

**United States Election Assistance Commission**  
**Board of Advisors Executive Officer Quarterly Meeting**

Held at

2:05 p.m. EST

Wednesday, January 13, 2021

Via Zoom Meeting

VERBATIM TRANSCRIPT

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The following is the verbatim transcript of the United States Election Assistance Commission (EAC) Board of Advisors Executive Officer Quarterly Meeting that was held on Wednesday, January 13, 2021. The meeting convened at 2:05 p.m. and adjourned at 2:36 p.m.

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CHAIRMAN YAKI:

Okay. This will be recorded, and it's live on YouTube. And it is 11:05 a.m. Pacific Time, 2:05 p.m. Eastern Time. This is the quarterly conference call of the United States Election Assistance Commission Board of Advisors. I am Michael Yaki, Chair of the Board of Advisors. I am going to call this meeting to order. And as the first order of business, we shall do a roll call, although I'm not too sure because it's just a phone call if we're going to need a quorum, but let's go through it anyway. So I'm going to recognize our Secretary Alysoun McLaughlin to do the call of the roll.

MS. MCLAUGHLIN:

I think we're good with a quorum from the faces and voices I've heard, but we'll go on through.

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[Alysoun McLaughlin, Secretary of the Board of Advisors, called roll.]

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MS. MCLAUGHLIN:

Is there anyone on the line, any members that I have not called?

[No response]

MS. MCLAUGHLIN:

Barring that, I count -- we have 26 members present, Mr. Chairman. We have a quorum.

CHAIRMAN YAKI:

Thank you very much. Whoops. Thank you very much, Madam Secretary.

The next order of business, we shall turn to --

MR. DICKSON:

Excuse me. Jim Dickson is here. Sorry I had trouble getting in.

CHAIRMAN YAKI:

Thank you, Jim. You're welcome. And your presence is noted officially for the record. If anyone can -- everyone can go back off on mute -- go on mute right now. We're going to hear remarks from the Designated Officer to the EAC, Commissioner Thomas Hicks. Commissioner Hicks, the floor is yours.

COMMISSIONER HICKS:

Thank you. Hopefully, everyone can hear me. Welcome back, and happy new year. I'm Commissioner Thomas Hicks, the Designated Federal Officer for the Board of Advisors.

Since we last met, our agency successfully helped State and local election officials navigate the 2020 general election, which reportedly had the highest voter turnout in American history. As

you know, this was no small accomplishment for election officials given the ongoing pandemic and its impact on the basic tasks of election administration.

Coupled with repeat challenges to the integrity of election results which escalated last week, our agency's mission remains critical to the continued success of our country's democracy. Clearly, our biggest challenge as we begin 2021 is to continue to show the integrity of the democratic process. We can and are doing this by fulfilling our agency's statutory mandate and through the integral role you play on the Board of Advisors.

Towards that end, you will be briefed today about some of the agency's ongoing work, including updates of the VVSG, the Voluntary Voting System Guidelines, which I'm happy to say is nearing the finish line. The VVSG 2.0 can provide manufacturers with some central -- with certainty about the standards that they -- that their voting machines should have, and it can also provide transparency and reassurance to the public that their votes remain secure. The new guidelines are a long time in the making, and we look forward to a vote really, really soon.

As I mentioned, last year's election was reportedly the highest turnout in American history. This is an amazing feat given the dangers of the pandemic and the dangers it posed to voters and election workers, including postal workers and other

stakeholders. We hope the best practices States and locals adopted to encourage and secure voter turnout continues for future elections. With that in mind, we're looking forward to the Election Administration and Voting Survey, which will help provide useful data about the election.

While our agenda today will cover much, much more, I want to lastly highlight some of the internal agency victories, including almost a 40 percent increase to our agency budget since last year and the highest level our budget has been since 2011, which will allow us to develop and increase staff and programming.

Finally, the arrival of the 117th Congress gives us the opportunity to develop new relationships with members and staffs which provide both oversight and funding to the EAC. We look forward to working with them over the next two years.

And with that I want to thank you all for being here today, and I want to turn it over to the Executive Director of the EAC, Mona Harrington. Thank you.

CHAIRMAN YAKI:

Ms. Harrington?

MS. HARRINGTON:

Thank you, Commissioner Hicks.

Good afternoon, everyone. I'll be providing you with an agency update beginning with VVSG 2.0. Just as Commissioner

Hicks reported, since the last quarterly conference call, we can report the VVSG 2.0 is very close to completion, excited to report that. The EAC and NIST diligently worked to complete the review and integration of the entirety of the public comments of VVSG 2.0, and this allowed for the drafting of testing assertions to align with the requirements to be implemented by the Testing and Certification Program. It revised Testing and Certification Program Manual to include testing requirements and update processes and procedures associated with VVSG 2.0. It revised Voting System Test Laboratory Program Manual to update processes and procedures consistent with VVSG 2.0, a draft of a VVSG 2.0 lifecycle policy that plans to address sunseting previous versions of the VVSG, providing a path to upgrade voting systems and providing a path to decertification of outdated voting systems. And finally, the staff recently briefed EAC Commissioners on the VVSG 2.0 in preparation for a vote.

Now, I'll give you an update on grants. As you know, the EAC received a combined 805 million in election security grants in 2018 and '20, as well as another 400 million in CARES Act funding in response to the COVID-19 pandemic. The grant staff at the EAC provided extensive training and technical assistance to the States that plan to implement the HAVA and CARES Act funding. This assistance was developed at the height of confusion during the

COVID-19 pandemic. Grant staff also responded to dozens of inquiries from Congress while directly assisting election officials in all States and Territories.

Through September 2020, the States collectively reported spending roughly 29 percent of the 805 million in election security grants distributed. States also reported using these funds in FY 2020 to respond to the pandemic, replace voting equipment, secure and modernize voter registration databases, conduct cybersecurity vulnerability assessments, implement cybersecurity best practices, and to pilot and conduct postelection audits, among other uses.

The CARES Act included 400 million in new HAVA emergency funds made available to the States to prevent, prepare for, and respond to the coronavirus for the 2020 Federal election. The EAC dispersed 397,205,000, 99.3 percent of the obligated 400 million based on the request for those funds by the States. The States had until December 31st, 2020, to expend Federal funds and have until March 27, 2022, to meet the 20 percent match. The first CARES financial and progress reports for the period ending December 31st, 2020, will be due on February 28, 2021.

I'm pleased to report that after a year of a lot of hard work, especially during a pandemic, we officially moved the agency from Silver Spring, Maryland, to an office in Judiciary Square in Washington, D.C. The agency's new headquarters includes space

for a dedicated hearing room and space to host EAC events and conferences, along with expanded space for growing EAC's workforce. All critical infrastructure move activities were completed with no interruptions to our network or telecom services for the agency. Now we're able to surge hotline phone capacity in response to significantly increased call volume related to the 2020 presidential election without interrupting any move activities.

My next update is on research. Following reports of historic voter turnout in 2020 elections, I look forward to the findings of EAVS, the Election Administration Voting Survey. This year, the States have until March 1st to submit the data. We look forward to publishing the final survey, which by statute is due by June 30th.

Separately, during the fall of 2020, the EAC spearheaded an accessibility survey for the 2020 general election. Immediately after the general election, the survey listed more than 2,500 respondents, including 1,750 voters with varying disabilities. The comprehensive study focuses on several important areas such as polling place access, mail, and absentee voting accessibility, COVID-19 obstacles, and civic participation. The survey results will be used by the EAC to assess voting experiences in the 2020 elections and assist election officials in developing policy recommendations for improving the voting process in future

elections. The full study of findings will be made available on the EAC's website in sometime early February 2021.

An update on our funding, in late December Congress passed the omnibus appropriations agreement funding Federal agencies through fiscal year 2021. The President signed the agreement. The EAC received 17 million with 1.5 million to be transferred to NIST. This represents a 37.5 percent increase over FY 2020 funding for salaries and expenses and brings the EAC operating budget to about 15.5.

Last but not least, a little mention of our Clearinghouse Awards initiative. In early December, the EAC announced a call for submissions in the fifth annual national Clearinghouse Awards. The Clearinghouse Awards, known as the Clearies, honor the enterprising spirit and hard work of election officials across the country. We do want to hear from you and your colleagues about initiatives that produced positive results during this year's elections. It's easy to enter and a great way to celebrate the accomplishments of State and local election offices. Information on how to enter is available on the EAC website, and you can contact Pat Leahy on our staff for more information. The deadline for entries is January 22nd, 2021. The categories include improving accessibility for voters with disabilities; outstanding innovations in elections; best practices in recruiting, retaining, and training poll workers; creative

and original "I voted" stickers; and outstanding innovation in election cybersecurity and technology.

Thank you. That concludes my update.

CHAIRMAN YAKI:

Thank you very much, Mona.

We're going to be hearing from another esteemed member of the Commission, the Chair, Mr. Hovland, in just a second, but I wanted to give members of the Board of Advisors a few minutes to ask a couple questions arising from the Executive Director's report. And I know that, Linda Lamone, you had a couple questions.

MS. LAMONE:

I do. Thank you very much, Mr. Chairman.

Mona, who is leading the cyber effort now for the EAC in Maurice and Josh's absence?

MS. HARRINGTON:

Jessica Bowers.

MS. LAMONE:

Okay. And what is the timeline, if you know, for the adoption of the VVSG? When -- do you have sort of a sense of when it might come before the Commission?

MS. HARRINGTON:

I do. I think we're really close. I suspect very soon. I don't know that I'm prepared to make an announcement of a specific

date now, but I expect that this will be put forward for the Commissioners to vote on very soon.

MS. LAMONE:

This year then?

MS. HARRINGTON:

That's correct.

MS. LAMONE:

Okay. Two other quick questions. Who is working on the manuals, and what is the timeline for adopting those if you know?

MS. HARRINGTON:

The guidelines, the requirements, and the manual, the Testing and Certification Manual is kind of one piece of it that will be voted on very soon. I keep saying very soon. I'm sure we'll make an announcement. I'm really excited about it. I know we've put a lot of work into it as a Commission, and it's been our number-one priority. And so, that will happen very soon. And then the next piece of that is a NIST accreditation piece where labs get accredited, and that's -- I'm still trying to get a better timeline to answer more about the lab manuals and what that looks like, because that's, again, a NIST piece for them to accredit the labs. But as far as the program manual, the requirements, and the guidelines, those will all be voted on very soon. And I don't use soon lightly.

MS. LAMONE:

Okay. But who is --

MS. HARRINGTON:

I don't have a date to announce just yet, but I -- we will soon.

MS. LAMONE:

So who is working on them?

MS. HARRINGTON:

We have a group at the agency which includes myself, General Counsel, Testing and Certification staff, staff from the Office of the Chief Information Officer, coordination with staff members at NIST. I think it's a lot to kind of mention on this call but I'm happy to follow up in an email.

MS. LAMONE:

So it's a collaborative effort with you all and NIST?

MS. HARRINGTON:

Absolutely.

MS. LAMONE:

Okay, great. And lastly, there's been a lot of talk lately about sort of an annual cleanup process. I think Ben was promoting it, you know, and I think you have indicated that you like it, too. Is there Commissioner support for doing that, do you know?

MS. HARRINGTON:

Absolutely. I think there is certainly support. A couple of comments on that. I think HAVA directs us as an agency to perform an annual review on the VVSG, so that would be a very good thing to do as far as compliance is concerned. I also think that having an agile process and keeping the VVSG innovative, meeting regularly, perhaps even more often than once a year is an important initiative for us. I think there will be, moving forward, a regular review of the VVSG against modernization efforts and certainly an annual update or presentation to our boards.

MS. LAMONE:

Okay, fabulous. Thank you so much. I appreciate everything you're doing.

MS. HARRINGTON:

Of course, thank you.

MS. LAMONE:

Thank you, Chair.

CHAIRMAN YAKI:

Thank you. I have just a quick -- thank you very much, Ms. -- Linda.

A quick question for Ms. Harrington. I think that we have very limited time on this call, but I think that there are a number of different -- I have received actually a number of different questions regarding VVSG and questions that people have on that. If the

Board of Advisors were to submit questions regarding VVSG to you to receive answers of it prior to a vote by the Commission, because I think they would like to share perhaps information with the Commission, when would we need to do that by?

MS. HARRINGTON:

In all honesty, I mean, you can send anything you feel would be relevant for us to receive as soon as you're ready to send it. I don't want to put any timeline around that. But I think more importantly is, you know, we went through this HAVA-required process where we put this out for comment, we sent it to our boards some time ago. We've had numerous public meetings about it. We've really worked so hard in the last year to keep this moving. So, I think, you know, send anything you feel relevant that you need to send, but I feel like we're pretty late in the process to perhaps be receiving something new at this late stage.

CHAIRMAN YAKI:

Well, it all depends on if the information that we receive is new, so that's the question. And so, the answer is ASAP.

Two, one housekeeping issue, Secretary Ricky Hatch is here. He's direct-messaged me. Ricky, if you can just say that you're here, that would be great. Ricky? Unmute, Ricky. I see your face.

MR. HATCH:

All right. I just got cut off, but I'm back now. Thank you.

CHAIRMAN YAKI:

Okay, thank you. So Ricky Hatch is here.

And I'm going to allow one more question on this issue, and then we're going to move on to Commissioner Hovland.

Barbara Simons, you had a question?

MS. SIMONS:

Yes, it's a very quick one. Could you just tell -- will we be given advance notice before the Commissioners decide to vote on the VVSG in case there are any last-minute recommendations we want to make? So, in other words, how much in advance of the vote will we be told that the vote is going to happen?

MS. HARRINGTON:

We will -- you will certainly be aware of it within two weeks of -- two weeks in advance because, you know, we register it -- the Federal Notice would be required, so I would say two weeks at the latest.

CHAIRMAN YAKI:

Okay. What I would like on behalf of the Board of Advisors, Ms. Harrington, is when you send the notice out for the meeting, if you would let us know, that would be great, and then we can move forward from there if there's any last-minute information members

wish to transmit to the Board -- to the Commission, I mean. That would be great.

Okay. Thank you. I'm going to close questions on this. Thank you for your report, Madam Executive Director. We are going to move now to our special guest, the Chair of the U.S. Election Assistance Commissioner -- Commission, Ben Hovland, who will give us an update on the --

MR. DICKSON:

I've lost all sound.

CHAIRMAN YAKI:

-- Government Coordinating Council. Executive Committee -- who's lost all sound?

COMMISSIONER HOVLAND:

Thanks, Chairman Yaki.

It's great to be here, to see you all. It's been too long, you know, without our sort of conferences. I see Keith's got quite a beard going. I don't think I'd seen that before. So, anyway, great to join you all. Just a quick update on what's been going on with the Government Coordinating Council. I know we have some newer folks and, you know, some people that don't -- aren't necessarily full-time in this space, so just a little background.

The Government Coordinating Council is a relatively new thing for elections. That came about as part of the critical

infrastructure designation that occurred in January 2017. And with the establishment of the election infrastructure subsector, there was the creation of a Government Coordinating Council, which is made up of State, local, and Federal partners and a Sector Coordinating Council, which is our private nonprofit election service providers, manufacturers, nonprofits that support election administrators.

And so, the whole of these entities generally meet twice a year, but there's executive committees that have regular teleconferences usually every other week. The EAC Chair sits on the executive committee along with a representative from CISA, the President of NAS, the President of NASED, and a local election official representative.

You know, these entities have really been part of a sea change in information-sharing between State, local, and Federal partners that's happened since 2016. You know, I think the example of exchanging business cards in the middle of a storm is probably overused, but, you know, having this structure in place, you know, really allowed us to avoid that type of scenario this year during the pandemic. You know, we were already in regular communications around cyber issues, and we were able to pull in other relevant partners as needs arose, people like partners from the USPS -- I'm sure a lot of you were on some of those calls -- or

the CDC. And so, again, I really think that the governance structure has paid a lot of dividends.

We've also been able to stand up some -- a number of working groups to provide products in those areas. You know, again, of particular note, this year we had a joint GCC-SCC working group that responded to COVID issues, producing a number of documents -- I want to say, like 19 -- along the lines of best practices but then also lessons learned out of the primaries, so certainly that was a value add.

We also launched -- or relaunched a training working group this year, which was able to identify existing cyber trainings that were out there for election officials, but also identify gaps in the current resources with an eye toward filling those in the future. And so again, I think this new structure has proved to be useful. You know, again, it gets a lot of people the room to be able to share different vantage points.

And I think an important piece for the EAC and our partners at CISA, you know, it's an opportunity to try to leverage the resources we have access to and a way to help our State and local partners and again to be able to, you know, leverage some of those relationships with the manufacturers and the nonprofits that support election officials. So, you know, again, it's been a good experience

I think, and I'm happy to answer any questions you might have about it.

CHAIRMAN YAKI:

Great. Other than the barking dog, are there any questions that people have for the Chair?

[No response]

CHAIRMAN YAKI:

You've rendered us speechless, Mr. Chair, and for some, that's probably a good thing.

The -- I wanted to recognize that our Vice Chair Sarah Ball Johnson is on the call as well. Sarah, do you want to say you're here?

MS. JOHNSON:

Hello. I am present.

CHAIRMAN YAKI:

Okey-doke. And Liz Howard is in the waiting room. Okay. So I see some people are all here. I have a quick -- thank you very much, Mr. Chair. I appreciate your time and attention to us. We appreciate your update.

Committee and subcommittee updates, nothing more other than to say that you should see in your inbox today I sent -- I resent my survey of interests in different issue areas that may result in the creation of new committees for the board, something that I had

talked about last year. I would have done it earlier but intervening things like something called the election and other things for a lot of you got involved, so I hope to have this -- work on this and have some information and proposals out for you to review in the next coming weeks.

Finally, this is not, as some of you have inquired, a business meeting. I actually thought it was going to be a business meeting as well. Otherwise, we could take some action today to both praise and thank all of you and all of the election officials who have been involved in this last -- this past year's election for the amazing work and courage that you all exhibited in very trying times. And we hope that you will stay safe, and our thoughts and prayers and thanks are with each and every one of you and all of your colleagues and staff who have done such a great job. Those of us on the board who are not election officials are in your debt, and, again, hopefully, we'll take something more formal on that in a couple of months.

Is there any other business before the -- before this meeting before I adjourn and close? Mr. -- Commissioner Hicks, do you have any closing remarks you'd like to add?

COMMISSIONER HICKS:

Thank you, Mr. Chairman. I would like to just echo what you are saying about thanking the election workers and also all the

advocates who are also on this call and all the elected officials who are on this call. It takes a lot of effort to get through any election, and if any of those pieces don't really mesh, that piece -- a piece of the wheel doesn't turn as well. And I think with 2020 we had a lot of different aspects to be thrown at us, and I think all of us who witnessed the great efforts that were going on should be proud of the efforts that were going on.

That's not to say that there is not work to be done, and I hope that the agency can raise to the challenge, and I hope that this board provides the information and questions that are needed for the agency to also raise to that challenge.

I want to point out that with Executive Director Harrington's remarks, those were some huge accomplishments that the agency went through last year. To say that we've gotten a 40 percent increase in our budget is massive. To say that we've moved out of the Montgomery County corridor, which, as everyone knows, I love, but, you know, to move back into D.C. is huge. And I hope to see you all in person very soon.

So, with that, I want to turn it back over to the Chair, but thank you all and stay safe and keep doing what you do.

CHAIRMAN YAKI:

Yes. And, again, thank you, Commissioner Hicks. Great timing on the move.

The -- everyone, this has been auspicious, in some ways, interesting start to the new year. I hope you all had great holidays and a good year and --

MR. DICKSON:

Mr. Chair?

CHAIRMAN YAKI:

-- we will be in touch. Yes, Mr. Dickson?

MR. DICKSON:

Yes. I just want to echo the thanks that you articulated to the election officials for an outstanding job, but also let the board know that the disability community is very pleased and excited about the survey that is in the works. And without the leadership of all four Commissioners and Executive Director Harrington, I don't know that we would have had it. And we are very grateful for their interest, their diligence. I'm looking forward to what I think will be very useful data early in February.

CHAIRMAN YAKI:

Thank you very much, Mr. Dickson. I always appreciate your remarks. With that note, we'll be in touch soon. Stay safe. Have a good Martin Luther King Jr. holiday. And --

MR. DICKSON:

Get your shot.

CHAIRMAN YAKI:

Again, get your shot. This meeting is now adjourned.

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[The Virtual Public Meeting of the United States Election Assistance Commission  
adjourned at 2:36 p.m.]

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