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# **U.S. Election Assistance Commission**

## **FISCAL YEAR 2004 ANNUAL REPORT**



### ***Preparing America to Vote***

#### Commissioners

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*U.S. Capitol photo courtesy of Troy Griffis*



## **Executive Summary**

The U.S. Election Assistance Commission (EAC) is pleased to submit its second annual report to Congress. The Commission began operation in January 2004, and overcame numerous challenges, the first and greatest of which was its actual launch. EAC was established 10 months later than required by the Help America Vote Act of 2002 (HAVA), was seriously under funded, and had no offices, equipment, or staff. The total operating budget for Fiscal Year (FY) 2004 was just \$1.2 million.

With the November 2004 election approaching, interest in Commission activities heightened and the EAC and its work drew considerable attention from the media and public. In the spotlight and under intense pressure to improve the election process, EAC Commissioners worked diligently throughout the year to direct limited resources to the issues most urgent for State and local election administrators as they prepared for the general election. Moreover, the four Commissioners—two Republicans and two Democrats—forged a consensus on all the issues that came before the EAC during the past year. This spirit of bipartisan cooperation carried forward into 2005.

Once offices were secured and a small, dedicated staff was assembled, EAC entered an energized and invigorated period leading up to the 2004 general election that was marked by several major accomplishments, including the release of HAVA funding to the States; the development and release of a comprehensive best practices report designed to assist State and local election administrators enhance their processes; various guidance and outreach projects to assist State and local governments in implementing HAVA mandates, such as provisional voting and voter identification requirements; and significant steps toward updating voluntary voting systems standards and the testing laboratory certification process.

The Commission disbursed approximately \$1.3 billion in HAVA funds to 44 States in FY 2004. These funds gave election officials across the country the opportunity to implement the various administrative mandates contained in HAVA, conduct additional voter education, further train election officials, and recruit and train additional—and greatly needed—poll workers for Election Day. EAC supplemented these State and county efforts with best practices pieces, innovative programs, and recommendations on election administration practices.

The purpose of this annual report is to provide a clear and objective account of EAC's achievements in FY 2004. Beginning the important work of this new Federal agency was particularly challenging during a presidential election cycle, but helping America vote—and ensuring every legitimate vote was counted while every opportunity to reduce fraud was considered—drove EAC's determination to succeed.



## **Highlights**

EAC achieved the following objectives required by Federal law in FY 2004:

- Carried out the Agency's startup responsibilities, including the establishment of EAC offices, staff, a FY 2004 work plan, and other administrative accomplishments, which allowed for proper functioning of the Agency with a \$1.2 million budget;
- Reviewed 55 State plans to ensure compliance with HAVA provisions;
- Distributed approximately \$1.3 billion in Title II requirements payments to States, which combined with the approximately \$645,000 million in Title I funds distributed by the U.S. General Services Administration (GSA), total approximately \$2 billion in funding that was available to the States by the end of FY 2004—an unprecedented figure for election reform;
- Administered a \$198,820 grant for the National Student/Parent Mock Election program;
- Established a clearinghouse for information on the administration of elections by issuing two best practices reports: a toolkit for election administrators focusing on the use of voting system technologies and provisional voting; and a report on facilitating voting for absentee military and overseas voters;
- Prepared to distribute three national surveys to collect State and county data on matters affecting election administration in the 2004 election cycle, including provisional voting and voting equipment performance;
- Established an official EAC Web site to report on Commission activities and provide information on HAVA implementation to the public;
- Assumed responsibilities previously assigned to the Federal Election Commission's (FEC) Office of Election Administration under the National Voter Registration Act of 1993 (NVRA);
- Mounted two national initiatives to address the issues of poll worker recruitment, training, and deployment, including the HAVA College Poll Worker Program that distributed \$627,000 in grants to higher education institutions for these purposes;
- Sent Commissioners to more than 30 States to observe election administration practices firsthand and update officials on HAVA implementation, and scheduled their participation at dozens of events across the country to exchange information with key HAVA stakeholders;



- Convened the EAC Standards Board, EAC Board of Advisors, and the Technical Guidelines Development Committee (TGDC) to assist EAC in carrying out a number of critical functions;
- Initiated the process of developing updated voluntary voting systems standards for the security, accuracy, reliability, and auditability of election equipment, through the work of the National Institute of Standards and Technology (NIST) and the TGDC;
- Prepared a report on human factors research relevant to voting systems, in consultation with NIST;
- Held hearings on the security of voting technologies and the national poll worker shortage, as well as other public meetings to conduct EAC business;
- Laid the groundwork for the development of a national testing program for voting systems in consultation with NIST and the TGDC, and instituted a voting systems software reference program under the National Software Reference Library (NSRL).

At the same time, the delayed establishment of EAC and operating budget constraints restricted its ability to conduct some HAVA-mandated activities within the prescribed timeline. EAC was forced to postpone or limit the following work:

- Issuance of HAVA Title III guidance on voting systems standards, statewide voter registration systems, provisional voting, voter education, and voters who register by mail;
- Development of a report on the feasibility and advisability of reducing or waiving postage for absentee ballots submitted by voters in the general elections for Federal office, and a report on issues and challenges presented by incorporating communications and Internet technology into the election process; and
- Development of updated voluntary voting system guidelines and a national voting system testing program.

Perhaps the most serious implication of the delayed EAC startup is the impact it will have on State procurement of new election equipment and the ability of some States and local election jurisdictions to meet HAVA requirements by statutory deadlines.

Although these activities have not been completed, the Commissioners understand that all HAVA requirements must be met. EAC is working diligently to fulfill its obligations. These activities are addressed in the final section of this report, EAC Program and Research Activities for FY 2005.



## **INTRODUCTION**

EAC appreciates the vested interest that Congress has in the status of the voting process. During the past year, Commissioners made numerous appearances before Congressional committees and caucuses to share achievements and gather input from Congressional leaders. They traveled the country to see firsthand how elections are conducted in various States and localities, taking every opportunity to consult with elections officials. They held meetings and attended dozens of events to gain input from voter advocates, academics, and as many key stakeholders as possible. EAC even conducted briefings for a number of interested foreign delegations that wanted to learn from the American election reform experience.

Under the requirements of HAVA, EAC submits an annual report to the Senate Committee on Rules and Administration and the House Committee on House Administration by January 31 each year. The report details the Commission's activities during the fiscal year ending on September 30 of the previous calendar year, including a detailed description of activities conducted under each HAVA program area, with information on related payments or grants. Key reports prepared by, or submitted to, EAC by payments and grant recipients are summarized; full reports may be obtained by contacting the Commission.

The EAC is led by four Commissioners who are appointed by the President and confirmed by the Senate. The Commissioners serve staggered terms and no more than two of them may belong to the same political party. HAVA Section 203(a)(4) required the establishment of EAC within 120 days of the enactment of the law. Since HAVA was enacted in October 2002, EAC should have been created by the second quarter of FY 2003; however, the Commissioners were confirmed near the end of the first quarter of FY 2004 (December 13, 2003). As a result, this annual report summarizes the nine months of HAVA-related FY 2004 Commission activities that occurred after this date.

This report presents an overview of EAC activities, particularly as they relate to helping States implement HAVA-mandated changes and prepare for the presidential election. In addition to the formation and evolution of the Commission itself, the achievement areas for the past year include requirements payments to States, clearinghouse activities and data gathering on election administration issues, guidance and outreach, and voting systems standards.

The final section of this annual report provides a look ahead at EAC's major activities for FY 2005. Appendix documents supplement information contained in certain subject areas.



## **Agency Startup**

Due to the delayed EAC establishment, and its status as a new Federal agency with no precedent to follow, a description of the activities for organizing the Commission and its offices in early 2004 is valuable.

The Commissioners had to determine how, with a FY 2004 budget of only \$1.2 million, EAC could carry out the following:

- Rent, furnish, and equip offices;
- Hire staff and pay salaries;
- Receive the transfer of responsibilities from the FEC's OEA;
- Meet at least some of the HAVA mandates to establish voting systems standards and create updated voluntary guidelines for the States.

With few alternatives, the Commission formulated a startup strategy involving partnerships with several other Federal agencies. GSA approved a rent waiver, allowing EAC to move into the offices it now occupies at 1225 New York Avenue, Suite 1100, in Washington, DC. When EAC moved into its new space on April 1, 2004, it also was able to accept the transfer of the OEA. EAC established additional partnerships with Federal agencies to acquire furnishings, office equipment, and other necessary services or supplies.

HAVA requires EAC to appoint an Executive Director, General Counsel, and Inspector General. Funding constraints caused EAC to postpone these hires, but the agency has made progress. EAC appointed a General Counsel in September, followed by an Interim Executive Director in October 2004. EAC will appoint an Inspector General in 2005. Including the four Commissioners and four employees transferred from the Federal Election Commission, EAC grew to a staff of 18 by the close of the fiscal year.



## EAC PROGRAM AND ACTIVITY RESULTS IN FY 2004

When Congress mandated the creation of EAC, it entrusted the Commission to effectively manage the process by which States receive and account for their Federal funds under HAVA, while at the same time offering research, guidance, and standards on certain topics that the law prescribes.

EAC's mission covers four major areas:

- Managing the distribution of HAVA funding to the States and other authorized entities, and overseeing related financial reporting and auditing functions;
- Serving as a national clearinghouse on matters concerning the administration of elections under Federal law;
- Providing guidance and outreach to State and local election officials;
- Developing standards and guidelines for issues of central importance to the successful implementation of HAVA, including voting systems, statewide voter registration systems, and provisional ballots.

This section of the annual report discusses EAC's programmatic activities in these mission areas for FY 2004, along with related HAVA requirements and deadlines.

### Payments and Grants

Congress appropriated more than \$3 billion for HAVA implementation, the majority of which goes toward requirements payments to States. In June 2004, EAC began working with GSA to disburse payments to States under HAVA Title II Sections 202(4) and 251(a) and (e). These payments are designed to assist States in meeting uniform and nondiscriminatory election technology and administration requirements. EAC distributed more than \$1.3 billion in Title II funds to 44 States during FY 2004. As of September 30, 2004, approximately \$986 million in funding remained available to States, of which more than \$208 million was distributed by January 12, 2005 (the remaining available funds total approximately \$778 million).

Additionally, EAC began reviewing protocols for financial reporting based upon State reports on Title I payments.

This section of the report details Title I and Title II payments and grants, as well as financial reporting activities during the past fiscal year. The last part covers a grant payment made to the National Student/Parent Mock Election program.





## Title I Election Reform Payments

In FY 2003, before EAC was established, Congress directed GSA to distribute approximately \$650 million in HAVA Title I “early money” to States (the word “State” as used in HAVA includes the 50 States, District of Columbia, American Samoa, Guam, Puerto Rico, and the U.S. Virgin Islands) for improvements in the administration of elections (\$325 million under HAVA Section 101) and to replace punch card and lever voting equipment (\$325 million under HAVA Section 102). When it distributed the funds, GSA also informed States about requirements for the first financial report that would come due.

All States were eligible to receive a minimum payment under Sections 101 and 102. Section 101 funds were available for States to carry out a roster of activities designed to improve elections. Only States that were interested in using Section 102 funds to replace punch card and lever machines could apply for Section 102 funds.

**TABLE 1**—The following chart contains a breakdown of GSA’s Title I payments to States.

<b>HAVA TITLE I PAYMENTS TO STATES</b>			
<b>State</b>	<b>Section 101</b>	<b>Section 102*</b>	<b>Total Payments</b>
Alabama	\$4,989,605	\$51,076	\$5,040,681
Alaska	\$5,000,000		\$5,000,000
Arizona	\$5,451,369	\$1,564,188	\$7,015,557
Arkansas	\$3,593,165	\$2,569,738	\$6,162,902
California	\$27,340,830	\$57,322,707	\$84,663,537
Colorado	\$4,860,301	\$2,177,095	\$7,037,396
Connecticut	\$5,000,000		\$5,000,000
Delaware	\$5,000,000		\$5,000,000
District of Columbia	\$5,000,000		\$5,000,000
Florida	\$14,447,580	\$11,581,377	\$26,028,957
Georgia	\$7,816,328	\$4,740,448	\$12,556,776
Hawaii	\$5,000,000		\$5,000,000
Idaho	\$5,000,000		\$5,000,000
Illinois	\$11,129,030	\$33,805,617	\$44,934,647
Indiana	\$6,230,481	\$9,522,394	\$15,752,875
Iowa	\$5,000,000		\$5,000,000
Kansas	\$5,000,000		\$5,000,000
Kentucky	\$4,699,196	\$469,256	\$5,168,452
Louisiana	\$4,911,421	\$7,351,684	\$12,263,105
Maine	\$5,000,000		\$5,000,000
Maryland	\$5,636,731	\$1,637,609	\$7,274,340
Massachusetts	\$6,590,381	\$1,519,497	\$8,109,879
Michigan	\$9,207,323	\$6,531,284	\$15,738,607
Minnesota	\$5,313,786		\$5,313,786
Mississippi	\$3,673,384	\$1,778,067	\$5,451,451



Missouri	\$5,875,170	\$11,472,841	\$17,348,011
Montana	\$5,000,000		\$5,000,000
Nebraska	\$5,000,000		\$5,000,000
Nevada	\$5,000,000		\$5,000,000
New Hampshire	\$5,000,000		\$5,000,000
New Jersey	\$8,141,208	\$8,695,609	\$16,836,817
New Mexico	\$5,000,000		\$5,000,000
New York	\$16,494,325	\$49,603,917	\$66,098,243
North Carolina	\$7,887,740	\$893,822	\$8,781,562
North Dakota	\$5,000,000		\$5,000,000
Ohio	\$10,384,931	\$30,667,664	\$41,052,595
Oklahoma	\$5,000,000		\$5,000,000
Oregon	\$4,203,776	\$1,822,758	\$6,026,534
Pennsylvania	\$11,323,168	\$22,916,952	\$34,240,120
Rhode Island	\$5,000,000		\$5,000,000
South Carolina	\$4,652,412	\$2,167,518	\$6,819,929
South Dakota	\$5,000,000		\$5,000,000
Tennessee	\$6,004,507	\$2,473,971	\$8,478,478
Texas	\$17,206,595	\$6,269,521	\$23,476,116
Utah	\$3,090,943	\$5,726,844	\$8,817,786
Vermont	\$5,000,000		\$5,000,000
Virginia	\$7,105,890	\$4,526,569	\$11,632,459
Washington	\$6,098,449	\$6,799,430	\$12,897,879
West Virginia	\$2,977,057	\$2,349,474	\$5,326,531
Wisconsin	\$5,694,036	\$1,308,810	\$7,002,846
Wyoming	\$5,000,000		\$5,000,000
Guam	\$1,000,000		\$1,000,000
Puerto Rico	\$3,151,144		\$3,151,144
Virgin Islands	\$1,000,000		\$1,000,000
American Samoa	\$1,000,000		\$1,000,000
<b>Total</b>	<b>\$349,182,262</b>	<b>\$300,317,738</b>	<b>\$649,500,000</b>
* Section 102 payment per precinct according to GSA formula = \$3,192.22			

## **Title II Requirements Payments to States**

EAC distributed more than \$1.3 billion in Title II payments to 44 States in FY 2004. These payments are designed to assist qualified States in meeting the uniform and nondiscriminatory election technology and administration requirements in Title III of the law. The list includes voting systems standards, provisional voting and voting information requirements, a computerized statewide voter registration list, and identification requirements for first-time voters who register by mail. Congress appropriated \$830 million in FY 2003 and almost \$1.5 billion in FY 2004 for requirements payments. In accordance with HAVA section 252(e), the funds remain available to States without fiscal year limitation until disbursed. With the FY 2004 rescission, EAC had a total of \$2.3 billion to distribute.



In general, States used these funds to execute their State plans and implement changes to comply with HAVA. For FY 2004, HAVA requirements included provisional voting, voting information and education, new voter registration identification requirements, and a State administrative complaint procedure. Other HAVA Title III requirements include voting equipment replacements or upgrades, and computerized statewide voter registration lists.

To receive funds, States had to file for certification following publication of the State plans in the Federal Register and the expiration of a public comments period. Due to EAC's lack of resources in early 2004, GSA organized and paid for the first publication of all 55 State plans. The plans were published in the Federal Register on March 24, 2004.

On May 6, 2004, EAC sent a notice to each of the States outlining HAVA requirements for submitting a statement of certification to receive requirements payments. As States filed their certifications, EAC staff reviewed them for compliance with the following general requirements of HAVA Section 253:

- The State plan covered the fiscal year for which the State was certifying;
- The State plan included establishment of a uniform, nondiscriminatory state-based administrative complaint procedure;
- The State had appropriated funds to match up to five percent of the Federal funding it would receive;
- The State affirmed that it was in compliance with a series of six Federal laws regarding elections.

Some State certifications could not be processed immediately due to compliance issues, most involving either the State administrative complaint procedure or the five percent match; both are prerequisites to receiving requirements payments. When compliance was in question, EAC staff promptly contacted the State election office to explain the issues and offer assistance in resolving problems.

During the four and one half months from the date EAC received its first State certification (May 11, 2004) through the end of the fiscal year, the Commissioners voted on 10 recommendations involving requirements payments to States, all of which were unanimously approved. At the close of the fiscal year, EAC had processed requirements payments to 44 States, as listed in Table 2.



**TABLE 2**—The following table shows HAVA Title II requirements payments processed by EAC in FY 2004.

<b>HAVA Title II Requirements Payments</b>				
	<b>State</b>	<b>FY 2003 Funds*</b>	<b>FY 2004 Funds*</b>	<b>Total Payment(s)*</b>
1	Alabama	\$12,835,092	\$23,031,421	\$35,866,513
2	American Samoa	\$830,000	\$1,489,361	\$2,319,361
3	Arkansas	\$7,729,205	\$13,869,365	\$21,598,570
4	California	\$94,559,169	\$0	\$94,559,169
5	Colorado	\$12,362,309	\$22,183,056	\$34,545,365
6	Connecticut	\$9,919,624	\$17,799,877	\$27,719,501
7	Delaware	\$4,150,000	\$0	\$4,150,000
8	District of Columbia	\$4,150,000	\$7,446,803	\$11,596,803
9	Florida	\$47,416,833	\$0	\$47,416,833
10	Georgia	\$23,170,602	\$41,577,568	\$64,748,170
11	Idaho	\$4,150,000	\$7,446,803	\$11,596,803
12	Indiana	\$17,372,175	\$31,172,812	\$48,544,987
13	Iowa	\$8,495,310	\$15,244,073	\$23,739,383
14	Kansas	\$7,661,648	\$0	\$7,661,648
15	Kentucky	\$11,773,250	\$21,126,042	\$32,899,292
16	Louisiana	\$12,549,220	\$22,518,452	\$35,067,672
17	Maine	\$4,150,000	\$0	\$4,150,000
18	Maryland	\$15,201,214	\$27,277,216	\$42,478,430
19	Massachusetts	\$18,688,102	\$33,534,124	\$52,222,225
20	Michigan	\$28,256,578	\$0	\$28,256,578
21	Minnesota	\$14,020,413	\$25,158,375	\$39,178,788
22	Mississippi	\$8,022,516	\$14,395,687	\$22,418,203
23	Missouri	\$16,073,033	\$28,841,617	\$44,914,650
24	Montana	\$4,150,000	\$0	\$4,150,000
25	Nebraska	\$4,920,376	\$0	\$4,920,376
26	Nevada	\$5,785,410	\$0	\$5,785,410
27	New Hampshire	\$4,150,000	\$7,446,803	\$11,596,803
28	New Jersey	\$24,358,479	\$0	\$24,358,479
29	New Mexico	\$5,110,126	\$9,169,664	\$14,279,790
30	North Carolina	\$23,431,708	\$42,046,100	\$65,477,808
31	North Dakota	\$4,150,000	\$0	\$4,150,000
32	Ohio	\$32,562,331	\$58,430,186	\$90,992,517
33	Oregon	\$9,961,818	\$0	\$9,961,818
34	Pennsylvania	\$35,992,863	\$64,585,966	\$100,578,829
35	Rhode Island	\$4,150,000	\$0	\$4,150,000
36	South Carolina	\$11,602,190	\$20,819,090	\$32,421,280
37	Tennessee	\$16,545,934	\$0	\$16,545,934
38	Texas	\$57,504,778	\$0	\$57,504,778
39	Vermont	\$4,150,000	\$7,446,803	\$11,596,803
40	Virginia	\$20,572,984	\$0	\$20,572,984
41	Washington	\$16,889,420	\$30,306,551	\$47,195,971
42	West Virginia	\$5,476,493	\$9,827,076	\$15,303,569
43	Wisconsin	\$15,410,741	\$27,653,194	\$43,063,935
44	Wyoming	\$4,150,000	\$7,446,803	\$11,596,803
	<b>Total</b>	<b>\$694,561,944</b>	<b>\$639,290,888</b>	<b>\$,333,852,831</b>



**Table 3**—This table shows available funding for FY 2005 HAVA Title II requirements payments.

<b>HAVA Title II Requirements Payments</b>			
<b>Funds Available in FY 2005</b>			
	<b>FY 2003</b>	<b>FY 2004</b>	<b>Total</b>
Amount(s) Appropriated	\$830,000,000	\$1,498,200,000	\$2,328,200,000
Federal Rescission	\$0	-\$8,839,380	-\$8,839,380
Amount to Be Disbursed	\$830,000,000	\$1,489,360,620	\$2,319,360,620
Amount Disbursed to Date	\$694,561,944	\$639,290,888	\$1,333,852,831
Remaining to Be Disbursed	\$135,438,056	\$850,069,732	\$985,507,789

### **State Reporting**

In June 2004, GSA provided EAC with copies of the State financial reports filed earlier in the year. They report the status of HAVA Section 101 funds for improvements to election administration and 102 funds for replacement of punch card and lever machines as of December 31, 2003. A summary of these reports is available in Table 1 of this section. Individual State reports are available by contacting EAC.

Based upon EAC reviews of financial reports submitted to GSA, it is apparent that most States have not expended the majority of their Title I payments. Since the first State financial reports cover a period ending December 2003, it is likely that a number of States made efforts to obligate and expend additional funds in 2004. After reviewing the initial data provided to GSA, EAC was not able to discern the specific activities conducted by States with Title I funds. To better understand the use of these HAVA funds, EAC has requested updated financial reports that will include additional information to be consistent with reporting requirements for Title II payments. The results of these reports will be available in FY 2005.

### **National Student/Parent Mock Election**

HAVA Section 295 authorizes EAC to award grant funding to the National Student/Parent Mock Election (NSPME), a national, nonpartisan organization that promotes voter participation through educational activities for students and parents.

In August 2004, EAC awarded a \$198,820 grant earmarked to the National Student/Parent Mock Election. EAC received the following documentation from the organization:

- A copy of the organization’s current Articles of Incorporation;



- A copy of the organization's 501(c)(3) determination letter;
- Required Office of Management and Budget (OMB) forms, including the SF 424 Application Form; SF 424 A Budget Information; and SF 424 B Assurance Non-construction Programs;
- A Certification Regarding Lobbying.

EAC required the organization to file quarterly financial reports, due within 15 days after the end of each quarter, and submit a copy of the organization's annual performance report covering activity through September 30, 2004. Copies of these reports are available by contacting EAC.

## **Clearinghouse Resources**

In accordance with HAVA Section 202, EAC serves as a clearinghouse for information on the administration of elections under Federal law. EAC is committed to gathering information on best practices and lessons learned and disseminating this information in a timely and informative manner. Last year, the Commission began building a repository of critical guidance and resources for State and local election officials as they prepared for the general election.

EAC produced two clearinghouse pieces in FY 2004 designed to address HAVA mandates. The first deals with best practices on the administration, management, and security of voting systems and provisional ballots, as well as voter identification, polling place signage, and State administrative complaint procedures. The second best practices piece covers voting by uniformed and overseas voters.

EAC also began preparing three surveys to collect national data on the 2004 election cycle: a 2004 Election Day Survey for the States; a study of uniformed and overseas voter assistance; and a study of provisions of NVRA.

To create a forum for sharing information with the public and other stakeholders, EAC established its official Web site at [www.eac.gov](http://www.eac.gov).

These projects are detailed in this section of the annual report.

### **Best Practices Toolkit on Election Administration**

On August 9, 2004, EAC released a Best Practices Toolkit on Election Administration to offer guidance to election officials before the November elections. This document addresses challenges, solutions, and model practices in the administration, management, and security of elections. The practices cover pre-election management, outreach, poll workers and polling places, provisional voting, and election operations



on all voting systems, including lever, punch card, optical scan, and direct recording systems. Election officials also received a checklist for HAVA implementation with precise guidance on identification requirements for new voters, provisional voting, voter information that must be posted at polling places, State administrative complaint procedures, disability access, and a lengthy list of resources.

One of the most important topics featured in this toolkit is provisional ballots, which were required under HAVA and used by many States for the first time in 2004. To ensure this provision of the law was implemented in a uniform and nondiscriminatory manner, the document includes guidance on maintaining clear, uniform standards and procedures for issuing, processing, researching, and counting provisional ballots. It urges officials to reduce the need for provisional ballots by addressing voter registration problems well ahead of Election Day, and resolving eligibility issues at the polling place so voters can cast regular ballots. The report also encourages election administrators to record and publicize the number of provisional ballots issued, the number counted, and top reasons why they are not counted.

The best practices toolkit shares innovative and successful methods from jurisdictions of various sizes and geographic locations, and has been used by thousands of local election officials to gain new ideas for dealing with the challenges of election administration. The toolkit is available on the EAC Web site at [www.eac.gov](http://www.eac.gov).

### **Best Practices Report on Voting by Uniformed and Overseas Voters**

The U.S. Department of Defense, through the Federal Voting Assistance Program, is responsible for administering the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA). Under this law, absentee military personnel and citizens who reside abroad are guaranteed the right to vote and cast absentee ballots for Federal offices.

HAVA Section 242 required EAC, in consultation with the Secretary of Defense, to compile a report on best practices for assisting UOCAVA voters. On September 21, 2004, EAC released the results of this effort. The Commission's *Best Practices for Facilitating Voting by U.S. Citizens Covered by UOCAVA* describes methods to enhance absentee voter registration by UOCAVA voters and ensure the timely receipt of their ballots. The report is designed to assist State and local election officials who administer the elections involving these citizens. The full report is posted on the EAC Web site at [www.eac.gov](http://www.eac.gov).

### **2004 Election Surveys**

HAVA Section 241 instructs EAC to conduct public studies on election administration issues. To provide Congress with an accurate report on the November 2004 election, EAC developed a survey to gather quantitative data from the States. At the end of FY 2004, EAC began preparing three surveys in total: an Election Day 2004 Survey; a



Military and Overseas Absentee Ballot Survey; and a NVRA Survey. The results of this research will be available in FY 2005.

EAC is not exempt from the Paperwork Reduction Act (PRA); therefore, the Commission developed the surveys within the notice, publication, and approval framework that the Act requires. Prior to the November 2004 elections, EAC developed and distributed the Election Day 2004 Survey and the Military and Overseas Absentee Ballot Survey to the States.

The Election Day 2004 Survey will provide national data—some of it for the first time—on a range of issues. Topics include number of registered voters, number of ballots cast, number of absentee ballots cast and counted, number of provisional ballots cast and counted, reasons for rejecting absentee or provisional ballots, voting machine malfunctions that occurred, number of poll workers available on Election Day, and voting equipment used in each jurisdiction.

The Military and Overseas Absentee Ballot Survey will provide information on the number of absentee ballots requested and returned by military and overseas citizens. The survey will enable EAC to carry out the provisions of HAVA Section 703, which require the Commission to gather the number of absentee ballots transmitted to and received from uniformed and overseas citizens in each State after each general election for Federal office.

To complete its research on the 2004 election cycle, EAC will also conduct a survey to collect data on voter registration and other activities under NVRA.

These surveys have the potential for long-term impact on the understanding of election administration practices and the assessment of HAVA implementation efforts. For the most part, they represent the Federal government's first attempt to gather national data on elections.

## **Web Site**

The Commission launched its Web site, [www.eac.gov](http://www.eac.gov), on May 5, 2004, in accordance with HAVA Section 206. During the past year, EAC used the site as a primary communication vehicle for the Commission, publicizing public meetings, letters, news releases, and clearinghouse documents. The site is designed to meet Federal government accessibility requirements and space has been allotted for Spanish language translations.

The EAC Web site received more than 12 million hits in FY 2004. By the end of September 2004, with two months until the general election, the site was averaging more than 500,000 hits per week.





## Guidance and Outreach

Guidance and outreach projects are designed to assist election administrators and others involved with HAVA implementation. During FY 2004, the EAC focused on helping States prepare for the general election and introducing the Commission's HAVA mission to key stakeholders across the country. EAC did not have the time or resources to devote to the development of comprehensive guidance, so much of its programmatic work in this area is structured as outreach. The list includes a review of the National Mail Voter Registration Form, the introduction of two national poll worker initiatives, public meetings, and stakeholder outreach. This section describes these activities.

### National Voter Registration Act

HAVA Section 802 transferred to EAC the responsibilities exercised by the FEC under NVRA. These responsibilities include:

- Developing and maintaining a mail voter registration application form for Federal office elections, in consultation with the Chief Election Officers of the States;
- Submitting a report to Congress on the impact of NVRA;
- Prescribing necessary regulations to develop and maintain the National Mail Voter Registration Form and produce a report to Congress every two years;
- Providing information about State responsibilities under the law.

EAC began its oversight of NVRA in FY 2004 by reviewing Federal regulations for the National Mail Voter Registration Form. On August 10, the Commission approved a policy statement addressing plans to administer the form under HAVA Section 303(a)(5)(A), which requires voter registration applicants to provide verification of their identity. Registrants must produce either a driver's license number or the last four digits of the applicant's Social Security number on a voter registration application. If an applicant cannot provide one of these numbers, the State must assign that voter a unique number. The one exception to this requirement is States that use the full Social Security number for identification purposes under a grandfather clause in the Privacy Act of 1976.

The Commission's policy statement, adopted unanimously, allows States to extend the effective date of these HAVA requirements until January 1, 2006, if they had already requested a waiver for implementing a computerized statewide voter registration list. Until then, States are allowed to use State-specific instructions for national form.

In addition to the policy statement, EAC commissioned and posted a Spanish translation of the form online in July 2004. The National Mail Voter Registration Form and EAC policy statement are available online at [www.eac.gov](http://www.eac.gov).



## National Poll Worker Initiative

Successful recruitment, training, and retention of poll workers are essential as new election procedures and voting system equipment guidelines are adopted to meet HAVA requirements. EAC launched the National Poll Worker Initiative in June 2004, laying the groundwork for long-term efforts to meet this challenge. This effort included a public appeal to corporations, Federal government agencies, private organizations, and individual citizens to sign up as poll workers. EAC distributed more than 600 letters asking companies to allow employees to serve as poll workers on Election Day without having to take a personal or vacation day.

EAC held a public hearing on poll worker recruitment, training, and retention on September 13, 2004. The speakers made a number of recommendations to EAC, including the following:

- Provide a more directed message and better information to voters regarding the need for poll workers and the requirements for serving;
- Assist local election officials in achieving a better understanding of the skills modern poll workers need, and devising better ways for recruiting appeals to reach both public and private sector workers;
- Provide model guidance on polling place management and conduct research to test the kinds of messages that resonate with various demographic groups;
- Encourage more personal contact between local election officials and college students to help motivate them to serve as poll workers;
- Encourage local election officials to reach out to individuals receiving social services benefits in order to recruit poll workers.

Resources from this program are available online at [www.eac.gov](http://www.eac.gov).

## Help America Vote College Poll Worker Program

EAC successfully developed the Help America Vote College Poll Worker Program in time for the November elections. This program prompts college students to serve as nonpartisan poll workers and encourages local governments to use the services of students participating in the program.

In October 2004, EAC awarded 15 grants totaling nearly \$630,000 to a variety of finalists that included community colleges, four-year colleges and universities, and nonprofit organizations. The average award was \$41,800.

Grantees recruited more than 5,300 students for the program. With a little more than



three weeks to recruit, train, and place students, almost 1,700 students were trained and placed as poll workers or poll assistants. Several programs experienced a significant shortfall between the number of students recruited and the number actually placed. Because of timing difficulties, many election jurisdictions were unable to employ the student recruits; however, retention rates were very high for those students who were recruited, trained, and placed. Intensive monitoring and supervision by college poll worker project directors also proved highly effective.

In its summary report on the HAVA College Poll Worker Program, EAC offers several policy and program recommendations for future college poll worker grant programs. Recommendations include requiring applicants to verify with election officials the number of student poll workers needed and their requirements for allowing students to serve as poll workers. Program applicants also would have to incorporate in their program plan a method for supervising students throughout the recruitment, training, and placement process, and provide a means of verifying student poll worker service.

The HAVA College Poll Worker Report is available online at [www.eac.gov](http://www.eac.gov).

**TABLE 4**—The following table lists the HAVA College Poll Worker Program grantees, including amounts awarded.

<b>HAVA College Poll Worker Program Grantees</b>		
<b>Name of Institution</b>	<b>Grant Amount</b>	<b>Location</b>
Asnuntuck Community College	\$30,000	Enfield, CT
Assoc. Students, Inc. (Cal State Univ.)	\$25,000	Long Beach, CA
Eastern Michigan University	\$25,000	Ypsilanti, MI
Florida Memorial College	\$50,000	Miami Gardens, FL
Golden Key International Honor Society	\$130,000	Atlanta, GA
Illinois Central College	\$12,000	East Peoria, IL
Los Angeles Conservation Corps	\$20,000	Los Angeles, CA
Northampton Community College	\$25,000	Bethlehem, PA
Northern Kentucky University	\$25,000	Highland Heights, KY
Roxbury Community College	\$30,000	Boston, MA
Rural Ethnic Institute	\$50,000	Rapid City, SD
University of Baltimore	\$70,000	Baltimore, MD
University of Maryland, College Park	\$25,000	College Park, MD
University of North Texas	\$80,000	Denton, TX
Wiley College	\$30,000	Marshall, TX
<b>TOTALS:</b>	<b>\$627,000</b>	

### **Public Meetings and Commission Votes**

Beginning with an organizational meeting in March, EAC held five public meetings and two hearings during FY 2004. The Commissioners took nearly 50 formal votes



on diverse important matters, with all affirmative votes passed unanimously. EAC used public meetings to serve three major functions:

- To inform the public about the status of ongoing EAC programs and activities, including requirements payments to the States, the HAVA College Poll Worker Program, the National Poll Worker Initiative, best practices reports, and activities of various EAC boards and committees;
- To provide a forum for collecting feedback from key stakeholders in the election process on issues pertinent to the EAC mission of preparing America to vote in 2004 and beyond;
- To provide an opportunity for EAC Commissioners and staff to make programmatic recommendations, deliberate issues, and take votes in a public setting.

A summary of FY 2004 EAC votes is shown in Table 5. Official meeting minutes and agendas are available for all FY 2004 public meetings on EAC’s Web site at [www.eac.gov](http://www.eac.gov).

**TABLE 5**—The following chart details EAC’s voting calendar for FY 2004, including the topic of each vote and when it was certified.

<b>U.S. EAC FISCAL YEAR 2004 VOTES</b>			
<b>Topic</b>	<b>Votes in Favor</b>	<b>Voting Forum</b>	<b>Date Certified</b>
1. Election of 2004 Officers	4	Public	03/23/04
2. Letters to State Chief Executives Regarding Statements of Certifications for HAVA Title II Requirements Payments	4	Tally	05/04/04
3. Procedures for Voting by Circulation	4	Tally	05/04/04
4. Recommended Process for Handling Certifications from the States (HAVA Sec.253)	4	Tally	06/08/04
5. Recommended Actions Regarding EAC June 3 Hearing in Chicago	4	Tally	06/08/04
6. Identification of Financial Disclosure Filers on Standards Board, Board of Advisors, and Technical Guidelines Development Committee	4	Tally	06/10/04
7. Approval of Recommended Joint Appointments to Technical Guidelines Development Committee; Letter Regarding Same to NIST Director	4	Tally	06/10/04
8. Application of OMB Circular Financial Management Controls to Title II Requirements Payments	4	Tally	06/11/04
9. Approval of Disbursement of HAVA Title II Requirements Payments to 21 States	4	Tally	06/14/04
10. Approval of FACA Charters for Standards Board and the Board of Advisors	4	Tally	06/16/04
11. Disbursements of HAVA Title II Requirements Payments to Four States	4	Tally	06/16/04



12. Approval and Filing of the FACA Charter of the Technical Guidelines Development Committee	4	Tally	06/24/04
13. Provisional List of Prohibited Sources for Technical Guidelines Development Committee	4	Tally	06/25/04
14. Designation of Designated Federal Officer for Technical Guidelines Development Committee	4	Tally	06/30/04
15. Designation of Designated Federal Officer for Standards Board and Board of Advisors Direction to Chair Meetings	4	Tally	06/30/04
16. Disbursement of HAVA Title II Requirements Payments to Three States	4	Tally	06/30/04
17. Designation of Agency Final Reviewing Official for Confidential Financial Disclosure Forms Filed by Certain Members of Advisory Committees	4	Tally	06/30/04
18. Convening a Meeting of the Standards Board and the Board of Advisors	4	Tally	07/02/04
19. Provisional List of Prohibited Sources	4	Tally	07/02/04
20. Disbursement of HAVA Title II Requirements Payments to Two States	4	Tally	07/12/04
21. Request to GSA to Distribute \$198,820 Grant to National Student/Parent Mock Election Program	4	Public	07/13/04
22. Adoption of Best Practices Toolkit Document	4	Public	07/13/04
23. Public Hearing on Poll Workers-September 13	4	Public	07/13/04
24. Collection of State Data for November 2004 Election Research Projects	4	Public	07/13/04
25. Commission Advisory Letter Regarding Five Recommendations on Electronic Voting Security	4	Public	07/13/04
26. Disbursement of HAVA Title II Requirements Payments to Seven States	4	Tally	08/03/04
27. National Voter Registration Form Policy Statement	4	Public	08/10/04
28. Recruitment of Student Poll Workers Through HAVA College Poll Worker Program	4	Public	08/10/04
29. Disbursement of HAVA Title II Requirements Payments to Two States	4	Tally	08/16/04
30. Procedural Resolutions Adopted by the Technical Guidelines Development Committee	4	Tally	08/16/04
31. Appointment of General Counsel	4	Tally	08/17/04
32. Disbursement of HAVA Title II Requirements Payments to One State	4	Tally	08/19/04
33. Disbursement of HAVA Title II Requirements Payments to One State	4	Tally	08/31/04
34. Disbursement of HAVA Title II Requirements Payments to Three States	4	Tally	09/09/04
35. Adoption of Best Practices Report for Facilitating Voting by U.S. Citizens Covered by the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA)	4	Public	09/13/04
36. Resolution Supporting National Association of Secretaries of State Voter Registration Week (September 13-19)	4	Public	09/13/04
37. Federal Register Publication of Seven State Plans	4	Tally	09/21/04
38. Appeal of Grant Application Disqualification-Executive Travis Rural Area, Inc.	4	Tally	09/21/04
39. EAC Grants Policy Directive	4	Tally	09/21/04



40. Appeal of Grant Application Disqualification-The Academy of Broadcast Arts	4	Tally	09/21/04
41. Letter to States That Had Not Provided Administrative Complaint Procedures	4	Tally	09/27/04
42. Response to Questions from State of Missouri	4	Tally	09/27/04
43. Help America Vote College Program Grants	4	Tally	09/27/04
44. Disbursement of HAVA Title II Requirements Payments to Four States	4	Tally	09/28/04
45. Delegated Authority to Contract with GSA for Administrative Services-FY 2005	4	Tally	09/30/04
46. Appointment of Interim Executive Director	4	Tally	09/30/04

## Outreach to Key Stakeholder Groups

During EAC's first year, the four Commissioners focused on providing direct assistance to State and local election officials, facilitating the distribution of HAVA funds to the States, and overseeing development of new voting system guidelines. They spent the months prior to November 2004 meeting with election officials at all levels to hear their concerns and learn from their efforts, and they were reminded regularly that "details matter" in the administration of elections. The Commissioners traveled to an estimated 30 States and the District of Columbia to learn more about HAVA compliance in Federal elections, observe primaries and poll worker training sessions, and attend State and national conferences.

At the request of the U.S. Department of State, the Commissioners also met with foreign delegations interested in American election reform. Between January and September 2004, EAC gave 10 briefings to delegations of foreign elections officials. The delegations represented Poland, Jordan, Moldova, Serbia, Mexico, Great Britain, Slovakia, and Brazil, as well representatives of West Bank/Gaza and the Organization for Security and Co-Operation in Europe. In September 2004, Commissioner DeGregorio also served as keynote speaker on U.S. election reform efforts at the annual meeting of the Association of Central and Eastern European Election Officials in Tirana, Albania.

## Voting Systems Standards and Guidelines

Among EAC's most important functions are the testing and certification of voting system hardware and software. Successfully implementing this key function demands development of revised voluntary voting systems standards, which will prescribe technical requirements for voting system performance, security, and auditability, and will identify testing protocols to determine how well systems meet these requirements. Certification of testing laboratories to ensure competent resources are available is equally important, as is the process for reviewing system test reports to validate that systems have met standards and can be declared qualified for use in Federal elections. Each of these elements is discussed below.



Delay in the establishment of EAC caused a comparable lag in standards development. HAVA called for adoption of voluntary standards by January 1, 2004. Since the Commissioners were confirmed the month before, the deadline could not be met; however, the Commissioners specified standards development as a priority objective for FY 2004.

This section of the annual report outlines EAC's progress with NIST on voting systems work, including formation of the EAC Standards Board and Board of Advisors, convening of the TGDC, examination of electronic voting security issues, issuance of a human factors report, development of a Federal voting equipment qualification process and a testing laboratory certification process, and the use of a National Software Reference Library (NSRL).

## **Standards Board and Board of Advisors**

Input of key stakeholders is critical to establishing updated standards and voluntary guidelines for the use of voting equipment; therefore, EAC assembled a 37-member Board of Advisors and a 110-member Standards Board, as HAVA requires. The two boards met for the first time and chose leadership on June 28 and 29, 2004, in Houston, Texas. Membership lists of both boards are provided in Appendix B.

HAVA requires specific member designation to each board to ensure that broad representation and diverse expertise and perspectives are contributed to group deliberations. Board members serve terms and can be reappointed. HAVA Title II Section 215 (f) establishes the boards as permanent committees and EAC is to provide necessary administrative support.

HAVA also requires the Board of Advisors and the Standards Board to conduct a number of activities in addition to meetings. They must review standards, voluntary guidelines, best practice guidance to the States, and various HAVA reports. These boards are to recruit and recommend candidates for the position of EAC Executive Director. Both boards function solely as advisory bodies and must comply fully with the provisions of the Federal Advisory Committee Act.

### **EAC Board of Advisors**

Membership on the Board of Advisors includes the following groups, as specified in HAVA (two members appointed by each): The National Governors Association; National Conference of State Legislatures; National Association of Secretaries of State; National Association of State Election Directors; National Association of Counties; National Association of County Recorders, Election Administrators and Clerks; U.S. Conference of Mayors; Election Center; International Association of Clerks, Recorders, Election Officials and Treasurers; U.S. Commission on Civil Rights, and the Architectural and Transportation Barrier Compliance Board.

Other members of the Board of Advisors include representatives from each of the following: U.S. Department of Justice, Office of Public Integrity, and the Civil Rights



Division; the director of the U.S. Department of Defense Federal Voting Assistance Program; four professionals from the field of science and technology, one each appointed by the Speaker and Minority Leader of the U.S. House of Representatives, and the Majority and Minority leaders of the U.S. Senate; and eight members representing voter interests, with the Chairs and Ranking Minority Members of the U.S. House of Representatives Committee on House Administration and the U.S. Senate Committee on Rules and Administration each appointing two.

At the June 2004 meeting, the Board of Advisors elected Doug Lewis, Executive Director of the Election Center, to serve as temporary Chairman while it develops bylaws.

### **EAC Standards Board**

The Standards Board consists of 110 members, 55 of whom are State election officials selected by their respective Chief State Election Official. The other 55 members are local election officials selected through a process supervised by the Chief State Election Official. Under HAVA, references to States include the District of Columbia and all U.S. Territories.

HAVA prohibits any two members who represent the same State from being members of the same political party. The board selected nine members to serve as an Executive Board, of whom not more than five are State election officials, not more than five are local election officials, and not more than five are members of the same political party. HAVA includes specifications on the length of terms to be served by the Executive Board.

### **Technical Guidelines Development Committee**

HAVA Section 221 calls for the establishment of a TGDC to assist the Commission in the development of voluntary voting system guidelines (also referred to as voluntary standards). These guidelines, or standards, are characterized as voluntary because EAC does not have the regulatory authority to issue mandatory standards. Consequently, each State retains the prerogative to decide whether to adopt these standards for the procurement of voting systems.

The Chairman of the TGDC is the Director of the NIST. The TGDC is composed of the Director and 14 other individuals appointed jointly by the Commission and the Director. HAVA Section 221 prescribes the composition of the TGDC membership as follows:

- Members of the EAC Standards Board;
- Members of the EAC Board of Advisors;





- Members of the Architectural and Transportation Barrier Compliance Board;
- A representative of the American National Standards Institute;
- A representative of the Institute of Electrical and Electronics Engineers;
- Two representatives of the National Association of State Election Directors;
- Other individuals with technical and scientific expertise relating to voting systems and voting equipment.

The first meeting of the TGDC was held July 9, 2004, and focused on committee organization and defining working procedures. The members created three subcommittees: Computer Security and Transparency; Core Requirements and Testing; and Human Factors and Privacy.

Each TGDC subcommittee is responsible for developing high-level resolutions or guiding principles for the scope and content of voting system standards. These resolutions are debated and finalized by the entire TGDC and, if approved, passed to NIST with tasking to conduct research, evaluate existing standards, and revise or write new standards as required to implement each resolution. The resulting NIST work product will be standards statements or a specification for a standard that needs to be developed, as well as a description of the test protocols for verifying compliance. Table 6 provides an example of a resolution and the associated tasking to NIST.

The TGDC subcommittees schedule regular teleconferences and conduct public meetings to gather information. Their proceedings are available to members of the public at <http://vote.nist.gov>. Teleconference schedules and topics are published in advance and simultaneous Web casts of all discussions are available. Interested parties may also provide comments via the NIST Web site at <http://vote.nist.gov>. All comments are reviewed by subcommittee members.

A list of TGDC members is available in Appendix C.



TABLE 6—This table provides an example of a resolution with associated tasking to NIST.

<b>Sample TGDC Resolution</b>
<p><b>Resolution # 4-05</b></p> <p><b>Human Factors and Privacy Requirements for Capturing Indication of a Voter’s Choice</b></p> <p>Based on current research, the TGDC recognized the need for voting system requirements to include human factors, and privacy requirements for capturing indication of a voter’s choice. These requirements should be specified so systems can be evaluated. Imprecise specifications such as “intuitive,” “unambiguous,” or “meaningful” should be avoided. Further, performance-based standards are preferred over specific design standards because performance standards address the total effectiveness of the system more directly than do design standards, and typically they are not technology-specific. The TGDC directs NIST to:</p> <ol style="list-style-type: none"> <li>1. Create an outline of the human factors and privacy requirements related to capturing indication of a voter’s choice.</li> <li>2. Write draft human factors and privacy standards based on this outline by using existing requirements from the VSS2002, IEEE P1583 draft 5.3.2a, ADA Accessibility Guidelines, and other relevant usability and accessibility guidelines and regulations.</li> <li>3. Identify areas where further development of requirements for capturing indication of a voter’s choice is needed, noting when performance-based usability standards are possible.</li> <li>4. Write all requirements so they are testable and the tests can be conducted either by inspection by a person with reasonable knowledge of systems, user interface design, and accessibility, or by performance-based usability tests with clear, repeatable protocols.</li> </ol>

## Electronic Voting Security

In addition to working with NIST to launch the TGDC, EAC responded to public concerns about the security and reliability of electronic touch-screen voting systems, popularly referred to as DREs. The Commission held a public hearing in May 2004 on the use, security, and reliability of electronic voting systems. Witnesses included computer security experts, academics, election officials, voting rights advocates, and voting system vendors. The Commission made voting system security and auditability a priority of its standards work.

EAC also issued an Advisory Letter on Electronic Voting Security, which identified a number of actions that election officials could take to improve system integrity and promote voter confidence for the 2004 election. One recommendation was to define and implement enhanced security measures and provide process transparency to the public. In addition, the Commission requested that voting system vendors submit copies of their certified software to the NIST Software Reference Library so election officials could validate the software used for the election. The State of Maryland used



this capability for the 2004 election.

A copy of the EAC Advisory Letter on Electronic Voting Security is available at [www.eac.gov](http://www.eac.gov).

## Human Factors Report

HAVA Section 243 directs the Commission, in consultation with the Director of NIST, to submit to Congress a report on human factors research. EAC Commissioners played an active role in the oversight and direction of this report, entitled *Improving the Usability and Accessibility of Voting Systems and Products*, which was completed in April 2004. This report will make a significant contribution to the development of the voluntary standards.

The report's main recommendation advocates development of performance-based standards for the usability of voting systems, focusing on how the system functions from an end-user perspective. For example, the voting machine screen should be easy for a voter to understand and indicate clearly how to record choices. The report further suggests that voting machine vendors should incorporate usability testing in product development.

A full copy of the report is available online at [www.eac.gov](http://www.eac.gov).

## Accreditation of Voting System Testing Laboratories

HAVA Section 231 requires EAC and NIST to develop a national program for accrediting voting system testing laboratories. On June 23, 2004, NIST published a notice in the Federal Register announcing the establishment of this program, which operates as part of the National Voluntary Laboratory Accreditation Program (NVLAP). The national program will provide initial accreditation of testing laboratories and periodic reexamination and recertification to ensure they continue to meet the criteria. NIST will begin accepting applications in April 2005, when the test lab certification process will formally transition from the National Association of State Election Directors (NASSED), which has performed this work since early 1992.

NVLAP provides internationally recognized, independent evaluation of laboratory competence. Labs seeking accreditation will submit an application describing their facilities and staff qualifications in relation to the relevant standards. NVLAP will examine the applicant's ability to test systems using the voluntary voting system standards, based on their written documentation and an inspection of their facilities. Laboratories that achieve accreditation will be recommended by NIST to the EAC for designation as approved voting system testing laboratories. EAC will maintain a register of qualified laboratories to help vendors and election officials identify resources to fulfill system testing requirements.



## **Voting System Qualification Process**

Accredited testing laboratories will test vendor systems for conformance with voluntary voting system standards. Once testing is complete, the results must be reviewed to determine whether the system is eligible to be designated a qualified voting system. NASED has been responsible for conducting this review since 1992; however, HAVA directs EAC to assume this responsibility. Preliminary planning for the transition began in FY 2004 and a full transition to EAC will be completed in FY 2005.

## **National Software Reference Library**

In July 2004, EAC and NIST established a part of the NSRL specifically for voting systems. The Commission encouraged voting system vendors to submit copies of their certified system software to NSRL so election officials could validate their match to the certified version. Five vendors provided their software for this purpose. At the July 13, 2004 EAC public meeting, NIST presented a report on the use of the NSRL for voting system software validation. This report is available online at [www.nsrl.nist.gov/vote/July132004-EAC.pdf](http://www.nsrl.nist.gov/vote/July132004-EAC.pdf).



## **EAC PROGRAM AND RESEARCH ACTIVITIES IN FY 2005**

With an approved budget of \$14 million, EAC plans to start several important research projects and offer direction on a number of election topics addressed in this report. The following are some highlights.

### **Financial Reporting and Auditing**

EAC is working with OMB, GSA, and other Federal agencies to establish procedures and protocols for reporting and auditing payments. EAC has significant fiduciary responsibility to assure self-compliance and self-certification by the States. As of FY 2005, EAC will be completely responsible for all costs associated with publishing State plan updates and administering requirements payments.

It should be noted that most States developed a HAVA implementation plan based upon the expectation that Congress would fully fund the law. Given that HAVA's requirements payments provision has not been fully funded to date, EAC anticipates that most States will submit revisions to their plans to adjust for the decrease in funds.

Pursuant to its obligations under HAVA, EAC will begin a review and audit of FY 2004 State expenditures of HAVA funds. EAC will establish an Inspector General program, receive and review spending reports filed by the States, and review single audit reports. If discrepancies or improprieties are identified in those reports, or if EAC learns of potential misuse of HAVA funds, EAC will decide if a special audit is warranted. If a special audit is conducted, EAC will review the findings and make recommendations and referrals to State and Federal agencies of jurisdiction.

### **Research and Guidance**

Key to FY 2005 research is data collection from States and counties on a number of election administration topics, including provisional ballots, absentee voting, voter registration, voting equipment performance, and availability and training of poll workers. This first-ever comprehensive data collection is expected to yield valuable insights into the current status of election administration. EAC will continue to refine data collection activities in the years ahead to determine progress toward HAVA goals.

In addition, EAC has identified certain areas for research that will inform guidance to the States based upon their 2004 election experiences. Provisional voting, voter identification requirements, voter information, and other critical areas will involve review and analysis of State legislation and administrative procedures, identification of election administration issues, and formulation of recommendations to be applied in the 2006 elections.



Many States are directing efforts to meeting the January 2006 deadline for implementation of statewide voter registration databases and the replacement or upgrade of voting systems to meet HAVA requirements. The EAC will issue voter registration database guidance aimed at increasing voter access while reducing opportunities for fraud. Further, the Agency expects to receive initial recommendations for voting system standards from the TGDC and NIST for use in voting system procurements, laying the groundwork for future technical assistance to the States.

Another major EAC initiative will be assuming responsibility for the certification and decertification of voting systems. EAC expects to strengthen this process through more rigorous procedures and documentation and to make improvements over time.

Finally, EAC will prepare reports on electronic (Internet) voting and the impact of free postage on absentee voting, as required by HAVA Sections 245 and 246 respectively.



## **CONCLUSION**

EAC's theme for FY2004 was "Preparing America to Vote." The focus of activity was twofold: establishing the Commission itself; and providing initial guidance to States on HAVA provisions pertaining to the administration of the 2004 general election. Now that the first Federal election after HAVA has occurred, EAC is focusing its FY 2005 efforts on identifying the elements of HAVA that worked well and areas where improvements are needed. EAC is also directing attention to providing guidance to assist States in meeting their 2006 HAVA deadlines for statewide voter registration lists and voting system improvements.

The theme for FY2005 is "Building a Framework for Excellence." It will take several years to fully accomplish the wide-ranging changes to the U.S. electoral process envisioned by HAVA. The agency's efforts will be oriented towards developing tools and processes for achieving the standard of excellence in election administration that HAVA requires. EAC will continue to develop cooperative working relationships with State and local election officials, since they are ultimately the key to successful HAVA implementation.

This year's work on revising the voluntary voting system standards is expected to provide a much improved basis for testing and validating voting systems. This work will need to continue in FY 2006. Bringing the voting system qualification and test lab certification processes under EAC management will also have long-lasting impacts on the future quality of voting systems. EAC anticipates instituting a formalized peer review process for system qualification that will incorporate strong quality assurance and configuration management elements. This is another area where improvements will be realized over time. The Commissioners and staff will continue to exert the same dedication of purpose, hard work, and enthusiasm that became the hallmarks of the agency in FY 2004.



## Appendix A: Commissioner Biographies<sup>1</sup>

### Honorable Gracia M. Hillman, Chair

The Honorable Gracia M. Hillman was nominated by President George W. Bush and confirmed by unanimous consent of the U.S. Senate on December 9, 2003, to serve an initial two-year term on the U.S. Election Assistance Commission (EAC). Ms. Hillman was elected Chair of the EAC for 2005, after serving as the Agency's first Vice Chair in 2004.

A Massachusetts native who first entered community service in 1970, Ms. Hillman has effectively handled both domestic and international issues throughout her career. Her areas of expertise include nonprofit management, public policy and program development, and the interests and rights of women and minorities, including voting rights. She has traveled extensively throughout the United States, meeting with national and local groups and businesses. Through her international work, Ms. Hillman has traveled in Africa, Asia, the Caribbean, and Europe. She conducted nonpartisan political training in Haiti and Kenya, and participated in United Nations sponsored conferences in Vienna, Beijing, and New York City.

Prior to her appointment with EAC, Ms. Hillman served as President and Chief Executive Officer of WorldSpace Foundation, a nonprofit organization that uses digital satellite technology to deliver educational programming to Africa and Asia. She also served as the U.S. Department of State's first Senior Coordinator for International Women's Issues, developing agency-wide strategies to ensure U.S. foreign policy promoted and protected women's rights.

Her work experience includes having served as Executive Director of the League of Women Voters of the United States, the Congressional Black Caucus Foundation, and the National Coalition on Black Voter Participation. She also held positions as Executive Consultant to the Council on Foundations, and Coordinator of the Voter Law Policy Project for the Joint Center for Political and Economic Studies.

Throughout the 1980s, Ms. Hillman championed nonpartisan and bipartisan efforts to ensure open access to the voting process for all citizens and the continued voting rights of minority Americans, including work on the historic 25-year extension of the National Voting Rights Act. Her political experience includes paid and volunteer positions on numerous campaigns, including a role as Senior Advisor on Congressional and Constituent Relations for the 1988 Dukakis for President Campaign.

Ms. Hillman has one son and currently resides in Washington, DC.

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<sup>1</sup> The four EAC Commissioners were confirmed by the Senate on December 9, 2003, and appointed by the President on December 13, 2003.





## **Honorable Paul S. DeGregorio, Vice Chairman**

The Honorable Paul S. DeGregorio was nominated by President George W. Bush and confirmed by unanimous consent of the U.S. Senate on December 9, 2003, to serve an initial two-year term on the U.S. Election Assistance Commission (EAC). Mr. DeGregorio was elected by his fellow Commissioners to serve as EAC Vice Chair for 2005.

Mr. DeGregorio is nationally renowned in the elections field. His areas of expertise include U.S. election administration, democracy building, and international elections. In 2004, he received the NASS Freedom Award from the National Association of Secretaries of State in recognition of his accomplishments.

Prior to his appointment with EAC, Mr. DeGregorio served as Executive Vice President and Chief Operating Officer of the International Foundation for Election Systems (IFES), a leading institution involved in the promotion of democracy worldwide. He was responsible for the organization's day-to-day operation, overseeing more than 400 employees in 23 countries. He has provided technical assistance in election administration in many countries, including Russia, Kazakhstan, Moldova, Ukraine, Romania, Albania, Macedonia, Bosnia-Herzegovina, China, Slovakia, Georgia, Cambodia, Thailand, Indonesia, Sierra Leone, the Democratic Republic of Congo, Nigeria, and Japan. At IFES, Mr. DeGregorio also provided leadership on U.S. election reform initiatives and led a team that supplied technical advice in Florida and Missouri during the November 2002 elections.

From 1985 to 1993, Mr. DeGregorio served as Director of Elections for St. Louis County, Missouri's largest jurisdiction. During his tenure, he instituted major improvements in voter registration, training, accessibility, counting, and management procedures. He was recognized for his efforts in prosecuting voter fraud and drafting legislation to improve the electoral process. He served as Co-chair of the Missouri Election Reform Commission in 2001. A member of the International Association of Clerks, Recorders, and Election Officials (IACREOT) since 1986, during his tenure as Chairman of the Education and Training Committee, Mr. DeGregorio was credited with initiating the University of Missouri Chancellor's Certificate in Public Administration program for IACREOT members.

Mr. DeGregorio served for eight years as Director of Outreach Development for the University of Missouri-St. Louis, where he initiated and had oversight for four off-site campuses that served nearly 4,000 students. He also served as a Research Associate with the University's Center for International Studies. Mr. DeGregorio was a Special Assistant in President Ronald Reagan's administration and served as an assistant to John Ashcroft during his first term as Missouri Attorney General.

Mr. DeGregorio received his degree in political science from the University of Missouri-St. Louis. He is married to Kerry DeGregorio and has four daughters—Katie, Annie, Debbie, and Emily—as well as one granddaughter, Victoria.



## **Honorable DeForest B. Soaries, Jr., Commissioner**

Appointed to an initial four-year term by President Bush and confirmed by the U.S. Senate, the Honorable DeForest B. Soaries, Jr., served as the first Chairman of the U.S. Election Assistance Commission (EAC) from March 2004 through January 2005.

Under his leadership, the Commission established itself as a key component in the administration of elections under Federal law. During his term as Chairman, more than \$2.2 billion was distributed to States to fund upgrades for election equipment and improve the administration of elections. Additionally, EAC provided information in the form of best practices to State and local election officials as they prepared for the 2004 presidential election and held public hearings to investigate important election issues, such as electronic voting, Election Day security, and provisional ballots. The EAC also assisted voters by conducting an unprecedented effort to recruit people through corporations, Federal agencies, national organizations, and colleges to serve as nonpartisan poll workers and Election Day judges.

In February 2003, President Bush appointed Dr. Soaries to serve as a public director of the Federal Home Loan Bank of New York. He was a member of the affordable housing committee of the bank. From January 12, 1999 to January 15, 2002, he served as New Jersey's 30<sup>th</sup> Secretary of State. Appointed by former Governor Christine Todd Whitman, he managed one of the premier departments of State government and served as a senior advisor to the governor on issues that transcended traditional department lines.

Dr. Soaries currently is Senior Pastor of the 7,000-member First Baptist Church of Lincoln Gardens in Somerset, New Jersey. A pioneer of faith-based community development, he has led First Baptist in the construction of a new \$17 million church complex and the formation of many nonprofit entities to serve the community surrounding the church.

Dr. Soaries earned a bachelor's degree from Fordham University, a master of divinity degree from Princeton Theological Seminary, and a doctor of ministry degree from United Theological Seminary. He also has received six honorary doctorate degrees from institutions of higher learning. Additionally, Dr. Soaries has taught courses at Princeton Theological Seminary, Drew University Theological School, Kean University, and Mercer County College. He has received numerous awards for leadership and community service and was recognized recently by the New Jersey legislature for his religious and community leadership.

Dr. Soaries is married to Margaret Donna Soaries and is the father of twin sons, Malcolm and Martin. They currently reside in Princeton, New Jersey.



## **Honorable Ray Martinez III, Commissioner**

The Honorable Ray Martinez was nominated by President George W. Bush and confirmed by unanimous consent of the U.S. Senate on December 9, 2003, to serve a four-year term on the U.S. Election Assistance Commission.

Prior to his appointment, Mr. Martinez practiced law in Austin, Texas, where his focus was primarily on government affairs and administrative law matters. His clients were mainly county governments and other public entities. Concurrent with his law practice and as a community service, he served as Executive Director and Legal Counsel of the Every Texan Foundation, a nonpartisan voter registration and education effort dedicated to increasing voter participation in Texas.

Mr. Martinez began his law practice after serving as Deputy Assistant to the President for Intergovernmental Affairs at the White House. In this position, he was responsible for assisting former President Bill Clinton with various policy issues involving the nation's governors and other statewide elected officials. While part of the White House staff, he assisted with development of long-term strategies to stimulate economic growth along the United States–Mexico border region, and with the establishment of the United States–Mexico Border Health Commission, now headquartered in El Paso, Texas.

Before serving as Deputy Assistant to the President, Mr. Martinez served as Regional Director for the U.S. Department of Health and Human Services in Dallas, where he focused agency resources on public health issues such as full implementation of the Children's Health Insurance Program. His Federal government service began in 1993, when he was appointed White House Liaison to the U.S. Department of Health and Human Services, and later as Special Assistant to the President in the White House Office of Political Affairs. Prior to his service in the Federal government, Mr. Martinez worked as a legislative liaison for the Texas Attorney General's office.

A native of Alice, Texas, Mr. Martinez received his law degree from the University of Houston Law Center and his bachelor's degree from Southwestern University. He is married to Beth Stanley Martinez, a clinical social worker, and they are the parents of two children, Sofia Grace and Lorenzo Elder. They currently reside in Arlington, Virginia.



## Appendix B: EAC Board of Advisors and Standards Board Members

### EAC Board of Advisors

**National Conference of State Legislatures (1)**

Sheldon Silver  
Speaker, New York Assembly  
Albany, NY

**National Governors Association (1)**

Vacant

**National Association of Secretaries of State (1)**

Mary Kiffmeyer  
Secretary of State  
St. Paul, MN

**National Association of State Election Directors (1)**

Christopher Thomas  
Michigan State Director of Elections  
Lansing, MI

**National Association of Counties (1)**

Wendy Noren  
Boone County Clerk  
Columbia, MO

**National Association of County Recorders, Election Officials and Clerks (1)**

Beverly Kaufman  
Harris County Clerk  
Houston, TX

**U.S. Commission on Civil Rights (1)**

Francis Guess  
Vice President, The Danner Company  
Nashville, TN

**The Election Center (1)**

Doug Lewis  
Executive Director  
The Election Center  
Houston, TX

**U.S. Conference of Mayors (1)**

Vacant

**National Conference of State Legislatures (2)**

Christopher Rants  
Iowa Speaker of the House  
Des Moines, IA

**National Governors Association (2)**

Vacant

**National Association of Secretaries of State (2)**

Dan A. Gwadosky  
Secretary of State  
Augusta, ME

**National Association of State Election Directors (2)**

Thomas Wilkey  
Former Executive Director  
New York State Board of Elections  
Rensselaer, NY

**National Association of Counties (2)**

Helen Purcell  
Maricopa County Recorder  
Phoenix, AZ

**National Association of County Recorders, Election Officials and Clerks (2)**

David Orr  
Cook County Clerk  
Chicago, IL

**U.S. Commission on Civil Rights (2)**

Victoria Wilson  
Vice President, Alfred A. Knopf Publishers  
New York, NY

**The Election Center (2)**

Ernie Hawkins  
Former Registrar of Voters  
Sacramento County  
Elk Grove, CA

**U.S. Conference of Mayors (2)**

Vacant



**International Association of Clerks,  
Recorders, Election Officials and Treasurers (1)**

Tony J. Sirvello, III  
IACREOT Executive Director  
Houston, TX

**Architectural and Transportation Barrier  
Compliance Board (1)**

James R. Harding  
ACCESS Board Member  
Tallahassee, FL

**House Speaker (1)**

JC Watts  
Washington, D.C.

**Senate Majority Leader (1)**

Wesley R. Kliner, Jr.  
McDonald, TN

**House Administration, Chair (1)**

Jim Carnes  
Deputy Director  
Ohio Department of Natural Resources  
St. Clairesville, OH

**House Administration Ranking Minority  
Member (1)**

Joseph F. Crangle, Esq.  
Attorney, Colucci & Gallaher, P.C.  
Buffalo, NY

**Senate Rules & Administration, Chair (1)**

Sue Sautermeister  
Municipal Election Commissioner  
City of Ridgeland  
Ridgeland, MS

**Senate Rules & Administration  
Ranking Minority Member (1)**

James C. Dickson  
Vice President for Governmental Affairs  
American Association of People with Disabilities  
Washington, DC

**Chief, Office of Public Integrity,  
U.S. Department of Justice**

Noel Hillman  
Chief, Public Integrity Section  
Washington, DC

**Director, Federal Voting Assistance Program  
U.S. Department of Defense**

Polli Brunelli  
Director, Federal Voting Assistance Program  
Washington, DC

**International Association of Clerks,  
Recorders, Election Officials and Treasurers (2)**

Sharon Turner Buie  
Director of Elections, Board of Elections  
Kansas City, MO

**Architectural and Transportation Barrier  
Compliance Board (2)**

James Elekes  
ACCESS Board Member  
North Plainfield, NJ

**House Minority Leader (1)**

Douglas Palmer  
Mayor  
Trenton, NJ

**Senate Minority Leader (1)**

Thomas H. Shortbull  
President, Oglala Lakota College

**House Administration, Chair (2)**

Catherine L. Hanaway  
Speaker of the Missouri  
House of Representatives  
Jefferson City, MO

**House Administration Ranking Minority  
Member (2)**

Hilary O. Shelton  
Director, Washington Bureau, NAACP  
Washington, DC

**Senate Rules & Administration, Chair (2)**

Tamara Somerville  
Independent Consultant/Lobbyist  
Vancouver, WA

**Chief, Voting Section, Civil Rights Division,  
U.S. Department of Justice**

Hans von Spakovsky  
Counsel to the Assistant Attorney General  
U.S. Department of Justice  
Washington, DC

**Senate Rules & Administration  
Ranking Minority Member (2)**

Robin Carnahan  
Attorney at Law  
St. Louis, MO



## Standards Board

### Alabama

Nancy L. Worley  
Secretary of State  
Montgomery, AL

Luke Cooley  
Judge of Probate, Houston County  
Dothan, AL

### Alaska

Laura A. Glaiser  
Director, Division of Elections  
State of Alaska  
Juneau, AK

Shelly Growden  
Regional III Supervisor  
Division of Elections  
State of Alaska  
Fairbanks, AK

### American Samoa

Soliai T. Fuimaono  
Chief Election Officer  
Pago Pago, AS

Filivaa M. Mageo  
Election Administrator  
Pago Pago, AS

### Arizona

Jan Brewer  
Secretary of State  
Phoenix, AZ

Mitch Etter  
Assistant Elections Director  
Phoenix, AZ

### Arkansas

Charlie Daniels  
Secretary of State  
Little Rock, AR

Mary Lou Slinkard  
Benton County Clerk  
Bentonville, AR

### California

Kevin Shelley  
Secretary of State  
Sacramento, CA

Bradley J. Clark  
Alameda County Registrar of Voters  
Oakland, CA

### Colorado

Donetta Davidson  
Secretary of State  
Denver, CO 80202

Russ G. Ragsdale  
City and County of Broomfield Clerk and  
Recorder  
Broomfield, CO

### Connecticut

Susan Bysiewicz  
Secretary of State  
Hartford, CT

Rae Tramontano  
New Haven Registrar of Voters  
New Haven, CT

### Delaware

Frank B. Calio  
Commissioner of Elections  
Dover, DE

Howard G. Sholl, Jr.  
Deputy Administrative Director,  
Dept. of Elections for New Castle County  
Wilmington, DE

### District of Columbia

Alice P. Miller  
Executive Director  
DC Board of Elections and Ethics  
Washington, DC

Jonda McFarlane  
Board Member  
Washington, DC



**Florida**

Dawn Kimmel Roberts  
Director of the Division of Elections  
Florida Department of State  
Tallahassee, FL

Bill Cowles  
Supervisor of Elections, Orange County  
Orlando, FL

**Georgia**

Kathy Rogers  
Director of Election Administration  
Atlanta, GA

Lynn Bailey  
Executive Director,  
Richmond County Board of Elections  
Augusta, GA

**Guam**

Gerald A. Taitano  
Executive Director  
Hagatna, GU

Vacant

**Hawaii**

Scott Nago  
Section Head, Counting Center Operations  
Honolulu, HI

Glen Takahashi  
Election Administrator  
City and County of Honolulu  
Honolulu, HI

**Idaho**

Timothy A. Hurst  
Chief Deputy, Secretary of State  
Boise, ID

Dan English  
Kootenai County Clerk  
Coeur d'Alene, ID

**Illinois**

Daniel W. White  
Executive Director,  
State Board of Elections  
Springfield, IL

Richard Cowen  
Chicago Board of Election Commissioners  
Chicago, IL

**Indiana**

Todd Rokita  
Secretary of State  
Indianapolis, IN

Lynne Spevak  
LaPorte County Clerk  
LaPorte, IN

**Iowa**

Chet Culver  
Iowa Secretary of State  
Des Moines, IA

Renee McClellan  
Hardin County Auditor  
Eldora, IA

**Kansas**

Ron Thornburgh  
Kansas Secretary of State  
Topeka, KS

Donald Merriman  
Saline County Clerk  
Salina, KS

**Kentucky**

Sarah Ball Johnson  
Executive Director  
State Board of Elections  
Frankfort, KY

Don Blevins  
Fayette County Clerk  
Lexington, KY



**Louisiana**

Merietta Spencer-Norton  
General Counsel, Department of State  
Baton Rouge, LA

Louie Bernard  
Clerk of Court, Natchitoches Parish  
Natchitoches, LA

**Maine**

Julie L. Flynn  
Deputy Secretary of State  
Augusta, ME

Ethelyn S. Marthia  
Town Clerk Kennebunk  
Kennebunk, ME

**Maryland**

Linda H. Lamone  
Administrator of Elections  
Annapolis, MD

Kim A. Atkins  
Voter Registration Manager,  
Harford County Board of Elections  
Bel Air, MD

**Massachusetts**

William Francis Galvin  
Secretary of the Commonwealth  
Boston, MA

William Campbell  
City Clerk, City of Woburn  
Woburn, MA

**Michigan**

Terri Lynn Land  
Secretary of State  
Lansing, MI

Tonni Bartholomew  
Troy City Clerk  
Troy, MI

**Minnesota**

Mary Kiffmeyer  
Secretary of State  
St. Paul, MN

Gary Poser  
Elections and License Bureau Supervisor  
Anoka, MN

**Mississippi**

Eric Clark  
Secretary of State  
Jackson, MS

Marilyn Avery  
Election Commissioner, Hinds County  
Jackson, MS

**Missouri**

Terry M. Jarrett  
General Counsel, Missouri Secretary of State  
Jefferson City, MO

Mary Berry  
DeKalb County Clerk  
Maysville, MO

**Montana**

Bob Brown  
Secretary of State  
Helena, MT

Vickie Zeier  
Missoula County Clerk and  
Recorder/Treasurer  
Missoula, MT

**Nebraska**

John Gale  
Secretary of State  
Lincoln, NE

Robert Zoucha  
Boone County Clerk  
Albion, NE

**Nevada**

Dean Heller  
Secretary of State  
Carson City, NV

Harvard L. Lomax  
Clark County Registrar of Voters  
North Las Vegas, NV

**New Hampshire**

William Gardner  
Secretary of State  
Concord, NH

C. Donald Stritch  
Town Moderator of Auburn  
Auburn, NH





**New Jersey**

Peter C. Harvey  
Attorney General  
Trenton, NJ

Joanne Armbruster  
Atlantic County Superintendent of Elections  
Atlantic City, NJ

**New Mexico**

Rebecca Vigil-Giron  
Secretary of State  
Santa Fe, NM

David Kunko  
Chaves County Clerk  
Roswell, NM

**New York**

John Haggerty, Jr.  
Deputy Executive Director  
Task Force on Election Modernization  
Forest Hills, NY

Edward J. Szczesniak  
Onondaga County Comm. of Elections  
Syracuse, NY

**North Carolina**

Johnnie F. McLean  
Deputy Director  
Raleigh, NC

Kathie Chastain Cooper  
Director of Elections, Forsyth County  
Winston-Salem, NC

**North Dakota**

I. James Silrum  
Deputy Secretary of State  
Bismarck, ND

Michael M. Montplaisir  
County Auditor  
Fargo, ND

**Ohio**

J. Kenneth Blackwell  
Ohio Secretary of State  
Columbus, OH

Michael Sciortino  
Director, Mahoning County Board of  
Elections  
Youngstown, OH

**Oklahoma**

Clint Parr  
Vice Chairman, Tulsa County Election Board  
Tulsa, OK

Vacant

**Oregon**

John Lindback  
Director, State of Oregon Elections Division  
Salem, OR

John Kauffman  
Director, Multnomah County Elections  
Portland, OR

**Pennsylvania**

Pedro A. Cortés  
Secretary of the Commonwealth  
Harrisburg, PA

Regis Young  
Butler County Election Director  
Butler, PA

**Puerto Rico**

Nestor J. Colón Berlinger  
First VP, State Elections Commission  
San Juan, PR

Juan M. Toledo-Diaz  
Second VP, State Elections Commission  
San Juan, PR

**Rhode Island**

Jan Ruggiero  
Director of Elections  
Providence, RI

Marian Clarke  
Chair, Jamestown Board of Canvassers  
Jamestown, RI

**South Carolina**

Marci Andino  
Executive Director, State Election Comm.  
Columbia, SC

Hoyt Campbell  
Director  
Darlington County Registration and Elections  
Darlington, SC



**South Dakota**

Kea Warne  
State Election Supervisor  
Pierre, SD

Sue Roust  
Minnehaha County Auditor  
Sioux Falls, SD

**Tennessee**

Brook Thompson  
State Coordinator of Elections  
Nashville, TN

Joe Enoch  
Dyer County Election Commissioner  
Dyersburg, TN

**Texas**

Geoffrey S. Connor  
Secretary of State  
Austin, TX

Dana DeBeauvoir  
Travis County Clerk  
Austin, TX

**Utah**

Amy Naccarato  
Director of Elections  
Salt Lake City, UT

Dennis Ewing  
Tooele County Clerk  
Tooele, UT

**Vermont**

Deborah L. Markowitz  
Secretary of State  
Montpelier, VT

Annette L. Cappy  
Clerk, Town of Brattleboro  
Brattleboro, VT

**Virginia**

Jean R. Jensen  
Secretary, State Board of Elections  
Richmond, VA

Allen Harrison, Jr.  
Chair, Arlington County Electoral Board  
Arlington, VA

**Virgin Islands**

Corinne Halyard Plaskett  
Deputy Supervisor of Elections  
Kingshill St. Croix, VI

Natalie Thomas  
Deputy Chairperson  
Board of Elections  
St. Thomas, VI

**Washington**

Nick Handy  
Director of Elections, State of Washington  
Olympia, WA

Bob Terwilliger  
Snohomish County Auditor  
Everett, WA

**West Virginia**

Cindy Smith  
Secretary of State's Office  
Charleston, WV

Debbie Wilfong  
Clerk of the Upshur County Commission  
Buckhannon, WV

**Wisconsin**

Kevin J. Kennedy  
Executive Director, State Elections Board  
Madison, WI

Sandi Wesolowski  
City of Franklin Clerk  
Franklin, WI

**Wyoming**

Peggy Nighswonger  
State Elections Director  
Cheyenne, WY

Julie Freese  
Fremont County Clerk  
Lander, WY



## Appendix C: Technical Guidelines Development Committee (TGDC) Members

### **Committee Chair**

#### **Dr. Hratch Semerjian**

Acting Director, National Institute of  
Standards and Technology (NIST)  
Gaithersburg, MD

#### **Donetta Davidson**

Colorado Secretary of State  
Standards Board (EAC)  
Denver, CO

#### **Alice Miller**

Director of Elections-District of Columbia  
Standards Board (EAC)  
Washington, DC

#### **Sharon Turner Buie**

Director of Elections-Kansas City  
Board of Advisors (EAC)  
Kansas City, MO

#### **Helen Purcell**

Maricopa County Recorder  
Board of Advisors (EAC)  
Phoenix, AZ

#### **Dr. James ("J.R.") R. Harding**

Architectural and Transportation Barrier  
Compliance Board  
Tallahassee, FL

#### **James Elekes**

Architectural and Transportation Barrier  
Compliance Board  
North Plainfield, NJ

#### **Ann Caldas**

Director Procedures and Standards  
Administration  
American National Standards Institute (ANSI)  
New York, NY

#### **H. Stephen Berger**

TEM Consulting, Chair, IEEE SEC 38 (Voting  
Syst. Stds.)  
Institute of Electrical and Electronics  
Engineers (IEEE)  
Georgetown, TX

#### **Brittain Williams**

Retired professor, Kennesaw State University  
National Association of State Election  
Directors (NASSED)  
Tucker, GA

#### **Paul Craft**

Florida Department of State, Voting Systems  
Division  
National Association of State Election  
Directors (NASSED)  
Tallahassee, FL

#### **Ronald Rivest**

Professor, MIT, Department of Electrical  
Engineering and Computer Science  
Cambridge, MA

#### **Daniel Schutzer**

Vice President & Director of External  
Standards and Advanced Technology,  
e-Citi, CitiGroup  
Stamford, CT

#### **Patrick Gannon**

President and CEO,  
OASIS  
Billerica, MA

#### **Whitney Quesenbery**

President-Usability Professionals' Association  
High Bridge, NJ