistance Commission
1225 New York Avenue , NW Suite 1100
Washington, DC 20005

010397

tel:202-566-3123

010398

Juliet E. Hodgkins/EAC/GOV
09/15/2006 09:52 AM

To "Tom Wilkey" <twilkey@eac.gov>
cc
bcc
Subject Fw: Call to discuss release of Rutgers Voter ID report

FYI -- also my opinion is that we have not released this to anyone and that includes Hill staff.

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

From: Juliet E. Hodgkins
Sent: 09/15/2006 09:41 AM
To: Karen Lynn-Dyson
Subject: Re: Call to discuss release of Rutgers Voter ID report

I am not available until after noon.

Sent from my BlackBerry Wireless Handheld
Karen Lynn-Dyson
----- Original Message -----

From: Karen Lynn-Dyson
Sent: 09/15/2006 09:31 AM
To: Juliet Hodgkins; Thomas Wilkey
Cc: Bert Benavides
Subject: Call to discuss release of Rutgers Voter ID report

Julie and Tom-

Commissioner Hillman has asked me to meet with each of you this morning regarding the sharing of the information of this report with Hill staffers.

Could we have a call at 10:30 or 11:00 this morning to reach a decision on how to proceed with this request?

I understand this is a time-sensitive matter that will need to be resolved by early afternoon.

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

010399

**Deliberative Process
Privilege**

Juliet E. Hodgkins/EAC/GOV
03/16/2007 01:39 PM

To: Caroline C. Hunter/EAC/GOV@EAC
cc
bcc
Subject: Re: Voter ID statement

I don't know the status of Eagleton's review of that paragraph, but I will check on it.

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

Caroline C. Hunter/EAC/GOV
03/16/2007 11:43 AM

To: Juliet E. Hodgkins/EAC/GOV@EAC, Donetta L. Davidson/EAC/GOV@EAC, Gracia Hillman/EAC/GOV@EAC, "rosemaryrod2003"
cc: Thomas R. Wilkey/EAC/GOV@EAC, Jeannie Layson/EAC/GOV@EAC, [REDACTED]
Subject: Re: voter ID statement

This looks good to me, thank you Julie. Two things- did Eagleton approve the 2nd graph and I made a minor change to the 4th bullet as a point of clarification.

Juliet E. Hodgkins

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

From: Juliet E. Hodgkins
Sent: 03/16/2007 09:41 AM EDT
To: Donetta Davidson; Gracia Hillman; Caroline Hunter; rosemaryrod2003@yahoo.com
Cc: Thomas Wilkey; Jeannie Layson
Subject: Voter ID statement

Commissioners,

Attached below are two versions of the Voter ID statement. One shows the track changes and the other shows the document having accepted all of those changes (so that it would be easier to read). Jeannie and Tom have both taken a look at this document and we think that it captures what we discussed on Wednesday.

Please take a look and let me know if this meets with your understanding of what we discussed.

[attachment "Voter ID edited 31507- track changes.doc" deleted by Caroline C. Hunter/EAC/GOV]
[attachment "Voter ID edited 31507- changes accepted.doc" deleted by Caroline C. Hunter/EAC/GOV]

Juliet Thompson Hodgkins
General Counsel
United States Election Assistance Commission

010400

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

010401

**Deliberative Process
Privilege**

Juliet E. Hodgkins/EAC/GOV
03/16/2007 01:42 PM

To Karen Lynn-Dyson/EAC/GOV@EAC
cc
bcc
Subject What is the status of Eagleton's review

Commissioner Hunter wanted to know if Eagleton has approved the text in the 2nd paragraph of the ID statement. Please advise.

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

010402

**Deliberative Process
Privilege**



Juliet E.
Thompson-Hodgkins/EAC/G
OV

02/13/2006 11:31 AM

To Karen Lynn-Dyson/EAC/GOV@EAC
cc
bcc
Subject EAgleton Comments

Karen,

I have reviewed the Eagleton final report and have a couple of questions for clarification:

1. On page 8, in the paragraph after the bulleted information, they list "high mobility" as a factor for the effective operation of provisional voting factors. There is no previous mention of this as a factor. What research do they have to back up naming this as a factor?
2. On page 10, line 2, the sentence begins "A rough estimate"? I have no idea what they are trying to say here. Is it that they are trying to compare the number of provisional ballots actual counted to the estimate that MIT made of lost ballots in 2000? If so, then they need to consider in making this statement whether the MIT survey would be influenced by the onset of statewide voter registration databases and interim measures that have been instituted by election officials that would improve the quality of the voter registration list and thus limit the need for provisional ballots.
3. On page 13, second bullet, do they literally mean that the state should provide poll workers training? Most of this training is provided in actuality by the local election jurisdiction (county, municipality). Are they deviating from the current practice?

I have many other comments that are more appropriately directed to the Commissioners in considering what has been provided by Eagleton in terms of what they desire to make "guidance" or "best practices".

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

010403

Bryan Whitener /EAC/GOV
12/07/2006 04:46 PM

To Juliet E. Hodgkins/EAC/GOV@EAC, Gavin S.
Gilmour/EAC/GOV@EAC
cc
bcc
Subject FYI - Tova Wang back & forth from yesterday

— Forwarded by Bryan Whitener/EAC/GOV on 12/07/2006 04:44 PM —

Bryan Whitener /EAC/GOV
12/06/2006 06:55 PM

To "Tova Wang" <wang@tcf.org>@GSAEXTERNAL
cc
Subject RE: EAC to Assess 2006 Election; Decide on Voting System
Certification Program & Election Crimes Report

12/07/06 - Agenda (revised): Public Meeting

"Tova Wang" <wang@tcf.org>



"Tova Wang"
<wang@tcf.org>
12/06/2006 06:06 PM

To bwhitener@eac.gov
cc
Subject RE: EAC to Assess 2006 Election; Decide on Voting System
Certification Program & Election Crimes Report

What is the proposal?

Tova Andrea Wang, Democracy Fellow
The Century Foundation
1333 H Street, NW, Washington, D.C. 20005
(202) 741-6263

Visit our Web site, www.tcf.org, for the latest news, analysis, opinions, and events.

From: bwhitener@eac.gov [mailto:bwhitener@eac.gov]
Sent: Wednesday, December 06, 2006 6:06 PM
To: wang@tcf.org
Subject: RE: EAC to Assess 2006 Election; Decide on Voting System Certification Program & Election Crimes Report

Only that they will consider and vote tomorrow.

010404

Karen Lynn-Dyson/EAC/GOV

05/25/2005 12:55 PM

To Paul DeGregorio/EAC/GOV@EAC, Raymundo
Martinez/EAC/GOV@EAC

cc Juliet E. Thompson/EAC/GOV@EAC

bcc

Subject Job Description for a Voter Fraud Project Consultant

Commissioners-

Attached please find a first draft of a short job description outlining EAC's expectations for a project consultant on voter fraud.

As you are aware, Julie has shared with me the resume of someone with an interest in the position. Ray has indicated that he participates in a legal list-serve group that has recently focused on voter fraud issues. This list-serve is probably a good place to "advertise" the consultant opportunity.

Let me know your thoughts on next steps. I look forward to getting this project up and running.

Regards-

K



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

010405

Job Description**U.S. Election Assistance Commission (EAC) Voter Fraud Project Consultant**

The U.S. Election Assistance Commission (EAC) seeks to identify a senior-level project consultant to assist with the oversight and development of a study and possible project examining U.S. election voter fraud.

The consultant must of have a knowledge of voter fraud and an understanding of the complexities, nuances and challenges which surround the topic. The EAC is particularly interested in candidates with experience in elections, with public policy and the law. The consultant must be able to demonstrate an ability to approach the issue of voter fraud in a balanced, nonpartisan fashion.

This consultant, whose contract would run for the period June-November, 2005, would be responsible for conceptualizing a project scope of work around the issue and from that, developing a statement of work for a research project around the topic.

In consultation with EAC staff, EAC Commissioners, and other key EAC stakeholders, the consultant will develop a project plan around voter fraud. The consultant will recommend certain EAC project activities related to voter fraud and will develop a scope of work for an EAC research study on voter fraud. The consultant will oversee and manage various processes related to EAC contracts awarded for work related to voter fraud.

EAC's consultant fees are competitive and are awarded based on the candidates' relevant background and experience.

Thomas R. Wilkey/EAC/GOV
09/26/2005 06:14 PM

To Gracia Hillman/EAC/GOV@EAC, Paul
DeGregorio/EAC/GOV@EAC, Raymundo
Martinez/EAC/GOV@EAC, Paul
cc Juliet E. Thompson/EAC/GOV@EAC, Karen
Lynn-Dyson/EAC/GOV@EAC

bcc

Subject Eagleton Draft

We have received and are in the process of reviewing a draft of the Eagleton Report.
This is to be considered an internal working document and should not be released to anyone without the
approval of the Commissioners.

Thank You
Tom Wilkey

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

010407

Bert A. Benavides/EAC/GOV
03/02/2006 02:46 PM

To Nicole Mortellito/CONTRACTOR/EAC/GOV@EAC
cc Adam Ambrogi/EAC/GOV@EAC, Amie J.
Sherrill/EAC/GOV@EAC, DeAnna M.
Smith/EAC/GOV@EAC, Donetta L.
bcc
Subject Re: Eagleton close-out meeting

Re April 3rd Eagleton meeting: Tom is holding this time for Julie who may be scheduling a House briefing. The other held date for the House briefing is April 5.

Nicole Mortellito/CONTRACTOR/EAC/GOV



Nicole
Mortellito/CONTRACTOR/EA
C/GOV
03/02/2006 01:16 PM

To Paul DeGregorio/EAC/GOV@EAC, Raymundo
Martinez/EAC/GOV@EAC, Donetta L.
Davidson/EAC/GOV@EAC, Gracia
Hillman/EAC/GOV@EAC, Juliet E.
Thompson-Hodgkins/EAC/GOV@EAC, Thomas R.
Wilkey/EAC/GOV@EAC
cc Karen Lynn-Dyson/EAC/GOV@EAC, Amie J.
Sherrill/EAC/GOV@EAC, Bert A.
Benavides/EAC/GOV@EAC, Adam
Ambrogi/EAC/GOV@EAC, Sheila A.
Banks/EAC/GOV@EAC, Elieen L. Collver/EAC/GOV@EAC,
DeAnna M. Smith/EAC/GOV@EAC
Subject Eagleton close-out meeting

A close out meeting with the folks from Rutgers and the Eagleton Institute is being scheduled for April 3, 2006.

After a preliminary survey of your availability with your Special Assistants the time slot of 2:30-4:30 has been chosen for this meeting.

Please confirm that you are able to attend this meeting here at the EAC office if it is held at this time.

Regards,

Nicole K. Mortellito
Research Assistant
U.S. Election Assistance Commission
1225 New York Avenue - Suite 1100
Washington, DC
202.566.2209 phone
202.566.3128 fax

010408

Carol A. Paquette/EAC/GOV
06/10/2005 02:10 PM

To Gracia Hillman/EAC/GOV@EAC
cc Jeannie Layson/EAC/GOV@EAC, Juliet E. Thompson/EAC/GOV@EAC, Karen Lynn-Dyson/EAC/GOV@EAC, Paul
bcc
Subject Re: Eagleton draft press release

Made essentially the same comment to Jeannie regarding the guidance language in paragraph two. We had no input to the creation of this release, so there is no EAC intent to use this as a trial balloon.

Carol A. Paquette
Interim Executive Director
U.S. Election Assistance Commission
(202)566-3125 cpaquette@eac.gov
Gracia Hillman/EAC/GOV



Gracia Hillman /EAC/GOV
06/10/2005 02:00 PM

To Jeannie Layson/EAC/GOV@EAC, Raymundo Martinez/EAC/GOV, Paul DeGregorio/EAC/GOV, Karen Lynn-Dyson/EAC/GOV, Carol A. Paquette/EAC/GOV,
cc Juliet E. Thompson/EAC/GOV, "Tom Wilkey"
Subject Re: Eagleton draft press release

I have some concerns about the press release. In paragraph two, I am not comfortable with the following language in what I believe is paragraph two: Under the national contract, the institute will develop recommendations for EAC to issue as guidance to the states to use in 2006.

It seems to me that EAC will develop the guidance based on Eagleton's findings.

Also, I do not think the press release should contain the list of questions. Are they/we trying to float a trial balloon and elicit initial reaction at this early stage of the study??

Sent from my BlackBerry Wireless Handheld

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

From: Jeannie Layson
Sent: 06/10/2005 12:57 PM
To: Gracia Hillman; Raymundo Martinez; Paul DeGregorio
Cc: Karen Lynn-Dyson; Carol Paquette; Juliet Thompson
Subject: Eagleton draft press release

Commissioners,
Below is a draft of a press release Eagleton wants to distribute regarding the EAC contract. (It's also

010409

attached.) Please let me know if you have edits/changes. Also, take a close look at the language regarding the scope for the voter ID study to make sure it is acceptable.

DRAFT FOR APPROVAL

EAGLETON INSTITUTE OF POLITICS WINS \$560,000 CONTRACT FROM U.S. ELECTION ASSISTANCE COMMISSION

Rutgers Institute to Study Provisional Voting, Voter Identification Procedures

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Under the national contract, the institute will develop recommendations for EAC to issue as guidance to the states to use in 2006, according to Eagleton Director Ruth B. Mandel, the study's principal investigator. She added that the Moritz College of Law at Ohio State University, Eagleton's partner in the contract application, will be responsible for the legal analysis of the competitively bid, seven-month project.

Eagleton already is home to an extensive civic education and political participation program, with several projects aimed at increasing voter turnout, political participation and Americans' involvement in civic life.

EAC was established by the Help America Vote Act (HAVA) of 2002. It is an independent, bipartisan agency and provides federal funds to states to upgrade voting systems and improve election administration. It publishes voluntary guidelines for the states and serves as a national clearinghouse of information regarding election administration.

The Eagleton project team, led by Mandel, includes Ingrid W. Reed, John Weingart and consultant Thomas O'Neill, retired president of the Partnership for New Jersey, who will serve as project director. The project will address key questions related to provisional voting and voter identification in the context of effective election administration, voter access and ballot security.

Questions include:

- Did the states have in place clear and uniform written procedures, guidelines and instructions to govern the casting and counting of provisional ballots?

- Did local procedures reflect the state's uniform procedures?
- Did all states and election jurisdictions make these procedures available to the public, political parties and candidates before the election?

- To what extent were poll workers appropriately trained on how to administer provisional ballots, including establishing the identity of the potential voter seeking a provisional ballot?

- How were federal funds under the Help America Vote Act used to educate voters about

010410

their rights to cast a provisional ballot and where such provisional ballots must be cast to be counted?

- In states where a provisional ballot had to be cast at the voter's assigned polling place or precinct, was information available to poll workers to allow them to determine the voter's assigned precinct and polling place?
- Did states have mechanisms in place to inform voters casting provisional ballots whether their vote was counted and whether they are now registered for subsequent elections?

Eagleton will address these questions by examining the nation's experience with provisional voting and voter identification requirements and practices in 2004 through extensive research including a survey of local election officials across the country. In addition, the work will be informed by scrutiny from a panel of peer reviewers as well as by comments offered at public hearings to be held in conjunction with the project.

At the contract's conclusion, the team will present a narrative on both topics, indexed databases of major articles on provisional voting and voter identification requirements, summaries of case law on each subject, analyses of provisional voting procedures from around the country and of voter participation and vote fraud under various voter ID requirements, and a report of alternatives to existing practices and procedures.

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

Carol A. Paquette/EAC/GOV
06/10/2005 02:09 PM

To Gracia Hillman/EAC/GOV@EAC
cc Jeannie Layson/EAC/GOV@EAC, Juliet E. Thompson/EAC/GOV@EAC, Karen Lynn-Dyson/EAC/GOV@EAC, Paul
bcc
Subject Re: Eagleton draft press release

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Carol A. Paquette
Interim Executive Director
U.S. Election Assistance Commission
(202)566-3125 cpaquette@eac.gov
Gracia Hillman/EAC/GOV



Gracia Hillman /EAC/GOV
06/10/2005 02:00 PM

To Jeannie Layson/EAC/GOV@EAC, Raymundo Martinez/EAC/GOV, Paul DeGregorio/EAC/GOV, Karen Lynn-Dyson/EAC/GOV, Carol A. Paquette/EAC/GOV,
cc Juliet E. Thompson/EAC/GOV, "Tom Wilkey"

Subject Re: Eagleton draft press release

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It seems to me that EAC will develop the guidance based on Eagleton's findings.

Also, I do not think the press release should contain the list of questions. Are they/we trying to float a trial balloon and elicit initial reaction at this early stage of the study??

Sent from my BlackBerry Wireless Handheld

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

From: Jeannie Layson
Sent: 06/10/2005 12:57 PM
To: Gracia Hillman; Raymundo Martinez; Paul DeGregorio
Cc: Karen Lynn-Dyson; Carol Paquette; Juliet Thompson
Subject: Eagleton draft press release

Commissioners,
Below is a draft of a press release Eagleton wants to distribute regarding the EAC contract. (It's also

010412

attached.) Please let me know if you have edits/changes. Also, take a close look at the language regarding the scope for the voter ID study to make sure it is acceptable.

DRAFT FOR APPROVAL

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Questions include:

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- To what extent were poll workers appropriately trained on how to administer provisional ballots, including establishing the identity of the potential voter seeking a provisional ballot?

- How were federal funds under the Help America Vote Act used to educate voters about

010413

their rights to cast a provisional ballot and where such provisional ballots must be cast to be counted?

- In states where a provisional ballot had to be cast at the voter's assigned polling place or precinct, was information available to poll workers to allow them to determine the voter's assigned precinct and polling place?
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Eagleton will address these questions by examining the nation's experience with provisional voting and voter identification requirements and practices in 2004 through extensive research including a survey of local election officials across the country. In addition, the work will be informed by scrutiny from a panel of peer reviewers as well as by comments offered at public hearings to be held in conjunction with the project.

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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



Gracia Hillman/EAC/GOV
06/10/2005 02:00 PM

To Jeannie Layson/EAC/GOV@EAC, Raymundo
Martinez/EAC/GOV, Paul DeGregorio/EAC/GOV
cc Karen Lynn-Dyson/EAC/GOV, Carol A. Paquette/EAC/GOV,
Juliet E. Thompson/EAC/GOV, "Tom Wilkey"

bcc [REDACTED]

Subject Re: Eagleton draft press release

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Sent: 06/10/2005 12:57 PM
To: Gracia Hillman; Raymundo Martinez; Paul DeGregorio
Cc: Karen Lynn-Dyson; Carol Paquette; Juliet Thompson
Subject: Eagleton draft press release

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010415

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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

Jeannie Layson /EAC/GOV
06/13/2005 12:05 PM

To pdegregorio@eac.gov, rmartinez@eac.gov,
ghillman@eac.gov
cc cpaquette@eac.gov, jthompson@eac.gov,
[REDACTED]

bcc

Subject Eagleton press release

Following is the Eagleton press release including revisions from the chair and Carol. If anyone else has changes or edits, please let me know by tomorrow morning so Eagleton can get this out. Thank you.

DRAFT FOR APPROVAL

EDITOR'S NOTE: ATTENTION POLITICAL, ASSIGNMENT EDITORS

**EAGLETON INSTITUTE OF POLITICS WINS \$560,000 CONTRACT
FROM U.S. ELECTION ASSISTANCE COMMISSION**

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Under the national contract, the institute will develop recommendations for EAC to consider in the development of its guidance to the states for the 2006 elections, according to Eagleton Director Ruth B. Mandel, the study's principal investigator. She added that the Moritz College of Law at Ohio State University, Eagleton's partner in the contract application, will be responsible for the legal analysis of the competitively bid, seven-month project.

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010418

panel of peer reviewers as well as by comments offered at public hearings to be held in conjunction with the project.

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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

Jeannie Layson /EAC/GOV
06/10/2005 12:57 PM

To ghillman@eac.gov, rmartinez@eac.gov,
pdegregorio@eac.gov
cc klyndyson@eac.gov, cpaquette@eac.gov,
jthompson@eac.gov
bcc

Subject Eagleton draft press release

Commissioners,

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Under the national contract, the institute will develop recommendations for EAC to issue as guidance to the states to use in 2006, according to Eagleton Director Ruth B. Mandel, the study's principal investigator. She added that the Moritz College of Law at Ohio State University, Eagleton's partner in the contract application, will be responsible for the legal analysis of the competitively bid, seven-month project.

Eagleton already is home to an extensive civic education and political participation program, with several projects aimed at increasing voter turnout, political participation and Americans' involvement in civic life.

EAC was established by the Help America Vote Act (HAVA) of 2002. It is an independent, bipartisan agency and provides federal funds to states to upgrade voting systems and improve election administration. It publishes voluntary guidelines for the states and serves as a national clearinghouse of information regarding election administration.

The Eagleton project team, led by Mandel, includes Ingrid W. Reed, John Weingart and consultant Thomas O'Neill, retired president of the Partnership for New Jersey, who will serve as project director. The project will address key questions related to provisional voting and voter identification in the context of effective election administration, voter access and ballot security.

Questions include:

- Did the states have in place clear and uniform written procedures, guidelines and instructions to govern the casting and counting of provisional ballots?

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- Did local procedures reflect the state's uniform procedures?
- Did all states and election jurisdictions make these procedures available to the public, political parties and candidates before the election?
- To what extent were poll workers appropriately trained on how to administer provisional ballots, including establishing the identity of the potential voter seeking a provisional ballot?
- How were federal funds under the Help America Vote Act used to educate voters about their rights to cast a provisional ballot and where such provisional ballots must be cast to be counted?
- In states where a provisional ballot had to be cast at the voter's assigned polling place or precinct, was information available to poll workers to allow them to determine the voter's assigned precinct and polling place?
- Did states have mechanisms in place to inform voters casting provisional ballots whether their vote was counted and whether they are now registered for subsequent elections?

Eagleton will address these questions by examining the nation's experience with provisional voting and voter identification requirements and practices in 2004 through extensive research including a survey of local election officials across the country. In addition, the work will be informed by scrutiny from a panel of peer reviewers as well as by comments offered at public hearings to be held in conjunction with the project.

At the contract's conclusion, the team will present a narrative on both topics, indexed databases of major articles on provisional voting and voter identification requirements, summaries of case law on each subject, analyses of provisional voting procedures from around the country and of voter participation and vote fraud under various voter ID requirements, and a report of alternatives to existing practices and procedures.

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www.eac.gov Eagleton release.doc

010421

**Deliberative Process
Privilege**

Karen Lynn-Dyson/EAC/GOV
01/26/2007 11:36 AM

To Donetta L. Davidson/EAC/GOV@EAC, Juliet E.
Hodgkins/EAC/GOV@EAC

cc

bcc

Subject Re: Short introduction to the Eagleton Voter ID report 

Chair Davidson and Julie-

Attached are the two draft documents I have created related to the Voter Identification Study.

I look forward to our 2:00 PM conversation.



EAC Voter ID Report.doc New EAC Voter ID Report.doc

Karen Lynn-Dyson
Research Director
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1225 New York Avenue , NW Suite 1100
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EAC Report on Voter Identification

Executive Summary

The Help America Vote Act of 2002 (HAVA) authorizes the United States Election Assistance Commission (EAC) to conduct periodic studies of election administration issues. HAVA Section 303 (b) mandates that first time voters who register by mail are required to show proof of identity before being allowed to cast a ballot. The law prescribes certain requirements concerning this section, but also leaves considerable discretion to the States for its implementation. The EAC sought to examine how these voter identification requirements were implemented in the 2004 general elections and to prepare guidance for the states on this topic.

In May 2005 EAC entered into a contract with the Eagleton Institute of Politics at Rutgers, the State University of New Jersey and the Moritz College of Law at the Ohio State University to perform a review and legal analysis of state legislation, administrative procedures and court cases, and to perform a literature review on other research and data available on the topic of voter identification requirements. Further, the contractor was to analyze the problems and challenges of voter identification, to hypothesize alternative approaches and recommend various policies that could be applied to these approaches.

The contractor also performed a statistical analysis of the relationship of various requirements for voter identification to voter turnout in the 2004 election. Using two sets of data, aggregate turnout data at the county level for each state, and reports of individual voters collected in the November 2004 Current Population Survey conducted by the U.S. Census Bureau, the contractor found the overall relationship between the stringency of ID requirements and turnout to be fairly small, but statistically significant.

Based on The Eagleton Institute year-long inquiry into voter identification requirements EAC will implement one or more of the following recommendations:

- Further research into the connection between voter ID requirements and the number of ballots cast and counted;
- A state-by-state review of the impact that voter ID requirements are having on voter's participation;
- A state-by-state review of the relationship between ballot access and ballot security and the number of voters whose ballot is counted;
- A state-by-state review of time periods between voters casting of provisional ballots and the time allowed to return with an ID as well as a review of acceptable forms of identification other than photo ID.

Introduction

This study was conducted at a time in which considerable attention is being paid to the issue of voter identification. Proponents of stricter identification requirements base their case on improving the security of the ballot by reducing opportunities for multiple voting or voting by those who are not eligible. The goal is to ensure that only those legally entitled to vote do so, and do so only once at each election. Opponents of stricter ID requirements seek to ensure board access to a regular ballot. There is a fear that some voters -- racial and ethnic minorities, young and elderly voters-- lack convenient access to required ID documents, or that these voters may be fearful of submitting their ID documents for official scrutiny.

This report considers policy issues associated with the voter ID debate. It examines the relationships between voter ID requirements and voter turnout along with the various policy implications of the issue.

Methodology of the Study

In May 2005, under contract with the EAC, the Eagleton Institute of Politics at Rutgers, the State University of New Jersey, and the Moritz College of Law at the Ohio State University undertook a review and legal analysis of state statutes, regulations and litigation concerning voter identification and provisional voting as well as a statistical analysis of the relationship of various requirements for voter identification to turnout in the 2004 election. The contract also included research and study related to provisional voting requirements. These research findings were submitted and reviewed by the EAC as a separate study.

The Eagleton Institute of Politics gathered information on the voter identification requirements in 50 states and the District of Columbia for 2004. Based on interpretations of state statutes and supplemental information provided through conversations with state election officials, state ID requirements were divided into five categories, with each category of identification more rigorous than the one preceding: stating name, signing name, signature match, presenting an ID, and the most rigorous, presenting a government photo ID. The Eagleton Institute also categorized and identified each state according to maximum and minimum identification requirements. Maximum requirements refer to the most that voters may be asked to do or show at the polling place. Minimum requirements refer to the most that voters can be required to do or show in order to cast a regular ballot. These definitions and the subsequent state-by-state analysis of voter identification requirements omitted those cases in which a particular voter's eligibility might be questioned using a state's voter ballot challenge process.

Two data sets were used to apply the criteria (variables) that were developed above: aggregate voter turnout data at the county level which was gathered from the EAC's 2004 Election Day Survey and; reports of individual voters collected through the November 2004 Current Population Survey administered by the U.S. Census Bureau. Use of EAC

survey data and Census Bureau CPS data provided a way to cross-check the validity of the analysis and conclusions that would be drawn regarding the effect of voter ID requirements on voter turnout.

Study Oversight and Methodological Review

A draft of the Eagleton Institute report and findings on voter identification requirements was critiqued by a peer review group convened by the Eagleton Institute. A second review of the study's research and statistical methodologies was conducted using a group of research and statistical experts independently convened by the EAC. Comments and insights of the peer review group members were taken into account in the drafting of a study report although there was not unanimous agreement among the individual reviewers regarding the study findings and recommendations.

The Eagleton Institute of Politics Peer Review Group

R Michael Alvarez, California Institute of Technology
John C. Harrison, University of Virginia School of Law
Martha E. Kropf, University of Missouri-Kansas City
Daniel H. Lowenstein, University of California at Los Angeles
Timothy G. O'Rourke, Salisbury University
Bradley Smith, Capital University Law School
Tim Storey, National Conference of State Legislatures
Peter G. Verniero, former Attorney General, State of New Jersey

The EAC Peer Review Group

Jonathan Nagler, New York University
Jan Leighley, University of Arizona
Adam Berninsky, Massachusetts Institute of Technology

Summary of the Research

Maximum and Minimum Voter Identification Requirements

In order to analyze what, if any, correlation may exist between a State's voter identification requirements and voter turnout, the Eagleton Institute first coded a state according to how demanding its voter ID requirement was. The voter ID requirement, ranked from lowest to highest was as follows: stating one's name, signing one's name, matching one's signature to a signature on file, providing a form of identification and, providing a form of photo identification. Several possible caveats to this ranking system were noted. For all states which had photo identification requirements in 2004, voters

without a photo ID were permitted to cast a regular ballot after signing an affidavit regarding his or her identity and eligibility. These voters were also allowed to provide other forms of ID. The researchers also noted that while each state may be assigned to a category, that categorization may not reflect the actual practice related to voter identification that may or may not have taken place at many polling places.

Research performed for this study by the Moritz College of Law found that states had five different types of **maximum** identification requirements in place on Election Day 2004. For the purposes of this study a requirement that called for a signed affidavit or the provision of other forms of ID was considered the most rigorous or the “maximum” requirement. At the polling place voters were asked to:

- State his or her name (10 states)
- Sign his or her name (13 states and the District of Columbia)
- Sign his or her name, which would be matched to a signature on file (seven states)
- Provide a form of identification that did not necessarily include a photo (15 states)
- Provide a photo identification (five states)

Using the same criteria, but applying them as **minimum** rather than maximum criteria for voting the research showed: **(check this section- it doesn't really make sense)**

- State his or her name (12 states)
- Sign his or her name (14 states and the District of Columbia)
- Matching the voter's signature to the signature on file (6 states)
- Provide a non-photo identification (14 states)
- Swear by an affidavit (4 states)

The results of the research are summarized in Table 1.

Election laws in several states offer exceptions to these ID requirements if potential voters lack the necessary form of identification. Laws in these states set a minimum requirement that a voter may be required to satisfy in order to vote using a regular ballot. In 2004 none of the states required photo identification as a minimum standard for voting with a regular ballot. That is, voters who lacked photo ID were allowed to vote in all states, if he or she was able to meet another ID requirement.

The Relationship of Voter Identification Requirements to Voter Turnout

A statistical analysis examining the variation in turnout rates based on the type of voter ID required by each state in the 2004 election was conducted using two sets of data: 1) aggregate turnout data at the county level for each state (compiled by the Eagleton Institute of Politics-**footnote about how they collected the data**) and 2) individual level survey data included in the November 2004 Current Population Survey (CPS), conducted by the U.S. Census Bureau.

The analysis looked at the voter identification requirements as a continuous variable and as a series of discrete variables. As a continuous variable the maximum voter identification requirements were ranked according to how demanding they were judged to be, with photo identification considered to be the most demanding requirement (**what about affidavit????**). Used as discrete variable, the statistical analysis considered stating the name as the least demanding ID requirement; the other ID requirements were then compared to that requirement.

Aggregate-level statistical analysis

The statistical analysis performed by the Eagleton Institute of Politics found that when averaging across counties in each state, statewide turnout is negatively correlated to maximum voter identification requirements ($r = -.30$, p less than .05). When a statistical analysis is performed on the other minimum voter ID requirements (with affidavit being the most demanding requirement), the correlation between voter identification and turnout is negative, but not statistically significant ($r = -.20$, $p = .16$). These findings would suggest that the relationship between turnout rates and minimum requirements may not be linear.

The aggregate data show that 60.9 percent of the estimated citizen voting age population voted in 2004. Taking into account the maximum requirements, an average of 64.6 percent of the voting age population turned out in states that required voters to state their names, compared to 58.1 percent in states that required photo identification. A similar trend was found when analyzing minimum ID requirements: Sixty-three percent of the voting age population turned out in states requiring voters to state their name, compared to 60.1 percent in states that required an affidavit from voters. This analysis showed there was not a clear, consistent linear relationship between turnout and minimum identification requirements.

(insert table 2- Variation in 2004 State Turnout Based on Voter Identification Requirements)

Multivariate models of analysis using aggregate-level data

The Eagleton Institute of Politics performed an additional analysis that would estimate the effects of voter identification requirements, that took into account the electoral context in 2004 and, the demographic characteristics of the population in each county. The model also considers such variables as whether or not the county was 1) in a presidential battleground state, 2) if the county was in a state with a competitive race for government and/or the U.S. Senate, 3) the percentage of voting-age population in each county that was Hispanic or African-American 4) the percentage of county residents age 65 and older, 5) the percent of county residents below the poverty line, and 6) the number of days between each state's registration deadline and the election.

The results of this statistical modeling and subsequent analysis indicated that the stricter voter ID requirements of matching a voter's signature to a signature on file or with presenting a non-photo identification are associated with lower voter turnout when compared to voter turnout in states that required voters to simply state his or her name. These conclusions were reached when variables 1-5 listed above were held constant.

Other results from the Eagleton Institute analysis of stricter voter identification requirements showed that:

- Increased voter turnout was associated with whether the county was in a battleground state or whether that state have a competitive race for governor and/or U.S.Senate.
- A slight negative effect on turnout was correlated with those state's with a longer time between the closing date for registration and the election.
- Voter turnout declined as the percentage of Hispanics in a county's population increased.
- Higher turnout (and a positive correlation) was associated with a higher percentage of senior citizens and household median income.
- The percentage of African-Americans in the county did not have a significant effect on turnout.

The Eagleton Institute analysis of minimum voter identification requirements showed that:

- A relationship between minimum voter ID requirements and turnout was not demonstrated.
- Battleground states and those with competitive state races had a significant and positive correlation to turnout.
- A higher percentage of senior citizens in the county and higher household median income were associated with higher turnout and showed a positive correlation to turnout.
- The percentage of Hispanics in the county was associated with reduced turnout.
- The increased number of days between the closing date for registration was associated with reduced turnout.

The analysis of these aggregate, county-level data showed a significant correlation, between maximum voter identification requirements (a signature match and non-photo

identification, but not a photo identification) and lower turnout in the 2004 election. This correlation was also significant when compared to the minimum voter ID requirement of the voter simply having to state his or her name.

Multivariate analysis using individual level turnout data

This analysis which used November 2004 Current Population Survey data conducted by the U.S. Census Bureau is based on reports from self-described registered voters. Not included in the analysis are persons who said they are not registered to vote, those who said they cast absentee ballots and those who said they were not U.S. citizens. The CPS' Voting and Registration Supplement consisted of interviews, either by telephone or in person, with 96,452 respondents. (why is the N is Table 3 54,973?)

In addition to the five maximum voter identification requirements (enumerated on page XX) the analysis performed included other socioeconomic, demographic and political factors that could have influenced turnout in the 2004 election. These independent variables were analyzed against the dependent variable of whether or not the respondent said he or she voted in the November 2004 election.

In this analysis three of the voter identification requirements were shown to have a statistically significant correlation with whether or not the survey respondents said they have voted in 2004. Lower voter turnout was associated with:

- those states with maximum voter requirements to sign one's name,
- those states with maximum voter requirements to provide a non-photo ID or photo ID, or
- those states with the minimum voter requirement to swear by an affidavit in order to cast a ballot without the state-required identification

Increased voter turnout showed:

- A significant correlation with the competitiveness of the Presidential race **(explain)**.
- African-American voters were more likely than white or other voters to say they have voted.
- Income and marital status were positive predictors of voting **(high income or low income, single, married?)**,
- Women were more likely to say they voted than men.
- Those ages 45 to 64 and 65 and older were more likely to say they voted than those ages 18 to 24.
- Those who earned a high school diploma, attended some college, graduated from college or attended graduate school were more likely to say they have voted than those who had not finished high school.

Analysis of the predicted probability of voter turnout using the individual data

Using this Census Bureau Current Population Survey data the Eagleton Institute of Politics performed an additional statistical analysis in which they calculated the effect of various independent variables on the probability that a respondent said he or she voted. This analysis, involving 54,973 voters cross-tabulated the maximum and minimum voter identification requirements in each state with the five levels of voting requirements: stating name, signing name, matching the signature, a non-photo ID, photo-ID signing an affidavit. The results of these **Predicted Probability of Voter Turnout for all Voter** tabulations are summarized in Table 3 below:

From this analysis, the Eagleton Institute of Politics found that three of the voter identification requirements (**which ones?**) exerted a statistically significant, negative effect on whether or not the CPS survey respondents said they had voted in 2004. That is, compared to states that require voters to only state their name, those states which require the voter to sign his or her name, to provide a non-photo ID, or to provide a photo ID as a maximum requirement, were shown to have a negative influence on turnout. Also, a negative influence on turnout was found when comparing those states that require voters to only state their name, as compared to those states which have as a minimum requirement for verifying voter ID, signing an affidavit.

This probability analysis also found that the competitiveness of the presidential race had a significant effect on turnout as well as some significant demographic and educational effects. For the entire voting population signature, non-photo identification and photo identification requirements were all associated with lower turnout rates compared to the requirements that voter simply state their names. The analysis further found that:

- The predicted probability that Hispanics would vote in states that required non-photo identification was about 10 percentage points lower than in states where Hispanic voters gave their names and that Hispanic voters were less likely to vote in states that required non-photo identification as opposed to only having to state one's name.
- Hispanic voters were 10 percent less likely to vote in non-photo identification states compared to states where voters only had to give their name. African American and Asian-American voters were about 6 percent less likely, while white voters were about 2 percent less likely.
- Asian-American voters were 8.5 percent less likely to vote in states that required non-photo identification compared to states that require voters to state their names under the maximum requirements, while they were 6.1

percent less likely to vote where non-photo identification was the minimum requirement.

- For those with less than a high school diploma, the probability of voting was 5.1 percent lower in states that required photo identification as the maximum requirement and 7 percent lower in those states that required an affidavit as the minimum requirement. These percentages were arrived at when comparing these states to ones that use as a minimum or maximum requirement, the voter to merely state his or her name.

Conclusions from the statistical analysis

The statistical analysis found that as voter identification requirements vary, so do voter turnout rates. These findings were borne out through analyses conducted on aggregate data and individual-level data. There were, however, some distinctions found depending upon whether or not the state's particular voter identification requirements were set as minimums or maximums.

- The overall relationship between voter identification requirements and turnout for all registered voters was found to be small but statistically significant.
- Using the aggregate data the signature match and the non-photo identification requirement correlated with lower turnout. The photo identification requirement did not have a statistically significant effect.
- In the individual-level data the signature, no-photo identification and photo identification requirement were all correlated with lower turnout when compared to the requirements that voter simply state their names.
- Across various demographic groups (African-Americans, Asian-Americans and Hispanics) a statistically significant relationship was found between the non-photo identification requirement and voter turnout

Caveats to the Analysis

The Eagleton Institute for Politics and the EAC make note that while this analysis is a good beginning, significant questions remain regarding the relationship between voter identification requirements and turnout. These analyses are unable, for example, to capture how or why identification requirements might lower turnout. That is, is it because voters are aware of the identification requirements and stay away from the polls because of them? Alternatively, do the requirements result in some voters being turned away when they cannot provide the identification, or must cast a provisional ballot?

Knowing more about the “on the ground” experience of voters regarding various identification requirements will guide state and local level policy makers in their efforts to educate voters about the requirements. These experiences could also help instruct election judges on how to handle questions and possible disputes over voter identification requirements.

Public Policy and Administrative Considerations

Voter Identification, often described as the critical step in protecting the integrity of the ballot, is a process which can ensure that the potential voter is eligible and, if eligible, is permitted to cast one ballot. A voting system that requires voters to produce an identification document or documents may prevent the ineligible from voting, but also may prevent the eligible from casting a ballot.

Evaluating the effect of different voter identification regimes can be most effective when based on clear legal, equitable and practical standards. The questions outlined below might point policymakers to standards that can be created around voter identification requirements.

1. Is the voter ID system designed on the basis of valid and reliable empirical studies the will address concerns regarding certain types of voting fraud?
2. Does the voter ID requirement comply with the letter and spirit of the Voting Rights Act?
3. How effective is the voter ID requirement on increasing the security of the ballot and can it be coordinated with the statewide voter registration database?
4. How feasible is the voter identification requirement? That is, are there administrative or budgetary considerations or concerns? How easy or difficult will it be for pollworkers who must administer the requirement?
5. How cost effective is the voter ID system? That is, what are the monetary and non-monetary costs to the voter and to the state for implementing the ID system?
6. If voter ID requirements are shown to reduce voter turnout (generally, or with some particular groups), what possible steps should be taken to ameliorate this problem?

Recommendations and Next Steps

As the Federal agency charged with informing election officials and the public about various issues related to the administration of elections EAC believes it should, in its capacity as a supporter of elections research, undertake additional study into the topic of voter identification requirements and the implementation of them in the following ways:

- Longitudinal studies of jurisdictions that have changed voter identification requirements.

- State-by-state and precinct-level analyses that will examine the correlations between various voter identification requirements and voter registration and turnout
- Alternative forms and methods for verifying a voter's identity.
- Continuing research into the connection between various voter identification requirements and the number of ballots cast and counted
- A continuing state-by-state update on changes to voter identification requirements.
- Continued collection of state-by-state data which will help examine the impact that voter identification requirements are having on the number of voters who are casting provisional ballots because of voter identification verification issues.

Appendix A: Summary of Voter Identification Requirements by State

Appendix B: Court Decisions and Literature on Voter Identification and Related Issue
Court Decisions

Appendix C: Annotated Bibliography on Voter Identification Issues

EAC Statement on Future Study of Voter Identification Requirements

Background

The Help America Vote Act of 2002 (HAVA) authorizes the United States Election Assistance Commission (EAC) to conduct periodic studies of election administration issues. HAVA Section 303 (b) mandates that first time voters who register by mail are required to show proof of identity before being allowed to cast a ballot. The law prescribes certain requirements concerning this section, but also leaves considerable discretion to the States for its implementation. The EAC sought to examine how these voter identification requirements were implemented in the 2004 general elections and to prepare guidance for the states on this topic.

In May 2005 EAC entered into a contract with the Eagleton Institute of Politics at Rutgers, the State University of New Jersey and the Moritz College of Law at the Ohio State University to perform a review and legal analysis of state legislation, administrative procedures and court cases, and to perform a literature review on other research and data available on the topic of voter identification requirements. Further, the contractor was to analyze the problems and challenges of voter identification, to hypothesize alternative approaches and recommend various policies that could be applied to these approaches.

The contractor also performed a statistical analysis of the relationship of various requirements for voter identification to voter turnout in the 2004 election. Using two sets of data-- aggregate turnout data at the county level for each state, and reports of individual voters collected in the November 2004 Current Population Survey conducted by the U.S. Census Bureau-- the contractor arrived at a series of findings, conclusions and subsequent recommendations for further research into the topic which are detailed in the attached report.

EAC Recommendations for further study and next steps

EAC finds this initial review of States' voter identification requirements, state laws and litigation surrounding the implementation of voter identification requirements an important beginning step in its consideration of voter identification requirements. From this study and compilation of data EAC considers it advisable to engage in a longer-term, systematic review of voter identification requirements and is recommending that at a minimum the agency engage on an ongoing basis in:

- A state-by-state review, reporting and tracking of voter identification requirements.
- A review and study of how voter identification requirements are implemented and how these practices may vary from state law and statute.

From this ongoing review and tracking EAC can determine the feasibility and advisability of further research and study into how voter identification requirements have had an impact over time on factors such as voter turnout and voter registration.

EAC believes that the findings from this initial study of voter identification requirements are helping inform additional studies it is conducting on a variety of related topics. The EAC study on first time voters who have registered to vote by mail and several forthcoming studies related to voter registration processes will provide necessary additional data to help inform discussions and debate related to ballot access and ballot security. The EAC also anticipates that follow-on study it does related to election crimes and various aspects of voting accessibility will also help inform and guide these ballot security and ballot access discussions.

Finally, EAC is likely to consider implementing one or more of the following research studies that will serve to augment the work begun by the Eagleton Institute of Politics:

- A study of how certain voter identification provisions that have been in place for two or more Federal elections have had an impact on voter turnout and voter registration figures;
- A research study which examines, in greater detail, the relationship between race and voter turnout, and race and methods for registering voters;
- Studies on the inter-relationship between various voter registration processes, voter turnout and number of election crimes reported or litigated;
- Publication of a series of case studies which detail a particular state's or jurisdiction's experiences with various voter identification and voter registration regimes;
- A policy paper or memorandum exploring the alternatives to current voter identification processes and regimes.

Karen Lynn-Dyson/EAC/GOV

08/21/2006 01:09 PM

To twilkey@eac.gov, Jeannie Layson/EAC/GOV@EAC, Juliet E. Thompson-Hodgkins/EAC/GOV@EAC
cc Bert A. Benavides/EAC/GOV@EAC, Elieen L. Collver/EAC/GOV@EAC

bcc

Subject Fw: Eagleton/Moritz Study Release

All-

I know that Tom will be bringing the topic of the Provisional Voting and Voter ID studies up once again at this week's Commissioners meeting. To my knowledge, Elle is working with Commissioner Davidson to create the next draft of this document that the Commissioners will review. (I have re-written the introduction to the report, using our 2005 EAC Advisory on the topic)

Prior to Thursday's meeting, however, I think we need (or may want) to make clear to John Weingart that this report is ours to release or not release but that **we believe there is a lot of incorrect information stated in their studies .**

If Moritz/Rutgers decide to release their studies with or without our approval I fear the bad/misinformation contained in them will be attributed to us.

K

Karen Lynn-Dyson
Research Director
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tel:202-566-3123

— Forwarded by Karen Lynn-Dyson/EAC/GOV on 08/21/2006 12:57 PM —



"John Weingart "

~~john.weingart@rutgers.edu~~

08/16/2006 12:21 PM

Please respond to
john.weingart@rutgers.edu

To twilkey@eac.gov

cc klynndyson@eac.gov

Subject Eagleton/Moritz Study Release



Wilkey081606final.doc Tom - I have just faxed the attached letter to you but thought you might also like an emailed version. I look forward to discussing it with you soon.

Thanks, John

--
-- John Weingart, Associate Director
Eagleton Institute of Politics
(732)932-9384, x.290

010436

Karen Lynn-Dyson/EAC/GOV
05/12/2006 01:36 PM

To "Tom O'Neill" <tom_oneill@verizon.net>@GSAEXTERNAL
cc Adam Ambrogi/EAC/GOV@EAC, Amie J.
Sherrill/EAC/GOV@EAC
bcc Juliet E. Thompson-Hodgkins/EAC/GOV
Subject RE: Eagleton/Moritz presentations at the upcoming Board of
Advisors and Standards Board meetings 

Tom-

To reiterate the details of our discussion:

By May 17 I will have received all of the materials you wish distributed to the EAC Board of Advisors and Standards Boards. You have indicated that this will be the Provisional Voting paper and the Voter ID paper, only.

On Tuesday, May 23 from 2:30-4:00 PM, Tom O'Neill and Ed Foley will present the Provisional Voting report to the EAC Standards Board. Julie Thompson-Hodgkins will be the resource person for that session

On Wednesday, May 24 from 1:40-2:45 PM, Tom O'Neill, Dan Tokaji, and Tim Vercellotti will present the Voter Identification report to the EAC Standards Board. Julie Thompson-Hodgkins will be the resource person for that session.

On Wednesday, May 24 from 8:30-9:15 am, Tom O'Neill and Ed Foley will present the Provisional Voting report to the EAC Board of Advisors. Julie Thompson-Hodgkins will be the resource person for that session.

On Wednesday, May 24 from 11:00-11:55 am, Tom O'Neill, Dan Takaji and Tim Vercellotti will present the Voter Identification report to the EAC Board of Advisors. Julie Thompson-Hodgkins will be the resource person for that session.

If you have further questions regarding the details of these sessions, please do not hesitate to contact me.

Regards-

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010437

Karen Lynn-Dyson/EAC/GOV

To Thomas R. Wilkey/EAC/GOV@EAC

03/28/2006 04:50 PM

cc Juliet E. Thompson-Hodgkins/EAC/GOV@EAC

bcc

Subject FYI-Eagleton

Turns out that Eagleton was doing a brief conference call with their project staff this afternoon and they asked me to participate briefly. Looked for you guys and you were in the Commissioner Retreat. Basically shared some very general thoughts with them and framed it as a series of questions/issues that might arise when they make their presentations next week.

Spoke of the CVAP vs. VAP issue, exit polls and CPS data versus using our Election Day survey and speaking with Election Officials about these topics. Also framed the issue of possible bias in their report by suggesting that they start out explaining how and why they have arrived at their statement about voter ID (burdensome, onerous, etc). Also suggested framing this by speaking of African American and elderly voter ID attitudes that appear to contrast with attitudes expressed by Hispanic voters. Did also ask about why they didn't look at Asian voters and if they included the March 15 2006 Census Bureau report in their analysis.

They took these comments under advisement and will be ready to address these and other topics at Monday's meetings.

K

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010438

Karen Lynn-Dyson/EAC/GOV
03/02/2006 02:19 PM

To Gracia Hillman/EAC/GOV@EAC, Nicole
Mortellito/CONTRACTOR/EAC/GOV@EAC
cc Ddavidson@eac.gov, Juliet E. Thompson/EAC/GOV@EAC,
pdegregorio@eac.gov, rmartinez@eac.gov,
sbanks@eac.gov, Thomas R. Wilkey/EAC/GOV@EAC
bcc
Subject Re: Eagleton close-out meeting 

Commissioner-

I believe an earlier and a later meeting time on the same day can be accommodated.

I will ask Nicole to arrange for a morning briefing and an afternoon one.
I will also ask her to check on Commissioners' availability for the morning slot.

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

Gracia Hillman/EAC/GOV



Gracia Hillman /EAC/GOV
03/02/2006 02:08 PM

To Karen Lynn-Dyson/EAC/GOV@EAC
cc Thomas R. Wilkey/EAC/GOV@EAC, pdegregorio@eac.gov,
rmartinez@eac.gov, Ddavidson@eac.gov, sbanks@eac.gov,
Juliet E. Thompson/EAC/GOV@EAC
Subject Re: Eagleton close-out meeting 

Nicole's email says the time is 2:30 to 4:30, making it sound like one meeting. I am not suggesting two separate days but inquiring about the need for there to be two separate sessions, per our GC's counsel.

010439

Karen Lynn-Dyson/EAC/GOV
03/02/2006 02:04 PM

To Gracia Hillman/EAC/GOV@EAC
cc Adam Ambrogi/EAC/GOV@EAC, Amie J. Sherrill/EAC/GOV@EAC, Bert A. Benavides/EAC/GOV@EAC, DeAnna M.
bcc
Subject Re: Eagleton close-out meeting

Commissioner-

Given travels costs and the number of persons involved from the Eagleton/Moritz team, the idea was to do the two meetings in the same day.

However, I could ask Nicole to determine if there is a day in March that might work with your schedule.

I am very reluctant to schedule a meeting later in April as the contract is technically over March 31 (a Friday). April 3 is the following Monday.

Please advise. Thanks

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

Gracia Hillman/EAC/GOV



Gracia Hillman/EAC/GOV
03/02/2006 01:57 PM

To klynn-dyson@eac.gov
cc Adam Ambrogi/EAC/GOV@EAC, Amie J. Sherrill/EAC/GOV@EAC, Bert A. Benavides/EAC/GOV@EAC, DeAnna M. Smith/EAC/GOV@EAC, Donetta L. Davidson/EAC/GOV@EAC, Elieen L. Collver/EAC/GOV@EAC, Juliet E. Thompson-Hodgkins/EAC/GOV@EAC, Paul DeGregorio/EAC/GOV@EAC, Raymundo Martinez/EAC/GOV@EAC, Sheila A. Banks/EAC/GOV@EAC, Thomas R. Wilkey/EAC/GOV@EAC, Nicole Mortellito/CONTRACTOR/EAC/GOV@EAC
Subject Re: Eagleton close-out meeting

I thought we were doing two separate time slots so that Eagleton would brief only two commissioners at a time?

010440

Karen Lynn-Dyson/EAC/GOV

02/23/2006 02:59 PM

To Juliet E. Thompson-Hodgkins/EAC/GOV@EAC

cc Thomas R. Wilkey/EAC/GOV@EAC

bcc

Subject Eagleton requesting a project close-out meeting with the 4 C's

Julie-

Eagleton would like to meet with the 4 C's sometime in very late March to report on their project findings and to do a project "close-out" meeting.

Commissioner Hillman asked that I check with you to be certain that such a meeting (with all four Commissioners) is legal.

Thanks for advising.

K

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

010441

Calendar Entry

Meeting Change You are no longer required to attend this meeting

Subject	Eagleton Close-out Meeting - Provisional Voting	Chair	Nicole Mortellito/CONTRACTOR/EAC/ GOV
When	Date Monday 04/03/2006 Time 02:30 PM - 04:00 PM (1 hour 30 minutes)	Invitees	Required (to) Karen Lynn-Dyson/EAC/GOV@EAC Paul Optional (cc)
Where	Small Conference Room		

Commissioners and Tom:

This is the afternoon Close-out meeting with Eagleton-Rutgers regarding the Provisional Voting Contract. A list of attendees from Eagleton will be circulated with any peripheral or supplementary documentation will be disseminated no later than one week prior to the meeting.

If for some reason you become unable to attend this meeting at this time please be advised that you are able to attend a second identical briefing at 11:00a.m. here in the EAC offices.

010442

Calendar Entry
Meeting

Notify me 
 Mark Private Pencil In

Subject Close-out Meeting w/ Eagleton - Provisional Voting

Chair Nicole Mortellito/CONTRACTOR/EAC/GOV

When
Starts: Mon 04/03/2006 11:00 AM
Ends: Mon 04/03/2006 12:30 PM 1 hr 30 mins

Where Location: Small Conference Room

Invitees
Required (to): Donetta L. Davidson/EAC/GOV@EAC
Gracia Hillman/EAC/GOV@EAC, Juliet E
Thompson-Hodgkins/EAC/GOV@EAC

Categorize

Description

Julie: I heard the Hill Briefing has been scheduled for 2:30pm on April 3rd. Are you available to attend the Eagleton Close-out Briefing at 11am instead? I checked with Deanna she said your calendar appeared to be open. Thanks.

Your Notes

Calendar Entry

Meeting Change Nicole Mortellito has rescheduled this meeting

Subject	Eagleton Close-out Meeting - Provisional Voting	Chair	Nicole Mortellito/CONTRACTOR/EAC/GOV
When	Date Monday 04/03/2006 Time 02:30 PM - 04:00 PM (1 hour 30 minutes)	Invitees	Juliet E. Thompson-Hodgkins/EAC/GOV@EAC. Karen
Where	Small Conference Room	Optional (cc)	

Commissioners and Tom:

This is the afternoon Close-out meeting with Eagleton-Rutgers regarding the Provisional Voting Contract. A list of attendees from Eagleton will be circulated with any peripheral or supplementary documentation will be disseminated no later than one week prior to the meeting.

If for some reason you become unable to attend this meeting at this time please be advised that you are able to attend a second identical briefing at 11:00a.m. here in the EAC offices.

010444

Calendar Entry

Meeting Change You are no longer required to attend this meeting

Subject	Eagleton Close-out Meeting - Provisional Voting
----------------	---

When	Date Thursday 03/09/2006
	Time 09:15 AM - 10:15 AM (1 hour)

Where	Small Conference Room
--------------	-----------------------

Chair	Nicole Mortellito/CONTRACTOR/EAC/ GOV
--------------	---

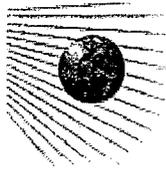
Invitees	Juliet E Thompson-Hodgkins/EAC/GO V@EAC, Karen
Required (to)	
Optional (cc)	

Commissioners and Tom:

This is the afternoon Close-out meeting with Eagleton-Rutgers regarding the Provisional Voting Contract. A list of attendees from Eagleton will be circulated with any peripheral or supplementary documentation will be disseminated no later than one week prior to the meeting.

If for some reason you become unable to attend this meeting at this time please be advised that you are able to attend a second identical briefing at 11:00a.m. here in the EAC offices.

010445



Nicole
Mortellito/CONTRACTOR/EA
C/GOV

03/08/2006 01:59 PM

To Nicole Mortellito/CONTRACTOR/EAC/GOV@EAC

cc Adam Ambrogi/EAC/GOV@EAC, Amie J.
Sherrill/EAC/GOV@EAC, Bert A.
Benavides/EAC/GOV@EAC, Donetta L.

bcc

Subject Update: Eagleton Close-Out Meeting 

Commissioners:

I have spoken with each of you or your Special Assistants and, at this time, you or they have confirmed your attendance during the following time slot for the Eagleton Briefing.

Special Assistants, if there is any change in preference please let me know.

11am

- Commissioner Hillman
- Tom Wilkey
- Commissioner Davidson

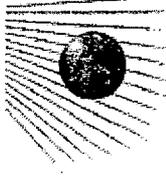
2:30pm

- Chairman DeGregorio
- Vice Chairman Martinez
- Juliet Hodgkins

Regards,

Nicole K. Mortellito
Research Assistant
U.S. Election Assistance Commission
1225 New York Avenue - Suite 1100
Washington, DC
202.566.2209 phone
202.566.3128 fax

010446



Nicole
Mortellito/CONTRACTOR/EA
C/GOV

03/08/2006 10:34 AM

To Paul DeGregorio/EAC/GOV@EAC, Raymundo
Martinez/EAC/GOV@EAC, Gracia Hillman/EAC/GOV@EAC,
Donetta L. Davidson/EAC/GOV@EAC, Thomas R.
cc Adam Ambrogi/EAC/GOV@EAC, Amie J.
Sherrill/EAC/GOV@EAC, Sheila A. Banks/EAC/GOV@EAC,
Eliien L. Collver/EAC/GOV@EAC, Bert A.

bcc

Subject Eagleton Close-Out Meeting

Commissioners:

The Eagleton Close-Out Meeting has been scheduled for Monday, April 3, 2006. As requested, the delegation from Eagleton will give two presentations so that you may choose to attend the briefing which most readily jibes with your schedule.

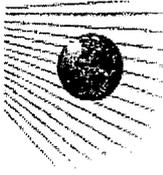
Please advise as to which session you will attend. The meetings should last approximately 45 minutes plus discussion/question and answer time.

The meeting times are either 11:00am or 2:30pm. And will be held in the small conference room.

Regards,

Nicole K. Mortellito
Research Assistant
U.S. Election Assistance Commission
1225 New York Avenue - Suite 1100
Washington, DC
202.566.2209 phone
202.566.3128 fax

010447



Nicole
Mortellito/CONTRACTOR/EA
C/GOV

03/02/2006 01:16 PM

To Paul DeGregorio/EAC/GOV@EAC, Raymundo
Martinez/EAC/GOV@EAC, Donetta L.
Davidson/EAC/GOV@EAC, Gracia
cc Karen Lynn-Dyson/EAC/GOV@EAC, Amie J.
Sherrill/EAC/GOV@EAC, Bert A.
Benavides/EAC/GOV@EAC, Adam

bcc

Subject Eagleton close-out meeting

A close out meeting with the folks from Rutgers and the Eagleton Institute is being scheduled for April 3, 2006.

After a preliminary survey of your availability with your Special Assistants the time slot of 2:30-4:30 has been chosen for this meeting.

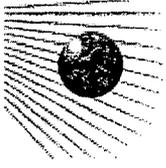
Please confirm that you are able to attend this meeting here at the EAC office if it is held at this time.

Regards,

Nicole K. Mortellito
Research Assistant
U.S. Election Assistance Commission
1225 New York Avenue - Suite 1100
Washington, DC
202.566.2209 phone
202.566.3128 fax

010448

**Deliberative Process
Privilege**



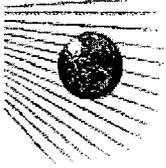
Paul DeGregorio /EAC/GOV
03/27/2006 02:02 PM

To Juliet E. Thompson/EAC/GOV
cc
bcc

Subject Fw: Comments regarding the Eagleton Report on Voter ID

fyi

— Forwarded by Paul DeGregorio/EAC/GOV on 03/27/2006 01:01 PM —



Paul DeGregorio /EAC/GOV
03/26/2006 08:34 PM

To Karen Lynn-Dyson
cc Thomas R. Wilkey/EAC/GOV, Amie J. Sherrill/EAC/GOV

Subject Comments regarding the Eagleton Report on Voter ID

Karen,

As you requested, here are my comments regarding the final draft Eagleton report on Voter ID.

While the report is generally acceptable, I don't believe the current draft is ready to be released.

I found some parts of the report to be misleading and, at times, appearing biased to support a view that imposing ID requirements at the polls should be discouraged. As an example, on the first page they write about poll workers facing "long lines and limited time," suggesting that may be a problem for the workers to check ID. I am not sure what their point may be, as poll workers in states that require ID checking will still have to do so, no matter how long the voter lines they have. Many states and their polling places may not have long lines at the polls, and thus voters may not have the "limited time" suggested in the report. They don't support their suggestion with hard data on long voter lines and time limits on poll workers.

They selectively quote the Carter-Baker Commission study to suggest that "photographic ID requirements for in-person voting do little to address the problem of registration by mail" even though the Carter-Baker study actually promotes the idea of a photographic ID requirement at the polls. To be fair, they need to state that fact and the reasons why the Carter-Baker Commission comes to that conclusion.

Their table on page 7 indicates that Missouri's current ID requirement for first-time voters relies on HAVA requirements. It is my understanding that Missouri law requires that all voters must show some type of ID at the polls (therefore it should state "Provide ID" as they did in listing CO, CN and LA requirements).

On page 9 and on subsequent pages they make reference to "voting age population" (VAP) data issued by the Census Bureau. Is all the data they represent in their analysis based on the VAP or do they take into consideration the Citizen Voting Age Population (CVAP), which takes into account the number of non-citizens who may be included in the VAP? It is not clear from the report. You may remember that Kim Brace discussed the VAP vs. CVAP issue with us extensively, and he indicated that the CVAP figure is always the better one to use when analyzing Census Bureau data against voting data. He also said that many of the non-citizens included in the VAP figures tend to be Hispanic. And since the Eagleton study is making conclusions that indicate that more stringent ID requirements may tend to reduce Hispanic voter turnout, it becomes important to understand which figures Eagleton uses, as Kim told us that VAP figures do not compensate for the non-citizen Hispanic voters that are included at a higher rate in the VAP (because as Kim stated most of the non-citizen population in the USA tends to be Hispanic).

I would like to know if the new Census report data on the 2004 election released on March 15, 2006 changes any of their perspectives. <http://www.census.gov/prod/2006pubs/p20-556.pdf>

010449

On page 12 they make reference to the CPS data and indicate that it reported a voter turnout rate of 89%, which is much higher than other data reported (which is also explained in their narrative). However, while the report indicates that the CPS data is "widely-accepted," it does not make clear by whom. I think for credibility reasons they need more supporting language since there is a significant difference between a self-reported turnout of 89% and the reality of 63%.

Considering that the beginning of the document reveals a bias towards lesser ID requirements, I believe that it is important to highlight earlier in the report the conclusion found on page 14 that concerns by critics of voter identification requirements for African-American and elderly voters "are not borne out by the results." This will provide at least some balance to the reader.

On page 20 they indicate they lack good data on why voters must cast their ballots provisionally. I thought that our Election Day Survey captured some of that data.

It appears that a preponderance of their citations are from organizations or groups that support liberal positions on election issues, or take selective information from reports to support a more liberal interpretation of views on voter ID issues. Examples would include: Carter-Baker on page 1; Tova Wang on page 4; Carter-Baker on page 4; Brennan Center page 20. While many of published articles cited on pages 30 and 31 provide relatively neutral information, those that appear to take positions (read from the description of the articles) appear to favor a liberal position on most ID issues. I would have hoped they would have provided a more balanced approach. I don't see conservative writers, such as Thor Hearne, of the American Center for Voting Rights, quoted or cited once in the report. Mr. Hearne has testified before Congress and has had several articles that address voter identification issues.

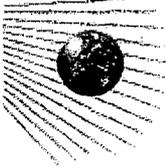
I was pleased that they cited (on page 5) a recent March 15, 2006 article from the Arizona Republic that indicated that their stricter voter ID law went smoothly in its first use.

They might want to be aware (and perhaps mention) that the recommendation from Edward Foley cited on the bottom of page 21 was actually used in Haiti's recent February 7, 2006 presidential election. In addition to each voter being provided a picture ID by the election commission, that same picture was found next to the voters' name on the voter rolls that were used at the polling places. Perhaps they want to contact Scott Lansell of IFES for confirmation. The picture ID project for Haiti's election was financed and implemented by the Organization for American States (OAS). I believe turnout for that election was over 60% of those eligible.

Please let me know if you or anyone from Eagleton has questions regarding these comments. Thanks.

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

010450



Paul DeGregorio /EAC/GOV
12/04/2006 01:42 PM

To Juliet E. Thompson/EAC/GOV
cc
bcc
Subject Fraud report

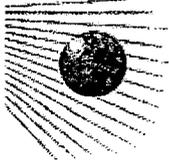
History  This message has been replied to

Julie,
I looked over your changes and they look fine with me. I'll trust your judgement on the final product we receive on Thursday. If any policy or major changes are made by other commissioners, let me know.
Thanks.
Paul

Sent from my BlackBerry Wireless Handheld

*Counsel
email &
docs*

010297



Paul DeGregorio /EAC/GOV

11/17/2006 01:46 PM

To Juliet E. Hodgkins/EAC/GOV@EAC

cc

bcc

Subject Re: Draft Voting Fraud and Voter Intimidation Report 

Thanks, Julie. Have a great Thanksgiving--and trip. I got your message just as we crossed the border into Germany (Arian is driving 100 mph+). Guten nacht!

Sent from my BlackBerry Wireless Handheld

Juliet E. Hodgkins

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

From: Juliet E. Hodgkins
Sent: 11/17/2006 01:40 PM
To: Donetta Davidson; Gracia Hillman; Paul DeGregorio; Thomas Wilkey
Cc: Bert Benavides; Sheila Banks; Elieen Collver; Matthew Masterson; Gavin Gilmour
Subject: Draft Voting Fraud and Voter Intimidation Report

Commissioners and Tom,

I have attached a draft version of the EAC Voting Fraud and Voter Intimidation report. **Please have your comments ready no later than Tuesday , Nov. 28, COB, so that I will be prepared to discuss them at our briefing on Wednesday , Nov. 29 at 10:30.**

You will note that there are appendixes referenced in the report. These documents are quite lengthy. Thus, I did not attach them to this email. If, however, you want to read the documents, DeAnna has access to them in my absence and can either email them to you or print them for you.

I think that the report is fairly self-explanatory. However, there are two questions that we need to address and that the Commissioners need to comment on:

1. The consultants provided summaries of articles, books, and reports that they read, as well as summaries of the interviews that they conducted. Peggy created two tables summarizing the consultants' summaries of books, article and reports as well as interviews. We need to make a determination of which summaries we want to attach as appendixes. The only issue that I am aware of (and I have a question pending to Peggy about the quality of these summaries) is a significant disagreement over the summaries of interviews with Craig Donsanto and John Tanner of the Dept. of Justice. They disagree with the characterization given by the consultants to what they said in the interview. Obviously, this matter would have to be resolved if we decide to use the consultants' summaries.
2. Tom and I had a conversation with Tova and Job about the fact that we are going to issue a report. Tova was quite insistent about being able to see the report before it is released. I am NOT inclined to give her a copy of the report before it is released. Neither Tova nor Job are still on contract with the EAC. Thus, they are just like any other member of the public. I believe that if we release it to them, then we may have a significant problem withholding the document from others that may ask for it via FOIA request. I believe that the course of action should be to release it to all persons simultaneously.

Happy reading and Happy Thanksgiving!

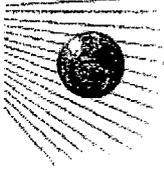
[attachment "Voter Fraud & Intimidation Report.doc" deleted by Paul DeGregorio/EAC/GOV]

Juliet Thompson Hodgkins

01029

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

010299



Paul DeGregorio /EAC/GOV
10/23/2006 10:15 PM

To Gracia Hillman/EAC/GOV@EAC, Thomas R.
Wilkey/EAC/GOV@EAC, Donetta L.
Davidson/EAC/GOV@EAC
cc Juliet E. Hodgkins/EAC/GOV@EAC, Jeannie
Layson/EAC/GOV@EAC

bcc

Subject Re: The Fraud "Report" 

I think it's good idea, especially considering the media coverage and controversy. I spoke with Todd Rokita today and he was not happy at all about what he has read and feels the status report was misleading as the working group session held the day after the report was given came to different conclusions.

We also should make mention on Thursday about the 4th anniversary of HAVA, which is this Friday. It could give us an opportunity to talk about the positive things that have happened in election reform since its passage. Much of the talking points our media advisors drafted talk about this.

Sent from my BlackBerry Wireless Handheld
Gracia Hillman
----- Original Message -----

From: Gracia Hillman
Sent: 10/23/2006 09:13 PM
To: Paul DeGregorio; Thomas Wilkey; Donetta Davidson
Cc: Juliet Hodgkins; Jeannie Layson
Subject: The Fraud "Report"

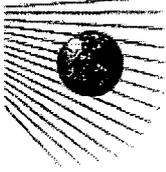
I am recommending that we use Thursday's meeting, a public forum, to be on the record about this report.

My thought is that Tom should report the matter to us in his report. New Business?? Just stating the facts as they exist, including the nature of the study, how we have handled the numerous requests and inquiries that we have received, etc.

Please let me know what you think about this suggestion. Thanks.

Sent from my BlackBerry Wireless Handheld

010300



Paul DeGregorio /EAC/GOV
10/22/2006 09:58 PM

To Amie J. Sherrill/EAC/GOV
cc Juliet E. Thompson/EAC/GOV
bcc
Subject Re: Fw: Letter to Mr. Reynolds Re: Voter Fraud Report

History This message has been forwarded.

Amie,

Mr. Reynolds letter inquires about the status of the report. He does not ask for it to be released, as the first line of our response to him suggests. Please have our draft response to him changed to reflect this fact.

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

Amie J. Sherrill/EAC/GOV



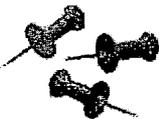
Amie J. Sherrill/EAC/GOV
10/20/2006 04:26 PM

To Paul DeGregorio/EAC/GOV@EAC
cc
Subject Fw: Letter to Mr. Reynolds Re: Voter Fraud Report

Attached is a draft letter from Julie to Mr. Reynolds of the Comm. on Civ Rights. It contains the same language as the other letters we have sent. Please let me know if you would like for me to use your e-signature and get it faxed to them this afternoon.

Amie J. Sherrill
Special Assistant to Chairman Paul S. DeGregorio
U.S. Election Assistance Commission
1225 New York NW - Suite 1100
Washington, DC 20005
(202) 566 3106

— Forwarded by Amie J. Sherrill/EAC/GOV on 10/20/2006 04:23 PM —



DeAnna M. Smith/EAC/GOV
10/20/2006 04:02 PM

To Amie J. Sherrill/EAC/GOV@EAC
cc
Subject Letter to Mr. Reynolds Re: Voter Fraud Report



draft letter to Mr Reynolds.doc

DeAnna M. Smith
Paralegal Specialist
Office of the General Counsel
U.S. Election Assistance Commission
1225 New York Avenue, NW Suite 1100
Washington, D.C. 20005
202-566-3117 (phone)
202-566-1392 (fax)
www.eac.gov

010302

October 20, 2006

Gerald A Reynolds
Chairman, United States Commission on Civil Rights
624 9th Street, NW
Washington, DC 20425

Via Facsimile Transmission ONLY
202-376-7672

RE: October 19, 2006 Letter

Dear Mr. Reynolds:

Your letter of October 19, 2006 requests the release of EAC's Voter Fraud and Intimidation Report. I would like to take this opportunity to clarify the purpose and status of this study.

In late 2005, EAC hired two consultants for the purpose of assisting EAC with two things: 1) developing a uniform definition of the phrase voter fraud, and 2) making recommendations on how to further study the existence, prosecution, and means of deterring such voter fraud. In May 2006, a status report on this study was given to the EAC Standards Board and EAC Board of Advisors during their public meetings. During the same week, a working group convened to react to and provide comment on the progress and potential conclusions that could be reached from the work of the two consultants.

The conversation at the working group meeting was lively on the very points that we were trying to accomplish as a part of this study, namely what is voter fraud and how do we pursue studying it. Many of the proposed conclusions that were suggested by the consultants were challenged by the working group members. As such, the consultants were tasked with reviewing the concerns expressed at the working group meeting, conducting additional research as necessary, and providing a draft report to EAC that took into account the working group's concerns and issues.

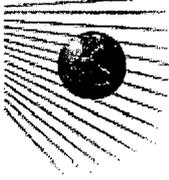
That draft report is currently being vetted by EAC staff. EAC will release a final report from this study after it has conducted a review of the draft provided by the consultants. However, it is important to remember the purpose of this study – finding a uniform definition of voter fraud and making recommendations on how to study the existence, prosecution and deterrence of voter fraud -- as it will serve as the basis of the EAC report on this study.

Thank you for your letter. You can be assured that as soon as a final report on the fraud and intimidation study is available, a copy will be made available to the public.

Sincerely,

Paul S. DeGregorio
Chairman

010303



Paul DeGregorio /EAC/GOV
08/19/2005 11:06 AM

To Gracia Hillman/EAC/GOV, Raymundo Martinez/EAC/GOV,
ddavidson@eac.gov, twilkey@nycap.rr.com, Juliet E.
Thompson/EAC/GOV, Karen Lynn-Dyson/EAC/GOV, Carol

cc

bcc

Subject Eagleton

In his note regarding the Eagleton contract, Hans has raised some of the same concerns I raised from the beginning of any discussions I had regarding this contract with our staff, and at our first formal meeting with Eagleton. In reviewing their work product from time to time, I continue to have concerns about a lack of balanced input and have repeatedly voiced them with staff and with Eagleton. I did this when the initial peer review group was proposed and again during their presentation at our meeting in Pasadena (the outreach slide in their public presentation showed outreach to seven groups, of which only one could be considered conservative-leaning). Now, as I have just had the opportunity to read their July progress report, it appears that Eagleton seems to be going into a larger analysis of the voter fraud issue than was authorized in the contract. My suspicion is that Dan Tokaji is injecting his views into this to dismiss or diminish the concerns some people may have about voter fraud. I could be wrong, but his previous writings lead me to believe otherwise.

I only found one mention of voter fraud in the contract with Eagleton. It is in Section 3.5 regarding provisional voting, where it discusses "minimizing opportunity for voter fraud." Yet, on page 4 of the July progress report from Eagleton, in describing their work plan for the next month it states: "we will expand upon vote fraud research and examine further the relationship between instances of vote fraud and ensuing election reforms." This clearly seems to be going beyond the mandate we gave them as I thought they were going to be looking at voter fraud relating to provisional voting (as the contract calls for), not voter fraud as it relates to election reforms. While voter fraud was never mentioned in the contract regarding the voter ID issue, page 5 of their July report indicates that their narratives "will include an appraisal of the prevalence and nature of vote fraud." In addition to this, page 6 describes a look into the "relationship between voter ID regime and vote fraud."

Voter fraud is clearly an issue that is perceived differently from the Right and from the Left. I have struggled with determining what a clear definition of voter fraud is myself, and therefore want to obtain various perspectives and good analysis on this issue before I formulate a solid conclusion in my mind. It has been my understanding all along that the whole voter fraud/voter intimidation issue is going to be studied by the EAC using a balanced group of consultants--not Eagleton and Moritz, who are likely to focus on just on the number of prosecutions of voter fraud, rather than the complaints made or the fact that many election officials are frustrated that some prosecutors don't take their complaints about voter fraud seriously. I am not convinced at this point that we will get a balanced and objective study from Eagleton/Moritz on voter fraud. I am puzzled on why they seem to be expending a significant portion of their time on this and would want to know if we somehow authorized them to do more research into the voter fraud issue.

On page 7 of their July report Eagleton indicates that communications with the EAC on the Peer Review Group "were not clear or timely." I would like to know what this refers to. Also, I may have missed it, but I do not recall seeing the final list of who is serving as the Peer Review group.

The August 15th copy of the July report that I received from Karen did not include the attachment of the financial report of expenses incurred. I would like to see that attachment.

Outside of our NIST work, this contract represents our largest single outside expenditure of our operational funds. Any single expenditure of \$500,000+ needs to be closely monitored. I, for one, am not going to sign off on any report that appears to have been written from a biased viewpoint, especially one that doesn't appear to be interested in hearing from conservative organizations or right-leaning researchers, or seems to minimize any input from them. I've already had questions from congressional staff and others on why we picked Eagleton and Moritz, as they are perceived by some as biased against

010304

Republicans. I assured the critics that we have insisted all along on an objective study from Eagleton. An unbalanced or biased study from them will not only hurt my credibility, but also that of the EAC. I'm not suggesting that we stop their work, but I do want Tom and Julie to inform them in no uncertain terms that we will not accept a report that does not seriously consider all viewpoints on provisional voting and the voter ID issue, and that any study or interpretations they present to us reflect a diversity of opinions on these subjects. We also need for staff to determine whether their considerable work into the voter fraud area is authorized in the contract. We should not be paying for and receiving work we did not authorize.

The contract clearly calls for "alternative approaches" on voter ID requirements and "alternatives" on provisional voting. I agreed to support this contract to Eagleton because I was assured that we would receive a variety of approaches from their work, and not just those from a liberal perspective.

Paul DeGregorio
Vice 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

Thomas R. Wilkey/EAC/GOV
12/01/2006 02:20 PM

To Juliet E. Hodgkins/EAC/GOV@EAC
cc
bcc
Subject Re: fraud and intimidation report 

Cause I wasn't sure and you seemed to indicate during our conference call .
Sorry if that is not the case..
My brain cells are a bit displaced these days.

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

From: Juliet E. Hodgkins
Sent: 12/01/2006 02:20 PM
To: Thomas Wilkey
Subject: Fw: fraud and intimidation report

why didn't you tell her that we can't release this to her?

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. Hodgkins/EAC/GOV on 12/01/2006 02:19 PM —



wang@tcf.org
12/01/2006 02:07 PM

To jthompson@eac.gov
cc "Job Serebrov" 
Subject fraud and intimidation report

Julie,

I understand from Tom Wilkey that you are planning on releasing our report at the public meeting next Thursday, December 7. As we discussed, I respectfully request that Job and I be permitted to review what you are releasing before it is released. I would like us both to be provided with an embargoed copy as soon as possible so we have time to properly review it before Thursday. I can be contacted by email, cell phone at 917-656-7905, or office phone 202-741-6263. I hope to hear from you soon. Thanks.

Tova

010306

Thomas R. Wilkey/EAC/GOV
01/22/2007 05:40 PM

To Bryan Whitener/EAC/GOV@EAC
cc Gavin S. Gilmour/EAC/GOV@EAC, Jeannie Layson/EAC/GOV@EAC, Juliet E. Hodgkins/EAC/GOV@EAC, Karen
bcc
Subject Re: Response Requested - EAC voter ID report 

I think that is exactly what I am saying and what the Commissioners have decided how it would be released.

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

From: Bryan Whitener
Sent: 01/22/2007 05:44 PM
To: Thomas Wilkey
Cc: Gavin Gilmour; Jeannie Layson; Juliet Hodgkins; Karen Lynn-Dyson
Subject: Re: Response Requested - EAC voter ID report

Tom,

Regarding the FR notice, it can be short but it must be accurate and complete. We will also include this info in the newsletter on Thursday. Many people feel strongly about this issue and it may well generate news stories regardless of what we do. We must get it right at the beginning and be prepared to answer questions from the public and the media such as: How long have we had it ? Why are we discussing it now ? How much did it cost ? What will EAC do with it or what exactly are the next steps? If this is a report with preliminary research findings together with recommendations for future study, then could EAC acknowledge the findings without accepting them but instead accept recommendations for future study?

Thomas R. Wilkey/EAC/GOV

Thomas R. Wilkey/EAC/GOV
01/22/2007 05:15 PM

To Gavin S. Gilmour/EAC/GOV@EAC, Bryan Whitener/EAC/GOV@EAC
cc Jeannie Layson/EAC/GOV@EAC, Juliet E. Hodgkins/EAC/GOV@EAC, Karen Lynn-Dyson/EAC/GOV@EAC
Subject Re: Response Requested - EAC voter ID report 

Eagleton is submitting it's report as written. There will be a SHORT Executive Summary prepared by staff which will incorporate. Recommendations for. Future study which the Commissioners will be asked to adopt.
The report itself will be presented but not formally adopted but merley released and recommendations adopted.

Sent from my BlackBerry Wireless Handheld
Gavin S. Gilmour
----- Original Message -----

From: Gavin S. Gilmour

010307

Sent: 01/22/2007 05:16 PM
To: Bryan Whitener
Cc: Jeannie Layson; Juliet Hodgkins; Karen Lynn-Dyson; Thomas Wilkey
Subject: Re: Response Requested - EAC voter ID report

Is Eagleton submitting a report to the EAC or is Eagleton assisting us the development of an EAC report...? I suspect it is the latter. Any statement should reflect this... as should the "briefing."

GG

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

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Bryan Whitener/EAC/GOV

Bryan Whitener /EAC/GOV
01/22/2007 04:55 PM

To Karen Lynn-Dyson/EAC/GOV@EAC
cc Thomas R. Wilkey/EAC/GOV@EAC, Jeannie Layson/EAC/GOV@EAC, Juliet E. Hodgkins/EAC/GOV@EAC, Gavin S. Gilmour/EAC/GOV@EAC
Subject Response Requested - EAC voter ID report

Karen,

We need to publish an FR notice early tomorrow regarding the next public meeting. In light of the recent matter regarding voter fraud, I want to be sure to accurately describe what's happening with the voter ID report item contained in the draft agenda. Please add some perspective about what will and will not be discussed and what, if any, action might be expected. The draft agenda says the following: "Presentation of Eagleton ID Report - "Best Practices to Improve Voter Identification Requirements," John Weingarten, Rutgers University (Time allotted 7-10 minutes; Q & A 5 min.)". What stage are we with this ? (preliminary, final, NOTA, etc.) Just trying to stay ahead of the curve,

Thanks,
Bryan

[attachment "Public Meeting, 2-08-07, Wash., Draft Agenda.doc" deleted by Thomas R. Wilkey/EAC/GOV]

010308

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

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 neither of these reports can be released.

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

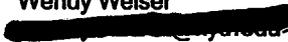
From: Bryan Whitener
Sent: 10/11/2006 11:34 AM
To: Thomas Wilkey
Cc: Jeannie Layson; Margaret Sims; Karen Lynn-Dyson; Juliet Hodgkins
Subject: Fw: request for reports - Wendy Weiser, Brennan Center

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 10:57 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

010309

**Deliberative Process
Privilege**



"Rosemary Rodriguez "

03/19/2007 10:56 AM

To: jhodgkins@eac.gov, "Davidson, Donetta"
<ddavidson@eac.gov>, ghillman@eac.gov,
chunter@eac.gov
cc: twilkey@eac.gov, jlayson@eac.gov, klynndyson@eac.gov

bcc

Subject: Re: Revised Voter ID statement with Eagleton comments to
paragraph 2

Several thoughts on formatting:

Does the title of the document still work?

I still think that the two paragraphs, the one that precedes the Julie paragraph and the one that follows, should be set apart and titled "conclusion" or "finding" or something that recognizes it was the subject of an action by the EAC.

and then i ask if the title of the next section still works--do we make recommendations to ourselves?

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

From: "jhodgkins@eac.gov" <jhodgkins@eac.gov>

To: "Davidson, Donetta" <ddavidson@eac.gov>; ghillman@eac.gov; chunter@eac.gov;

Cc: twilkey@eac.gov; jlayson@eac.gov; klynndyson@eac.gov

Sent: Friday, March 16, 2007 4:27:32 PM

Subject: Revised Voter ID statement with Eagleton comments to paragraph 2

Since this morning, we have received Eagleton's comments to the draft language provided to them. I have highlighted their changes in yellow.

Again, two documents are provided below: one showing track changes and one showing those changes accepted.

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

Bored stiff? Loosen up...

010451

Download and play hundreds of games for free on Yahoo! Games.

Bryan Whitener /EAC/GOV
01/22/2007 05:44 PM

To Thomas R. Wilkey/EAC/GOV@EAC
cc Gavin S. Gilmour/EAC/GOV@EAC, Jeannie Layson/EAC/GOV@EAC, Juliet E. Hodgkins/EAC/GOV@EAC, Karen
bcc
Subject Re: Response Requested - EAC voter ID report

Tom,

Regarding the FR notice, it can be short but it must be accurate and complete. We will also include this info in the newsletter on Thursday. Many people feel strongly about this issue and it may well generate news stories regardless of what we do. We must get it right at the beginning and be prepared to answer questions from the public and the media such as: How long have we had it ? Why are we discussing it now ? How much did it cost ? What will EAC do with it or what exactly are the next steps? If this is a report with preliminary research findings together with recommendations for future study, then could EAC acknowledge the findings without accepting them but instead accept recommendations for future study?

Thomas R. Wilkey/EAC/GOV

Thomas R. Wilkey/EAC/GOV
01/22/2007 05:15 PM

To Gavin S. Gilmour/EAC/GOV@EAC, Bryan Whitener/EAC/GOV@EAC
cc Jeannie Layson/EAC/GOV@EAC, Juliet E. Hodgkins/EAC/GOV@EAC, Karen Lynn-Dyson/EAC/GOV@EAC
Subject Re: Response Requested - EAC voter ID report

Eagleton is submitting it's report as written. There will be a SHORT Executive Summary prepared by staff which will incorporate. Recommendations for. Future study which the Commissioners will be asked to adopt.

The report itself will be presented but not formally adopted but merely released and recommendations adopted.

Sent from my BlackBerry Wireless Handheld
Gavin S. Gilmour
----- Original Message -----

From: Gavin S. Gilmour
Sent: 01/22/2007 05:16 PM
To: Bryan Whitener
Cc: Jeannie Layson; Juliet Hodgkins; Karen Lynn-Dyson; Thomas Wilkey
Subject: Re: Response Requested - EAC voter ID report

Is Eagleton submitting a report to the EAC or is Eagleton assisting us the development of an EAC report...? I suspect it is the latter. Any statement should reflect this... as should the "briefing."

GG

Gavin S. Gilmour
Deputy General Counsel
United States Election Assistance Commission

010453

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

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Bryan Whitener/EAC/GOV

Bryan Whitener /EAC/GOV

01/22/2007 04:55 PM

To Karen Lynn-Dyson/EAC/GOV@EAC

cc Thomas R. Wilkey/EAC/GOV@EAC, Jeannie
Layson/EAC/GOV@EAC, Juliet E.
Hodgkins/EAC/GOV@EAC, Gavin S.
Gilmour/EAC/GOV@EAC

Subject Response Requested - EAC voter ID report

Karen,

We need to publish an FR notice early tomorrow regarding the next public meeting. In light of the recent matter regarding voter fraud, I want to be sure to accurately describe what's happening with the voter ID report item contained in the draft agenda. Please add some perspective about what will and will not be discussed and what, if any, action might be expected. The draft agenda says the following: "Presentation of Eagleton ID Report - "Best Practices to Improve Voter Identification Requirements," John Weingarten, Rutgers University (Time allotted 7-10 minutes; Q & A 5 min.)". What stage are we with this ? (preliminary, final, NOTA, etc.) Just trying to stay ahead of the curve,

Thanks,
Bryan

[attachment "Public Meeting, 2-08-07, Wash., Draft Agenda.doc" deleted by Thomas R. Wilkey/EAC/GOV]

010454

Bryan Whitener /EAC/GOV

01/22/2007 04:55 PM

To Karen Lynn-Dyson/EAC/GOV@EAC

cc Thomas R. Wilkey/EAC/GOV@EAC, Jeannie
Layson/EAC/GOV@EAC, Juliet E.
Hodgkins/EAC/GOV@EAC, Gavin S.

bcc

Subject Response Requested - EAC voter ID report

Karen,

We need to publish an FR notice early tomorrow regarding the next public meeting. In light of the recent matter regarding voter fraud, I want to be sure to accurately describe what's happening with the voter ID report item contained in the draft agenda. Please add some perspective about what will and will not be discussed and what, if any, action might be expected. The draft agenda says the following: "Presentation of Eagleton ID Report - "Best Practices to Improve Voter Identification Requirements," John Weingarten, Rutgers University (Time allotted 7-10 minutes; Q & A 5 min.)". What stage are we with this ? (preliminary, final, NOTA, etc.) Just trying to stay ahead of the curve,

Thanks,
Bryan



Public Meeting, 2-08-07, Wash., Draft Agenda.doc

010455



U.S. Election Assistance Commission Public Meeting Agenda

1225 New York Avenue, NW
Suite 150
Washington, DC
Thursday, February 08, 2007
10:00 AM - 1:00 PM EST

Call to Order (Chair Davidson) (1 minute)

Pledge of Allegiance (Chair Davidson) (1 minute)

Roll Call (1 minute)

Adoption of Agenda (Chair Davidson) (2 minutes)

Welcoming Remarks (Chair Davidson) (2-3 minutes)

OLD BUSINESS:

- **Correction and Approval of Minutes from the December 07, 2006 Meeting** (Chair Davidson) (1-3 minutes)
- **Report of the Executive Director** (Thomas Wilkey) (5-15 minutes)

10:25 AM approximate time

NEW BUSINESS:

- **Update on EAC/NIST Laboratory Accreditation Program**
 - Brian Hancock, EAC (Time allotted 7-10 minutes; Q & A 10 min.)
 - Mary Saunders, NIST (Time allotted 7-10 minutes; Q & A 10 min.)
- **Presentation of Eagleton ID Report - "Best Practices to Improve Voter Identification Requirements,"**
 - John Weingarten, Rutgers University (Time allotted 7-10 minutes; Q & A 5 min.)



11:20 AM Break (10 minutes)

- **EAC Audit Process**
 - **Curtis Crider, EAC Inspector General,** (Time allotted 5-7 minutes; Q & A 5 min.)
 - **Roger LaRouche, EAC Assistant Inspector General** (Time allotted 5-7 minutes; Q & A 5 min.) Note: Curtis is asking Roger if he wants to participate since he has been at EAC so much longer.
- **State Observations - EAC Program**
 - **Texas: Dan Glotzer, HAVA Grant Manager** (Time allotted 7-10 minutes; Q & A 5 min.)
 - **Awaiting recommendations by Curtis** (Time allotted 7-10 minutes Q & A 5 min.)

Approximate time: 12:20 PM

Commissioners' Closing Remarks (Time allotted 20 minutes)

Adjournment (Approximately 12:45 PM)

**Deliberative Process
Privilege**

Caroline C. Hunter/EAC/GOV
03/16/2007 11:43 AM

To Juliet E. Hodgkins/EAC/GOV@EAC, Donetta L.
Davidson/EAC/GOV@EAC, Gracia
Hillman/EAC/GOV@EAC, "rosemaryrod2003"
cc Thomas R. Wilkey/EAC/GOV@EAC, Jeannie
Layson/EAC/GOV@EAC, s [REDACTED]
bcc

Subject Re: Voter ID statement

History This message has been replied to.

This looks good to me, thank you Julie. Two things- did Eagleton
approve the 2nd graph and I made a minor change to the 4th bullet as a point of clarification.

Juliet E. Hodgkins

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

From: Juliet E. Hodgkins
Sent: 03/16/2007 09:41 AM EDT
To: Donetta Davidson; Gracia Hillman; Caroline Hunter;
[REDACTED]
Cc: Thomas Wilkey; Jeannie Layson
Subject: Voter ID statement

Commissioners,

Attached below are two versions of the Voter ID statement. One shows the track changes and the other shows the document having accepted all of those changes (so that it would be easier to read). Jeannie and Tom have both taken a look at this document and we think that it captures what we discussed on Wednesday.

Please take a look and let me know if this meets with your understanding of what we discussed.

[attachment "Voter ID edited 31507- track changes.doc" deleted by Caroline C. Hunter/EAC/GOV]
[attachment "Voter ID edited 31507- changes accepted.doc" deleted by Caroline C. Hunter/EAC/GOV]

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

010458

Gavin S. Gilmour/EAC/GOV

01/22/2007 05:16 PM

To Bryan Whitener/EAC/GOV@EAC

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

bcc

Subject Re: Response Requested - EAC voter ID report   

Is Eagleton submitting a report to the EAC or is Eagleton assisting us the development of an EAC report...? I suspect it is the latter. Any statement should reflect this... as should the "briefing."

GG

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

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Bryan Whitener/EAC/GOV

Bryan Whitener /EAC/GOV

01/22/2007 04:55 PM

To Karen Lynn-Dyson/EAC/GOV@EAC

cc Thomas R. Wilkey/EAC/GOV@EAC, Jeannie Layson/EAC/GOV@EAC, Juliet E. Hodgkins/EAC/GOV@EAC, Gavin S. Gilmour/EAC/GOV@EAC

Subject Response Requested - EAC voter ID report

Karen,

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Thanks,
Bryan



Public Meeting, 2-08-07, Wash., Draft Agenda.doc

010459

**Deliberative Process
Privilege**

Jeannie Layson /EAC/GOV
02/06/2007 03:09 PM

To ddavidson@eac.gov, ghilman@eac.gov,
pdegregorio@eac.gov
cc twilkey@eac.gov, jthompson@eac.gov,
klyndyson@eac.gov
bcc

Subject Voter ID talking pts

Commissioners,

Attached are suggested talking pts for the voter ID segment of the public meeting. Please let me know if you have questions or edits. After I receive everyone's input, I will circulate a final version.

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



www.eac.gov 2-8-07 Egleton Talking Pts.doc

010460

VOTER ID REPORT TALKING POINTS

Public Meeting

February 8, 2007

I. Chair Davidson's Opening Comments for Eagleton Portion of Public Meeting

- This has been a highly anticipated report.
- We received the Eagleton draft in June 2006.
- We immediately realized that the data presented more questions than answers.
- Since we have limited staff and resources, we were unable to immediately resolve these questions. Our top priorities at the time were the lab accreditation and the voting system certification programs.
- In addition, we had to focus our efforts on getting information to election officials and the public concerning the November elections, especially because so many jurisdictions were using new voting equipment.
- Now that we have launched those programs, we are once again turning our attention to this research project.
- Let me introduce Tom O'Neil and Tim Vercellotti. They are here today to pick up where we left off, and to give us a brief overview of the research they conducted regarding voter identification.

II. Karen Lynn-Dyson Testimony

III. Eagleton Testimony

IV. Commissioners Q&A

V. Chair Closes Eagleton Portion of Public Meeting

- Obviously many questions have been raised today.
- Next step is for EAC to determine how to move forward.
- I request that Tom instruct staff to provide recommendations on how to proceed within the next 30 days.
- Once we determine how to move forward and what the final culmination of this initial research will be, we will notify everyone.
- Thank you Tom and Tim for your hard work and efforts in the study of this important topic.



"John Weingart"

03/16/2007 03:30 PM

Please respond to
John.Weingart@rutgers.edu

To klynndyson@eac.gov

cc [redacted],
twilkey@eac.gov, jhodgkins@eac.gov

bcc

Subject Re:Review of Voter ID Statement

Karen - I believe that both Tom and I had let you know to expect our comments today. In any case, they are attached. If they raise any questions, don't hesitate to contact me today at (609)397-8030 or next week at my office. Thanks, John

> John-

>

> EAC staff has asked when we can expect your approval of the statement
> which I sent several days ago and asked for by COB today.

>

> As I am leaving the office early today, could you be certain that Tom
> Wilkey and Julie Hodgkins are sent your response, as well as myself?

>

> Thanks

> Karen

>

>

>

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

>

--

John Weingart, Associate Director
Eagleton Institute of Politics



(732) 932-9384, x.290 EACSummary31507a.doc

010462