U.S. ELECTION ASSISTANCE COMMISSION

ANNUAL REPORT 2009

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The EAC recognizes its dual role of providing resources to help states make improvements and assist election officials throughout the nation empower voters through access, collaboration and engagement

★ In the beginning of Fiscal Year 2009, the main focus of the U.S. Election Assistance Commission (EAC) was to provide information to voters and election officials as the nation prepared to elect a president in the November 2008 general election. Empowering voters to participate in the electoral process and making sure they had the information they needed to vote was critical to the success of the election. Public interest in the general election was high. According to EAC's 2008 *Election Administration and Voting Survey*, more than 190 million Americans were registered to vote, an increase of more than 14 million since the 2004 presidential election. EAC assisted election officials in their efforts to educate voters about their options, as well as provide basic information about the election administration process, especially to new voters and those who had not voted in the past few election cycles.

Web sites, electronic records and technology solutions have brought citizens closer to government. Collaborative governance is evolving very quickly—increased access has rapidly become real time interaction, and the public is now having two-way conversations with government agencies in real time through social networking tools.

Election administration provides one of the best examples of how rapidly a one-way conversation between government and citizens is disappearing. Until the 2000 presidential election, most Americans did not delve into how elections work or how their votes were counted. Usually, voters assumed that everything worked the way it should, and the information they were provided was irrefutable. In most cases, election results were static and provided to the public only by the traditional news media. However, after the 2000 election, the public was no longer satisfied with the status quo and demanded information about elections and how, when

and where their votes were counted. The Help America Vote Act of 2002 (HAVA) provided federal funds for the first time to states to make election administration improvements, and also included requirements that states publish plans outlining HAVA expenditures and voter education initiatives. HAVA also created the U.S. Election Assistance Commission (EAC), and tasked it with helping states implement improvements and making sure the public was informed about the changes taking place.

EAC recognizes its dual role of providing resources to help states make improvements and assisting election officials throughout the nation empower voters through access, collaboration and engagement. The commission has embraced the concept of collaborative governance and is working to break down communication barriers between the federal government and America's voters. The information gathered and data collected about U.S. elections is owned by the public. EAC's goal is to make it as easy as possible to access, query and share resources about election administration in the United States.

Many election officials are already having two-way, real-time conversations with their voters. They use Twitter and Facebook to rapidly deliver information directly to voters about poll closures, weather interruptions and reminders about polling place hours. They reach young voters with videos on YouTube, as well as post information about voting system performance and audit results on Web sites.

In addition to providing information for voters, EAC's role of certifying voting equipment also requires public disclosure about everything from the development of voting system guidelines to information about program participants and activities. EAC developed its voting system certification and test laboratory accreditation programs with the knowledge

that public confidence is critical to the election process, and that confidence comes from an understanding of the process and access to information.

To meet the requirements for disclosure and transparency, EAC has dedicated a large portion of www.eac.gov to provide information about the voting systems program. Visitors are able to access basic information, such as lists of accredited laboratories and registered manufacturers, as well as more detailed documents generated throughout the process. Program updates and related material are posted frequently, sometimes several times a day.

As federal government agencies work to comply with the President's Memorandum on Transparency and Open Government, EAC will look for solutions and ideas from the public, state and local governments, and from other federal agencies. We recognize that increased transparency brings heightened accountability. However, on behalf of America's voters and election officials, we will continue to find ways to make data interactive and share policy ideas, best practices and solutions, as well as seek input and share the decision-making process. EAC's organizational changes, budget allocation, and overall strategic approach will go hand in hand with initiatives to engage the public about election administration and to make sure we provide information and resources to enable Americans to successfully cast their votes.

The 2008 Federal Election

The 2008 federal election had clear successes: election officials on a broad scale embraced election management practices that are critical to making sure voters are able to successfully participate in our electoral system. They also incorporated lessons learned from the 2008 primary elections. For example, as a result of long lines during the primaries, officials worked to address the equal distribution of voting equipment and poll workers throughout their jurisdictions. Contingency planning will always be important in elections – having extra ballots, implementing a plan for troubleshooting voting system issues, and setting up precincts to allow for maximum traffic flow. Aggressive voter education efforts must also continue to address changes in states' laws, procedures, and polling place locations.

Looking forward, EAC anticipates that voter registration practices will be a key election administration topic during 2009 and beyond. HAVA requires each state to have a statewide voter registration database, which certainly impacts the registration process because it is the gateway to participation for the voter. EAC has taken a lead role in assisting election officials, policy makers and voters to develop future guid-

ance about the databases, including holding a public hearing about the databases in FY 2009 and the research conducted by the National Academies of Science (NAS). EAC will use the NAS research as we work to issue updated guidance that will address overall maintenance and administrative best practices.

The Commission

EAC is an independent, bipartisan agency created by the Help America Vote Act (HAVA). It assists and provides guidance to state and local election administrators in improving the administration of elections for federal office. EAC provides assistance by disbursing federal funds to states to implement HAVA requirements, auditing the use of HAVA funds, adopting the Voluntary Voting System Guidelines (*VVSG*), and serving as a national clearinghouse and resource of information regarding election administration. EAC also accredits voting system testing laboratories and certifies, decertifies and recertifies voting systems.

The Commissioners

EAC commissioners are Gineen Bresso Beach, chair; Gracia Hillman, vice chair; and Donetta Davidson. There is one vacancy on the commission. Commissioners, who are nominated by the President and confirmed by the U.S. Senate, may serve only two consecutive terms. Commissioners serve staggered terms. No more than two Commissioners may belong to the same political party. Commissioner Beach joined EAC in October 2008, filling the vacancy created when former Vice Chair Caroline Hunter resigned. Former Chair Rosemary Rodriguez resigned in February, 2009.

The Executive Director

Thomas Wilkey was named executive director of EAC in May 2005 by a unanimous vote of the commissioners. He was unanimously reappointed to the post in June 2009 for another four-year term. Duties include managing daily operations, preparing program goals and long-term plans, managing *VVSG* development, reviewing reports and studies and overseeing the appointment of EAC staff members and consultants.

Chief Operating Officer

In May 2008, Alice P. Miller joined EAC as its chief operating officer. Ms. Miller oversees the day-to-day operations at EAC in the following program areas: Voting Systems Testing and Certification; HAVA Research, Policy, and Programs; Election Administration Improvement Programs; Administration; and Human Resources. She also works with the executive director

to develop and integrate policies and procedures to improve efficiency and transparency. Ms. Miller is the former executive director of the District of Columbia Board of Elections and Ethics. During her 12-year tenure, she was responsible for overseeing and managing all aspects of elections, from voter registration to ballot access for candidates and measures. She holds a Juris Doctor from Northeastern University School of Law and a Bachelor of Arts from Boston College.

Chief Financial Officer

In February 2009, Annette Lafferty joined EAC as its first chief financial officer. Ms. Lafferty oversees the day-to-day financial operations at EAC including Grants Management, Accounting, Budget, and Procurement. She is responsible for agency internal controls and reporting on performance. Ms. Lafferty has been in federal financial management for over fifteen years at the U.S. Department of Education, the Federal Aviation Administration, and the Corporation for National and Community Service. Ms. Lafferty also worked as a contractor at the U.S. Department of Housing and Urban Development and General Services Administration. She holds a Master of Business Administration in Finance and Investments from the George Washington University, a Master of Arts in Psychology from Marymount University, and a Bachelor of Liberal Studies from Boston University.

The Office of the Inspector General

EAC Office of Inspector General (OIG) seeks to provide value through its work, which is designed to enhance the economy, efficiency and effectiveness of EAC. OIG also seeks to detect and prevent fraud, waste, abuse and mismanagement in programs and operations. OIG clients include the commissioners and executives of EAC, the Congress, the Office of Management and Budget, the Government Accountability Office, state governments, other federal entities and the public.

EAC Federal Advisory Committees

HAVA established a 37-member Board of Advisors and a 110-member Standards Board to help EAC carry out its mandates under the law. HAVA Section 221 established the Technical Guidelines Development Committee (TGDC) to help EAC develop the *VVSG*. These governing boards provide valuable input and expertise in forming guidance and policy. In addition to annual meetings, EAC also uses a Virtual Meeting Room for its advisory committees to facilitate a transparent and efficient way of receiving input. The Virtual Meeting Room is available at www.eac.gov, and all comments made by board members are available to the public. Virtual Meeting Room no-

tices are also posted in the *Federal Register* to notify the public about the comment sessions.

Board of Advisors

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

Other members include representatives from the U.S. Department of Justice, Public Integrity Section of the Criminal Division and the Voting Section of 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 the 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 the 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 members.

The Board of Advisors elects a chair, vice chair and secretary from its members. Officers serve for a term of one year, and may serve no more than two consecutive terms in any one office. Officers are Jim Dickson of Washington, D.C., chair; Keith Cunningham of Ohio, vice chair; and Terri Hegarty of Michigan, secretary.

The EAC Board of Advisors participated in two virtual public meetings. On May 11-15, 2009, they provided input about Phase I of the draft Election Operations Assessment of Voting Systems. On September 9-10, board members provided input on five draft chapters of the Election Management Guidelines. The Board held its annual meeting June 2-4, 2009 in Washington D.C. The following motions were passed at the June meeting:

- Motion 2009-01 adopted the recommendations of the Special Committee to Review the Structure of EAC Board of Advisors Meetings.

- Motion 2009-02 approved and accepted the Voting Systems Standards Committee recommendations regarding the proposed Election Operations Assessment.

- Motion 2009-03 concurred with the draft Election Data Collection Grant Program Evaluation Report and recommended further evaluation of data on page 41.

- Motion 2009-04 adopted the Voting System Standards Committee's recommendations that the revision to the 2005 *VVSG* be numbered Version 3.1 instead of Version 3.2.

- Motion 2009-05 adopted the Voting System Standards Committee recommendation regarding *VVSG* Volume I Section 3.3.1-e, as proposed with the date of 2013.

- Motion 2009-06 requested that *VVSG* Volume I Section 3.3.1-e include the language "non-visual access" as appropriate when defining alternative means for voting and casting ballots.

- Motion 2009-07 amended the date included in *VVSG* Volume I Section 3.3.1-e from January 1, 2013, to January 1, 2011.

- Motion 2009-08 recommended that EAC create guidance regarding the needs of people with several disabilities, types of personal assistive technology switches, and best practices for poll workers in jurisdictions serving those voters. The following revisions to the *VVSG* were also adopted:

  > Sections 3.3.4 (b) and (c) be changed to read "The accessible voting system shall provide an industry standard jack used to connect a personal assistive technology switch to the voting system. As of January 1st, 2013, systems submitted for complete end-to-end testing shall meet this requirement."

  > Added an exception to Section 3.3.1 (c): "This requirement shall not apply to personal assistive technology required to comply with 3.3.4 (b) – support for non-manual input."

- Motion 2009-09 approved and adopted recommendations regarding accessibility submitted by the Voting System Standards Committee.

- Motion 2009-10 stated that the draft resolution submitted by Secretary of State Chris Nelson regarding a fiscal analysis for the *VVSG* be referred to the Voting System Standards Committee to work out how to provide the board this information before Version 4.0 is published for comment.

- Motion 2009-11 recommended that EAC convene meetings with local and state election officials to explore how federal laws impact the cost of elections.

- Motion 2009-12 requested that EAC compile a report regarding the status of all resolutions that have been presented to EAC for consideration by both the Standards Board and the Board of Advisors.

- Motion 2009-13 commended members who have left the Board since the 2008 meeting and thanked them for their service.

- Motion 2009-14 recommended that a resolution be prepared thanking Chair Chris Thomas for his service on behalf of the board.

- Motion 2009-15 recommended that the standard in Section 3.3.4-c be changed according to the Voting System Standards Committee's recommendation. "The Acc-VS shall provide features that enable voters who lack fine motor control or the use of their hands to submit their ballots privately and independently without manually handling the ballot. Voting equipment or systems currently in use are not subject to these accessibility requirements. As of January 1st, 2013, systems submitted for complete end to end testing shall meet this requirement."

Standards Board

The Standards Board consists of 110 members; 55 are state election officials selected by their respective chief state election official and 55 are local election officials selected through a process supervised by the chief state election official. HAVA prohibits any two members representing the same state to be members of the same political party.

The board elects nine members to serve as an executive board, of which 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. The executive board officers are: Dan English, of Kootenai County, Idaho, chair; Jim Silrum of North Dakota, vice chair; and Brad King of Indiana, secretary.

The board participated in a virtual public meeting September 9-18, 2009, to review and comment on five draft chapters of the Election Management Guidelines, and held its annual meeting February 26-27, 2009, in Orlando, Florida. At the board's August 6-7, 2009 meeting in Phoenix, Arizona about the *VVSG*, members adopted six resolutions.

- Resolution 2009-01 urged EAC to refine the Election Operations Assessment project to better meet the goal of

advising EAC about the next iteration of the *VVSG*, and that the final deliverable is written in plain language.

- Resolution 2009-02 requested that EAC implement a regular schedule of *VVSG* adoption on five-year intervals.

- Resolution 2009-03 recommended that EAC use the same questions in the 2008 Election Day Survey instrument in the 2010 version; improve existing questions; eliminate questions of little elections value; complete all work for the 2010 survey no later than August 2009; and establish a formal decision-making process governing the development of the survey instrument and that it include election officials.

- Resolution 2009-04 recommended that EAC staff update the appropriate subcommittee of the Standards Board via conference call regarding the status of the *VVSG*, and that the Executive Committee provide regular updates to the entire board.

- Resolution 2009-05 requested that EAC provide the board an opportunity to review and comment on all future iterations of the *VVSG* prior to adoption.

- Resolution 2009-06 recommended that EAC commissioners and staff research ways to ensure continuity for the board and that the designated federal officer provides this plan to the board prior to the assignment of a new designated federal officer.

Board materials, resolutions, roster, charter and other information are available at www.eac.gov under the About EAC section.

Technical Guidelines Development Committee

HAVA mandates that the Technical Guidelines Development Committee (TGDC) help EAC develop the *VVSG*, a task that was completed in May 2005. The *VVSG* are voluntary and each state retains the prerogative to adopt these guidelines. The TGDC has already completed a draft of the next iteration of the *VVSG*, and EAC and the National Institute of Standards and Technology (NIST) are reviewing the first round of comments submitted.

By law, the chairperson of the TGDC is the director of NIST. The TGDC is composed of 14 other members appointed jointly by EAC and the director of NIST. Members include representatives from EAC Standards Board, EAC Board of Advisors, Architectural and Transportation Barriers Compliance Board, American National Standards Institute, Institute of Electrical and Electronics Engineers, The National Association of State Election Directors (two representatives), and other individuals with technical and scientific expertise related to voting systems and voting equipment.

To view meeting minutes, roster, resolutions and other related material visit vote.nist.gov.

In addition to the election preparation activities, the EAC also strengthened its internal operations to achieve more effective management, accountability, and control of its financial and program operations

★ Early in Fiscal Year 2009, in anticipation of the federal election, EAC allocated resources to program areas that provide training and management materials to election officials and information and language assistance materials to the public. Those efforts included creative approaches such as increasing Web site bandwidth and public meeting webcasts to deliver resources. The commission also dedicated resources to develop the next iteration of the Voluntary Voting System Guidelines (*VVSG*) and for ongoing activities in the federal government's first Voting System Testing and Certification Program. The commission's FY 2009 appropriation was $17,959,000, which included a pass through of $4 million for The National Institute of Standards and Technology (NIST).

In addition to the election preparation activities, EAC also strengthened its internal operations to achieve more effective management, accountability, and control of its financial and program operations. The roadmap to improvement was formalized upon the adoption of the commission's five-year Strategic Plan 2009-2014, which included five strategic goals.

- Communicate timely and accurate information on the effective administration of elections for federal office and on the operations and services offered by EAC.

- Deliver and manage federal funds effectively.

- Identify and develop information on areas of pressing concern regarding the administration of elections for federal office, issue recommended improvements, guidance, translations, and best practices as required by HAVA, and carry out responsibilities under the National Voter Registration Act (NVRA).

- Build public confidence in elections by testing and certifying voting systems to improve system security, operation, and accessibility.

- Achieve organizational and management excellence.

Based upon the goals of the Strategic Plan, EAC directed resources and support to the corresponding program areas, which enabled EAC staff to make tremendous progress during FY 2009: three voting systems received EAC certification; development of the next iteration of *VVSG* is well underway; grants were issued to support college poll worker and mock election programs; and important research was conducted about how, where and when Americans vote. States also received valuable resources from EAC, including best practices for voter information Web sites and additional Quick Start Management guides about administering elections. EAC will continue to support these key program areas.

Voting Technology
$5,641,403

31%

Clearinghouse
$2,068,744

12%

HAVA Funds Management
$3,771,377

21%

3%

EAC Boards
$435,653

33%

EAC Administrative
$5,915,403
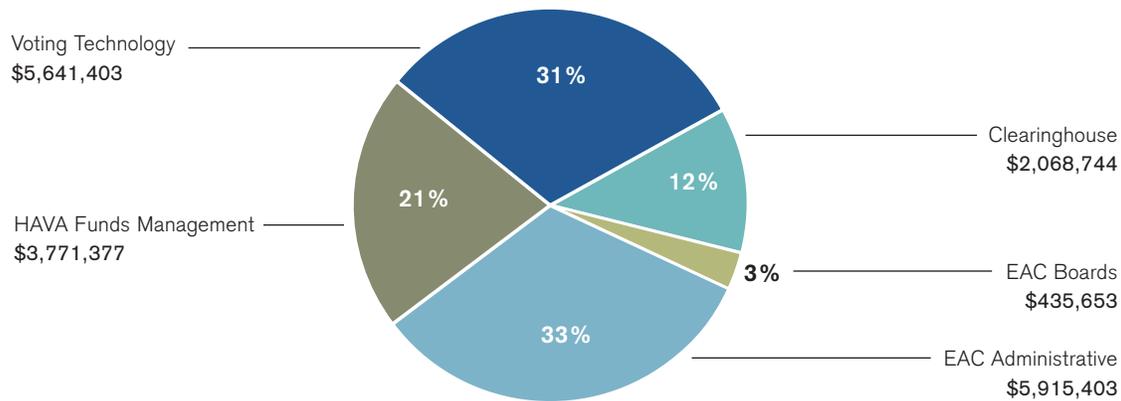
Focusing on Human Capital

In accordance with the Office of Management and Budget's *Acquisition Workforce Development Strategic Plan for Civilian Agencies – FY 2010-2014 and the President's March 4, 2009, Memorandum on Government Contracting*, EAC has a Roles and Responsibilities policy. The purpose of the policy is to maximize the skills of its employees by streamlining internal operations and clearly communicating to staff the roles of the commissioners and the executive director. The policy is reiterated in the Strategic Plan, which includes an organization chart clearly defining areas of authority and responsibility and the reporting hierarchy.

Recognizing the need for additional support in the Voting System Testing and Certification program area, EAC hired two computer engineers to work directly with the test laboratories and the manufacturers. They provide an additional layer of quality control as well as enable other program staff to devote more time to their respective areas of expertise.

In FY 2009, a chief financial officer and an accounting director were hired to strengthen financial operations and provide additional support to staff. The addition of these experts enabled EAC to begin the process of implementing internal controls in compliance with Office of Management and Budget Circular A-123, *Management's Responsibility for Internal Control*, and the Federal Financial Management Improvement Act (FFMIA) A-123, which requires managers of federal agencies to take responsibility for assessing internal controls over financial reporting. The additional expertise also allowed current employees to focus solely on programs and initiatives that best matched their skill sets.

A grants manager was hired to supervise all grant programs, including the distribution of HAVA funds and the very popular Help America Vote College Poll Worker and Mock Election grant programs. The additional support of EAC's grant programs was immediately evident—71 organizations requested more than five times the funding that was available for the College Poll Worker program, and 47 applications were submitted for Mock Election grants, totaling $2.2 million in requests.

Strengthening Internal Controls

For FY 2009, the agency received an "unqualified," or clean, opinion on its financial statements and Annual Financial Report. An "unqualified" or clean opinion indicated that the auditor feels the agency followed all accounting rules appropriately and that the financial reports are an accurate representation of the agency's financial condition. These results are a marked improvement over the "Disclaimer of Opinion" the agency received for its FY 2008 financial statement audit.

Upon joining EAC, the chief financial officer and the accounting director began aggressively finalizing financial management policies and procedures. Consequently, by June 30, 2009, EAC produced reliable financial statements and implemented a schedule of periodic reconciliations. EAC also made tremendous progress in resolving findings from its first financial audit, which was issued in FY 2008:

- Financial management policies and procedures were finalized.

- Performance measures in the Strategic Plan are addressed in the Agency Financial Report for FY 2009.

- Financial operations were realigned and a chief financial officer department was established with experienced financial management staff, including a certified public accountant.

- All outstanding accounting issues were resolved, including potential Anti-Deficiency Act and Purpose Statute violations.

- Financial statements were produced in conformance with generally accepted accounting principles.

- A schedule of reconciliations was established and followed.

- Funds control measures were implemented.

- Risks in financial management were assessed.

- Revenues and expenditures were properly recorded and accounted for to permit the preparation of reliable financial reports and to maintain accountability over assets.

Public Meetings

EAC held nine public meetings in FY 2009, including a forum held at the National Press Club entitled *Journalists and Election Officials: Working on Behalf of America's Voters,* which included a discussion about how election results are collected and reported to the public. Other public meeting topics included statewide voter registration databases, cost saving practices in election management, and assistance for military and overseas voters. Public meetings are available to the public via webcast, and meeting agendas, minutes and testimony are also posted at www.eac.gov.

Freedom of Information Act Report

In FY 2009, EAC continued to effectively and efficiently provide information to the public through the Freedom of Information Act (FOIA) process. In FY 2009, EAC received 18 requests. Fifteen requests were processed and completed, two requests were withdrawn and one request was not processed.[1]

The median processing time was 12 days; and the average was 25 days. The range in number of days for response was 0 to 193 days. Of the 17 requests completed in FY 2009, 11 were completed within 20 days. Five requests were completed within 40 days, and in three instances partial responses were provided within 20 days. One request was completed in 193 days, and the requestor received partial responses throughout the duration.[2]

There were no instances in which EAC did not comply with a request, no appeals were made, there were no instances where a court reviewed a decision to withhold, no administrative appeals were made, and there were no expedited review requests.

In FY 2009, three EAC employees processed FOIA requests. EAC spent approximately $30,000 processing FOIA requests in FY 2009. EAC granted fee waiver requests on all 17 FOIA requests. There were no fee waiver adjudications.

EAC withheld documents in 10 instances; 1 instance under FOIA exemption 3; 7 instances under FOIA exemption 5; and 2 instances under FOIA exemption 6. The information withheld included internal memoranda, personnel files, and confidential business information.

EAC's FOIA regulations, instructions for submitting a request, and the FOIA Reading Room are available to the public at www.eac.gov.

EAC FOIA Policy

(a) The commission will make the fullest possible disclosure of records to the public, consistent with the rights of individuals to privacy, the rights of individuals and other entities with respect to trade secrets and commercial or financial information entitled to privileged and confidential treatment, and the need for the commission to promote free internal policy deliberations and to pursue its official activities without undue disruption.

(b) All commission records shall be available to the public unless they are specifically exempt under this part.

(c) In the interest of efficiency and economy, the commission's preference is to furnish records to requesters in electronic format, when possible.

(d) To carry out this policy, the commission has designated a Chief Freedom of Information Act Officer (Chief FOIA Officer).

The Office of Inspector General Activities

EAC Office of Inspector General (OIG) strives to promote economy, efficiency and effectiveness in EAC programs. To accomplish this goal, the OIG conducts regular audits of recipients of grant funds distributed by EAC, annual financial audits

[1] The request not processed during FY 2009 was resubmitted and completed in December 2009.

[2] To complete this FOIA request, the EAC sent documents that may have contained privileged information to third-parties for review, per Executive Order 12600—Predisclosure notification procedures for confidential commercial information. The large volume of documents delayed the process; however, the requestor received partial responses as soon as third party reviews were completed.

of EAC's operations, and periodic reviews and audits of EAC program operations. The primary recipients of grant funds distributed by EAC are states that have received the largest sums of money under the Help America Vote Act (HAVA) grant programs. In addition, the OIG conducts investigations in response to allegations against EAC, its grant recipients, or third parties involved in EAC programs.

In 2009, the OIG conducted four audits of states that received HAVA funds. Generally, the OIG found that the state audits showed improvements in the states' handling of HAVA funds in that the dollar value of questioned costs was reduced. However, the audits reveal lingering issues related to proper documentation of purchases, equipment inventories and personnel time reimbursed with HAVA funds. The state audits resulted in $2,826,500 in questioned costs, $870,182 in additional program funds, and 34 findings and recommendations for improvements.

The OIG conducted two audits and three evaluations of EAC's programs and operations in FY 2009. The OIG did not complete any investigations during this period. The reviews of EAC programs and operations resulted in 28 findings and recommendations for improvements.

In addition, the OIG issued its annual assessment of EAC's top management challenges. As a part of EAC's FY 2009 financial statement audit, the OIG reported on the top management challenges facing the agency. A total of four challenges were reported. Two had been previously identified: performance management and accountability and financial management and performance. The OIG identified progress that had been made by EAC to address these two challenges as well as work that was needed to fully address these concerns. The OIG also identified two new challenges—information technology management and security and human capital management. The first was due largely to multiple reports issued identifying significant weaknesses in EAC's information technology security and its failure to comply with FISMA. The latter was based largely on issues revealed in the two most recent employee surveys conducted by EAC.

Each of these reviews is available on the OIG's Web site, www.eac.gov/eac_ig.gov.

Commissioner Outreach

On Election Day 2008, the commissioners and Executive Director Wilkey were in the field, observing the election process. Chair Beach traveled to New Mexico and Colorado; Vice Chair Hillman was in Florida; Commissioner Davidson was in Kentucky, Indiana and Ohio; and Executive Director Wilkey observed activities in Los Angeles County, the largest voting jurisdiction in the nation. The executive director observed occasional interruptions, such as flooding in Los Angeles County, and the contingency plans in place to quickly address the situation. Commissioner Davidson visited some of the new vote centers in Indiana. There were a few logistical issues, but they were quickly resolved. Vice Chair Hillman visited Miami-Dade County and watched the chain of custody process from the storage facility to the polling place unfold. Commissioner Beach visited precincts in Albuquerque, New Mexico, and she watched the central count tally process in Denver, Colorado. Executive Director Wilkey observed some long lines during peak hours and Vice Chair Hillman observed the same conditions at some precincts during early voting, but both reported that voters waited patiently. These local observations are of great value to EAC as we work to develop best practices and election management guidelines.

★　★　★　★　★　★　★　★　★　★　★　★　★　★

In FY 2009 the EAC established several initiatives to increase efficiency in the disbursement and reporting of Section 251 funds

HAVA FUNDS

★ EAC Grants Management Division is responsible for distributing, monitoring, providing technical assistance to states and grantees on the use of funds, and reporting on requirements payments and discretionary grants to improve administration of elections for federal office. The office also negotiates indirect cost rates with grantees and resolves audit findings on the use of HAVA funds.

From the passage of HAVA through FY 2009, Congress has appropriated almost $3.2 billion to support states in improving the administration of federal elections. Overall, EAC and the General Services Administration (acting on EAC's behalf) have disbursed a total of $3,183,860 billion to the 50 states, four U.S. territories, and the District of Columbia. HAVA stipulated that EAC disburse these grant funds to states in advance and that states use the interest earned on the advanced funds for HAVA-authorized purposes. Since the initial disbursement of funds in 2003, states have reported interest in the amount of $279 million, making the aggregate available to states for allowable activities $3.46 billion.

Allowable activities include improving the administration of federal elections, primarily by upgrading systems for casting votes and for registering voters in statewide voter registration systems. HAVA funds are also used for implementing provisional voting; training election officials, poll workers, and voters; improving polling place accessibility; providing voter information at the polling places; providing language assistance; setting toll free telephone lines; and establishing identification requirements for first-time voters who register to vote by mail, and other activities that help improve the administration of federal elections.

As of the 2008 reporting deadlines, states reported aggregate total expenditures of approximately $2.26 billion, or 76% of total federal funds disbursed (71% including accrued interest):

- $1.6 billion on voting systems.
- $354 million on voter registration systems.
- $155 million on election administration improvements.
- $77 million on educating voters and recruiting and training election workers.
- $34.2 million on uncategorized election administration activities.
- $29 million on polling places.
- $3.6 million on provisional voting.

Requirements Payments

To qualify for a HAVA Title II, Section 251 requirements payment, states filed a certification with EAC affirming that the state:

- Filed and implemented a plan for uniform, nondiscriminatory administrative complaint procedures required by HAVA Section 402;
- Appropriated matching funds equal to "5 percent of the total amount to be spent for such activities (taking into account the requirements payment and the amount spent by the state)…";
- To the extent that any portion of the requirements payment is used for activities other than meeting the requirements of Title II, provided that the proposed uses are not inconsistent with the requirements of HAVA Title III and are consistent with the usage restrictions set forth in HAVA Section 251(b);
- Is in compliance with Section 906 of HAVA, and

HAVA Title II, Section 251 Funds Through FY 2008

State	Total Section 251 Funds Received ($)[a]	Interest Earned	Total Expenditures[a]	Balance of Funds and Interest	Percent of Funds and Interest Expended
Alabama	$35,866,513	$2,260,382	$26,785,313	$11,341,582	70.25
Alaska	11,596,803	1,581,881	6,829,221	6,349,463	51.82
American Samoa	2,319,361	133,973	1,643,416	809,918	66.99
Arizona	40,584,515	4,857,270	24,392,214	21,049,571	53.68
Arkansas	21,598,570	1,888,869	18,968,929	4,518,510	80.76
California	264,237,124	33,002,325	197,446,357	99,793,092	66.43
Colorado	34,545,365	4,337,216	33,724,080	5,158,501	86.73
Connecticut	27,719,501	3,351,016	19,097,193	11,973,324	61.46
Delaware	11,596,803	817,986	5,603,999	6,810,790	45.14
District of Columbia	11,596,803	1,356,564	4,979,978	7,973,389	38.45
Florida	132,502,091	15,230,008	93,291,172	54,440,927	63.15
Georgia	64,748,170	696,778	64,961,519	483,429	99.26
Guam[b]	2,319,361	0	1,652,099	667,262	71.23
Hawaii	11,596,803	820,675	8,753,279	3,664,199	70.49
Idaho	11,596,803	899,265	12,484,297	11,771	99.91
Illinois	98,595,252	7,271,927	89,451,036	16,416,143	84.49
Indiana	48,544,987	2,127,175	50,318,460	353,702	99.30
Iowa	23,739,383	1,339,361	25,033,616	45,128	99.82
Kansas	21,409,789	1,976,843	19,369,228	4,017,404	82.82
Kentucky	32,899,292	3,083,286	22,182,252	13,800,326	61.65
Louisiana	35,067,672	3,399,269	34,498,557	3,968,384	89.68
Maine	11,596,803	1,437,130	7,766,150	5,267,783	59.58
Maryland	42,478,430	3,362,223	32,960,662	12,879,991	71.90
Massachusetts	52,222,225	3,707,231	10,257,040	45,672,416	18.34
Michigan	78,960,474	6,371,291	59,637,152	25,694,613	69.89
Minnesota	39,178,788	4,642,050	36,301,371	7,519,467	82.84
Mississippi	22,418,203	1,071,010	20,163,416	3,325,797	85.84
Missouri	44,914,650	3,698,128	41,613,242	6,999,536	85.60
Montana	11,596,803	602,461	11,295,094	904,170	92.59
Nebraska	13,749,549	629,726	14,155,595	223,680	98.44
Nevada	16,166,810	1,054,922	12,644,293	4,577,439	73.42
New Hampshire	11,596,803	1,714,936	4,075,465	9,236,274	30.62
New Jersey	68,067,586	5,501,660	53,522,329	20,046,917	72.75
New Mexico[c]	14,279,790	902,473	15,123,547	58,716	99.61
New York	153,414,430	22,744,148	60,713,108	115,445,470	34.47
North Carolina	65,477,808	6,099,413	58,616,996	12,960,225	81.89
North Dakota	11,596,803	1,152,269	5,215,421	7,533,651	40.91
Ohio	90,992,517	6,174,851	93,743,145	3,424,223	96.48
Oklahoma	27,659,637	348,163	3,446,283	24,561,517	12.30
Oregon	27,837,407	3,041,940	13,863,641	17,015,706	44.90
Pennsylvania	100,578,829	15,278,254	96,921,297	18,935,786	83.66
Puerto Rico	2,319,361	176,159	527,369	1,968,151	21.13
Rhode Island	11,596,803	483,942	12,080,745	0	100.00
South Carolina	32,421,280	623,579	32,421,280	623,579	98.11
South Dakota	11,596,803	985,430	5,574,409	7,007,824	44.30
Tennessee	46,236,130	5,572,841	21,769,684	30,039,287	42.02
Texas	160,691,949	10,779,735	135,236,716	36,234,968	78.87
Utah	16,467,182	623,198	17,090,380	0	100.00
Vermont	11,596,803	2,011,107	0.00	13,607,910	0.00
Virginia	57,489,361	5,199,726	35,047,607	27,641,480	55.91
Virgin Islands	2,319,361	103,737	707,897	1,715,201	29.21
Washington	47,195,971	4,805,038	33,337,308	18,663,701	64.11
West Virginia	15,303,569	1,121,238	14,474,244	1,950,563	88.12
Wisconsin	43,063,935	4,191,432	36,532,637	10,722,730	77.31
Wyoming	11,596,803	823,987	12,420,790	0	100.00
Total	**$2,319,360,617**	**$217,467,497**	**$1,770,722,528**	**$766,105,586**	**69.80**

[a] Includes cash disbursements and unliquidated obligations. Also states earned interest on Section 251 funds deposited in their state election fund, which is why some states spent more than they received.
[b] Guam did not file a report for Section 251 for FY 2008. Reported data is from the last report filed, which reported Section 101 and Section 251 in a joint report covering FY 2006. Guam has not reported any interest.
[c] New Mexico did not file a report for Section 251 for FY 2008. The data provided is from its FY 2007 report.

- Filed a state plan that complies with the requirements listed in Sections 253, 254, 255, and 256 of HAVA.

EAC disbursed a total $2.3 billion in requirements payments in FYs 2003 ($830 million), and 2004 ($1,489 million). Congress appropriated $115 million in FY 2008 and $100 million in FY 2009. As of October 1, 2009, EAC distributed approximately $78 million of the FYs 2008 and 2009 requirements payments.

Customer Service for States

In FY 2009, EAC established several initiatives to increase efficiency regarding the disbursement and reporting of Section 251 funds, beginning with a new process allowing states to secure both FY 2008 and 2009 requirements payments at the same time. In addition, EAC increased communication with states to further assist them, including a June 18, 2009, conference call for state election officials about the new process for requesting requirements payments, and an updated instructions section on EAC's Web site. New customer service initiatives launched in FY 2009 include:

- A process in which states may request both 2008 and 2009 requirements payments simultaneously.

- Communicating with states regarding whether their current state plans reflect how the new requirements payments will be used and managed, and the amount of requirements payments to request based on available matching funds.

Allowable Uses of HAVA Funds

Section 101 Funds – a total of $349 million has been disbursed to states. Funds may be used to comply with HAVA Title III requirements for uniform and nondiscriminatory election technology and administration requirements; improve the administration of elections for federal office; educate voters; train election officials, poll workers and volunteers; develop a state plan; and establish toll-free voter information hotlines.

Section 102 Funds – a total of $300 million has been disbursed to states. Funds may be used only to replace punch card and lever voting systems that were in use during the November 2000 general federal election.

Section 251 Funds – A total of $2.32 billion has been disbursed to states. Also known as "requirements payments," these funds may be used to implement provisional voting; provide information to voters on Election Day; procure voting systems; implement a statewide voter registration database; implement identification requirements for first-time voters who register to vote by mail; and other activities to improve the administration of elections for federal office.

Section 261 Funds – These funds are administered and audited by the U.S. Department of Health and Human Services, and are used to address the accessibility of polling places for individuals with disabilities.

EAC's Role: Help States Use HAVA Funds Efficiently and Properly

- Issues guidance and conducts training on the administration and use of HAVA funds.
- Provides technical assistance to states on administering federal funds.
- Tracks the submission of and reviews the content of financial and performance reports submitted by recipients.
- Provides feedback to recipients on issues identified in report reviews.
- Conducts site visits to follow up on potential problem areas.
- Reviews audit reports and resolves findings applicable to EAC programs.

- A new Notice of Grant Award that identifies the funding amount, matching share, performance period, administrative and reporting requirements, information that provides states and grantees with the information needed to effectively manage federal funds.

Cost Savings in Elections

EAC's April 15, 2009, public meeting featured a workshop called *Cost-Saving Practices for Election Management*, in which election officials shared their cost saving practices. Former Johnson County, Kansas, Election Commissioner Connie Schmidt discussed how technology and community partnerships were beneficial, especially when facing budget constraints. Sacramento County, California, Registrar of Voters Jill LaVine testified that cost saving opportunities can be found in using new technology and automation. Larimer County, Colorado, Clerk and Recorder Scott Doyle discussed the impact of vote centers. The meeting was webcast and available to the public and to election officials throughout the nation.

Funding Advisory Opinion Process

EAC's Funding Advisory Opinion Policy was developed to assist government officials regarding the appropriate use of HAVA funds. The policy enables any federal or state government official, local election official, provided the local jurisdiction received or anticipates receiving HAVA funds, or any EAC staff member to submit a request for an advisory opinion. In FY 2009, EAC issued five funding advisory opinions. Pending and issued advisory opinions, as well as instructions for submitting a request, are available in the Election Official Center at www.eac.gov.

Auditing the Use of HAVA Funds

HAVA gives EAC and the U.S. Department of Health and Human Services the authority to conduct regular audits of

HAVA funds. The OIG, along with the chief financial officer's department, are responsible for audits of HAVA funds. The OIG has responsibility to audit programs and operations, issue semi-annual reports to Congress, and investigate complaints of waste, fraud or abuse.

Since the inception of the audit program in 2006, the OIG has issued 23 final reports on the states' use of HAVA funds. OIG reports are available at www.eac.gov/eac_ig.gov.

In addition to EAC's regular audits, HAVA also provides for two other means of extraordinary audit authority – (a) funds are subject, at least once during the term of the program, to an audit by the Comptroller General; and (b) Section 902(b)(6) of HAVA allows EAC to conduct a "special audit" or "special examination" of the funds that are subject to regular audit under Section 902(b)(1). This special audit authority covers every HAVA program, including funds distributed under Title I, Title II, and programs administered by the U.S. Department of Health and Human Services. If EAC determines that a special audit is warranted, by vote of the commission, EAC will refer the matter to the OIG for review.

Following the issuance of an audit report by the OIG, EAC management is required to resolve management-agreed upon audit findings, including recommendations for changes to policies and procedures and any findings that HAVA funds were misspent. EAC reviews the audit findings, develops monitoring programs for changes to policy or procedure, and quantifies amounts of funding that are to be returned to the state's election fund or to the U.S. Treasury. Once a management decision is made by the executive director, the determination is sent to the audited state. The state then has the option of appealing the decision to the commission. An appeal can entail a paper review of the record of the audit or a combination of paper review and a public hearing. The decision of the commission is final and binding on the state. EAC has issued a total of 43 management decisions resolving audits, and they are available at www.eac.gov.

GRANTS

The Help America Vote College Program

The Help America Vote College Program was established by HAVA to recruit the next generation of poll workers. Effective models for recruiting younger poll workers have emerged from this program that can be adopted and replicated by other communities. EAC used the program to raise awareness leading up to the 2008 general election for the need for poll workers and to encourage younger citizens to serve their community on Election Day. In addition, EAC produced and distributed manuals about recruiting, training and retaining poll workers, including college students.

In FY 2009, EAC awarded $750,000 in grants to 11 colleges and universities and two nonprofit organizations to recruit college students to serve as poll workers during the 2009 and 2010 elections. The 2009 grantees were:

- Catskill Center for Independence, New York: $75,000
- Hampton University, Virginia: $74,055
- LaGuardia Community College, New York: $74,041
- Missouri Western State University: $74,807
- Palmetto Project, South Carolina: $74,929
- Regis University, Colorado: $74,611
- Salish Kootenai College, Montana: $66,008
- University of Missouri: $20,000
- University of Baltimore, Maryland: $20,000
- University of Central Florida: $75,000
- University of Texas Austin: $53,078
- University of Southern Mississippi: $48,471
- Vassar College, New York: $20,000

The grant recipients came from across the United States, and their programs employed a variety of methods to recruit poll workers, including those with specialized language and technical skills and experience working with people with disabilities.

Salish Kootenai College, for example, will recruit poll workers who speak the Salish and Kootenai languages to aid Native American voters in the Lake and Flathead counties of Montana. The Palmetto Project, in addition to recruiting 300 students in South Carolina, will apply their research and experience to develop a guide to recruiting students and disadvantaged youth as poll workers. The University of Central Florida will partner with the Orange County Supervisor of Elections to deploy an online training program that simulates the duties of a poll worker. Hampton University will provide a curriculum on democracy and elections and hold mock election trainings for student recruits.

Since the program's inception in 2004, EAC has awarded 74 grants, totaling $2.4 million, to colleges and nonprofits to recruit, train and support college students serving as poll workers on Election Day.

Mock Election Program Grants

The Mock Election Program encourages youth participation and civic engagement by enabling students to participate in simulated elections with voting equipment, ballots, and poll workers. In FY 2009, EAC awarded grants to seven organizations to educate secondary school students and their parents about the electoral process through staged national elections.

EAC awarded a total of $300,000 in grants in FY 2009, and a total of $597,220 to organizations under this program in 2004, 2005 and 2008. The recipients of the 2009 grants will support efforts that are notable for their innovation, impact and inclusion of historically underserved populations. Grantees include:

- $48,000 to the Chiesman Center for Democracy in South Dakota to implement a project that targets school districts on South Dakota's Indian reservations and other underserved minority populations.
- $33,000 to Instituto de Formación Democrática in Puerto Rico to engage students in Puerto Rico through innovative use of Internet and social media technology.
- $41,000 to Kids Voting North Carolina to increase mock election participation among students in North Carolina by 25 percent.
- $40,000 to the League of Women Voters of Greater Pittsburgh to run a mock election in Allegheny County, Pennsylvania that includes a contest for students to develop voting software to be used during the mock election.

- $38,000 to the League of Women Voters of Illinois to hold mock elections for up to 180,000 high school students in 10 counties in Illinois.
- $55,000 to Miami-Dade County, Florida to introduce thousands of Miami-Dade County students to new optical voting equipment.
- $45,800 to the State of Nevada Secretary of State to create a cross-curricular, interactive event known as Nevada Voting Day in partnership with the Nevada Department of Education and 16 county school districts.

Additional information about the Help America Vote College and Mock Election programs are available at www.eac.gov.

Stakeholder Input for Future Grant Programs

In September 2009, EAC opened 45-day comment periods for two draft grant competition plans—the Accessible Voting Technology Initiative and the Voting System Pre-Election Logic and Accuracy Testing and Post-Election Audit Initiative. The draft grant announcements set forth funding parameters including the scope of work, eligibility requirements and qualifications, selection criteria, and other related details.

Input received from the public will guide development of the final Notice of Funds Availability for both competitive grant programs, which were funded by the Omnibus Appropriations Act for Fiscal Year 2009 (Public Law 111-8).

The Accessible Voting Technology Initiative

This grant will award up to $5 million to fund research and technology adoption to make voting systems (including paper ballots) more accessible to all voters, and make the entire election process more welcoming and accessible to individuals with disabilities. The draft grant announcement outlined the plan and funding parameters for the development of the initiative, which will fund research to identify and develop technological and administrative solutions to ensure all citizens can vote privately and independently, a requirement of HAVA.

The Voting System Pre-Election Logic and Accuracy Testing and Post-Election Audit Initiative

The grant will award $1 million in grants to develop and document processes for coordinating quality and cost-effective voting system pre-election logic and accuracy testing (L&A) and post-election audits. Deliverables for the competition will be materials (e.g., tool kits, guides, best practices) that will be shared widely with election officials.

The EAC's role brings government rules for public disclosure and accountability to the process of certifying voting equipment

VOTING SYSTEM TESTING AND CERTIFICATION

★ In FY 2009, EAC's Voting System Testing and Certification Program staff continued to operate a thorough, rigorous and transparent process. While maintaining a consistent level of scrutiny, internal changes were made to further streamline the process and reduce the time and cost of testing. As a result, three voting systems were certified by the federal government in FY 2009.

EAC adopted its Voting System Certification Program on December 7, 2006. Since that time, thirteen voting system manufacturers have registered with EAC's certification program and ten systems have been submitted for testing.

Voting System Test Laboratory Accreditation

HAVA Section 231 requires EAC and NIST to develop a program for accrediting voting system testing laboratories. The National Voluntary Laboratory Accreditation Program (NVLAP) of NIST evaluates test laboratories and performs periodic re-evaluation to verify that the labs continue to meet the accreditation criteria. When NIST has determined that a lab is technically competent to test systems, the NIST director recommends to EAC that a lab be accredited. EAC makes the determination to accredit the lab. EAC issues an accreditation certificate to approved labs, maintains a register of accredited labs, and posts this information on its Web site. Labs must adhere to the requirements of EAC's Voting System Test Laboratory Program Manual or face possible suspension or revocation of accreditation. These requirements include a stringent conflict of interest program and compliance management program.

Currently, four test laboratories have been accredited by EAC: iBeta Quality Assurance, CIBER, Inc., SysTest Labs, and Wyle Laboratories. In FY 2009, the commission reaccredited

SysTest Labs and iBeta Labs as voting system test laboratories under EAC's program. The reaccreditations were issued after onsite inspections of SysTest Labs and iBeta labs in accordance with EAC's Voting System Test Laboratory Program Manual requirements. InfoGard's accreditation expired in 2008.

SysTest Labs had its accreditation reinstated after being suspended by the commission pursuant to sections 5.4 and 5.5 of EAC's manual for failing to comply with program requirements. After the successful execution of a remedial action plan and the removal of its NVLAP suspension, the commission reinstated SysTest's accreditation. EAC and NVLAP conducted follow up visits to SysTest to verify that all laboratory deficiencies had been remedied. Information about the suspension, remedial action plan, and general information about its subsequent reinstatement as an EAC-accredited test laboratory are available in the Voting System section at www.eac.gov.

Voting System Certification

HAVA instructs EAC to establish the federal government's first program to test and certify voting equipment. The certification program was established after the adoption of the 2005 *VVSG* and the first recommendations from NIST in February 2007 regarding test laboratories that should be federally accredited to evaluate voting systems.

The first step in the certification process is registration by the manufacturer. They are required to provide written policies for quality assurance purposes, document retention policies and a complete list of facilities. The manufacturer also agrees to meet all program requirements, such as reporting all anomalies for EAC certified-systems.

Next, the manufacturer is required to submit an application for the testing of their voting system. It is at this time that

they select an EAC accredited laboratory. This laboratory then submits a test plan for approval by EAC, tests the voting system and, finally, creates a test report. Reports from the laboratory's assessment of the voting system are provided to EAC for review and action. The reports are reviewed by EAC technical reviewers. If the report is in order and the system is in conformance with all applicable voting system standards or guidelines, the program director will recommend that EAC grant the system certification. EAC's executive director will consider the recommendation and make the final decision. Once certified, a system may bear an EAC certification sticker and may be marketed as having obtained an EAC certification.

In FY 2009, EAC certified three voting systems. Election Systems & Software Unity 3.2.0.0; MicroVote EMS 4.0 Voting System; and Premier Election Solutions Assure 1.2. An EAC certification means that a voting system has met all applicable requirements of the *VVSG* by passing a series of comprehensive tests conducted by a federally accredited test laboratory. Manufacturers of certified systems must also meet technical and ethical standards that ensure the integrity of the process and the system as it goes from the test lab to production and into the marketplace.

List of Registered Manufacturers

- Avante International Technology, Inc.
- Dominion Voting Systems Corp.
- Election Systems & Software, Inc (ES&S)
- Hart InterCivic, Inc.
- MicroVote General Corp.
- N.V. Nederlansche Apparatenfabriek "Nedap"
- Precise Voting LLC
- Premier Election Solutions, Inc. (formerly Diebold Election Systems, Inc.)
- Scytl Secure Electronic Voting S.A.
- Sequoia Voting Systems
- TruVote International
- Unisyn Voting Solutions, (a division of International Lottery and Totalizator, Inc)
- Everyone Counts, Inc.

How **does** a Voting System Get Certified by EAC?

- **Step one:** Voting system manufacturers must register with the EAC.
- **Step two:** Manufacturers must submit an application and select a federally accredited test laboratory to begin the testing process.
- **Step three:** Test laboratory submits draft test plan to EAC for approval.
- **Step four:** EAC approves test plan.
- **Step five:** Voting system is tested to the applicable standards.
- **Step six:** Testing concluded; draft test report submitted to EAC for approval.
- **Step seven:** EAC approves test report and issues initial decision on certification.
- **Step eight:** Test laboratory rebuilds voting system in a trusted environment, otherwise known as a "trusted build."
- **Step nine:** Manufacturer provides software identification tools to EAC, which enables election officials to confirm use of EAC-certified systems.
- **Step ten:** Manufacturer provides voting system software to EAC repository.
- **Step eleven:** Manufacturer agrees in writing to all EAC certification conditions and program requirements.
- **Step twelve:** EAC certifies voting system.

Quality Monitoring Program

EAC monitors all voting systems it certifies through its Quality Monitoring Program. The program requires manufacturers to submit reports whenever a federally certified system experiences an anomaly. It also requires manufacturers to notify EAC if it modifies a certified system's hardware, software or firmware. EAC also conducts site visits of accredited test laboratories and participating manufacturer facilities. Information generated by the Quality Monitoring Program, including anomaly reports, will be posted in the Voting Systems Center at www.eac.gov.

Communication and Clarification

In an effort to increase efficiency and streamline the certification process, EAC established the Requests for Interpretations (RFI) process in which program participants could request interpretations of the *VVSG*. In addition, EAC established the Notice of Clarification (NOC) process, in which EAC issues clarifying language based upon written requests from manufacturers or test labs seeking clarification about a program requirement or policy. All RFIs and NOCs are available in the Voting Systems section at www.eac.gov.

Unified and Inclusive Approach

In January 2009, EAC hosted the Unified Testing Initiative and Cost of Testing Summit to explore ways the federal government could coordinate its testing and certification efforts with state and local election officials to improve efficiency and reduce costs. Session topics included identifying factors that impact costs, balancing quality testing and costs and an explanation of EAC's Election Operations Assessment. The meeting was open to the public, and testimony, a participant list, and additional meeting information is available at www.eac.gov.

Voluntary Voting System Guidelines

The *VVSG* is the set of testable standards by which all voting systems are evaluated by EAC. EAC's accredited laboratories conduct a conformance assessment using the *VVSG* to evaluate the voting systems. A system submitted to EAC's program will only receive certification if it complies with the *VVSG*; there is no guarantee that a system will meet the *VVSG* requirements and ultimately receive an EAC certification.

EAC, the TGDC, and NIST work together to develop voluntary testing standards. The 2005 *VVSG* are currently in place, and future versions and updates of the *VVSG* are already being formulated by EAC and NIST.

EAC Decisions on RFIs issued in FY 2009

- EAC Decision on Request for Interpretation 2009-03 (Battery Back Up for Central Count)
- EAC Decision on Request for Interpretation 2009-02 (Alternate Languages)
  - 2002 VSS Volume I: 2.2.1.3a Ballot Production
  - 2005 VVSG Volume I: 3.1.3 Alternate Languages
- EAC Decision on Request for Interpretation 2009-001 (VVPAT Accessibility)
  - 2005 VVSG Volume1: 7.8.2, 7.9.7
- EAC Decision on Request for Interpretation 2009-04 (Audit Log Events)
  - 2002 VSS Volume I: 2.2.4.1, Common Standards, 2.2.5.1 System Audit
  - 2005 VVSG Volume I: 2.1.4 Integrity, 2.1.5 System Audit, 2.1.5.1 Operational Requirements, 5.4.3 In-Process Audit Records
- EAC Decision on Request for Interpretation 2008-12 (Ballot Marking Device/ Scope of Testing)
  - 2005 VVSG Volume1: 2.1.5. System Audit
  - 2005 VVSG Volume1: 2.1.5.2 Shared Computing Platform
- EAC Decision on Request for Interpretation 2008-06 (Battery Back Up for Central Count)
  - 2002 VVSS Volume I, Sections 3.2.2.4c, 3.2.2.5
  - 2005 VVSG Volume I, Version 1.0, Sections 4.1.2.4c (Electrical Supply), 4.1.2.5 (Electrical Power Disturbance)

EAC NOCs issued in FY 2009

Notice of Clarification 09-003: Clarification of De Minimis Change Determination Requirements.

Notice of Clarification 09-002: Clarification of EAC Laboratory Independence Requirement.

Notice of Clarification 09-001: Clarification of the Requirements for Voting System Test Laboratories (VSTLs) Development and Submission of Test Plans.

Future Iterations

After meeting the HAVA deadline to issue the 2005 *VVSG*, the TGDC and NIST began work immediately on a complete rewrite of the guidelines to address the next generation of voting systems. The TGDC's draft of the next iteration of the *VVSG* contained new and expanded material covering reliability and quality, usability and accessibility, security, and testing. Requirements are more precise and the language throughout was written for enhanced usability and readability by a wide variety of audiences.

The next iteration of the guidelines contain the following sections:

Part 1, Equipment Requirements: for requirements that pertain specifically to voting equipment.

Part 2, Documentation Requirements: for documentation requirements that must be satisfied by both manufacturers and test labs – the Technical Data Package, user documentation, test lab reports, etc.

Part 3, Testing Requirements: for information and requirements about testing; the approaches to testing that will be used by test labs; and the types of tests that will be used to test conformance to the requirements in Parts 1 and 2.

Appendix A, Definitions of Words with Special Meanings: covers terminology used in requirements and informative language.

Appendix B, References and End Notes: contains references to documents and the on-line document used in the writing of this standard.

EAC and NIST are currently reviewing the comments and will issue an EAC draft for another 120-day public comment period. EAC will conduct public hearings about its draft version and review all comments submitted and make final modifications. The final version of the *VVSG* will be adopted by vote of the commission and published in the Federal Register and posted at www.eac.gov.

Revisions to the 2005 VVSG

After reviewing comments and receiving input from a series of roundtable discussions about the next iteration, EAC determined that the 2005 *VVSG* should be revised now instead of waiting for final adoption of the next iteration, which may not occur for several years. The purpose of the revision is to introduce immediate improvements in the quality and efficiency of the test process before the release of the next iteration of the *VVSG*. Following is a complete list of areas to be revised:

1) Hardware and software performance benchmarks and test method
2) Software workmanship
3) Test plan and test report
4) Technical data package (TDP) and voting equipment user documentation
5) Non-electromagnetic compatibility (EMC) environmental hardware
6) Human factors requirements
7) System security documentation requirements
8) Election records
9) Voter verified paper audit trails (VVPAT)
10) Cryptography
11) External interface requirement
12) EAC requests for interpretation (RFI) decisions
13) General edits

To implement updates to the 2005 *VVSG*, EAC followed the procedures in HAVA, including a 120-day public comment period and input from EAC advisory boards. EAC and NIST are currently reviewing the input and will present an update to the commission for final adoption.
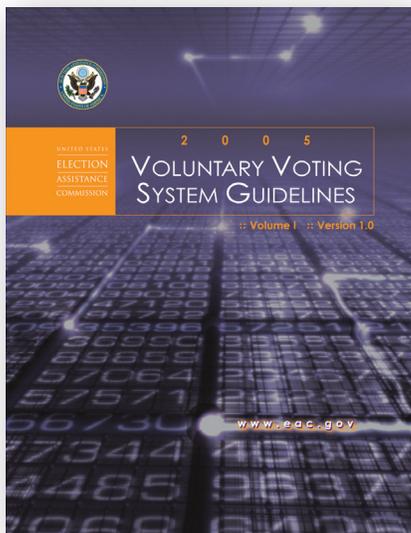
Federal Role Adds Transparency and Accountability

EAC's role brings government requirements for public disclosure and accountability to the process of certifying voting equipment. EAC is obligated to conduct accreditation and certification processes that are open and that provide information about the process to the public. EAC developed its programs with the knowledge that public confidence is critical to the election process, and that confidence comes from public knowledge and understanding of the process.

To meet the requirements for disclosure and transparency, EAC established the Voting Systems Center to post information about the program and its participants. Visitors have access to basic information, such as lists of accredited laboratories and registered manufacturers, as well as more detailed documents generated throughout the process, including draft and final test plans, test reports, correspondence, a list of all registered manufacturers and voting systems being tested. The Voting Systems Center also includes background and historical information, such as an extensive frequently asked questions document, overviews of the processes and a detailed step-by-step video and written description of how voting systems are certified by the federal government.

EAC provides regular program updates at public meetings, as well as hosting discussions about topics of interest to the public regarding voting systems. For example, in September 2009, EAC hosted a public hearing about Commercial-Off-The-Shelf (COTS) software and hardware, which are used by most if not all voting systems. Perspectives from COTS manufacturers, election officials and the private sector were offered. Discussion topics included the advantages and disadvantages of COTS, shelf life, and version tracking issues. The meeting was webcast and testimony from all participants is available in the EAC News Center at www.eac.gov.

Data about how, where, and when Americans vote help election officials and policy makers make well informed decisions about election administration policies and procedures

RESEARCH, POLICY AND PROGRAMS

★ In FY 2009, EAC consolidated several program areas to increase efficiency and continue improving customer service for election officials and the public. The Research, Policy and Programs Division is responsible for research, the Election Management Guidelines program, the Language Assistance Program and policy issues, including the National Voter Registration Act (NVRA). Many of the materials produced by the division become a crucial component of the EAC Clearinghouse, such as information about state election laws.

The division has developed a list of potential projects with timelines to guide staff work through 2012. Progress has been made toward the completion of several projects noted in the research schedule, many of which are mandated by HAVA and/or authorized by Congress. EAC receives input on scheduling mandated studies from the EAC Standards Board and the EAC Board of Advisors.

Consistent with FY 2009 priorities, the division administered its biennial election survey, and produced and disseminated two reports: the *Impact of the National Voter Registration Act* and the $10 million Election Data Collection Grant Program. A Statutory Overview report on state election laws was also developed, and efforts continue on the HAVA-mandated study, *Vote Count/Recount.*

The division continues to identify and collect required and useful data on election administration while making recommendations to improve the quality of data collection. For example, discussions were held in FY 2009 with state and local election officials to gather input on ways to make future versions of the Election Administration and Voting Survey more conducive to their data collection and submission needs, and to learn about their recent experiences with implementing statewide voter registration databases. The research and policy staff was also in contact with election officials about topics such as provisional voting practices, student voting rights, the costs of administering elections, and the differences in administering elections in rural versus urban areas.

EAC research reports, complete data sets, language accessibility resources and election management materials are available at www.eac.gov.

Research

Data about how, where, and when Americans vote help election officials and policy makers make well informed decisions about election administration policies and procedures. These data will ultimately help improve election administration operations, identify voter needs, and provide valuable information to the public.

The 2008 Election Administration and Voting Survey
Every two years EAC issues the *Election Administration and Voting Survey* report based on election administration-related data collected from the 50 states, the District of Columbia, Guam, Puerto Rico, American Samoa and the U.S. Virgin Islands. The *2008 Election Administration and Voting Survey* instrument was divided into two sections. Section A captured information pertaining to NVRA, the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA), and other election administration issues such as the casting and counting of provisional ballots and poll worker recruitment. Section B contained the statutory overview, which included a series of questions about states' laws, definitions, and procedures. The results from this data collection effort was the basis for a series of reports to the public and Congress.

Election Data Collection Grant Program

In addition to the *Election Administration and Voting Survey*, in FY 2009 EAC also administered an election data collection grant program, authorized by Congress. The grant program provided $2 million each to five states to collect precinct-level data about election administration related to the November 2008 general election. The program was designed to develop a series of best practices in data collection and to ultimately improve data collection processes.

The Election Data Collection Grant Program report was issued in June 2009, and it included the data submitted by the winning grant recipients—Illinois, Minnesota, Ohio, Pennsylvania and Wisconsin. The report was an independent evaluation of the grant program, and it highlighted the extent to which the grantees were able to collect 2008 election data at the precinct-level; develop a series of administrative procedures and best practices in election data collection that can be replicated by other states; and enhance their capacity to collect accurate and complete election data. Select findings from the report include:

- All five grantees were able to submit election data at the precinct level.

- All five grantees advanced the efficiency and effectiveness of election data management within their states by way of enhancements to their data collection systems.

- Innovative training of local election officials on the enhanced systems was essential to the grantees' program success.

Compendium of State Elections Laws

As part of the effort to collect information about the 2008 election, EAC also researched election laws in the states and territories and issued a statutory overview. The overview included state laws, definitions and procedures related to the conduct of elections. This information assists the public, policy makers and election officials in understanding the differences and similarities among states regarding the administration of their elections. The overview of state laws is available at www.eac.gov.

Voter Information Web sites

In FY 2009, EAC issued a collection of best practices for election officials about creating an effective voter information Web site. This how-to guide provided advice on a range of issues, from delivering a secure user experience, to ensuring site accessibility and providing valuable information to voters. The report called attention to practices that may inadvertently endanger voter privacy, and encouraged the development of online tools that can assist voters as they navigate the voting process. The study identified basic information that effective voter information Web sites provide, including:

- Answers to common voter questions such as "Am I registered to vote?" and "Where do I vote?"

- A mapping service to show polling locations.

- A sample ballot that is identical to the ballot issued for the election.

- Information on the registration and voting process.

Features of more advanced voter information Web sites were also identified, such as:

- The option to track absentee ballots and check the status of provisional ballots.

- Interactive ballots that link to additional information about candidates and measures.

- Well designed interfaces that are easy to navigate.

The report also provided tips on preserving system security and user privacy, including how to guard against cyber attacks and convey customized information to voters without disclosing personal information.

Policy

The National Voter Registration Act

HAVA directs EAC to issue a report biennially on the impact of the NVRA on the administration of every federal election. The report is based on data provided by 50 states, four territories, and the District of Columbia, representing more than 4,500 jurisdictions.

In FY 2009, EAC issued its third NVRA report, which covered registration information following the 2006 general election through the 2008 general election. The following highlights were among the findings.

- States reported that a total of 189 million voters were eligible and registered for the November 2008 general election.

- The number of new voter registration applications increased since the previous period. Of the 60 million voter registration forms received, nearly 24.6 million of these

applications were from new voters, up from 17.3 million reported in 2006.

- A majority of voters registered by mail, fax or e-mail or through a motor vehicle agency. A plurality of voters (30.1%) applied for registration at motor vehicle agencies, and 28.8% applied by mail, fax or e-mail. A significant number applied in person at elections offices (14.9%). A smaller number of applications were submitted through other state agencies (4.4%), advocacy groups (3.4%), public assistance agencies (1.6%), the Internet (1.1%), disability services offices (.2%), and armed forces recruitment offices (.1%). The remaining 15 percent are categorized by the states as "other sources."

- 12.7 million inactive voters were removed from voter registration lists after the 2006 general election through the 2008 general election. The NVRA allows states to remove voters who have not voted in two consecutive federal general elections and failed to respond to a confirmation notice from an elections office. During the reporting period, states sent 18.3 million removal notices to voters. Of this number, 12.7 million inactive voters were removed from voter registration lists for reasons including death, felony conviction, failure to vote in two consecutive federal elections, moving, or at the voter's request.

For the first time, the 2007-2008 NVRA report included information on same-day registration, which refers to registering to vote on the same day on which a vote may be cast. Seventeen states reported that 3.6 million of same-day registration applications were filed on days in which it was possible to both register and vote. About 20% of the applications were either changes to existing registrations or duplicate registrants. Same-day applications resulted in at least 963,144 new voters being added to the registration rolls in 14 states, although not all states were able to provide numbers for new registrants.

EAC's Strategic Plan includes a performance measure to initiate NVRA rulemaking pursuant to section 802 of HAVA. On July 29, 2009, a Federal Register Notice transferring the NVRA regulations from the Federal Election Commission to EAC was published. The transfer became effective, August 28, 2009. An expedited Paperwork Reduction Act clearance request was submitted to the Office of Management and Budget (OMB) on August 28, 2009, for promulgation of NVRA regulations for the Voter Registration Application and NVRA Regulations for Data Collection. Both submissions were approved, and OMB Control Numbers were assigned on September 3, 2009.

Statewide Voter Registration Databases

HAVA required that each state implement a statewide, computerized voter registration database, and in 2005 EAC issued voluntary guidance about the implementation of the databases. EAC contracted with the National Academies of Science (NAS) to study the implementation of the databases focusing on matching protocols, inter- and intra-state interoperability, and security and privacy issues. In May 2008, NAS issued an interim research report that included long- and short-term recommendations for improvements. EAC held a public hearing in March 2009 to receive an update from NAS and hear from election officials about database performance during the 2008 election. In June, EAC conducted two series of listening sessions with 50 of the 55 states and territories to discuss the successes and challenges states have encountered implementing statewide voter registration databases. EAC will use the NAS research as the basis for future guidance to address overall maintenance and administrative best practices and to build upon the guidance issued by EAC in 2005.

Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA)

HAVA mandates that for each regularly scheduled general election for federal office, states collect data on how many UOCAVA ballots were sent and received, and instructs EAC to collect the data and deliver the results of the survey to Congress. The biennial survey consists of data from the county (or equivalent of) level from 50 states, four territories and the District of Columbia.

In addition to the UOCAVA surveys, in FY 2008 EAC also issued a report entitled UOCAVA Voters and the Electronic Transmission of Voting Materials in Four States and three case studies describing the experiences of states transmitting ballots electronically and using Internet voting. EAC's Web site includes a section dedicated to military voters featuring links to the voting sites of every branch of the military and other useful resources. These reports, studies and resources are available at www.eac.gov.

EAC is working with NIST to provide best practices to states on the transmittal and receipt of UOCAVA voting materials, including registration information and ballots. NIST completed the first step of the process with the issuance of the December 2008 EAC-funded report: A Threat Analysis on UOCAVA Voting Systems.

The NIST report provided the first wide-ranging look at the security threats associated with potential electronic technologies for overseas voting and identified possible ways of mitigating these risks.

The report, available at www.nist.gov, discussed how postal mail and four electronic transmission options (telephone, fax, e-mail, and Web sites) could be used in the overseas voting process. It identified issues and threats associated with using these methods to register voters, distribute blank ballots and return voted ballots. In addition, the report suggested control measures that can mitigate some of the specific threats identified.

To ensure that voters receive unaltered ballots, the NIST report recommends specific control measures, such as cryptography and back up communications lines, depending on the electronic method chosen. It concludes that voter registration could also be accomplished electronically using these technologies.

To further explore ways to improve services for UOCAVA voters in anticipation of the 2008 general election, EAC held the public meeting, Military and Overseas Citizens: Counting Their Votes – Part 1, and received testimony from election officials at the state and local levels and policy experts.

Programs

Election Management Guidelines

One of EAC's top priorities is to continue providing election officials resources and information to help them make election administration improvements at the state and local levels. A major component of the effort to provide assistance is the Election Management Guidelines program, which comple-

ments the technical standards of the *VVSG*. The guidelines address a wide variety of topics from pre-election testing and auditing to poll worker training, and the materials are sent to election officials in every state. The division's Election Management Guidelines program released four Quick Start Management Guides in October 2008 on Serving Voters in Long-Term Care Facilities, Provisional Ballots, Recounts, and Canvassing and Certifying an Election. During FY 2009, EAC worked on five new Election Management Guidelines chapters. In September 2009, EAC conducted three working groups for new chapters and Quick Start guides on Technology in Elections, Election Office Management and Accessibility.

Language Accessibility Program

EAC's Language Accessibility Program was developed in accordance with Section 241 of HAVA to study and promote methods of ensuring the accessibility of voting, registration, polling places and voting equipment to all voters. Materials produced by the Language Accessibility Program are the result of collaboration among election officials, advocacy groups and research and public policy organizations. Languages included in the program are some of those covered by Section 203 of the Voting Rights Act.

A Voter's Guide to Federal Elections provides basic information about voting in federal elections, as well as contact information for election offices in each state. It is available in English, Spanish, Chinese, Japanese, Korean, Vietnamese and Tagalog.

The *Glossary of Election Terms* is available in six languages – Spanish, Chinese, Japanese, Korean, Vietnamese and Tagalog, In addition, major portions of EAC's Web site have also been translated into these six languages.

Evaluation of EAC's Educational Products

Since 2004, EAC has issued information and guidance on various topics to assist election officials in managing and administering elections. This information includes management guidelines, best practices and other related reports as part of EAC's HAVA-mandated research studies, and the Election Management Guidelines and Language Accessibility programs. EAC decided to undertake an evaluation of the usefulness of the educational products, beginning with a survey of election officials to determine their level of satisfaction with the products. Results will guide EAC regarding improvements to the Election Management Guidelines and Language Accessibility, pollworker and ballot design guides and manuals.

U.S. ELECTION ASSISTANCE COMMISSION

Quick Start
MANAGEMENT GUIDE

UNIFORMED AND OVERSEAS VOTERS

March 2008

www.eac.gov

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In FY 2009 the EAC increased its efforts to not only post frequent and real-time updates on its Web site, but also pushed the information out to stakeholders in various forms using social and modern communication tools
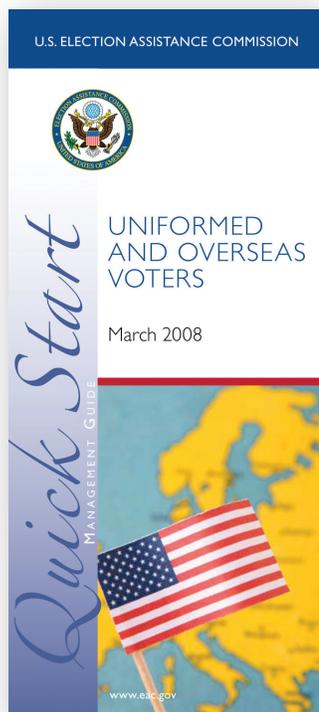
CLEARINGHOUSE ACTIVITIES

★ HAVA instructs EAC to serve as a national clearinghouse of information about election administration, and EAC's Web site serves this function by providing a collection of resources and research for both voters and election officials. EAC offers a wide variety of resources on election administration best practices, EAC's voting system program, research results and updates and information about the use of HAVA funds. In FY 2009, EAC focused on providing resources to assist in Election Day preparation in the areas of voter information, election administration resources, support for voters with disabilities and with language assistance needs, poll worker resources and information about voting system performance in state and local jurisdictions.

To reach multiple audiences with targeted resources about the general election, in FY 2009 EAC increased its efforts to not only post frequent and real-time updates on its Web site, but also pushed the information out to stakeholders in various forms using social and the latest communication tools, such as YouTube and Really Simple Syndication (RSS) feeds. Stakeholders were continuously informed about activities, new resources and updates in EAC clearinghouse by EAC's weekly newsletter, which is sent by email to more than a thousand recipients, informing them of new additions to the Voting Systems Center, new resources in the Voter Information Center and updates about all EAC public meetings and hearings, including testimony, meeting minutes, and webcast availability and notifications about future meetings. EAC also provides an RSS feed, in which the public can be immediately notified about new material posted on the EAC Web site. In FY 2009, EAC established a YouTube page called *Help America Vote*, to feature the training videos produced in anticipation of the 2008 general election. In addition, EAC issued 51 weekly newsletters to stakeholders and the media.

EAC has engaged the public in its decision-making and policy decisions. In FY 2009, the public was asked to provide comments on projects and initiatives such as the revision to the 2005 *VVSG*, the *2010 Election Administration and Voting Survey* instrument, EAC's Strategic Plan, an information collection initiative regarding the evaluation of EAC's educational products, the Working Group policy, and the voting assistance technology grant initiative.

The Election Official Center provides information about HAVA funds management, reporting and the amounts allocated to and spent by each state. Also available are Election Management Guidelines materials, best practices, language resources, poll worker training resources, audit resolutions, shared practices, grant opportunities, and advisories and guidance.

In coordination with the Research, Policy and Programs Division, the amount and variety of data provided to the public greatly expanded in FY 2009. When possible, large data sets were provided in several formats to accommodate multiple audiences. For example, for the *2007-2008 Impact of the NVRA of 1993 on the Administration of Elections for Federal Office* report, EAC provided complete data sets in database (.dbf) files, Statistical Analysis Systems (.sas) files and Excel (.xls) formats.

In the Voter Information Center, visitors have access to congressional election dates, language resources, accessibility resources, information about serving as a poll worker, and the National Mail Voter Registration Form. State voter information resources include state election Web sites, voter guides in seven languages, registration information and deadlines, absentee and early voting dates, provisional voting information and polling place hours and locations. Also

included is information about voting for military and overseas citizens, including links to voting resources for every branch of the military. In FY 2009 as part of the commission's preparation to assist voters before the general election, EAC collected and posted online state specific information in map form, making it easier for voters to click on their states and quickly locate election information for their region.

The Voting Systems Center was greatly expanded in FY 2009, as program activities increased with the certification of three voting systems. Test plans, test reports and information about the certified systems were immediately made available to the public.

Web Site Activity

In FY 2009, there were 1,374,176 page views of www.eac.gov, and top page destinations included Register to Vote, the Voter Information Center, About EAC and the Election Official Center. The most popular download was the National Mail Voter Registration Form. EAC is undertaking a major restructuring of its Web site based upon traffic trends and stakeholder needs. We are seeking input from staff and stakeholders to make sure the new Web site will be valuable to a wide variety of audiences. In addition, we will add interactive features throughout the site such as RSS feeds for specific program areas to allow visitors to customize their use of the site.

Assistance for Voters

According to EAC's *Election Administration and Voting Survey*, more than 190 million Americans were registered to vote in 2008. Empowering voters to participate in the electoral pro-

cess by making sure they had the information they needed to vote was also critical to the success of Election Day 2008.

States' election Web sites allowed voters to look up their polling place, view sample ballots, learn about voting systems, and in some cases, verify their registration. Many election offices also provided information over the phone through dedicated voter hotlines or regular office phone lines.

EAC assumed its role as a national clearinghouse for elections by collecting and posting key information from the states for voters on the commission's Web site including registration deadlines, voting options, information for uniformed and overseas voters and toll-free phone numbers and Web site addresses for election offices in each state. This information was made available through an interactive United States map featured prominently on the home page, and voters were provided with a central, reliable resource about participating in the 2008 general election.

EAC joined election officials in their efforts to prepare and educate voters by announcing to the public where they could find resources to assist them in successfully participating on November 4, 2008. EAC conducted interviews targeted at voter education on major broadcast outlets such as CBS News, CNN, National Public Radio, and Fox News. Local affiliates throughout the nation delivered our educational message and shared the EAC Web site and all of its resources with voters. EAC also reached out to media markets based on the states' registration deadlines under the theme "Prepare and Confirm before Election Day." Through these media interviews, the commissioners reached as many as 9,768,588 listeners, viewers and readers prior to November 4, 2008. Some of the themes EAC and

FY 2009 Web Site Activity

Top Web Site Content

22.99% **Register to Vote**
315,897 page views

18.23% **Home page**
250,512 page views

5.38% **Voter Information Center**
73,908 page views

1.55% **About the EAC**
21,248 page views

1.47% **Election Official Center**
20,180 page views

Traffic Sources

Referring Sites
231,659

45.57%

31.31% Search Engines
159,175

Other 831 — **0.16%**

22.95%

Direct Traffic
116,666
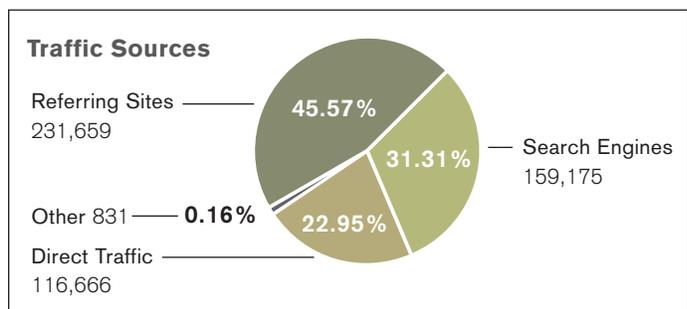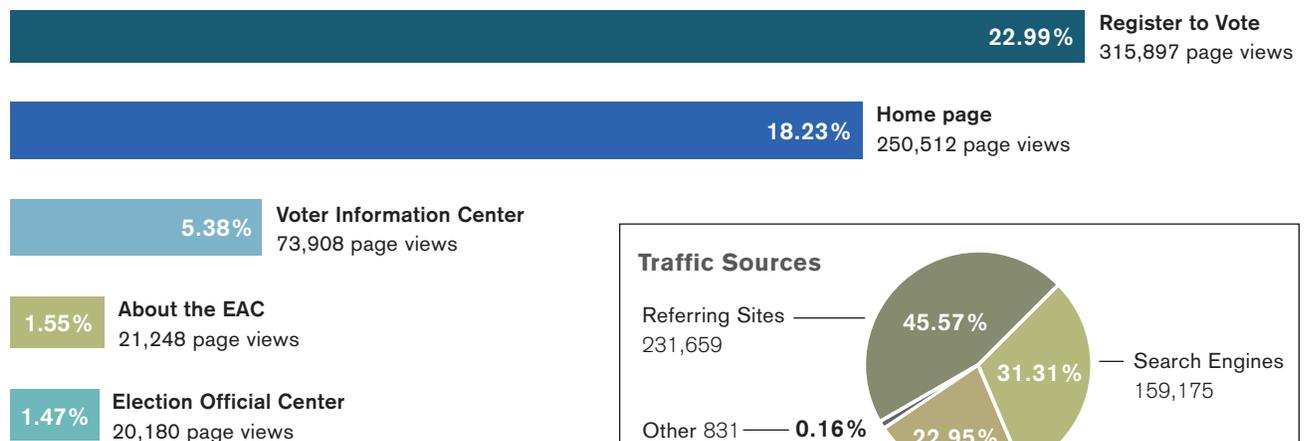
election officials throughout the nation focused on prior to the general election included:

- Reminder of registration deadlines.

- What to do before and on Election Day.

- Verifying registration.

- Locating polling place information.

- Volunteering as a poll worker.

- Early and absentee voting options.

EAC also reached out to college students in FY 2009 by holding a conference call on voter preparation with college print journalists, and EAC staff fluent in Spanish also provided information to voters through Hispanic media outlets.

Shortly before the 2008 general election, EAC hosted a public workshop on empowering voters. Voter advocates and election officials spoke about efforts to engage voters in the process. Additionally, a couple of weeks before the election EAC hosted a panel discussion at the National Press Club with secretaries of state and national journalists about reporting election results. The public forum, also broadcast on C-SPAN, brought officials and journalists together to educate the public about the reporting process from each perspective, and participants discussed how they could work more effectively to deliver timely, accurate results to the public.

EAC also used its national platform and clearinghouse resources to urge cooperation between election officials and voter registration groups, advising them to avoid bottlenecks by coordinating registration form drop-offs and working together to make sure voters filled out the forms correctly.

Assistance for Election Officials

In addition to assisting election officials with their efforts to help voters prepare for November 4, 2008, EAC also produced and distributed election management materials that covered acceptance testing; voting for uniformed and overseas citizens; pre-election and parallel testing; developing an audit trail; contingency planning; ballot building; absentee voting and vote by mail; polling place and vote center management; and media and public relations. Election management materials are available at www.eac.gov.

Training Videos

EAC's training and educational videos are designed to help election officials and poll workers prepare for Election Day. Videos are available about polling place accessibility, contin-

gency planning, and polling place management. Based on the Election Management Guidelines, they cover key points about managing polling places, making polling places accessible, and developing and carrying out contingency plans. They also describe the EAC's voluntary voting system testing and certification program. These training videos are also available on EAC's YouTube page, so election officials and poll workers can access them at their convenience.

Online training and informational videos
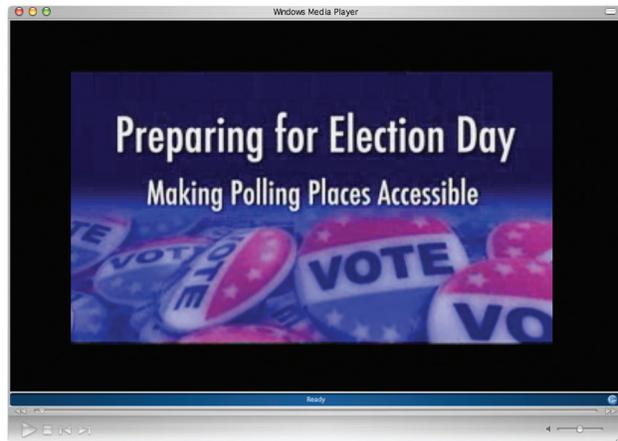
Recruiting Poll Workers

For every election, officials consistently cite the critical need for more poll workers. The success of every election rests in large measure on the turnout and performance of this temporary workforce. According to EAC's 2008 *Election Administration and Voting Survey*, nearly half of the jurisdictions reported difficulty in obtaining poll workers. States reported that 878,360 poll workers staffed some 132,237 polling places. On average, 6.6 poll workers were assigned to each polling place, an increase from the 2006 mid-term average of 6.1 poll workers.

In 2008, election officials throughout the nation recognized that poll workers were more needed than ever in anticipation of increased voter registrations and new voting equipment. EAC issued a national call through interviews on national media outlets and information sent to stakeholders to recruit at least 2 million poll workers on Election Day, provided instructions to participate and included poll worker contact information for every state in the Voter Information Center. In addition to providing a list of state poll worker requirements, EAC produced training videos for election officials and poll workers on how to manage a polling place. These

videos demonstrated how to keep lines moving, make polling places accessible for people with disabilities and prepare for emergencies. EAC also published a poll worker recruitment and training manual for election officials and civic organizations.

After the 2008 general election in recognition of the many Americans who served as poll workers, Vice Chair Gracia Hillman issued a proclamation on behalf of EAC designating the week of December 7-13, 2008 as "National Election Worker Appreciation Week."

To assist election officials recruit the next generation of poll worker, in FY 2009 EAC issued $750,000 in grants to 11 colleges and universities and two nonprofit organizations to recruit college students to serve as poll workers during the 2009 and 2010 elections.

Voting System Reports Clearinghouse

The Voting System Reports Clearinghouse was established to gather information about voting systems certified by state or local jurisdictions. This information is used by EAC's voting system laboratories in the testing of systems, and is available to election officials across the country to evaluate and improve their systems. EAC encourages all jurisdictions to submit their reports to the clearinghouse, which is also available to the public at www.eac.gov.

In FY 2009, reports about voting system performance were submitted to the clearinghouse by the Oakland County, Michigan Clerk/Registrar of Deeds, the Connecticut Secretary of State, and the New York State Board of Elections.

Voting Accessibility

In FY 2009, EAC established the Voting Accessibility section on www.eac.gov to provide a central location about voting accessibility laws and regulations and the latest best practices and research pertaining to voters with disabilities and elderly voters. It provides a portal to EAC resources and to federal agencies and nonprofit organizations that serve seniors and people with disabilities. On the Resources for Voters with Disabilities section, visitors will find EAC resources including *The Accessible Voting Technology Initiative*, EAC *Management Guide on Elderly and Disabled Voters in Long-Term Care Facilities*, and access to EAC's fully accessible comment tool for the *VVSG Version 1.1*. The section also includes links to www.disability.info. gov's voting laws and regulations; resources and tool kits from the Americans with Disabilities Act; applicable laws provided by the American Bar Association's Commission on Law and Aging; and a wide variety of resources about accessibility and voting from the University of Pennsylvania. Links to publications and resources from the United States Access Board and the General Accountability Office are also available. The Voting Accessibility section features the EAC-produced video, *Making Polling Places Accessible*.

The Language Accessibility section offers a central location for all of EAC's program resources, including the glossaries of election terminology, voter guides, and the translated National Mail Voter Registration Form and program updates, such as future plans to translate the form into Asian languages. Visitors also have access to translations of major portions of the Web site in six languages.

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EAC looks forward to educating and engaging the public as we

embark upon the 2010 federal election cycle

★ EAC has reached many HAVA milestones during the commission's brief existence. EAC has adopted the 2005 *VVSG* and already issued the next iteration for public comment. The federal government's first voting system certification program is up and running and EAC has certified three voting systems. The commission has collected and distributed valuable data about uniformed and overseas voters, provided best practices on ballot design and established the annual *Election Voting and Administration Survey*, the largest and most comprehensive survey about election administration ever conducted by the federal government. EAC has one of the most comprehensive language assistance programs in the federal government, offering a wide range of resources for voters in six languages, including professional translation of major portions of the EAC Web site.

During the next fiscal year, EAC will build upon the achievements it has made to strengthen internal operations. The commission will reply upon its Strategic Plan to achieve our goals and assist in improving the administration of federal elections. Strategic plan components include serving as a national clearinghouse, a manager of federal financial assistance, a certifier of voting systems, and a resource for election officials throughout the country regarding the administration of federal elections.

Fiscal Year 2010 Activities

In FY 2010, EAC looks forward to awarding grants for voting system logic and accuracy testing and disability research totaling $6 million appropriated in FY 2009; improving customer service for recipients of HAVA funds; improving the commission's information technology infrastructure with the hire of its first chief information officer; analyzing results of user feedback on the quality and usability of our research and training materials; and continuing to provide materials to election officials to assist with the administration of federal elections.

EAC expects to again obtain a clean audit opinion on agency financial statements for Fiscal Year 2010; institute an internal integrated budget and financial management system in Fiscal Year 2010; and implement 90 percent of OIG audit recommendations within agreed upon timeframes.

HAVA Funds and Grants

In FY 2010, goals include the accurate and timely disbursement of federal funding, and the identification of ways to increase customer service for states by using modern communication tools. For instance, in November, 2009, EAC hosted its first webinar for states regarding how to complete the new federal financial report. We plan to continue offering cost-effective ways to provide states with real-time assistance regarding administration of HAVA funds. The grants division is developing a program handbook covering each federal financial assistance program administered by EAC, and including reporting requirements and monitoring procedures. The Accessible Voting Technology Initiative and the Voting System Pre-Election Logic and Accuracy Testing and Post-Election Audit Initiative grant programs will also be administered in FY 2010.

Clearinghouse Resources

EAC is currently undergoing a major restructuring and upgrade of www.eac.gov that will be the new portal for information about elections collected by EAC. A corresponding EAC Clearinghouse policy is also under development. Information about voting systems, grants, best practices in election

management, research results, and shared resources provided by state and local election jurisdictions will also populate the clearinghouse.

The clearinghouse policy will work to establish the framework and clearly describe the content, which will be presented to the public. EAC will redesign and organize its Web site to establish a separate and unique location that will house and manage all clearinghouse information. EAC's clearinghouse goals will include: 1) that information be posted on the web-based clearinghouse within 24 hours of receipt; 2) regular information audits to be conducted in each EAC section to make sure the clearinghouse is accurate and current; and 3) that stakeholders receive at least one email update per month. EAC will also launch a public information initiative about the contents and uses of the EAC clearinghouse. After the redesign of the EAC Web site, the clearinghouse will be clearly identified and structured based upon the principals of usability and sound design. We anticipate that the newly designed Web site and clearinghouse policy and contents will be launched in March 2010.

Research, Policy and Programs

In FY 2010, the Research, Policy and Programs Division will continue working on research and guidance mandated by HAVA, including HAVA sections 301, 302, and 303. In addition, staff will begin the NVRA rulemaking process in 2010 as well as working to update translations for the *Voters' Guide to Federal Elections*.

The Language Assistance Program staff will also focus its efforts to translate the national voter registration form in FY 2010. At EAC's November 5, 2009 public meeting, the commission voted unanimously to translate the national voter registration form into Chinese, Japanese, Korean, Tagalog, and Vietnamese. EAC will provide a bilingual translation of the application and a monolingual translation of the general and state-specific instructions. The action of the commission was based upon recommendations from working group discussions and the Technical Study to Analyze the Translation of the National Mail Voter Registration Act Form, a study commissioned by EAC which is available at www.eac.gov. EAC staff has already begun working on this important initiative and EAC plans to make the translated forms available to the public prior to the 2010 primary elections. EAC will also review the language resources available on its Web site to ensure the information is current prior to the federal elections of 2010.

The Federal Government's Voting System Testing and Certification Program

With three voting systems certified, in FY 2010 the Voting System Testing and Certification Program staff will focus its efforts on making sure manufacturers comply with the program's Quality Monitoring Program, as some of EAC's certified systems may be operating in the field for the first time. Activities will include manufacturing facility reviews and field reviews in those jurisdictions that volunteer for them. Future goals include completing accreditation reviews for all laboratories recommended to EAC by NIST and for all emergency actions within 90 days; testing and documenting the results of the review of compliance with procedures by 100 percent of accredited laboratories every 2 years; and responding to requests for interpretations of voting system standards within 45 days.

EAC's Strategic Plan Goals: 2009 through 2014

- **Goal One: Communicate**
  Communicate timely and accurate information on the effective administration of elections for federal office and on the operations and services offered EAC by operating the EAC clearinghouse effectively; responding to outside requests timely and accurately; and conveying results of EAC operations and accomplishments.

- **Goal Two: Fund and Oversee**
  Accurately and timely disburse federal financial assistance administered by the EAC; effectively monitor federal financial assistance administered by the EAC; and provide technical assistance and guidance on the management of federal financial assistance administered by the EAC to help the states maximize the use of the funds and reduce the risk of inappropriate use of funds and accounting errors.

- **Goal Three: Study, Guide and Assist**
  Complete research on issues that improve the administration of elections for federal office and expeditiously report on critical administration subjects and election data; and identify and collect required and useful data on election administration practices, voting methods and demographics. Make recommendations for improving the quality of practices, methods, and data; issue guides, translations and other tools that are timely and useful; update and maintain a national mail voter registration application and report to the Congress as required by NVRA.

- **Goal 4: Test and Certify**
  Develop and update the voluntary voting system guidelines; provide for the accreditation and revocation of accreditation of independent, non-Federal laboratories qualified to test voting systems to federal standards; and administer the testing, certification, decertification, and recertification of voting system hardware and software by accredited laboratories.

- **Goal 5: Manage**
  Implement a high performance organization.

As the nation prepares for the 2010 federal elections, EAC will expand the commission's role as a trusted federal resource for election information to assist the public and build upon the efforts of election officials throughout the nation. Staff will work to make sure Web site and clearinghouse resources continue to stay updated, providing everything from state-specific information about voting to best practices, assistance for voters with disabilities, language resources and election management materials. In 2010, the public will have more opportunities to submit input to EAC, comment on future policies, and monitor the progress of voting systems being tested. Modern communication tools, such as RSS feeds, will be added throughout the EAC Web site, enabling the public to customize the frequency and type of election administration updates they receive. We will continue to encourage state and local officials to share information about voting system performance, contingency plans, and other initiatives so these solutions may be shared with election officials throughout the nation. EAC will also continue encouraging states to share contingency plans, such as how to stop or prevent the spread of the flu at the polling place.

Efforts will continue to increase efficiencies in the Voting System Testing and Certification program, without sacrificing the program's rigorous processes. The public will continue to receive frequent updates about all aspects of the program, from the test plan phase through the issuance of voting system certifications. EAC looks forward to educating and engaging the public as we embark upon the 2010 federal election cycle.

2009 Tally Votes

	Title	Decided by Vote of	Date Transmitted	Certified Date
1.	FY 2011 Budget Request	3*	9/25/2009	10/2/2009
2.	Appointment of a Designated Agency Ethics Official	3*	9/24/2009	9/26/2009
3.	Appointment of an Alternate Agency Ethics Official	3*	9/11/2009	9/16/2009
4.	2009 Help America Vote College Poll Worker Final Recommendations	3*	9/8/2009	9/11/2009
5.	2009 Mock Election Program	3*	9/3/2009	9/8/2009
6.	EAC Staff Recommendation to Append the Statutory Overview to the Draft 2010 Election Administration and Voting Survey for Public Comment	3*	9/1/2009	9/3/2009
7.	EAC Staff Recommendation to Release the Draft 2010 Election Administration and Voting Survey for Public Comment	3*	8/17/2009	8/20/2009
8.	Advisory Opinion in Response to Whitman County Request to Use $360,000 of Help America Vote Act (HAVA) Funds to Finance a Portion of the Costs to Remodel Office Space to be Used as an Elections and Voter Registration Processing Center	WITHDRAWN	7/14/2009	WITHDRAWN
9.	Advisory Opinion Response Regarding Use of Section 251 Funds to Pay for Training Governmental Staff to Perform Preventive Maintenance on Voting Systems in Sacramento, CA	3*	7/14/2009	7/21/2009
10.	Advisory Opinion Whether Section 251 Funds Without Section 251(b)(2) Certifications May be Used for Ongoing Voter Education Activities	3*	7/14/2009	7/21/2009
11.	Advisory Opinion in Response to a Request From the New York State Board of Elections on Behalf of Suffolk County, New York, for Approval to Purchase Six Vehicles for a Voter Education Program	WITHDRAWN	7/14/2009	WITHDRAWN
12.	Advisory Opinion in Response to a Request From the New York State Board of Elections on Behalf of Niagara County, New York, for Approval to Purchase a Vehicle for a Voter Education Program	WITHDRAWN	7/14/2009	WITHDRAWN
13.	EAC Staff Recommendation to Adopt the Election Data Collection Grant Program Evaluation Report	3*	6/25/2009	7/1/2009
14.	EAC Staff Recommendation to Adopt the 2007-2008 NVRA Report	3*	6/23/2009	6/25/2009
15.	Tom Wilkey - Re-Appointment of Executive Director	3*	6/16/2009	6/19/2009
16.	Advisory Opinion in Response to a Request from the California Office of the Secretary of State on Behalf of Stanislaus County, California, for Approval to use Help America Vote Act Funds (Section 251(b)(2)(B)) to Pay for Improvements to a Warehouse That is use to Store Voting Equipment	3*	6/16/2009	6/24/2009
17.	Advisory Opinion in Response to a Question from Sacramento County, California, on Whether Section 251 Funds, Without Either of the Section 251(b)(2) Certifications, May be Used to Pay for Training Governmental Staff to Perform Preventive Maintenance on a Voting System	WITHDRAWN	6/15/2009	WITHDRAWN
18.	Advisory Opinion in Response to a Question from Sacramento County, California, on Whether Section 251 Funds, Without Either of the Section 251(b)(2) Certifications, May be Used for Ongoing Voter Education Activities	WITHDRAWN	6/15/2009	WITHDRAWN

	Title	Decided by Vote of	Date Transmitted	Certified Date
19.	Advisory Opinion in Response to a Question from Sacramento County, California, on Whether Section 251 Funds, Without Either of the Section 251(b)(2) Certifications, May be Used to Purchase Vote-By-Mail (Absentee) Envelope Processing Equipment	WITHDRAWN	6/15/2009	WITHDRAWN
20.	Advisory Opinion in Response to a Request From Puerto Rico to Use Help America Vote Act Funds for Various Purchases	WITHDRAWN	6/15/2009	WITHDRAWN
21.	Appointment of Mr. Darren Gann as the EAC Contracting Officer	WITHDRAWN	6/15/2009	WITHDRAWN
22.	U.S. Election Assistance Commission Strategic Plan for Fiscal Years 2009 Through 2014	3*	3/24/2009	3/26/2009
23.	Approve Appointment of David P. Blackwood as the U.S. Election Assistance Commission's General Counsel for a Term of Four (4) Years	2-2	2/5/2009	2/10/2008
24.	Close the February 2, 2009 meeting at which the EAC will discuss appointment of a General Counsel	4	1/23/2009	1/27/2009
25.	Submission for Tally Vote - Approve Appointment of David P. Blackwood as the U.S. Election Assistance Commission's General Counsel for a Term of Four (4) Years	WITHDRAWN	1/22/2009	WITHDRAWN
26.	Close the portion of the January 15, 2009 meeting at which the EAC will discuss appointment of a General Counsel	4	1/7/2009	1/7/2009
27.	Adoption of Executive Order (December 19, 2008) Regarding Across the Board Pay Increase to Government Employees	4	12/19/2008	1/5/2009
28.	Approval and Filing of the FACA Charter for the EAC Board of Advisors	4	12/17/2008	1/5/2009
29.	Approve Appointment of David P. Blackwood as the U.S. Election Assistance Commission's General Counsel Effective January 9, 2009, For a Term of Four (4) Years.	2-1-1**	12/11/2008	1/5/2009
30.	Updates to Minnesota State Instructions on the National Voter Registration Form	4	12/16/2008	12/21/2008
31.	Gineen Beach - Chair and Gracia Hillman - Vice Chair	4	12/15/2008	12/18/2008
32.	Posting Proposed Working Group Policy for Notice and Public Comment	4	12/10/2008	12/12/2008
33.	Advisory Opinion in Response to Question Regarding Use of HAVA Funds to Replace Voting Systems Purchased with HAVA Funds	4	11/24/2008	12/3/2008
34.	Advisory Opinion in Response to Question Regarding Certifications Filed Under HAVA Section 251(b)(2)	4	11/24/2008	12/3/2008
35.	Advisory Opinion in Response to Question Regarding Revolving Loan Fund in West Virginia	4	11/24/2008	12/3/2008
36.	Close the portion of the December 8, 2008 meeting at which the EAC will discuss selection of a General Counsel	4	11/13/2008	11/17/2008
37.	Appointing Gineen Beach as the Designated Federal Officer to the EAC Standards Board	4	10/27/2008	10/28/2008
38.	Approval and Filing of the FACA Charter for the EAC Standards Board	4	10/23/2008	10/28/2008

*Since February 2009, there has been one vacancy on the commission.

** Two votes to disapprove, one to approve, and one objection.

Appointed by	First Name	Last Name	Title	City	State
National Conference of State Legislatures	Thomas Upton	Reynolds	Mississippi State Representative	Charleston	MS
National Conference of State Legislatures	Sue	Landske	Senator – Asst. Pres. ProTem Indiana State Senate	Cedar Lake	IN
National Governors Association	Chris	Nelson	South Dakota Secretary of State	Pierre	SD
National Governors Association	Mary E.	Herrera	New Mexico Secretary of State	Albuquerque	NM
National Association of Secretaries of State	Trey	Grayson	Kentucky Secretary of State	Frankfort	KY
National Association of Secretaries of State	Pedro A.	Cortès	Pennsylvania Secretary of the Commonwealth	Harrisburg	PA
National Association of State Election Directors	Christopher	Thomas	Director of Elections, State of Michigan	Lansing	MI
National Association of State Election Directors	Linda H.	Lamone	Maryland Administrator of Elections	Annapolis	MD
National Association of Counties	Wendy	Noren	Boone County Clerk	Columbia	MO
National Association of Counties	Helen	Purcell	Maricopa County Recorder	Phoenix	AZ
National Association of County Recorders, Election Officials and Clerks	Neal	Kelley	Registrar of Voters, Orange County, CA	Santa Ana	CA
National Association of County Recorders, Election Officials and Clerks	David	Orr	Cook County Clerk	Chicago	IL
U.S. Commission on Civil Rights	Abigail	Thernstrom	Vice Chair, U.S. Commission on Civil Rights	Lexington	MA
U.S. Commission on Civil Rights	Arlan D.	Melendez	Commissioner, U.S. Commission on Civil Rights	Reno	NV
Election Center	Doug	Lewis	Executive Director, Election Center	Houston	TX
Election Center	Ernie	Hawkins	Former Registrar of Voters, Sacramento County	Elk Grove	CA
United States Conference of Mayors	Frank	Ortis	Mayor, City of Pembroke Pines	Pembroke Pines	FL
United States Conference of Mayors	Vacant				
International Association of Clerks, Record-ers, Election Officials, and Treasurers	Elizabeth	Ensley	Election Commissioner, Shawnee County, Kansas	Topeka	KS
International Association of Clerks, Record-ers, Election Officials, and Treasurers	Bill	Cowles	Supervisor of Elections, Orange County, FL	Orlando	FL
Architectural and Transportation Barriers Compliance Board	Ron	Gardner	Director of Field Services, National Federation of the Blind of Utah	Bountiful	UT
Architectural and Transportation Barriers Compliance Board	Phillip	Jenkins	Accessibility Consultant, Business Development Consultant and Senior Engineer, IBM Human Ability and Accessibility Center	Austin	TX
Chief, Public Integrity Section, Criminal Divi-sion, U.S. Department of Justice	Craig	Donsanto	Director, Election Crimes Branch, U.S. Depart-ment of Justice	Washington	DC
Chief, Voting Section, Civil Rights Division, U.S. Department of Justice	Vacant				
Director, Federal Voting Assistance Pro-gram, U.S. Department of Defense	Bob	Carey	Director, Federal Voting Assistance Program, U.S. Department of Defense	Washington	DC
House Speaker	Lillie	Coney	Associate Director, Electronic Privacy Information Center	Washington	DC
House Minority Leader	Tom	Fuentes	Senior Fellow, The Claremont Institute	Lake Forest	CA
Senate Majority Leader	Dr. Barbara	Simons	Researcher	Palo Alto	CA
Senate Minority Leader	Sarah Ball	Johnson	Executive Director, Kentucky State Board of Elections	Frankfort	KY
House Administration—Chair	Joseph F.	Crangle	Attorney, Colucci & Gallaher, P.C.	Buffalo	NY

Appointed by	First Name	Last Name	Title	City	State
House Administration—Chair	Donald A.	Jones	Advocate	Willingboro	NJ
House Administration—Ranking Minority Member	Terri	Hegarty	City Clerk, City of Grand Rapids	Grand Rapids	MI
House Administration—Ranking Minority Member	Keith	Cunningham	Director, Allen County Board of Elections	Lima	OH
Senate Rules and Administration—Chair	James C.	Dickson	V.P. for Governmental Affairs, American Association of People With Disabilities	Washington	DC
Senate Rules and Administration—Chair	Robin	Carnahan	Missouri Secretary of State	Jefferson City	MO
Senate Rules and Administration—Ranking Minority Member	LuAnn	Adams	County Recorder/Clerk of Box Elder County	Brigham City	UT
Senate Rules and Administration—Ranking Minority Member	Vacant				

The following former members of the EAC Board of Advisors served in fiscal year 2009:

Barbara Arnwine, Executive Director, Lawyers Committee for Civil Rights Under Law; Butch Bowers, U.S. Department of Justice, Voting Section, Civil Rights Division; Polli Brunelli, Director, Federal Voting Assistance Program, U.S. Department of Defense; Tom Bush, Interim Director, Federal Voting Assistance Program, U.S. Department of Defense; Honorable Gary R. Herbert, Governor of Utah; Rhine L. McLin, Mayor, City of Dayton, Ohio; Neil Melick, Construction Services Director, City of West Palm Beach; Todd Rokita, Indiana Secretary of State.

2009 EAC Standards Board

State	Designee	First	Last	Title	City	State
Alabama	State	Beth	Chapman	Alabama Secretary of State	Montgomery	AL
Alabama	Local	George M.	Ingram	Judge of Probate, Clay County	Ashland	AL
Alaska	State	Gail	Fenumiai	Director, Division of Elections	Juneau	AK
Alaska	Local	Shelly	Growden	Election Supervisor Region III, Division of Elections	Fairbanks	AK
American Samoa	State	Soliai T.	Fuimaono	Chief Election Officer	Pago Pago	AS
American Samoa	Local	Taufete'e John	Faumuina	HAVA Manager	Pago Pago	AS
Arizona	State	Amy	Bjelland	Arizona Deputy Secretary of State	Phoenix	AZ
Arizona	Local	Reynaldo	Valenzuela	Assistant Director of Elections	Phoenix	AZ
Arkansas	State	Janet	Harris	Arkansas Deputy Secretary of State	Little Rock	AR
Arkansas	Local	Crystal	Graddy	Boone County Clerk	Harrison	AR
California	State	Lowell	Finley	California Deputy Secretary of State	Sacramento	CA
California	Local	Stephen	Weir	County Clerk Contra Costa County	Martinez	CA
Colorado	State	Stephanie	Cegielski	Voting Equipment Certification Program Manager	Denver	CO
Colorado	Local	Russ	Ragsdale	Clerk and Recorder, City and County of Broomfield	Broomfield	CO
Connecticut	State	Ted	Bromley	Staff Attorney, Legislation and Elections Administration Division, Office of the Connecticut Secretary of State	Hartford	CT
Connecticut	Local	Anthony	Esposito	Hamden Republican Registrar of Voters	Hamden	CT
Delaware	State	Elaine	Manlove	Commissioner of Elections	Dover	DE
Delaware	Local	Howard G.	Sholl, Jr.	Deputy Administrative Director	Wilmington	DE
District of Columbia	State	Rokey	Suleman	Executive Director, DC Board of Elections & Ethics	Washington	DC
District of Columbia	Local	Jonda	McFarlane	Board Member	Washington	DC
Florida	State	Donald	Palmer	Director, Division of Elections, Florida Department of State	Tallahassee	FL
Florida	Local	Lori	Edwards	Polk County Supervisor of Elections	Bartow	FL
Georgia	State	Karen	Handel	Secetary of State	Atlanta	GA
Georgia	Local	Lynn	Bailey	Executive Director	Augusta	GA
Guam	State	VACANT				GU
Guam	Local	Gerald A.	Taitano	Executive Director	Hagatna	GU
Hawaii	State	Scott	Nago	Section Head	Honolulu	HI
Hawaii	Local	Lyndon	Yoshioka	Kaua'i County Election Administrator	Lihu'e	HI
Idaho	State	Timothy A.	Hurst	Chief Deputy	Coeur d'Alene	ID
Idaho	Local	Dan	English	Kootenai County Clerk	Boise	ID
Illinois	State	Daniel W.	White	Executive Director	Springfield	IL
Illinois	Local	Richard	Cowen	Chicago Board of Election Commissioners	Chicago	IL
Indiana	State	Brad	King	Co-Director, Indiana Election Division	Indianapolis	IN
Indiana	Local	Shelly	Parris	Sullivan County Circuit Court Clerk	Sullivan	IN
Iowa	State	Sarah	Reisetter	Director of Elections	Des Moines	IA
Iowa	Local	Janine	Sulzner	Jones County Auditor	Anamosa	IA
Kansas	State	Ron	Thornburgh	Kansas Secretary of State	Topeka	KS
Kansas	Local	Donald	Merriman	Saline County Clerk	Saline	KS
Kentucky	State	Sarah Ball	Johnson	Executive Director, Kentucky State Board of Elections	Frankfort	KY
Kentucky	Local	Jack	Snodgrass	Campbell County Clerk	Newport	KY
Louisiana	State	Angie	LaPlace	Louisiana Commissioner of Elections	Baton Rouge	LA
Louisiana	Local	H. Lynn	Jones, II	Calcasieu Parish Clerk of Court	Lake Charles	LA
Maine	State	Julie L.	Flynn	Maine Deputy Secretary of State	Augusta	ME
Maine	Local	Lucette	Pellerin	City Clerk	Saco	ME

State	Designee	First	Last	Title	City	State
Maryland	State	Nikki Baines	Trella	Election Reform Director	Annapolis	MD
Maryland	Local	James	Massey, Jr.	Election Director, Harford County Board of Elections	Forest Hill	MD
Massachusetts	State	William F.	Gavin	Massachusetts Secretary of the Commonwealth	Boston	MA
Massachusetts	Local	John	McGarry	Executive Director, Election Commission	Brockton	MA
Michigan	State	Susan	McRill	Administrative Manager, QVF Help Desk & Field Svcs.	Lansing	MI
Michigan	Local	Tonni	Bartholomew	Troy City Clerk	Troy	MI
Minnesota	State	Gary	Poser	Director of Elections	St. Paul	MN
Minnesota	Local	Sharon K.	Anderson	Cass County Auditor-Treasurer	Walker	MN
Mississippi	State	John	Helmert	Mississippi Assistant Secretary of State – Elections	Jackson	MS
Mississippi	Local	Robert	Harrell	Circuit Clerk, Clay County	West Point	MS
Missouri	State	Leslye	Winslow	Senior Counsel to Missouri Secretary of State	Jefferson City	MO
Missouri	Local	Richard T.	Struckhoff	Greene County Clerk	Springfield	MO
Montana	State	Jorge	Quintana	Chief Legal Counsel	Helena	MT
Montana	Local	Duane	Winslow	Yellowstone County Election Administrator	Billings	MT
Nebraska	State	John	Gale	Nebraska Secretary of State	Lincoln	NE
Nebraska	Local	David	Dowling	Cedar County Clerk & Election Commissioner	Hartington	NE
Nevada	State	Matthew	Griffin	Nevada Deputy Secretary of State for Elections	Carson City	NV
Nevada	Local	Harvard L.	Lomax	Clark County Registrar of Voters	North Las Vegas	NV
New Hampshire	State	Anthony	Stevens	New Hampshire Assistant Secretary of State	Concord	NH
New Hampshire	Local	Robert	Dezmelyk	Moderator, Town of Newton	Newton	NH
New Jersey	State	Robert	Giles	Director	Trenton	NJ
New Jersey	Local	Linda	Von Nessi	Clerk of the Board	Newark	NJ
New Mexico	State	Mary	Herrera	New Mexico Secretary of State	Santa Fe	NM
New Mexico	Local	Bob	Bartelsmeyer	Election Supervisor, Dona Ana County	Las Cruces	NM
New York	State	Jeffrey	Pearlman	Assistant Counsel to the Governor	Albany	NY
New York	Local	Carolee	Sunderland	Election Commissioner, Westchester Board of Elections	White Plains	NY
North Carolina	State	Gary	Bartlett	Executive Director, State Board of Elections	Raleigh	NC
North Carolina	Local	Deborah J.	Bedford	Director of Elections	Rutherford	NC
North Dakota	State	I. James	Silrum	North Dakota Deputy Secretary of State	Bismarck	ND
North Dakota	Local	Michael M.	Montplaisir	Cass County Auditor	Fargo	ND
Ohio	State	Brandi	Seskes	Counsel to the Ohio Board of Voting Machine Examiners	Columbus	OH
Ohio	Local	Dale	Fellows	Member, Lake County Board of Elections	Willoughby Hills	OH
Oklahoma	State	Thomas	Prince	Chairman, State Election Board	Edmond	OK
Oklahoma	Local	Doug	Sanderson	Secretary, Oklahoma County Election Board	Oklahoma City	OK
Oregon	State	Steve	Trout	Director, Oregon Secretary of State Elections Division	Salem	OR
Oregon	Local	Tamara (Tami)	Green	Baker County Clerk	Baker City	OR
Pennsylvania	State	Chet	Harhut	Commissioner, Bureau of Commissions, Elections & Legislation	Harrisburg	PA
Pennsylvania	Local	Regis	Young	Butler County Election Director	Butler	PA
Puerto Rico	State	Nestor J.	Colón Berlingeri	First Vice President	San Juan	PR
Puerto Rico	Local	María D.	Santiago Rodríguez	Second Vice President	San Juan	PR
Rhode Island	State	Robert	Kando	Executive Director, State Board of Elections	Providence	RI
Rhode Island	Local	VACANT				RI

State	Designee	First	Last	Title	City	State
South Carolina	State	Marci	Andino	Executive Director	Columbia	SC
South Carolina	Local	Marilyn	Bowers	Executive Director	Charleston	SC
South Dakota	State	Kea	Warne	State Election Supervisor	Pierre	SD
South Dakota	Local	Patty	McGee	Sully County Auditor	Onida	SD
Tennessee	State	Mark	Goins	State Coordinator of Elections	Nashville	TN
Tennessee	Local	Marshall	McKamey	Campbell County Election Commissioner	LaFollette	TN
Texas	State	Ann	McGeehan	Director of the Elections Division, Office of the Texas Secretary of State	Austin	TX
Texas	Local	Dana	DeBeauvoir	Travis County Clerk	Austin	TX
Utah	State	Mark J.	Thomas	Office Administrator, Office of the Lieutenant Governor	Salt Lake City	UT
Utah	Local	Robert	Pero	Carbon County Clerk	Price	UT
Vermont	State	Kathleen	DeWolfe	Director of Elections	Montpelier	VT
Vermont	Local	Melissa	Ross	Hinesburg Town Clerk	Hinesburg	VT
Virgin Islands	State	John	Abramson, Jr.	Supervisor of Elections	Kingshill, St. Croix	VI
Virgin Islands	Local	Corinne	Halyard Plaskett	Deputy Supervisor of Elections	Kingshill, St. Croix	VI
Virginia	State	James	Alcorn	Confidential Asst. Policy Analyst	Richmond	VA
Virginia	Local	Allen	Harrison, Jr.	Chair, Arlington County Electoral Board	Arlington	VA
Washington	State	Nixon	Handy	Director of Elections	Olympia	WA
Washington	Local	Kristina	Swanson	Cowlitz County Auditor	Kelso	WA
West Virginia	State	Layna	Valentine-Brown	HAVA Coordinator	Charleston	WV
West Virginia	Local	Jeff	Waybright	Jackson County Clerk	Ripley	WV
Wisconsin	State	Nathaniel	Robinson	Election Division Administrator	Madison	WI
Wisconsin	Local	Sandra L.	Wesolowski	Franklin County Clerk	Franklin	WI
Wyoming	State	Peggy	Nighswonger	State Election Director	Cheyenne	WY
Wyoming	Local	Julie	Freese	Fremont County Clerk	Lander	WY

The following former members of the EAC Standards Board served in fiscal year 2009:

District of Columbia Board of Elections and Ethics Chairman Errol Arthur; Hinds County, Mississippi Election Commissioner Marilyn Avery; Natchitoches Parish, Louisiana Clerk of Court Louie Bernard; Fayette County, Kentucky Clerk Don Blevins; Ohio Secretary of State Jennifer Brunner; Woburn, Massachusetts City Clerk William Campbell; Brattleboro, Vermont Town Clerk Annette Cappy; Jamestown, Rhode Island Chair of the Board of Canvassers Marian Clarke; Pennsylvania Secretary of the Commonwealth Pedro Cortes; Utah Lt. Governor Deputy Chief of Staff Michael Cragun; Louisiana Secretary of State Jay Dardenne; Montana Chief Legal Counsel/Asst. Chief Deputy Janice Doggett; Dyer County, Tennessee Election Commissioner Joe Enoch; Wisconsin Elections Specialist Ross Hein; Spencer, Indiana Circuit Court Clerk Ann Jochim; Manchester, New Hampshire Deputy City Clerk Carol Johnson; Virginia Deputy Secretary of the State Board of Elections Valarie Jones; State of Connecticut Managing Attorney Michael Kozik; Iowa Deputy Secretary of State Elections Linda Langenberg; Texas Director of Elections Ann McGeehan; Pierce County, Washington Auditor Pat McCarthy; North Carolina Deputy Director of the State Board of Elections Johnnie McLean; Nevada Secretary of State Ross Miller; Mississippi Assistant Secretary of State Linda Rigsby; Virginia Secretary of the State Board of Elections Nancy Rodrigues; Indiana Secretary of State Todd Rokita; Minnehaha County, South Dakota Auditor Sue Roust; Rhode Island Director of Elections Jan Ruggiero; West Virginia Special Assistant Elections Division Susan Silverman; Benton County, Arkansas Clerk Mary Lou Slinkard; Broward County, Florida Supervisor of Elections Dr. Brenda Snipes; Honolulu, Hawaii Election Administrator Glen Takahashi; Virgin Islands Election System Deputy Supervisor Natalie Thomas; Tennessee State Coordinator of Elections Brook Thompson; Arizona Deputy Secretary of State Kevin Tyne; Boone County, West Virginia, Clerk Gary W. Williams; Missoula County, Montana Clerk and Recorder/Treasurer Vickie Zeier.

2009 Technical Guidelines Development Committee

Appointed by	First	Last	Title	City	State
Director of NIST	Dr. Patrick D.	Gallagher	Committee Chair, Director of the National Institute of Standards and Technology	Gaithersburg	MD
Standards Board	Donald	Palmer	Director, Division of Elections, Florida Department of State	Tallahassee	FL
Standards Board	Russell G.	Ragsdale	Clerk and Recorder, City and County of Broomfield	Broomfield	CO
Board of Advisors	Linda	Lamone	Maryland Administrator of Elections	Annapolis	MD
Board of Advisors	Helen	Purcell	Recorder, Maricopa County Arizona	Phoenix	AZ
Access Board	Ron	Gardner	Director of Field Services, National Federation of the Blind of Utah	Bountiful	UT
Access Board	Phillip	Jenkins	Accessibility Consultant, Business Development Consultant and Senior Engineer, IBM Human Ability and Accessibility Center	Austin	TX
ANSI	Dr. David	Wagner	Professor, University of California-Berkeley	Berkeley	CA
IEEE	Patrick	McDaniel	Associate Professor of Computer Science and Engineering, Pennsylvania State University	University Park	PA
NASED	Ann	McGeehan	Director of the Elections Division, Office of the Texas Secretary of State	Austin	TX
NASED	Paul	Miller	Senior Technology Advisor, Elections Division, State of Washington, Office of the Secretary of State	Olympia	WA
Other Tech/Sci	Dr. Steven	Bellovin	Professor of Computer Science, Columbia, University	New York	NY
Other Tech/Sci	Dr. Diane Cordry	Golden	Program Coordinator, Association of Assistive Technology Act Programs	Grain Valley	MO
Other Tech/Sci	Dr. Douglas	Jones	Associate Professor, Department of Computer Science, University of Iowa	Iowa City	IA
Other Tech/Sci	Edwin	Smith, III	Vice President, Compliance and Certification, Dominion Voting Systems	Longmont	CO

Access Board = Architectural and Transportation Barrier Compliance Board
ANSI = American National Standards Institute.
IEEE = Institute of Electrical and Electronics Engineers.
MIT = Massachusetts Institute of Technology.
NASED = National Association of State Election Directors.

The following former members of the EAC Technical Guidelines Development Committee served in fiscal year 2009:

Patrick Gannon, President and CEO of OASIS; Dr. Cem Kaner, Professor of Software Engineering, Florida Institute of Technology; Neil Melick, Construction Services Director, City of West Palm Beach, FL; Dr. Whitney Quesenbery, President, Usability Professionals' Association; Dr. Ronald L. Rivest, Professor of Computer Science and Engineering, MIT, Dept. of Electrical Engineering and Computer Science; Dr. Daniel Schutzer, President, Financial Services Technology Consortium; Dr. Britain Williams, Retired Professor, Kennesaw State, University of Georgia.

B I O G R A P H I E S

COMMISSIONER

Gineen Beach, Chair

Ms. Gineen Bresso Beach was nominated by President George W. Bush and confirmed by the United States Senate on October 2, 2008 to serve on the U.S. Election Assistance Commission (EAC). Ms. Beach was elected Chair of the EAC for 2009. Her term of service extends through December 12, 2009.

Prior to her appointment with EAC, Commissioner Beach was the minority elections counsel for the Committee on House Administration. She previously served as a policy advisor to former Maryland Governor Robert L. Ehrlich, Jr. where her primary area of focus was on election law. She also served as an attorney-advisor for the U.S. Patent and Trademark Office, where she reviewed and prosecuted applications for federal trademark registration. She also served as a judicial law clerk for the Honorable Arrie W. Davis, in the Maryland Court of Special Appeals.

Ms. Beach received her Juris Doctor from Western New England College School of Law (1999) where she was a member of the Law Review. In 1995, she received a Bachelor of Arts in political science from the University of Massachusetts at Amherst.

COMMISSIONER

Gracia Hillman, Vice Chair

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). She was reappointed to a second term on October 2, 2008. Ms. Hillman was elected Vice-Chair of the EAC for 2009. She served as Chair of the EAC in 2005, after serving as the Agency's first Vice Chair in 2004. Her term of service extends through December 12, 2009.

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.

COMMISSIONER

Donetta Davidson

Ms. Donetta L. Davidson was nominated by President George W. Bush and confirmed by unanimous consent of the United States Senate on July 28, 2005 to serve on the U.S. Election Assistance Commission (EAC). She was reappointed to a second term on October 2, 2008. Ms. Davidson served as Chair of the EAC in 2007 and Vice Chair in 2008. Her term of service extends through December 12, 2011. Ms. Davidson, formerly Colorado's secretary of state, comes to EAC with experience in almost every area of election administration - everything from county clerk to secretary of state.

Ms. Davidson began her career in election administration when she was elected in 1978 as the Bent County clerk and recorder in Las Animas, Colorado, a position she held until 1986. Later that year, she was appointed director of elections for the Colorado Department of State, where she worked with county clerks in all election matters and assisted with recall issues for municipal, special district and school district elections.

In 1994, she was elected Arapahoe County clerk and recorder and reelected to a second term in 1998. The next year, Colorado Governor Bill Owens appointed Davidson as the Colorado secretary of state, and she was elected to in 2000 and reelected in 2002 for a four year term.

She has served on the Federal Election Commission Advisory Panel and the board of directors of the Help America Vote Foundation. In 2005, Ms. Davidson was elected president of the National Association of Secretaries of State, and she is the former president of the National Association of State Elections Directors (NASED). Prior to her EAC appointment, Ms. Davidson served on EAC's Technical Guidelines Development Committee (TGDC).

In 2005, Government Technology magazine named Ms. Davidson one of its "Top 25: Dreamers, Doers, and Drivers" in recognition of her innovative approach to improve government services. She was also the 1993 recipient of the Henry Toll Fellowship of Council of State Governments.

Davidson has devoted much of her professional life to election administration, but her first love is her family. Ms. Davidson was born into a military family in Liberal, Kansas and became a Coloradoan shortly thereafter when her family moved first to Two Buttes then to Las Animas where they settled. Whenever possible Ms. Davidson spends time with her family, son Todd, daughter, and son-in-law Trudie and Todd Berich and granddaughters Brittany and Nicole.

EXECUTIVE DIRECTOR

Tom Wilkey

By unanimous vote of the Commissioners, Executive Director Thomas R. Wilkey was reappointed to serve another four year term beginning June 20, 2009. Mr. Wilkey has served in this position since 2005.

Tom Wilkey thought he had successfully retired when he stepped down as the executive director of the New York State Board of Elections in 2003. After all, he had observed his 34th year in election administration, working on everything from counting ballots to developing voting system standards to working to craft the most sweeping election reform in our nation's history.

Wilkey was the perfect candidate to become the first permanent executive director of the U.S. Election Assistance Commission, the new federal entity created by the law he helped craft, the Help America Vote Act of 2002.

After his brief career as an elementary teacher, Wilkey joined the Erie County Board of Elections (Buffalo, New York) in November 1968 as an elections clerk. He subsequently rose to the position of senior election deputy prior to joining the New York State Board of Elections in 1979 as public information officer.

In 1985, Wilkey was promoted to the newly created position of director of elections operations, which was formed to administer oversight of New York's 57 county boards. His new duties included personal visits to those county boards, thus enabling him to see first-hand the dynamics of New York's network of diverse local elections offices. Criss-crossing the state to review jurisdictions servicing the smallest constituency (4,400) and the largest (3.3 million), Wilkey shared his problem-resolution skills and expertise at each opportunity. His responsibilities soon grew to include the creation and supervision of New York's voting systems certification program. In 2005, the certification process will be transferred to EAC as mandated by HAVA. This marks the first time a federal entity will be responsible for the certification of voting systems.

Wilkey was appointed the second executive director of the New York State Board of Elections in June of 1992 – a position he held until August of 2003.

Wilkey has been associated with the Federal Election Commission (FEC) for many years. In 1983, he served on the Voting Systems Standards Committee, which drafted and reviewed the FEC's Voting System Standards, a voluntary testing, qualification and certification process used for all voting systems in the United States.

In 1992, Wilkey was appointed to the FEC's Advisory Panel, which consisted of 20 state, county and local election administrators. It advised the FEC on clearinghouse projects and allocation of funds for election administration projects.

During 1983, Wilkey and a small group of election administrators from throughout the country pushed for the creation of the International Center on Election Law. Today, the Center represents more than 1,000 foreign, state, county and local election officials. His involvement led to his appointment as chair of the Center's Professional Development Committee, which now runs the first university-based professional development program for election officials. In 1995, Wilkey was recognized for his service by his appointment to the Board of Directors of the Center.

An early proponent of the creation of the National Association of State Election Directors, Wilkey has served as secretary, treasurer, vice president and was elected president for 1996-1997. In January 1997, Wilkey was named chair of NASED's Independent Test Authority Accreditation Board, which reviews and approves laboratories and technical groups for the testing of voting systems under NASED's national accreditation program. He was reappointed as chair in February 2000.

An early an active promoter of the National Voter Registration Act (NVRA), Wilkey has served as chair of the NVRA Committee of NASED and as a member of the FEC Ad Hoc Discussion Group for NVRA.

In 1998, the Office of the Secretary of Defense's Federal Voting Assistance Program named Wilkey to its State and Local Alliance Board. The Board advises the Federal Voting Assistance Program about ongoing programs to support and facilitate absentee voting requirements for more than six million military and overseas voters.

Following the 2000 general election, Wilkey was named to several national commissions to study election reform, including those representing the National Association of Secretaries of State, National Association of Counties, Council of State Governments and the Election Center. Beginning in May 2001, Wilkey was asked by the FEC to assist with the drafting revised federal Voting System Standards, due for completion in April 2002. In addition, Wilkey was actively involved with the development of the Help America Vote Act of 2002, which Congress passed and the President signed into law in October 2002.

Long active in church activities, Wilkey is a member of St. Vincent De Paul parish in Albany. From 1999 to 2002, Wilkey served on the Pastoral Council for the Cathedral of the Immaculate Conception and was a member of its choir. He also established an endowment to the Sisters of Mercy of Rochester – the Thomas R. Wilkey Heritage Project – which provides funding to restore and preserve its archival collections and documents of their many ministries.

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