

## FINAL DRAFT

For Review by the Standards Board and Board of Advisors

### C. Evaluating Voter Eligibility and Counting Provisional Ballots

The clarity of criteria for evaluating voter eligibility is critical to a sound process for deciding which of the cast provisional ballots should be counted. Public recognition of the validity of those criteria is important to establishing the legitimacy of the system as a whole. The experience in 2004 in North Carolina, Washington, and Ohio underlines the importance of clear criteria. As the Century Foundation report put it, "Whatever procedures the states choose [to determine if a provisional ballot should be counted], the paramount consideration—as with all others concerning provisional voting—is that they be clear and thus not susceptible to post-election manipulation and litigation."<sup>37</sup> Nonetheless, the *Panio v. Sutherland*<sup>38</sup> decision in New York shows the difficulty of defining the range of administrative errors from which the provisional voters should be held harmless. Even when the standard is "clerical error" judges can differ over what that means exactly. Possibly a state law might be able to clarify a definition by giving examples of clerical errors, but even then the definition is unlikely to be perfect.

1. State statutes or regulations should define a reasonable period for voters who lack the HAVA-specified ID or other information bearing on their eligibility to provide it in order to facilitate the state's ability to verify that the person casting the provisional ballot is the same one who registered. While there may be a concern to ensure that the individual who returns with the ID may not be the same individual who cast the provisional ballot, the spirit of HAVA demands that the opportunity to prove identity be provided after Election Day. A signature match can go far in establishing that the individual who voted and the individual returning later with identification is, in fact, the same person. Encouraging a voter who lacks ID on Election Day to return later to help the verification process by providing proper identification will strengthen the system and increase public confidence in the electoral process. Our data indicate that some voters would prefer to return with ID rather than to sign an affidavit, perhaps because of uncertainty about the legal process involved in the affidavit. At least 11 states allow voters to provide ID or other information one to 13 days after voting. Of particular interest is Kansas, which allows voters to proffer their ID by electronic means or by mail, as well as in person.<sup>39</sup>
2. More provisional ballots are counted in those states that verify ballots cast outside the correct precinct.<sup>40</sup> While HAVA arguably leaves this decision up to the states, pointing out the effect of the narrower definition on the portion of ballots counted could be useful to the states in deciding this question. States should be aware, however, of the

<sup>37</sup> The Century Foundation, op. cit.

<sup>38</sup> 4 N.Y.3d 123, 824 N.E.2d 488 (N.Y. 2005) and Memorandum (LaPlante—Foley) Provisional Ballot Cases by State, July 19, 2005.

<sup>39</sup> In Kansas, the voter can provide ID to a County Election Officer any time before the County Board of Canvassers meets to count provisional ballots. KS. ST. 25-1122(d). ID can be presented in person, OR via mail or electronic means. *Id.* The Board must meet either on the Friday or Monday following a Tuesday election. *Id.* at 25-3104. Deadlines in other states are: Alabama -- 5:00 P.M. on the Monday following the election AL ST § 17-10A-2(c),(1) Florida: until 5:00 P.M. on the third day following the election . Fla. Stat. Ann. § 101.048 (adopted after the 2004 election);Georgia—no later than 2 days after the election. GA ST § 21-2-417; 419. Illinois- 2 days to submit additional information 10 Ill. Comp. Stat. Ann. 5/18A-15(d); Indiana—in 2004 the deadline was the close of the polls IN. ST. §. 3-11.7-5-2(a). The time period was extended to 13 days by the adoption of Indiana Code 3-11-8, Section 25, Subsection (l); Maryland—until the meeting of the Election Board; MD ELEC LAW § 11-303. New Jersey— until the close of business on the second day after the election 19:53C-3(l). Nevada— until 5:00 P.M. on the Friday following the election NV ST 293.3085; New Mexico—until 7:00 P.M. on Election Day NM ADC 1.10.22 (B) (H).

<sup>40</sup> See Andersen, op. cit, pgs. 23 – 24 for an analysis of the significant effect of counting out-of-precinct ballots. The Election Day Survey found that, "Most notably, jurisdictions that permitted jurisdiction-wide acceptance of provisional ballots reported higher rates of provisional ballots being cast, but also reported a much higher incidence of provisional ballots being counted, than other jurisdictions."

015509

## FINAL DRAFT

For Review by the Standards Board and Board of Advisors

additional burden placed on the ballot-evaluation process when out-of-precinct ballots are considered. And tradeoffs are involved if out-of-precinct voters are unable to vote for the local offices that might appear on the ballot in their district of residence. One option for states is to involve the voters in the decision by pointing out that voters who cast their provisional ballots in the wrong precinct may not be able to participate in the local election. The voter could then decide to go to the correct precinct or vote provisionally for the higher offices at the top of the ticket only.

3. Alternatively, if a state chooses to require voters to appear at their assigned precinct, where the same polling site serves more than one precinct, a voter's provisional ballot should count so long as the voter cast that ballot at the correct polling site even if at the wrong precinct within that location.<sup>41</sup> Ideally the voter could be directed to the correct machine, but poll worker advice will not always be correct. One way to assess the balance of issues here is to consider that, if a voter in a multi-precinct polling place is sent to the wrong machine, the error is probably the poll worker's, and the voter should not be penalized.
4. Officials should follow a written procedure, and perhaps a checklist, to identify the reason why a provisional ballot is rejected (e.g., check the applicable box "unregistered voter"; "lack of signature match" "wrong precinct," etc.) Those forms should be disclosed publicly when completed. Colorado's election rules offer particularly clear guidance to the official evaluating a provisional ballot.<sup>42</sup>

### Colorado Rejection Codes (Any ballot given a rejection code shall not be counted):

RFS	(Rejection federal or state) No federal or state candidates or issues to duplicate.
RNS	(Rejection not signed) Provisional Ballot Affidavit not signed.
RIN	(Rejection incomplete information provided) Required information is incomplete and the designated election official is unable to confirm voter's eligibility.
RNR	(Rejection not registered) Voter did not register by the voter registration deadline or by emergency registration, Colorado voter registration record was not found, or voter was previously cancelled and has not been reinstated pursuant to 1-2-605(10). C.R.S.
REE	(Rejection envelope empty) Provisional ballot envelope is empty.
RAB	(Rejection voter voted absentee) Designated election official has confirmed that voter voted an absentee ballot.
REV	(Rejection based on ballot cast in early voting) Voter voted early.
RIP	(Rejection based on incorrect party) Incorrect Party in Primary Election.
RFE	(Rejection felon not eligible to vote) Individual was convicted of a felony and is either serving a sentence of confinement or detention or is on parole.
RWC	(Rejection elector not registered in county or State of Colorado) Non-county or non-state resident; therefore voter not eligible to vote in the county where the provisional ballot was voted.
RID	(Rejection first time voter has not supplied identification upon registration or thereafter prior to and during time voter voted) First Time Voter who

<sup>41</sup> Chances are administrative error accounts for the voter being directed to the wrong precinct under these circumstances.

<sup>42</sup> 8 CCR 1505-1, at 26.5.4, adopted August 4, 2005. See also 1-2-509(3) C.R.S.

015590

## FINAL DRAFT

For Review by the Standards Board and Board of Advisors

registered by mail or through a voter registration drive, is tagged as id deficient, and did not provide id at the time of voting.

RRD (Rejection registration deficient) Voter had deficient or incomplete registration and required information was not provided prior to or at the time of filling in the provisional ballot envelope. Voter's eligibility cannot be established.

### D. Verification of Provisional Ballots

1. States that use the information on the provisional ballot to permit voters who have changed their addresses to update their registrations should adopt clear procedures on that process and specify how the new information will be communicated between different Boards of Elections
2. In verifying provisional ballots, the time by which election officials must make their eligibility determinations is particularly important in presidential elections because of the need to certify electors to the Electoral College. States should consider in particular how to divide the time allowed them by the safe-harbor provisions that apply in presidential elections to the certification to the Electoral College. Some part of this five-week period will be consumed by the eligibility evaluation, but states should take care to provide a sufficient period of time as well for challenges. If a state consumes 21 days following the election in the eligibility evaluations, only two weeks will remain for legal challenges to be concluded. Is that sufficient? Or should the state provide the resources needed to complete the eligibility determinations in 10 days or two weeks, leaving three weeks or more for legal challenges in a close election? Our research did not identify an optimum division of the five weeks available. The prudent course here would be to encourage states to consider the issue and then make a careful decision about how to complete all steps in the evaluation of ballots and challenges to those determinations within the five weeks available.

### E. Post-election Information for Voters

Timely information to voters about the disposition of their provisional ballot will provide helpful feedback and more important enable voters to determine if they are registered for future elections and, if not, what they need to do to become registered.

1. Establish mechanisms to ensure that voters casting provisional ballots are informed whether they are now registered for future elections and, if not, what they need to do to become registered.

### F. State Laws Governing Litigation over Provisional Voting

1. Establish special, streamlined litigation procedures for Election Day complaints that individuals are being denied the right to cast a provisional ballot

### Broader Considerations

#### G. Integrity and the Appearance of Integrity

1. State laws or regulations providing for non-partisan or bi-partisan bodies to make a public determination of the validity of provisional ballots would increase confidence in the system.

015501

## FINAL DRAFT

For Review by the Standards Board and Board of Advisors

2. To improve transparency, state laws or regulations should require the purging process for registration to be public and with an opportunity for voters to correct an erroneous determination that they should be purged.
3. State laws or regulation should require the evaluation process for provisional ballots to be public, while protecting the names of those who voted provisionally.

### H. Continuous Assessment of the Provisional Ballot – Process and Performance

Defining what makes for a successful provisional voting system is difficult. The most successful system is probably not the one with the most provisional votes cast (that could indicate problems with the registration system). Nor is the system with the greatest number counted or with the fewest counted necessarily superior because the evaluation process could be flawed.

Defining quality requires a broad perspective about how well the system works, how open it is to error recognition and correction, and how well provisional voting processes are connected to the registration and voter identification regimes. The EAC should consider engaging one of the national quality organizations or processes, such as Six Sigma<sup>43</sup> or the Baldrige Quality process<sup>44</sup> to evaluate the provisional ballot process. Pending such a review, the EAC can recommend that states take the following actions.

1. Recognize that the first step to improving quality is to see the provisional voting process as a system and take a systems approach to regular evaluation through standardized metrics with explicit goals for performance.
2. States should begin by collecting data systematically on the provisional voting process so that they can evaluate their voting system and assess changes from one election to the next. The effort should start in the 2006 election, and the data collected should include:
  - Provisional votes cast and counted by jurisdiction, say counties, with details on why the voter had to vote provisionally (lack of ID, not on list, challenged at polling place, issued absentee ballot, etc) and number of ballots actually counted in each category.
  - Reasons why provisional ballots were not counted, using categories such as those that have been adopted by Colorado, described earlier in this report.
  - Measures of variance among jurisdictions.
  - Number of poll workers trained in administration of provisional voting by polling place
  - Number of jurisdictions posting information on provisional voting in the polling place
  - Time required to evaluate ballots by jurisdiction

---

<sup>43</sup> Six Sigma is a measure of quality that strives for near perfection. Six Sigma is a disciplined, data-driven approach and methodology for eliminating defects (driving towards six standard deviations between the mean and the nearest specification limit) in any process -- from manufacturing to transactional and from product to service.

<sup>44</sup> The Baldrige Criteria for Performance Excellence provide a systems perspective for understanding performance management. They reflect validated, leading-edge management practices against which an organization can measure itself. With their acceptance nationally and internationally as the model for performance excellence, the Criteria represent a common language for communication among organizations for sharing best practices. The Criteria are also the basis for the Malcolm Baldrige National Quality Award process.

015502

## **FINAL DRAFT**

For Review by the Standards Board and Board of Advisors

Improving understanding of the provisional voting process through analysis of detailed information will enable state and local election officials to strengthen their systems. By collecting and analyzing this data states can identify which aspects of the registration and electoral system are most important in shunting voters into the provisional ballot process. Responsible officials can then look to their registration system, identification requirements or poll worker training as a way to reduce the need for voters to cast their ballots provisionally.

015503

## FINAL DRAFT

For Review by the Standards Board and Board of Advisors

### ATTACHMENT 1 – Data Sources for Classification of the States

Our research on provisional voting divided the various states into several categories to allow an assessment of how different factors may have influenced the process of casting and counting provisional ballots. This analysis was conducted before the release of the Election Day Study, and the categories we used may differ in some respects from its work. The variables used to analyze a state's use of provisional ballots:

1. New vs. Old (states that used a provisional ballot before the 2004 election)
2. Use of a statewide database of registered voters vs. no use of a statewide database
3. Counting out-of-precinct ballots vs. not counting out-of-precinct ballots
4. Voter identification requirements
5. Method used to verify provisional ballots
6. Levels of provisional ballots cast and counted

We first assigned states within these categories based on classifications done by Electionline.org in its studies. The Electionline data was the only published information available at the time of our research. We reviewed the Electionline data carefully, and, in select cases, updated it with new, detailed information that had become available after its publication. The changes we made are explained below.

--Idaho, Maine, Minnesota, New Hampshire, Wisconsin and Wyoming were excluded from our analysis. They have election-day registration systems, and did not need to use HAVA-compliant provisional ballots.

--North Dakota does not register voters, so it also was excluded from HAVA requirements and did not use provisional voting.

--Mississippi has not reported its provisional voting results and could not be included in our analysis, though it was compliant in 2004.

--Pennsylvania did not report its totals for the Election Day Study, but we obtained information on Pennsylvania and included it in our analysis.

#### New vs. Old States

We classified states as "new" or "old" based on the 2001 Electionline study of provisional voting,<sup>45</sup> but condensed its classifications into a single dichotomous variable, new/old with all other cases excluded. The Electionline study divided states into five categories of their use of provisional ballots in the 2000 election:

1. Use of provisional ballots (P)
2. Limited use of provisional ballots (LP)
3. Affidavit ballots (A)
4. No system in place (N)
5. Unnecessary/Not Applicable (U/NA)

We included in the list of "Old States" all states listed as using provisional ballots, limited use of provisional ballots or affidavit ballots. States in all three categories would have been familiar with key aspects of provisional voting. States that had no provisional voting system in place for the 2002 election, and were HAVA compliant in 2004, were listed as "new" states, as 2004 would have been the first year in which they would be offering the option of provisional voting. States that were listed as unnecessary or not applicable were excluded from this study, as they

<sup>45</sup> This study can be found at: <http://electionline.org/Portals/1/Publications/Provisional%20Voting.pdf>.

015594

## FINAL DRAFT

For Review by the Standards Board and Board of Advisors

were exempt from the HAVA regulations in 2004 because they either allowed same-day registration or did not register voters.

Rhode Island is the only state categorized as an old state by Electionline that we moved into the list of new states. Electionline's map shows Rhode Island as a state that used provisional voting in 2000, but in the state description, it is listed as having no system in place. We learned from the Rhode Island Board of Elections that the state had previously permitted potential voters to sign an affidavit if they did not appear on a precinct's list of registered voters, but felt they were registered to vote. Based on the signed affidavit, the election official would then contact a county official to see if the voter was on a more complete registration list. If the voter's name was on the complete list, that voter was permitted to cast a regular ballot. As this process did not grant the voter a provisional ballot, but served as a different type of administrative failsafe, we concluded that Rhode Island's first use of provisional voting was in 2004 and, therefore, classified the state as "new" to the system of provisional balloting.

<b>Table 1 CATEGORIZATION OF STATES -- Old and New</b>		
<b>Old States</b>	<b>New States</b>	<b>HAVA Exempt or NA</b>
Alaska	Connecticut	Idaho
Alabama	Delaware	Maine
Arkansas	Georgia	Minnesota
California	Hawaii	New Hampshire
Colorado	Illinois	North Dakota
DC	Indiana	Wisconsin
Florida	Louisiana	Wyoming
Iowa	Massachusetts	
Kansas	Missouri	
Kentucky	Montana	
Maryland	Nevada	
Michigan	Oklahoma	
Mississippi	Pennsylvania	
Nebraska	Rhode Island	
New Jersey	South Dakota	
New Mexico	Tennessee	
New York	Utah	
North Carolina	Vermont	
Ohio		
Oregon		
South Carolina		
Texas		
Virginia		
Washington		
West Virginia		
<b>26</b>	<b>18</b>	<b>7</b>

015035

## FINAL DRAFT

For Review by the Standards Board and Board of Advisors

### Statewide List of Registered Voters

The Electionline preview of the 2004 Election<sup>46</sup> was the starting point for compiling a list of states that had a statewide database of registered voters. That study listed 34 States that did not have their statewide database systems complete, and 16 that did, including the District of Columbia. North Dakota does not register voters, so does not need to compile such a database. Electionline's criterion for concluding that a state had a statewide list was that the state have participation from all jurisdictions in a statewide system. We added Oklahoma to the list of states with statewide databases because we found it had met the Electionline criteria by the 2004 election, albeit too late for inclusion in the Electionline survey.

### Out-of-Precinct Ballots

We based our classification of states that allow the counting of ballots cast outside the correct precinct on the data in the 2004 Electionline preview of the 2004 election<sup>2</sup>. States that evaluated ballots cast in a precinct where the voter was not registered were categorized as "out-of-precinct." States that invalidated such ballots were categorized as "In-precinct only."

<b>Out-of-Precinct</b>	<b>In-Precinct Only</b>	<b>HAVA EXEMPT OR NA</b>
Alaska	Alabama	Idaho
Arkansas	Arizona	Maine
California	Colorado	Mississippi
Delaware	Connecticut	New Hampshire
Georgia	District of Columbia	North Dakota
Illinois <sup>47</sup>	Florida	Wisconsin
Kansas	Hawaii	Wyoming
Louisiana	Indiana	
Maryland	Iowa	
New Mexico	Kentucky	
North Carolina	Massachusetts	
Oregon	Michigan	
Pennsylvania	Missouri	
Rhode Island	Montana	
Utah	Nebraska	
Vermont	Nevada	
Washington	New Jersey	
	New York	
	Ohio	
	Oklahoma	
	South Carolina	
	South Dakota	
	Tennessee	
	Texas	
	Virginia	
	West Virginia	
17	26	7

01/25/06

<sup>46</sup> "Election Preview 2004: What's changed, What Hasn't and Why". This study can be found at: <http://electionline.org/Portals/1/Publications/Election.preview.2004.report.final.update.pdf>

<sup>47</sup> In Illinois, it is not clear that all counties followed this procedure. Some counties may not have counted out-of-precinct ballots.

## FINAL DRAFT

For Review by the Standards Board and Board of Advisors

### Verification Method

We identified four different ways states assessed provisional ballots to determine if they should be counted: signature match, match voter data, signed affidavits, and bringing back identification later. We gathered information about these verification techniques by checking state websites and consulting journalistic accounts. We consulted state legislation to provide further information where needed.

**Table 3**  
**CATEGORIZATION OF STATES -- Ballot Evaluation Methods**

Signature Match	Data Match	Affidavit	Return with ID	NA
Alaska	Alabama	Connecticut	Indiana	Idaho
California	Arizona	Delaware	Iowa	Maine
Florida	Arkansas	Georgia	Kansas	Mississippi
Oregon	Colorado	Hawaii	Maryland	Minnesota
	DC	Illinois	Michigan	New Hampshire
	Louisiana	Kentucky	Montana	N. Carolina*
	Missouri	Massachusetts	New Jersey	N. Dakota
	Ohio	Nebraska	New Mexico	Wisconsin
	Oklahoma	Nevada	Texas	Wyoming
	Pennsylvania	New York	Utah	
	Rhode Island	South Dakota		
	S. Carolina	Tennessee		
	Washington	Vermont		
	West Virginia	Virginia		
4	14	14	10	9

\* North Carolina lacked clear standards to evaluate provisional ballots and is excluded from this analysis.

## FINAL DRAFT

For Review by the Standards Board and Board of Advisors

### Data Collection

To assemble our data for analysis, we began by using the data on provisional votes cast and counted reported by Electionline. To increase the accuracy of this data, we surveyed each state's election websites for updated data, and for reported numbers on the county level. We then sent emails to 49 (we excluded Alaska, see below) states and the District of Columbia, requesting updated data on the number of provisional votes cast and counted by county. We received information from 25 states by our cut-off date of August 25, 2005.

<b>Received Updated Data</b>	<b>Did Not Receive Updated Data</b>
California	Alabama
District of Columbia	Alaska <sup>48</sup>
Florida	Arizona
Hawaii	Arkansas
Indiana	Colorado
Iowa	Connecticut
Kansas	Delaware
Louisiana	Georgia
Maryland <sup>49</sup>	Idaho
Missouri	Illinois
Montana	Kentucky
Nebraska <sup>50</sup>	Maine
Nevada	Massachusetts
New Jersey	Michigan
New Mexico	Minnesota
Ohio	Mississippi
Oklahoma	New Hampshire
Oregon	New York
Pennsylvania	North Carolina
Rhode Island	North Dakota
South Dakota	South Carolina
Tennessee	Utah
Texas	Vermont
Virginia	Wisconsin
Washington	Wyoming
West Virginia	
<b>26 States</b>	<b>25 States</b>

<sup>48</sup> Alaska was not contacted via email, as the state does not have voting districts comparable to counties in other states and could not be matched with comparable census data.

<sup>49</sup> Maryland reported provisional ballots that were counted per county, but not number cast.

<sup>50</sup> Nebraska reported an incomplete list of provisional ballots cast and counted by county, but designated counties by number, rather than by name.

010596

FYI  
DeGregorio



U. S. ELECTION ASSISTANCE COMMISSION  
OFFICE OF THE EXECUTIVE DIRECTOR  
1225 New York Avenue, NW, Suite 1100  
Washington, DC. 20005

June 15, 2006

John Weingart, Associate Director  
Eagleton Institute of Politics  
Rutgers University  
191 Ryders Lane  
New Brunswick NJ 08901-8557

Dear Mr. Weingart:

During a recent briefing by staff, the EAC discussed and reviewed possible next steps with the provisional voting and voter identification studies as well as the Eagleton contract which is scheduled to conclude on June 30, 2006.

We were in agreement that Eagleton's work on the EAC contract should conclude, as scheduled, by June 30, 2006. In preparation for this conclusion, the EAC requests that the comments and suggestions which were noted during the EAC's recent Board of Advisors and Standards Boards meeting (and were described in Mr. O'Neil's June 8, 2006 letter to Chairman DeGregorio) be included in the final draft report on provisional voting which Eagleton will deliver to the EAC on or about June 30, 2006. The Commissioners have determined that they will take this final draft report and, from it, may develop guidance and best practice recommendations that will be presented to the Board of Advisors and Standards Boards for further review.

The EAC Commissioners have also reviewed and considered next steps with the voter identification draft report which Eagleton has prepared. While the final disposition of the results and findings of this study, on the part of the EAC, are still unclear, the Commissioners have asked that the final draft report of this study also be prepared and submitted to the EAC not later than June 30, 2006.

We look forward to receiving these reports. On behalf of the EAC thank you for the considerable time and energy which the Eagleton/Moritz team has devoted to these critical election issues.

Sincerely,

A large, stylized handwritten signature in black ink, appearing to read "T. Wilkey".

Thomas R. Wilkey

015599



---

## EAGLETON INSTITUTE OF POLITICS

---

Paul S. DeGregorio  
United States Election Assistance Commission  
1225 New York Avenue N.W., Suite - 1100  
Washington, DC 20005  
Fax: (202) 566-3127

June 8, 2006

Dear Chairman DeGregorio:

Karen Lynn-Dyson relayed the Commission's decision in your meeting of June 1 to take more time to consider how to proceed with the delivery of EAC research reports on provisional voting and voter identification.

The Eagleton-Moritz research team, of course, encourages the Commission's thoughtful consideration of the two reports, but we are mindful of the need to deliver revised documents that respond to the Commission's comments by the close of our contract on June 30<sup>th</sup>. We believe that if we receive the Commission's final comments on the Provisional Voting report by June 19 we will be able to complete any additional work that the Commission might request and incorporate the results in our final reports before the end of the contract period.

Based on suggestions raised at the meetings, we already plan to supplement the Provisional Voting report with some brief, additional information about the influence of the fail-safe ballot provisions of the National Voting Rights Act on the experience with provisional voting in 2004.

We understand that the Commission must submit the final draft Voter ID report to the same review process by your advisory boards as was followed with the Provisional Voting paper. We understand that step is a prerequisite for wider release. We would appreciate your advice on how to handle this review, given the rapidly approaching end of our contract.

We hope the commission will use both reports, as intended from the outset of this project, as the basis for recommendations for better, if not best, practices to the states. If the Commission cannot decide to issue such recommendations to the states, we hope it will promptly release the reports to provide the states and the broader elections community with this information, analysis and perspective on the issues.

We recognize, based on the reactions at the meetings of the Standards Board and, particularly, the Board of Advisors, that some of the findings, conclusions, and recommendations of the reports will be controversial with some of the Commission's constituencies. But we also believe, based on the comments of the Peer Review Group, the advisors assembled by the Commission, and our response to their critiques, that the reports are grounded on solid research by a well-qualified, nonpartisan team and that the reports will provide new information for the policy process. We believe this information will contribute to achieving the EAC mission of providing helpful information that the states may or may not choose to implement.

---

191 RYDERS LANE, NEW BRUNSWICK, NJ 08901-8557

Tel: (732) 932-9384  
Fax: (732) 932-6778

THE STATE UNIVERSITY OF NEW JERSEY  
**RUTGERS**

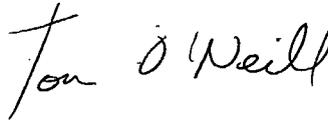
E-mail: [eagleton@rci.rutgers.edu](mailto:eagleton@rci.rutgers.edu)  
Web: [www.eagleton.rutgers.edu](http://www.eagleton.rutgers.edu)

015600

The information in the reports can improve the policy process by raising the level of debate over increasingly volatile issues related to election administration. We believe our reports will prove useful to the states as they complete preparations for the 2006 elections. Moreover, the elections community is aware of this work, and awaits the analysis and conclusions.

We look forward to working with you to conclude this research in a way that will serve the public interest.

Very truly yours,



Thomas M. O'Neill  
Project Director

109510



EAGLETON INSTITUTE OF POLITICS

FAX COVER SHEET

Date: 6/8/06

To: Paul S. De Gregorio

Fax Number: 202-566-3127

Phone Number: \_\_\_\_\_

Total Number of Pages (including cover sheet): 3

Comments:

*Conn TW  
JC JTH  
KLD*

019602

From: John Weingart X 290

191 RYDERS LANE, NEW BRUNSWICK, NJ 08901-8557



---

## EAGLETON INSTITUTE OF POLITICS

---

Paul S. DeGregorio  
United States Election Assistance Commission  
1225 New York Avenue N.W., Suite - 1100  
Washington, DC 20005  
Fax: (202) 566-3127

June 8, 2006

Dear Chairman DeGregorio:

Karen Lynn-Dyson relayed the Commission's decision in your meeting of June 1 to take more time to consider how to proceed with the delivery of EAC research reports on provisional voting and voter identification.

The Eagleton-Moritz research team, of course, encourages the Commission's thoughtful consideration of the two reports, but we are mindful of the need to deliver revised documents that respond to the Commission's comments by the close of our contract on June 30<sup>th</sup>. We believe that if we receive the Commission's final comments on the Provisional Voting report by June 19 we will be able to complete any additional work that the Commission might request and incorporate the results in our final reports before the end of the contract period.

Based on suggestions raised at the meetings, we already plan to supplement the Provisional Voting report with some brief, additional information about the influence of the fail-safe ballot provisions of the National Voting Rights Act on the experience with provisional voting in 2004.

We understand that the Commission must submit the final draft Voter ID report to the same review process by your advisory boards as was followed with the Provisional Voting paper. We understand that step is a prerequisite for wider release. We would appreciate your advice on how to handle this review, given the rapidly approaching end of our contract.

We hope the commission will use both reports, as intended from the outset of this project, as the basis for recommendations for better, if not best, practices to the states. If the Commission cannot decide to issue such recommendations to the states, we hope it will promptly release the reports to provide the states and the broader elections community with this information, analysis and perspective on the issues.

We recognize, based on the reactions at the meetings of the Standards Board and, particularly, the Board of Advisors, that some of the findings, conclusions, and recommendations of the reports will be controversial with some of the Commission's constituencies. But we also believe, based on the comments of the Peer Review Group, the advisors assembled by the Commission, and our response to their critiques, that the reports are grounded on solid research by a well-qualified, nonpartisan team and that the reports will provide new information for the policy process. We believe this information will contribute to achieving the EAC mission of providing helpful information that the states may or may not choose to implement.

---

191 RYDERS LANE, NEW BRUNSWICK, NJ 08901-8557

Tel: (732) 932-9384  
Fax: (732) 932-6778

THE STATE UNIVERSITY OF NEW JERSEY  
**RUTGERS**

E-mail: [eagleton@rci.rutgers.edu](mailto:eagleton@rci.rutgers.edu)  
Web: [www.eagleton.rutgers.edu](http://www.eagleton.rutgers.edu)

015603

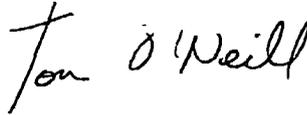
June 8, 2006 letter to Chairman DeGregorio from Thomas O'Neill

page 2

The information in the reports can improve the policy process by raising the level of debate over increasingly volatile issues related to election administration. We believe our reports will prove useful to the states as they complete preparations for the 2006 elections. Moreover, the elections community is aware of this work, and awaits the analysis and conclusions.

We look forward to working with you to conclude this research in a way that will serve the public interest.

Very truly yours,



Thomas M. O'Neill  
Project Director

015604

August 18, 2005

Dear Commissioners:

At the meeting of the Board of Advisors in Portland, Oregon, our notebooks included an EAC Information Research Update, dated July 18, 2005. The Update indicates that the EAC has awarded a contract to the Eagleton Institute / Moritz College of Law ("Moritz") to conduct research into "Provisional Voting / ID Requirements."

Obviously, the duty of the EAC as outlined in Section 241 to conduct research on election issues is a very important one. That is why it is clearly an absolute necessity that the researchers who are awarded contracts to conduct that research be objective and nonpartisan in their work. It would be inappropriate and potentially very damaging and embarrassing to the EAC (and the Board of Advisors) if this research is conducted by entities that have a preconceived opinion or bias on the issue being researched or are, in fact, advocates on the issue. Any findings or recommendations such biased entities put in their final report would be open to question and could cause great harm.

Unfortunately, hiring the faculty at Moritz to conduct research on provisional balloting and voter identification provisions calls into question whether the research can be conducted in an objective manner and reach conclusions that are not pre-determined by the public and pre-existing views of the researchers. This is crystal clear from an easily-conducted review of the Moritz website.

The Associate Director of the Election Law program at Moritz, Daniel Tokaji, is an outspoken opponent of voter identification requirements and commentator on provisional voting. Here is a brief summary of some of his recent comments, taken from the Moritz website:

It's therefore questionable at best whether an ID requirement is really necessary to combat voting fraud. Supporters of the ID requirement have yet to make a convincing case that existing methods of discouraging and punishing fraud are insufficient. While the anti-fraud benefits of stricter ID laws are dubious, there is evidence that an ID requirement would impose a severe burden on many voters, particularly those of low income....In their present form, the ID bills presently on the table are likely unconstitutional.... (ID and the Right to Vote, April 12, 2005)

"Ohio's election reform is a mixed bag. Establishing a clear rule for provisional ballots is a good idea, but I don't think there's a good reason for refusing to count provisional ballots cast out of precinct, given that a statewide registration database (which should allow for easy verification of eligibility) has to be in place by 2006. It would be much better to move to in-precinct early voting than mail-in absentee voting, but it seems that Ohio doesn't want to spend the money." (Reform Comes to Ohio, May 20, 2005).

015605

"Nevertheless, DOJ seems likely to sign off on this [Arizona's proposition 200 implementing rules], given that they've take the position - quite clearly an erroneous one, in my view - that voters need not even be given a provisional ballot if they lack ID." (Arizona Voter ID, July 18, 2005).

"It remains to be seen, of course, whether DOJ will rigorously enforce Section 5 of the Voting Rights Act, when it comes to practices - like the Georgia ID law - that threaten to result in the denial of minority votes...." (Preclearance, Preclearance, Preclearance, July 20, 2005).

"...I tend to doubt that the preclearance process will prove to be an effective remedy for measures like the Georgia ID law. Even though this law will have a "retrogressive" effect, by serving as a barrier to minority voters' participation...." (The Voting Rights Act, Then and Now, July 31, 2005)

"We should remember that, at the turn of the 20th Century, allegations of "good government" were used by white Democrats in a remarkably successful strategy to suppress the black vote. The result of those very successful efforts was to impose barriers like the literacy test, which excluded African Americans from voting throughout the South for the better part of the century, until after the Voting Rights Act of 1965. If you go back and read some of the documents from the late 1800's and early 1900's, as I've recently been doing, the similarity to the sort of arguments being advanced now in support of photo ID laws is frightening. It is beyond unfortunate to see the same sort of tactics, albeit dressed up in more respectable garb, being employed at the start of the 21st Century." (Vote Suppression, Fraud and Voter ID, August 3, 2005)

In addition to these postings, Dr. Tokaji is acting as an advocate on voter identification issues, having submitted a comment letter to the Department of Justice dated August 18, 2005, along with a number of other professors, urging an objection to a voter identification provision currently before the Department for review under Section 5 of the Voting Rights Act. Obviously, this advocacy is occurring after the EAC awarded this contract and during the pendency of the research work.

The issue here is not whether Dr. Tokaji's opinions are correct or incorrect, or the appropriateness of his submitting a comment letter to the Department of Justice. The point is the strongly held, pre-existing notions about both provisional balloting and voter identification espoused by the Associate Director of Moritz's election law program and his advocacy on these issues. This raises serious concerns about the propriety of Moritz being provided with federal tax dollars to conduct non-partisan and impartial research into such a sensitive and high profile area of election law. We cannot be certain that data collected and conclusions reached by this research project will not be predetermined to comport with the views of Moritz's officials.

015606

I would strongly recommend that this contract be reconsidered by the EAC. Under these circumstances, any report issued by Moritz will be open to serious questions as to its validity and objectivity.

Hans A. von Spakovsky  
Counsel to the Assistant Attorney General  
Civil Rights Division - Room 5539  
U.S. Department of Justice  
950 Pennsylvania Avenue  
Washington, D.C. 20530

Telephone (202) 305-9750  
Facsimile (202) 307-2839

015607

August 19, 2005

Hans:

I'm currently at the Seattle airport awaiting a return flight to D.C., so I apologize if my response below is somewhat incomplete. I think the issue you raise certainly deserves our full consideration, so I will look forward to additional responses and dialogue from others included in this distribution list.

A couple of quick points in response to your concerns (and I am speaking for myself below, and not for the entire commission):

- (1) The RFP that was issued by the EAC pertaining to the research on provisional voting and voter ID requirements was widely advertised (as all our RFP's are). We did so because we wanted to receive a wide range of possible contractors to conduct this important research. This was a competitive RFP process which, if my memory serves me correct, produced a good number of responses from interested entities.
- (2) Carol Paquette assembled a review panel (I'm not sure how many persons were involved in the review panel) to score the responses to this RFP...the submission by the Eagleton Institute included, as a part of their proposal, the Moritz School of Law at Ohio State University as a partner in conducting the legal research required for Eagleton to provide a final report (due in October) to the EAC. The review panel scored the Eagleton submission as best, considering a variety of factors.
- (3) The lead entity in this project is the Eagleton Institute. While the project manager's name from Eagleton escapes me right now, the lead from Moritz is not Dan Tokagi, but Ned Foley, who directs the election law section (or something to that effect) at Moritz. Certainly it is true that Professor Tokagi is contributing to the work product being assemble by Moritz, which consists primarily of reviewing election and administrative codes from all 50 states to ascertain how each state deals with provisional voting and voter ID requirements.
- (4) As is the case with all federal contractors, both Eagleton Institute and Moritz are contractually obligated to produce objective, sound and unbiased research and analysis on this project. While it is certainly prudent to consider the potential bias of any prospective contractor(s), after receiving the recommendation from the review panel and Carol Paquette (at the time, the acting EAC Executive Director), we unanimously agreed among the commissioners that the recommendation was worthy of support. At the time, we were aware, for example, that the Eagleton Institute had been involved last year in some litigation involving provisional ballots. We were also aware, as you point out, of Professor Tokagi's personal views regarding the issue of voter ID and provisional voting. Nevertheless, there was unanimous agreement in supporting the staff (and review panel) recommendation to move forward with the proposal submitted by Eagleton Institute.
- (5) Finally, to ensure that the final workproduct from both Eagleton and Moritz is objective and representative of all view points on these important issues, Eagleton proposed early in the process -- and we enthusiastically agreed -- to the formation of a balanced peer review panel which will review the work, on an on-going basis, of Eagleton and Moritz. All EAC commissioners have had an opportunity to provide names to Eagleton to ensure appropriate political balance on this peer review panel and Eagleton has been responsive to our various suggestions.

By way of summary, let me say that I believe we have an obligation to closely scrutinize the conduct of all of our federal contractors. If things come to light that bring into question the

015605

objectivity of any of our contractors, I believe the EAC ought to conduct its due diligence and deal with such matters accordingly, including the possibility of contract termination.

I would be happy to conduct such due diligence with regard to this particular contract. However, I must say, with all due respect, that I do not think any breach has occurred, either by Eagleton or Moritz, which would necessitate termination of this contract. I think appropriate checks and balances have been accounted for in this contract, and I believe these checks and balances will ensure an objective and sound final product from Eagleton.

I welcome your continued feedback, Hans.

Kindest regards,

RAY MARTINEZ III  
Commissioner  
U.S. Election Assistance Commission  
1225 New York Avenue, N.W., Suite 1100  
Washington, D.C. 20005

015609

August 19, 2005

To Gracia, Ray, Donetta, Tom, Julie, Karen

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

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

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

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

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

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

015610

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

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

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

015611

August 19, 2005

Paul:

I am directing this email only to the commissioners, because I don't think we should air our disagreements among staff until we have at least had a chance to discuss controversial issues with each other in person. It appears from Gracia's email that we will have a chance do so next week in Denver.

In the meantime, I feel compelled to respond to your email regarding Eagleton.

(1) As I stated last night in my email to Hans, we have an on-going responsibility to monitor the expenditure of all our federal funds, including to government contractors who are contractually obligated to deliver unbiased research. However, I will remind you that we did not contract with Eagleton merely to provide a compilation of state laws and procedures. Rather, we contracted with Eagleton (and indirectly with Moritz through Eagleton) to provide both research AND analysis of provisional voting and voter ID. Invariably, the analysis portion of their final product will be from a professional (and institutional) perspective, and will NOT represent any one researcher's personal point of view. If it does, then Eagleton and Moritz risk damaging their credibility not just with the EAC, but with other federal government agencies which undoubtedly contract with their respective institutions on other projects. I doubt seriously that either institution would risk such damage and allow one team member to inject bias into the work. Moreover, the peer review group that is (or has) been assembled by Eagleton is designed to cure any lingering concerns about potential insitutional or personal bias...Eagleton has been responsive to your feedback on this issue, to the point where they have removed all perspective representatives of the advocacy community on the peer review group (because they felt they could not achieve political "balance" from the advocacy groups). If there is some person (or persons) which you would like to see Eagleton include in the review group, it is my understanding that such inclusion is but a mere phone call away.

(2) You will recall that at our meeting last week, I raised the exact same concern about the Eagleton progress report, and asked for clarification from staff regarding the details of this particular work (i.e., fraud) on the part of Eagleton. I expect staff (or us directly) to ask questions of Eagleton (as we would any contractor) and determine if their work in this area is within the scope of work (and contract) we all agreed to. If it isn't then we re-direct them, just as we have done, for example with Kim Brace and EDS.

(3) Finally, I must express my disappointment, Paul, regarding your comments on Professor Tokagi that you chose to include in your email. While I may disagree with Hans on his particular analysis of the perceived personal bias of this contract, at least his allegations regarding Professor Tokagi's potential bias are grounded in fact (and he recited them as such in his email). You, on the other hand, have chosen to accuse Professor Tokagi of manipulating the work on this project based on your "suspicion." With all due respect, that unfortunate accusation borders, in my view, on a breach of professional decorum and I cannot let it go without response.

We clearly have some political issues that are increasingly being injected into nearly every discussion at the EAC table. I have stated both to you and Gracia individually that I believe this trend in part represents a "maturation" of the EAC and I am not uncomfortable with it. However, if we are going to bring accusations of subjectivity and bias to the table, then I will expect that such a filter will be applied across the board to ALL projects undertaken by the EAC, and that such a filter will be based solidly on fact, and not on innuendo, personal hunches or suspicions.

015612  
219510

I send this email, as always, with the highest degree of respect and friendship toward you. And yet, my disappointment is evident in your comments regarding an esteemed and respected member of the legal academic community (and someone whom I regard as a personal friend.)

I look forward to our continued discussion on this matter. And as for the substance of Hans' concern regarding Moritz, I stand by my email which I sent to everyone last night.

Regards,

RAY MARTINEZ III  
Commissioner  
U.S. Election Assistance Commission  
1225 New York Avenue, N.W., Suite 1100  
Washington, D.C. 20005

(202) 566-3100 (W)  
(202) 566-3127 (FAX)  
[www.eac.gov](http://www.eac.gov)

015619



U.S. ELECTION ASSISTANCE COMMISSION  
1225 NEW YORK AVENUE, N.W., SUITE 1100  
WASHINGTON, D.C. 20005

OFFICE OF THE CHAIRMAN

October 19, 2006

Ralph G. Neas  
President, People for the American Way Foundation  
2000 M Street, NW  
Suite 400  
Washington, DC 20036

**Via Facsimile Transmission ONLY**  
**202-293-2672**

RE: October 18, 2006 Letter

Dear Mr. Neas:

Your letter of October 18, 2006 requests the release of EAC's Voter Fraud and Intimidation Report. I would like to take this opportunity to clarify the purpose and status of this study.

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

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

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

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

Sincerely,

Paul S. DeGregorio  
Chairman

015014



October 18, 2006

Chairman Paul DeGregorio  
Commissioner Donetta L. Davidson  
Commissioner Gracia M. Hillman  
United States Election Assistance Commission  
1225 New York Avenue N.W., Suite - 1100  
Washington, DC 20005  
Fax: (202) 566-3127

Dear Commissioners,

On October 11<sup>th</sup>, *USA Today* published an article describing the report commissioned by the EAC on voter fraud. We write today to urge the EAC to release this report.

As a 25 year old civil rights and civil liberties organization, People For the American Way Foundation (PFAWF) and our sister organization, People For the American Way (PFAW) have long been dedicated to ensuring the integrity of our elections. In particular in the years since the 2000 election, PFAWF and other principle partners such as the NAACP and the Lawyers' Committee for Civil Rights Under Law, have carried out a program called Election Protection to ensure that all eligible voters are able to vote and have that vote counted as cast.

We know that voter fraud and intimidation occur— we've seen the long lines, the erroneous purges, the misleading flyers and phone calls. And yet there seems to be little attention to these matters on the state and federal level.

Instead, a disproportionate amount of time and energy are spent on measures that purport to curb voter fraud by requiring voters to produce proof of citizenship and identity to vote. In actuality, these measures do little to secure the elections and much to disenfranchise otherwise eligible voters. Indeed we are weeks away from an election where thousands of eligible voters may be disenfranchised by overly restrictive voter identification laws. That presents a real threat to the integrity of our elections and the health of our democracy.

The report that the EAC commissioned from voting experts would make a vitally important contribution to the national discourse on the reality of voter fraud. In light of the numerous claims regarding the prevalence of voter fraud, this report provides a much

015615

needed analysis about the state of our electoral process. While media reports indicate that this tax-payer funded report is final, even if there are outstanding concerns within the EAC, we implore you to move forward with releasing the report as is, and to hold a public hearing to address any potential issues. Again, the importance of the information in this report is paramount and the public deserves such full disclosure. The report should be released immediately so that those who are concerned about ensuring the integrity of elections can benefit from its findings.

Sincerely,



Ralph G. Neas  
President, People For the American Way Foundation

Cc: Senate Majority Leader Bill Frist  
Senate Minority Leader Harry Reid  
Senator Trent Lott, Chair, Senate Rules and Administration  
Senator Chris Dodd, Ranking Member, Senate Rules and Administration  
House Majority Leader John Boehner  
House Minority Leader Nancy Pelosi  
Representative Vernon Ehlers, Chair, House Administration  
Representative Juanita Millender-McDonald, Ranking Member, House Administration

015016

TRANSMISSION VERIFICATION REPORT

TIME : 10/20/2006 04:55  
NAME :  
FAX : 2025661389  
TEL :  
SER.# : IXXXXXXXXXX

DATE, TIME 10/20 04:54  
FAX NO./NAME 92281264  
DURATION 00:01:06  
PAGE(S) 04  
RESULT OK  
MODE STANDARD  
ECM



U.S. ELECTION ASSISTANCE COMMISSION

FACSIMILE TRANSMITTAL SHEET

TO: Senate Majority Leader Bill Frist FROM: Paul DeGregorio, Chairman  
COMPANY: U.S. Congress DATE: October 20, 2006  
FAX NUMBER: (202) 228-1264 TOTAL NO. OF PAGES, INCLUDING COVER: 4  
SENDER'S PHONE NUMBER: (202) 566-3106  
RE:

URGENT  FOR REVIEW  PLEASE COMMENT  PLEASE REPLY  PLEASE RECYCLE

NOTES/COMMENTS:

Please see the following letter from Ralph Neas, President of People for the American Way Foundation and the responding letter by the EAC. If you have any questions please feel free to contact the EAC @ (202)566-3100.

015617  
10910



U.S. ELECTION ASSISTANCE COMMISSION

FACSIMILE TRANSMITTAL SHEET

TO: Senate Majority Leader Bill Frist FROM: Paul DeGregorio, Chairman

COMPANY: U.S. Congress DATE: October 20, 2006

FAX NUMBER: (202) 228-1264 TOTAL NO. OF PAGES, INCLUDING COVER: 4

SENDER'S PHONE NUMBER: (202) 566-3106

RE:

URGENT  FOR REVIEW  PLEASE COMMENT  PLEASE REPLY  PLEASE RECYCLE

NOTES/COMMENTS:

Please see the following letter from Ralph Neas, President of People for the American Way Foundation and the responding letter by the EAC. If you have any questions please feel free to contact the EAC @ (202)566-3100.

015616  
519510

TRANSMISSION VERIFICATION REPORT

TIME : 10/20/2006 05:04  
NAME :  
FAX : 2025661389  
TEL :  
SER.# : **XXXXXXXXXX**

DATE, TIME 10/20 05:03  
FAX NO./NAME 92255144  
DURATION 00:00:41  
PAGE(S) 04  
RESULT OK  
MODE STANDARD  
ECM



U.S. ELECTION ASSISTANCE COMMISSION

FACSIMILE TRANSMITTAL SHEET

TO: Rep. Vernon Ehlers, House Administration  
FROM: Paul DeGregorio, Chairman  
COMPANY: U.S. Congress  
DATE: October 20, 2006  
FAX NUMBER: (202) 225-5144  
TOTAL NO. OF PAGES, INCLUDING COVER: 4  
SENDER'S PHONE NUMBER: (202) 566-3106  
RT:

URGENT  FOR REVIEW  PLEASE COMMENT  PLEASE REPLY  PLEASE RECYCLE

NOTES/COMMENTS:

Please see the following letter from Ralph Neas, President of People for the American Way Foundation and the responding letter by the EAC. If you have any questions please feel free to contact the EAC @ (202)566-3100.

015619



U.S. ELECTION ASSISTANCE COMMISSION

FACSIMILE TRANSMITTAL SHEET

TO:

FROM:

Rep. Vernon Ehlers, House  
Administration

Paul DeGregorio, Chairman

COMPANY:

DATE:

U.S. Congress

October 20, 2006

FAX NUMBER:

TOTAL NO. OF PAGES, INCLUDING COVER:

(202) 225-5144

4

SENDER'S PHONE NUMBER:

(202) 566-3106

RE:

URGENT     FOR REVIEW     PLEASE COMMENT     PLEASE REPLY     PLEASE RECYCLE

NOTES/COMMENTS:

Please see the following letter from Ralph Neas, President of People for the American Way Foundation and the responding letter by the EAC. If you have any questions please feel free to contact the EAC @ (202)566-3100.

015620

TRANSMISSION VERIFICATION REPORT

TIME : 10/20/2006 04:57  
NAME :  
FAX : 2025661389  
TEL :  
SER. # : IXXXXXXXXXX

DATE, TIME 10/20 04:55  
FAX NO./NAME 92241083  
DURATION 00:01:06  
PAGE(S) 04  
RESULT OK  
MODE STANDARD  
ECM



U.S. ELECTION ASSISTANCE COMMISSION

FACSIMILE TRANSMITTAL SHEET

TO: Senator Chris Dodd, Ranking Member, Senate Rules and Administration  
FROM: Paul DeGregorio, Chairman  
COMPANY: U.S. Congress  
DATE: October 20, 2006  
FAX NUMBER: (202) 224-1083  
TOTAL NO. OF PAGES, INCLUDING COVER: 4  
SENDER'S PHONE NUMBER: (202) 566-3106  
RE:

URGENT  FOR REVIEW  PLEASE COMMENT  PLEASE REPLY  PLEASE RECYCLE

NOTES/COMMENTS:

Please see the following letter from Ralph Neas, President of People for the American Way Foundation and the responding letter by the EAC. If you have any questions please feel free to call the EAC @ (202) 566-3100

015621



U.S. ELECTION ASSISTANCE COMMISSION

FACSIMILE TRANSMITTAL SHEET

TO:

FROM:

Senator Chris Dodd, Ranking  
Member, Senate Rules and  
Administration

Paul DeGregorio, Chairman

COMPANY:

DATE:

U.S. Congress

October 20, 2006

FAX NUMBER:

TOTAL NO. OF PAGES, INCLUDING COVER:

(202) 224-1083

4

SENDER'S PHONE NUMBER:

(202) 566-3106

RE:

URGENT     FOR REVIEW     PLEASE COMMENT     PLEASE REPLY     PLEASE RECYCLE

NOTES/COMMENTS:

Please see the following letter from Ralph Neas, President of People for the American Way Foundation and the responding letter by the EAC. If you have any questions please feel free to contact the EAC @ (202)566-3100.

015622

TRANSMISSION VERIFICATION REPORT

TIME : 10/20/2006 04:58  
NAME :  
FAX : 2025661389  
TEL :  
SER. # : I I I I I I I I I I I I I I I I

DATE, TIME 10/20 04:57  
FAX NO./NAME 92247327  
DURATION 00:01:06  
PAGE(S) 04  
RESULT OK  
MODE STANDARD  
ECM



U.S. ELECTION ASSISTANCE COMMISSION

FACSIMILE TRANSMITTAL SHEET

TO:	FROM:
Senate Minority Leader Harry Reid	Paul DeGregorio, Chairman
COMPANY:	DATE:
U.S. Congress	October 20, 2006
FAX NUMBER:	TOTAL NO. OF PAGES, INCLUDING COVER:
(202) 224-7327	4
SENDER'S PHONE NUMBER:	
(202) 566-3106	
RE:	

URGENT     FOR REVIEW     PLEASE COMMENT     PLEASE REPLY     PLEASE RECYCLE

NOTES/COMMENTS:

Please see the following letter from Ralph Ncas, President of People for the American Way Foundation and the responding letter by the EAC. If you have any questions please feel free to contact the EAC @ (202)566-3100.

015020



U. S. ELECTION ASSISTANCE COMMISSION

FACSIMILE TRANSMITTAL SHEET

TO:

FROM:

Senate Minority Leader Harry Reid

Paul DeGregorio, Chairman

COMPANY:

DATE:

U.S. Congress

October 20, 2006

FAX NUMBER:

TOTAL NO. OF PAGES, INCLUDING COVER:

(202) 224-7327

4

SENDER'S PHONE NUMBER:

(202) 566-3106

RE:

URGENT     FOR REVIEW     PLEASE COMMENT     PLEASE REPLY     PLEASE RECYCLE

NOTES/COMMENTS:

Please see the following letter from Ralph Neas, President of People for the American Way Foundation and the responding letter by the EAC. If you have any questions please feel free to contact the EAC @ (202)566-3100.

015024

TRANSMISSION VERIFICATION REPORT

TIME : 10/20/2006 04:59  
NAME :  
FAX : 2025661389  
TEL :  
SER.# : **XXXXXXXXXX**

DATE, TIME 10/20 04:59  
FAX NO./NAME 92250704  
DURATION 00:00:41  
PAGE(S) 04  
RESULT OK  
MODE STANDARD  
ECM



U.S. ELECTION ASSISTANCE COMMISSION

FACSIMILE TRANSMITTAL SHEET

TO: John Boehner, House Majority Leader  
FROM: Paul DeGregorio, Chairman  
COMPANY: U.S. Congress  
DATE: October 20, 2006  
FAX NUMBER: (202) 225-0704  
TOTAL NO. OF PAGES, INCLUDING COVER: 4  
SENDER'S PHONE NUMBER: (202) 566-3106  
RE:

URGENT  FOR REVIEW  PLEASE COMMENT  PLEASE REPLY  PLEASE RECYCLE

NOTES/COMMENTS:

Please see the following letter from Ralph Neas, President of People for the American Way Foundation and the responding letter by the EAC. If you have any questions please feel free to contact the EAC @ (202)566-3100.

015025



U.S. ELECTION ASSISTANCE COMMISSION

FACSIMILE TRANSMITTAL SHEET

TO:

FROM:

John Boehner, House Majority  
Leader

Paul DeGregorio, Chairman

COMPANY:

DATE:

U.S. Congress

October 20, 2006

FAX NUMBER:

TOTAL NO. OF PAGES, INCLUDING COVER:

(202) 225-0704

4

SENDER'S PHONE NUMBER:

(202) 566-3106

RE:

URGENT     FOR REVIEW     PLEASE COMMENT     PLEASE REPLY     PLEASE RECYCLE

NOTES/COMMENTS:

Please see the following letter from Ralph Neas, President of People for the American Way Foundation and the responding letter by the EAC. If you have any questions please feel free to contact the EAC @ (202)566-3100.

015626

TRANSMISSION VERIFICATION REPORT

TIME : 10/20/2006 05:01  
NAME :  
FAX : 2025661389  
TEL :  
SER.# : XXXXXXXXXXX

DATE, TIME 10/20 05:00  
FAX NO./NAME 92257926  
DURATION 00:00:38  
PAGE(S) 04  
RESULT OK  
MODE STANDARD  
ECM



U.S. ELECTION ASSISTANCE COMMISSION

FACSIMILE TRANSMITTAL SHEET

TO: Rep. Juanita Millender-McDonald,  
Ranking Member, House  
Administration

FROM: Paul DeGregorio, Chairman

COMPANY: U.S. Congress

DATE: October 20, 2006

FAX NUMBER: (202) 225-7926

TOTAL NO. OF PAGES, INCLUDING COVER: 4

SENDER'S PHONE NUMBER: (202) 566-3106

RE:

URGENT  FOR REVIEW  PLEASE COMMENT  PLEASE REPLY  PLEASE RECYCLE

NOTES/COMMENTS:

Please see the following letter from Ralph Neas, President of People for the American Way Foundation and the responding letter by the EAC. If you have any questions please feel free to contact the EAC @ (202)566-3100.

015627



# U.S. ELECTION ASSISTANCE COMMISSION

## FACSIMILE TRANSMITTAL SHEET

TO:

FROM:

Rep. Juanita Millender-McDonald,  
Ranking Member, House  
Administration

Paul DeGregorio, Chairman

COMPANY:

DATE:

U.S. Congress

October 20, 2006

FAX NUMBER:

TOTAL NO. OF PAGES, INCLUDING COVER:

(202) 225-7926

4

SENDER'S PHONE NUMBER:

(202) 566-3106

RE:

URGENT     FOR REVIEW     PLEASE COMMENT     PLEASE REPLY     PLEASE RECYCLE

NOTES/COMMENTS:

Please see the following letter from Ralph Neas, President of People for the American Way Foundation and the responding letter by the EAC. If you have any questions please feel free to contact the EAC @ (202)566-3100.

015028

TRANSMISSION VERIFICATION REPORT

TIME : 10/20/2006 05:02  
NAME :  
FAX : 2025661389  
TEL :  
SER.# : XXXXXXXXXX

DATE, TIME 10/20 05:01  
FAX NO./NAME 92258259  
DURATION 00:00:39  
PAGE(S) 04  
RESULT OK  
MODE STANDARD  
ECM



U.S. ELECTION ASSISTANCE COMMISSION

FACSIMILE TRANSMITTAL SHEET

TO: FROM:

Nancy Pelosi, House Minority  
Leader

Paul DeGregorio, Chairman

COMPANY: DATE:

U.S. Congress

October 20, 2006

FAX NUMBER: TOTAL NO. OF PAGES, INCLUDING COVER:

(202) 225-8259

4

SENDER'S PHONE NUMBER:

(202) 566-3106

RE:

- URGENT  FOR REVIEW  PLEASE COMMENT  PLEASE REPLY  PLEASE RECYCLE

NOTES/COMMENTS:

Please see the following letter from Ralph Neas, President of People for the American Way Foundation and the responding letter by the EAC. If you have any questions please feel free to contact the EAC @ (202)566-3100.

015028



# U.S. ELECTION ASSISTANCE COMMISSION

## FACSIMILE TRANSMITTAL SHEET

TO:

FROM:

Nancy Pelosi, House Minority  
Leader

Paul DeGregorio, Chairman

COMPANY:

DATE:

U.S. Congress

October 20, 2006

FAX NUMBER:

TOTAL NO. OF PAGES, INCLUDING COVER:

(202) 225-8259

4

SENDER'S PHONE NUMBER:

(202) 566-3106

RE:

URGENT     FOR REVIEW     PLEASE COMMENT     PLEASE REPLY     PLEASE RECYCLE

NOTES/COMMENTS:

Please see the following letter from Ralph Neas, President of People for the American Way Foundation and the responding letter by the EAC. If you have any questions please feel free to contact the EAC @ (202)566-3100.

015630

TRANSMISSION VERIFICATION REPORT

TIME : 10/20/2006 05:03  
NAME :  
FAX : 2025661389  
TEL :  
SER.# : **XXXXXXXXXX**

DATE, TIME 10/20 05:02  
FAX NO./NAME 92242262  
DURATION 00:00:31  
PAGE(S) 04  
RESULT OK  
MODE STANDARD  
ECM



U.S. ELECTION ASSISTANCE COMMISSION

FACSIMILE TRANSMITTAL SHEET

TO: Senator Trent Lott, Chair, Senate Rules and Administration  
FROM: Paul DeGregorio, Chairman  
COMPANY: U.S. Congress  
DATE: October 20, 2006  
FAX NUMBER: (202) 224-2262  
TOTAL NO. OF PAGES, INCLUDING COVER: 4  
SENDER'S PHONE NUMBER: (202) 566-3106  
RE:

URGENT  FOR REVIEW  PLEASE COMMENT  PLEASE REPLY  PLEASE RECYCLE

NOTES/COMMENTS:

Please see the following letter from Ralph Neas, President of People for the American Way Foundation and the responding letter by the EAC. If you have any questions please feel free to contact the EAC @ (202)566-3100.

015631



U.S. ELECTION ASSISTANCE COMMISSION

FACSIMILE TRANSMITTAL SHEET

TO:	FROM:
Senator Trent Lott, Chair, Senate Rules and Administration	Paul DeGregorio, Chairman
COMPANY:	DATE:
U.S. Congress	October 20, 2006
FAX NUMBER:	TOTAL NO. OF PAGES, INCLUDING COVER:
(202) 224-2262	4
SENDER'S PHONE NUMBER:	
(202) 566-3106	
RE:	

URGENT     FOR REVIEW     PLEASE COMMENT     PLEASE REPLY     PLEASE RECYCLE

NOTES/COMMENTS:

Please see the following letter from Ralph Neas, President of People for the American Way Foundation and the responding letter by the EAC. If you have any questions please feel free to contact the EAC @ (202)566-3100.

015632



U. S. ELECTION ASSISTANCE COMMISSION

FACSIMILE TRANSMITTAL SHEET

TO:

FROM:

Senator Trent Lott, Chair, Senate  
Rules and Administration

Paul DeGregorio, Chairman

COMPANY:

DATE:

U.S. Congress

October 20, 2006

FAX NUMBER:

TOTAL NO. OF PAGES, INCLUDING COVER:

(202) 224-2262

4

SENDER'S PHONE NUMBER:

(202) 566-3106

RE:

URGENT     FOR REVIEW     PLEASE COMMENT     PLEASE REPLY     PLEASE RECYCLE

NOTES/COMMENTS:

Please see the following letter from Ralph Neas, President of People for the American Way Foundation and the responding letter by the EAC. If you have any questions please feel free to contact the EAC @ (202)566-3100.

015093

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

July 12  
Before  
930-1030  
break (in phone)

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"  
[Redacted]  
06/22/2005 03:29 PM

To klyndyson@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

015634

## 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

015635

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.

2 4 E/O 2D 2A 2C 2S  
for new State Court.

- Evergreen foundation
- other academics
- inv. costs heavy

015036



PROPOSED MEMBERS OF PEER REVIEW GROUP.doc

015637

**STATUS OF PEER REVIEW GROUP RECRUITMENT**

(As of August 17, 2005)

*B* **R. Michael Alvarez, Ph.D.** YES/CONFIRMED *Neutral*  
Professor of Political Science  
California Institute of Technology

*B* **Guy-Uriel Charles** YES *Liberal*  
Associate Professor, School of Law  
University of Minnesota  
612-626-9154

*B* **Brad Clark** NO *Conservative*  
Professor of Law  
George Washington University School of Law

*B* **Pamela Susan Karlan** YES *Left*  
Montgomery Professor of Public Interest Law  
Stanford Law School  
650-725-4851

*cd* **Martha E. Kropf, Ph.D.** YES/CONFIRMED  
Assistant Professor of Political Science  
University of Missouri-Kansas City *NWTC info*  
816-235-5948; KropfM@umkc.edu *Leans left*

*B* **Daniel H. Lowenstein** YES *Left*  
Professor of Law  
UCLA  
310-825-4841

*B* **John F. Manning** *NO* ~~NO RESPONSE~~  
Professor  
Harvard Law School

*Julie* **Tim Storey** YES/CONFIRMED *Neutral*  
Program Principal  
Legislative Management Program  
National Conference of State Legislatures

*B* **Peter G. Verniero, Esq.** YES/CONFIRMED  
Counsel  
Sills, Cummis, Epstein and Gross, PC  
(Former NJ Attorney General and Supreme Court Justice) *Mod 60*

*Tim O'Rourke*

*yes*

*015638*  
*Cons*

Karen Lynn-Dyson/EAC/GOV  
09/02/2005 05:42 PM

To Paul DeGregorio/EAC/GOV@EAC, Thomas R.  
Wilkey/EAC/GOV@EAC  
cc Amie J. Sherrill/EAC/GOV@EAC

bcc

Subject Fw: New Peer Review Group Member

FYI-

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 09/01/2005 05:41 PM —



"Tom O'Neill"

09/02/2005 04:48 PM

To tokaji.1@osu.edu, ireed@rutgers.edu,  
john.weingart@rutgers.edu, foley.33@osu.edu,  
rmandel@rci.rutgers.edu, rmandel@rci.rutgers.edu  
cc klynndyson@eac.gov

Subject New Peer Review Group Member

Tim O'Rourke, Dean of the Fulton School of Liberal Arts at Salisbury University in Maryland, has agreed to serve on the Peer Review Committee.

Tom O'Neill

015039

## TIMOTHY G. O'ROURKE

Dean of the Fulton School of Liberal Arts  
Salisbury University

257 Fulton Hall, 1101 Camden Avenue, Salisbury, MD 21801  
Telephone: 410-543-6450/FAX: 410-548-3002

E-MAIL

In July 2002, Timothy G. O'Rourke became the Dean of the Fulton School of Liberal Arts at Salisbury University, a comprehensive public university with nearly 7,000 students located on Maryland's Eastern Shore. The largest of the university's four schools, the Fulton School has about 120 full-time faculty and more than 1,800 undergraduate and graduate majors in ten academic departments and accounts for more than two-fifths of the University's credit hour production.



In the seven years before his arrival at Salisbury, Dr. O'Rourke was at the University of Missouri-St. Louis, where he was the Teresa M. Fischer Professor in Citizenship Education, a position established in 1995 in order to promote the informed participation of youth in community and governmental affairs. The inaugural recipient of this professorship, Dr. O'Rourke held a joint appointment as Professor of Educational Leadership and Professor of Political Science. From 1998 to 2002, he served as Executive Director of Kids Voting Missouri, a program in which nearly 68,000 Missouri elementary and secondary students went to official polling sites and voted alongside their parents in the November 7, 2000 presidential election.

From 1992 to 1995, Dr. O'Rourke was professor and head of Political Science at Clemson University. Prior to that, Dr. O'Rourke was, for 14 years, a faculty member in the University of Virginia's Center for Public Service. From 1985 to 1992, Dr. O'Rourke served as the Executive Director of the Virginia Commission on the Bicentennial of the U.S. Constitution. Commission projects included the national opening of Montpelier, Madison's home (1987); the "Constitution Train" to Philadelphia to mark "Virginia Day" (1987); production of *Worth Fighting For*, an Emmy-Award-winning documentary on the ratification struggle in Virginia (1988); the celebration of the 200<sup>th</sup> anniversary of the first federal elections (1989); the Virginia visit of Hungarian President Árpád Göncz to mark the "Global Legacy of the Bill of Rights" (1990); and production of *What No Just Government Should Refuse*, an Emmy-nominated documentary on the writing of the Bill of Rights (1991). From 1983 through 1986, Dr. O'Rourke directed "The Virginia Court Days Forums," a series for Virginia public television featuring town meetings on constitutional issues.

Professor O'Rourke is the co-author of *State and Local Government: The Third Century of Federalism* (1988) and author of *The Impact of Reapportionment* (1980), named by *CHOICE* as one of the Outstanding Academic Books of 1980. His articles on the federal Voting Rights Act have appeared in such journals as the *Rutgers Law Journal*, the *Virginia Law Review* and the *Journal of Law & Politics*. He has testified before both U.S. House and Senate committees on various voting issues and has served as an expert witness in voting rights litigation. In addition, he has staffed electoral reform commissions, including the Virginia Beach Mayor's Committee for Reapportionment (1990) and the Charlottesville Citizens' Committee to Study Council Changes (1980-81). During 1996-97, he served as advisor to the St. Peters Charter Commission, which drafted a home rule charter for that city. Dr. O'Rourke's teaching interests include state politics, school law, and voting rights and representation. He is a *Phi Beta Kappa* graduate of the University of Pittsburgh (1970) and holds a Ph.D. in Political Science from Duke University (1977). In 2002, Dr. O'Rourke joined four others in the inaugural Class of Distinguished Alumni recognized by the Tyrone Area School District (PA). Dr. O'Rourke and his wife Judy have five grown children and one grandchild and reside in Quantico, Maryland.

### Other Fulton Links:

[Fulton School Home](#) | [For Fulton Faculty and Staff](#) | [Calendar of Events](#)

015040

## Existing Research Analysis

There are many reports and books that describe anecdotes and draw broad conclusions from a large array of incidents. There is little research that is truly systematic or scientific. The most systematic look at fraud is the report written by Lori Minnite. The most systematic look at voter intimidation is the report by Laughlin McDonald. Books written about this subject seem to all have a political bias and a pre-existing agenda that makes them somewhat less valuable.

Researchers agree that measuring something like the incidence of fraud and intimidation in a scientifically legitimate way is extremely difficult from a methodological perspective and would require resources beyond the means of most social and political scientists. As a result, there is much more written on this topic by advocacy groups than social scientists. It is hoped that this gap will be filled in the "second phase" of this EAC project.

Moreover, reports and books make allegations but, perhaps by their nature, have little follow up. As a result, it is difficult to know when something has remained in the stage of being an allegation and gone no further, or progressed to the point of being investigated or prosecuted or in any other way proven to be valid by an independent, neutral entity. This is true, for example, with respect to allegations of voter intimidation by civil rights organizations, and, with respect to fraud, John Fund's frequently cited book. Again, this is something that it is hoped will be addressed in the "second phase" of this EAC project by doing follow up research on allegations made in reports, books and newspaper articles.

Other items of note:

- There is as much evidence, and as much concern, about structural forms of disenfranchisement as about intentional abuse of the system. These include felon disenfranchisement, poor maintenance of databases and identification requirements.
- There is tremendous disagreement about the extent to which polling place fraud, e.g. double voting, intentional felon voting, noncitizen voting, is a serious problem. On balance, more researchers find it to be less of a problem than is commonly described in the political debate, but some reports say it is a major problem, albeit hard to identify.
- There is substantial concern across the board about absentee balloting and the opportunity it presents for fraud.
- Federal law governing election fraud and intimidation is varied and complex and yet may nonetheless be insufficient or subject to too many limitations to be as effective as it might be.

015041

EAC Voting Fraud-Voter Intimidation Preliminary Research

---

- Deceptive practices, e.g. targeted flyers and phone calls providing misinformation, were a major problem in 2004.
- Voter intimidation continues to be focused on minority communities, although the American Center for Voting Rights uniquely alleges it is focused on Republicans.

015642

*Peer Review Group  
Summary of Comments  
To the Eagleton/Moritz Group  
Under Contract to Provide Research Assistance to the EAC*

*October 15, 2005*

The Peer Review Group (PRG) met by telephone conference on September 21. Those participating included: Michael Alvarez, John C. Harrison, Martha Kropf, Dan Lowenstein, Peter Verniero, Brad Smith, and Tim Storey. This summary also includes additional written remarks submitted by Martha Kropf and additional remarks from a follow-up phone call with Timothy O'Rourke. We are now addressing all the comments including, in some cases, returning to members of the group to seek further elaboration or clarification.

We encouraged the members of the PRG to comment about any aspect of the project. We furnished them with these materials before the meeting.

1. Survey of local (mainly county) officials conducted in June 2005.
2. State-by-state narrative of developments in provisional voting
3. Statistical Analysis of state provisional voting
4. Memorandum on Provisional Voting Litigation
5. Memorandum on Provisional Ballot Litigation by State
6. July Memorandum on Provisional Ballot Litigation by Issue

We suggested that PRG members rank our draft responses to each of the six key questions posed by the EAC along these lines:

- 1- Research supports conclusions well.
- 2- Research supports some conclusions. Specific questions are:
- 3- Research does not support conclusions. Major problems are:

On the Alternatives paper, we asked PRG members to list up to three items they found questionable in light of the research and their own knowledge of provisional voting and election administration and to give us their thoughts on alternative policies that we had not included.

General Suggestions

1. Make transparently clear the meaning of **'old' versus 'new' states**. It is not enough to categorize the states as such, we need to determine why specific states were considered 'old' or 'new' (i.e. clarify what conditions were met by old states).

015643  
1

2. Be **clear** in our report about the **data that we were unable to obtain** and perhaps speculate on why that data was not available. (For example, do we have the documentation the state election boards gave the localities regarding counting practices? If not, why not? Indicate the states for which it was difficult to obtain data.

3. Prescribe less and **describe more** (tell what voters/administrators have done, not what they should have done or ought to do).

4. Questioned our assumption about public trust – How do we know that decreases in disputes/challenges signify an increase in public trust? We need to explain this assertion.

#### Specific Review by Area of Analysis/Document

##### **Response to Statistical Review:**

- Challenged our emphasis on the number of provisional ballots counted as a percentage of those cast as an indication of success of Provisional Voting. Suggested alternative relationships to consider (PB v. Turnout, PB v. Registered Voters, and PB v. Voting age Population).
- Wanted the inclusion of variation within states among counties (and geographical considerations).
- The report needs to address the quality and validity of the data used in the analysis.
- On Page 8, cautioned using the estimate of 280,000 disenfranchised voters who would have voted if outside precinct voting was permitted.

##### **Response to Question Four:**

- Remove the comments in the footnote (p. 1) that offers an alternative way of analyzing the question relating to the possible increase in voter participation as a result of provisional voting because the margin of error in the Census survey does not support a conclusion at this level of significance.
- Address the alternative explanation for why old states may enfranchise more voters than new states (i.e. Kropf 's Failsafe option).
- Include a statistical summary of the relationship between the length of time a state has had PV and the rate at which votes are counted.

##### **Response to Question Five:**

- Is it possible to draw any conclusions about the local differences within and among states broken down by county (presumably 20 states worth)?

015644

- Clarify what is meant by “design” and say how many states have/had provisional ballots that are designed differently and look different. Why is design important?
- Page 17 indicates that states with statewide voter databases end up validating fewer PVs. This is important & should be addressed in more detail.

#### **Response to Question Six:**

- On the usefulness of instructions, 98% said the instructions were useful. Make it clear that this represents 98% of the officials who got instruction.
- Is the passive voice the best means to communicate this information (for ex. "Second, objectively how well did the process appear to be managed?")

#### **Response to State Narratives:**

- When in doubt about whether we have data to support a sentence it is important to be careful about the language we use (say ‘doing XYZ would have revealed’ as opposed to ‘most of what we know about XYZ revealed’...)
- Clarify for the readers what is meant by "provisional vote/total vote". Does that mean provisional votes cast? Counted? Make it clear right at the beginning of every document?
- Footnote states that do not list poll sites or tell people where to vote with the fact that many cities/counties do have a poll finder.

#### **Election Official Survey**

- Clarify how we determined who to include in the sample and how we developed the questions in the survey (was a focus group an initial step?) Why were 3,800 election officials deemed eligible to participate (out of how many? 5,000 or so?)
- Clarify old and new states on pg. 2 in National Survey. Comment on how to assess fraud in provisional voting? What is the relationship between PV and turnout?
- Explore more issues about citizenship (18% non-citizen voting in CA)?
- Appendix A says survey was random, but it’s not. How was the data weighted for small, medium and large counties, and for other issues? Clarify this in the report.

015043

- Why doesn't the total of new and old states equal 50 (25 and 18) and why does the National Survey of Election Officials have different numbers? Is FL an 'old' state?
- Are the New England states underrepresented in the survey? If so, why?
- Report should offer more information about the response rate.

#### **Alternatives Document**

- The importance of clarity in state processes for both administrators and voters needs to be better articulated.  
(Better training of poll workers, clarity whether failure to check boxes disqualifies voters, access to better info. at polling locations)
- Cautions the use of definitive statements (such as A-3, perhaps say "This raises the question of...").
- Have other EAC Guidelines been tested in court yet?
- On page 3: the 'tracking number' in # 6 is not feasible. Also, "the information" in # 12 should be changed to "the website and 800 numbers" for clarification.
- Page 6, there were disagreements about # 1 and # 2 of options in Sec. F regarding the installation of a separate body to rule on PV for the integrity process; a motion was made to get rid of them.
- Page 6, Sec. E option # 1 should be eliminated or clarified
- Add to Sec. F a '# 5' requiring states to provide detailed public info. on PV

015046



---

EAGLETON INSTITUTE OF POLITICS

---

*Contract to Provide Research Assistance to The EAC  
For the Development of Voluntary Guidance on  
Provisional Voting and Voter Identification Procedures*

**MONTHLY PROGRESS REPORT**  
**September 2005**

**For**  
**UNITED STATES ELECTION ASSISTANCE COMMISSION**  
1225 New York Avenue N.W., Suite - 1100  
Washington, DC 20005

September 14, 2005

**Prepared by:**  
Eagleton Institute of Politics  
Rutgers, The State University of New Jersey  
191 Ryders Lane  
New Brunswick, NJ 08901-8557

015847

## OUTLINE

- Introduction
- Provisional Voting
  - Task 3.5
- Voter Identification Requirements
  - Task 3.10
  - Task 3.11
- Project Management
  - Task 3.1
- Financial Report

## INTRODUCTION

This report describes our progress from September 1 through September 30, 2005. It includes brief descriptions of key tasks; progress made; challenges encountered or anticipated; milestones reached; and projections for work to be completed in the coming month.

We focused in September on refining our Provisional Voting research. This refinement was necessary to prepare a strong final analysis paper and develop alternative approaches to Provisional Voting based on the analysis. An important part of this refinement involved reconciling sometimes conflicting data on Provisional Voting from different sources, including the Election Day Study, which finally became available in September. With a clearer understanding of our data, we began the critical work of selecting alternatives to recommend to the EAC as guidance or best practices responsive to both our research and the needs of the Commission.

Three meetings this month helped us accomplish the necessary refinement. We briefed the EAC on our work on September 6, held the first meeting of the Peer Review Group (PRG) on September 21, and gained the benefit of the EAC's reaction to the September 6 briefing in a conference call on September 30.

The completion of our work on Provisional Voting has been delayed by the time needed to absorb and incorporate the findings of the EAC Election Day Study, to recruit and receive the comments of the PRG, and to receive the Commission's comments on the September 6 briefing. The schedule called for the release of the Election Day Study last spring, the submission of the Preliminary Guidance Document to the EAC's advisory boards in mid-September, and a public hearing on the Guidance Document in late October. We now plan to submit to the EAC a final draft of our report, a preliminary guidance document, and draft

015648

best practices before the end of October. And we understand that after review of those materials, the EAC will decide whether to issue a guidance document or recommend best practices. Projecting a late November date for those decisions seems reasonable. If the EAC does decide to issue a Guidance Document on Provisional Voting, the time needed for a review by the advisory boards is likely to delay a public hearing until January.

While we have made a good start on the Voter ID sections of our research, most time and resources this month were dedicated to resolving issues involved in Provisional Voting.

This report is divided into 3 sections: Provisional Voting, Voter Identification Requirements, and Project Management. Each section references specific tasks described in paragraph 3 of the contract. The Financial Report will be sent separately by the Rutgers Division of Grant and Contract Accounting.

Please direct questions or comments about this report to Tom O'Neill at:

[REDACTED]

015649

## **PROVISIONAL VOTING**

Tasks 3.4 – 3.9 in our contract relate to Provisional Voting. Work on the first of these must be complete before proceeding to later tasks. Task 3.4 was completed in August, and Task 3.5 is well underway.

**Task 3.5: Analysis and Alternative Approaches. Assess the potential, problems, and challenges of Provisional Voting and develop alternative means to achieve the goals of Provisional Voting.**

### **LEGISLATION, REGULATIONS, AND LITIGATION**

The research team at the Moritz College of Law has the lead responsibility for the collection and analysis of legislation, administrative procedures and litigation. This information constitutes the compendium of legislation, administrative regulations, and case law called for under this task. It has provided a base of understanding for the analysis of states' actual experience with Provisional Voting in 2004, for which the Eagleton team has lead responsibility.

**Description:** The Moritz team has created a 50-state chart to summarize information on Provisional Voting, compiled statutes, case law and administrative procedures regarding Provisional Voting and is near completion with this research.

**Progress:** We have completed the memorandum outlining Provisional Voting legislative changes since the 2004 election and we are continuing to clarify the laws prior to these changes.

**Challenges:** The variety in the form and frequency of Provisional Voting legislation from state to state makes creating a snap-shot view across states a challenge.

**Work Plan:** The analysis of the information, data, and survey results concerning Provisional Voting was completed in September, on schedule. We are now revising it in response to comments by the Peer Review Group (PRG). We are also revising the alternatives document to reflect the critique of the PRG and the guidance from the EAC in response to the September 6 briefing.

### **PREPARATION FOR AND EXPERIENCE WITH PROVISIONAL VOTING**

The Eagleton team has researched and compiled a narrative of each state's experience with Provisional Voting in 2004. The report findings from the survey of 400 local election officials are now complete. The survey results have proven to be instrumental in shaping our

015650

understanding of actual practice in administering Provisional Voting, including the steps local officials took to prepare for the election.

### PROVISIONAL VOTING NARRATIVES

**Description:** To construct the narratives, a researcher examined newspaper accounts, state websites, and reports from third-party organizations to gather information on the experience with Provisional Voting in the 2004 election. To organize the information derived from this examination, we created an information system that catalogues information about the states (i.e. whether a state was new to Provisional Voting, the percentage of provisional votes counted, the method of notifying voters if their vote was counted, etc.) and combined it with Moritz's collection and analysis of statutes, regulations and litigation.

**Progress:** We completed a state-by-state narrative of developments in Provisional Voting and distributed it to the EAC and the PRG. This work has been helpful in understanding the context of the data collected on provisional voting from the states.

**Challenges:** The primary obstacle to constructing the narratives was difficulty in communicating and obtaining necessary information from various state officials. As a result, the narratives underwent several revisions to incorporate up-to-date and reliable information. Now that so many other analyses, including the Election Day Survey, have been released, we were challenged by different interpretations of the same basic facts. But the reconciliation of interpretation and data collection has been invaluable in establishing rigor in our report.

**Work Plan:** We completed revisions of the narratives incorporating comments from the PRG.

### PROVISIONAL VOTING STATISTICAL ANALYSIS

**Description:** Throughout September the Eagleton research team revised and clarified its statistical analysis, and worked to reconcile the classifications of this analysis (such as states counting only those provisional ballots cast within the proper precinct versus states that counted ballots cast within the proper county) with the classification made in other parts of this study or in other studies (such as the Election Day Study or *Electionline* reports).

**Progress:** In response to comments from the PRG, we have clarified and sharpened the presentation on the methods used and results achieved in the statistical analysis. We have double checked the classification of variables upon which the study is based and reconciled differences in various areas of the overall study. This effort is nearing completion.

**Challenges:** The difficulties encountered have been a result of communication delays and time constraints. Overall, these are not problems or hindrances, but simply slow down the process.

015651

**Work Plan:** In mid-October we aim to complete a final revision of the statistical analysis and a full reconciliation of all data within the study.

### SURVEY OF COUNTY ELECTION OFFICIALS

**Description:** The Eagleton Center for Public Interest Polling (CPIP) conducted a national survey of county election officials to measure several aspects of Provisional Voting.

**Progress:** The analysis of the survey results and findings report is complete. As a result of the critique by the PRG, the research team is revising and clarifying the descriptions of the survey design and sample selection process to make the research methods more transparent.

**Work Plan:** We used the information from the survey in drafting the analysis and alternatives document required under Task 3.5. We will include necessary clarifications regarding survey design and sample selection in the final analysis and alternatives document.

### Peer Review Group

Most members of the PRG met by telephone conference on September 21 to comment on all the research described above. Participating in the meeting were Michael Alvarez, Martha Kropf, Dan Lowenstein, Peter Verniero, Brad Smith, and Tim Storey. Timothy O'Rourke contributed his comments separately. The group provided a detailed critique of our approach, methods, and conclusions, and we are now revising each document in response to the comments and suggestions. It praised the quality of the work and the rigor of much of the analysis. A summary of the suggestions from the members of the PRG is attached to this report.

### Challenges and Work Plan

Making arrangements for review of drafts by the PRG and by the EAC has taken longer than anticipated by the Work Plan. The schedule called for all research and analysis to have been completed and incorporated into a Draft Preliminary Guidance Document by mid September. The review process by the EAC and PRG took longer than contemplated by the Work Plan. And we now understand that the EAC will make a separate decision --that will require additional time-- whether to issue a Guidance Document or recommendations for best practices. It has not, therefore, been possible to schedule a public hearing or arrange for review of our work by the EAC's advisory boards, as called for in the Work Plan. We now aim to complete our reports and recommendations for guidance by the end of October, and to then await a response from the EAC before scheduling submission to the advisory boards or making arrangements for a hearing.

015652

## VOTER IDENTIFICATION REQUIREMENTS

The contract lists 7 tasks (3.10 – 3.16) related to Voter Identification Requirements. The research on Voter ID requirements is proceeding concurrently with our work on the experience of Provisional Voting, and is becoming the principal focus of our research.

### Task 3.10: Legislation, regulations, and litigation

The research team at the Moritz College of Law has the lead responsibility for the collection and analysis of legislation, administrative procedures and litigation with regard to Voter Identification Requirements. This collection of material is nearing completion. It will constitute the compendium of legislation, administrative regulations, and case law called for under this task.

**Description:** The Moritz team has compiled statutes on Voter Identification, and will provide a summarized analysis of this research to the project team for review.

**Progress:** The 50 State (plus the District of Columbia) chart has been completed, the voter identification statutes have been collected for all states and D.C., and summaries of the existing voter identification statutes have been written for all states and D.C.

**Challenges:** Identifying the relevant statutes has been challenging because of the different terminology used from state to state to codify voter identification issues, and because many states have scattered election law provisions throughout their codes. This variety from state to state makes creating a snap-shot view across states a challenge.

**Work Plan:** Analysis of voter identification data will begin now.

### SUPPLEMENTS TO LEGAL ANALYSIS

To supplement the legal analysis, the Eagleton team is undertaking two research efforts: First, compiling information on the debate over voter ID in the states; and second, estimating the effect on turnout of different voter ID regimes. Tracking the continuing political debate over voter identification reveals that the relatively narrow HAVA requirements for voter identification have apparently sparked in many states a broader concern and a sharp political debate over rigorous identification requirements for all voters. The research follows these developments both to monitor possible secondary effects of HAVA on voter ID, and to provide a rich collection of alternative approaches for consideration.

Individual narratives for the states with significant activity in voter ID will provide a resource for understanding the wide range of experience in the 2004 election. The narratives will include an appraisal of the prevalence and nature of vote fraud, a focus of the concern with increasing the rigor of voter ID requirements. We understand that the EAC has issued a

0151032

research contract that will focus on vote fraud and vote suppression. Our research in this area will be limited to developing an understanding of the tradeoffs between ballot security and access to the ballot. We have completed the basic database on voter identification issues has been completed, and the next key step will be drafting the first narratives.

### VOTER ID AND TURNOUT ANALYSIS

The second supplemental analysis will provide objective information on a contentious feature of the debate over voter ID in the states: the effects of more rigorous voter ID regimes on voter turnout and the relationship between the voter ID regime and vote fraud. As part of this effort, Eagleton is undertaking a statistical analysis to gauge the effect of a state's voter ID regime on turnout, especially turnout by minority and elderly voters.

**Description:** We have created a database and gathered statistics on the effects of state-level voter identification requirements on voter turnout at the county-level in the 2004 election.

**Progress:** The collection of data for the Voter ID-Turnout analysis is complete. The assembled database contains population demographic data, voter registration data and voter turnout data from all 50 states, 3113 Counties, and the District of Columbia. We have also utilized exit poll data collected on Election Day 2004 as a resource for understanding the demographics of voter turnout.

**Challenges:** The analysis of these data has been postponed until the data reconciliation of Provisional Voting is complete. The main challenge now is an issue of time management. As a result of the extensive revision and data reconciliation efforts aimed at the Provisional Voting section of our work VID has been temporarily placed on hold.

**Work Plan:** The analysis of the impact that voter identification requirements have upon voter turnout should be completed by early November.

015654

## **PROJECT MANAGEMENT**

### **PEER REVIEW GROUP**

**Description:** A feature of our proposal was the creation of a PRG. It reviews our research and methodology and provides valuable feedback and suggestions for the direction of our work.

**Progress:** The research team held its first conference call with PRG members on September 19, 2005. The research team will hold a workshop meeting on October 19, 2005 to address the PRG's comments.

**Challenges:** To date we still have not heard back from two PRG Members.

**Projections:** Revisions and clarifications to our reports on Provisional Voting will be resolved by the end of October. We will need to schedule a second conference call to review our research with regard to Voter Identification Requirements in late November. As noted earlier, a summary of the comments we have received from the PRG is attached to this report.

### **COORDINATION AND INFORMATION MANAGEMENT**

Collecting and merging information and data from myriad sources is a demanding requirement of this research. We have developed two principal mechanisms to facilitate the analysis of the material collected or created in the project: an information system and an internal website for easy access to drafts and reports.

#### **INFORMATION SYSTEM**

**Description:** The statutory data and reports prepared by the Moritz College of Law is being merged with the political and procedural data and analysis prepared by the Eagleton Institute of Politics to provide a cohesive final product to the EAC, which will include a compendium of case law and statutes regarding Provisional Voting and voter identification.

**Progress:** At this point in the research process, many documents are complete after a lengthy process of circulating drafts among team members. We have reorganized our system by separating final drafts from earlier versions of documents, discarding dated files contained in the Information System, and updating the system as a whole.

**Projections:** The entire project team continues to use the Information System which contains the above referenced research, in working toward the preparation for our final reports to the EAC.

#### **INTRANET**

015055

**Description:** All project team members have signed on to the Intranet site. The Intranet facilitates the exchange of information and collaboration among project participants.

**Progress:** Project team members regularly post drafts, completed materials and spreadsheets online for internal review. The intranet has helped team members and serves as an internal website with announcements and important documents readily available to all team members.

## FINANCIAL REPORT

The financial reporting for this project is supervised and prepared by the Division of Grant and Contract Accounting (DGCA) at Rutgers. Financial reporting on grant accounts is limited to actual expenses that have been incurred during the reporting period. Our contact at DGCA is: Constance Bornheimer, (732) 932-0165, EXT. 2235.

A detail of expenses incurred from project September 1- September 30, 2005, will be sent under separate cover to: Ms. Dianna Scott, Administrative Officer at the EAC.

015056

Then discuss

**Job Description**

**U.S. Election Assistance Commission (EAC) Voter Fraud and Voter Intimidation Project Consultant**

The U.S. Election Assistance Commission (EAC) seeks to identify a senior-level project consultant to develop various project activities and studies related to U.S. election voter fraud and voter intimidation. *APR 2005*

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

This consultant, whose contract would run for the period June-November, 2005, would be responsible for:

- Identifying and convening a working group of key individuals and organizations knowledgeable about the topics of voter fraud and intimidation;
- Developing a project scope of work and a project work plan related to voter fraud and intimidation;
- Authoring a report summarizing the key findings of this preliminary study of voter fraud and intimidation. The report will also include suggestions for specific activities the EAC may undertake around these topics. *research*

From this initial research and exploration of these topics the consultant may be retained to help oversee research projects and contracts EAC may develop on the topics of voter fraud and intimidation.

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

C15057

**STATUS OF PEER REVIEW GROUP RECRUITMENT**

(As of August 17, 2005)

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

Professor of Political Science  
California Institute of Technology  
Name not found on opensecrets.org or fec.gov  
Professional bio attached

YES/CONFIRMED

*Conny McCormick*

*Dem. (not because)  
Jennifer Collins-Fisher  
all*

**Guy-Uriel Charles**

Associate Professor, School of Law  
University of Minnesota  
612-626-9154  
Name not found on opensecrets.org or fec.gov  
Bio attached

YES\*

**Brad Clark**

Professor of Law  
George Washington University School of Law  
Name not found in opensecrets.org or fec.gov  
Bio attached

NO

**Pamela Susan Karlan**

Montgomery Professor of Public Interest Law  
Stanford Law School  
650-725-4851  
Name not found on opensecrets.org or fec.gov  
Bio attached

YES

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

Assistant Professor of Political Science  
University of Missouri-Kansas City  
816-235-5948; KropfM@umkc.edu  
Name not found on opensecrets.org or fec.gov  
CV attached (member of NWPC – issue info attached)

YES/CONFIRMED

**Daniel H. Lowenstein**

Professor of Law  
UCLA  
310-825-4841  
Name not found on opensecrets.org or fec.gov  
Bio attached

YES

**John F. Manning**

Professor  
Harvard Law School  
Contributed \$500 to NRCC in 2002 as per opensecrets.org and fec.gov  
Bio attached

NO RESPONSE

015658

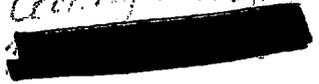
*Prober & Montgomery - Poli Sci Univ of MO*

**Tim Storey**  
Program Principal  
Legislative Management Program  
National Conference of State Legislatures  
Possible contribution of \$250 to Kerry camp. In 2004 (not sure if same person)  
No bio found

*Bipartisan  
Org. bio requested*

**YES/CONFIRMED**

*NGSL for Bio*  
*NATALEE O'Donnell*  
*Leg. Mgmt Program*



**Peter G. Verniero, Esq.**  
Counsel  
Sills, Cummis, Epstein and Gross, PC  
(Former NJ Attorney General and Supreme Court Justice)  
Name not found on opensecrets.org or fec.gov  
Bio attached

**YES/CONFIRMED**

015859

PEER REVIEW INFO - PRODU. UBTINER  
ID REQUIREMENTS

01/15/10

### **Biographical Sketch**

R. Michael Alvarez, Ph.D.  
Professor of Political Science  
Division of the Humanities and Social Sciences  
California Institute of Technology  
rma@hss.caltech.edu  
<http://www.hss.caltech.edu/rma/home.html>  
626-395-4422

R. Michael Alvarez was selected by *Scientific American* magazine to be on the 2004 "Scientific American 50" for his outstanding scientific and technological contributions to help improve the U.S. voting system. He has taught political science at Caltech since December 1992. He received his B.A. in political science in 1986 from Carleton College; he received his M.A. and Ph.D. from Duke University in 1990 and 1992, respectively. Alvarez was named an Associate Professor in April 1995, received tenure in June 1997, and was promoted to Professor in March 2002. Alvarez has focused most of his research and teaching on the study of electoral politics in the United States. His first book, *Information and Elections*, was published in the spring of 1997: This project examined the question of how much American voters know about presidential candidates and how they obtain that information. His second book, *Hard Choices, Easy Answers* (with John Brehm), is a study of American public opinion about divisive social and political issues. His recent book (published January 2004), *Point, Click, and Vote: The Future of Internet Voting* (with Thad E. Hall), published by Brookings Institution Press, examines the controversies swirling around the Internet voting in the United States. He has also published many articles on electoral behavior and public opinion in the United States and other advanced industrial democratic nations.

Alvarez has received a number of honors and grants for his work. He was named the "Emerging Scholar" by the American Political Science Association's Voting Behavior and Public Opinion Section in 2002. He was a John M. Olin Faculty Fellow (1994-95) as well as a John Randolph Haynes and Dora Haynes Faculty Fellow (1994, 1997, 1999, 2002). Alvarez received the Sprague Award with John Brehm for their work on public opinion, and the Durr Award with Jonathan Nagler for their work on modeling elections. Also, Alvarez has received financial support for his research 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: American Journal of Political Science, American Politics Quarterly, Election Law Journal, Political Behavior, The Journal of Politics and Political Research Quarterly. He was the editor of *The Political Methodologist*, 1993-96.

Professor Alvarez is Co-Director of the Caltech-MIT Voting Technology Project, researching technological solutions to electoral problems, and is the Principal Investigator of the "Secure Electronic Registration and Voting Experiment" Evaluation. He has been an expert witness in a series of recent court cases, including California's defense of the blanket primary (California Democratic Party v. Jones), Bradley v. Compton, and Cano v. Davis. He has testified before a number of organizations, including the U.S. Senate. He was an outside consultant for Knight Ridder on their 2000 Hispanic Voter Poll, and in 2004 is a consultant to Greenberg, Quinlan, Rosner Research Inc. in their research on the Hispanic electorate. Alvarez is a frequent guest on Pasadena's National Public Radio affiliate, KPCC-FM, and writes opinion pieces for local newspapers. He has been interviewed for National Public Radio, Jim Lehrer's NewsHour, CNN, ABC, NBC News, and for many state, national and international newspapers.

01566t

Copyright  
Michael Alvarez

THE GEORGE WASHINGTON UNIVERSITY LAW SCHOOL  
WASHINGTON DC



**Bradford R. Clark**  
Professor of Law

Email: [bclark@law.gwu.edu](mailto:bclark@law.gwu.edu)  
Telephone: (202) 994-2073  
Fax: (202) 994-5654

**Education:** B.A., Florida State University; J.D., Columbia University

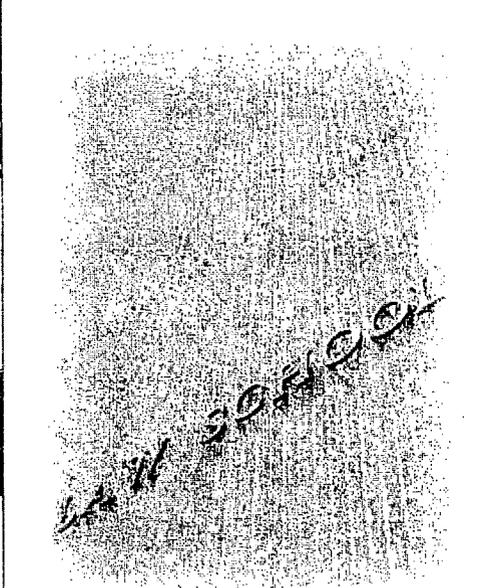
**Biographical sketch:** Before coming to the Law School in 1993, Professor Clark spent several years practicing law in the Washington, D.C., office of Gibson, Dunn & Crutcher, where he specialized in appellate litigation. Previously, Professor Clark served as an attorney adviser in the Department of Justice's Office of Legal Counsel, where he provided legal advice to the president, the attorney general, and the heads of executive departments. Professor Clark also served as a law clerk to Judge Robert H. Bork of the U.S. Court of Appeals for the D.C. Circuit and to Supreme Court Justice Antonin Scalia. Professor Clark teaches and writes in the areas of civil procedure, constitutional law, and federal courts.

**Current Semester Courses:** Civil Procedure I, Law Review

© 2005 The George Washington University Law School

015662

# Stanford Law School



ADMINISTRATION

ALUMNI

FACULTY

STUDENTS

DISCUSS

LINKS

COURSE

EVENTS

RESEARCH

PROFESSIONAL

INTERNET

ABOUT SLS

QUESTIONS?

SLS INTRANET

MAKE A GIFT TO SLS

STANFORD UNIVERSITY



## FAQULT

### Pamela S. Karlan

*Kenneth and Harle Montgomery Professor of Public Interest Law*

[karlan@stanford.edu](mailto:karlan@stanford.edu)  
650/725-4851

#### Education

- BA, Yale, 1980
- MA, Yale, 1984
- JD, Yale, 1984

#### Employment History

- Clerk to Judge Abraham D. Sofaer, U.S. District Court, Southern District of New York, 1984-85; to Justice Harry A. Blackmun, U.S. Supreme Court, 1985-86
- Assistant Counsel, NAACP Legal Defense & Educational Fund, 1986-88; Cooperating Attorney, 1988-<sup>Nixon</sup>
- Associate Professor, U. of Virginia, 1988-93; Professor, 1994-98
- Visiting associate Professor, Yale, 1992; NYU 1993
- Visiting Professor, Harvard, 1994-95; Stanford 1996; U. of Virginia, 2002
- Joined the Stanford faculty in 1998; Academic Associate Dean, 1999-2000; Montgomery Professor, 1999-
- Commissioner, California State Fair Political Practices Commission, 2003—

#### Professional Affiliations

- Member, American Law Institute
- Cooperating Attorney, NAACP Legal Defense & Educational Fund
- Commissioner, California Fair Political Practices Commission

#### Honors and Awards

- University of Virginia All-University Outstanding Teaching Award, 1995-96
- State Council on Higher Education in Virginia

015863

**Outstanding Faculty Award, 1997**

- The Public Sector 45, *American Lawyer*, 199
- John Bingham Hurlbut Award for Excellence Teaching, Stanford, 2002

**Principal Subjects**

- Constitutional law
- Constitutional litigation
- Civil rights and antidiscrimination law
- Legal regulation of the political process
- The Supreme Court

**Courses**

- Constitutional Law I
- Constitutional Litigation
- Supreme Court Litigation Clinic
- Supreme Court Term

**Curriculum Vitae**

**Selected Publications**

- The Law of Democracy: Legal Structure of th Political Process, rev. 2d. ed. 2002 (with Samuel Issacharoff and Richard H. Pildes)
- Civil Rights Actions: Enforcing the Constitutic 2000 (with John C. Jeffries, Jr., Peter W. Low and George A. Rutherglen)
- "Easing the Spring: Strict Scrutiny and Affirmative Action After the Redistricting Cases," 43 Wm. & Mary L. Rev. 1569 (2002) (Cutler Lecture)

Copyright © 2005 by the Board of Trustees of Leland Stanford Junior University

015684

# Dr. Martha E. Kropf

Department of Political Science  
University of Missouri-Kansas City  
213 Haag Hall, 5100 Rockhill Road, Kansas City, MO 64110  
(816) 235-5948; KropfM@umkc.edu

- Appointment** University of Missouri-Kansas City, Assistant Professor of Political Science (Research Methods, Urban Politics, American Government, Political Behavior) August 1999-present.
- Education**
- American University**  
Ph.D., Political Science, May 1998  
Fields: American Government, Policy Analysis, and Public Economics  
Dissertation: "Viewers Like You: Community Norms and Contributions to Public Broadcasting"
- Kansas State University**  
B.A. in Journalism and Political Science  
Graduated in May 1991, Summa Cum Laude, Phi Beta Kappa
- Inter-University Consortium for Political and Social Research**, Statistics Classes, June/July 2000. Classes: "Maximum Likelihood Estimation" and "Scaling and Dimensional Analysis"
- Past Employment**
- Project Coordinator, University of Maryland Survey Research Center  
May 1997-July 1999
- Worked with all aspects of survey research, specializing in questionnaire design
  - Worked directly with clients to design survey instruments
  - Ensured that surveys were completed on schedule and within budget
  - Coordinated projects for clients such as the Harvard School of Public Health, the Maryland Department of Public Health, and the Prince George's County, MD Public Schools
- Classes Taught**
- PS 302: Political Research and Analysis  
PS 305: Survey Research and Analysis (Service Learning class)  
PS 309: Public Opinion and Voting Behavior  
PS 315: Public Policy  
PS 438: Urban Politics  
PS 505: Scope and Methods of Political Science (graduate level methodology)  
PS 524: Urban Politics (graduate level)
- Publications**
- Articles**
- Kropf, Martha and Johnny Blair. "Testing Theories of Survey Cooperation: Incentives, Self-Interest and Norms of Cooperation." Forthcoming. *Evaluation Review*.
- Knack, Stephen and Martha Kropf. 2003. "Roll Off at the Top of the Ballot: Intentional Undervoting in American Presidential Elections." *Politics & Policy* 31(4): 575-594.
- Kropf, Martha and Stephen Knack. 2003. "Viewers Like You: Community Norms and Contributions to Public Broadcasting." *Political Research Quarterly* 56(2): 187-195.
- Knack, Stephen and Martha Kropf. 2003. "Invalidated Ballots in the 1996 Presidential Election: A County-Level Analysis." *Journal of Politics*. 65(3): 881-897.

015665

Publications

Articles, continued

- Kropf, Martha, E. Terrence Jones, Matt McLaughlin and Dale Neuman. 2003. "The 2002 Missouri Senate Race." *PS Online*, <http://www.apsanet.org/PS/july03/kropf.pdf>. Abstract reprinted in *PS: Political Science and Politics*, July 2003: 407.
- Knack, Stephen and Martha Kropf. 2002. "Who Uses Inferior Voting Technology?" *PS: Political Science and Politics*. September: 541-548.
- Kropf, Martha E. and John A. Boiney. 2001. "The Electoral Glass Ceiling: Gender, Viability and the News in U.S. Senate Campaigns." *Women & Politics*, Vol. 23(1/2): 81-105; reprinted in *Women and Congress: Running, Winning and Ruling*, edited by Karen O'Connor, 2001, New York: The Haworth Press, pp. 79-103.
- Jones, Terrence E., Martha Kropf, Dale Neuman, Maureen Gilbride and Chris Elkin "The Presidential Primaries in Missouri." *PS Online*, <http://www.apsanet.org/PS/june01/jones.cfm> June 2001. Abstract reprinted in *PS: Political Science and Politics*, June 2001, p.271.
- Kropf, Martha E., Anthony Simones, E. Terrence Jones, Dale Neuman, Allison Hayes and Maureen Gilbride Mears). "The 2000 Missouri Senate Race." *PS Online*, <http://www.apsanet.org/PS/june01/kropf.cfm> June 2001. Abstract reprinted in *PS: Political Science and Politics*, September 2001, p. 600.
- Knack, Stephen and Martha Kropf. 1998. "For Shame! The Effect of the Community Cooperation Context on the Probability of Voting." *Political Psychology* 1998(19): 585-599.
- Dolan, Julie, Marni Ezra, Martha Kropf and Karen O'Connor. 1997. "The Future of Our Discipline: The Status of Doctoral Students in Political Science." *PS: Political Science and Politics* 1997(XXX): 751-756.
- Blendon, Robert J., John T. Young, Marie C. McCormick Martha Kropf and Johnny Blair "Americans' Views on Children's Health." *Journal of the American Medical Association*, December 23/December 30, 1998, pp. 2122-2127.

Book Chapters

- Knack, Stephen and Martha Kropf. "The Use of Inferior Voting Technology: The Election Reform Myth" in *The Florida President Recount Controversy and Election Reform in the U.S.*, edited by Henry Brady and Bernard Grofman. (Forthcoming, N.D., Cambridge University Press.)
- Kropf, Martha. "Dogs and Dead People: Incremental Election Reform in Missouri." In *Election Reform: Politics and Policy*, edited by Daniel J. Palazzolo and James W. Ceaser, (Forthcoming, 2004, Lexington Books).
- Kropf, Martha. "Question Wording and Context Matters" forthcoming, *The Encyclopedia of Public Opinion Research* (forthcoming, Fall 2004, ABC-CLIO).
- Kropf, Martha. "Methods of Collecting Survey Data," forthcoming, *The Encyclopedia of Public Opinion Research* (forthcoming, Fall 2004, ABC-CLIO).

**Book Chapters, continued...**

Kropf, Martha and Stephen Knack. 2004. "Balancing Competing Interests: Voting Equipment in the 1996 Presidential Election." in *Counting Votes: Lessons from the 2000 Presidential Election in Florida*, edited by Robert P. Watson, (University of Florida Press).

Kropf, Martha, E. Terrence Jones, Matt McLaughlin and Dale Neuman. 2004. "Battle for the Bases: The 2002 Missouri Senate Race." In *The Last Hurrah: Soft Money and Issue Advocacy in the 2002 Congressional Election*, edited by David Magleby and Quin Monson, Brookings Institution Press.

Kropf, Martha E. 2003. "Talent Defeats Carnahan in the Show-Me State." In *The Roads to Congress 2002*, edited by Sunil Ahuja and Robert Dewhurst, BookMasters, Inc.

Robinson, John P. and Martha Kropf. 1999. "Specialized Political Attitude Scales." Appendix to Chapter 1 of *Measures of Political Attitudes*, edited by John P. Robinson, Phillip R. Shaver, and Lawrence S. Wrightsman, The Academic Press.

**Publications  
In Progress**

**Articles Under Review**

Kropf, Martha, Janine Parry, Jay Barth and E. Terrence Jones. "Pursuing the Early Voter: Which Bird Gets the Worm?" Revise and resubmit.

Kimball, David and Martha Kropf. "Ballot Design and Unrecorded Votes in the 2002 Midterm Election." Under review.

Kropf, Martha and Stephen Knack. "Technological Trade-offs: The Effects of Second Chance Technology on the Probability of Voting." Under review.

Parry, Janine, Jay Barth, Martha Kropf and E. Terrence Jones. "Mobilizing Voters: A Dynamic Model of Campaign Effects." Under review.

**Book in Progress:**

*Viewers Like You: Community Norms and Contributions to Public Broadcasting.*

**Book Reviews**

Kropf, Martha. 2003. Book review of *Mediated Politics: Communication in the Future of Democracy*, Edited by W. Lance Bennett and Robert M. Entman. *Journal of Politics*, 65(3): 940-942.

Kropf, Martha. 1999. Book Review of *Reflections on Statistics: Learning, Teaching and Assessment in Grades K-12*, Edited by Susanne P. Lajoie. *Journal of Official Statistics*. 15(3): 466-468.

**Monographs/  
Grant Reports**

Jones, E. Terrence, Martha Kropf, Matt McLaughlin and Dale Neuman. 2003. "The Missouri Senate Race." In *The Last Hurrah: Soft Money and Issue Advocacy in the 2002 Congressional Elections*, edited by David B. Magleby and J. Quin Monson. Report of a Grant Funded by the Pew Charitable Trusts, Center for the Study of Elections and Democracy: Brigham Young University.

Kimball, David and Martha Kropf. 2002. "Federal Election Reform Bill Will Require Action by Missouri." Missouri Legislative Academy Issue Brief, #02-02.

**Kropf Vitae, page 4 of 9**  
**Monographs, continued...**

Kropf, Martha, Jennifer Wilding and Valley Renshaw. 2002. "Kansas City Consensus Issue Identification Survey." Grant Report to Center for the City, University of Missouri Kansas City and Kansas City Consensus.

Kropf, Martha and Johnny Blair. "There's No Place Like Home: Using Time Diary Data to Predict Respondent Availability." *2000 Proceedings of the American Statistical Association: Section on Survey Research Methods*, Alexandria, VA.

Kropf, Martha, Anthony Simones, E. Terrence Jones, Dale Neuman, Allison Hayes, and Maureen Gilbride Mears. 2001. "The 2000 Missouri Senate Race," in *Soft Money and Issue Advocacy in the 2000 Congressional Elections*, edited by David B. Magleby. Report of a Grant Funded by the Pew Charitable Trusts, Center for the Study of Elections and Democracy: Brigham Young University.

Jones, E. Terrence, Martha Kropf and Dale Neuman. 2001. "The Presidential Primaries in Missouri," in *Getting Inside the Outside Campaign: Issue Advocacy in the 2000 Presidential Primaries*, edited by David B. Magleby. Report of a Grant Funded by the Pew Charitable Trusts, Center for the Study of Elections and Democracy: Brigham Young University.

Kropf, Martha, Johnny Blair and Julie Scheib. "The Effect of Alternative Incentives on Cooperation and Refusal Conversion in a Telephone Survey." *Proceedings of the 1999 American Association for Public Opinion Research Meeting*.

Kaplan, Lori and Martha Kropf. *National Public Radio, 1999 Field Guide to Giving*, NPR Office of Strategic Planning and Audience Research.

Biographies for *The Encyclopedia of Women in American Politics*, (Oryx Press, 1999).

**Grants/  
Contracts**

"Issue Advocacy and Soft Money in the 2004 Presidential Election in Missouri." Center for the Study of Elections and Democracy, Brigham Young University. Award: \$8,450. (May 2004-February 2005). This award funds research concerning campaign activity in the presidential race in Missouri.

"Public Opinion Toward the Library in the Community." Kansas City, Missouri Public Library. Contract: \$6,372. (January 2004-June 2004). This grant/contract funds the survey conducted by my class, "Survey Research and Analysis," which is a service learning class at UMKC.

"Explaining Unrecorded Votes in Elections." University of Missouri System Research Board Grant, Requested \$48,468, Awarded \$38,468 (with David Kimball).

"Issue Advocacy and Soft Money in the 2002 Missouri Senate Election." Center for the Study of Elections and Democracy, Brigham Young University. Award: \$4400. (August 2002-February 2003). This award funds research concerning campaign activity in the Carnahan/Talent Senate race (with Dale A. Neuman).

"Voting and the Media: A New Look at Public Journalism." University of Missouri-Kansas City Faculty Research Grant, Award: \$6,000. (December 2001-January 2003).

015668

**Kropf Vitae, page 5 of 9**

**Grants/Contracts, continued...**

"Kansas City Consensus Issue Identification Survey." University of Missouri-Kansas City, Center for the City, Faculty Knowledge Fund, Award: \$5,815. (January 2002-May 2002). This award provided the funding for a survey conducted by my class "Survey Research and Analysis" for the Kansas City Consensus, a policy research and advocacy group.

"Invalidated Ballots in the 1996 Presidential Election: A County-Level Analysis." University of Missouri-Kansas City Research Incentive Fund, Award: \$350. (April 2001). This award allowed me to purchase data for the voting equipment project.

"Issue Advocacy and Soft Money in the 2000 Missouri Senate and Presidential Elections." Center for the Study of Elections and Democracy and the Pew Charitable Trust Fund, \$13,500, 1999-2000 (with Dale A. Neuman). This award funded research concerning issue advocacy and soft money spending in the 2000 Missouri Senate and presidential elections.

"Viewers Like You: Community Norms and Contributions to Public Broadcasting, Part II." Aspen Institution Nonprofit Sector Research Fund, Dissertation Grant, Award: \$5,915, January 1997-September 1997. (Grant #96-2-NSRF-06).

**Pending Grant Applications**

"Ballot Design and Unrecorded Votes." (With David Kimball).

- Application submitted to Smith Richardson Foundation Domestic Public Policy Research Fellowship Program, June 2004 (\$60,000).
- Letter of Inquiry submitted to Carnegie Corporation of New York, July 2004.
- Application submitted to National Science Foundation, August 2004.

**Conferences**

**Presentations**

"Going Negative in Competitive U.S. Senate Elections: Who Notices and So What?" Paper prepared for presentation at the 100<sup>th</sup> Annual Meeting of the American Political Science Association, September 2-5, 2004, Chicago, IL (with E. Terrence Jones, Jay Barth and Janine Parry).

"Giving People What They Want: Is Synchronicity Between Desired Political Communication and Campaign Activity Important in Shaping Voter Turnout?" Paper prepared for presentation at the 27<sup>th</sup> Scientific Meeting of the International Society of Political Psychologists, July 2004, Lund, Sweden (with Jay Barth, E. Terrence Jones and Janine Parry).

"Ballot Design and Unrecorded Votes in the 2002 Midterm Election." Paper prepared for presentation at the 2004 American Association for Public Opinion Research Meeting, May 13-16, 2004, Phoenix, AZ (with David Kimball).

"Public Opinion Toward the Library in the Community." Paper prepared for presentation at the 2004 American Association for Public Opinion Research Conference, May 13-16, 2004, Phoenix, AZ (with Linda Babcock, Brian Barton, Michael Joyce, Jennifer Lyon and Mendel Martin).

"Early and Absentee Voting and Unrecorded Votes in the 2002 Midterm Election." Paper prepared for presentation at the 2004 Midwest Political Science Association Meeting, April 15-18, 2004, Chicago, IL (with David Kimball).

015669

**Conference Presentations, continued...**

- "Floating Voters in Competitive U.S. Senate Elections: The 2002 Arkansas and Missouri Contests." Paper presented at the 2004 Western Political Science Association Meeting, March 11-13, 2004, Portland, OR (with E. Terrence Jones, Janine Parry and Jay Barth).
- "Mobilizing Voters: A Dynamic Model of Campaign Effects." Paper prepared for Presentation at the 2003 Southern Political Science Association Meeting, January 8-11, 2004, New Orleans, LA (with Janine Parry, Jay Barth and E. Terrence Jones).
- "Pursuing the Early Voter: Which Bird Gets the Worm?" Paper prepared for Presentation at the 2003 Northeastern Political Science Association Meeting, November 7-9, 2003, Philadelphia, PA (with Janine Parry, Jay Barth and E. Terrence Jones).
- "Ballot Design and Unrecorded Votes in the 2002 Midterm Election." Paper prepared for Presentation at the 99<sup>th</sup> Annual American Political Science Association Meeting, August 28-31, 2003, Philadelphia, PA (with David Kimball.)
- "Dogs and Dead People: Incremental Election Reform in Missouri." Paper prepared for the Conference on Election Reform: Politics and Policy, May 29, 2003, Washington, DC.
- "The 2002 Missouri Senate Race." Paper presented at the 2003 Midwest Political Science Association Meeting, April 3-6, 2003, Chicago, IL (with E. Terrence Jones, Matt McLaughlin and Dale Neuman).
- "The Effect of Second Chance Technology on the Probability of Voting." Paper presented at the 2003 Midwest Political Science Association Meeting, April 3-6, 2003, Chicago, IL (with Stephen Knack).
- "Missouri's Legacy: Jean Carnahan and Her Run for Senate." Paper presented at the 2002 Southern Political Science Association Meeting, November 6-9, 2002, Savannah, GA.
- "Challenges of Survey Research: An Active Learning Experience." Poster presented at the 57<sup>th</sup> Annual American Association for Public Opinion Research Meeting, May 16-19, 2002, St. Pete's Beach, FL (with Kadie Bangura, Joel Blevins, Janette Henson, Brooke Hawkins and Tracy Rogers).
- "Communicating Civic Norms of Cooperation: The Case of PBS." Paper presented at the 60<sup>th</sup> Annual Midwest Political Science Association Meeting, April 25-28, 2002, Chicago, IL.
- "Invalidated Ballots in the 1996 Presidential Election: A County-Level Analysis." Paper presented at the 2001 Southern Political Science Association Meeting, November 7-11, 2001 (with Stephen Knack). Also presented at the 2002 Public Choice Society Meeting, March 21-24, 2002, San Diego, CA.
- "The Missouri Senate Election." Paper presented at the 2001 American Political Science Association, August 30-September 2, 2001, San Francisco, CA (with Anthony Simones, E. Terrence Jones, Dale Neuman, Allison Hayes, and Maureen Gilbride Mears).
- "Voting and the Media: A New Look at Public Journalism." Paper presented at the 2001 Midwest Political Science Association. April 18-22, 2001, Chicago, IL.

015670

Conference Presentations, continued...

- "Who Uses Inferior Voting Technology?" Paper presented at the 2001 Public Choice Society Meeting, March 9-11, 2001, San Antonio, TX (with Stephen Knack).
- "The Missouri Primary." Paper presented at the American Political Science Meeting, Washington, DC, August 31-September 2, 2000 (with E. Terrence Jones and Dale Neuman, with Sam Dreiling and Maureen Gilbride Mears).
- "Won't You Be My Neighbor? Community Norms and Contributions to Public Broadcasting." Paper presented at the 2000 American Political Science Meeting, Washington, DC, August 31-September 2, 2000.
- "Viewers Like You: Community Norms and Contributions to Public Broadcasting—A Survey of PBS Viewers." Paper presented at Public Broadcasting and the Public Interest Conference, University of Maine, Portland, Maine, June 15-18, 2000.
- "The Federal Radio Act of 1927: The Role of the Radio Industry in the Origins of Broadcast Regulation." Paper presented at the International Communication Association Meeting, Acapulco, Mexico, June 1-5, 2000.
- "There's No Place Like Home: Using Time Diary Data to Predict Respondent Availability." Paper presented at the Joint Session of the American Association for Public Opinion Research and the International Field Directors and Technologies Conference, Portland, Oregon. May 20, 2000 (with Johnny Blair and Jane Joseph).
- "The Effect of Incentives on Cooperation, Refusal Conversion and Home Recorder Contacts in Telephone Surveys." Paper presented at the Joint Session of the American Association for Public Opinion Research and the International Field Directors and Technologies Conference, St. Petersburg, FL. May 16, 1999 (with Julie Scheib and Johnny Blair).
- "Modeling Respondent Availability Using Time Diary Data." Paper presented at the 1998 Field Technology Conference, St. Louis, MO, April 18-20, 1998 (with Johnny Blair and Yun Chiao Kang).
- "Viewers Like You: Community Norms and Contributions to Public Broadcasting." Paper presented at the 1997 Association for Research on Nonprofit Organizations and Voluntary Action Annual Conference. December 4-6, 1997, Indianapolis, IN; also presented at the 1997 Southern Political Science Meeting, November 5-8, 1997, Norfolk, VA.
- "Viewers Like You: Community Norms and Contributions to Public Broadcasting." Paper presented at the 1997 American Political Science Association Meeting, August 28-31, 1997, Washington, DC (with Stephen Knack).
- "An Apple for the Teacher: Teaching Students to be Professors." Paper presented at the 1997 American Political Science Association Meeting, August 28-31, 1997, Washington, DC (with Julie Dolan, Marni Ezra and Karen O'Connor).
- "Coming into the Profession: The Professionalization and Socialization of Graduate Students in Political Science." Paper presented at the 1996 Northeast Political Science Association Meeting, November 14-16, 1996, Boston, MA (with Julie Dolan, Marni Ezra and Karen O'Connor).

015671

Conference Presentations, continued...

"Overworked, Overwrought and Underpaid: Teaching Students to Teach." Paper presented at the 68th Annual Southern Political Science Meeting, November 6-9, 1996, Atlanta, GA (with Julie Dolan, Marni Ezra and Karen O'Connor).

"Why Do People Contribute to Public Broadcasting?" Paper presented at the 1996 Public Choice Society Meeting, April 12-14, 1996, Houston, TX (with Stephen Knack).

"The Electoral Glass Ceiling: The Effect of Media on Women Senate Candidates." Paper presented at the 54th Annual Midwest Political Science Association Meeting, April 18-20, 1996, Chicago, IL (Co-author: John A. Boiney).

Other  
Conference  
Participation

Chair and Discussant, "U.S. Senate Campaigns and Elections." Annual Midwest Political Science Association Meeting, April 16, 2004.

Chair and Discussant, "Mandates and State Violence." 60<sup>th</sup> Annual Midwest Political Science Association Meeting, April 28, 2002.

Roundtable on "Soft Money and Issue Advocacy in the 2000 Elections." 2001 Western Political Science Association Meeting, March 15-17, 2001.

Discussant, "Structural Influences on Voter Turnout," 58<sup>th</sup> Annual Midwest Political Science Association Meeting, April 27-30, 2000.

Discussant, "Social Capital and Political Participation: National, Subnational and Cross-National Perspectives," 57<sup>th</sup> Annual Midwest Political Science Association Meeting, April 15-17, 1999.

Expert  
Testimony

Offered Affidavit in *Working Families, et. al v. New York City Board of Elections* on behalf of the plaintiff (asked to participate by the Brennan Center for Justice, who was representing the plaintiff). (Summer 2003; case settled out of court. The NYC Board of Elections disabled the sensor latches on lever voting machines. The plaintiffs asked the Election Board to reconnect them.)

Offered Affidavit and Deposition in *Stewart v. Blackwell*, Ohio, on behalf of the plaintiffs, represented by the ACLU. (Fall 2003-present. In this lawsuit, the plaintiffs are asking the state and four counties to stop using punchcard ballots and optical scan voting equipment with central count ballots.)

Testified before the Blunt Commission on Electoral Reform, January 12, 2001, Hearings held at the University of Missouri-Kansas City

\*Special Note: My colleague Stephen Knack testified before two United States Congressional Committees about our paper, "Who Uses Inferior Voting Technology?" (Committee on Rules and Administration, Hearing on Election Reform, and Committee on Governmental Affairs, Hearing on Federal Election Practices and Procedures).

Professional  
Memberships

American Association for Public Opinion Research  
American Political Science Association  
Midwest Political Science Association  
Southern Political Science Association  
Midwest Association for Public Opinion Research

015672

- Honors** University of Missouri-Kansas City Faculty Scholar Award, 2004  
University of Missouri System New Faculty Teaching Scholar, 2001-2002  
Meriwether Lewis Fellow, University of Missouri-Kansas City, May 2001  
Selected for New Faculty Tour (University of Missouri System), 2000  
American University Award for Outstanding Scholarship at the Graduate Level (1998)  
American University School of Public Affairs Award for Outstanding Scholarship at the Graduate Level (1998)  
American University Dissertation Fellowship (1996)  
American University Dean's Scholar (1993-1996)  
Phi Beta Kappa, Pi Sigma Alpha, Mortar Board National Honor Society, Order of Omega
- Professional Service** Reviewer for *Journal of Politics*, *American Politics Review*, *Social Sciences Quarterly*, *American Journal of Political Science*, *Political Research Quarterly* and *State and Local Government Review*  
Reviewer for Lynne Rienner Publications  
Reviewer for University of Missouri System Research Board Grants
- University Service** Students in the City Steering Committee (Service Learning guidance), October 2003-present (Helped Select Service Learning Faculty Fellows for 2004).  
Selection Committee, Center for the City Faculty Knowledge Fund Grants, 2002-2003  
Search Committee, Research Director Joint Hire, College of Arts and Sciences and Center for the City, December 2002-May 2003.  
Search Committee, Dean of the College of Arts and Sciences, October 2001-March 2002.  
UMKC Faculty Council on Urban Affairs, May 2001-present.  
University of Missouri System New Faculty Teaching Scholar, 2001-2002.  
University Honors and Awards Advisory Board, 2002-present.  
(Soros Scholarship and Truman Scholarship Selection Committees)
- Community Involvement** Regular interviews/appearances in/on local and national media outlets (KCUR-FM, *Kansas City Star*, *The Washington Post*).  
  
"Public Opinion Toward the Library in the Community." Survey conducted for the Kansas City Public Library as a part of my Survey Research and Analysis Class, Spring 2004.  
  
Data Analysis for "By the People." National deliberative democracy experiment held in various locations around the nation. Organized data entry and conducted data analysis for KCPT-TV, Kansas City's PBS affiliate, January 2004.  
  
Mid-America Regional Council Public Managers' Workshops. Helped organize and lead "Political Characteristics of Metropolitan Kansas City." November 2003.  
  
"Issue Identification Survey." Conducted for Kansas City Consensus as a part of my Survey Research and Analysis Class. Spring 2002.
- Community Activities** Member, Central United Methodist Church. (on the Church and Society Committee).  
National Women's Political Caucus.  
Block Captain, 5700 of Harrison Street, Kansas City, MO
- Family** Husband: John Szmer  
Daughter: Gwendolyn Margaret Szmer, born September 26, 2003

015073

National Women's Political Caucus  
PASSION. POWER. PROGRESS.

WHEN WOMEN RUN,  
WOMEN WIN!

About Us | Join | Donate | Endorsements | News | Programs | Events | Links | FAQs | Contact Us

Subscribe

015674

- Home
- Sitemap
- Issues
- Official Blog
- Get Local
- Elected Officials
- Discussion Forum
- Home
- Subscribe
- Action Alerts
- Join Our Online Network
- Career Opportunitles
- On The Road to 50/50
- NWPC: Eye on The Supreme Court
- Access to Abortion Pared at State Level - Aug 29, 2005
- Login

Smaller text  
Larger text



Home > Issues

---

## ISSUES

---

### Equal Rights Amendment

#### Equal Rights Amendment

An amendment to guarantee equal rights to women has still never been ratified and added to the U.S. Constitution, even though it was first introduced in 1923. The Equal Rights Amendme passed Congress in 1972 but lapsed in 1982 when it fell three states short of ratification.

**Where we stand:** The National Women's Political Caucus supports the adoption of the Equa Rights Amendment to the United States Constitution. [more...](#)

---

### Health Care for Women

#### Long-Term Care Insurance

Long-term care is required for many Americans with permanent disabilities and illnesses. Assisted living, whether at home or in a nursing home,...

**Where we stand:** The National Women's Political Caucus supports long-term care insurance for women. [more...](#)

#### Equality of Insurance Benefits

A majority of insurance companies do not provide coverage for essential services, such as contraceptive drugs and devices. Contraceptives are a...

**Where we stand:** The National Women's Political Caucus supports mandatory coverage of family planning, including contraceptive drugs and devices. [more...](#)

#### Prescription Drug Coverage by Medicare

In December of 2003 Congress passed a law creating a Medicare prescription drug discount card, allowing those eligible for Medicare to receive...

**Where we stand:** The National Women's Political Caucus supports full coverage of prescription drugs by Medicare. [more...](#)

---

### Judicial Appointments

#### Pro-Choice Judicial Nominees

In January of 1973 the Supreme Court legalized abortion, giving women the right to choose. The right to choose has been attacked recently,...

**Where we stand:** The National Women's Poltical Caucus supports pro-choice judicial nominees who will uphold Roe v. Wade and continue to give women the right to choose. [more...](#)

---

### Reproductive Choice

#### Mandatory Waiting Periods for Abortions

015675

Mandatory waiting periods require women seeking abortions to wait for a period of time before the procedure may be performed. Generally, a...

**Where we stand:** The National Women's Political Caucus supports a woman's access to abortions without unnecessary hassle and delay. more...

#### **International Human Rights for Women**

Women are often the target of human rights violations specifically because they are women. Violence and sexual abuse in the home is still...

**Where we stand:** The National Women's Political Caucus supports human rights for all women across the globe, so that women may live in a free society. more...

#### **RU486**

In 2000, the Food and Drug Administration approved RU486, more commonly known as the abortion pill. RU486 is a non-surgical pill that enables...

**Where we stand:** The National Women's Political Caucus supports availability of RU486 and emergency contraception. The NWPC does not support pharmacists who determine who can and cannot receive them. more...

---

#### **Violence Against Women Act**

##### **Violence Against Women Act Reauthorization 2005**

The Violence Against Women Act (VAWA) of 2000 expires in 2005 and the remarkable gains we've made in ending domestic and sexual violence could come to a halt if Congress does not act quickly.

**Where we stand:** The National Women's Political Caucus supports the reauthorization and funding of the Violence Against Women Act. more...

---

#### **Women and Education**

##### **Sex Education**

Sex education provides accurate information on healthy relationships, peer pressure, contraception and abstinence in order for youth to use...

**Where we stand:** The National Women's Political Caucus supports comprehensive sex education that allows youth to know all of their options and make informed decisions. more..

##### **Equal Pay**

The Equal Pay Act of 1963 worked to end the pay differential that exists between men and women. The act made it illegal for employers to pay...

**Where we stand:** The National Women's Political Caucus supports equal pay for everyone, regardless of sex or race. more...

---

#### **Women and Politics**

##### **Campaign Finance Reform**

The total cost of the presidential and congressional campaigns in 2004 was just under \$4 billion dollars, up almost \$1 billion from 2000. In...

015676

**Where we stand:** The National Women's Political Caucus supports campaign finance reform that levels the playing field for candidates to run for office. [more...](#)

---

#### **Working Families**

##### **Family Leave Act**

The Family Leave Act mandated that an employer must allow an employee to take off up to 11 weeks of unpaid leave in a year in order to care for...

**Where we stand:** The National Women's Political Caucus supports the Family Leave Act and would like to see an expansion of its coverage. [more...](#)

##### **A Living Wage**

A living wage would increase the income of low wage earners so that they may be able to support their family without additional government...

**Where we stand:** The National Women's Political Caucus supports the adoption of a national living wage. [more...](#)

---

National Women's Political Caucus ·  
1634 Eye Street, NW Suite 310 · Washington, DC 20006  
202.785.1100 (voice) · 202.785.3605 (fax) · [info@nwpc.org](mailto:info@nwpc.org)  
Copyright 2005, All rights reserved.



015677

## UCLA SCHOOL of LAW

PRINT CLOSE

**Daniel Hays Lowenstein  
Biography****Bibliography | Courses**

**Daniel Hays Lowenstein**  
*Professor of Law*  
Born New York, New York, 1943

A.B. Yale, 1964  
LL.B. Harvard, 1967  
UCLA Law faculty since 1979  
[lowenste@law.ucla.edu](mailto:lowenste@law.ucla.edu)

Daniel Lowenstein teaches *Election Law, Statutory Interpretation & Legislative Process, Political Theory, and Law & Literature*. A leading expert on election law, he has represented members of the House of Representatives in litigation regarding reapportionment and the constitutionality of term limits. He is a member of the Board of Directors of the award-winning theatre troupe Interact and regularly brings the company to the School of Law to perform plays with legal themes, such as Sophocles' *Antigone*, Ibsen's *Rosmerholm*, and Wouk's *The Caine Mutiny Court Martial*.

Professor Lowenstein worked as a staff attorney at California Rural Legal Assistance for two and one-half years. While working for California's Secretary of State, Edmund G. Brown Jr. in 1971, he specialized in election law, and was the main drafter of the *Political Reform Act*, an initiative statute that California voters approved in 1974, thereby creating a new Fair Political Practices Commission. Governor Brown appointed Professor Lowenstein as first chairman of the Commission. He has served on the national governing board of Common Cause and has been a board member and a vice president of Americans for Nonsmokers' Rights.

Professor Lowenstein's textbook, *Election Law* (1995), appears to be the first text on American election law since 1877. He has written on such topics as campaign finance, redistricting, bribery, initiative elections, political parties, commercial speech, and *The Merchant of Venice*.

For information on Interact, click on:

<http://www.interactla.org/>

Professor Lowenstein represented certain plaintiffs in California Prolife Council PAC v. Scully, challenging California regulations of slate mail. For a pdf file containing the March 1, 2001, order of U.S. District Judge Lawrence K. Karlton declaring these regulations unconstitutional, use the following link:  
<http://www.law.ucla.edu/faculty/bios/lowenste/slatemallover.pdf>

Read Professor Lowenstein's 10/02/2003 Daily Journal article: "[Valid Ballot - Panel Exploited Precedent to Rationalize Postponement of Recall Vote](#)".

015678

Harvard Law School**John F. Manning****Professor of Law**

Office: Griswold Hall 301  
Assistant: Margaret Flynn 496-5487  
Phone: (617) 495-5547  
Email: [jmanning@law.harvard.edu](mailto:jmanning@law.harvard.edu)

**Research Interests**

- Administrative Law
- Federal Courts
- Separation of Powers
- Statutory Interpretation

**Education**

- Harvard College A.B. Summa Cum Laude 1982, History
- Harvard Law School J.D. Magna Cum Laude 1985

**Appointments**

- Professor of Law, 2004

**Representative Publications**

- Manning, John F. "The Eleventh Amendment and the Interpretation of Precise Constitutional Texts," 113 *Yale Law Journal* (2004).
- Manning, John F. "The Absurdity Doctrine," 116 *Harvard Law Review* 2387 (2003).
- Manning, John F. "Textualism and the Equity of the Statute," 101 *Columbia Law Review* 1 (2001).
- Manning, John F. "The Nondelegation Doctrine as a Canon of Avoidance," 2000 *Supreme Court Review* 223 (2000).
- Manning, John F. "Constitutional Structure and Judicial Deference to Agency Interpretations of Agency Rules," 96 *Columbia Law Review* 612 (1996).

**Bibliography**

[View bibliography](#)

[HLS Contact Information](#)

**Section Links:**

- [Professors and Assistant Professors of Law](#)
- [Professors Emeriti](#)

015679

- [Adjunct Professors of Law](#)
- [Visiting Professors of Law](#)
- [Lecturers on Law](#)
- [Alphabetic Faculty Listing](#)

**Related Links:**

- [Faculty Bibliography Search](#)

015680

Presented by the Federal Election Commission

### Individual Contributions Arranged By Type, Giver, Then Recipient

#### Contributions to Political Committees

**MANNING, JOHN F.**  
BROCKTON, MA 02302

NATIONAL REPUBLICAN CONGRESSIONAL COMMITTEE CONTRIBUTIONS

11/11/2002                      500.00                      22992974691

**MANNING, JOHN F.**  
DORCHESTER, MA 02125  
UMASS/SOCIAL WORKER

LYNCH, STEPHEN F  
VIA STEPHEN F. LYNCH FOR CONGRESS COMMITTEE

03/26/2002 (DEM)              250.00                      22990614443

**Total Contributions: 750.00**

**TRY A: NEW QUERY**  
**RETURN TO: FEC HOME PAGE**

??  
NOT SURE WHICH ONE IS ON THE  
PEER REVIEW GROUP

015681

**opensecrets.org**

[The Basics](#)

[Election Overview](#)

[Who Gives](#)

[Who Gets](#)

[News](#)

[Get Local](#)

[HOME](#) | [DONATE](#)  
[SEARCH](#)

[Industries](#) | [Top All-time Donors](#) | [Donor Lookup](#) | [PACs](#) | [Soft Money](#) | [Lobbyists](#)



THE CENTER  
FOR RESPONSIVE  
POLITICS

**Results:**

2 records found in 0.1875 seconds.

**Search Criteria:**

Donor name: manning, john f  
Cycle(s) selected: 2006, 2004, 2002

- Sort by Name
- Sort by Date
- Sort by Amount

[Start another search](#)

**Submit Query**

Total for this search: \$750

Contributor	Occupation	Date	Amount	Recipient
MANNING, JOHN F BROCKTON,MA 02302		11/11/2002	\$500	National Republican Cong
MANNING, JOHN F DORCHESTER,MA 02125	UMASS/SOCIAL WORKER	3/26/2002	\$250	Lynch, Stephen F

015682

**DR. RONALD D. MICHAELSON**

**Residence**

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**Personal**

[REDACTED]

Marital Status - Married with 2 children

U.S. Citizen

**Education**

Bachelor of Arts, Wheaton College, Wheaton, IL 1963

M.A. in Political Science, Northwestern University, Chicago, IL 1965

Ph.D. in Government, Southern Illinois University, Carbondale, IL 1970

**Professional Experience**

**Political Consultant, June, 2003 to present**

Current clients include the Sangamon County Clerk, the Chicago Board of Election Commissioners and Strategic Marketing and Mailing, Champaign, IL

**Visiting Professor of Political Studies – University of Illinois at Springfield,  
January 2005 to present**

015683

### **Executive Director/Illinois State Board of Elections**

March, 1976 to May, 2003. The Executive Director has complete administrative and supervisory responsibility for the day-to-day operations of the entire agency which includes a staff of 65 and a budget of approximately \$9 million.

### **Director of Administration/Illinois State Board of Elections**

September, 1974 to March, 1976. The Director of Administration had line responsibility for all administrative affairs and policies of the Board, including budget preparation and fiscal control, personnel, systems and procedures, and office management.

### **Assistant to the Vice President of Academic Affairs and Assistant Professor of Public Affairs/Sangamon State University, Springfield.**

February, 1973 to September, 1974. This position included involvement with several key academic issues such as tenure, faculty recruitment, budgeting, grants and contracts as well as a 12-hour teaching load.

### **Assistant to the Governor/Illinois Governor Richard B. Ogilvie**

January, 1969 to January, 1973. This position included policy development work in a number of substantive areas as well as legislative relations, speech writing, and a variety of other administrative and management duties.

### **PUBLICATIONS**

1. "The Politics of Gubernatorial Endorsements in Illinois: An Empirical Analysis," Public Affairs Bulletin, (Carbondale: Public Affairs Research Bureau, Southern Illinois University, January-February, 1971, Volume IV, Number 1).

015684

2. "The Illinois Executive and Urban Problems," The State and the Urban Crisis, (Urbana: Institute of Government and Public Affairs, University of Illinois, 1970), pp. 27-35.
  
3. "An Analysis of the Chief Executive: How a Governor Spends His Time," Public Affairs Bulletin, (Carbondale: Public Affairs Research Bureau, Southern Illinois University, September-October, 1971, Volume IV, Number 4).
  
4. "Positive Politics," HIS Magazine, (Inter-Varsity Press, Downers Grove, Illinois) May, 1972.
  
5. "Positive Politics," Church Herald (Reformed Church), Fall, 1972.
  
6. "Positive Politics," CBMC Contract (Christian Business Men's Committee, Chicago), August, 1972.
  
7. "Positive Politics," Vital Christianity, (Assembly of God), October, 1972.
  
8. "An Analysis of the Chief Executive: How a Governor Uses His Time," State Government, XLV, Summer, 1972, pp. 153-160.
  
9. "Are You Ready to Vote?" Eternity Magazine, (Philadelphia), September, 1972, pp. 22-24, 60-61.
  
10. "Are You Ready to Vote?" Christianity Applied, October, 1974.

015685

11. "Gubernatorial Staffing-Problems and Issues: The Ogilvie Experience," Center for Governmental Studies, Northern Illinois University, February, 1974.
12. "Money in Politics: Campaign Finance Reform in Illinois," Issues in Illinois Policy (Springfield: Illinois Legislative Studies Center, Sangamon State University, November, 1974), pp. 55-76.
13. "The Politics of Morality" Eternity Magazine, (Philadelphia), May, 1976, pp.15-18.
14. "State Board of Elections," Illinois Issues, March, 1977, p. 14, 16-17.
15. "Consolidation of Elections," Illinois Elections, (Springfield: Illinois Issues, Sangamon State University), 1979, pp.70-74.
16. "Volunteer Deputy Registrars," in Voter Registration in the States, Washington: National Center for Policy Alternatives, pp. 55-69, 1985.
17. "PAC Man Cometh in Illinois," Illinois Issues, (Springfield: Sangamon State University), May, 1987, pp.10-12.
18. "PAC Man Cometh in Illinois," Comparative State Politics Newsletter (Springfield: Sangamon State University), June, 1987, Volume 8, No.3, pp. 18-22.
19. "Campaign Finance Reform," COGEL Guardian, April, 1988, pp.3-4.

015686

20. "1989 Campaign Finance Update: Legislation and Litigation," Citizens Research Foundation, Los Angeles, 1990.

21. "Financing Political Campaigns," COGEL Guardian, December 1991.

22. "1991 Campaign Finance Update: Legislation and Litigation," Citizens Research Foundation, Los Angeles, 1992.

23. "Election Legislation, 1992-93," in The Book of the States, Volume 30, Council of State Governments, Lexington, KY 1990, pp. 204-226.

24. "Financing State and Local Elections: Recent Developments," in The Book of the States, Volume 30, Council of State Governments, Lexington, KY, 1994, pp. 227-228.

25. "1992 Campaign Finance Update: Legislation and Litigation in the 50 States, the District of Columbia, and the Federal Government,@ The Council of State Governments.

26. "The State of the States in 1991," COGEL Guardian, Volume 12, No. 6, December 1991, pp. 1, 34.

27. "The State of the States in 1991: Financing Political Campaigns," Lexington, KY: The Council of State Governments, 1991.

28. "The State of the States in 1992: Financing Political Campaigns," COGEL Guardian, Volume 14, No. 1, February 1993, pp.4-6.

015697

29. "The State of the States in 1993: Financing Political Campaigns," COGEL Guardian, Volume 14, No. 6, December 1993, pp. 1, 3-4.

30. "1993 Campaign Finance Update: Legislation and Litigation in the 50 states, the District of Columbia, and the Federal Government," The Council of State Governments.

31. "1994 Campaign Finance Update: Legislation and Litigation in the 50 states, the District of Columbia, and the Federal Government," The Council of State Governments.

32. "1995 Campaign Finance Update: Legislation and Litigation in the 50 states, the District of Columbia, and the Federal Government," The Council of State Governments.

33. "1996 Campaign Finance Update: Legislation and Litigation in the 50 states, the District of Columbia, and the Federal Government," The Council of State Governments.

34. "1997 Campaign Finance Update: Legislation and Litigation in the 50 states, the District of Columbia, and the Federal Government," The Council of State Governments.

35. "1998 Campaign Finance Update: Legislation and Litigation in the 50 states, the District of Columbia, and the Federal Government," The Council of State Governments.

36. "1999 Campaign Finance Update: Legislation and Litigation in the 50 states, the District of Columbia, and the Federal Government," The Council of State Governments.

015688