

Washington, DC 20036-4508  
202-429-1965

Kay J. Maxwell has been a member of the League since 1976. She attended Smith College and earned a B.A. in International Relations from the University of Pennsylvania. She has conducted civic participation training for women leaders in Bosnia, Israel, the West Bank, Rwanda, Kuwait and Jamaica. She has also served as vice president at the International Executive Service Corps (IESC), an international economic development organization. She is a board member of DC Vote, and the New Voters Project.

**Tim Storey**

Program Principal  
Legislative Management Program  
National Conference of State Legislatures  
7700 East First Place  
Denver, CO 80230  
303-364-7700  
or  
444 North Capitol Street, N.W., Suite 515  
Washington, D.C. 20001  
202-624-5400

**Peter G. Veniero, Esq.**

Counsel  
Sills, Cummis, Epstein and Gross, PC  
One Riverfront Plaza  
Newark, New Jersey 07102  
Tel: 973- 643-7000

Veniero chairs the firm's Appellate Practice Group. He earned his B.A. at Drew University, Phi Beta Kappa, and his J.D. (with honors) at the Duke University School of Law. In 1999, he was appointed a justice of the New Jersey Supreme Court, where he served for 7 years before re-entering private practice. Before his appointment to the Supreme Court, he served as New Jersey's Attorney General, and in that capacity oversaw the state's election laws. He also served as Chief of Staff and Chief Counsel to Governor Christine Todd Whitman.

013687

Karen Lynn-Dyson/EAC/GOV  
06/23/2005 02:23 PM

To "Tom O'Neill" [REDACTED]@GSAEXTERNAL  
cc  
bcc Thomas R. Wilkey/EAC/GOV@EAC  
Subject Re: Peer Review Group [REDACTED]

Tom-

I will be back to you early next week with EAC's feedback on this.

Our initial reaction is that the group needs to include some local and/or state-level election officials, who have first-hand experience with these issues.

We will get you additional names and reactions by mid-week next week.

Thanks  
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

"Tom O'Neill" [REDACTED]



"Tom O'Neill"  
[REDACTED]

06/22/2005 03:29 PM

To klynndyson@eac.gov  
cc  
Subject Peer Review Group

Karen,

As you probably recall, one of the features of our proposal was the creation of a Peer Review Group to look over our findings, conclusions and draft reports before we prepare final drafts for the EAC's review. The EAC asked that before recruiting members of the PRG we submit names for EAC's review. The aim, course, is to assemble a panel that is experienced, informed, and balanced.

Attached is a list of potential PRG members drawn from academia, the law, and non-profit organizations with interests in this area. Please look it over.

We may conclude that the PRG should also include two or three former government officials now in academia or related fields. We have a conference call with our partners at Moritz planned for tomorrow or Friday to decide a) if former officials should be included in the PRG and b) if so, who they should be. I'll keep you informed of our thinking as it develops.

Tom

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PROPOSED MEMBERS OF PEER REVIEW GROUP.doc

013689

## PROPOSED MEMBERS OF PEER REVIEW GROUP

### **R. Michael Alvarez, Ph.D.**

Professor of Political Science  
California Institute of Technology  
rma@hss.caltech.edu  
626-395-4422

Alvarez has taught political science at Caltech since 1992. He received his B.A. in political science from Carleton College; his M.A. and Ph.D. from Duke University. Alvarez focuses on the study of electoral politics. He has published many articles on electoral behavior and public opinion. Support for his research has come from the National Science Foundation, The IBM Corporation, the Carnegie Corporation, of New York, and the Knight Foundation. Alvarez edits the Analytical Methods for Social Research book series and is on the editorial boards of a number of academic journals. He is Co-Director of the Caltech-MIT Voting Technology Project

### **Deborah Goldberg, Ph.D**

Program Director, Democracy Program  
Brennan Center for Justice at NYU School of Law  
161 Avenue Of The Americas, 12th Floor  
New York, NY 10013  
212-998-6730

Goldberg supervises the Democracy Program's litigation, scholarship, and public education. She was the principal author of *Writing Reform: A Guide to Drafting State & Local Campaign Finance Laws*, and was lead counsel to the intervenor in the Supreme Court case *Nixon v. Shrink Missouri Government PAC*. She serves on the Steering Committee of a coalition to restore voting rights to persons with past felony convictions. Goldberg is a graduate of Harvard Law School. Before joining the Brennan Center, she was in private practice. She holds a Ph.D. in philosophy and taught ethics at Columbia University.

### **Martha E. Kropf, Ph.D.**

Assistant Professor of Political Science  
University of Missouri-Kansas City  
816-235-5948; KropfM@umkc.edu

Kropf has been on the faculty at Missouri since 1999. She received her BA Summa Cum Laude, Phi Beta Kappa from Kansas State University and her PhD in Political Science from American University. Her work concentrates on Research Methods, Urban Politics, American Government, and Political Behavior. Before joining the faculty at Missouri, she was Project Coordinator at the University of Maryland Survey Research Center. She has published recent on undervoting in presidential elections, and on invalidated ballots in the 1996 presidential election, and on the incremental process of election reform in Missouri.

### **Wade Henderson, Esq.**

Executive Director  
Leadership Conference on Civil Rights  
1629 K Street, NW, 10<sup>th</sup> Floor  
Washington, DC 20006

Wade Henderson is the Executive Director of the LCCR and Counsel to the Leadership Conference on Civil Rights Education Fund (LCCREF), and leads the organizations' work on issues involving nationwide election reform. He is a graduate of Howard University and the Rutgers University School of Law. During its over 50 years of existence, LCCR has worked to redefine civil rights issues in broad and inclusive ways. Today, it includes over 180 national organizations. Previously Henderson served as Washington Bureau Director of the NAACP. He began his career as a legislative counsel of the ACLU.

### **Kay Maxwell**

President  
League of Women Voters of the U.S.  
1730 M Street NW, Suite 1000

013690

Washington, DC 20036-4508

202-429-1965

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013691

Karen Lynn-Dyson/EAC/GOV

06/23/2005 02:34 PM

To Gracia Hillman/EAC/GOV@EAC, Paul  
DeGregorio/EAC/GOV@EAC, Raymundo  
Martinez/EAC/GOV@EAC  
cc Thomas R. Wilkey/EAC/GOV@EAC, Juliet E.  
Thompson/EAC/GOV@EAC  
bcc

Subject Fw: Peer Review Group

Commissioners-

Enclosed please find a preliminary list of Peer Review Group members, whom Eagleton is considering for their Peer Review Group. **Tom Wilkey will be bringing this item to you for discussion and input at Monday's Commissioner's meeting.**

Eagleton envisions this Peer Review Group as the body that will review the draft analysis that it will prepare on provisional voting and on voter identification. The Group would also provide comment on the development of alternative approaches to provisional voting and voter identification which Eagleton will develop for the EAC.

I have included the e-mail from the Eagleton Project Director, Tom O'Neil, so that you could get a feel for his approach/philosophy to assembling the Group.

Regards-  
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

----- Forwarded by Karen Lynn-Dyson/EAC/GOV on 06/23/2005 02:25 PM -----



"Tom O'Neil"

06/22/2005 03:29 PM

To klynndyson@eac.gov  
cc

Subject Peer Review Group

Karen,

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013692

academia or related fields. We have a conference call with our partners at Moritz planned for tomorrow or Friday to decide a) if former officials should be included in the PRG and b)if so, who they should be. I'll keep you informed of our thinking as it develops.

Tom



PROPOSED MEMBERS OF PEER REVIEW GROUP.doc

013693

Karen Lynn-Dyson/EAC/GOV  
06/27/2005 05:45 PM

To "Tom O'Neill" [REDACTED]@GSAEXTERNAL  
cc  
bcc Sheila A. Banks/EAC/GOV@EAC; Adam  
Ambrogi/EAC/GOV@EAC; Aimee Sherrill; Thomas R.  
Wilkey/EAC/GOV@EAC; Juliet E.  
Thompson/EAC/GOV@EAC  
Subject RE: Peer Review Group

Tom-

Had a very good review and discussion of the PRG at this morning's Commissioner meeting.

Also, the Commissioners have marked their calendars for a conference call with the Eagleton/Moritz team on July 12 at 9:30 AM.

Several concerns were raised about the composition of the PRG and, after some discussion, I indicated that Eagleton will provide the EAC with a revised participant list, and with a more detailed description of the PRG's mission, goals, objectives, workplan and timelines for accomplishing its work.

The Vice Chair is concerned that there is not sufficient conservative representation on the PRG. I would suggest the team do more research to identify well-recognized conservative academics to put on the Group.

Further, the Commissioners recommend a tiered process in which the PRG will prepare a "dispassionate" analysis of the issues and draw some tentative conclusions. This analysis and these conclusions will then be vetted with a defined/select group of local election officials, and then, with a defined/select group of advocacy organizations.

It was also suggested that a final round of focus group meetings be held with a cross-section of these election officials, advocates and academics for an overall interactive reaction to the analysis and recommendations.

Hope this helps clarify concerns; I look forward to sharing your revisions to the PRG with them.

Regards-

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

"Tom O'Neill" <[REDACTED]>



"Tom O'Neill"  
[REDACTED]  
06/23/2005 02:43 PM

To klynndyson@eac.gov  
cc  
Subject RE: Peer Review Group

013694

Thanks, Karen.

Tom

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

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

**Sent:** Thursday, June 23, 2005 2:24 PM

**To:** [REDACTED]

**Subject:** Re: Peer Review Group

Tom-

I will be back to you early next week with EAC's feedback on this.

Our initial reaction is that the group needs to include some local and/or state-level election officials, who have first-hand experience with these issues.

We will get you additional names and reactions by mid-week next week.

Thanks

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

"Tom O'Neill" [REDACTED]

06/22/2005 03:29 PM

To klynndyson@eac.gov

cc

Subject Peer Review Group

Karen,

As you probably recall, one of the features of our proposal was the creation of a Peer Review Group to look over our findings, conclusions and draft reports before we prepare final drafts for

013695

the EAC's review. The EAC asked that before recruiting members of the PRG we submit names for EAC's review. The aim, course, is to assemble a panel that is experienced, informed, and balanced.

Attached is a list of potential PRG members drawn from academia, the law, and non-profit organizations with interests in this area. Please look it over.

We may conclude that the PRG should also include two or three former government officials now in academia or related fields. We have a conference call with our partners at Moritz planned for tomorrow or Friday to decide a) if former officials should be included in the PRG and b) if so, who they should be. I'll keep you informed of our thinking as it develops.

Tom

013696

Karen Lynn-Dyson/EAC/GOV  
06/24/2005 06:35 PM

To "Tom O'Neill" [REDACTED]@GSAEXTERNAL  
cc Thomas R. Wilkey/EAC/GOV@EAC  
bcc  
Subject RE: Peer Review Group

Tom-

I'd like to schedule a conference call among EAC and Eagleton staff for sometime the early part of the week of July 11. Please let me know dates and times on your end and I'll coordinate with staff here.

During the call we can review your monthly report and cover any problems, challenges, needs, etc. that the Eagleton team may have.

Thanks

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

"Tom O'Neill" [REDACTED]



"Tom O'Neill"  
[REDACTED]  
06/23/2005 02:43 PM

To klynndyson@eac.gov  
cc  
Subject RE: Peer Review Group

Thanks, Karen.

Tom

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

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

**Sent:** Thursday, June 23, 2005 2:24 PM

**To:** tom\_oneill@verizon.net

**Subject:** Re: Peer Review Group

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013697

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"Tom O'Neill" 

06/22/2005 03:29 PM

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cc  
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Tom

013698



Carol,

After our discussion in New York, you asked me to put in writing our response to the EAC's suggestions for expanding the number and kinds of groups that would review and comment on our work. I hope after your review of this response, we will be able to quickly recruit a balanced Peer Review Group (PRG) and move ahead as the schedule in our work plan indicates. Attached is a revised list of the members we propose for appointment to the PRG. We will probably not be able to persuade all of them to serve, but the number and range of views included on the proposed list should ensure that the resulting group is well-balanced.

Tom

## **RESPONSE TO EAC RECOMMENDATIONS FOR ADDITIONAL REVIEW GROUPS**

### EAC's Recommendations for the PRG

Karen Lynn-Dyson reported this response from the EAC commissioners to our proposal for the composition of the PRG.

1. Not sufficient conservative representation on the PRG
2. Create a "tiered process" of review in which:
  - A. The PRG will prepare a dispassionate analysis of the issues and draw some tentative conclusions.
  - B. PRG's analysis would be vetted by a defined/select group of local election officials.
  - C. A defined/select group of advocacy organizations would review the comments of the local election officials
  - D. Empanel a final focus group of local election officials, advocates and academics for an overall, interactive reaction to the analysis and recommendations.

### Project Team Response

Creating three new committees to the review process to supplement the work of the Peer Review Group (PRG) is possible, but would add at least 8 weeks --and possibly 12 weeks-- to our completion of the guidance document on provisional voting. We believe this delay would risk limiting the value of this project for the 2006 election. In addition, the change would add at least \$30,000 to the cost of our work. (See the attached table showing the possible effect on our work plan, and note the optimistic assumptions such as the ability to hold a hearing the week after Christmas.). If the same groups were to be engaged in reviewing our work on Voter ID, the time for that work would also have to be stretched at a similar increased cost.

This additional cost and the added time might be worthwhile. . . if the new layers of review were to produce a consensus on how to strengthen the research, sharpen the analysis, and increase the relevance of the Guidance Document. Our team concluded, however, that additional review groups were unlikely to achieve these results.

### PRG focuses on quality of research

We believe that our research would be strengthened by a balanced Peer Review Group that will

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focus on the design of the research and our conduct of it. Based on the EAC's recommendation, we have revised the composition of the PRG to include additional, well-recognized authorities in the field whose perspective is generally agreed to be conservative.

The PRG will focus on the strength of the research design and the quality of our analysis, not on the politics of our recommendations for the guidance document. The PRG will critique the research design and suggest how to strengthen it. Members of the group will review the quality of our analysis so that we can fill holes and correct errors before we make policy recommendations to the EAC. The PRG may or may not meet as a group. The likelihood is that most comments will come in writing from individual members, most of whose schedules would not permit attendance at meetings. In any case, the PRG members will not gather around a table to come to consensus on the study's recommendations.

While using the PRG as a forum to reach consensus on the knotty issues involved does not appear practical, the EAC can benefit from the work of other groups in this regard. It is not necessary for this project to duplicate the deliberative processes of the Carter-Baker Commission, the Century Foundation and the Election Center. The EAC itself as well as the project team can get the benefit of these reports without duplicating this "policy evaluation board" structure as part of this contract.

#### Project Team focuses on analysis and recommendations

Karen reported that the Commissioners believed that the PRG would "prepare a dispassionate analysis of the issues and draw some tentative conclusions." As we see it, the PRG will neither analyze data nor draw conclusions, tentative or otherwise. Its members will review and comment on how the Project Team has designed and carried out the research. Analysis, conclusions and recommendations are the responsibility of the Project Team. We have all seen in the preface to books or articles a sentence or two that read something like this, "The author thanks Mr. X, Ms. Y, and Dr. Z for their review and comment on the manuscript. Their analysis has strengthened the work, but they are in no way responsible for errors or for my conclusions." That is the way we think about the Peer Review Group.

In short, the PRG will help ensure that EAC's Guidance Document is founded on a solid base of data and analysis. The review and comment on the Preliminary Guidance Document by the EAC's Board of Advisors and Standards Board will provide participation by important stakeholder groups without the need for the other review committees. This Board is broad-based and represents a key stakeholder group. It also enjoys a significant advantage over a "defined/select" group we might empanel. Any group we define will be open to criticism or charges of bias by representatives of interest groups not represented.

The criticism and charges of bias might be tolerable, but only if we could expect consensus from the "defined/select" group we would appoint. We believe that consensus would be elusive. In empanelling a "defined/select" group, we would naturally look for balance and would appoint members to represent a point of view or an institutional interest. As representatives they would likely feel that they had little choice but to be strong advocates. They would have little incentive to compromise. Our research, as opposed to our policy recommendations, would be better served by the analysis of scholars than by the advocacy of interests.

#### Policy judgments

We regard the EAC itself as responsible for the policy judgments involved in shaping the

013701

Guidance Document. We plan, of course, to respond to the EAC's comments on our preliminary draft, so that the EAC's comments will shape the Preliminary Guidance Document before it is released for public comment. And further revision will follow the public hearing and comments. The EAC and individual Commissioners can always seek comment informally on our analysis or recommendations. That course appears to us preferable to the creation of a new, more elaborate review process.



PROPOSED MEMBERSJuly6.doc

013702

Karen Lynn-Dyson/EAC/GOV  
07/12/2005 05:08 PM

To "Tom O'Neill" [REDACTED]@GSAEXTERNAL  
cc "Paquette, Carol" <cpaquette@eac.gov>, "Foley, Ned" <foley.33@osu.edu>, "reed, ingrid" <ireed@rutgers.edu>, "Weingart, John" <john.weingart@rutgers.edu>, "Laura"  
bcc  
Subject Re: Peer Review Group

Tom-

I trust you are in contact with Carol and Julie regarding the information on the Peer Review Group and the July 28 hearing at Cal/Tech that you have requested of them, respectively.

While the EAC is a small agency with relatively few reporting layers, I suggest that for all future items requiring feedback and decisions from the EAC, that you are certain to carbon copy me on all e-mails.

This will ensure, that as your primary point of contact, I have a record of all communication that has taken place between the contractor and the agency.

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

"Tom O'Neill" [REDACTED]



"Tom O'Neill"  
[REDACTED]  
07/08/2005 03:41 PM

To "Paquette, Carol" <cpaquette@eac.gov>  
cc "Laura Williams" <lauracw@columbus.rr.com>, "Weingart, John" <john.weingart@rutgers.edu>, "reed, ingrid" <ireed@rutgers.edu>, "Mandel, Ruth" <rmandel@rci.rutgers.edu>, "Lynn-Dyson, Karren" <klynndyson@eac.gov>, "Foley, Ned" <foley.33@osu.edu>  
Subject Peer Review Group

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013703

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013704

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PROPOSED MEMBERSJuly6.doc

013785

**REVISED**  
**PROPOSED MEMBERS OF PEER REVIEW GROUP**  
July 6, 2005

**Role of the Peer Review Group**

Members of the Peer Review Group will review the research design for the project, including the survey of local election officials, the analysis of Voter ID regime on turnout, the state-by-state narrative of developments in provisional voting and voter identification, and the compilation and analysis of statutes, administrative regulations, and case law affecting provisional voting and voter identification. They will also review the report on Analysis and Alternatives. They may review the draft of the Preliminary Guidance Document before it goes to the Board of Advisors for comment.

Members of the group will be respected authorities in their fields and represent a range of opinions and perspectives, although their views on policy will be less important to the study than their views on the quality of the research on which policy recommendations are based.

Ideally, the group would meet once, but even that may not be possible to arrange given the tight time period for the project, the demanding schedules of the members, and their wide dispersal across the county. They will function largely by reviewing written work and making written comments on it. The timing of their involvement is indicated on the work plan.

**R. Michael Alvarez, Ph.D.**  
Professor of Political Science  
California Institute of Technology  
rma@hss.caltech.edu  
626-395-4422

Alvarez has taught political science at Caltech since 1992. He received his B.A. in political science from Carleton College, his M.A. and Ph.D. from Duke University. Alvarez focuses on the study of electoral politics. He has published many articles on electoral behavior and public opinion. Support for his research has come from the National Science Foundation, The IBM Corporation, the Carnegie Corporation, of New York, and the Knight Foundation. Alvarez edits the Analytical Methods for Social Research book series and is on the editorial boards of a number of academic journals. He is Co-Director of the Caltech-MIT Voting Technology Project

**Guy-Uriel E. Charles**  
Associate Professor  
School of Law  
University of Minnesota  
342 Mondale Hall  
229-19th Avenue South  
Minneapolis, MN 55455  
612-626-9154  
gcharles@umn.edu

Charles teaches and writes on election law, law and politics, and race. He received his B.A. degree in Political Science, cum laude from Spring Arbor University and his J.D. from the University of Michigan Law School, where he was Editor-in-Chief of the Michigan Journal of Race & Law. He is completing a PhD in political science from the University of Michigan.

013786

**Brad Clark**

Professor of Law  
George Washington University School of Law

Clark received his B.A. in Political Science from Florida State University and his J.D. from Columbia Law School in 1985. He served as a law clerk to the Judge Robert H. Bork on the US Court of Appeals and went on to clerk for Justice Antonin Scalia on the Supreme Court. He has been on the faculty at George Washington University Law School for 12 years, where he has taught Constitutional Law, Federal Courts, and Civil Procedure.

**Pamela Susan Karlan**

Montgomery Professor of Public Interest Law  
Stanford Law School  
559 Nathan Abbott Way  
Stanford, CA 94305-8610  
(650) 725-4851  
karlan@stanford.edu

Karlan's principal subjects include legal regulation of the political process. She earned her BA, MA, and JD at Yale University, and was previously a Professor at the University of Virginia. She serves on the California Fair Political Practices Commission and is a Cooperating Attorney with the NAACP Legal Defense and Education Fund. She has also been a lecturer at the FBI National Academy. Among her publications, she is a co-author of *When Elections Go Bad: The Law of Democracy and the Presidential Election of 2000*.

**Martha E. Kropf, Ph.D.**

Assistant Professor of Political Science  
University of Missouri-Kansas City  
816-235-5948; KropfM@umkc.edu

Kropf has been on the faculty at Missouri since 1999. She received her BA Summa Cum Laude, Phi Beta Kappa from Kansas State University and her PhD in Political Science from American University. Her work concentrates on Research Methods, Urban Politics, American Government, and Political Behavior. Before joining the faculty at Missouri, she was Project Coordinator at the University of Maryland Survey Research Center. She has published recent on undervoting in presidential elections, and on invalidated ballots in the 1996 presidential election, and on the incremental process of election reform in Missouri.

**Daniel H. Lowenstein**

Professor of Law  
School of Law  
University of California, Los Angeles  
Box 951476  
Los Angeles, CA 90095-1476  
(310) 825-4841

Among other courses, Lowenstein teaches Election Law. His textbook, *Election Law* has become a standard in the field. He earned his A.B. at Yale and his LL.B. at Harvard. While working for California's Secretary of State he was the main drafter of the *Political Reform Act* in 1971. He was the first chair of the Fair Political Practices Commission. He has served on the national governing board of Common Cause. He has written on such topics as campaign finance, redistricting, bribery, initiative elections, and political parties.

**John F. Manning**

Professor  
Harvard Law School

Formatted

**Deleted: Deborah Goldberg, Ph.D.**

Program Director, Democracy Program  
Brennan Center for Justice at NYU School of Law  
161 Avenue Of The Americas, 12th Floor  
New York, NY 10013  
212-998-6730  
Goldberg supervises the Democracy Program's litigation, scholarship, and public education. She was the principal author of *Writing Reform: A Guide to Drafting State & Local Campaign Finance Laws*, and was lead counsel to the intervenor in the Supreme Court case *Nixon v. Shrink Missouri Government PAC*. She serves on the Steering Committee of a coalition to restore voting rights to persons with past felony convictions. Goldberg is a graduate of Harvard Law School. Before joining the Brennan Center, she was in private practice. She holds a Ph.D. in philosophy and taught ethics at Columbia University.

013787

Now at Harvard, Manning was appointed Assistant Attorney General for the Office of Legal Counsel by President Bush in 2001. He had been Professor of Law at Columbia Law School. Had had served as Assistant to the Solicitor General of the United States and was an Attorney-Adviser in the Office of Legal Counsel at the Department of Justice during the administrations of President George H. W. Bush and President Reagan. He is a graduate of Harvard College and Harvard Law School.

**Tim Storey**

Program Principal  
Legislative Management Program  
National Conference of State Legislatures  
7700 East First Place  
Denver, CO 80230  
303-364-7700  
or  
444 North Capitol Street, N.W., Suite 515  
Washington, D.C. 20001  
202-624-5400

**Peter G. Veniero, Esq.**

Counsel  
Sills, Cummis, Epstein and Gross, PC  
One Riverfront Plaza  
Newark, New Jersey 07102  
Tel: 973-643-7000

Veniero chairs the firm's Appellate Practice Group. He earned his B.A. at Drew University, Phi Beta Kappa, and his J.D. (with honors) at the Duke University School of Law. In 1999, he was appointed a justice of the New Jersey Supreme Court, where he served for 7 years before re-entering private practice. Before his appointment to the Supreme Court, he served as New Jersey's Attorney General, and in that capacity oversaw the state's election laws. He also served as Chief of Staff and Chief Counsel to Governor Christine Todd Whitman.

**Plus one or two former, senior election officials to be suggested by the EAC**

**Deleted: Wade Henderson, Esq.** ¶  
Executive Director ¶  
Leadership Conference on Civil Rights ¶  
1629 K Street, NW, 10<sup>th</sup> Floor ¶  
Washington, DC 20006 ¶  
Wade Henderson is the Executive Director of the LCCR and Counsel to the Leadership Conference on Civil Rights Education Fund (LCCREF), and leads the organizations' work on issues involving nationwide election reform. He is a graduate of Howard University and the Rutgers University School of Law. During its over 50 years of existence, LCCR has worked to redefine civil rights issues in broad and inclusive ways. Today, it includes over 180 national organizations. Previously Henderson served as Washington Bureau Director of the NAACP. He began his career as a legislative counsel of the ACLU. ¶  
¶  
**Kay Maxwell** ¶  
President ¶  
League of Women Voters of the U.S. ¶  
1730 M Street NW, Suite 1000 ¶  
Washington, DC 20036-4508 ¶  
202-429-1965 ¶  
Kay J. Maxwell has been a member of the League since 1976. She attended Smith College and earned a B.A. in International Relations from the University of Pennsylvania. She has conducted civic participation training for women leaders in Bosnia, Israel, the West Bank, Rwanda, Kuwait and Jamaica. She has also served as vice president at the International Executive Service Corps (IESC), an international economic development organization. She is a board member of DC Vote, and the New Voters Project. ¶  
**Deleted:** ¶

Karen Lynn-Dyson/EAC/GOV  
07/13/2005 11:04 AM

To "Tom O'Neill" <[REDACTED]>@GSAEXTERNAL  
cc Carol A. Paquette/EAC/GOV@EAC, Thomas R.  
Wilkey/EAC/GOV@EAC  
bcc  
Subject RE: Peer Review Group

Tom-

I will take up the matter of next steps with the Peer Review Group, with Tom Wilkey, the EAC Executive Director ASAP.

I will have an answer regarding the EAC's suggested next steps on how to proceed on this matter as quickly as possible.

Regards-

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

"Tom O'Neill" [REDACTED]



"Tom O'Neill"  
[REDACTED]  
07/12/2005 07:17 PM

To cpaquette@eac.gov  
cc ireed@rutgers.edu, john.weingart@rutgers.edu,  
klynndyson@eac.gov, lauracw@columbus.rr.com,  
foley.33@osu.edu, rmandel@rci.rutgers.edu  
Subject RE: Peer Review Group

Carol,

I sent you the email on the Peer Review Group because you asked me to. When we discussed the issue in New York, you told me to send to you in writing our response to the Commission's suggestions for a new, more elaborate review process. I believe I copied Karen on that email.

Learning now, almost a week later, that you have taken no action is disheartening. As you know, our schedule is tight, and we need the counsel the Peer Review Group can provide. I hope, therefore, that Karen will take immediate action to resolve the situation so we can begin to recruit the review group in time to assure the quality of the resource design.

013709

Tom O'Neill

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

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

**Sent:** Tuesday, July 12, 2005 6:37 PM

**To:** klyndyson@eac.gov

**Cc:** Foley, Ned; reed, ingrid; Weingart, John; Laura Williams; Mandel, Ruth; Tom O'Neill

**Subject:** Re: Peer Review Group

Karen, Tom -

I am not taking any action on the email Tom sent a few days ago regarding the Peer Review Group because the Eagleton project is not my responsibility. As I indicated earlier to Karen, I didn't know why this was sent to me since Karen is the Project Manager. I endorse her comment below regarding the need for including her in all correspondence with anyone at the EAC regarding the project.

When I was the Interim Executive Director it was part of my job to stay on top of all EAC project work. I now have other responsibilities at the EAC, and while I am happy to continue involvement in other projects for continuity and transition purposes as needed, that needs to be very limited. My involvement with the Eagleton work has only been from the contracting perspective, and that is the only continuing role I have. Any substantive project activities have to be taken up with Karen.

Carol A. Paquette  
U.S. Election Assistance Commission  
(202)566-3125 cpaquette@eac.gov

Karen  
Lynn-Dyson/EAC/GOV

07/12/2005 05:08 PM

To "Tom O'Neill" <[REDACTED]@GSAEXTERNAL>  
"Paquette, Carol" <cpaquette@eac.gov>, "Foley, Ned" <foley.33@osu.edu>, "reed,  
cc:ingrid" <ireed@rutgers.edu>, "Weingart, John" <john.weingart@rutgers.edu>, "Laura  
Williams" <lauracw@columbus.rr.com>, "Mandel, Ruth" <rmandel@rci.rutgers.edu>  
Subject: Re: Peer Review Group [Link](#)

013710

Tom-

I trust you are in contact with Carol and Julie regarding the information on the Peer Review Group and the July 28 hearing at Cal/Tech that you have requested of them, respectively.

While the EAC is a small agency with relatively few reporting layers, I suggest that for all future items requiring feedback and decisions from the EAC, that you are certain to carbon copy me on all e-mails.

This will ensure, that as your primary point of contact, I have a record of all communication that has taken place between the contractor and the agency.

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

"Tom O'Neill"  


07/08/2005 03:41 PM

To "Paquette, Carol" <cpaquette@eac.gov>  
cc "Laura Williams" <lauracw@columbus.rr.com>, "Weingart, John"  
<john.weingart@rutgers.edu>, "reed, ingrid" <ireed@rutgers.edu>, "Mandel,  
Ruth" <rmandel@rci.rutgers.edu>, "Lynn-Dyson, Karren"  
<klynndyson@eac.gov>, "Foley, Ned" <foley.33@osu.edu>  
Subject Peer Review Group

Carol,

After our discussion in New York, you asked me to put in writing our response to the EAC's suggestions for expanding the number and kinds of groups that would review and comment on our work. I hope after your review of this response, we will be able to quickly recruit a balanced

013711

Peer Review Group (PRG) and move ahead as the schedule in our work plan indicates. Attached is a revised list of the members we propose for appointment to the PRG. We will probably not be able to persuade all of them to serve, but the number and range of views included on the proposed list should ensure that the resulting group is well-balanced.

Tom

## **RESPONSE TO EAC RECOMMENDATIONS FOR ADDITIONAL REVIEW GROUPS**

### EAC's Recommendations for the PRG

Karen Lynn-Dyson reported this response from the EAC commissioners to our proposal for the composition of the PRG.

1. Not sufficient conservative representation on the PRG
2. Create a "tiered process" of review in which:
  - A. The PRG will prepare a dispassionate analysis of the issues and draw some tentative conclusions.
  - B. PRG's analysis would be vetted by a defined/select group of local election officials.
  - C. A defined/select group of advocacy organizations would review the comments of the local election officials
  - D. Empanel a final focus group of local election officials, advocates and academics for an overall, interactive reaction to the analysis and recommendations.

### Project Team Response

Creating three new committees to the review process to supplement the work of the Peer Review Group (PRG) is possible, but would add at least 8 weeks –and possibly 12 weeks-- to our completion of the guidance document on provisional voting. We believe this delay would risk limiting the value of this project for the 2006 election. In addition, the change would add at least \$30,000 to the cost of our work. (See the attached table showing the possible effect on our work plan, and note the optimistic assumptions such as the ability to hold a hearing the week after Christmas.). If the same groups were to be engaged in reviewing our work on Voter ID, the time for that work would also have to be stretched at a similar increased cost.

This additional cost and the added time might be worthwhile. . . if the new layers of review were to produce a consensus on how to strengthen the research, sharpen the analysis, and increase the relevance of the Guidance Document. Our team concluded, however, that additional review groups were unlikely to achieve these results.

### PRG focuses on quality of research

We believe that our research would be strengthened by a balanced Peer Review Group that will focus on the design of the research and our conduct of it. Based on the EAC's recommendation, we have revised the composition of the PRG to include additional, well-recognized authorities in the field whose perspective is generally agreed to be conservative.

The PRG will focus on the strength of the research design and the quality of our analysis, not on the politics of our recommendations for the guidance document. The PRG will critique the research design and suggest how to strengthen it. Members of the group will review the quality of our analysis so that we can fill holes and correct errors before we make policy recommendations to the EAC. The PRG may or may not meet as a group. The likelihood is that most comments will come in writing from individual members, most of whose schedules would not permit attendance

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at meetings. In any case, the PRG members will not gather around a table to come to consensus on the study's recommendations.

While using the PRG as a forum to reach consensus on the knotty issues involved does not appear practical, the EAC can benefit from the work of other groups in this regard. It is not necessary for this project to duplicate the deliberative processes of the Carter-Baker Commission, the Century Foundation and the Election Center. The EAC itself as well as the project team can get the benefit of these reports without duplicating this "policy evaluation board" structure as part of this contract.

#### Project Team focuses on analysis and recommendations

Karen reported that the Commissioners believed that the PRG would "prepare a dispassionate analysis of the issues and draw some tentative conclusions." As we see it, the PRG will neither analyze data nor draw conclusions, tentative or otherwise. Its members will review and comment on how the Project Team has designed and carried out the research. Analysis, conclusions and recommendations are the responsibility of the Project Team. We have all seen in the preface to books or articles a sentence or two that read something like this, "The author thanks Mr. X, Ms. Y, and Dr. Z for their review and comment on the manuscript. Their analysis has strengthened the work, but they are in no way responsible for errors or for my conclusions." That is the way we think about the Peer Review Group.

In short, the PRG will help ensure that EAC's Guidance Document is founded on a solid base of data and analysis. The review and comment on the Preliminary Guidance Document by the EAC's Board of Advisors and Standards Board will provide participation by important stakeholder groups without the need for the other review committees. This Board is broad-based and represents a key stakeholder group. It also enjoys a significant advantage over a "defined/select" group we might empanel. Any group we define will be open to criticism or charges of bias by representatives of interest groups not represented.

The criticism and charges of bias might be tolerable, but only if we could expect consensus from the "defined/select" group we would appoint. We believe that consensus would be elusive. In empanelling a "defined/select" group, we would naturally look for balance and would appoint members to represent a point of view or an institutional interest. As representatives they would likely feel that they had little choice but to be strong advocates. They would have little incentive to compromise. Our research, as opposed to our policy recommendations, would be better served by the analysis of scholars than by the advocacy of interests.

#### Policy judgments

We regard the EAC itself as responsible for the policy judgments involved in shaping the Guidance Document. We plan, of course, to respond to the EAC's comments on our preliminary draft, so that the EAC's comments will shape the Preliminary Guidance Document before it is released for public comment. And further revision will follow the public hearing and comments. The EAC and individual Commissioners can always seek comment informally on our analysis or recommendations. That course appears to us preferable to the creation of a new, more elaborate review process.

Karen Lynn-Dyson/EAC/GOV  
07/15/2005 02:48 PM

To "Tom O'Neill" <[REDACTED]>@GSAEXTERNAL-  
cc Thomas R. Wilkey/EAC/GOV@EAC, Diana  
Scott/EAC/GOV@EAC  
bcc  
Subject Re: [REDACTED]

Tom-

I don't anticipate a problem with this re-allocation of funds. I will, however, check with our financial officer to be certain that such a re-allocation is permissible.

I will let you know shortly.

Regards-

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

"Tom O'Neill" <tom\_oneill@verizon.net>



"Tom O'Neill"  
[REDACTED]  
07/14/2005 02:31 PM

To klynndyson@eac.gov  
cc arapp@rci.rutgers.edu  
Subject

Karen:

As we discussed on Tuesday morning in the teleconference, we would like to reallocate within the current budget \$9,500 to the survey of local election officials. This will raise the budget for the survey to \$24,500 from \$15,000.

The additional funding will permit us to double the sample of local election officials from 200 to 400. The larger sample will allow more detailed comparisons between the experience of local election officials in states that offered some form of provisional ballot before HAVA and those that did not. This comparison is a topic of special interest identified in the contract.

The increase of \$9,500 is based on an estimate made by SRBI, the contractor that will actually administer the interviews. I can furnish you with a copy of the estimate if you like. We believe the additional funds will

013714

improve significantly our ability to provide relevant analysis to EAC on this important issue.

Tom O'Neill

013715

Karen Lynn-Dyson/EAC/GOV  
07/15/2005 03:21 PM

To "Tom O'neill" <[REDACTED]@GSAEXTERNAL ->  
cc Thomas R. Wilkey/EAC/GOV@EAC  
bcc  
Subject Re: Composition of the Eagleton Peer Review Group 

Tom-

This e-mail will reiterate our conversation of this morning.

After a close review of your e-mail of July 12th, EAC staff determined that it is appropriate for the Eagleton/Moritz team to proceed with the composition of its Peer Review Group as it deems suitable and necessary. EAC staff will assume that your team is satisfied that it has created a politically and ideologically balanced group to review your work.

EAC staff, the Commissioners, the Advisory and Standards Boards will, we are certain, have opportunities to review the findings and analyses that your team creates, at critical junctures during the process.

Enjoy your weekend.

Regards-

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

013716

Karen Lynn-Dyson/EAC/GOV  
07/15/2005 03:25 PM

To "Tom O'Neill" [REDACTED]@GSAEXTERNAL  
cc  
bcc  
Subject Re: Invitation to Tom Wilkey

Tom-

Thanks for sharing this information with me and for keeping me apprised of the activities; interests and concerns of the team.

FYI-

I'm not certain who is on board to attend the meeting at Cal Tech; Ruth and the others may wish to find a time that Tom would be available to meet with folks then.

Regards-

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

"Tom O'Neill" [REDACTED]



"Tom O'Neill"  
[REDACTED]  
07/15/2005 02:39 PM

To klynndyson@eac.gov  
cc  
Subject Invitation to Tom Wilkey

Karen,

For your information, Ruth Mandel, Director of the Eagleton Institute of Politics, sent the letter below to Tom Wilkey this afternoon. It is an invitation for him to meet with the project team in August at Rutgers.

Have a good weekend.

Tom O'Neill

I'm writing on behalf of my colleagues at the Eagleton Institute of Politics to send congratulations on your appointment as Executive Director of the Election Assistance Commission and to extend a warm

013717

invitation for you to visit the Institute to meet our research team. The Eagleton Institute and our partners at the Moritz College of Law are delighted to have been selected to provide research services to the EAC for developing guidance to the states on provisional voting and voter identification requirements.

The Eagleton and Moritz team conducting the research and analysis would appreciate an opportunity to discuss the project with you so that we can gain a full understanding of your perspective on this work and make our research as useful as possible for you, the EAC, the states, and eventually the voters.

I understand that you continue to travel between New York and Washington, which would make a visit to Eagleton simple to arrange. Since the Rutgers campus in New Brunswick is not far from the Metropark Amtrak station, we could easily pick you up at Metropark and return you at the end of the visit. Our Moritz partners would also attend.

The agenda for such a meeting could include a briefing on our progress, discussion of challenges to be met, and a conversation about your goals for this research. We believe that the earlier in the research process we can arrange to meet, the better for the project.

I hope you agree that a meeting in the near future would be useful, and that you like the idea of a visit to the research site. If so, we can search for convenient dates in the next few weeks, perhaps starting with the possibility that you would be available on August 12, 15, or 16.

We all look forward to continuing our work together on this worthwhile project.

Ruth B. Mandel

Director, The Eagleton Institute of Politics

*Board of Governors Professor of Politics*

013718

Karen Lynn-Dyson/EAC/GOV  
07/15/2005 03:53 PM

To "Tom O'neill" <tom\_oneill@verizon.net>@GSAEXTERNAL  
cc Diana Scott/EAC/GOV@EAC, Carol A.  
Paquette/EAC/GOV@EAC  
bcc

Subject Re: Request for reallocation within existing budget 

Tom-

EAC contract staff indicate that the reallocation you propose can occur and that all other such reallocations that are made from your project budget for this contract budget can be done at your own discretion.

From a contractual standpoint, EAC's only concern is that Eagleton is able to accomplish all of the activities and provide all of the deliverables that have been set forth in your contract.

Regards-

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

013719

Karen Lynn-Dyson/EAC/GOV  
01/23/2006 12:20 PM

To john.weingart@rutgers.edu  
cc  
bcc  
Subject Re: no-cost extension status 

As we speak- I'm writing up the final memo for the Chairman's signature. Things got a bit complicated since your original proposal did not provide labor hours and costs for the project staff.

Am working through this issue, however.  
Will keep you posted.

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

013720

Karen Lynn-Dyson/EAC/GOV  
02/16/2006 05:09 PM

To "Tom O'Neill" <tom\_oneill@verizon.net>@GSAEXTERNAL  
cc arapp@rci.rutgers.edu, davander@eden.rutgers.edu,  
dlinky@rci.rutgers.edu, foley.33@osu.edu,  
ireed@rutgers.edu, "Johanna Dobrich"  
bcc  
Subject RE: January Progress Report

Shall we say February 28 at 3:00 PM?

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

"Tom O'Neill" <tom\_oneill@verizon.net>



"Tom O'Neill"  
<tom\_oneill@verizon.net>  
02/16/2006 03:33 PM

To klynndyson@eac.gov  
cc "Tim Vercellotti" <tim.vercellotti@rutgers.edu>,  
arapp@rci.rutgers.edu, davander@eden.rutgers.edu,  
dlinky@rci.rutgers.edu, ireed@rutgers.edu,  
joharris@eden.rutgers.edu, john.weingart@rutgers.edu,  
rmandel@rci.rutgers.edu, "Johanna Dobrich"  
<jdobrich@eden.rutgers.edu>, tokaji.1@osu.edu,  
 Foley.33@osu.edu, lauracw@columbus.rr.com  
Subject RE: January Progress Report

Karen, I'll survey the group about the best time for a conference call. The 24<sup>th</sup> does not look like a good time. We have a teleconference with the Peer Review Group on the Voter ID paper scheduled for Feb. 22, and therefore would be hard-pressed to review the précis of your comments in time for a discussion on the 24<sup>th</sup>. The next week would be more promising, perhaps Tuesday, Feb 28 in the afternoon.

We still plan to deliver the Voter ID paper to you the first week in March.

Tom O'Neill

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

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

013721

Karen Lynn-Dyson/EAC/GOV

09/25/2006 12:20 PM

To twilkey@eac.gov, Juliet E. Hodgkins/EAC/GOV@EAC  
cc Sheila A. Banks/EAC/GOV@EAC  
bcc Jeannie Layson/EAC/GOV@EAC; Bryan  
Whitener/EAC/GOV@EAC  
Subject Distribution of Voter ID Report Appendices to Tom Hicks

Commissioner Hillman has asked a follow-up question regarding the sharing of EAC's information, on the Eagleton study on Voter ID requirements, with Tom Hicks.

I have given Sheila the following appendices for possible distribution to Tom Hicks:

1. Summary of Voter ID Requirements by State
2. Court Decisions and Literature on Voter Identification and Related Issues Court decisions
3. Annotated bibliography on Voter Identification Issues

I have **not** given Sheila, for distribution, these Appendices or parts of the report:

1. Analysis of Effects of Voter ID Requirements on Turnout
2. The Executive Summary and Recommendations
3. Summary of Research
4. State Statutes and Regulations Affecting Voter Identification (electronic version only)

**\*\*You'll also recall that I'm awaiting Tom's approval to send to Mike McDonald, various appendices from the Eagleton Provisional Voting report**

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

013722

Karen Lynn-Dyson/EAC/GOV  
10/02/2006 12:35 PM

To john.weingart@rutgers.edu  
cc Bola Olu/EAC/GOV@EAC, Peter Schulleri/EAC/GOV@EAC  
bcc Diana Scott/EAC/GOV@EAC  
Subject Re: Eagleton/Moritz final invoices

Hi John-

I'm checking to see if you can contact your finance department to determine if EAC has received its final invoice on the Eagleton/Moritz study.

Our financial records show a balance on the contract of \$2,910.77

I need to be able to tell our finance folks how this final balance is going to be handled.

Thanks, John.

Regards-

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

013723

Karen Lynn-Dyson/EAC/GOV  
10/03/2006 12:43 PM

To john.weingart@rutgers.edu  
cc Bola Olu/EAC/GOV@EAC, Diana Scott/EAC/GOV@EAC,  
Peter Schulleri/EAC/GOV@EAC  
bcc  
Subject Re: Eagleton/Moritz final invoices

Thanks for your follow-up on this, John.

I will pass this along to the EAC finance department so they may handle these remaining funds accordingly.

Regards-

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" <[REDACTED]>



"John Weingart"

[REDACTED]

To klynndyson@eac.gov

10/03/2006 11:57 AM

cc

Please respond to  
john.weingart@rutgers.edu

Subject Re: Eagleton/Moritz final invoices

Karen - The invoice your just received is final. The final invoice we received from Ohio State was less than we had anticipated so the remaining balance is for the EAC to use for other projects. Let me know if you need more information.

-- John Weingart, Associate Director

Eagleton Institute of Politics  
(732) 932-9384, x.290

klynndyson@eac.gov wrote:

>  
> Hi John-  
>  
> I'm checking to see if you can contact your finance department to  
> determine if EAC has received its final invoice on the Eagleton/Moritz  
> study.  
>  
> Our financial records show a balance on the contract of \$2,910.77  
>  
> I need to be able to tell our finance folks how this final balance is

013724

Karen Lynn-Dyson/EAC/GOV  
10/03/2006 01:33 PM

To [REDACTED]  
cc  
bcc  
Subject Re: Eagleton/Moritz final invoices

Go ahead and give him a call later on this afternoon.

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" <[REDACTED]>



"John Weingart"

10/03/2006 01:12 PM

Please respond to [REDACTED]

To klynndyson@eac.gov  
cc  
Subject Re: Eagleton/Moritz final invoices

Karen - While we're writing, I had a call last week from Tom Wilkey saying he would get back to me in response to my letter by last Thursday. Is the best thing for me to call him or do you know if a response is in the works?

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

klynndyson@eac.gov wrote:

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

013725

Karen Lynn-Dyson/EAC/GOV  
10/04/2006 03:02 PM

To Thomas R. Wilkey/EAC/GOV@EAC  
cc Jeannie Layson/EAC/GOV@EAC, Juliet E.  
Hodgkins/EAC/GOV@EAC  
bcc Sheila A. Banks/EAC/GOV@EAC; Peter  
Schulleri/EAC/GOV@EAC  
Subject Re: Eagleton Response



Tom-

As I believe you are aware, The Eagleton Institute's Tim Vercellotti " Analysis of Effects of Voter ID Requirements on Turnout" was made public at the American Political Science Association meeting and was subsequently referenced on Dan Tokaji's blog.

We have sent the following:

To Mike McDonald:

Appendix C: Provisional Ballot Litigation by Issue

Appendix D: Provisional Ballot Litigation by State

To Tom Hicks:

Appendix A: Summary of Voter ID Requirements by State

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

Appendix D: Annotated Bibliography on Voter Identification Issues

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

Thomas R. Wilkey/EAC/GOV

Thomas R. Wilkey/EAC/GOV  
10/04/2006 01:50 PM

To Karen Lynn-Dyson/EAC/GOV@EAC  
cc Juliet E. Hodgkins/EAC/GOV@EAC, Jeannie  
Layson/EAC/GOV@EAC  
Subject Eagleton Response

Karen;

Could you please put a list of items we have released and what has not been released on the two Eagleton Reports.

013726



"Tom O'Neill"  
[redacted]  
07/12/2005 05:25 PM

To klynndyson@eac.gov  
cc  
bcc  
Subject RE: Peer Review Group

Karen:

Thanks. I have not heard from Carol about the PRG nor from Julie about plans for the July public meeting. I believe I have sent you copies of my significant emails to them, and will make sure you get all of them in the future.

Tom O'Neill

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

**From:** klynndyson@eac.gov [mailto:klynndyson@eac.gov]  
**Sent:** Tuesday, July 12, 2005 5:09 PM  
**To:** [redacted]  
**Cc:** Paquette, Carol; Foley, Ned; reed, ingrid; Weingart, John; Laura Williams; Mandel, Ruth  
**Subject:** Re: Peer Review Group

Tom-

I trust you are in contact with Carol and Julie regarding the information on the Peer Review Group and the July 28 hearing at Cal/Tech that you have requested of them, respectively.

While the EAC is a small agency with relatively few reporting layers, I suggest that for all future items requiring feedback and decisions from the EAC, that you are certain to carbon copy me on all e-mails.

This will ensure, that as your primary point of contact, I have a record of all communication that has taken place between the contractor and the agency.

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

013727

"Tom  
O'Neill"  
<tom\_oneill  
@verizon.net>

07/08/2005  
03:41 PM

To: "Paquette, Carol" <cpaquette@eac.gov>  
cc: "Laura Williams" <lauracw@columbus.rr.com>, "Weingart, John" <jhweingart@eac.gov>, "reed, ingrid" <ingrid@rutg.edu>, "Mandel, Ruth" <rmandel@rutg.edu>, "Lynn-Dyson, Karren" <klyndyson@eac.gov>, "Foley, Ned" <nfoley@osu.edu>  
Subject: Peer Review Group

Carol,

After our discussion in New York, you asked me to put in writing our response to the EAC's suggestions for expanding the number and kinds of groups that would review and comment on our work. I hope after your review of this response, we will be able to quickly recruit a balanced Peer Review Group (PRG) and move ahead as the schedule in our work plan indicates. Attached is a revised list of the members we propose for appointment to the PRG. We will probably not be able to persuade all of them to serve, but the number and range of views included on the proposed list should ensure that the resulting group is well-balanced.

Tom

## **RESPONSE TO EAC RECOMMENDATIONS FOR ADDITIONAL REVIEW GROUPS**

### EAC's Recommendations for the PRG

Karen Lynn-Dyson reported this response from the EAC commissioners to our proposal for the composition of the PRG.

1. Not sufficient conservative representation on the PRG
2. Create a "tiered process" of review in which:
  - A. The PRG will prepare a dispassionate analysis of the issues and draw some tentative conclusions.
  - B. PRG's analysis would be vetted by a defined/select group of local election officials.
  - C. A defined/select group of advocacy organizations would review the comments of the local election officials

013728

D. Empanel a final focus group of local election officials, advocates and academics for an overall, interactive reaction to the analysis and recommendations.

#### Project Team Response

Creating three new committees to the review process to supplement the work of the Peer Review Group (PRG) is possible, but would add at least 8 weeks –and possibly 12 weeks-- to our completion of the guidance document on provisional voting. We believe this delay would risk limiting the value of this project for the 2006 election. In addition, the change would add at least \$30,000 to the cost of our work. (See the attached table showing the possible effect on our work plan, and note the optimistic assumptions such as the ability to hold a hearing the week after Christmas.). If the same groups were to be engaged in reviewing our work on Voter ID, the time for that work would also have to be stretched at a similar increased cost.

This additional cost and the added time might be worthwhile. . . if the new layers of review were to produce a consensus on how to strengthen the research, sharpen the analysis, and increase the relevance of the Guidance Document. Our team concluded, however, that additional review groups were unlikely to achieve these results.

#### PRG focuses on quality of research

We believe that our research would be strengthened by a balanced Peer Review Group that will focus on the design of the research and our conduct of it. Based on the EAC's recommendation, we have revised the composition of the PRG to include additional, well-recognized authorities in the field whose perspective is generally agreed to be conservative.

The PRG will focus on the strength of the research design and the quality of our analysis, not on the politics of our recommendations for the guidance document. The PRG will critique the research design and suggest how to strengthen it. Members of the group will review the quality of our analysis so that we can fill holes and correct errors before we make policy recommendations to the EAC. The PRG may or may not meet as a group. The likelihood is that most comments will come in writing from individual members, most of whose schedules would not permit attendance at meetings. In any case, the PRG members will not gather around a table to come to consensus on the study's recommendations.

While using the PRG as a forum to reach consensus on the knotty issues involved does not appear practical, the EAC can benefit from the work of other groups in this regard. It is not necessary for this project to duplicate the deliberative processes of the Carter-Baker Commission, the Century Foundation and the Election Center. The EAC itself as well as the project team can get the benefit of these reports without duplicating this "policy evaluation board" structure as part of this contract.

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Karen reported that the Commissioners believed that the PRG would "prepare a dispassionate analysis of the issues and draw some tentative conclusions." As we see it, the PRG will neither analyze data nor draw conclusions, tentative or otherwise. Its members will review and comment on how the Project Team has designed and carried out the research. Analysis, conclusions and recommendations are the responsibility of the Project Team. We have all seen in the preface to books or articles a sentence or two that read something like this, "The author thanks Mr. X, Ms. Y, and Dr. Z for their review and comment on the manuscript. Their analysis has strengthened the work, but they are in no way responsible for errors or for my conclusions." That is the way we think about the Peer Review Group.

In short, the PRG will help ensure that EAC's Guidance Document is founded on a solid base of

013729

data and analysis. The review and comment on the Preliminary Guidance Document by the EAC's Board of Advisors and Standards Board will provide participation by important stakeholder groups without the need for the other review committees. This Board is broad-based and represents a key stakeholder group. It also enjoys a significant advantage over a "defined/select" group we might empanel. Any group we define will be open to criticism or charges of bias by representatives of interest groups not represented.

The criticism and charges of bias might be tolerable, but only if we could expect consensus from the "defined/select" group we would appoint. We believe that consensus would be elusive. In empanelling a "defined/select" group, we would naturally look for balance and would appoint members to represent a point of view or an institutional interest. As representatives they would likely feel that they had little choice but to be strong advocates. They would have little incentive to compromise. Our research, as opposed to our policy recommendations, would be better served by the analysis of scholars than by the advocacy of interests.

#### Policy judgments

We regard the EAC itself as responsible for the policy judgments involved in shaping the Guidance Document. We plan, of course, to respond to the EAC's comments on our preliminary draft, so that the EAC's comments will shape the Preliminary Guidance Document before it is released for public comment. And further revision will follow the public hearing and comments. The EAC and individual Commissioners can always seek comment informally on our analysis or recommendations. That course appears to us preferable to the creation of a new, more elaborate review process.

013730

Carol A. Paquette/EAC/GOV  
07/08/2005 05:13 PM

To Juliet E. Thompson/EAC/GOV@EAC  
cc Karen Lynn-Dyson/EAC/GOV@EAC  
bcc  
Subject Fw: Peer Review Group

History: This message has been replied to and forwarded.

Julie -

I don't remember saying much of anything but a few pleasantries to Tom in New York. Did you talk to him about this topic? I'm really at a loss on this. (Maybe I'm having an extended senior moment.)

Carol A. Paquette  
U.S. Election Assistance Commission  
(202)566-3125 cpaquette@eac.gov

----- Forwarded by Carol A. Paquette/EAC/GOV on 07/08/2005 05:07 PM -----



"Tom O'Neill"

07/08/2005 03:41 PM

To "Paquette, Carol" <cpaquette@eac.gov>

cc

Subject Peer Review Group

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Tom

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013731

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013732

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PROPOSED MEMBERS July 6.doc

013733



"Tom O'Neill"  
 [Redacted]  
 07/08/2005 03:41 PM

To "Paquette, Carol" <cpaquette@eac.gov>  
 cc [Redacted]  
 bcc [Redacted]

Subject Peer Review Group

History: This message has been replied to and forwarded.

Carol,

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013735

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PROPOSED MEMBERSJuly6.doc

01373b

**REVISED  
PROPOSED MEMBERS OF PEER REVIEW GROUP**

July 6, 2005

**Role of the Peer Review Group**

Members of the Peer Review Group will review the research design for the project, including the survey of local election officials, the analysis of Voter ID regime on turnout, the state-by-state narrative of developments in provisional voting and voter identification, and the compilation and analysis of statutes, administrative regulations, and case law affecting provisional voting and voter identification. They will also review the report on Analysis and Alternatives. They may review the draft of the Preliminary Guidance Document before it goes to the Board of Advisors for comment.

Members of the group will be respected authorities in their fields and represent a range of opinions and perspectives, although their views on policy will be less important to the study than their views on the quality of the research on which policy recommendations are based.

Ideally, the group would meet once, but even that may not be possible to arrange given the tight time period for the project, the demanding schedules of the members, and their wide dispersal across the county. They will function largely by reviewing written work and making written comments on it. The timing of their involvement is indicated on the work plan.

**R. Michael Alvarez, Ph.D.**

Professor of Political Science  
California Institute of Technology

[REDACTED]  
626-395-4422

Alvarez has taught political science at Caltech since 1992. He received his B.A. in political science from Carleton College, his M.A. and Ph.D. from Duke University. Alvarez focuses on the study of electoral politics. He has published many articles on electoral behavior and public opinion. Support for his research has come from the National Science Foundation, The IBM Corporation, the Carnegie Corporation, of New York, and the Knight Foundation. Alvarez edits the Analytical Methods for Social Research book series and is on the editorial boards of a number of academic journals. He is Co-Director of the Caltech-MIT Voting Technology Project

**Guy-Uriel E. Charles**

Associate Professor  
School of Law  
University of Minnesota  
342 Mondale Hall  
229-19th Avenue South  
Minneapolis, MN 55455  
612-626-9154  
[REDACTED]

Charles teaches and writes on election law, law and politics, and race. He received his B.A. degree in Political Science, cum laude from Spring Arbor University and his J.D. from the University of Michigan Law School, where he was Editor-in-Chief of the Michigan Journal of Race & Law. He is completing a PhD in political science from the University of Michigan.

013737

**Brad Clark**

Professor of Law  
George Washington University School of Law

Clark received his B.A. in Political Science from Florida State University and his J.D. from Columbia Law School in 1985. He served as a law clerk to the Judge Robert H. Bork on the US Court of Appeals and went on to clerk for Justice Antonin Scalia on the Supreme Court. He has been on the faculty at George Washington University Law School for 12 years, where he has taught Constitutional Law, Federal Courts, and Civil Procedure.

**Pamela Susan Karlan**

Montgomery Professor of Public Interest Law  
Stanford Law School  
559 Nathan Abbott Way  
Stanford, CA 94305-8610  
(650) 725-4851  
karlan@stanford.edu

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Karlan's principal subjects include legal regulation of the political process. She earned her BA, MA, and JD at Yale University, and was previously a Professor at the University of Virginia. She serves on the California Fair Political Practices Commission and is a Cooperating Attorney with the NAACP Legal Defense and Education Fund. She has also been a lecturer at the FBI National Academy. Among her publications, she is a co-author of *When Elections Go Bad: The Law of Democracy and the Presidential Election of 2000*.

**Martha E. Kropf, Ph.D.**

Assistant Professor of Political Science  
University of Missouri-Kansas City  
816-235-5948; KropfM@umkc.edu

Kropf has been on the faculty at Missouri since 1999. She received her BA Summa Cum Laude, Phi Beta Kappa from Kansas State University and her PhD in Political Science from American University. Her work concentrates on Research Methods, Urban Politics, American Government, and Political Behavior. Before joining the faculty at Missouri, she was Project Coordinator at the University of Maryland Survey Research Center. She has published recent on undervoting in presidential elections, and on invalidated ballots in the 1996 presidential election, and on the incremental process of election reform in Missouri.

Deleted: Deborah Goldberg, Ph.D. Program Director, Democracy Program  
Brennan Center for Justice at NYU School of Law  
161 Avenue Of The Americas, 12th Floor  
New York, NY 10013  
212-998-6730  
Goldberg supervises the Democracy Program's litigation, scholarship, and public education. She was the principal author of *Writing Reform: A Guide to Drafting State & Local Campaign Finance Laws*, and was lead counsel to the intervenor in the Supreme Court case *Nixon v. Shrink Missouri Government PAC*. She serves on the Steering Committee of a coalition to restore voting rights to persons with past felony convictions. Goldberg is a graduate of Harvard Law School. Before joining the Brennan Center, she was in private practice. She holds a Ph.D. in philosophy and taught ethics at Columbia University.

**Daniel H. Lowenstein**

Professor of Law  
School of Law  
University of California, Los Angeles  
Box 951476  
Los Angeles, CA 90095-1476  
(310) 825-4841

Among other courses, Lowenstein teaches Election Law. His textbook, *Election Law* has become a standard in the field. He earned his A.B. at Yale and his LL.B. at Harvard. While working for California's Secretary of State he was the main drafter of the *Political Reform Act* in 1971. He was the first chair of the Fair Political Practices Commission. He has served on the national governing board of Common Cause. He has written on such topics as campaign finance, redistricting, bribery, initiative elections, and political parties.

**John F. Manning**

Professor  
Harvard Law School

OB 1138

Now at Harvard, Manning was appointed Assistant Attorney General for the Office of Legal Counsel by President Bush in 2001. He had been Professor of Law at Columbia Law School. Had had served as Assistant to the Solicitor General of the United States and was an Attorney-Adviser in the Office of Legal Counsel at the Department of Justice during the administrations of President George H. W. Bush and President Reagan. He is a graduate of Harvard College and Harvard Law School.

**Tim Storey**

Program Principal  
Legislative Management Program  
National Conference of State Legislatures  
7700 East First Place  
Denver, CO 80230  
303-364-7700  
or  
444 North Capitol Street, N.W., Suite 515  
Washington, D.C. 20001  
202-624-5400

**Peter G. Veniero, Esq.**

Counsel  
Sills, Cummis, Epstein and Gross, PC  
One Riverfront Plaza  
Newark, New Jersey 07102  
Tel: 973- 643-7000

Veniero chairs the firm's Appellate Practice Group. He earned his B.A. at Drew University, Phi Beta Kappa, and his J.D. (with honors) at the Duke University School of Law. In 1999, he was appointed a justice of the New Jersey Supreme Court, where he served for 7 years before re-entering private practice. Before his appointment to the Supreme Court, he served as New Jersey's Attorney General, and in that capacity oversaw the state's election laws. He also served as Chief of Staff and Chief Counsel to Governor Christine Todd Whitman.

**Plus one or two former, senior election officials to be suggested by the EAC**

**Deleted: Wade Henderson, Esq.**¶  
Executive Director¶  
Leadership Conference on Civil Rights ¶  
1629 K Street, NW, 10<sup>th</sup> Floor¶  
Washington, DC 20006¶  
Wade Henderson is the Executive Director of the LCCR and Counsel to the Leadership Conference on Civil Rights Education Fund (LCCREF), and leads the organizations' work on issues involving nationwide election reform. He is a graduate of Howard University and the Rutgers University School of Law. During its over 50 years of existence, LCCR has worked to redefine civil rights issues in broad and inclusive ways. Today, it includes over 180 national organizations. Previously Henderson served as Washington Bureau Director of the NAACP. He began his career as a legislative counsel of the ACLU. ¶

**Kay Maxwell**¶  
President¶  
League of Women Voters of the U.S.¶  
1730 M Street NW, Suite 1000¶  
Washington, DC 20036-4508 ¶  
202-429-1965¶  
Kay J. Maxwell has been a member of the League since 1976. She attended Smith College and earned a B.A. in International Relations from the University of Pennsylvania. She has conducted civic participation training for women leaders in Bosnia, Israel, the West Bank, Rwanda, Kuwait and Jamaica. She has also served as vice president at the International Executive Service Corps (IESC), an international economic development organization. She is a board member of DC Vote, and the New Voters Project. ¶

**Deleted: ¶**

013739

Aletha  
Barrington/CONTRACTOR/EA  
C/GOV

05/05/2006 10:13 AM

To tanisha [REDACTED]  
cc [REDACTED] Karen  
Lynn-Dyson/EAC/GOV@EAC

bcc

Subject Revised Voter ID Analysis

Good morning Tanisha,

To my understanding Dr. Nagler is out of the office today and I been informed to contact you with any information for him. I am attaching a copy of the Revised Voter ID Analysis. Will you please see that he receives it today? If you have any questions regarding this document feel free to contact me.

Thanks!

Aletha Barrington  
Contracts Assistant  
U.S. Election Assistance Commission  
(202) 566-2209 (office)  
(202) 566-3128 (fax)



VoterIDAnalysis VercRev0504.doc

013740

Karen,

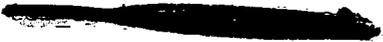
John and I reviewed your recent email today, and he asked me to respond.

Important to us is a clear commitment now by the EAC to schedule a presentation of our Voter ID research at the May meeting of the Advisory Board, if its review is required before the paper is published and presented at the EAC's public meeting in June. Your email made no mention of that June public meeting. Our schedule (submitted with the request for the no-cost extension) –and our previous discussion with you—treats that meeting as the key event that will conclude our research under this contract. Therefore, we also look for an explicit understanding that a presentation of our reports will be included in the agenda for that public meeting.

We can deliver a final report on Provisional Voting by May 5 and will be prepared for whatever role we might play at the May 24 meeting of the Advisory Board.

The team is looking forward to a discussion of Tim Vercellotti's revised statistical analysis of Voter ID with the academic reviewers you are in the process of identifying during the week of May 8. Knowing the specific date and time of that discussion in the next day or so would facilitate the participation of appropriate members of our Peer Review Group in that conversation.

Tom O'Neill

From: \* klynndyson@eac.gov [mailto:klynndyson@eac.gov]  
\*Sent: \* Tuesday, April 25, 2006 12:09 PM  
\*To: \* john.weingart@rutgers.edu  
\*Cc: \*   
\*Subject: \* Re: Eagleton/Moritz Next Steps

John and Tom-

A couple of items related to timing over the next several weeks:

1. Is it possible to get your final report on Provisional Voting by COB May 5? If so, I can get this to the four Commissioners for final review and approval. It will then be ready to present to the EAC Board of Advisors and Standards Board at the May 24 meeting.

013741

2. As we discussed I have been working to identify a small group of academics( three or so) who will be available to review the Voter ID paper the week of May 8. The focus of the review will be on Tim's research methodology and statistical analysis. I am fairly certain that this review can be done via conference call , preferably on May 11 or May 12. This would assume each of the reviewers will have spent time reviewing the paper, taking extensive notes and summarizing his or her comments. I expect that you all, Tim, Mike Alvarez and any others from your peer review panel, who have an expertise in research and statistics, will be available for the conference call, as well?

3. While I expect you will be able to have your final Voter ID paper to me sometime during the week of May 15, it is not clear whether or not the paper will be presented to the EAC Standards and Advisory Boards the following week. As you know, the paper contains some controversial information, so the Commissioners may elect to spend additional time reviewing the findings among themselves, and before it is formally presented to our Boards.

Let me know if this schedule works for you all.

Regards-

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

013742



"Tom O'neill"

05/01/2006 10:03 AM

To klynndyson@eac.gov

cc "Tim Vercellotti" [redacted].edu>

bcc [redacted].edu

Subject Review of new Voter ID Analysis

History:

 This message has been replied to

Karen,

Tim Vercellotti and I have a proposal to meet your schedule for a conference call on May 11 with Jonathan Nagler, Jan Leighley, and Adam Berinsky, as well as a few members of our Peer Review Group.

Tim's revision will not be complete until May 4. We propose to send this new analysis immediately to you for distribution to the reviewers that day. I will need several days more to incorporate Tim's new data in our summary report.

Since the reviewers will be focused on our methodology, they will need several days to digest the new statistical analysis. In the meantime, I will plug the the new statistical conclusions into our report. We will send the revised summary report to you for distribution to the reviewers on May 9, after our team has looked it over to ensure that it reflects Tim's work accurately and that its policy conclusions and recommendations are well supported by the statistical analysis.

The reviewers will then have a couple of days to satisfy themselves about those same issues, and we can meet the tight time schedule.

This schedule is demanding, but meeting it is important to us so that our report is ready to be discussed with the Advisory Board at its meeting on May 24.

Please let me know if this timetable works for you.

Tom O'Neill

013743



Gracia Hillman/EAC/GOV  
03/22/2007 03:29 PM

To Jeannie Layson/EAC/GOV@EAC  
cc Karen Lynn-Dyson/EAC/GOV@EAC  
bcc

Subject Re: Project allotments

History: This message has been replied to

How about if we ask Eagleton for an estimate of the percent of costs they would attribute to the Voter ID portion of the study?

That way we can say the Voter ID study cost approximately X dollars.  
(And deductively, the Prov Vote study cost X dollars.)

-----  
Sent from my BlackBerry Wireless Handheld  
Jeannie Layson  
----- Original Message -----

**From:** Jeannie Layson  
**Sent:** 03/22/2007 02:23 PM EDT  
**To:** Gracia Hillman  
**Cc:** Karen Lynn-Dyson  
**Subject:** Re: Project allotments

\$560,002

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



Gracia Hillman/EAC/GOV  
03/22/2007 01:17 PM

To Jeannie Layson/EAC/GOV@EAC  
cc Karen Lynn-Dyson/EAC/GOV@EAC  
Subject Re: Project allotments

What is the (total) dollar amount of the contract?

-----  
Sent from my BlackBerry Wireless Handheld

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

**From:** Jeannie Layson  
**Sent:** 03/22/2007 10:59 AM EDT  
**To:** Gracia Hillman  
**Cc:** Karen Lynn-Dyson

013744

**Subject:** Project allotments

Commissioner,

Per your question about how much of the contract was actually spent on voter ID research vs provisional voting... I have yet to find the answer. I have reviewed the RFP and the invoices, but so far, it does not appear that these tasks were tracked separately. Karen and I continue to look into this, but I wanted to let you know what we've found so far.

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

013745

Jeannie Layson/EAC/GOV  
03/22/2007 05:57 PM

To Karen Lynn-Dyson/EAC/GOV@EAC  
cc  
bcc  
Subject Re: Project allotments 

I think so, but let's check w/Julie first to make sure that's appropriate.

-----  
Sent from my BlackBerry Wireless Handheld

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

**From:** Karen Lynn-Dyson  
**Sent:** 03/22/2007 05:38 PM EDT  
**To:** Jeannie Layson  
**Cc:** Gracia Hillman; Jeannie Layson  
**Subject:** Re: Project allotments

Jeannie-

Shall I go ahead and call John Weingart and ask him for an estimate of what they spent on each?

Happy to do so tomorrow.

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

03/22/2007 05:10 PM

To Gracia Hillman/EAC/GOV@EAC, Karen Lynn-Dyson/EAC/GOV@EAC  
cc "Jeannie Layson" <jlayson@eac.gov>  
Subject Re: Project allotments Link

013746

No, that has not been said publically. But in anticipation of it being asked, I want to make sure we have the facts straight.

-----  
Sent from my BlackBerry Wireless Handheld

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

**From:** Gracia Hillman  
**Sent:** 03/22/2007 05:06 PM EDT  
**To:** Karen Lynn-Dyson  
**Cc:** Jeannie Layson  
**Subject:** Re: Project allotments

Well, I certainly wouldn't want us to do anything inappropriate. And I don't know the regs and rules on what we can and cannot ask.

What do you suppose the problem might be with our asking that question?

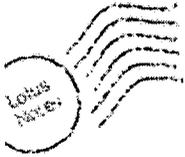
We received 2 distinct products and we find that it would be helpful for us to know what we spent on each effort. We aren't questioning their record keeping, we aren't asking them to reconstruct or research their records, we aren't asking them for an itemization, just an estimate.

The problem is that EAC is saying we spent 500 thou on the Voter ID study. That is wrong info. We need to stop saying that and I hope that has not been said publically, otherwise we need to correct the record ASAP.

And we also did not spend 500 thou on the Provisional Voting study. So, I guess we just have to say we spent 500 thou for both and when asked what we spent for one, we say we don't know. ??

-----  
Sent from my BlackBerry Wireless Handheld

013747



Gracia Hillman/EAC/GOV  
03/22/2007 05:06 PM

To Karen Lynn-Dyson/EAC/GOV@EAC  
cc Jeannie Layson/EAC/GOV@EAC  
bcc

Subject Re: Project allotments

Well, I certainly wouldn't want us to do anything inappropriate. And I don't know the regs and rules on what we can and cannot ask.

What do you suppose the problem might be with our asking that question?

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And we also did not spend 500 thou on the Provisional Voting study. So, I guess we just have to say we spent 500 thou for both and when asked what we spent for one, we say we don't know. ??

-----  
Sent from my BlackBerry Wireless Handheld

013748

Juliet E. Hodgkins/EAC/GOV  
02/01/2007 03:29 PM

To "Davidson, Donetta" <ddavidson@eac.gov>, Karen  
Lynn-Dyson/EAC/GOV@EAC

cc

bcc

Subject More thoughts on Eagleton draft report

After having read the Eagleton draft report, I have some thoughts and questions:

I am troubled by the concept that Eagleton compared states as if they were equal. They assume that, all factors being equal, that the voter turn out in each state would be equal. I am not at all certain that this is the case. Further, there is no evidence that the staticians actually compared previous years' turnout in the same state to determine whether 2004 was some sort of anomaly for that state (high or low). Long story short, I am very skeptical of the data that they used to draw conclusions. We should ask questions about what data they used, how they parsed it, why they used the data, what other data could have been used to provide better, more reliable results.

My second concern is how they (statistically speaking) differentiate between a minimum requirement (i.e. state name, photo i.d., etc) and a maximum requirement (i.e., state name, photo i.d., etc.). It makes no sense to me how they could possibly arrive at a different percentage for these requirement levels.

My third issue is the persistent use of the phrases "ballot access" and "ballot integrity" without some definition or some explanation of what those concepts are.

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

013749

**Deliberative Process  
Privilege**

Karen Lynn-Dyson/EAC/GOV  
04/28/2006 12:44 PM

To "Tom O'Neill" [REDACTED]@GSAEXTERNAL  
cc [REDACTED]  
bcc Thomas R. Wilkey/EAC/GOV@EAC; rma@hass.caltech.edu;  
Juliet E. Thompson-Hodgkins/EAC/GOV@EAC  
Subject Re: Voter ID Paper --Final Draft

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  
tel:202-566-3123

013750

**Deliberative Process  
Privilege**

Karen Lynn-Dyson/EAC/GOV  
04/28/2006 01:13 PM

To: Thomas R. Wilkey/EAC/GOV@EAC  
cc  
bcc  
Subject: Re: Voter ID Paper –Final Draft 

Tom-

You'll recall that we discussed the fact that the peer review group who Eagleton has assembled do not have the sufficient technical expertise to give us the expert/technical advice we need on the statistical analysis of the Voter ID piece. Only two persons on Eagleton's peer review group have a requisite research and statistical background and knowledge.

You may also remember that Mike told me that he thought that the paper needed an additional set of eyes and review by academics with a background and expertise in election statistics and analysis. When I initially proposed a review panel of six you said that was too many; we agreed that I would find three persons to do the review and that we would pay them a small honoraria for doing the review.

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

013751

**Deliberative Process  
Privilege**

Karen Lynn-Dyson/EAC/GOV  
04/28/2006 01:33 PM

To Thomas R. Wilkey/EAC/GOV@EAC  
cc  
bcc  
Subject Re: Voter ID Paper --Final Draft

\$100-\$200 each, review next week.

Conference call with Eagleton to discuss results on May 11.

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

Thomas R. Wilkey/EAC/GOV

Thomas R. Wilkey/EAC/GOV  
04/28/2006 01:23 PM

To Karen Lynn-Dyson/EAC/GOV@EAC  
cc  
Subject Re: Voter ID Paper --Final Draft

How much of an honorarium and how fast do we get their review.

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

**From:** Karen Lynn-Dyson  
**Sent:** 04/28/2006 01:13 PM  
**To:** Thomas Wilkey  
**Subject:** Re: Voter ID Paper --Final Draft

Tom-

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You may also remember that Mike told me that he thought that the paper needed an additional set of eyes and review by academics with a background and expertise in election statistics and analysis. When I initially proposed a review panel of six you said that was too many; we agreed that I would find three persons to do the review and that we would pay them a small honoraria for doing the review.

K

013752

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

013753

**Deliberative Process  
Privilege**

Karen Lynn-Dyson/EAC/GOV

To Thomas R. Wilkey/EAC/GOV@EAC, Juliet E.  
Thompson-Hodgkins/EAC/GOV@EAC

05/01/2006 02:58 PM

cc

bcc

Subject E-mail to Voter ID peer reviewers

Tom and Julie-

Please take a look at this draft e-mail and let me know if it captures all that it needs to.

Would like to get this out ASAP- appreciate your feedback..

Dear Jonathan Nagler

Dear Jan Leighley

Dear Adam Berinsky

On behalf of the U.S. Election Assistance Commission (EAC), thank you in advance for agreeing to assist us with the review of research conducted by the Eagleton Institute of Politics on voter identification. By **Friday, May 5, 2006**, you will receive, in electronic form, the research paper and relevant data analysis which supports the paper's findings. Through this independent review by a small group of experts familiar with elections data and research we are seeking feedback on:

- The research methodology which was used to support the paper's conclusions
- The specific statistical applications which were used to analyze the data and arrive at various conclusions

If there are alternate methodological and statistical approaches to analyzing the data on voter identification, and if there is other data on voter identification that you think should have been included in the analysis, please be certain to note this in your comments.

On **May 11, 2006** EAC will conduct a 60-90 minute phone call with key Eagleton Institute staff responsible for the research, members of Eagleton's peer review group and the EAC-identified reviewers who have been asked to consider the research. Through this dialogue EAC hopes to gather varying perspectives and insights on the research strategies and methods that were employed by Eagleton. As a result of this conversation, EAC anticipates that some revisions will be made to the Eagleton research paper. This paper is scheduled to be presented to EAC's Board of Advisors and Standards Boards in late May.

While EAC agency policy does not allow us to provide you with financial compensation for your review of this research we greatly appreciate your willingness to assist us with this important task. We believe that the research findings we will provide on voter identification are important and will most certainly be enhanced by your insights and expertise.

013754

Sincerely,

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

013755

Karen Lynn-Dyson/EAC/GOV  
05/01/2006 03:03 PM

To Thomas R. Wilkey/EAC/GOV@EAC  
cc Juliet E. Thompson-Hodgkins/EAC/GOV@EAC  
bcc  
Subject Re: E-mail to Voter ID peer reviewers

It's my understanding that Julie thinks we are "good to go" as long as we don't pay them.

Correct?

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

Thomas R. Wilkey/EAC/GOV

Thomas R. Wilkey/EAC/GOV  
05/01/2006 03:00 PM

To Karen Lynn-Dyson/EAC/GOV@EAC, Juliet E.  
Thompson-Hodgkins/EAC/GOV  
cc  
Subject Re: E-mail to Voter ID peer reviewers

Did we resolve the contact issues on this?

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

**From:** Karen Lynn-Dyson  
**Sent:** 05/01/2006 02:58 PM  
**To:** Thomas Wilkey; Juliet Thompson-Hodgkins  
**Subject:** E-mail to Voter ID peer reviewers

Tom and Julie-

Please take a look at this draft e-mail and let me know if it captures all that it needs to.

Would like to get this out ASAP- appreciate your feedback..

Dear Jonathan Nagler  
Dear Jan Leighley  
Dear Adam Berinsky

013756

On behalf of the U.S. Election Assistance Commission (EAC), thank you in advance for agreeing to assist us with the review of research conducted by the Eagleton Institute of Politics on voter identification. By **Friday, May 5, 2006**, you will receive, in electronic form, the research paper and relevant data analysis which supports the paper's findings. Through this independent review by a small group of experts familiar with elections data and research we are seeking feedback on:

- The research methodology which was used to support the paper's conclusions
- The specific statistical applications which were used to analyze the data and arrive at various conclusions

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On **May 11, 2006** EAC will conduct a 60-90 minute phone call with key Eagleton Institute staff responsible for the research, members of Eagleton's peer review group and the EAC-identified reviewers who have been asked to consider the research. Through this dialogue EAC hopes to gather varying perspectives and insights on the research strategies and methods that were employed by Eagleton. As a result of this conversation, EAC anticipates that some revisions will be made to the Eagleton research paper. This paper is scheduled to be presented to EAC's Board of Advisors and Standards Boards in late May.

While EAC agency policy does not allow us to provide you with financial compensation for your review of this research we greatly appreciate your willingness to assist us with this important task. We believe that the research findings we will provide on voter identification are important and will most certainly be enhanced by your insights and expertise.

Sincerely,

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

013757

Karen Lynn-Dyson/EAC/GOV

To [REDACTED]

05/01/2006 05:36 PM

cc

bcc

Subject: Review of EAC research on Voter Identification

Dr. Berinsky-

On behalf of the U.S. Election Assistance Commission (EAC), thank you in advance for agreeing to assist us with the review of research conducted by the Eagleton Institute of Politics on voter identification. By **Friday, May 5, 2006**, you will receive, in electronic form, the research paper and relevant data analysis which supports the paper's findings. Through this independent review by a small group of experts familiar with elections data and research we are seeking feedback on:

- The research methodology which was used to support the paper's conclusions
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On **May 11, 2006** EAC will conduct a 60-90 minute phone call with key Eagleton Institute staff responsible for the research, members of Eagleton's peer review group and the EAC-identified reviewers who have been asked to consider the research. Through this dialogue EAC hopes to gather varying perspectives and insights on the research strategies and methods that were employed by Eagleton. As a result of this conversation, EAC anticipates that some revisions will be made to the Eagleton research paper. This paper is scheduled to be presented to EAC's Board of Advisors and Standards Boards in late May.

While we are unable to offer financial compensation for your review of this research we greatly appreciate your willingness to assist us with this important task. We believe that the research findings we will provide on voter identification are important and will most certainly be enhanced by your insights and expertise.

Sincerely,

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

013758

Karen Lynn-Dyson/EAC/GOV

To [REDACTED]

cc

05/01/2006 05:37 PM

bcc

Subject Fw: Review of EAC research on Voter Identification

Dr. Leighley-

On behalf of the U.S. Election Assistance Commission (EAC), thank you in advance for agreeing to assist us with the review of research conducted by the Eagleton Institute of Politics on voter identification. By **Friday, May 5, 2006**, you will receive, in electronic form, the research paper and relevant data analysis which supports the paper's findings. Through this independent review by a small group of experts familiar with elections data and research we are seeking feedback on:

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- The specific statistical applications which were used to analyze the data and arrive at various conclusions

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While we are unable to offer financial compensation for your review of this research we greatly appreciate your willingness to assist us with this important task. We believe that the research findings we will provide on voter identification are important and will most certainly be enhanced by your insights and expertise.

Sincerely,

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

013759

Karen Lynn-Dyson/EAC/GOV

To [REDACTED]

cc

05/01/2006 05:38 PM

bcc

Subject Fw: Review of EAC research on Voter Identification

Dr. Nagler-

On behalf of the U.S. Election Assistance Commission (EAC), thank you in advance for agreeing to assist us with the review of research conducted by the Eagleton Institute of Politics on voter identification. By **Friday, May 5, 2006**, you will receive, in electronic form, the research paper and relevant data analysis which supports the paper's findings. Through this independent review by a small group of experts familiar with elections data and research we are seeking feedback on:

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- The specific statistical applications which were used to analyze the data and arrive at various conclusions

If there are alternate methodological and statistical approaches to analyzing the data on voter identification, and if there is other data on voter identification that you think should have been included in the analysis, please be certain to note this in your comments.

On **May 11, 2006** EAC will conduct a 60-90 minute phone call with key Eagleton Institute staff responsible for the research, members of Eagleton's peer review group and the EAC-identified reviewers who have been asked to consider the research. Through this dialogue EAC hopes to gather varying perspectives and insights on the research strategies and methods that were employed by Eagleton. As a result of this conversation, EAC anticipates that some revisions will be made to the Eagleton research paper. This paper is scheduled to be presented to EAC's Board of Advisors and Standards Boards in late May.

While we are unable to offer financial compensation for your review of this research we greatly appreciate your willingness to assist us with this important task. We believe that the research findings we will provide on voter identification are important and will most certainly be enhanced by your insights and expertise.

Sincerely,

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

013760

Karen Lynn-Dyson/EAC/GOV

To Aletha Barrington/CONTRACTOR/EAC/GOV@EAC

05/04/2006 04:14 PM

cc

bcc

Subject E-mail addresses for EAC peer reviewers

Aletha-

Here are the names and e-mail addresses of the three individuals who will participate in the May 11 11:30 am conference call

Adam Berinsky- [REDACTED]  
Jonathan Nagler- [REDACTED] du  
Jan Leighley- [REDACTED]

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

013781

Karen Lynn-Dyson/EAC/GOV

To [REDACTED]

05/05/2006 09:00 AM

cc Aletha Barrington/CONTRACTOR/EAC/GOV@EAC, Thomas R. Wilkey/EAC/GOV@EAC

bcc Bert A. Benavides/EAC/GOV@EAC

Subject Fw: Revised Voter ID Analysis

Colleagues-

Attached please find the data analysis on voter identification requirements which the Eagleton Institute of Politics has prepared for the U.S. Election Assistance Commission.

As you will note from Eagleton's Project Manager, Tom O'Neill, the voter id paper which incorporates this analysis, and will be presented to the public in June, is forthcoming early next week.

EAC's Contract's Assistant, Aletha Barrington, will be in touch with each of you to provide specifics regarding the May 11, 11:30 am conference call, in which we will discuss the papers.

In the meantime, many thanks again for agreeing, on such short notice, to lend your expertise to this effort.

Regards-

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

— Forwarded by Karen Lynn-Dyson/EAC/GOV on 05/05/2006 08:49 AM —



"Tom O'Neill"

[REDACTED]  
05/04/2006 05:00 PM

To klynndyson@eac.gov

cc [REDACTED]

Subject Revised Voter ID Analysis

Karen,

Attached is Tim Vercellotti's Voter ID analysis revised to use Citizen Voting Age population as the base for turnout calculations and to take account of comments or issues raised by the EAC and our Peer Review Group. This draft is for distribution to the reviewers who will meet by teleconference on May 11, at, we understand, 11:30 a.m.

You are receiving this at the same time that it is being distributed to the Eagleton-Moritz team

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so that the new reviewers will have a week to prepare for our conversation on the 11<sup>th</sup>. Early next week you will receive a revised summary paper on Voter ID that incorporates the new data and findings in Tim's revised analysis. That too will be for distribution to the new reviewers.

Tom O'Neill



VoterIDAnalysis VercRev0504.doc

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**Analysis of Effects of Voter Identification Requirements on Turnout**  
**Tim Vercellotti**  
**Eagleton Institute of Politics**  
**Rutgers University**  
**May 4, 2006**

**Introduction**

A key area of disagreement in the policy debate over voter identification requirements concerns whether such requirements dampen voter turnout. Opponents of voter identification laws argue that they constitute an institutional barrier to voting, particularly among the poor, African-Americans, Hispanics, the elderly and people with disabilities (Baxter and Galloway 2005, Electionline.org 2002, Jacobs 2005, Young 2006). This argument holds that voter identification requirements create an extra demand on voters, and thus may discourage some of them from participating in elections. Further, critics of voter identification requirements contend that the effect is greater for some specific types of requirements. For example, critics argue that requiring voters to produce government-issued photo identification on Election Day is more demanding than, say, requiring that they state their names at the polling place. Supporters of voter identification requirements, on the other hand, argue that the requirements are necessary to combat voter fraud, safeguard the integrity of the electoral process, and engender faith in the electoral process among citizens (Young 2006).

This report examines the potential variation in turnout rates based on the type of voter identification requirement in place in each state on Election Day 2004. It draws on two sets of data – aggregate turnout data at the county level for each state, as compiled by the Eagleton Institute of Politics, and individual-level survey data included in the November 2004 Current Population Survey conducted by the U.S. Census Bureau. Classification of voter identification requirements comes from a review of state statutes conducted by the Moritz College of Law at the Ohio State University.

**Types of voter identification requirements**

Based on research performed for this study by the Moritz College of Law, states had one of five types of requirements in place on Election Day 2004. Upon arrival at polling places, voters had to: state their names (nine states); sign their names (13 states and the District of Columbia); match their signature to a signature on file with the local election board (eight states); provide a form of identification that did not necessarily include a photo (15 states); or provide a photo identification (five states).<sup>1</sup> It was then possible to code the states according to these requirements, and test the assumption that voter identification requirements would pose an increasingly demanding requirement in this order: 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.

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<sup>1</sup> Oregon conducts elections entirely by mail. Voters sign their mail-in ballots, and election officials match the signatures to signatures on file. For the purposes of this analysis, Oregon is classified as a state that requires a signature match.

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But election laws in numerous states offer exceptions to these requirements if individuals lack the necessary form of identification, and laws in those states set a minimum standard that a voter must meet in order to vote using a regular ballot (as opposed to a provisional ballot). Thus it is also possible to categorize states based on the minimum requirement for voting with a regular ballot. In 2004 the categories were somewhat different compared to the maximum requirement, in that none of the states required photo identification as a minimum standard for voting with a regular ballot. Four states, however, required voters to swear an affidavit as to their identity (Florida, Indiana, Louisiana, and North Dakota). The five categories for minimum requirements were: state name (12 states), sign name (14 states and the District of Columbia), match one's signature to a signature on file (six states), provide a non-photo identification (14 states), or swear an affidavit (four states). For the purposes of this analysis I treated the array of minimum identification requirements also in terms of increasing demand on the voter: state name, sign name, match signature, provide non-photo identification, and, given the potential legal consequences for providing false information, swearing an affidavit.

### **Estimating turnout among citizens in the voting-age population**

This report examines turnout among U.S. citizens of voting age in both the aggregate- and the individual-level data. Determining citizenship status in the individual-level data simply involved restricting the analyses to individuals who identified themselves as citizens in the November 2004 Current Population Survey. (Those who said they were not citizens did not have the opportunity to answer the supplemental voting questions contained in the Current Population Survey.)

In the aggregate data, determining the percentage of the voting-age population that has U.S. citizenship posed a methodological challenge. The Census Bureau gathers information on the citizenship status of adults ages 18 and older only during the decennial census. While the Census Bureau provides annual estimates of the population to account for changes between decennial censuses, the bureau does not offer estimates for the proportion of the adult population who are citizens as part of the annual estimates. To address this issue I estimated the 2004 citizen voting-age population for each county using a method reported in the analysis of the 2004 Election Day Survey conducted for the U.S. Election Assistance Commission (U.S. Election Assistance Commission, 2005). I calculated the percentage of the 2000 voting-age population who were citizens in 2000, and applied that percentage to the July 1, 2004 estimates for voting-age population in each county. In other words, I assumed that the percentage of the voting-age population that had U.S. citizenship in 2004 was similar to the percentage of the voting-age population who were citizens in 2000.<sup>2</sup>

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<sup>2</sup> McDonald and Popkin (2001) recommend an even more stringent approach to voter turnout calculations. They point out that voting-age population estimates include adults who are ineligible to vote (such as convicted felons), and the estimates overlook eligible citizens living overseas. While estimates of the voting-eligible population are available at the state level, I was unable to find such estimates for individual counties, which provide the unit of analysis for the aggregate data analyzed here.

## Analysis of aggregate data

If one treats maximum voter identification requirements as an ordinal variable, with photo identification as the most demanding requirement, one finds some statistical support for the premise that as the level of required proof increases, turnout declines. Averaging across counties in each state, statewide turnout is negatively correlated with maximum voter identification requirements ( $r = -.30, p < .0001$ ). In considering the array of minimum requirements, with affidavit as the most demanding requirement, voter identification also is negatively correlated with turnout ( $r = -.20, p < .0001$ ). Breaking down the turnout rates by type of requirement reveals in greater detail the relationship between voter identification requirements and voter turnout.

[Table 1 here]

The aggregate data show that 60.9 percent of the estimated citizen voting age population voted in 2004. Differences in voter turnout at the state level in 2004 varied based on voter identification requirements. 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 emerged when considering minimum requirements. Sixty-three percent of the voting age population turned out in states requiring voters to state their names, compared to 60.1 percent in states that required an affidavit from voters.

Voter identification requirements alone, however, do not determine voter turnout. Multivariate models that take into account other predictors of turnout can paint a more complete picture of the relationship between voter identification requirements and turnout. I estimated the effects of voter identification requirements in multivariate models that also took into account the electoral context in 2004 and demographic characteristics of the population in each county. I coded the voter identification requirements on a scale of one to five, with one representing the least demanding form of identification and five representing the most demanding form of identification. To capture electoral context I included whether the county was in a presidential battleground state (any state in which the margin of victory for the winning candidate was five percent or less), and whether the county was in a state with a competitive race for governor and/or the U.S. Senate (also using the threshold of a margin of victory of five percent or less). Drawing from U.S. Census projections for 2003, I included the percentage of the voting-age population in each county that was Hispanic or African-American to control for ethnicity and race. I controlled for age using the 2003 Census projection for the percentage of county residents age 65 and older, and I controlled for socioeconomic status by including the percentage of individuals who fell below the poverty line in each county in the 2000 Census.

I estimated a series of random intercept models to account for the likelihood that data from counties were correlated within each state (for further explanation of random intercept and other multilevel models, see Bryk and Raudenbush 1992, Luke 2004, Singer 1998).<sup>3</sup> The

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<sup>3</sup> The data analyses provided evidence that there was, indeed, a clustering of data within each state. The intraclass correlation, bounded by 0 and 1, measures the variation between the states. A random intercept model using only the

dependent variable in each model was voter turnout at the county level, with turnout calculated as the percentage of the estimated citizen voting-age population that voted in the 2004 election.

[Table 2 here]

Turning first to an analysis using the maximum identification requirements, those requirements had a small and negative effect on turnout in 2004 controlling for electoral context and demographic factors. Both contextual factors (whether the county was in a state that was a battleground state and whether that state had a competitive race for governor and/or U.S. Senate) increased voter turnout. As the percentage of senior citizens in the county increased, so did turnout. The percentage of African-Americans in the county exerted a positive effect on voter turnout, and the percentage of individuals living below the poverty line had a negative effect. The effect of the percentage of Hispanic adults in the county on turnout fell just short of statistical significance ( $p = .05$ ).

I then sought to test the hypothesis that voter identification requirements dampen turnout among minorities and the poor, a claim voiced by some critics of the requirements. To test this idea I incorporated a series of interactions between the maximum voter identification requirements and the percentage of African-Americans, Hispanics, and poor individuals in the counties. The interaction involving African-Americans was not significant, but those involving Hispanics and poor individuals were significant.<sup>4</sup> In addition, adding the interactions to the model resulted in the percentage of Hispanics in the population having a direct and negative effect on turnout. The interactions suggest that voter identification requirements have a greater effect for Hispanics and those living below the poverty line. A chi-square test of the difference in the deviance for each model (represented by  $-2 \log$  likelihood in Table 2), shows that the model with interactions provides a better fit to the data ( $p < 0.005$ ).

I also estimated the effects of the minimum voter identification requirements holding constant the effects of electoral context and the demographic variables.

[Table 3 here]

The effects of the minimum requirements fell short of statistical significance ( $p = 0.08$ ). The battleground state variable continued to exert a positive influence on turnout, while the presence of a competitive race for governor and/or U.S. Senate had no statistically significant effect. As in the maximum identification requirement model, as the percentage of the population that is poor increased, turnout declined. As the percentage of elderly increased, so did turnout. The proportion of African-Americans in the population had a positive effect on turnout, while the percentage of Hispanics did not affect turnout.

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intercept as a predictor generated an intraclass correlation of .43, indicating considerable variation between the states.

<sup>4</sup> The interactions are labeled in Tables 2 and 3 as VID\*African-American, VID\*Hispanic, and VID\*Poverty. To calculate the effects of voter identification requirements for a specific group, one must add the estimates for voter identification, the group, and the interaction. Doing so for Hispanic adults results in an estimate of  $-0.13 [-0.03 (\text{voter id}) - 0.13 (\text{Hispanic}) + 0.03 (\text{voter id X Hispanic})]$ .

Adding interactive effects to the model resulted in a statistically significant and negative effect of minimum voter identification requirements on turnout. The percentage of Hispanic adults in the county had a significant and negative effect on turnout, and the percentage of individuals below the poverty line continued to have a negative effect. Interactions between the percentages of Hispanics and those below the poverty line and minimum voter identification requirements also were significant. The percentage of African-Americans in the county and the interaction between African-Americans and voter identification requirements were not significant. A chi-square test for the difference in fit between the two models showed that the model with interactions provides a better fit to the data ( $p < .025$ ).

Analysis of the aggregate data at the county level generates some support for the hypothesis that as the demands of voter identification requirements increase, turnout declines. This is particularly so for counties with concentrations of Hispanic residents or individuals who live below the poverty line. But aggregate data cannot fully capture the individual demographic factors that may figure into the decision to turn out to vote. For example, previous research has found that education is a powerful determinant of turnout (Wolfinger and Rosenstone 1980, but see also Nagler 1991).<sup>5</sup> Married individuals also are more likely to vote than those who are not married (Alvarez and Ansolabehere 2002; Alvarez, Nagler and Wilson 2004; Fisher, Kenny, and Morton 1993). To fully explore the effects of voter identification requirements on turnout, it is important to examine individual-level data as well.

### **Individual-level analysis**

Individual-level turnout data exists in the November 2004 Current Population Survey conducted by the U.S. Census Bureau. The Census Bureau conducts the CPS monthly to measure unemployment and other workforce data, but the bureau adds a battery of voter participation questions to the November survey in even-numbered years to coincide with either a presidential or midterm Congressional election.

One of the advantages of the CPS is the sheer size of the sample. The survey's Voting and Registration Supplement consisted of interviews, either by telephone or in person, with 96,452 respondents.<sup>6</sup> The large sample size permits analyses of smaller groups, such as Black or Hispanic voters or voters with less than a high school education. The analyses reported here are based on reports from self-described registered voters. I omitted those who said they were not registered to vote. I also excluded those who said they cast absentee ballots because the identification requirements for absentee ballots may differ from those required when one votes in person. In addition, I eliminated from the sample respondents who said they were not U.S.

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<sup>5</sup> A reviewer for an earlier version of this paper recommended adding an education variable to the aggregate model. One version of the aggregate model not reported here included the percentage of adults in the county who had at least a college degree. The measure was highly collinear with the percentage of residents living below the poverty line, necessitating removal of the college degree variable from the model.

<sup>6</sup> It is important to note that the Census Bureau allows respondents to answer on behalf of themselves and others in the household during the interview. While proxy reporting of voter turnout raises the possibility of inaccurate reports concerning whether another member of the household voted, follow-up interviews with those for whom a proxy report had been given in the November 1984 CPS showed 99 percent agreement between the proxy report and the information given by the follow-up respondent (U.S. Census Bureau 1990).

citizens because the questionnaire design skipped those individuals past the voter registration and turnout questions in the survey.

The dependent variable in these analyses is whether a respondent said he or she voted in the November 2004 election.<sup>7</sup> As in the analysis of aggregate data, I coded voter identification requirements for each respondent's state of residence on a scale of one to five, with one representing the least demanding requirement (stating one's name) and five representing the most demanding requirement (photo identification or affidavit).

In addition to the voter identification requirements, the models include two other state-level factors that might have influenced turnout in 2004: whether the state was considered a battleground state in the presidential election, and whether there was a gubernatorial and/or U.S. Senate race in the state (see Alvarez and Ansolabehere 2002, Alvarez et al. 2004, and Kenny et al. 1993 for similar approaches). As in the aggregate data analysis, the threshold that determined whether the state was a battleground state or had a competitive statewide race was a margin of victory of five percent or less. At the individual level, I controlled for gender, age in years, education, household income, and dummy variables representing whether a voter was Black/non-Hispanic, Hispanic, or another non-white race (with white/non-Hispanic voters as the omitted category for reference purposes).<sup>8</sup> Drawing on previous research on voting behavior, I also controlled for whether an individual was employed, or at least a member of the workforce (as opposed to being a full-time student, a homemaker, or retired). Both employment and workforce membership have been shown to be positive predictors of turnout (see Mitchell and Wlezien 1995). Marital status, whether one is a native-born citizen and residential mobility also have emerged as significant predictors of turnout (Alvarez and Ansolabehere 2002, Alvarez et al. 2004, Kenney et al. 1993, Wolfinger and Rosenstone 1980). I included in the model variables for whether a respondent was married (coded 1 if yes, 0 otherwise), and whether one was a native-born citizen (coded 1 if yes, 0 otherwise). I measured residential mobility by coding for whether the respondent had moved to a new address in the six months prior to the interview (coded 1 if yes, 0 otherwise).

## Results

The dependent variable is whether a respondent said he or she voted in the November 2004 election (coded 1 for yes, 0 for no). I estimated models using probit analysis, which

<sup>7</sup> The U.S. Census Bureau reported, based on the November 2004 CPS, that 89 percent of those who identified themselves as registered voters said they voted in 2004 (U.S. Census Bureau 2005). Previous research has shown that, generally speaking, some survey respondents overstate their incidence of voting. Researchers speculate that over-reports may be due to the social desirability that accompanies saying one has done his or her civic duty, or a reluctance to appear outside the mainstream of American political culture (U.S. Census Bureau 1990). It is also possible that voting is an indication of civic engagement that predisposes voters to agree to complete surveys at a higher rate than non-voters (Flanigan and Zingale 2002). Hence the voter turnout rates reported in the CPS tend to be up to 10 percentage points higher than the actual turnout rate for the nation (Flanigan and Zingale 2002). Even with this caveat, however, the CPS serves as a widely accepted source of data on voting behavior.

<sup>8</sup> Asian-Americans are included in the "other non-white races" category. In response to a request from officials at the U.S. Election Assistance Commission who had read an earlier version of this paper and were curious about the experiences of Asian-Americans, I ran models using Asian-Americans as a separate category in addition to the models presented here. Voter identification requirements did not have a statistically significant effect on whether Asian-American voters said they turned out in the 2004 election.

calculates the effects of independent variables on the probability that an event occurred – in this case whether a respondent said he or she voted. I estimated the models using robust standard errors to control for correlated error terms for observations from within the same state.

[Table 4 here]

The two models in Table 4 use either the maximum or minimum voter identification requirements in each state. The two models generate virtually identical results. Voter identification requirements exert a statistically significant, negative effect on whether survey respondents said they had voted in 2004. Of the other state factors, only the competitiveness of the presidential race had a significant effect on turnout. In terms of demographic influences, African-American voters were more likely than white voters to say they had cast a ballot, while those of other non-white races were less likely than white voters to say they had turned out. Hispanic voters were not statistically different from white voters in terms of reported turnout. Consistent with previous research, age, education, income, and marital status all were positive predictors of voting. Women also were more likely to say they voted than men. Those who had moved within six months before the interview were less likely to say they had voted.

While the probit models provide statistical support for the influence of voter identification requirements and other variables on turnout, probit coefficients do not lend themselves to intuitive interpretation. Another common approach in studies of election requirements is to examine how the predicted probability of voter turnout would vary as election requirements vary. I used the probit coefficients to calculate the predicted probability of voting at each level of voter identification requirements while holding all other independent variables in the models at their means.<sup>9</sup> I calculated the probabilities taking into account both maximum and minimum requirements, with photo identification serving as the most demanding of the maximum requirements and affidavits as the most demanding minimum requirement.

[Table 5 here]

Allowing the voter identification requirement to vary while holding constant all other variables in the model showed that the predicted probability of turnout ranged from 0.912 for stating one's name to 0.887 for photo identification under the maximum requirements. In other words, the probability of voting dropped with each level of voter identification requirement, with a total drop of .025, or 2.5 percent, across the five types of identification.<sup>10</sup> When taking into account the minimum requirement for identification, the probability showed a similar decline, with a slightly larger total drop of 3.3 percent.

Among the key variables of interest in the debate over voter identification requirements are race, age, income, and education. Given the large sample size (54,973 registered voters), it

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<sup>9</sup> In the case of dichotomous independent variables, holding them at their mean amounted to holding them at the percentage of the sample that was coded 1 for the variable (Long 1997).

<sup>10</sup> The voter turnout percentages may seem disproportionately high compared to the turnout rates reported in the aggregate data analysis. It is important to consider that the turnout rates in the aggregate data were a proportion of all citizens of voting-age population, while the turnout rates for the individual-level data are the proportion of only registered voters who said they voted.

was possible to break the sample into sub-samples along those demographic lines to explore variation in predicted probability by group. I disaggregated the sample by the variable of interest, omitting that variable while I re-ran the probit model with the remaining predictors of voter turnout, including the voter identification requirements.<sup>11</sup> If the analysis showed that the voter identification requirements had a statistically significant effect on turnout, I used the probit coefficients from the model to calculate the predicted probability of voting for each group across the five requirements while holding the other variables in the model constant.

[Table 6 here]

Both the maximum and minimum identification requirements had negative and statistically significant effects for White/Non-Hispanic voters. Allowing the requirements to vary from stating one's name to providing photo identification or an affidavit showed drops of 2.5 percent and 3.2 percent respectively in the predicted probability of voting. The identification requirements had no effect on the probability of Black/Non-Hispanics voting, but the minimum identification requirements had a comparatively sizable effect on voter turnout among Hispanics. The predicted probability of Hispanics voting ranged from 87 percent if stating one's name was the required form of identification to 77.3 percent if a voter would have to provide an affidavit in order to vote, a difference of 9.7 percent.

The effects of voter identification requirements also varied by age, with the greatest variation occurring among voters ages 18 to 24.

[Table 7 here]

Voters in that age group had a predicted probability of 83.9 percent when the maximum requirement was stating one's name, and the probability dropped 8.9 percentage points if voters would have to provide photo identification. The range was from 83.1 percent to 75.4 percent under the minimum requirements. The gap in probability narrowed in older age groups (4.8 percent for the maximum requirements and 5.8 percent for the minimum requirements for those ages 25 to 44; 1.8 percent for the minimum requirements for those ages 45 to 64, and 2.4 percent for the minimum requirements for those ages 65 and older).

Breaking down the 18- to 24-year-old age group by race shed additional light on the effects of voter identification requirements on specific groups.

[Table 8 here]

The gap in predicted probability that White/Non-Hispanic voters in the 18- to 24-year-old category would turn out was 9.2 percent when the identification requirements varied from stating one's name to providing photo identification. The gap was 7.8 percent when taking into account the minimum requirements. The effects of maximum voter identification requirements also were statistically significant for African-Americans in the 18- to 24-year-old age group, with a gap in

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<sup>11</sup> See Nagler 1991 for a similar approach in analyzing the effects of registration closing dates broken down by education levels.

the predicted probability of voting of 10.6 percent. Maximum and minimum voter identification requirements were not a significant predictor of voting among Hispanics ages 18 to 24.

Variation also emerged along the lines of income, with the effects of voter identification requirements varying to a greater extent for voters in households below the poverty line compared to those living above the poverty line.<sup>12</sup>

[Table 9 here]

While the maximum set of requirements did not have a statistically significant effect for voters living below the poverty line, the minimum set of requirements had a significant and negative effect. The probability of voting was .784 for poor voters if they would have to identify themselves by giving their name, and the probability declined to .731 if they would have to provide an affidavit attesting to their identity. Both the maximum and minimum sets of requirements had a significant and negative effect on voters living above the poverty line, but the difference in probability across the effects was narrower (2.3 percent for the maximum requirements and 3.1 percent for the minimum requirements). Given that political discourse about voter identification requirements includes concerns about the effects of the requirements on poor and minority voters, I also ran probit analyses for sub-samples of white and minority voters who fell below the poverty line. The voter identification requirements did not exert statistically significant effects on turnout among poor White/Non-Hispanic and Hispanic voters, but did have a significant effect on Black/Non-Hispanic voters who were below the poverty line.<sup>13</sup> Allowing the maximum voting requirement to vary from the least to the most demanding, the probability that African-American voters below the poverty line said they had voted dropped by 7.5 percent.

The effects of voter identification requirements varied across education levels as well, with those lowest in education demonstrating the widest variation in probabilities as identification requirements ranged from least to most demanding.

[Table 10 here]

Registered voters who had less than a high school education had a 77.5 percent probability of voting if the maximum requirement would be stating one's name, and a 70.8 percent probability if they would have to provide photo identification under the maximum requirement, a difference of 6.7 percent. The difference from the lowest to the highest requirement among the minimum requirements was 7.4 percent. The difference in probabilities ranged from 3.3 percent for the maximum requirements to 4.5 percent for the minimum requirements for voters with a high school diploma. The range of effects of voter identification requirements was smaller among those with higher levels of education (and non-existent for one category – voters with some college education).

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<sup>12</sup> I coded respondents as being above or below the U.S. Census Bureau's 2004 poverty line based on respondents' reported annual household income and size of the household.

<sup>13</sup> The lack of significant effects for poor Hispanic voters is in contrast to the results from the aggregate data analysis. The sub-sample of poor Hispanic voters was small (n = 491), which may have contributed to the lack of statistical significance.

## Discussion and conclusion

The results presented here provide evidence that as the level of demand associated with voter identification requirements increases, voter turnout declines. This point emerged from both the aggregate data and the individual-level data, although not always for both the maximum and minimum sets of requirements. The overall effect for all registered voters was fairly small, but still statistically significant.

The effects of voter identification requirements were more pronounced for specific subgroups. Hispanic voters and the poor appeared to be less likely to vote as the level of required identification became more demanding, according to both the aggregate and the individual-level data. In the individual-level data, for Hispanic voters, the probability of voting dropped by 9.7 percent across the various levels of minimum identification requirements. Survey respondents living in poor households were 5.3 percent less likely to vote as the requirements varied from stating one's name to attesting to one's identity in an affidavit. African-American voters from households below the poverty line were 7.5 percent less likely to vote as the maximum requirements varied from stating one's name to providing photo identification.

Effects of voter requirements also varied with education. Registered voters who had not graduated from high school were 6.7 percent less likely to say they voted as the maximum requirements ranged from stating one's name to providing photo identification. When considering the minimum requirements, those with less than a high school education were 7.4 percent less likely to say they voted if the requirement was an affidavit as opposed to stating one's name. Age was also a key factor, with voters ages 18 to 24 being 7.7 percent to 8.9 percent less likely to vote as the requirements ranged from stating one's name to providing a photo identification or affidavit. Breaking down the age group by race, the effects were significant for young White/Non-Hispanic and Black/Non-Hispanic voters.

The results shed additional light on the effects of voter identification requirements on two groups often projected as being particularly sensitive to such requirements: African-American voters and elderly voters. The effects on African-American voters were pronounced for two specific sub-samples: African-American voters living below the poverty line and those in the 18- to 24-year-old age group. Also, the elderly, while they would be slightly less likely to vote as requirements ranged from least to most demanding, would not necessarily be affected in the dramatic manner predicted by some opposed to photo identification requirements in particular.

In examining the effects of voter identification requirements on turnout, there is still much to learn. The data examined in this project could not capture the dynamics of how identification requirements might lower turnout. If these requirements dampen turnout, is it because individuals are aware of the requirements and stay away from the polls because they cannot or do not want to meet the requirements?<sup>14</sup> Or, do the requirements result in some voters

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<sup>14</sup> The individual-level data offer some insight here. If advance knowledge of the voter identification requirements were to dampen turnout, it is reasonable to expect that advance knowledge of those requirements also could discourage some individuals from registering to vote. I ran the same probit models using voter registration as the dependent variable (coded 1 if the respondent said he or she was registered, and 0 if the respondent was not

being turned away when they cannot meet the requirements on Election Day? The CPS data do not include measures that can answer this question. Knowing more about the “on the ground” experiences of voters concerning identification requirements could guide policy-makers at the state and local level in determining whether and at what point in the electoral cycle a concerted public information campaign might be most effective in helping voters to meet identification requirements. Such knowledge also could help in designing training for election judges to handle questions about, and potential disputes over, voter identification requirements.

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registered). Neither the maximum nor minimum array of voter identification requirements had a statistically significant effect on the probability that a survey respondent was registered to vote.

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## References

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**Table 1 – Variation in 2004 State Turnout Based on Voter Identification Requirements**

<b>Maximum Requirement</b>		<b>Minimum Requirement</b>	
<b>Voter Identification Required in the States</b>	<b>Mean Voter Turnout for States in that Category</b>	<b>Voter Identification Required in the States</b>	<b>Mean Voter Turnout for States in that Category</b>
<b>State Name</b>	64.6 %	<b>State Name</b>	63.0 %
<b>Sign Name</b>	61.1 %	<b>Sign Name</b>	60.8 %
<b>Match Signature</b>	60.9 %	<b>Match Signature</b>	61.7 %
<b>Provide Non-Photo ID</b>	59.3 %	<b>Provide Non-Photo ID</b>	59.0 %
<b>Provide Photo ID</b>	58.1 %	<b>Swear Affidavit</b>	60.1 %
<i>Average Turnout for All States</i>	60.9 %		

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<b>Table 2. Predictors of 2004 turnout at the county level taking into account maximum voter identification requirements</b>				
<b>Variable</b>	<b>Basic Model</b>		<b>Model with Interactions</b>	
	<b>Unstandardized Estimate</b>	<b>Standard Error</b>	<b>Unstandardized Estimate</b>	<b>Standard Error</b>
<b>Intercept</b>	0.64	0.01	0.69	0.02
<b>Voter ID requirements</b>	-0.01**	0.003	-0.03**	0.004
<b>Battleground State</b>	0.04*	0.01	0.04*	0.02
<b>Competitive Senate/Governor's Race</b>	0.04*	0.02	0.04*	0.02
<b>% Age 65 and Older</b>	0.48**	0.03	0.50**	0.03
<b>% African-American</b>	0.05**	0.01	0.06	0.03
<b>% Hispanic</b>	-0.02	0.01	-0.13**	0.05
<b>% Below poverty line</b>	-0.01**	0.0002	-0.01**	0.001
<b>VID * African-American</b>	----	----	-0.004	0.01
<b>VID * Hispanic</b>	----	----	0.03*	0.01
<b>VID * Poverty</b>	----	----	0.001**	0.0002
<b>-2 Log Likelihood</b>	-8638.0		-8651.1	

Coefficients are restricted maximum likelihood estimates. N = 3,111. \* p < .05 \*\* p < .01 (two-tailed tests)

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Variable	Basic Model		Model with Interactions	
	Unstandardized Estimate	Standard Error	Unstandardized Estimate	Standard Error
<b>Intercept</b>	0.63	0.02	0.66	0.02
<b>Voter ID requirements</b>	-0.009	0.005	-0.02**	0.006
<b>Battleground State</b>	0.04*	0.02	0.04*	0.02
<b>Competitive Senate/Governor's Race</b>	0.03	0.02	0.03	0.02
<b>% Age 65 and Older</b>	0.48**	0.03	0.48**	0.03
<b>% African-American</b>	0.05**	0.01	0.04	0.03
<b>% Hispanic</b>	-0.12	0.01	-0.13**	0.04
<b>% Below poverty line</b>	-0.01**	0.0003	-0.01**	0.001
<b>VID * African-American</b>	----	----	0.01	0.01
<b>VID * Hispanic</b>	----	----	0.03*	0.01
<b>VID * Poverty</b>	----	----	0.001**	0.0002
<b>-2 Log Likelihood</b>	-8630.8		-8620.1	

Coefficients are restricted maximum likelihood estimates. N = 3,111. \* p < .05 \*\* p < .01 (two-tailed tests)

<b>Table 4. Probit model of voter turnout.</b>				
	<b>Maximum requirements</b>		<b>Minimum requirements</b>	
<b>Variable</b>	<b>Unstandardized Estimate</b>	<b>Standard Error</b>	<b>Unstandardized Estimate</b>	<b>Standard error</b>
<b>Voter ID requirements</b>	-0.04*	0.01	-0.05**	0.01
<b>Hispanic</b>	-0.06	0.05	-0.05	0.05
<b>Black</b>	0.22**	0.04	0.22**	0.04
<b>Other race</b>	-0.23**	0.04	-0.23**	0.04
<b>Age in years</b>	0.01**	0.001	0.01**	0.001
<b>Education</b>	0.12**	0.005	0.11**	0.005
<b>Household income</b>	0.03**	0.003	0.03**	0.003
<b>Married</b>	0.20**	0.02	0.20**	0.02
<b>Female</b>	0.09**	0.01	0.09**	0.01
<b>Battleground state</b>	0.18**	0.04	0.19**	0.04
<b>Competitive race</b>	0.05	0.05	0.05	0.05
<b>Employed</b>	0.05	0.04	0.05	0.04
<b>Member of workforce</b>	-0.04	0.05	-0.04	0.05
<b>Native-born citizen</b>	0.03	0.04	0.04	0.05
<b>Moved within past 6 months</b>	-0.27**	0.03	-0.27**	0.03
<b>Constant</b>	-4.48**	0.20	-4.46**	0.20
<b>Pseudo-R-Squared</b>	0.09		0.09	
Notes:				
N = 54,973 registered voters				
p < .05* p < .01** (two-tailed tests)				
Models were estimated with robust standard errors to correct for correlated error terms within each state.				
Data source: U.S. Census Bureau, Current Population Survey, Voting and Registration Supplement, November 2004.				

<b>Table 5. Predicted probability of voter turnout – full model</b>		
	<b>Maximum requirement</b>	<b>Minimum requirement</b>
<b>State name</b>	0.912	0.911
<b>Sign name</b>	0.906	0.903
<b>Match signature</b>	0.900	0.895
<b>Non-photo ID</b>	0.894	0.887
<b>Photo ID</b>	0.887	----
<b>Affidavit</b>	----	0.878
<b>Total difference from lowest to highest</b>	0.025	0.033
<b>N</b>	54,973	
<p>Figures represent the predicted probability of registered voters saying they voted as the identification requirement varies from the lowest to the highest point in the scale, with all other variables held constant.</p> <p>Data source: U.S. Census Bureau, Current Population Survey, Voting and Registration Supplement, November 2004.</p>		

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<b>Table 6. Predicted probability of voter turnout – White and Hispanic voters</b>			
	<b>White/Non-Hispanic voters</b>		<b>Hispanic voters</b>
	<b>Maximum requirement</b>	<b>Minimum requirement</b>	<b>Minimum requirement</b>
<b>State name</b>	0.920	0.922	0.870
<b>Sign name</b>	0.915	0.915	0.849
<b>Match signature</b>	0.909	0.907	0.826
<b>Non-photo ID</b>	0.902	0.899	0.800
<b>Photo ID</b>	0.895	----	----
<b>Affidavit</b>	----	0.890	0.773
<b>Total difference from lowest to highest</b>	0.025	0.032	0.097
<b>N</b>	44,760		2,860

Figures represent the predicted probability of registered voters saying they voted as the identification requirement varies from the lowest to the highest point in the scale, with all other variables held constant. Maximum voter identification requirements were not a significant predictor of voting for Hispanic voters. Maximum and minimum voter identification requirements were not a significant predictor for African-American voters.

Data source: U.S. Census Bureau, Current Population Survey, Voting and Registration Supplement, November 2004.

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**Table 8. Predicted probability of voter turnout – Age groups by race**

	<b>White/Non-Hispanic 18 - 24</b>		<b>Black/Non-Hispanic 18 – 24</b>
	<b>Maximum requirements</b>	<b>Minimum requirements</b>	<b>Maximum requirements</b>
<b>State name</b>	0.844	0.836	0.899
<b>Sign name</b>	0.823	0.818	0.877
<b>Match signature</b>	0.801	0.799	0.852
<b>Non- photo ID</b>	0.777	0.779	0.824
<b>Photo ID</b>	0.752	----	0.793
<b>Affidavit</b>	----	0.758	----
<b>Total difference -- lowest to highest</b>	0.092	0.078	0.106
<b>N</b>	3,814		562

Figures represent the predicted probability of registered voters saying they voted as the identification requirement varies from the lowest to the highest point in the scale, with all other variables held constant. Minimum voter identification requirements were not a significant predictor of voting for Black/Non-Hispanic voters ages 18 to 24. Maximum and minimum voter identification requirements were not a significant predictor of voting for Hispanic voters ages 18 to 24.

Data source: U.S. Census Bureau, Current Population Survey, Voting and Registration Supplement, November 2004.

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	<b>All voters above the poverty line</b>		<b>All voters below the poverty line</b>	<b>Black/Non-Hispanic voters below the poverty line</b>
	<b>Maximum requirement</b>	<b>Minimum requirement</b>	<b>Minimum requirement</b>	<b>Maximum requirement</b>
<b>State name</b>	0.920	0.922	0.784	0.833
<b>Sign name</b>	0.915	0.915	0.772	0.816
<b>Match signature</b>	0.909	0.907	0.758	0.798
<b>Non-photo ID</b>	0.903	0.899	0.745	0.778
<b>Photo ID</b>	0.897	----	----	0.758
<b>Affidavit</b>	----	0.891	0.731	
<b>Total difference from lowest to highest</b>	0.023	0.031	0.053	0.075
<b>N</b>	49,935		5,038	1,204

Figures represent the predicted probability of registered voters saying they voted as the identification requirement varies from the lowest to the highest point in the scale, with all other variables held constant. Maximum voter identification requirements were not a significant predictor of voting for white and Hispanic voters who were below the poverty line. Minimum voter identification requirements were not a significant predictor of voting for Black voters below the poverty line.

Data source: U.S. Census Bureau, Current Population Survey, Voting and Registration Supplement, November 2004.

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	<b>18 - 24</b>		<b>25 - 44</b>		<b>45 - 64</b>	<b>65 and older</b>
	<b>Maximum requirements</b>	<b>Minimum requirements</b>	<b>Maximum requirements</b>	<b>Minimum requirements</b>	<b>Minimum requirements</b>	<b>Minimum requirements</b>
<b>State name</b>	0.839	0.831	0.831	0.831	0.936	0.916
<b>Sign name</b>	0.819	0.814	0.820	0.817	0.932	0.910
<b>Match signature</b>	0.797	0.795	0.808	0.803	0.927	0.904
<b>Non-photo ID</b>	0.774	0.775	0.796	0.788	0.923	0.898
<b>Photo ID</b>	0.750	----	0.783	----	----	----
<b>Affidavit</b>	----	0.754	----	0.773	0.918	0.892
<b>Total difference -- lowest to highest</b>	0.089	0.077	0.048	0.058	0.018	0.024
<b>N</b>	5,065		20,066		20,758	9,084
<p>Figures represent the predicted probability of registered voters saying they voted as the identification requirement varies from the lowest to the highest point in the scale, with all other variables held constant. Maximum voter identification requirements were not a significant predictor of voting for voters ages 45 to 64 and 65 and older.</p> <p>Data source: U.S. Census Bureau, Current Population Survey, Voting and Registration Supplement, November 2004.</p>						

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**Table 10. Predicted probability of voter turnout – By education**

	Less than high school		High school		College		Graduate school	
	Maximum requirement	Minimum requirement	Maximum requirement	Minimum requirement	Maximum requirement	Minimum requirement	Maximum requirement	Minimum requirement
<b>State name</b>	0.775	0.779	0.866	0.869	0.960	0.959	0.977	0.979
<b>Sign name</b>	0.759	0.762	0.858	0.859	0.956	0.954	0.973	0.973
<b>Match signature</b>	0.743	0.743	0.850	0.848	0.951	0.950	0.968	0.967
<b>Non-photo ID</b>	0.725	0.724	0.842	0.836	0.945	0.945	0.963	0.959
<b>Photo ID</b>	0.708	----	0.833	----	0.939	----	0.957	----
<b>Affidavit</b>	-----	0.705	----	0.824	----	0.940	-----	0.950
<b>Total difference -- lowest to highest</b>	0.067	0.074	0.033	0.045	0.021	0.019	0.020	0.029
<b>N</b>	4,903		16,361		11,017		5,739	

Figures represent the predicted probability of registered voters saying they voted as the identification requirement varies from the lowest to the highest point in the scale, with all other variables held constant. Maximum and minimum voter identification requirements were not a significant predictor of voting for those with some college education.  
 Data source: U.S. Census Bureau, Current Population Survey, Voting and Registration Supplement, November 2004.

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