DOCUMENTS NUMBERED 00001-03095
Hi Peg,

How are you? I was wondering, whatever happened to getting the collective notes of the EAC staff?

Thanks. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM ---

"Tova Wang"

To psims@eac.gov
cc
Subject transcript

Hi Peg,

Do you have an ETA for the transcript? Seems like it should be around now. Thanks and have a great weekend. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM ---

06/08/2006 09:15 AM
To psims@eac.gov
cc "Job Serebrov"
Subject
Hi, What's going on? I have not received responses from either one of you in a week. I'd like to wrap this up in the next two weeks if we can. Did you get my recommendations? Thanks.

Tova

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM -----
Margaret Sims/EAC/GOV
06/08/2006 09:35 AM
To
cc
Subject Re:

Sorry. We have been swamped with other program activities and preparations for today's testimony before House Admin. We have not yet received the transcript of the Working Group session. Devon checked with the court reporter, who said it will be delivered today. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM -----

Hi, What's going on? I have not received responses from either one of you in a week. I'd like to wrap this up in the next two weeks if we can. Did you get my recommendations? Thanks.

Tova

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM -----

Devon E. Romig/EAC/GOV
06/07/2006 10:08 AM
To
cc
Subject Re: Transcript of 5-18-06 Working Group Meeting

Tim at Carol reporting said the transcript will be here today or tomorrow.

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
Have we had any word about the transcript for the 5-18-06 Voting Fraud-Voter Intimidation Working Group meeting? Our consultants each need a copy so that they can draft the final report? If we have it in electronic form, so much the better. --- Peggy

Hi Peg,

How do you recommend dealing with this? I have this feeling like he's trying to create a situation where I will have to write it myself. Thanks. Tova

Peggy:

I can't predict when I get home but it is between 5:30 and 6:30 my time. I know that is generally too late to have a teleconference.

I plan to review Tova's recommendations this weekend and work on my own as well as expanding the explanation of the case section.

Please see what your financial officer did with regards to my travel.
Thank you,

Job

--- psims@eac.gov wrote:

> What time do you arrive home from work? Perhaps we could talk then?

> Re your question on the mileage, I have approached our Financial Officer with a request that you receive full reimbursement on the grounds that your actual total travel costs are less than the estimated total travel costs if you had flown to DC, stayed in our more expensive hotels, and received the higher per diem for 3 days (instead of 1). I have not yet received a response from her and she has been out of the office much of this week, so I don't know what she decided to do.

> --- Peggy

>

>

"Job Serebrov" <

06/08/2006 01:10 PM

>

To

psims@eac.gov, wang@tcf.org

cc

tquila.net

Subject

Re: Transcript & Teleconference

>

>

>

>

>

>

>

Peg:

I just arrived home for lunch. I can no longer take time during the work day for telephone conferences. As I told you I will need to finish this project after daily working hours. I am still getting things done from being out for ten days. I will review Tova's recommendations and expand on mine this weekend.

Also, I sent you an e-mail asking how you handled the mileage portion of my travel voucher?

>

Job

>

>

>

--- psims@eac.gov wrote:
Can we make it 4 EST? I have another meeting at 3.

--- Original Message ---
From: <sims@eac.gov>
To: 
Cc: 
Sent: Thursday, June 08, 2006 9:55 AM
Subject: Re: Transcript & Teleconference

I'll see how it comes in. I hope we receive an electronic copy. If we only receive a hard copy, we can pdf it and email it to the two of you.

How about Monday afternoon at 3 PM EST for a brief teleconference? I really can't do it before then because of other commitments. --- Peggy
How will you be getting it to us? Will it be
something you can email?
And

Can we set up a call for some time in the next
few
days? Thanks.

----- Original Message ----- 
From: <psims@eac.gov>
To: 
Cc: 
Sent: Thursday, June 08, 2006 9:35 AM
Subject: Re:

>>> Sorry. We have been swamped with other program
activities and
préparations
for today's testimony before House Admin. We
have not yet received the
transcript of the Working Group session. Devon
checked with the court
reporter, who said it will be delivered today.
--- Peggy

06/08/2006 09:15 To
psims@eac.gov
cc
Serebrov

"Job"

Subject

Hi, What's going on? I have not received
I'll fax it to you if that works. The total is $124.44. Thank you. Have a nice weekend. Tova

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Friday, June 09, 2006 3:03:PM
To: 
Subject: Re: travel

Send it now. Let me know how much it is, so that I can include it in the total for reimbursement. ---
Peggy

"Tova Wang"
06/09/2006 01:56 PM
To psims@eac.gov
cc
Subject travel
Hi again,

I just got the bill from our car service from the trip last month. Can I still send it to you? Do I need a cover note? Thanks. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM ---

"Tova Wang"

go@gao.gov
06/09/2006 12:49 PM
To psims@eac.gov, "Job Serebrov"  
cc
Subject more gao

Sorry, its 500 pages -- it also includes data on absentee fraud and voter intimidation

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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Click here to receive our weekly e-mail updates.

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM ---

Margaret Sims/EAC/GOV
06/12/2006 05:09 PM
To "Tova Wang" g@eac.gov, g@eac.gov
cc
Subject RE: Will Call Later
How about 9:30 AM EST, Wednesday morning (6/14/06)?

"Tova Wang"

"Tova Wang"

06/12/2006 04:46 PM

To psims@eac.gov

Subject RE: Will Call Later

Either between 9 and 10 or between 12 and 1:30 would be ideal, but I should be around most of the afternoon. Thanks Peg. Tova

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, June 12, 2006 2:39 PM
To:
Subject: Will Call Later

I'll try to call you Wednesday. Is there a time that is best for you? Today has been too hectic. Tomorrow is primary election day in VA. Still no transcript. I have taken a look at the recommendations that you sent me, but have not yet heard from Job. --- Peg

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM -----
Devon E. Romig/EAC/GOV

06/07/2006 10:01 AM

To Margaret Sims/EAC/GOV@EAC

cc jwilson@eac.gov

Subject Re: Transcript of 5-18-06 Working Group Meeting

I will call the transcript company and ask them about it.

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov
Margaret Sims/EAC/GOV

Margaret Sims/EAC/GOV

06/07/2006 09:47 AM

To dromig@eac.gov, jwilson@eac.gov

cc

Subject Transcript of 5-18-06 Working Group Meeting
Have we had any word about the transcript for the 5-18-06 Voting Fraud-Voter Intimidation Working Group meeting? Our consultants each need a copy so that they can draft the final report? If we have it in electronic form, so much the better. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM -----
Diana Scott/EAC/GOV
06/09/2006 01:02 PM
To Margaret Sims/EAC/GOV@EAC
cc
Subject Travel Reimbursement for Job Sebrebrov

Peggy,

Regarding his travel for the EAC's May 18 meeting, I would concur with you that we should reimburse Mr. Serebrov in the amount of $1200.03 for travel related expenses (hotel/mileage/per diem). Since there is a $577.95 dollar difference in cost (travel via air vs travel via POV), I believe the $1200.03 is more economically advantageous to the Agency. Attached is your drafted memo.

JobSerebrov$1200.03reimbursement.pdf

Diana M. Scott
Administrative Officer
U.S. Election Assistance Commission
(202) 566-3100 (office)
(202) 566-3127 (fax)
dscott@eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM -----
Margaret Sims/EAC/GOV
06/09/2006 04:45 PM
To "Tova Wang"
cc
Subject RE: travel

Got It! You should receive a total travel reimbursement of $1,533.02 for that trip. (I could not include the internet service fee the hotel charged, but everything else counted.) --- Peggy

"Tova Wang"
I'll fax it to you if that works. The total is $124.44. Thank you. Have a nice weekend. Tova

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Friday, June 09, 2006 3:03 PM
Subject: Re: travel

Send it now. Let me know how much it is, so that I can include it in the total for reimbursement. ---
Peggy

Hi again,

I just got the bill from our car service from the trip last month. Can I still send it to you? Do I need a cover note? Thanks. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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Click here to receive our weekly e-mail updates.
Perfect. Thanks.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, June 12, 2006 4:09 PM
To:
Subject: RE: Will Call Later

How about 9:30 AM EST, Wednesday morning (6/14/06)?

Either between 9 and 10 or between 12 and 1:30 would be ideal, but I should be around most of the afternoon. Thanks Peg. Tova

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, June 12, 2006 2:39 PM
To:
Subject: Will Call Later

I'll try to call you Wednesday. Is there a time that is best for you? Today has been too hectic. Tomorrow is primary election day in VA. Still no transcript. I have taken a look at the recommendations that you sent me, but have not yet heard from Job. --- Peg
Here are my recommendations with the last one now included. Please let me know about the transcript and when you all want to talk about getting the final report done. Thanks. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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Peggy:

Any sign of the transcript? Will the other members of the working group get a copy? I have had questions from several about it.

If you want to talk I can do so this Friday at 6 pm your time.

Job

4 PM EST is fine with me, if it works for Job. --- Peggy
Can we make it 4 est? I have another meeting at 3.

----- Original Message ----- 
From: <psims@eac.gov>
To:
Cc: 
Sent: Thursday, June 08, 2006 9:55 AM
Subject: Re: Transcript & Teleconference

> I'll see how it comes in. I hope we receive an electronic copy. If we
> only receive a hard copy, we can pdf it and email it to the two of you.
> How about Monday afternoon at 3 PM EST for a brief teleconference? I
> really can't do it before them because of other commitments. --- Peggy

> How will you be getting it to us? Will it be something you can email?
> And
> can we set up a call for some time in the next few days? Thanks.

> ----- Original Message ----- 
> From: <psims@eac.gov>
> To: 
> Cc: 
> Sent: Thursday, June 08, 2006 9:35 AM
> Subject: Re:
Sorry. We have been swamped with other program activities and preparations for today's testimony before House Admin. We have not yet received the transcript of the Working Group session. Devon checked with the court reporter, who said it will be delivered today. --- Peggy

Hi, What's going on? I have not received responses from either one of you in a week. I'd like to wrap this up in the next two weeks if we can. Did you get my recommendations? Thanks.

Tova

I can't do that time, I'll be at an event in DC.

-----Original Message-----
From: Job Serebrov [mailto:]
Sent: Tuesday, June 13, 2006 8:10 AM
To: psims@eac.gov; Subject: Transcripts, Etc.

Peggy:

Any sign of the transcript? Will the other members of the working group get a copy? I have had questions from several about it.

If you want to talk I can do this Friday at 6 pm your time.

Job

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM -----

"Tova Wang"

06/09/2006 12:09 PM

To psims@eac.gov, "Job Serebrov"

cc

Subject gao report

This has information on many of our topics, but they also surveyed jurisdictions on voter reg fraud coming up with a rate of 5%

http://www.gao.gov/cgi-bin/getrpt?GAO-06-450

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM -----

Joyce Wilson/EAC/GOV

06/07/2006 09:58 AM

To Margaret Sims/EAC/GOV@EAC

cc

Subject Re: Transcript of 5-18-06 Working Group Meeting
Not that I know of. Would it have gone to Bryan possibly? Our public meeting transcripts go to him.

Joyce H. Wilson
Staff Assistant
US Election Assistance Commission
202-566-3100 (office)
202-566-3128 (fax)

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM ---
Margaret Sims/EAC/GOV
06/09/2006 04:50 PM
To  "Job Serebrov" @GSAEXTERNAL
cc
Subject Re: Travel & Transcripts

Our Financial Officer accepted my arguments. You should receive a travel reimbursement totalling $1,200.03. GSA will reimburse through electronic funds transfer. I don't usually receive notification when our consultants are reimbursed.

I still have no transcripts. --- Peggy

"Job Serebrov" To psims@eac.gov, wang@tcf.org
06/08/2006 10:42 PM
cc
Subject Re: Transcript & Teleconference

Peggy:

I can't predict when I get home but it is between 5:30 and 6:30 my time. I know that is generally too late to have a teleconference.

I plan to review Tova's recommendations this weekend and work on my own as well as expanding the explanation of the case section.

Please see what your financial officer did with regards to my travel.

Thank you,

Job

--- psims@eac.gov wrote:

> What time do you arrive home from work? Perhaps we
could talk then?

Re your question on the mileage, I have approached our Financial Officer with a request that you receive full reimbursement on the grounds that your actual total travel costs are less than the estimated total travel costs if you had flown to DC, stayed in our more expensive hotels, and received the higher per diem for 3 days (instead of 1). I have not yet received a response from her and she has been out of the office much of this week, so I don't know what she decided to do.

--- Peggy


"Job Serebrov" <job.serebrov@example.com>
06/08/2006 01:10 PM

To
psims@eac.gov, wang@tcf.org
cc

Subject
Re: Transcript & Teleconference


Peg:

I just arrived home for lunch. I can no longer take time during the work day for telephone conferences. As I told you I will need to finish this project after daily working hours. I am still getting things done from being out for ten days. I will review Tova's recommendations and expand on mine this weekend.

Also, I sent you an e-mail asking how you handled the mileage portion of my travel voucher?

Job

---

--- psims@eac.gov wrote:

> 4 PM EST is fine with me, if it works for Job.
> ---
> Peggy
> >
> >
Can we make it 4 EST? I have another meeting at 3.

----- Original Message -----
From: <psims@eac.gov>
To: <psims@eac.gov>
Cc: <psims@eac.gov>
Sent: Thursday, June 08, 2006 9:55 AM
Subject: Re: Transcript & Teleconference

I'll see how it comes in. I hope we receive an electronic copy. If we only receive a hard copy, we can pdf it and email it to the two of you. How about Monday afternoon at 3 PM EST for a brief teleconference? I really can't do it before then because of other commitments. --- Peggy
How will you be getting it to us? Will it be something you can email? And can we set up a call for some time in the next few days? Thanks.

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To: Cc: 
Sent: Thursday, June 08, 2006 9:35 AM
Subject: Re:

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--- Peggy

06/08/2006 09:15 To AM
psims@eac.gov
cc
"Job Serebrov"

Subject

Hi, What's going on? I have not received responses from either one of you in a week. I'd like to wrap this up in the next two weeks if we can.

Did you get my recommendations? Thanks.
Could you do Friday in the morning?

----- Original Message ----- 
From: "Job Serebrov" <psims@eac.gov>
To: <psims@eac.gov>
Sent: Wednesday, June 14, 2006 10:17 PM
Subject: Re: teleconference

> Tova:
> 5 pm EST is 4 pm Central. Peg would have to call at 7 pm EST to be 6 pm Central.
> Job
> ---
> >> Let's try to do that. Peg, you will call us 5 pm EST?
> >> ----- Original Message ----- 
> >> From: "Job Serebrov" <psims@eac.gov>
> >> To: "Tova Wang" <psims@eac.gov>
> >> Sent: Wednesday, June 14, 2006 6:29 PM
> >> Subject: Re: teleconference
> >>
> >> Wednesday next week? It would have to be 6 pm.
> >>
> >> --- Tova Wang wrote:
> >>
> >> Hi Job,
> >>
> >> Peg tells me that we should now be getting the
transcript early next week.
Regardless, we should talk about the organization and distribution of work on the final report and try to finally get it done.
Would it be possible for you to do a call before you leave for work in the morning, say 8 am your time, on Wednesday? If not, could you do 6 pm your time on Wednesday?
Thanks.

Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation
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----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM -----

To: psims@eac.gov
Cc: ccsims@eac.gov
Subject: Re: Transcript & Teleconference

Peg:
I just arrived home for lunch. I can no longer take time during the work day for telephone conferences. As I told you I will need to finish this project after daily working hours. I am still getting things done from being out for ten days. I will review Tova’s
recommendations and expand on mine this weekend.

Also, I sent you an e-mail asking how you handled the mileage portion of my travel voucher?

Job

--- psims@eac.gov wrote:

> 4 PM EST is fine with me, if it works for Job. --- Peggy

> 06/08/2006 10:10 AM

> To psims@eac.gov
> cc
> Subject Re: Transcript & Teleconference

> Can we make it 4 est? I have another meeting at 3.

> ---- Original Message ----
> From: <psims@eac.gov>
> To: <psims@eac.gov>
> Cc: <psims@eac.gov>
> Sent: Thursday, June 08, 2006 9:55 AM
> Subject: Re: Transcript & Teleconference

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> 06/08/2006 09:42 AM
> psims@eac.gov
How will you be getting it to us? Will it be something you can email? And can we set up a call for some time in the next few days? Thanks.

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From: <psims@eac.gov>
To: <Job Serebrov>
Cc: <psims@eac.gov>
Sent: Thursday, June 08, 2006 9:35 AM
Subject: Re:

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--- Peggy

06/08/2006 09:15 To AM
psims@eac.gov
cc cc Job Serebrov
Subject

Hi again,

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Tova Andrea Wang
Democracy Fellow
The Century Foundation

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"Job Serebrov" <

"Job Serebrov"

06/08/2006 01:10 PM

To psims@eac.gov.

Subject Re: Transcript & Teleconference

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> >
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> > Subject Re: Transcript & Teleconference
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--- Peggy

06/08/2006 09:15 To AM
psims@eac.gov
cc
Serebrov
Subject

Hi, What's going on? I have not received responses from either one of you in a week. I'd like to wrap this up in the next two weeks if we can. Did you get my recommendations? Thanks.
Tova
Normally I am not home for lunch.

--- Tova Wang wrote:

> What about during a lunch hour?
> 
> I can't predict when I get home but it is between 5:30 and 6:30 my time. I know that is generally too late to have a teleconference.

> I plan to review Tova's recommendations this weekend and work on my own as well as expanding the explanation of the case section.

> Please see what your financial officer did with regards to my travel.

> Thank you,

> Job

--- psims@eac.gov wrote:

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--- Peggy

"Job Serebrov" <

06/08/2006 01:10 PM

To
psims@eac.gov, wang@tcf.org
cc
Subject
Re: Transcript & Teleconference

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06/08/2006 09:42 To
psims@eac.gov
cc 
Subject 
Re: Re:

000031
How will you be getting it to us? Will it be something you can email? And can we set up a call for some time in the next few days? Thanks.

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From: <psims@eac.gov>
To: 
Cc: 
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Subject: Re: 

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Devon checked with the court reporter, who said it will be delivered today.

--- Peggy

06/08/2006 09:15

--- message truncated ---

---------- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM ----------

"Tova Wang" To "Job Serebrov" <psims@eac.gov>
06/21/2006 11:00 AM cc Subject nexis

Hi Peg and Job,
I don't know how we might be able to use these but here, finally, are the super-refined versions of the nexis charts. Can we include them? Thanks. Tova

----- Original Message ----- 
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, June 19, 2006 12:24 PM
To: mow...@cf.org
Subject: Re: voucher

Looks good to me! --- Peggy

Hi Peg,

Attached is my voucher for the last month -- can you check it quickly before I send it? Also, are we good for Wednesday at 7? Thanks. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation
--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM ---

06/15/2006 03:30 PM

To: "Job Serebrov"<psims@eac.gov>

Subject: Re: teleconference

fine

----- Original Message -----  
From: "Job Serebrov"  
To: <p"sims@eac.gov>  
Sent: Wednesday, June 14, 2006 10:17 PM  
Subject: Re: teleconference

> Tova:
>
> 5 pm EST is 4 pm Central. Peg would have to call at 7
> pm EST to be 6 pm Central.
>
> Job
>
> --- [redacted] wrote:
>
>> Let's try to do that. Peg, you will call us 5 pm
>> EST?
>> ----- Original Message -----  
>> From: "Job Serebrov"  
>> To: "Tova Wang"  
>> Sent: Wednesday, June 14, 2006 6:29 PM  
>> Subject: Re: teleconference
>>
>>
>> >> Wednesday next week? It would have to be 6 pm.
>>>  
>>> >> --- Tova Wang [redacted] wrote:
>>> >> Hi Job,
>>> >>
>>> >> Peg tells me that we should now be getting the
>>> >> transcript early next week.
>>> >> Regardless, we should talk about the organization
>>> >> and distribution of work
>>> >> on the final report and try to finally get it
>>> >> done.
>>> >> Would it be possible
>>> >> for you to do a call before you leave for work in
>>> >> the morning, say 8 am your
>>> >> time, on Wednesday? If not, could you do 6 pm
>>> >> your
>>> >> time on Wednesday?
Thanks.

Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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--- Forwaded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM ---

Margaret Sims/EAC/GOV
06/19/2006 01:24 PM
To "Tova Wang"
cc
Subject Re: voucher

Looks good to me! --- Peggy

"Tova Wang"

"Tova Wang"
06/19/2006 08:40 AM
To psims@eac.gov
cc
Subject voucher

Hi Peg,

Attached is my voucher for the last month -- can you check it quickly before I send it? Also, are we good for Wednesday at 7? Thanks. Tova
Good news!!! The transcript is finally here.

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov

Dear EAC,

Attached please note the ASCII file for the Voting Fraud-Voter Intimidation Meeting taken on Wednesday, May 18, 2006. Your transcript has been shipped to you.

ASCII file name: 051806.txt

Please let us know if you have any questions.

051806, TXT Timothy Brischler, Office Manager, 703.273.9221
I have been told that GSA expects to make the disbursement next week, probably on or around June 28. --- Peggy

Here's an update from Craig on his Election Crimes book. The last was published in 1995.

It is written and currently in the Deputy AG's office for policy review.

I have published the two most substantive chapters of the new book as private, personal papers under the aegis of the International Foundation for Electoral Systems (IFES), for which I have done a lot of work around the world. I recommend that you access IFES' website and go to the "Money and Politics" part of their extensive site. I should have two papers available there, one addressing Abuse of the Franchise (published in connection with work I did last year in Liberia) and the other involving Federal Campaign Finance Xrime" done in connection with work in Bosnia.

If you can't find them this way, please call me: 

Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM ---

Margaret Sims/EAC/GOV
06/19/2006 04:28 PM
To Job Serebrov
cc
Subject Travel Reimbursement

--- Forwarded by Bryan Whitener/EAC/GOV on 06/15/2006 08:38 AM —

"Donsanto, Craig"
<Craig.Donsanto@usdoj.gov>
To bwhitener@eac.gov
cc
06/13/2006 08:04 PM
Subject The 7th Edition!
It will need to be early next week. What news of the transcript?

--- psims@eac.gov wrote:

> I am sorry, but I have to postpone the teleconference originally scheduled for this evening. Is another day this week or early next week good for you two?
> Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM ---

Can I also get an answer on whether we can speak about the project publicly?

OK. I have marked my calendar for a 7 PM EST/6 PM CST teleconference for this Wednesday. Still no transcript. --- Peggy
fine

----- Original Message ----- 
From: "Job Serebrov" <psims@eac.gov>
To: "Tova Wang" <psims@eac.gov>
Sent: Wednesday, June 14, 2006 10:17 PM 
Subject: Re: teleconference 

> Tova: 
> 5 pm EST is 4 pm Central. Peg would have to call at 7 pm EST to be 6 pm Central. 
> Job 
> --- write: 
> >> Let's try to do that. Peg, you will call us 5 pm EST? 
> >> ----- Original Message ----- 
> >> From: "Job Serebrov" <psims@eac.gov> 
> >> To: "Tova Wang" <psims@eac.gov> 
> >> Sent: Wednesday, June 14, 2006 6:29 PM 
> >> Subject: Re: teleconference 
> >> 
> >> > Wednesday next week? It would have to be 6 pm. 
> >> > 
> >> > --- Tova Wang <psims@eac.gov> 
> >> >> Hi Job, 
> >> >> 
> >> >> Peg tells me that we should now be getting the transcript early next week. 
> >> >> Regardless, we should talk about the organization and distribution of work on the final report and try to finally get it done. 
> >> >> Would it be possible for you to do a call before you leave for work in the morning, say 8 am your time, on Wednesday? If not, could you do 6 pm your time on Wednesday? 
> >> >> Thanks. 
> >> >> 
> >> >> Tova 
> >> >> 
> >> >> Tova Andrea Wang 
> >> >> Democracy Fellow 
> >> >> The Century Foundation 
> >> >> 1062 17th Street, N.W.  
> >> 
> 000039
Would it be possible to find out how fast GSA will be able to process the travel reimbursement for Job Serebrov? --- Peggy

Peggy:

I need you to check on Monday to see when I will get my last invoice paid as well as my travel which was going to be expedited.

Are we still talking on Wednesday at 7 EST?

Thanks,

Job
Your personal services invoice should be paid this week (Thursday or Friday). The payment of travel costs will take longer. I’ll check with Finance to see if we can get an estimated date from GSA. --- Peggy

Peggy:

I need you to check on Monday to see when I will get my last invoice paid as well as my travel which was going to be expedited.

Are we still talking on Wednesday at 7 EST?

Thanks,

Job

Adam, Craig thought you were looking for a list of federal statutes, which are discussed in our election fraud manual. We don’t have lists of state election crimes. Craig suggests that you contact Peggy Sims at the EAC — she’s a wonderful resource, and I’m including her in my reply. Good luck.

Nancy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM -----

Diana Scott/EAC/GOV
Peggy--We sent the request to the Finance Center on 6/13. Finance quotes a 2 week turnaround.

Diana M. Scott  
Administrative Officer  
U.S. Election Assistance Commission  
(202) 566-3100 (office)  
(202) 566-3127 (fax)  
dscott@eac.gov

Margaret Sims/EAC/GOV

Would it be possible to find out how fast GSA will be able to process the travel reimbursement for Job Serebrov? --- Peggy

OK. Next Monday (6-26) at 7 PM EST. I'll call you.  
Peggy

----- Original Message -----  
From: "Job Serebrov" <TOVA ANDREA WANG>  
Sent: 06/21/2006 09:34 PM
To: psims@eac.gov
Subject: Re: Teleconference

Monday at 7 EST is ok with me. What about you Peg?

Job

--- psims@eac.gov wrote:

> How about Monday at 6:30 or 7 EST?
> ----- Original Message ----- 
> From: "Job Serebrov" <sims@eac.gov>
> To: < psims@eac.gov>; "Tova Andrea Wang"
> Sent: Wednesday, June 21, 2006 6:21 PM
> Subject: Re: Teleconference
>
>
> > It will need to be early next week. What news of
> > the
> > transcript?
> >
> >
> > --- psims@eac.gov wrote:
> >
> >
> > >>> I am sorry, but I have to postpone the
> > >>> teleconference originally scheduled
> > >>> for this evening. Is another day this week or
> > >>> early
> > >>> next week good for you
> > >>> two?
> > >>> Peggy
> > >>>
> > >>> ---------------------------
> > >>> Sent from my BlackBerry Wireless Handheld
> > >>>
> > >>>
> > >>>
> > >>
> > >
> >

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM -----
Margaret Sims/EAC/GOV
06/19/2006 12:30 PM

To: Bryan Whitener/EAC/GOV
cc: Gavin S. Gilmour/EAC/GOV@EAC, Juliet E. Thompson-Hodgkins/EAC/GOV@EAC

Subject: Re: Fw: The 7th Edition!

I have a copy of Donsanto's IFES paper, if you need it. We used it as one of the resources for the vote fraud-voter intimidation research. --- Peggy
Here's an update from Craig on his Election Crimes book. The last was published in 1995.

It is written and currently in the Deputy AG's office for policy review.

I have published the two most substantive chapters of the new book as private, personal papers under the aegis of the International Foundation for Electoral Systems (IFES), for which I have done a lot of work around the world. I recommend that you access IFES' website and go to the "Money and Politics" part of their extensive site. I should have two papers available there, one addressing Abuse of the Franchise (published in connection with work I did last year in Liberia) and the other involving Federal Campaign Finance Xrime" done in connection with work in Bosnia.

If you can't find them this way, please call me:

Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

Anyday anytime except tomorrow is OK by me. Tova

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Wednesday, June 21, 2006 11:15 AM
To: Tova Andrea Wang; Job Serebrov
Subject: Teleconference

I am sorry, but I have to postpone the teleconference originally scheduled for this evening. Is another day this week or early next week good for you two? Peggy

--------------------------
Sent from my BlackBerry Wireless Handheld

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM ---
"Job Serebrov"  
06/22/2006 09:27 PM  
To: psims@eac.gov  
cc  
Subject: Suggestions

RECOMMENDATIONS.doc  
Peggy:

When Tova sent me her suggestions I made some changes and additions. Tova later wrote to me and said she expected me to come up with my own list. Due to time constraints and at risk of duplication I rather go with the corrected suggestions.

Job

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM ---
"Job Serebrov"  
06/21/2006 06:25 PM  
To: "Tova Wang"  
cc  
Subject: Re: nexis

I have no objection to amending the official findings/CD to add these.

--- Tova Wang wrote:

> Hi Peg and Job,
>
> I don't know how we might be able to use these but
> here, finally, are the
> super-refined versions of the nexis charts. Can we
> include them? Thanks.
> Tova
>

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM ---
Margaret Sims/EAC/GOV
06/22/2006 10:31 AM
To "Job Serebrov" psims@eac.gov
cc Tova Andrea Wang
wang@lo Federal
Subject Re: nexis

Fine by me.
Peggy

-----------------------------
Sent from my BlackBerry Wireless Handheld

----- Original Message ----- 
From: "Job°Serebrov"
Sent: 06/21/2006 06:25
To: "Tova Wang" psims@eac.gov
Subject: Re: nexis

I have no objection to amending the official findings/CD to add these.

--- Tova Wang <wang@lo Federal> wrote:
> Hi Peg and Job,
> 
> I don't know how we might be able to use these but
> here, finally, are the
> super-refined versions of the nexis charts. Can we
> include them? Thanks.
> Tova
>

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM ----- 
"Tova Wang"
06/20/2006 11:10 AM
To psims@eac.gov
cc
Subject question
Am I correct in assuming that I still cannot discuss the findings of our report? Thanks.

Tova Andrea Wang
Democracy Fellow
The Century Foundation
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----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM -----

"Job Serebrov"

To: wang@tcf.org
cc: psims@eac.gov
Subject: Re: Various

For Donsanto to be able to do this, we would need enough time and money to contact all interviewees and also permit comment from them. However, in this matter I am 100% in agreement with Tova.

--- wang@tcf.org wrote:

> Also, I maintain that a reasonable solution to this
> is to allow Donsanto
> and/or any of the commissioners who desire to do so
> to provide a statement
> that would be included in the report and in the
> record.
> ----- Original Message -----
> From: "Job Serebrov"
> To: <psims@eac.gov>; "Job Serebrov"
> cc: Tova Wang <twangsetti.org>
> Sent: Friday, June 30, 2006 9:42 PM
> Subject: Re: Various
> >
> > That would be great on the contract.
> >
> > If the interview is "edited" as you put it, I will
> be very, very
> > uncomfortable, as I believe Job would be as well.
> I know you don't want
> > to spend anymore time on this, but I consider it a
> rather important issue,
> > and I think Job does too. I would be happy to
> talk to you and Tom and any
> > of the commissioners about this further if that
> would be helpful. I am
> > available by cell over the next four days and in
the office all next week.
>
> Thanks for the updated invoice stuff. Happy 4th.
>
> Tova
>
> ----- Original Message ----- 
> From: <psims@eac.gov>
> To: "Job Serebrov" <[redacted]>
> Cc: "Tova Andrea Wang" [redacted]
> Sent: Friday, June 30, 2006 6:41 PM
> Subject: Re: Various
>
> Actually, the Donsanto interview was the only one
> I did attend, but I
> agree the issue is taking up too much of your
> time. I just wanted you to
> be forewarned that the paragraph has already
> raised red flags in DC of and
> is likely to result in an edit. Enough said
> about that.
>
> I am concerned about the number of hours left for
> this project. If you
> and Tova both agree, I'll see if our Contracting
> Officer will approve a
> contract mod to provide for some additional hours
> and money to
> incorporate comments received on the report and
> other efforts that fall
> within the tasks specified in the current
> contract. We won't get 60
> thou, but there might be a little year end money
> we can use to finish
> this off properly.
>
> Peg
>
> Sent from my BlackBerry Wireless Handheld
>
> ---- Original Message ----
> From: "Job Serebrov" [redacted]
> Sent: 06/30/2006 05:58 PM
> To: psims@eac.gov; wang@tcf.org
> Subject: Various
>
> Peg:
>
> I had to take time off this afternoon to handle
> some
> issues. Did you get an answer as to my travel
> reimbursement?
>
> I spoke to Tova about the Donsanto issue. We both
> agree about what we heard during the interview.
> We
> also agree that this is taking up too much time
> (of
> which we have so little left) and is a minor part
I feel the same as Tova, the Commission was not in on the interview and thus do not know what was said and we are not giving those interviewed the opportunity, especially given how long ago the interviews were, to object. Frankly, if the Commission wants to give us another sixty hours each we can call all of our interviewees, give them the review and ask for comments. In any case, we can't include comments from other interviews with, or lectures by person interviewed, outside of our interview with that person. We simply can't afford to single out one statement in one interview that there is a disagreement on. Finally, I don't read the paragraph as you do---I remember what was said---the paragraph clearly does not imply an abandonment of other DOJ electoral investigations.

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM ---
Margaret Sims/EAC/GOV
06/27/2006 02:47 PM
To Jeannie Layson/EAC/GOV
cc
Subject Re: U.S. News & World Report

Here it is. --- Peg

EAC Boards VF-VI Status Report.doc

Jeannie Layson/EAC/GOV
Peg,
Would you please send me the document regarding this project that was submitted to the Standards Bd?

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

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM ---
"Tova Wang"
06/28/2006 04:37 PM
Subject methodology

As you may recall, the working group expressed interest in the risk analysis method. The recent report by the Brennan Center on voting machines employs this methodology. If you look at pp. 8-19 of the attached, it provides a potential model. I think it might be worth including this as an appendix or footnote in the methodology section. Please let me know what you think. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation
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Click here to receive our weekly e-mail updates.

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM ---
Margaret Sims/EAC/GOV
06/30/2006 05:31 PM
To Job Serebrov
cc
Subject Contract Hours & Payments for Services
Hi Peg,

What is the current invoice schedule? Thanks.

Tova Andrea Wang
Democracy Fellow
The Century Foundation
Visit our Web site for the latest news, analysis, opinions, and events.
Click here to receive our weekly e-mail updates.

Will it be possible for you to extract the excerpt for inclusion in the report? Thanks.

-----Original Message-----
From: Job Serebrov [mailto:]
Sent: Wednesday, June 28, 2006 5:40 PM
To: Tova Wang; psims@eac.gov
Subject: Re: methodology

Agreed

--- Tova Wang wrote:
> As you may recall, the working group expressed
interest in the risk analysis
method. The recent report by the Brennan Center on
voting machines employs
this methodology. If you look at pp. 8-19 of the
attached, it provides a
potential model. I think it might be worth
including this as an appendix or
footnote in the methodology section. Please let me
know what you think.
Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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weekly e-mail updates.

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM -----

"Job Serebrov"
07/02/2006 10:28 AM
To psims@eac.gov
cc
Subject Please Change This

Peggy:

In the transcript, there is one serious mistake that
must be changed immediately. On page 5 it indicates
that I helped review and draft changes to the election
code of Libya. It should be Namibia not Libya. The
reason this is so serious if it stands is that at the
time I reviewed Namibia's Code it was illegal for
Americans to deal with Libya. I need to know that this
has been corrected any ALL parties who have seen the
transcript notified.

Job
Jeannie

We suspect that someone from the Voting Fraud-Voter Intimidation Project Working Group has been talking to reporters, tipping them off about what we are finding in our preliminary study, and referring them to our consultants (although the information could have come from anyone on the EAC boards, too). Apparently, the U.S. News & World Report reporter who contacted me also contacted both consultants working on the project.

Based on my recommendation, Tova Wang and, possibly, Job Serebrov, who are on EAC personal services contracts for our voting fraud and voter intimidation research, will seek further clarification from you about what they can and cannot say to reporters and in public fora about vote fraud and voter intimidation and about EAC's research. I have previously advised Tova and Job not to discuss the work they are doing for us as this is EAC research, the Commissioners have not yet received and accepted the final report, and the Commission has not approved their speaking about the EAC research.

Tova plans to call you tomorrow (Tuesday, June 27) about the issue. In addition to the reporter's inquiry, she has been invited to speak on the subject at the summer conference of the National Association of State Legislatures. She has plenty of knowledge of the subject in her own right (apart from our study), but is having trouble differentiating between her own work and the work she is doing for us. Please, just let me know what you advise her to do.

--- Peggy

Does this work for you?

Tova Andrea Wang
Democracy Fellow
The Century Foundation

Visit our Web site, www.tcf.org, for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.
Attached is an updated schedule showing 2 more invoice periods. I'll send separate spreadsheets to you and Job showing what funds and hours have been used and what are available. --- Peggy

FY06 Contracts Invoice Schedule.xls

Hi Peg,

What is the current invoice schedule? Thanks.

Tova Andrea Wang
Democracy Fellow
The Century Foundation

Visit our Web site, www.tcf.org, for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.
I would make time to discuss this. I feel that any edit would be wrong while a comment at the end of the interview by the Commission would not be. But in this case, two of us remember it one way and one the other way.

--- wang@tcf.org wrote:

> That would be great on the contract.
> 
> If the interview is "edited" as you put it, I will be very, very uncomfortable, as I believe Job would be as well. I know you don't want to spend anymore time on this, but I consider it a rather important issue, and I think Job does too. I would be happy to talk to you and Tom and any of the commissioners about this further if that would be helpful. I am available by cell over the next four days and in the office all next week.
> 
> Thanks for the updated invoice stuff. Happy 4th.
> 
> Tova
> 
> ----- Original Message ----- 
> From: <psims@eac.gov>
> To: "Job Serebrov" <-------->
> Cc: "Tova Andrea Wang" <--------->
> Sent: Friday, June 30, 2006 6:41 PM
> Subject: Re: Various
> 
> > Actually, the Donsanto interview was the only one I did attend, but I agree the issue is taking up too much of your time. I just wanted you to be forwarned that the paragraph has already raised red flags in DC of and is likely to result in an edit. Enough said about that.
> > 
> > I am concerned about the number of hours left for this project. If you and Tova both agree, I'll see if our Contracting Officer will approve a contract mod to provide for some additional hours and money to incorporate comments received on the report and other efforts that fall within the tasks specified in the current contract. We won't get 60 thou, but there might be a little year end money we can use to finish this off properly.
> > Peg
> > 
> > --------------------------

000055
I had to take time off this afternoon to handle some issues. Did you get an answer as to my travel reimbursement?

I spoke to Tova about the Donsanto issue. We both agree about what we heard during the interview. We also agree that this is taking up too much time (of which we have so little left) and is a minor part of one interview which makes up one of thirty interviews.

I feel the same as Tova, the Commission was not on the interview and thus do not know what was said and we are not giving those interviewed the opportunity, especially given how long ago the interviews were, to object. Frankly, if the Commission wants to give us another sixty hours each we can call all of our interviewees, give them the review and ask for comments. In any case, we can't include comments from other interviews with, or lectures by person interviewed, outside of our interview with that person. We simply can't afford to single out one statement in one interview that there is a disagreement on. Finally, I don't read the paragraph as you do—I remember what was said—the paragraph clearly does not imply an abandonment of other DOJ electoral investigations.

Job
I'll need to get back to you on this and the definition tomorrow (too many things going on today). In the meantime, I have attached the written status report that was presented to the EAC Standards Board and Board of Advisors, because I can't remember if I ever provided the final version to the two of you. The status report is primarily made up of your preliminary reports, with some intro information provided and a brief summary of recommendations discussed at the Working Group meeting. This may or may not help the two of you in preparing the final. You can use any of it, or none of it. I am sure that your product will be much better than this quickly pulled together thing. --- Peggy

EAC Boards VF-VI Status Report.doc

Does this work for you?

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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Table of Contents.doc

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM -----
Peg:

So far no travel pay. Tova got hers a couple of days ago. Please call and check. I need it.

Thanks,

Job

---

Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM ---

"Tova Wang"

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

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, June 29, 2006 12:00 PM
To:
Cc: twilkey@eac.gov
Subject: Re: donsanto interview

Tova and Job:

All I can do is advise you that I don't think this paragraph will pass by the Commission, as written, because readers can misinterpret what is being reported and use something published by EAC against DOJ. I suspect that both of you are aware of legal action being taken by an advocacy group against DOJ alleging that the agency is acting in a manner that fails to protect, and even discourages, the voter participation of minorities and disadvantaged individuals. Though I do not intend to address the merits of that action, which focuses on the efforts of more than one DOJ office, I am concerned that some readers would use the sentence that begins with "This change in direction, focus, and level of aggression ..." as evidence that DOJ's Election Crimes Branch has completely changed course to focus on aggressively pursuing individuals who vote when ineligible, many of whom are minorities.

It is true that, for years, the Election Crimes Branch did not pursue individual violators. (I certainly observed this from the time I became involved in researching election administration matters in 1986.) Much of the reason for this is that the agency just did not have the resources to pursue everything; so, as the agency budget permitted, DOJ pursued cases that provided the most bang
for the buck --- cases involving multiple individuals that were not already being pursued by State or local public attorneys. As you know, DOJ recently expanded its efforts and added the prosecution of individuals for double voting or voting when ineligible (felony convictions or no U.S. citizenship). Although I did not know of this decision prior to the interview, the action is not a complete surprise, given the increasing pressure on the agency to pursue such cases that began with a real squeaker of a 1996 race in California's 46th CD (Orange County). In the interview with you, Donsanto also stated that the department evaluates each case before pursuing it, and does not pursue every individual referred for voting violations. (You may remember he noted his reluctance to pursue noncitizen voting, which can result in deportation, when it could separate the individual from his family.)

In my opinion, the addition of the prosecution of individuals, while an important new development, is not a complete change in direction or focus. The pursuit of individual violators does not supplant DOJ's continuing efforts to pursue organized schemes to corrupt the process. It is part of a recent expansion of the agency's efforts to combat election crime that includes: (1) more aggressive pursuit of criminal campaign finance violations (not covered by EAC's study); (2) exploration of new avenues to prosecute voter suppression schemes (e.g.; the NH phone bank blocking case); (3) better training of U.S. attorneys and FBI agents in the recognition, investigation and prosecution of election offenses; (4) efforts to improve coordination with state and local law enforcement agencies; and (5) press conferences and public announcements before federal elections to publicize how the public can report election crimes. Donsanto provided information on much of these efforts either during the interview or by supplying case lists and training information on the day of the interview.

I hope you will reconsider revising the paragraph at issue.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission

Hi Peg,

Job and I have discussed this matter and agree on our response to it.

Presumably the paragraph you are concerned about is the following:
Since 2002, the department has brought more cases against alien voters, felony voters, and double voters than ever before. Previously, cases were only brought when there was a pattern or scheme to corrupt the process. Charges were not brought against individuals – those cases went un-prosecuted. This change in direction, focus, and level of aggression was by the decision of the Attorney General. The reason for the change was for deterrence purposes.

Neither of us thinks this passage says that the Department has stopped pursuing patterns, as you suggested, and we maintain that this is what Mr. Donsanto said to us in the interview. If Mr. Donsanto wants to object, perhaps he can write a letter or something to that effect that could be part of the record.

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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—— Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM ——
Margaret Sims/EAC/GOV
06/29/2006 05:31 PM
To: “Tova Wang”
cc: “willykey@eac.gov
Subject: RE: donsanto interview

I don’t think anyone disagrees that DOJ’s earlier policy was to prosecute organized conspiracies, not individual violators. This policy was based both on existing law and resources available. Donsanto made that clear in numerous presentations before election officials, though I doubt he would have highlighted the resource issue in any of his written reports.

I did not hear Donsanto say that there was a shift in resources and energy away from prosecuting organized conspiracies in order to pursue prosecutions of individuals. I think we should avoid implying that this is the case. I understood his statement to address a shift in DOJ resources and energy to support increased efforts to prosecute election crimes, including the expansion of prosecutions to include individual incidents. I have not seen, nor do I think Donsanto has ever stated, that there has been a decrease in the effort to prosecute organized conspiracies to corrupt the process. Yet, adequate resources continue to be an issue, as Donsanto noted in his interview and at the Working Group meeting (when referring to having to decide which of two voter suppression cases to prosecute because he didn’t have the resources to do both).

Your reference to policy based on law reminded me that changes in federal law, and an evolution in the understanding of how to use newer law, also would have affected DOJ’s decision to add the prosecution of individuals for such violations as registering and voting when not a U.S. citizen or when a convicted felon. Earlier federal law did not directly address voter registration by felons, permitting federal prosecution in such instances only where it could be shown that the applicant knowingly and willfully
provided false information as to his or her eligibility to vote. Earlier federal law permitted the prosecution of noncitizens for registering to vote based on false claims of the U.S. citizenship that each State required for registering to vote in federal elections, but did not require U.S. citizenship to vote in federal elections. These laws made federal prosecution of noncitizen and felon voter registration and voting much more challenging. With the implementation of the NVRA in 1995, we began to see federal election law that could more easily be used for federal prosecution of both voter registration and voting by noncitizens and convicted felons. And, late in 1996, immigration reform legislation was passed that clearly prohibits noncitizens from voting in federal elections (without requiring the "knowing and willful" component).

--- Peggy

Tova Wang

06/29/2006 01:24 PM

To psims@eac.gov, cctwilkey@eac.gov

Subject: RE: donsanto interview

Peg, If you review the numerous speeches and writings of Donsanto, including at the BAI training sessions, you will see that in the past he has frequently said that as a matter of law and policy the Department generally only pursued organized patterns. I can point you to particular citations if you like. He clearly said when we interviewed him that there had been a shift in resources and energy. This is in both of our notes. I don't think this should be an issue of departmental politics.

Tova

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, June 29, 2006 12:00 PM
To: 
Cc: twilkey@eac.gov
Subject: Re: donsanto interview

Tova and Job:

All I can do is advise you that I don't think this paragraph will pass by the Commission, as written, because readers can misinterpret what is being reported and use something published by EAC against DOJ. I suspect that both of you are aware of legal action being taken by an advocacy group against DOJ alleging that the agency is acting in a manner that fails to protect, and even discourages, the voter participation of minorities and disadvantaged individuals. Though I do not intend to address the merits of that action, which focuses on the efforts of more than one DOJ office, I am concerned that some readers would use the sentence that begins with "This change in direction, focus, and level of aggression ..." as evidence that DOJ's Election Crimes Branch has completely changed course to focus on aggressively pursuing individuals who vote when ineligible, many of whom are minorities.

It is true that, for years, the Election Crimes Branch did not pursue individual violators. (I certainly observed this from the time I became involved in researching election administration matters in 1986.) Much of the reason for this is that the agency just did not have the resources to pursue everything; so, as the agency budget permitted, DOJ pursued cases that provided the most bang
for the buck --- cases involving multiple individuals that were not already being pursued by State or local public attorneys. As you know, DOJ recently expanded its efforts and added the prosecution of individuals for double voting or voting when ineligible (felony convictions or no U.S. citizenship). Although I did not know of this decision prior to the interview, the action is not a complete surprise, given the increasing pressure on the agency to pursue such cases that began with a real squeaker of a 1996 race in California's 46th CD (Orange County). In the interview with you, Donsanto also stated that the department evaluates each case before pursuing it, and does not pursue every individual referred for voting violations. (You may remember he noted his reluctance to pursue noncitizen voting, which can result in deportation, when it could separate the individual from his family.)

In my opinion, the addition of the prosecution of individuals, while an important new development, is not a complete change in direction or focus. The pursuit of individual violators does not supplant DOJ's continuing efforts to pursue organized schemes to corrupt the process. It is part of a recent expansion of the agency's efforts to combat election crime that includes: (1) more aggressive pursuit of criminal campaign finance violations (not covered by EAC's study); (2) exploration of new avenues to prosecute voter suppression schemes (e.g.; the NH phone bank blocking case); (3) better training of U.S. attorneys and FBI agents in the recognition, investigation and prosecution of election offenses; (4) efforts to improve coordination with state and local law enforcement agencies; and (5) press conferences and public announcements before federal elections to publicize how the public can report election crimes. Donsanto provided information on much of these efforts either during the interview or by supplying case lists and training information on the day of the interview.

I hope you will reconsider revising the paragraph at issue.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission

Hi Peg,

Job and I have discussed this matter and agree on our response to it.

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Neither of us thinks this passage says that the Department has stopped pursuing patterns, as you suggested, and we maintain that this is what Mr. Donsanto said to us in the interview. If Mr. Donsanto wants to object, perhaps he can write a letter or something to that effect that could be part of the record.

Tova Andrea Wang
Democracy Fellow
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----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM -----
Margaret Sims/EAC/GOV
06/30/2006 05:29 PM
To Tova Andrea Wang
cc
Subject Contract Hours & Payments for Services

Here is the spreadsheet I have for you. Please let me know if you notice any discrepancies. Thanks. ---
Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM ---
Margaret Sims/EAC/GOV
06/30/2006 06:19 PM
To "Job Serebrov"
cc
Subject Re: Various

Not yet. The problem is that so many folks seem to be off for a long 4th of
July weekend.

--------------------------
Sent from my BlackBerry Wireless Handheld

----- Original Message ----- 
From: "Job Serebrov" Sent: 06/30/2006 05:58 PM To: psims@eac.gov; wang@tcf.org Subject: Various

Peg:

I had to take time off this afternoon to handle some issues. Did you get an answer as to my travel reimbursement?

I spoke to Tova about the Donsanto issue. We both agree about what we heard during the interview. We also agree that this is taking up too much time (of which we have so little left) and is a minor part of one interview which makes up one of thirty interviews.

I feel the same as Tova, the Commission was not in on the interview and thus do not know what was said and we are not giving those interviewed the opportunity, especially given how long ago the interviews were, to object. Frankly, if the Commission wants to give us another sixty hours each we can call all of our interviewees, give them the review and ask for comments. In any case, we can't include comments from other interviews with, or lectures by person interviewed, outside of our interview with that person. We simply can't afford to single out one statement in one interview that there is a disagreement on. Finally, I don't read the paragraph as you do---I remember what was said---the paragraph clearly does not imply an abandonment of other DOJ electoral investigations.

Job

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM ----- 

"Job Serebrov" 
To psims@eac.gov, wang@tcf.org
06/30/2006 07:10 PM

Subject Re: Various

Peg:

It's ok with me as long as we finish before the end of November.
--- psims@eac.gov wrote:

> Actually, the Donsanto interview was the only one I
did attend, but I agree the issue is taking up too
much of your time. I just wanted you to be forwarned
that the paragraph has already raised red flags in
DC of and is likely to result in an edit. Enough
said about that.

> I am concerned about the number of hours left for
this project. If you and Tova both agree, I'll see
if our Contracting Officer will approve a contract
mod to provide for some additional hours and money
to incorporate comments received on the report and
other efforts that fall within the tasks specified
in the current contract. We won't get 60 thou, but
there might be a little year end money we can use to
finish this off properly.

Peg

Sent from my BlackBerry Wireless Handheld

----- Original Message ----- 
From: "Job Serebrov"
Sent: 06/30/2006 05:58 PM
To: psims@eac.gov; wang@tcf.org
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issues. Did you get an answer as to my travel
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disagreement on. Finally, I don't read the paragraph
> as you do---I remember what was said---the paragraph
> clearly does not imply an abandonment of other DOJ
> electoral investigations.
>
> Job
>
>

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM ---
Margaret Sims/EAC/GOV
06/26/2006 04:38 PM
To “Tova Wang”
cc dromig@eac.gov,
Subject RE: May 18, 2006 Meeting

I wasn’t planning on circulating the transcript to the commissioners. Most of them probably don’t have the
time to go through the whole thing. I will let them know it is available, if they are interested in reviewing it.
--- Peggy

“Tova Wang”

“Tova Wang”
06/23/2006 01:04 PM
To dromig@eac.gov, psims@eac.gov
cc wang@tcf.org
Subject RE: May 18, 2006 Meeting

Wow, there are a lot of errors in this. But at least it gets at the substance. Will this be circulated to the
commissioners?

-----Original Message-----
From: dromig@eac.gov [mailto:dromig@eac.gov]
Sent: Thursday, June 22, 2006 2:45 PM
To: psims@eac.gov
Cc: wang@tcf.org
Subject: Fw: May 18, 2006 Meeting

Good news!!! The transcript is finally here.

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov
Dear EAC,

Attached please note the ASCII file for the Voting Fraud-Voter Intimidation Meeting taken on Wednesday, May 18, 2006. Your transcript has been shipped to you.

ASCII file name: 051806.txt

Please let us know if you have any questions.

Timothy Brischler, Office Manager, 703.273.9221

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM ---

I am ok with it.

--- Tova Wang wrote:

> Is this OK now?
> >
> > Tova Andrea Wang
> > Democracy Fellow
> > The Century Foundation
> > Visit our Web site, <for the latest news,
> > analysis, opinions, and events.
> >
> >
Jeannie:

Here are my responses:

1. *When will EAC receive the preliminary report on voter intimidation and voting fraud?*
   
   I anticipate that we will have a draft final report from our consultants in 2-3 weeks, after our consultants have had time to review the transcript from the project Working Group meeting, which was not available until last week.

2. *When we receive the preliminary report, what is the EAC process to formulate a final product that will be made public?*

   First, Commissioners and Commission staff will have to review the preliminary draft. Then a draft will be submitted to the EAC Standards Board and EAC Advisory Board for review and comment. This second step is taken in accordance with HAVA §247, which requires EAC to carry out its duties under Title II, Subtitle C (Studies and Other Activities to Promote Effective Administration of Federal Elections) in consultation with the Standards Board and the Board of Advisors.

3. *When will we make this research available to the public? What form will it be in? (Best practices, etc.)*

   The final report cannot be made public until it has been accepted by the Commissioners. Normally, this does not happen until the researcher(s) submit a final report that has been revised to address clarifications and corrections deemed necessary through the review process described above. The time it takes for the researchers to produce this final report will depend, somewhat, on the number of clarifications and corrections deemed necessary.
As the researchers were charged with conducting preliminary background research on voting fraud and voter intimidation in the U.S., this report will not include recommended best practices. It will summarize the preliminary research as well as the deliberations of our project Working Group. It also will include recommendations for future EAC activity related to the development of: (1) methods of identifying, deterring, and investigating voting fraud and voter intimidation; and (2) nationwide statistics on voting fraud.

If the reporter has spoken to Secretary Rokita, who maintains that EAC has no authority to conduct this research, you may want to note that EAC initiated this preliminary research on voting fraud and voter intimidation in accordance with the Help America Vote Act, (HAVA) §241, which requires EAC to conduct research on election administration issues, including the development of:

- nationwide statistics and methods of identifying, deterring, and investigating voting fraud in elections for Federal office [§241(b)(6)]; and
- ways of identifying, deterring, and investigating methods of voter intimidation [§241(b)(7)].

At its 2005 meeting, EAC's Board of Advisors recommended that the agency make research on these matters a high priority.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission

Jeannie Layson/EAC/GOV

06/27/2006 02:26 PM
To psims@eac.gov, twilkey@eac.gov
cc
Subject US News & World Report inquiry

Please provide answers to the following questions, posed to me by US News & World Report's Scott Michels. I need this info by the end of the day to meet his deadline.

1. When will EAC receive the preliminary report on voter intimidation and voting fraud?
2. When we receive the preliminary report, what is the EAC process to formulate a final product that will be made public?
3. When will we make this research available to the public? What form will it be in? (Best practices, etc.)

Jeannie Layson
U.S. Election Assistance Commission
1225 New York Ave., NW
Suite 1100
Washington, DC 20005
Phone: 202-566-3100
www.eac.gov
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Tova Andrea Wang
Democracy Fellow
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Peggy:

Still no travel funds. Please see what you can fund out on Monday. At this point this is late.

Job

Further comment from Tova. --- Peggy

Also, I maintain that a reasonable solution to this is to allow Donsanto and/or any of the commissioners who desire to do so to provide a statement that would be included in the report and in the record.

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

From: <wang@tcf.org>
To: <psims@eac.gov>; "Job Serebrov"
Cc: "Tova Wang"
Sent: Friday, June 30, 2006 9:42 PM
Subject: Re: Various

> That would be great on the contract.
> 
> If the interview is "edited" as you put it, I will be very, very uncomfortable, as I believe Job would be as well. I know you don't want to spend anymore time on this, but I consider it a rather important issue,
and I think Job does too. I would be happy to talk to you and Tom and any
of the commissioners about this further if that would be helpful. I am
available by cell over the next four days and in the office all next week.

Thanks for the updated invoice stuff. Happy 4th.

Tova

----- Original Message ----- 
From: <psims@eac.gov> 
To: "Job Serebrov"
Cc: "Tova Andrea Wang"
Sent: Friday, June 30, 2006 6:41 PM
Subject: Re: Various

Actually, the Donsanto interview was the only one I did attend, but I
agree the issue is taking up too much of your time. I just wanted you to
be forewarned that the paragraph has already raised red flags in DC of and
is likely to result in an edit. Enough said about that.

I am concerned about the number of hours left for this project. If you
and Tova both agree, I'll see if our Contracting Officer will approve a
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incorporate comments received on the report and other efforts that fall
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Peg

Sent from my Blackberry Wireless Handheld

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Job

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM ---
Margaret Sims/EAC/GOV
07/03/2006 11:12 AM
To Bola Olu/EAC/GOV
cc
Subject Fw: Travel Funds

Can you please find out where GSA is with this reimbursement? Thanks. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 07/03/2006 11:12 AM -----
"Job Serebrov"  
07/02/2006 09:34 AM
To psims@eac.gov
cc
Subject Travel Funds

Peggy:

Still no travel funds. Please see what you can fund out on Monday. At this point this is late.

Job

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM -----
Bola Olu/EAC/GOV
07/03/2006 11:57 AM
To Margaret Sims/EAC/GOV@EAC
cc
Subject Re: Fw: Travel Funds

Peggy:
I am assuming you are referring to the 6/9/06 payment in the amount of $1,200.03. I checked with Finance and the payout date is today.

Bola Olu
Financial Administrative Specialist
United States Election Assistance Commission
1225 New York Avenue N.W., Suite - 1100
Washington, DC 20005
P:202-566-3124
F:202/566-3127
http://www.eac.gov/

"Integrity - Treat everyone with the same principle, be loyal to those who are not present"

Margaret Sims/EAC/GOV

Can you please find out where GSA is with this reimbursement? Thanks. --- Peggy

Peggy:
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Job

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM -----
Job:

I may have forgotten to send this summary of payments for personal services to you. If I didn't, here it is again. --- Peggy

Most of the Commissioners and Tom will be out of the office for the next two weeks to attend the IACREOT, NASS, and NASED summer conferences. I'll let Tom know you want to talk with him when I see him at the airport tomorrow. He may decide to call from out of town. --- Peggy

That would be great on the contract.

If the interview is "edited" as you put it, I will be very, very uncomfortable, as I believe Job would be as well. I know you don't want to spend anymore time on this, but I consider it a rather important issue, and I think Job does too. I would be happy to talk to you and Tom and any of the commissioners about this further if that would be helpful. I am available by cell over the next four days and in the office all next week.

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Job

---------
Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM ---------
Peg:

I still have not received the travel funds. This is causing a large financial problem. I don't know what is with these people but it is obvious my bank has not received it and I doubt it was sent. Please find out what is going on.

Job

----- Original Message ----- 
From: psims@eac.gov [mailto:psims@eac.gov]  
Sent: Monday, July 03, 2006 10:30 AM  
To:  
Subject: RE: Estimated Additional Hours Needed

I think I've already gone over my hours. Let me know when I submit my invoice. If I have, I'll just reduce them on paper. Thanks.
We'll have to guesstimate. It is likely that we will receive some comments and questions from the Commissioners and a number of comments from the boards. We could do the modification a little later, but we have to do it before the end of August to take advantage of year-end funds. Basically, the sooner we can figure this out, the better chance we have of using some of the year-end money for this project, before it is taken for something else. We have no guaranties that funds will be available in the next fiscal year. --- Peggy

"Tova Wang"

07/03/2006 11:13 AM

To psims@eac.gov

cc

Subject RE: Estimated Additional Hours Needed

Doesn't it really depend on what the Commission comes back to us with? Its kind of hard to estimate before knowing what they're going to want.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, July 03, 2006 10:11 AM
To:
Cc: twilkey@eac.gov
Subject: Estimated Additional Hours Needed

Tova and Job:

I don't have the authority to modify contracts, but Tom Wilkey does. In order to help Tom determine how many additional hours (and dollars) should be added to your personal services contracts, I'll need an estimate from the two of you for the number of additional hours required to complete the final report (taking into account revisions that may be needed to address questions and comments submitted by the Commissioners and the EAC Standards Board and Board of Advisors). Please note that we cannot add any tasks to the existing contract, but we can account for additional hours required to complete the final report.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM -----
I thought I emailed an account of your hours used. Just in case I didn't, here it is again.

Wang Payment Tracking.xls

Subject: RE: Estimated Additional Hours Needed

I think I've already gone over my hours. Let me know when I submit my invoice. If I have, I'll just reduce them on paper. Thanks.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, July 03, 2006 10:30 AM
To: 
Subject: RE: Estimated Additional Hours Needed

We'll have to guesstimate. It is likely that we will receive some comments and questions from the Commissioners and a number of comments from the boards. We could do the modification a little later, but we have to do it before the end of August to take advantage of year-end funds. Basically, the sooner we can figure this out, the better chance we have of using some of the year-end money for this project, before it is taken for something else. We have no guaranties that funds will be available in the next fiscal year. --- Peggy
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e-mail: psims@eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM ----- 

"Job Serebrov"  
07/07/2006 08:06 AM  
To: psims@eac.gov  
cc:  
Subject: Travel Funds

Peg:  
My travel funds finally came in to my bank.

Job

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM ----- 

"Tova Wang"  
07/03/2006 11:13 AM  
To: psims@eac.gov  
cc:  
Subject: Travel Funds
Subject: RE: Estimated Additional Hours Needed

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Fax: 202-566-3127
email: psims@eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM -----
Will it be possible for you to extract the excerpt for inclusion in the report? Thanks.

-----Original Message-----
From: Job Serebrov
Sent: Wednesday, June 28, 2006 5:40 PM
To: Tova Wang; psims@eac.gov
Subject: Re: methodology

Agreed

--- Tova Wang wrote:

> As you may recall, the working group expressed interest in the risk analysis method. The recent report by the Brennan Center on voting machines employs this methodology. If you look at pp. 8-19 of the attached, it provides a potential model. I think it might be worth including this as an appendix or footnote in the methodology section. Please let me know what you think.
> Tova
> Tova Andrea Wang
> Democracy Fellow
> The Century Foundation
> Visit our Web site, for the latest news, analysis, opinions, and events.
>
I have asked our finance folks to check with GSA. I will let you know when I receive the answer. --- Peggy

Peggy:

Still no travel funds. Please see what you can fund out on Monday. At this point this is late.

Job

Tova and Job:
I don't have the authority to modify contracts, but Tom Wilkey does. In order to help Tom determine how many additional hours (and dollars) should be added to your personal services contracts, I'll need an estimate from the two of you for the number of additional hours required to complete the final report (taking into account revisions that may be needed to address questions and comments submitted by the Commissioners and the EAC Standards Board and Board of Advisors). Please note that we cannot add any tasks to the existing contract, but we can account for additional hours required to complete the final report.

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email: psims@eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM -----
Margaret Sims/EAC/GOV
07/11/2006 12:05 PM
To Juliet E. Thompson-Hodgkins/EAC/GOV
cc
Subject Re: Fraud and Intimidation Study

I think it is this one. --- Peggy

EAC Boards VF-VI Status Report.doc

Juliet E. Thompson-Hodgkins/EAC/GOV

Juliet E. Thompson-Hodgkins/EAC/GOV
07/11/2006 11:38 AM
To Margaret Sims/EAC/GOV@EAC
cc
Subject Re: Fraud and Intimidation Study

Will you please send me a copy of the referenced report?

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

Margaret Sims/EAC/GOV
07/11/2006 10:55 AM
To Juliet E. Thompson-Hodgkins/EAC/GOV@EAC
cc "Tom Wilkey" <twilkey@eac.gov>
It sounds similar to the issues I had with the Donsanto interview. It was a classic example of the interviewers’ interpreting what was said through their own biases.

It also is true that the original interview summaries failed to differentiate between the criminal definition of intimidation and the consultants use of the term. The consultants have revised their definition to note that it goes beyond the legal definition, but we may need to repeat the statement where the DOJ interviews are referenced.

I have already brought the Donsanto matter to our contractors’ attention. When they responded that they did not think they should redraft that section, I told them that the section will likely be edited. It appears that we will have to do the same with the reference to Tanner’s interview.

Why don’t we discuss this with Tanner (and Donsanto) after we have had a chance to review a consolidated draft of the final report? We can determine what clarifications or corrections are necessary at that time.

Peg

Sent from my BlackBerry Wireless Handheld
Juliet E. Thompson-Hodgkins

His concerns are that there were inaccurate or false statements about DOJ on pages 5 and 6, that in his words demonstrated a lack of understanding of criminal law.

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

Margaret Sims/EAC/GOV
07/11/2006 09:26 AM
To: Juliet E. Thompson-Hodgkins/EAC/GOV@EAC
cc
Subject: Re: Fraud and Intimidation Study

Perhaps he was looking at the report that was delivered to the EAC boards. Let’s find out what his concerns are so that we can address them.

Peg
From: Juliet E. Thompson-Hodgkins  
Sent: 07/10/2006 02:34 PM  
To: Margaret Sims  
Subject: Re: Fraud and Intimidation Study

Tanner said he got it from Cameron. And referred specifically to pp. 5 and 6. I don't remember that the summaries of interviews were laid out that way.

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

Margaret Sims/EAC/GOV  
07/10/2006 02:29 PM  
To: Juliet E. Thompson-Hodgkins/EAC/GOV@EAC  
cc:  
Subject: Re: Fraud and Intimidation Study

I have not yet seen a draft final report. My best guess is that Tanner is concerned about the summary of his interview. I have already had discussions with our consultants about the description of the Donsanto interview, at which I was present. Wilkey knows that I won't let it go as is. I wasn't at the Tanner interview, but would be interested in hearing where he thinks the consultants went wrong.

It is possible that, due to my objections re the Donsanto interview, the consultants may have asked Tanner to review their description of his interview. I won't know for sure until I can contact them.

I gave you and Gavin a folder that included a summary of interviews, etc before the working group meeting. Also, the report delivered to the boards on this project is in the shared drawer under Research in Progress-Voting Fraud-Intimidation. That is everything I have at the moment.

Peg

------------------------

Sent from my BlackBerry Wireless Handheld  
Juliet E. Thompson-Hodgkins

From: Juliet E. Thompson-Hodgkins  
Sent: 07/10/2006 10:55 AM  
To: Margaret Sims  
Cc: Thomas Wilkey  
Subject: Fraud and Intimidation Study

I received a call from John Tanner today who was upset with pages 5 and 6 of some draft paper that he had received regarding our Fraud and Intimidation Study. I am in a very uncomfortable situation in that I have not received a copy of this paper and the Office of General Counsel has not vetted this document and yet I am being questioned about why there are erroneous statements in this paper. Please provide me with a copy of this document and please explain to me how John Tanner got a copy of this document.
before I did.

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

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM -----  
Margaret Sims/EAC/GOV  
07/11/2006 10:55 AM  
To: Juliet E. Thompson-Hodgkins/EAC/GOV@EAC  
cc: "Tom Wilkey" <twilkey@eac.gov>  
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Sent from my BlackBerry Wireless Handheld  
Juliet E. Thompson-Hodgkins

From: Juliet E. Thompson-Hodgkins  
Sent: 07/11/2006 09:46 AM  
To: Margaret Sims  
Subject: Re: Fraud and Intimidation Study

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Juliet Thompson Hodgkins
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Margaret Sims/EAC/GOV

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----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM -----
Margaret Sims/EAC/GOV
07/03/2006 11:38 AM
To Devon Romig
cc
Subject Fw: methodology

Please edit the attached Word document to remove the returns at the end of each line that are not needed, then send it to Tova and Job. Thanks! --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 07/03/2006 11:37 AM -----
Margaret Sims/EAC/GOV
06/30/2006 05:25 PM
To "Tova Wang"
cc
Subject Re: FW: methodology
The attached is the text extracted from pages 8-19 and the Attachment C referenced within the text. The formatting is still a little weird. Can you work with this, or do I need to play with it some more? --- Peggy

--- Original Message ---
From: Job Serebrov [mailto:Job.Serebrov@eac.gov]
Sent: Wednesday, June 28, 2006 3:40 PM
To: Tova Wang; psims@eac.gov
Subject: Re: methodology

Agreed

--- Tova Wang ---

> As you may recall, the working group expressed interest in the risk analysis method. The recent report by the Brennan Center on voting machines employs this methodology. If you look at pp. 8-19 of the attached, it provides a potential model. I think it might be worth including this as an appendix or footnote in the methodology section. Please let me know what you think.
>
> Tova
>
> Tova Andrea Wang
> Democracy Fellow
> The Century Foundation
> Visit our Web site, for the latest news, analysis, opinions, and events.
>
>
Tova:
If you have used up all of your remaining hours, you need to stop work until we have the contract modification in place that provides for more hours.
Peggy

Also, I maintain that a reasonable solution to this is to allow Donsanto and/or any of the commissioners who desire to do so to provide a statement that would be included in the report and in the record.

----- Original Message ----- 
From: <psims@eac.gov>; "Job Serebrov" 
To: <psims@eac.gov>; "Job Serebrov" 
Cc: "Tova Wang" 

Sent: Friday, June 30, 2006 9:42 PM 
Subject: Re: Various

That would be great on the contract.

If the interview is "edited" as you put it, I will be very, very uncomfortable, as I believe Job would be as well. I know you don't want to spend anymore time on this, but I consider it a rather important issue, and I think Job does too. I would be happy to talk to you and Tom and any of the commissioners about this further if that would be helpful. I am available by cell over the next four days and in the office all next week.
Thanks for the updated invoice stuff. Happy 4th.

Tova
------ Original Message ------
From: <psims@eac.gov>
To: "Job Serebrov"
Cc: "Tova Andrea Wang"
Sent: Friday, June 30, 2006 6:41 PM
Subject: Re: Various

Actually, the Donsanto interview was the only one I did attend, but I agree the issue is taking up too much of your time, I just wanted you to be forewarned that the paragraph has already raised red flags in DC of and is likely to result in an edit. Enough said about that.

I am concerned about the number of hours left for this project. If you and Tova both agree, I'll see if our Contracting Officer will approve a contract mod to provide for some additional hours and money to incorporate comments received on the report and other efforts that fall within the tasks specified in the current contract. We won't get 60 thou, but there might be a little year end money we can use to finish this off properly.

Peg

 Sent from my BlackBerry Wireless Handheld

----- Original Message -----  
From: "Job Serebrov" 
Sent: 06/30/2006 05:58 PM 
To: psims@eac.gov; 
Subject: Various

Peg:

I had to take time off this afternoon to handle some issues. Did you get an answer as to my travel reimbursement?

I spoke to Tova about the Donsanto issue. We both agree about what we heard during the interview. We also agree that this is taking up too much time (of which we have so little left) and is a minor part of one interview which makes up one of thirty interviews. I feel the same as Tova, the Commission was not in on the interview and thus do not know what was said and we are not giving those interviewed the opportunity, especially given how long ago the interviews were, to object. Frankly, if the Commission wants to give us another sixty hours each we can call all of our interviewees, give them the review and ask for comments. In any case, we can't include comments from other interviews with, or lectures by person interviewed, outside of our interview with that person. We simply can't afford to single out one statement in one interview that there is a disagreement on. Finally, I don't read the paragraph
as you do---I remember what was said---the paragraph clearly does not imply an abandonment of other DOJ electoral investigations.

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:16 PM ---
Margaret Sims/EAC/GOV
07/03/2006 12:40 PM
To Serebrov
cc
Subject Travel Reimbursement

GSA reports that a pay out of $1,200.03 was made today. --- Peggy
--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:16 PM ---
Margaret Sims/EAC/GOV
06/30/2006 05:25 PM
To "Tova Wang"
cc
Subject Re: FW: methodology

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Risk Analysis Methodology-Brennan Center excerpt.doc

"Tova Wang"

"Tova Wang"
06/29/2006 12:07 PM
To psims@eac.gov
cc
Subject FW: methodology

Will it be possible for you to extract the excerpt for inclusion in the report? Thanks.

----- Original Message -----
From: Job Serebrov [mailto]
Sent: Wednesday, June 28, 2006 5:40 PM

000095
Agreed

--- Tova Wang wrote:

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Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation

Visit our Web site, for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.

Once is enough. You don't need to resend. --- Peggy

"Tova Wang"
Peg, We don't need to re-send you all of the material that we gave you to provide to the working group for the final report, eg the individual interviews, research summaries, nexis and case charts, right? Thanks. Happy 4th. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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Click here to receive our weekly e-mail updates.

Peg:

It seems to Tova and me that somewhere between 30 and 40 for each of us would be safe (having learned from not asking for enough hours).

Job

No, its Bank of America. I just checked again and its 000097
not there. If it does not appear by morning I will need you to see what is going on.

--- psims@eac.gov wrote:

> They usually send it electronically. Could your bank have failed to post it due to the holiday? Does your bank tend to float deposits for a day or two? Peggy

> --------------------------
> Sent from my BlackBerry Wireless Handheld

> ------- Original Message -------
> From: "Job Serebrov" 
> Sent: 07/05/2006 08:13 AM
> To: psims@eac.gov
> Subject: Re: Travel Reimbursement

> Peg:

> I checked my account this morning (July 5th) and this still has not been paid. Did GSA mail it?

> Job

> --- psims@eac.gov wrote:

> > GSA reports that a pay out of $1,200.03 was made today. --- Peggy

> >

> >

> Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:16 PM ----

Margaret Sims/EAC/GOV
07/03/2006 11:30 AM
To: "Tova Wang" ;
cc
Subject: RE: Estimated Additional Hours Needed

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Peggy Sims
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U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
e-mail: psims@eac.gov

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:16 PM ---

Peg:

I need to move our call to next Monday at 7 pm EST. What is the situation with the extra hours?
I've asked Devon to do it. She can get it to you faster than I. --- Peggy

The excess returns would be a great start, and then I can do the rest. Thanks a lot.

Do you just need to have the excess returns removed, or do you think it needs other clean up as well? --- Peggy
It would be great if someone there could work on cleaning it up. Let us know. Thanks.

----- Original Message ----- 
From: psims@eac.gov
To: 
Cc: 
Sent: Friday, June 30, 2006 5:25 PM
Subject: Re: FW: methodology

The attached is the text extracted from pages 8-19 and the Attachment C referenced within the text. The formatting is still a little weird. Can you work with this, or do I need to play with it some more? --- Peggy

"Tova Wang"

06/29/2006 12:07 PM
To psims@eac.gov
cc
Subject
FW: methodology

Will it be possible for you to extract the excerpt for inclusion in the report? Thanks.

-----Original Message-----
From: Job Serebrov [mailto:
Sent: Wednesday, June 28, 2006 5:40 PM
To: Tova Wang; psims@eac.gov
Subject: Re: methodology

Agreed

--- Tova Wang wrote:

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> Tova
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> Democracy Fellow
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> Click here to receive our
> weekly e-mail updates.

appendices attached, except Peg I think you put together the list of the working group members? In any case, I can't find one at the moment, but it would be easy enough to put together. Perhaps even Devon or someone could do that, especially since I don't think I have any hours left, and probably shouldn't even be writing this email. I don't remember the conversation about adding to the list of interviewees, but we can talk about that later.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, July 17, 2006 9:13 AM
To: [name]
Cc: [name]
Subject: Re: final report

Thanks. I probably won't be able to start getting into this until tomorrow AM. I noticed that the appendices weren't attached. I think we discussed earlier that the list of interviewees needed to
Hi Peg,

Attached please find drafts of the sections for the final report. Job, please double check I'm not missing anything or sent the wrong version of anything. I'm very concerned I may have. Is there a summary of the case review that I should have? Also, as we discussed, the attached does not include all of the individual summaries and charts which we already gave you for the working group and which have not changed. Peg, we'll want to see the complete set of the materials you plan to give to the commissioners, et.al., before you do so. If you could both let me know if all the formatting is OK, that would be great too. Thanks so much and look forward to talking to you at 7 EST.

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:16 PM ---
Margaret Sims/EAC/GOV
07/20/2006 02:46 PM
To Tova Andrea Wang
cc
Subject Voucher

I received your faxed voucher today, signed it, and gave it to Finance. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:16 PM ---

Margaret Sims/EAC/GOV
07/17/2006 12:25 PM
To "Tova Wang"
cc "Job Serebrov"
Subject RE: final report

Yes, I have the list of Working Group members. --- Peggy

"Tova Wang"  
07/17/2006 10:29 AM
To psims@eac.gov
cc "Job Serebrov"
Subject RE: final report

appendices attached, except Peg I think you put together the list of the working group members? In any case, I can't find one at the moment, but it would be easy enough to put together. Perhaps even Devon or someone could do that, especially since I don't think I have any hours left, and probably shouldn't even be writing this email. I don't remember the conversation about adding to the list of interviewees, but we can talk about that later.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, July 17, 2006 9:13 AM
To: 
Cc: "Job Serebrov"
Subject: Re: final report

Thanks. I probably won't be able to start getting into this until tomorrow AM. I noticed that the appendices weren't attached. I think we discussed earlier that the list of interviewees needed to have more information for the final report, and the list of books and documents should be presented in the same manner as a bibliography for the final report. We can talk more about this tonight during our teleconference at 7 PM EST. --- Peggy
Hi Peg,

Attached please find drafts of the sections for the final report. Job, please double check I'm not missing anything or sent the wrong version of anything. I'm very concerned I may have. Is there a summary of the case review that I should have? Also, as we discussed, the attached does not include all of the individual summaries and charts which we already gave you for the working group and which have not changed. Peg, we'll want to see the complete set of the materials you plan to give to the commissioners, et al., before you do so. If you could both let me know if all the formatting is OK, that would be great too. Thanks so much and look forward to talking to you at 7 EST.

Tova Andrea Wang
Democracy Fellow
The Century Foundation

Visit our Web site for the latest news, analysis, opinions, and events.

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APPENDIX C - BRENNAN EXCERPT.doc Existing Literature Reviewed.doc

---- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:16 PM ----
Margaret Sims/EAC/GOV
07/17/2006 01:41 PM
To "Tova Wang"
cc
Subject RE: final report
Here is the list of Working Group members with some information highlighted about each individual. Yes, you can email me later in the day to let me know if I should call you at home or at work. --- Peggy

Can you send it over? As I recall, it includes bios, right? I'm assuming on the interviewees you think we should have very short biographical information? Also, Peg, I'm not sure if I'll still be at work at 7 or home. Is it ok if I email you late in the day as to where I am? My home phone (for only two more weeks!) is

Thanks.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, July 17, 2006 11:26 AM
To: 
Cc: 'Job Serebrov';
Subject: RE: final report

Yes, I have the list of Working Group members. --- Peggy

appendices attached, except Peg I think you put together the list of the working group members? In any case, I can't find one at the moment, but it would be easy enough to put together. Perhaps even Devon or someone could do that, especially since I don't think I have any hours left, and probably shouldn't even be writing this email. I don't remember the conversation about adding to the list of interviewees, but we can talk about that later.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
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Hi Peg,

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Tova Andrea Wang
Democracy Fellow
The Century Foundation

Visit our Web site for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.
Speaking of which, does this look ok to you?

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, July 17, 2006 9:13 AM
To: [redacted]
Cc: Job Serebrov
Subject: Re: final report

Thanks. I probably won't be able to start getting into this until tomorrow AM. I noticed that the appendices weren't attached. I think we discussed earlier that the list of interviewees needed to have more information for the final report, and the list of books and documents should be presented in the same manner as a bibliography for the final report. We can talk more about this tonight during our teleconference at 7 PM EST. --- Peggy

Hi Peg,

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plan to give to the commissioners, et.al., before you do so. If you could both let me know if all the formatting is OK, that would be great too. Thanks so much and look forward to talking to you at 7 EST.

Tova Andrea Wang
Democracy Fellow
The Century Foundation

He asks that you call him on his cell phone.

Tova Andrea Wang
Democracy Fellow

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:16 PM ---

"Tova Wang"
To psims@eac.gov
07/17/2006 05:51 PM
cc
Subject contacting Job

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:16 PM ---

Margaret Sims/EAC/GOV
To Job Serebrov
07/19/2006 11:23 AM
cc
Subject Voucher

I received your faxed voucher this morning, signed it, and submitted it to Finance. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:16 PM ---

"Tova Wang"
To psims@eac.gov
07/17/2006 05:36 PM
cc
That's good.
Juliet Thompson Hodgkins  
General Counsel  
United States Election Assistance Commission  
1225 New York Ave., NW, Ste 1100  
Washington, DC 20005  
(202) 566-3100  
Margaret Sims/EAC/GOV

Margaret Sims/EAC/GOV  
07/17/2006 10:15 AM  
To jthompson@eac.gov  
cc twilkey@eac.gov, Karen Lynn-Dyson/EAC/GOV@EAC  
Subject Voting Fraud-Voter Intimidation Draft Report

Julie:

I received pieces of the draft final report on voting fraud-voter intimidation this morning. If it is OK with you, I'll hold it until all I have all of the pieces, so that you can review it as a whole document. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:16 PM -----
I'm sorry I did not get back to you on this yesterday. I reviewed the voucher this morning and found that only two corrections are needed (coverage dates and # of days worked during the first two weeks). I've made the corrections in red on the attached copy of your voucher. --- Peggy

Wang voucher 6-18 to 7.15.doc

Speaking of which, does this look ok to you?

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

From: psims@eac.gov
Sent: Monday, July 17, 2006 9:13 AM
To: tawa@eac.gov
Cc: 'Job Serebrov';
Subject: Re: final report

Thanks. I probably won't be able to start getting into this until tomorrow AM. I noticed that the appendices weren't attached. I think we discussed earlier that the list of interviewees needed to have more information for the final report, and the list of books and documents should be presented in the same manner as a bibliography for the final report. We can talk more about this tonight during our teleconference at 7 PM EST. --- Peggy
Hi Peg,

Attached please find drafts of the sections for the final report. Job, please double check I'm not missing anything or sent the wrong version of anything. I'm very concerned I may have. Is there a summary of the case review that I should have? Also, as we discussed, the attached does not include all of the individual summaries and charts which we already gave you for the working group and which have not changed. Peg, we'll want to see the complete set of the materials you plan to give to the commissioners, et.al., before you do so. If you could both let me know if all the formatting is OK, that would be great too. Thanks so much and look forward to talking to you at 7 EST.

Tova Andrea Wang
Democracy Fellow
The Century Foundation

Visit our Web site for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates. voucher 6-18 to 7-16.doc

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:16 PM ---
Karen Lynn-Dyson/EAC/GOV
07/28/2006 09:30 AM
To twilkey@eac.gov, Margaret Sims/EAC/GOV@EAC, Edgardo Cortes/EAC/GOV@EAC
cc
Subject Fw: Invitation to attend Election Fraud Conference

All-

I assume that in light of our Voting Fraud and Voter Intimidation project, we will have an EAC presence there?

K
Karen Lynn-Dyson
Research Manager
U.S. Election Assistance Commission
1225 New York Avenue, NW Suite 1100
Washington, DC 20005
Please find attached an invitation to attend the Election Fraud Conference co-sponsored by the Center for Public Policy and Administration at the University of Utah and the Caltech/MIT Voting Technology Project, September 29-30, 2006 in Salt Lake City, UT.

Regards,
Melissa Slemin

California Institute of Technology
Voting Technology Project
MC 228-77
1200 E California Blvd
Pasadena, CA 91125

There was no telephone conference scheduled yesterday.
If you all remember, due to my current job and grandchildren situation we were unable to arrange a teleconference.

---
> What's going on? Where are we at? Thanks. Tova
> ---- Original Message ----

009113
Dear friends and colleagues,

As some of you know, I have decided to voluntarily give up many of my voting rights and become a resident of the District of Columbia. As I will be simply transferring to The Century Foundation's DC office, my email will remain the same. My new work contact information as of August 8 is as follows:

The Century Foundation
1333 H Street, NW
10th Floor
Washington, DC 20005

I look forward to speaking with you and seeing you soon.

Tova Wang
Democracy Fellow
The Century Foundation
The 3rd batch.
Peg Sims

Okay -- you are on for May 18th! Can we do it over here at 10?

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 12:40:19 2006
Subject: Re: Voting Fraud-Voter Intimidation

My problem is that agency staff is booked most of the week of 5/21. Monday through Wednesday are taken up with meetings of the Standards Board Executive Committee, the full Standards Board, and the Board of Advisors. Thursday, we have EAC's public meeting. Also, I will lose one of my two consultants in June, so I'm trying to wrap up this project (and get the final report from the consultants) by the end of May.

Say "Hi" to Cameron for me.

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/03/2006 11:56 AM
To psims@eac.gov
cc
Subject Re: Voting Fraud-Voter Intimidation
Hi Peg. I am sitting here with Cameron Quinn putting together this year's ballt conference for AUSAs. She send her best!

I am available on 5/18. But I am also going to the Board of Advisors Meeting the following week. I would rather do this then.

-----------------------------------
Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 11:39:50 2006
Subject: Voting Fraud-Voter Intimidation

Craig:

We are continuing our efforts to hone in on a date for the Working Group meeting. Are you available the afternoon of Thursday, May 18?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission

---- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM ----
Margaret Sims/EAC/GOV
05/03/2006 04:59 PM
To "Donsanto, Craig" <Craig.Donsanto@usdoj.gov>@GSAEXTERNAL
cc
Subject Re: Voting Fraud-Voter Intimidation

I am looking at the afternoon of 5/18 for the meeting, due to scheduling conflicts of Working Group members. There remain two members from whom we have not yet received confirmations of their schedule (with some, it is like pulling teeth), but right now 5/18 still looks like the best day. We may have to hold the meeting over here to make it easier for Commissioners to drop in. --- Peg

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
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Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

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To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
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Say "Hi" to Cameron for me.

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/03/2006 11:56 AM
To
psims@eac.gov
cc
Subject
Re: Voting Fraud-Voter Intimidation

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Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

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Sent: Wed May 03 11:39:50 2006
Subject: Voting Fraud-Voter Intimidation

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Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM ---

05/05/2006 06:06 PM    To: psims@eac.gov
                        cc
                        Subject: Re: Working Group

Tuesday at 4 is OK for me.
----- Original Message ----- 
From: psims@eac.gov
To: 
Cc: dromig@eac.gov
Sent: Friday, May 05, 2006 2:32 PM 
Subject: Working Group

Hi, Folks:

Teleconference
Are both of you available for a teleconference next Tuesday afternoon at about 4 PM EST? If this does not work for you, please suggest another date and/or time. I would like to discuss our preparations for the Working Group meeting.

Working Group Members
We have a very good person to fill the slot for the nonpartisan local election official: J.R. Perez, Elections Administrator for Guadalupe County, TX. Attached is his bio. Hope you have no objections to him. He is available on May 18. I have place 2 calls to Pat Rogers office, but have not yet received a reply. Job, if you have any pull with him, you may want to contact him, too.

Travel Arrangements
You should make your own travel arrangements, including hotel. Travel time cannot be billed to the contract, except for hours actually worked on the contract (i.e.; reviewing materials in preparation for the meeting, and the like). Current Federal rates follow:

Maximum Lodging = $180 per day- does not include hotel taxes (if you cannot get this rate, we have covered reasonable rates that are a little higher)
Meals & Incidental = $64 per day (except that it is $48 on the first and last day of travel)
Mileage for Personally Owned Vehicle = $ .445 per mile

Under the new contract, I do not have to fill out a travel authorization for you. I can approve your trip via email. Afterwards, when you turn in your next pay voucher, you can attach the airline receipt (or mileage documentation), hotel receipt(s), and ground transportation receipts and a copy of any printed itineraries. Calculate the total travel expenses due you, including applicable per diem. I do not need meal receipts.

Job, under Federal travel regulations, deviations for personal reasons are not normally accommodated. What you can do, however, is to give me a comparison of the cost of roundtrip mileage, hotel, and per diem of doing it your way against the cost of a roundtrip flight, ground transportation, hotel, and per diem. If your way costs less, it should be no problem to cover the full cost. If your way is more expensive, we may only pay up to the amount of traditional travel. (The same rules apply to me when I travel.) If you can tell me where, other than DC, you will spend the night, I can check on applicable per diem rates.

Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----
Margaret Sims/EAC/GOV
05/04/2006 03:13 PM
To "Donsanto, Craig"
Craig.Donsanto@usdoj.gov@GSAEXTERNAL
Subject RE: Voting Fraud-Voter Intimidation

Craig:

This meeting is being held to obtain input from our eight-member Working Group for the project. The group is composed of election lawyers, election officials, and a representative of an advocacy group, all of whom have an interest and some expertise in the identification and/or prosecution of voting fraud and voter intimidation. The group was chosen so that we would have an equal number of folks on each side of the political spectrum, plus some nonpartisan members.

After our consultants review the results of their preliminary research (interviews, literature review, case law), we will ask the Working Group to brainstorm possible next steps for EAC. Our consultants will write a report summarizing the proposals that come out of this meeting. The report will go to the Commissioners, who will decide what they want to do, funds available, and what priority to assigned to the effort(s).

Your participation in this part of the process is extremely important, so I am very happy that you can find time for us that afternoon. I'll get an agenda and other information to you next week. --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
05/04/2006 02:32 PM
To psims@eac.gov
cc
Subject RE: Voting Fraud-Voter Intimidation
Okay, Peg - - I will mark off the entire afternoon and try to be there. What is the agenda? I was not aware that this was anything beyond having your contractors spend another session with me. Also, if they will be needing stats and stuff like that I need to know as I will bring my state-people with me.

From: psims@eac.gov
Sent: Thursday, May 04, 2006 2:28 PM
To: Donsanto, Craig
Subject: Re: Voting Fraud-Voter Intimidation

Right now, we are planning to meet in EAC's large conference room between 1 PM and 5 PM. If you cannot be there for the whole afternoon, we will appreciate whatever time you can spare. I'll get back to you with more information (agenda, list of Working Group members, etc.). --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/03/2006 05:59 PM  Topsims@eac.gov
cc  SubjectRe: Voting Fraud-Voter Intimidation

Afternoon of May 18 -- 2:30 okay? How long will they need??
-----------------------------
Sent from Dr. D’s Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov
To: Donsanto, Craig
Sent: Wed May 03 16:59:09 2006
Subject: Re: Voting Fraud-Voter Intimidation

I am looking at the afternoon of 5/18 for the meeting, due to scheduling conflicts of Working Group members. There remain two members from whom we have not yet received confirmations of their schedule (with some, it is like pulling teeth), but right now 5/18 still looks like the best day. We may have to hold the meeting over here to make it easier for Commissioners to drop in. --- Peg
"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/03/2006 12:53 PM
To
cc
Subject

Re: Voting Fraud-Voter Intimidation

Okay -- you are on for May 18th! Can we do it over here at 10?
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Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 12:40:19 2006
Subject: Re: Voting Fraud-Voter Intimidation

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Say "Hi" to Cameron for me.

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/03/2006 11:56 AM
To
cc
Subject

Re: Voting Fraud-Voter Intimidation

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I am available on 5/18. But I am also going to the Board of Advisors Meeting the following week. I would rather do this then.

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Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

----- Original Message ----- 
From: psims@eac.gov <psims@eac.gov> 
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov> 
Sent: Wed May 03 11:39:50 2006 
Subject: Voting Fraud-Voter Intimidation

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Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM ----- 
Margaret Sims/EAC/GOV 
05/09/2006 11:33 AM 
To: "Job Serebrov" @GSAEXTERNAL 
cc: Subject Re: Working Group-Perez

Did you look at the attached excerpts from Texas Code? --- Peggy

"Job Serebrov" 05/09/2006 11:23 AM 
To: psims@eac.gov 
cc: Subject Re: Working Group-Perez

We have the same set-up here in Arkansas. We hired a person just like Perez. However, given this, I would still like to know if he has a party affiliation and this brings up another issue. How is the county election commission chosen. In Arkansas it is the
Chairmen of the Republican and Democrat Parties or if he/she does not want to serve a person is elected in his/her stead and a third member picked by the party with the most constitutional officers. Practically that has meant that the Democrats have controlled election commissions in Arkansas since the end of Reconstruction. This is why I want to know the situation in Texas.

--- psims@eac.gov wrote:

> As you may recall, the Commissioners directed me to find a nonpartisan local election official to serve on the Working Group. The three of us discussed the desirability of having a Hispanic. I proposed that I find someone from Texas because of that State's colorful history of voting fraud and their innovative approaches to combat it. In those Texas counties that hire Election Administrators to run elections, rather than having elected officials do so (Tax Assessor for voter registration; County Clerk for balloting), the Election Administrator is hired by the County Election Commission and is supposed to perform his or her duties in a nonpartisan manner. (See attached excerpts from Texas Election Code regarding election administrator hiring and restrictions on partisan activity.) Any experienced Texas election official will be familiar with voting fraud and voter intimidation schemes used in that State. Mr. Perez has over 13 years experience as a county Election Administrator in Texas. You won't find many news articles mentioning him because he has kept his nose clean. (The Texas press, as in many other parts of the country, prefers to report bad news.) Mr. Perez is plugged into the association of Texas election officials and the two largest organizations of election officials in this country: the International Association of Clerks, Recorders, Election Officials and Treasurers (IACREOT); and The Election Center. He is a past President and past Chairman of the Legislative Committee for the Texas Association of Election Administrators. He currently serves on IACREOT's Election Officials Committee, which plans the educational sessions for election officials that are conducted.
at that organization's conferences. His peers in IACREOT and The Election Center have selected his submissions on web presentations (IACREOT) and his professional practices papers (Election Center) for awards. Mr. Perez also has access to information from other States through his membership in IACREOT and The Election Center. He also has a sense of humor, which you will note if you access the staff web page on the Guadalupe County Elections web site and hear the Mission Impossible theme .. something that might be useful in the upcoming meeting.

Guadalupe County is small but growing. In 2004, the county had over 65 thousand registered voters (a number more than doubled the number of registered voters in 1988). A third of the county's population claims Hispanic or Latino origin, according to the U.S. Census Bureau. The county is in south central Texas and is bordered by Comal, Hays, Cladwell, Gonzales, Wilson, and Bexar counties. In the 1980s, the county was predominately a farming community; but in recent years, many people have moved from San Antonio (Bexar County) to Guadalupe County, preferring to live in Guadalupe County and work in Bexar County.

--- Peggy

"Job Serebrov" 05/08/2006 11:30 PM

To psims@eac.gov
cc
Subject Re: Working Group

Peggy:

What political party is Perez with? How political is he? Is the position in Texas neutral or political?
Who appointed Perez?

As to Pat I will contact him but I can't promise anything. If Pat can't come, who is getting knocked off Tova's list?

Job

Diana:

The following members of the Working Group for our Voting Fraud/Voter Intimidation research project will need to make travel arrangements in order to attend an afternoon meeting of the group on May 18 in Washington, DC:

Mark "Thor" Hearne - St Louis, MO
J.R. Perez - Seguin, TX
The Honorable Todd Rokita - Indianapolis, IN
Kathy Rogers - Atlanta, GA

I may have one additional member from Albuquerque, NM confirmed early next week.

May these people use Adventure Travel to make these arrangements in the same manner as the Asian Language Working Group? I understand the members of that group made hotel and flight arrangements through Adventure Travel and that these costs were billed directly to EAC. We did plan for EAC to pay for the travel of the Voting Fraud/Voter Intimidation Working Group (budgeted under Research). Devon will prepare their travel authorizations.

Peggy Sims
Election Research Specialist

This seems OK, I guess its a less detailed version of what I sent you. I hope you will advise us as to what
we are supposed to talk about/go over since we have provided the group with everything we've done ahead of time. I also hope that you will have an answer for me on Wade. It utterly essential that we have a leader from the civil rights community at the table.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 11, 2006 9:07 AM
To: wang@tcf.org;
Subject: Today's Teleconference

I assume that we are still on for today's teleconference at 11 AM EST. I will call you. I have attached a draft agenda for your review and comment. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM ----
"Job Serebrov"
05/11/2006 03:36 PM
To: "Tova Wang" <psims@eac.gov>
cc: 
Subject: Re: new working group representative

I have an objection to Greenbaum. While I realize he comes from an advocacy group, he is not a minority attorney and we already have a rep who worked with DOJ. If it is to be Greenbaum, I would rather not fill that position since I am one down.

--- Tova Wang wrote:

> is Jon Greenbaum
> > Here' s his info in full:
> > 1
> > He is the Director of the Voting Rights Project for
> > the Lawyers Committee
> > for Civil Rights. He will be representing Barbara
> > Arnwine, the Executive
> > Director of the Lawyers Committee.
> >
> > His contact and mailing info is:
> >
> > Suite 400
> > Washington, DC 20005
> >
> > Tova Andrea Wang
> > Democracy Fellow
> > The Century Foundation
--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM ---

"Tova Wang"
conference@tif.org
05/11/2006 02:12 PM
To: psims@eac.gov
cc
Subject: RE: Literature Summary

It might be an Apple issue

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 11, 2006 1:09 PM
To: [redacted]
Cc: [redacted]
Subject: Literature Summary

Tova just sent me the summary you prepared of The Federal Crime of Election Fraud by Craig Donsanto. There is something wrong in the fourth paragraph (odd characters and missing text). Can you please send a replacement fourth paragraph? You can send it in an email and I will place it in the document. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM ---

"Job Serebrov"
05/04/2006 12:04 PM
To: psims@eac.gov
cc
Subject: Re: Good News

Peggy:

Rogers contact information is below on my last message.
Job

--- psims@eac.gov wrote:

> Job:
> --- psims@eac.gov wrote:
> I have the Chairman's OK to follow your recommendation and replace Norcross with Rogers. Do you have contact information for Rogers? --- Peggy
>
> "Job Serebrov"
> 05/04/2006 11:17 AM
>
> To psims@eac.gov
> cc
>
> Subject Re: Good News
>
> See:
> 1E P.O. Box 2168
> Albuquerque, NM 87103-2168
> Asst: Carol Casstevens
>
> --- psims@eac.gov wrote;
>
> > Job:
> > Secretary Rokita is available May 18. I'm going to talk with the Chairman today about substituting Rogers for Norcross. Do you have contact information for Rogers? --- Peggy
Okay, Peg - thank you. I will be there.

The non-election officials on the Working Group currently include:

- Barry Weinberg, whom you know
- Barbara Arnwine, Lawyers Committee for Civil Rights Under Law (organization associated with the Voting Rights Project and Election Protection)
- Bob Bauer, Perkins Coie, DC (Democrat attorney)
- Mark "Thor" Hearne, Lathrop & Gage, St Louis, MO (Republican attorney)

I am trying to recruit one other Republican attorney, Patrick Rogers, Modrall, Sperling, Roehl, Harris and Sisk, NM, who was recommended by our Republican consultant. He would replace an original member who is no longer available.

I know that Barbara has associated at conferences and in legislative efforts with Wade Henderson, Leadership Conference on Civil Rights. Also, the Lawyers Committee for Civil Rights is listed as on of many members of the Executive Committee for the Leadership Conference on Civil Rights (see http://www.civilrights.org/about/lccr/executive_committee.html).

Does this information help? --- Peggy
Peggy -- they don't have anything to do with the Leadership Conference on Civil Rights do they?

I ask only because the Justice Department is currently engaged in a very acrimonious FOIA litigation with LCCR that focuses precisely on our efforts to combat voter "intimidationm"

-------------
Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Thu May 04 17:20:39 2006
Subject: RE: Voting Fraud-Voter Intimidation

It is just the Working Group for the Voting Fraud-Voter Intimidation Project. I am asking you to attend as Technical Advisor for the project. --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
05/04/2006 03:26 PM
To
cc
Subject
RE: Voting Fraud-Voter Intimidation

Peg -- what is the name of the group?

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 04, 2006 3:13 PM
To: Donsanto, Craig
Subject: RE: Voting Fraud-Voter Intimidation
Craig:

This meeting is being held to obtain input from our eight-member Working Group for the project. The group is composed of election lawyers, election officials, and a representative of an advocacy group, all of whom have an interest and some expertise in the identification and/or prosecution of voting fraud and voter intimidation. The group was chosen so that we would have an equal number of folks on each side of the political spectrum, plus some nonpartisan members.

After our consultants review the results of their preliminary research (interviews, literature review, case law), we will ask the Working Group to brainstorm possible next steps for EAC. Our consultants will write a report summarizing the proposals that come out of this meeting. The report will go to the Commissioners, who will decide what they want to do, funds available, and what priority to assigned to the effort(s).

Your participation in this part of the process is extremely important, so I am very happy that you can find time for us that afternoon. I'll get an agenda and other information to you next week. --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
05/04/2006 02:32 PM

To
psims@eac.gov

cc

Subject
RE: Voting Fraud-Voter Intimidation

Okay, Peg -- I will mark off the entire afternoon and try to be there. What is the agenda? I was not aware that this was anything beyond having your contractors spend another session with me. Also, if they will be needing stats and stuff like that I need to know as I will bring my state-people with me.

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 04, 2006 2:28 PM
To: Donsanto, Craig
Subject: Re: Voting Fraud-Voter Intimidation

Right now, we are planning to meet in EAC's large conference room between 1 PM and 5 PM. If you cannot be there for the whole afternoon, we will appreciate whatever time you can spare. I'll get back to you with more information (agenda, list of Working Group members, etc.). --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
05/03/2006 05:59 PM

To
psims@eac.gov
cc
Subject
Re: Voting Fraud-Voter Intimidation

Afternoon of May 18 -- 2:30 okay? How long will they need??
--------------------------
Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 16:59:09 2006
Subject: Re: Voting Fraud-Voter Intimidation

I am looking at the afternoon of 5/18 for the meeting, due to scheduling conflicts of Working Group members. There remain two members from whom we have not yet received confirmations of their schedule (with some, it is like pulling teeth), but right now 5/18 still looks like the best day. We may have to hold the meeting over here to make it easier for Commissioners to drop in. --- Peg

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
05/03/2006 12:53 PM
Okay -- you are on for May 18th! Can we do it over here at 10?

Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 12:40:19 2006
Subject: Re: Voting Fraud-Voter Intimidation

My problem is that agency staff is booked most of the week of 5/21. Monday through Wednesday are taken up with meetings of the Standards Board Executive Committee, the full Standards Board, and the Board of Advisors. Thursday, we have EAC's public meeting. Also, I will lose one of my two consultants in June, so I'm trying to wrap up this project (and get the final report from the consultants) by the end of May.

Say "Hi" to Cameron for me.

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
05/03/2006 11:56 AM
To
psims@eac.gov
cc
Subject
Re: Voting Fraud-Voter Intimidation

Hi Peg. I am sitting here with Cameron Quinn putting together this year's ballot conference for AUSAs. She send her best!

I am available on 5/18. But I am also going to the Board of Advisors Meeting the following week. I would rather do this then.

Sent from Dr. D's Fabulous BlackBerry Wireless Handheld
----- Original Message -----  
From: psims@eac.gov <psims@eac.gov>  
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>  
Sent: Wed May 03 11:39:50 2006  
Subject: Voting Fraud-Voter Intimidation  

Craig:  

We are continuing our efforts to hone in on a date for the Working Group meeting. Are you available the afternoon of Thursday, May 18?  

Peggy Sims  
Election Research Specialist  
U.S. Election Assistance Commission  

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----  
Devon E. Romig/EAC/GOV  
05/09/2006 11:34 AM  
To: Margaret Sims/EAC/GOV@EAC  
cc  
Subject: Re: May 18 Meeting  

No, but I have left a message for her assistant and I am waiting for her to return my call. I will let you know as soon as I hear anything.  

Devon Romig  
United States Election Assistance Commission  
1225 New York Ave. NW, Suite 1100  
Washington, DC 20005  
202.566.2377 phone  
202.566.3128 fax  
www.eac.gov  
Margaret Sims/EAC/GOV  

Margaret Sims/EAC/GOV  
05/09/2006 11:19 AM  
To: dromig@eac.gov  
cc  
Subject: May 18 Meeting
Did Barbara Arnwine's office indicate who they propose to send in her place? --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM ---

"Job Serebrov" To psims@eac.gov
05/08/2006 11:30 PM cc
Subject Re: Working Group

Peggy:

What political party is Perez with? How political is he? Is the position in Texas neutral or political? Who appointed Perez?

As to Pat I will contact him but I can't promise anything. If Pat can't come, who is getting knocked off Tova's list?

Job

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----

Diana Scott/EAC/GOV To Margaret Sims/EAC/GOV@EAC
05/08/2006 10:22 AM cc dromig@eac.gov, Karen Lynn-Dyson/EAC/GOV@EAC
Subject Re: Working Group Travel

Peggy,

I will send these names to Adventure Travel (AT) authorizing AT to place the airfare and hotel charges on our credit card. That is all I do on my end. BUT Devon has to follow up to make all the arrangements with Marvin Brokaw at AT and whatever else is required as far as support servs. for the meeting is concerned.

I assume this is a separate meeting from the 2 Karen & Brian are having?

Diana M. Scott
Administrative Officer
U.S. Election Assistance Commission
(202) 566-3100 (office)
(202) 566-3127 (fax)
dscott@eac.gov

Margaret Sims/EAC/GOV
Diana:

The following members of the Working Group for our Voting Fraud/Voter Intimidation research project will need to make travel arrangements in order to attend an afternoon meeting of the group on May 18 in Washington, DC:

Mark "Thor" Hearne - St Louis, MO
J.R. Perez - Seguin, TX
The Honorable Todd Rokita - Indianapolis, IN
Kathy Rogers - Atlanta, GA

I may have one additional member from Albuquerque, NM confirmed early next week.

May these people use Adventure Travel to make these arrangements in the same manner as the Asian Language Working Group? I understand the members of that group made hotel and flight arrangements through Adventure Travel and that these costs were billed directly to EAC. We did plan for EAC to pay for the travel of the Voting Fraud/Voter Intimidation Working Group (budgeted under Research). Devon will prepare their travel authorizations.

Peggy Sims
Election Research Specialist

Peggy:

Please tell the folks there that I am not worried about a perceived breach of contract. This is a completely ridiculous statement considering the contractual requirement that the consultants convene the Working Group and not the Commission and it never specifies where or when this is to take place. All this to say that while the contract does specify a Working Group meeting it does not specify that it must
take place on any particular date or in a particular city. With that said, I have never heard of any federal travel requirements that would result in a loss of money because I decided to drive and not fly. In fact, that is why there is an amount paid per mile. So I would like to see the federal regulation that forces me to take the least expensive transport and restricts all other ground transport costs to that figure.

As to hotels, based on Tova's research there are no rooms for under the $350 range per night. If you can find hotels that are less expensive but still carry the kind of bed I need for my back (either pillow top or a number bed) please do.

The issue of ---today I have not had an update on his condition. But, as I previously stated, if were to die or have an event while I was in DC, I would have to go to NYC meeting or no meeting.

Finally, neither Tova nor I have been satisfied about Mr. Perez and I have not been told whether Pat Rogers will be coming or one of Tova's people will not be.

In the end, I need to see the travel regulation that I requested above, I would like you to look into hotels for Tova and me that have the kind of bed I need and I would like to know about Perez and Rogers. In the mean time, I should have an update on by morning. I would also be happy to talk to Julie about the issues involved. I will take you up on your offer to process my travel expenses faster and I do not and never did expect you to get me a travel advance. I worked in international development and know what a headache those are to apply for on the state level.

Job

--- psims@eac.gov wrote:

> Job:
> > Folks here are concerned that your failure to show up in person to help conduct the meeting would be a breach of contract.
> > I also am concerned about the impression that your absence will leave with the Commissioners and with the VIPs coming to this meeting.
> > If you are concerned about delays in reimbursement caused by including the travel expenses in the personal services voucher, I can always process your request (with receipts) separately and earlier. I can have staff here check to see if we can find hotel rooms at a more reasonable rate for you and Tova. (We recognize that you may not be
able to obtain Federal government rate.) What I cannot do is offer a travel advance, which is not permitted for nonfederal employees, or offer to pay the difference between normal travel expenses and those incurred for personal convenience, when the latter is the higher amount. I urge you to make your travel arrangements ASAP.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or (direct)
Fax: 202-566-3127
email: psims@eac.gov

"Job Serebrov"
05/08/2006 01:41 PM

To
psims@eac.gov
cc

Subject
Re: Working Group

Given the information I have Peggy, that is not going to be financially possible. First, given Tova's info about the hotels, it is too much for me to front. Two to three days in DC would run around $1000 for the hotel alone. That does not count the two days on the road to get there and two days back. Second, if I can't charge the federal per mile allowance for the entire trip to DC and back and can only get the equivalent of plane fare, I will actually loose money.

I simply do not see how we can do this in person given the financial restrictions.

--- psims@eac.gov wrote:
I don't think we can put you on teleconference for 4 1/2 hours. We really need to have you here in person if you are to help conduct the Working Group meeting. You should make your travel arrangements ASAP. --- Peggy

Peggy:

4:00 eastern on Tuesday is fine however, given the financial restrictions that you indicated would be in place for use of my car (I would actually loose money coming to DC) and given the cost of hotels at this time (I can't afford to front these costs and wait for months to be repaid), etc, it would take a miracle for this working group meeting to take place in person. It is looking like the only way it will get done is by teleconference. I also share Tova's concern about the unknown nature of Mr. Perez.

--- psims@eac.gov wrote:

Hi, Folks:

Teleconference

Are both of you available for a teleconference next Tuesday afternoon at...
about 4 PM EST? If this does not work for you, please suggest another date and/or time. I would like to discuss our preparations for the Working Group meeting.

Working Group Members

We have a very good person to fill the slot for the nonpartisan local election official: J.R. Perez, Elections Administrator for Guadalupe County, TX. Attached is his bio. Hope you have no objections to him. He is available on May 18. I have place 2 calls to Pat Rogers office, but have not yet received a reply. Job, if you have any pull with him, you may want to contact him, too.

Travel Arrangements

You should make your own travel arrangements, including hotel. Travel time cannot be billed to the contract, except for hours actually worked on the contract (i.e.; reviewing materials in preparation for the meeting, and the like). Current Federal rates follow:

- Maximum Lodging = $180 per day- does not include hotel taxes (if you cannot get this rate, we have covered reasonable rates that are a little higher)
- Meals & Incidentals = $64 per day (except that it is $48 on the first and last day of travel)
- Mileage for Personally Owned Vehicle = $ .445 per mile

Under the new contract, I do not have to fill out a travel authorization for you. I can approve your trip via email. Afterwords, when you turn in your next pay voucher, you can attach the airline receipt (or mileage documentation), hotel receipt(s), and ground transportation receipts and a copy of any printed itineraries. Calculate the total travel expenses due.
Peggy:

At this point and unless I dies before May 18, the only way I will go to DC is to drive my car. I will need it in case I dies while I am there. You will need to get approval for the use of my car and the two days it will take me to get there and two days back.

Job

The Commissioners made this an equal bi-partisan issue. I am seen as representing the Republican Party. I now have a responsibility to assure that this ends up bi-partisan. I have been placed in a position of dual obligations—both to the contract and to the Party. I in fact see myself as carrying out what the Commission wanted to the letter—equal bi-partisan representation.

--- psims@eac.gov wrote:

> Your response suggests that you do not care what the Commissioners may think about the effort. --- Peggy

---
Subject: Re: new working group representative

Peggy:

Braden is ok also with me but please don't tell me not to "stir up" things. I assure you nothing will come back to bite me. I know these people well enough to say they will also want a balanced group. In fact, one of them was very unhappy with Tova's folks.

Job

--- psims@eac.gov wrote:

According to the Commissioners, you and Tova each got to pick three members of the Working Group. The Commission guidance regarding this particular member follows:

4 people from the Academic, Legal and Advocacy sectors - 2 to be chosen by Tova and 2 to be chosen by Job.

This issue of allowing a designee relates to Tova's pick.

As I understand it, we are working on a replacement for Norcross. If Ginsberg is not viable, how about Mark Braden, who includes public integrity in his areas of specialization. I would not try and stir up other members of the Working Group, if I were you.

The effort is likely to come back and bite you.

"Job Serebrov" 05/11/2006 03:55 PM

To psims@eac.gov cc
I really don't care if he represents the organization or not. What mixed race? The entire discussion was because Arnwine was African-American. If you are going to invite him without first having a replacement for my side, I may have to call Thor and Todd and discuss all of this.

--- psims@eac.gov wrote:

> Greenbaum is representing Arnwine, not replacing her. He works for her organization and is of mixed race. --- Peggy

I have an objection to Greenbaum. While I realize he comes from an advocacy group, he is not a minority attorney and we already have a rep who worked with DOJ. If it is to be Greenbaum, I would rather not fill that position since I am one down.

--- Tova Wang wrote:

is Jon Greenbaum

Here's his info in full:
He is the Director of the Voting Rights Project for the Lawyers Committee for Civil Rights. He will be representing Barbara Arnwine, the Executive Director of the Lawyers Committee.

His contact and mailing info is:

Suite 400
Washington, DC 20005

Tova Andrea Wang
Democracy Fellow
The Century Foundation


Click here to receive our weekly e-mail updates.
Afternoon of May 18 -- 2:30 okay? How long will they need??

Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 16:59:09 2006
Subject: Re: Voting Fraud-Voter Intimidation

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Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission

000146
Right now, we are planning to meet in EAC's large conference room between 1 PM and 5 PM. If you cannot be there for the whole afternoon, we will appreciate whatever time you can spare. I'll get back to you with more information (agenda, list of Working Group members, etc.). --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

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Election Research Specialist
U.S. Election Assistance Commission

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM ---
Margaret Sims/EAC/GOV
05/12/2006 01:41 PM
To "Job Serebrov"
cc SAEXTERNAL
Subject Re: Fraud Definition

I will add "DRAFT" to the definition and, yes, the WG will have suggestions. I do plan to send packets to you and Tova containing the same materials being provided to the WG. I haven't sent anything yet because I was hoping to finalize the WG list for inclusion. (Still waiting for a response from Ginsberg.)

Regarding Tova's response, we may want to have a very short meeting after the WG disperses, followed by a teleconference the following Monday afternoon. Tuesday is bad for me because I'll be out of the office attending a series of EAC meetings that begin that day. --- Peggy

"Job Serebrov"

This is ok, given the fact that the WG may have suggestions. Will you be sending us the same packets that you are sending the WG? Also, I figure with Tova's response we will need to have a teleconference on the report once I return to Little Rock. We will need to do it that following Monday or Tuesday.
--- psims@eac.gov wrote:

> Would you please take a look at the attached? I
> combined both of your
> definitions, reformatted the list, removed a
> reference to the fraud having
> to have an actual impact on the election results
> (because fraud can be
> prosecuted without proving that it actually changed
> the results of the
> election), and taken out a couple of vague examples
> (e.g.; reference to
> failing to enforce state laws --- because there may
> be legitimate reasons
> for not doing so).
> >
> > I have made contact with Ben Ginsberg's office and
> am waiting to hear if
> he accepts our invitation to join the working group.
> > --- Peggy
> >

---- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM ----
Margaret Sims/EAC/GOV
05/05/2006 02:32 PM  To Tova Andrea Wang, Job Serebrov
cc dromig@eac.gov
Subject Working Group

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- Meals & Incidentals = $64 per day (except that it is $48 on the first and last day of travel)
Mileage for Personally Owned Vehicle = $ .445 per mile

Under the new contract, I do not have to fill out a travel authorization for you. I can approve your trip via email. Afterwords, when you turn in your next pay voucher, you can attach the airline receipt (or mileage documentation), hotel receipt(s), and ground transportation receipts and a copy of any printed itineraries. Calculate the total travel expenses due you, including applicable per diem. I do not need meal receipts.

Job, under Federal travel regulations, deviations for personal reasons are not normally accommodated. What you can do, however, is to give me a comparison of the cost of roundtrip mileage, hotel, and per diem of doing it your way against the cost of a roundtrip flight, ground transportation, hotel, and per diem. If your way costs less, it should be no problem to cover the full cost. If your way is more expensive, we may only pay up to the amount of traditional travel. (The same rules apply to me when I travel.) If you can tell me where, other than DC, you will spend the night, I can check on applicable per diem rates.

Peggy

---

Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM —
Margaret Sims/EAC/GOV
05/12/2006 03:19 PM
To "Job Serebrov"
cc
Subject Re: Fraud Definition

I have placed another call to his office (after one previous call to his assistant and an email to him). I, too, am concerned about our dwindling chances. --- Peggy

"Job Serebrov"
05/12/2006 03:06 PM
To psims@eac.gov
cc
Subject Re: Fraud Definition

Given the short time period, you may want to give Ginsberg a deadline. The longer we wait, the poorer our chances are of getting Braden.

--- psims@eac.gov wrote:

> I am reluctant to invite Braden until after I have received a "No" from Ginsberg. --- Peg
Sounds good to me. If not Ginsburg try Braden.

--- psims@eac.gov wrote:

I will add "DRAFT" to the definition and, yes, the WG will have suggestions. I do plan to send packets to you and Tova containing the same materials being provided to the WG. I haven't sent anything yet because I was hoping to finalize the WG list for inclusion. (Still waiting for a response from Ginsberg.)

Regarding Tova's response, we may want to have a very short meeting after the WG disperses, followed by a teleconference the following Monday afternoon. Tuesday is bad for me because I'll be out of the office attending a series of EAC meetings that begin that day. --- Peggy

This is ok, given the fact that the WG may have suggestions. Will you be sending us the same packets that you are sending the WG? Also, I figure with
Tova's response: we will need to have a teleconference on the report once I return to Little Rock. We will need to do it that following Monday or Tuesday.

--- psims@eac.gov wrote:
> Would you please take a look at the attached? I combined both of your definitions, reformatted the list, removed a reference to the fraud having to have an actual impact on the election results (because fraud can be prosecuted without proving that it actually changed the results of the election), and taken out a couple of vague examples (e.g., reference to failing to enforce state laws --- because there may be legitimate reasons for not doing so).

I have made contact with Ben Ginsberg's office and am waiting to hear if he accepts our invitation to join the working group.

--- Peggy

Thanks. We are still trying to get through to Bauer and Arnwine. They have not responded, so their availability is not yet reflected on our spreadsheet. --- Peggy
Hi Peg,

Attached, to add to the collection, is a summary overview of the interviews. Do you have that spreadsheet you were telling me about reflecting the times WG participants are available? If so, maybe we can talk soon? Thanks. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation

Visit our Web site for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.

Interview conclusions.doc

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM -----

Hi, Folks:

The bio for JR Perez tells us very little about him and there is pretty much nothing about him on the web. Can you tell us more about him and how you decided on him? Thanks. Tova

----- Original Message -----
From: psims@eac.gov
To: dromig@eac.gov
Cc: dromig@eac.gov
Sent: Friday, May 05, 2006 2:32 PM
Subject: Working Group

Hi, Folks:
Teleconference
Are both of you available for a teleconference next Tuesday afternoon at about 4 PM EST? If this does not work for you, please suggest another date and/or time. I would like to discuss our preparations for the Working Group meeting.

Working Group Members
We have a very good person to fill the slot for the nonpartisan local election official: J.R. Perez, Elections Administrator for Guadalupe County, TX. Attached is his bio. Hope you have no objections to him. He is available on May 18. I have placed 2 calls to Pat Rogers' office, but have not yet received a reply. Job, if you have any pull with him, you may want to contact him, too.

Travel Arrangements
You should make your own travel arrangements, including hotel. Travel time cannot be billed to the contract, except for hours actually worked on the contract (i.e., reviewing materials in preparation for the meeting, and the like). Current Federal rates follow:

Maximum Lodging = $180 per day - does not include hotel taxes (if you cannot get this rate, we have covered reasonable rates that are a little higher)
Meals & Incidentals = $64 per day (except that it is $48 on the first and last day of travel)
Mileage for Personally Owned Vehicle = $.445 per mile

Under the new contract, I do not have to fill out a travel authorization for you. I can approve your trip via email. Afterwords, when you turn in your next pay voucher, you can attach the airline receipt (or mileage documentation), hotel receipt(s), and ground transportation receipts and a copy of any printed itineraries. Calculate the total travel expenses due you, including applicable per diem. I do not need meal receipts.

Job, under Federal travel regulations, deviations for personal reasons are not normally accommodated. What you can do, however, is to give me a comparison of the cost of roundtrip mileage, hotel, and per diem of doing it your way against the cost of a roundtrip flight, ground transportation, hotel, and per diem. If your way costs less, it should be no problem to cover the full cost. If your way is more expensive, we may only pay up to the amount of traditional travel. (The same rules apply to me when I travel.) If you can tell me where, other than DC, you will spend the night, I can check on applicable per diem rates.

Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM -----
Margaret Sims/EAC/GOV
05/10/2006 10:27 AM
To Devon E. Romig/EAC/GOV
cc
Subject Re: Court reporter

Thanks for checking this out for me, Devon. I've asked Tom if there are funds available for this service. Our consultants were very enthusiastic about the idea. --- Peg

Devon E. Romig/EAC/GOV
Peggy,

I spoke to the people who usually handle the EAC court reporting. They charge $9.00 per page with an average of 40 pages per hour. This service would cost about $1800.00.

The turn around time for the transcript is 10 to 15 days. The transcripts comes in a bound paper copy and an electronic copy.

I can also check around for different prices.

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM ---
Margaret Sims/EAC/GOV
05/04/2006 02:39 PM
To Elieen L. Collver/EAC/GOV
cc dromig@eac.gov, ecortes@eac.gov
Subject Re: Voting Fraud-Voter Intimidation Working Group Meeting

Yes. Thanks. Depending on when Commissioner Davidson can spare you, we may need your help putting materials together for the Working Group (probably next week). We also will have to print name tags and place cards. If you are a good note-taker, we also will need people to take turns taking notes at the meeting. --- Peggy

Elieen L. Collver/EAC/GOV

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM ---
Margaret Sims/EAC/GOV
05/04/2006 02:26 PM
To Margaret Sims/EAC/GOV@EAC
cc
Subject Re: Voting Fraud-Voter Intimidation Working Group Meeting

Peggy,
Can I help on this working group?

Elle

Elle L.K Colver
U.S. Election Assistance Commission
1225 New York Avenue, Suite 1100
Washington, D.C. 20005
office: (202) 566-2256
blackberry: (202) 294-9251
www.eac.gov
Margaret Sims/EAC/GOV

Margaret Sims/EAC/GOV 05/04/2006 02:07 PM
To pdegregorio@eac.gov, rmartinez@eac.gov, ddavidson@eac.gov, ghillman@eac.gov
cc twilkey@eac.gov, jthompson@eac.gov, Gavin S. Gilmour/EAC/GOV@EAC, Amie J. Sherrill/EAC/GOV@EAC, Adam Ambrogi/EAC/GOV@EAC, Eileen L. Colver/EAC/GOV@EAC, Sheila A. Banks/EAC/GOV@EAC, bbenavides@eac.gov, Karen Lynn-Dyson/EAC/GOV@EAC
Subject Voting Fraud-Voter Intimidation Working Group Meeting

Dear Commissioners:

This is to let you know that the Working Group for our Voting Fraud and Voter Intimidation preliminary research project is scheduled to meet in EAC's large conference room the afternoon of Thursday, May 18. I will provide more information about this meeting to you later.

Peggy Sims
Election Research Specialist

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM -----
Margaret Sims/EAC/GOV 05/04/2006 10:33 AM
To Job Serebrov
cc
Subject Good News

Job:
Secretary Rokita is available May 18. I'm going to talk with the Chairman today about substituting Rogers for Norcross. Do you have contact information for Rogers? --- Peggy
----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM -----
Margaret Sims/EAC/GOV 05/04/2006 05:20 PM
To "Donsanto, Craig"
<Craig.Donsanto@usdoj.gov>@GSAEXTERNAL
cc
Subject
It is just the Working Group for the Voting Fraud-Voter Intimidation Project. I am asking you to attend as Technical Advisor for the project. --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

Peg -- what is the name of the group?

Craig:

This meeting is being held to obtain input from our eight-member Working Group for the project. The group is composed of election lawyers, election officials, and a representative of an advocacy group, all of whom have an interest and some expertise in the identification and/or prosecution of voting fraud and voter intimidation. The group was chosen so that we would have an equal number of folks on each side of the political spectrum, plus some nonpartisan members.

After our consultants review the results of their preliminary research (interviews, literature review, case law), we will ask the Working Group to brainstorm possible next steps for EAC. Our consultants will write a report summarizing the proposals that come out of this meeting. The report will go to the Commissioners, who will decide what they want to do, funds available, and what priority to assigned to the effort(s).

Your participation in this part of the process is extremely important, so I am very happy that you can find time for us that afternoon. I'll get an agenda and other information to you next week. --- Peggy
Okay, Peg - - I will mark off the entire afternoon and try to be there. What is the agenda? I was not aware that this was anything beyond having your contractors spend another session with me. Also, if they will be needing stats and stuff like that I need to know as I will bring my state-people with me.

---

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 04, 2006 2:28 PM
To: Donsanto, Craig
Subject: Re: Voting Fraud-Voter Intimidation

Right now, we are planning to meet in EAC's large conference room between 1 PM and 5 PM. If you cannot be there for the whole afternoon, we will appreciate whatever time you can spare. I'll get back to you with more information (agenda, list of Working Group members, etc.). --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
05/03/2006 05:59 PM

To:psims@eac.gov
cc
Subject:Re: Voting Fraud-Voter Intimidation

Afternoon of May 18 -- 2:30 okay? How long will they need??
--------------------------
Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 16:59:09 2006
Subject: Re: Voting Fraud-Voter Intimidation

I am looking at the afternoon of 5/18 for the meeting, due to scheduling conflicts of Working Group members. There remain two members from whom we have not yet received confirmations of their schedule (with some, it is like pulling teeth), but right now 5/18 still looks like the best day. We may have to hold the meeting over here to make it easier for Commissioners to drop in. --- Peg

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
05/03/2006 12:53 PM
To
cc
Subject
Re: Voting Fraud-Voter Intimidation

Okay -- you are on for May 18th! Can we do it over here at 10?  
--------------------------
Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 12:40:19 2006
Subject: Re: Voting Fraud-Voter Intimidation

My problem is that agency staff is booked most of the week of 5/21. Monday through Wednesday are taken up with meetings of the Standards Board Executive Committee, the full Standards Board, and the Board of Advisors. Thursday, we have EAC's public meeting. Also, I will lose one of my two consultants in June, so I'm trying to wrap up this project (and get the final report from the consultants) by the end of May. 

Say "Hi" to Cameron for me.
Hi Peg. I am sitting here with Cameron Quinn putting together this year’s ballt conference for AUSAs. She send her best!

I am available on 5/18. But I am also going to the Board of Advisors Meeting the following week. I would rather do this then.

Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 11:39:50 2006
Subject: Voting Fraud-Voter Intimidation

Craig:

We are continuing our efforts to hone in on a date for the Working Group meeting. Are you available the afternoon of Thursday, May 18?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM ----
Margaret Sims/EAC/GOV
05/12/2006 01:34 PM
To: "Tova Wang" <Tova.Wang@eac.gov>
cc
Subject: RE: Fraud Definition

Lets raise this issue at the meeting. (I'll add "DRAFT" to the current document.) My concern is that there
are a number of requirements in the Voting Rights Act. Not all of them are considered election fraud, when violated. For example, failure to preclear changes in election procedures is not treated as election fraud, though it is actionable. --- Peggy

"Tova Wang" <wang@tcf.org>

Upon first reading, my only comment would be that I would like to restore "failing to follow the requirements of the Voting Rights Act"

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Friday, May 12, 2006 9:20 AM
To: [REDACTED]
Subject: Fraud Definition

Would you please take a look at the attached? I combined both of your definitions, reformatted the list, removed a reference to the fraud having to have an actual impact on the election results (because fraud can be prosecuted without proving that it actually changed the results of the election), and taken out a couple of vague examples (e.g.; reference to failing to enforce state laws --- because there may be legitimate reasons for not doing so).

I have made contact with Ben Ginsberg's office and am waiting to hear if he accepts our invitation to join the working group. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM -----
Margaret Sims/EAC/GOV
04/24/2006 12:13 PM
To: "Tova Wang"
cc
Subject: Re: invoice

Tova:

The draft voucher looks fine except for two things (one of them is our fault):

(1) it appears that you worked 11 days, rather than 10, during the first two weeks; and
(2) you need to put the total dollar amount owed you ($9,102) somewhere on the form. (Last time you put it in the box with the total hours worked this period.)

Don't forget to sign and date the voucher. Thanks.

Peggy Sims
Hi Peg,

Can you please check this before I fax it? Thanks! And can we talk sometime today?

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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Click here to receive our weekly e-mail updates.

Barry Weinberg has confirmed he can attend the afternoon of May 18. He lives in the DC area, so we won't have to worry about travel. I have contacted Pat Rogers office and left a voice mail for his assistant. Hopefully, I will hear from them this afternoon. --- Peggy
Subject Bob Bauer

We have heard from Bob Bauer regarding his availability, so we don't need to have you pursue the matter. Thanks for the offer, though. --- Peggy

— Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM —-

"Tova Wang"
05/09/2006 05:17 PM
To psims@eac.gov
cc
Subject perez

I talked to Adam, and I am OK with JR Perez. I'm working on the Barbra situation.

Tova Andrea Wang
Democracy Fellow
The Century Foundation
Visit our Web site to read our latest news, analysis, opinions, and events.
Click here to receive our weekly e-mail updates.

— Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM —-

"Job Serebrov"
05/10/2006 12:25 PM
To psims@eac.gov
cc
Subject Travel

Peggy:

If I am calculating it right and I believe I am, it would cost around $450 plus my meal allowance in Virginia and Tenessee (coming and going).

All of this said, I am still a person down and there is the bed problem.

Job

— Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM —-

05/06/2006 08:28 AM
To psims@eac.gov
cc

000164
Hi Peg,

Just wondering if you had any word from Rokita. Also, I wanted to let you know that I think disinviting members of the working group would be a very unwise and frankly embarrassing way of dealing with the problem of getting 100% attendance. I'm sure we'll talk before any decisions are made. As I said, I'm free on Monday. Thanks. Tova

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM -----

Peggy,

I just received an update about Ms. Arnwine's schedule. She is not available on May 9th.

Thanks,

Devon

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM -----

Barry:

Would you please provide an address to which we can Federal Express materials before the meeting? ---
that would be fine

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

From: psims@eac.gov
To: 
Sent: Thursday, May 04, 2006 1:08 PM
Subject: Voting Fraud-Voter Intimidation

Barry:

It appears that the afternoon of Thursday, May 18 is best for a meeting of the working group. I know you said you would not be available in the morning that day. If we started at 1 PM, would that be too soon for you?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or _____________
Fax: 202-566-3127
email: psims@eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM -----

"priceline.com Customer Service"

05/05/2006 09:20 PM
To psims@eac.gov
cc
Subject Travel Plans for Tova Wang
How about we meld this with the EAC Board of Advisors meeting? I just got
tagged to be parliamentarian --

We could attend to your folks while I arbitrate a food fight!!!!

Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@usdoj.gov>
Sent: Wed Apr 26 20:30:24 2006
Subject: Re: Voting Fraud-Voter Intimidation Project

Craig:
Are you available any days in the third week of May?

Peggy

--------------------------
Sent from my BlackBerry Wireless Handheld

----- Original Message ----- 
From: "Donsanto, Craig" [Craig.Donsanto@usdoj.gov]
Sent: 04/03/2006 03:16 PM
To: Margaret Sims
Subject: RE: Voting Fraud-Voter Intimidation Project

Hello Peg!

God willing, I will be here the first two weeks of May.

As for your second question, it is not possible for me to assess the level of public attribution that would be appropriate without seeing the substantive stuff in context. I do not foresee a problem. So, I recommend that you get me a draft text and I will review it to ensure we are not disclosing things we shouldn't disclose.

Craig:

I have 2 issues for you today.

First, I am trying to schedule a meeting of the project working group for EAC's Voting Fraud-Voter Intimidation research project. As a technical advisor on this project, your attendance is particularly important to me. Would you please look at your schedule and let me know if there are any days during the first 2 weeks of May that you would NOT be available?

Second, is it OK for our consultants to refer in their report to guidance provided in the DOJ training materials? I ask this because I understood that some materials in the materials are considered confidential and we do not want to violate your confidentiality provisions. If there is a compromise position, such as having you review that portion of the consultants' report, then let me know.
Thanks!

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or
Fax: 202-566-3127
e-mail: psims@eac.gov

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM ---
Margaret Sims/EAC/GOV
04/27/2006 09:13 AM
To: "Donsanto, Craig"
<Craig.Donsanto@usdoj.gov>@GSAEXTERNAL
cc
Subject: Re: Voting Fraud-Voter Intimidation Project

Unfortunately, I have to get the Working Group together before then, so that my consultants can prepare the final report before June. (In June, I lose one of them to State employment.) I understand about the crammed schedule. This month and next are chock full.

Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

"Donsanto, Craig"
<Craig.Donsanto@usdoj.gov>
04/26/2006 09:19 PM
To: psims@eac.gov
cc
Subject: Re: Voting Fraud-Voter Intimidation Project

How about we meld this with the EAC Board of Advisors meeting? I just got tagged to be parliamentarian --

We could attend to your folks while I arbitrate a food fight!!!!

----------------------------------------
Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed Apr 26 20:30:24 2006
Subject: Re: Voting Fraud-Voter Intimidation Project

Craig:
Are you available any days in the third week of May?
Hello Peg!

God willing, I will be here the first two weeks of May.

As for your second question, it is not possible for me to assess the level of public attribution that would be appropriate without seeing the substantive stuff in context. I do not foresee a problem. So, I recommend that you get me a draft text and I will review it to ensure we are not disclosing things we shouldn't disclose.

Craig:

I have 2 issues for you today.

First, I am trying to schedule a meeting of the project working group for EAC's Voting Fraud-Voter Intimidation research project. As a technical advisor on this project, your attendance is particularly important to me. Would you please look at your schedule and let me know if there are any days during the first 2 weeks of May that you would NOT be available?

Second, is it OK for our consultants to refer in their report to guidance provided in the DOJ training materials? I ask this because I understood that some materials in the materials are considered confidential and we do not want to violate your confidentiality provisions. If there is a compromise position, such as having you review that portion of the consultants' report, then let me know.
Donsanto lists four types of election fraud: schemes to purposely and corruptly register voters who either do not exist, or who are known by the putative defendant to be ineligible to vote under applicable state law; schemes to cast, record or fraudulently tabulate votes for voters who do not participate in the voting act at all; schemes to corrupt the voting act of voters who do participate in the voting act to a limited extent; and, schemes to knowingly prevent voters qualified voters from voting.

--- psims@eac.gov wrote:

> When I opened the attachment, I still had problems with the 4th paragraph.
> Would you please just send me that paragraph within the text of your email so that I can paste it into the document? ---
> Peggy

> "Job Serebrov" <psims@eac.gov> To psims@eac.gov cc
> 05/11/2006 03:49 PM
> 05/11/2006 03:55 PM
>
I resent the review as you see at the bottom. When I opened it and sent it there was no corrupted text.

--- psims@eac.gov wrote:

Do you have text to replace the corrupted text in paragraph 4? --- Peggy

"Job Serebrov" <
05/11/2006 03:17 PM

To
psims@eac.gov
cc
Subject
Re: Literature Summary

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM ---
Donetta L. Davidson/EAC/GOV
To Margaret Sims/EAC/GOV@EAC
05/04/2006 03:57 PM
cc
Peggy sorry but I am out of town on the 18th of May. Good luck

Peggy:
I would like to get this travel issue sorted out between us before the call at 4pm. While the hotel problem is applicable to both Tova and me, the ground travel is not. In any case, I will want to read the federal regulation on this before we speak. Please either send me the regulation that states I must travel by the least expensive means and that all alternative travel cost can not exceed this or give me the site.

Thanks,
Job

Job:
I'm afraid I don't have time to look up the Federal travel regulation. I can refer to GSA Form 87, which is the Federal travel authorization form that is based on the travel regulations. There are two questions on this form that would apply to your situation:

- Question 14 asks, "Is the employee making any deviations from the authorized itinerary for personal convenience, taking any annual leave or using a different mode of transportation for personal convenience?"
• Question 17A asks, "Will POV be used for any travel between itinerary points? (If "Yes," check one box below and complete item 17B.)" This is followed by one check box with a statement, "Use of POV is advantageous to the government" and another check box that states, "Use of POV is not advantageous to the government. Use of POV has been determined to be for personal convenience and reimbursement limited to constructive cost of common carrier."

Line 17 B is used to note mileage rate. These provisions apply to our Commissioners, our staff, and our consultants. I understand that everyone has to make allowances for emergencies, but your emergency has not yet arrived, and may well arrive after the May 18 meeting. Furthermore, personal emergencies are considered personal matters. The government does not reimburse us for additional travel costs resulting from our need to address personal matters.

Because you are not a Federal employee and we recognize that airlines do not and hotels may not offer you government rate, we can reimburse the higher hotel rate so long as your total travel costs under the current contract do not exceed the total amount budgeted for travel reimbursement for this contract ($3,500).

Regarding the Working Group meeting, I am pleased that you recognize that convening the Working Group is a deliverable. You also should recall that the only reason Commission staff is involved in helping to set up this meeting is that you and Tova told me that the two of you did not have the resources to do it and that it would be better to have one central coordinator (i.e.; EAC). We have repeatedly talked about holding the meeting in DC because so many of our working group members are here and because we can support the meeting at EAC offices and stay within the EAC budget.

The date for the original Working Group meeting was presented by you and Tova to me in your work plan. As you know, many of the dates in the plan had to slide because the two of you indicated that you needed more time to complete the preliminary research to be presented at the meeting. Beginning in April, our teleconferences honed in on possible weeks for the meeting. May 18 is the only day all but Norcross could attend. Norcross was available only 2 days out of the three weeks we were considering. We are attempting to fill his slot with the person you recommended, Pat Rogers.

We can discuss any remaining concerns you have regarding the participation of Perez and of Pat Rogers during this afternoon's teleconference. --- Peggy

"Job Serebrov" <serebrov@sbcglobal.net>

05/09/2006 03:09 PM
To psims@eac.gov
cc
Subject Conference Call

Peggy:

I would like to get this travel issue sorted out between us before the call at 4pm. While the hotel problem is applicable to both Tova and me, the ground travel is not. In any case, I will want to read the federal regulation on this before we speak. Please either send me the regulation that states I must travel by the least expensive means and that all
alternative travel cost can not exceed this or give me the site.

Thanks,

Job

---

Peggy:

I expect that since Norcross can't make it either you will try to get Rogers or cut one of Tova's folks.

Job

--- psims@eac.gov wrote:

> Job and Tova:
> > As of now, the afternoon of Thursday, May 18 appears to be the best possible date for the meeting. Norcross is not available to attend in person that day (he is available only 2 days during the first three weeks of May). We won't have confirmation of the availability of Secretary Rokita until tomorrow --- but I am hopeful.
> > I'll give you an update tomorrow. Maybe we can schedule a teleconference on Monday afternoon. --- Peggy

---

000175
Peg -- I'll have check. I am pretty well clogged next month.

What do you need Peg?
-----------------------------
Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed Apr 26 20:30:24 2006
Subject: Re: Voting Fraud-Voter Intimidation Project

Craig:
Are yu available any days in the third week of May?
Peggy
-----------------------------
Sent from my BlackBerry Wireless Handheld

----- Original Message ----- 
From: "Donsanto, Craig" [Craig.Donsanto@usdoj.gov]
Sent: 04/03/2006 03:16 PM
To: Margaret Sims
Subject: RE: Voting Fraud-Voter Intimidation Project

Hello Peg!

God willing, I will be here the first two weeks of May.

As for your second question, it is not possible for me to assess the level of public attribution that would be appropriate without seeing the substantive stuff in context. I do not foresee a problem. So, I recommend that you get me a draft text and I will review it to ensure we are not disclosing things we shouldn't disclose.

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, April 03, 2006 3:13 PM
To: Donsanto, Craig
Subject: Re: Voting Fraud-Voter Intimidation Project

000176
Craig:

I have 2 issues for you today.

First, I am trying to schedule a meeting of the project working group for EAC's Voting Fraud-Voter Intimidation research project. As a technical advisor on this project, your attendance is particularly important to me. Would you please look at your schedule and let me know if there are any days during the first 2 weeks of May that you would NOT be available?

Second, is it OK for our consultants to refer in their report to guidance provided in the DOJ training materials? I ask this because I understood that some materials in the materials are considered confidential and we do not want to violate your confidentiality provisions. If there is a compromise position, such as having you review that portion of the consultants' report, then let me know.

Thanks!

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or
Fax: 202-566-3127
email: psims@eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM -----
Margaret Sims/EAC/GOV
05/09/2006 11:25 AM
To Gavin Gilmour
cc jthompson@eac.gov
Subject Fw: Working Group-Travel Costs

Can you help me respond to this ... and soon? --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 05/09/2006 11:25 AM -----
"Job Serebrov"
05/08/2006 09:58 PM
To psims@eac.gov
cc
Subject Re: Working Group-Travel Costs

Peggy:

Please tell the folks there that I am not worried about a perceived breach of contract. This is a completely ridiculous statement considering the contractual requirement that the consultants convene
the Working Group and not the Commission and it never specifies where or when this is to take place. All this to say that while the contract does specify a Working Group meeting it does not specify that it must take place on any particular date or in a particular city. With that said, I have never heard of any federal travel requirements that would result in a loss of money because I decided to drive and not fly. In fact, that is why there is a an amount paid per mile. So I would like to see the federal regulation that forces me to take the least expensive transport and restricts all other ground transport costs to that figure.

As to hotels, based on Tova's research there are no rooms for under the $350 range per night. If you can find hotels that are less expensive but still carry the kind of bed I need for my back (either pillow top or a number bed) please do.

The issue of my uncle---today I have not had an update on his condition. But, as I previously stated, if he were to die or have an event while I was in DC, I would have to go to NYC meeting or no meeting.

Finally, neither Tova nor I have been satisfied about Mr. Perez and I have not been told whether Pat Rogers will be coming or one of Tova's people will not be.

In the end, I need to see the travel regulation that I requested above, I would like you to look into hotels for Tova and me that have the kind of bed I need and I would like to know about Perez and Rogers. In the mean time, I should have an update on my uncle by morning. I would also be happy to talk to Julie about the issues involved. I will take you up on your offer to process my travel expenses faster and I do not and never did expect you to get me a travel advance. I worked in international development and know what a headache those are to apply for on the state level.

Job

--- psims@eac.gov wrote:

> Job:
> Folks here are concerned that your failure to show up in person to help conduct the meeting would be a breach of contract.
> I also am concerned about the impression that your absence will leave with the Commissioners and with the VIPs coming to this meeting.
> If you are concerned about delays in reimbursement caused by including the travel expenses in the personal services voucher, I can always process your request (with receipts) separately and earlier.
I can have staff here check to see if we can find hotel rooms at a more reasonable rate for you and Tova. (We recognize that you may not be able to obtain Federal government rate.) What I cannot do is offer a travel advance, which is not permitted for nonfederal employees, or offer to pay the difference between normal travel expenses and those incurred for personal convenience, when the latter is the higher amount.

I urge you to make your travel arrangements ASAP.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100.
Washington, DC 20005
Phone: 866-747-1471 (toll free) or (direct)
Fax: 202-566-3127
email: psims@eac.gov

"Job Serebrov"
05/08/2006 01:41 PM

To
psims@eac.gov
cc

Subject
Re: Working Group

Given the information I have Peggy, that is not going to be financially possible. First, given Tova's info about the hotels, it is too much for me to front. Two, to three days in DC would run around $1000 for the hotel alone. That does not count the two days on the road to get there and two days back. Second, if I can't charge the federal per mile allowance for the entire trip to DC and back and can only get the equivalent of plane fare, I will actually loose money.

I simply do not see how we can do this in person given the financial restrictions.
--- psims@eac.gov wrote:

> Job:
> > I don't think we can put you on teleconference for 41/2 hours. We really need to have you here in person if you are to help conduct the Working Group meeting. You should make your travel arrangements ASAP. --- Peggy

> "Job Serebrov"
> 05/08/2006 10:14 AM

> To
> psims@eac.gov, wang@tcf.org
> cc

> Subject
> Re: Working Group

> Peggy:
> > 4:00 eastern on Tuesday is fine however, given the financial restrictions that you indicated would be in place for use of my car (I would actually loose money coming to DC) and given the cost of hotels at this time (I can't afford to front these costs and wait for months to be repaid), etc, it would take a miracle for this working group meeting to take place in person. It is looking like the only way it will get done is by teleconference. I also share Tova's concern about the unknown nature of Mr. Perez.
> > 
> > Job

> --- psims@eac.gov wrote:

> > Hi, Folks:
Teleconference

Are both of you available for a teleconference next Tuesday afternoon at about 4 PM EST? If this does not work for you, please suggest another date and/or time. I would like to discuss our preparations for the Working Group meeting.

Working Group Members

We have a very good person to fill the slot for the nonpartisan local election official: J.R. Perez, Elections Administrator for Guadalupe County, TX. Attached is his bio. Hope you have no objections to him. He is available on May 18. I have placed 2 calls to Pat Rogers office, but have not yet received a reply. Job, if you have any pull with him, you may want to contact him, too.

Travel Arrangements

You should make your own travel arrangements, including hotel. Travel time cannot be billed to the contract, except for hours actually worked on the contract (i.e.; reviewing materials in preparation for the meeting, and the like). Current Federal rates follow:

- Maximum Lodging = $180 per day - does not include hotel taxes (if you cannot get this rate, we have covered reasonable rates that are a little higher)
- Meals & Incidentals = $64 per day (except that it is $48 on the first and last day of travel)
- Mileage for Personally Owned Vehicle = $ .445 per mile

Under the new contract, I do not have to fill out a travel authorization for you. I can approve your trip via email. Afterwords, when you turn in your next pay voucher, you can attach the airline receipt (or mileage documentation), hotel receipt(s), and ground...
transportation receipts and a copy of any printed itineraries. Calculate the total travel expenses due.

--- message truncated ---

Do you want me to call both Bob too?

Tova Andrea Wang
Democracy Fellow
The Century Foundation

Visit our Web site, www.tcf.org, for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM ---

"Tova Wang"

04/26/2006 05:46 PM
To psims@eac.gov
cc
Subject wg

We accidentally left it out when we emailed all the summaries

----- Original Message ----- 
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 11, 2006 1:09 PM
To:
Cc: wiYf^lf^i^ipt
Subject: Literature Summary

Tova just sent me the summary you prepared of The Federal Crime of Election Fraud by Craig Donsanto. There is something wrong in the fourth paragraph (odd characters and missing text). Can you please send a replacement fourth paragraph? You can send it in an email and I will place it in the document. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM ----- 

"Tova Wang"
He is representing Barbara Arnwine, and we have already established we are not disinviting anyone. We still don't know about Ginsburg yet anyway, right?

-----Original Message-----
From: Job Serebrov [mailto:]
Sent: Thursday, May 11, 2006 2:36 PM
To: Tova Wang; psims@eac.gov
Cc: 
Subject: Re: new working group representative

I have an objection to Greenbaum. While I realize he comes from an advocacy group, he is not a minority attorney and we already have a rep who worked with DOJ. If it is to be Greenbaum, I would rather not fill that position since I am one down.

--- Tova Wang wrote:

> is Jon Greenbaum
> Here's his info in full:
> 
> He is the Director of the Voting Rights Project for
> the Lawyers Committee
> for Civil Rights. He will be representing Barbara
> Arnwine, the Executive
> Director of the Lawyers Committee.
>
> His contact and mailing info is:
>
> Suite 400
> Washington, DC 20005
>
>
> Tova Andrea Wang
> Democracy Fellow
> The Century Foundation
>
> Visit our Web site, the latest news,
> analysis, opinions, and events.
I resent the review as you see at the bottom. When I opened it and sent it there was no corrupted text.

--- psims@eac.gov wrote:

> Do you have text to replace the corrupted text in paragraph 4? --- Peggy

--- psims@eac.gov wrote:

> Tova just sent me the summary you prepared of The Federal Crime of Election Fraud by Craig Donsanto. There is
something wrong in the fourth paragraph (odd characters and missing text). Can you please send a replacement fourth paragraph? You can send it in an email and I will place it in the document. --- Peggy

Thanks, J.R. Great to have you on board! We will get back to you shortly regarding travel arrangements. The meeting materials will be sent by Federal Express next week.

Peggy Sims  
Election Research Specialist  
U.S. Election Assistance Commission  
1225 New York Ave, NW - Ste 1100  
Washington, DC 20005  
Phone: 866-747-1471 (toll free) or  
Fax: 202-566-3127  
email: psims@eac.gov

J.R. Perez  
Elections Administrator  
Guadalupe County

Hi Peggy, it was nice talking with you today and I would be glad to try and add to the discussion. I am attaching a brief bio and will await your instructions for the travel arrangements. I look forward to receiving the current information on panel issues.

J.R. Perez  
Elections Administrator  
Guadalupe County
5201 Roosevelt St.
Bethesda, MD 20814

----- Original Message -----
From: psims@eac.gov
To: sen...
Sent: Friday, May 05, 2006 10:56 AM
Subject: Re: Voting Fraud-Voter Intimidation

Barry:

Would you please provide an address to which we can Federal Express materials before the meeting? --- Peg

that would be fine

----- Original Message -----
From: psims@eac.gov
To: sen...
Sent: Thursday, May 04, 2006 1:08 PM
Subject: Voting Fraud-Voter Intimidation

Barry:

It appears that the afternoon of Thursday, May 18 is best for a meeting of the working group. I know you
said you would not be available in the morning that day. If we started at 1 PM, would that be too soon for you?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or...
Fax: 202-566-3127
email: psims@eac.gov

List a vacancy---to be filled. If we don't hear from Ginsberg by late afternoon please call Braden.

Job

--- psims@eac.gov wrote:

> Job:
> > What do you suggest I do with the list of Working Group members. I need
> > to get the Fed Ex packages out by the end of the day, and have not heard
> > back from Ginsberg. Do you want me to list a vacancy, or list Norcross
> > with a note that he cannot attend? If we find a substitute, we can always
> > provide an updated list next Thursday. --- Peggy

Peggy,

A possible hotel suggestion for Job might be the Sheraton College Park in Beltsville, MD. They have room availability for the nights of the 17th and the 18th for $159.00 a night.
They have what is called the Sheraton Sweet Sleeper Bed. More information at:

This hotel is a little out of the way but the members of the Asian Language Working Group and others have stayed there. The hotel does offer a shuttle to and from Reagan airport and the metro.

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM -----
Margaret Sims/EAC/GOV
05/12/2006 01:51 PM To Devon Romig
cc Subject Wang & Serebov Fed Ex Info

Devon:

Here is the information you need for the Fed Ex forms for Job and Tova.

Tova Wang
(Note that the package may be left with the doorman.)

Job Serebrov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM -----
"Tova Wang"
05/02/2006 05:52 PM To psims@eac.gov
cc Subject RE: Voting Fraud/Voter Intimidation Project Working Group

OK. I'll be out of the office for the next three days, and mostly unavailable on Thursday and Friday as you know already. Tomorrow you can try me on my cell [redacted]. I'll try to check email when I can. Thanks Peg. Tova

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 02, 2006 4:41 PM
To: [redacted]
Subject: RE: Voting Fraud/Voter Intimidation Project Working Group

I hope to have a better idea tomorrow, if Rokita's office responds. If not, we'd better have a teleconference to discuss our options. --- Peggy

"Tova Wang"

05/02/2006 05:06 PM

To dromig@eac.gov

Cc psims@eac.gov

Subject RE: Voting Fraud/Voter Intimidation Project Working Group

Can you please give me an idea where we are at with all this? I'd like to be able to figure out my schedule. Thanks -- and thanks for all your assistance on this. Tova

-----Original Message-----
From: dromig@eac.gov [mailto:dromig@eac.gov]
Sent: Tuesday, May 02, 2006 3:54 PM
To: 
Subject: RE: Voting Fraud/Voter Intimidation Project Working Group

Yes, I have spoken to her assistant several times but today has been the first time that I have ever spoken to her assistant. We did get the information that we needed. Thanks for your help!

Devon Romig
U.S. Election Assistance Commission
1225 New York Ave. NW - Suite #1100
Washington, D.C. 20005
(202)566-2377

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM -----

"Tova Wang"

04/26/2006 04:39 PM

To psims@eac.gov

Cc

Subject RE: interview analysis

I think I can help you at least with respect to Barbara. I'll be speaking to her today!

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Thanks. We are still trying to get through to Bauer and Arnwine. They have not responded, so their availability is not yet reflected on our spreadsheet. --- Peggy

Hi Peg,

Attached, to add to the collection, is a summary overview of the interviews. Do you have that spreadsheet you were telling me about reflecting the times WG participants are available? If so, maybe we can talk soon? Thanks. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM ---

Hi Peg,
Here is the last summary of existing research. Please let us know how to proceed from here. Thanks.

Tova Andrea Wang  
Democracy Fellow  
The Century Foundation

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Click here to receive our weekly e-mail updates.

---

Response to the CB Report FINAL.doc  
----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM -----
Margaret Sims/EAC/GOV  
05/04/2006 05:47 PM  
To 
cc  
Subject Re: wg

Tova:

Rokita is available --- so the afternoon of May 18 it is. I will not disinvite anyone. I am trying to get Job's next choice (Pat Rogers) as a replacement for Norcross.

Monday appears to be out for a teleconference because Job will be unavailable that afternoon and I am scheduled for something else that morning. I'll check my schedule tomorrow and send a message to you and Job regarding other possible days and times. --- Peggy

Hi Peg,

Just wondering if you had any word from Rokita. Also, I wanted to let you know that I think disinviting members of the working group would be a very unwise and frankly embarrassing way of dealing with the problem of getting 100% attendance. I'm sure we'll talk before any decisions are made. As I said, I'm free on Monday. Thanks. Tova

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM -----
"Job Serebrov"  
05/04/2006 05:21 PM  
To psims@eac.gov  
cc  
Subject wg
I would give him until Monday morning but I would also call Braden today and tell him there may be an opening for him on the WG and find out whether he is free.

--- psims@eac.gov wrote:

> I have placed another call to his office (after one previous call to his assistant and an email to him). I, too, am concerned about our dwindling chances. --- Peggy

> "Job Serebrov"
> 05/12/2006 03:08 PM
> 
> To
> psims@eac.gov
> cc
> 
> Subject
> Re: Fraud Definition
> 
> Given the short time period, you may want to give Ginsberg a deadline. The longer we wait, the poorer our chances are of getting Braden.

> --- psims@eac.gov wrote:
> 
> > I am reluctant to invite Braden until after I have received a "No" from Ginsberg. --- Peg

> "Job Serebrov"
> 05/12/2006 02:33 PM
> 
> To
> psims@eac.gov
> cc
> 
> Subject
> Re: Fraud Definition
Sounds good to me. If not Ginsburg try Braden.

--- psims@eac.gov wrote:

I will add "DRAFT" to the definition and, yes, the WG will have suggestions. I do plan to send packets to you and same materials being provided to the WG. I haven't sent anything yet because I was hoping to finalize the WG list for inclusion. (Still waiting for a response from Ginsberg.)

Regarding Tova's response, we may want to have a very short meeting after the WG disperses, followed by a teleconference the following Monday afternoon. Tuesday is bad for me because I'll be out of the office attending a series of EAC meetings that begin that day. --- Peggy

"Job Serebrov" 05/12/2006 12:52 PM

To psims@eac.gov, cc Subject Re: Fraud Definition

This is ok, given the fact that the WG may have suggestions. Will you be sending us the same packets that you are sending the WG? Also, I figure with Tova's response we will need to have a teleconference on the report once I return to Little Rock. We
will

need to do it that following Monday or Tuesday.

--- psims@eac.gov wrote:

Would you please take a look at the attached?

I

combined both of your

definitions, reformatted the list, removed a

reference to the fraud having

to have an actual impact on the election

results

(because fraud can be

prosecuted without proving that it actually

changed

the results of the

election), and taken out a couple of vague

examples

(e.g.; reference to

failing to enforce state laws --- because

there

may

be legitimate reasons

for not doing so).

I have made contact with Ben Ginsberg's office

and

am waiting to hear if

he accepts our invitation to join the working

group.

--- Peggy

Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM ---
IN Case Summaries.doc

Peggy:

Please add this to the packet.

Job

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM -----

"Job Serebrov"

To: psims@eac.gov

cc

Subject: Re: Update

05/10/2006 11:51 AM

The bed is not what I need and Beltsville is a bit far out.

--- psims@eac.gov wrote:

> Why is the hotel suggestion not workable? (I need to know as we continue our search.) -- Peg

> "Job Serebrov"
> 05/10/2006 10:29 AM
> To
> psims@eac.gov
> cc
> Subject
> Update
> 
> 
> 
> 
> 
> 
> 
> 
> 
> 
> 
> 
> 
> Peggy:
> 
> Pat just e-mailed me. He has something he can't move on the 18th. So I am now down one person and still no good hotel situation. Devon's suggestion is not workable.

> Job

>
According to the Commissioners, you and Tova each got to pick three members of the Working Group. The Commission guidance regarding this particular member follows:

4 people from the Academic, Legal and Advocacy sectors - 2 to be chosen by Tova and 2 to be chosen by Job.

This issue of allowing a designee relates to Tova's pick.

As I understand it, we are working on a replacement for Norcross. If Ginsberg is not viable, how about Mark Braden, who includes public integrity in his areas of specialization. I would not try and stir up other members of the Working Group, if I were you. The effort is likely to come back and bite you.

--- psims@eac.gov wrote:

> Greenbaum is representing Arnwine, not replacing her. He works for her organization and is of mixed race. --- Peggy
> 
> --- psims@eac.gov wrote:
> Greenbaum is representing Arnwine, not replacing her. He works for her organization and is of mixed race. --- Peggy
> 
> "Job Serebrov" <
> 05/11/2006 03:36 PM
> 
> To psims@eac.gov
> cc

I really don't care if he represents the organization or not. What mixed race? The entire discussion was because Arnwine was African-American. If you are going to invite him without first having a replacement for my side, I may have to call Thor and Todd and discuss all of this.
I have an objection to Greenbaum. While I realize he comes from an advocacy group, he is not a minority attorney and we already have a rep who worked with DOJ. If it is to be Greenbaum, I would rather not fill that position since I am one down.

--- Tova Wang wrote:

is Jon Greenbaum

Here's his info in full:

He is the Director of the Voting Rights Project for the Lawyers Committee for Civil Rights. He will be representing Barbara Arnwine, the Executive Director of the Lawyers Committee.

His contact and mailing info is:

Suite 400
Washington, DC 20005

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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Yes, please let Joyce know and she will get someone
Tom

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM ---

Thomas R. Wilkey/EAC/GOV
05/10/2006 10:29 AM

To Margeret Sims/EAC/GOV@EAC
cc

Subject: Re: Fw: Court Reporter for Working Group Meeting

---

Yes, please let Joyce know and she will get someone
Tom

--- Forwarded by Margaret Sims/EAC/GOV on 05/10/2006 10:18 AM ---

Devon E. Romig/EAC/GOV
05/10/2006 09:54 AM

To: twilkey@eac.gov
cc: DScott@eac.gov, Karen Lynn-Dyson/EAC/GOV@EAC

Subject: Fw: Court Reporter for Working Group Meeting

Tom:
I understand that EAC hired a court reporter for the Asian Language Working Group meeting. I would like to do the same for the May 18 Voting Fraud-Voter Intimidation Working Group meeting, but I did not include funds in my budget for this service. Do we have funds that could be used for this purpose? (See Devon's cost estimate below.) --- Peggy
Peggy,

I spoke to the people who usually handle the EAC court reporting. They charge $9.00 per page with an average of 40 pages per hour. This service would cost about $1800.00.

The turn around time for the transcript is 10 to 15 days. The transcripts comes in a bound paper copy and an electronic copy.

I can also check around for different prices.

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov
-----Original Message-----
From: Job Serebrov
Sent: Monday, May 08, 2006 9:41 PM
To: Patrick J. Rogers
Subject: Working Group meeting

Pat:

The working group meeting for the voter fraud project is scheduled for May 18th in DC but David Norcross can't attend. Could you come? If so, we need to arrange travel and a hotel for you.

Regards,

Job

$Modrall, Sperling, Roehl, Harris & Sisk, P.A.$

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As you may recall, the Commissioners directed me to find a nonpartisan local election official to serve on the Working Group. The three of us discussed the desirability of having a Hispanic. I proposed that I find someone from Texas because of that State's colorful history of voting fraud and their innovative approaches to combat it. In those Texas counties that hire Election Administrators to run elections, rather than having elected officials do so (Tax Assessor for voter registration; County Clerk for balloting), the Election Administrator is hired by the County Election Commission and is supposed to perform his or her duties in a nonpartisan manner. (See attached excerpts from Texas Election Code regarding election administrator hiring and restrictions on partisan activity.)

Any experienced Texas election official will be familiar with voting fraud and voter intimidation schemes used in that State. Mr. Perez has over 13 years experience as a county Election Administrator in Texas. You won't find many news articles mentioning him because he has kept his nose clean. (The Texas press, as in many other parts of the country, prefers to report bad news.) Mr. Perez is plugged into the association of Texas election officials and the two largest organizations of election officials in this country: the International Association of Clerks, Recorders, Election Officials and Treasurers (IACREOT); and The Election Center. He is a past President and past Chairman of the Legislative Committee for the Texas Association of Election Administrators. He currently serves on IACREOT's Election Officials Committee, which plans the educational sessions for election officials that are conducted at that organization's conferences. His peers in IACREOT and The Election Center have selected his submissions on web presentations (IACREOT) and his professional practices papers (Election Center) for awards. Mr. Perez also has access to information from other States through his membership in IACREOT and The Election Center. He also has a sense of humor, which you will note if you access the staff web page on the Guadalupe County Elections web site and hear the Mission Impossible theme...something that might be useful in the upcoming meeting.

Guadalupe County is small but growing. In 2004, the county had over 65 thousand registered voters (a number more than doubled the number of registered voters in 1988). A third of the county's population claims Hispanic or Latino origin, according to the U.S. Census Bureau. The county is in south central Texas and is bordered by Comal, Hays, Cladwell, Gonzales, Wilson, and Bexar counties. In the 1980s, the county was predominately a farming community; but in recent years, many people have moved from San Antonio (Bexar County) to Guadalupe County, preferring to live in Guadalupe County and work in Bexar County.

--- Peggy
Peggy:

What political party is Perez with? How political is he? Is the position in Texas neutral or political? Who appointed Perez?

As to Pat I will contact him but I can't promise anything. If Pat can't come, who is getting knocked off Tova's list?

Job

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM -----
Margaret Sims/EAC/GOV
05/09/2006 11:38 AM
To Tova Andrea Wang
cc
Subject Fw: Case Summaries

Had you seen this? --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 05/09/2006 11:38 AM -----
"Job Serebrov"
05/08/2006 09:30 AM
To psims@eac.gov
cc
Subject Case Summaries

Case Summaries.doc Peggy:

Please add this to the packet.

Job

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM -----
"Job Serebrov"
To psims@eac.gov, wang@tcf.org
cc
Subject Re: Today's Teleconference

The teleconference is on. However, I am still one person down for the meeting and I am not comfortable. This will have to be discussed since from the start it was agreed that the WG would be equal and if I lost a person Tova would have to lose one. Further and most importantly, I don’t yet have a hotel so my attendance is still up in the air. Finally, the agenda is not what we discussed and gives far too much time for areas that can be covered in a short time. Not listed are all of the questions that Tova’s proposed agenda had. All in all, it needs to be redone.

--- psims@eac.gov wrote:

> I assume that we are still on for today’s teleconference at 11 AM EST. I will call you. I have attached a draft agenda for your review and comment. --- Peggy

I have given Adventure Travel the necessary credit card authorization on this. Devon please follow-up with the reservations etc.

Diana M. Scott
Administrative Officer
U.S. Election Assistance Commission
(202) 566-3100 (office)
(202) 566-3127 (fax)
dscott@eac.gov
Diana:

The following members of the Working Group for our Voting Fraud/Voter Intimidation research project will need to make travel arrangements in order to attend an afternoon meeting of the group on May 18 in Washington, DC:

Mark "Thor" Hearne - St Louis, MO
J.R. Perez - Seguin, TX
The Honorable Todd Rokita - Indianapolis, IN
Kathy Rogers - Atlanta, GA

I may have one additional member from Albuquerque, NM confirmed early next week.

May these people use Adventure Travel to make these arrangements in the same manner as the Asian Language Working Group? I understand the members of that group made hotel and flight arrangements through Adventure Travel and that these costs were billed directly to EAC. We did plan for EAC to pay for the travel of the Voting Fraud/Voter Intimidation Working Group (budgeted under Research). Devon will prepare their travel authorizations.

Peggy Sims
Election Research Specialist
Peggy:

4:00 eastern on Tuesday is fine however, given the financial restrictions that you indicated would be in place for use of my car (I would actually loose money coming to DC) and given the cost of hotels at this time (I can't afford to front these costs and wait for months to be repaid), etc, it would take a miracle for this working group meeting to take place in person. It is looking like the only way it will get done is by teleconference. I also share Tova's concern about the unknown nature of Mr. Perez.

Job

--- psims@eac.gov wrote:

> Hi, Folks:
> > Teleconference
> > Are both of you available for a teleconference next Tuesday afternoon at about 4 PM EST? If this does not work for you, please suggest another date and/or time. I would like to discuss our preparations for the Working Group meeting.
> > Working Group Members
> > We have a very good person to fill the slot for the nonpartisan local election official: J.R. Perez, Elections Administrator for Guadalupe County, TX. Attached is his bio. Hope you have no objections to him. He is available on May 18. I have place 2 calls to Pat Rogers office, but have not yet received a reply. Job, if you have any pull with him, you may want to contact him, too.
> > Travel Arrangements
> > You should make your own travel arrangements, including hotel. Travel time cannot be billed to the contract, except for hours actually worked on the contract (i.e.; reviewing materials in preparation for the meeting, and the like). Current Federal rates follow:
> > Maximum Lodging = $180 per day- does not include hotel taxes (if you cannot get this rate, we have covered reasonable rates that are a little higher)
> > Meals & Incidentals = $64 per day (except that it is $48 on the first and last day of travel)
> > Mileage for Personally Owned Vehicle = $.445 per mile
> > Under the new contract, I do not have to fill out a
> travel authorization  
> for you. I can approve your trip via email.  
> Afterwords, when you turn in  
> your next pay voucher, you can attach the airline  
> receipt (or mileage  
> documentation), hotel receipt(s), and ground  
> transportation receipts and a  
> copy of any printed itineraries. Calculate the  
> total travel expenses due  
> you, including applicable per diem. I do not need  
> meal receipts.  
> 
> Job, under Federal travel regulations, deviations  
> for personal reasons are  
> not normally accommodated. What you can do,  
> however, is to give me a  
> comparison of the cost of roundtrip mileage, hotel,  
> and per diem of doing  
> it your way against the cost of a roundtrip flight,  
> ground transportation,  
> hotel, and per diem. If your way costs less, it  
> should be no problem to  
> cover the full cost. If your way is more expensive,  
> we may only pay up to  
> the amount of traditional travel. (The same rules  
> apply to me when I  
> travel.) If you can tell me where, other than DC,  
> you will spend the  
> night, I can check on applicable per diem rates.  
> 
> Peggy  
>

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM ---

"Job Sarebro\n05/10/2006 03:03 PM
  To psims@eac.gov
    cc
  Subject Option


Peggy:

I may have the only option left but it is a risk time wise. I could stay at the Baymont in Salem by Roanoke and then leave early that morning and drive into DC or to a park and ride (Metro). I would make it before 12:00 barring any unforeseen road issues. However, I would have to leave to go home right after the meeting. That would cancel the next day's meeting.
I need to run to West Little Rock so you can get me on my cell if you want to talk.

Job:

What do you suggest I do with the list of Working Group members. I need to get the Fed Ex packages out by the end of the day, and have not heard back from Ginsberg. Do you want me to list a vacancy, or list Norcross with a note that he cannot attend? If we find a substitute, we can always provide an updated list next Thursday. --- Peggy

news article review

Would these go under literature review or news article review? --- Peggy

"Tova Wang"
Peg,

Correct me if I'm wrong, but I think I omitted sending you these specific summaries that are based on complex cases that could not be adequately described within the confines of the nexis article excel spreadsheets. If we can, these should be included, probably on the disc. Sorry.

Tova Andrea Wang  
Democracy Fellow  
The Century Foundation  

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--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM ---
Margaret Sims/EAC/GOV  
05/11/2006 11:45 AM  
To: Job Serebrov  
cc:  
Subject: Court Case Charts

Job

In preparing the CDs, we have run across the following files that appear to be duplicates. Which ones should go on the CD? --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM ---
"Job Serebrov"  
05/09/2006 12:03 PM  
To: psims@eac.gov  
cc:  
Subject: Re: Working Group-Perez

Here is the issue---four of the five people who
selected Perez are Republicans. If the shoe were on the other foot I would be uncomfortable. This one is up to Tova to call but I am not sure that he can be neutral.

--- psims@eac.gov wrote:

> OK, I get it. The text in the attachment follows:
> 
> EXCERPTS FROM TEXAS ELECTION CODE
> 
> SUBCHAPTER B. COUNTY ELECTIONS ADMINISTRATOR
> 
> ***
> 
> § 31.032. APPOINTMENT OF ADMINISTRATOR; COUNTY ELECTION COMMISSION.
> (a) The position of county elections administrator is filled by appointment of the county election commission, which consists of:
> (1) the county judge, as chair;
> (2) the county clerk, as vice chair;
> (3) the county tax assessor-collector, as secretary; and
> (4) the county chair of each political party that made nominations by primary election for the last general election for state and county officers preceding the date of the meeting at which the appointment is made.
> (b) The affirmative vote of a majority of the commission's membership is necessary for the appointment of an administrator.
> (c) Each appointment must be evidenced by a written resolution or order signed by the number of commission members necessary to make the appointment. Not later than the third day after the date an administrator is appointed, the officer who presided at the meeting shall file a signed copy of the resolution or order with the county clerk. Not later than the third day after the date the copy is filed, the county clerk shall deliver a certified copy of the resolution or order to the secretary of state.
> (d) The initial appointment may be made at any time after the adoption of the order creating the position.
> 
> ***
> 
> § 31.035. RESTRICTIONS ON POLITICAL ACTIVITIES.
> (a) A county elections administrator may not be a candidate for a public office or an office of a political party,
hold a public office, or
hold an office of or position in a political party.
At the time an
administrator becomes a candidate or accepts an
office or position in
violation of this subsection, the administrator
vacates the position of
administrator.

(b) A county elections administrator
commits an offense if the
administrator makes a political contribution or
political expenditure, as
defined by the law regulating political funds and
campaigns, or publicly
supports or opposes a candidate for public office or
a measure to be voted
on at an election. An offense under this subsection
is a Class A
misdemeanor. On a final conviction, the
administrator’s employment is
terminated, and the person convicted is ineligible
for future appointment
as county elections administrator.

"Job Serebrov"
05/09/2006 11:30 AM

To
psims@eac.gov
cc

Subject
Re: Working Group-Perez

The code attachment did not work that is what I
meant
by it did not come through.

--- psims@eac.gov wrote:

Did you look at the attached excerpts from Texas
Code? --- Peggy

"Job Serebrov"
05/09/2006 11:23 AM

To
psims@eac.gov
cc
We have the same set-up here in Arkansas. We hired a person just like Perez. However, given this, I would still like to know if he has a party affiliation and this brings up another issue. How is the county election commission chosen. In Arkansas it is the Chairmen of the Republican and Democrat Parties or if he/she does not want to serve a person is elected in his/her stead and a third member picked by the party with the most constitutional officers. Practically that has meant that the Democrats have controlled election commissions in Arkansas since the end of Reconstruction. This is why I want to know the situation in Texas.

--- psims@eac.gov wrote:

As you may recall, the Commissioners directed me to find a nonpartisan local election official to serve on the Working Group. The three of us discussed the desirability of having a HIspanic.

I proposed that I find someone from Texas because of that State's colorful history of voting fraud and their innovative approaches to combat it. In those Texas counties that hire Election Administrators to run elections, rather than having elected officials do so (Tax Assessor for voter registration; County Clerk for balloting), the Election Administrator is hired by the County Election Commission and is supposed to perform his or her duties in a nonpartisan manner. (See attached excerpts from Texas Election Code regarding election administrator hiring and
> restrictions on partisan
> activity.)
> Any experienced Texas election official will be
> familiar with voting fraud
> and voter intimidation schemes used in that
> State.
> Mr. Perez has over 13
> years experience as a county Election
> Administrator
> in Texas. You won't
> find many news articles mentioning him because
> he
> has kept his nose clean.
> (The Texas press, as in many other parts of the
> country, prefers to
> report bad news.) Mr. Perez is plugged into the
> association of Texas
> election officials and the two largest
> organizations
> of election officials
> in this country: the International Association
> of
> Clerks, Recorders,
> Election Officials and Treasurers (IACREOT); and
>
> *** message truncated ***

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM -----

"Tova Wang"

05/11/2006 01:59 PM
To psims@eac.gov
cc
Subject RE: research summaries

Job did this one

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 11, 2006 12:56 PM
To: dromig@eac.gov
Subject: Re: research summaries

Something is wrong in the fourth paragraph of the Federal Election Crime summary. Do you know
what it is supposed to say there?

"Tova Wang"

05/11/2006 01:30 PM
To psims@eac.gov, dromig@eac.gov
Subject research summaries

I have the feeling we didn't include these in the original batch I sent you. Could you double check and if not, would you please include them in the existing research materials? Sorry and thanks. I'm kind of doing all of this on my own in case you couldn't tell. List is coming...

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM -----
Margaret Sims/EAC/GOV
05/11/2006 11:16 AM
To Job Serebrov, Tova Andrea Wang
cc
Subject Rev Agenda for Working Group Meeting

Adam:

J.R. Perez's resume is attached, and I have forwarded my last explanatory email to Job in answer to his concerns. I will tell Tova not to contact Ray, but that she may talk with you about this issue. Thanks! ---

Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM -----
Margaret Sims/EAC/GOV
05/09/2006 02:48 PM
To Adam Ambrogi/EAC/GOV
cc
Subject Fw: Working Group-Perez

Perez bio 5_5_06.doc
As you may recall, the Commissioners directed me to find a nonpartisan local election official to serve on the Working Group. The three of us discussed the desirability of having a Hispanic. I proposed that I find someone from Texas because of that State's colorful history of voting fraud and their innovative approaches to combat it. In those Texas counties that hire Election Administrators to run elections, rather than having elected officials do so (Tax Assessor for voter registration; County Clerk for balloting), the Election Administrator is hired by the County Election Commission and is supposed to perform his or her duties in a nonpartisan manner. (See attached excerpts from Texas Election Code regarding election administrator hiring and restrictions on partisan activity.)

Any experienced Texas election official will be familiar with voting fraud and voter intimidation schemes used in that State. Mr. Perez has over 13 years experience as a county Election Administrator in Texas. You won't find many news articles mentioning him because he has kept his nose clean. (The Texas press, as in many other parts of the country, prefers to report bad news.) Mr. Perez is plugged into the association of Texas election officials and the two largest organizations of election officials in this country: the International Association of Clerks, Recorders, Election Officials and Treasurers (IACREOT); and The Election Center. He is a past President and past Chairman of the Legislative Committee for the Texas Association of Election Administrators. He currently serves on IACREOT's Election Officials Committee, which plans the educational sessions for election officials that are conducted at that organization's conferences. His peers in IACREOT and The Election Center have selected his submissions on web presentations (IACREOT) and his professional practices papers (Election Center) for awards. Mr. Perez also has access to information from other States through his membership in IACREOT and The Election Center. He also has a sense of humor, which you will note if you access the staff web page on the Guadalupe County Elections web site and hear the Mission Impossible theme .. something that might be useful in the upcoming meeting.

Guadalupe County is small but growing. In 2004, the county had over 65 thousand registered voters (a number more than doubled the number of registered voters in 1988). A third of the county's population claims Hispanic or Latino origin, according to the U.S. Census Bureau. The county is in south central Texas and is bordered by Comal, Hays, Cladwell, Gonzales, Wilson, and Bexar counties. In the 1980s, the county was predominately a farming community; but in recent years, many people have moved from San Antonio (Bexar County) to Guadalupe County, preferring to live in Guadalupe County and work in Bexar County.

--- Peggy
Peggy:

What political party is Perez with? How political is he? Is the position in Texas neutral or political? Who appointed Perez?

As to Pat I will contact him but I can't promise anything. If Pat can't come, who is getting knocked off Tova's list?

Job

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM ---

"Job Serebrov" To psims@eac.gov
05/11/2006 04:35 PM cc
Subject Re: new working group representative

Peggy:

Braden is ok also with me but please don't tell me not to "stir up" things. I assure you nothing will come back to bite me. I know these people well enough to say they will also want a balanced group. In fact, one of them was very unhappy with Tova's folks.

Job

--- psims@eac.gov wrote:

> According to the Commissioners, you and Tova each
> got to pick three
> members of the Working Group. The Commission
> guidance regarding this
> particular member follows:
> >
> > 4 people from the Academic, Legal and Advocacy
> > sectors - 2 to be chosen by
> > Tova and 2 to be chosen by Job.
> >
> > This issue of allowing a designee relates to Tova's
> > pick.
> >
> > As I understand it, we are working on a replacement
> > for Norcross. If
> > Ginsberg is not viable, how about Mark Braden, who
> > includes public
> > integrity in his areas of specialization. I would
> > not try and stir up
other members of the Working Group, if I were you.
The effort is likely
to come back and bite you.

"Job Serebrov" <.
05/11/2006 03:53 PM

To
psims@eac.gov
cc

Subject
Re: new working group representative

I really don't care if he represents the
organization
or not. What mixed race? The entire discussion was
because Arnwine was African-American. If you are
going
to invite him without first having a replacement for
my side, I may have to call Thor and Todd and
discuss
all of this.

--- psims@eac.gov wrote:

> Greenbaum is representing Arnwine, not replacing
> her. He works for her
> organization and is of mixed race. --- Peggy

--- Job Serebrov
05/11/2006 03:36 PM

To
"Tova Wang" psims@eac.gov
cc
Subject
Re: new working group representative

I have an objection to Greenbaum. While I realize
he
comes from an advocacy group, he is not a minority
attorney and we already have a rep who worked with
DOJ. If it is to be Greenbaum, I would rather not fill that position since I am one down.

--- Tova Wang wrote:

> is Jon Greenbaum

> Here's his info in full:

---

He is the Director of the Voting Rights Project for the Lawyers Committee for Civil Rights. He will be representing Barbara Arnowe, the Executive Director of the Lawyers Committee.

His contact and mailing info is:

Suite 400
Washington, DC 20005

Tova Andrea Wang
Democracy Fellow
The Century Foundation

Visit our Web site, for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.
When I opened the attachment, I still had problems with the 4th paragraph. Would you please just send me that paragraph within the text of your email so that I can paste it into the document? --- Peggy

I resent the review as you see at the bottom. When I opened it and sent it there was no corrupted text.

--- psims@eac.gov wrote:

> Do you have text to replace the corrupted text in paragraph 4? --- Peggy
> 
> "Job Serebrov"
> 05/11/2006 03:17 PM
> 
> To psims@eac.gov
> cc
> 
> Subject Re: Literature Summary
Tova just sent me the summary you prepared of The Federal Crime of Election Fraud by Craig Donsanto. There is something wrong in the fourth paragraph (odd characters and missing text). Can you please send a replacement fourth paragraph? You can send it in an email and I will place it in the document. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM ---

"Job Serebrov"

To psims@eac.gov
cc
Subject Re: Voucher

Ok. Thanks

--- psims@eac.gov wrote:

> Job:
> I've signed and submitted your voucher. I had to correct the contract date. (It is 2/26/06, not 4/22/06.) Everything else looked great. ---
> Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM ---

Margaret Sims/EAC/GOV

05/09/2006 02:51 PM

To "Tova Wang"
cc Adam Ambrogi/EAC/GOV@EAC
Subject RE: Working Group-Perez

We are still on for 4 PM. Ray is out of the office due to a family emergency, so I suggest you NOT contact him. You may contact his Special Assistant, Adam Ambrogi (aambrogi@eac.gov or who also hails from Texas. --- Peggy

"Tova Wang"
We are still doing the 4 pm call, right? We can discuss it more then. Would it be OK if I see if Ray knows this person? Thanks. Tova

-----Original Message-----
From: psims@eac.gov
Sent: Tuesday, May 02, 2006 10:14 AM
To: 
Cc: wang@tcf.org
Subject: Re: Working Group-Perez

As you may recall, the Commissioners directed me to find a nonpartisan local election official to serve on the Working Group. The three of us discussed the desirability of having a Hispanic. I proposed that I find someone from Texas because of that State's colorful history of voting fraud and their innovative approaches to combat it. In those Texas counties that hire Election Administrators to run elections, rather than having elected officials do so (Tax Assessor for voter registration; County Clerk for balloting), the Election Administrator is hired by the County Election Commission and is supposed to perform his or her duties in a nonpartisan manner. (See attached excerpts from Texas Election Code regarding election administrator hiring and restrictions on partisan activity.)

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--- Peggy
Peggy:

What political party is Perez with? How political is he? Is the position in Texas neutral or political? Who appointed Perez?

As to Pat I will contact him but I can't promise anything. If Pat can't come, who is getting knocked off Tova's list?

Job

Dear Mr. Ginsberg:

This is to confirm my call to your office this morning inviting you to be a member of and attend the upcoming meeting of the U.S. Election Assistance Commission's (EAC) Working Group on Voting Fraud-Voter Intimidation. The meeting is scheduled to take place from 1:00 PM to 5:30 PM on Thursday, May 18th, 2006 at the offices of the U.S. Election Assistance Commission (EAC), 1225 New York Avenue, NW, 11th Floor, Washington, DC.

Section 241 of the Help America Vote Act of 2002 (HAVA) requires EAC to conduct research on election administration issues. Among the tasks listed in the statute are the development of:

- nationwide statistics and methods of identifying, deterring, and investigating voting fraud in elections for Federal office [section 241(b)(6)]; and
- methods of identifying, deterring, and investigating methods of voter intimidation [section 241(b)(7)].

EAC's Board of Advisors recommended that the agency make research on these matters a high priority. Subsequently, the Commission contracted with two consultants (Job Serebrov and Tova Wang) to:
develop a comprehensive description of what constitutes voting fraud and voter intimidation in the context of Federal elections;
perform background research (including Federal and State administrative and case law review), identify current activities of key government agencies, civic and advocacy organizations regarding these topics, and deliver a summary of this research and all source documentation;
establish a project working group, in consultation with EAC, composed of key individuals and representatives of organizations knowledgeable about the topics of voting fraud and voter intimidation;
provide the description of what constitutes voting fraud and voter intimidation, and the results of the preliminary research to the working group, and convene the working group to discuss potential avenues for future EAC research on this topic; and
produce a report to EAC summarizing the findings of the preliminary research effort and working group deliberations that includes recommendations for future research, if any;

We strive to include bipartisan representation on the Working Group associated with this project. You were recommended for this project by our Republican consultant, Job Serebrov. Your ideas for possible EAC activities related to this topic will help the agency as it plans future actions to meet its HAVA responsibilities.

If you can find the time in your busy schedule to participate, I will have an information packet delivered to your office by COB, Monday, May 15. Please let me know if you are available. Thank you.

Regards,

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM ---
Margaret Sims/EAC/GOV
09/10/2006 09:25 AM
To "Tova Wang"
cc
Subject Re: arnwine

I'm checking on this. Will get back to you as soon as I have more info. --- Peggy

"Tova Wang"

"Tova Wang"
05/09/2006 05:28 PM
To psims@eac.gov
cc
Subject arnwine
She definitely cannot do it. Would you please find out if Wade Henderson would be possible? Now its my turn to be upset!!! Thanks.

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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Click here to receive our weekly e-mail updates.
Here is the second batch of my archived email related to the vote fraud study.

Peg Sims

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:28 PM -----

Aletha Barrington/CONTRACTOR/EAC/GOV  
04/19/2006 01:09 PM  
To Margaret Sims/EAC/GOV@EAC 
cc Margaret Sims/EAC/GOV@EAC 
Subject Voting fraud/Voter intimidation 

Good afternoon:

I like to introduce myself, I am Aletha Barrington, the new Contract Assistant, I will be replacing Nicole Mortellito. You may address any questions regarding the Voting Fraud/Voter Intimidation Contract to me as well as cc all monthly reports. Thank you and I look forward to working with you!

Aletha Barrington

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:28 PM -----

Margaret Sims/EAC/GOV  
04/17/2006 04:33 PM  
To Sarah Ball Johnson cscortes@eac.gov 
cc Margaret Sims/EAC/GOV@EAC 
Subject Voting Fraud-Voter Intimidation Teleconference 4-19-06 

Hi, Sarah:

Thank you for agreeing to be interviewed on Wednesday, April 19, by the consultants for EAC’s initial research on voting fraud and voter intimidation, Job Serebrov and Tova Wang. Our consultants are conducting interviews as part of preliminary research to determine how EAC may best meet the requirements of Section 241(b)6 and 7 of the Help America Vote Act of 2002. As you may recall, Section 241 requires EAC to conduct research on election administration issues, including the development of:

- nationwide statistics and methods of identifying, deterring, and investigating voting fraud in elections for Federal office; and
- methods of identifying, deterring, and investigating methods of voter intimidation.

This is what I need you (and the Secretary, if he is available) to do:

- At approximately 11 AM EST on April 19, call  
- At the prompt for the pass code, enter 62209.
Tova and Job will join you on the line. We have arranged for the line to be open for an hour, with 10 minutes extra on the front end (for folks who have not synchronized their watches).

You mentioned that Secretary Grayson may be using a cell phone. Our teleconference provider has given us the following information regarding the use of cell phones during the teleconference:

- Signals are often in and out and the audio bridging equipment cannot compensate fast enough by adjusting the signal. This affects all participants connected. If participants must use a cell phone – they should be stationary in a location where they can pick up the other participants, moving while using a cell phone causes the signal to go in and out and often will pick up extraneous electrical signals that will cause heavy static on the call.
- The cell phone should be well charged and muted, if possible, until the individual is ready to speak.
- If there is a problem, anybody who dials into a conference can contact the operator/technicians by simply pressing *0 (star zero). This information is part of the recording when individuals are dialing in.

If you have any problems accessing the teleconference, please call Edgardo Cortés. You can reach him He can contact our service provider to correct any problems. (I will be on my way to Seattle and unable to help.)

Thanks, again!

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) o
Fax: 202-566-3127
email: psims@eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:28 PM -----
"Tova Wang"
04/17/2006 01:34 PM
To psims@eac.gov
cc
Subject RE: Interviews

Actually, 11 EST would be better. Thanks.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, April 17, 2006 10:49 AM
To: 
Subject: Interviews

I know you preferred Friday, but Job is not available then. He also said he is not available next week. Do you have any time available this Wednesday? --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/17/2006 11:45 AM -----

000225
I can't do it Friday but Wednesday is ok.

--- psims@eac.gov wrote:

> Tova and Job:
> >
> > I've passed Tova's request on to Craig.
> >
> > Also, Sarah Ball Johnson, KY, finally called back
> > to say she would be
> > available Wednesday through Friday this week and
> > next week for the
> > interview. Which day and time is best for you and
> > Job?
> >
> > --- Peggy
> >
>
>
> wang@tcf.org
> 04/16/2006 11:39 AM
> >
> > To
> > psims@eac.gov
> > cc
> > "Tova Wang" 
> > Subject
> > donsanto again
> >
> >
> > Hi Peg,
> >
> > Happy Easter!
> >
> > Would it be possible to talk to Mr. Donsanto about
> > this latest initiative,
> > or somehow get more information? Thanks. Tova
> >
> > http://www.fbi.gov/page2/april06/electioncrime041406.htm
Ms. Rivers,

My name is Devon Romig and I am writing to you on behalf of the Election Assistance Commission. I believe that you have been contacted previously by our consultant Job Serebrov about the Voting Fraud/Voter Intimidation Project Working Group that we are organizing.

We are in the process of setting a date for this event and we would appreciate any suggestions that you may contribute based upon Mr. Norcross's availability in the month of May. The proposed dates are May 1, 2, 3, 8, 9, 10, 11, 12, 15, 16, 17, 18, 19. The meeting will only last for one day. Please let me know any and all of the listed dates that will work with Mr. Norcross's schedule.

Also, I tried to contact you by phone but I received a disconnected notification. Could you please provide me with your most current contact information?

Feel free to call or email me with any questions.

Thanks!

Devon Romig
U.S. Election Assistance Commission
1225 New York Ave. NW - Suite #1100
Washington, D.C. 20005
(202)566-2377

Hi Peg,

I think I might have told you only that I am unavailable on the 5th. I'm actually unavailable on the 4th as well. Any news on this front? We should also arrange a conference call next week about preparing for the meeting, don't you think? Thanks Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation
Hi, Sarah:

Thank you for agreeing to be interviewed on Wednesday, April 19, by the consultants for EAC's initial research on voting fraud and voter intimidation, Job Serebrov and Tova Wang. Our consultants are conducting interviews as part of preliminary research to determine how EAC may best meet the requirements of Section 241(b)(6) and 7 of the Help America Vote Act of 2002. As you may recall, Section 241 requires EAC to conduct research on election administration issues, including the development of:

- nationwide statistics and methods of identifying, deterring, and investigating voting fraud in elections for Federal office; and
- methods of identifying, deterring, and investigating methods of voter intimidation.

This is what I need you (and the Secretary, if he is available) to do:

- At approximately 11 AM EST on April 19, call [redacted].
- At the prompt for the pass code, enter 62209.

Tova and Job will join you on the line. We have arranged for the line to be open for an hour, with 10 minutes extra on the front end (for folks who have not synchronized their watches).

You mentioned that Secretary Grayson may be using a cell phone. Our teleconference provider has given us the following information regarding the use of cell phones during the teleconference:

- Signals are often in and out and the audio bridging equipment cannot compensate fast enough by adjusting the signal. This affects all participants connected. If participants must use a cell phone, they should be stationary in a location where they can pick up the other participants, moving while using a cell phone causes the signal to go in and out and often will pick up extraneous electrical signals that will cause heavy static on the call.
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If you have any problems accessing the teleconference, please call Edgardo Cortés. You can reach him. He can contact our service provider to correct any problems. (I will be on my way to Seattle and unable to help.)

Thanks, again!

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or
Fax: 202-566-3127
email: psims@eac.gov

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:28 PM ---

Tova Andrea Wang
Democracy Fellow
The Century Foundation
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Click here to receive our weekly e-mail updates.

Summary of DOJ activities 0405.doc

Sarah:
Thank you. I have not reviewed this myself, so I really appreciate the link. Professor Campbell was among the people interviewed by our consultants.
Peggy,

I am attaching a link to a recent book published by a Kentucky History Professor, Tracy Campbell, which details voter fraud on state and national level. It is very interesting reading.

http://www.amazon.com/gp/product/078671591X/sr=8-1/qid=1145390029/ref=pd_bbs_1/103-8923253-6647806/?%Fencoding=UTF8

Sarah Ball Johnson
Executive Director
State Board of Elections
140 Walnut Street
Frankfort, KY 40601

NOTICE: This electronic mail transmission is for the use of the named individual or entity to which it is directed and may contain information that is privileged or confidential. It is not to be transmitted to or received by anyone other than the named addressee (or a person authorized to deliver it to the named addressee). It is not to be copied or forwarded to any unauthorized persons. If you have received this electronic mail transmission in error, delete it from your system without copying or forwarding it, and notify the sender of the error by replying via email or by calling the Kentucky State Board of Elections at (502) 573-7100, so that our address record can be corrected.
Hi, Sarah:

Thank you for agreeing to be interviewed on Wednesday, April 19, by the consultants for EAC's initial research on voting fraud and voter intimidation, Job Serebrov and Tova Wang. Our consultants are conducting interviews as part of preliminary research to determine how EAC may best meet the requirements of Section 241(b)6 and 7 of the Help America Vote Act of 2002. As you may recall, Section 241 requires EAC to conduct research on election administration issues, including the development of:

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If you have any problems accessing the teleconference, please call Edgardo Cortés. You can reach him. He can contact our service provider to correct any problems. (I will be on my way to Seattle and unable to help.)

Thanks, again!

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or
Fax: 202-566-3127
email: psims@eac.gov
Hi, Sarah:

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Thanks, again!

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free)
Fax: 202-566-3127
email: psims@eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:28 PM -----

"Tova Wang"

04/21/2006 11:05 AM

To psims@eac.gov, "Job Serebrov"

cc

Subject summaries of interviews

Part 1. I’m going to try not to overload

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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Interview Justice Stratton.doc Interview w Tony Sirvello FINAL.doc
Peg, I hope we will be able to review the binders you put together before they get sent out. Thanks. Just one more research summary to come Monday. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation

I will now begin sending several emails with material for the working group meeting. Peg, we still have not heard back from you on whether you like the agenda. I have attached it again. With respect to the interview and research summaries, would you both please review them to make sure there are no glaring mistakes?

Are we going on a hiatus next week? I'm a little confused about what happens from here. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation
Yes but it needs to go no longer than 30 mins

--- psims@eac.gov wrote:

> Are you two still available for the conference call
> we had scheduled for
> this afternoon at 4 PM EST/3 PM CST? --- Peg

Yes, she is the assistant to David A. Norcross and she is unavailable until Monday. I spoke with the woman who is filling in for her this week and she does not have access to Mr. Norcross's schedule.

Margaret Sims/EAC/GOV

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:28 PM ---

Was this message sent to someone's assistant? We have no one named Rivers on our working group.

Peggy

----------
Ms. Rivers,

My name is Devon Romig and I am writing to you on behalf of the Election Assistance Commission. I believe that you have been contacted previously by our consultant Job Serebrov about the Voting Fraud/Voter Intimidation Project Working Group that we are organizing.

We are in the process of setting a date for this event and we would appreciate any suggestions that you may contribute based upon Mr. Norcross's availability in the month of May. The proposed dates are May 1, 2, 3, 8, 9, 10, 11, 12, 15, 16, 17, 18, 19. The meeting will only last for one day. Please let me know any and all of the listed dates that will work with Mr. Norcross's schedule.

Also, I tried to contact you by phone but I received a disconnected notification. Could you please provide me with your most current contact information?

Feel free to call or email me with any questions.

Thanks!

Devon Romig
U.S. Election Assistance Commission
1225 New York Ave. NW - Suite #1100
Washington, D.C. 20005
(202) 566-2377
Was this message sent to someone’s assistant? We have no one named Rivers on our working group.

Peggy

Sent from my BlackBerry Wireless Handheld
Devon E. Romig

From: Devon E. Romig
Sent: 04/19/2006 12:24 PM
To: [redacted]
Cc: Margaret Sims
Subject: Voting Fraud/Voter Intimidation Project Working Group

Ms. Rivers,

My name is Devon Romig and I am writing to you on behalf of the Election Assistance Commission. I believe that you have been contacted previously by our consultant Job Serebrov about the Voting Fraud/Voter Intimidation Project Working Group that we are organizing.

We are in the process of setting a date for this event and we would appreciate any suggestions that you may contribute based upon Mr. Norcross’s availability in the month of May. The proposed dates are May 1, 2, 3, 8, 9, 10, 11, 12, 15, 16, 17, 18, 19. The meeting will only last for one day. Please let me know any and all of the listed dates that will work with Mr. Norcross’s schedule.

Also, I tried to contact you by phone but I received a disconnected notification. Could you please provide me with your most current contact information?

Feel free to call or email me with any questions.

Thanks!

Devon Romig
U.S. Election Assistance Commission
1225 New York Ave. NW - Suite #1100
Washington, D.C. 20005
(202)566-2377
methodology -- official.doc

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:28 PM ---

"Tova Wang"
04/21/2006 11:22 AM
To psims@eac.gov, "Job Serebrov"
cc
Subject methodology review

Tova Andrea Wang
Democracy Fellow
The Century Foundation
Visit our Web site, www.tcf.org, for the latest news, analysis, opinions, and events.
Click here to receive our weekly e-mail updates.

I sent the wrong version! Please use this one.

Tova Andrea Wang
Democracy Fellow
The Century Foundation
Visit our Web site, www.tcf.org, for the latest news, analysis, opinions, and events.
Click here to receive our weekly e-mail updates.
And there will be one more forthcoming next week.

Tova Andrea Wang
Democracy Fellow
The Century Foundation
Visit our Web site for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.

Visit our Web site for the latest news, analysis, opinions, and events.
Diana:

This is just to let you know that I have requested a teleconference on Wednesday, April 19, from 11 AM to Noon EST. I asked for 6 lines to accommodate our research consultants and the folks that they will be interviewing for our Voting Fraud/Voter Intimidation project.

Peggy Sims
Election Research Specialist
I know you preferred Friday, but Job is not available then. He also said he is not available next week. Do you have any time available this Wednesday? --- Peggy

I can't do it Friday but Wednesday is ok.

--- psims@eac.gov wrote:

> Tova and Job:
> 
> I've passed Tova's request on to Craig.
> 
> Also, Sarah Ball Johnson, KY, finally called back 
> to say she would be 
> available Wednesday through Friday this week and 
> next week for the 
> interview. Which day and time is best for you and 
> Job?
> 
> --- Peggy
> 
> 04/16/2006 11:39 AM
> 
> To
> psims@eac.gov
> cc
> "Tova Wang"
Hi Peg,

Happy Easter!

Would it be possible to talk to Mr. Donsanto about this latest initiative, or somehow get more information? Thanks. Tova

http://www.fbi.gov/page2/april06/electioncrime041406.htm

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:27 PM ---

"Tova Wang"  
04/17/2006 04:53 PM

To psims@eac.gov

cc

Subject interview analysis

Tova Andrea Wang  
Democracy Fellow  
The Century Foundation  

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--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:27 PM ---

"Donsanto, Craig"  
<Craig.Donsanto@usdoj.gov>

To psims@eac.gov

cc

Subject Re: Voting Fraud-Voter Intimidation

Hi Peg. I am sitting here with Cameron Quinn putting together this year's
ballt conference for AUSAs. She send her best!

I am available on 5/18. But I am also going to the Board of Advisors Meeting the following week. I would rather do this then.

Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 11:39:50 2006
Subject: Voting Fraud-Voter Intimidation

Craig:

We are continuing our efforts to hone in on a date for the Working Group meeting. Are you available the afternoon of Thursday, May 18?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:27 PM -----
Devon E. Romig/EAC/GOV
05/10/2006 09:54 AM
To: Margaret Sims/EAC/GOV@EAC
cc
Subject: Court reporter

Peggy,

I spoke to the people who usually handle the EAC court reporting. They charge $9.00 per page with an average of 40 pages per hour. This service would cost about $1800.00.

The turn around time for the transcript is 10 to 15 days. The transcripts comes in a bound paper copy and an electronic copy.

I can also check around for different prices.

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov
----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:27 PM -----
Literally, there is not a hotel room to be found in the district on these dates. The only thing I could find was a room for $379 a night. I have booked it and will assume that since we are so under-budget on travel that this will be OK.

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

From: psims@eac.gov
To: wang@tcf.org
Cc: dromig@eac.gov
Sent: Friday, May 05, 2006 2:32 PM
Subject: Working Group

Hi, Folks:

Teleconference
Are both of you available for a teleconference next Tuesday afternoon at about 4 PM EST? If this does not work for you, please suggest another date and/or time. I would like to discuss our preparations for the Working Group meeting.

Working Group Members
We have a very good person to fill the slot for the nonpartisan local election official: J.R. Perez, Elections Administrator for Guadalupe County, TX. Attached is his bio. Hope you have no objections to him. He is available on May 18. I have place 2 calls to Pat Rogers office, but have not yet received a reply. Job, if you have any pull with him, you may want to contact him, too.

Travel Arrangements
You should make your own travel arrangements, including hotel. Travel time cannot be billed to the contract, except for hours actually worked on the contract (i.e.; reviewing materials in preparation for the meeting, and the like). Current Federal rates follow:

Maximum Lodging = $180 per day- does not include hotel taxes (if you cannot get this rate, we have covered reasonable rates that are a little higher)
Meals & Incidental = $64 per day (except that it is $48 on the first and last day of travel)
Mileage for Personally Owned Vehicle = $.445 per mile

Under the new contract, I do not have to fill out a travel authorization for you. I can approve your trip via email. Afterwords, when you turn in your next pay voucher, you can attach the airline receipt (or mileage documentation), hotel receipt(s), and ground transportation receipts and a copy of any printed itineraries. Calculate the total travel expenses due you, including applicable per diem. I do not need meal receipts.

Job, under Federal travel regulations, deviations for personal reasons are not normally accommodated. What you can do, however, is to give me a comparison of the cost of roundtrip mileage, hotel, and per diem of doing it your way against the cost of a roundtrip flight, ground transportation, hotel, and per diem. If your way costs less, it should be no problem to cover the full cost. If your way is more expensive, we may only pay up to the amount of traditional travel. (The same rules apply to me when I travel.) If you can tell me where, other than DC, you will spend the night, I can check on applicable per diem rates.
OK, I will include all on the CD. Thanks. ---- Peggy

"Job Serebrov"

All. They are not duplicates. There are some cases repeated and some not. It is a slight variant of the word search.

--- psims@eac.gov wrote:

> Job
> In preparing the CDs, we have run across the following files that appear to be duplicates. Which ones should go on the CD?
> --- Peggy
> 
> 
>
Thank you, Peg - - see you then.

--- Arthur --

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Friday, May 05, 2006 12:53 PM
To: Donsanto, Craig
Subject: RE: Please remind me of time and place for Voter Intimidation project meeting

The meeting is scheduled for Thursday, May 18, 1- 5:30 PM (though we may finish earlier). It will be held in EAC's large conference room (the one we use for public meetings, located off our lobby). --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
05/05/2006 12:43 PM
topsims@eac.gov
cc
Subject: RE: Please remind me of time and place for Voter Intimidation project meeting
If you tell me now I will put it into my calendar here, which in turn will remind me!

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Friday, May 05, 2006 12:42 PM
To: Donsanto, Craig
Subject: Re: Please remind me of time and place for Voter Intimidation project meeting

How many days in advance do you need the reminder? --- Peggy

Dear Commissioners:

This is to let you know that the Working Group for our Voting Fraud and Voter Intimidation preliminary research project is scheduled to meet in EAC's large conference room the afternoon of Thursday, May 18. I will provide more information about this meeting to you later.

Peggy Sims
Election Research Specialist

Did Barbara Arnwine's office indicate who they propose to send in her place? --- Peggy

"Job Serebroy"

05/10/2006 02:35 PM
Subject Latham
The Latham is booked solid. I called. I am checking out some possibilities but this is not looking good.

---- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:27 PM ----
Margaret Sims/EAC/GOV
05/10/2006 03:20 PM
To "Job Serebrov"
cc
Subject Re: Latham

One source suggests the Georgetown Inn has vacancies and pillow top beds.

"Job Serebrov" 05/10/2006 02:35 PM
To psims@eac.gov
cc
Subject Latham

The Latham is booked solid. I called. I am checking out some possibilities but this is not looking good.

---- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:27 PM ----
Margaret Sims/EAC/GOV
05/11/2006 10:06 AM
To Tova Andrea Wang, Job Serebrov
cc
Subject Today's Teleconference

I assume that we are still on for today's teleconference at 11 AM EST. I will call you. I have attached a draft agenda for your review and comment. --- Peggy

Agenda 5-18-06 Mtg-draft.doc
This is ok, given the fact that the WG may have suggestions. Will you be sending us the same packets that you are sending the WG? Also, I figure with Tova's response we will need to have a teleconference on the report once I return to Little Rock. We will need to do it that following Monday or Tuesday.

--- psims@eac.gov wrote:

> Would you please take a look at the attached? I combined both of your definitions, reformatted the list, removed a reference to the fraud having to have an actual impact on the election results (because fraud can be prosecuted without proving that it actually changed the results of the election), and taken out a couple of vague examples (e.g.; reference to failing to enforce state laws --- because there may be legitimate reasons for not doing so).
> I have made contact with Ben Ginsberg's office and am waiting to hear if he accepts our invitation to join the working group.
> --- Peggy
>

Yes. My wife is a vegetarian and I can't eat wheat products and don't eat pork. Non-toxic Oriental seems to always work. I did not cc Tova on this until I received your reaction. You probably want to include
Hi Devon:

We have heard from Mark Hearne and Todd Rokita. They are both flying in and out on the 18th and will not need hotel rooms. We're kind of waiting to see if Perez and Rogers need rooms before booking any hotel. As soon as we get approval of Hearne and Rokita air schedules and get them booked, we'll forward their itineraries to you.

Kind Regards,

Marvin

-----Original Message-----
From: dromig@eac.gov [mailto:dromig@eac.gov]
Sent: Tuesday, May 09, 2006 8:31 AM
To: marvin.brokaw@adtrav.com
Cc: psims@eac.gov
Subject: May 18th Meeting at EAC

Hello Marvin,

I just wanted to follow up with the voicemail message that I left for you yesterday. We will be holding a meeting at our offices in Washington DC on May 18, 2006. I have informed the out of state attendees to contact you for their travel arrangements.

We have been authorized to pay for the attendees airfare and hotel arrangements. Please note
that all of the participants are authorized for a two night hotel room stay, as long as the dates are May 17th and 18th.

I attached the list of the meeting participants that will be contacting you about their travel arrangements for the May 18th meeting in Washington DC.
Let me know if you have any questions for me or if you need any more information from me.

Thanks for your help!

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov

Peggy,

I just spoke to Mr. Norcross's assistant, he cannot attend the meeting on the 18th, he will be out of town at another event.

Devon Romig
U.S. Election Assistance Commission
1225 New York Ave. NW - Suite #1100
Washington, D.C. 20005
(202)566-2377

Peggy -- they don't have anything to do with the Leadership Conference on Civil Rights do they?

I ask only because the Justice Department is currently engaged in a very acrimonious FOIA litigation with LCCR that focuses precisely on our efforts to combat voter "intimidation"

---------------

000252
-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Thu May 04 17:20:39 2006
Subject: RE: Voting Fraud-Voter Intimidation

It is just the Working Group for the Voting Fraud-Voter Intimidation Project.
I am asking you to attend as Technical Advisor for the project. --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
05/04/2006 03:26 PM
To
cc
Subject

Peg -- what is the name of the group?

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 04, 2006 3:13 PM
To: Donsanto, Craig
Subject: RE: Voting Fraud-Voter Intimidation

Craig:

This meeting is being held to obtain input from our eight-member Working Group
for the project. The group is composed of election lawyers, election
officials, and a representative of an advocacy group, all of whom have an
interest and some expertise in the identification and/or prosecution of voting
fraud and voter intimidation. The group was chosen so that we would have an
equal number of folks on each side of the political spectrum, plus some
nonpartisan members.

After our consultants review the results of their preliminary research
(interviews, literature review, case law), we will ask the Working Group to
brainstorm possible next steps for EAC. Our consultants will write a report
summarizing the proposals that come out of this meeting. The report will go
to the Commissioners, who will decide what they want to do, funds available,
and what priority to assigned to the effort(s).
Your participation in this part of the process is extremely important, so I am very happy that you can find time for us that afternoon. I'll get an agenda and other information to you next week. --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
05/04/2006 02:32 PM
To psims@eac.gov
cc
Subject RE: Voting Fraud-Voter Intimidation

Okay, Peg -- I will mark off the entire afternoon and try to be there. What is the agenda? I was not aware that this was anything beyond having your contractors spend another session with me. Also, if they will be needing stats and stuff like that I need to know as I will bring my state-people with me.

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 04, 2006 2:28 PM
To: Donsanto, Craig
Subject: Re: Voting Fraud-Voter Intimidation

Right now, we are planning to meet in EAC's large conference room between 1 PM and 5 PM. If you cannot be there for the whole afternoon, we will appreciate whatever time you can spare. I'll get back to you with more information (agenda, list of Working Group members, etc.). --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
05/03/2006 05:59 PM
To psims@eac.gov
cc
Subject: Re: Voting Fraud-Voter Intimidation

Afternoon of May 18 -- 2:30 okay? How long will they need??
--------------------------
Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 16:59:09 2006
Subject: Re: Voting Fraud-Voter Intimidation

I am looking at the afternoon of 5/18 for the meeting, due to scheduling conflicts of Working Group members. There remain two members from whom we have not yet received confirmations of their schedule (with some, it is like pulling teeth), but right now 5/18 still looks like the best day. We may have to hold the meeting over here to make it easier for Commissioners to drop in.
- Peg

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/03/2006 12:53 PM
To
cc
Subject

Okay -- you are on for May 18th! Can we do it over here at 10?
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Sent from Dr. D's Fabulous BlackBerry Wireless Handheld
My problem is that agency staff is booked most of the week of 5/21. Monday through Wednesday are taken up with meetings of the Standards Board Executive Committee, the full Standards Board, and the Board of Advisors. Thursday, we have EAC's public meeting. Also, I will lose one of my two consultants in June, so I'm trying to wrap up this project (and get the final report from the consultants) by the end of May.

Say "Hi" to Cameron for me.

Hi Peg. I am sitting here with Cameron Quinn putting together this year's ballt conference for AUSAs. She send her best!

I am available on 5/18. But I am also going to the Board of Advisors Meeting the following week. I would rather do this then.

Craig:

We are continuing our efforts to hone in on a date for the Working Group meeting. Are you available the afternoon of Thursday, May 18?
On another note entirely, since traffic will be bad going to Roanoke, do you want to have a dinner meeting with Tova and me after the group meeting to discuss the final report? As long as we are out by 7 or so I am ok with it. Also, my wife would have to be there as she will be meeting me after the WG.

--- psims@eac.gov wrote:

> According to the Commissioners, you and Tova each
got to pick three
> members of the Working Group. The Commission
guidance regarding this
> particular member follows:
> 
> 4 people from the Academic, Legal and Advocacy
> sectors - 2 to be chosen by
> Tova and 2 to be chosen by Job.
> 
> This issue of allowing a designee relates to Tova's
> pick.
> 
> As I understand it, we are working on a replacement
> for Norcross. If
> Ginsberg is not viable, how about Mark Braden, who
> includes public
> integrity in his areas of specialization. I would
> not try and stir up
> other members of the Working Group, if I were you.
> The effort is likely
> to come back and bite you.
> 
> "Job Serebrov"
To
psims@eac.gov
cc

Subject
Re: new working group representative

I really don't care if he represents the organization or not. What mixed race? The entire discussion was because Arnwine was African-American. If you are going to invite him without first having a replacement for my side, I may have to call Thor and Todd and discuss all of this.

--- psims@eac.gov wrote:

> Greenbaum is representing Arnwine, not replacing her. He works for her organization and is of mixed race. --- Peggy

"Job Serebrov" 05/11/2006 03:36 PM

To
"Tova Wang" psims@eac.gov
cc

Subject
Re: new working group representative

I have an objection to Greenbaum. While I realize he comes from an advocacy group, he is not a minority attorney and we already have a rep who worked with DOJ. If it is to be Greenbaum, I would rather not fill that position since I am one down.

--- Tova Wang wrote:

is Jon Greenbaum

Here's his info in full:
He is the Director of the Voting Rights Project for the Lawyers Committee for Civil Rights. He will be representing Barbara Arnwine, the Executive Director of the Lawyers Committee.

His contact and mailing info is:

Suite 400
Washington, DC 20005

Tova Andrea Wang
Democracy Fellow
The Century Foundation

Visit our Web site, for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.
Dinner sounds like a great idea. Do either of you have any dietary restrictions or preferences? (I seem to recall that Tova would prefer a place that has vegetarian options). I'll try to locate a nearby place that won't bust the budget. --- Peggy

On another note entirely, since traffic will be bad going to Roanoke, do you want to have a dinner meeting with Tova and me after the group meeting to discuss the final report? As long as we are out by 7 or so I am ok with it. Also, my wife would have to be there as she will be meeting me after the WG.

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His contact and mailing info is:

Suite 400
Washington, DC 20005

Tova Andrea Wang
Democracy Fellow
The Century Foundation


Click here to receive our weekly e-mail updates.

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:27 PM ---

"Tova Wang"
05/09/2006 11:45 AM
To psims@eac.gov
cc
Subject: RE: Case Summaries

yes

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 09, 2006 10:38 AM
To: wang@tcf.org
Subject: Fw: Case Summaries

Had you seen this? --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 05/09/2006 11:38 AM -----
"Job Serebrov"

05/08/2006 09:30 AM

05/12/2006 03:45 PM

Peggy:
Please add this to the packet.
Job

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:27 PM -----
"Job Serebrov"

I'm thankful it all worked out.

--- psims@eac.gov wrote:
> Ginsberg has accepted our invitation! --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:27 PM -----
Peggy,

I just spoke to Valerie Johnson, Ms. Arnwine's assistant. The following are a list of dates that are possible for her attendance:

- 8th - PM (2pm to 6pm)
- 9th - Possible PM
- 16th - PM (1:30pm - 5:30pm)
- 17th - All day*
- 18th - All day*
- 19th - All day*

*All day availability does not begin until after 9:30 or 10:00 AM

I will update this information on the shared drive.

Thanks,

Devon

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:27 PM ---

"Job Serebrov"

Peggy:

4:00 eastern on Tuesday is fine however, given the financial restrictions that you indicated would be in place for use of my car (I would actually loose money coming to DC) and given the cost of hotels at this time (I can't afford to front these costs and wait for months to be repaid), etc, it would take a miracle for this working group meeting to take place in person. It is looking like the only way it will get done is by teleconference. I also share Tova's concern about the unknown nature of Mr. Perez.

Job

--- psims@eac.gov wrote:

> Hi, Folks:
> 
>
Teleconference

Are both of you available for a teleconference next Tuesday afternoon at about 4 PM EST? If this does not work for you, please suggest another date and/or time. I would like to discuss our preparations for the Working Group meeting.

Working Group Members

We have a very good person to fill the slot for the nonpartisan local election official: J.R. Perez, Elections Administrator for Guadalupe County, TX. Attached is his bio. Hope you have no objections to him. He is available on May 18. I have placed 2 calls to Pat Rogers office, but have not yet received a reply. Job, if you have any pull with him, you may want to contact him, too.

Travel Arrangements

You should make your own travel arrangements, including hotel. Travel time cannot be billed to the contract, except for hours actually worked on the contract (i.e.; reviewing materials in preparation for the meeting, and the like). Current Federal rates follow:

Maximum Lodging = $180 per day - does not include hotel taxes (if you cannot get this rate, we have covered reasonable rates that are a little higher)
Meals & Incidentals = $64 per day (except that it is $48 on the first and last day of travel)
Mileage for Personally Owned Vehicle = $.445 per mile

Under the new contract, I do not have to fill out a travel authorization for you. I can approve your trip via email. Afterwards, when you turn in your next pay voucher, you can attach the airline receipt (or mileage documentation), hotel receipt(s), and ground transportation receipts and a copy of any printed itineraries. Calculate the total travel expenses due you, including applicable per diem. I do not need meal receipts.

Job, under Federal travel regulations, deviations for personal reasons are not normally accommodated. What you can do, however, is to give me a comparison of the cost of roundtrip mileage, hotel, and per diem of doing...
> it your way against the cost of a roundtrip flight,
> ground transportation,
> hotel, and per diem. If your way costs less, it
> should be no problem to
> cover the full cost. If your way is more expensive,
> we may only pay up to
> the amount of traditional travel. (The same rules
> apply to me when I
> travel.) If you can tell me where, other than DC,
> you will spend the
> night, I can check on applicable per diem rates.
>
> Peggy
>

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:27 PM ---
Margaret Sims/EAC/GOV
05/11/2006 02:35 PM
To Craig Donsanto
cc
Subject Voting Fraud-Voter Intimidation Working Group

Craig:

I think we have resolved the issue of Barbara Arnwine's absence from the upcoming meeting by having one of her staff represent her (and her organization). Please review the attached rough summary of DOJ Cases ASAP and let me know if I need to delete reference to the open investigations. Hopefully, we won't have to remove this information as it does not specify the defendants or States involved. --- Peg

**Rough Summary of Department of Justice, Public Integrity Section Activities, October 2002-January 2006**

**Prosecutions and Convictions-- Individuals**
Noncitizen voting: 20
Vote buying: 49
Double voting: 12
Registration fraud: 13
Civil Rights: 4
Voter Intimidation: 2
Unclear: 1

**Open Investigations** (note: a few cases overlap with prosecutions and convictions)
Noncitizen voting: 3
Vote buying: 25
Double voting: 15
Registration fraud: 29
Absentee ballot fraud: 9
Official: 8
Ineligibles: 4
Deceptive Practices: 1
Civil Rights: 14
Intimidation: 6
Other: 2

Cases and Investigations Closed for Lack of Evidence

Civil Rights: 8
Official: 12
Registration Fraud: 12
Absentee Ballot Fraud: 14
Ineligible Voting: 3
Intimidation: 8
Double Voting: 5
Ballot Box Stuffing: 1
Vote Buying: 14
Ballot/machine tampering: 2
Other: 8
Unclear: 3

Peg - - what is the name of the group?

Craig:

This meeting is being held to obtain input from our eight-member Working Group for the project. The group is composed of election lawyers, election officials, and a representative of an advocacy group, all of whom have an interest and some expertise in the identification and/or prosecution of voting fraud and voter intimidation. The group was chosen so that we would have an equal number of folks on each side of the political spectrum, plus some nonpartisan members.
After our consultants review the results of their preliminary research (interviews, literature review, case law), we will ask the Working Group to brainstorm possible next steps for EAC. Our consultants will write a report summarizing the proposals that come out of this meeting. The report will go to the Commissioners, who will decide what they want to do, funds available, and what priority to assigned to the effort(s).

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"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/04/2006 02:32 PM

Topsims@eac.gov

cc

Subject: RE: Voting Fraud-Voter Intimidation

Okay, Peg - - I will mark off the entire afternoon and try to be there. What is the agenda? I was not aware that this was anything beyond having your contractors spend another session with me. Also, if they will be needing stats and stuff like that I need to know as I will bring my state-people with me.

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"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/03/2006 05:59 PM

Topsims@eac.gov

cc

---
Afternoon of May 18 -- 2:30 okay? How long will they need??

Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
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To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
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05/03/2006 12:53 PM
To
psims@eac.gov
cc
Subject
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Hi Peg. I am sitting here with Cameron Quinn putting together this year's ballot conference for AUSAs. She send her best!

I am available on 5/18. But I am also going to the Board of Advisors Meeting the following week. I would rather do this then.

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 12:40:19 2006
Subject: Re: Voting Fraud-Voter Intimidation

Craig:

We are continuing our efforts to hone in on a date for the Working Group meeting. Are you available the afternoon of Thursday, May 18?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
Peg:

Since I am driving to DC, besides hotel receipts, do you want me to keep my gas receipts or how will my car use be compensated? Also, I assume I don't have to retain food receipts.

Job

My problem is that agency staff is booked most of the week of 5/21. Monday through Wednesday are taken up with meetings of the Standards Board Executive Committee, the full Standards Board, and the Board of Advisors. Thursday, we have EAC's public meeting. Also, I will lose one of my two consultants in June, so I'm trying to wrap up this project (and get the final report from the consultants) by the end of May.

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d----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 11:39:50 2006
Subject: Voting Fraud-Voter Intimidation

Craig:

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Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission

d---- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:27 PM ----
Margaret Sims/EAC/GOV
05/11/2006 02:08 PM
To: Job Serebrov
cc
Subject: Literature Summary

Tova just sent me the summary you prepared of The Federal Crime of Election Fraud by Craig Donsanto. There is something wrong in the fourth paragraph (odd characters and missing text). Can you please send a replacement fourth paragraph? You can send it in an email and I will place it in the document. --- Peggy

d---- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM ----
Margaret Sims/EAC/GOV
05/10/2006 10:32 AM
To: Devon Romig
cc
Subject: Fw: Court Reporter for Working Group Meeting

Devon:
We have the OK from Tom to obtain a court reporter. Per his response (attached), please coordinate with Joyce. Also, I understand the reporter for the Asian Language Working Group arrived late. Please find out how we can ensure the one for our meeting arrives on time. Thanks! --- Peggy
Tom:
I understand that EAC hired a court reporter for the Asian Language Working Group meeting. I would like to do the same for the May 18 Voting Fraud-Voter Intimidation Working Group meeting, but I did not include funds in my budget for this service. Do we have funds that could be used for this purpose? (See Devon’s cost estimate below.) --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 05/10/2006 10:18 AM -----
Devon E. Romig/EAC/GOV

Peggy,
I spoke to the people who usually handle the EAC court reporting. They charge $9.00 per page with an average of 40 pages per hour. This service would cost about $1800.00.

The turn around time for the transcript is 10 to 15 days. The transcripts comes in a bound paper copy and an electronic copy.

I can also check around for different prices.

Devon Romig  
United States Election Assistance Commission  
1225 New York Ave. NW, Suite 1100  
Washington, DC 20005  
202.566.2377 phone  
202.566.3128 fax  
www.eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM -----  
Devon E. Romig/EAC/GOV  
05/03/2006 10:50 AM  
To Margaret Sims/EAC/GOV@EAC  
cc  
Subject Secretary Rokita's schedule

Peggy,

I just spoke to Nathan Cane (Secretary Rokita's assistant). He did not have any new information but they are going to have a scheduling meeting tomorrow morning and he will ask specifically about the afternoon of May 18th. I also reminded him to find out any of the days that he was not available or any of the days that he had could attend the meeting in the morning or the afternoon.

Thanks,

Devon
----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM -----  
Margaret Sims/EAC/GOV  
05/04/2006 01:05 PM  
To Devon E. Romig/EAC/GOV  
cc  
Subject Re: VFVI Working Group

Devon:  
I forgot to tell you that Thor Hearne's assistant is named Bethany. She can be reached at[deleted]  
--- Peggy

Devon E. Romig/EAC/GOV
Peggy,

I have called each of the participants. So far I have a definite confirmation from Kathy Rogers.

Here is the list of the out of town participants for the Voter Fraud/Voter Intimidation Project Working Group:

Mark Hearne II - St. Louis, MO
Todd Rokita - Indianapolis, IN
Kathy Rogers - Atlanta, GA

Possible Participant:

Patrick Rogers - New Mexico

Thanks,

Devon Romig
U.S. Election Assistance Commission
1225 New York Ave. NW - Suite #1100
Washington, D.C. 20005
(202)566-2377

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM -----

"Tova Wang"

05/11/2006 05:32 PM

To psims@eac.gov
cc
Subject RE: new working group representative

I'm up for a short meeting afterward and a teleconference on Monday. And maybe when all of this is over, you and I can have dinner! Have I told you that I am moving down to DC this summer?

I suspect you have put up with much more than I have and I really appreciate everything you have done.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 11, 2006 4:27 PM
To: wang@tcf.org
Subject: RE: new working group representative
Tova:

I understood Job to say that he could only find a hotel room with the right bed in Roanoke (hours away). He will drive in Thursday morning for the meeting and return to that hotel Thursday night. He won't drive back into DC for a Friday morning meeting.

We don't have to do dinner. I recognize that you have spent a lot of time and energy to make this project work, and I don't want to put you out. (You have done a lot under difficult circumstances.) Though we will be bushed, we may want to have a short meeting right after the Working Group disperses --- or we could do a teleconference the following Monday afternoon (before I head into three more days of meetings). --- Peggy

"Tova Wang"

05/11/2006 04:54 PM

To psims@eac.gov

cc

Subject RE: new working group representative

It would not be my first preference to do this right after the meeting, and I sort of had tentative plans. They can be changed if necessary of course, but what happened to meeting on Friday morning?

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 11 2006 3:47 PM
To: ng@tcf.org
Subject: Re: new working group representative

Dinner sounds like a great idea. Do either of you have any dietary restrictions or preferences? (I seem to recall that Tova would prefer a place that has vegetarian options). I'll try to locate a nearby place that won't bust the budget. --- Peggy

"Job Serebrov"

05/11/2006 04:39 PM

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--- psims@eac.gov wrote:

> According to the Commissioners, you and Tova each
got to pick three
members of the Working Group. The Commission
guidance regarding this
particular member follows:

> 4 people from the Academic, Legal and Advocacy
sectors - 2 to be chosen by
Tova and 2 to be chosen by Job.

> This issue of allowing a designee relates to Tova's
pick.

> As I understand it, we are working on a replacement
for Norcross. If
Ginsberg is not viable, how about Mark Braden, who
includes public
integrity in his areas of specialization. I would
not try and stir up
other members of the Working Group, if I were you.
The effort is likely
to come back and bite you.

"Job Serebrov" <05/11/2006 03:53 PM>
To
psims@eac.gov
cc
Subject
Re: new working group representative
Please also double check that I have not left any out. Thanks.

Tova Andrea Wang
Democracy Fellow
The Century Foundation

Visit our Web site, www.tcf.org, for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.

Peggy,
I am attaching a link to a recent book published by a Kentucky History Professor, Tracy Campbell, which details voter fraud on state and national level. It is very interesting reading.
http://www.amazon.com/gp/product/078671591X/sr=8-1/qid=1145390029/ref=pd_bbs_1/103-8923253-6647806?%5Fencoding=UTF8

Sarah Ball Johnson
Executive Director
I really don't care if he represents the organization or not. What mixed race? The entire discussion was because Arnwine was African-American. If you are going to invite him without first having a replacement for my side, I may have to call Thor and Todd and discuss all of this.

--- psims@eac.gov wrote:

Greenbaum is representing Arnwine, not replacing her. He works for her organization and is of mixed race. --- Peggy

"Job Serebrov"
05/11/2006 03:38 PM

To "Tova Wang" psims@eac.gov

Subject Re: new working group representative

I have an objection to Greenbaum. While I realize he comes from an advocacy group, he is not a minority attorney and we already have a rep who worked with DOJ. If it is to be Greenbaum, I would rather not fill that position since I am one down.

--- Tova Wang wrote:

is Jon Greenbaum

Here's his info in full:

He is the Director of the Voting Rights Project for the Lawyers Committee for Civil Rights. He will be representing
Dear Meeting Participants,

Thank you for confirming your participation in the upcoming Voter Fraud/Voter Intimidation Working Group Meeting in Washington, D.C. This meeting will take place at our office from 1:00 PM to 5:30 PM on Thursday May 18th, 2006.
The Election Assistance Commission (EAC) will cover the cost of your flight, the cost of your hotel room and provide you with a daily per diem. The cost of the airfare and the hotel stay will be paid directly by the EAC, as long as you book your travel through Adventure Travel.

Please note that the eligible dates of the hotel accommodation include the evenings on May 17th and May 18th. Once you have contacted him and you have received the itinerary via e-mail you must forward me a copy immediately so that I can complete a travel authorization form.

I have included two attachments with this email; the first attachment is a letter that contains important information that you will need to know before calling the travel agent and the second attachment provides some general information that should help you get around the city during your trip.

In addition to your travel itinerary, I will also need the following information by the close of business this Friday May 12, 2006 in order to complete your travel authorization:

Full Name:
Title:
Entity for whom you work:
Address to Which the Reimbursement Check Will Be Mailed:
Work Telephone:
Fax Number:
Social Security #: (if uncomfortable e-mailing this, feel free to call me):

Feel free to contact me with any questions.

Sincerely,

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov

I have the feeling we didn't include these in the original batch I sent you. Could you double check and if not, would you please include them in the existing research materials? Sorry and thanks. I'm kind of doing all of this on my own in case you couldn't tell. List is coming...

Tova Andrea Wang
Given the information I have Peggy, that is not going to be financially possible. First, given Tova's info about the hotels, it is too much for me to front. Two to three days in DC would run around $1000 for the hotel alone. That does not count the two days on the road to get there and two days back. Second, if I can't charge the federal per mile allowance for the entire trip to DC and back and can only get the equivalent of plane fare, I will actually loose money.

I simply do not see how we can do this in person given the financial restrictions.

--- psims@eac.gov wrote:

> Job:
> I don't think we can put you on teleconference for 41/2 hours. We really need to have you here in person if you are to help conduct the Working Group meeting. You should make your travel arrangements ASAP. --- Peggy

--- "Job Serebrov" 05/08/2006 10:14 AM
> To psims@eac.gov, cc
Subject
Re: Working Group

Peggy:

4:00 eastern on Tuesday is fine however, given the financial restrictions that you indicated would be in place for use of my car (I would actually lose money coming to DC) and given the cost of hotels at this time (I can't afford to front these costs and wait for months to be repaid), etc, it would take a miracle for this working group meeting to take place in person. It is looking like the only way it will get done is by teleconference. I also share Tova's concern about the unknown nature of Mr. Perez.

Job

--- psims@eac.gov wrote:

Hi, Folks:

> Teleconference
> Are both of you available for a teleconference next Tuesday afternoon at about 4 PM EST? If this does not work for you, please suggest another date and/or time. I would like to discuss our preparations for the Working Group meeting.

Working Group Members
We have a very good person to fill the slot for the nonpartisan local election official: J.R. Perez, Elections Administrator for Guadalupe County, TX. Attached is his bio. Hope you have no objections to him. He is available on May 18. I have placed 2 calls to Pat Rogers office, but have not yet received a reply. Job, if you have any pull with him, you may want to contact him, too.
Travel Arrangements
You should make your own travel arrangements, including hotel. Travel time cannot be billed to the contract, except for hours actually worked on the contract (i.e.; reviewing materials in preparation for the meeting, and the like). Current Federal rates follow:

Maximum Lodging = $180 per day- does not include hotel taxes (if you cannot get this rate, we have covered reasonable rates that are a little higher)
Meals & Incidentals = $64 per day (except that it is $48 on the first and last day of travel)
Mileage for Personally Owned Vehicle = $ .445 per mile

Under the new contract, I do not have to fill out a travel authorization for you. I can approve your trip via email. Afterwords, when you turn in your next pay voucher, you can attach the airline receipt (or mileage documentation), hotel receipt(s), and ground transportation receipts and a copy of any printed itineraries. Calculate the total travel expenses due you, including applicable per diem. I do not need meal receipts.

Job, under Federal travel regulations, deviations for personal reasons are not normally accommodated. What you can do, however, is to give me a comparison of the cost of roundtrip mileage, hotel, and per diem of doing it your way against the cost of a roundtrip flight, ground transportation, hotel, and per diem. If your way costs less, it should be no problem to cover the full cost. If your way is more expensive, we may only pay up to the amount of traditional travel. (The same rules apply to me when I travel.) If you can tell me where, other than DC, you will spend the night, I can check on applicable per diem rates.

Peggy
Let me check with Devon early tomorrow. If she did not hear from him this afternoon, I'll have her contact you. Perhaps you will have more success than we have.

Peggy

Sent from my BlackBerry Wireless Handheld

----- Original Message ----- 
From: "Tova Wang" 
Sent: 04/26/2006 05:46 PM 
To: Margaret Sims 
Subject: wg

Do you want me to call both Bob too?

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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FYI - The person I mentioned as a replacement for David Norcross, who was unavailable, could not attend or Voting Fraud-Voter Intimidation Working Group meeting. Our consultant, Job Serebrov, suggested Benjamin Ginsberg, who is willing. I'm sorry I could not check with you on this beforehand --- things
happened so fast! --- Peggy
"Tova Wang"
05/11/2006 03:56 PM 

That was not the only reason -- it was to have someone from the civil rights community. I hardly think you can have a discussion about voter intimidation and suppression without someone with that background at the table. I know you agree with this given what you've said to me in the past.

-----Original Message-----
From: Job Serebrov
Sent: Thursday, May 11, 2006 2:48 PM
To: Tova Wang; psims@eac.gov
Subject: RE: new working group representative

We don't know about Ginsburg but it was only stated, over my objection, that no current invitee was being disinvited. This does not apply to representatives of those people in my mind, especially when the main specific reason for inviting the person was her race.

--- Tova Wang --- wrote:
> He is representing Barbara Arnwine, and we have
> already established we are
> not disinviting anyone. We still don't know about
> Ginsburg yet anyway,
> right?
> 
> -----Original Message-----
> From: Job Serebrov
> Sent: Thursday, May 11, 2006 2:36 PM
> To: Tova Wang; psims@eac.gov
> Cc:
> Subject: Re: new working group representative
>
>
> I have an objection to Greenbaum. While I realize he
> comes from an advocacy group, he is not a minority
> attorney and we already have a rep who worked with
> DOJ. If it is to be Greenbaum, I would rather not
> fill
> that position since I am one down.
>
> --- Tova Wang --- wrote:
> 
> > is Jon Greenbaum
> >
> > Here's his info in full:
> >
He is the Director of the Voting Rights Project for the Lawyers Committee for Civil Rights. He will be representing Barbara Arnwine, the Executive Director of the Lawyers Committee.

His contact and mailing info is:

Suite 400
Washington, DC 20005

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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---

Click here to receive our weekly e-mail updates.

---

The code attachment did not work that is what I meant by it did not come through.
--- psims@eac.gov wrote:

> Did you look at the attached excerpts from Texas Code? --- Peggy

> "Job Serebrov"
> 05/09/2006 11:23 AM

> To
> psims@eac.gov
> cc
> Subject
> Re: Working Group-Perez

> We have the same set-up here in Arkansas. We hired a person just like Perez. However, given this, I would still like to know if he has a party affiliation and this brings up another issue. How is the county election commission chosen. In Arkansas it is the Chairmen of the Republican and Democrat Parties or if he/she does not want to serve a person is elected in his/her stead and a third member picked by the party with the most constitutional officers. Practically that has meant that the Democrats have controlled election commissions in Arkansas since the end of Reconstruction. This is why I want to know the situation in Texas.

--- psims@eac.gov wrote:

> As you may recall, the Commissioners directed me to find a nonpartisan local election official to serve on the Working Group. The three of us discussed the desirability of having a Hispanic. I proposed that I find someone from Texas because of that State's colorful history of voting fraud and their innovative approaches to combat it. In those Texas counties that hire Election Administrators to run elections, rather than having elected officials do so (Tax Assessor for voter registration; County Clerk for balloting), the Election
Administrator is hired by the County Election Commission and is supposed to perform his or her duties in a nonpartisan manner. (See attached excerpts from Texas Election Code regarding election administrator hiring and restrictions on partisan activity.) Any experienced Texas election official will be familiar with voting fraud and voter intimidation schemes used in that State.

Mr. Perez has over 13 years experience as a county Election Administrator in Texas. You won't find many news articles mentioning him because he has kept his nose clean. (The Texas press, as in many other parts of the country, prefers to report bad news.) Mr. Perez is plugged into the association of Texas election officials and the two largest organizations of election officials in this country: the International Association of Clerks, Recorders, Election Officials and Treasurers (IACREOT); and The Election Center. He is a past President and past Chairman of the Legislative Committee for the Texas Association of Election Administrators. He currently serves on IACREOT's Election Officials Committee, which plans the educational sessions for election officials that are conducted at that organization's conferences. His peers in IACREOT and The Election Center have selected his submissions on web presentations (IACREOT) and his professional practices papers (Election Center) for awards.

Mr. Perez also has access to information from other States through his membership in IACREOT and The Election Center. He also has a sense of humor, which you will note if you access the staff web page on the Guadalupe County Elections web site and hear the Mission Impossible theme .. something that might be useful in the upcoming meeting.

Guadalupe County is small but growing. In 2004, the county had over 65
> > thousand registered voters (a number more than
> > doubled the number of
> > registered voters in 1988). A third of the
> > county's
> > population claims
> > Hispanic or Latino origin, according to the U.S.
> > Census Bureau. The county
> > is in south central Texas and is bordered by
> > Comal,
> > Hays, Cladwell,
> > Gonzales, Wilson, and Bexar counties. In the
> > 1980s,
> > the county was
> > predominately a farming community; but in recent
> > years, many people have
> > moved from San Antonio (Bexar County) to Guadalupe
> > County, preferring to
> > live in Guadalupe County and work in Bexar County.
> >
> > --- Peggy
> >
> > "Job Serebrov" 05/08/2006 11:30 PM
> >
> > To
> > psims@eac.gov
> > cc
> >
> > Subject
> > Re: Working Group
> >
> > Peggy:
> >
> > What political party is Perez with? How political
> > is
> > he? Is the position in Texas neutral or political?
> > Who
> > appointed Perez?
> >
> > As to Pat I will contact him but I can't promise
> > anything. If Pat can't come, who is getting
> > knocked
> > off Tova's list?
> >
> > Job
Tova:

I understood Job to say that he could only find a hotel room with the right bed in Roanoke (hours away). He will drive in Thursday morning for the meeting and return to that hotel Thursday night. He won't drive back into DC for a Friday morning meeting.

We don't have to do dinner. I recognize that you have spent a lot of time and energy to make this project work, and I don't want to put you out. (You have done a lot under difficult circumstances.) Though we will be bushed, we may want to have a short meeting right after the Working Group disperses --- or we could do a teleconference the following Monday afternoon (before I head into three more days of meetings). --- Peggy

"Tova Wang" <Tova Wang>
05/11/2006 04:54 PM
To psims@eac.gov
cc
Subject RE: new working group representative

It would not be my first preference to do this right after the meeting, and I sort of had tentative plans. They can be changed if necessary of course, but what happened to meeting on Friday morning?

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 11, 2006 3:47 PM
To: "Tova Wang" <Tova Wang>
Subject: Re: new working group representative

Dinner sounds like a great idea. Do either of you have any dietary restrictions of preferences? (I seem to recall that Tova would prefer a place that has vegetarian options). I'll try to locate a nearby place that won't bust the budget. --- Peggy

"Job Serebrov"
05/11/2006 04:39 PM
To psims@eac.gov
cc
Subject Re: new working group representative

On another note entirely, since traffic will be bad
going to Roanoke, do you want to have a dinner meeting with Tova and me after the group meeting to discuss the final report? As long as we are out by 7 or so I am ok with it. Also, my wife would have to be there as she will be meeting me after the WG.

--- psims@eac.gov wrote:

> According to the Commissioners, you and Tova each got to pick three members of the Working Group. The Commission guidance regarding this particular member follows:

> 4 people from the Academic, Legal and Advocacy sectors - 2 to be chosen by Tova and 2 to be chosen by Job.

> This issue of allowing a designee relates to Tova's pick.

> As I understand it, we are working on a replacement for Norcross. If Ginsberg is not viable, how about Mark Braden, who includes public integrity in his areas of specialization. I would not try and stir up other members of the Working Group, if I were you. The effort is likely to come back and bite you.

> "Job Serebrov" 05/11/2006 03:53 PM

> To
> psims@eac.gov
> cc

> Subject
> Re: new working group representative

> I really don't care if he represents the organization or not. What mixed race? The entire discussion was because Arnwine was African-American. If you are going to invite him without first having a replacement for my side, I may have to call Thor and Todd and discuss all of this.
Greenbaum is representing Arnwine, not replacing her. He works for her organization and is of mixed race. --- Peggy

"Job Serebrov'
05/11/2006 03:36 PM
To
"Tova Wang" psims@eac.gov
cc
Subject
Re: new working group representative

I have an objection to Greenbaum. While I realize he comes from an advocacy group, he is not a minority attorney and we already have a rep who worked with DOJ. If it is to be Greenbaum, I would rather not fill that position since I am one down.

--- Tova Wang wrote:

is Jon Greenbaum

Here's his info in full:

He is the Director of the Voting Rights Project for the Lawyers Committee for Civil Rights. He will be representing Barbara Arnwine, the Executive Director of the Lawyers Committee. His contact and mailing info is:

1401 New York Avenue
Suite 400
For purposes of travel arrangements, Job do you want to plan to meet the day before and/or the day after the meeting?

----- Original Message ----- 
From: psims@eac.gov
To: [REDACTED]
Cc: dromig@eac.gov
Sent: Friday, May 05, 2006 2:32 PM
Subject: Working Group

Hi, Folks:
Teleconference
Are both of you available for a teleconference next Tuesday afternoon at about 4 PM EST? If this does not work for you, please suggest another date and/or time. I would like to discuss our preparations for the Working Group meeting.

Working Group Members
We have a very good person to fill the slot for the nonpartisan local election official: J.R. Perez, Elections Administrator for Guadalupe County, TX. Attached is his bio. Hope you have no objections to him. He is available on May 18. I have placed 2 calls to Pat Rogers's office, but have not yet received a reply. Job, if you have any pull with him, you may want to contact him, too.

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- Mileage for Personally Owned Vehicle = $.445 per mile

Under the new contract, I do not have to fill out a travel authorization for you. I can approve your trip via email. Afterwords, when you turn in your next pay voucher, you can attach the airline receipt (or mileage documentation), hotel receipt(s), and ground transportation receipts and a copy of any printed itineraries. Calculate the total travel expenses due you, including applicable per diem. I do not need meal receipts.

Job, under Federal travel regulations, deviations for personal reasons are not normally accommodated. What you can do, however, is to give me a comparison of the cost of roundtrip mileage, hotel, and per diem of doing it your way against the cost of a roundtrip flight, ground transportation, hotel, and per diem. If your way costs less, it should be no problem to cover the full cost. If your way is more expensive, we may only pay up to the amount of traditional travel. (The same rules apply to me when I travel.) If you can tell me where, other than DC, you will spend the night, I can check on applicable per diem rates.

Peggy

I'm finding there are no hotel rooms available

----- Original Message -----
Hi, Folks:

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--- psims@eac.gov wrote:

> Greenbaum is representing Arnwine, not replacing her. He works for her organization and is of mixed race. --- Peggy

> 

> "Job Serebrov" 
> 05/11/2006 03:36 PM

> To
> "Tova Wang" psims@eac.gov
>
>
> Subject
> Re: new working group representative

> 

> I have an objection to Greenbaum. While I realize he comes from an advocacy group, he is not a minority attorney and we already have a rep who worked with DOJ. If it is to be Greenbaum, I would rather not fill that position since I am one down.

> --- Tova Wang wrote:

> 

> is Jon Greenbaum

> 

> Here's his info in full:

> 

> http://www.lawyerscommittee.org/2005website/aboutus/staff/staffgreenbaum.htm

> 

> 1

> He is the Director of the Voting Rights Project for

> the Lawyers Committee for Civil Rights. He will be representing Barbara Arnwine, the Executive Director of the Lawyers Committee.

> 

> His contact and mailing info is:

> 


Upon first reading, my only comment would be that I would like to restore “failing to follow the requirements of the Voting Rights Act.”

----- Original Message ----- 
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Friday, May 12, 2006 9:20 AM
To: [name redacted]
Subject: Fraud Definition

Would you please take a look at the attached? I combined both of your definitions, reformatted the list, removed a reference to the fraud having to have an actual impact on the election results (because fraud can be prosecuted without proving that it actually changed the results of the election), and took out a couple of vague examples (e.g., reference to failing to enforce state laws -- because there may be legitimate reasons for not doing so).

I have made contact with Ben Ginsberg’s office and am waiting to hear if he accepts our invitation to join the working group. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM ----- 
Margaret Sims/EAC/GOV
05/04/2006 10:52 AM
To: Joyce Wilson
cc
Subject: Large Conference Room Needed

This is just to confirm my request to reserve the large conference room on Thursday, May 18, from Noon-6 PM. We will be using it for a meeting of the Voting Fraud/Voter Intimidation Working Group. Thanks! --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM ----- 
Devon E. Romig/EAC/GOV
05/08/2006 02:56 PM
To: vjohnson@eac.gov, barnwine@eac.gov, diovaccio@eac.gov, Rbaue@eac.gov
cc: Margaret Sims/EAC/GOV@EAC
Subject: Voter Fraud/Voter Intimidation Working Group, May 18th

Dear Meeting Participants,

Thank you for confirming your participation in the upcoming Voter Fraud/Voter Intimidation Working Group Meeting in Washington, D.C. This meeting will take place at our office from 1:00 PM to 5:30 PM on
Thursday May 18th, 2006.

The office of the Election Assistance Commission is located at:
1225 New York Avenue NW, Suite 1100
Washington, D.C. 20005

We will send more information about this meeting via Federal Express. If you would like this information to be sent to an address other than your office please reply with the preferred address.

Feel free to contact me with any questions.

Sincerely,

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM ---

To psims@eac.gov
cc dromig@eac.gov
Subject Material I may not have included

Peg,

Correct me if I'm wrong, but I think I omitted sending you these specific summaries that are based on complex cases that could not be adequately described within the confines of the nexis article excel spreadsheets. If we can, these should be included, probably on the disc. Sorry.

Tova Andrea Wang
Democracy Fellow
The Century Foundation
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Click here to receive our weekly e-mail updates.

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM ---

To psims@eac.gov
cc dromig@eac.gov
Subject Re: Fwd: RE: Working Group meeting
I will hear from him tomorrow but that still does not solve all of my issues—see my longer e-mail.

--- psims@eac.gov wrote:

> I had a voice mail message from him on Monday. I called him back but had to leave a voice mail message (telephone tag). If you hear from him and he is willing and able to come, I need to know this. We need to have him call our travel service to make travel arrangements ASAP. Thanks. ---

> Peggy

---

"Job Serebrov"
05/09/2006 10:48 AM

To psims@eac.gov
cc

Subject: Fwd: RE: Working Group meeting

FYI

--- "Patrick J. Rogers" <patrogers@modrall.com> wrote:

> Subject: RE: Working Group meeting
> Date: Tue, 9 May 2006 07:42:44 -0600
> From: "Patrick J. Rogers" <patrogers@modrall.com>
> To: "Job Serebrov"

> Job---maybe. I will call you and/or Ms. Sims tomorrow. Depositions all day today. Thanks, Pat

> What's the best number to call you tomorrow?

> Patrick J. Rogers
> Modrall, Sperling, Roehl, Harris & Sisk, P.A.
> P.O. Box 2168
> Albuquerque, NM 87103-2168
-----Original Message-----
From: Job Serebrov
Sent: Monday, May 08, 2006 9:41 PM
To: Patrick J. Rogers
Subject: Working Group meeting

Pat:

The working group meeting for the voter fraud project is scheduled for May 18th in DC but David Norcross can't attend. Could you come? If so, we need to arrange travel and a hotel for you.

Regards,

Job

Modrall, Sperling, Roehl, Harris & Sisk, P.A.

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. If the reader of this message is not the intended recipient or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination or copying of this communication is strictly prohibited. If you have received this electronic transmission in error, please delete it from your system without copying it, and notify the sender by reply e-mail or by calling so that our address record can be corrected. Thank you.

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM -----
Barbara says that you have been working it out with her assistant Valerie, that they have spoken to you several times.

----- Original Message ----- 
From: dromig@eac.gov [mailto:dromig@eac.gov] 
Sent: Tuesday, May 02, 2006 8:46 AM 
To: 
Cc: psims@eac.gov 
Subject: Voting Fraud/Voter Intimidation Project Working Group 

Dear Tova,

I am working with Peggy Sims in order to set a date for the Voting Fraud/Voter Intimidation Project Working Group. I have been trying to reach Barbara Arnwine in order to find out which days in May she is potentially available to attend this meeting but all of my attempts have been unsuccessful.

I would appreciate any help that you could provide in this matter.

Sincerely,

Devon Romig 
U.S. Election Assistance Commission 
1225 New York Ave. NW - Suite #1100 
Washington, D.C. 20005 
(202)566-2377

that would be fine
----- Original Message ----- 
From: psims@eac.gov 
To: 
Sent: Thursday, May 04, 2006 1:08 PM 
Subject: Voting Fraud-Voter Intimidation
Barry:

It appears that the afternoon of Thursday, May 18 is best for a meeting of the working group. I know you said you would not be available in the morning that day. If we started at 1 PM, would that be too soon for you?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or
Fax: 202-566-3127
e-mail: psims@eac.gov

OK, thanks. I'll get back to you with more information. --- Peggy

"Weinberg and Utrecht"

that would be fine

----- Original Message ----- 
From: psims@eac.gov
To: [redacted]
CC: [redacted]@GSAEXTERNAL
Sent: Thursday, May 04, 2006 1:08 PM
Subject: Voting Fraud-Voter Intimidation

Barry:

It appears that the afternoon of Thursday, May 18 is best for a meeting of the working group. I know you said you would not be available in the morning that day. If we started at 1 PM, would that be too soon for you?
Sounds good to me. If not Ginsburg try Braden.

--- psims@eac.gov wrote:

> I will add "DRAFT" to the definition and, yes, the
> WG will have
> suggestions. I do plan to send packets to you and
> Tova containing the
> same materials being provided to the WG. I haven't
> sent anything yet
> because I was hoping to finalize the WG list for
> inclusion. (Still
> waiting for a response from Ginsberg.)
> > Regarding Tova's response, we may want to have a
> very short meeting after
> the WG disperses, followed by a teleconference the
> following Monday
> afternoon. Tuesday is bad for me because I'll be
> out of the office
> attending a series of EAC meetings that begin that
> day. --- Peggy
> >
> >
> > "Job Serebrov"
> 05/12/2006 12:52 PM
> > To psims@eac.gov, wang@tcf.org
> > cc
> > Subject Re: Fraud Definition
> >
> >
This is ok, given the fact that the WG may have suggestions. Will you be sending us the same packets that you are sending the WG? Also, I figure with Tova's response we will need to have a teleconference on the report once I return to Little Rock. We will need to do it that following Monday or Tuesday.

--- psims@eac.gov wrote:

Would you please take a look at the attached? I combined both of your definitions, reformatted the list, removed a reference to the fraud having to have an actual impact on the election results (because fraud can be prosecuted without proving that it actually changed the results of the election), and taken out a couple of vague examples (e.g.; reference to failing to enforce state laws --- because there may be legitimate reasons for not doing so).

I have made contact with Ben Ginsberg's office and am waiting to hear if he accepts our invitation to join the working group.

--- Peggy

I am reluctant to invite Braden until after I have received a "No" from Ginsberg. --- Peg
Sounds good to me. If not Ginsburg try Braden.

--- psims@eac.gov wrote:

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> WG will have
> suggestions. I do plan to send packets to you and
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I have made contact with Ben Ginsberg's office and am waiting to hear if he accepts our invitation to join the working group.

--- Peggy

I did not get any attachments.

--- psims@eac.gov wrote:

Did you look at the attached excerpts from Texas Code? --- Peggy

--- Peggy

"Job Serebrov"
To psims@eac.gov
cc
Subject Re: Working Group-Perez

We have the same set-up here in Arkansas. We hired a person just like Perez. However, given this, I would still like to know if he has a party affiliation and this brings up another issue. How is the county election commission chosen. In Arkansas it is the Chairmen of the Republican and Democrat Parties or if he/she does not want to serve a person is elected in his/her stead and a third member picked by the party with the most constitutional officers. Practically that has meant that the Democrats have controlled election commissions in Arkansas since the end of Reconstruction. This is why I want to know the situation in Texas.

--- psims@eac.gov wrote:

> As you may recall, the Commissioners directed me to find a nonpartisan local election official to serve on the Working Group. The three of us discussed the desirability of having a Hispanic. I proposed that I find someone from Texas because of that State's colorful history of voting fraud and their innovative approaches to combat it.
> In those Texas counties that hire Election Administrators to run elections, rather than having elected officials do so (Tax Assessor for voter registration; County Clerk for balloting), the Election Administrator is hired by the County Election Commission and is supposed to perform his or her duties in a nonpartisan manner. (See attached excerpts from Texas Election Code regarding election administrator hiring and restrictions on partisan activity.) Any experienced Texas election official will be familiar with voting fraud
Mr. Perez has over 13 years experience as a county Election Administrator in Texas. You won't find many news articles mentioning him because he has kept his nose clean. (The Texas press, as in many other parts of the country, prefers to report bad news.) Mr. Perez is plugged into the association of Texas election officials and the two largest organizations of election officials in this country: the International Association of Clerks, Recorders, Election Officials and Treasurers (IACREOT); and The Election Center. He is a past President and past Chairman of the Legislative Committee for the Texas Association of Election Administrators. He currently serves on IACREOT's Election Officials Committee, which plans the educational sessions for election officials that are conducted at that organization's conferences. His peers in IACREOT and The Election Center have selected his submissions on web presentations (IACREOT) and his professional practices papers (Election Center) for awards. Mr. Perez also has access to information from other States through his membership in IACREOT and The Election Center. He also has a sense of humor, which you will note if you access the staff web page on the Guadalupe County Elections web site and hear the Mission Impossible theme...something that might be useful in the upcoming meeting.

Guadalupe County is small but growing. In 2004, the county had over 65 thousand registered voters (a number more than doubled the number of registered voters in 1988). A third of the county's population claims Hispanic or Latino origin, according to the U.S. Census Bureau. The county is in south central Texas and is bordered by Comal, Hays, Cladwell,
In the 1980s, the county was predominately a farming community; but in recent years, many people have moved from San Antonio (Bexar County) to Guadalupe County, preferring to live in Guadalupe County and work in Bexar County.

--- Peggy

"Job Serebrov" 05/08/2006 11:30 PM

To psims@eac.gov
cc

Subject Re: Working Group

Peggy:

What political party is Perez with? How political is he? Is the position in Texas neutral or political? Who appointed Perez?

As to Pat I will contact him but I can't promise anything. If Pat can't come, who is getting knocked off Tova's list?

Job

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM ---
I will have a better idea about condition today after surgery.

See:

P.O. Box 2168
Albuquerque, NM 87103-2168

Asst: Carol Casstevens

--- psims@eac.gov wrote:

> Job:
> Secretary Rokita is available May 18. I'm going to
talk with the Chairman
today about substituting Rogers for Norcross. Do
you have contact
information for Rogers? --- Peggy

---- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM ----

"Job Serebrov" To psims@eac.gov
05/03/2006 01:46 PM cc

Subject Re: Working Group Meeting

Monday afternnon I have a commission meeting.

--- psims@eac.gov wrote:

> Job and Tova:
>
> As of now, the afternoon of Thursday, May 18 appears
to be the best
possible date for the meeting. Norcross is not
available to attend in
person that day (he is available only 2 days during
the first three weeks
of May). We won't have confirmation of the
availability of Secretary
Rokita until tomorrow --- but I am hopeful.
>
> I'll give you an update tomorrow. Maybe we can
schedule a teleconference
> on Monday afternoon. --- Peggy
I did send you the Brennan piece, but not the other one.

----- Original Message -----
From: Tova Wang
Sent: Thursday, May 11, 2006 12:31 PM
To: psims@eac.gov; dromig@eac.gov
Subject: research summaries

I have the feeling we didn't include these in the original batch I sent you. Could you double check and if not, would you please include them in the existing research materials? Sorry and thanks. I'm kind of doing all of this on my own in case you couldn't tell. List is coming...

Tova Andrea Wang
Democracy Fellow
The Century Foundation

Visit our Web site for the latest news, analysis, opinions, and events.
Click here to receive our weekly e-mail updates.

Devon:

Send an email to Perez to remind him to contact Adventure Travel ASAP. We don’t have confirmation of Rogers participation yet, though we have had a number of voice mails flying back and forth, so we cannot yet notify him to make travel arrangements immediately. --- Peggy

Devon E. Romig/EAC/GOV
Hi Devon:
We have heard from Mark Hearne and Todd Rokita. They are both flying in and out on the 18th and will not need hotel rooms. We're kind of waiting to see if Perez and Rogers need rooms before booking any hotel. As soon as we get approval of Hearne and Rokita air schedules and get them booked, we'll forward their itineraries to you.

Kind Regards,

Marvin

-----Original Message-----
From: dromig@eac.gov [mailto:dromig@eac.gov]
Sent: Tuesday, May 09, 2006 8:31 AM
To: 
Cc: psims@eac.gov
Subject: May 18th Meeting at EAC

Hello Marvin,

I just wanted to follow up with the voicemail message that I left for you yesterday. We will be holding a meeting at our offices in Washington DC on May 18, 2006. I have informed the out of state attendees to contact you for their travel arrangements.

We have been authorized to pay for the attendees airfare and hotel arrangements. Please note that all of the participants are authorized for a two night hotel room stay, as long as the dates are May 17th and 18th.

I attached the list of the meeting participants that will be contacting you about their travel arrangements for the May 18th meeting in Washington DC.
Let me know if you have any questions for me or if you need any more information from me.

Thanks for your help!

Devon Romig  
United States Election Assistance Commission  
1225 New York Ave. NW, Suite 1100  
Washington, DC 20005  
202.566.2377 phone  
202.566.3128 fax  
www.eac.gov

Can you please give me an idea where we are at with all this? I'd like to be able to figure out my schedule. Thanks -- and thanks for all your assistance on this. Tova

-----Original Message-----
From: dromig@eac.gov
Sent: Tuesday, May 02, 2006 3:54 PM
To: 
Subject: RE: Voting Fraud/Voter Intimidation Project Working Group

Yes, I have spoken to her assistant several times but today has been the first time that I have ever spoken to her assistant. We did get the information that we needed. Thanks for your help!

Devon Romig  
U.S. Election Assistance Commission  
1225 New York Ave. NW - Suite #1100  
Washington, D.C. 20005  
(202)566-2377

I hope to have a better idea tomorrow, if Rokita's office responds. If not, we'd better have a teleconference to discuss our options. --- Peggy
Can you please give me an idea where we are at with all this? I'd like to be able to figure out my schedule. Thanks -- and thanks for all your assistance on this. Tova

-----Original Message-----
From: dromig@eac.gov
Sent: Tuesday, May 02, 2006 3:54 PM
To:
Subject: RE: Voting Fraud/Voter Intimidation Project Working Group

Yes, I have spoken to her assistant several times but today has been the first time that I have ever spoken to her assistant. We did get the information that we needed. Thanks for your help!

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U.S. Election Assistance Commission
1225 New York Ave. NW - Suite #1100
Washington, D.C. 20005
(202)566-2377

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM ----

Sounds good. I'm available any time on Monday. Tova

----- Original Message -----
From: psims@eac.gov
To: 
Cc: dromig@eac.gov
Sent: Wednesday, May 03, 2006 1:44 PM
Subject: Working Group Meeting

Job and Tova:
As of now, the afternoon of Thursday, May 18 appears to be the best possible date for the meeting. Norcross is not available to attend in person that day (he is available only 2 days during the first three weeks of May). We won't have confirmation of the availability of Secretary Rokita until tomorrow --- but I am hopeful.

I'll give you an update tomorrow. Maybe we can schedule a teleconference on Monday afternoon. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM ---

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/11/2006 03:36 PM

To psims@eac.gov

cc "Mitchell, Cynthia" <Cynthia.Mitchell@usdoj.gov>

Subject RE: Voting Fraud-Voter Intimidation Working Group

Peg - -

I plan to be here tomorrow, although I may have to go to the main building during the day. If you are here and I am out, just leave the packet with the receptionist. Thank you.

---

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 11, 2006 3:34 PM
To: Donsanto, Craig
Subject: RE: Voting Fraud-Voter Intimidation Working Group

Craig:

I would love to have an updated list for our research files. For purposes of getting this information out to our participants, I will note that the consultants' summary is based upon information provided as of January 2006. Thanks.

Do you expect to be at your office tomorrow afternoon? I can walk over with the information packet we will have put together for the Working Group. --- Peggy

---

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/11/2006 02:55 PM

To psims@eac.gov

cc

Subject RE: Voting Fraud-Voter Intimidation Working Group
Peggy --

I have Cynthia Mitchell in here with me now.

She says that the figures you listed in your attachment are your analysis of our product, and that therefore we cannot re-evaluate them.

I do not see anything in these raw numbers that impacts adversely any privacy or privilege issues.

We can update the public list and send that to you, if you'd prefer. That would allow you to represent that the numbers are current up through now. But if you would prefer, you can use what you have as long as it is represented as complete only through January, 2006.

Let us know your desires --

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 11, 2006 2:35 PM
To: Donsanto, Craig
Subject: Voting Fraud-Voter Intimidation Working Group
Importance: High

Craig:

I think we have resolved the issue of Barbara Arnwine's absence from the upcoming meeting by having one of her staff represent her (and her organization). Please review the attached rough summary of DOJ Cases ASAP and let me know if I need to delete reference to the open investigations. Hopefully, we won't have to remove this information as it does not specify the defendants or States involved. --- Peg

Rough Summary of Department of Justice, Public Integrity Section Activities, October 2002-January 2006

Prosecutions and Convictions-- Individuals
Noncitizen voting: 20
Vote buying: 49
Double voting: 12
Registration fraud: 13
Civil Rights: 4
Voter Intimidation: 2
Unclear: 1
Open Investigations (note: a few cases overlap with prosecutions and convictions)
Noncitizen voting: 3
Vote buying: 25
Double voting: 15
Registration fraud: 29
Absentee ballot fraud: 9
Official: 8
Ineligibles: 4
Deceptive Practices: 1
Civil Rights: 14
Intimidation: 6
Other: 2

Cases and Investigations Closed for Lack of Evidence
Civil Rights: 8
Official: 12
Registration Fraud: 12
Absentee Ballot Fraud: 14
Ineligible Voting: 3
Intimidation: 8
Double Voting: 5
Ballot Box Stuffing: 1
Vote Buying: 14
Ballot/machine tampering: 2
Other: 8
Unclear: 3

Hi Peg,

Can you please check this before I fax it? Thanks! And can we talk sometime today?

Tova Andrea Wang
Democracy Fellow
The Century Foundation

000318
Dear Commissioners:

This is to let you know that the Working Group for our Voting Fraud and Voter Intimidation preliminary research project is scheduled to meet in EAC's large conference room the afternoon of Thursday, May 18. I will provide more information about this meeting to you later.

Peggy Sims
Election Research Specialist

Oops! I forgot to cc. you on this. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM ---
Margaret Sims/EAC/GOV
05/04/2006 02:23 PM
To Jeannie Layson/EAC/GOV
cc bwhitener@eac.gov
Subject Fw: Voting Fraud-Voter Intimidation Working Group Meeting

--- Forwarded by Margaret Sims/EAC/GOV on 05/04/2006 02:23 PM ---
Margaret Sims/EAC/GOV
05/04/2006 02:07 PM
To Paul DeGregorio, Ray Martinez, Donetta Davidson, Gracia Hillman
twilkey@eac.gov, jthompson@eac.gov, Gavin S.
Gilmour/EAC/GOV@EAC, Amie J. Sherrill/EAC/GOV@EAC,
c AdamAmbrogi/EAC/GOV@EAC, Eileen L.
Colver/EAC/GOV@EAC, Sheila A. Banks/EAC/GOV@EAC,
bbenavides@eac.gov, Karen Lynn-Dyson/EAC/GOV@EAC
Subject Voting Fraud-Voter Intimidation Working Group Meeting

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM ---
05/13/2006 10:54 AM
To psims@eac.gov
cc *Job Serebrov*
Subject Fw: research summary

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM ---
Existing research thoughts.doc

Job found it. I'm assuming its too late to include so as I said I'll just present it if thats OK. Thanks again Job. T

000310
--- Original Message ---
From: "Job Serebrov" <serebrov@sbcglobal.net>
To: <wang@tcf.org>
Sent: Saturday, May 13, 2006 10:12 AM
Subject: Re: research summary

> T-
> 
> Are you talking about this?
> 
> J-
> 
> --- wang@tcf.org wrote:
> 
> >> In the middle of the night I got the feeling that
> >> you may be right, that I did do a summary of the
> >> existing literature review (that Job, you approved)
> >> . I'll have to look for it on Monday (unless I go
> >> into the office over the weekend, which is
> >> possible). I may be hallucinating, but if not, I'll
> >> just present it at the meeting rather than try to
> >> get it to them ahead of time. Tova

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM ---

"Donsanto, Craig"
<Craig.Donsanto@usdoj.gov>

To psims@eac.gov
cc

05/11/2006 02:55 PM
Subject RE: Voting Fraud-Voter Intimidation Working Group

Peggy --
I have Cynthia Mitchell in here with me now.

She says that the figures you listed in your attachment are your analysis of our product, and that
therefore we cannot re-evaluate them.

I do not see anything in these raw numbers that impacts adversely any privacy or privilege issues.

We can update the public list and send that to you, if you'd prefer. That would allow you to represent that
the numbers are current up through now. But if you would prefer, you can use what you have as long as it
is represented as complete only through January, 2006.

Let us know your desires -- -

---

From: psims@eac.gov
Sent: Thursday, May 11, 2006 2:35 PM
To: Donsanto, Craig
Subject: Voting Fraud-Voter Intimidation Working Group
Importance: High
Craig:

I think we have resolved the issue of Barbara Arnwine's absence from the upcoming meeting by having one of her staff represent her (and her organization). Please review the attached rough summary of DOJ Cases ASAP and let me know if I need to delete reference to the open investigations. Hopefully, we won't have to remove this information as it does not specify the defendants or States involved. --- Peg

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- Vote Buying: 14
Ballot/machine tampering: 2
Other: 8
Unclear: 3

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM ---

"Tova Wang"

To psims@eac.gov
cc

Subject new working group representative

is Jon Greenbaum

Here's his info in full:

He is the Director of the Voting Rights Project for the Lawyers Committee for Civil Rights. He will be representing Barbara Arnwine, the Executive Director of the Lawyers Committee.

His contact and mailing info is:

Suite 400
Washington, DC 20005

---

 forwarding by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM ---

Devon E. Romig/EAC/GOV

To
cc

Subject May 18th Meeting at EAC

---

Visit our Web site for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.
Hello Marvin,

I just wanted to follow up with the voicemail message that I left for you yesterday. We will be holding a meeting at our offices in Washington DC on May 18, 2006. I have informed the out of state attendees to contact you for their travel arrangements.

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I attached the list of the meeting participants that will be contacting you about their travel arrangements for the May 18th meeting in Washington DC. Let me know if you have any questions for me or if you need any more information from me.

Thanks for your help!

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov

---

Job:

I don't think we can put you on teleconference for 4 1/2 hours. We really need to have you here in person if you are to help conduct the Working Group meeting. You should make your travel arrangements ASAP.

--- Peggy

"Job Serebrov" <serebrov@sbcglobal.net>
Peggy:

4:00 eastern on Tuesday is fine however, given the financial restrictions that you indicated would be in place for use of my car (I would actually loose money coming to DC) and given the cost of hotels at this time (I can't afford to front these costs and wait for months to be repaid), etc, it would take a miracle for this working group meeting to take place in person. It is looking like the only way it will get done is by teleconference. I also share Tova's concern about the unknown nature of Mr. Perez.

Job

--- psims@eac.gov wrote:

> Hi, Folks:
>
> Teleconference
> Are both of you available for a teleconference next Tuesday afternoon at about 4 PM EST? If this does not work for you, please suggest another date and/or time. I would like to discuss our preparations for the Working Group meeting.
>
> Working Group Members
> We have a very good person to fill the slot for the nonpartisan local election official: J.R. Perez, Elections Administrator for Guadalupe County, TX. Attached is his bio. Hope you have no objections to him. He is available on May 18. I have place 2 calls to Pat Rogers office, but have not yet received a reply. Job, if you have any pull with him, you may want to contact him, too.
>
> Travel Arrangements
> You should make your own travel arrangements, including hotel. Travel time cannot be billed to the contract, except for hours actually worked on the contract (i.e.; reviewing materials in preparation for the meeting, and the like). Current Federal rates follow:
>
> Maximum Lodging = $180 per day- does not include hotel taxes (if you cannot get this rate, we have covered reasonable rates that are a little higher)
> Meals & Incidentals = $64 per day (except that it is $48 on the first and last day of travel)
> Mileage for Personally Owned Vehicle = $ .445 per mile
Under the new contract, I do not have to fill out a travel authorization for you. I can approve your trip via email. Afterwards, when you turn in your next pay voucher, you can attach the airline receipt (or mileage documentation), hotel receipt(s), and ground transportation receipts and a copy of any printed itineraries. Calculate the total travel expenses due you, including applicable per diem. I do not need meal receipts.

Job, under Federal travel regulations, deviations for personal reasons are not normally accommodated. What you can do, however, is to give me a comparison of the cost of roundtrip mileage, hotel, and per diem of doing it your way against the cost of a roundtrip flight, ground transportation, hotel, and per diem. If your way costs less, it should be no problem to cover the full cost. If your way is more expensive, we may only pay up to the amount of traditional travel. (The same rules apply to me when I travel.) If you can tell me where, other than DC, you will spend the night, I can check on applicable per diem rates.

Peggy

Do you have any other suggestions?

--- psims@eac.gov wrote:

One source suggests the Georgetown Inn has vacancies and pillow top beds. Try 1-800-424-2979 or 202-353-8900.
The Latham is booked solid. I called. I am checking out some possibilities but this is not looking good.

Why is the hotel suggestion not workable? (I need to know as we continue our search.) -- Peg

Peggy:

Pat just e-mailed me. He has something he can't move on the 18th. So I am now down one person and still no good hotel situation. Devon's suggestion is not workable.

Job
Here is the first batch of my archived email related to the vote fraud study.

Peg Sims

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

"Job Serebrov"

Peg: Where are we on things?

Job

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Margaret Sims/EAC/GOV

I think this is the communication to which you referred this afternoon. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 09/25/2006 03:39 PM -----

Gavin S. Gilmour/EAC/GOV

Per our discussion, I have some initial concerns regarding the definitions that have been proposed.

1. Fraud is a legal term of art. Fraud is an intentional act or omission (i.e. actual fraud or constructive
fraud) of misrepresentation or deceit. There is no such thing as defacto fraud or quasi fraud. Fraud must be intentional.... negligence alone is not fraud.

The general definition of voter fraud must concise and universally applicable (this in the challenging part). After this definition is created and intellectually tested, one can then create examples and explanations. These would 1) apply the definition to the entire election process (from beginning to end) and (2) apply it to action by voters, 3rd parties and election officials. Through this process a determination may be made regarding whether three definitions are needed or just one.

2. The document has no definition of voter intimidation. What is voter intimidation and how does it differ from voter fraud? I assume this would also be an intentional act.

3. Definitions need to be concise and tight. Such definitions need to be able to be broken down into elements. Each of these elements must have clear, applicable and enforceable meaning. This can be a challenge. For example use of the term "any illegal act" is unclear, begs the question and suggests that fraud only occurs in the course of committing a related crime.

These are just my initial thoughts.

GG
Gavin S. Gilmour
Associate General Counsel
United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100
Margaret Sims/EAC/GOV

Margaret Sims/EAC/GOV To jthompson@eac.gov, Gavin S. Gilmour/EAC/GOV@EAC
cc
Subject Definition of Voting Fraud and Voter Intimidation

Attached discusses the definitions that Job and Tova would like to use. I have already taken issue with the exclusion of all voter registration shenanigans and the inclusion of administrative mistakes. Would be pleased to have your feedback and, if possible, your assistance for 15 minutes of a teleconference today (3:30 PM to 3:45 PM). --- Peggy

combined defining Fraud 11-18-05.doc

---- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ----

"Tova Wang"
To psims@eac.gov
cc
Subject FW: bibliographic form
Hi Peg, Here is the list of literature reviewed in bibliographic form. Please let us know if you have been able to look over any of the materials. Starting this afternoon, I will be pretty unavailable for the next two weeks.

Thanks

Tova Andrea Wang
Democracy Fellow
The Century Foundation

Visit our Web site for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ---

I'm assuming we will get the extension for the revision period. Thanks.

----- Original Message ----- 
From: <psims@eac.gov> 
To: 
Sent: Friday, August 11, 2006 2:39 PM 
Subject: Re: direct deposit

> Tova:
> I show only 2 hours left on your contract as of 7/15/06 -- but here is the form you requested. --- Peggy
> (See attached file: EFT Form.rtf)
>

000331
Hey Peg,

Hope you are well. Whenever you have a chance, I need the form to change the direct deposit to my new bank account. Thanks so much.

Tova

PS -- Keep me posted on what's going on with the report

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ---
Margaret Sims/EAC/GOV
08/11/2006 02:39 PM

Tova:

I show only 2 hours left on your contract as of 7/15/06 -- but here is the form you requested. --- Peggy

EFT Form.rtf

08/10/2006 08:34 PM

psims@eac.gov
cc
Subject direct deposit
Hey Peg,

Hope you are well. Whenever you have a chance, I need the form to change the direct deposit to my new bank account. Thanks so much.

Tova

PS -- Keep me posted on what's going on with the report

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Juliet E. Thompson-Hodgkins/EAC/GOV To Margaret Sims/EAC/GOV@EAC
08/10/2006 04:24 PM cc Margaret Sims/EAC/GOV@EAC

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

----- Forwarded by Juliet E. Thompson-Hodgkins/EAC/GOV on 08/10/2006 04:25 PM -----

"Cameron.Quinn@usdoj.gov" <Cameron.Quinn@usdoj.gov> To "jthompsonhodgkins@eac.gov" <jthompsonhodgkins@eac.gov>
08/10/2006 12:29 PM cc "jthompsonhodgkins@eac.gov"

Cameron P. Quinn
Counsel to the Assistant Attorney General Civil Rights Division, US Dept. of Justice Washington DC 20530 202-305-9750

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Tova Wang.doc

Jeannie Layson/EAC/GOV To twilkey@eac.gov
10/12/2006 04:08 PM cc jthompson@eac.gov, ggilmour@eac.gov, klynndyson@eac.gov, psims@eac.gov
Subject: Brennan Center letter

Tom,

A draft letter is attached. I've incorporated comments from Gavin and Julie.

Jeannie Layson
U.S. Election Assistance Commission
1225 New York Ave., NW
Suite 1100
Washington, DC 20005
Phone: 202-566-3100

www.eac.gov brennan center letter.doc

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----
Margaret Sims/EAC/GOV
10/10/2006 01:56 PM
To: Sheila A. Banks/EAC/GOV
cc
Subject: Fw: Letter from Barbara Arnwine

Any chance you could send a pdf version of the letter to me? --Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 10/10/2006 01:55 PM -----
Gracia Hillman/EAC/GOV
10/10/2006 12:12 PM
To: Margaret Sims/EAC/GOV@EAC
cc: "Julie Thompson-Hodgkins" <jthompson@eac.gov>, "Tom Wilkey" <twilkey@eac.gov>, sbanks@eac.gov
Subject: Re: Letter from Barbara Arnwine

The letter was addressed to the commissioners. I will ask Sheila to give a copy to you.

Per our normal procedures, I would guess a reply should be drafted for the Chairman's signature (especially as he is the DFO for the Board of Advisors) but you should check that with Tom.

Thanks.

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----
Margaret Sims/EAC/GOV
10/11/2006 01:45 PM
To: Jeannie Layson/EAC/GOV
cc: twilkey@eac.gov, Juliet E. Hodgkins/EAC/GOV@EAC, bwhitener@eac.gov
Subject: Re: Voting Fraud-Voter Intimidation Report

000334
I would hope that we can refer to it as a status report on the research project (prepared by EAC staff based upon information available at the time from our consultants, Tova and Job). Calling it a preliminary report has given rise to some confusion. That confusion has led to complaints from project working group members and requests from outsiders, who mistakenly think that EAC has released the document written by our consultant that fully reports on the preliminary research into voting fraud and voter intimidation and makes recommendations for future EAC action. --- Peggy

Jeannie Layson/EAC/GOV

Jeannie Layson/EAC/GOV
To Margaret Sims/EAC/GOV@EAC
cc
Subject Re: Voting Fraud-Voter Intimidation Report

Thanks for the update. Per legal, the preliminary report is absolutely public information which is why we had to give it to the reporter when he asked for it.

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

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----
Margaret Sims/EAC/GOV
To Tova Andrea Wang, Job Serebrov
cc
Subject Don't Believe Everything You Read

Tova and Job:

I am home recuperating, but see that in my absence, a USA Today article has gotten everyone stirred up. The report to which the article refers is only the status report on the voting fraud-voter intimidation research project that was delivered to our Standards Board and Board of Advisors last spring. I provided a copy of this document to both of you, but have attached another copy for your information. This document is subject to public release because it was presented at a public meeting.

Due to internal resource allocation problems, your final report has not yet been reviewed by the Commissioners. It is considered a working document (not subject to public release) until it has completed the review process and the Commissioners have agreed to release it. There has been no attempt by the Commission to hold up the report. I bear responsibility for any delays in moving it along. Please be
reassured that we would not release your report without letting you know.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
e-mail: psims@eac.gov

VF-VI Study Status 5-17-06.pdf
----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Jeannie Layson/EAC/GOV
10/13/2006 10:50 AM
cc
Subject Your inquiry

Mr. Levine,
Per your inquiry from yesterday, the status report on the EAC's voter fraud and intimidation research project is attached. It was prepared by EAC staff and presented to our Standards Board and Board of Advisors at a meeting that was open to the public in May of this year. EAC staff is currently working on a final report.

Please let me know if I can be of further assistance, and I'd be glad to add you to our distribution list so you'll get updates on this and other EAC projects.

Jeannie Layson
U.S. Election Assistance Commission
1225 New York Ave., NW
Suite 1100
Washington, DC 20005
Phone: 202-566-3100

www.eac.gov VF-VI Study Status 5-17-06.pdf
----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Paul DeGregorio/EAC/GOV
10/11/2006 10:20 AM

To Jeannie Layson/EAC/GOV@EAC
cc Amie J. Sherrill/EAC/GOV@EAC, Margaret Sims/EAC/GOV@EAC
Subject Re: Interview Request
Find a time that works. There's a story in today's St Louis PD that points to over 1000 suspect voter registrations.

------------------------
Sent from my BlackBerry Wireless Handheld

----- Original Message ----- 
From: Jeannie Layson
Sent: 10/11/2006 10:15 AM
To: Paul DeGregorio
Cc: Amie Sherrill; Margaret Sims
Subject: Interview Request

Mr. Chairman,
Will Lester of the Associated Press wants to interview you briefly via phone about the preliminary fraud report. I recommend you accommodate him, as he has dutifully covered EAC, and plans to include us in a story next week about the election landscape. He has requested a copy of the preliminary report, which I am sending to him. He only needs a few minutes, and as we discussed, I think the message is that these are preliminary findings that we presented to our advisory boards to get their input. When the final report is complete, we will release it. You can also use some of the talking points from your speech, such as the challenge related to the very definition of the term "fraud," as people define it differently. How about I set it up for noon?

The only question he asked that I don't know the answer to is when we expect the final report. Peg... please weigh in on this.

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

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM —
Bryan Whitener/EAC/GOV
10/11/2006 11:34 AM

To Thomas R. Wilkey/EAC/GOV@EAC
cc Jeannie Layson/EAC/GOV@EAC, Margaret Sims/EAC/GOV@EAC, Karen Lynn-Dyson/EAC/GOV@EAC, Juliet E. Hodgkins/EAC/GOV@EAC
Subject Fw: request for reports - Wendy Weiser, Brennan Center

Tom,

Do we have a policy on distributing the items she is requesting?

----- Forwarded by Bryan Whitener/EAC/GOV on 10/11/2006 11:33 AM —
"Wendy Weiser"
Mr. Whitener,

I write to request a copy of the following two reports submitted to the Election Assistance Commission:

(1) a report on voter fraud and voter intimidation, outlining a future research agenda, prepared by Tova Wang and Job Serebrov, and discussed in this morning's USA TODAY;

(2) a report on provisional ballots and voter ID, prepared by the Moritz School of Law at Ohio State University in collaboration with others.

It is my understanding that these reports were commissioned by and submitted to the EAC several months ago. It is in the public interest to release these reports since they will advance the public discussion and understanding of important election administration issues.

Thank you very much for your attention to this request. Please let me know when I can expect to receive a copy of these reports. If this request is denied, please provide an explanation as to why.

Sincerely,

Wendy R. Weiser
Deputy Director, Democracy Program
Brennan Center for Justice at NYU School of Law
161 Avenue of the Americas, 12th Floor
New York, NY 10013
Just a note to clarify that we are not releasing the preliminary report on voting fraud and voter intimidation (Tova & Job's report) because the draft report is going through EAC review. The only document we can offer at this time is the status report on the research project, which was delivered to our boards and which apparently is considered public information. The status report does not address any recommendations for future EAC action.

I am using some of my work at home time on the draft report. Hopefully, I can meet with Julie and Tamar next week. After that, we will have a better idea of when it will be ready for a Commissioner briefing. --- Peggy

Find a time that works. There's a story in today's St Louis PD that points to over 1000 suspect voter registrations.
am sending to him. He only needs a few minutes, and as we discussed, I think the message is that these are preliminary findings that we presented to our advisory boards to get their input. When the final report is complete, we will release it. You can also use some of the talking points from your speech, such as the challenge related to the very definition of the term "fraud," as people define it differently. How about I set it up for noon?

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

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Margaret Sims/EAC/GOV
10/11/2006 01:57 PM
To: Jeannie Layson/EAC/GOV
cc twilkey@eac.gov, Juliet E. Hodgkins/EAC/GOV@EAC, bwhitener@eac.gov
Subject: Re: Voting Fraud-Voter Intimidation Report

The working group met prior to the meeting of the EAC boards, but too late for its deliberations to be summarized in the written status report on the project that was delivered to the boards. The status report notes that a meeting of the working group was about to be held to review the research so far and make recommendations. ---- Peggy

Jeannie Layson/EAC/GOV

10/11/2006 01:03 PM
To: Margaret Sims/EAC/GOV@EAC
cc
Subject: Re: Voting Fraud-Voter Intimidation Report

Has the working group met since the preliminary report was given to the Standards Bd?

--------------------------
Sent from my BlackBerry Wireless Handheld
Margaret Sims
----- Original Message -----
Just a note to clarify that we are not releasing the preliminary report on voting fraud and voter intimidation (Tova & Job’s report) because the draft report is going through EAC review. The only document we can offer at this time is the status report on the research project, which was delivered to our boards and which apparently is considered public information. The status report does not address any recommendations for future EAC action.

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Sent from my BlackBerry Wireless Handheld
plea weigh in on this.

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

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ---

Paul DeGregorio/EAC/GOV  
09/28/2006 11:27 PM  
To Margaret Sims/EAC/GOV  
cc  
Subject Speech

Peg,

I thought I would share with you the speech I am going to given on Fraud and Intimidation in Salt Lake City at noon on Friday. If you have time, please read it over and let me know if you see anything I shouldn’t say. Thanks.

Speech on Fraud intimidation Sept 29 06 Salt Lake City.doc

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

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ---

Thomas R. Wilkey/EAC/GOV  
10/11/2006 11:42 AM  
To Bryan Whitener/EAC/GOV@EAC  
cc Jeannie Layson/EAC/GOV@EAC, Margaret Sims/EAC/GOV@EAC, Karen Lynn-Dyson/EAC/GOV@EAC, Juliet E. Hodgkins/EAC/GOV@EAC  
Subject Re: request for reports - Wendy Weiser, Brennan Center
Both of these reports are draft reports to the EAC and are currently being reviewed by staff. While we have released some of the data tables that Eagleton neither of these reports can be released.

Sent from my BlackBerry Wireless Handheld
Bryan Whitener
Original Message -----

From: Bryan Whitener
Sent: 10/11/2006 11:34 AM
To: Thomas Wilkey
Cc: Jeannie Layson; Margaret Sims; Karen Lynn-Dyson; Juliet Hodgkins
Subject: Fw: request for reports - Wendy Weiser, Brennan Center

Tom,

Do we have a policy on distributing the items she is requesting?

--- Forwarded by Bryan Whitener/EAC/GOV on 10/11/2006 11:33 AM ----

"Wendy Weiser"

To bwhitener@eac.gov
cc
Subject request for reports

Mr. Whitener,

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Sincerely,
Wendy R. Weiser  
Deputy Director, Democracy Program  
Brennan Center for Justice at NYU School of Law  
161 Avenue of the Americas, 12th Floor  
New York, NY 10013  

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----  
Bryan Whitener/EAC/GOV  
10/11/2006 03:21 PM  

To: Thomas R. Wilkey/EAC/GOV@EAC  
Cc: Jeannie Layson/EAC/GOV@EAC, Juliet E. Hodgkins/EAC/GOV@EAC, Karen Lynn-Dyson/EAC/GOV@EAC, Margaret Sims/EAC/GOV@EAC  
Subject: Re: request for reports - Wendy Weiser, Brennan Center

Tom,

Thanks but Wendy Weiser seems to be under the assumption that we provided all of this material to USA Today. As agreed to by the commissioners, counsel and staff, we only provided USA Today with the public documents that were presented to the advisory boards at the May meetings. Should we not clarify this to Wendy and provide her or anyone else with the same. I also just received the same request from election officials in Cook County, IL and King County, WA. Reporters are pestering them for information based on the USA Today article so election officials now want it from EAC. Looks like this is only the start so we need to get ahead of the curve.

Thomas R. Wilkey/EAC/GOV

----- Original Message -----  
From: Bryan Whitener  
Sent: 10/11/2006 11:42 AM  
To: Jeannie Layson/EAC/GOV@EAC, Karen Lynn-Dyson/EAC/GOV@EAC, Margaret Sims/EAC/GOV@EAC, Juliet E. Hodgkins/EAC/GOV@EAC  
Cc: Bryan Whitener/EAC/GOV@EAC  
Subject: Re: request for reports - Wendy Weiser, Brennan Center

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Sent from my BlackBerry Wireless Handheld  
Bryan Whitener  
----- Original Message -----  
From: Bryan Whitener  
Sent: 10/11/2006 11:34 AM
To: Thomas Wilkey  
Cc: Jeannie Layson; Margaret Sims; Karen Lynn-Dyson; Juliet Hodgkins  
Subject: Fw: request for reports - Wendy Weiser, Brennan Center

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Sincerely,

Wendy R. Weiser  
Deputy Director, Democracy Program  
Brennan Center for Justice at NYU School of Law  
161 Avenue of the Americas, 12th Floor  
New York, NY 10013
We don't have a summary in numbers. We just have a summary of cases, some of which do not appear to reach the level of election fraud, and the charts of newspaper articles, some of which only contain allegations and some of which report convictions. These charts were on the CD I sent you before the Working Group meeting. Unfortunately, we have a long way to go before we have what I would classify as statistics.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free)
Fax: 202-566-3127
email: psims@eac.gov
"Donsanto, Craig"
<Craig.Donsanto@usdoj.gov>

08/22/2006 12:50 PM	 cc "Campbell, Benton" <Benton.Campbell@usdoj.gov>, "Simmons, Nancy" <Nancy.Simmons@usdoj.gov>
Subject Does EAC have access to stats on --

-- State and local level prosecutions dealing with electoral fraud?

This message was brought to you by Dr. D's fabulous Blackberry!

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ---
Margaret Sims/EAC/GOV
10/11/2006 02:37 PM	 To Jeannie Layson/EAC/GOV@EAC
cc twilkey@eac.gov, Juliet E. Hodgkins/EAC/GOV@EAC,
bwhitener@eac.gov
Subject Re: Voting Fraud-Voter Intimidation Report

The answer is tricky. The working group met after the written report was submitted for the board meetings, but before the status report was formally presented (orally) at the board meetings. --- Peggy

Jeannie Layson/EAC/GOV
10/11/2006 02:27 PM	 To Margaret Sims/EAC/GOV@EAC
cc
Subject Re: Voting Fraud-Voter Intimidation Report

So the answer is yes, they did meet after the status report was presented?

Jeannie Layson
U.S. Election Assistance Commission
1225 New York Ave., NW
Suite 1100
Washington, DC 20005
Phone: 202-566-3100
www.eac.gov
Margaret Sims/EAC/GOV
The status report was written on May 17, 2006 (the last day it could be submitted for the upcoming board meetings). The first and only meeting of the working group was May 18, 2006. --- Peggy

Yes, that is what prompted my question. So the answer is no -- they have not met since May 17?

Peggy,
Could you give Jeannie a call she needs some help fashioning a statement regarding the USA Today article since Tova and Job are hoping mad
Thanks

Sent from my BlackBerry Wireless Handheld
Lynn-Dyson/EAC/GOV@EAC
Subject Status Report on Voting Fraud-Voter Intimidation Study

Bryan:

An electronic copy of the status report is attached, as requested for the USA Today inquiry. The status report includes the attachment listing the Working Group members. I suggest that you check to ensure that I have protected the copy against any manipulation, and protect it yourself if I have not, before sending it out to anyone. --- Peggy

Who is signing the letter?

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

Thomas R. Wilkey/EAC/GOV
To Jeannie Layson/EAC/GOV@EAC
cc ggilmour@eac.gov, jthompson@eac.gov,
klynndyson@eac.gov, psims@eac.gov
Subject Re: Brennan Center letter

I will IF they sign off on it
See questions below. I can answer the first two, but see if this language is acceptable for questions 3 and 4.

Can I get full report submitted by Tova Wang? If not, why not? EAC staff is currently reviewing the data, and we have not compiled a final report. I will make sure you receive the final report when it is issued.

This answer will probably not make him happy, but it's the best I can come up with. Suggestions?
To: Jeannie Layson/EAC/GOV@EAC
cc
Subject: reporter

Art Levine
Senior Fellow
Progressive Policy Institute
3003 Van Ness St. NW, Apt. W-516
Washington, D.C. 20008

Also,

Salon's shameful six

There was Florida in 2000 and Ohio in 2004. Here are the six states where vote suppression could cost voters their voice -- and Democrats the election -- in 2006.

Salon News
By Art Levine

Eva Steele has a son in the military who is supposed to be fighting for freedom in Iraq, but sitting in a wheelchair in her room in a Mesa, Ariz., assisted-living facility, she wonders why it's so hard for her to realize a basic freedom back here in America: the right to vote.
Arriving in Arizona in January from Kansas City, weakened by four heart attacks and degenerative disk disease, Steele, 57, discovered that without a birth certificate she can't register to vote. Under a draconian new Arizona law that supposedly targets illegal immigrants, she needs proof of citizenship and a state-issued driver's license or photo I.D. to register. But her van and purse were stolen in the first few weeks after she moved to Mesa, and with her disability checks going to rent and medicine, she can't afford the $15 needed to get her birth certificate from Missouri. Her wheelchair makes it hard for her to navigate the bus routes or the bureaucratic maze required to argue with state bureaucrats. She's unable to overcome the hurdles thrown in her way -- and in the way of as many as 500,000 other Arizona residents -- by the state's Republican politicians.

###

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ---

Jeannie Layson/EAC/GOV
10/12/2006 10:59 AM
To Thomas.Hicks@mail.house.gov
cc
Subject Research update

Tom,
Per our conversation, attached is the update the Standards Bd. and Bd. of Adv. received at their May meeting. That's all it was -- a status report. And we clearly stated in our Fed. Register notice that we would deliver an update on our research projects. And this meeting was open to the public.

Take care, and let's get together soon. Let me know if you need anything else.

Jeannie Layson
U.S. Election Assistance Commission
1225 New York Ave., NW
Suite 1100
Washington, DC 20005
Phone: 202-566-3100

www.eac.gov VF-VI Study Status 5-17-06.pdf
--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ---

Jeannie Layson/EAC/GOV
10/12/2006 05:26 PM
To ghillman@eac.gov, pdegregorio@eac.gov, ddaivdson@eac.gov
cc twilkey@eac.gov, jthompson@eac.gov, ggilmour@eac.gov, psims@eac.gov, klynndyson@eac.gov, bwhitener@eac.gov
Subject FOR YOUR APPROVAL

Commissioners,
Wendy Weiser of the Brennan Center has requested some of the information that was distributed to the Bd. of Adv. and the Standards Bd. at the May meeting. Her request is below. Attached is a draft letter that I
suggest accompany the information we provide. Also enclosed would be the resolutions passed by both entities. Please let me know if the letter meets your approval. (The letter would be from Tom.)

I write to request a copy of the following two reports submitted to the Election Assistance Commission:

(1) a report on voter fraud and voter intimidation, outlining a future research agenda, prepared by Tova Wang and Job Serebrov, and discussed in this morning's USA TODAY;

(2) a report on provisional ballots and voter ID, prepared by the Moritz School of Law at Ohio State University in collaboration with others.

It is my understanding that these reports were commissioned by and submitted to the EAC several months ago. It is in the public interest to release these reports since they will advance the public discussion and understanding of important election administration issues.

Thank you very much for your attention to this request. Please let me know when I can expect to receive a copy of these reports. If this request is denied, please provide an explanation as to why.

Jeannie Layson
U.S. Election Assistance Commission
1225 New York Ave., NW
Suite 1100
Washington, DC 20005
Phone: 202-566-3100

www.eac.gov  brennan center letter.doc
------- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -------
"Donsanto, Craig"
<Craig.Donsanto@usdoj.gov>
08/22/2006 02:44 PM

Ben --
This forwards a short e-mail chain between me and Peg Sims at the EAC. Peg is an institution where this sort of thing is concerned and if there were national stats available she would be the first place I would go - which come to think of it is why I did!

Her remarks bring-up another issue: apples and oranges.

There are a lot of categories of crime that could arguably fit under the umbrella of "election crime" but which would not be the sort of thing we would find useful for present purposes. Examples would be theft of election materials unrelated to an intent to corrupt the election, campaigning or assaults in or near polls, "campaign slander" (i.e., lying about one's opponent) which is not a federal crime but is potentially a crime in 20 or so states, corruption in the procurement of election equipment (i.e., Louisiana had a recent high...
profile case against its secretary of state who took bribes from voting equipment vendors in exchange for buying their machines). This stuff is criminal, but it does not involve corruption of the electoral process itself.

Also, some local prosecutors who do enforce the laws dealing with particular vote buying - for various reasons - chose to prosecute the voters for selling their votes rather than the corrupt political operatives who buy the votes. Many times this is simply because slamming the voter rather than the corrupt pols is easier, quicker and does not entangle the prosecutor in the caldron of local politics. In other instances it is more sinister: I am aware of several instances where local prosecutors tried to charge voters whose names surfaced as people whose votes locally prominent pols had been bought in order to silence them in the federal case. Federally, we usually treat the voters as victims and go after those who tried to purchase their birthright. In one case in Western North Carolina, the target of our case was a local DA. When our indictment against him was returned it named the voters whose votes he was being charged with having bought (we try to avoid this now!). His first act of defense was to charge all these voters with selling their votes under N.C. law. We had to intercede for him - through the U.S. Attorney at that time - with the N.C. Governor to pardon these voters so that they could testify concerning the material facts without incriminating themselves.

My point here is this:

Even if we can get some State stats, since the State concept of “election crime” and ours is usually different, and since state prosecutors often approach this type of case from an entirely different perspective than we do at the federal level, State stats will likely have minimal value to substantiating the thesis we are trying to advance: that local law enforcement in the election crime area is not adequate.

----- Message from psims@eac.gov on Tue, 22 Aug 2006 14:09:06 -0400 -----

To: "Donsanto, Craig" <Craig.Donsanto@crm.usdoj.gov>

Subject: RE: Does EAC have access to stats on --

We don't have a summary in numbers. We just have a summary of cases, some of which do not appear to reach the level of election fraud, and the charts of newspaper articles, some of which only contain allegations and some of which report convictions. These charts were on the CD I sent you before the Working Group meeting. Unfortunately, we have a long way to go before we have what I would classify as statistics.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free)
Fax: 202-566-3127
email: psims@eac.gov

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

08/22/2006 01:54 PM

To psims@eac.gov
cc
Subject RE: Does EAC have access to stats on --
Peggy - - I can take whatever you got!!! What does the data you got show?

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, August 22, 2006 1:53 PM
To: Donsanto, Craig
Subject: Re: Does EAC have access to stats on --

No reliable, comprehensive data --- just the preliminary research results from case law, literature review, and interviews. --- Peggy

"Donsanto, Craig"
<Craig.Donsanto@usdoj.gov>

08/22/2006 12:50 PM

-- State and local level prosecutions dealing with electoral fraud?

This message was brought to you by Dr. D's fabulous Blackberry!

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----
Thanks Adam. As the current project moves forward and then proceeds to phase 2, this will be a great resource I'm sure. Tova

Tova Andrea Wang, Democracy Fellow
The Century Foundation.

Visit our Web site for the latest news, analysis, opinions, and events.

From: Ambrogi, Adam (Rules) [mailto:Adam_Ambrogi@rules.senate.gov]
Sent: Monday, October 02, 2006 11:39 AM
To: psims@eac.gov; wang@tcf.org
Subject: Chapin Survey

Peggy and Tova:

I know that we had been looking for a state survey of election fraud and intimidation statutes—as you may have seen, doug chapin recently released a report on this info-attached here. I hope all is well with the both of you.

Best regards,
Adam

Adam D. Ambrogi
Democratic Professional Staff Member
Senate Committee on Rules and Administration
Russell Senate Office Building, Room 479
Washington, D.C. 20510
202-224-0279

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----
Margaret Sims/EAC/GOV
10/13/2006 04:40 PM	To: Jeannie Layson/EAC/GOV
cc: twilkey@eac.gov
Subject: Fw: Don't Believe Everything You Read

Jeannie:

Attached is the email I sent to Tova and Job, and Job's response. (I have not yet heard back from Tova.)
Peg:

We saw both the USA Today article and a similar thing was reported on Rush Limbaugh's show naming both of us. I had a talk this morning with folks at the EAC. I told them at this point there needs to be a press release sent out by the Chairman saying just what you stated. This is the only way to rehabilitate the work we did, the Chairman's credibility, and our reputations. I also fear that if this is not done the EAC will begin to receive calls from Congressman and Senators regarding the "report" and its effect on voter ID requirements.

Peg, up to now Tova and I have refused to speak with the press at all out of respect for the EAC and its mission. We both stand by our work and its conclusions. We both also feel that if a statement (as well phrased as you did in this e-mail clarifying the issue) is not forthcoming from the Chairman then I will have to correct this error with the Press. I explained this in my conversation this morning with the EAC.

Tova and I worked hard to produce a correct, accurate and truthful report. I could care less that the results are not what the more conservative members of my Party wanted. Neither one of us was willing to conform results for political expediency. I think it important for me to note that I was very impressed with Tova's members of the Working Group and I can't say enough about Tova's partnership effort in this endeavor. While neither one of us really care about outside opinions, we do care that the Chairman was quoted or misquoted in a way that would disparage our year-long effort and all of the tax payer money that went into it. For this reason, we believe that a press release clarifying the situation is necessary from either the Chairman or from me.

Regards,

Job

psims@eac.gov wrote:

Tova and Job:

I am home recuperating, but see that in my absence, a USA Today article has gotten everyone stirred up. The report to which the article refers is only the status report on the voting fraud-voter intimidation research project that was delivered to our Standards Board and Board of Advisors last spring. I provided a copy of this document to both of you, but have attached another copy for your information. This
document is subject to public release because it was presented at a public meeting.

Due to internal resource allocation problems, your final report has not yet been reviewed by the Commissioners. It is considered a working document (not subject to public release) until it has completed the review process and the Commissioners have agreed to release it. There has been no attempt by the Commission to hold up the report. I bear responsibility for any delays in moving it along. Please be reassured that we would not release your report without letting you know.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free)
Fax: 202-566-3127
email: psims@eac.gov

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ---

Jeannie Layson/EAC/GOV
10/13/2006 04:11 PM
To psims@eac.gov
cc
Subject job and tova

Please forward me the email you sent Tova and Job, as he is calling me and I want to make sure I understand what is being communicated to them. Thank you.

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

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ---

Jeannie Layson/EAC/GOV
10/11/2006 08:22 AM
To pdegregorio@eac.gov, ghillman@eac.gov, ddavidson@eac.gov
cc twilkey@eac.gov, jthompson@eac.gov, psims@eac.gov, bwhitener@eac.gov
Subject USA Today

See story below that ran in today's USA Today. This reporter requested the info a few weeks ago, and we had to release it b/c it was distributed at a Standards Bd. meeting, which is considered a public venue.
Also, the document was not labeled draft.

I anticipate that we may get questions about why we haven't released it. I propose the following response. Please let me know if you approve. The story follows.

"This was a preliminary report presented to our oversight committees. The EAC is waiting on a final report, which we will release upon its completion."

Report refutes fraud at poll sites

Updated 10/11/2006 8:05 AM ET

By Richard Wolf, USA TODAY

WASHINGTON — At a time when many states are instituting new requirements for voter registration and identification, a preliminary report to the U.S. Election Assistance Commission has found little evidence of the type of polling-place fraud those measures seek to stop.

USA TODAY obtained the report from the commission four months after it was delivered by two consultants hired to write it. The commission has not distributed it publicly.

NEW LAWS: Thousands of voters shut out

At least 11 states have approved new rules for independent voter-registration drives or requirements that voters produce specific forms of photo ID at polling places. Several of those laws have been blocked in court, most recently in Arizona last week. The House of Representatives last month approved a photo-ID law, now pending in the Senate.

The bipartisan report by two consultants to the election commission casts doubt on the problem those laws are intended to address. "There is widespread but not unanimous agreement that there is little polling-place fraud, or at least much less than is claimed, including voter impersonation, 'dead' voters, non-citizen voting and felon voters," the report says.

The report, prepared by Tova Wang, an elections expert at the Century Foundation think tank, and Job Serebrov, an Arkansas attorney, says most fraud occurs in the absentee ballot process, such as through coercion or forgery. Wang declined to comment on the report, and Serebrov could not be reached for comment.

Others who reviewed the report for the election commission differ on its findings. Jon Greenbaum of the liberal Lawyers' Committee for Civil Rights Under Law says it was convincing. The committee wrote to the commission Friday seeking its release.

Conservatives dispute the research and conclusions. Thor Hearne, counsel to the American Center for Voting Rights, notes that the Justice Department has sued Missouri for having ineligible voters registered, while dead people have turned up on the registration rolls in Michigan. "It is just wrong to say that this isn't a problem," he says.

That's one reason the commission decided not to officially release the report. "There was a division of opinion here," Chairman Paul DeGregorio says. "We've seen places where fraud does occur."

The consultants found little evidence of that. Barry Weinberg, former deputy chief of the voting section in the Justice Department's civil rights division, reviewed their work. "Fraud at the polling place is generally difficult to pull off," he says. "It takes a lot of planning and a lot of coordination."

Jeannie Layson
U.S. Election Assistance Commission
1225 New York Ave., NW
The proposed response sounds okay but the story is out. Other media may want the information. That the material given USA Today wasn't identified as draft or preliminary findings is now our problem.

I hope we are working post haste to have the report ready to release less we be seen as trying to bury this. It seems to me that other articles will be written, if not from the document that we sent to USA Today, then certainly from the USA Today article as the source document.

My initial reaction is that both reports are currently under review by EAC staff. I will entertain other thoughts but that is pretty much the what is the situation right now. Both research projects were designed to give the EAC issues and recommendations in both of these areas and are currently being reviewed. As a matter of fact the report from our consultants on Voter fraud and Intimation has not been forwarded by staff to the Commissioners but Peg will need to weigh in on that.
Richard Wolf of USA Today called and asked for the following. Jeannie and I ask that you consider this carefully and let us know ASAP what to provide.

(1) The status report on voter fraud and consultant update that was presented to the advisory boards in May, 2006.

(2) The status of the required guidance document on provisional voting and voter ID that is referenced in the following passage in today's Electionline Weekly by Doug Chapin.

In addition to the EAC's considerable election management responsibilities (especially in the area of voting equipment certification and testing), the agency has key policy issues to resolve in the immediate to near-term future, including a required guidance document on provisional voting and voter ID (now nearly two years overdue) and continued regulatory oversight over state implementation of "motor voter". This latter issue will almost certainly involve questions about the intersection of state and federal laws on voter registration - questions which divided the Commission when applied to Arizona, and could divide it again as Republicans and Democrats continue their traditional struggle to balance access to the franchise with concerns about the potential for fraud at the polls.

Thanks,
Bryan

I like this..it needs to go to the 3 C's for review and approval.
We also need to be prepared as to what happens when they receive it.
Thanks for your help.
Tom

Thomas R. Wilkey
Executive Director
US Election Assistance Commission
1225 New York Ave, NW - Suite 1100
Washington, DC 20005
(202) 566-3109 phone
TWilkey@eac.gov
WASHINGTON (AP) -- The most common form of voter fraud involves absentee ballots, including forgery and coercion in getting older or ailing voters to fill them out, according to a preliminary report to the U.S. Election Assistance Commission.

But the report, delivered in May, suggested that reports of polling place fraud involving "dead" voters and voting by felons and non-citizens might be overstated. The researchers said there is far more anecdotal evidence about voter fraud than specific verifiable claims.

"On balance, more researchers find it to be less of a problem than is commonly described in political debate," the report said.

"Many times people put their own partisan spin on voter fraud and voter intimidation," EAC Chairman Paul DeGregorio said Wednesday.

DeGregorio said the report was only preliminary and cautioned that more investigation is needed to understand the amount of voter fraud in this country.

"Many times you see people attempting to commit fraud, but it never gets to the level of being reported," said DeGregorio, a former elections official in St. Louis. He noted a case of more than 1,400 suspect voter registration cards being investigated in St. Louis.

The preliminary report was prepared by Tova Wang, an elections expert at the Century Foundation think tank and Job Serebrov, an Arkansas attorney.

Conservatives have argued the problem of voter fraud is severe in some states, while liberals generally argue that voters face too many restrictions.

New state laws requiring voters to present identification at polling places have faced legal challenges in states such as Arizona and Georgia.

"It's absolutely a serious problem," said Thor Hearne, counsel to the American Center for Voting Rights. "It's an unfortunate reality, particularly in battleground states."

Those problems include voter fraud and voter intimidation, he said.

The final voter fraud report is expected after the Nov. 7 midterm elections, DeGregorio said.

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----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Jeannie Layson/EAC/GOV

10/12/2006 10:32 AM

To [Blank]

00362
Dan,

Just wanted to let you know that the USAT article is not about a research report but a "status" report, which was presented to the Standards Bd. and the Bd. of Advisors at a meeting held in May. During this meeting, these entities received updates on many EAC activities, and the aforementioned status report was just one of those updates. And by the way, the meeting was open to the public, and posted on our website and in the Fed. Register. In the Fed. Register notice you'll see that the agenda included an update on our research projects.

Please let me know if you have any questions. Thank you for your consideration in this matter.

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

A.) The "report" they refer to was a status report written by staff
B.) The full report is currently being reviewed by staff and the report was intended to give recommendations to the EAC on how and what to do additional studies or guidance on.
C.) the report will be available at some future time after staff has had an opportunity to review and evaluate it's contents.
See questions below. I can answer the first two, but see if this language is acceptable for questions 3 and 4.

Can I get full report submitted by Tova Wang? If not, why not? EAC staff is currently reviewing the data, and we have not compiled a final report. I will make sure you receive the final report when it is issued.

This answer will probably not make him happy, but it's the best I can come up with. Suggestions?

---- Forwarded by Jeannie Layson/EAC/GOV on 10/12/2006 04:06 PM ----
Bryan Whitener/EAC/GOV

--- Forwarded by Jeannie Layson/EAC/GOV on 10/12/2006 04:06 PM ---
Bryan Whitener/EAC/GOV

What exactly is the document USA Today refers to?
Is it a report or just a staff document?
Can I get full report submitted by Tova Wang?
If not, why not?
FYI
Google search shows this on the DLC website
http://www.dlc.org/ndol_ci.cfm?kaid=139&subid=275&contentid=253439

Art Levine
Senior Fellow
Progressive Policy Institute
Washington, D.C. 20008

Also,

Salon's shameful six

There was Florida in 2000 and Ohio in 2004. Here are the six states where vote suppression could cost voters their voice -- and Democrats the election -- in 2006.

Salon News
By Art Levine

Eva Steele has a son in the military who is supposed to be fighting for freedom in Iraq, but sitting in a wheelchair in her room in a Mesa, Ariz., assisted-living facility, she wonders why it's so hard for her to realize a basic freedom back here in America: the right to vote.

Arriving in Arizona in January from Kansas City, weakened by four heart attacks and degenerative disk disease, Steele, 57, discovered that without a birth certificate she can't register to vote. Under a draconian new Arizona law that supposedly targets illegal immigrants, she needs proof of citizenship and a state-issued driver's license or photo I.D. to register. But her van and purse were stolen in the first few weeks after she moved to Mesa, and with her disability checks going to rent and medicine, she can't afford the $15 needed to get her birth certificate from Missouri. Her wheelchair makes it hard for her to navigate the bus routes or the bureaucratic maze required to argue with state bureaucrats. She's unable to overcome the hurdles thrown in her way -- and in the way of as many as 500,000 other Arizona residents -- by the state's Republican politicians.

---

No big deal--and no big delay. Don't worry about it.

Paul DeGregorio
Chairman
US Election Assistance Commission
Dear Mr. Chairman:

The last submission from the Vote Fraud-Voter Intimidation Study consultants is dated August 8. At this time, EAC staff are reviewing all items submitted for the report to the Commission with an eye toward the best way of presenting the information to the Commissioners for their consideration. There has been some delay in this staff review process, for which I take full responsibility.

Peggy Sims
Election Research Specialist

Attached is a proposed draft. I have to get this resolved ASAP as she is demanding a delivery time from me. I literally cannot answer my phone. Unfortunately, the Brennan Center can and will make a big stink if we don’t respond. We don’t need more accusations about us sitting on research.

The letter would be accompanied by the resolutions passed at the May meetings.
And, I need to know who is supposed to sign this letter.

Jeannie Layson  
U.S. Election Assistance Commission  
1225 New York Ave., NW  
Suite 1100  
Washington, DC 20005  
Phone: 202-566-3100  

www.eac.gov  

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ---  

Jeannie Layson/EAC/GOV  
10/12/2006 01:18 PM  
To twilkey@eac.gov  
cc klynndyson@eac.gov, jthompson@eac.gov,  
ggilmour@eac.gov, psims@eac.gov  
Subject Brennan Center  

Please note that Wendy Weiser has asked me to provide a time frame for when I will provide the following documents. Tom, per our conversation, I can write a letter, but how do we address her request for the voter ID info? Also, is this something Karen should handle as these are for research docs? I need an answer soon...

Mr. Whitener,

I write to request a copy of the following two reports submitted to the Election Assistance Commission:

(1) a report on voter fraud and voter intimidation, outlining a future research agenda, prepared by Tova Wang and Job Serebrov, and discussed in this morning's USA TODAY;

(2) a report on provisional ballots and voter ID, prepared by the Moritz School of Law at Ohio State University in collaboration with others.

It is my understanding that these reports were commissioned by and submitted to the EAC several months ago. It is in the public interest to release these reports since they will advance the public discussion and understanding of important election administration issues.

Thank you very much for your attention to this request. Please let me know when I can expect to receive a copy of these reports. If this request is denied, please provide an explanation as to why.

Sincerely,

Wendy R. Weiser
Tom,

A draft letter is attached. I've incorporated comments from Gavin and Julie.

Jeannie Layson
U.S. Election Assistance Commission
1225 New York Ave., NW
Suite 1100
Washington, DC 20005
Phone: 202-566-3100

www.eac.gov brennan center letter.doc

Matt (and Amy) are working on a speech for the Chairman to deliver at the Vote Fraud conference in Utah at the end of the week. Matt has asked for the consultants' definition of vote fraud/voter intimidation and the draft recommendations. As neither have been through full Commission review, I would like to speak with one or both of you before I drop this information in any one Commissioner's lap. Matt is looking for this information today. FYI, attached are copies of the consultants' definition and the draft recommendations from the consultants and others from the working group. Also attached is a summary of concerns expressed by the working group. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ---

Bryan Whitener/EAC/GOV
10/11/2006 05:29 PM

To Paul DeGregorio/EAC/GOV@EAC, Donetta L. Davidson/EAC/GOV@EAC, Gracia Hillman/EAC/GOV@EAC
cc Thomas R. Wilkey/EAC/GOV@EAC, Juliet E.

Key Working Group Comments and Observations AND concerns final.doc
Jeannie Layson
U.S. Election Assistance Commission
1225 New York Ave., NW
Suite 1100
Washington, DC 20005
Phone: 202-566-3100
www.eac.gov

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ---

Margaret Sims/EAC/GOV
10/13/2006 04:18 PM
To Jeannie Layson/EAC/GOV@EAC
cc twilkey@eac.gov
Subject Research Project Descriptions

Jeannie:

Here are the changes I suggested for the Vote Count-Recount and the Voting Fraud-Voter Intimidation research projects. I don't think they will help the current situation much, as the original VF-VI description already stated that it is preliminary research. As it is preliminary research, we did not expect that it would provide a total picture of voting fraud and voter intimidation in this country. We just wanted to get some sense of what is going on, and a better idea of the direction future EAC research on the subject should take. To ensure that the research would be balanced, we had consultants and project working group members from opposing sides of the political spectrum.

According to folks intimately familiar with the development of HAVA, disputes over the extent to which voting fraud and voter intimidation existed caused Congress to add the study of these subjects to EAC's list of research projects. Given the nature of the subject (most offenders try to hide their activities, sufficient evidence is hard come by with some types of activity, and prosecution of offenses may not occur for political or budgetary reasons), it is doubtful that we will ever have completely reliable statistics on occurrences of voting fraud and voter intimidation, but we may be able to obtain better statistics than anyone else has. And we should be able to identify where in the voting process most offenses tend to occur and to explore alternatives for addressing vulnerabilities that leave the process open to corruption. --- Peggy
Peg:

We saw both the USA Today article and a similar thing was reported on Rush Limbaugh's show naming both of us. I had a talk this morning with folks at the EAC. I told them at this point there needs to be a press release sent out by the Chairman saying just what you stated. This is the only way to rehabilitate the work we did, the Chairman's credibility, and our reputations. I also fear that if this is not done the EAC will begin to receive calls from Congressman and Senators regarding the "report" and its effect on voter ID requirements.

Peg, up to now Tova and I have refused to speak with the press at all out of respect for the EAC and its mission. We both stand by our work and its conclusions. We both also feel that if a statement (as well phrased as you did in this e-mail clarifying the issue) is not forthcoming from the Chairman then I will have to correct this error with the Press. I explained this in my conversation this morning with the EAC.

Tova and I worked hard to produce a correct, accurate and truthful report. I could care less that the results are not what the more conservative members of my Party wanted. Neither one of us was willing to conform results for political expediency. I think it's important for me to note that I was very impressed with Tova's members of the Working Group and I can't say enough about Tova's partnership effort in this endeavor. While neither one of us really care about outside opinions, we do care that the Chairman was quoted or misquoted in a way that would disparage our year-long effort and all of the tax payer money that went into it. For this reason, we believe that a press release clarifying the situation is necessary from either the Chairman or from me.

Regards,

Job

*psims@eac.gov* wrote:

Tova and Job:

I am home recuperating, but see that in my absence, a USA Today article has gotten everyone stirred up. The report to which the article refers is only the status report on the voting fraud-voter intimidation research project that was delivered to our Standards Board and Board of Advisors last spring. I provided a copy of this document to both of you, but have attached another copy for your information. This document is subject to public release because it was presented at a public meeting.

Due to internal resource allocation problems, your final report has not yet been reviewed by the Commissioners. It is considered a working document (not subject to public release) until it has completed the review process and the Commissioners have agreed to release it. There has been no attempt by the Commission to hold up the report. I bear responsibility for any delays in moving it along.

---

000370
Please be reassured that we would not release your report without letting you know.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----
Margaret Sims/EAC/GOV
09/26/2006 12:50 PM
To Thomas Wilkey
cc
Subject Fw: Preparation for Vote Fraud Conference in Utah

Here are the documents I sent you yesterday. Also attached is a copy of the status report on this research that was provided to the Standards Board and Board of Advisors earlier this year. --- Peggy

--- EAC Boards VF-VI Status Report.doc

----- Forwarded by Margaret Sims/EAC/GOV on 09/26/2006 12:48 PM -----
Margaret Sims/EAC/GOV
09/25/2006 12:36 PM
To Juliet E. Hodgkins/EAC/GOV@EAC, twilkey@eac.gov
cc Karen Lynn-Dyson/EAC/GOV@EAC
Subject Preparation for Vote Fraud Conference in Utah

Matt (and Amy) are working on a speech for the Chairman to deliver at the Vote Fraud conference in Utah at the end of the week. Matt has asked for the consultants' definition of vote fraud/voter intimidation and the draft recommendations. As neither have been through full Commission review, I would like to speak with one or both of you before I drop this information in any one Commissioner's lap. Matt is looking for this information today. FYI, attached are copies of the consultants' definition and the draft recommendations from the consultants and others from the working group. Also attached is a summary of concerns expressed by the working group. --- Peggy

--- Fraud Project Definition-rev 6-27.doc  RECOMMENDATIONS-final2.doc Working Group Recommendations final.doc

Key Working Group Comments and Observations AND concerns final.doc
----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ----- 
Karen Lynn-Dyson/EAC/GOV
09/25/2006 12:39 PM
To Margaret Sims/EAC/GOV@EAC
Many, many thanks for keeping me in the loop on this
(I think)

:-)

Karen Lynn-Dyson
Research Director
U.S. Election Assistance Commission
1225 New York Avenue, NW Suite 1100
Washington, DC 20005
tel:202-566-3123
A new email you may want to add to the collection.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3127
Fax: 202-566-3127
e-mail: psims@eac.gov

--- Forwarded by Margaret Sims/EAC/GOV on 04/26/2007 05:22 PM ----

Do we know who received her letter? I haven't seen it. --- Peggy

Jeannie Layson/EAC/GOV

See her press release (third item).
Bryan Whitener/EAC/GOV
03/09/2007 02:47 PM

To Thomas R. Wilkey/EAC/GOV@EAC, Juliet E. Hodgkins/EAC/GOV@EAC
cc Margaret Sims/EAC/GOV@EAC, Jeannie Layson/EAC/GOV@EAC

Subject Response Requested - Fw: info request re: House Appropriations subcommittee hearing

All,

Please see Dan Seligson's questions and request. Exactly what are we going to provide to the House subcommittee and when? Once they receive it, can the subcommittee or its members then release it to anyone they choose? Do we plan to release it to everyone once we've provided it to the subcommittee?

----- Forwarded by Bryan Whitener/EAC/GOV on 03/09/2007 02:29 PM -----

"Dan Seligson"

To "Bryan Whitener" <bwhitener@eac.gov>
cc

Subject info request re: House Appropriations subcommittee hearing

Bryan -

As I mentioned on the phone, I am seeking information as a follow up to the House Appropriations Subcommittee on Financial Services. At the hearing, Rep. Maurice Hinchey, D-N.Y., requested that the EAC submit the original version of a report written by Tova Wang and Job Serebrov. Chairwoman Davidson said she would provide the original report (I believe) within three days. Is that still the case? Will the subcommittee have the original report, as submitted by the consultants, on Monday? And if so, may we have a copy as well?

Thanks,
Dan

Daniel Seligson
editor
025 F St. NW Suite 900
Washington, DC 20004

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 04:22 PM -----

Margaret Sims/EAC/GOV
03/13/2007 02:31 PM
to Jeannie Layson/EAC/GOV
Looks fine to me. Of course, she is probably referring to our decision not to release the consultants' draft final report. --- Peggy

Jeannie Layson/EAC/GOV

Hello all,
A columnist from the WaPo has asked for info about both the voter ID and the fraud and intimidation reports. This was prompted by the accusation that the president was concerned that the fired prosecutors were not aggressively pursuing voter fraud cases. She had heard that we were refusing to release this information, so I am trying to demonstrate otherwise, as well as show that we have discussed these projects numerous times in public meetings. Please take a look at my draft email to her and let me know if you have any suggestions. She needs to hear back from me by 4 p.m. Thanks for your help with this.

Ms. Cocco,
Per your questions, go here to view the testimony regarding voter ID from our Feb. 2 public meeting. As I mentioned, at this meeting EAC Chair Donetta Davidson requested that staff review the initial research provided by Eagleton and produce a final report, which would include recommendations for further study on this subject. Currently, staff is working to finalize the voter ID report.

Regarding the voter fraud and intimidation research, at a May 2006 public meeting of our Standards Board and Board of Advisors, the EAC project manager for this research presented a staff update on the project. Go here to view the agenda, page 3. The document you referred to was the update the project manager gave at this public meeting, and it has been made available to anyone who asked for it. The final culmination of this project can be found here, and links to the attachments provided by the consultants are available by going to page 24 of this report. The commissioners adopted this report at a public meeting in Dec. 2006.

As a small agency of 23 employees, including the four commissioners, it is necessary for the agency to contract with consultants to gather the initial data for these projects. After EAC receives the initial data, the agency reviews the data for accuracy and then releases a final report.

Jeannie Layson
U.S. Election Assistance Commission
1225 New York Ave., NW
Suite 1100
Washington, DC 20005
Phone: 202-566-3100
The info that is on the website should be everything that you and she need. If you have trouble locating that info, Jeannie can probably direct you to where you can find it.

Sent from my BlackBerry Wireless Handheld

Karen Lynn-Dyson

----- Original Message ----- 
From: Karen Lynn-Dyson
Sent: 04/02/2007 11:02 AM EDT
To: Margaret Sims
Cc: Juliet Hodgkins; stephanie.wolson@gmail.com

Peg-

This week Heather Moss, a research intern will be starting with us. Heather is presently in law school and worked for DOJ in the Voting Rights Division for four years. Heather's primary responsibility (for the next month or so) will be helping us develop the follow-on research project for the Election Crimes study.

Also as an FYI- Commissioner Hunter and her Special Assistant, Stephanie Wolson have expressed an interest in working closely with staff on this project.

I would like to schedule a call/meeting for later on this week so that everyone can be brought up to speed on this work.

In preparation for this meeting I would like to give Heather the project materials which Job and Tova worked on and any relevant material you may have.

Could you direct me to these files so that Heather may begin her work on this project? Could you also let me know dates and times this week that might work for you?

Thanks

Karen Lynn-Dyson
Research Director
U.S. Election Assistance Commission
1225 New York Avenue, NW Suite 1100
Washington, DC 20005
tel:202-566-3123
Julie has already raised the point that most concerned me: I don't think it is accurate to say the consultant's recommendations were their findings. The recommendations were a combination of consultant recommendations and working group recommendations for future EAC action. We did not ask the consultants to provide "findings" because this research was never supposed to be the definitive study on the subject. Instead, it was supposed to be an initial effort to see what relevant information is available, to define voting fraud and voter intimidation, and to make recommendations to EAC regarding how to pursue the subject (next steps). --- Peggy

Jeannie Layson/EAC/GOV

This are questions from a "freelance" reporter who is very hot about the "Tova Wang report." Please let me know if my answers are accurate, and I welcome any suggestions you may have. I need to get your input by COB tomorrow. I am also looking for more clarification on what didn't make it into the fraud report. She is asking if we included all of their "findings" and their "research."

Thanks.

1) You said that the Wang/Serebrov report has not been released because it was predecisional. Was the Moritz/Eagleton report released because it was not predecisional? The Moritz/Eagleton report was a predecisional document. The commissioners took an action not to adopt a final report based upon the Moritz/Eagleton report, but to release all the predecisional information (the draft report).

2) I understood you to say that the December EAC report includes all of the Wang/Serebrov recommendations but not all of the Wang/Serebrov findings. Is that correct? The report does include all of their recommendations, which were their findings, and all of the research they conducted.

3) I understood you to say that EAC staff added results of their own research to the December EAC report. Is that correct? What I said was EAC staff reviewed the report for accuracy, for grammar and added language that reflected the commission's decision to adopt the final version based upon the initial research provided by the consultants.

4) If I'm correct on questions 2 and 3, would it be accurate to say that
readers of the December report cannot tell how much of that report does and does not reflect the original Wang/Serebrov findings? The consultants' recommendations are their findings. All of the recommendations are included in the final report, so readers can make the determination regarding the recommendations.

5) I called earlier today requesting the Wang/Serebrov report, and you sent me the December EAC report. I am concerned that if I had not already been researching this closely, I would have thought that you'd sent me the Wang/Serebrov report and would have reported incorrectly that you had. Does the EAC have any comment on this manner of responding to press inquiries? (I contacted you to request the report after I read in the Statesman Journal of Salem, Oregon, an article by Marie Cocco that says: "The bipartisan commission didn't widely release the consultants' review, but makes it available on request." Did the EAC indeed give Ms. Cocco a copy of the "consultants' review"? Or has she misunderstood you in the way I'm concerned about?) I sent you a link to the "EAC report" because it is what was adopted by the commission based upon the research conducted by the consultants. The final report clearly states how it was compiled and includes bios for both of the consultants. Regarding Ms. Cocco, I explained the entire process to her. I provided the staff update on the project which was presented at a public meeting in May 2006 and the final report, which is posted on the EAC website. Regarding "this manner of responding to press inquiries," I have forwarded your comments to my supervisor so he can review my performance regarding the handling of your inquiry.

6) I understood you to say that the EAC did not release the Wang/Serebrov report in its original form because the EAC has to do due diligence and its staff is small. Do I understand you correctly? As a small agency of 23 employees, including the four commissioners, it is necessary for the agency to contract with consultants to gather the initial data for research projects. After EAC receives the initial data, the agency reviews the data for accuracy. What form of due diligence does the EAC's staff routinely conduct on research that is contracted out to experts before that research is released? You mentioned "vetting" the research. What does that vetting entail? It depends on the project. For instance, if it is information directly related to a mandate within the Help America Vote Act (HAVA), staff will make sure that the information is consistent with the law. In addition, we often ask for input from our Standards Board and Board of Advisors, which combined consist of more than 147 members. If we are using research that will eventually become guidance, we are required by HAVA to seek the input of these boards. Go here for more information about these boards and its members. If the board members have feedback, then we must make the determination whether to incorporate it, and, if so, how to incorporate their changes. If the research is focused on election laws throughout the country, we make sure the laws are cited correctly and that state legislatures haven't changed or amended these laws since the research was conducted. (As you probably know, there have been many new election laws introduced at the state level since 2004.) Throughtout the process, we review for grammar as well as make sure the document flows and is arranged logically -- the basic tenets of editing.

Jeannie Layson
U.S. Election Assistance Commission
1225 New York Ave., NW
Suite 1100
Washington, DC 20005
Phone: 202-566-3100
www.eac.gov
believe you can find it at the following link:

[attachment "20070411voters_draft_report.url" deleted by Gavin S. Gilmour/EAC/GOV]

I will need to get back with you regarding the Contract Employees scope of work.

Gavin S. Gilmour
Deputy General Counsel
United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100

THIS MESSAGE IS FOR ITS INTENDED RECIPIENT ONLY. IT IS A PRIVILEGED DOCUMENT AND SHALL NOT BE RELEASED TO A THIRD PARTY WITHOUT THE CONSENT OF THE SENDER.

--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 04:21 PM ---
Margaret Sims/EAC/GOV
04/17/2007 01:27 PM To Jeannie Layson/EAC/GOV
cc Juliet E. Hodgkins/EAC/GOV@EAC
Subject Re: Vote fraud report

As far as I know, you are absolutely correct! Julie did the bulk of the rewrite and used my analyses of the preliminary info submitted by our contractors. I know that I had no contact with the administration regarding this study. --- Peggy

Jeannie Layson/EAC/GOV

Jeannie Layson/EAC/GOV
04/17/2007 01:16 PM To psims@eac.gov, Thomas R. Wilkey/EAC/GOV@EAC, jthompson@eac.gov
cc
Subject Vote fraud report

The St. Louis Post Dispatch wrote an editorial that said the administration edited our report. I am almost absolutely sure that is not true, but I wanted to confirm that with you before I request a correction. Thanks.

Jeannie Layson
Julie:
The attached appears to be the Job Serebrov email, a portion of which was quoted in the NY Times. He was responding to my email advising him that recent press reports were referring to the status report on the vote fraud-voter intimidation project, and that we had not released the final report. (A copy of my email is attached.) There are no follow-up emails on this topic. --- Peggy

Peg:

We saw both the USA Today article and a similar thing was reported on Rush Limbaugh's show naming both of us. I had a talk this morning with folks at the EAC. I told them at this point there needs to be a press release sent out by the Chairman saying just what you stated. This is the only way to rehabilitate the work we did, the Chairman's credibility, and our reputations. I also fear that if this is not done the EAC will begin to receive calls from Congressman and Senators regarding the "report" and its effect on voter ID requirements.

Peg, up to now Tova and I have refused to speak with the press at all out of respect for the EAC and its mission. We both stand by our work and its conclusions. We both also feel that if a statement (as well phrased as you did in this e-mail clarifying the issue) is not forthcoming from the Chairman then I will have to correct this error with the Press. I explained this in my conversation this morning with the EAC.

Tova and I worked hard to produce a correct, accurate and truthful report. I could care less that the results are not what the more conservative members of my Party wanted. Neither one of us
was willing to conform results for political expediency. I think it's important for me to note that I was very impressed with Tova's members of the Working Group and I can't say enough about Tova's partnership effort in this endeavor. While neither one of us really care about outside opinions, we do care that the Chairman was quoted or misquoted in a way that would disparage our year-long effort and all of the tax payer money that went into it. For this reason, we believe that a press release clarifying the situation is necessary from either the Chairman or from me.

Regards,

Job

psims@eac.gov wrote:

Tova and Job:

I am home recuperating, but see that in my absence, a USA Today article has gotten everyone stirred up. The report to which the article refers is only the status report on the voting fraud-voter intimidation research project that was delivered to our Standards Board and Board of Advisors last spring. I provided a copy of this document to both of you but have attached another copy for your information. This document is subject to public release because it was presented at a public meeting.

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Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) o
Fax: 202-566-3127
email: psims@eac.gov

Juliet E. Hodgkins/EAC/GOV

Peggy,

Can you pull out the emails between you and Job that were quoted in the NYT? I need anything that has to do with the subject that was referred to in the quoted email as well as any follow up to that email. We
need it to be able to respond to the letter from Sen. Feinstein, and I figured you could identify those easier than me searching through the reams of paper in Jeannie's office.

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

---- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 04:21 PM ----
Margaret Sims/EAC/GOV
04/18/2007 05:40 PM
To Jeannie Layson/EAC/GOV@EAC
cc Juliet E. Hodgkins/EAC/GOV@EAC, Thomas R. Wilkey/EAC/GOV@EAC
Subject Re: Need your help ASAP

Jeannie:

I did not receive your request in time to type responses on my blackberry by 2 PM, given the information needed. Here are the answers to your questions:

1. Why did we only contact DOJ officials regarding the accuracy of their interviews?

As far as I know, we didn't contact DOJ officials about this except in response to concerns they had previously expressed to us. Also, I don't believe we ever allowed DOJ to edit the summaries. (I certainly didn't.) I believe the consultants and I discussed the idea of having all the interviewees review their respective interview summaries, but the consultants objected to the idea and there were concerns that the all of the money remaining available was needed to complete the final report.

Craig Donsanto, Election Crimes Branch, saw the summary of his interview among the documents provided to the Working Group (prior to the meeting of that group), and pointed out an important factual error. The summary, as originally written, portrayed DOJ as switching from the prosecution of conspiracies to the prosecution of individuals. I was present at this interview and this was not what Craig had said, nor is it supported by the information available on the election crimes pursued by that branch. DOJ continues to pursue conspiracies and, in addition, has begun to pursue individuals (specifically, double voting, felon voting and alien voting) in an effort to deter others from election crime.

To my knowledge, John Tanner, Voting Section, Civil Rights Division, had not seen the consultants' full summary of his interview; but he expressed concern to Tova Wang and EAC about the consultants' characterization of the interviews with Donsanto and him that had been included in the May 2006 status report. This report was provided to the members of the EAC Standards and Advisory Boards. Per HAVA requirements, the Voting Section is represented on the Advisory Board. Tanner pointed to the following errors:

- First, the consultants stated that DOJ was not pursuing voter suppression cases. Tanner responded that "[t]he Department has brought two 11(b) cases, one of the two in this Administration. The focus of DOJ activity has shifted, in fact, to voter suppression as there are fewer cases over voter dilution (challenges to at-large election systems, etc.) being brought by anyone as the number of jurisdictions with at-large election systems has shrunk dramatically. This Administration has, in fact, brought far more voter-suppression cases ... than ever in the past, including a majority of all cases under Sections 203 and 208 of the Act, and such key recent Section 2 cases as US v. City of Boston and US
• Second, the consultants implied that DOJ is not pursuing instances of unequal implementation of ID rules. Tanner's response was that "challenges based on race and unequal implementation of ID rules are indeed actionable and we have brought lawsuits, such as in Boston and Long County; we have not identified instances of such discrimination in which we have not taken action."

Tanner also pointed to the consultants' refusal during the interview to define what they meant by "voter intimidation", which Tanner suspected did not jibe with the meaning of the term in federal prosecutions and probably contributed to misunderstandings. (Federal voter intimidation prosecutions require the threat of economic or physical harm.)

By the way, both of these officials are career attorneys, not political appointees. They have years of service at DOJ, working under a number of different administrations.

2. Exactly what did we change and why?

In the case of the Donsanto interview summary, I spoke with our consultants and asked them to make the correction. At first, they both refused. Later, they revised the summary to be a little less blatant, but the implication that there had been a complete change in approach remained. We revised the summary to clearly indicate that prosecution of conspiracies continues. The revised paragraph is on page 4 of the published summary. We also added an intro paragraph similar to other interview summaries submitted by the consultants to summarize the enforcement authority of the Election Crimes Branch and to distinguish it from the Voting Section, Civil Rights Division.

In the case of the actual John Tanner interview summary, we added an intro paragraph similar to other interview summaries submitted by the consultants to summarize the enforcement authority of the Voting Section and to distinguish it from the Election Crimes Branch. We also moved the consultants' note about the refusal to share certain internal working papers to the end of the summary because it seemed to distract from the main interview points if left as an introduction.

Making the distinction between the Election Crimes Branch and the Voting Section is important. The Voting Section brings cases involving "systemic" discrimination because federal voting statutes focus on discriminatory action by local governments. It is criminal statutes that involve malfeasance by individuals and that are enforced by the Election Crimes Branch through Us Attorneys' offices. The difference is key to understanding federal election law enforcement.

Peggy Sims
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1225 New York Ave, NW - Ste 1100
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Phone: 866-974-7171 (toll free) or Fax: 202-566-3127
email: psims@eac.gov

Jeannie Layson/EAC/GOV

Jeannie Layson/EAC/GOV
04/18/2007 12:17 PM

To psims@eac.gov
cc Juliet E. Hodgkins/EAC/GOV@EAC, Thomas R. Wilkey/EAC/GOV@EAC
Subject Need your help ASAP
Peg,
If possible, I need answers for these questions in reference to the vote fraud/voter intimidation project by 2 p.m. today for an inquiry for Congressional Quarterly:

1. Why did we only contact DOJ officials regarding the accuracy of their interviews?
2. Exactly what did we change and why?

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

FYI - I noticed that some newsclips are saying we spent $100,000 on the Voting Fraud-Voter Intimidation project. Each of the consultants had two contracts totaling almost $75,000 (not including funds set aside for related travel), so the total between them would have been closer to $150,000. If anyone needs to know the added travel costs, Wang spent about $4,500 and Serebrov $1,200 over the course of the 2 contracts.

Peggy Sims
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Phone: 866-747-1471 (toll free) or
Fax: 202-566-3127
e-mail: psims@eac.gov
Here are most of the emails from my active email files. A few did not hold the check mark, so I will send them separately. I'm trying to work out the best way to hand off copies of the emails from my archived files.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3127
Email: psims@eac.gov

Hi Peg, I left you a voice message last week -- you might have been at NCSL. Anyway, would you give me a call when you have a moment? Thanks.

Tova Andrea Wang, Democracy Fellow
The Century Foundation
Visit our Web site for the latest news, analysis, opinions, and events.

I spoke to Job about the documents that I need. He will send me his summary of the articles/books that he read. However, he said that Tova also summarized some of those articles/books. I don't have a contact number/email for Tova. Could you contact her and ask her to provide us with any summary of the articles/books that she read as they are listed in Appendix 2?
Juliet Thompson Hodgkins
General Counsel
United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100

Juliet: 

All of the summaries received are in the shared drawer under T:\RESEARCH IN PROGRESS\VOTING FRAUD-VOTER INTIMIDATION\Research Summaries. There are too many of them to append to this message, or I would do it. The researchers did not propose to include these summaries in the report. Are you considering adding them?

If you want, I can cross reference each of these with the list of articles and ID any missing summaries. I could do that over the weekend. --- Peggy

Juliet E. Hodgkins/EAC/GOV

I spoke to Job about the documents that I need. He will send me his summary of the articles/books that he read. However, he said that Tova also summarized some of those articles/books. I don't have a contact number/email for Tova. Could you contact her and ask her to provide us with any summary of the articles/books that she read as they are listed in Appendix 2?

Juliet Thompson Hodgkins
General Counsel
United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100
I think we should use the content of those articles or some summary of them as a background of what we know about VF and VI. I just didn't want to have to read all of those articles to be able to make some generalized statements about their contents.

-------------
Sent from my BlackBerry Wireless Handheld
Margaret Sims
----- Original Message -----

From: Margaret Sims
Sent: 11/03/2006 06:11 PM
To: Juliet Hodgkins
Subject: Re: Job and Tova

Julie:

All of the summaries received are in the shared drawer under T:\RESEARCH IN PROGRESS\VOTING FRAUD-VOTER INTIMIDATION\Research Summaries. There are too many of them to append to this message, or I would do it. The researchers did not propose to include these summaries in the report. Are you considering adding them?

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Juliet E. Hodgkins/EAC/GOV

To Margaret Sims/EAC/GOV@EAC
cc
Subject Job and Tova

I spoke to Job about the documents that I need. He will send me his summary of the articles/books that he read. However, he said that Tova also summarized some of those articles/books. I don't have a contact number/email for Tova. Could you contact her and ask her to provide us with any summary of the articles/books that she read as they are listed in Appendix 2?

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

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM -----
I appreciate it. I will send you a copy of the outline that I am working from. It is somewhat subject to change as I am still trying to gel in my mind what goes first, second....

---

From: Margaret Sims
Sent: 11/03/2006 06:38 PM
To: Juliet Hodgkins
Subject: Re: Job and Tova

I can review them over the weekend and attempt to summarize what they tell us.--- Peggy

---

From: Juliet E. Hodgkins
Sent: 11/03/2006 06:14 PM
To: Margaret Sims
Subject: Re: Job and Tova

I think we should use the content of those articles or some summary of them as a background of what we know about VF and VI. I just didn't want to have to read all of those articles to be able to make some generalized statements about their contents.

---

From: Margaret Sims
Sent: 11/03/2006 06:11 PM
To: Juliet Hodgkins
Subject: Re: Job and Tova

Julie:

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If you want, I can cross reference each of these with the list of articles and ID any missing summaries. I could do that over the weekend. --- Peggy

Juliet E. Hodgkins/EAC/GOV

Juliet E. Hodgkins/EAC/GOV 11/03/2006 05:42 PM
To: Margaret Sims/EAC/GOV@EAC
cc
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Juliet Thompson Hodgkins
General Counsel
United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM -----
Margaret Sims/EAC/GOV
11/06/2006 11:07 AM	To Juliet E. Hodgkins/EAC/GOV@EAC
cc
Subject Re: VF_VI Literature Review

Julie:
I have not received the outline, but went ahead with reviewing the literature researched. Attached are my perspectives on what we learned and a listing of the literature with portions of the analysis for each. Both of these documents are on the shared drive under T:\RESEARCH IN PROGRESS\VOTING FRAUD-VOTER INTIMIDATION\Research Summaries. Hope these help. Let me know what else you need from me. --- Peggy

EAC-Learned from Lit Review 11-6-06.doc EAC Lit Review Notes 11-5-06.doc

Juliet E. Hodgkins/EAC/GOV

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Sent from my BlackBerry Wireless Handheld
Margaret Sims  
----- Original Message ----- 

From: Margaret Sims  
Sent: 11/03/2006 06:38 PM  
To: Juliet Hodgkins  
Subject: Re: Job and Tova  

I can review them over the weekend and attempt to summarize what they tell us. --- Peggy  

Sent from my BlackBerry Wireless Handheld 
Juliet E. Hodgkins  
----- Original Message ----- 

From: Juliet E. Hodgkins  
Sent: 11/03/2006 06:14 PM  
To: Margaret Sims  
Subject: Re: Job and Tova  

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Sent from my BlackBerry Wireless Handheld 
Margaret Sims  
----- Original Message ----- 

From: Margaret Sims  
Sent: 11/03/2006 06:11 PM  
To: Juliet Hodgkins  
Subject: Re: Job and Tova  

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If you want, I can cross reference each of these with the list of articles and ID any missing summaries. I could do that over the weekend. --- Peggy  

Juliet E. Hodgkins/EAC/GOV 

Juliet E. Hodgkins/EAC/GOV  
To Margaret Sims/EAC/GOV@EAC  
cc  
Subject Job and Tova  

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sorry, about that. Here’s the outline...

I. BACKGROUND/INTRODUCTION

A. WHAT WE KNOW ABOUT FRAUD
B. PURPOSE OF THE EAC STUDY
C. METHODOLOGY OF THE EAC STUDY

II. DEFINITION OF ELECTION CRIMES
A. VOTER FRAUD IS TOO LIMITED
B. COLLOQUIAL DEFINITION IS TOO BROAD
C. ELECTION CRIMES
D. WHAT IS NOT AN ELECTION CRIME FOR PURPOSES OF THIS STUDY

III. RECOMMENDATIONS ON HOW TO STUDY ELECTION CRIMES
A. ACCEPTED RECOMMENDATIONS
i. SURVEY LAW ENFORCEMENT, INVESTIGATORY AGENCIES, AND PROSECUTORS
ii. REVIEW ADMINISTRATIVE COMPLAINTS FILED WITH STATES
iii. REVIEW DOJ/USA ACTIONS
B. REJECTED RECOMMENDATIONS
i. REASONS WHY REJECTED
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Sent from my BlackBerry Wireless Handheld
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----- Original Message -----

From: Margaret Sims
Sent: 11/03/2006 06:11 PM
To: Juliet Hodgkins
Subject: Re: Job and Tova

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Juliet E. Hodgkins/EAC/GOV

Juliet E. Hodgkins/EAC/GOV
11/03/2006 05:42 PM
To Margaret Sims/EAC/GOV@EAC
cc
Subject Job and Tova

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

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM -----
Is this an outline of an EAC staff report to accompany the consultants' report, or has there been a decision not to publish the consultants' report at all? (Just curious, as I have been a little out of the loop.) --- Peg

--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM ---

Juliet E. Hodgkins/EAC/GOV
11/06/2006 12:30 PM
To Margaret Sims/EAC/GOV@EAC
cc
Subject Re: VF_VI Literature Review

The consultant's report is a draft of an EAC report. We will take the consultant's report and finalize it into our report.
Juliet Thompson Hodgkins
General Counsel
United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100
Margaret Sims/EAC/GOV

Margaret Sims/EAC/GOV
11/06/2006 12:21 PM
To Juliet E. Hodgkins/EAC/GOV@EAC
cc
Subject Re: VF_VI Literature Review

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--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM ---

Juliet E. Hodgkins/EAC/GOV
11/06/2006 05:18 PM
To Margaret Sims/EAC/GOV@EAC
cc
Subject Re: VF_VI Literature Review

Peggy,

I wanted to let you know that I had a chance to review your summaries today. I think that these are some excellent conclusions that we can definitely use in our report. Thank you for doing such a detailed and thorough job. If tomorrow goes quietly, hopefully I will have some time to write.

Juliet Thompson Hodgkins
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Sent from my BlackBerry Wireless Handheld
Margaret Sims
----- Original Message ----- 

From: Margaret Sims
Sent: 11/03/2006 06:11 PM
To: Juliet Hodgkins
Subject: Re: Job and Tova

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General Counsel
United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100
Margaret Sims/EAC/GOV
11/06/2006 06:36 PM
To Juliet E. Hodgkins/EAC/GOV@EAC
cc
Subject Re: VF_VI Literature Review

Julie:

Happy to help, especially as I have to assume the blame for the report turned in by the consultants. I think you were aware that I was disappointed that it was not a more professional product. As I was not clear what the Commission's position is on editing such reports after receipt of the final, and as the consultants insisted that their work not be changed, I felt a bit stymied. Let me know what else I can do.

In the meantime, I'm revisiting some drafts received on the Vote Count-Recount best practices to see if I can encourage more improvements before submission of the final. We're still waiting for the state-by-state summary of practices, originally delayed by the subcontractor's nonperformance, which could affect goes into the best practices. I think some of the emphasis I see in the drafts on post election audits and proper recordkeeping will help respond to some of the issues raised in the literature review for the voting fraud-voter intimidation study.

--- Peggy

Juliet E. Hodgkins/EAC/GOV

Juliet E. Hodgkins/EAC/GOV
11/06/2006 05:18 PM
To Margaret Sims/EAC/GOV@EAC
cc
Subject Re: VF_VI Literature Review

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Washington, DC 20005
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Margaret Sims/EAC/GOV

Margaret Sims/EAC/GOV
11/06/2006 11:07 AM
To Juliet E. Hodgkins/EAC/GOV@EAC
cc
Subject Re: VF_VI Literature Review
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EAC-Learned from Lit Review 11-6-06.doc  EAC Lit Review Notes 11-5-06.doc

Juliet E. Hodgkins/EAC/GOV

Juliet E. Hodgkins/EAC/GOV
11/03/2006 06:41 PM  To Margaret Sims/EAC/GOV@EAC
cc
Subject  Re: Job and Tova

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Sent from my BlackBerry Wireless Handheld
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Juliet E. Hodgkins
----- Original Message ----- 

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Sent: 11/03/2006 06:14 PM
To: Margaret Sims
Subject: Re: Job and Tova

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Washington, DC  20005  
(202) 566-3100

-------- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM --------

Karen Lynn-Dyson/EAC/GOV  
11/07/2006 07:05 AM  
To: Juliet E. Hodgkins/EAC/GOV@EAC  
cc: Margaret Sims/EAC/GOV@EAC  
Subject: Fw: please investigate

Hi-

Is this the kind of thing I should be passing on to you or Gavin?
Please investigate this incident or pass it on to the proper authority.

This morning, I received a recorded message saying that my polling place was "St. Francis" something or other. Later in the day, I wondered why I was informed of this change via a phone number with an out of state area code. I just check the Mahoning County Board of Elections site and the polling location is still listed as "Frank Ohl School" which is where I've voted since moving here. Since I received another call about the same time, I'll give you information on both numbers.

For the first call (which I believe is the culprit) the information on my caller ID was "Unknown Name 320-230-0961". They claimed they were from American for Reform Now or something like that. When I dialed that number, I received this message: "Mailbox for Rob Olsen is full." While writing this email, I just received another call from this number. Now the recorded message was from Ohio for Fair Minimum Wage.

For the other call (from this morning) the information on my caller ID was "Amer Voice Retr 206-706-2650". When I dialed that number I got a recording which identified them as "People for Washington State Democrats... authorized by Kl 2006."

Thank you for your time and attention to this matter.

Cheryl Bollinger
Austintown, OH
consultants.

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

Margaret Sims/EAC/GOV
11/07/2006 09:45 AM
To Juliet E. Hodgkins/EAC/GOV@EAC
cc
Subject Re: VF and VI study

Yes (at T:\RESEARCH IN PROGRESS\VOTING FRAUD-VOTER INTIMIDATION\Interviews\Interview Summaries). Do you want me to do the same with those as I did with the literature summaries? --- Peggy

Juliet E. Hodgkins/EAC/GOV

Did Tova and Job provide us with summaries or notes of their interviews?

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

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM -----
Margaret Sims/EAC/GOV
11/07/2006 11:29 AM
To Juliet E. Hodgkins/EAC/GOV@EAC
cc
Subject Re: VF and VI study

OK, I will get started on the interview summaries today.

DOJ (Donsanto and Tanner) raised objections to the consultants' description of their interviews, which
Did Tova and Job provide us with summaries or notes of their interviews?

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General Counsel
United States Election Assistance Commission
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Washington, DC 20005
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11/07/2006 09:45 AM
To Juliet E. Hodgkins/EAC/GOV
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Subject Re: VF and VI study

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Juliet E. Hodgkins/EAC/GOV
11/07/2006 09:33 AM
To Margaret Sims/EAC/GOV@EAC
cc
Subject VF and VI study

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(202) 566-3100

--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM ----

Juliet E. Hodgkins/EAC/GOV
11/07/2006 09:47 AM
To Margaret Sims/EAC/GOV@EAC
cc
Subject Re: VF and VI study

that would be great. I am also interested in identifying the points of contention between DOJ and the
state that DOJ officials agreed they were bringing fewer intimidation and suppression cases. An advocacy group is going after DOJ, accusing the agency of doing just that for political reasons, so this is something DOJ wants corrected.

Apart from the consultants pre-existing bias that "the feds aren't doing enough", a big part of the problem appears to have been a misunderstanding over terminology. When our consultants used the term "intimidation", they included all sorts of suppression activities. When Craig Donsanto used the term "intimidation", he was using the definition under federal criminal vote fraud statutes, which requires the action be accompanied by threat of physical or economic harm. (He told me he has had only one such case in 30 years.) His office is actively pursuing voter suppression activities under statutes other than federal voter intimidation laws (e.g.; the recent case in NH where a campaign operative conspired to block election day GOTV telephone lines of the opposing party). A copy of Tanner's comments on the interview summary in the status report for the Standards and Advisory Boards meetings is attached.

I had many long discussions with Tova and Job about this. I was able to get them to soften their description (see 4th bullet on page 7 of the draft report), but not entirely to my satisfaction. Also, at the Working Group meeting, it was agreed that the consultants would add a note to their definition to clarify that the working definition for purposes of the research includes activities that do not meet the federal definition of voter intimidation. The resulting note on page 5 of the draft report is too vague.

DOJ has not seen everything the consultants put in the draft final report, so they may have additional concerns. For example, the consultants' recommendations include the following:

Attend the Department of Justice's Ballot Access and Voting Integrity Symposium. The consultants also believe it would be useful for any further activity in this area to include attendance at the next Ballot Access and Voting Integrity Symposium. According to the Department, DEOs are required to attend annual training conferences centered on combating election fraud and voting rights abuses. These conferences sponsored by the Voting Section of the Civil Rights Division and the Public Integrity Section of the Criminal Division, feature presentations by civil rights officials and senior prosecutors from the Public Integrity Section and the U.S. Attorneys' Offices. According to the Department, DEOs are required to attend annual training conferences centered on combating election fraud and voting rights abuses. These conferences sponsored by the Voting Section of the Civil Rights Division and the Public Integrity Section of the Criminal Division, feature presentations by civil rights officials and senior prosecutors from the Public Integrity Section and the U.S. Attorneys' Offices.

Footnote:
By attending the symposium researchers could learn more about the following:
How DEOs are trained, e.g. what they are taught to focus their resources on; How they are instructed to respond to various types of complaints; How information about previous elections and voting issues is presented; and, How the Voting Rights Act, the criminal laws governing election fraud and intimidation, the National Voter Registration Act, and the Help America Vote Act are described and explained to participants.

DOJ has stated that this is an internal meeting, involving only DOJ officials, US Attorneys and FBI. EAC researchers cannot be admitted without opening the meeting to other outsiders. DOJ does not want to do this, probably for two reasons: (1) confidential information on current enforcement cases may be discussed; and (2) making enforcement strategies public could give unscrupulous individuals a virtual "how to" manual for circumventing such strategies when committing election crimes.

We may also have a hard time gaining access to the DOE reports and the Voting Section records of complaints, as they probably aren't considered public documents.

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

Margaret Sims/EAC/GOV

Margaret Sims/EAC/GOV
11/07/2006 09:45 AM
To Juliet E. Hodgkins/EAC/GOV@EAC
cc
Subject Re: VF and VI study

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Juliet Thompson Hodgkins
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United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100
I am getting close to having a first cut at a report, minus a few key sections. Just wondering how those summaries are coming along.

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

Almost finished sorting through the interview summaries. I don't find them as helpful as the literature summaries, but hope to have something to you by the end of the day. (I was at the clinic yesterday, and could only work a half day.) --- Peggy

Juliet E. Hodgkins/EAC/GOV

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Juliet Thompson Hodgkins
General Counsel
United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100
Thanks. Currently, on the phone with Job. Ugh!!!!

Juliet Thompson Hodgkins
General Counsel
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(202) 566-3100

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I am getting close to having a first cut at a report, minus a few key sections. Just wondering how those summaries are coming along.
Sorry this is later than expected. I was missing the notes of one interview and had several computer crashes when I tried to retrieve archived email to determine if I had failed to file it after one of the consultants sent it. I finally gave up looking for it in favor of summarizing what I had.

Attached is a summary of points raised in the interviews. I found it more difficult to extract lessons learned from the interview notes, so I used a summary format. (The interview notes make it appear that the focus of the interviews differed from one person to another, perhaps because consultants were seeking different information from interviewees). I've also attached a list of interviewees with pertinent interview notes. (Some of the interview notes dealt with irregularities other than voting fraud and voter intimidation.) --- Peggy

Julie:

I just remembered that there was one other DOJ objection. It was about the way the consultants described the Election Crimes Branch focus on cases. In the interview with Donsanto (the only interview I attended), he made reference to the fact that the Election Crimes Branch used to only go after conspiracies, not individuals. Now, however, they had begun prosecuting individuals for noncitizen and felon voting. The consultants heard an unexpressed "instead", which would mean that DOJ had dropped pursuing conspiracies in favor of going after individuals. Based on my previous experience, I heard and unexpressed "in addition", meaning that DOJ was not just prosecuting conspiracies, the department also had begun to prosecute individuals.

I had lengthy discussions with the consultants over this issue as well. Donsanto confirmed that he meant "in addition", and the lists of cases he provided indicates that the department continues to pursue conspiracies. (It doesn't make sense any other way, unless you believe that the government is out to get the little guy.) --- Peggy
Peggy,

I have attached a rough draft of the report that I think that we should propose to the Commissioners. I was hoping that you could give it a read and give me your comments by Friday morning, as I have to deliver a draft to the Commissioners on Friday. I also have a couple of questions. You will notice that I have noted that several items will be attached as appendixes. First question: Should we attach these things? Second question: In cases where you have provided summaries of the summaries, should we attach yours or theirs?

EAC REPORT ON VOTER FRAUD AND VOTER INTIMIDATION STUDY.doc

Juliet Thompson Hodgkins
General Counsel
United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100
----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM -----
Thomas R. Wilkey/EAC/GOV
11/15/2006 12:23 PM
To Margaret Sims/EAC/GOV@EAC
cc
Subject Thor Hearn

Do you have contact information for this guy?

Thomas R. Wilkey
Executive Director
US Election Assistance Commission
1225 New York Ave, NW - Suite 1100
Washington, DC 20005
(202) 566-3109 phone
twilkey@eac.gov
----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM -----
Margaret Sims/EAC/GOV
11/15/2006 01:52 PM
To Thomas R. Wilkey/EAC/GOV
cc
Subject Re: Thor Hearn

Mark (Thor) Hearne II
Partner-Member
Do you have contact information for this guy?

Got it, and will get back to you by Friday AM. --- Peggy

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

--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM ---

Margaret Sims/EAC/GOV  
11/15/2006 04:02 PM  
To Juliet E. Hodgkins/EAC/GOV@EAC  
cc  
Subject Re: Draft Voter Fraud/Voter Intimidation

Got it, and will get back to you by Friday AM. --- Peggy

Juliet E. Hodgkins/EAC/GOV  
11/17/2006 09:44 AM  
To Margaret Sims/EAC/GOV@EAC  
cc  
Subject Re: Draft Voter Fraud/Voter Intimidation Report

Julie:

I really like the tone, focus, and organization of the paper. I also liked the way you interspersed the lists of Working Group members, interviewees, and reports reviewed with the text (drawing the reader's attention to the info, cutting down on the # of appendices, and giving the eye a break from regular text). Attached is your document with my comments, questions, and suggested changes. I did not do much to it.

Regarding your questions about the appendices:
I really did not prepare my summaries with an eye toward publication, but the consultants' summaries probably include incendiary info (particularly re DOJ interviews). As for the case law, we have multiple, voluminous charts, but no list. We can create a list from the charts, but that will take time. The Commissioners may want to see the consultants' or my summaries and the case law charts, but do we need to publish them?

Do we need to put short bios for Tova and Job in an appendix? --- Peggy

Juliet E. Hodgkins/EAC/GOV  
11/17/2006 09:44 AM  
To Margaret Sims/EAC/GOV@EAC  
cc  
Subject Re: Draft Voter Fraud/Voter Intimidation Report

0004 10
Thanks for your comments.

Last night, I took the case charts and assembled into one 200-page document. So, that is compiled. I have also amended to include Job and Tova’s bios as appendix “1”. I have established both your summaries and theirs into alternative appendixes and will talk to the commissioners about that. One question that I have is whether we would need to go through and “clean up” their summaries? I have compiled them into a single document (that is one for interviews and one for literature). Other than the DOJ issue, are there any other “problems” that you recall?

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

I’ll need to refresh my memory. I’ll take a look at them one more time and get back to you. Hope you enjoy your time out of the office, and have a happy turkey day. --- Peggy

Juliet E. Hodgkins/EAC/GOV

Thanks for your comments.

Last night, I took the case charts and assembled into one 200-page document. So, that is compiled. I have also amended to include Job and Tova’s bios as appendix “1”. I have established both your summaries and theirs into alternative appendixes and will talk to the commissioners about that. One question that I have is whether we would need to go through and “clean up” their summaries? I have compiled them into a single document (that is one for interviews and one for literature). Other than the DOJ issue, are there any other “problems” that you recall?

Juliet Thompson Hodgkins
General Counsel
United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100
Thanks so much for all of your help. Have a very Happy Thanksgiving.

-------------------
Sent from my BlackBerry Wireless Handheld
Margaret Sims

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

From: Margaret Sims
Sent: 11/17/2006 02:54 PM
To: Juliet Hodgkins
Subject: Re: Draft Voter Fraud/Voter Intimidation Report

I'll need to refresh my memory. I'll take a look at them one more time and get back to you. Hope you enjoy your time out of the office, and have a happy turkey day. --- Peggy

Juliet E. Hodgkins/EAC/GOV

Juliet E. Hodgkins/EAC/GOV
11/17/2006 09:44 AM
To: Margaret Sims/EAC/GOV@EAC
cc
Subject: Re: Draft Voter Fraud/Voter Intimidation Report

Thanks for your comments.

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Juliet Thompson Hodgkins
General Counsel
United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100
The feature of this initiative, aside from enhancing the priority these cases will get in the Bureau, is that each of the Bureau's 57 Field Divisions will have at least one "Election Coordinator Agent" who will be the equivalent of the District Election Officer AUSAs. We have been training these new FBI-types: the week before last we had roughly 75 of them in Denver in a very well received two-day session in election law enforcement at which several FEC people spoke. On Wednesday, I head out to Portland, Oregon for more of the same.

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, April 17, 2006 9:00 AM
To: Donsanto, Craig
Subject: Fw: Announcement of FBI Election Crimes Initiative

Hi, Craig:

Tova noticed an article about an FBI initiative against election crimes (see attached email). Is this something new, or is it more of the same initiative that you addressed in your interview? If it is new, would you have time for a teleconference with Job and Tova to answer any questions they may have on the initiative?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/17/2006 08:56 AM -----

04/16/2006 11:39 AM
Hi Peg,

Happy Easter!

Would it be possible to talk to Mr. Donsanto about this latest initiative, or somehow get more information? Thanks. Tova

<http://www.fbi.gov/page2/april06/electioncrime041406.htm>

http://www.fbi.gov/page2/april06/electioncrime041406.htm

Peggy:

This is incorrect. Our project ends May 31. This month's invoice is due on April 21 and is invoice number 3. Invoice number 4 is due at the end of May.

--- psims@eac.gov wrote:
> Attached is an updated invoice schedule for the FY 06 contracts for the Voting Fraud/Voter Intimidation project. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM ---

"Tova Wang"

To psims@eac.gov,
cc

Subject RE: Follow up Donsanto and KY Interviews

Any time Friday is fine for me. Thanks

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, April 17, 2006 8:05 AM
To: 
Subject: Re: Follow up Donsanto and KY Interviews

Tova and Job:

I've passed Tova's request on to Craig.

Also, Sarah Ball Johnson, KY, finally called back to say she would be available Wednesday through Friday this week and next week for the interview. Which day and time is best for you and Job?

--- Peggy
Hi Peg,

Happy Easter!

Would it be possible to talk to Mr. Donsanto about this latest initiative, or somehow get more information? Thanks. Tova

http://www.fbi.gov/page2/april06/electioncrime041406.htm

---

Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM ---

"Job Serebrov"

To psims@eac.gov

cc

Subject Re: Follow up Donsanto and KY Interviews

---

Next week is out for me. I need to check my schedule this week. Is this the last interview that you were able to arrange?

--- psims@eac.gov wrote:

> Tova and Job:
> I've passed Tova's request on to Craig.
> Also, Sarah Ball Johnson, KY, finally called back to say she would be available Wednesday through Friday this week and next week for the interview. Which day and time is best for you and Job?
> --- Peggy
> 04/16/2006 11:39 AM
> To psims@eac.gov
> cc "Tova Wang"
> Subject donsanto again
Hi Peg,

Happy Easter!

Would it be possible to talk to Mr. Donsanto about this latest initiative, or somehow get more information? Thanks. Tova

http://www.fbi.gov/page2/april06/electioncrime041406.htm

--- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM ---

Good Morning Peg,

That works for me....I will stay off the phone and wait on the call.

Have A Great Weekend,

Tony

--- Original Message ---
From: psims@eac.gov
To: [redacted]
Sent: Thursday, April 06, 2006 2:27 PM
Subject: Re: Fw: Nonpartisan Local Election Official Needed for Voting Fraud/Voter Intimidation Working Group

Tony:

How about scheduling the teleconference with our consultants for 10 AM CST/11 AM EST on Wednesday, April 12? --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM ---

Margaret Sims/EAC/GOV
04/17/2006 08:59 AM
To: Craig Donsanto
cc
Subject: Fw: Announcement of FBI Election Crimes Initiative
Hi, Craig:

Tova noticed an article about an FBI initiative against election crimes (see attached email). Is this something new, or is it more of the same initiative that you addressed in your interview? If it is new, would you have time for a teleconference with Job and Tova to answer any questions they may have on the initiative?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
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Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

Hi Peg,

Happy Easter!

Would it be possible to talk to Mr. Donsanto about this latest initiative, or somehow get more information? Thanks. Tova

http://www.fbi.gov/page2/april06/electioncrime041406.htm

Good Afternoon Peg,

I will make the call as scheduled. I am still in shock about Ray.

Tony
Tony: We have set up your telephone interview with our 2 consultants (Job Serebrov and Tova Wang) as a teleconference. Please call (toll free) at around 10 AM CST on Wed 4/12. At the prompt for the passcode, Tova and Job will join you on the line. This works best if you use a land line, rather than a cell phone.

If you have trouble connecting, please call Nicole Mortellito at our office. Thanks!

Peggy

Peggy

--- Original Message ---
From: psims@eac.gov
To: Tony Sirvello
Sent: Monday, April 10, 2006 6:04 PM
Subject: Re: Fw: Nonpartisan Local Election Official Needed for Voting Fraud/Voter Intimidation Working Group

Tony: Good Morning Peg,

That works for me....I will stay off the phone and wait on the call.

Have A Great Weekend,

Tony

--- Original Message ---
From: Tony J. Sirvello III
Sent: 04/07/2006 08:52 AM
To: Margaret Sims
Subject: Re: Fw: Nonpartisan Local Election Official Needed for Voting Fraud/Voter Intimidation Working Group

Tony:

How about scheduling the teleconference with our consultants for 10 AM CST/11 AM EST on Wednesday, April 12? --- Peggy
The 4th batch. More to come tomorrow.
Peg Sims

OK, I get it. The text in the attachment follows:

EXCERPTS FROM TEXAS ELECTION CODE

SUBCHAPTER B. COUNTY ELECTIONS ADMINISTRATOR

***

§ 31.032. APPOINTMENT OF ADMINISTRATOR; COUNTY ELECTION COMMISSION.

(a) The position of county elections administrator is filled by appointment of the county election commission, which consists of:

1. the county judge, as chair;
2. the county clerk, as vice chair;
3. the county tax assessor-collector, as secretary; and
4. the county chair of each political party that made nominations by primary election for the last general election for state and county officers preceding the date of the meeting at which the appointment is made.

(b) The affirmative vote of a majority of the commission's membership is necessary for the appointment of an administrator.

(c) Each appointment must be evidenced by a written resolution or order signed by the number of commission members necessary to make the appointment. Not later than the third day after the date an administrator is appointed, the officer who presided at the meeting shall file a signed copy of the resolution or order with the county clerk. Not later than the third day after the date the copy is filed, the county clerk shall deliver a certified copy of the resolution or order to the secretary of state.

(d) The initial appointment may be made at any time after the adoption of the order creating the position.
§ 31.035. RESTRICTIONS ON POLITICAL ACTIVITIES.

(a) A county elections administrator may not be a candidate for a public office or an office of a political party, hold a public office, or hold an office of or position in a political party. At the time an administrator becomes a candidate or accepts an office or position in violation of this subsection, the administrator vacates the position of administrator.

(b) A county elections administrator commits an offense if the administrator makes a political contribution or political expenditure, as defined by the law regulating political funds and campaigns, or publicly supports or opposes a candidate for public office or a measure to be voted on at an election. An offense under this subsection is a Class A misdemeanor. On a final conviction, the administrator's employment is terminated, and the person convicted is ineligible for future appointment as county elections administrator.

--- psims@eac.gov wrote:

> Did you look at the attached excerpts from Texas Code? --- Peggy

--- "Job Serebrov" wrote:

> The code attachment did not work that is what I meant by it did not come through.

--- "Job Serebrov" wrote:

> 05/09/2006 11:38 AM
We have the same set-up here in Arkansas. We hired a person just like Perez. However, given this, I would still like to know if he has a party affiliation and this brings up another issue. How is the county election commission chosen. In Arkansas it is the Chairmen of the Republican and Democrat Parties or if he/she does not want to serve a person is elected in his/her stead and a third member picked by the party with the most constitutional officers. Practically that has meant that the Democrats have controlled election commissions in Arkansas since the end of Reconstruction. This is why I want to know the situation in Texas.

--- psims@eac.gov wrote:

As you may recall, the Commissioners directed me to find a nonpartisan local election official to serve on the Working Group. The three of us discussed the desirability of having a Hispanic. I proposed that I find someone from Texas because of that State's colorful history of voting fraud and their innovative approaches to combat it.

In those Texas counties that hire Election Administrators to run elections, rather than having elected officials do so (Tax Assessor for voter registration; County Clerk for balloting), the Election Administrator is hired by the County Election Commission and is supposed to perform his or her duties in a nonpartisan manner. (See attached excerpts from Texas Election Code regarding election administrator hiring and restrictions on partisan activity.) Any experienced Texas election official will be familiar with voting fraud and voter intimidation schemes used in that State.

Mr. Perez has over 13 years experience as a county Election Administrator in Texas. You won't find many news articles mentioning him because he has kept his nose clean. (The Texas press, as in many other parts of the country, prefers to report bad news.) Mr. Perez is plugged into the
> association of Texas
> election officials and the two largest
> organizations
> of election officials
> in this country: the International Association of
> Clerks, Recorders,
> Election Officials and Treasurers (IACREOT); and
> The
> Election Center. He
> is a past President and past Chairman of the
> Legislative Committee for the
> Texas Association of Election Administrators. He
> currently serves on
> IACREOT's Election Officials Committee, which
> plans
> sessions for election officials that are conducted
> at that organization's
> conferences. His peers in IACREOT and The
> Election
> Center have selected
> his submissions on web presentations (IACREOT) and
> professional
> practices papers (Election Center) for awards.
> Mr.
> Perez also has access
> to information from other States through his
> membership in IACREOT and The
> Election Center. He also has a sense of humor,
> which you will note if you
> access the staff web page on the Guadalupe County
> Elections web site and
> hear the Mission Impossible theme .. something
> that
> might be useful in the
> upcoming meeting.
> Guadalupe County is small but growing. In 2004,
> the
> county had over 65
> thousand registered voters (a number more than
> doubled the number of
> registered voters in 1988). A third of the
> county's
> population claims
> Hispanic or Latino origin, according to the U.S.
> Census Bureau. The county
> is in south central Texas and is bordered by
> Comal,
> Hays, Cladwell,
> Gonzales, Wilson, and Bexar counties. In the
> 1980s,
> the county was
> predominately a farming community; but in recent
> years, many people have
> moved from San Antonio (Bexar County) to Guadalupe
> County, preferring to
> live in Guadalupe County and work in Bexar County.
> --- Peggy
Peggy:

What political party is Perez with? How political is he? Is the position in Texas neutral or political? Who appointed Perez?

As to Pat I will contact him but I can't promise anything. If Pat can't come, who is getting knocked off Tova's list?

Job
--- psims@eac.gov wrote:

>Tova just sent me the summary you prepared of The
>Federal Crime of
>Election Fraud by Craig Donsanto. There is
>something wrong in the fourth
>paragraph (odd characters and missing text). Can
>you please send a
>replacement fourth paragraph? You can send it in
>an email and I will
>place it in the document. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM -----

Margaret Sims/EAC/GOV
05/12/2006 10:19 AM
To Tova Andrea Wang, Job Serebrov
cc
Subject Fraud Definition

Would you please take a look at the attached? I combined both of your definitions, reformatted the list, removed a reference to the fraud having to have an actual impact on the election results (because fraud can be prosecuted without proving that it actually changed the results of the election), and taken out a couple of vague examples (e.g., reference to failing to enforce state laws --- because there may be legitimate reasons for not doing so).

I have made contact with Ben Ginsberg's office and am waiting to hear if he accepts our invitation to join the working group. --- Peggy

Fraud Project Definition-rev 5-12-06.doc

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM -----

Margaret Sims/EAC/GOV
04/27/2006 09:24 AM
To "Weinberg and Utrecht"
cc
Subject Re: Voting Fraud-Voter Intimidation Project

Thanks! I'll get back to you. --- Peggy

"Weinberg and Utrecht"

"Weinberg and Utrecht"
04/27/2006 07:56 AM
To psims@eac.gov
cc
Subject Re: Voting Fraud-Voter Intimidation Project

000423
Peggy:

You've hit the jackpot! I'm available, with 2 exceptions, every hour of every day from May 15 through May 19. I am not available Thursday morning, May 18, or Friday afternoon, May 19.

Barry

----- Original Message ----- 
From: psims@eac.gov
To: Barry Weinberg
Sent: Wednesday, April 26, 2006 8:28 PM
Subject: Re: Voting Fraud-Voter Intimidation Project

Barry:
Are you available any days in the third week of May?
Peggy

------------
Sent from my BlackBerry Wireless Handheld

----- Original Message ----- 
From: "Weinberg and Utrecht"
Sent: 04/04/2006 08:14 AM
To: Margaret Sims
Subject: Re: Voting Fraud-Voter Intimidation Project

Peggy:

May looks pretty good right now. I will not be available May 1, or in the morning (before 12:30) on May 4 or May 11, or in the afternoon on May 10.

Barry

----- Original Message ----- 
From: psims@eac.gov
To: peggy@eac.gov
Sent: Monday, April 03, 2006 3:15 PM
Subject: Voting Fraud-Voter Intimidation Project

Hi, Barry:

I'm trying to arrange a meeting of the Working Group for EAC's Voting Fraud-Voter Intimidation project. Would you please look at your schedule and let me know if there are any days during the first 2 weeks of May that you would NOT be available?

Peggy Sims
Electoral Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 886-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov
Your response suggests that you do not care what the Commissioners may think about the effort. ---

Peggy

"Job Serebrov" <serebrov@sbcglobal.net>

--- p@saexternal wrote:

According to the Commissioners, you and Tova each
got to pick three
members of the Working Group. The Commission
guidance regarding this
particular member follows:

4 people from the Academic, Legal and Advocacy
sectors - 2 to be chosen by
Tova and 2 to be chosen by Job.

This issue of allowing a designee relates to Tova's
pick.

As I understand it, we are working on a replacement
for Norcross. If
Ginsberg is not viable, how about Mark Braden, who
includes public
integrity in his areas of specialization. I would
not try and stir up
other members of the Working Group, if I were you.
The effort is likely
to come back and bite you.
I really don't care if he represents the organization or not. What mixed race? The entire discussion was because Arnwine was African-American. If you are going to invite him without first having a replacement for my side, I may have to call Thor and Todd and discuss all of this.

--- psims@eac.gov wrote:

Greenbaum is representing Arnwine, not replacing her. He works for her organization and is of mixed race. --- Peggy

I have an objection to Greenbaum. While I realize he comes from an advocacy group, he is not a minority attorney and we already have a rep who worked with DOJ. If it is to be Greenbaum, I would rather not fill that position since I am one down.
--- Tova Wang <wang@tcf.org> wrote:

> is Jon Greenbaum
>
> Here's his info in full:
>
> http://www.lawyerscommittee.org/2005website/aboutus/staff/staffgreenbaum.htm
>
> He is the Director of the Voting Rights Project for the Lawyers Committee for Civil Rights. He will be representing Barbara Arnwine, the Executive Director of the Lawyers Committee.

> His contact and mailing info is:

> Tova Andrea Wang
> Democracy Fellow
> The Century Foundation
> 1140 17th Street, NW
> Washington, DC 20036


> Click here to receive our weekly e-mail updates.
Do you have text to replace the corrupted text in paragraph 4? --- Peggy

--- psims@eac.gov wrote:

> Tova just sent me the summary you prepared of The Federal Crime of Election Fraud by Craig Donsanto. There is something wrong in the fourth paragraph (odd characters and missing text). Can you please send a replacement fourth paragraph? You can send it in an email and I will place it in the document. --- Peggy

Dear Tova,

I am working with Peggy Sims in order to set a date for the Voting Fraud/Voter Intimidation Project Working Group. I have been trying to reach Barbara Arnwine in order to find out which days in May she is potentially available to attend this meeting but all of my attempts have been unsuccessful.

I would appreciate any help that you could provide in this matter.
As you may recall, the Commissioners directed me to find a nonpartisan local election official to serve on the Working Group. The three of us discussed the desirability of having a Hispanic. I proposed that I find someone from Texas because of that State's colorful history of voting fraud and their innovative approaches to combat it. In those Texas counties that hire Election Administrators to run elections, rather than having elected officials do so (Tax Assessor for voter registration; County Clerk for balloting), the Election Administrator is hired by the County Election Commission and is supposed to perform his or her duties in a nonpartisan manner. (See attached excerpts from Texas Election Code regarding election administrator hiring and restrictions on partisan activity.)

Any experienced Texas election official will be familiar with voting fraud and voter intimidation schemes used in that State. Mr. Perez has over 13 years experience as a county Election Administrator in Texas. You won't find many news articles mentioning him because he has kept his nose clean. (The Texas press, as in many other parts of the country, prefers to report bad news.) Mr. Perez is plugged into the association of Texas election officials and the two largest organizations of election officials in this country: the International Association of Clerks, Recorders, Election Officials and Treasurers (IACREOT); and The Election Center. He is a past President and past Chairman of the Legislative Committee for the Texas Association of Election Administrators. He currently serves on IACREOT’s Election Officials Committee, which plans the educational sessions for election officials that are conducted at that organization’s conferences. His peers in IACREOT and The Election Center have selected his submissions on web presentations (IACREOT) and his professional practices papers (Election Center) for awards. Mr. Perez also has access to information from other States through his membership in IACREOT and The Election Center. He also has a sense of humor, which you will note if you access the staff web page on the Guadalupe County Elections web site and hear the Mission Impossible theme... something that might be useful in the upcoming meeting.

Guadalupe County is small but growing. In 2004, the county had over 65 thousand registered voters (a number more than doubled the number of registered voters in 1988). A third of the county’s population claims Hispanic or Latino origin, according to the U.S. Census Bureau. The county is in south central Texas and is bordered by Comal, Hays, Cladwell, Gonzales, Wilson, and Bexar counties. In the 1980s, the county was predominately a farming community; but in recent years, many people have moved from San Antonio (Bexar County) to Guadalupe County, preferring to live in Guadalupe County and work in Bexar County.

--- Peggy
Peggy:

What political party is Perez with? How political is he? Is the position in Texas neutral or political? Who appointed Perez?

As to Pat I will contact him but I can't promise anything. If Pat can't come, who is getting knocked off Tova's list?

Job

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM ----- 
Devon E. Romig/EAC/GOV
04/24/2006 04:41 PM
To Margaret Sims/EAC/GOV@EAC
cc
Subject Updated scheduling list and Contact info

Peggy,

Here is the most updated version of the list that I have available.

Work Group Contact Availability Info.xls

Thanks,

Devon Romig
U.S. Election Assistance Commission
1225 New York Ave. NW - Suite #1100
Washington, D.C. 20005
(202)566-2377
----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM ----- 
"Donsanto, Craig"
<Craig.Donsanto@usdoj.gov>
To psims@eac.gov
cc
Subject RE: Your Materials
As I have alerted Nicole, the call is not working. Someone ought to get in touch with Kevin -- I do not have his contact information.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, April 10, 2006 8:45 PM
To: Tova Andrea Wang; Job Serebrov
Subject: Kennedy Interview

It appears that the teleconference with Kevin Kennedy is set for tomorrow, April 11, at 10:30 AM CST/11:30 AM EST. Use the usual phone number and passcode.

If you have trouble connecting, contact Nicole.

Peg

--------------------------
Sent from my BlackBerry Wireless Handheld

----- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM -----

Nicole Mortellito/CONTRACTOR/EA C/GOV
04/11/2006 11:45 AM

To "Tova Wang" [mailto:GSAEXTERNAL]
cc psims@eac.gov, "Job Serebrov"

Subject RE: Kennedy Interview

the call is up and running!! you may dial in

Regards,

Nicole K. Mortellito
Research Assistant
U.S. Election Assistance Commission
1225 New York Avenue - Suite 1100
Washington, DC
202.566.2209 phone
202.566.3128 fax

"Tova Wang"

04/11/2006 11:42 AM

To psims@eac.gov, "Job Serebrov" <serebrov@sbcglobal.net>
cc
As I have alerted Nicole, the call is not working. Someone ought to get in touch with Kevin -- I do not have his contact information.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, April 10, 2006 8:45 PM
To: Tova Andrea Wang; Job Serebrov
Subject: Kennedy Interview

It appears that the teleconference with Kevin Kennedy is set for tomorrow, April 11, at 10:30 AM CST/11:30 AM EST. Use the usual phone number and passcode.

If you have trouble connecting, contact Nicole.

Peg

--------------------------
Sent from my BlackBerry Wireless Handheld

----- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM -----

Nicole Mortellito/CONTRACTOR/EA C/GOV
04/10/2006 10:05 AM
To Margaret Sims/EAC/GOV@EAC
cc
Subject Re: Teleconference set up

You are set for the 12th at 11am.

Regards,

Nicole K. Mortellito
Research Assistant
U.S. Election Assistance Commission
1225 New York Avenue - Suite 1100
Washington, DC
202.566.2209 phone
202.566.3128 fax
Margaret Sims/EAC/GOV
Sure. But where is the resistance coming from? The notes were not accurate. As you know, I have to be very concerned about that.

---

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 16, 2006 12:34 PM
To: Donsanto, Craig
Subject: RE: Your Materials

Craig:

I am getting some resistance from my consultants to correcting the summary of the interview prior to the meeting. Would you mind noting the corrections at the meeting? --- Peggy

---

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/16/2006 12:06 PM

Thank you, Peg. This stuff is very interesting.

---

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 16, 2006 11:27 AM
To: Donsanto, Craig
Subject: Re: Your Materials

I have forwarded your message to our consultants and have requested a corrected version for distribution at the WG meeting. --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
Peg - -

I have read over the materials you sent to me and viewed the pieces on the CD.

I have only one correction:

I did not say that offenders who receive target letters routinely request - - or routinely receive - - audiences here at DOJHQ. That is very rare. Instead, what usually happens is that once a subject for an election fraud investigation is advised that he or she is going to be charged that person usually enters into plea negotiations and ultimately pleads guilty. Very few federal election fraud cases go to trial. When a subject does request a HQ interview or a HW hearing, it would be held in the first instance by myself. But again, Peg, that is rare.

Also, while the occurrences of prosecutions of isolated instances of felons and alien voters and double voters has increased, we still aggressively and I believe quite successfully pursue systematic schemes to corrupt the electoral process, as the cases we brought recently out of Knott and Pike Counties in Kentucky, those we brought out of Lincoln and Logan Counties in West Virginia, and those we brought in New Hampshire growing out of the jamming of get0-out-the-vote phone bank lines attest.
What about my question on gas receipts?

Job

--- psims@eac.gov wrote:

> I can email this out to our participants after I get
> back to the office, and we can have copies available
> at the meeting.
> Peggy
> --------------------------
> Sent from my BlackBerry Wireless Handheld
> 
> 
> ----- Original Message ----- 
> From: wang 
> Sent: 05/13/2006 10:54 AM 
> To: psims@eac.gov 
> Cc: "Job Serebrov" <serebrov@sbcglobal.net> 
> Subject: Fw: research summary 
> 
> Job found it. I'm assuming its too late to include 
> so as I said I'll just 
> present it if thats OK. Thanks again Job. T
> ----- Original Message ----- 
> From: "Job Serebrov" 
> To: 
> Sent: Saturday, May 13, 2006 10:12 AM 
> Subject: Re: research summary 
> 
> T-
> 
> Are you talking about this?
> J-
> ***
> >> In the middle of the night I got the feeling that 
> >> you may be right, that I did do a summary of the 
> >> existing literature review (that Job, you 
> >> approved) 
> >> I'll have to look for it on Monday (unless I go 
> >> into the office over the weekend, which is 
> >> possible). I may be hallucinating, but if not, 
> >> I'll 
> >> just present it at the meeting rather than try to 
> >> get it to them ahead of time. Tova
> 
> --- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM ---

"Tova Wang"

05/22/2006 06:07 PM 

To psims@eac.gov 
cc
Subject RE: PowerPoint Presentation to EAC Boards

I don't know if it's too late, but in the interview summary we actually said there is widespread but not unanimous agreement that there is little polling place fraud. That's quite different than saying, as you do here, that there is disagreement.

----- Original Message -----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, May 22, 2006 3:56 PM
To: [redacted]
Subject: PowerPoint Presentation to EAC Boards

FYI - Attached is a copy of the PowerPoint presentation on the voting fraud-voter intimidation research project for tomorrow's meetings of the EAC Standards Board (110 state and local election officials) and the EAC Advisory Board (37 representatives from national associations and government agencies who play a role in HAVA implementation and from science and technology-related professions appointed by Congressional members). I used your summaries as the primary source of information for the presentation. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM -----

Devon E. Romig/EAC/GOV
05/25/2006 02:37 PM

To: Margaret Sims/EAC/GOV@EAC
cc
Subject: Summary for VFVI working group meeting

Peggy,

Here is the summary that you requested. Let me know if this works.

Thanks!

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov

VFVI Meeting Summary.doc
----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM -----

Margaret Sims/EAC/GOV
05/16/2006 02:47 PM

To: "Donsanto, Craig"
   <Craig.Donsanto@usdoj.gov>@GSAEXTERNAL
cc
Subject RE: Your Materials

I think they are panicking because they are preparing to travel tomorrow and may not have time to submit a revised version. They also are resisting changes to their interview summaries because the summaries represent what they think they heard. I was there at the interview and I heard what you said. I'm not sure that either of them heard everything (including the nuances) because so much of the information was new to them and it was one of their earlier interviews. I'm sorry I did not catch the defects before the summary went out.

My first concern is ensuring that the Working Group has the correct information. Then, we can deal with what version, if any, goes in the final report. Do you want me to excerpt the corrections from your email and submit them to the Working Group? --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

Sure. But where is the resistance coming from? The notes were not accurate. As you know, I have to be very concerned about that.

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 16, 2006 12:34 PM
To: Donsanto, Craig
Subject: RE: Your Materials

Craig:

I am getting some resistance from my consultants to correcting the summary of the interview prior to the meeting. Would you mind noting the corrections at the meeting? --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
Thank you, Peg. This stuff is very interesting.

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 16, 2006 11:27 AM
To: Donsanto, Craig
Subject: Re: Your Materials

I have forwarded your message to our consultants and have requested a corrected version for distribution at the WG meeting. --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/16/2006 10:46 AM

To: psims@eac.gov
cc: Topsims@eac.gov
Subject: Your Materials

Peg --

I have read over the materials you sent to me and viewed the pieces on the CD.

I have only one correction:

I did not say that offenders who receive target letters routinely request - or routinely receive - audiences here at DOJHQ. That is very rare. Instead, what usually happens is that once a subject for an
election fraud investigation is advised that he or she is going to be charged that person usually enters into plea negotiations and ultimately pleads guilty. Very few federal election fraud cases go to trial. When a subject does request a HQ interview or a HW hearing, it would be held in the first instance by myself. But again, Peg, that is rare.

Also, while the occurrences of prosecutions of isolated instances of felons and alien voters and double voters has increased, we still aggressively and I believe quite successfully pursue systematic schemes to corrupt the electoral process, as the cases we brought recently out of Knott and Pike Counties in Kentucky, those we brought out of Lincoln and Logan Counties in West Virginia, and those we brought in New Hampshire growing out of the jamming of getO-out-the-vote phone bank lines attest.

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM -----

05/12/2006 09:48 PM To psims@eac.gov
cc
Subject Re: Fraud Definition

How about specifying Section 2 and 203 of the VRA?
----- Original Message -----
From: psims@eac.gov
To: [redacted]
Sent: Friday, May 12, 2006 1:34 PM
Subject: RE: Fraud Definition

Lets raise this issue at the meeting. (I'll add "DRAFT" to the current document.) My concern is that there are a number of requirements in the Voting Rights Act. Not all of them are considered election fraud, when violated. For example, failure to preclear changes in election procedures is not treated as election fraud, though it is actionable. --- Peggy

"Tova Wang" 05/12/2006 12:45 PM To psims@eac.gov
cc
Subject RE: Fraud Definition

Upon first reading, my only comment would be that I would like to restore "failing to follow the
requirements of the Voting Rights Act"

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Friday, May 12, 2006 9:20 AM
To: psims@eac.gov
Subject: Fraud Definition

Would you please take a look at the attached? I combined both of your definitions, reformatted the list, removed a reference to the fraud having to have an actual impact on the election results (because fraud can be prosecuted without proving that it actually changed the results of the election), and taken out a couple of vague examples (e.g., reference to failing to enforce state laws --- because there may be legitimate reasons for not doing so).

I have made contact with Ben Ginsberg's office and am waiting to hear if he accepts our invitation to join the working group. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM -----
"Donsanto, Craig"
<Craig.Donsanto@usdoj.gov>
05/16/2006 02:55 PM
Subject RE: Your Materials

The first item is not as big a deal as the second one: the processes under which subjects of investigations come to Jesus is not as important as the overall assessment of our law enforcement achievements. But stressing the isolated test cases we brought - - and will continue to bring - - to deter things like felon voting, alien voting and double voting, which not mentioning such significant achievements as the five case PROJECTS mentioned in my last e-mail - - misrepresents what we are doing and the deterrent message we are trying to communicate.

I appreciate that these two young people may have found themselves in a Brave New World when they came over here. It showed in their questioning. But the fact that criminal law enforcement is not all similar to preventative legal relief (as under the Voting Rights Act) or civil relief (as election contest litigation) is I guess more of a problem than I at first foresaw. My real concern is that the civil rights groups - - with whom we over here have an amazing amount of common grounds - - will take the singling out of the felon and alien voter cases as evincing a malevolent aggression on their constituencies. That is not the case. We are only enforcing the law.

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 16, 2006 2:47 PM
To: Donsanto, Craig
Subject: RE: Your Materials

I think they are panicking because they are preparing to travel tomorrow and may not have time to submit a revised version. They also are resisting changes to their interview summaries because the summaries represent what they think they heard. I was there at the interview and I heard what you said. I'm not sure that either of them heard everything (including the nuances) because so much of the information was new to them and it was one of their earlier interviews. I'm sorry I did not catch the defects before the summary
went out.

My first concern is ensuring that the Working Group has the correct information. Then, we can deal with what version, if any, goes in the final report. Do you want me to excerpt the corrections from your email and submit them to the Working Group? --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/16/2006 01:41 PM
topsims@eac.gov
cc
Subject: RE: Your Materials

Sure. But where is the resistance coming from? The notes were not accurate. As you know, I have to be very concerned about that.

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 16, 2006 12:34 PM
To: Donsanto, Craig
Subject: RE: Your Materials

Craig:

I am getting some resistance from my consultants to correcting the summary of the interview prior to the meeting. Would you mind noting the corrections at the meeting? --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/16/2006 12:06 PM
topsims@eac.gov
cc
Subject: RE: Your Materials
Thank you, Peg. This stuff is very interesting.

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 16, 2006 11:27 AM
To: Donsanto, Craig
Subject: Re: Your Materials

I have forwarded your message to our consultants and have requested a corrected version for distribution at the WG meeting. --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/16/2006 10:46 AM
I have read over the materials you sent to me and viewed the pieces on the CD.

I have only one correction:

I did not say that offenders who receive target letters routinely request or routinely receive audiences here at DOJHQ. That is very rare. Instead, what usually happens is that once a subject for an election fraud investigation is advised that he or she is going to be charged that person usually enters into plea negotiations and ultimately pleads guilty. Very few federal election fraud cases go to trial. When a subject does request a HQ interview or a HW hearing, it would be held in the first instance by myself. But again, Peg, that is rare.

Also, while the occurrences of prosecutions of isolated instances of felons and alien voters and double voters has increased, we still aggressively and I believe quite successfully pursue systematic schemes to corrupt the electoral process, as the cases we brought recently out of Knott and Pike Counties in Kentucky, those we brought out of Lincoln and Logan Counties in West Virginia, and those we brought in New Hampshire growing out of the jamming of get0-out-the-vote phone bank lines attest.

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:21 PM ---

Margaret Sims/EAC/GOV
05/16/2006 02:37 PM
To Elieen L. Collver/EAC/GOV
cc dromig@eac.gov
Subject Re: Tent Cards

Oops! I hit send prematurely. Here is the attachment. --- Peggy

Working Group Attendees 5-18-06.doc

Elieen L. Collver/EAC/GOV
05/16/2006 01:38 PM
To Margarat Sims/EAC/GOV@EAC
cc dromig@eac.gov
Subject Re: Tent Cards

Please forward list...there was no attachment. thanks!

Elle L.K Collver
Attached is a list of folks who will be attending the Voting Fraud-Voter Intimidation Working Group meeting. I have asterisked the names that will require tent cards. I am working on a seating chart so that we can be sure the Ds and the Rs aren't all seated together in a "them vs. us" pattern. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:21 PM ---

Peg --

At the Advisory Board meeting we had last week, your two contractors asked to interview the over-100 AUSAs who are serving as District Election Officers in connection with the Fraud study.

This request needs to be addressed to Natalie Voris of EOUSA per the message from here that follows.

If the contractors require additional information in connection with the Fraud Study, and should EOUSA not be able to satisfy their needs they can communicate with me on criminal issues and Cameron Quinn on Civil Rights issues.

I will be here when you arrive later today at the Board of Advisors meeting when you arrive to talk to us at 4:30.

Ms. Voris' message follows:

Per the USAM, all requests for interviews/surveys/research projects that involve USAOs must be approved by EOUSA. I am pasting the provision
below - the contact name needs to be updated. Requests should come to me, as the Acting Counsel to the Director.

Thanks,
Natalie

Sent from Dr. D’s Fabulous BlackBerry Wireless Handheld

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:21 PM ----
Margaret Sims/EAC/GOV
05/24/2006 03:17 PM
To “Tova Wang” 
to Tova Wang
cc Jeannie Layson/EAC/GOV@EAC, bwhitener@eac.gov
Subject Re: press interview

Thanks for the "heads up". --- Peggy

“Tova Wang”

“Tova Wang”
05/24/2006 02:52 PM
To psims@eac.gov
cc
Subject press interview

Hi Peg,

Just wanted to give you the heads up that I did an interview with a reporter from The Hill today on fraud. As far as I know he is simply referring to me as a fellow at TCF and I did not discuss the project in any way.

Tova Andrea Wang
Democracy Fellow
The Century Foundation

Visit our Web site, for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:21 PM ----
“Donsanto, Craig”
<Craig.Donsanto@usdoj.gov >
To psims@eac.gov
cc “Hillman, Noel” <Noel.Hillman@usdoj.gov>, “Simmons,
Thank you for this, Peg.

The third bullet point is one I embrace fully. We lack the statutory tools to do the job. Hopefully, that can be remedied through legislation. But as things stand today, large loopholes in the federal legal matrix addressing electoral abuse and fraud exist—particularly when such abuses occur in elections where there were no federal candidates on the ballot.

Existing Research Analysis

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

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

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

Other items of note:
• There is as much evidence, and as much concern, about structural forms of disenfranchisement as about intentional abuse of the system. These include felon disenfranchisement, poor maintenance of databases and identification requirements.

• There is tremendous disagreement about the extent to which polling place fraud, e.g. double voting, intentional felon voting, noncitizen voting, is a serious problem. On balance, more researchers find it to be less of a problem than is commonly described in the political debate, but some reports say it is a major problem, albeit hard to identify.

• There is substantial concern across the board about absentee balloting and the opportunity it presents for fraud.

• Federal law governing election fraud and intimidation is varied and complex and yet may nonetheless be insufficient or subject to too many limitations to be as effective as it might be.

• Deceptive practices, e.g. targeted flyers and phone calls providing misinformation, were a major problem in 2004.

• Voter intimidation continues to be focused on minority communities, although the American Center for Voting Rights uniquely alleges it is focused on Republicans.

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>  
05/15/2006 04:53 PM  Topsims@eac.gov  
cc  
Subject: Re: Voting Fraud-Voter Intimidation Working Group

Peggy --

I am currently on train in transit back from a day in Newark. I tried to recover your attachment on Blackberry but got a message telling me the "file is empty."

Can you paste it to an e-mail perhaps?
-------------------------
Sent from Dr. D's Fabulous BlackBerry Wireless Handheld
Dear Working Group Members and Participants:

You should receive a packet of information today, either by Federal Express or hand delivery, concerning Thursday's meeting of the project Working Group for EAC's Voting Fraud-Voter Intimidation research project. Attached is an analysis of the consultants' research into relevant literature and reports. This summary was not available when we prepared the information packets last Friday, but may be of interest to you. Our consultants and I look forward to having a productive discussion with you.

Regards,

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

Craig:

This is what I was working on for the upcoming meetings of the EAC Board of Advisors and EAC Standards Board. --- Peggy
Nicole:
Could you please help me set up a teleconference for Wednesday, April 12 at 11 AM EST (for 1 hour)?
Please send me confirmation.
Peg

---------------
Sent from my BlackBerry Wireless Handheld

---- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM ----
"Weinberg and Utrecht" To psims@eac.gov
04/04/2006 08:14 AM cc
Subject Re: Voting Fraud-Voter Intimidation Project

Peggy:
May looks pretty good right now. I will not be available May 1, or in the morning (before 12:30) on May 4 or May 11, or in the afternoon on May 10.
Barry
----- Original Message -----
From: psims@eac.gov
To: psims@eac.gov
Sent: Monday, April 03, 2006 3:15 PM
Subject: Voting Fraud-Voter Intimidation Project

Hi, Barry:

I'm trying to arrange a meeting of the Working Group for EAC's Voting Fraud-Voter Intimidation project. Would you please look at your schedule and let me know if there are any days during the first 2 weeks of May that you would NOT be available?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
e-mail: psims@eac.gov
I didn’t have anything specific in mind yet, especially as I have not finished going through the voluminous documentation, but I will let you know.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, April 03, 2006 2:41 PM
To: Tova and Job
Subject: Mentioning DOJ Training Guidance

Tova and Job:

Craig Donsanto responds that it is not possible for him to assess the level of public attribution that would be appropriate without seeing the substantive stuff in context. He does not foresee a problem; but recommends that I provide him with the draft text. He will review it to ensure we are not disclosing things we shouldn’t disclose.

Therefore, please provide the draft text to me ASAP, so that I can forward it to him for review. I suspect he will provide me with a prompt response, which I will forward to you.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

That time is fine. A half hour earlier would be better. I also have a 12 CDT meeting.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Friday, April 07, 2006 12:27 PM
To: Kevin Kennedy  
Subject: Interview

Kevin: 
I'm just following up on my request for your availability to be interviewed by our consultants for our voting fraud/voter intimidation project. Are you available Tuesday, April 11 at 11 AM CST?

Peggy Sims

--------------------------
Sent from my BlackBerry Wireless Handheld

----- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM ----- 
Margaret Sims/EAC/GOV  
04/03/2006 05:11 PM  
To: "Job Serebrov" @GSAEXTERNAL  
cc  
Subject: Re: Working Group Contact Info

Thanks, Job! --- Peggy

"Job Serebrov" @gso.com  
04/03/2006 04:57 PM  
To: psims@eac.gov  
cc  
Subject: Re: Working Group Contact Info

Norcross's assistant is Maria Rivers:  
Rivers@BlankRome.com

Rokita's assistant is:  
Amy Miller  
Executive Assistant  
Indiana Secretary of State Todd Rokita  
317-232-6536  
Assistant@sos.in.gov

--- psims@eac.gov wrote:  
> Please review the attached and let me know of any 
> corrections that should 
> be made. Thanks! --- Peggy 
> >
"Job Serebrov"

To psims@eac.gov, wang@tcf.org
cc

Subject Re: Mentioning DOJ Training Guidance

---

Lets discuss this in 10 minutes.

--- psims@eac.gov wrote:

> Tova and Job:
> > Craig Donsanto responds that it is not possible for
> > him to assess the
> > level of public attribution that would be
> > appropriate without seeing the
> > substantive stuff in context. He does not foresee a
> > problem; but
> > recommends that I provide him with the draft text.
> > He will review it to
> > ensure we are not disclosing things we shouldn't
disclose.
> > Therefore, please provide the draft text to me ASAP,
> > so that I can forward
> > it to him for review. I suspect he will provide me
> > with a prompt
> > response, which I will forward to you.
> > Peggy Sims
> > Election Research Specialist
> > U.S. Election Assistance Commission
> > 1225 New York Ave, NW - Ste 1100
> > Washington, DC 20005
> > Phone: 866-747-1471 (toll free) or 202-566-3120
> > (direct)
> > Fax: 202-566-3127
> > email: psims@eac.gov
> >

---

"Tova Wang"

To psims@eac.gov
cc "Job Serebrov"

Subject working group agenda

---
Hi Peg,

Attached is a draft of an agenda for the working group. Let us know what you think. Thanks. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation

Visit our Web site, for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.

--- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM ---

"Job Serebrov"

04/04/2006 12:35 PM

To psims@eac.gov, "Tova Andrea Wang"
cc

Subject Re: Project Working Group Meeting

Peggy:

Here is my situation. I am to go to work full time for the Governor at some time in June. I just don't know when and because we are having a special session right now, no one can give me any indications as to the date. The special session will last for at least two weeks. However, I had to arrange a job because the contract ends at the end of May. So---all of this said---if, for instance, I go to work for the Governor the first week of June, I will only be able to work on EAC matters after hours at night.

Job

--- psims@eac.gov wrote:

>
> The Chairman and Vice Chairman are interested in attending the meeting. Due to schedule conflicts, they are asking us to look at the week of May 15.
> Does that pose a problem for either of you peggy
> 
> --------------------------
> Sent from my BlackBerry Wireless Handheld
> 
> 
> 
> 000455
Sorry, you mean its today. OK, thanks. Tova

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, April 10, 2006 8:45 PM
To: Tova Andrea Wang; Job Serebrov
Subject: Kennedy Interview

It appears that the teleconference with Kevin Kennedy is set for tomorrow, April 11, at 10:30 AM CST (11:30 AM EST). Use the usual phone number [password].

If you have trouble connecting, contact Nicole.

Peg

--------------------------
Sent from my BlackBerry Wireless Handheld

Kevin:

Following up on yesterday's conversation, would you be available next Tuesday (4/11) to be interviewed by phone by our consultants on the Voting Fraud-Voter Intimidation research project? The interview is likely to take less than an hour. You pick the time and I'll confirm it with our consultants, Tova Wang and Job Serebrov. Then, I'll send you an email with the toll-free number and pass code that you will need for the teleconference.

EAC is conducting this preliminary research to determine how best to meet HAVA requirements. Section 241 of the Help America Vote Act of 2002 requires EAC to conduct research on election administration issues. Among the issues listed in the statute are the development of:
• nationwide statistics and methods of identifying, deterring, and investigating voting fraud in elections for Federal office [section 241(b)(6)]; and
• methods of identifying, deterring, and investigating methods of voter intimidation [section 241(b)(7)].

Please let me know if you have any questions. Thanks.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM -----
Margaret Sims/EAC/GOV
04/03/2006 04:33 PM
To: Tova Andrea Wang, Job Serebrov
cc
Subject: Working Group Contact Info

Please review the attached and let me know of any corrections that should be made. Thanks! --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM -----
Margaret Sims/EAC/GOV
04/03/2006 03:41 PM
To: "Donsanto, Craig"
<Craig.Donsanto@usdoj.gov>@GSAEXTERNAL
cc
Subject: RE: Voting Fraud-Voter Intimidation Project

Thanks, Craig! --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

04/03/2006 03:16 PM
To: psims@eac.gov
cc
Subject: RE: Voting Fraud-Voter Intimidation Project

Hello Peg!

God willing, I will be here the first two weeks of May.
As for your second question, it is not possible for me to assess the level of public attribution that would be appropriate without seeing the substantive stuff in context. I do not foresee a problem. So, I recommend that you get me a draft text and I will review it to ensure we are not disclosing things we shouldn't disclose.

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, April 03, 2006 3:13 PM
To: Donsanto, Craig
Subject: Re: Voting Fraud-Voter Intimidation Project

Craig:

I have 2 issues for you today.

First, I am trying to schedule a meeting of the project working group for EAC's Voting Fraud-Voter Intimidation research project. As a technical advisor on this project, your attendance is particularly important to me. Would you please look at your schedule and let me know if there are any days during the first 2 weeks of May that you would NOT be available?

Second, is it OK for our consultants to refer in their report to guidance provided in the DOJ training materials? I ask this because I understood that some materials in the materials are considered confidential and we do not want to violate your confidentiality provisions. If there is a compromis position, such as having you review that portion of the consultants' report, then let me know.

Thanks!

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
e-mail: psims@eac.gov

--- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM ---

To psims@eac.gov
cc "Job Serebrov"
Subject small question for Donsanto

Could you please also ask him what the training materials are referring to when they discuss "ballot box stuffing?" Does this mean elections workers add extra votes? Thanks so much. Tova

Tova Andrea Wang
Craig is on the list because the Commission requested he serve as a technical advisory to the project. Although not a member of the project working group, I do need to check his availability for the meeting.

I tried to tell you on the phone that we still are trying to confirm the El Paso County, TX election official for the working group. (Several attempts have been made to contact the Election Director, but she has been out of town.) If we can't get her, we will try for her deputy (also Hispanic). Once I have a response that one of them is willing to serve, I'll update the contact info table and see if I can't get a bio for you two to review. --- Peggy

Why is Craig Donsanto on the list? And what happened about the local election official? Thanks. Tova

--- Original Message ---
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, April 03, 2006 3:33 PM
To: "Tova Wang" <psims@eac.gov, serebrov@sbcglobal.net>
Subject: Working Group Contact Info

Please review the attached and let me know of any corrections that should be made. Thanks! --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM ---
"Tova Wang"
That gives us no time between interviews though, right? We've never been able to really limit it to 30 minutes.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, April 10, 2006 8:45 PM
To: Tova Andrea Wang; Job Serebrov
Subject: Kennedy Interview

It appears that the teleconference with Kevin Kennedy is set for tomorrow, April 11, at 10:30 AM CST/11:30 AM EST. Use the usual phone number

If you have trouble connecting, contact Nicole.

Peg

--------------------------
Sent from my BlackBerry Wireless Handheld

----- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM -----

"Job Serebrov"

04/06/2006 09:56 AM

To psims@eac.gov.

cc

Subject Re: Upcoming Interviews-DOJ Info

Peggy:
The interviews are ok with me.

Tova:
I think I should write the review on the IFES white paper instead of the red book.

Job

--- psims@eac.gov wrote:

> Hi, Job and Tova:
>
Tony Sirvello (former election director for Harris County, TX and current Executive Director of the International Association of Clerks, Recorders, Election Officials and Treasurers) can make himself available for an interview next Wednesday morning (4/12). He is on CST. Is there a time that works well for the two of you? How about 10 AM CST/11 AM EST? I saw Kevin Kennedy at a meeting in our office this past Tuesday. We are trying to set up an interview with him next Tuesday (4/11).

I asked Donsanto about an updated version of his Prosecution of Election Offenses. He responded that it is at the printers and will not be available for a couple of months. In the interim, he referred me to the white paper he did for IFES, which I have attached. He said that the white paper includes the same information on the prosecution of election fraud that will be in the book. --- Peggy

Hi Peg,

I've just made it through the 2004 binder of materials and have two questions. First, I understand that these materials are confidential, but may we refer to guidance provided in them in our report? Otherwise they are of not much use to us. There's not that much in it that would add to what Donsanto and Tanner told us, but there are a few issues raised that I believe might be germane.

Second, there are several sections evidently missing from the 2004 binder and I'm not sure if that's because of what Donsanto sent over or a problem in the photocopying. From what I can see, some of the table of contents is missing and tabs 14, 15, 16, 17, 21, 23 and 26 are all empty. Can you please look into this?

Thanks and I look forward to speaking to you tomorrow. Tova
Tony:

Which one do you think would be best? J.R. Perez, as Election Administrator, should have knowledge of voting fraud and voter intimidation in both voter registration and voting. I assume that, though Patricia is the voter registration supervisor, she also would have knowledge of voting fraud and voter intimidation in balloting. Would they be available in May for a meeting of the project working group? Who could best stand up to the DNC and RNC counsels?

On a related matter, would you be available for our consultants to interview you by telephone next Wednesday? If so, let me know a convenient time. I'll confirm the time with the two consultants, Job Serebrov and Tova Wang. Then, I'll get back to you with the toll-free line and pass code you will need to use for the teleconference.

Thanks!

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
e-mail: psims@eac.gov

Good Afternoon Peg,

How about J. R. Perez, Elections Administrator, Guadalupe County or Patricia Benavides, Voting Registration Supervisor, Tarrant County, Texas?

Tony

----- Original Message -----
From: Helen Jamison
To: Tony J. Sirvello III
Sent: Tuesday, April 04, 2006 11:46 AM
Subject: RE: Nonpartisan Local Election Official Needed for Voting Fraud/Voter Intimidation Working Group

Dear Tony,
Unfortunately both Javier and myself have to decline in being members of the working group from Texas. It is a bad time of the year where we have so many elections and would not be able to contribute enough time to doing research of any kind. Please keep us in mind for future meetings.

Helen Jamison

-----Original Message-----
From: Tony J. Sirvello III [mailto:]
Sent: Monday, April 03, 2006 1:19 PM
To: Helen Jamison; Javier Chacon
Subject: Fw: Nonpartisan Local Election Official Needed for Voting Fraud/Voter Intimidation Working Group

Helen, Javier,

Attached is the information from the EAC requesting your services as a member of the working group from Texas. Please let me know in a couple of days if one of you will be able to participate. If you need more information, call me and I will conference in with Peggy Sims, who can give you more details.

Thanks,

Tony

----- Original Message -----
From: psims@eac.gov
To: [mailto:]
Sent: Thursday, March 16, 2006 10:29 AM
Subject: Nonpartisan Local Election Official Needed for Voting Fraud/Voter Intimidation Working Group

Tony:

Thanks for being willing to help me identify a qualified, nonpartisan local election official to serve on our Project Working Group for the preliminary research being conducted on voting fraud and voter intimidation.

Background

Section 241 of the Help America Vote Act of 2002 requires EAC to conduct research on election administration issues. Among the issues listed in the statute are the development of:

000463
1. nationwide statistics and methods of identifying, deterring, and investigating voting fraud in elections for Federal office [section 241(b)(6)]; and
2. methods of identifying, deterring, and investigating methods of voter intimidation [section 241(b)(7)].

EAC's Board of Advisors recommended that EAC make research on these topics a high priority.

Preliminary EAC Research

Subsequently, the Commission contracted with two consultants (Tova Wang and Job Serebrov) to:

1. develop a comprehensive description of what constitutes voting fraud and voter intimidation in the context of Federal elections;
2. perform preliminary research on these topics (including Federal and State administrative and case law review), identify related activities of key government agencies and civic and advocacy organizations, and deliver a summary of this research and all source documentation;
3. convene a meeting of a project working group composed of key individuals and representatives of organizations knowledgeable about the topics of voting fraud and voter intimidation, provide the results of the preliminary research to the working group, and record the working group's deliberations; and
4. produce a report to EAC summarizing the findings of the preliminary research effort and working group deliberations that includes recommendations for future EAC action, if any.

The Project Working Group will probably meet only once during this preliminary research effort (probably in late April) to review the consultants research and provide input. Other members of the Working Group are lawyers from advocacy groups and major political parties, two State election officials, and Barry Weinberg, former Deputy Chief of DOJ's Voting Section, Civil Rights Division. Craig Donsanto, Director of DOJ's Election Crimes Branch will serve as a technical advisor to the group.

I really appreciate any help you can offer in identifying a qualified individual to fill the slot on the Working Group that has been reserved for an experienced, nonpartisan local election official.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov
Good Afternoon Peg,

How about J. R. Perez, Elections Administrator, Guadalupe County or Patricia Benavides, Voting Registration Supervisor, Tarrant County, Texas?

Tony

----- Original Message -----  
From: Helen Jamison  
To: Tony J. Sirvello III  
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Unfortunately both Javier and myself have to decline in being members of the working group from Texas. It is a bad time of the year where we have so many elections and would not be able to contribute enough time to doing research of any kind. Please keep us in mind for future meetings.

Helen Jamison

-----Original Message-----  
From: Tony J. Sirvello III  
Sent: Monday, April 03, 2006 1:19 PM  
To: Helen Jamison, Javier Chacon  
Subject: Fw: Nonpartisan Local Election Official Needed for Voting Fraud/Voter Intimidation Working Group

Helen, Javier,

Attached is the information from the EAC requesting your services as a member of the working group from Texas. Please let me know in a couple of days if one of you will be able to participate. If you need more information, call me and I will conference in with Peggy Sims, who can give you more details.

Thanks,

Tony

----- Original Message -----  
From: psims@eac.gov  
Sent: Thursday, March 16, 2006 10:29 AM  

Subject: Nonpartisan Local Election Official Needed for Voting Fraud/Voter Intimidation Working Group

Tony:

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2. perform preliminary research on these topics (including Federal and State administrative and case law review), identify related activities of key government agencies and civic and advocacy organizations, and deliver a summary of this research and all source documentation;
3. convene a meeting of a project working group composed of key individuals and representatives of organizations knowledgeable about the topics of voting fraud and voter intimidation, provide the results of the preliminary research to the working group, and record the working group’s deliberations; and
4. produce a report to EAC summarizing the findings of the preliminary research effort and working group deliberations that includes recommendations for future EAC action, if any.

The Project Working Group will probably meet only once during this preliminary research effort (probably in late April) to review the consultants research and provide input. Other members of the Working Group are lawyers from advocacy groups and major political parties, two State election officials, and Barry Weinberg, former Deputy Chief of DOJ’s Voting Section, Civil Rights Division. Craig Donsanto, Director of DOJ’s Election Crimes Branch will serve as a technical advisor to the group.

I really appreciate any help you can offer in identifying a qualified individual to fill the slot on the Working Group that has been reserved for an experienced, nonpartisan local election official.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
The fraud chapter has been published by IFES as part of their Money and Politics Program. It’s on their website. I tweaked the text a bit and presented it in Abjua. The rest of it is regretably not public at present.

--------------------
Sent from Dr. D’s Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@usdoj.gov>
Sent: Wed Apr 05 17:26:12 2006
Subject: Re: Voting Fraud-Voter Intimidation Project

Is there any way to get an advance copy? Our consultants will need to review it before you receive your printed versions. --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

04/05/2006 04:14 PM
To
psims@eac.gov

cc

Subject
Re: Voting Fraud-Voter Intimidation Project

The 7th edition is done and on its way to the printer. It is my hope to get it our in a couple months.

--------------------------
Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed Apr 05 13:05:15 2006
Subject: Voting Fraud-Voter Intimidation Project

Craig:

In reviewing the great materials you gave our consultants, we have not found an updated draft of your famous Prosecution of Election Offenses. Is that available for review? If you have a pdf version, I could pass that on to our consultants (noting any restrictions you may have on use).

Also, we noticed some gaps in the 2004 DOJ training binder. It appears that we are missing the Chris Herren information from Panel 3 and something titled "July 21, 2004" from Panel 4. If these were removed because we should not see them, just let me know.

I also have to check your availability the week of May15. I'm still trying to find a date that everyone will be available for the working group meeting.

Sorry to bug you. Hope all is going well.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov
Hi, Barry:

I'm trying to arrange a meeting of the Working Group for EAC's Voting Fraud-Voter Intimidation project. Would you please look at your schedule and let me know if there are any days during the first 2 weeks of May that you would NOT be available?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

I've been trying to schedule an interview (by teleconference) among our two consultants, Tova Wang and Job Serebrov, and an election attorney, Colleen McAndrews. I had to leave your name with her assistant, today, just in case she calls back when I am out of the office.

The EAC consultants are available for interviews next week before 4:30 AM EST on Monday (4/10) and in the afternoon on Wednesday (4/12). Email info on any teleconferences scheduled to Job (serebrov@sbcglobal.net) and Tova (wang@tcf.org). Job operates on CST; Tova on EST.

Thanks! --- Peggy

That time is fine for me. Thanks.

----- Original Message -----
Hi, Job and Tova:

Tony Sirvello (former election director for Harris County, TX and current Executive Director of the International Association of Clerks, Recorders, Election Officials and Treasurers) can make himself available for an interview next Wednesday morning (4/12). He is on CST. Is there a time that works well for the two of you? How about 10 AM CST/11 AM EST? I saw Kevin Kennedy at a meeting in our office this past Tuesday. We are trying to set up an interview with him next Tuesday (4/11).

I asked Donsanto about an updated version of his *Prosecution of Election Offenses*. He responded that it is at the printers and will not be available for a couple of months. In the interim, he referred me to the white paper he did for IFES, which I have attached. He said that the white paper includes the same information on the prosecution of election fraud that will be in the book. --- Peggy

---

Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM ---

"Kennedy, Kevin"

<psims@eac.gov>

To “psims@eac.gov” <psims@eac.gov>

cc

Subject RE: Interview

Thank you.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, April 10, 2006 11:02 AM
To: Kevin Kennedy
Subject: Re: Interview

I am trying to arrange the teleconference for 10:30 AM CST tomorrow, April 11. Will get back to you once confirmed.

Peggy

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Sent from my BlackBerry Wireless Handheld

----- Original Message -----  
From: "Kennedy, Kevin" <psims@eac.gov>
Sent: 04/09/2006 11:13 AM
To: "psims@eac.gov" <psims@eac.gov>
Subject: RE: Interview

That time is fine. A half hour earlier would be better. I also have a 12 CDT
meeting.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Friday, April 07, 2006 12:27 PM
To: Kevin Kennedy
Subject: Interview

Kevin:
I'm just following up on my request for your availability to be interviewed by our consultants for our voting fraud/voter intimidation project. Are you available Tuesday, April 11 at 11 AM CST?
Peggy Sims

--------------------------
Sent from my BlackBerry Wireless Handheld

----- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM -----
Nicole
Mortellito/CONTRACTOR/EA
C/GOV
04/11/2006 11:45 AM
To "Tova Wang"
cc psims@eac.gov
Subject conf call is up and running

all dial in info is the same!

Regards,

Nicole K. Mortellito
Research Assistant
U.S. Election Assistance Commission
1225 New York Avenue - Suite 1100
Washington, DC
202.566.2209 phone
202.566.3128 fax

----- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM -----
Margaret Sims/EAC/GOV
04/03/2006 03:18 PM
To
cc
Subject Re: doj training materials

Tova:
I'm checking with Craig regarding reference in our report to the DOJ training materials. The 2004 DOJ training materials did not have a table of contents. I think Devon added that to help you find your way
Hi Peg,

I've just made it through the 2004 binder of materials and have two questions. First, I understand that these materials are confidential, but may we refer to guidance provided in them in our report? Otherwise they are of not much use to us. There's not that much in it that would add to what Donsanto and Tanner told us, but there are a few issues raised that I believe might be germane.

Second, there are several sections evidently missing from the 2004 binder and I'm not sure if thats because of what Donsanto sent over or a problem in the photocopying. From what I can see, some of the table of contents is missing and tabs 14, 15, 16, 17, 21, 23 and 26 are all empty. Can you please look into this?

Thanks and I look forward to speaking to you tomorrow. Tova
I just saw what you did. I should be out of hours at the end of May. I believe I will be working for the state in June which will make it difficult to find time to finish and could slow things down but I am not yet sure of that.

--- psims@eac.gov wrote:

> Attached is an updated invoice schedule for the FY 06 contracts for the Voting Fraud/Voter Intimidation project. --- Peggy

I know you preferred Friday, but Job is not available then. He also said he is not available next week. Do you have any time available this Wednesday? --- Peggy

I can't do it Friday but Wednesday is ok.

--- psims@eac.gov wrote:

> Tova and Job:
I've passed Tova's request on to Craig.

Also, Sarah Ball Johnson, KY, finally called back to say she would be available Wednesday through Friday this week and next week for the interview. Which day and time is best for you and Job?

--- Peggy

---

Hi Peg,

Happy Easter!

Would it be possible to talk to Mr. Donsanto about this latest initiative, or somehow get more information? Thanks. Tova

http://www.fbi.gov/page2/april06/electioncrime041406.htm

----- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM -----

Margaret Sims/EAC/GOV
04/17/2006 10:48 AM

To Job Serebrov, Tova Andrea Wang
cc

Subject Invoice Schedule

Attached is an updated invoice schedule for the FY 06 contracts for the Voting Fraud/Voter Intimidation project. --- Peggy
That's what I am concerned about. I think we need to end all interviews with Sarah Ball Johnson. With the literature reviews I am finishing, the case write up and the Tova's Nexis research that I need to read, I will have about 45 hours left for the Working Group meeting and final write up.

--- psims@eac.gov wrote:

> I have to check with Conny McCormack to see if things have settled down for her enough so that she would be available. I have had no response to my overtures to Colleen McAndrews' office. I can try again, but I have to be out of town again, from Wednesday through Friday this week, on another research contract and for EAC's public meeting in Seattle. Were you able to get through to Mike McCarthy?

> Please remember to watch your time. We'll need to reserve some of your time for the working group meeting and the subsequent reports. --- Peggy

> "Job Serebrov" 04/17/2006 10:17 AM

> To psims@eac.gov, cc

> Subject Re: Follow up Donsanto and KY Interviews

> Next week is out for me. I need to check my schedule this week. Is this the last interview that you were able to arrange?
--- psims@eac.gov wrote:

Tova and Job:

I've passed Tova's request on to Craig.

Also, Sarah Ball Johnson, KY, finally called back to say she would be available Wednesday through Friday this week and next week for the interview. Which day and time is best for you and Job?

--- Peggy

04/16/2006 11:39 AM

To
psims@eac.gov
cc
"Tova Wang"
Subject
donsanto again

Hi Peg,

Happy Easter!

Would it be possible to talk to Mr. Donsanto about this latest initiative, or somehow get more information? Thanks. Tova

http://www.fbi.gov/page2/april06/electioncrime041406.htm

--- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM ---

"Tova Wang"
04/17/2006 10:21 AM
To "Job Serebrov"
cc
Subject RE: Announcement of FBI Election Crimes Initiative
We could skim it

-----Original Message-----
From: Job Serebrov [mailto:
Sent: Monday, April 17, 2006 9:13 AM
To: Tova Wang; psims@eac.gov
Subject: RE: Announcement of FBI Election Crimes Initiative

Tova-Do we have time to review this?

--- Tova Wang wrote:

> Is it possible to get the materials they are using
> for the trainings?
> Thanks Peg.
>
> -----Original Message-----
> From: psims@eac.gov [mailto:psims@eac.gov]
> Sent: Monday, April 17, 2006 9:08 AM
> To: 
> Subject: Fw: Announcement of FBI Election Crimes Initiative
>
>
> See Donsanto response below.--- Peggy
>
> ----- Forwarded by Margaret Sims/EAC/GOV on
> 04/17/2006 10:07 AM ------
>
> "Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
>
> 04/17/2006 09:56 AM
>
>
> To
> psims@eac.gov
>
> cc
>
> Subject
> RE: Announcement of FBI Election Crimes Initiative
>
>
> Peg - -
>
> This is essentially FBI's equivalent of the
> Department's Ballot Access and
> Integrity Initiative. The news conference on
> Thursday announced that FBI
> was enhancing its prioritization of campaign
> financing offenses. The main
Julie:
I reviewed our materials and refreshed my memory. The DOJ issues appear to be the only potential pitfalls in the consultants' interview summaries. The only other issue that arose during the course of the work was Secretary Rokita's objection to EAC doing the research. I think you have taken care of that in your paper. --- Peggy

Juliet E. Hodgkins/EAC/GOV

Juliet E. Hodgkins/EAC/GOV

Thanks so much for all of your help. Have a very Happy Thanksgiving.

Sent from my BlackBerry Wireless Handheld
Margaret Sims
----- Original Message -----
From: Margaret Sims
Sent: 11/17/2006 02:54 PM
To: Juliet Hodgkins
Subject: Re: Draft Voter Fraud/Voter Intimidation Report

I'll need to refresh my memory. I'll take a look at them one more time and get back to you. Hope you enjoy your time out of the office, and have a happy turkey day. --- Peggy

Juliet E. Hodgkins/EAC/GOV

Thanks for your comments.

Last night, I took the case charts and assembled into one 200-page document. So, that is compiled. I have also amended to include Job and Tova's bios as appendix "1". I have established both your summaries and theirs into alternative appendices and will talk to the commissioners about that. One question that I have is whether we would need to go through and "clean up" their summaries? I have compiled them into a single document (that is one for interviews and one for literature). Other than the

000478
DOJ issue, are there any other "problems" that you recall?

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

--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM ---

Gavin S. Gilmour/EAC/GOV
11/27/2006 10:58 AM
To Margaret Sims/EAC/GOV@EAC
cc
Subject Re: My Thoughts –PRIVILEGED COMMUNICATION

Peggy,

Just to clarify... you only attended (by teleconference or otherwise) one of the interviews? I thought it was more than that?

Gavin S. Gilmour
Deputy General Counsel
United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100

THIS MESSAGE IS FOR ITS INTENDED RECIPIENT ONLY. IT IS A PRIVILEGED DOCUMENT AND SHALL NOT BE RELEASED TO A THIRD PARTY WITHOUT THE CONSENT OF THE SENDER.

Margaret Sims/EAC/GOV

Margaret Sims/EAC/GOV
11/17/2006 02:48 PM
To Gavin S. Gilmour/EAC/GOV@EAC
cc Juliet E. Hodgkins/EAC/GOV@EAC, Jeannie Layson/EAC/GOV@EAC
Subject Re: My Thoughts –PRIVILEGED COMMUNICATION

Gavin:

This looks good to me. I just have a few questions/clarifications, both involving the second paragraph:

1. First sentence - Do you mean "intra-agency", rather than interagency?
2. Second sentence - If we plan to release an EAC report based on the material provided by the consultants, then can we avoid implying that we are ever going to release a report written by the consultants?
3. Sixth sentence - I was present at only one interview, not all of them; but I did facilitate and help schedule the interviews.

--- Peggy

Gavin S. Gilmour/EAC/GOV
Peggy,

Just to clarify... you only attended (by teleconference or otherwise) one of the interviews? I thought it was more than that?

Gavin S. Gilmour  
Deputy General Counsel  
United States Election Assistance Commission  
1225 New York Ave., NW, Ste 1100  
Washington, DC 20005  
(202) 566-3100

THIS MESSAGE IS FOR ITS INTENDED RECIPIENT ONLY. IT IS A PRIVILEGED DOCUMENT AND SHALL NOT BE RELEASED TO A THIRD PARTY WITHOUT THE CONSENT OF THE SENDER.

Margaret Sims/EAC/GOV  
11/17/2006 02:48 PM  
To Gavin S. Gilmour/EAC/GOV@EAC  
cc Juliet E. Hodgkins/EAC/GOV@EAC, Jeannie Layson/EAC/GOV@EAC  
Subject Re: My Thoughts –PRIVILEGED COMMUNICATION

Gavin:

This looks good to me. I just have a few questions/clarifications, both involving the second paragraph:

1. First sentence - Do you mean "intra-agency", rather than interagency?
2. Second sentence - If we plan to release an EAC report based on the material provided by the consultants, then can we avoid implying that we are ever going to release a report written by the consultants?
3. Sixth sentence - I was present at only one interview, not all of them; but I did facilitate and help schedule the interviews.

--- Peggy

Gavin S. Gilmour/EAC/GOV  
11/17/2006 01:39 PM  
To Juliet E. Hodgkins/EAC/GOV@EAC, Jeannie Layson/EAC/GOV, Margaret Sims/EAC/GOV@EAC  
cc  
Subject My Thoughts –PRIVILEGED COMMUNICATION
Attached is a revised version of the Voting Fraud/Voter Intimidation Draft Report. The changes that Commissioner Hillman suggested have been made and highlighted in yellow. See pages 10-11.

Peggy and I are working on the revision of the Donsanto and Tanner interview summaries and will forward that to you under a separate email.
Juliet Thompson Hodgkins  
General Counsel  
United States Election Assistance Commission  
1225 New York Ave., NW, Ste 1100  
Washington, DC  20005  
(202) 566-3100  
--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM ---  
Margaret Sims/EAC/GOV  
11/30/2006 04:37 PM  
To Juliet E. Hodgkins/EAC/GOV@EAC  
cc  
Subject Donsanto-Tanner Interviews  

Julie:  

I made some suggested edits in the attached excerpts of the Donsanto and Tanner interview summaries. You may be able to better phrase them. The most important edits are:  

- I noticed that the consultants had listed Donsanto's and Tanner's titles incorrectly (which we may also need to correct in our report where we list the interviewees). Donsanto and Tanner might be amused that our consultants "promoted" them, but their bosses may not.  
- I redacted two sentences that I thought we should not publicize and one that I thought was in error from the Donsanto description. I also tried to correct the paragraph that discusses DOJ's pursuit of individual offenders.  
- I moved the note about Tanner's failure to provide data and information to the end of the description (the highlighted paragraph) so that its isn't so "in your face". I also tried to edit it, but am still a bit concerned about including it at all.  

If you have any questions, or want to talk about this, give me a call. Also, I may be in the office tomorrow. --- Peggy  

Juliet E. Hodgkins/EAC/GOV  
12/01/2006 03:17 PM  
To Margaret Sims/EAC/GOV@EAC  
cc  
Subject Re: Donsanto-Tanner Interviews  

I made the correction on the titles in the report. There was one that was not correct.  

There are a couple of things I may suggest that we leave in, as I don't think that DOJ would have a problem with it, (e.g. the fact that they won't release information on pending cases).  

I will forward to the Cs for their review.
Julie:

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If you have any questions, or want to talk about this, give me a call. Also, I may be in the office tomorrow. --- Peggy

Julie:

I assume you mean the note associated with the Tanner interview when you mentioned the pending cases. That's fine by me. I was just a little concerned that the note as a whole was a little adversarial and whiny. If any questions arise as to why certain items should be deleted from the Donsanto interview summary, I have answers. --- Peggy
I made the correction on the titles in the report. There was one that was not correct.

There are a couple of things I may suggest that we leave in, as I don't think that DOJ would have a problem with it, (e.g. the fact that they won't release information on pending cases).

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

Margaret Sims/EAC/GOV
11/30/2006 04:37 PM
To Juliet E. Hodgkins/EAC/GOV@EAC
cc
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If you have any questions, or want to talk about this, give me a call. Also, I may be in the office tomorrow. -- Peggy

Summaries of Interviews with Donsanto-Tanner redacted-revised.doc
Dear Peter:

I apologize for the delayed response. The paper that the media touted as an EAC statement on vote fraud was actually just a report on the status of preliminary research into voting fraud and voter intimidation conducted by EAC consultants. The document does not represent a consensus statement on the subject by EAC. The status report was presented to the EAC Board of Advisors and the EAC Standards Board last spring. As these meetings were open to the public, the status report is available to the public. (See attached.)

EAC plans to consider a draft of its own report, which is based on the preliminary research of our consultants, at this Thursday’s public meeting. (See agenda published at http://www.eac.gov/docs/Public%20Meeting.%202007-07-06.%20Revised%20Final%20Agenda.pdf.) If the report is approved, EAC will publish it on our web page.

Regards,

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
e-mail: psims@eac.gov
Brian,

Please find attached the draft fraud report press release for review. The other documents will follow in a separate email.

Jennifer

--------------------
NEW E-MAIL.

Jennifer Rose-Utley
Manager, Public Affairs
Burson-Marsteller

-----------------
We've Moved!

Please visit us at our new location:

Burson-Marsteller

Fraud Press Release - DRAFT v2.doc

--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM ---
Margaret Sims/EAC/GOV
12/06/2006 03:46 PM
To bwhitener@eac.gov
cc
Subject VF-VI Research Contacts

Bryan:

The two consultants were:

- Tova Wang
- Job Serebrov
The contact information for the Project Working Group, including technical advisor, Craig Donsanto, is in the attached spreadsheet.

You should also send notice to John Tanner, Chief, Voting Section, Civil Rights Division, DOJ (john.k.tanner@usdoj.gov). --- Peggy

Work Group Contact Availability Info.xls
----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM -----

"Bryan Whitener"
<bwhitener@eac.gov> 	 To psims@eac.gov
to
cc
Subject EAC Releases Findings of Voting Fraud and Voter Intimidation Study, 12-07-06

U.S. ELECTION ASSISTANCE COMMISSION
1225 New York Ave. NW – Suite 1100
Washington, DC 20005

For Immediate Release
December 7, 2006

Contact:
Jeannie Layson
Bryan Whitener
(202) 566-3100

EAC Releases Findings of Voting Fraud and Voter Intimidation Study

No consensus on the regularity of voting fraud and voting intimidation found
Agency accepts recommendations to conduct a comprehensive study on elections crimes

WASHINGTON - The United States Election Assistance Commission (EAC) today voted on the findings of the "Voting Fraud and Voter Intimidation Study" and accepted recommendations to conduct
a comprehensive assessment of all claims, charges and prosecutions of voting crimes.

The study represents the first phase of the information gathering process and includes a working definition of election crimes. EAC will now proceed with the second phase, a more comprehensive data-driven survey and study of elections crimes and voter intimidation. The new phase will offer consistency to the study and will identify a common definition of the issue for dialogue among elections officials, civil rights and voter advocacy groups, law enforcement officials, attorneys and the public.

The recommendations accepted by EAC today include:

Survey Chief Elections Officers to Review and Assess Administrative Complaints: EAC will survey the states' chief election officers regarding complaints that have been filed, investigated and resolved since January 1, 2004.

Survey State Election Crime Investigation Units Regarding Complaints Filed and Referred: EAC will gather information on the numbers and types of complaints that have been received by, investigated, and ultimately referred to local or state law enforcement by election crime investigation units since January 1, 2004.

Survey Law Enforcement and Prosecutorial Agencies Regarding Complaints and Charge of Voting Crimes: EAC will survey law enforcement and prosecutorial agencies at the local, state and federal level to determine the number and types of complaints, charges, or indictments, and pleas or convictions of election crimes since January 1, 2004.

Analyze Survey Data in Light of State Laws and Procedures: EAC will use the reliable data gathered from each survey group to analyze the effectiveness of fraud prevention and reporting measures.

In order to arrive at the findings, EAC consultants reviewed existing studies, articles, reports and case law on voting fraud and intimidation and conducted interviews with experts in the field regarding their experiences and research. According to the findings, while there is currently no consensus on the frequency of voting fraud and voter intimidation, most participants agreed that absentee balloting is subject to the greatest proportion of fraudulent acts, followed by vote buying and voter registration fraud.

Following today's vote to approve the survey recommendations, EAC will begin a comprehensive survey and subsequent study on voting fraud and voter intimidation based on hard data. Section 241 of the Help America Vote Act of 2002 (HAVA) mandates that EAC research and study various issues related to the administration of elections. During Fiscal Year 2006, EAC in consultation with the Standards Board and Board of Advisors selected voting fraud and voter intimidation from a list of potential research topics that serve to improve the administration of elections for federal office.

For the EAC's full report on the Voting Fraud and Voter Intimidation Study or to view testimony from today's hearing, visit www.eac.gov.
EAC is an independent bipartisan commission created by HAVA. It is charged with administering payments to states and developing guidance to meet HAVA requirements, implementing election administration improvements, adopting voluntary voting system guidelines, accrediting voting system test laboratories and certifying voting equipment and serving as a national clearinghouse and resource of information regarding election administration. The three EAC commissioners are Paul DeGregorio, chairman; Donetta Davidson and Gracia Hillman. One vacancy currently exists.

--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM ---

Jeannie Layson/EAC/GOV
12/13/2006 10:14 AM
To pdegregorio@eac.gov, ghillman@eac.gov, d davidson@eac.gov
cc twilkey@eac.gov, psims@eac.gov, jthompson@eac.gov, ggil mour@eac.gov, bwhitener@eac.gov
Subject Rick Hasen response-need your approval

Commissioners,
I want to respond to Rick Hasen's post regarding EAC and the fraud report. My suggested response is below, and his original post follows. Please let me know if you agree that I should attempt to correct the misinformation he posted. If so, please let me know if you approve of my suggested response. Thank you.

Mr. Hasen,
I write to point out incorrect information you posted on your website on December 11, 2006. You wrote: "Note what's missing compared to the earlier version leaked to the USA Today Newspaper." No one at the EAC leaked anything to USA Today. The reporter asked for a copy of the staff report about the fraud research that was presented at a public meeting in May to our Board of Advisors and the Standards Board, and the EAC provided it to him. This information was presented and discussed at a meeting that was open to the public, so we provided materials distributed at the meeting to anyone who requested it. The staff report about the fraud project was also distributed to every member of both advisory boards. Go here to view the Federal Register notice about the public meeting at which this project and many others were discussed.

The statement you attribute to one of the consultants is absolutely correct. As stated by their contract, these consultants were hired so that the EAC could "...obtain consulting services from an individual who can provide advice drawn from broad professional and technical experience in the area of voter fraud and intimidation."

As for your reference to what's "missing compared to the earlier version," the report contains the complete summaries of every interview conducted by the consultants as well as every book, article, report or case that was reviewed. It does not contain the synopsis of those interviews, which were written by the consultants. EAC provided the individual summaries so readers could reach their own conclusions about the substance of the interviews.
EAC's interpretation of HAVA and its determination of what it will study and how it will use its resources to study it are matters of agency policy and decision. These are not, nor should they be, determinations or decisions made by consultants. The EAC has the ultimate responsibility for the reports it issues, and it is incumbent upon the agency to conduct due diligence to ensure reports, data or any other information is complete and accurate before it is adopted by the Commission.

As someone with a public platform who informs the public about matters regarding election administration, I would appreciate it if you would extend the same professional courtesy most journalists do and contact the agency in the future if you have questions or concerns about EAC policy or actions. You may reach me directly at 202-566-3103. I appreciate your consideration in this matter.

Sincerely,
Jeannie Layson
Director of Communications
US Election Assistance Commission

More on FL-13, and a Role for the EAC?
When I saw this headline on the Sarasota Herald Tribune web page, I thought it must have been about the FL-13 race.

Over on the election law listserv, Doug Johnson, responding to my commentary calling for the House to investigate the problems and declare a revote in the FL-13 race, suggested that perhaps the EAC is better situated to conduct an investigation than the House of the problems in the FL-13.

I'm afraid we might not be able to count on the EAC to conduct an investigation that is well-funded, tough, and fair. Politics appears to be creeping in to decisions of the EAC's advisory board, and there's real concern about the EAC's vote fraud report. Note what's missing compared to the earlier version leaked to the USA Today newspaper. Tova Wang, who authored the draft report for the EAC, issued the following statement to me: "My co-consultant and I provided the EAC with a tremendous amount of research and analysis for this project. The EAC released what is their report yesterday."

The EAC has also lost two commissioners, one Republican and one Democrat, who appeared to be tough-minded and fair. I am very worried about the fairness and non-partisanship of the new rumored nominees.

In short, the EAC has to prove it is up to the task of fair and serious inquiry before it could be trusted with something like an investigation of the FL-13.

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

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM -----
I agree that Jeannie should send the response.

Sent from my BlackBerry Wireless Handheld

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM ----- 

I know that People For the American Way delivered petitions to EAC about release of the Fraud report but I need to know what other communications EAC has had with People For about the study.

Was it represented on the study's working group? If so, by whom? Did they write to us and did we answer? Did anybody from there talk with anybody at EAC about the study and our work? Thanks.

Sent from my BlackBerry Wireless Handheld

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM ----- 

Commissioner Hillman:

PFAW was not represented on the Working Group for the Voting Fraud-Voter Intimidation research project. Also, I have had no communications with the organization about the study. I did work with
Jeannie and Gavin on a response to PFAW’s FOIA request for the study. Jeannie should have the final copy of that reply.

Peggy Sims
Election Research Specialist

Gracia Hillman/EAC/GOV

To "Paul DeGregorio" <pdegregorio@eac.gov>, "Donetta Davidson" <Ddavidson@eac.gov>, Thomas R. Wilkey/EAC/GOV@EAC, Juliet E. Thompson/EAC/GOV@EAC, Margaret Sims/EAC/GOV@EAC, "Jeannie Layson" <jlayson@eac.gov>, "Karen Lynn-Dyson" <klynn-dyson@eac.gov>  
cc "Sheila Banks" <sbanks@eac.gov>  
Subject PFAW Response to EAC Vote Fraud Report

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Sent from my BlackBerry Wireless Handheld

--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM ----

Margaret Sims/EAC/GOV
12/14/2006 12:55 PM  
To Juliet E. Hodgkins/EAC/GOV, Jeannie Layson/EAC/GOV  
cc  
Subject PFAW Response to EAC Vote Fraud Report

Are there any plans to rebut the PFAW response? If so, may I help? --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM ----

Jeannie Layson/EAC/GOV
12/14/2006 01:08 PM  
To Margaret Sims/EAC/GOV@EAC  
cc Juliet E. Hodgkins/EAC/GOV@EAC  
Subject Re: PFAW Response to EAC Vote Fraud Report

I didn’t get any comments from you regarding yesterday’s response to Rick Hasen. Any thoughts on that?

Jeannie Layson
U.S. Election Assistance Commission
1225 New York Ave., NW
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----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM -----
Margaret Sims/EAC/GOV
12/14/2006 01:19 PM
To Jeannie Layson/EAC/GOV@EAC
cc
Subject Re: PFAW Response to EAC Vote Fraud Report

Sorry. I saw a message addressed to the Commissioners. I did not realize the fact that I was cc'd meant that you wanted my comments as well. Will do better next time. In the case of PFAW, I think we may need to address other points, as well. I can put some comments in bullet form, and you can take them or leave them. --- Peggy

Jeannie Layson/EAC/GOV
12/14/2006 01:08 PM
To Margaret Sims/EAC/GOV@EAC
cc Juliet E. Hodgkins/EAC/GOV@EAC
Subject Re: PFAW Response to EAC Vote Fraud Report

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Jeannie Layson
U.S. Election Assistance Commission
1225 New York Ave., NW
Suite 1100
Washington, DC 20005
Phone: 202-566-3100
www.eac.gov
Margaret Sims/EAC/GOV
12/14/2006 12:55 PM

To Juliet E. Hodgkins/EAC/GOV@EAC, Jeannie Layson/EAC/GOV@EAC
cc
Subject PFAW Response to EAC Vote Fraud Report

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--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM ---
Karen Lynn-Dyson/EAC/GOV
12/14/2006 01:36 PM
To Margaret Sims/EAC/GOV@EAC
cc "Donetta Davidson" <Ddavidson@eac.gov>, Gracia Hillman/EAC/GOV@EAC, "Jeannie Layson" <jlayson@eac.gov>, Juliet E. Thompson/EAC/GOV@EAC, "Karen Lynn-Dyson" <klynn-dyson@eac.gov>, "Paul DeGregorio" <pdegregorio@eac.gov>, "Sheila Banks" <sbanks@eac.gov>, Thomas R. Wilkey/EAC/GOV@EAC
Subject Re: People For

Peg, et.al-

I did not have any interaction with this group.

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

Margaret Sims/EAC/GOV

Margaret Sims/EAC/GOV
12/14/2006 12:40 PM
To Gracia Hillman/EAC/GOV@EAC
cc "Donetta Davidson" <Ddavidson@eac.gov>, "Jeannie Layson" <jlayson@eac.gov>, Juliet E. Thompson/EAC/GOV@EAC, "Karen Lynn-Dyson" <klynn-dyson@eac.gov>, "Paul DeGregorio" <pdegregorio@eac.gov>, "Sheila Banks" <sbanks@eac.gov>, Thomas R. Wilkey/EAC/GOV@EAC
Subject Re: People For

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Peggy Sims
Election Research Specialist
Was the report that was drafted after the working group meeting or the interviews done with eac participant reviewed after the draft was completed.
Need this right away

Sent from my BlackBerry Wireless Handheld

--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM ----

Karen Lynn-Dyson/EAC/GOV
01/26/2007 11:49 AM
To: Elieen L. Kuala/EAC/GOV@EAC
cc: Margaret Sims/EAC/GOV@EAC

Subject: Re:

Peg-

Could you get Elle and answer on this, if she hasn't already gotten one?

Thanks

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

Elieen L. Kuala/EAC/GOV

Hey Karen,

Did Barbara Arnwine ever attend ANY of the voter fraud working group meetings?

Thanks,
I already got one, thanks!

Elle L.K. Kuala
Special Assistant to the Chair
U.S. Election Assistance Commission
office: (202) 566-2256
blackberry: (202) 294-9251

Karen Lynn-Dyson/EAC/GOV

Peg-
Could you get Elle and answer on this, if she hasn't already gotten one?

Thanks
Hey Karen,

Did Barbara Arnwine ever attend ANY of the voter fraud working group meetings?

Thanks,
Elle
Elle Collver
U.S. Election Assistance Commission
1225 New York Avenue, Suite 1100
Washington, D.C. 20005
(202) 566-2256
www.eac.gov

Sent from my BlackBerry Wireless Handheld

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM -----

Juliet E. Hodgkins/EAC/GOV
02/09/2007 05:45 PM
To Margaret Sims/EAC/GOV@EAC
cc
Subject Fw: 1099
Curtis:

I believe that the only items I have in hard copy, and not in electronic format, are my working copies of the contracts (official copies would be in the agency contract files), the monthly pay invoices and travel reimbursement requests submitted by the consultants, and some DOJ training documentation that was given to us on condition that we keep it confidential.

Other than emails, the documentation that is in electronic form is housed in EAC's shared drawer at T:\RESEARCH IN PROGRESS\VOTING FRAUD-VOTER INTIMIDATION. Do you have read access to that?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

Curtis Crider/EAC/GOV

All:

The Office of Inspector General has initiated an evaluation of the contracting process used by the EAC for the voter fraud and voter intimidation projects. In order for us to complete our evaluation, we need copies of all e-mails or other documents that you have regarding either project. Electronic documents can be sent to an e-mail account that we have set up- eaccon@eac.gov. If you have any hard copy documents, please let me know.

If you do not have any documents or e-mails, please send me an e-mail to that effect.

Thank you,

Curtis Crider
Office of Inspector General, Election Assistance Commission
Phone - (202) 566-3125
Fax - (202) 566-0957

Important: This electronic transmission is intended for the use of the individual or entity to which it is
addressed. It may contain information that is privileged, confidential, or otherwise protected from disclosure under applicable law.
Fifth batch attached. More to come. --- Peggy Sims

Please do ask him. Thanks

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, April 03, 2006 4:14 PM
To:
Subject: Fw: DOJ Training Materials

Devon’s response is attached. Guess I’ll add this to the list of questions going to Donsanto.
---Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/03/2006 05:12 PM ----- 
Devon E. Romig/EAC/GOV

Peggy,

The sections that you listed below are also empty in our copy. I have attached a copy of the complete table of contents with all of the section that are empty in our copy of the 2004 DOJ training binder.

Thanks,

Devon
Devon:
One of our consultants noted that there are several sections appear to be missing from the 2004 DOJ training binder. She wasn't sure if it is because of what DOJ sent over to EAC or a problem in the photocopying. From what she can see, some of the table of contents is missing and tabs 14, 15, 16, 17, 21, 23 and 26 are all empty. I think we must have provided the T of C because I don't see one in the binder. Can you please retrieve the binder and check this out for me?
Thanks! --- Peggy

Hi Peg,

I will call J.R. on Thursday to run it by him and let you know what he says. As for my availability on Wednesday, April 12, the answer is "yes". Morning is best for me, although I could be available in the afternoon. You choose a time and I will be here.

Thanks,

Tony

----- Original Message -----
Intimidation Working Group

Tony:

Which one do you think would be best? J.R. Perez, as Election Administrator, should have knowledge of voting fraud and voter intimidation in both voter registration and voting. I assume that, though Patricia is the voter registration supervisor, she also would have knowledge of voting fraud and voter intimidation in balloting. Would they be available in May for a meeting of the project working group? Who could best stand up to the DNC and RNC counsels?

On a related matter, would you be available for our consultants to interview you by telephone next Wednesday? If so, let me know a convenient time. I'll confirm the time with the two consultants, Job Serebrov and Tova Wang. Then, I'll get back to you with the toll-free line and pass code you will need to use for the teleconference.

Thanks!

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

Good Afternoon Peg,

How about J. R. Perez, Elections Administrator, Guadalupe County or Patricia Benavides, Voting Registration Supervisor, Tarrant County, Texas?

Tony
Dear Tony,
Un fortunately both Javier and myself have to decline in being members of the working group from Texas. It is a bad time of the year where we have so many elections and would not be able to contribute enough time to doing research of any kind. Please keep us in mind for future meetings.
Helen Jamison

Helen, Javier,

Attached is the information from the EAC requesting your services as a member of the working group from Texas. Please let me know in a couple of days if one of you will be able to participate. If you need more information, call me and I will conference in with Peggy Sims, who can give you more details.

Thanks,

Tony

Tony:

Thanks for being willing to help me identify a qualified, nonpartisan local election official to serve on our Project Working Group for the preliminary research being conducted on voting fraud and voter intimidation.

Background
Section 241 of the Help America Vote Act of 2002 requires EAC to conduct research on election administration issues. Among the issues listed in the statute are the development of:

1. nationwide statistics and methods of identifying, deterring, and investigating voting fraud in elections for Federal office [section 241(b)(6)]; and 
2. methods of identifying, deterring, and investigating methods of voter intimidation [section 241(b)(7)].

EAC's Board of Advisors recommended that EAC make research on these topics a high priority.

Preliminary EAC Research

Subsequently, the Commission contracted with two consultants (Tova Wang and Job Serebrov) to:

1. develop a comprehensive description of what constitutes voting fraud and voter intimidation in the context of Federal elections; 
2. perform preliminary research on these topics (including Federal and State administrative and case law review), identify related activities of key government agencies and civic and advocacy organizations, and deliver a summary of this research and all source documentation; 
3. convene a meeting of a project working group composed of key individuals and representatives of organizations knowledgeable about the topics of voting fraud and voter intimidation, provide the results of the preliminary research to the working group, and record the working group's deliberations; and 
4. produce a report to EAC summarizing the findings of the preliminary research effort and working group deliberations that includes recommendations for future EAC action, if any.

The Project Working Group will probably meet only once during this preliminary research effort (probably in late April) to review the consultants research and provide input. Other members of the Working Group are lawyers from advocacy groups and major political parties, two State election officials, and Barry Weinberg, former Deputy Chief of DOJ's Voting Section, Civil Rights Division. Craig Donsanto, Director of DOJ's Election Crimes Branch will serve as a technical advisor to the group.

I really appreciate any help you can offer in identifying a qualified individual to fill the slot on the Working Group that has been reserved for an experienced, nonpartisan local election official.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

"Tony J. Sirvello III"
Good Afternoon Peg,

How about J. R. Perez, Elections Administrator, Guadalupe County or Patricia Benavides, Voting Registration Supervisor, Tarrant County, Texas?

Tony

----- Original Message ----- 
From: Helen Jamison
To: Tony J. Sirvello III
Sent: Tuesday, April 04, 2006 11:46 AM
Subject: RE: Nonpartisan Local Election Official Needed for Voting Fraud/Voter Intimidation Working Group

Dear Tony,
Unfortunately both Javier and myself have to decline in being members of the working group from Texas. It is a bad time of the year where we have so many elections and would not be able to contribute enough time to doing research of any kind. Please keep us in mind for future meetings.

Helen Jamison

-----Original Message-----
From: Tony J. Sirvello III [mailto ]
Sent: Monday, April 03, 2006 1:19 PM
To: Helen Jamison; Javier Chacon
Subject: Fw: Nonpartisan Local Election Official Needed for Voting Fraud/Voter Intimidation Working Group

Helen, Javier,

Attached is the information from the EAC requesting your services as a member of the working group from Texas. Please let me know in a couple of days if one of you will be able to participate. If you need more information, call me and I will conference in with Peggy Sims, who can give you more details.

Thanks,

Tony

----- Original Message ----- 
From: psims@eac.gov
To: 
Sent: Thursday, March 16, 2006 10:29 AM 
Subject: Nonpartisan Local Election Official Needed for Voting Fraud/Voter Intimidation Working Group

Tony:

Thanks for being willing to help me identify a qualified, nonpartisan local election official to serve on our Project Working Group for the preliminary research being conducted on voting fraud and voter intimidation.

Background

Section 241 of the Help America Vote Act of 2002 requires EAC to conduct research on election administration issues. Among the issues listed in the statute are the development of:

1. nationwide statistics and methods of identifying, deterring, and investigating voting fraud in elections for Federal office [section 241(b)(6)]; and
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1. develop a comprehensive description of what constitutes voting fraud and voter intimidation in the context of Federal elections;
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The Project Working Group will probably meet only once during this preliminary research effort (probably in late April) to review the consultants research and provide input. Other members of the Working Group are lawyers from advocacy groups and major political parties, two State election officials, and Barry Weinberg, former Deputy Chief of DOJ’s Voting Section, Civil Rights Division. Craig Donsanto, Director of DOJ’s Election Crimes Branch will serve as a technical advisor to the group.

I really appreciate any help you can offer in identifying a qualified individual to fill the slot on the Working Group that has been reserved for an experienced, nonpartisan local election official.

Peggy Sims 
Election Research Specialist 
U.S. Election Assistance Commission 
1225 New York Ave, NW - Ste 1100 
Washington, DC 20005
Tony:

How about scheduling the teleconference with our consultants for 10 AM CST/11 AM EST on Wednesday, April 12? — Peggy

No, except it means pushing everything back, ie the final report. I suppose we could, as we discussed, take a week or two off in May and tack it on to June. There's no way we could write a final report in ten days, obviously. That would be fine with me.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, April 04, 2006 8:46 AM
To: Tova Andrea Wang; Job Serebrov
Subject: Project Working Group Meeting

The Chairman and Vice Chairman are interested in attending the meeting. Due to schedule conflicts, they are asking us to look at the week of May 15. Does that pose a problem for either of youpeggy

--------------
Sent from my BlackBerry Wireless Handheld

----- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM ------

"Tova Wang"                        To  "Job Serebrov" psims@eac.gov
04/12/2006 12:30 PM         cc  "Nicole Mortellito" <nmortellito@eac.gov>
Subject  RE: working group meeting
That's fine, just asking

----- Original Message ----- 
From: Job Serebrov [mailto: ]
Sent: Wednesday, April 12, 2006 11:26 AM
To: Tova Wang; psims@eac.gov
Cc: 'Job Serebrov'; 'Nicole Mortellito'
Subject: Re: working group meeting

It was my understanding that the meeting would be on the 15th or later.

Tova, Peggy is out of the office this week.

--- Tova Wang wrote:

> I cannot do it on May 5 now. Any update on a date?
> I will be in DC for other meetings May 4 - May 7 if that makes any
difference (EAC would not have to pay my transportation if it was on, for
example, Monday May 8 or possibly even the 9th) Thanks.

> Tova Andrea Wang
> Democracy Fellow
> The Century Foundation
> phone: 516 - fax: 
>
> analysis, opinions, and events.
>
> <mailto:>
>
> Click here to receive our weekly e-mail updates.

----- Forwarded by Margaret Sims/EAC/Gov on 05/01/2007 08:46 PM -----
Peggy,

In preparation for the logistics of this week's working group, I need to know how many people to expect for the meeting. Also, if you still need me to make name tags, I will need a list of attendees and the Avery label size.

Also, I will need help from Laiza on the table tents, or we can see if she has the time to help with that.

Thanks!

Elle

Elle L.K Collver
U.S. Election Assistance Commission
1225 New York Avenue, Suite 1100
Washington, D.C. 20005
office: (202) 566-2256
blackberry: (202) 294-9251
www.eac.gov

I have attached the list of the working groups participants. Peggy, you may want to double check this list incase I have left anyone out.

In place of name tags we just used the tent cards for the APIA working group. This seemed to be effective because it was easier to identify the person who was speaking but we could use both.
Plus, I found a few typos on the nexis analysis. Sorry about this.

Tova Andrea Wang
Democracy Fellow
The Century Foundation

Visit our Web site, for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.
Craig:

We are continuing our efforts to hone in on a date for the Working Group meeting. Are you available the afternoon of Thursday, May 18?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM ---

"Tova Wang"

Job, please double check to make sure I haven’t missed anything

Tova Andrea Wang
Democracy Fellow
The Century Foundation

Visit our Web site, {visit our website} for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM ---
Tova Andrea Wang
Democracy Fellow
The Century Foundation

Visit our Web site for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.

I have just forwarded to you the Feb 3 email I sent to EAC Staff.

Diana M. Scott
Administrative Officer
U.S. Election Assistance Commission
(202) 566-3100 (office)
(202) 566-3127 (fax)
dscott@eac.gov

Edgardo Cortes/EAC/GOV
Are you two still available for the conference call we had scheduled for this afternoon at 4 PM EST/3 PM CST? --- Peg

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:28 PM -----

Tova Andrea Wang
Democracy Fellow
The Century Foundation
460 Riverside Drive
New York, NY 10025
Phone: (212) 432-7784 Fax: (212) 1005


Click here to receive our weekly e-mail updates.

Interview with Lori Minnite.doc  Interview with Neil Bradley final.doc  Interview with Nina Perales final.doc

Interview with Pat Rogers.doc  Interview with Rebecca Vigil-Giron.doc  Interview with Sarah Ball Johnson.doc

Interview with Steve Ansolobehere and Chandler Davidson.doc  Interview with Tracy Campbell.doc

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:28 PM -----

Margaret Sims/EAC/GOV
04/19/2006 03:31 PM

To "Job Serebrov" <job.serebrov@eac.gov>, "Tova Andrea Wang" <towa.wang@eac.gov>
cc
Subject Recent email from Aletha Barrington

Please ignore the message sent to you today by Aletha Barrington. It was sent in error. As COR for this project, I remain your primary contact. Thanks.

Peggy

Sent from my BlackBerry Wireless Handheld
Peggy,

In preparation for the logistics of this week's working group, I need to know how many people to expect for the meeting. Also, if you still need me to make name tags, I will need a list of attendees and the Avery label size.

Also, I will need help from Laiza on the table tents, or we can see if she has the time to help with that.

Thanks!

Elle

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:21 PM ---

I have arranged for a transcriptionist to be at the meeting but I am not sure about the snacks for the break.

Devon Romig
Sounds great. It did seem to work just fine for our Asian Language group. Is there going to be a transcriptionist? If so, has anyone taken care of that?

Did you still want to provide the cookies or snacks, or shall I get that from Cafe Mozart (where I am planning to get the coffee). I can just buy a few boxes of cookies for the break.

Elle

Elle L.K Collver
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blackberry: (202) 294-9251
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Elieen L. Collver/EAC/GOV
05/15/2006 03:19 PM
To Margaret Sims/EAC/GOV@EAC
cc dromig@eac.gov
Subject Re: working group

Elle:
I think our number will be about 21 (with the Working Group members, consultants, possible EAC Commissioners and staff, and the court reporter). I’ll have a better idea of the final list after I brief Commissioners tomorrow morning. Devon noted that they used only tent cards for the Asian Language Working Group. That might be sufficient for this group and would cut back on some of the work we have
Peggy,

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Thanks!

Elle

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U.S. Election Assistance Commission
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Washington, D.C. 20005
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blackberry: (202) 294-9251
www.eac.gov
This is a complicated issue largely because of two things: 1) there is a lot of ambiguity out there as to what constitutes "intimidation." To the civil rights community, "intimidation" means anything that makes voting uncomfortable or less than automatic. To us in the criminal law enforcement "intimidation" means threats of economic or physical nature made to force or prevent voting. Only the latter involve aggravating factors that warrant putting offenders in jail, and the statutes that address "intimidation" from a criminal perspective are thus limited. We have never had many "intimidation" criminal cases. For one thing, in this modern post voting rights era, there is not a lot of physical/economic duress out there in the voting context - - at least not that I have seen. For another, where it does occur it is very hard to investigate and detect as victims who have been physically or economically intimidated are not likely to come to the FBI.

The bottom line is that we take matters that do present predication for physical or economically based "intimidation" very seriously, AND that we are being extremely proactive in trying to find ways to prosecute matters involving voter suppression as in the Tobin cases in New Hampshire where the local GOP tried to jam telephone lines for a GOTV effort run by the Dems. But even there - - the usual "suppression" matter involves flyers that are passed around giving out misleading information about an election, and we have investigated every one of those that came to our attention last election cycle. We were not able to identify the person(s) responsible for printing the misleading flyers in any of these. But we sure as heck tried.

---

From: psims@eac.gov
Sent: Wednesday, May 17, 2006 9:57 AM
To: Donsanto, Craig
Subject: Report on Voting Fraud-Voter Intimidation Research

Craig:

I'm putting the finishing touches on a status report to the EAC Standards Board and EAC Board of Advisors on our Voting Fraud-Voter Intimidation research project. For the most part, I am using our consultants summaries for the report, but one bullet under the interview summaries is giving me heartburn. It is the bullet that references the decrease in DOJ voter intimidation actions. It is one of the places in which our consultants had indicated that your office is focussing on prosecuting individuals. I have reworded it and would like your feedback on the revision:

Several people indicate - including representatives from DOJ -- that for various reasons, the Department of Justice is bringing fewer voter intimidation and suppression cases now, and has increased its focus on matters such as noncitizen voting, double voting, and felon voting. While the Voting Section of the Civil Rights Division focuses on systemic patterns of malfeasance, the Election Crimes Branch of the Public Integrity Section has increased prosecutions of individual instances of felon, alien, and double voting while also maintaining an aggressive pursuit of systematic schemes to corrupt the electoral process.

Please suggest any changes that you think would further clarify the current approach. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:21 PM -----
foods/coffees that are provided at these meetings? Any ideas?

Thanks,
Elle

---

I have arranged for a transcriptionist to be at the meeting but I am not sure about the snacks for the break.

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov
Elleen L. Collver/EAC/GOV

---

Sounds great. It did seem to work just fine for our Asian Language group. Is there going to be a transcriptionist? If so, has anyone taken care of that?

Did you still want to provide the cookies or snacks, or shall I get that from Cafe Mozart (where I am planning to get the coffee). I can just buy a few boxes of cookies for the break.

Elle
Elle:  
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---

Eileen,

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Thanks!

Elle

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U.S. Election Assistance Commission
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Washington, D.C. 20005
office: (202) 566-2256
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----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:21 PM -----
Margaret Sims/EAC/GOV
05/22/2006 05:01 PM
To: Cortes, Romig, Collver, Tamar Nedzar/EAC/GOV, Laiza N. Otero
cc
Subject: Voting Fraud-Voter Intimidation Working Group Meeting

If any of you took notes of the discussion during the Voting Fraud-Voter Intimidation Working Group meeting, would you please provide a copy to Devon. Devon, would you please use the meeting agenda to organize and consolidate any notes by topic, and send the consolidated notes to me? Thanks. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:21 PM -----
Margaret Sims/EAC/GOV
05/15/2006 04:37 PM
To: Voting Fraud-Voter Intimidation Working Group
cc
Subject: Voting Fraud-Voter Intimidation Working Group

Dear Working Group Members and Participants:

You should receive a packet of information today, either by Federal Express or hand delivery, concerning Thursday's meeting of the project Working Group for EAC's Voting Fraud-Voter Intimidation research project. Attached is an analysis of the consultants' research into relevant literature and reports. This summary was not available when we prepared the information packets last Friday, but may be of interest to you. Our consultants and I look forward to having a productive discussion with you.

Regards,

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
I haven’t really looked into it. I know that contractors and grantees can order food and have the government pay for it if the meeting is to disseminate information. Logic dictates that we can do the same, but I am not sure of the process. I have been here when we ordered lunch for meetings. Diana would be the one to ask. Perhaps the contractor can pay for it and put it on their next invoice but the COTR for the contract would have to be in the loop on this call.

Gaylin Vogel
Law Clerk
U.S. Election Assistance Commission
1225 New York Avenue, NW Suite 1100
Washington, DC 20005
tel:202-566-3116
http://www.eac.gov
GVogel@eac.gov

I am working on the snacks. I just ordered the coffee (reg/decaf). Cafe Mozart is faxing over an invoice and we can pick up a few boxes of cookies from there too.

GAYLIN-Adam said that you had looked into the way of getting reimbursed for paying for the break foods/coffees that are provided at these meetings? Any ideas?

Thanks,
Elle

Elle L.K Collver
U.S. Election Assistance Commission
I have arranged for a transcriptionist to be at the meeting but I am not sure about the snacks for the break.

Devon Romig  
United States Election Assistance Commission  
1225 New York Ave. NW, Suite 1100  
Washington, DC 20005  
202.566.2377 phone  
202.566.3128 fax  
www.eac.gov  
Elieen L. Collver/EAC/GOV

---

Elieen L. Collver/EAC/GOV  
05/15/2006 03:29 PM  
To: Margaret Sims/EAC/GOV@EAC  
cc: dromig@eac.gov  
Subject: Re: working group

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Elle

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U.S. Election Assistance Commission  
1225 New York Avenue, Suite 1100  
Washington, D.C. 20005  
office: (202) 566-2256  
blackberry: (202) 294-9251  
www.eac.gov
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Elle L.K Collver
U.S. Election Assistance Commission
The contracts for the two consultants on this project do not cover such costs. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:21 PM ---
Margaret Sims/EAC/GOV
05/19/2006 03:30 PM
To Tova Andrea Wang, Job Serebrov
cc
Subject Monday Teleconference

This is just to confirm our Monday, May 22, teleconference at 4:30 PM EST/3:30 PM CST. Attached is a list of follow-up activities discussed at the working group meeting and recorded on the flip chart. We will need to flesh these out a bit, perhaps once we have access to the transcript. --- Peggy

Recommendations for Future Research

- Bipartisan observers/poll watchers
  - To collect data
  - To deter fraud/intimidation
- Surveys
  - State laws
  - State election offices
  - Specific states
  - Local election officials
  - Voters (this suggestion was rejected by the panel)
  - State implementation of administrative complaint procedures (applies only to HAVA Title III violations) to ID examples of procedures for other than HAVA Title III complaints
- Follow up on initial reports of fraud/intimidation from the Nexis search of news articles and literature review
- Research absentee balloting process issues
  - Methodology of “for cause” absentee voting
- Risk-analysis for voting fraud
• Who?
• What part of process?
• Ease of committing the fraud
• Which elections?

➤ Analyze
  • Phone logs from toll-free lines for election concerns
  • Federal observer reports
  • Local newspapers

➤ Academic statistical research

➤ Search and match procedures for voter registration list maintenance (subject to confirmation) to identify potential avenues for vote fraud

➤ Research State district court actions

➤ Broaden scope of interviews to local officials and district attorneys

➤ Explore the concept of election courts

➤ Model statutes

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:21 PM ---

Devon E. Romig/EAC/GOV
05/19/2006 10:15 AM

To Margaret Sims/EAC/GOV@EAC
cc

Subject Summary of notes for VFVI meeting

Peggy,

Here are the notes from the meeting.

Summary of VFVI Meeting.doc

Thanks!

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:21 PM ---

"Job Serebrov"
05/23/2006 09:17 AM

To psims@eac.gov
cc

Subject Re: Payment Vouchers
How did you deal with the issue of mileage v. airline costs for my travel?

--- psims@eac.gov wrote:

> I signed and submitted your personal services
> payment vouchers this
> morning. --- Peggy

I have to have a little time to focus on these issues and to check with our Finance Officer. Today and tomorrow, most of my time is scheduled for the EAC Standards Board and Board of Advisors meetings. --- Peggy

"Job Serebrov" wrote:

How did you deal with the issue of mileage v. airline costs for my travel?

--- psims@eac.gov wrote:

> I signed and submitted your personal services
> payment vouchers this
> morning. --- Peggy
I signed and submitted your personal services payment vouchers this morning. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:21 PM ---

"Tova Wang"

To psims@eac.gov

cc

Subject voucher

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:21 PM ---

"Tova Wang"

To psims@eac.gov

cc

Subject Re: voucher

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:21 PM ---

"Tova Wang"

To psims@eac.gov

cc

Visit our Web site, for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.

Tova:
Here is your voucher with the pay period dates and signature date updated, and a check mark added for the travel costs. I've been thinking that it might be better to make a separate submission for the travel costs. That way, if there are any delays in receiving your receipts, or there are any corrections or clarifications needed on the travel costs, we won't have to hold up the voucher for payment of personal services. If you agree, you should delete the check mark, dollar amount and travel dates from this voucher. --- Peggy
Subject: RE: Date Ranges for Research

January 1, 2001 - January 1, 2006

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 16, 2006 7:41 AM
To: 
Subject: Date Ranges for Research

Would you please refresh my memory about the date ranges used for the Nexis article research and the case law research? I'm drawing a blank and I don't see it in the summaries. I need it for this mornings Commissioner briefing. Thanks! --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:21 PM -----

Elle:
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Elieen L. Collver/EAC/GOV

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Elle

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U.S. Election Assistance Commission
1225 New York Avenue, Suite 1100
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office: (202) 566-2256
blackberry: (202) 294-9251
www.eac.gov

Elieen L. Collver/EAC/GOV
05/15/2006 03:19 PM
To Margaret Sims/EAC/GOV@EAC
cc dromig@eac.gov
Subject Re: working group

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www.eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:21 PM -----

Margaret Sims/EAC/GOV
05/15/2006 06:41 PM
To "Craig Donsanto" <Craig.Donsanto@usdoj.gov>
cc
Subject Re: Voting Fraud-Voter Intimidation Working Group

It could be a Berry problem. (I occasionally have that problem with attachments I try to retrieve through my Blackberry.)

The attachment is a pdf file, but I have access to a Word version that I can use to insert text in an email tomorrow. I don't have access to the attachment from my Berry.

Peggy

-----------------------------
Sent from my BlackBerry Wireless Handheld

----- Original Message ----- 
From: "Donsanto, Craig" [Craig.Donsanto@usdoj.gov]
Sent: 05/15/2006 04:53 PM
To: psims@eac.gov
Subject: Re: Voting Fraud-Voter Intimidation Working Group

Peggy --

I am currently on train in transit back from a day in Newark. I tried to recover your attachment on Blackberry but got a message telling me the "file is empty."

Can you paste it to an e-mail perhaps?

Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: barnwlnet
Rbauer
rbauer@eac.gov
bginsberg
bginsberg@eac.gov
mhearn
mhearn@eac.gov
jrperez5
jrperez5@eac.gov
kroger
kroger@eac.gov
weinuti
weinuti@eac.gov
jgreenbaum
vjohnson
msherrill
msherrill@eac.gov
dlovechio
bschuler@eac.gov
psims@eac.gov
Donsanto, Craig
<Craig.Donsanto@crm.usdoj.gov>
Sent: Mon May 15 16:37:48 2006
Subject: Voting Fraud-Voter Intimidation Working Group

Dear Working Group Members and Participants:

You should receive a packet of information today, either by Federal Express or hand delivery, concerning Thursday's meeting of the project Working Group for EAC's Voting Fraud-Voter Intimidation research project. Attached is an analysis of the consultants' research into relevant literature and reports. This summary was not available when we prepared the information packets last Friday, but may be of interest to you. Our consultants and I look forward to having a productive discussion with you.

Regards,

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
e-mail: psims@eac.gov
I found some typos in the Status Report. Please replace the one I gave you with the attached. Thanks. --- Peggy

---
Margaret Sims/EAC/GOV  05/23/2006 08:45 AM
To “Tova Wang” cc
Subject RE: PowerPoint Presentation to EAC Boards

I know --- I'll have to cover that in my oral presentation, along with some other points. The audience will have a copy of the paper I put together using Job's and your summaries and findings. The paper provides a lot more detail. We did not plan to provide a copy of the PowerPoint presentation, which is just meant to keep me on track and them interested in the presentation. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM ----

"Tova Wang"
05/26/2006 10:41 AM
To psims@eac.gov, "Job Serebrov"
cc
Subject RE: Request to interview AUSAs

I still think we should include the recommendations in the report

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Friday, May 26, 2006 9:30 AM
To: Tova Andrea Wang; Job Serebrov
Subject: Fw: Request to interview AUSAs

Below is Craig's response to the request to interview AUSAs. It does not appear that this avenue is likely because the AUSAs are so busy.

Also, he asked about permission for other folks to attend the election crimes training session, and the answer was "no". (I can't even get in, and I'm a federal employee.). I understand that a good part of the reason is practical -- they are having enough trouble accommodating the folks that are required to come.

Peggy
----- Original Message -----
From: "Donsanto, Craig" [Craig.Donsanto@usdoj.gov]
Sent: 05/23/2006 02:49 PM
To: psims@eac.gov; "Voris, Natalie (USAEO)" <Natalie.Voris@usdoj.gov>; "Hillman, Noel" <Noel.Hillman@usdoj.gov>; "Simmons, Nancy" <Nancy.Simmons@usdoj.gov>
Subject: Request to interview AUSAs

Peg --

At the Advisory Board meeting we had last week, your two contractors asked to interview the over-100 AUSAs who are serving as District Election Officers in connection with the Fraud study.

This request needs to be addressed to Natalie Voris of EOUSA per the message from here that follows.

If the contractors require additional information in connection with the Fraud Study, and should EOUSA not be able to satisfy their needs they can communicate with me on criminal issues and Cameron Quinn on Civil Rights issues.

I will be here when you arrive later today at the Board of Advisors meeting when you arrive to talk to us at 4:30.

Ms. Voris' message follows:

Per the USAM, all requests for interviews/surveys/research projects that involve USAOs must be approved by EOUSA. I am pasting the provision below - the contact name needs to be updated. Requests should come to me, as the Acting Counsel to the Director.

Thanks,
Natalie

Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM ---

Margaret Sims/EAC/GOV
05/16/2006 03:50 PM
To "Tova Wang"
cc
Subject Re: board of advisers presentation

I haven't sent it yet. If you need to leave early, you can look at what I have so far, which does not have the intro or the text regarding the final report. --- Peggy
Hi Peg, Have you tried to send me the presentation? I haven’t gotten it, but I think we may be having email problems. Let me know. I’d need to look at it today since I’ll be tied up tomorrow. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation
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Click here to receive our weekly e-mail updates.

Thank you, Peg. This is at least more accurate than what I read this morning. Thank you for taking the time to discuss this with me. I shall see you tomorrow.

Craig:

This is what I was working on for the upcoming meetings of the EAC Board of Advisors and EAC
Standards Board. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM -----

"Donsanto, Craig"
<Craig.Donsanto@usdoj.gov>
To psims@eac.gov
cc
05/17/2006 01:23 PM
Subject Re: Report on Voting Fraud-Voter Intimidation Research

Peggy -- can you call me about this in about an hour?

202-514-1421.

--------------------------
Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Subject: Report on Voting Fraud-Voter Intimidation Research

Craig:

I'm putting the finishing touches on a status report to the EAC Standards Board and EAC Board of Advisors on our Voting Fraud-Voter Intimidation research project. For the most part, I am using our consultants summaries for the report, but one bullet under the interview summaries is giving me heartburn. It is the bullet that references the decrease in DOJ voter intimidation actions. It is one of the places in which our consultants had indicated that your office is focusing on prosecuting individuals. I have reworded it and would like your feedback on the revision:

Several people indicate - including representatives from DOJ -- that for various reasons, the Department of Justice is bringing fewer voter intimidation and suppression cases now, and has increased its focus on matters such as noncitizen voting, double voting, and felon voting. While the Voting Section of the Civil Rights Division focuses on systemic patterns of malfeasance, the Election Crimes Branch of the Public Integrity Section has increased prosecutions of individual instances of felon, alien, and double voting while also maintaining an aggressive pursuit of systematic schemes to corrupt the electoral process.

Please suggest any changes that you think would further clarify the current approach. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM -----
Margaret Sims/EAC/GOV
05/17/2006 02:13 PM
To "Donsanto, Craig"
<Craig.Donsanto@usdoj.gov>@GSAEXTERNAL
cc
Subject Re: Report on Voting Fraud-Voter Intimidation Research
Shall I call you at about 2:30 PM? -- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM -----
Margaret Sims/EAC/GOV
05/15/2006 05:09 PM
To: Job Serebrov
cc:
Subject: Mileage Rate for POV

Job:
The federal mileage rate for POVs is $.445 per mile (see http://www.gsa.gov/Portal/gsa/ep/contentView.do?programId=9299&channelId=-13224&ooid=10359&contentId=9646&pageTypeId=8203&contentType=GSA_BASIC&programPage=%2Fep%2Fprogram%2FgsaBasic.jsp&P=MTT). Write down the number on your odometer at the beginning (starting at home) and end of the trip (when you arrive back home). The difference should be your total mileage, unless you make any side trips for personal convenience. The mileage for side trips should be deleted from the total. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM -----
Margaret Sims/EAC/GOV
05/24/2006 03:16 PM
To: "Tova Wang"
cc:
Subject: Re: presentation

I'm glad it is over --- for now. One audience was a lot tougher than the other. The Standards Board was much more critical of the research than the Board of Advisors.

Of course, the Board of Advisors is the body that wanted EAC to place a high priority on the research. Its members were interested in sharing personal experiences (including problems with getting anyone to prosecute) and observations (that we need to expand the research to give Congress and political parties a better picture of how rare or prevalent are voting fraud and intimidation, that the HAVA-mandated statewide voter registration lists should help to prevent fraud, etc.). They also asked if EAC will look at specific opportunities for fraud (using cell phones in vote buying schemes to photograph the ballot being cast at the poll) and how the agency will research voter intimidation/suppression involving voters with disabilities (advocates want to pass on complaints received).

The members of the Standards Board focused much more on the scope of the research and the completeness and accuracy of the information gleaned. Some wanted to include campaign finance crimes in the mix; others understood why we did not. Several did not like the use of newspaper articles, or were defensive about references to the large number of articles about their State. They made the point that, given the vagaries of the press, EAC should not use the number of articles about a specific State or particular vote fraud/intimidation activity as a basis for determining the likelihood that problems will occur in a given State or the frequency with which certain activities occur. (I never said that we did, but some members thought it was at least implied.) Some members want more research on the topic (into prosecutions and/or unsuccessful referrals made by election officials to law enforcement agencies); others want us to "quit throwing away tax dollars" and to stop the research altogether. Although my first slide noted our statutory authority to conduct this study, several members challenged EAC's right to do so --- saying that DOJ, not EAC, should conduct such research.

The dueling approaches of these boards may give us heartburn when the time comes for them to review

000538
and comment on the draft. We will have to make a strong statement at the beginning, perhaps repeated at the end, that this is preliminary research. We also may need to thoroughly explain how choices were made regarding what to look at, who to interview, etc. We may need to clearly acknowledge both the strengths and weaknesses of the various sources of information used in the preliminary research. Finally, when reviewing ideas for subsequent research, we may need to discuss the pros and cons of each approach, what additional information we expect to retrieve, and, perhaps, the estimated cost.

By the way, I did clarify the polling place fraud bullet. --- Peg

"Tova Wang" <

"Tova Wang"
05/24/2006 09:14 AM
To psims@eac.gov
cc
Subject presentation

How did it go? Were you able to verbally correct that discrepancy we talked about the other day?
Thanks. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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---- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM ----

"Tova Wang"
05/24/2006 03:27 PM
To psims@eac.gov
cc
Subject RE: presentation

Yikes. It sounds like a lot of work after all. Should we talk over what the report should look like again, I guess when Job gets back? Will you help us write it in a way you think will satisfy? I guess it goes to the commissioners first anyway. Does this portend anything for phase 2? Thanks Peg. Tova

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Wednesday, May 24, 2006 2:16 PM
To: 
Subject: Re: presentation
I'm glad it is over --- for now. One audience was a lot tougher than the other. The Standards Board was much more critical of the research than the Board of Advisors.

Of course, the Board of Advisors is the body that wanted EAC to place a high priority on the research. Its members were interested in sharing personal experiences (including problems with getting anyone to prosecute) and observations (that we need to expand the research to give Congress and political parties a better picture of how rare or prevalent are voting fraud and intimidation, that the HAVA-mandated statewide voter registration lists should help to prevent fraud, etc.). They also asked if EAC will look at specific opportunities for fraud (using cell phones in vote buying schemes to photograph the ballot being cast at the poll) and how the agency will research voter intimidation/suppression involving voters with disabilities (advocates want to pass on complaints received).

The members of the Standards Board focused much more on the scope of the research and the completeness and accuracy of the information gleaned. Some wanted to include campaign finance crimes in the mix; others understood why we did not. Several did not like the use of newspaper articles, or were defensive about references to the large number of articles about their State. They made the point that, given the vagaries of the press, EAC should not use the number of articles about a specific State or particular vote fraud/intimidation activity as a basis for determining the likelihood that problems will occur in a given State or the frequency with which certain activities occur. (I never said that we did, but some members thought it was at least implied.) Some members want more research on the topic (into prosecutions and/or unsuccessful referrals made by election officials to law enforcement agencies); others want us to "quit throwing away tax dollars" and to stop the research altogether. Although my first slide noted our statutory authority to conduct this study, several members challenged EAC's right to do so --- saying that DOJ, not EAC, should conduct such research.

The dueling approaches of these boards may give us heartburn when the time comes for them to review and comment on the draft. We will have to make a strong statement at the beginning, perhaps repeated at the end, that this is preliminary research. We also may need to thoroughly explain how choices were made regarding what to look at, who to interview, etc. We may need to clearly acknowledge both the strengths and weaknesses of the various sources of information used in the preliminary research. Finally, when reviewing ideas for subsequent research, we may need to discuss the pros and cons of each approach, what additional information we expect to retrieve, and, perhaps, the estimated cost.

By the way, I did clarify the polling place fraud bullet. --- Peg
How did it go? Were you able to verbally correct that discrepancy we talked about the other day?
Thanks. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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---

Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM ---

"Tova Wang" To psims@eac.gov
05/16/2006 05:08 PM cc
Subject RE: board of advisers presentation

This looks fine otherwise, but I'm not sure I understand why you included the attachments you did. They are not really representative of what we did for the project as a whole. The summaries are just meant to supplement the nexis excel charts.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 16, 2006 2:51 PM
To: [REDACTED]
Subject: Re: board of advisers presentation

I haven't sent it yet. If you need to leave early, you can look at what I have so far, which does not have the intro or the text regarding the final report. --- Peggy

"Tova Wang" 05/16/2006 03:47 PM To psims@eac.gov
To psims@eac.gov cc
Subject board of advisers presentation
Hi Peg. Have you tried to send me the presentation? I haven't gotten it, but I think we may be having email problems. Let me know. I'd need to look at it today since I'll be tied up tomorrow.
Tova

Tova Andrea Wang
Democracy Fellow
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---- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM ----
"Donsanto, Craig"
<Craig.Donsanto@usdoj.gov>
To: psims@eac.gov
cc
05/16/2006 12:06 PM
Subject: RE: Your Materials

Thank you, Peg. This stuff is very interesting.

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 16, 2006 11:27 AM
To: Donsanto, Craig
Subject: Re: Your Materials

I have forwarded your message to our consultants and have requested a corrected version for distribution at the WG meeting. --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/16/2006 10:46 AM
To: psims@eac.gov
cc
Subject: Your Materials
Peg - -

I have read over the materials you sent to me and viewed the pieces on the CD.

I have only one correction:

I did not say that offenders who receive target letters routinely request - - or routinely receive - - audiences here at DOJHQ. That is very rare. Instead, what usually happens is that once a subject for an election fraud investigation is advised that he or she is going to be charged that person usually enters into plea negotiations and ultimately pleads guilty. Very few federal election fraud cases go to trial. When a subject does request a HQ interview or a HW hearing, it would be held in the first instance by myself. But again, Peg, that is rare.

Also, while the occurrences of prosecutions of isolated instances of felons and alien voters and double voters has increased, we still aggressively and I believe quite successfully pursue systematic schemes to corrupt the electoral process, as the cases we brought recently out of Knott and Pike Counties in Kentucky, those we brought out of Lincoln and Logan Counties in West Virginia, and those we brought in New Hampshire growing out of the jamming of get-out-the-vote phone bank lines attest.

I don't think anyone should be given the opportunity to correct mistakes.

Should we send all of the interview summaries to the people we interviewed for review then?

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 16, 2006 10:30 AM
To:
Cc: wang@tcf.org
Subject: Re: Corrections

It wasn't his mistake. I was there at the interview. I just did not have time to review all of the interview summaries. --- Peggy

"Job Serebrov" 05/16/2006 11:13 AM
To "Job Serebrov"<serebrov@GSAEXTERNAL>
cc psims@eac.gov
Subject Re: Corrections

I don't think anyone should be given the opportunity to correct mistakes.

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM -----
Margaret Sims/EAC/GOV 05/16/2006 11:30 AM
To "Job Serebrov" cc psims@eac.gov
Subject Re: Corrections

It wasn't his mistake. I was there at the interview. I just did not have time to review all of the interview summaries. --- Peggy

"Job Serebrov" <serebrov@

I don't think anyone should be given the opportunity to correct mistakes.
OK. Weather is not going to be great in DC Thursday. I hope that does not delay me.

--- psims@eac.gov wrote:

> We don't need a castle key, but we have to wait until the Chairman returns to the office tomorrow to confirm availability of the parking pass. I expect you will be on the road, then. Try calling me our toll-free line (1-866-747-1471) tomorrow afternoon, say after 2 PM EST, so that we can talk about this. --- Peg

> "Job Serebrov" <serebrov> 05/15/2006 09:56 AM

> To psims@eac.gov
> cc
> Subject Re: Question

> Did you find out whether I can use the Chairman's parking spot?

> --- psims@eac.gov wrote:

> > You will need to submit hotel and parking receipts.
> > You don't need to submit meal receipts. You don't need to submit gas receipts because use of a personally owned vehicle (POV) is reimbursed based on mileage. I think I emailed the mileage rate to you. If you need it again, I'll look it up when I am at the office (this afternoon).
----- Original Message ----- 
From: "Job Serebrov"  
Sent: 05/12/2006 09:05 PM  
To: psims@eac.gov  
Subject: Question  

Peg:  
Since I am driving to DC, besides hotel receipts, do you want me to keep my gas receipts or how will my car use be compensated? Also, I assume I don't have to retain food receipts.

Job

--- Forwarded by Margaret Sims/EAC/OV on 04/30/2007 04:20 PM ---
"Tova Wang"  
To psims@eac.gov  
cc dromig@eac.gov  
Subject I'm sorry

I don't think I sent this to you either. Can we hand it out at the meeting as an addendum? It's another summary that would have gone in the news article section. I'm usually so organized, I'm very embarrassed. Too many things! Thanks

Tova Andrea Wang  
Democracy Fellow  
The Century Foundation  


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What is the information you need when you say:
The consultants jointly selected experts from ???

We chose the interviewees by first coming up with a list of the categories of types of people we wanted to interview. Then we each filled those categories with a certain number of people, equally. The ultimate categories were academics, advocates, elections officials, lawyers and judges.

Is that what you need?

I haven't sent it yet. If you need to leave early, you can look at what I have so far, which does not have the intro or the text regarding the final report. --- Peggy

Hi Peg, Have you tried to send me the presentation? I haven't gotten it, but I think we may be
having email problems. Let me know. I'd need to look at it today since I'll be tied up tomorrow.

Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM -----

"Job Serebrov"
To psims@eac.gov
cc
Subject Re: Fw: New Working Group Member

Excellent!

--- psims@eac.gov wrote:

> Just thought you would like to see the Chairman's
> reaction to the Ginsberg choice, attached.
> Peggy
> 
> --------------------------
> Sent from my BlackBerry Wireless Handheld
>
>
> ----- Original Message ----- 
> From: Paul DeGregorio
> Sent: 05/14/2006 12:01 PM
> To: CN=Margaret Sims/OU=EAC/O=GOV@EAC
> Cc: CN=Amie J. Sherrill/OU=EAC/O=GOV
> Subject: Re: New Working Group Member
> 
> Ben Ginsberg is one of the most respected election
> law attorneys in the country. Great choice.
> 
> --------------------------
> Sent from my BlackBerry Wireless Handheld
>
>
> ----- Original Message ----- 
> From: Margaret Sims
> Sent: 05/12/2006 04:04 PM
> To: pdeggregorio@eac.gov
> Cc: CN=Amie J. Sherrill/OU=EAC/O=GOV@EAC
> Subject: New Working Group Member
FYI - The person I mentioned as a replacement for David Norcross, who was unavailable, could not attend or Voting Fraud-Voter Intimidation Working Group meeting. Our consultant, Job Serebrov, suggested Benjamin Ginsberg, who is willing. I'm sorry I could not check with you on this beforehand --- things happened so fast! --- Peggy

Hello to all,

I would love to help, but I will not be in the office from today (Monday, May 15th) thru Wednesday, May 17th ------ I'll be back on Thursday morning. When is your meeting taking place? I had e-mailed Adam a draft of the table tents I did for the APIA working group; perhaps he still has it archived in his Lotus notes and could forward it to you. All you would have to do then is erase the APIA names and insert the ones for the new working group. In case he does not have the document I sent him and you need them prior to me returning to the office ---- in Microsoft Word, open a new document, go under Tools, then labels and envelopes, choose Labels and then Options -- then choose the correct Avery product number for your tent cards and click New document -- this will bring a blank template where you can begin to insert the names. I hope this helps. I can be reached by phone at (610) 780-8551 in case you need my help. Also, the tent card box usually brings an instruction sheet, it's not the most clear though.

Laiza N. Otero
Research Associate
U.S. Election Assistance Commission
1225 New York Avenue, Suite 1100
Washington, DC 20005
Tel. (202) 566-1707
Fax (202) 566-3128
Also, I will need help from Laiza on the table tents, or we can see if she has the time to help with that.

Thanks!

Elle

Elle L.K Collver
U.S. Election Assistance Commission
1225 New York Avenue, Suite 1100
Washington, D.C. 20005
office: (202) 566-2256
blackberry: (202) 294-9251
www.eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM -----
Margaret Sims/EAC/GOV
05/22/2006 04:55 PM
To Tova Andrea Wang, Job Serebrov
cc
Subject PowerPoint Presentation to EAC Boards

FYI - Attached is a copy of the PowerPoint presentation on the voting fraud-voter intimidation research project for tomorrow's meetings of the EAC Standards Board (110 state and local election officials) and the EAC Advisory Board (37 representatives from national associations and government agencies who play a role in HAVA implementation and from science and technology-related professions appointed by Congressional members). I used your summaries as the primary source of information for the presentation. --- Peggy

VF•VI Project Presentation.ppt
----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM -----
Tamar Nedzar/EAC/GOV
05/18/2006 04:36 PM
To cdownsanto@usdoj.gov, weinutra@ed.gov, jogers@ed.gov, mhearns@ed.gov, bginsberg@ed.gov, barnwine@ed.gov, wang@ed.gov
cc Margaret Sims/EAC/GOV@EAC, Edgardo Cortes/EAC/GOV@EAC, Juliet E. Thompson-Hodgkins/EAC/GOV@EAC
Subject Senate and House Conference Reports

All,

As discussed in the meeting today, please find attached the House and Senate Conference Reports associated with the passage of HAVA. In each document, the word "fraud" is capitalized, bolded, and highlighted.
Kind Regards,

Tamar Nedzar
Law Clerk
U.S. Election Assistance Commission
1225 New York Avenue, NW Suite 1100
Washington, DC 20005
(202) 566-2377
http://www.eac.gov
TNedzar@eac.gov

House Conference Report.doc

Senate Conference Report.doc

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM -----

"Tova Wang"
05/23/2006 09:23 AM
To: psims@eac.gov
cc
Subject: RE: PowerPoint Presentation to EAC Boards

OK, thanks

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 23, 2006 7:46 AM
To: 
Subject: RE: PowerPoint Presentation to EAC Boards

I know --- I'll have to cover that in my oral presentation, along with some other points. The audience will have a copy of the paper I put together using Job's and your summaries and findings. The paper provides a lot more detail. We did not plan to provide a copy of the PowerPoint presentation, which is just meant to keep me on track and them interested in the presentation. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM -----

"Tova Wang"
05/22/2006 03:43 PM
To: psims@eac.gov
cc
Subject: RE: voucher

Is there something separate I should fill out for the travel, or should I just submit a letter? Thanks.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Tova:
Here is your voucher with the pay period dates and signature date updated, and a check mark added for the travel costs. I've been thinking that it might be better to make a separate submission for the travel costs. That way, if there are any delays in receiving your receipts, or there are any corrections or clarifications needed on the travel costs, we won't have to hold up the voucher for payment of personal services. If you agree, you should delete the check mark, dollar amount and travel dates from this voucher. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM -----
Margaret Sims/EAC/GOV
05/22/2006 03:58 PM
To "Tova Wang"@GSAEXTERNAL
cc
Subject RE: voucher

A letter detailing the costs, noting the total reimbursement expected, and attaching your travel receipts is fine. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM -----
"Tova Wang"
05/19/2006 04:34 PM
To psims@eac.gov
cc
Subject Re: Monday Teleconference

That's fine for me. Thanks so much for doing such a great job running the show yesterday. Did you think it went well?

Also, is there any reason why we cannot talk about our findings with people now? Please let me know. Thanks. Have a great weekend. Tova

----- Original Message ----- 
From: psims@eac.gov
To: wang@eac.gov
Date: Fri, 19 May 2006 15:30:59 -0400
Subject: Monday Teleconference

This is just to confirm our Monday, May 22, teleconference at 4:30 PM EST/3:30 PM CST. Attached is a list of follow-up activities discussed at the working group meeting and recorded on the flip chart. We will need to flesh these out a bit, perhaps once we have access to the transcript. --- Peggy

Recommendations for Future Research

000552
Bipartisan observers/poll watchers
- To collect data
- To deter fraud/intimidation

Surveys
- State laws
- State election offices
- Specific states
- Local election officials
- Voters (this suggestion was rejected by the panel)
- State implementation of administrative complaint procedures (applies only to HAVA Title III violations) to ID examples of procedures for other than HAVA Title III complaints

Follow up on initial reports of fraud/intimidation from the Nexis search of news articles and literature review

Research absentee balloting process issues
- Methodology of "for cause" absentee voting

Risk-analysis for voting fraud
- Who?
- What part of process?
- Ease of committing the fraud
- Which elections?

Analyze
- Phone logs from toll-free lines for election concerns
- Federal observer reports
- Local newspapers

Academic statistical research

Search and match procedures for voter registration list maintenance (subject to confirmation) to identify potential avenues for vote fraud

Research State district court actions

Broaden scope of interviews to local officials and district attorneys

Explore the concept of election courts

Model statutes

Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM

"Weinberg and Utrecht"

05/15/2006 01:53 PM
Subject Re: Voting Fraud-Voter Intimidation

Peggy:
The package came today. Thanks. See you Thursday.
Barry

Barry:
Would you please take a moment to review the draft definition of election fraud? One of our consultants is concerned that it does not sufficiently cover violations of the Voting Rights Act that would qualify. Thanks!
--- Peggy

"Weinberg and Utrecht" <weinutr@verizon.net>

Peggy:
The package came today. Thanks. See you Thursday.
Barry

I have forwarded your message to our consultants and have requested a corrected version for distribution at the WG meeting. --- Peggy
Peg --

I have read over the materials you sent to me and viewed the pieces on the CD.

I have only one correction:

I did not say that offenders who receive target letters routinely request or routinely receive audiences here at DOJHQ. That is very rare. Instead, what usually happens is that once a subject for an election fraud investigation is advised that he or she is going to be charged that person usually enters into plea negotiations and ultimately pleads guilty. Very few federal election fraud cases go to trial. When a subject does request a HQ interview or a HW hearing, it would be held in the first instance by myself. But again, Peg, that is rare.

Also, while the occurrences of prosecutions of isolated instances of felons and alien voters and double voters has increased, we still aggressively and I believe quite successfully pursue systematic schemes to corrupt the electoral process, as the cases we brought recently out of Knott and Pike Counties in Kentucky, those we brought out of Lincoln and Logan Counties in West Virginia, and those we brought in New Hampshire growing out of the jamming of get-out-the-vote phone bank lines attest.

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM ---

"Tova Wang"

I'll be here for a while, I just wanted to make sure. If you send it to me anytime before 5 I can look at it in time. If not, I'll try my best to look at it en route tomorrow.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 16, 2006 2:51 PM
To: wang
Subject: Re: board of advisers presentation

I haven't sent it yet. If you need to leave early, you can look at what I have so far, which does not have the intro or the text regarding the final report. --- Peggy
Hi Peg, Have you tried to send me the presentation? I haven't gotten it, but I think we may be having email problems. Let me know. I'd need to look at it today since I'll be tied up tomorrow.

Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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Click here to receive our weekly e-mail updates.

I agree!

--- Tova Wang wrote:

> I still think it's sufficient for him to raise the points verbally. All of
> the interview summaries reflect what Job and I both understood the
> interviewees to say. This really opens to the door to people making, as Job
> says, "corrections"
>
> ------Original Message------
> From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 16, 2006 10:47 AM
To: 
Cc: 
Subject: RE: Corrections

Might not be a bad idea before the final report is prepared, but I would not worry about it for Thursday's meeting. I'm only concerned with the Donsanto interview summary because he will be attending the meeting. --- Peggy

---- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM ----

"Job Serebrov" To psims@eac.gov
05/15/2006 09:55 AM cc
Subject Re: Question

Ok

--- psims@eac.gov wrote:

You will need to submit hotel and parking receipts. You don't need to submit gas receipts because use of a personally owned vehicle (POV) is reimbursed based on mileage. I think I emailed the mileage rate to you. If you need it again, I'll look it up when I am at the office (this afternoon).
Peg

------------------------

Sent from my BlackBerry Wireless Handheld

----- Original Message ----- 
From: "Job Serebrov" 
Sent: 05/12/2006 09:05 PM 
To: psims@eac.gov 
Subject: Question 

Peg:

Since I am driving to DC, besides hotel receipts, do you want me to keep my gas receipts or how will my car use be compensated? Also, I assume I don't have to retain food receipts.
Great -- thanks so much and apologies for the false alarm.

-----Original Message-----
From: dromig@eac.gov [mailto:dromig@eac.gov]
Sent: Monday, May 15, 2006 8:51 AM
To: [email_address]
Cc: psims@eac.gov
Subject: RE: I'm sorry

This article is on the CD, it is located in the "Nexis Article Charts" folder.

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov

That's good. I'm probably just getting crazy, trying to make sure everything is perfect. Devon, maybe you can check? Otherwise I'll check it when it comes. Thanks. And be well Peg.
-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, May 15, 2006 8:23 AM
To: Tova Andrea Wang
Subject: Re: I'm sorry

Tova:
I think you did send this --- or is this a revised version of one you
sent earlier? It should be on the CD in the packet you should receive
today.. (Can't check that right now as I am at the clinic.) If I put
anything on the CD that you want to highlight at the meeting, let me
know and we'll make copies for those attending.
Peggy

--------------------------
Sent from my BlackBerry Wireless Handheld

----- Original Message-----
From: "Tova Wang" [mailto:[redacted]]
Sent: 05/15/2006 09:07 AM
To: Margaret Sims
Cc: Devon Romig
Subject: I'm sorry

I don't think I sent this to you either. Can we hand it out at the meeting as an addendum? Its
another summary that would have gone in the news article section. I'm usually so organized, I'm
very embarrassed. Too many things! Thanks

Tova Andrea Wang
Democracy Fellow
The Century Foundation
Visit our Web site for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM -----
"Donsanto, Craig"
<To psims@eac.gov>
05/15/2006 04:53 PM
Subject Re: Voting Fraud-Voter Intimidation Working Group

Peggy --
I am currently on train in trasit back from a day in Newark. I tried to
recover your attachment on Blackberry but got a message telling me the "file
Dear Working Group Members and Participants:

You should receive a packet of information today, either by Federal Express or hand delivery, concerning Thursday's meeting of the project Working Group for EAC's Voting Fraud-Voter Intimidation research project. Attached is an analysis of the consultants' research into relevant literature and reports. This summary was not available when we prepared the information packets last Friday, but may be of interest to you. Our consultants and I look forward to having a productive discussion with you.

Regards,

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
e-mail: psims@eac.gov

000560
Existing Research Analysis

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

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

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

Other items of note:

- There is as much evidence, and as much concern, about structural forms of disenfranchisement as about intentional abuse of the system. These include felon disenfranchisement, poor maintenance of databases and identification requirements.

- There is tremendous disagreement about the extent to which polling place fraud, e.g. double voting, intentional felon voting, noncitizen voting, is a serious problem. On balance, more researchers find it to be less of a problem than is commonly described in the political debate, but some reports say it is a major problem, albeit hard to identify.

- There is substantial concern across the board about absentee balloting and the opportunity it presents for fraud.

- Federal law governing election fraud and intimidation is varied and complex and yet may nonetheless be insufficient or subject to too many limitations to be as effective as it might be.
- Deceptive practices, e.g. targeted flyers and phone calls providing misinformation, were a major problem in 2004.

- Voter intimidation continues to be focused on minority communities, although the American Center for Voting Rights uniquely alleges it is focused on Republicans.

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

"Donsanto, Craig"<Craig.Donsanto@usdoj.gov>
To psims@eac.gov
cc
Subject Re: Voting Fraud-Voter Intimidation Working Group

Peggy --

I am currently on train in transit back from a day in Newark. I tried to recover your attachment on Blackberry but got a message telling me the "file is empty."

Can you paste it to an e-mail perhaps?
--------------------------
Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: barnwine ; rbauer ; bginsberg ; mhearne ; jrperaz50 ; assistant ; weintraub ; jgreenbaum ; vjohnson ; dlovevich ; bschuler ; Donsanto, Craig
Sent: Mon May 15 16:37:48 2006
Subject: Voting Fraud-Voter Intimidation Working Group

Dear Working Group Members and Participants:

You should receive a packet of information today, either by Federal Express or hand delivery, concerning Thursday's meeting of the project Working Group for EAC's Voting Fraud-Voter Intimidation research project. Attached is an analysis of the consultants' research into relevant literature and reports. This summary was not available when we prepared the information packets last Friday, but may be of interest to you. Our consultants and I look forward to having a productive discussion with you.

Regards,
Craig;

You asked about the Nexis search terms used by our consultants. The list follows. --- Peggy.

Election and fraud
Voter and fraud
Vote and fraud
Voter and challenge
Vote and challenge
Election and challenge
Election and irregularity
Election and irregularities
Election and violation
Election and stealing
Ballot box and tampering
Ballot box and theft
Ballot box and stealing
Election and officers
Election and Sheriff
Miscount and votes
Election and crime
Election and criminal
Vote and crime
Vote and criminal
Double voting
Multiple voting
Dead and voting
Election and counting and violation
Election and counting and error
Vote and counting and violation
Vote and counting and error
Voter and intimidation
Voter and intimidating
Vote and intimidation
Denial and voter and registration
Voter identification
Vote and identification
Voter and racial profiling
Vote and racial profiling
Voter and racial
Vote and racial
Voter and racial and challenge
Vote and racial and challenge
Voter and deny and racial
Vote and deny and racial
Voter and deny and challenge
Vote and deny and challenge
Voter and deny and black
Vote and deny and black
Voter and black and challenge
Vote and black and challenge
Voter and deny and African American
Vote and deny and African American
Voter and African American and challenge
Vote and African American and challenge
Election and black and challenge
Election and African American and challenge
Voter and deny and Hispanic
Voter and deny and Latino
Vote and deny and Hispanic
Vote and deny and Latino
Voter and Hispanic and challenge
Voter and Latino and challenge
Vote and Hispanic and challenge
Voter and Latino and challenge
Election and Hispanic and challenge
Election and Latino and challenge
Voter and deny and Native American
Vote and deny and Native American
Voter and Native American and challenge
Vote and Native American and challenge
Election and Native American and challenge
Voter and deny and Asian American
Vote and deny and Asian American
Voter and Asian American and challenge
Vote and Asian American and challenge
Voter and Asian American and challenge
Election and Asian American and challenge
Voter and deny and Indian
Vote and deny and Indian
Voter and Indian and challenge
Vote and Indian and challenge
Election and Indian and challenge
Poll tax
Voting and test
Absentee ballot and deny
Absentee ballot and reject
Absentee ballot and challenge
Vote and challenge
Voter and challenge
Election and challenge
Vote and police
Voter and police
Poll and police
Vote and law enforcement
Voter and law enforcement
Poll and law enforcement
Vote and deceptive practices
Voter and deceptive practices
Election and deceptive practices
Voter and deceive
Voter and false information
Dirty tricks
Vote and felon
Vote and ex-felon
Disenfranchisement
Disenfranchise
Law and election and manipulation
Vote and purging
Vote and purge
Registration and removal
Registration and purging
Registration and purge
Vote buying
Vote and noncitizen
Voter and noncitizen
Vote and selective enforcement
Identification and selective
Election and misinformation
Registration and restrictions
Election and administrator and fraud
Election and official and fraud
Provisional ballot and deny
Provisional ballot and denial
Affidavit ballot and deny
Affidavit ballot and denial
Absentee ballot and coerce
Absentee ballot and coercion
Registration and destruction
Voter and deter
Vote and deterrence
Voter and deterrence
Ballot integrity
Ballot security
Ballot security and minority
Ballot security and black
Ballot security and African American
Ballot security and Latino
Ballot security and Hispanic
Ballot security and Native American
Ballot security and Indian
Vote and suppression
Minority and vote and suppression
Black and vote and suppression
African American and vote and suppression
Latino and vote and suppression
Hispanic and vote and suppression
Native American and vote and suppression
Vote and suppress
Minority and vote and suppress
African American and vote and suppress
Latino and vote and suppress
Native American and vote and suppress
Vote and depress
Jim Crow
Literacy test
Voter and harass
Voter and harassment
Vote and mail and fraud
Poll and guards
Election and consent decree
Vote and barrier
Voting and barrier
Voter and barrier
Election and long line
Voter and long line

Poll worker and challenge
Poll worker and intimidate
Poll worker and intimidation
Poll worker and intimidating
Poll worker and threatening
Poll worker and abusive
Election official and challenge
Election official and intimidate
Election official and intimidation
Election official and intimidating
Election official and threatening
Election official and abusive
Poll watcher and challenge
Poll watcher and intimidate
Poll watcher and intimidating
Poll watcher and intimidation
Poll watcher and abusive
Poll inspector and challenge
Poll inspector and intimidate
Poll inspector and intimidating
Poll inspector and intimidation
Poll inspector and abusive
Poll judge and challenge
Poll judge and intimidate
Poll judge and intimidating
Poll judge and intimidation
Poll judge and abusive
Poll monitor and challenge
Poll monitor and intimidate
Poll monitor and intimidating
Poll monitor and intimidation
Poll monitor and abusive
Poll monitor and threatening
Election judge and challenge
Election judge and intimidate
Election judge and intimidating
Election judge and intimidation
Election judge and abusive
Let me try to do it, Peg. Again what I do not want to see occur is for the LCCR to start attacking us. We have more in common with them than I had originally assumed, thanks to the write-ups of their interviews. We need to promote what we have in common not try to score political points. But I will try to correct the records as long as you will agree you heard what I said the way I know I said it!

I fully understand. Do you want me to prepare a correction sheet for the Working Group, placing your second and more important point first, or do you want to handle this verbally at the meeting? --- Peggy
The first item is not as big a deal as the second one: the processes under which subjects of investigations come to Jesus is not as important as the overall assessment of our law enforcement achievements. But stressing the isolated test cases we brought - - and will continue to being - - to deter things like felon voting, alien voting and double voting, which not mentioning such significant achievements as the five case PROJECTS mentioned in my last e-mail - - misrepresents what we are doing and the deterrent message we are trying to communicate.

I appreciate that these two young people may have found themselves in a Brave New World when they came over here. It showed in their questioning. But the fact that criminal law enforcement is not at all similar to preventative legal relief (as under the Voting Rights Act) or civil relief (as election contest litigation) is I guess more of a problem than I at first foresaw. My real concerns is that the civil rights groups - - with whom we over here have an amazing amount of common grounds - - will take the singling out of the felon and alien voter cases as evincing a malevolent aggression on their constituencies. That is not the case. We are only enforcing the law.

---
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 16, 2006 2:47 PM
To: Donsanto, Craig
Subject: RE: Your Materials

I think they are panicking because they are preparing to travel tomorrow and may not have time to submit a revised version. They also are resisting changes to their interview summaries because the summaries represent what they think they heard. I was there at the interview and I heard what you said. I'm not sure that either of them heard everything (including the nuances) because so much of the information was new to them and it was one of their earlier interviews. I'm sorry I did not catch the defects before the summary went out.

My first concern is ensuring that the Working Group has the correct information. Then, we can deal with what version, if any, goes in the final report. Do you want me to excerpt the corrections from your email and submit them to the Working Group? --- Peggy
Sure. But where is the resistance coming from? The notes were not accurate. As you know, I have to be very concerned about that.

---

Craig:

I am getting some resistance from my consultants to correcting the summary of the interview prior to the meeting. Would you mind noting the corrections at the meeting? --- Peggy
Thank you, Peg. This stuff is very interesting.

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 16, 2006 11:27 AM
To: Donsanto, Craig
Subject: Re: Your Materials

I have forwarded your message to our consultants and have requested a corrected version for distribution at the WG meeting. --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
Peg - -

I have read over the materials you sent to me and viewed the pieces on the CD.

I have only one correction:

I did not say that offenders who receive target letters routinely request - - or routinely receive - - audiences here at DOJHQ. That is very rare. Instead, what usually happens is that once a subject for an election fraud investigation is advised that he or she is going to be charged that person usually enters into plea negotiations and ultimately pleads guilty. Very few federal election fraud cases go to trial. When a subject does request a HQ interview or a HW hearing, it would be held in the first instance by myself. But again, Peg, that is rare.

Also, while the occurrences of prosecutions of isolated instances of felons and alien voters and double voters has increased, we still aggressively and I believe quite successfully pursue systematic schemes to corrupt the electoral process, as the cases we brought recently out of Knott and Pike Counties in Kentucky, those we brought out of Lincoln and Logan Counties in West Virginia, and those we brought in New Hampshire growing out of the jamming of get-out-the-vote phone bank lines attest.

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM -----
Margaret Sims/EAC/GOV

To Paul DeGregorio, Ray Martinez, Donetta Davidson, Gracia Hillman
cc twilkey@eac.gov, jthompson@eac.gov, Gavin S. Gilmore/EAC/GOV/EAC, ecortes@eac.gov, Amie J. Sherrill/EAC/GOV/EAC, Adam Ambrogi/EAC/GOV/EAC, Eileen L. Collier/EAC/GOV/EAC, Sheila A. Banks/EAC/GOV/EAC
Subject Voting Fraud-Voter Intimidation Project Briefing

000572
Dear Commissioners:

Attached is our consultants' analysis of the literature reviewed for the Voting Fraud-Voter Intimidation preliminary research project. It was not included in the information packets delivered to you on Friday, May 12, because we did not receive it until today. I thought you might be interested in having it prior to tomorrow's briefing.

Peggy Sims
Election Research Specialist

---

I think he can just raise these points at the meeting, no? I'm sure many we interviewed would say we misquoted them on something. This is what both Job and I remember him saying. I think it would be unfair for him to change/amend his interview without giving the same opportunity to the other interviewees.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 16, 2006 9:59 AM
To: psims@eac.gov, serebro@eac.gov
Cc: 
Subject: Fw: Your Materials

See corrections from Donsanto at DOJ. We should probably provide corrected versions to the Working Group. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 05/16/2006 10:58 AM -----
"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/16/2006 10:46 AM
To psims@eac.gov
Cc
Subject Your Materials
I have read over the materials you sent to me and viewed the pieces on the CD.

I have only one correction:

I did not say that offenders who receive target letters routinely request -- or routinely receive -- audiences here at DOJHQ. That is very rare. Instead, what usually happens is that once a subject for an election fraud investigation is advised that he or she is going to be charged that person usually enters into plea negotiations and ultimately pleads guilty. Very few federal election fraud cases go to trial. When a subject does request a HQ interview or a HW hearing, it would be held in the first instance by myself. But again, Peg, that is rare.

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Voter and challenge
Vote and challenge
Election and challenge
Election and irregularity
Election and irregularities
Election and violation
Election and stealing
Ballot box and tampering
Ballot box and theft
Ballot box and stealing
Election and officers
Election and Sheriff
Miscount and votes
Election and crime
Election and criminal
Vote and crime
Vote and criminal
Double voting
Multiple voting
Dead and voting
Election and counting and violation
Election and counting and error
Vote and counting and violation
Vote and counting and error
Voter and intimidation
Voter and intimidating
Vote and intimidation
Denial and voter and registration
Voter identification
Vote and identification
Voter and racial profiling
Vote and racial profiling
Vote and racial
Vote and racial
Voter and racial and challenge
Vote and racial and challenge
Voter and deny and racial
Voter and deny and racial
Voter and deny and challenge
Vote and deny and challenge
Voter and deny and black
Vote and deny and black
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Election and Asian American and challenge
Vote and deny and Indian
Voter and deny and Indian
Voter and Indian and challenge
Vote and Indian and challenge
Election and Indian and challenge
Poll tax
Voting and test
Absentee ballot and deny
Absentee ballot and reject
Absentee ballot and challenge
Vote and challenge
Voter and challenge
Election and challenge
Vote and police
Voter and police
Poll and police
Vote and law enforcement
Voter and law enforcement
Poll and law enforcement
Vote and deceptive practices
Voter and deceptive practices
Election and deceptive practices
Voter and deceive
Voter and false information
Dirty tricks
Vote and felon
Vote and ex-felon
Disenfranchisement
Disenfranchise
Law and election and manipulation
Vote and purging
Vote and purge
Registration and removal
Registration and purging
Registration and purge
Vote buying
Vote and noncitizen
Voter and noncitizen
Vote and selective enforcement
Identification and selective
Election and misinformation
Registration and restrictions
Election and administrator and fraud
Election and official and fraud
Provisional ballot and deny
Provisional ballot and denial
Affidavit ballot and deny
Affidavit ballot and denial
Absentee ballot and coerce
Absentee ballot and coercion
Registration and destruction
Voter and deter
Vote and deterrence
Voter and deterrence
Ballot integrity
Ballot security
Ballot security and minority
Ballot security and black
Ballot security and African American
Ballot security and Latino
Ballot security and Hispanic
Ballot security and Native American
Ballot security and Indian
Vote and suppression
Minority and vote and suppression
Black and vote and suppression
African American and vote and suppression
Latino and vote and suppression
Hispanic and vote and suppression
Native American and vote and suppression
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Minority and vote and suppress
African American and vote and suppress
Latino and vote and suppress
Native American and vote and suppress
Vote and depress
Jim Crow
Literacy test
Voter and harass
Voter and harassment
Vote and mail and fraud
Poll and guards
Election and consent decree
Vote and barrier
Voting and barrier
Voter and barrier
Election and long line
Voter and long line
Poll worker and challenge
Poll worker and intimidate
Poll worker and intimidating
Poll worker and threatening
Poll worker and abusive
Election official and challenge
Election official and intimidate
Election official and intimidation
Election official and intimidating
Election official and threatening
Election official and abusive
Poll watcher and challenge
Poll watcher and intimidate
Poll watcher and intimidating
Poll watcher and intimidation
Poll watcher and abusive
Poll watcher and threatening
Poll inspector and challenge
Poll inspector and intimidate
Poll inspector and intimidating
Poll inspector and intimidation
Poll inspector and abusive
Poll inspector and threatening
Poll judge and challenge
Poll judge and intimidate
Poll judge and intimidating
Poll judge and intimidation
Poll judge and abusive
Poll judge and threatening
Poll monitor and challenge
Poll monitor and intimidate
Poll monitor and intimidating
Poll monitor and intimidation
Poll monitor and abusive
Poll monitor and threatening
Election judge and challenge
Election judge and intimidate
Election judge and intimidating
Election judge and intimidation
Election judge and abusive
Election judge and threatening
Election monitor and challenge
Election monitor and intimidate
Election monitor and intimidating
Election monitor and intimidation
Election monitor and abusive
Election monitor and threatening
Election observer and challenge
Election observer and intimidate
Election observer and intimidating
Election observer and intimidation
Election observer and abusive
Election observer and threatening

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM ---

"Tonya Wang"

To psims@eac.gov

cc

Subject RE: Fraud Definition

--- Original Message------
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, May 15, 2006 4:03 PM
To:
Subject: Re: Fraud Definition
Election and stealing
Ballot box and tampering
Ballot box and theft
Ballot box and stealing
Election and officers
Election and Sheriff
Miscount and votes
Election and crime
Election and criminal
Vote and crime
Vote and criminal
Double voting
Multiple voting
Dead and voting
Election and counting and violation
Election and counting and error
Vote and counting and violation
Vote and counting and error
Voter and intimidation
Voter and intimidating
Voter and intimidation
Denial and voter and registration
Voter identification
Vote and identification
Voter and racial profiling
Vote and racial profiling
Voter and racial
Vote and racial
Voter and racial and challenge
Vote and racial and challenge
Voter and deny and racial
Vote and deny and racial
Voter and deny and challenge
Vote and deny and challenge
Voter and deny and black
Vote and deny and black
Voter and black and challenge
Vote and black and challenge
Voter and deny and African American
Vote and deny and African American
Voter and African American and challenge
Vote and African American and challenge
Election and black and challenge
Election and African American and challenge
Voter and deny and Hispanic
Voter and deny and Latino
Vote and deny and Hispanic
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Election and Latino and challenge
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Voter and Native American and challenge
Vote and Native American and challenge
Election and Native American and challenge
Voter and deny and Asian American
Vote and deny and Asian American
Voter and Asian American and challenge
Vote and Asian American and challenge
Voter and Asian American and challenge
Election and Asian American and challenge
Voter and deny and Indian
Vote and deny and Indian
Voter and Indian and challenge
Vote and Indian and challenge
Election and Indian and challenge
Poll tax
Voting and test
Absentee ballot and deny
Absentee ballot and reject
Absentee ballot and challenge
Vote and challenge
Voter and challenge
Election and challenge
Vote and police
Voter and police
Poll and police
Vote and law enforcement
Voter and law enforcement
Poll and law enforcement
Vote and deceptive practices
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Election and deceptive practices
Voter and deceive
Voter and false information
Dirty tricks
Vote and felon
Vote and ex-felon
Disenfranchisement
Disenfranchise
Law and election and manipulation
Vote and purging
Vote and purge
Registration and removal
Registration and purging
Registration and purge
Vote buying
Vote and noncitizen
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Identification and selective
Election and misinformation
Registration and restrictions
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Election and official and fraud
Provisional ballot and deny
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Affidavit ballot and deny
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Voter and deter
Vote and deterrence
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Vote and suppression
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Vote and suppress
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Latino and vote and suppress
Native American and vote and suppress
Vote and depress
Jim Crow
Literacy test
Voter and harass
Voter and harassment
Vote and mail and fraud
Poll and guards
Election and consent decree
Vote and barrier
Voting and barrier
Voter and barrier
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Voter and long line

Poll worker and challenge
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Poll monitor and challenge
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OK. --- Peg

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

Let me try to do it, Peg. Again what I do not want to see occur is for the LCCR to start attacking us. We have more in common with them than I had originally assumed, thanks to the write-ups of their interviews. We need to promote what we have in common not try to score political points. But I will try to correct the records as long as you will agree you heard what I said the way I know I said it!
I fully understand. Do you want me to prepare a correction sheet for the Working Group, placing your second and more important point first, or do you want to handle this verbally at the meeting? --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/16/2006 02:55 PM

topsims@eac.gov

cc
Subject: RE: Your Materials

The first item is not as big a deal as the second one: the processes under which subjects of investigations come to Jesus is not as important as the overall assessment of our law enforcement achievements. But stressing the isolated test cases we brought - - and will continue to being - - to deter things like felon voting, alien voting and double voting, which not mentioning such significant achievements as the five case PROJECTS mentioned in my last e-mail - - misrepresents what we are doing and the deterrent message we are trying to communicate.

I appreciate that these two young people may have found themselves in a Brave New World when they came over here. It showed in their questioning. But the fact that criminal law enforcement is not at all similar to preventative legal relief (as under the Voting Rights Act) or civil relief (as election contest litigation) is I guess more of a problem than I at first foresaw. My real concerns is that the civil rights groups - - with whom we over here have an amazing amount of common grounds - - will take the singling out of the felon and alien voter cases as evincing a malevolent aggression on their constituencies. That is not the case. We are only enforcing the law.

I think they are panicking because they are preparing to travel tomorrow and may not have time to submit a revised version. They also are resisting changes to their interview summaries because the summaries
represent what they think they heard. I was there at the interview and I heard what you said. I'm not sure that either of them heard everything (including the nuances) because so much of the information was new to them and it was one of their earlier interviews. I'm sorry I did not catch the defects before the summary went out.

My first concern is ensuring that the Working Group has the correct information. Then, we can deal with what version, if any, goes in the final report. Do you want me to excerpt the corrections from your email and submit them to the Working Group? --- Peggy

Sure. But where is the resistance coming from? The notes were not accurate. As you know, I have to be very concerned about that.

Craig:

I am getting some resistance from my consultants to correcting the summary of the interview prior to the meeting. Would you mind noting the corrections at the meeting? --- Peggy
"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/16/2006 12:06 PM

Topsims@eac.gov
cc
SubjectRE: Your Materials

Thank you, Peg. This stuff is very interesting.

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 16, 2006 11:27 AM
To: Donsanto, Craig
Subject: Re: Your Materials

I have forwarded your message to our consultants and have requested a corrected version for distribution at the WG meeting. --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
I have read over the materials you sent to me and viewed the pieces on the CD.

I have only one correction:

I did not say that offenders who receive target letters routinely request or routinely receive audiences here at DOJHQ. That is very rare. Instead, what usually happens is that once a subject for an election fraud investigation is advised that he or she is going to be charged that person usually enters into plea negotiations and ultimately pleads guilty. Very few federal election fraud cases go to trial. When a subject does request a HQ interview or a HW hearing, it would be held in the first instance by myself. But again, Peg, that is rare.

Also, while the occurrences of prosecutions of isolated instances of felons and alien voters and double voters has increased, we still aggressively and I believe quite successfully pursue systematic schemes to corrupt the electoral process, as the cases we brought recently out of Knott and Pike Counties in Kentucky, those we brought out of Lincoln and Logan Counties in West Virginia, and those we brought in New Hampshire growing out of the jamming of get0-out-the-vote phone bank lines attest.
Dear Commissioners:

Attached is our consultants' analysis of the literature reviewed for the Voting Fraud-Voter Intimidation preliminary research project. It was not included in the information packets delivered to you on Friday, May 12, because we did not receive it until today. I thought you might be interested in having it prior to tomorrow's briefing.

Peggy Sims
Election Research Specialist

I think he can just raise these points at the meeting, no? I'm sure many we interviewed would say we misquoted them on something. This is what both Job and I remember him saying. I think it would be unfair for him to change/amend his interview without giving the same opportunity to the other interviewees.

See corrections from Donsanto at DOJ. We should probably provide corrected versions to the Working Group. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM ---
"Tova Wang"
05/16/2006 11:03 AM
To: psims@eac.gov, serebrov@
cc: psims@eac.gov, serebrov@
Subject: RE: Your Materials

--- Original Message ---
From: psims@eac.gov
Sent: Tuesday, May 16, 2006 9:59 AM
To: wang, serebrov
Subject: Fw: Your Materials

See corrections from Donsanto at DOJ. We should probably provide corrected versions to the Working Group. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 05/16/2006 10:58 AM ---
"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
05/16/2006 10:46 AM
To: psims@eac.gov
cc: psims@eac.gov
Subject: Your Materials
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I have only one correction:

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Also, while the occurrences of prosecutions of isolated instances of felons and alien voters and double voters has increased, we still aggressively and I believe quite successfully pursue systematic schemes to corrupt the electoral process, as the cases we brought recently out of Knott and Pike Counties in Kentucky, those we brought out of Lincoln and Logan Counties in West Virginia, and those we brought in New Hampshire growing out of the jamming of get-out-the-vote phone bank lines attest.

Peg --

I was just thinking of you!

Great session yesterday. I really enjoyed it. Robust discussion.

On another subject, Nancy Simmons needs the e-mail address of NASED. Can you give her both that and the website address for them? Her e-mail is nancy.simmons@usdoj.gov.

---Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@usdoj.gov>
Sent: Fri May 19 14:51:21 2006
Subject: Voting Fraud-Voter Intimidation Project-Nexis Word Search

000533
Craig;

You asked about the Nexis search terms used by our consultants. The list follows. --- Peggy.

Election and fraud
Voter and fraud
Vote and fraud
Voter and challenge
Vote and challenge
Election and challenge
Election and irregularity
Election and irregularities
Election and violation
Election and stealing
Ballot box and tampering
Ballot box and theft
Ballot box and stealing
Election and officers
Election and Sheriff
Miscount and votes
Election and crime
Election and criminal
Vote and crime
Vote and criminal
Double voting
Multiple voting
Dead and voting
Election and counting and violation
Election and counting and error
Vote and counting and violation
Vote and counting and error
Voter and intimidation
Voter and intimidating
Vote and intimidation
Denial and voter and registration
Voter identification
Vote and identification
Voter and racial profiling
Vote and racial profiling
Voter and racial
Vote and racial
Voter and racial and challenge
Vote and racial and challenge
Voter and deny and racial
Vote and deny and racial
Voter and deny and challenge
Vote and deny and challenge
Voter and deny and black
Vote and deny and black
Voter and black and challenge
Vote and black and challenge
Voter and deny and African American
Vote and deny and African American
Voter and African American and challenge
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Election and black and challenge
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Voter and deny and Hispanic
Voter and deny and Latino
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Voter and deny and Asian American
Vote and deny and Asian American
Voter and Asian American and challenge
Vote and Asian American and challenge
Voter and Asian American and challenge
Election and Asian American and challenge
Voter and deny and Indian
Vote and deny and Indian
Voter and Indian and challenge
Vote and Indian and challenge
Election and Indian and challenge
Poll tax
Voting and test
Absentee ballot and deny
Absentee ballot and reject
Absentee ballot and challenge
Vote and challenge
Voter and challenge
Election and challenge
Vote and police
Voter and police
Poll and police
Vote and law enforcement
Voter and law enforcement
Poll and law enforcement
Vote and deceptive practices
Voter and deceptive practices
Election and deceptive practices
Voter and deceive
Vote and false information
Dirty tricks
Vote and felon
Vote and ex-felon
Disenfranchisement
Disenfranchise
Law and election and manipulation
Vote and purging
Vote and purge
Registration and removal
Registration and purging
Registration and purge
Vote buying
Vote and noncitizen
Voter and noncitizen
Vote and selective enforcement
Identification and selective
Election and misinformation
Registration and restrictions
Election and administrator and fraud
Election and official and fraud
Provisional ballot and deny
Provisional ballot and denial
Affidavit ballot and deny
Affidavit ballot and denial
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Registration and destruction
Voter and deter
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Ballot integrity
Ballot security
Ballot security and minority
Ballot security and black
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Election monitor and abusive
Election monitor and threatening
Election observer and challenge
Election observer and intimidate
Election observer and intimidating
Election observer and intimidation
Election observer and abusive
Election observer and threatening

Sounds good. Thanks.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, May 15, 2006 4:03 PM
To: wan
Subject: Re: Fraud Definition

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Ballot box and theft
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--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM ---
Margaret Sims/EAC/GOV
05/16/2006 03:37 PM
To "Donsanto, Craig"
Craig.Donsanto@usdoj.gov
@GSAEXTERNAL
cc
Subject RE: Your Materials

OK. --- Peg

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

"Donsanto, Craig"
Craig.Donsanto@usdoj.gov
05/16/2006 03:17 PM
To psims@eac.gov
cc
Subject RE: Your Materials
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From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 16, 2006 3:14 PM
To: Donsanto, Craig
Subject: RE: Your Materials

I fully understand. Do you want me to prepare a correction sheet for the Working Group, placing your second and more important point first, or do you want to handle this verbally at the meeting? --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/16/2006 02:55 PM

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From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 16, 2006 2:47 PM
To: Donsanto, Craig
Subject: RE: Your Materials

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"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/16/2006 01:41 PM
Topsims@eac.gov
cc
Subject: RE: Your Materials

Sure. But where is the resistance coming from? The notes were not accurate. As you know, I have to be very concerned about that.
Craig:

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"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/16/2006 12:06 PM

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Sent: Tuesday, May 16, 2006 11:27 AM
To: Donsanto, Craig
Subject: Re: Your Materials

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New Hampshire growing out of the jamming of get0-out-the-vote phone bank lines attest.

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM ---

Margaret Sims/EAC/GOV
05/15/2006 03:51 PM

To: Paul DeGregorio, Ray Martinez, Donetta Davidson, Gracia Hillman
cc: twikey@eac.gov, jthompson@eac.gov, Gavin S. Gilmour/EAC/GOV@EAC, ecortes@eac.gov, Amie J. Sherrill/EAC/GOV@EAC, Adam Ambrogi/EAC/GOV@EAC, Eileen L. Collier/EAC/GOV@EAC, Sheila A. Banks/EAC/GOV@EAC
Subject: Voting Fraud-Voter Intimidation Project Briefing

Dear Commissioners:

Attached is our consultants' analysis of the literature reviewed for the Voting Fraud-Voter Intimidation preliminary research project. It was not included in the information packets delivered to you on Friday, May 12, because we did not receive it until today. I thought you might be interested in having it prior to tomorrow's briefing.

Peggy Sims
Election Research Specialist

---

Literature-Report Review Summary.doc
--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM ---

"Tova Wang"
05/16/2006 11:03 AM

To: psims@eac.gov, serebro
cc: psims@eac.gov
Subject: RE: Your Materials

I think he can just raise these points at the meeting, no? I'm sure many we interviewed would say we misquoted them on something. This is what both Job and I remember him saying. I think it would be unfair for him to change/amend his interview without giving the same opportunity to the other interviewees.

-----Original Message-----
From: psims@eac.gov
Sent: Tuesday, May 16, 2006 9:59 AM
To: wang, serebro
Subject: Fw: Your Materials

See corrections from Donsanto at DOJ. We should probably provide corrected versions to the Working Group. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 05/16/2006 10:58 AM -----
Peg - -

I have read over the materials you sent to me and viewed the pieces on the CD.

I have only one correction:

I did not say that offenders who receive target letters routinely request or routinely receive audiences here at DOJHQ. That is very rare. Instead, what usually happens is that once a subject for an election fraud investigation is advised that he or she is going to be charged that person usually enters into plea negotiations and ultimately pleads guilty. Very few federal election fraud cases go to trial. When a subject does request a HQ interview or a HW hearing, it would be held in the first instance by myself. But again, Peg, that is rare.

Also, while the occurrences of prosecutions of isolated instances of felons and alien voters and double voters has increased, we still aggressively and I believe quite successfully pursue systematic schemes to corrupt the electoral process, as the cases we brought recently out of Knott and Pike Counties in Kentucky, those we brought out of Lincoln and Logan Counties in West Virginia, and those we brought in New Hampshire growing out of the jamming of get-out-the-vote phone bank lines attest.

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM ---

Peggy --

I was just thinking of you!

Great session yesterday. I really enjoyed it. Robust discussion.

On another subject, Nancy Simmons needs the e-mail address of NASED. Can you give her both that and the website address for them? Her e-mail is nancy.simmons@usdoj.gov.

Sent from Dr. D's Fabulous BlackBerry Wireless Handheld
Craig;

You asked about the Nexis search terms used by our consultants. The list follows. --- Peggy.

Election and fraud
Vote and fraud
Voter and fraud
Vote and challenge
Voter and challenge
Election and challenge
Election and irregularity
Election and irregularities
Election and violation
Election and stealing
Ballot box and tampering
Ballot box and theft
Ballot box and stealing
Election and officers
Election and Sheriff
Miscount and votes
Election and crime
Election and criminal
Vote and crime
Vote and criminal
Double voting
Multiple voting
Dead and voting
Election and counting and violation
Election and counting and error
Vote and counting and violation
Vote and counting and error
Voter and intimidation
Voter and intimidating
Vote and intimidation
Denial and voter and registration
Voter identification
Vote and identification
Voter and racial profiling
Vote and racial profiling
Voter and racial
Vote and racial
Voter and racial and challenge
Vote and racial and challenge
Voter and deny and racial
Vote and deny and racial
Voter and deny and challenge
Vote and deny and challenge
Voter and deny and black
Vote and deny and black
Voter and black and challenge
Vote and black and challenge
Voter and deny and African American
Vote and deny and African American
Voter and African American and challenge
Vote and African American and challenge
Election and black and challenge
Election and African American and challenge
Voter and deny and Hispanic
Voter and deny and Latino
Vote and deny and Hispanic
Vote and deny and Latino
Voter and Hispanic and challenge
Voter and Latino and challenge
Vote and Hispanic and challenge
Vote and Latino and challenge
Election and Hispanic and challenge
Election and Latino and challenge
Voter and deny and Native American
Vote and deny and Native American
Voter and Native American and challenge
Vote and Native American and challenge
Election and Native American and challenge
Voter and deny and Asian American
Voter and Asian American and challenge
Vote and Asian American and challenge
Voter and Asian American and challenge
Election and Asian American and challenge
Voter and deny and Indian
Vote and deny and Indian
Voter and Indian and challenge
Vote and Indian and challenge
Election and Indian and challenge
Poll tax
Voting and test
Absentee ballot and deny
Absentee ballot and reject
Absentee ballot and challenge
Vote and challenge
Voter and challenge
Election and challenge
Vote and police
Voter and police
Poll and police
Vote and law enforcement
Voter and law enforcement
Poll and law enforcement
Vote and deceptive practices
Voter and deceptive practices
Election and deceptive practices
Voter and deceive
Voter and false information
Dirty tricks
Vote and felon
Vote and ex-felon
Disenfranchisement
Disenfranchise
Law and election and manipulation
Vote and purging
Vote and purge
Registration and removal
Registration and purging
Registration and purge
Vote buying
Vote and noncitizen
Voter and noncitizen
Vote and selective enforcement
Identification and selective
Election and misinformation
Registration and restrictions
Election and administrator and fraud
Election and official and fraud
Provisional ballot and deny
Provisional ballot and denial
Affidavit ballot and deny
Affidavit ballot and denial
Absentee ballot and coerce
Absentee ballot and coercion
Registration and destruction
Voter and deter
Vote and deterrence
Voter and deterrence
Ballot integrity
Ballot security
Ballot security and minority
Ballot security and black
Ballot security and African American
Ballot security and Latino
Ballot security and Hispanic
Ballot security and Native American
Ballot security and Indian
Vote and suppression
Minority and vote and suppression
Black and vote and suppression
African American and vote and suppression
Latino and vote and suppression
Hispanic and vote and suppression
Native American and vote and suppression
Vote and suppress
Minority and vote and suppress
African American and vote and suppress
Latino and vote and suppress
Native American and vote and suppress
Vote and depress
Jim Crow
Literacy test
Voter and harass
Voter and harassment
Vote and mail and fraud
Poll and guards
Election and consent decree
Vote and barrier
Voting and barrier
Voter and barrier
Election and long line
Voter and long line

Poll worker and challenge
Poll worker and intimidate
Poll worker and intimidation
Poll worker and intimidating
Poll worker and threatening
Poll worker and abusive
Election official and challenge
Election official and intimidate
Election official and intimidating
Election official and threatening
Election official and abusive
Poll watcher and challenge
Poll watcher and intimidate
Poll watcher and intimidating
Poll watcher and intimidation
Poll watcher and abusive
Poll watcher and threatening
Poll inspector and challenge
Poll inspector and intimidate
Poll inspector and intimidating
Poll inspector and intimidation
Poll inspector and abusive
Poll inspector and threatening
Poll judge and challenge
Poll judge and intimidate
Poll judge and intimidating
Poll judge and intimidation
Poll judge and abusive
Poll judge and threatening
Poll monitor and challenge
Poll monitor and intimidate
Poll monitor and intimidating
Poll monitor and intimidation
Poll monitor and abusive
Poll monitor and threatening
Election judge and challenge
Election judge and intimidate
Election judge and intimidating
Election judge and intimidation
Election judge and abusive
Election judge and threatening
Election monitor and challenge
Election monitor and intimidate
Election monitor and intimidating
Election monitor and intimidation
Election monitor and abusive
Election monitor and threatening
Election observer and challenge
Election observer and intimidate
Election observer and intimidating
Election observer and intimidation
Election observer and abusive
Election observer and threatening
Sounds good. Thanks.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, May 15, 2006 4:03 PM
To: wan
Subject: Re: Fraud Definition

Tova:

We can certainly discuss this at the Working Group meeting. (The draft definition had already been sent out by the time I read your message.) There may be other VRA provisions that should be considered as well, such as the prohibition on removing the names of certain registrants, who were registered by federal examiners, without obtaining prior approval of the Justice Department.

After I received your email, I asked Barry Weinberg to review the draft definition and consider if we have left off examples of Voting Rights Act violations that would qualify as election fraud. Barry, during his 25 years with DOJ, led aggressive action against attempts to place police at the polls to intimidate voters, challenges targeting minorities, failure to provide election materials and assistance in languages other than English (in covered jurisdictions), etc. His input should prove helpful. --- Peggy

How about specifying Section 2 and 203 of the VRA?

---- Original Message ----
From: psims@eac.gov
To: wan
Sent: Friday, May 12, 2006 1:34 PM
Subject: RE: Fraud Definition

Lets raise this issue at the meeting. (I'll add "DRAFT" to the current document.) My concern is that there are a number of requirements in the Voting Rights Act. Not all of them are considered election fraud, when violated. For example, failure to preclear changes in election procedures
is not treated as election fraud, though it is actionable. --- Peggy

"Tova Wang" <

05/12/2006 12:45 PM

psims@eac.gov,
serebrov

To

cc

RE: Fraud Definition

Upon first reading, my only comment would be that I would like to restore "failing to follow the requirements of the Voting Rights Act" -----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Friday, May 12, 2006 9:20 AM
To: wang@tcf.org; serebrov@sbcglobal.net
Subject: Fraud Definition

Would you please take a look at the attached? I combined both of your definitions, reformatted the list, removed a reference to the fraud having to have an actual impact on the election results (because fraud can be prosecuted without proving that it actually changed the results of the election), and taken out a couple of vague examples (e.g.; reference to failing to enforce state laws --- because there may be legitimate reasons for not doing so).

I have made contact with Ben Ginsberg's office and am waiting to hear if he accepts our invitation to join the working group. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM -----
Margaret Sims/EAC/GOV
05/17/2006 09:56 AM
To Craig Donsanto
cc
Subject Report on Voting Fraud-Voter Intimidation Research
Craig:

I'm putting the finishing touches on a status report to the EAC Standards Board and EAC Board of Advisors on our Voting Fraud-Voter Intimidation research project. For the most part, I am using our consultants summaries for the report, but one bullet under the interview summaries is giving me heartburn. It is the bullet that references the decrease in DOJ voter intimidation actions. It is one of the places in which our consultants had indicated that your office is focussing on prosecuting individuals. I have reworded it and would like your feedback on the revision:

Several people indicate - including representatives from DOJ -- that for various reasons, the Department of Justice is bringing fewer voter intimidation and suppression cases now, and has increased its focus on matters such as noncitizen voting, double voting, and felon voting. While the Voting Section of the Civil Rights Division focuses on systemic patterns of malfeasance, the Election Crimes Branch of the Public Integrity Section has increased prosecutions of individual instances of felon, alien, and double voting while also maintaining an aggressive pursuit of systematic schemes to corrupt the electoral process.

Please suggest any changes that you think would further clarify the current approach. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM ---

Margaret Sims/EAC/GOV
05/15/2006 01:09 PM
To "Tova Wang"
cc
Subject Re: Thursday

No problem. I've got the conference room reserved from Noon to 6 PM, so you can come earlier. --- Peggy

"Tova Wang" <wang

"Tova Wang"
05/15/2006 11:36 AM
To psims@eac.gov
cc
Subject thursday

Is it OK if I come around 12:30 or so to make sure I have all my materials arranged properly for presentation? Thanks.

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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Click here to receive our weekly e-mail updates.
I did not realize that I had to itemize the per diem, so yes, that was an oversight. There was a $5 service charge. I will forward you the documentation on that. Thanks so much. Tova

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, June 01, 2006 1:50 PM
To: wan
Subject: Travel Reimbursement

Tova:
In reviewing your travel reimbursement request that arrived in my In box this week, I noticed that you did not include per diem in your request for payment. Was that an oversight? I calculate that you would be eligible for a total of $160 in per diem for the trip ($48 for Wednesday 5/17, $64 for Thursday 5/18, and $48 for Friday 5/19). Also, the airfare receipt shows a total charge of $288.60, but the amount you requested for airfare was $293.60. Perhaps there was a service fee that does not show on the receipt. Can you clarify? --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM ---

"Craig C. Donsanto"
05/30/2006 11:02 PM
To: "peggy sims" <psims@eac.gov>
Subject: Fwd: Re: Article to your secondary e-mail address

--- "Craig C. Donsanto" <cdonsanto@yahoo.com> wrote:

> Date: Tue, 30 May 2006 19:57:36 -0700 (PDT)
> From: "Craig C. Donsanto" <cdonsanto@yahoo.com>
> Subject: Re: Article to your secondary e-mail
> address
> To: "Elliott, Michael (LA) (IC)"
> <Michael.Elliott@ic.fbi.gov>
> >
> Mike - -
> > As we say back where I come from: this article is
> "wicked pissah"!
> > The woman mentioned in this piece towards the end
> has
been contracted with the Election Assistance
Commission to do a study of electoral fraud in the
US.
She is my problem, and she doesn't have a clue --
despite the fact that she has had the rare
opportunity
to interview me and get stats from me and my
colleagues on our electoral fraud cases.
You should be most proud of this article as it
accurately captures the soul of what you and I are
trying to do in this very important area of federal
law enforcement.
And greetings from Hilton Head, South Carolina --

--- "Elliott, Michael (LA) (IC)"
Michael.Elliott@ic.fbi.gov wrote:

Craig,

As requested, please find below The Hill article
on the CF&BF Initiative:


Michael

SSA Michael B. Elliott
Public Corruption/Governmental Fraud Unit
FBIHQ, Room 3975
202-324-4687 (Office)

Craig C. Donsanto
cdonsanto@yahoo.com
Do You Yahoo!?
Tired of spam? Yahoo! Mail has the best spam protection around
http://mail.yahoo.com

Craig C. Donsanto
cdonsanto@yahoo.com

Do You Yahoo!?
Tired of spam? Yahoo! Mail has the best spam protection around
http://mail.yahoo.com

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM -----

"Tova Wang"

To: psims@eac.gov
cc

Subject: FW: Expedia travel confirmation - Washington, DC - May 17, 2006 - (Itin# 116272039590)

-----Original Message-----
From: [REDACTED]
Sent: Tuesday, May 09, 2006 4:55 PM
To: wang@ [REDACTED]
Subject: Expedia travel confirmation - Washington, DC - May 17, 2006 - (Itin# 116272039590)

Travel Confirmation

Thank you for booking your trip with Expedia.com. View this itinerary online for the most up-to-date information. Our interactive demo can show you how easy it is to get information about your itinerary.

Need a hotel or a car or an activity or service in Washington DC? Here are some options we've found for you.

Connecticut Avenue Days Inn $66.00 per night
Renaissance Mayflower Hotel $459.00 per night
Comfort Inn Largo/Fed Ex Field $96.00 per night
Car Rental - Economy Midsize Full Size
Activities & Services - Sightseeing Dining options Ground transportation Attraction passes

Search for more hotels
Search for more cars
Search for more activities & services
Receive Expedia.com newsletters

Booked items

[Redacted]
Thank you for choosing Expedia.com
Don't Just Travel. Travel Right. http://www.expedia.com

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM -----

"Job Serebrov"  
05/31/2006 01:34 PM  
To psims@eac.gov  
cc  
Subject Re: Working Group Notes

Peggy:

I will not be home from Las Vegas until Saturday. I was given an offer for a career clerking position with a federal judge and accepted. I will be relocating in December.

Job

psims@eac.gov wrote:

Sorry. We have had so much going on, I did not have time to send the attached to you last week. This is Devon's compilation of notes taken by EAC staff at the working group meeting. --- Peggy

"Tova Wang"  
05/31/2006 11:26 AM  
To psims@eac.gov  
cc  
Subject notes

Hi Peg,

How are you? I was wondering, whatever happened to getting the collective notes of the EAC staff?
Thanks. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM -----

"Tova Wang"

To psims@eac.gov
cc serebrov

Subject RE: Working Group Notes

Peg, I'm sorry, but this is really not helpful. It's another outline. I guess we have to wait for the transcript. I wish now I had taken notes myself! Thanks anyway. Tova

----- Original Message ----- 
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Wednesday, May 31, 2006 12:31 PM
To: wanLI
Cc: serebrov
Subject: Re: Working Group Notes

Sorry. We have had so much going on, I did not have time to send the attached to you last week. This is Devon's compilation of notes taken by EAC staff at the working group meeting. --- Peggy

"Tova Wang"
Hi Peg,

How are you? I was wondering, whatever happened to getting the collective notes of the EAC staff? Thanks. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM ---
Margaret Sims/EAC/GOV 06/01/2006 02:50 PM To Tova Andrea Wang cc Subject Travel Reimbursement

Tova:
In reviewing your travel reimbursement request that arrived in my In box this week, I noticed that you did not include per diem in your request for payment. Was that an oversight? I calculate that you would be eligible for a total of $160 in per diem for the trip ( $48 for Wednesday 5/17, $64 for Thursday 5/18, and $48 for Friday 5/19). Also, the airfare receipt shows a total charge of $288.60, but the amount you requested for airfare was $293.60. Perhaps there was a service fee that does not show on the receipt. Can you clarify? --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM ---
Margaret Sims/EAC/GOV 05/31/2006 01:30 PM To "Tova Wang" <GSAEXTERNAL cc serebro Subject Re: Working Group Notes>

Sorry. We have had so much going on, I did not have time to send the attached to you last week. This is Devon's compilation of notes taken by EAC staff at the working group meeting. --- Peggy

VFVI Meeting Summary.doc

"Tova Wang"

"Tova Wang" 05/31/2006 11:26 AM To psims@eac.gov cc
Hi Peg,

How are you? I was wondering, whatever happened to getting the collective notes of the EAC staff? Thanks. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM -----

"Tova Wang"
06/02/2006 04:50 PM
To psims@eac.gov
cc
Subject transcript

Hi Peg,

Do you have an ETA for the transcript? Seems like it should be around now. Thanks and have a great weekend. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM -----

wang
06/08/2006 09:15 AM
To psims@eac.gov
cc "Job Serebrov"
Subject
Hi, What's going on? I have not received responses from either one of you in a week. I'd like to wrap this up in the next two weeks if we can. Did you get my recommendations? Thanks.

Tova

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM -----
Margaret Sims/EAC/GOV
06/08/2006 09:35 AM
To: wang@tcf.org
cc: serebrov@tcf.org
Subject: Re:

Sorry. We have been swamped with other program activities and preparations for today's testimony before House Admin. We have not yet received the transcript of the Working Group session. Devon checked with the court reporter, who said it will be delivered today. --- Peggy

wang@tcf.org

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM -----
Margaret Sims/EAC/GOV
06/08/2006 09:15 AM
To: psims@eac.gov
cc: Job Serebrov
Subject:

Hi, What's going on? I have not received responses from either one of you in a week. I'd like to wrap this up in the next two weeks if we can. Did you get my recommendations? Thanks.

Tova

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM -----
Devon E. Romig/EAC/GOV
06/07/2006 10:08 AM
To: Margaret Sims/EAC/GOV@EAC
cc: jwilson@eac.gov
Subject: Re: Transcript of 5-18-06 Working Group Meeting

Tim at Carol reporting said the transcript will be here today or tomorrow.

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
Have we had any word about the transcript for the 5-18-06 Voting Fraud-Voter Intimidation Working Group meeting? Our consultants each need a copy so that they can draft the final report? If we have it in electronic form, so much the better. --- Peggy

Hi Peg,

How do you recommend dealing with this? I have this feeling like he's trying to create a situation where I will have to write it myself. Thanks. Tova

Peggy:

I can't predict when I get home but it is between 5:30 and 6:30 my time. I know that is generally too late to have a teleconference.

I plan to review Tova's recommendations this weekend and work on my own as well as expanding the explanation of the case section.

Please see what your financial officer did with regards to my travel.
Thank you,
Job

--- psims@eac.gov wrote:

> What time do you arrive home from work? Perhaps we could talk then?
> Re your question on the mileage, I have approached our Financial Officer with a request that you receive full reimbursement on the grounds that your actual total travel costs are less than the estimated total travel costs if you had flown to DC, stayed in our more expensive hotels, and received the higher per diem for 3 days (instead of 1). I have not yet received a response from her and she has been out of the office much of this week, so I don't know what she decided to do.
> --- Peggy

"Job Serebrov" <
06/08/2006 01:10 PM

To
psims@eac.gov,
cc
serebrov

Re: Transcript & Teleconference

Peg:

I just arrived home for lunch. I can no longer take time during the work day for telephone conferences. As I told you I will need to finish this project after daily working hours. I am still getting things done from being out for ten days. I will review Tova's recommendations and expand on mine this weekend.

Also, I sent you an e-mail asking how you handled the mileage portion of my travel voucher?

Job

--- psims@eac.gov wrote:
Can we make it 4 EST? I have another meeting at 3.

----- Original Message -----
From: <psims@eac.gov>
To: <wang@eac.gov>
Cc: <serebrov@eac.gov>
Sent: Thursday, June 07, 2006 9:55 AM
Subject: Re: Transcript & Teleconference

I'll see how it comes in. I hope we receive an electronic copy. If we only receive a hard copy, we can pdf it and email it to the two of you.

How about Monday afternoon at 3 PM EST for a brief teleconference? I really can't do it before then because of other commitments. --- Peggy

wang@eac.gov
06/08/2006 09:42 To AM
psims@eac.gov
cc
serebrov@eac.gov
Subject
Re: Re:
How will you be getting it to us? Will it be something you can email? And can we set up a call for some time in the next few days? Thanks.

----- Original Message ----- 
From: <psims@eac.gov>
To: <wane> Cc: <serebrov>
Sent: Thursday, June 08, 2006 9:35 AM
Subject: Re: 

>> Sorry. We have been swamped with other program activities and preparations for today's testimony before House Admin. We have not yet received the transcript of the Working Group session. Devon checked with the court reporter, who said it will be delivered today.
--- Peggy

Hi, What's going on? I have not received
I'll fax it to you if that works. The total is $124.44. Thank you. Have a nice weekend. Tova

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Friday, June 09, 2006 3:03 PM
To: wang[REDACTED]
Subject: Re: travel

Send it now. Let me know how much it is, so that I can include it in the total for reimbursement. --- Peggy
Hi again,

I just got the bill from our car service from the trip last month. Can I still send it to you? Do I need a cover note? Thanks. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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---

**Tova Wang**

To psims@eac.gov, "Job Serebrov"

cc

Subject more gao

---

 forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM ---

Sorry, its 500 pages -- it also includes data on absentee fraud and voter intimidation

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM ---

*Margaret Sims/EAC/GOV* 

06/12/2006 05:09 PM 

To "Tova Wang"

Subject RE: Will Call Later
How about 9:30 AM EST, Wednesday morning (6/14/06)?

"Tova Wang" <[redacted]>

"Tova Wang"
06/12/2006 04:46 PM

To psims@eac.gov
cc
Subject RE: Will Call Later

Either between 9 and 10 or between 12 and 1:30 would be ideal, but I should be around most of the afternoon. Thanks Peg. Tova

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday June 12, 2006 2:39 PM
To: wan, [redacted]
Subject: Will Call Later

I'll try to call you Wednesday. Is there a time that is best for you? Today has been too hectic. Tomorrow is primary election day in VA. Still no transcript. I have taken a look at the recommendations that you sent me, but have not yet heard from Job. --- Peg

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM -----

Devon E. Romig/EAC/GOV
06/07/2006 10:01 AM

To Margaret Sims/EAC/GOV@EAC
cc jwilson@eac.gov
Subject Re: Transcript of 5-18-06 Working Group Meeting

I will call the transcript company and ask them about it.

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov
Margaret Sims/EAC/GOV

Margaret Sims/EAC/GOV
06/07/2006 09:47 AM

To dromig@eac.gov, jwilson@eac.gov
cc
Subject Transcript of 5-18-06 Working Group Meeting
Have we had any word about the transcript for the 5-18-06 Voting Fraud-Voter Intimidation Working Group meeting? Our consultants each need a copy so that they can draft the final report? If we have it in electronic form, so much the better. --- Peggy

---- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM ----
Diana Scott/EAC/GOV  
06/09/2006 01:02 PM  
To Margaret Sims/EAC/GOV@EAC  
cc  
Subject Travel Reimbursement for Job Sebrebrov

Peggy,

Regarding his travel for the EAC’s May 18 meeting, I would concur with you that we should reimburse Mr. Serebrov in the amount of $1200.03 for travel related expenses (hotel/mileage/per diem). Since there is a $577.95 dollar difference in cost (travel via air vs travel via POV), I believe the $1200.03 is more economically advantageous to the Agency. Attached is your drafted memo.

[Attachment: JobSerebrov$1200.03reimbursement.pdf]

Diana M. Scott  
Administrative Officer  
U.S. Election Assistance Commission  
(202) 566-3100 (office)  
(202) 566-3127 (fax)  
dscott@eac.gov

---- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM ----
Margaret Sims/EAC/GOV  
06/09/2006 04:45 PM  
To "Tova Wang"  
cc  
Subject RE: travel

Got it! You should receive a total travel reimbursement of $1,533.02 for that trip. (I could not include the internet service fee the hotel charged, but everything else counted.) --- Peggy

"Tova Wang"  
"Tova Wang"
I'll fax it to you if that works. The total is $124.44. Thank you. Have a nice weekend. Tova

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Friday, June 09, 2006 3:03 PM
To: 
Subject: Re: travel

Send it now. Let me know how much it is, so that I can include it in the total for reimbursement. ---
Peggy

Hi again,

I just got the bill from our car service from the trip last month. Can I still send it to you? Do I need a cover note? Thanks. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation
Visit our Web site for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.
"Tova Wang"

06/12/2006 05:11 PM

To psims@eac.gov

Subject RE: Will Call Later

Perfect. Thanks.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday June 12, 2006 4:09 PM
To: wa
Subject: RE: Will Call Later

How about 9:30 AM EST, Wednesday morning (6/14/06)?

"Tova Wang"

06/12/2006 04:46 PM

To psims@eac.gov

Subject RE: Will Call Later

Either between 9 and 10 or between 12 and 1:30 would be ideal, but I should be around most of the afternoon. Thanks Peg. Tova

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, June 12, 2006 2:39 PM
To: wan
Subject: Will Call Later

I'll try to call you Wednesday. Is there a time that is best for you? Today has been too hectic. Tomorrow is primary election day in VA. Still no transcript. I have taken a look at the recommendations that you sent me, but have not yet heard from Job. --- Peg

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM -----

"Tova Wang"

06/05/2006 04:30 PM

To psims@eac.gov, serebro

Subject
Can we make it 4 EST? I have another meeting at 3.

----- Original Message -----
From: <psims@eac.gov>
To: <wan
Cc: <serebrov
Sent: Thursday, June 08, 2006 9:55 AM
Subject: Re: Transcript & Teleconference

> I'll see how it comes in. I hope we receive an electronic copy. If we
> only receive a hard copy, we can pdf it and email it to the two of you.
> How about Monday afternoon at 3 PM EST for a brief teleconference? I
> really can't do it before then because of other commitments. --- Peggy

> How will you be getting it to us? Will it be something you can email?
> And
> can we set up a call for some time in the next few days? Thanks.

----- Original Message ----- 
From: <psims@eac.gov>
To: <wan
Cc: <serebrov
Sent: Thursday, June 08, 2006 9:35 AM
Subject: Re:

>
Sorry. We have been swamped with other program activities and preparations for today's testimony before House Admin. We have not yet received the transcript of the Working Group session. Devon checked with the court reporter, who said it will be delivered today. --- Peggy

Hi,Whats going on? I have not received responses from either one of you in a week. I'd like to wrap this up in the next two weeks if we can. Did you get my recommendations? Thanks.

Tova

Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM ----

I can't do that time, I'll be at an event in DC.

-----Original Message-----
From: Job Serebrov [mailto:serebrov@sbcglobal.net]
Sent: Tuesday, June 13, 2006 8:10 AM
To: psims@eac.gov; wang
Subject: Transcripts, Etc.

Peggy:

Any sign of the transcript? Will the other members of the working group get a copy? I have had questions from several about it.

If you want to talk I can do so this Friday at 6 pm your time.

Job

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM ---
"Tova Wang"
06/09/2006 12:09 PM
To: psims@eac.gov, "Job Serebrov"
cc
Subject: gao report

This has information on many of our topics, but they also surveyed jurisdictions on voter reg fraud coming up with a rate of 5%


Tova Andrea Wang
Democracy Fellow
The Century Foundation

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Click here to receive our weekly e-mail updates.

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM ----
Joyce Wilson/EAC/GOV
06/07/2006 09:58 AM
To: Margaret Sims/EAC/GOV@EAC
cc
Subject: Re: Transcript of 5-18-06 Working Group Meeting
Not that I know of. Would it have gone to Bryan possibly? Our public meeting transcripts go to him.

Joyce H. Wilson
Staff Assistant
US Election Assistance Commission
202-566-3100 (office)
202-566-3128 (fax)

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM -----
Margaret Sims/EAC/GOV
06/09/2006 04:50 PM
To: "Job Serebrov"
cc
Subject: Re: Travel & Transcripts

Our Financial Officer accepted my arguments. You should receive a travel reimbursement totalling $1,200.03. GSA will reimburse through electronic funds transfer. I don't usually receive notification when our consultants are reimbursed.

I still have no transcripts. --- Peggy

"Job Serebrov" <serebrov@sbcglobal.net>

"Job Serebrov" To: psims@eac.gov, wang@tcf.org
06/08/2006 10:42 PM
cc
Subject: Re: Transcript & Teleconference

Peggy:

I can't predict when I get home but it is between 5:30 and 6:30 my time. I know that is generally too late to have a teleconference.

I plan to review Tova's recommendations this weekend and work on my own as well as expanding the explanation of the case section.

Please see what your financial officer did with regards to my travel.

Thank you,

Job

--- psims@eac.gov wrote:

> What time do you arrive home from work? Perhaps we
could talk then?

Re your question on the mileage, I have approached our Financial Officer with a request that you receive full reimbursement on the grounds that your actual total travel costs are less than the estimated total travel costs if you had flown to DC, stayed in our more expensive hotels, and received the higher per diem for 3 days (instead of 1). I have not yet received a response from her and she has been out of the office much of this week, so I don't know what she decided to do.

--- Peggy

---

"Job Serebrov" 06/08/2006 01:10 PM

To psims@eac.gov, _
cc serebrov
Subject Re: Transcript & Teleconference

Peg:

I just arrived home for lunch. I can no longer take time during the work day for telephone conferences. As I told you I will need to finish this project after daily working hours. I am still getting things done from being out for ten days. I will review Tova's recommendations and expand on mine this weekend.

Also, I sent you an e-mail asking how you handled the mileage portion of my travel voucher?

Job

---

--- psims@eac.gov wrote:

> 4 PM EST is fine with me, if it works for Job.

---

> Peggy

>
Can we make it 4 EST? I have another meeting at 3.

----- Original Message -----
From: <psims@eac.gov>
To: <wan@eac.gov>
Cc: <serebrov@eac.gov>
Sent: Thursday, June 08, 2006 9:55 AM
Subject: Re: Transcript & Teleconference

I'll see how it comes in. I hope we receive an electronic copy. If we only receive a hard copy, we can pdf it and email it to the two of you.

How about Monday afternoon at 3 PM EST for a brief teleconference? I really can't do it before them because of other commitments. --- Peggy
How will you be getting it to us? Will it be something you can email?
And can we set up a call for some time in the next few days? Thanks.

----- Original Message ----- 
From: <psims@eac.gov>
To: <wang@eac.gov>
Cc: <serebrov@eac.gov>
Sent: Thursday, June 08, 2006 9:35 AM
Subject: Re:

Sorry. We have been swamped with other program activities and preparations for today's testimony before House Admin. We have not yet received the transcript of the Working Group session. Devon checked with the court reporter, who said it will be delivered today.

--- Peggy

Hi, What's going on? I have not received responses from either one of you in a week. I'd like to wrap this up in the next two weeks if we can.
Did you get my recommendations? Thanks.
Could you do Friday in the morning?

Original Message

From: "Job Serebrov"
To: "Job Serebrov"
Sent: Wednesday, June 14, 2006 6:29 PM
Subject: Re: teleconference

> Tova:
> 
> 5 pm EST is 4 pm Central. Peg would have to call at 7 pm EST to be 6 pm Central.
> 
> Job
> 
> --- wang wrote:
> 
> >> Let's try to do that. Peg, you will call us 5 pm EST?
> >>
> >> Original Message
> >> From: "Job Serebrov"
> >> To: "Job Serebrov"
> >> Sent: Wednesday, June 14, 2006 6:29 PM
> >> Subject: Re: teleconference
> >>
> >> Wednesday next week? It would have to be 6 pm.
> >>
> >> Tova Wang wrote:
> >>
> >> Hi Job,
> >>
> >> Peg tells me that we should now be getting the
transcript & Teleconference

-----

Forwarded by Margaret Sims EAC/GOV on 04/30/2007 04:18 PM
"Job Serebrov"

To psims@eac.gov, wan06/08/2006 01:10 PM
cc serebrov
Subject Re: Transcript & Teleconference

Peg:
I just arrived home for lunch. I can no longer take time during the workday for phone conferences. As I told you, I will need to finish this project after daily working hours. I am still getting things done from being out for ten days. I will review Tova's transcript early next week.

Regardless, we should talk about the organization & distribution of work on the final report and try to finally get it done. Would it be possible for you to do a call before you leave for work in the morning, say 8 am your time, on Wednesday? If not, could you do 6 pm your time on Wednesday?

Thanks.

Tova
Tova Andrea Wang
Democracy Fellow
The Century Foundation
recommendations and expand on mine this weekend.

Also, I sent you an e-mail asking how you handled the mileage portion of my travel voucher?

Job

--- psims@eac.gov wrote:

> 4 PM EST is fine with me, if it works for Job. ---
> Peggy

--- Original Message -----
> From: <psims@eac.gov>
> To: <wang_w@
> Cc: <serebrov
> Sent: Thursday, June 08, 2006 9:55 AM
> Subject: Re: Transcript & Teleconference

> I'll see how it comes in. I hope we receive an electronic copy. If we only receive a hard copy, we can pdf it and email it to the two of you. How about Monday afternoon at 3 PM EST for a brief teleconference? I really can't do it before them because of other commitments. --- Peggy

---

000640
How will you be getting it to us? Will it be something you can email? And can we set up a call for some time in the next few days? Thanks.

----- Original Message -----
From: <psims@eac.gov>
To: <wan@wan.gov>
Cc: <serebrov>
Sent: Thursday, June 08, 2006 9:35 AM
Subject: Re:

Sorry. We have been swamped with other program activities and preparations for today's testimony before House Admin. We have not yet received the transcript of the Working Group session. Devon checked with the court reporter, who said it will be delivered today.

--- Peggy

06/08/2006 09:15 To AM
psims@eac.gov
cc
"Job
Serebrov"
<serebrov@...>
Subject

000641
Hi, What's going on? I have not received responses from either one of you in a week. I'd like to wrap this up in the next two weeks if we can. Did you get my recommendations? Thanks.

Tova

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM ---

"Tova Wang"

To psims@eac.gov

Subject travel

Hi again,

I just got the bill from our car service from the trip last month. Can I still send it to you? Do I need a cover note? Thanks. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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Click here to receive our weekly e-mail updates.

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM -----

Margaret Sims/EAC/GOV

To "Job Serebrov"

Subject Re: Transcript & Teleconference
What time do you arrive home from work? Perhaps we could talk then?

Re your question on the mileage, I have approached our Financial Officer with a request that you receive full reimbursement on the grounds that your actual total travel costs are less than the estimated total travel costs if you had flown to DC, stayed in our more expensive hotels, and received the higher per diem for 3 days (instead of 1). I have not yet received a response from her and she has been out of the office much of this week, so I don't know what she decided to do. --- Peggy

"Job Serebrov"

"Job Serebrov" To psims@eac.gov

06/08/2006 01:10 PM cc serebrov Subject Re: Transcript & Teleconference

Peg:

I just arrived home for lunch. I can no longer take time during the work day for telephone conferences. As I told you I will need to finish this project after daily working hours. I am still getting things done from being out for ten days. I will review Tova's recommendations and expand on mine this weekend.

Also, I sent you an e-mail asking how you handled the mileage portion of my travel voucher?

Job

--- psims@eac.gov wrote:

> 4 PM EST is fine with me, if it works for Job. ---
> Peggy
> 
> 
> 
> 
> 
> 06/08/2006 10:10 AM
> 
> To
> psims@eac.gov
> cc
> serebrov
> Subject
> Re: Transcript & Teleconference
> 
>
Can we make it 4 est? I have another meeting at 3.

----- Original Message -----
From: <psims@eac.gov>
To: <wan@eac.gov>
Cc: <serebrov@eac.gov>
Sent: Thursday, June 08, 2006 9:55 AM
Subject: Re: Transcript & Teleconference

-----
I'll see how it comes in. I hope we receive an electronic copy. If we only receive a hard copy, we can pdf it and email it to the two of you.

How about Monday afternoon at 3 PM EST for a brief teleconference? I really can't do it before then because of other commitments. --- Peggy

06/08/2006 09:42 To
psims@eac.gov
cc

Re: Re:

How will you be getting it to us? Will it be something you can email?

And

can we set up a call for some time in the next few days? Thanks.

----- Original Message -----
From: <psims@eac.gov>
To: <wan@eac.gov>
Cc: <serebrov@eac.gov>
Sent: Thursday, June 08, 2006 9:35 AM
Subject: Re:
Sorry. We have been swamped with other program activities and preparations for today's testimony before House Admin. We have not yet received the transcript of the Working Group session. Devon checked with the court reporter, who said it will be delivered today.

--- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM -----

Tova Wang

To psims@eac.gov
-----Original Message-----
From: Job Serebrov [mailto:serebrov...]
Sent: Friday, June 09, 2006 8:17 AM
To: Tova Wang
Subject: RE: Transcript & Teleconference

Normally I am not home for lunch.

--- Tova Wang wrote:

> What about during a lunch hour?

> ---- Original Message ----
> From: Job Serebrov
> Sent: Thursday, June 08, 2006 9:42 PM
> To: psims@eac.gov; wang...BA
> Subject: Re: Transcript & Teleconference

> Peggy:
>
> I can't predict when I get home but it is between
> 5:30
> and 6:30 my time. I know that is generally too late
> to
> have a teleconference.
>
> I plan to review Tova's recommendations this weekend
> and work on my own as well as expanding the
> explanation of the case section.
>
> Please see what your financial officer did with
> regards to my travel.
>
> Thank you,
>
> Job

> --- psims@eac.gov wrote:

> > What time do you arrive home from work? Perhaps
> > we
> > could talk then?
> >
> > Re your question on the mileage, I have approached
> > our Financial Officer
> > with a request that you receive full reimbursement
> > on the grounds that
> > your actual total travel costs are less than the
> > estimated total travel
costs if you had flown to DC, stayed in our more
expensive hotels, and
received the higher per diem for 3 days (instead
of
1). I have not yet
received a response from her and she has been out
of
the office much of
this week, so I don't know what she decided to do.
--- Peggy

---

"Job Serebrov" <
06/08/2006 01:10 PM

To
psims@eac.gov, wang@tcf.org
cc
serebrov
Subject
Re: Transcript & Teleconference

Peg:

I just arrived home for lunch. I can no longer
take
time during the work day for telephone
conferences.
As
I told you I will need to finish this project
after
daily working hours. I am still getting things
done
from being out for ten days. I will review Tova's
recommendations and
expand on mine this weekend.

Also, I sent you an e-mail asking how you handled
the
mileage portion of my travel voucher?

Job

--- psims@eac.gov wrote:

4 PM EST is fine with me, if it works for Job.
---
Peggy
Can we make it 4 EST? I have another meeting at 3.

----- Original Message -----
From: psims@eac.gov
To: wangs
Cc: serebrov
Sent: Thursday, June 08, 2006 9:55 AM
Subject: Re: Transcript & Teleconference

I'll see how it comes in. I hope we receive an electronic copy. If we only receive a hard copy, we can pdf it and email it to the two of you.

How about Monday afternoon at 3 PM EST for a brief teleconference? I really can't do it before then because of other commitments. --- Peggy
How will you be getting it to us? Will it be something you can email? And can we set up a call for some time in the next few days? Thanks.

Original Message

From: psims@eac.gov
To: wan, serebrov
Cc: 
Sent: Thursday, June 08, 2006 9:35 AM
Subject: Re:

Sorry. We have been swamped with other program activities and preparations for today's testimony before House Admin. We have not yet received the transcript of the Working Group session.

Devon checked with the court reporter, who said it will be delivered today.

--- Peggy

--- message truncated ---

Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM ---

"Tova Wang"
06/21/2006 11:00 AM
To "Job Serebrov"<psims@eac.gov
cc
Subject nexis

Hi Peg and Job,
Tova:

> 5 pm EST is 4 pm Central. Peg would have to call at 7 pm EST to be 6 pm Central.

Job

--- wrote:

>> Let's try to do that. Peg, you will call us 5 pm EST?

Wednesday next week? It would have to be 6 pm.

--- Tova Wang wrote:

Hi Job,

Peg tells me that we should now be getting the transcript early next week. Regardless, we should talk about the organization and distribution of work on the final report and try to finally get it done.

Would it be possible for you to do a call before you leave for work in the morning, say 8 am your time, on Wednesday? If not, could you do 6 pm?
Thanks.

Tova

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---

Forced by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM ---

Margaret Sims/EAC/GOV
06/19/2006 01:24 PM
To “Tova Wang”
cc
Subject Re: voucher

Looks good to me! --- Peggy

“Tova Wang”

06/19/2006 08:40 AM
To psims@eac.gov
cc
Subject voucher

Hi Peg,

Attached is my voucher for the last month -- can you check it quickly before I send it? Also, are we good for Wednesday at 7? Thanks. Tova
Good news!! The transcript is finally here.

Dear EAC,

Attached please note the ASCII file for the Voting Fraud-Voter Intimidation Meeting taken on Wednesday, May 18, 2006. Your transcript has been shipped to you.

ASCII file name: 051806.txt

Please let us know if you have any questions.

Timothy Brischler, Office Manager, 703.273.9221
I have been told that GSA expects to make the disbursement next week, probably on or around June 28.
--- Peggy

Here's an update from Craig on his Election Crimes book. The last was published in 1995.

It is written and currently in the Deputy AG's office for policy review.

I have published the two most substantive chapters of the new book as private, personal papers under the aegis of the International Foundation for Electoral Systems (IFES), for which I have done a lot of work around the world. I recommend that you access IFES' website and go to the "Money and Politics" part of their extensive site. I should have two papers available there, one addressing Abuse of the Franchise (published in connection with work I did last year in Liberia) and the other involving Federal Campaign Finance Xrime done in connection with work in Bosnia.

If you can't find them this way, please call me: 202-514-1421.
---------------------------------
Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

---- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM ----
Margaret Sims/EAC/GOV
06/19/2006 04:28 PM
To Job Serobrov
cc
Subject Travel Reimbursement

Bryan Whitener/EAC/GOV
06/15/2006 05:01 PM
To Margaret Sims/EAC/GOV@EAC, Juliet E. Thompson-Hodgkins/EAC/GOV@EAC, Gavin S. Gilmour/EAC/GOV@EAC
cc
Subject Fw: The 7th Edition!

"Donsanto, Craig"
<Craig.Donsanto@usdoj.gov>
06/13/2006 08:04 PM
To bwhitener@eac.gov
cc
Subject The 7th Edition!

--- Forwarded by Bryan Whitener/EAC/GOV on 06/15/2006 08:38 AM ---

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM ---
Subject: Re: Teleconference

It will need to be early next week. What news of the transcript?

--- psims@eac.gov wrote:

> I am sorry, but I have to postpone the teleconference originally scheduled for this evening. Is another day this week or early next week good for you two?
> Peggy
>
> Sent from my BlackBerry Wireless Handheld

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM -----

Can I also get an answer on whether we can speak about the project publicly?

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM -----

OK. I have marked my calendar for a 7 PM EST/6 PM CST teleconference for this Wednesday. Still no transcript. --- Peggy
Tova:

5 pm EST is 4 pm Central. Peg would have to call at 7 pm EST to be 6 pm Central.

Job

>>> Let's try to do that. Peg, you will call us 5 pm EST?

>>> Wednesday next week? It would have to be 6 pm.

>>> --- Tova Wang wrote:

>>> Hi Job,

>>> Peg tells me that we should now be getting the transcript early next week.

>>> Regardless, we should talk about the organization and distribution of work on the final report and try to finally get it done.

>>> Would it be possible for you to do a call before you leave for work in the morning, say 8 am your time, on Wednesday? If not, could you do 6 pm your time on Wednesday?

>>> Thanks.

>>> Tova

>>> Tova Andrea Wang

>>> Democracy Fellow

>>> The Century Foundation
Would it be possible to find out how fast GSA will be able to process the travel reimbursement for Job Serebrov? --- Peggy

Peggy:

I need you to check on Monday to see when I will get my last invoice paid as well as my travel which was going to be expedited.

Are we still talking on Wednesday at 7 EST?

Thanks,

Job
Your personal services invoice should be paid this week (Thursday or Friday). The payment of travel costs will take longer. I’ll check with Finance to see if we can get an estimated date from GSA. --- Peggy

Peggy:

I need you to check on Monday to see when I will get my last invoice paid as well as my travel which was going to be expedited.

Are we still talking on Wednesday at 7 EST?

Thanks,

Job

Adam, Craig thought you were looking for a list of federal statutes, which are discussed in our election fraud manual. We don’t have lists of state election crimes. Craig suggests that you contact Peggy Sims at the EAC – she’s a wonderful resource, and I’m including her in my reply. Good luck.

Nancy
Peggy--We sent the request to the Finance Center on 6/13. Finance quotes a 2 week turnaround.

Diana M. Scott
Administrative Officer
U.S. Election Assistance Commission
(202) 566-3100 (office)
(202) 566-3127 (fax)
dscott@eac.gov

Margaret Sims/EAC/GOV

Would it be possible to find out how fast GSA will be able to process the travel reimbursement for Job Serebrov? --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM -----
Margaret Sims/EAC/GOV
06/22/2006 10:30 AM
To: "Job Serebrov" , "Tova Andrea Wang"
cc:
Subject: Re: Teleconference

OK. Next Monday (6-26) at 7 PM EST. I'll call you.
Peggy

--------------------------
Sent from my BlackBerry Wireless Handheld

----- Original Message -----
From: "Job Serebrov" 
Sent: 06/21/2006 09:34 PM
To: wan@eac.gov
Subject: Re: Teleconference

Monday at 7 EST is ok with me. What about you Peg?

Job

--- wan@eac.gov:

> How about Monday at 6:30 or 7 est?
> ---- Original Message ----
> From: "Job Serebrov" <
> To: <psims@eac.gov>; Tova Andrea Wang
> <wan@eac.gov>
> Sent: Wednesday, June 21, 2006 6:21 PM
> Subject: Re: Teleconference
>
> > It will need to be early next week. What news of
> > the
> > transcript?
> >
> >
> >
> > --- psims@eac.gov wrote:
> >
> > >>> I am sorry, but I have to postpone the
> > >>> teleconference originally scheduled
> > >>> for this evening. Is another day this week or
> > >>> early
> > >>> next week good for you
> > >>> two?
> > >>> Peggy
> >
> > >>> --------------------------
> > >>> Sent from my BlackBerry Wireless Handheld
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----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM -----

Margaret Sims/EAC/GOV
06/19/2006 12:30 PM

To Bryan Whitener/EAC/GOV
cc Gavin S. Gilmour/EAC/GOV@EAC, Juliet E. Thompson-Hodgkins/EAC/GOV@EAC
Subject Re: Fw: The 7th Edition

I have a copy of Donsanto's IFES paper, if you need it. We used it as one of the resources for the vote fraud-voter intimidation research. --- Peggy

000655
Here's an update from Craig on his Election Crimes book. The last was published in 1995.

----- Forwarded by Bryan Whitener/EAC/GOV on 06/15/2006 08:38 AM -----

"Donsanto, Craig"
<Craig.Donsanto@usdoj.gov>

To bwhitener@eac.gov

cc

06/13/2006 08:04 PM

Subject The 7th Edition!

It is written and currently in the Deputy AG's office for policy review.

I have published the two most substantive chapters of the new book as private, personal papers under the aegis of the International Foundation for Electoral Systems (IFES), for which I have done a lot of work around the world. I recommend that you access IFES' website and go to the "Money and Politics" part of their extensive site. I should have two papers available there, one addressing Abuse of the Franchise (published in connection with work I did last year in Liberia) and the other involving Federal Campaign Finance Xrime done in connection with work in Bosnia.

If you can't find them this way, please call me: 202-514-1421.

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Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM -----

"Tova Wang"

06/21/2006 12:25 PM

To psims@eac.gov,"Job Serebrov"

cc

Subject RE: Teleconference

Anyday anytime except tomorrow is OK by me. Tova

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]

000366
I am sorry, but I have to postpone the teleconference originally scheduled for this evening. Is another day this week or early next week good for you two? Peggy

Sent from my BlackBerry Wireless Handheld

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM ---

"Job Serebrov"  To psims@eac.gov
06/22/2006 09:27 PM  cc
Subject Suggestions

RECOMMENDATIONS.doc Peggy:

When Tova sent me her suggestions I made some changes and additions. Tova later wrote to me and said she expected me to come up with my own list. Due to time constraints and at risk of duplication I rather go with the corrected suggestions.

Job

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM ---

"Job Serebrov"  To “Tova Wang” psims@eac.gov
06/21/2006 06:25 PM  cc
Subject Re: nexis

I have no objection to amending the official findings/CD to add these.

--- Tova Wang wrote:

> Hi Peg and Job,
> > I don't know how we might be able to use these but
> > here, finally, are the
> super-refined versions of the nexis charts. Can we
> include them? Thanks.
> Tova
>

---- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM ----
Margaret Sims/EAC/GOV
06/22/2006 10:31 AM
To "Job Serebrov", "Tova Andrea Wang"
cc
Subject Re: nexis

Fine by me.
Peggy

--------------------------
Sent from my BlackBerry Wireless Handheld

----- Original Message ----- 
From: "Job Serebrov"
Sent: 06/21/2006 06:25 PM
To: "Tova Wang"; psims@eac.gov
Subject: Re: nexis

I have no objection to amending the official
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--- Tova Wang <tova.wang@eac.gov> wrote:
>
> Hi Peg and Job,
>
> I don't know how we might be able to use these but
> here, finally, are the
> super-refined versions of the nexis charts. Can we
> include them? Thanks.
> Tova
>

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM ----
"Tova Wang"
06/20/2006 11:10 AM
To psims@eac.gov
cc
Subject question
Am I correct in assuming that I still cannot discuss the findings of our report? Thanks.

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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Click here to receive our weekly e-mail updates.

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM ---

"Job Serebrov"
06/30/2006 10:02 PM
To wang
cc
Subject Re: Various

For Donsanto to be able to do this, we would need enough time and money to contact all interviewees and also permit comment from them. However, in this matter I am 100% in agreement with Tova.

Also, I maintain that a reasonable solution to this is to allow Donsanto and/or any of the commissioners who desire to do so to provide a statement that would be included in the report and in the record.

----- Original Message ----- 
From: <wan> 
To: <psi@eac.gov>; "Job Serebrov" 
Cc: "Tova Wang" 
Sent: Friday, June 30, 2006 9:42 PM 
Subject: Re: Various 

> That would be great on the contract.
> 
> If the interview is "edited" as you put it, I will be very, very uncomfortable, as I believe Job would be as well. I know you don't want to spend anymore time on this, but I consider it a rather important issue, and I think Job does too. I would be happy to talk to you and Tom and any of the commissioners about this further if that would be helpful. I am available by cell over the next four days and in
Thanks for the updated invoice stuff. Happy 4th.

Tova

----- Original Message -----
From: <psims@eac.gov>
To: "Job Serebrov"
Cc: "Tova Andrea Wang"
Sent: Friday, June 30, 2006 6:41 PM
Subject: Re: Various

Actually, the Donsanto interview was the only one I did attend, but I agree the issue is taking up too much of your time. I just wanted you to be forewarned that the paragraph has already raised red flags in DC of and is likely to result in an edit. Enough said about that.

I am concerned about the number of hours left for this project. If you and Tova both agree, I'll see if our Contracting Officer will approve a contract mod to provide for some additional hours and money to incorporate comments received on the report and other efforts that fall within the tasks specified in the current contract. We won't get 60 thou, but there might be a little year end money we can use to finish this off properly.

Peg

--------------------------
Sent from my BlackBerry Wireless Handheld

----- Original Message -----
From: "Job Serebrov"
Sent: 06/30/2006 05:58 PM
To: psims@eac.gov;
Subject: Various

Peg:

I had to take time off this afternoon to handle some issues. Did you get an answer as to my travel reimbursement?

I spoke to Tova about the Donsanto issue. We both agree about what we heard during the interview. We also agree that this is taking up too much time (of which we have so little left) and is a minor part...
of
>> one interview which makes up one of thirty
>> interviews.
>> I feel the same as Tova, the Commission was not
>> in on
>> the interview and thus do not know what was said
>> and
>> we are not giving those interviewed the
>> opportunity,
>> especially given how long ago the interviews
>> were, to
>> object. Frankly, if the Commission wants to give
>> us
>> another sixty hours each we can call all of our
>> interviewees, give them the review and ask for
>> comments. In any case, we can't include comments
>> from
>> other interviews with, or lectures by person
>> interviewed, outside of our interview with that
>> person. We simply can't afford to single out one
>> statement in one interview that there is a
>> disagreement on. Finally, I don't read the
>> paragraph
>> as you do---I remember what was said---the
>> paragraph
>> clearly does not imply an abandonment of other
>> DOJ
>> electoral investigations.

Here it is. --- Peg

EAC Boards VF-VI Status Report.doc

Jeannie Layson/EAC/GOV
To Margaret Sims/EAC/GOV@EAC
cc
Subject: Re: U.S. News & World Report

Peg,

Would you please send me the document regarding this project that was submitted to the Standards Bd?

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

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM -----

"Tova Wang"
06/28/2006 04:37 PM
To psims@eac.gov, "Job Serebrov"
cc
Subject: methodology

As you may recall, the working group expressed interest in the risk analysis method. The recent report by the Brennan Center on voting machines employs this methodology. If you look at pp. 8-19 of the attached, it provides a potential model. I think it might be worth including this as an appendix or footnote in the methodology section. Please let me know what you think. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM ---

Margaret Sims/EAC/GOV
06/30/2006 05:31 PM
To Job Serebrov
cc
Subject: Contract Hours & Payments for Services
Here is the spreadsheet I have for you. Please let me know if you notice any discrepancies. Thanks. --- Peggy

Serebrov Payment Tracking.xls
--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM ---

"Tova Wang"
To psims@eac.gov
cc
Subject invoice

Hi Peg,

What is the current invoice schedule? Thanks.

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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Click here to receive our weekly e-mail updates.

Will it be possible for you to extract the excerpt for inclusion in the report? Thanks.

----- Original Message-----
From: Job Serebrov [REDACTED]
Sent: Wednesday, June 28, 2006 5:40 PM
To: Tova Wang; psims@eac.gov
Subject: Re: methodology

Agreed

--- Tova Wang [REDACTED] wrote:
> As you may recall, the working group expressed
> interest in the risk analysis
> method. The recent report by the Brennan Center on
> voting machines employs
> this methodology. If you look at pp. 8-19 of the
> attached, it provides a
> potential model. I think it might be worth
> including this as an appendix or
> footnote in the methodology section. Please let me
> know what you think.
> Tova
> Tova Andrea Wang
> Democracy Fellow
> The Century Foundation
> Visit our Web site, for the latest news,
> analysis, opinions, and events.
> Click here to receive our
> weekly e-mail updates.
>

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM ---

"Job Serebrov" To psims@eac.gov
07/02/2006 10:28 AM cc
Subject Please Change This

Peggy:

In the transcript, there is one serious mistake that must be changed immediately. On page 5 it indicated that I helped review and draft changes to the election code of Libya. It should be Namibia not Libya. The reason this is so serious if it stands is that at the time I reviewed Namibia's Code it was illegal for Americans to deal with Libya. I need to know that this has been corrected any ALL parties who have seen the transcript notified.

Job
Jeannie

We suspect that someone from the Voting Fraud-Voter Intimidation Project Working Group has been talking to reporters, tipping them off about what we are finding in our preliminary study, and referring them to our consultants (although the information could have come from anyone on the EAC boards, too). Apparently, the U.S. News & World Report reporter who contacted me also contacted both consultants working on the project.

Based on my recommendation, Tova Wang and, possibly, Job Serebrov, who are on EAC personal services contracts for our voting fraud and voter intimidation research, will seek further clarification from you about what they can and cannot say to reporters and in public fora about vote fraud and voter intimidation and about EAC's research. I have previously advised Tova and Job not to discuss the work they are doing for us as this is EAC research, the Commissioners have not yet received and accepted the final report, and the Commission has not approved their speaking about the EAC research.

Tova plans to call you tomorrow (Tuesday, June 27) about the issue. In addition to the reporter's inquiry, she has been invited to speak on the subject at the summer conference of the National Association of State Legislatures. She has plenty of knowledge of the subject in her own right (apart from our study), but is having trouble differentiating between her own work and the work she is doing for us. Please, just let me know what you advise her to do.

--- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM ----

"Tova Wang"

06/27/2006 12:26 PM

To psims@eac.gov, "Job Serebrov"

cc

Subject outline of final report

--- Peggy

Does this work for you?

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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Click here to receive our weekly e-mail updates.
I would make time to discuss this. I feel that any edit would be wrong while a comment at the end of the interview by the Commission would not be. But in this case, two of us remember it one way and one the other way.

--- wang

> That would be great on the contract.
> > If the interview is "edited" as you put it, I will
> > be very, very
> > uncomfortable, as I believe Job would be as well. I
> > know you don't want to
> > spend anymore time on this, but I consider it a
> > rather important issue, and
> > I think Job does too. I would be happy to talk to
> > you and Tom and any of
> > the commissioners about this further if that would
> > be helpful. I am
> > available by cell over the next four days and in the
> > office all next week.
> > > Thanks for the updated invoice stuff. Happy 4th.
> >
> > Tova
> > ----- Original Message -----
> > From: <psims@eac.gov>
> > To: "Job Serebrov"
> > Cc: "Tova Andrea Wang"
> > Sent: Friday, June 30, 2006 6:41 PM
> > Subject: Re: Various
> >
> > > Actually, the Donsanto interview was the only one
> > > I did attend, but I
> > > agree the issue is taking up too much of your
> > > time. I just wanted you to
> > > be forwarned that the paragraph has already raised
> > > red flags in DC of and
> > > is likely to result in an edit. Enough said about
> > > that.
> > >
> > > I am concerned about the number of hours left for
> > > this project. If you and
> > > Tova both agree, I'll see if our Contracting
> > > Officer will approve a
> > > contract mod to provide for some additional hours
> > > and money to incorporate
> > > comments received on the report and other efforts
> > > that fall within the
> > > tasks specified in the current contract. We won't
> > > get 60 thou, but there
> > > might be a little year end money we can use to
> > > finish this off properly.
> > > Peg
> > >
> > > --------------------------
Peg:

I had to take time off this afternoon to handle some issues. Did you get an answer as to my travel reimbursement?

I spoke to Tova about the Donsanto issue. We both agree about what we heard during the interview. We also agree that this is taking up too much time (of which we have so little left) and is a minor part of one interview which makes up one of thirty interviews. I feel the same as Tova, the Commission was not on the interview and thus do not know what was said and we are not giving those interviewed the opportunity, especially given how long ago the interviews were, to object. Frankly, if the Commission wants to give us another sixty hours each we can call all of our interviewees, give them the review and ask for comments. In any case, we can't include comments from other interviews with, or lectures by person interviewed, outside of our interview with that person. We simply can't afford to single out one statement in one interview that there is a disagreement on. Finally, I don't read the paragraph as you do---I remember what was said---the paragraph clearly does not imply an abandonment of other DOJ electoral investigations.

Job
I'll need to get back to you on this and the definition tomorrow (too many things going on today). In the meantime, I have attached the written status report that was presented to the EAC Standards Board and Board of Advisors, because I can't remember if I ever provided the final version to the two of you. The status report is primarily made up of your preliminary reports, with some intro information provided and a brief summary of recommendations discussed at the Working Group meeting. This may or may not help the two of you in preparing the final. You can use any of it, or none of it. I am sure that your product will be much better than this quickly pulled together thing. --- Peggy

---

Does this work for you?

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM ---
Peg:
So far no travel pay. Tova got hers a couple of days ago. Please call and check. I need it.

Thanks,
Job

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM ---

"Tova Wang"
06/29/2006 01:24 PM

To: psims@eac.gov, serebrov@sbcglobal.net
cc: twilkey@eac.gov
Subject: RE: donsanto interview

Peg, if you review the numerous speeches and writings of Donsanto, including at the BAI training sessions, you will see that in the past he has frequently said that as a matter of law and policy the Department generally only pursued organized patterns. I can point you to particular citations if you like. He clearly said when we interviewed him that there had been a shift in resources and energy. This is in both of our notes. I don’t think this should be an issue of departmental politics.

Tova

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, June 29, 2006 12:00 PM
To: wan.
serebrov@sbcglobal.net
Cc: twilkey@eac.gov
Subject: Re: donsanto interview

Tova and Job:

All I can do is advise you that I don’t think this paragraph will pass by the Commission, as written, because readers can misinterpret what is being reported and use something published by EAC against DOJ. I suspect that both of you are aware of legal action being taken by an advocacy group against DOJ alleging that the agency is acting in a manner that fails to protect, and even discourages, the voter participation of minorities and disadvantaged individuals. Though I do not intend to address the merits of that action, which focuses on the efforts of more than one DOJ office, I am concerned that some readers would use the sentence that begins with "This change in direction, focus, and level of aggression ..." as evidence that DOJ’s Election Crimes Branch has completely changed course to focus on aggressively pursuing individuals who vote when ineligible, many of whom are minorities.

It is true that, for years, the Election Crimes Branch did not pursue individual violators. (I certainly observed this from the time I became involved in researching election administration matters in 1986.) Much of the reason for this is that the agency just did not have the resources to pursue everything; so, as the agency budget permitted, DOJ pursued cases that provided the most bang.
for the buck --- cases involving multiple individuals that were not already being pursued by State or local public attorneys. As you know, DOJ recently expanded its efforts and added the prosecution of individuals for double voting or voting when ineligible (felony convictions or no U.S. citizenship). Although I did not know of this decision prior to the interview, the action is not a complete surprise, given the increasing pressure on the agency to pursue such cases that began with a real squeaker of a 1996 race in California’s 46th CD (Orange County). In the interview with you, Donsanto also stated that the department evaluates each case before pursuing it, and does not pursue every individual referred for voting violations. (You may remember he noted his reluctance to pursue noncitizen voting, which can result in deportation, when it could separate the individual from his family.)

In my opinion, the addition of the prosecution of individuals, while an important new development, is not a complete change in direction or focus. The pursuit of individual violators does not supplant DOJ’s continuing efforts to pursue organized schemes to corrupt the process. It is part of a recent expansion of the agency’s efforts to combat election crime that includes: (1) more aggressive pursuit of criminal campaign finance violations (not covered by EAC’s study); (2) exploration of new avenues to prosecute voter suppression schemes (e.g.; the NH phone bank blocking case); (3) better training of U.S. attorneys and FBI agents in the recognition, investigation and prosecution of election offenses; (4) efforts to improve coordination with state and local law enforcement agencies; and (5) press conferences and public announcements before federal elections to publicize how the public can report election crimes. Donsanto provided information on much of these efforts either during the interview or by supplying case lists and training information on the day of the interview.

I hope you will reconsider revising the paragraph at issue.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission

Hi Peg,

Job and I have discussed this matter and agree on our response to it.

Presumably the paragraph you are concerned about is the following:
Since 2002, the department has brought more cases against alien voters, felon voters, and double voters than ever before. Previously, cases were only brought when there was a pattern or scheme to corrupt the process. Charges were not brought against individuals – those cases went un-prosecuted. This change in direction, focus, and level of aggression was by the decision of the Attorney General. The reason for the change was for deterrence purposes.

Neither of us thinks this passage says that the Department has stopped pursuing patterns, as you suggested, and we maintain that this is what Mr. Donsanto said to us in the interview. If Mr. Donsanto wants to object, perhaps he can write a letter or something to that effect that could be part of the record.

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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I don't think anyone disagrees that DOJ's earlier policy was to prosecute organized conspiracies, not individual violators. This policy was based both on existing law and resources available. Donsanto made that clear in numerous presentations before election officials, though I doubt he would have highlighted the resource issue in any of his written reports.

I did not hear Donsanto say that there was a shift in resources and energy away from prosecuting organized conspiracies in order to pursue prosecutions of individuals. I think we should avoid implying that this is the case. I understood his statement to address a shift in DOJ resources and energy to support increased efforts to prosecute election crimes, including the expansion of prosecutions to include individual incidents. I have not seen, nor do I think Donsanto has ever stated, that there has been a decrease in the effort to prosecute organized conspiracies to corrupt the process. Yet, adequate resources continue to be an issue, as Donsanto noted in his interview and at the Working Group meeting (when referring to having to decide which of two voter suppression cases to prosecute because he didn't have the resources to do both).

Your reference to policy based on law reminded me that changes in federal law, and an evolution in the understanding of how to use newer law, also would have affected DOJ's decision to add the prosecution of individuals for such violations as registering and voting when not a U.S. citizen or when a convicted felon. Earlier federal law did not directly address voter registration by felons, permitting federal prosecution in such instances only where it could be shown that the applicant knowingly and willfully...
provided false information as to his or her eligibility to vote. Earlier federal law permitted the prosecution of noncitizens for registering to vote based on false claims of the U.S. citizenship that each State required for registering to vote in federal elections, but did not require U.S. citizenship to vote in federal elections. These laws made federal prosecution of noncitizen and felon voter registration and voting much more challenging. With the implementation of the NVRA in 1995, we began to see federal election law that could more easily be used for federal prosecution of both voter registration and voting by noncitizens and convicted felons. And, late in 1996, immigration reform legislation was passed that clearly prohibits noncitizens from voting in federal elections (without requiring the "knowing and willful" component).

--- Peggy

"Tova Wang"

06/29/2006 01:24 PM

To psims@eac.gov

cc twilkey@eac.gov

Subject RE: donsanto interview

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From: psims@eac.gov [mailto:psims@eac.gov]
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To: wangserbro
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Election Research Specialist
U.S. Election Assistance Commission

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that effect that could be part of the record.

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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Click here to receive our weekly e-mail updates.
July weekend.

----------------------------------------
Sent from my BlackBerry Wireless Handheld

----- Original Message -----  
From: "Job Serebrov" [blank]
Sent: 06/30/2006 05:58 PM
To: psims@eac.gov, wang[blank]
Subject: Various

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Job

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM -----  
"Job Serebrov"  
06/30/2006 07:10 PM
To psims@eac.gov, wang@tcf.org
cc
Subject Re: Various

Peg:

Its ok with me as long as we finish before the end of November.
--- psims@eac.gov wrote:

> Actually, the Donsanto interview was the only one I
did attend, but I agree the issue is taking up too
much of your time. I just wanted you to be forwarned
that the paragraph has already raised red flags in
DC of and is likely to result in an edit. Enough
said about that.

> I am concerned about the number of hours left for
this project. If you and Tova both agree, I'll see
if our Contracting Officer will approve a contract
mod to provide for some additional hours and money
to incorporate comments received on the report and
other efforts that fall within the tasks specified
in the current contract. We won't get 60 thou, but
there might be a little year end money we can use to
finish this off properly.

> Peg

I am concerned about the number of hours left for
this project. If you and Tova both agree, I'll see
if our Contracting Officer will approve a contract
mod to provide for some additional hours and money
to incorporate comments received on the report and
other efforts that fall within the tasks specified
in the current contract. We won't get 60 thou, but
there might be a little year end money we can use to
finish this off properly.

Peg

----- Original Message -----  
From: "Job Serebrov"  
Sent: 06/30/2006 05:58 PM  
To: psims@eac.gov; want@  
Subject: Various

I had to take time off this afternoon to handle some
issues. Did you get an answer as to my travel
reimbursement?

I spoke to Tova about the Donsanto issue. We both
agree about what we heard during the interview. We
also agree that this is taking up too much time (of
which we have so little left) and is a minor part of
one interview which makes up one of thirty
interviews.

I feel the same as Tova, the Commission was not in
on the interview and thus do not know what was said and
we are not giving those interviewed the opportunity,
especially given how long ago the interviews were,
to object. Frankly, if the Commission wants to give us
another sixty hours each we can call all of our
interviewees, give them the review and ask for
comments. In any case, we can't include comments
from other interviews with, or lectures by person
interviewed, outside of our interview with that
person. We simply can't afford to single out one
statement in one interview that there is a
disagreement on. Finally, I don't read the paragraph
as you do---I remember what was said---the paragraph clearly does not imply an abandonment of other DOJ electoral investigations.

---- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM ----
Margaret Sims/EAC/GOV
06/26/2006 04:38 PM
To “Tova Wang”
cc dromig@eac.gov, serebro
Subject RE: May 18, 2006 Meeting

I wasn’t planning on circulating the transcript to the Commissioners. Most of them probably don’t have the time to go through the whole thing. I will let them know it is available, if they are interested in reviewing it.

--- Peggy

“Tova Wang”

“Tova Wang”
06/23/2006 01:04 PM
To dromig@eac.gov, psims@eac.gov
cc serebro
Subject RE: May 18, 2006 Meeting

Wow, there are a lot of errors in this. But at least it gets at the substance. Will this be circulated to the commissioners?

-----Original Message-----
From: dromig@eac.gov [mailto:dromig@eac.gov]
Sent: Thursday, June 22, 2006 2:45 PM
To: psims@eac.gov
Cc: serebro, wan~
Subject: Fw: May 18, 2006 Meeting

Good news!!! The transcript is finally here.

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov
Dear EAC,

Attached please note the ASCII file for the Voting Fraud-Voter Intimidation Meeting taken on Wednesday, May 18, 2006. Your transcript has been shipped to you.

ASCII file name: 051806.txt

Please let us know if you have any questions.

Timothy Brischler, Office Manager, 703.273.9221
Jeannie:

Here are my responses:

1. When will EAC receive the preliminary report on voter intimidation and voting fraud?
I anticipate that we will have a draft final report from our consultants in 2-3 weeks, after our consultants have had time to review the transcript from the project Working Group meeting, which was not available until last week.

2. When we receive the preliminary report, what is the EAC process to formulate a final product that will be made public?
First, Commissioners and Commission staff will have to review the preliminary draft. Then a draft will be submitted to the EAC Standards Board and EAC Advisory Board for review and comment. This second step is taken in accordance with HAVA §247, which requires EAC to carry out its duties under Title II, Subtitle C (Studies and Other Activities to Promote Effective Administration of Federal Elections) in consultation with the Standards Board and the Board of Advisors.

3. When will we make this research available to the public? What form will it be in? (Best practices, etc.)
The final report cannot be made public until it has been accepted by the Commissioners. Normally, this does not happen until the researcher(s) submit a final report that has been revised to address clarifications and corrections deemed necessary through the review process described above. The time it takes for the researchers to produce this final report will depend, somewhat, on the number of clarifications and corrections deemed necessary.
Hi Peg,

Job and I have discussed this matter and agree on our response to it.

Presumably the paragraph you are concerned about is the following:

Since 2002, the department has brought more cases against alien voters, felon voters, and double voters than ever before. Previously, cases were only brought when there was a pattern or scheme to corrupt the process. Charges were not brought against individuals – those cases went un-prosecuted. This change in direction, focus, and level of aggression was by the decision of the Attorney General. The reason for the change was for deterrence purposes.

Neither of us thinks this passage says that the Department has stopped pursuing patterns, as you suggested, and we maintain that this is what Mr. Donsanto said to us in the interview. If Mr. Donsanto wants to object, perhaps he can write a letter or something to that effect that could be part of the record.
As the researchers were charged with conducting preliminary background research on voting fraud and voter intimidation in the U.S., this report will not include recommended best practices. It will summarize the preliminary research as well as the deliberations of our project Working Group. It also will include recommendations for future EAC activity related to the development of: (1) methods of identifying, deterring, and investigating voting fraud and voter intimidation; and (2) nationwide statistics on voting fraud.

If the reporter has spoken to Secretary Rokita, who maintains that EAC has no authority to conduct this research, you may want to note that EAC initiated this preliminary research on voting fraud and voter intimidation in accordance with the Help America Vote Act, (HAVA) §241, which requires EAC to conduct research on election administration issues, including the development of:

- nationwide statistics and methods of identifying, deterring, and investigating voting fraud in elections for Federal office [§241(b)(6)]; and
- ways of identifying, deterring, and investigating methods of voter intimidation [§241(b)(7)].

At its 2005 meeting, EAC's Board of Advisors recommended that the agency make research on these matters a high priority.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission

Jeannie Layson/EAC/GOV

Jeannie Layson/EAC/GOV 06/27/2006 02:26 PM To psims@eac.gov, twilkey@eac.gov cc Subject US News & World Report inquiry

Please provide answers to the following questions, posed to me by US News & World Report's Scott Michels. I need this info by the end of the day to meet his deadline.

1. When will EAC receive the preliminary report on voter intimidation and voting fraud?
2. When we receive the preliminary report, what is the EAC process to formulate a final product that will be made public?
3. When will we make this research available to the public? What form will it be in? (Best practices, etc.)

Jeannie Layson
U.S. Election Assistance Commission
1225 New York Ave., NW
Suite 1100
Washington, DC 20005
Phone: 202-566-3100
www.eac.gov
Attached is an updated schedule showing 2 more invoice periods. I'll send separate spreadsheets to you and Job showing what funds and hours have been used and what are available. --- Peggy

FY06 Contracts Invoice Schedule.xls

Hi Peg,

What is the current invoice schedule? Thanks.

Tova Andrea Wang
Democracy Fellow
The Century Foundation

Visit our Web site for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.
Tova and Job:

All I can do is advise you that I don't think this paragraph will pass by the Commission, as written, because readers can misinterpret what is being reported and use something published by EAC against DOJ. I suspect that both of you are aware of legal action being taken by an advocacy group against DOJ alleging that the agency is acting in a manner that fails to protect, and even discources, the voter participation of minorities and disadvantaged individuals. Though I do not intend to address the merits of that action, which focuses on the efforts of more than one DOJ office, I am concerned that some readers would use the sentence that begins with "This change in direction, focus, and level of aggression..." as evidence that DOJ's Election Crimes Branch has completely changed course to focus on aggressively pursuing individuals who vote when ineligible, many of whom are minorities.

It is true that, for years, the Election Crimes Branch did not pursue individual violators. (I certainly observed this from the time I became involved in researching election administration matters in 1986.) Much of the reason for this is that the agency just did not have the resources to pursue everything; so, as the agency budget permitted, DOJ pursued cases that provided the most bang for the buck --- cases involving multiple individuals that were not already being pursued by State or local public attorneys. As you know, DOJ recently expanded its efforts and added the prosecution of individuals for double voting or voting when ineligible (felony convictions or no U.S. citizenship). Although I did not know of this decision prior to the interview, the action is not a complete surprise, given the increasing pressure on the agency to pursue such cases that began with a real squeaker of a 1996 race in California's 46th CD (Orange County). In the interview with you, Donsanto also stated that the department evaluates each case before pursuing it, and does not pursue every individual referred for voting violations. (You may remember he noted his reluctance to pursue noncitizen voting, which can result in deportation, when it could separate the individual from his family.)

In my opinion, the addition of the prosecution of individuals, while an important new development, is not a complete change in direction or focus. The pursuit of individual violators does not supplant DOJ's continuing efforts to pursue organized schemes to corrupt the process. It is part of a recent expansion of the agency's efforts to combat election crime that includes: (1) more aggressive pursuit of criminal campaign finance violations (not covered by EAC's study); (2) exploration of new avenues to prosecute voter suppression schemes (e.g.; the NH phone bank blocking case); (3) better training of U.S. attorneys and FBI agents in the recognition, investigation and prosecution of election offenses; (4) efforts to improve...
Hi Peg,

Job and I have discussed this matter and agree on our response to it.

Presumably the paragraph you are concerned about is the following:

Since 2002, the department has brought more cases against alien voters, felon voters, and double voters than ever before. Previously, cases were only brought when there was a pattern or scheme to corrupt the process. Charges were not brought against individuals – those cases went un-prosecuted. This change in direction, focus, and level of aggression was by the decision of the Attorney General. The reason for the change was for deterrence purposes.

Neither of us thinks this passage says that the Department has stopped pursuing patterns, as you suggested, and we maintain that this is what Mr. Donsanto said to us in the interview. If Mr. Donsanto wants to object, perhaps he can write a letter or something to that effect that could be part of the record.

Tova Andrea Wang
Democracy Fellow
The Century Foundation

Visit our Web site for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.
Tova

Thats a first! Thanks -- I'll fax and send. Tova

-----Original Message-----
From: psims@eac.gov
Sent: Monday, June 19, 2006 12:24 PM
To: wan-er
Subject: Re: voucher

Looks good to me! --- Peggy

"Tova Wang"

06/19/2006 08:40 AM

Hi Peg,

Attached is my voucher for the last month -- can you check it quickly before I send it? Also, are we good for Wednesday at 7? Thanks. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation
Peggy:

Still no travel funds. Please see what you can fund out on Monday. At this point this is late.

Job

---

Further comment from Tova. --- Peggy

Also, I maintain that a reasonable solution to this is to allow Donsanto and/or any of the commissioners who desire to do so to provide a statement that would be included in the report and in the record.
> and I think Job does too. I would be happy to talk to you and Tom and any
> of the commissioners about this further if that would be helpful. I am
> available by cell over the next four days and in the office all next week.
> >
> > Thanks for the updated invoice stuff. Happy 4th.
> >
> > Tova
> > ----- Original Message ----- 
> > From: <psims@eac.gov>
> > To: "Job Serebrov" 
> > Cc: "Tova Andrea Wang"
> > Sent: Friday, June 30, 2006 6:41 PM
> > Subject: Re: Various
> > >
> > >> Actually, the Donsanto interview was the only one I did attend, but I
> > >> agree the issue is taking up too much of your time. I just wanted you to
> > >> be forwarned that the paragraph has already raised red flags in DC of and
> > >> is likely to result in an edit. Enough said about that.
> > >>
> > >> I am concerned about the number of hours left for this project. If you
> > >> and Tova both agree, I'll see if our Contracting Officer will approve a
> > >> contract mod to provide for some additional hours and money to
> > >> incorporate comments received on the report and other efforts that fall
> > >> within the tasks specified in the current contract. We won't get 60
> > >> thou, but there might be a little year end money we can use to finish
> > >> this off properly.
> > >> Peg
> > >>
> > >> --------------------------
> > >> Sent from my BlackBerry Wireless Handheld
> > >>
> > >>
> > >>
> > >> ----- Original Message ----- 
> > >> From: "Job Serebrov" 
> > >> Sent: 06/30/2006 05:58 PM
> > >> To: psims@eac.gov; wan
> > >> Subject: Various
> > >>
> > >> Peg:
> > >>
> > >> I had to take time off this afternoon to handle some
> > >> issues. Did you get an answer as to my travel
> > >> reimbursement?
> > >>
> > >> I spoke to Tova about the Donsanto issue. We both
> > >> agree about what we heard during the interview. We
> > >> also agree that this is taking up too much time (of
> > >> which we have so little left) and is a minor part of
> > >> one interview which makes up one of thirty interviews.
> > >> I feel the same as Tova, the Commission was not in on
> > >> the interview and thus do not know what was said and
> > >> we are not giving those interviewed the opportunity,
> > >> especially given how long ago the interviews were, to
> > >> object. Frankly, if the Commission wants to give us
> > >> another sixty hours each we can call all of our
> > >> interviewees, give them the review and ask for
> > >> comments. In any case, we can't include comments from
> > >> other interviews with, or lectures by person
> > >> interviewed, outside of our interview with that
person. We simply can't afford to single out one statement in one interview that there is a disagreement on. Finally, I don't read the paragraph as you do---I remember what was said---the paragraph clearly does not imply an abandonment of other DOJ electoral investigations.

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM ---
Margaret Sims/EAC/GOV
07/03/2006 11:12 AM
To Bola Olu/EAC/GOV
cc
Subject Fw: Travel Funds

Can you please find out where GSA is with this reimbursement? Thanks. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 07/03/2006 11:12 AM ---
"Job Serebrov"
07/02/2006 09:34 AM
To psims@eac.gov
cc
Subject Travel Funds

Peggy:

Still no travel funds. Please see what you can fund out on Monday. At this point this is late.

Job

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM ---
Bola Olu/EAC/GOV
07/03/2006 11:57 AM
To Margaret Sims/EAC/GOV@EAC
cc
Subject Re: Fw: Travel Funds

Peggy:
I am assuming you are referring to the 6/9/06 payment in the amount of $1,200.03. I checked with Finance and the payout date is today.

Bola Olu  
Financial Administrative Specialist  
United States Election Assistance Commission  
1225 New York Avenue N.W., Suite - 1100  
Washington, DC 20005  
P:202-566-3124  
F:202/566-3127  
http://www.eac.gov/  

"Integrity - Treat everyone with the same principle, be loyal to those who are not present"

Margaret Sims/EAC/GOV

Can you please find out where GSA is with this reimbursement? Thanks. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 07/03/2006 11:12 AM -----  
"Job Serebrov"  
07/02/2006 09:34 AM  
To psims@eac.gov  
cc  
Subject Travel Funds

Peggy:

Still no travel funds. Please see what you can fund out on Monday. At this point this is late.

Job

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM -----  
Margaret Sims/EAC/GOV  
07/03/2006 12:51 PM  
To Job Serebrov  
cc  
Subject Payments for Personal Services
Job:

I may have forgotten to send this summary of payments for personal services to you. If I didn't, here it is again. --- Peggy

Serebrov Payment Tracking.xls
----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM -----
Margaret Sims/EAC/GOV
07/03/2006 10:35 AM
To wang
cc "Job Serebrov" , "Tova Wang"
Subject Re: Various

Most of the Commissioners and Tom will be out of the office for the next two weeks to attend the IACREOT, NASS, and NASED summer conferences. I'll let Tom know you want to talk with him when I see him at the airport tomorrow. He may decide to call from out of town. --- Peggy

That would be great on the contract.

If the interview is "edited" as you put it, I will be very, very uncomfortable, as I believe Job would be as well. I know you don't want to spend anymore time on this, but I consider it a rather important issue, and I think Job does too. I would be happy to talk to you and Tom and any of the commissioners about this further if that would be helpful. I am available by cell over the next four days and in the office all next week.

Thanks for the updated invoice stuff. Happy 4th.

Tova
------ Original Message ------
From: <psims@eac.gov>
To: "Job Serebrov"
Cc: "Tova Andrea Wang"
Sent: Friday, June 30, 2006 6:41 PM
Subject: Re: Various

> Actually, the Donsanto interview was the only one I did attend, but I
> agree the issue is taking up too much of your time. I just wanted you to
> be forwarned that the paragraph has already raised red flags in DC of and
> is likely to result in an edit. Enough said about that.
I am concerned about the number of hours left for this project. If you and Tova both agree, I'll see if our Contracting Officer will approve a contract mod to provide for some additional hours and money to incorporate comments received on the report and other efforts that fall within the tasks specified in the current contract. We won't get 60 thou, but there might be a little year end money we can use to finish this off properly.

Peg

--------------------------
Sent from my BlackBerry Wireless Handheld

----- Original Message ----- 
From: "Job Serebrov" 
Sent: 06/30/2006 05:58 PM 
To: psims@eac.gov; 
Subject: Various

Peg:

I had to take time off this afternoon to handle some issues. Did you get an answer as to my travel reimbursement?

I spoke to Tova about the Donsanto issue. We both agree about what we heard during the interview. We also agree that this is taking up too much time (of which we have so little left) and is a minor part of one interview which makes up one of thirty interviews. I feel the same as Tova, the Commission was not in on the interview and thus do not know what was said and we are not giving those interviewed the opportunity, especially given how long ago the interviews were, to object. Frankly, if the Commission wants to give us another sixty hours each we can call all of our interviewees, give them the review and ask for comments. In any case, we can't include comments from other interviews with, or lectures by person interviewed, outside of our interview with that person. We simply can't afford to single out one statement in one interview that there is a disagreement on. Finally, I don't read the paragraph as you do---I remember what was said---the paragraph clearly does not imply an abandonment of other DOJ electoral investigations.

Job
Peg:

I still have not received the travel funds. This is causing a large financial problem. I don't know what is with these people but it is obvious my bank has not received it and I doubt it was sent. Please find out what is going on.

Job

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM -----
We'll have to guesstimate. It is likely that we will receive some comments and questions from the Commissioners and a number of comments from the boards. We could do the modification a little later, but we have to do it before the end of August to take advantage of year-end funds. Basically, the sooner we can figure this out, the better chance we have of using some of the year-end money for this project, before it is taken for something else. We have no guaranties that funds will be available in the next fiscal year. --- Peggy

"Tova Wang"
07/03/2006 11:13 AM

To psims@eac.gov
cc
Subject RE: Estimated Additional Hours Needed

Doesn't it really depend on what the Commission comes back to us with? Its kind of hard to estimate before knowing what they're going to want.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday July 03, 2006 10:11 AM
To: want serebro
Cc: twilkey@eac.gov
Subject: Estimated Additional Hours Needed

Tova and Job:

I don't have the authority to modify contracts, but Tom Wilkey does. In order to help Tom determine how many additional hours (and dollars) should be added to your personal services contracts, I'll need an estimate from the two of you for the number of additional hours required to complete the final report (taking into account revisions that may be needed to address questions and comments submitted by the Commissioners and the EAC Standards Board and Board of Advisors). Please note that we cannot add any tasks to the existing contract, but we can account for additional hours required to complete the final report.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM -----
I thought I emailed an account of your hours used. Just in case I didn't, here it is again.

Wang Payment Tracking.xls

I think I've already gone over my hours. Let me know when I submit my invoice. If I have, I'll just reduce them on paper. Thanks.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, July 03, 2006 10:30 AM
To: wan
Subject: RE: Estimated Additional Hours Needed

We'll have to guesstimate. It is likely that we will receive some comments and questions from the Commissioners and a number of comments from the boards. We could do the modification a little later, but we have to do it before the end of August to take advantage of year-end funds. Basically, the sooner we can figure this out, the better chance we have of using some of the year-end money for this project, before it is taken for something else. We have no guaranties that funds will be available in the next fiscal year. --- Peggy
Doesn't it really depend on what the Commission comes back to us with? It's kind of hard to estimate before knowing what they're going to want.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, July 03, 2006 10:11 AM
To: wang_serebro_
Cc: twilkey@eac.gov
Subject: Estimated Additional Hours Needed

tova and job:

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Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
e-mail: psims@eac.gov

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM -----
"job serebrov"
07/07/2006 08:06 AM
To: psims@eac.gov
cc
Subject: Travel Funds

Peg:
My travel funds finally came in to my bank.

job

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM -----
"tova wang"
07/03/2006 11:13 AM
To: psims@eac.gov
cc

...
Isn't it really depend on what the Commission comes back to us with? It's kind of hard to estimate before knowing what they're going to want.

----- Original Message ----- 
From: psims@eac.gov [mailto:psims@eac.gov]  
Sent: Monday, July 03, 2006 10:11 AM  
To: wang ***   serebro ***  
Cc: twilkey@eac.gov  
Subject: Estimated Additional Hours Needed

Tova and Job:

I don't have the authority to modify contracts, but Tom Wilkey does. In order to help Tom determine how many additional hours (and dollars) should be added to your personal services contracts, I'll need an estimate from the two of you for the number of additional hours required to complete the final report (taking into account revisions that may be needed to address questions and comments submitted by the Commissioners and the EAC Standards Board and Board of Advisors). Please note that we cannot add any tasks to the existing contract, but we can account for additional hours required to complete the final report.

Peggy Sims  
Election Research Specialist  
U.S. Election Assistance Commission  
1225 New York Ave, NW - Ste 1100  
Washington, DC 20005  
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)  
Fax: 202-566-3127  
Email: psims@eac.gov

---- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM ----

To psims@eac.gov  
Cc serebro ***  
Subject Re: FW: methodology

It would be great if someone there could work on cleaning it up. Let us know. Thanks.

----- Original Message ----- 
From: psims@eac.gov  
To: wang ***   serebro ***  
Cc: twilkey@eac.gov  
Sent: Friday, June 30, 2006 5:25 PM  
Subject: Re: FW: methodology
The attached is the text extracted from pages 8-19 and the Attachment C referenced within the text. The formatting is still a little weird. Can you work with this, or do I need to play with it some more? --- Peggy

"Tova Wang"

06/29/2006 12:07 PM

To psims@eac.gov
cc
Subject FW: methodology

Will it be possible for you to extract the excerpt for inclusion in the report? Thanks.

-----Original Message-----
From: Job Serebrov
Sent: Wednesday, June 28, 2006 5:40 PM
To: Tova Wang; psims@eac.gov
Subject: Re: methodology

Agreed

--- Tova Wang wrote:

> As you may recall, the working group expressed interest in the risk analysis method. The recent report by the Brennan Center on voting machines employs this methodology. If you look at pp. 8-19 of the attached, it provides a potential model. I think it might be worth including this as an appendix or footnote in the methodology section. Please let me know what you think.

> Tova

> Tova Andrea Wang
> Democracy Fellow
> The Century Foundation

> Visit our Web site, for the latest news, analysis, opinions, and events.

>
--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM ---
Margaret Sims/EAC/GOV
07/03/2006 11:13 AM
To: "Job Serebrov"
cc
Subject: Re: Travel Funds

I have asked our finance folks to check with GSA. I will let you know when I receive the answer. --- Peggy

"Job Serebrov"

"Job Serebrov"
07/02/2006 09:34 AM
To: psims@eac.gov
cc
Subject: Travel Funds

Peggy:

Still no travel funds. Please see what you can fund out on Monday. At this point this is late.

Job

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM ---
Margaret Sims/EAC/GOV
07/03/2006 11:11 AM
To: Tova Andrea Wang, Job Serebrov
cc: twilkey@eac.gov
Subject: Estimated Additional Hours Needed

Tova and Job:
I don't have the authority to modify contracts, but Tom Wilkey does. In order to help Tom determine how many additional hours (and dollars) should be added to your personal services contracts, I'll need an estimate from the two of you for the number of additional hours required to complete the final report (taking into account revisions that may be needed to address questions and comments submitted by the Commissioners and the EAC Standards Board and Board of Advisors). Please note that we cannot add any tasks to the existing contract, but we can account for additional hours required to complete the final report.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
e-mail: psims@eac.gov

I think it is this one. --- Peggy

Will you please send me a copy of the referenced report?

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

Margaret Sims/EAC/GOV
07/11/2006 10:55 AM
To Juliet E. Thompson-Hodgkins/EAC/GOV
cc "Tom Wilkey" <twilkey@eac.gov>
It sounds similar to the issues I had with the Donsanto interview. It was a classic example of the interviewers' interpreting what was said through their own biases.

It also is true that the original interview summaries failed to differentiate between the criminal definition of intimidation and the consultants use of the term. The consultants have revised their definition to note that it goes beyond the legal definition, but we may need to repeat the statement where the DOJ interviews are referenced.

I have already brought the Donsanto matter to our contractors' attention. When they responded that they did not think they should redraft that section, I told them that the section will likely be edited. It appears that we will have to do the same with the reference to Tanner's interview.

Why don't we discuss this with Tanner (and Donsanto) after we have had a chance to review a consolidated draft of the final report? We can determine what clarifications or corrections are necessary at that time.

Peg

Sent from my BlackBerry Wireless Handheld
Juliet E. Thompson-Hodgkins

From: Juliet E. Thompson-Hodgkins
Sent: 07/11/2006 09:46 AM
To: Margaret Sims
Subject: Re: Fraud and Intimidation Study

His concerns are that there were inaccurate or false statements about DOJ on pages 5 and 6, that in his words demonstrated a lack of understanding of criminal law.

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

Margaret Sims/EAC/GOV
07/11/2006 09:26 AM
To: Juliet E. Thompson-Hodgkins/EAC/GOV@EAC
cc
Subject: Re: Fraud and Intimidation Study

Perhaps he was looking at the report that was delivered to the EAC boards. Let's find out what his concerns are so that we can address them.

Peg
Tanner said he got it from Cameron. And referred specifically to pp. 5 and 6. I don't remember that the summaries of interviews were laid out that way.

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

I have not yet seen a draft final report. My best guess is that Tanner is concerned about the summary of his interview. I have already had discussions with our consultants about the description of the Donsanto interview, at which I was present. Wikey knows that I won't let it go as is. I wasn't at the Tanner interview, but would be interested in hearing where he thinks the consultants went wrong.

It is possible that, due to my objections re the Donsanto interview, the consultants may have asked Tanner to review their description of his interview. I won't know for sure until I can contact them.

I gave you and Gavin a folder that included a summary of interviews, etc before the working group meeting. Also, the report delivered to the boards on this project is in the shared drawer under Research in Progress-Voting Fraud-Intimidation. That is everything I have at the moment.

Peg

I received a call from John Tanner today who was upset with pages 5 and 6 of some draft paper that he had received regarding our Fraud and Intimidation Study. I am in a very uncomfortable situation in that I have not received a copy of this paper and the Office of General Counsel has not vetted this document and yet I am being questioned about why there are erroneous statements in this paper. Please provide me with a copy of this document and please explain to me how John Tanner got a copy of this document...
It sounds similar to the issues I had with the Donsanto interview. It was a classic example of the interviewers' interpreting what was said through their own biases.

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Juliet Thompson Hodgkins
Perhaps he was looking at the report that was delivered to the EAC boards. Let’s find out what his concerns are so that we can address them.

Peg

Sent from my BlackBerry Wireless Handheld

-----------------------------
From: Juliet E. Thompson-Hodgkins
Sent: 07/10/2006 02:34 PM
To: Margaret Sims
Subject: Re: Fraud and Intimidation Study

Tanner said he got it from Cameron. And referred specifically to pp. 5 and 6. I don't remember that the summaries of interviews were laid out that way.

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

-----------------------------
From: Juliet E. Thompson-Hodgkins
Sent: 07/10/2006 02:29 PM
To: Margaret Sims
Subject: Re: Fraud and Intimidation Study

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Sent from my BlackBerry Wireless Handheld

Juliet E. Thompson-Hodgkins

From: Juliet E. Thompson-Hodgkins
Sent: 07/10/2006 10:55 AM
To: Margaret Sims
Cc: Thomas Wilkey
Subject: Fraud and Intimidation Study

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

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM -----
Margaret Sims/EAC/GOV
07/03/2006 11:38 AM
To Devon Romig
cc
Subject Fw: methodology

Please edit the attached Word document to remove the returns at the end of each line that are not needed, then send it to Tova and Job. Thanks! --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 07/03/2006 11:37 AM -----
Margaret Sims/EAC/GOV
06/30/2006 05:25 PM
To “Tova Wang”
cc cerebro
Subject Re: FW: methodology
Will it be possible for you to extract the excerpt for inclusion in the report? Thanks.

-----Original Message-----
From: Job Serebrov
Sent: Wednesday, June 28, 2006 5:40 PM
To: Tova Wang; psims@eac.gov
Subject: Re: methodology

Agreed

--- Tova Wang > wrote:

> As you may recall, the working group expressed
> interest in the risk analysis
> method. The recent report by the Brennan Center on
> voting machines employs
> this methodology. If you look at pp. 8-19 of the
> attached, it provides a
> potential model. I think it might be worth
> including this as an appendix or
> footnote in the methodology section. Please let me
> know what you think.
> Tova
>
> Tova Andrea Wang
> Democracy Fellow
> The Century Foundation
> Visit our Web site, for the latest news,
> analysis, opinions, and events.
> <mailto: }
Tova:
If you have used up all of your remaining hours, you need to stop work until we have the contract modification in place that provides for more hours.
Peggy

Also, I maintain that a reasonable solution to this is to allow Donsanto and/or any of the commissioners who desire to do so to provide a statement that would be included in the report and in the record.

--- Original Message ---
From: <wangims@eac.gov> To: <psims@eac.gov>; "Job Serebrov"; "Tova Wang"
Cc: "Tova Wang"
Sent: Friday, June 30, 2006 9:42 PM
Subject: Re: Various

That would be great on the contract.

If the interview is "edited" as you put it, I will be very, very uncomfortable, as I believe Job would be as well. I know you don't want to spend anymore time on this, but I consider it a rather important issue, and I think Job does too. I would be happy to talk to you and Tom and any of the commissioners about this further if that would be helpful. I am available by cell over the next four days and in the office all next week.
Thanks for the updated invoice stuff. Happy 4th.

Tova

----- Original Message ----- 
From: <psims@eac.gov>
To: "Job Serebrov"
Cc: "Tova Andrea Wang"
Sent: Friday, June 30, 2006 6:41 PM
Subject: Re: Various

> Actually, the Donsanto interview was the only one I did attend, but I
> agree the issue is taking up too much of your time. I just wanted you to
> be forwarned that the paragraph has already raised red flags in DC of and
> is likely to result in an edit. Enough said about that.
>
> I am concerned about the number of hours left for this project. If you
> and Tova both agree, I'll see if our Contracting Officer will approve a
> contract mod to provide for some additional hours and money to
> incorporate comments received on the report and other efforts that fall
> within the tasks specified in the current contract. We won't get 60
> thou, but there might be a little year end money we can use to finish
> this off properly.
>
> Peg

--------------------------
Sent from my BlackBerry Wireless Handheld

----- Original Message ----- 
From: "Job Serebrov"
Sent: 06/30/2006 05:58 PM
To: psims@eac.gov; wan
Subject: Various

> I had to take time off this afternoon to handle some
> issues. Did you get an answer as to my travel
> reimbursement?
>
> I spoke to Tova about the Donsanto issue. We both
> agree about what we heard during the interview. We
> also agree that this is taking up too much time (of
> which we have so little left) and is a minor part of
> one interview which makes up one of thirty interviews.
> I feel the same as Tova, the Commission was not in on
> the interview and thus do not know what was said and
> we are not giving those interviewed the opportunity,
> especially given how long ago the interviews were, to
> object. Frankly, if the Commission wants to give us
> another sixty hours each we can call all of our
> interviewees, give them the review and ask for
> comments. In any case, we can't include comments from
> other interviews with, or lectures by person
> interviewed, outside of our interview with that
> person. We simply can't afford to single out one
> statement in one interview that there is a
> disagreement on. Finally, I don't read the paragraph
> as you do—I remember what was said—the paragraph clearly does not imply an abandonment of other DOJ electoral investigations.

> Job

GSA reports that a pay out of $1,200.03 was made today. --- Peggy

The attached is the text extracted from pages 8-19 and the Attachment C referenced within the text. The formatting is still a little weird. Can you work with this, or do I need to play with it some more? --- Peggy

Will it be possible for you to extract the excerpt for inclusion in the report? Thanks.

-----Original Message-----
From: Job Serebrov
Sent: Wednesday, June 28, 2006 5:40 PM
To: Tova Wang; psims@eac.gov  
Subject: Re: methodology  

Agreed

--- Tova Wang <wrote:

As you may recall, the working group expressed interest in the risk analysis method. The recent report by the Brennan Center on voting machines employs this methodology. If you look at pp. 8-19 of the attached, it provides a potential model. I think it might be worth including this as an appendix or footnote in the methodology section. Please let me know what you think.

Tova

Tova Andrea Wang  
Democracy Fellow  
Century Foundation  

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— Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:16 PM —
Margaret Sims/EAC/GOV  
07/03/2006 11:04 AM  
To: "Tova Wang"  
cc: serebrov

Subject: Re: final report

Once is enough. You don't need to resend. --- Peggy
"Tova Wang"
Peg, We don't need to re-send you all of the material that we gave you to provide to the working group for the final report, eg the individual interviews, research summaries, nexis and case charts, right? Thanks. Happy 4th. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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Click here to receive our weekly e-mail updates.

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:16 PM ---
"Job Serebrov"
07/03/2006 10:14 PM
To psims@eac.gov
cc
Subject Hrs

Peg:
It seems to Tova and me that somewhere between 30 and 40 for each of us would be safe (having learned from not asking for enough hours).

Job

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:16 PM ---
"Job Serebrov"
07/05/2006 07:19 PM
To psims@eac.gov
cc
Subject Re: Travel Reimbursement

No, its Bank of America. I just checked again and its

000714
not there. If it does not appear by morning I will need you to see what is going on.

--- psims@eac.gov wrote:

> They usually send it electronically. Could your bank have failed to post it due to the holiday? Does your bank tend to float deposits for a day or two?
> Peggy
>

> ------ Original Message ------
> From: "Job Serebrov"
> Sent: 07/05/2006 08:13 AM
> To: psims@eac.gov
> Subject: Re: Travel Reimbursement
>
>
> Peg:
>
> I checked my account this morning (July 5th) and this still has not been paid. Did GSA mail it?
> Job
>
> --- psims@eac.gov wrote:
>
> > GSA reports that a pay out of $1,200.03 was made today. --- Peggy
>
>

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:16 PM ---
Margaret Sims/EAC/GOV
07/03/2006 11:30 AM
To "Tova Wang"
cc
Subject RE: Estimated Additional Hours Needed

We'll have to guesstimate. It is likely that we will receive some comments and questions from the Commissioners and a number of comments from the boards. We could do the modification a little later, but we have to do it before the end of August to take advantage of year-end funds. Basically, the sooner we can figure this out, the better chance we have of using some of the year-end money for this project, before it is taken for something else. We have no guaranties that funds will be available in the next fiscal year. --- Peggy

"Tova Wang"
Doesn't it really depend on what the Commission comes back to us with? It's kind of hard to estimate before knowing what they're going to want.

-----Original Message-----
From: psims@eac.gov
Sent: Monday, July 03, 2006 10:11 AM
To: serebro
Cc: twilkey@eac.gov
Subject: Estimated Additional Hours Needed

Tova and Job:

I don't have the authority to modify contracts, but Tom Wilkey does. In order to help Tom determine how many additional hours (and dollars) should be added to your personal services contracts, I'll need an estimate from the two of you for the number of additional hours required to complete the final report (taking into account revisions that may be needed to address questions and comments submitted by the Commissioners and the EAC Standards Board and Board of Advisors). Please note that we cannot add any tasks to the existing contract, but we can account for additional hours required to complete the final report.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
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Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
e-mail: psims@eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:16 PM -----

Peg:

I need to move our call to next Monday at 7 pm EST.
What is the situation with the extra hours?
The excess returns would be a great start, and then I can do the rest. Thanks a lot.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, July 03, 2006 10:14 AM
To: 
Cc: 
Subject: Re: FW: methodology

Do you just need to have the excess returns removed, or do you think it needs other clean up as well? --- Peggy
It would be great if someone there could work on cleaning it up. Let us know. Thanks.

----- Original Message -----  
From: psims@eac.gov
To: wan@eac.gov
Cc: serebrov@eac.gov
Sent: Friday, June 30, 2006 5:25 PM
Subject: Re: FW: methodology

The attached is the text extracted from pages 8-19 and the Attachment C referenced within the text. The formatting is still a little weird. Can you work with this, or do I need to play with it some more? --- Peggy

"Tova Wang"

06/29/2006 12:07 PM 
To: psims@eac.gov 
Cc: 
Subject: FW: methodology

Will it be possible for you to extract the excerpt for inclusion in the report? Thanks.

-----Original Message-----  
From: Job Serebrov [ ]
Sent: Wednesday, June 28, 2006 5:40 PM
To: Tova Wang; psims@eac.gov
Subject: Re: methodology

Agreed

--- Tova Wang wrote:

> As you may recall, the working group expressed
> interest in the risk analysis
> method. The recent report by the Brennan Center on
> voting machines employs
this methodology. If you look at pp. 8-19 of the attached, it provides a potential model. I think it might be worth including this as an appendix or footnote in the methodology section. Please let me know what you think.

Tova

Tova Andrea Wang
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--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:16 PM ---

"Tova Wang"
07/17/2006 10:29 AM
psims@eac.gov
Subject RE: final report

appendices attached, except Peg I think you put together the list of the working group members? In any case, I can't find one at the moment, but it would be easy enough to put together. Perhaps even Devon or someone could do that, especially since I don't think I have any hours left, and probably shouldn't even be writing this email. I don't remember the conversation about adding to the list of interviewees, but we can talk about that later.

----- Original Message -----  
From: psims@eac.gov [mailto:psims@eac.gov]  
Sent: Monday, July 17, 2006 9:13 AM  
To:  
Cc: 'Job Serebrov'; wan  
Subject: Re: final report

Thanks. I probably won't be able to start getting into this until tomorrow AM. I noticed that the appendices weren't attached. I think we discussed earlier that the list of interviewees needed to
Hi Peg,

Attached please find drafts of the sections for the final report. Job, please double check I'm not missing anything or sent the wrong version of anything. I'm very concerned I may have. Is there a summary of the case review that I should have? Also, as we discussed, the attached does not include all of the individual summaries and charts which we already gave you for the working group and which have not changed. Peg, we'll want to see the complete set of the materials you plan to give to the commissioners, et.al., before you do so. If you could both let me know if all the formatting is OK, that would be great too. Thanks so much and look forward to talking to you at 7 EST.

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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—— Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:16 PM ——

Margaret Sims/EAC/GOV
07/20/2006 02:46 PM
To Tova Andrea Wang
cc
Subject: Voucher

I received your faxed voucher today, signed it, and gave it to Finance. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:16 PM ---

Margaret Sims/EAC/GOV
07/17/2006 12:25 PM
To: "Tova Wang"<mailto:تكوين@توفا.Wang@tcm>
cc: "Job Serebrov"<mailto:Job.Serebrov@tcm>
Subject: RE: final report

Yes, I have the list of Working Group members. --- Peggy

"Tova Wang"
07/17/2006 10:29 AM
To: psims@eac.gov
cc: Job Serebrov
Subject: RE: final report

appendices attached, except Peg I think you put together the list of the working group members? In any case, I can't find one at the moment, but it would be easy enough to put together. Perhaps even Devon or someone could do that, especially since I don't think I have any hours left, and probably shouldn't even be writing this email. I don't remember the conversation about adding to the list of interviewees, but we can talk about that later.

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From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, July 17, 2006 9:13 AM
To: war
Cc: Job Serebrov;
Subject: Re: final report

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000721
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Tova Andrea Wang
Democracy Fellow
The Century Foundation

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APPENDIX C - BRENNAN EXCERPT.doc Existing Literature Reviewed.doc
Here is the list of Working Group members with some information highlighted about each individual. Yes, you can email me later in the day to let me know if I should call you at home or at work. --- Peggy

Working Group Members 5-12-06.doc

Can you send it over? As I recall, it includes bios, right? I'm assuming on the interviewees you think we should have very short biographical information? Also, Peg, I'm not sure if I'll still be at work at 7 or home. Is it ok if I email you late in the day as to where I am? My home phone (for only two more weeks!) is 212-362-5223. Thanks.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, July 17, 2006 11:26 AM
To: wan
Cc: 'Job Serebrov';
Subject: RE: final report

appendices attached, except Peg I think you put together the list of the working group members? In any case, I can't find one at the moment, but it would be easy enough to put together. Perhaps even Devon or someone could do that, especially since I don't think I have any hours left, and probably shouldn't even be writing this email. I don't remember the conversation about adding to the list of interviewees, but we can talk about that later.

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From: psims@eac.gov [mailto:psims@eac.gov]
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Speaking of which, does this look ok to you?

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, July 17, 2006 9:13 AM
To: wang@tcf.org
Cc: 'Job Serebrov'; wang08
Subject: Re: final report

Thanks. I probably won't be able to start getting into this until tomorrow AM. I noticed that the appendices weren't attached. I think we discussed earlier that the list of interviewees needed to have more information for the final report, and the list of books and documents should be presented in the same manner as a bibliography for the final report. We can talk more about this tonight during our teleconference at 7 PM EST. --- Peggy

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Tova Andrea Wang  
Democracy Fellow  
The Century Foundation  

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--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:16 PM ---  
"Tova Wang"  
07/17/2006 05:51 PM  
To psims@eac.gov  
cc  
Subject contacting Job

He asks that you call him on his

Tova Andrea Wang  
Democracy Fellow  
The Century Foundation  

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Click here to receive our weekly e-mail updates.

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:16 PM ---  
Margaret Sims/EAC/GOV  
07/19/2006 11:23 AM  
To Job Serebrov  
cc  
Subject Voucher

I received your faxed voucher this morning, signed it, and submitted it to Finance. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:16 PM ---
"Tova Wang"  
07/17/2006 05:36 PM  
To psims@eac.gov  
cc
Subject: I'll be in my office :(

212-452-7704

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:16 PM -----

Juliet E. Thompson-Hodgkins/EAC/GOV
07/17/2006 10:18 AM

To: Margaret Sims/EAC/GOV@EAC
Subject: Re: Voting Fraud-Voter Intimidation Draft Report

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

Margaret Sims/EAC/GOV
07/17/2006 10:15 AM

To: jthompson@eac.gov
Subject: Voting Fraud-Voter Intimidation Draft Report

cc: twilkey@eac.gov, Karen Lynn-Dyson/EAC/GOV@EAC

Julie:

I received pieces of the draft final report on voting fraud-voter intimidation this morning. If it is OK with you, I'll hold it until all I have all of the pieces, so that you can review it as a whole document. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:16 PM -----
I'm sorry I did not get back to you on this yesterday. I reviewed the voucher this morning and found that only two corrections are needed (coverage dates and # of days worked during the first two weeks). I've made the corrections in red on the attached copy of your voucher. --- Peggy

Wang voucher 6-18 to 7-15.doc

Speaking of which, does this look ok to you?

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, July 17, 2006 9:13 AM
To:
Cc: 'Job Serebrov'; wang
Subject: Re: final report

Thanks. I probably won't be able to start getting into this until tomorrow AM. I noticed that the appendices weren't attached. I think we discussed earlier that the list of interviewees needed to have more information for the final report, and the list of books and documents should be presented in the same manner as a bibliography for the final report. We can talk more about this tonight during our teleconference at 7 PM EST. --- Peggy

"Tova Wang"

07/17/2006 09:33 AM
Hi Peg,

Attached please find drafts of the sections for the final report. Job, please double check I'm not missing anything or sent the wrong version of anything. I'm very concerned I may have. Is there a summary of the case review that I should have? Also, as we discussed, the attached does not include all of the individual summaries and charts which we already gave you for the working group and which have not changed. Peg, we'll want to see the complete set of the materials you plan to give to the commissioners, et.al., before you do so. If you could both let me know if all the formatting is OK, that would be great too. Thanks so much and look forward to talking to you at 7 EST.

Tova Andrea Wang
Democracy Fellow
The Century Foundation

Visit our Web site for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.

All-

I assume that in light of our Voting Fraud and Voter Intimidation project, we will have an EAC presence there?

K
Karen Lynn-Dyson
Research Manager
U.S. Election Assistance Commission
1225 New York Avenue, NW Suite 1100
Washington, DC 20005
Please find attached an invitation to attend the Election Fraud Conference co-sponsored by the Center for Public Policy and Administration at the University of Utah and the Caltech/MIT Voting Technology Project, September 29-30, 2006 in Salt Lake City, UT.

Regards,
Melissa Slemin

California Institute of Technology
Voting Technology Project
MC 228-77
1200 E California Blvd
Pasadena, CA 91125
phone: 626.395.4089
fax: 626.405.9841

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:16 PM ---

There was no telephone conference scheduled yesterday. If you all remember, due to my current job and grandchildren situation we were unable to arrange a teleconference.

--- wang wrote:

> What's going on? Where are we at? Thanks. Tova
> ----- Original Message -----
Dear friends and colleagues,

As some of you know, I have decided to voluntarily give up many of my voting rights and become a resident of the District of Columbia. As I will be simply transferring to The Century Foundation's DC office, my email will remain the same (________). My new work contact information as of August 8 is as follows:

The Century Foundation
1333 H Street, NW
10th Floor
Washington, DC 20005

I look forward to speaking with you and seeing you soon.

Tova Wang
Democracy Fellow
The Century Foundation
The 3rd batch.
Peg Sims

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----
"Donsanto, Craig"
To: psims@eac.gov
05/03/2006 12:53 PM
Subject: Re: Voting Fraud-Voter Intimidation

Okay -- you are on for May 18th! Can we do it over here at 10?
--------------------------
Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

----- Original Message ----- 
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 12:40:19 2006
Subject: Re: Voting Fraud-Voter Intimidation

My problem is that agency staff is booked most of the week of 5/21. Monday through Wednesday are taken up with meetings of the Standards Board Executive Committee, the full Standards Board, and the Board of Advisors. Thursday, we have EAC's public meeting. Also, I will lose one of my two consultants in June, so I'm trying to wrap up this project (and get the final report from the consultants) by the end of May.

Say "Hi" to Cameron for me.

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
05/03/2006 11:56 AM
To: psims@eac.gov
cc
Subject: Re: Voting Fraud-Voter Intimidation
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I am available on 5/18. But I am also going to the Board of Advisors Meeting the following week. I would rather do this then.

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Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 11:39:50 2006
Subject: Voting Fraud-Voter Intimidation

Craig:

We are continuing our efforts to hone in on a date for the Working Group meeting. Are you available the afternoon of Thursday, May 18?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM ------
Margaret Sims/EAC/GOV
05/03/2006 04:59 PM

To “Donsanto, Craig” <Craig.Donsanto@usdoj.gov>@GSAEXTERNAL
cc
Subject Re: Voting Fraud-Voter Intimidation

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Election Research Specialist
U.S. Election Assistance Commission

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----
05/05/2006 06:06 PM
To: psims@eac.gov
cc
Subject: Re: Working Group

Tuesday at 4 is OK for me.
----- Original Message ----- 
From: psims@eac.gov
To: war; dromi@eac.gov
Cc: 
Sent: Friday, May 05, 2006 2:32 PM
Subject: Working Group

Hi, Folks:

Teleconference
Are both of you available for a teleconference next Tuesday afternoon at about 4 PM EST? If this does not work for you, please suggest another date and/or time. I would like to discuss our preparations for the Working Group meeting.

Working Group Members
We have a very good person to fill the slot for the nonpartisan local election official: J.R. Perez, Elections Administrator for Guadalupe County, TX. Attached is his bio. Hope you have no objections to him. He is available on May 18. I have place 2 calls to Pat Rogers office, but have not yet received a reply. Job, if you have any pull with him, you may want to contact him, too.

Travel Arrangements
You should make your own travel arrangements, including hotel. Travel time cannot be billed to the contract, except for hours actually worked on the contract (i.e.; reviewing materials in preparation for the meeting, and the like). Current Federal rates follow:

Maximum Lodging = $180 per day- does not include hotel taxes (if you cannot get this rate, we have covered reasonable rates that are a little higher)
Meals & Incidentals = $64 per day (except that it is $48 on the first and last day of travel)
Mileage for Personally Owned Vehicle = $ .445 per mile

Under the new contract, I do not have to fill out a travel authorization for you. I can approve your trip via email. Afterwords, when you turn in your next pay voucher, you can attach the airline receipt (or mileage documentation), hotel receipt(s), and ground transportation receipts and a copy of any printed itineraries. Calculate the total travel expenses due you, including applicable per diem. I do not need meal receipts.

Job, under Federal travel regulations, deviations for personal reasons are not normally accommodated. What you can do, however, is to give me a comparison of the cost of roundtrip mileage, hotel, and per diem of doing it your way against the cost of a roundtrip flight, ground transportation, hotel, and per diem. If your way costs less, it should be no problem to cover the full cost. If your way is more expensive, we may only pay up to the amount of traditional travel. (The same rules apply to me when I travel.) If you can tell me where, other than DC, you will spend the night, I can check on applicable per diem rates.

Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----
Margaret Sims/EAC/GOV
05/04/2006 03:13 PM
To "Donsanto, Craig"
Cc
Subject RE: Voting Fraud-Voter Intimidation

Craig:

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After our consultants review the results of their preliminary research (interviews, literature review, case law), we will ask the Working Group to brainstorm possible next steps for EAC. Our consultants will write a report summarizing the proposals that come out of this meeting. The report will go to the Commissioners, who will decide what they want to do, funds available, and what priority to assigned to the effort(s).

Your participation in this part of the process is extremely important, so I am very happy that you can find time for us that afternoon. I'll get an agenda and other information to you next week. --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
Okay, Peg - I will mark off the entire afternoon and try to be there. What is the agenda? I was not aware that this was anything beyond having your contractors spend another session with me. Also, if they will be needing stats and stuff like that I need to know as I will bring my state-people with me.

From: psims@eac.gov
Sent: Thursday, May 04, 2006 2:28 PM
To: Donsanto, Craig
Subject: Re: Voting Fraud-Voter Intimidation

Right now, we are planning to meet in EAC's large conference room between 1 PM and 5 PM. If you cannot be there for the whole afternoon, we will appreciate whatever time you can spare. I'll get back to you with more information (agenda, list of Working Group members, etc.). --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
05/03/2006 05:59 PM

Afternoon of May 18 -- 2:30 okay? How long will they need??
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To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
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Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM ----
Margaret Sims/EAC/GOV
05/09/2006 11:33 AM
To "Job Serebrov" 
cc peg@world
Subject Re: Working Group-Perez

Did you look at the attached excerpts from Texas Code? --- Peggy

"Job Serebrov"  

"Job Serebrov"
05/09/2006 11:23 AM
To psims@eac.gov
cc wang@world
Subject Re: Working Group-Perez

We have the same set-up here in Arkansas. We hired a person just like Perez. However, given this, I would still like to know if he has a party affiliation and this brings up another issue. How is the county election commission chosen. In Arkansas it is the
Chairmen of the Republican and Democrat Parties or if he/she does not want to serve a person is elected in his/her stead and a third member picked by the party with the most constitutional officers. Practically that has meant that the Democrats have controlled election commissions in Arkansas since the end of Reconstruction. This is why I want to know the situation in Texas.

--- psims@eac.gov wrote:

> As you may recall, the Commissioners directed me to
> find a nonpartisan
> local election official to serve on the Working
> Group. The three of us
> discussed the desirability of having a Hispanic. I
> proposed that I find
> someone from Texas because of that State's colorful
> history of voting
> fraud and their innovative approaches to combat it.
> In those Texas
> counties that hire Election Administrators to run
> elections, rather than
> having elected officials do so (Tax Assessor for
> voter registration;
> County Clerk for balloting), the Election
> Administrator is hired by the
> County Election Commission and is supposed to
> perform his or her duties in
> a nonpartisan manner. (See attached excerpts from
> Texas Election Code
> regarding election administrator hiring and
> restrictions on partisan
> activity.)
> Any experienced Texas election official will be
> familiar with voting fraud
> and voter intimidation schemes used in that State.
> Mr. Perez has over 13
> years experience as a county Election Administrator
> in Texas. You won't
> find many news articles mentioning him because he
> has kept his nose clean.
> (The Texas press, as in many other parts of the
> country, prefers to
> report bad news.) Mr. Perez is plugged into the
> association of Texas
> election officials and the two largest organizations
> of election officials
> in this country: the International Association of
> Clerks, Recorders,
> Election Officials and Treasurers (IACREOT); and The
> Election Center. He
> is a past President and past Chairman of the
> Legislative Committee for the
> Texas Association of Election Administrators. He
> currently serves on
> IACREOT's Election Officials Committee, which plans
> the educational
> sessions for election officials that are conducted
at that organization's conferences. His peers in IACREOT and The Election Center have selected his submissions on web presentations (IACREOT) and his professional practices papers (Election Center) for awards. Mr. Perez also has access to information from other States through his membership in IACREOT and The Election Center. He also has a sense of humor, which you will note if you access the staff web page on the Guadalupe County Elections web site and hear the Mission Impossible theme .. something that might be useful in the upcoming meeting.

Guadalupe County is small but growing. In 2004, the county had over 65 thousand registered voters (a number more than doubled the number of registered voters in 1988). A third of the county's population claims Hispanic or Latino origin, according to the U.S. Census Bureau. The county is in south central Texas and is bordered by Comal, Hays, Cladwell, Gonzales, Wilson, and Bexar counties. In the 1980s, the county was predominately a farming community; but in recent years, many people have moved from San Antonio (Bexar County) to Guadalupe County, preferring to live in Guadalupe County and work in Bexar County.

--- Peggy

"Job Serebrov" 05/08/2006 11:30 PM

To psims@eac.gov

Subject Re: Working Group

What political party is Perez with? How political is he? Is the position in Texas neutral or political?
> Who
> appointed Perez?
>
> As to Pat I will contact him but I can't promise
> anything. If Pat can't come, who is getting knocked
> off Tova's list?
>
> Job
>
> ------

Diana:

The following members of the Working Group for our Voting Fraud/Voter Intimidation research project will need to make travel arrangements in order to attend an afternoon meeting of the group on May 18 in Washington, DC:

Mark "Thor" Hearne - St Louis, MO
J.R. Perez - Seguin, TX
The Honorable Todd Rokita - Indianapolis, IN
Kathy Rogers - Atlanta, GA

I may have one additional member from Albuquerque, NM confirmed early next week.

May these people use Adventure Travel to make these arrangements in the same manner as the Asian Language Working Group? I understand the members of that group made hotel and flight arrangements through Adventure Travel and that these costs were billed directly to EAC. We did plan for EAC to pay for the travel of the Voting Fraud/Voter Intimidation Working Group (budgeted under Research). Devon will prepare their travel authorizations.

Peggy Sims
Election Research Specialist

This seems OK, I guess its a less detailed version of what I sent you. I hope you will advise us as to what
we are supposed to talk about/go over since we have provided the group with everything we've done ahead of time. I also hope that you will have an answer for me on Wade. It utterly essential that we have a leader from the civil rights community at the table.

-----Original Message-----
From: psims@eac.gov
Sent: Thursday, May 11, 2006 9:07 AM
To: wan serebro
Subject: Today's Teleconference

...I assume that we are still on for today's teleconference at 11 AM EST. I will call you. I have attached a draft agenda for your review and comment. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----

"Job Serebrov"
05/11/2006 03:36 PM

To "Tova Wang", psims@eac.gov
cc serebrov

Subject Re: new working group representative

I have an objection to Greenbaum. While I realize he comes from an advocacy group, he is not a minority attorney and we already have a rep who worked with DOJ. If it is to be Greenbaum, I would rather not fill that position since I am one down.

--- Tova Wang wrote:

> is Jon Greenbaum
> Here's his info in full:
> 1
> He is the Director of the Voting Rights Project for
> the Lawyers Committee
> for Civil Rights. He will be representing Barbara
> Arnwine, the Executive
> Director of the Lawyers Committee.
> His contact and mailing info is:
> Suite 400
> Washington, DC 20005
> Tova Andrea Wang
> Democracy Fellow
> The Century Foundation
--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM ---

"Tova Wang"

05/11/2006 02:12 PM

To: psims@eac.gov, serebro

cc

Subject: RE: Literature Summary

It might be an Apple issue

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 11, 2006 1:09 PM
To: serebro
Cc: wang
Subject: Literature Summary

Tova just sent me the summary you prepared of The Federal Crime of Election Fraud by Craig Donsanto. There is something wrong in the fourth paragraph (odd characters and missing text). Can you please send a replacement fourth paragraph? You can send it in an email and I will place it in the document. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM ---

"Job Serebrov"

05/04/2006 12:04 PM

To: psims@eac.gov

cc

Subject: Re: Good News

Peggy:

Rogers contact information is below on my last message. My uncle is having a complicated procedure where they are both cementing his spine to shore it up and testing for a malignant tumor—which they now
suspect as the cause of the sudden bone problems. If it is a tumor, the working group session could get complicated.

Job

--- psims@eac.gov wrote:
>
> Job:
> 
> Hope your uncle's surgery goes well.
> 
> I have the Chairman's OK to follow your recommendation and replace Norcross with Rogers. Do you have contact information for Rogers? --- Peggy
> 
> "Job Serebrov"
> 05/04/2006 11:17 AM
> 
> To
> psims@eac.gov
> cc
> 
> Subject
> Re: Good News
> 
> I will have a better idea about my uncle's condition today after surgery.
> 
> See:
> 
> 500 Fourth Street NW
> P.O. Box 2168
> Albuquerque, NM 87103-2168
> 
> Asst: Carol Casstevens
> 
> --- psims@eac.gov wrote:
> 
> > Job:
> > Secretary Rokita is available May 18. I'm going to talk with the Chairman today about substituting Rogers for Norcross. Do you have contact information for Rogers? --- Peggy
Okay, Peg - thank you. I will be there.

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Friday, May 05, 2006 9:16 AM
To: Donsanto, Craig
Subject: Re: Voting Fraud-Voter Intimidation

The non-election officials on the Working Group currently include:
- Barry Weinberg, whom you know
- Barbara Arnwine, Lawyers Committee for Civil Rights Under Law (organization associated with the Voting Rights Project and Election Protection)
- Bob Bauer, Perkins Coie, DC (Democrat attorney)
- Mark "Thor" Hearne, Lathrop & Gage, St Louis, MO (Republican attorney)

I am trying to recruit one other Republican attorney, Patrick Rogers, Modrall, Sperling, Roehl, Harris and Sisk, NM, who was recommended by our Republican consultant. He would replace an original member who is no longer available.

I know that Barbara has associated at conferences and in legislative efforts with Wade Henderson, Leadership Conference on Civil Rights. Also, the Lawyers Committee for Civil Rights is listed as one of many members of the Executive Committee for the Leadership Conference on Civil Rights (see http://www.civilrights.org/about/lccr/executive_committee.html).

Does this information help? --- Peggy
Peggy -- they don't have anything to do with the Leadership Conference on Civil Rights do they?

I ask only because the Justice Department is currently engaged in a very acrimonious FOIA litigation with LCCR that focuses precisely on our efforts to combat voter "intimidation"

--------------------------
Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Thu May 04 17:20:39 2006
Subject: RE: Voting Fraud-Voter Intimidation

It is just the Working Group for the Voting Fraud-Voter Intimidation Project. I am asking you to attend as Technical Advisor for the project. --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
05/04/2006 03:26 PM
To
   psims@eac.gov
cc
Subject
   RE: Voting Fraud-Voter Intimidation

Peg -- what is the name of the group?

_________________________________
From: psims@eac.gov [mailto:psims@eac.gov]
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05/03/2006 05:59 PM

To                  psims@eac.gov
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Subject              Re: Voting Fraud-Voter Intimidation

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Subject Re: Voting Fraud-Voter Intimidation

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Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 12:40:19 2006
Subject: Re: Voting Fraud-Voter Intimidation

My problem is that agency staff is booked most of the week of 5/21. Monday through Wednesday are taken up with meetings of the Standards Board Executive Committee, the full Standards Board, and the Board of Advisors. Thursday, we have EAC's public meeting. Also, I will lose one of my two consultants in June, so I'm trying to wrap up this project (and get the final report from the consultants) by the end of May.

Say "Hi" to Cameron for me.

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
05/03/2006 11:56 AM
To psims@eac.gov
cc
Subject Re: Voting Fraud-Voter Intimidation

Hi Peg. I am sitting here with Cameron Quinn putting together this year's ballot conference for AUSAs. She send her best!

I am available on 5/18. But I am also going to the Board of Advisors Meeting the following week. I would rather do this then.

Sent from Dr. D's Fabulous BlackBerry Wireless Handheld
-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 11:39:50 2006
Subject: Voting Fraud-Voter Intimidation

Craig:

We are continuing our efforts to hone in on a date for the Working Group meeting. Are you available the afternoon of Thursday, May 18?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM ----
Devon E. Romig/EAC/GOV
05/09/2006 11:34 AM
To Margaret Sims/EAC/GOV@EAC
cc
Subject Re: May 18 Meeting

No, but I have left a message for her assistant and I am waiting for her to return my call. I will let you know as soon as I hear anything.

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov
Margaret Sims/EAC/GOV

Margaret Sims/EAC/GOV
05/09/2006 11:19 AM
To dromig@eac.gov
cc
Subject May 18 Meeting
Did Barbara Arnwine's office indicate who they propose to send in her place? --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM ---

"Job Serebrov"
05/08/2006 11:30 PM
To psims@eac.gov
cc Subject Re: Working Group

Peggy:

What political party is Perez with? How political is he? Is the position in Texas neutral or political? Who appointed Perez?

As to Pat I will contact him but I can't promise anything. If Pat can't come, who is getting knocked off Tova's list?

Job

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM ---

Diana Scott/EAC/GOV
05/08/2006 10:22 AM
To Margaret Sims/EAC/GOV@EAC
cc dromig@eac.gov, Karen Lynn-Dyson/EAC/GOV@EAC
Subject Re: Working Group Travel

Peggy,

I will send these names to Adventure Travel (AT) authorizing AT to place the airfare and hotel charges on our credit card. That is all I do on my end. BUT Devon has to follow up to make all the arrangements with Marvin Brokaw at AT and whatever else is required as far as support servs. for the meeting is concerned.

I assume this is a separate meeting from the 2 Karen & Brian are having?

Diana M. Scott
Administrative Officer
U.S. Election Assistance Commission
(202) 566-3100 (office)
(202) 566-3127 (fax)
dscott@eac.gov

Margaret Sims/EAC/GOV

Margaret Sims/EAC/GOV
Diana:

The following members of the Working Group for our Voting Fraud/Voter Intimidation research project will need to make travel arrangements in order to attend an afternoon meeting of the group on May 18 in Washington, DC:

Mark "Thor" Hearne - St Louis, MO  
J.R. Perez - Seguin, TX  
The Honorable Todd Rokita - Indianapolis, IN  
Kathy Rogers - Atlanta, GA

I may have one additional member from Albuquerque, NM confirmed early next week.

May these people use Adventure Travel to make these arrangements in the same manner as the Asian Language Working Group? I understand the members of that group made hotel and flight arrangements through Adventure Travel and that these costs were billed directly to EAC. We did plan for EAC to pay for the travel of the Voting Fraud/Voter Intimidation Working Group (budgeted under Research). Devon will prepare their travel authorizations.

Peggy Sims  
Election Research Specialist

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM ---

"Job Serebrov"  
To psims@eac.gov  
cc  
Subject Re: Working Group-Travel Costs

Peggy:

Please tell the folks there that I am not worried about a perceived breach of contract. This is a completely ridiculous statement considering the contractual requirement that the consultants convene the Working Group and not the Commission and it never specifies where or when this is to take place. All this to say that while the contract does specify a Working Group meeting it does not specify that it must
take place on any particular date or in a particular city. With that said, I have never heard of any federal travel requirements that would result in a loss of money because I decided to drive and not fly. In fact, that is why there is an amount paid per mile. So I would like to see the federal regulation that forces me to take the least expensive transport and restricts all other ground transport costs to that figure.

As to hotels, based on Tova's research there are no rooms for under the $350 range per night. If you can find hotels that are less expensive but still carry the kind of bed I need for my back (either pillow top or a number bed) please do.

The issue of my uncle—today I have not had an update on his condition. But, as I previously stated, if he were to die or have an event while I was in DC, I would have to go to NYC meeting or no meeting.

Finally, neither Tova nor I have been satisfied about Mr. Perez and I have not been told whether Pat Rogers will be coming or one of Tova's people will not be.

In the end, I need to see the travel regulation that I requested above, I would like you to look into hotels for Tova and me that have the kind of bed I need and I would like to know about Perez and Rogers. In the meantime, I should have an update on my uncle by morning. I would also be happy to talk to Julie about the issues involved. I will take you up on your offer to process my travel expenses faster and I do not and never did expect you to get me a travel advance. I worked in international development and know what a headache those are to apply for on the state level.

Job

--- psims@eac.gov wrote:

> Job:
> 
> Folks here are concerned that your failure to show up in person to help conduct the meeting would be a breach of contract. I also am concerned about the impression that your absence will leave with the Commissioners and with the VIPs coming to this meeting.
> 
> If you are concerned about delays in reimbursement caused by including the travel expenses in the personal services voucher, I can always process your request (with receipts) separately and earlier. I can have staff here check to see if we can find hotel rooms at a more reasonable rate for you and Tova. (We recognize that you may not be
able to obtain Federal government rate.) What I cannot do is offer a travel advance, which is not permitted for nonfederal employees, or offer to pay the difference between normal travel expenses and those incurred for personal convenience, when the latter is the higher amount.

I urge you to make your travel arrangements ASAP.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

"Job Serebroy"
05/08/2006 01:41 PM

To
psims@eac.gov
cc

Subject
Re: Working Group

Given the information I have Peggy, that is not going to be financially possible. First, given Tova's info about the hotels, it is too much for me to front. Two to three days in DC would run around $1000 for the hotel alone. That does not count the two days on the road to get there and two days back. Second, if I can't charge the federal per mile allowance for the entire trip to DC and back and can only get the equivalent of plane fare, I will actually loose money.

I simply do not see how we can do this in person given the financial restrictions.

--- psims@eac.gov wrote:
Job:

I don't think we can put you on teleconference for 41/2 hours. We really need to have you here in person if you are to help conduct the Working Group meeting. You should make your travel arrangements ASAP. --- Peggy

"Job Serebrov" 05/08/2006 10:14 AM

To psims@eac.gov, wang

Subject Re: Working Group

Peggy:

4:00 eastern on Tuesday is fine however, given the financial restrictions that you indicated would be in place for use of my car (I would actually loose money coming to DC) and given the cost of hotels at this time (I can't afford to front these costs and wait for months to be repaid), etc, it would take a miracle for this working group meeting to take place in person.

It is looking like the only way it will get done is by teleconference. I also share Tova's concern about the unknown nature of Mr. Perez.

Job

--- psims@eac.gov wrote:

Hi, Folks:

Teleconference

Are both of you available for a teleconference next Tuesday afternoon at
about 4 PM EST? If this does not work for you, please suggest another date and/or time. I would like to discuss our preparations for the Working Group meeting.

Working Group Members

We have a very good person to fill the slot for the nonpartisan local election official: J.R. Perez, Elections Administrator for Guadalupe County, TX. Attached is his bio. Hope you have no objections to him. He is available on May 18. I have place 2 calls to Pat Rogers office, but have not yet received a reply. Job, if you have any pull with him, you may want to contact him, too.

Travel Arrangements

You should make your own travel arrangements, including hotel. Travel time cannot be billed to the contract, except for hours actually worked on the contract (i.e.; reviewing materials in preparation for the meeting, and the like). Current Federal rates follow:

Maximum Lodging = $180 per day- does not include hotel taxes (if you cannot get this rate, we have covered reasonable rates that are a little higher) Meals & Incidentals = $64 per day (except that it is $48 on the first and last day of travel) Mileage for Personally Owned Vehicle = $ .445 per mile

Under the new contract, I do not have to fill out a travel authorization for you. I can approve your trip via email. Afterwords, when you turn in your next pay voucher, you can attach the airline receipt (or mileage documentation), hotel receipt(s), and ground transportation receipts and a copy of any printed itineraries. Calculate the total travel expenses due
Peggy:

At this point and unless my uncle dies before May 18, the only way I will go to DC is to drive my car. I will need it in case my uncle dies while I am there. You will need to get approval for the use of my car and the two days it will take me to get there and two days back.

Job

The Commissioners made this an equal bi-partisan issue. I am seen as representing the Republican Party. I now have a responsibility to assure that this ends up bi-partisan. I have been placed in a position of dual obligations---both to the contract and to the Party. I in fact see myself as carrying out what the Commission wanted to the letter---equal bi-partisan representation.

--- psims@eac.gov wrote:

> Your response suggests that you do not care what the Commissioners may think about the effort. --- Peggy
> 
> >
> > >
> > >
> > > "Job Serebrov" <serebrov@eac.gov>
> > > 05/11/2006 04:35 PM
> > >
> > > To
> > > psims@eac.gov
Subject  
Re: new working group representative

Peggy:

Braden is ok also with me but please don't tell me not to "stir up" things. I assure you nothing will come back to bite me. I know these people well enough to say they will also want a balanced group. In fact, one of them was very unhappy with Tova's folks.

Job

--- psims@eac.gov wrote:

> According to the Commissioners, you and Tova each got to pick three members of the Working Group. The Commission guidance regarding this particular member follows:
> 4 people from the Academic, Legal and Advocacy sectors - 2 to be chosen by Tova and 2 to be chosen by Job.
> This issue of allowing a designee relates to Tova's pick.
> As I understand it, we are working on a replacement for Norcross. If Ginsberg is not viable, how about Mark Braden, who includes public integrity in his areas of specialization. I would not try and stir up other members of the Working Group, if I were you.
> The effort is likely to come back and bite you.

"Job Serebrov"  
05/11/2006 03:53 PM
To
psims@eac.gov
cc
I really don't care if he represents the organization or not. What mixed race? The entire discussion was because Arnwine was African-American. If you are going to invite him without first having a replacement for my side, I may have to call Thor and Todd and discuss all of this.

--- psims@eac.gov wrote:

Greenbaum is representing Arnwine, not replacing her. He works for her organization and is of mixed race. --- Peggy

"Job Serebrov" 05/11/2006 03:36 PM

To "Tova Wang", psims@eac.gov
cc serebrov

I have an objection to Greenbaum. While I realize he comes from an advocacy group, he is not a minority attorney and we already have a rep who worked with DOJ. If it is to be Greenbaum, I would rather not fill that position since I am one down.

--- Tova Wang wrote:

is Jon Greenbaum

Here's his info in full:
He is the Director of the Voting Rights Project for the Lawyers Committee for Civil Rights. He will be representing Barbara Arnwine, the Executive Director of the Lawyers Committee.

His contact and mailing info is:

Tova Andrea Wang
Democracy Fellow
The Century Foundation
Suite 400
Washington, DC 20005


Click here to receive our weekly e-mail updates.
Afternoon of May 18 -- 2:30 okay? How long will they need??

---
Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 16:59:09 2006
Subject: Re: Voting Fraud-Voter Intimidation

I am looking at the afternoon of 5/18 for the meeting, due to scheduling conflicts of Working Group members. There remain two members from whom we have not yet received confirmations of their schedule (with some, it is like pulling teeth), but right now 5/18 still looks like the best day. We may have to hold the meeting over here to make it easier for Commissioners to drop in.
--- Peg

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
05/03/2006 12:53 PM
To
psims@eac.gov
cc
Subject
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05/03/2006 11:56 AM
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cc
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Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
Right now, we are planning to meet in EAC's large conference room between 1 PM and 5 PM. If you cannot be there for the whole afternoon, we will appreciate whatever time you can spare. I'll get back to you with more information (agenda, list of Working Group members, etc.). --- Peggy

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U.S. Election Assistance Commission

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Regarding Tova's response, we may want to have a very short meeting after the WG disperses, followed by a teleconference the following Monday afternoon. Tuesday is bad for me because I'll be out of the office attending a series of EAC meetings that begin that day. --- Peggy

This is ok, given the fact that the WG may have suggestions. Will you be sending us the same packets that you are sending the WG? Also, I figure with Tova's response we will need to have a teleconference on the report once I return to Little Rock. We will need to do it that following Monday or Tuesday.
--- psims@eac.gov wrote:

> Would you please take a look at the attached? I
> combined both of your
> definitions, reformatted the list, removed a
> reference to the fraud having
> to have an actual impact on the election results
> (because fraud can be
> prosecuted without proving that it actually changed
> the results of the
> election), and taken out a couple of vague examples
> (e.g.; reference to
> failing to enforce state laws --- because there may
> be legitimate reasons
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> I have made contact with Ben Ginsberg's office and
> am waiting to hear if
> he accepts our invitation to join the working group.
> --- Peggy
>

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM -----
Margaret Sims/EAC/GOV 05/05/2006 02:32 PM  To  Tova Andrea Wang, Job Serebrov
cc  dromig@eac.gov
Subject  Working Group

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Job, under Federal travel regulations, deviations for personal reasons are not normally accommodated. What you can do, however, is to give me a comparison of the cost of roundtrip mileage, hotel, and per diem of doing it your way against the cost of a roundtrip flight, ground transportation, hotel, and per diem. If your way costs less, it should be no problem to cover the full cost. If your way is more expensive, we may only pay up to the amount of traditional travel. (The same rules apply to me when I travel.) If you can tell me where, other than DC, you will spend the night, I can check on applicable per diem rates.

Peggy

---

I have placed another call to his office (after one previous call to his assistant and an email to him). I, too, am concerned about our dwindling chances. --- Peggy

--- psims@eac.gov wrote:

> I am reluctant to invite Braden until after I have received a "No" from Ginsberg. --- Peg
> 
> 
> 
> 
> 
>
Sounds good to me. If not Ginsburg try Braden.

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--- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM ---

Margaret Sims/EAC/GOV
04/26/2006 04:37 PM

To: Tova Wang
cc: 

Subject: Re: interview analysis

Thanks. We are still trying to get through to Bauer and Arnwine. They have not responded, so their availability is not yet reflected on our spreadsheet. --- Peggy
Hi Peg,

Attached, to add to the collection, is a summary overview of the interviews. Do you have that spreadsheet you were telling me about reflecting the times WG participants are available? If so, maybe we can talk soon? Thanks. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation

Visit our Web site for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.

Interview conclusions.doc

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM -----

05/07/2006 12:33 PM To psims@eac.gov, 
cc
Subject Re: Working Group

The bio for JR Perez tells us very little about him and there is pretty much nothing about him on the web. Can you tell us more about him and how you decided on him? Thanks. Tova

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Margaret Sims/EAC/GOV
05/10/2006 10:27 AM To Devon E. Romig/EAC/GOV
cc
Subject Re: Court reporter

Thanks for checking this out for me, Devon. I’ve asked Tom if there are funds available for this service. Our consultants were very enthusiastic about the idea. --- Peg

Devon E. Romig/EAC/GOV
Peggy,

I spoke to the people who usually handle the EAC court reporting. They charge $9.00 per page with an average of 40 pages per hour. This service would cost about $1800.00.

The turn around time for the transcript is 10 to 15 days. The transcripts comes in a bound paper copy and an electronic copy.

I can also check around for different prices.

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM -----

Margaret Sims/EAC/GOV
05/04/2006 02:39 PM

To Elileen L. Collver/EAC/GOV
cc dromig@eac.gov, ecortes@eac.gov
Subject Re: Voting Fraud-Voter Intimidation Working Group Meeting

Yes. Thanks. Depending on when Commissioner Davidson can spare you, we may need your help putting materials together for the Working Group (probably next week). We also will have to print name tags and place cards. If you are a good note-taker, we also will need people to take turns taking notes at the meeting. --- Peggy

Elileen L. Collver/EAC/GOV

----- Forwarded by Margaret Sims/EAC/GOV on 05/04/2005 09:54 AM -----

To Devon E. Romig/EAC/GOV
cc
Subject Court reporter

Peggy,
Can I help on this working group?

Elle

Elle L.K Collver
U.S. Election Assistance Commission
1225 New York Avenue, Suite 1100
Washington, D.C. 20005
office: (202) 566-2256
blackberry: (202) 294-9251
www.eac.gov
Margaret Sims/EAC/GOV

Margaret Sims/EAC/GOV
05/04/2006 02:07 PM
To pdegregorio@eac.gov, rmartinez@eac.gov, ddavidson@eac.gov, ghillman@eac.gov
cc twilkey@eac.gov, jthompson@eac.gov, Gavin S. Gilmour/EAC/GOV@EAC, Amie J. Sherrill/EAC/GOV@EAC, Adam Ambrogi/EAC/GOV@EAC, Eileen L. Colliver/EAC/GOV@EAC, Sheila A. Banks/EAC/GOV@EAC, bbenavides@eac.gov, Karen Lynn-Dyson/EAC/GOV@EAC
Subject Voting Fraud-Voter Intimidation Working Group Meeting

Dear Commissioners:

This is to let you know that the Working Group for our Voting Fraud and Voter Intimidation preliminary research project is scheduled to meet in EAC's large conference room the afternoon of Thursday, May 18. I will provide more information about this meeting to you later.

Peggy Sims
Election Research Specialist

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM -----
Margaret Sims/EAC/GOV
05/04/2006 10:33 AM
To Job Serebrov
cc
Subject Good News

Job:
Secretary Rokita is available May 18. I'm going to talk with the Chairman today about substituting Rogers for Norcross. Do you have contact information for Rogers? --- Peggy
----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM -----
Margaret Sims/EAC/GOV
05/04/2006 05:20 PM
To "Donsanto, Craig"
<Craig.Donsanto@usdoj.gov>@GSAEXTERNAL
cc
Subject
It is just the Working Group for the Voting Fraud-Voter Intimidation Project. I am asking you to attend as Technical Advisor for the project. --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

---

Peg - - what is the name of the group?

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 04, 2006 3:13 PM
To: Donsanto, Craig
Subject: RE: Voting Fraud-Voter Intimidation

Craig:

This meeting is being held to obtain input from our eight-member Working Group for the project. The group is composed of election lawyers, election officials, and a representative of an advocacy group, all of whom have an interest and some expertise in the identification and/or prosecution of voting fraud and voter intimidation. The group was chosen so that we would have an equal number of folks on each side of the political spectrum, plus some nonpartisan members.

After our consultants review the results of their preliminary research (interviews, literature review, case law), we will ask the Working Group to brainstorm possible next steps for EAC. Our consultants will write a report summarizing the proposals that come out of this meeting. The report will go to the Commissioners, who will decide what they want to do, funds available, and what priority to assigned to the effort(s).

Your participation in this part of the process is extremely important, so I am very happy that you can find time for us that afternoon. I'll get an agenda and other information to you next week. --- Peggy

---

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
Okay, Peg - - I will mark off the entire afternoon and try to be there. What is the agenda? I was not aware that this was anything beyond having your contractors spend another session with me. Also, if they will be needing stats and stuff like that I need to know as I will bring my state-people with me.

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 04, 2006 2:28 PM
To: Donsanto, Craig
Subject: Re: Voting Fraud-Voter Intimidation

Right now, we are planning to meet in EAC's large conference room between 1 PM and 5 PM. If you cannot be there for the whole afternoon, we will appreciate whatever time you can spare. I'll get back to you with more information (agenda, list of Working Group members, etc.). --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/03/2006 05:59 PM

Topsims@eac.gov
cc
Subject: Re: Voting Fraud-Voter Intimidation
I am looking at the afternoon of 5/18 for the meeting, due to scheduling conflicts of Working Group members. There remain two members from whom we have not yet received confirmations of their schedule (with some, it is like pulling teeth), but right now 5/18 still looks like the best day. We may have to hold the meeting over here to make it easier for Commissioners to drop in.
--- Peg

Okay -- you are on for May 18th! Can we do it over here at 10?

My problem is that agency staff is booked most of the week of 5/21. Monday through Wednesday are taken up with meetings of the Standards Board Executive Committee, the full Standards Board, and the Board of Advisors. Thursday, we have EAC's public meeting. Also, I will lose one of my two consultants in June, so I'm trying to wrap up this project (and get the final report from the consultants) by the end of May.

Say "Hi" to Cameron for me.
Hi Peg. I am sitting here with Cameron Quinn putting together this year's ballt conference for AUSAs. She send her best!

I am available on 5/18. But I am also going to the Board of Advisors Meeting the following week. I would rather do this then.

Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

----- Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 11:39:50 2006
Subject: Voting Fraud-Voter Intimidation

Craig:

We are continuing our efforts to hone in on a date for the Working Group meeting. Are you available the afternoon of Thursday, May 18?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM -----
Margaret Sims/EAC/GOV
05/12/2006 01:34 PM
To: "Tova Wang"
cc
Subject: RE: Fraud Definition

Lets raise this issue at the meeting. (I'll add "DRAFT" to the current document.) My concern is that there
are a number of requirements in the Voting Rights Act. Not all of them are considered election fraud, when violated. For example, failure to preclear changes in election procedures is not treated as election fraud, though it is actionable. --- Peggy

"Tova Wang"

"Tova Wang"
05/12/2006 12:45 PM
To psims@eac.gov, serebrov
cc
Subject RE: Fraud Definition

Upon first reading, my only comment would be that I would like to restore "failing to follow the requirements of the Voting Rights Act"

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Friday, May 12, 2006 9:20 AM
To: wang@tcf.org; serebrov@sbcglobal.net
Subject: Fraud Definition

Would you please take a look at the attached? I combined both of your definitions, reformatted the list, removed a reference to the fraud having to have an actual impact on the election results (because fraud can be prosecuted without proving that it actually changed the results of the election), and taken out a couple of vague examples (e.g.; reference to failing to enforce state laws --- because there may be legitimate reasons for not doing so).

I have made contact with Ben Ginsberg's office and am waiting to hear if he accepts our invitation to join the working group. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM -----
Margaret Sims/EAC/GOV
04/24/2006 12:13 PM
To "Tova Wang"
cc
Subject Re: invoice

Tova:

The draft voucher looks fine except for two things (one of them is our fault):

(1) it appears that you worked 11 days, rather than 10, during the first two weeks; and
(2) you need to put the total dollar amount owed you ($9,102) somewhere on the form. (Last time you put it in the box with the total hours worked this period.)

Don't forget to sign and date the voucher. Thanks.

Peggy Sims
Hi Peg,

Can you please check this before I fax it? Thanks! And can we talk sometime today?

Tova Andrea Wang
Democracy Fellow
The Century Foundation


Click here to receive our weekly e-mail updates.

voucher 3-26-4-22.doc

Barry Weinberg has confirmed he can attend the afternoon of May 18. He lives in the DC area, so we won't have to worry about travel. I have contacted Pat Rogers office and left a voice mail for his assistant. Hopefully, I will hear from them this afternoon. --- Peggy

Barry Weinberg has confirmed he can attend the afternoon of May 18. He lives in the DC area, so we won't have to worry about travel. I have contacted Pat Rogers office and left a voice mail for his assistant. Hopefully, I will hear from them this afternoon. --- Peggy
Subject Bob Bauer

We have heard from Bob Bauer regarding his availability, so we don't need to have you pursue the matter. Thanks for the offer, though. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM ----- 

"Tova Wang"
05/09/2006 05:17 PM
To psims@eac.gov, serebr
cc
Subject perez

I talked to Adam, and I am OK with JR Perez. I'm working on the Barbra situation.

Tova Andrea Wang
Democracy Fellow
The Century Foundation

Visit our Web site for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM ----- 

"Job Serebrov"
05/10/2006 12:25 PM
To psims@eac.gov
cc
Subject Travel

Peggy:

If I am calculating it right and I believe I am, it would cost around $450 plus my meal allowance in Virginia and Tennesee (coming and going).

All of this said, I am still a person down and there is the bed problem.

Job

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM ----- 

05/06/2006 08:28 AM
To psims@eac.gov
cc
Hi Peg,

Just wondering if you had any word from Rokita. Also, I wanted to let you know that I think disinviting members of the working group would be a very unwise and frankly embarrassing way of dealing with the problem of getting 100% attendance. I'm sure we'll talk before any decisions are made. As I said, I'm free on Monday. Thanks. Tova

Peggy,

I just received an update about Ms. Arnwine's schedule. She is not available on May 9th.

Thanks,

Devon

Barry:

Would you please provide an address to which we can Federal Express materials before the meeting? ---
Barry:

It appears that the afternoon of Thursday, May 18 is best for a meeting of the working group. I know you said you would not be available in the morning that day. If we started at 1 PM, would that be too soon for you?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
e-mail: psims@eac.gov
Are you available any days in the third week of May? Peggy

--------------------------------
Sent from my BlackBerry Wireless Handheld

----- Original Message ----- 
From: "Donsanto, Craig" [Craig.Donsanto@usdoj.gov]
Sent: 04/03/2006 03:16 PM 
To: Margaret Sims
Subject: RE: Voting Fraud-Voter Intimidation Project

Hello Peg!

God willing, I will be here the first two weeks of May.

As for your second question, it is not possible for me to assess the level of public attribution that would be appropriate without seeing the substantive stuff in context. I do not foresee a problem. So, I recommend that you get me a draft text and I will review it to ensure we are not disclosing things we shouldn't disclose.

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, April 03, 2006 3:13 PM
To: Donsanto, Craig
Subject: Re: Voting Fraud-Voter Intimidation Project

Craig:

I have 2 issues for you today.

First, I am trying to schedule a meeting of the project working group for EAC's Voting Fraud-Voter Intimidation research project. As a technical advisor on this project, your attendance is particularly important to me. Would you please look at your schedule and let me know if there are any days during the first 2 weeks of May that you would NOT be available?

Second, is it OK for our consultants to refer in their report to guidance provided in the DOJ training materials? I ask this because I understood that some materials in the materials are considered confidential and we do not want to violate your confidentiality provisions. If there is a compromise position, such as having you review that portion of the consultants' report, then let me know.
Unfortunately, I have to get the Working Group together before then, so that my consultants can prepare the final report before June. (In June, I lose one of them to State employment.) In understand about the crammed schedule. This month and next are chock full.

Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

How about we meld this wit the EAC Board of Advisors meeting? I just got taged to be parliamentarian --

We could attend to your folks whike I arbitrate a food fight!!!!

-------------------
Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed Apr 26 20:30:24 2006
Subject: Re: Voting Fraud-Voter Intimidation Project

Craig:
Are yu available any days in the third week of May?
Hello Peg!

God willing, I will be here the first two weeks of May.

As for your second question, it is not possible for me to assess the level of public attribution that would be appropriate without seeing the substantive stuff in context. I do not foresee a problem. So, I recommend that you get me a draft text and I will review it to ensure we are not disclosing things we shouldn't disclose.

Craig:

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First, I am trying to schedule a meeting of the project working group for EAC's Voting Fraud-Voter Intimidation research project. As a technical advisor on this project, your attendance is particularly important to me. Would you please look at your schedule and let me know if there are any days during the first 2 weeks of May that you would NOT be available?

Second, is it OK for our consultants to refer in their report to guidance provided in the DOJ training materials? I ask this because I understood that some materials in the materials are considered confidential and we do not want to violate your confidentiality provisions. If there is a compromis position, such as having you review that portion of the consultants' report, then let me know.
Donsanto lists four types of election fraud: schemes to purposely and corruptly register voters who either do not exist, or who are known by the putative defendant to be ineligible to vote under applicable state law; schemes to cast, record or fraudulently tabulate votes for voters who do not participate in the voting act at all; schemes to corrupt the voting act of voters who do participate in the voting act to a limited extent; and, schemes to knowingly prevent voters qualified voters from voting.

--- psims@eac.gov wrote:

> When I opened the attachment, I still had problems with the 4th paragraph.
> Would you please just send me that paragraph within the text of your email so that I can paste it into the document? --- Peggy

> "Job Serebrov" 05/11/2006 03:49 PM
> To psims@eac.gov
> cc
> Subject Re: Literature Summary
I resent the review as you see at the bottom. When I opened it and sent it there was no corrupted text.

--- psims@eac.gov wrote:

> Do you have text to replace the corrupted text in paragraph 4? --- Peggy

> "Job Serebrov" 05/11/2006 03:17 PM

> To
> psims@eac.gov
> cc

> Subject
> Re: Literature Summary

--- psims@eac.gov wrote:

> Tova just sent me the summary you prepared of The Federal Crime of Election Fraud by Craig Donsanto. There is something wrong in the fourth paragraph (odd characters and missing text). Can you please send a replacement fourth paragraph? You can send it in an email and I will place it in the document. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM -----
Peggy sorry but I am out of town on the 18th of May. Good luck

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM ---

"Job Serebrov"

To psims@eac.gov

cc

Subject Conference Call

Peggy:

I would like to get this travel issue sorted out between us before the call at 4pm. While the hotel problem is applicable to both Tova and me, the ground travel is not. In any case, I will want to read the federal regulation on this before we speak. Please either send me the regulation that states I must travel by the least expensive means and that all alternative travel cost can not exceed this or give me the site.

Thanks,

Job

---- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM ----

Margaret Sims/EAC/GOV

To "Job Serebrov"

cc twilkey@eac.gov, jthompson@eac.gov

Subject Re: Conference Call

Job:

I'm afraid I don't have time to look up the Federal travel regulation. I can refer to GSA Form 87, which is the Federal travel authorization form that is based on the travel regulations. There are two questions on this form that would apply to your situation:

- Question 14 asks, "Is the employee making any deviations from the authorized itinerary for personal convenience, taking any annual leave or using a different mode of transportation for personal convenience?"
• Question 17A asks, "Will POV be used for any travel between itinerary points? (If 'Yes', check one box below and complete item 17B.)" This is followed by one check box with a statement, "Use of POV is advantageous to the government" and another check box that states, "Use of POV is not advantageous to the government. Use of POV has been determined to be for personal convenience and reimbursement limited to constructive cost of common carrier."

Line 17 B is used to note mileage rate. These provisions apply to our Commissioners, our staff, and our consultants. I understand that everyone has to make allowances for emergencies, but your emergency has not yet arrived, and may well arrive after the May 18 meeting. Furthermore, personal emergencies are considered personal matters. The government does not reimburse us for additional travel costs resulting from our need to address personal matters.

Because you are not a Federal employee and we recognize that airlines do not and hotels may not offer you government rate, we can reimburse the higher hotel rate so long as your total travel costs under the current contract do not exceed the total amount budgeted for travel reimbursement for this contract ($3,500).

Regarding the Working Group meeting, I am pleased that you recognize that convening the Working Group is a deliverable. You also should recall that the only reason Commission staff is involved in helping to set up this meeting is that you and Tova told me that the two of you did not have the resources to do it and that it would be better to have one central coordinator (I.e., EAC). We have repeatedly talked about holding the meeting in DC because so many of our working group members are here and because we can support the meeting at EAC offices and stay within the EAC budget.

The date for the original Working Group meeting was presented by you and Tova to me in your work plan. As you know, many of the dates in the plan had to slide because the two of you indicated that you needed more time to complete the preliminary research to be presented at the meeting. Beginning in April, our teleconferences honed in on possible weeks for the meeting. May 18 is the only day all but Norcross could attend. Norcross was available only 2 days out of the three weeks we were considering. We are attempting to fill his slot with the person you recommended, Pat Rogers.

We can discuss any remaining concerns you have regarding the participation of Perez and of Pat Rogers during this afternoon's teleconference. --- Peggy

"Job Serebrov"

"Job Serebrov"

05/09/2006 03:09 PM	 cc
psims@eac.gov
Subject Conference Call

Peggy:

I would like to get this travel issue sorted out between us before the call at 4pm. While the hotel problem is applicable to both Tova and me, the ground travel is not. In any case, I will want to read the federal regulation on this before we speak. Please either send me the regulation that states I must travel by the least expensive means and that all
alternative travel cost can not exceed this or give me the site.

Thanks,
Job

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM ---

"Job Serebrov"
To psims@eac.gov, 
cc dromig@eac.gov
Subject Re: Working Group Meeting

Peggy:

I expect that since Norcross can't make it either you will try to get Rogers or cut one of Tova's folks.

Job

--- psims@eac.gov wrote:

> Job and Tova:
> 
> As of now, the afternoon of Thursday, May 18 appears to be the best possible date for the meeting. Norcross is not available to attend in person that day (he is available only 2 days during the first three weeks of May). We won't have confirmation of the availability of Secretary Rokita until tomorrow --- but I am hopeful.
> 
> I'll give you an update tomorrow. Maybe we can schedule a teleconference on Monday afternoon. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM ---

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
To psims@eac.gov
cc
Subject Re: Voting Fraud-Voter Intimidation Project
Peg -- I'll have check. I am pretty well clogged next month.

What do you need Peg?

Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed Apr 26 20:30:24 2006
Subject: Re: Voting Fraud-Voter Intimidation Project

Craig:
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Peggy

Sent from my BlackBerry Wireless Handheld

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To: Donsanto, Craig
Subject: Re: Voting Fraud-Voter Intimidation Project
Craig:

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Thanks!

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov
the Working Group and not the Commission and it never specifies where or when this is to take place. All this to say that while the contract does specify a Working Group meeting it does not specify that it must take place on any particular date or in a particular city. With that said, I have never heard of any federal travel requirements that would result in a loss of money because I decided to drive and not fly. In fact, that is why there is a an amount paid per mile. So I would like to see the federal regulation that forces me to take the least expensive transport and restricts all other ground transport costs to that figure.

As to hotels, based on Tova's research there are no rooms for under the $350 range per night. If you can find hotels that are less expensive but still carry the kind of bed I need for my back (either pillow top or a number bed) please do.

The issue of my uncle---today I have not had an update on his condition. But, as I previously stated, if he were to die or have an event while I was in DC, I would have to go to NYC meeting or no meeting.

Finally, neither Tova nor I have been satisfied about Mr. Perez and I have not been told whether Pat Rogers will be coming or one of Tova's people will not be.

In the end, I need to see the travel regulation that I requested above, I would like you to look into hotels for Tova and me that have the kind of bed I need and I would like to know about Perez and Rogers. In the mean time, I should have an update on my uncle by morning. I would also be happy to talk to Julie about the issues involved. I will take you up on your offer to process my travel expenses faster and I do not and never did expect you to get me a travel advance. I worked in international development and know what a headache those are to apply for on the state level.

Job

--- psims@eac.gov wrote:

> Job:
> 
> Folks here are concerned that your failure to show up in person to help conduct the meeting would be a breach of contract.
> I also am concerned about the impression that your absence will leave with the Commissioners and with the VIPs coming to this meeting.
> 
> If you are concerned about delays in reimbursement caused by including the travel expenses in the personal services voucher, I can always process your request (with receipts) separately and earlier.
I can have staff here check to see if we can find hotel rooms at a more reasonable rate for you and Tova. (We recognize that you may not be able to obtain Federal government rate.) What I cannot do is offer a travel advance, which is not permitted for nonfederal employees, or offer to pay the difference between normal travel expenses and those incurred for personal convenience, when the latter is the higher amount.

I urge you to make your travel arrangements ASAP.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

"Job Serebrov"
05/08/2006 01:41 PM

To
psims@eac.gov
cc
Subject
Re: Working Group

Given the information I have Peggy, that is not going to be financially possible. First, given Tova's info about the hotels, it is too much for me to front. Two to three days in DC would run around $1000 for the hotel alone. That does not count the two days on the road to get there and two days back. Second, if I can't charge the federal per mile allowance for the entire trip to DC and back and can only get the equivalent of plane fare, I will actually loose money.

I simply do not see how we can do this in person given the financial restrictions.
Job:

I don't think we can put you on teleconference for 41/2 hours. We really need to have you here in person if you are to help conduct the Working Group meeting. You should make your travel arrangements ASAP. --- Peggy

"Job Serebroy" 05/08/2006 10:14 AM

To psims@eac.gov, wang@tcf.org

Subject Re: Working Group

Peggy:

4:00 eastern on Tuesday is fine however, given the financial restrictions that you indicated would be in place for use of my car (I would actually loose money coming to DC) and given the cost of hotels at this time (I can't afford to front these costs and wait for months to be repaid), etc, it would take a miracle for this working group meeting to take place in person.

It is looking like the only way it will get done is by teleconference. I also share Tova's concern about the unknown nature of Mr. Perez.

Job

--- psims@eac.gov wrote:

Hi, Folks:
Teleconference
Are both of you available for a teleconference next Tuesday afternoon at about 4 PM EST? If this does not work for you, please suggest another date and/or time. I would like to discuss our preparations for the Working Group meeting.

Working Group Members
We have a very good person to fill the slot for the nonpartisan local election official: J.R. Perez, Elections Administrator for Guadalupe County, TX. Attached is his bio. Hope you have no objections to him. He is available on May 18. I have placed 2 calls to Pat Rogers office, but have not yet received a reply. Job, if you have any pull with him, you may want to contact him, too.

Travel Arrangements
You should make your own travel arrangements, including hotel. Travel time cannot be billed to the contract, except for hours actually worked on the contract (i.e.; reviewing materials in preparation for the meeting, and the like). Current Federal rates follow:

- Maximum Lodging = $180 per day - does not include hotel taxes (if you cannot get this rate, we have covered reasonable rates that are a little higher)
- Meals & Incidental = $64 per day (except that it is $48 on the first and last day of travel)
- Mileage for Personally Owned Vehicle = $ .445 per mile
- Under the new contract, I do not have to fill out a travel authorization for you. I can approve your trip via email.

Afterwords, when you turn in your next pay voucher, you can attach the airline receipt (or mileage documentation), hotel receipt(s), and ground
Transportation receipts and a copy of any printed itineraries. Calculate the total travel expenses due.

--- message truncated ---

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM -----

"Tova Wang"

To: psims@eac.gov

cc

Subject: wg

Do you want me to call both Bob too?

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM -----

"Tova Wang"

To: psims@eac.gov,

cc

Subject: RE: Literature Summary

We accidentally left it out when we emailed all the summaries

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

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 11, 2006 1:09 PM
To: wang@tcf.org
Cc: 
Subject: Literature Summary

Tova just sent me the summary you prepared of The Federal Crime of Election Fraud by Craig Donsanto. There is something wrong in the fourth paragraph (odd characters and missing text). Can you please send a replacement fourth paragraph? You can send it in an email and I will place it in the document. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM -----

"Tova Wang"
He is representing Barbara Arnwine, and we have already established we are not disinviting anyone. We still don't know about Ginsburg yet anyway, right?

-----Original Message-----
From: Job Serebrov
Sent: Thursday, May 11, 2006 2:36 PM
To: Tova Wang; psims@eac.gov
Cc: 
Subject: Re: new working group representative

I have an objection to Greenbaum. While I realize he comes from an advocacy group, he is not a minority attorney and we already have a rep who worked with DOJ. If it is to be Greenbaum, I would rather not fill that position since I am one down.

--- Tova Wang wrote:

> is Jon Greenbaum
> > Here' s his info in full:
> >
> > l
> > He is the Director of the Voting Rights Project for
> > the Lawyers Committee
> > for Civil Rights. He will be representing Barbara
> > Arnwine, the Executive
> > Director of the Lawyers Committee.
> >
> > His contact and mailing info is:
> >
> > Tova Andrea Wang
> > Democracy Fellow
> > The Century Foundation
> >
> > Visit our Web site, " for the latest news,
> > analysis, opinions, and events.
I resent the review as you see at the bottom. When I opened it and sent it there was no corrupted text.

--- psims@eac.gov wrote:

Do you have text to replace the corrupted text in paragraph 4? --- Peggy

--- psims@eac.gov wrote:

Tova just sent me the summary you prepared of The Federal Crime of Election Fraud by Craig Donsanto. There is
Thanks, J.R. Great to have you on board! We will get back to you shortly regarding travel arrangements. The meeting materials will be sent by Federal Express next week.

Peggy Sims  
Election Research Specialist  
U.S. Election Assistance Commission  
1225 New York Ave, NW - Ste 1100  
Washington, DC 20005  
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)  
Fax: 202-566-3127  
email: psims@eac.gov

Hi Peggy, it was nice talking with you today and I would be glad to try and add to the discussion. I am attaching a brief bio and will await your instructions for the travel arrangements. I look forward to receiving the current information on panel issues.

J.R. Perez  
Elections Administrator  
Guadalupe County

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM ---
5201 Roosevelt St.
Bethesda, MD 20814
301-493-5343

----- Original Message ----- 
From: psims@eac.gov
To: psims@eac.gov
Sent: Friday, May 05, 2006 10:56 AM
Subject: Re: Voting Fraud-Voter Intimidation

Barry:

Would you please provide an address to which we can Federal Express materials before the meeting? ---
Peg

that would be fine

----- Original Message ----- 
From: psims@eac.gov
To: psims@eac.gov
Sent: Thursday, May 04, 2006 1:08 PM
Subject: Voting Fraud-Voter Intimidation

Barry:

It appears that the afternoon of Thursday, May 18 is best for a meeting of the working group. I know you
said you would not be available in the morning that day. If we started at 1 PM, would that be too soon for you?

Peggy Sims  
Election Research Specialist  
U.S. Election Assistance Commission  
1225 New York Ave, NW - Ste 1100  
Washington, DC 20005  
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)  
Fax: 202-566-3127  
email: psims@eac.gov

-- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM ----

"Job Serebrov"  
To psims@eac.gov  
cc

Subject Re: Working Group List

List a vacancy---to be filled. If we don't hear from Ginsberg by late afternoon please call Braden.

Job

--- psims@eac.gov wrote:

> Job:
> What do you suggest I do with the list of Working Group members. I need to get the Fed Ex packages out by the end of the day, and have not heard back from Ginsberg. Do you want me to list a vacancy, or list Norcross with a note that he cannot attend? If we find a substitute, we can always provide an updated list next Thursday. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM ----

Devon E. Romig/EAC/GOV  
To Margaret Sims/EAC/GOV@EAC  
cc

Subject Hotel for Job

Peggy,

A possible hotel suggestion for Job might be the Sheraton College Park in Beltsville, MD. They have room availability for the nights of the 17th and the 18th for $159.00 a night.
They have what is called the Sheraton Sweet Sleeper Bed. More information at:

This hotel is a little out of the way but the members of the Asian Language Working Group and others have stayed there. The hotel does offer a shuttle to and from Reagan airport and the metro.

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov

Devon:

Here is the information you need for the Fed Ex forms for Job and Tova.

Tova Wang
(Note that the package may be left with the doorman.)

Job Serebrov

OK. I'll be out of the office for the next three days, and mostly unavailable on Thursday and Friday as you know already. Tomorrow you can try me on my cell phone 917-656-7905. I'll try to check email when I can. Thanks Peg. Tova
Subject: RE: Voting Fraud/Voter Intimidation Project Working Group

I hope to have a better idea tomorrow, if Rokita's office responds. If not, we'd better have a teleconference to discuss our options. --- Peggy

"Tova Wang"
05/02/2006 05:06 PM
To dromig@eac.gov
cc psims@eac.gov
Subject RE: Voting Fraud/Voter Intimidation Project Working Group

Can you please give me an idea where we are at with all this? I'd like to be able to figure out my schedule. Thanks -- and thanks for all your assistance on this. Tova

-----Original Message-----
From: dromig@eac.gov [mailto:dromig@eac.gov]
Sent: Tuesday, May 02, 2006 3:54 PM
To: wan
Subject: RE: Voting Fraud/Voter Intimidation Project Working Group

Yes, I have spoken to her assistant several times but today has been the first time that I have ever spoken to her assistant. We did get the information that we needed. Thanks for your help!

Devon Romig
U.S. Election Assistance Commission
1225 New York Ave. NW - Suite #1100
Washington, D.C. 20005
(202)566-2377

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM -----

"Tova Wang"
04/26/2006 04:39 PM
To psims@eac.gov
cc
Subject RE: interview analysis

I think I can help you at least with respect to Barbara. I'll be speaking to her today!

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Thanks. We are still trying to get through to Bauer and Arnwine. They have not responded, so their availability is not yet reflected on our spreadsheet. --- Peggy

Hi Peg,

Attached, to add to the collection, is a summary overview of the interviews. Do you have that spreadsheet you were telling me about reflecting the times WG participants are available? If so, maybe we can talk soon? Thanks. Tova

Tova Andrea Wang  
Democracy Fellow  
The Century Foundation  

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--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM ---

Hi Peg,
Here is the last summary of existing research. Please let us know how to proceed from here. Thanks.

Tova Andrea Wang  
Democracy Fellow  
The Century Foundation

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Response to the CB Report FINAL.doc

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM -----

Margaret Sims/EAC/GOV  
05/04/2006 05:47 PM  
To  
cc  
Subject Re: wg

Tova:

Rokita is available --- so the afternoon of May 18 it is. I will not disinvite anyone. I am trying to get Job's next choice (Pat Rogers) as a replacement for Norcross.

Monday appears to be out for a teleconference because Job will be unavailable that afternoon and I am scheduled for something else that morning. I'll check my schedule tomorrow and send a message to you and Job regarding other possible days and times. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM -----

Hi Peg,

Just wondering if you had any word from Rokita. Also, I wanted to let you know that I think disinviting members of the working group would be a very unwise and frankly embarrassing way of dealing with the problem of getting 100% attendance. I'm sure we'll talk before any decisions are made. As I said, I'm free on Monday. Thanks. Tova

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM -----
I would give him until Monday morning but I would also call Braden today and tell him there may be an opening for him on the WG and find out whether he is free.

--- psims@eac.gov wrote:

> I have placed another call to his office (after one previous call to his assistant and an email to him). I, too, am concerned about our dwindling chances. --- Peggy

--- Job Serebrov
> 05/12/2006 03:06 PM

> To
> psims@eac.gov
> cc

> Subject
> Re: Fraud Definition

> Given the short time period, you may want to give Ginsberg a deadline. The longer we wait, the poorer our chances are of getting Braden.

--- psims@eac.gov wrote:

> I am reluctant to invite Braden until after I have received a "No" from Ginsberg. --- Peg

--- Job Serebrov
> 05/12/2006 02:33 PM

> To
> psims@eac.gov
> cc

> Subject
> Re: Fraud Definition
Sounds good to me. If not Ginsburg try Braden.

--- psims@eac.gov wrote:

> I will add "DRAFT" to the definition and, yes, the WG will have suggestions. I do plan to send packets to you and the same materials being provided to the WG. I haven't sent anything yet because I was hoping to finalize the WG list for inclusion. (Still waiting for a response from Ginsberg.)

> Regarding Tova's response, we may want to have a very short meeting after the WG disperses, followed by a teleconference the following Monday afternoon. Tuesday is bad for me because I'll be out of the office attending a series of EAC meetings that begin that day. --- Peggy

> "Job Serebrov" 05/12/2006 12:52 PM

> To psims@eac.gov, cc

> Subject Re: Fraud Definition

> This is ok, given the fact that the WG may have suggestions. Will you be sending us the same packets that you are sending the WG? Also, I figure with Tova's response we will need to have a teleconference on the report once I return to Little Rock. We
will need to do it that following Monday or Tuesday.

--- psims@eac.gov wrote:

Would you please take a look at the attached?

I combined both of your definitions, reformatted the list, removed a reference to the fraud having to have an actual impact on the election results

(because fraud can be prosecuted without proving that it actually changed the results of the election), and taken out a couple of vague examples

(e.g.; reference to failing to enforce state laws --- because there may be legitimate reasons for not doing so).

I have made contact with Ben Ginsberg's office and am waiting to hear if he accepts our invitation to join the working group.

--- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM -----

"Job Serebrov"

To psims@eac.gov

Subject Case Summaries
Case Summaries.doc

Peggy:

Please add this to the packet.

Job

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM -----

"Job Serebrov"

To psims@eac.gov

cc

Subject Re: Update

The bed is not what I need and Beltsville is a bit far out.

--- psims@eac.gov wrote:

> Why is the hotel suggestion not workable? (I need to know as we continue our search.) -- Peg
>
>
>
>
>
> "Job Serebrov"
> 05/10/2006 10:29 AM
> 
> To psims@eac.gov
> cc
> Subject Update
> 
> Peggy:
> 
> Pat just e-mailed me. He has something he can't move on the 18th. So I am now down one person and still no good hotel situation. Devon's suggestion is not workable.
> 
> Job
> 
> 000811
According to the Commissioners, you and Tova each got to pick three members of the Working Group. The Commission guidance regarding this particular member follows:

4 people from the Academic, Legal and Advocacy sectors - 2 to be chosen by Tova and 2 to be chosen by Job.

This issue of allowing a designee relates to Tova's pick.

As I understand it, we are working on a replacement for Norcross. If Ginsberg is not viable, how about Mark Braden, who includes public integrity in his areas of specialization. I would not try and stir up other members of the Working Group, if I were you. The effort is likely to come back and bite you.

I really don't care if he represents the organization or not. What mixed race? The entire discussion was because Arnwine was African-American. If you are going to invite him without first having a replacement for my side, I may have to call Thor and Todd and discuss all of this.

--- psims@eac.gov wrote:
> Greenbaum is representing Arnwine, not replacing her. He works for her organization and is of mixed race. --- Peggy
>
Subject
Re: new working group representative

I have an objection to Greenbaum. While I realize he comes from an advocacy group, he is not a minority attorney and we already have a rep who worked with DOJ. If it is to be Greenbaum, I would rather not fill that position since I am one down.

--- Tova Wang wrote:

is Jon Greenbaum

Here's his info in full:

He is the Director of the Voting Rights Project for the Lawyers Committee for Civil Rights. He will be representing Barbara Arnwine, the Executive Director of the Lawyers Committee.

His contact and mailing info is:

Tova Andrea Wang
Democracy Fellow
The Century Foundation

Visit our Web site, for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.
Yes, please let Joyce know and she will get someone

Tom

---

Tom: I understand that EAC hired a court reporter for the Asian Language Working Group meeting. I would like to do the same for the May 18 Voting Fraud-Voter Intimidation Working Group meeting, but I did not include funds in my budget for this service. Do we have funds that could be used for this purpose? (See Devon’s cost estimate below.) --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 05/10/2006 10:18 AM ---

Devon E. Romig/EAC/GOV

05/10/2006 09:54 AM

To Margaret Sims/EAC/GOV@EAC

cc

Subject Court reporter
Peggy,

I spoke to the people who usually handle the EAC court reporting. They charge $9.00 per page with an average of 40 pages per hour. This service would cost about $1800.00.

The turn around time for the transcript is 10 to 15 days. The transcripts comes in a bound paper copy and an electronic copy.

I can also check around for different prices.

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov

FYI

--- "Patrick J. Rogers" wrote:

> Subject: RE: Working Group meeting
> Date: Tue, 9 May 2006 07:44:44 -0600
> From: "Patrick J. Rogers"
> To: "Job Serebrov"
> Job---maybe. I will call you and/or Ms. Sims tomorrow. Depositions all
day today. Thanks, Pat
> What's the best number to call you tomorrow?
> Patrick J. Rogers
> Modrall, Sperling, Roehl, Harris & Sisk, P.A.
-----Original Message-----
From: Job Serebrov 
Sent: Monday, May 08, 2006 9:41 PM 
To: Patrick J. Rogers 
Subject: Working Group meeting 

Pat:

The working group meeting for the voter fraud project is scheduled for May 18th in DC but David Norcross can't attend. Could you come? If so, we need to arrange travel and a hotel for you.

Regards,

Job

Modrall, Sperling, Roehl, Harris & Sisk, P.A.

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----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM -----
Margaret Sims/EAC/GOV
05/09/2006 11:40 AM
To: Serebrov
cc
As you may recall, the Commissioners directed me to find a nonpartisan local election official to serve on the Working Group. The three of us discussed the desirability of having a Hispanic. I proposed that I find someone from Texas because of that State's colorful history of voting fraud and their innovative approaches to combat it. In those Texas counties that hire Election Administrators to run elections, rather than having elected officials do so (Tax Assessor for voter registration; County Clerk for balloting), the Election Administrator is hired by the County Election Commission and is supposed to perform his or her duties in a nonpartisan manner. (See attached excerpts from Texas Election Code regarding election administrator hiring and restrictions on partisan activity.)

Any experienced Texas election official will be familiar with voting fraud and voter intimidation schemes used in that State. Mr. Perez has over 13 years experience as a county Election Administrator in Texas. You won't find many news articles mentioning him because he has kept his nose clean. (The Texas press, as in many other parts of the country, prefers to report bad news.) Mr. Perez is plugged into the association of Texas election officials and the two largest organizations of election officials in this country: the International Association of Clerks, Recorders, Election Officials and Treasurers (IACREOT); and The Election Center. He is a past President and past Chairman of the Legislative Committee for the Texas Association of Election Administrators. He currently serves on IACREOT's Election Officials Committee, which plans the educational sessions for election officials that are conducted at that organization's conferences. His peers in IACREOT and The Election Center have selected his submissions on web presentations (IACREOT) and his professional practices papers (Election Center) for awards. Mr. Perez also has access to information from other States through his membership in IACREOT and The Election Center. He also has a sense of humor, which you will note if you access the staff web page on the Guadalupe County Elections web site and hear the Mission Impossible theme. Something that might be useful in the upcoming meeting.

Guadalupe County is small but growing. In 2004, the county had over 65 thousand registered voters (a number more than doubled the number of registered voters in 1988). A third of the county's population claims Hispanic or Latino origin, according to the U.S. Census Bureau. The county is in south central Texas and is bordered by Comal, Hays, Cladwell, Gonzales, Wilson, and Bexar counties. In the 1980s, the county was predominately a farming community; but in recent years, many people have moved from San Antonio (Bexar County) to Guadalupe County, preferring to live in Guadalupe County and work in Bexar County.

--- Peggy
Peggy:

What political party is Perez with? How political is he? Is the position in Texas neutral or political? Who appointed Perez?

As to Pat I will contact him but I can't promise anything. If Pat can't come, who is getting knocked off Tova's list?

Job

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM ----- 
Margaret Sims/EAC/GOV
05/09/2006 11:38 AM 
To Tova Andrea Wang
cc
Subject Fw: Case Summaries

Had you seen this? --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 05/09/2006 11:38 AM ----- 
"Job Serebrov"
05/08/2006 09:30 AM 
To psims@eac.gov
cc
Subject Case Summaries

Case Summaries.doc Peggy:

Please add this to the packet.

Job

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM ----- 
"Job Serebrov"
The teleconference is on. However, I am still one person down for the meeting and I am not comfortable. This will have to be discussed since from the start it was agreed that the WG would be equal and if I lost a person Tova would have to lose one. Further and most importantly, I don't yet have a hotel so my attendance is still up in the air. Finally, the agenda is not what we discussed and gives far too much time for areas that can be covered in a short time. Not listed are all of the questions that Tova's proposed agenda had. All in all, it needs to be redone.

--- psims@eac.gov wrote:

> I assume that we are still on for today's
teleconference at 11 AM EST. I
> will call you. I have attached a draft agenda for
your review and
> comment. --- Peggy
>

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM -----
Diana Scott/EAC/GOV
05/08/2006 01:52 PM

I have given Adventure Travel the necessary credit card authorization on this. Devon please follow-up with the reservations etc.

Diana M. Scott
Administrative Officer
U.S. Election Assistance Commission
(202) 566-3100 (office)
(202) 566-3127 (fax)
dscott@eac.gov

Margaret Sims/EAC/GOV
Diana:

The following members of the Working Group for our Voting Fraud/Voter Intimidation research project will need to make travel arrangements in order to attend an afternoon meeting of the group on May 18 in Washington, DC:

Mark "Thor" Hearne - St Louis, MO
J.R. Perez - Seguin, TX
The Honorable Todd Rokita - Indianapolis, IN
Kathy Rogers - Atlanta, GA

I may have one additional member from Albuquerque, NM confirmed early next week.

May these people use Adventure Travel to make these arrangements in the same manner as the Asian Language Working Group? I understand the members of that group made hotel and flight arrangements through Adventure Travel and that these costs were billed directly to EAC. We did plan for EAC to pay for the travel of the Voting Fraud/Voter Intimidation Working Group (budgeted under Research). Devon will prepare their travel authorizations.

Peggy Sims
Election Research Specialist

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM ---

"Tova Wang"
05/08/2006 10:18 AM
To: psims@eac.gov
cc
Subject: RE: Working Group

I am more than happy to attend in person
Peggy:

4:00 eastern on Tuesday is fine however, given the financial restrictions that you indicated would be in place for use of my car (I would actually loose money coming to DC) and given the cost of hotels at this time (I can't afford to front these costs and wait for months to be repaid), etc, it would take a miracle for this working group meeting to take place in person. It is looking like the only way it will get done is by teleconference. I also share Tova's concern about the unknown nature of Mr. Perez.

Job

--- psims@eac.gov wrote:

Hi, Folks:

> Teleconference
> Are both of you available for a teleconference next Tuesday afternoon at about 4 PM EST? If this does not work for you, please suggest another date and/or time. I would like to discuss our preparations for the Working Group meeting.

> Working Group Members
> We have a very good person to fill the slot for the nonpartisan local election official: J.R. Perez, Elections Administrator for Guadalupe County, TX. Attached is his bio. Hope you have no objections to him. He is available on May 18. I have placed 2 calls to Pat Rogers office, but have not yet received a reply. Job, if you have any pull with him, you may want to contact him, too.

> Travel Arrangements
> You should make your own travel arrangements, including hotel. Travel time cannot be billed to the contract, except for hours actually worked on the contract (i.e.; reviewing materials in preparation for the meeting, and the like). Current Federal rates follow:

> Maximum Lodging = $180 per day- does not include hotel taxes (if you cannot get this rate, we have covered reasonable rates that are a little higher)
> Meals & Incidentals = $64 per day (except that it is $48 on the first and last day of travel)
> Mileage for Personally Owned Vehicle = $.445 per mile
> Under the new contract, I do not have to fill out a
travel authorization
for you. I can approve your trip via email.
Afterwords, when you turn in
your next pay voucher, you can attach the airline
receipt (or mileage
documentation), hotel receipt(s), and ground
transportation receipts and a
copy of any printed itineraries. Calculate the
total travel expenses due
you, including applicable per diem. I do not need
meal receipts.

Job, under Federal travel regulations, deviations
for personal reasons are
not normally accommodated. What you can do,
however, is to give me a
comparison of the cost of roundtrip mileage, hotel,
and per diem of doing
it your way against the cost of a roundtrip flight,
ground transportation,
hotel, and per diem. If your way costs less, it
should be no problem to
cover the full cost. If your way is more expensive,
we may only pay up to
the amount of traditional travel. (The same rules
apply to me when I
travel.) If you can tell me where, other than DC,
you will spend the
night, I can check on applicable per diem rates.

Peggy

Peggy:
I may have the only option left but it is a risk time
wise. I could stay at the Baymont in Salem by Roanoke
and then leave early that morning and drive into DC or
to a park and ride (Metro). I would make it before
12:00 barring any unforeseen road issues. However, I
would have to leave to go home right after the
meeting. That would cancel the next day's meeting.

Job
I need to run to West Little Rock so you can get me on my cell if you want to talk.

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM -----
Margaret Sims/EAC/GOV
05/12/2006 02:46 PM
To Job Serebrov
cc
Subject Working Group List

Job:

What do you suggest I do with the list of Working Group members. I need to get the Fed Ex packages out by the end of the day, and have not heard back from Ginsberg. Do you want me to list a vacancy, or list Norcross with a note that he cannot attend? If we find a substitute, we can always provide an updated list next Thursday. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM -----
"Tova Wang"
05/11/2006 04:25 PM
To psims@eac.gov
cc
Subject RE: Material I may not have included

news article review

---- Original Message -----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 11, 2006 3:23 PM
To: 
Subject: Re: Material I may not have included

Would these go under literature review or news article review? --- Peggy

"Tova Wang"
05/10/2006 11:45 AM
To psims@eac.gov
cc serebrov....._Jromig@eac.gov
Subject Material I may not have included
selected Perez are Republicans. If the shoe were on
the other foot I would be uncomfortable. This one is
up to Tova to call but I am not sure that he can be
neutral.

--- psims@eac.gov wrote:

> OK, I get it. The text in the attachment follows:
> EXCERPTS FROM TEXAS ELECTION CODE
> SUBCHAPTER B. COUNTY ELECTIONS ADMINISTRATOR
> ***
> § 31.032. APPOINTMENT OF ADMINISTRATOR; COUNTY
> ELECTION COMMISSION.
> (a) The position of county elections
> administrator is filled by
> appointment of the county election commission, which
> consists of:
> (1) the county judge, as chair;
> (2) the county clerk, as vice
> chair;
> (3) the county tax
> assessor-collector, as secretary; and
> (4) the county chair of each
> political party that made
> nominations by primary election for the last general
> election for state
> and county officers preceding the date of the
> meeting at which the
> appointment is made.
> (b) The affirmative vote of a majority of
> the commission's
> membership is necessary for the appointment of an
> administrator.
> (c) Each appointment must be evidenced by a
> written resolution or
> order signed by the number of commission members
> necessary to make the
> appointment. Not later than the third day after the
> date an administrator
> is appointed, the officer who presided at the
> meeting shall file a signed
> copy of the resolution or order with the county
> clerk. Not later than the
> third day after the date the copy is filed, the
> county clerk shall deliver
> a certified copy of the resolution or order to the
> secretary of state.
> (d) The initial appointment may be made at
> any time after the
> adoption of the order creating the position.
>
> ***
> § 31.035. RESTRICTIONS ON POLITICAL ACTIVITIES.
> (a) A county elections administrator may
> not be a candidate for a
> public office or an office of a political party,
hold a public office, or
hold an office of or position in a political party.
At the time an administrator becomes a candidate or accepts an office or position in violation of this subsection, the administrator vacates the position of administrator.

(b) A county elections administrator commits an offense if the administrator makes a political contribution or political expenditure, as defined by the law regulating political funds and campaigns, or publicly supports or opposes a candidate for public office or a measure to be voted on at an election. An offense under this subsection is a Class A misdemeanor. On a final conviction, the administrator's employment is terminated, and the person convicted is ineligible for future appointment as county elections administrator.

"Job Serebrov" 05/09/2006 11:38 AM

To psims@eac.gov
cc

Subject Re: Working Group-Perez

The code attachment did not work that is what I meant by it did not come through.

--- psims@eac.gov wrote:

> Did you look at the attached excerpts from Texas Code? --- Peggy

"Job Serebrov" 05/09/2006 11:23 AM

To psims@eac.gov cc
We have the same set-up here in Arkansas. We hired a person just like Perez. However, given this, I would still like to know if he has a party affiliation and this brings up another issue. How is the county election commission chosen. In Arkansas it is the Chairman of the Republican and Democrat Parties or if he/she does not want to serve a person is elected in his/her stead and a third member picked by the party with the most constitutional officers. Practically that has meant that the Democrats have controlled election commissions in Arkansas since the end of Reconstruction. This is why I want to know the situation in Texas.

--- psims@eac.gov wrote:

> As you may recall, the Commissioners directed me to find a nonpartisan local election official to serve on the Working Group. The three of us discussed the desirability of having a Hispanic.

I proposed that I find someone from Texas because of that State's colorful history of voting and their innovative approaches to combat it. In those Texas counties that hire Election Administrators to run elections, rather than having elected officials do so (Tax Assessor for voter registration; County Clerk for balloting), the Election Administrator is hired by the County Election Commission and is supposed to perform his or her duties in a nonpartisan manner. (See attached excerpts from Texas Election Code regarding election administrator hiring and...
restrictions on partisan activity.)
Any experienced Texas election official will be familiar with voting fraud and voter intimidation schemes used in that State.

Mr. Perez has over 13 years experience as a county Election Administrator in Texas. You won't find many news articles mentioning him because he has kept his nose clean. (The Texas press, as in many other parts of the country, prefers to report bad news.) Mr. Perez is plugged into the association of Texas election officials and the two largest organizations of election officials in this country: the International Association of Clerks, Recorders, Election Officials and Treasurers (IACREOT); and

--- message truncated ---

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM ----

"Tova Wang"

05/11/2006 01:59 PM

To psims@eac.gov
cc
Subject RE: research summaries

Job did this one

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 11, 2006 12:56 PM
To: 
Subject: Re: research summaries

Something is wrong in the fourth paragraph of the Federal Election Crime summary. Do you know what it is supposed to say there?

"Tova Wang"

05/11/2006 01:30 PM

To psims@eac.gov, dromig@eac.gov
I have the feeling we didn't include these in the original batch I sent you. Could you double check and if not, would you please include them in the existing research materials? Sorry and thanks. I'm kind of doing all of this on my own in case you couldn't tell. List is coming...

Tova Andrea Wang
Democracy Fellow
The Century Foundation

Visit our Web site, for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.

Adam:

J.R. Perez's resume is attached, and I have forwarded my last explanatory email to Job in answer to his concerns. I will tell Tova not to contact Ray, but that she may talk with you about this issue. Thanks! --- Peggy
As you may recall, the Commissioners directed me to find a nonpartisan local election official to serve on the Working Group. The three of us discussed the desirability of having a Hispanic. I proposed that I find someone from Texas because of that State's colorful history of voting fraud and their innovative approaches to combat it. In those Texas counties that hire Election Administrators to run elections, rather than having elected officials do so (Tax Assessor for voter registration; County Clerk for balloting), the Election Administrator is hired by the County Election Commission and is supposed to perform his or her duties in a nonpartisan manner. (See attached excerpts from Texas Election Code regarding election administrator hiring and restrictions on partisan activity.)

Any experienced Texas election official will be familiar with voting fraud and voter intimidation schemes used in that State. Mr. Perez has over 13 years experience as a county Election Administrator in Texas. You won't find many news articles mentioning him because he has kept his nose clean. (The Texas press, as in many other parts of the country, prefers to report bad news.) Mr. Perez is plugged into the association of Texas election officials and the two largest organizations of election officials in this country: the International Association of Clerks, Recorders, Election Officials and Treasurers (IACREOT); and The Election Center. He is a past President and past Chairman of the Legislative Committee for the Texas Association of Election Administrators. He currently serves on IACREOT's Election Officials Committee, which plans the educational sessions for election officials that are conducted at that organization's conferences. His peers in IACREOT and The Election Center have selected his submissions on web presentations (IACREOT) and his professional practices papers (Election Center) for awards. Mr. Perez also has access to information from other States through his membership in IACREOT and The Election Center. He also has a sense of humor, which you will note if you access the staff web page on the Guadalupe County Elections web site and hear the Mission Impossible theme... something that might be useful in the upcoming meeting.

--- Peggy

Guadalupe County is small but growing. In 2004, the county had over 65 thousand registered voters (a number more than doubled the number of registered voters in 1988). A third of the county's population claims Hispanic or Latino origin, according to the U.S. Census Bureau. The county is in south central Texas and is bordered by Comal, Hays, Cladwell, Gonzales, Wilson, and Bexar counties. In the 1980s, the county was predominately a farming community; but in recent years, many people have moved from San Antonio (Bexar County) to Guadalupe County, preferring to live in Guadalupe County and work in Bexar County.

--- Peggy
Peggy:

What political party is Perez with? How political is he? Is the position in Texas neutral or political? Who appointed Perez?

As to Pat I will contact him but I can't promise anything. If Pat can't come, who is getting knocked off Tova's list?

Job

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM -----

"Job Serebrov"

To psims@eac.gov

cc

Subject Re: new working group representative

Peggy:

Braden is ok also with me but please don't tell me not to "stir up" things. I assure you nothing will come back to bite me. I know these people well enough to say they will also want a balanced group. In fact, one of them was very unhappy with Tova's folks.

Job

--- psims@eac.gov wrote:

> According to the Commissioners, you and Tova each
to get to pick three
> members of the Working Group. The Commission
> guidance regarding this
> particular member follows:
> 4 people from the Academic, Legal and Advocacy
> sectors - 2 to be chosen by
> Tova and 2 to be chosen by Job.
> This issue of allowing a designee relates to Tova's
> pick.
> As I understand it, we are working on a replacement
> for Norcross. If
> Ginsberg is not viable, how about Mark Braden, who
> includes public
> integrity in his areas of specialization. I would
> not try and stir up
other members of the Working Group, if I were you. The effort is likely to come back and bite you.

"Job Serebrov" 05/11/2006 03:53 PM

To psims@eac.gov cc Subject
Re: new working group representative

I really don't care if he represents the organization or not. What mixed race? The entire discussion was because Arnwine was African-American. If you are going to invite him without first having a replacement for my side, I may have to call Thor and Todd and discuss all of this.

--- psims@eac.gov wrote:

> Greenbaum is representing Arnwine, not replacing her. He works for her organization and is of mixed race. --- Peggy

"Job Serebrov" 05/11/2006 03:36 PM

To "Tova Wang", psims@eac.gov cc Subject
Re: new working group representative

I have an objection to Greenbaum. While I realize he comes from an advocacy group, he is not a minority attorney and we already have a rep who worked with
DOJ. If it is to be Greenbaum, I would rather not fill that position since I am one down.

--- Tova Wang wrote:

is Jon Greenbaum

Here's his info in full:

He is the Director of the Voting Rights Project for the Lawyers Committee for Civil Rights. He will be representing Barbara Arnwine, the Executive Director of the Lawyers Committee.

His contact and mailing info is:

Tova Andrea Wang
Democracy Fellow
The Century Foundation

Visit our Web site, for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.
When I opened the attachment, I still had problems with the 4th paragraph. Would you please just send me that paragraph within the text of your email so that I can paste it into the document? --- Peggy

I resent the review as you see at the bottom. When I opened it and sent it there was no corrupted text.

--- psims@eac.gov wrote:

> Do you have text to replace the corrupted text in paragraph 4? --- Peggy
Tova just sent me the summary you prepared of The Federal Crime of Election Fraud by Craig Donsanto. There is something wrong in the fourth paragraph (odd characters and missing text). Can you please send a replacement fourth paragraph? You can send it in an email and I will place it in the document. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM -----

"Job Serebrov"  
04/24/2006 12:41 PM

To psims@eac.gov

Subject Re: Voucher

Ok. Thanks

--- psims@eac.gov wrote:

> Job:
> I've signed and submitted your voucher. I had to correct the contract date. (It is 2/26/06, not 4/22/06.) Everything else looked great. ---

Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM -----

Margaret Sims/EAC/GOV  
05/09/2006 02:51 PM

To "Tova Wang"

cc Adam Ambrogi/EAC/GOV@EAC

Subject RE: Working Group-Perez

We are still on for 4 PM. Ray is out of the office due to a family emergency, so I suggest you NOT contact him. You may contact his Special Assistant, Adam Ambrogi (aambrogi@eac.gov or 202-566-3105), who also hails from Texas. --- Peggy

"Tova Wang"

"Tova Wang"  
05/09/2006 12:08 PM

To psims@eac.gov, }

cc
We are still doing the 4 pm call, right? We can discuss it more then. Would it be OK if I see if Ray knows this person? Thanks. Tova

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 09, 2006 10:14 AM
To: 
Cc: 
Subject: Re: Working Group-Perez

As you may recall, the Commissioners directed me to find a nonpartisan local election official to serve on the Working Group. The three of us discussed the desirability of having a Hispanic. I proposed that I find someone from Texas because of that State’s colorful history of voting fraud and their innovative approaches to combat it. In those Texas counties that hire Election Administrators to run elections, rather than having elected officials do so (Tax Assessor for voter registration; County Clerk for balloting), the Election Administrator is hired by the County Election Commission and is supposed to perform his or her duties in a nonpartisan manner. (See attached excerpts from Texas Election Code regarding election administrator hiring and restrictions on partisan activity.)

Any experienced Texas election official will be familiar with voting fraud and voter intimidation schemes used in that State. Mr. Perez has over 13 years experience as a county Election Administrator in Texas. You won’t find many news articles mentioning him because he has kept his nose clean. (The Texas press, as in many other parts of the country, prefers to report bad news.) Mr. Perez is plugged into the association of Texas election officials and the two largest organizations of election officials in this country: the International Association of Clerks, Recorders, Election Officials and Treasurers (IACREOT); and The Election Center. He is a past President and past Chairman of the Legislative Committee for the Texas Association of Election Administrators. He currently serves on IACREOT’s Election Officials Committee, which plans the educational sessions for election officials that are conducted at that organization’s conferences.

His peers in IACREOT and The Election Center have selected his submissions on web presentations (IACREOT) and his professional practices papers (Election Center) for awards. Mr. Perez also has access to information from other States through his membership in IACREOT and The Election Center. He also has a sense of humor, which you will note if you access the staff web page on the Guadalupe County Elections web site and hear the Mission Impossible theme .. something that might be useful in the upcoming meeting.

Guadalupe County is small but growing. In 2004, the county had over 65 thousand registered voters (a number more than doubled the number of registered voters in 1988). A third of the county’s population claims Hispanic or Latino origin, according to the U.S. Census Bureau. The county is in south central Texas and is bordered by Comal, Hays, Cladwell, Gonzales, Wilson, and Bexar counties. In the 1980s, the county was predominately a farming community; but in recent years, many people have moved from San Antonio (Bexar County) to Guadalupe County, preferring to live in Guadalupe County and work in Bexar County.

--- Peggy
Peggy:

What political party is Perez with? How political is he? Is the position in Texas neutral or political? Who appointed Perez?

As to Pat I will contact him but I can't promise anything. If Pat can't come, who is getting knocked off Tova's list?

Job

Dear Mr. Ginsberg:

This is to confirm my call to your office this morning inviting you to be a member of and attend the upcoming meeting of the U.S. Election Assistance Commission's (EAC) Working Group on Voting Fraud-Voter Intimidation. The meeting is scheduled to take place from 1:00 PM to 5:30 PM on Thursday, May 18th, 2006 at the offices of the U.S. Election Assistance Commission (EAC), 1225 New York Avenue, NW, 11th Floor, Washington, DC.

Section 241 of the Help America Vote Act of 2002 (HAVA) requires EAC to conduct research on election administration issues. Among the tasks listed in the statute are the development of:

- nationwide statistics and methods of identifying, deterring, and investigating voting fraud in elections for Federal office [section 241(b)(6)]; and
- methods of identifying, deterring, and investigating methods of voter intimidation [section 241(b)(7)].

EAC's Board of Advisors recommended that the agency make research on these matters a high priority. Subsequently, the Commission contracted with two consultants (Job Serebrov and Tova Wang) to:
- develop a comprehensive description of what constitutes voting fraud and voter intimidation in the context of Federal elections;
- perform background research (including Federal and State administrative and case law review), identify current activities of key government agencies, civic and advocacy organizations regarding these topics, and deliver a summary of this research and all source documentation;
- establish a project working group, in consultation with EAC, composed of key individuals and representatives of organizations knowledgeable about the topics of voting fraud and voter intimidation;
- provide the description of what constitutes voting fraud and voter intimidation, and the results of the preliminary research to the working group, and convene the working group to discuss potential avenues for future EAC research on this topic; and
- produce a report to EAC summarizing the findings of the preliminary research effort and working group deliberations that includes recommendations for future research, if any;

We strive to include bipartisan representation on the Working Group associated with this project. You were recommended for this project by our Republican consultant, Job Serebrov. Your ideas for possible EAC activities related to this topic will help the agency as it plans future actions to meet its HAVA responsibilities.

If you can find the time in your busy schedule to participate, I will have an information packet delivered to your office by COB, Monday, May 15. Please let me know if you are available. Thank you.

Regards,

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM -----
Margaret Sims/EAC/GOV
05/10/2006 09:25 AM
To "Tova Wang"  
cc
Subject Re: armwine

I'm checking on this. Will get back to you as soon as I have more info. --- Peggy

"Tova Wang"  

"Tova Wang"  
05/09/2006 05:28 PM
To psims@eac.gov
cc
Subject armwine
She definitely cannot do it. Would you please find out if Wade Henderson would be possible? Now its my
turn to be upset!!! Thanks.

Tova Andrea Wang
Democracy Fellow
The Century Foundation

Visit our Web site for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.
Here is the second batch of my archived email related to the vote fraud study.

Peg Sims

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:28 PM -----

Aletha Barrington/CONTRACTOR/EAC/GOV
04/19/2006 01:09 PM

Subject Voting fraud/Voter intimidation

Good afternoon:

I like to introduce myself, I am Aletha Barrington, the new Contract Assistant, I will be replacing Nicole Mortellito. You may address any questions regarding the Voting Fraud/Voter Intimidation Contract to me as well as cc all monthly reports. Thank you and I look forward to working with you!

Aletha Barrington

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:28 PM -----

Margaret Sims/EAC/GOV
04/17/2006 04:33 PM

Subject Voting Fraud-Voter Intimidation Teleconference 4-19-06

Hi, Sarah:

Thank you for agreeing to be interviewed on Wednesday, April 19, by the consultants for EAC's initial research on voting fraud and voter intimidation, Job Serebrov and Tova Wang. Our consultants are conducting interviews as part of preliminary research to determine how EAC may best meet the requirements of Section 241(b)6 and 7 of the Help America Vote Act of 2002. As you may recall, Section 241 requires EAC to conduct research on election administration issues, including the development of:

- nationwide statistics and methods of identifying, deterring, and investigating voting fraud in elections for Federal office; and
- methods of identifying, deterring, and investigating methods of voter intimidation.

This is what I need you (and the Secretary, if he is available) to do:

- At approximately 11 AM EST on April 19, call 1-866-222-9044.
- At the prompt for the pass code, enter 62209.
Tova and Job will join you on the line. We have arranged for the line to be open for an hour, with 10 minutes extra on the front end (for folks who have not synchronized their watches).

You mentioned that Secretary Grayson may be using a cell phone. Our teleconference provider has given us the following information regarding the use of cell phones during the teleconference:

- Signals are often in and out and the audio bridging equipment cannot compensate fast enough by adjusting the signal. This affects all participants connected. If participants must use a cell phone – they should be stationary in a location where they can pick up the other participants, moving while using a cell phone causes the signal to go in and out and often will pick up extraneous electrical signals that will cause heavy static on the call.
- The cell phone should be well charged and muted, if possible, until the individual is ready to speak.
- If there is a problem, anybody who dials into a conference can contact the operator/technicians by simply pressing *0 (star zero). This information is part of the recording when individuals are dialing in.

If you have any problems accessing the teleconference, please call Edgardo Cortés. You can reach him at 1-866-747-1471 (toll-free) or 202-566-3126. He can contact our service provider to correct any problems. (I will be on my way to Seattle and unable to help.)

Thanks, again!

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3126 (direct)
Fax: 202-566-3127
e-mail: psims@eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:28 PM -----

"Tova Wang"
04/17/2006 01:34 PM
To: psims@eac.gov
cc: 
Subject: RE: Interviews

Actually, 11 EST would be better. Thanks.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, April 17, 2006 10:49 AM
To: 
Subject: Interviews

I know you preferred Friday, but Job is not available then. He also said he is not available next week. Do you have any time available this Wednesday? --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/17/2006 11:45 AM -----
I can't do it Friday but Wednesday is ok.

--- psims@eac.gov wrote:

> Tova and Job:
> > I've passed Tova's request on to Craig.
> > Also, Sarah Ball Johnson, KY, finally called back
to say she would be
> available Wednesday through Friday this week and
> next week for the
> interview. Which day and time is best for you and
> Job?
> > --- Peggy
> >
> > 04/16/2006 11:39 AM
> > To
> > psims@eac.gov
> > cc
> > "Tova Wang"
> > Subject
donsanto again
> >
> > Hi Peg,
> > Happy Easter!
> > Would it be possible to talk to Mr. Donsanto about
> this latest initiative,
> or somehow get more information? Thanks. Tova
> >
> > http://www.fbi.gov/page2/april06/electioncrime041406.htm
> >
Ms. Rivers,

My name is Devon Romig and I am writing to you on behalf of the Election Assistance Commission. I believe that you have been contacted previously by our consultant Job Serebrov about the Voting Fraud/Voter Intimidation Project Working Group that we are organizing.

We are in the process of setting a date for this event and we would appreciate any suggestions that you may contribute based upon Mr. Norcross's availability in the month of May. The proposed dates are May 1, 2, 3, 8, 9, 10, 11, 12, 15, 16, 17, 18, 19. The meeting will only last for one day. Please let me know any and all of the listed dates that will work with Mr. Norcross's schedule.

Also, I tried to contact you by phone but I received a disconnected notification. Could you please provide me with your most current contact information?

Feel free to call or email me with any questions.

Thanks!

Devon Romig
U.S. Election Assistance Commission
1225 New York Ave. NW - Suite #1100
Washington, D.C. 20005
(202)566-2377

Hi Peg,

I think I might have told you only that I am unavailable on the 5th. I'm actually unavailable on the 4th as well. Any news on this front? We should also arrange a conference call next week about preparing for the meeting, don't you think? Thanks Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation
Peg, I hope we will be able to review the binders you put together before they get sent out. Thanks. Just one more research summary to come Monday. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation

I will now begin sending several emails with material for the working group meeting. Peg, we still have not heard back from you on whether you like the agenda. I have attached it again. With respect to the interview and research summaries, would you both please review them to make sure there are no glaring mistakes?

Are we going on a hiatus next week? I'm a little confused about what happens from here. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation
Peggy,
I am attaching a link to a recent book published by a Kentucky History Professor, Tracy Campbell, which details voter fraud on state and national level. It is very interesting reading.
http://www.amazon.com/gp/product/078671591X/sr=8-1/qid=1145390029/ref=pd_bbs_1/103-8923253-6647806?%5Fencoding=UTF8

Sarah Ball Johnson
Executive Director
Hi, Sarah:

Thank you for agreeing to be interviewed on Wednesday, April 19, by the consultants for EAC's initial research on voting fraud and voter intimidation, Job Serebrov and Tova Wang. Our consultants are conducting interviews as part of preliminary research to determine how EAC may best meet the requirements of Section 241(b)6 of the Help America Vote Act of 2002. As you may recall, Section 241 requires EAC to conduct research on election administration issues, including the development of:

• nationwide statistics and methods of identifying, deterring, and investigating voting fraud in elections for Federal office; and
• methods of identifying, deterring, and investigating methods of voter intimidation.

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Thanks, again!

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:28 PM ---

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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Summary of DOJ activities 0405.doc

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:28 PM ---

Sarah:

Thank you. I have not reviewed this myself, so I really appreciate the link. Professor Campbell was among the people interviewed by our consultants.
Peggy,  
I am attaching a link to a recent book published by a Kentucky History Professor, Tracy Campbell, which details voter fraud on state and national level. It is very interesting reading.  
http://www.amazon.com/gp/product/078671591X/sr=8-1/qid=1145390029/ref=pd_bbs_1/103-8923253-6647806?%5Fencoding=UTF8

Sarah Ball Johnson  
Executive Director

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What about my question on gas receipts?

Job

--- psims@eac.gov wrote:

> I can email this out to our participants after I get back to the office, and we can have copies available at the meeting.
> Peggy

> --------------------------
> Sent from my BlackBerry Wireless Handheld

> ----- Original Message ----- 
> From: wang
> Sent: 05/13/2006 10:54 AM
> To: psims@eac.gov
> Cc: "Job Serebrov"
> Subject: Fw: research summary

> Job found it. I'm assuming it's too late to include so as I said I'll just present it if that's OK. Thanks again Job. T

> ----- Original Message ----- 
> From: "Job Serebrov"
> To:
> Sent: Saturday, May 13, 2006 10:12 AM
> Subject: Re: research summary

> > T~
> > Are you talking about this?
> > J~
> > --- wang@tcf.org wrote:

> > In the middle of the night I got the feeling that you may be right, that I did do a summary of the existing literature review (that Job, you approved)
> > I'll have to look for it on Monday (unless I go into the office over the weekend, which is possible). I may be hallucinating, but if not, I'll just present it at the meeting rather than try to get it to them ahead of time. Tova

> ----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM -----
I don't know if it's too late, but in the interview summary we actually said there is widespread but not unanimous agreement that there is little polling place fraud. That's quite different than saying, as you do here, that there is disagreement.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, May 22, 2006 3:56 PM
To: [redacted]
Subject: PowerPoint Presentation to EAC Boards

FYI - Attached is a copy of the PowerPoint presentation on the voting fraud-voter intimidation research project for tomorrow's meetings of the EAC Standards Board (110 state and local election officials) and the EAC Advisory Board (37 representatives from national associations and government agencies who play a role in HAVA implementation and from science and technology-related professions appointed by Congressional members). I used your summaries as the primary source of information for the presentation. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM -----

Peggy,

Here is the summary that you requested. Let me know if this works.

Thanks!

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM -----

Margaret Sims/EAC/GOV
05/16/2006 02:47 PM
To: "Donsanto, Craig"
<Craig.Donsanto@usdoj.gov>@GSAEXTERNAL
cc
I think they are panicking because they are preparing to travel tomorrow and may not have time to submit a revised version. They also are resisting changes to their interview summaries because the summaries represent what they think they heard. I was there at the interview and I heard what you said. I'm not sure that either of them heard everything (including the nuances) because so much of the information was new to them and it was one of their earlier interviews. I'm sorry I did not catch the defects before the summary went out.

My first concern is ensuring that the Working Group has the correct information. Then, we can deal with what version, if any, goes in the final report. Do you want me to excerpt the corrections from your email and submit them to the Working Group? --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

Sure. But where is the resistance coming from? The notes were not accurate. As you know, I have to be very concerned about that.

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 16, 2006 12:34 PM
To: Donsanto, Craig
Subject: RE: Your Materials

Craig:

I am getting some resistance from my consultants to correcting the summary of the interview prior to the meeting. Would you mind noting the corrections at the meeting? --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
Thank you, Peg. This stuff is very interesting.

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 16, 2006 11:27 AM
To: Donsanto, Craig
Subject: Re: Your Materials

I have forwarded your message to our consultants and have requested a corrected version for distribution at the WG meeting. --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/16/2006 10:46 AM

Topsims@eac.gov
cc
Subject: Your Materials

Peg --

I have read over the materials you sent to me and viewed the pieces on the CD.

I have only one correction:

I did not say that offenders who re3ceive target letters routinely request - - or routinely receive - - audiences here at DOJHQ. That is very rare. Instead, what usually happens is that once a subject for an
election fraud investigation is advised that he or she is going to be charged that person usually enters into plea negotiations and ultimately pleads guilty. Very few federal election fraud cases go to trial. When a subject does request a HQ interview or a HW hearing, it would be held in the first instance by myself. But again, Peg, that is rare.

Also, while the occurrences of prosecutions of isolated instances of felons and alien voters and double voters has increased, we still aggressively and I believe quite successfully pursue systematic schemes to corrupt the electoral process, as the cases we brought recently out of Knott and Pike Counties in Kentucky, those we brought out of Lincoln and Logan Counties in West Virginia, and those we brought in New Hampshire growing out of the jamming of get0-out-the-vote phone bank lines attest.

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM -----

05/12/2006 09:48 PM

To psims@eac.gov

cc

Subject Re: Fraud Definition

How about specifying Section 2 and 203 of the VRA?

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

From: psims@eac.gov

To:

Sent: Friday, May 12, 2006 1:34 PM

Subject: RE: Fraud Definition

Lets raise this issue at the meeting. (I'll add "DRAFT" to the current document.) My concern is that there are a number of requirements in the Voting Rights Act. Not all of them are considered election fraud, when violated. For example, failure to preclear changes in election procedures is not treated as election fraud, though it is actionable. --- Peggy

05/12/2006 12:45 PM

To psims@eac.gov,

cc

Subject RE: Fraud Definition

Upon first reading, my only comment would be that I would like to restore "failing to follow the
requirements of the Voting Rights Act"

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Friday, May 12, 2006 9:20 AM
To:
Subject: Fraud Definition

Would you please take a look at the attached? I combined both of your definitions, reformatted the list, removed a reference to the fraud having to have an actual impact on the election results (because fraud can be prosecuted without proving that it actually changed the results of the election), and taken out a couple of vague examples (e.g.; reference to failing to enforce state laws --- because there may be legitimate reasons for not doing so).

I have made contact with Ben Ginsberg's office and am waiting to hear if he accepts our invitation to join the working group. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM -----
"Donsanto, Craig"
<Craig.Donsanto@usdoj.gov>
To: psims@eac.gov
cc:
Subject: RE: Your Materials

The first item is not as big a deal as the second one: the processes under which subjects of investigations come to Jesus is not as important as the overall assessment of our law enforcement achievements. But stressing the isolated test cases we brought - - and will continue to being - - to deter things like felon voting, alien voting and double voting, which not mentioning such significant achievements as the five case PROJECTS mentioned in my last e-mail - - misrepresents what we are doing and the deterrent message we are trying to communicate.

I appreciate that these two young people may have found themselves in a Brave New World when they came over here. It showed in their questioning. But the fact that criminal law enforcement is not at all similar to preventative legal relief (as under the Voting Rights Act) or civil relief (as election contest litigation) is I guess more of a problem than I at first foresaw. My real concerns is that the civil rights groups - - with whom we over here have an amazing amount of common grounds - - will take the singling out of the felon and alien voter cases as evincing a malevolent aggression on their constituencies. That is not the case. We are only enforcing the law.

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 16, 2006 2:47 PM
To: Donsanto, Craig
Subject: RE: Your Materials

I think they are panicking because they are preparing to travel tomorrow and may not have time to submit a revised version. They also are resisting changes to their interview summaries because the summaries represent what they think they heard. I was there at the interview and I heard what you said. I'm not sure that either of them heard everything (including the nuances) because so much of the information was new to them and it was one of their earlier interviews. I'm sorry I did not catch the defects before the summary
Thank you, Peg. This stuff is very interesting.

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To: Donsanto, Craig
Subject: Re: Your Materials

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"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/16/2006 10:46 AM
Peg --

I have read over the materials you sent to me and viewed the pieces on the CD.

I have only one correction:

I did not say that offenders who receive target letters routinely request -- or routinely receive -- audiences here at DOJHQ. That is very rare. Instead, what usually happens is that once a subject for an election fraud investigation is advised that he or she is going to be charged that person usually enters into plea negotiations and ultimately pleads guilty. Very few federal election fraud cases go to trial. When a subject does request a HQ interview or a HW hearing, it would be held in the first instance by myself. But again, Peg, that is rare.

Also, while the occurrences of prosecutions of isolated instances of felons and alien voters and double voters has increased, we still aggressively and I believe quite successfully pursue systematic schemes to corrupt the electoral process, as the cases we brought recently out of Knott and Pike Counties in Kentucky, those we brought out of Lincoln and Logan Counties in West Virginia, and those we brought in New Hampshire growing out of the jamming of getO-out-the-vote phone bank lines attest.

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:21 PM ---

Margaret Sims/EAC/GOV
05/16/2006 02:37 PM
To Eileen L. Colver/EAC/GOV
cc dromig@eac.gov
Subject Re: Tent Cards

Oops! I hit send prematurely. Here is the attachment. --- Peggy

Working Group Attendees 5-19-06.doc

Eileen L. Colver/EAC/GOV
05/16/2006 01:38 PM
To Margaret Sims/EAC/GOV@EAC
cc dromig@eac.gov
Subject Re: Tent Cards

Please forward list...there was no attachment. thanks!

Elle L.K Collver
Attached is a list of folks who will be attending the Voting Fraud-Voter Intimidation Working Group meeting. I have asterisked the names that will require tent cards. I am working on a seating chart so that we can be sure the Ds and the Rs aren't all seated together in a "them vs. us" pattern. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:21 PM -----  
"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>  
05/23/2006 02:49 PM  
To: psims@eac.gov, "Voris, Natalie (USAEO)" <Natalie.Voris@usdoj.gov>, "Hillman, Noel" <Noel.Hillman@usdoj.gov>, "Simmons, Nancy" <Nancy.Simmons@usdoj.gov>  
cc: dromig@eac.gov  
Subject: Request to interview AUSAs

--- Peg ---

At the Advisory Board meeting we had last week, your two contractors asked to interview the over-100 AUSAs who are serving as District Election Officers in connection with the Fraud study.

This request needs to be addressed to Natalie Voris of EOUSA per the message from here that follows.

If the contractors require additional information in connection with the Fraud Study, and should EOUSA not be able to satisfy their needs n they can communicate with me on criminal issues and Cameron Quinn on Civil Rights issues.

I will be here when you arrive later today at the Board of Advisors meeting when you arrive to talk to us at 4:30.

Ms. Voris' message follows:

Per the USAM, all requests for interviews/surveys/research projects that involve USAOs must be approved by EOUSA. I am pasting the provision
below - the contact name needs to be updated. Requests should come to me, as the Acting Counsel to the Director.

Thanks,
Natalie

Sent from Dr. D’s Fabulous BlackBerry Wireless Handheld

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:21 PM ---
Margaret Sims/EAC/GOV
05/24/2006 03:17 PM
To “Tova Wang”
cc Jeannie Layson/EAC/GOV@EAC, bwhitener@eac.gov
Subject Re: press interview

Thanks for the "heads up". --- Peggy

“Tova Wang”
05/24/2006 02:52 PM
To psims@eac.gov
cc
Subject press interview

Hi Peg,

Just wanted to give you the heads up that I did an interview with a reporter from The Hill today on fraud. As far as I know he is simply referring to me as a fellow at TCF and I did not discuss the project in any way

Tova Andrea Wang
Democracy Fellow
The Century Foundation

Visit our Web site, for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:21 PM ---
"Donsanto, Craig"
<Craig.Donsanto@usdoj.gov>
To psims@eac.gov
cc “Hillman, Noel” <Noel.Hillman@usdoj.gov>, "Simmons,
Thank you for this, Peg.

The third bullet point is one I embrace fully. We lack the statutory tools to do the job. Hopefully, that can be remedied through legislation. But as things stand today large loopholes in the federal legal matrix addressing electoral abuse and fraud exist -- particularly when such abuses occur in elections where there were no federal candidates on the ballot.

---

From: psims@eac.gov
Sent: Tuesday, May 16, 2006 8:44 AM
To: Donsanto, Craig
Subject: Re: Voting Fraud-Voter Intimidation Working Group

**Existing Research Analysis**

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

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

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

Other items of note:
• There is as much evidence, and as much concern, about structural forms of disenfranchisement as about intentional abuse of the system. These include felon disenfranchisement, poor maintenance of databases and identification requirements.

• There is tremendous disagreement about the extent to which polling place fraud, e.g. double voting, intentional felon voting, noncitizen voting, is a serious problem. On balance, more researchers find it to be less of a problem than is commonly described in the political debate, but some reports say it is a major problem, albeit hard to identify.

• There is substantial concern across the board about absentee balloting and the opportunity it presents for fraud.

• Federal law governing election fraud and intimidation is varied and complex and yet may nonetheless be insufficient or subject to too many limitations to be as effective as it might be.

• Deceptive practices, e.g. targeted flyers and phone calls providing misinformation, were a major problem in 2004.

• Voter intimidation continues to be focused on minority communities, although the American Center for Voting Rights uniquely alleges it is focused on Republicans.

Peggy --

I am currently on train in transit back from a day in Newark. I tried to recover your attachment on Blackberry but got a message telling me the "file is empty."

Can you paste it to an e-mail perhaps?
--------------------
Sent from Dr. D’s Fabulous BlackBerry Wireless Handheld
Dear Working Group Members and Participants:

You should receive a packet of information today, either by Federal Express or hand delivery, concerning Thursday's meeting of the project Working Group for EAC's Voting Fraud-Voter Intimidation research project. Attached is an analysis of the consultants' research into relevant literature and reports. This summary was not available when we prepared the information packets last Friday, but may be of interest to you. Our consultants and I look forward to having a productive discussion with you.

Regards,

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov
Cases were from 2000 to the present.

--- psims@eac.gov wrote:

> Would you please refresh my memory about the date ranges used for the Nexis article research and the case law research? 
> I'm drawing a blank and I don't see it in the summaries. I need it for this mornings Commissioner briefing. Thanks! --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:21 PM ---

Did you find out whether I can use the Chairman's parking spot?

--- psims@eac.gov wrote:

> You will need to submit hotel and parking receipts.
> You don't need to submit meal receipts. You don't need to submit gas receipts because use of a personally owned vehicle (POV) is reimbursed based on mileage. I think I emailed the mileage rate to you. If you need it again, I'll look it up when I am at the office (this afternoon). 
> Peg
> 
> Sent from my BlackBerry Wireless Handheld
> 
> ----- Original Message ----- 
> From: "Job Serebrov" 
> Sent: 05/12/2006 09:05 PM 
> To: psims@eac.gov 
> Subject: Question
> 

000361
> Peg:
> Since I am driving to DC, besides hotel receipts, do you want me to keep my gas receipts or how will my car use be compensated? Also, I assume I don't have to retain food receipts.
> Job
>

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:21 PM ---
Margaret Sims/EAC/GOV
05/24/2006 04:57 PM
To “Tova Wang”
cc
Subject RE: presentation

The Standards Board has the reputation of being crankier than the Board of Advisors. They beat up on the Commissioners last year.

“Tova Wang”

“Tova Wang”
05/24/2006 04:50 PM
To psims@eac.gov
cc
Subject RE: presentation

Is such a roasting usual? I mean, do they think we did a bad job???

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Wednesday, May 24, 2006 3:43 PM
To: 
Subject: RE: presentation

You have most of the pieces of the report now. We absolutely need to put the statutory authority for the research up front. We need to add the definition. We also need to add a short piece addressing the approach for this preliminary research (including short statements on the pros and cons of information sources --- you began to address this in the literature review summary). I expect that the biggest project will be fleshing out the possible avenues for subsequent research in this area. It would be great if we could come up with cost estimates. If we can't, we need to at least identify what info we hope to get, what we are likely to miss, and any pitfalls.

Given today’s roast, I will take another look at what we have now to highlight remarks that might
needlessly tick board members off. We can discuss whether or not editing or removing the remark would be detrimental to or have no real effect on the final report. (An example of such a remark is the reference to the number of articles out of Florida. A local official from that State objected on the grounds that the number of articles does not reliably indicate the number of problems.) I know we can expect a challenge from Board of Advisors member Craig Donsanto regarding the focus of the Election Crimes Branch prosecutions.

Yes, we can discuss the organization and "look" of the report after Job returns. Yes, the Commissioners will want to review it and submit their changes before the report goes to the boards.

It is too early to tell what EAC efforts may be mounted in FY 2007. I doubt that fire from the Standards Board will prevent Commissioners from doing what they think is needed. But, given that it is an election year, appropriations legislation may not be signed until December or later -- so we won't know how much money we have for awhile. --- Peggy

Yikes. It sounds like a lot of work after all. Should we talk over what the report should look like again, I guess when Job gets back? Will you help us write it in a way you think will satisfy? I guess it goes to the commissioners first anyway. Does this portend anything for phase 2?
Thanks Peg. Tova
-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Wednesday, May 24, 2006 2:16 PM
To: 
Subject: Re: presentation

I'm glad it is over --- for now. One audience was a lot tougher than the other. The Standards Board was much more critical of the research than the Board of Advisors.

Of course, the Board of Advisors is the body that wanted EAC to place a high priority on the research. Its members were interested in sharing personal experiences (including problems with getting anyone to prosecute) and observations (that we need to expand the research to give Congress and political parties a better picture of how rare or prevalent are voting fraud and intimidation, that the HAVA-mandated statewide voter registration lists should help to prevent fraud, etc.). They also asked if EAC will look at specific opportunities for fraud (using cell phones
in vote buying schemes to photograph the ballot being cast at the poll) and how the agency will research voter intimidation/suppression involving voters with disabilities (advocates want to pass on complaints received).

The members of the Standards Board focused much more on the scope of the research and the completeness and accuracy of the information gleaned. Some wanted to include campaign finance crimes in the mix; others understood why we did not. Several did not like the use of newspaper articles, or were defensive about references to the large number of articles about their State. They made the point that, given the vagaries of the press, EAC should not use the number of articles about a specific State or particular vote fraud/intimidation activity as a basis for determining the likelihood that problems will occur in a given State or the frequency with which certain activities occur. (I never said that we did, but some members thought it was at least implied.) Some members want more research on the topic (into prosecutions and/or unsuccessful referrals made by election officials to law enforcement agencies); others want us to "quit throwing away tax dollars" and to stop the research altogether. Although my first slide noted our statutory authority to conduct this study, several members challenged EAC's right to do so --- saying that DOJ, not EAC, should conduct such research.

The dueling approaches of these boards may give us heartburn when the time comes for them to review and comment on the draft. We will have to make a strong statement at the beginning, perhaps repeated at the end, that this is preliminary research. We also may need to thoroughly explain how choices were made regarding what to look at, who to interview, etc. We may need to clearly acknowledge both the strengths and weaknesses of the various sources of information used in the preliminary research. Finally, when reviewing ideas for subsequent research, we may need to discuss the pros and cons of each approach, what additional information we expect to retrieve, and, perhaps, the estimated cost.

By the way, I did clarify the polling place fraud bullet. --- Peg

How did it go? Were you able to verbally correct that discrepancy we talked about the other day?
Thanks. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation
Peggy,

In preparation for the logistics of this week's working group, I need to know how many people to expect for the meeting. Also, if you still need me to make name tags, I will need a list of attendees and the Avery label size.

Also, I will need help from Laiza on the table tents, or we can see if she has the time to help with that.

Thanks!

Elle

Elle L. K. Collver
U.S. Election Assistance Commission
1225 New York Avenue, Suite 1100
Washington, D.C. 20005
office: (202) 566-2256
blackberry: (202) 294-9251
www.eac.gov

I have attached the list of the working group's participants. Peggy, you may want to double check this list in case I have left anyone out.

In place of name tags, we just used the tent cards for the APIA working group. This seemed to be effective because it was easier to identify the person who was speaking, but we could use both.
Peggy,

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--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:21 PM ---

Devon E. Romig/EAC/GOV
05/15/2006 03:28 PM
To Eileen L. Collver/EAC/GOV@EAC
cc Margaret Sims/EAC/GOV@EAC
Subject Re: working group

I have arranged for a transcriptionist to be at the meeting but I am not sure about the snacks for the break.

Devon Romig
Sounds great. It did seem to work just fine for our Asian Language group. Is there going to be a transcriptionist? If so, has anyone taken care of that?

Did you still want to provide the cookies or snacks, or shall I get that from Cafe Mozart (where I am planning to get the coffee). I can just buy a few boxes of cookies for the break.

Elle

Elle L.K Collver
U.S. Election Assistance Commission
1225 New York Avenue, Suite 1100
Washington, D.C. 20005
office: (202) 566-2256
blackberry: (202) 294-9251
www.eac.gov

Margaret Sims/EAC/GOV

Elle:
I think our number will be about 21 (with the Working Group members, consultants, possible EAC Commissioners and staff, and the court reporter). I'll have a better idea of the final list after I brief Commissioners tomorrow morning. Devon noted that they used only tent cards for the Asian Language Working Group. That might be sufficient for this group and would cut back on some of the work we have...
Peggy,

In preparation for the logistics of this week's working group, I need to know how many people to expect for the meeting. Also, if you still need me to make name tags, I will need a list of attendees and the Avery label size.

Also, I will need help from Laiza on the table tents, or we can see if she has the time to help with that.

Thanks!

Elle

---

------ Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:21 PM ------
"Donsanto, Craig"
To psims@eac.gov
cc
Subject RE: Report on Voting Fraud-Voter Intimidation Research
This is a complicated issue largely because of two things: 1) there is a lot of ambiguity out there as to what constitutes “intimidation.” To the civil rights community, “intimidation” means anything that makes voting uncomfortable or less than automatic. To us in the criminal law enforcement “intimidation” means threats of economic or physical nature made to force or prevent voting. Only the latter involve aggravating factors that warrant putting offenders in jail, and the statutes that address “intimidation” from a criminal perspective are thus limited. We have never had many “intimidation” criminal cases. For one thing, in this modern post voting rights era, there is not a lot of physical/economic duress out there in the voting context - - at least not that I have seen. For another, where it does occur it is very hard to investigate and detect as victims who have been physically or economically intimidated are not likely to come to the FBI.

The bottom line is that we take matters that do present predication for physical or economically based “intimidation” very seriously, AND that we are being extremely proactive in trying to find ways to prosecute matters involving voter suppression as in the Tobin cases in New Hampshire where the local GOP tried to jam telephone lines for a GOTV effort run by the Dems. But even there - - the usual "suppression" matter involves flyers that are passed around giving out misleading information about an election, and we have investigated every one of those that came to our attention last elect ion cycle. We were not able to identify the person(s) responsible for printing the misleading flyers in any of these. But we sure as heck tried.

---

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Wednesday, May 17, 2006 9:57 AM
To: Donsanto, Craig
Subject: Report on Voting Fraud-Voter Intimidation Research

Craig:

I'm putting the finishing touches on a status report to the EAC Standards Board and EAC Board of Advisors on our Voting Fraud-Voter Intimidation research project. For the most part, I am using our consultants summaries for the report, but one bullet under the interview summaries is giving me heartburn. It is the bullet that references the decrease in DOJ voter intimidation actions. It is one of the places in which our consultants had indicated that your office is focussing on prosecuting individuals. I have reworded it and would like your feedback on the revision:

Several people indicate - including representatives from DOJ -- that for various reasons, the Department of Justice is bringing fewer voter intimidation and suppression cases now, and has increased its focus on matters such as noncitizen voting, double voting, and felon voting. While the Voting Section of the Civil Rights Division focuses on systemic patterns of malfeasance, the Election Crimes Branch of the Public Integrity Section has increased prosecutions of individual instances of felon, alien, and double voting while also maintaining an aggressive pursuit of systematic schemes to corrupt the electoral process.

Please suggest any changes that you think would further clarify the current approach. --- Peggy

---- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:21 PM ----

Elieen L. Collier/EAC/GOV
05/15/2006 03:35 PM
To Devon E. Romig/EAC/GOV@EAC, gvogel@eac.gov@EAC
cc Margaret Sims/EAC/GOV@EAC
Subject Re: working group

I am working on the snacks. I just ordered the coffee (reg/decaf). Cafe Mozart is faxing over an invoice and we can pick up a few boxes of cookies from there too.

GAYLIN-Adam said that you had looked into the way of getting reimbursed for paying for the break
I have arranged for a transcriptionist to be at the meeting but I am not sure about the snacks for the break.

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov
Elleen L. Collver/EAC/GOV

Sounds great. It did seem to work just fine for our Asian Language group. Is there going to be a transcriptionist? If so, has anyone taken care of that?

Did you still want to provide the cookies or snacks, or shall I get that from Cafe Mozart (where I am planning to get the coffee). I can just buy a few boxes of cookies for the break.

Elle
Elle:
I think our number will be about 21 (with the Working Group members, consultants, possible EAC Commissioners and staff, and the court reporter). I'll have a better idea of the final list after I brief Commissioners tomorrow morning. Devon noted that they used only tent cards for the Asian Language Working Group. That might be sufficient for this group and would cut back on some of the work we have to do in preparation. --- Peggy

Peggy,

In preparation for the logistics of this week's working group, I need to know how many people to expect for the meeting. Also, if you still need me to make name tags, I will need a list of attendees and the avery label size.

Also, I will need help from Laiza on the table tents, or we can see if she has the time to help with that.
Thanks!

Elle

Elle L.K Coliver
U.S. Election Assistance Commission
1225 New York Avenue, Suite 1100
Washington, D.C. 20005
office: (202) 566-2256
blackberry: (202) 294-9251
www.eac.gov

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:21 PM ---
Margaret Sims/EAC/GOV
05/22/2006 05:01 PM
To Cortes, Romig, Collver, Tamar Nedzar/EAC/GOV, Laiza N. Otero
cc
Subject Voting Fraud-Voter Intimidation Working Group Meeting

If any of you took notes of the discussion during the Voting Fraud-Voter Intimidation Working Group meeting, would you please provide a copy to Devon. Devon, would you please use the meeting agenda to organize and consolidate any notes by topic, and send the consolidated notes to me? Thanks. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:21 PM ---
Margaret Sims/EAC/GOV
05/15/2006 04:37 PM
To Voting Fraud-Voter Intimidation Working Group
cc i.greenbaum@usc委e.gov
vjohnson
ndoveccio@usc委e.gov bschuler
Craig.Donsanto@usdoj.gov
Subject Voting Fraud-Voter Intimidation Working Group

Dear Working Group Members and Participants:

You should receive a packet of information today, either by Federal Express or hand delivery, concerning Thursday's meeting of the project Working Group for EAC's Voting Fraud-Voter Intimidation research project. Attached is an analysis of the consultants' research into relevant literature and reports. This summary was not available when we prepared the information packets last Friday, but may be of interest to you. Our consultants and I look forward to having a productive discussion with you.

Regards,

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
I haven't really looked into it. I know that contractors and grantees can order food and have the government pay for it if the meeting is to disseminate information. Logic dictates that we can do the same, but I am not sure of the process. I have been here when we ordered lunch for meetings. Diana would be the one to ask. Perhaps the contractor can pay for it and put it on their next invoice but the COTR for the contract would have to be in the loop on this call.

Gaylin Vogel
Law Clerk
U.S. Election Assistance Commission
1225 New York Avenue, NW Suite 1100
Washington, DC 20005
tel:202-566-3116
http://www.eac.gov
GVogel@eac.gov

Elieen L. Collier/EAC/GOV

I am working on the snacks. I just ordered the coffee (reg/decaf). Cafe Mozart is faxing over an invoice and we can pick up a few boxes of cookies from there too.

GAYLIN-Adam said that you had looked into the way of getting reimbursed for paying for the break foods/coffees that are provided at these meetings? Any ideas?

Thanks,
Elle

Elle L.K Colver
U.S. Election Assistance Commission
I have arranged for a transcriptionist to be at the meeting but I am not sure about the snacks for the break.

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov

Elieen L. Collver/EAC/GOV

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office: (202) 566-2256
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www.eac.gov
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Elle L.K Collier
U.S. Election Assistance Commission
The contracts for the two consultants on this project do not cover such costs. --- Peggy

This is just to confirm our Monday, May 22, teleconference at 4:30 PM EST/3:30 PM CST. Attached is a list of follow-up activities discussed at the working group meeting and recorded on the flip chart. We will need to flesh these out a bit, perhaps once we have access to the transcript. --- Peggy

Recommendations for Future Research

- Bipartisan observers/poll watchers
  - To collect data
  - To deter fraud/intimidation

- Surveys
  - State laws
  - State election offices
  - Specific states
  - Local election officials
  - Voters (this suggestion was rejected by the panel)
  - State implementation of administrative complaint procedures (applies only to HAVA Title III violations) to ID examples of procedures for other than HAVA Title III complaints

- Follow up on initial reports of fraud/intimidation from the Nexis search of news articles and literature review

- Research absentee balloting process issues
  - Methodology of "for cause" absentee voting

- Risk-analysis for voting fraud
• Who?
• What part of process?
• Ease of committing the fraud
• Which elections?

➤ Analyze
➤ Phone logs from toll-free lines for election concerns
➤ Federal observer reports
➤ Local newspapers

➤ Academic statistical research

➤ Search and match procedures for voter registration list maintenance (subject to confirmation) to identify potential avenues for vote fraud

➤ Research State district court actions

➤ Broaden scope of interviews to local officials and district attorneys

➤ Explore the concept of election courts

➤ Model statutes

Peggy,

Here are the notes from the meeting.

Summary of VFVI Meeting.doc

Thanks!

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov

To Margaret Sims/EAC/GOV@EAC
cc
Subject Summary of notes for VFVI meeting
January 1, 2001 - January 1, 2006

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 16, 2006 7:41 AM
To: [REDACTED]
Subject: Date Ranges for Research

Would you please refresh my memory about the date ranges used for the Nexis article research and the case law research? I'm drawing a blank and I don't see it in the summaries. I need it for this morning's Commissioner briefing. Thanks! --- Peggy

---- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:21 PM ----
Margaret Sims/EAC/GOV
05/15/2006 02:48 PM

To: Eileen L. Coliver/EAC/GOV
cc: dromig@eac.gov
Subject: Re: working group

Elle:
I think our number will be about 21 (with the Working Group members, consultants, possible EAC Commissioners and staff, and the court reporter). I'll have a better idea of the final list after I brief Commissioners tomorrow morning. Devon noted that they used only tent cards for the Asian Language Working Group. That might be sufficient for this group and would cut back on some of the work we have to do in preparation. --- Peggy

---

Eileen L. Coliver/EAC/GOV
05/15/2006 12:19 PM

To: Margaret Sims/EAC/GOV@EAC
cc: Laiza N. Otero/EAC/GOV@EAC, dromig@eac.gov@EAC
Subject: working group

Peggy,

In preparation for the logistics of this week's working group, I need to know how many people to expect for the meeting. Also, if you still need me to make name tags, I will need a list of attendees and the Avery label size.

Also, I will need help from Laiza on the table tents, or we can see if she has the time to help with that.

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----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:21 PM -----
Margaret Sims/EAC/GOV
05/15/2006 06:41 PM
To "Craig Donsanto" <Craig.Donsanto@usdoj.gov>
cc
Subject Re: Voting Fraud-Voter Intimidation Working Group

It could be a Berry problem. (I occasionally have that problem with attachments I try to retrieve through my Blackberry.)

The attachment is a pdf file, but I have access to a Word version that I can use to insert text in an email tomorrow. I don't have access to the attachment from my Berry.

Peggy

Sent from my BlackBerry Wireless Handheld

----- Original Message ----- 
From: "Donsanto, Craig" [Craig.Donsanto@usdoj.gov]
Peggy --

I am currently on train in transit back from a day in Newark. I tried to recover your attachment on Blackberry but got a message telling me the "file is empty."

Can you paste it to an e-mail perhaps?

Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: barwines, rbauer, mhearn, kginsberg, sbauer, jrperez, krogers, weintraub, jgreenbaum, vjohnson, dlovechkin, bschuler, Donsanto, Craig
CC: jgreembaum, vjohnson, dlovechkin, bschuler, Donsanto, Craig

Sent: Mon May 15 16:37:48 2006
Subject: Voting Fraud-Voter Intimidation Working Group

Dear Working Group Members and Participants:

You should receive a packet of information today, either by Federal Express or hand delivery, concerning Thursday's meeting of the project Working Group for EAC's Voting Fraud-Voter Intimidation research project. Attached is an analysis of the consultants' research into relevant literature and reports. This summary was not available when we prepared the information packets last Friday, but may be of interest to you. Our consultants and I look forward to having a productive discussion with you.

Regards,

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
e-mail: psims@eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:21 PM -----
I found some typos in the Status Report. Please replace the one I gave you with the attached. Thanks. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:21 PM ----
Margaret Sims/EAC/GOV
05/23/2006 08:45 AM
To "Tova Wang"
cc
Subject RE: PowerPoint Presentation to EAC Boards

I know --- I'll have to cover that in my oral presentation, along with some other points. The audience will have a copy of the paper I put together using Job's and your summaries and findings. The paper provides a lot more detail. We did not plan to provide a copy of the PowerPoint presentation, which is just meant to keep me on track and them interested in the presentation. --- Peggy
--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM ----
"Tova Wang"
05/26/2006 10:41 AM
To psims@eac.gov, "Job Serebrov"
cc
Subject RE: Request to interview AUSAs

I still think we should include the recommendations in the report

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Friday, May 26, 2006 9:30 AM
To: Tova Andrea Wang; Job Serebrov
Subject: Fw: Request to interview AUSAs

Below is Craig's response to the request to interview AUSAs. It does not appear that this avenue is likely because the AUSAs are so busy..

Also, he asked about permission for other folks to attend the election crimes training session, and the answer was "no". (I can't even get in, and I'm a federal employee.). I understand that a good part of the reason is practical -- they are having enough trouble accommodating the folks that are required to come.

Peggy

--------------------------
Put in the new paragraph:

----- Original Message ----- 
From: "Donsanto, Craig" [Craig.Donsanto@usdoj.gov]
Sent: 05/23/2006 02:49 PM
To: psims@eac.gov; "Voris, Natalie (USAEO)" <Natalie.Voris@usdoj.gov>; "Hillman, Noel" <Noel.Hillman@usdoj.gov>; "Simmons, Nancy" <Nancy.Simmons@usdoj.gov>
Subject: Request to interview AUSAs

Peg --

At the Advisory Board meeting we had last week, your two contractors asked to interview the over-100 AUSAs who are serving as District Election Officers in connection with the Fraud study.

This request needs to be addressed to Natalie Voris of EOUSA per the message from here that follows.

If the contractors require additional information in connection with the Fraud Study, and should EOUSA not be able to satisfy their needs they can communicate with me on criminal issues and Cameron Quinn on Civil Rights issues.

I will be here when you arrive later today at the Board of Advisors meeting when you arrive to talk to us at 4:30.

Ms. Voris' message follows:

Per the USAM, all requests for interviews/surveys/research projects that involve USAOs must be approved by EOUSA. I am pasting the provision below - the contact name needs to be updated. Requests should come to me, as the Acting Counsel to the Director.

Thanks,
Natalie

Sent from Dr. D’s Fabulous BlackBerry Wireless Handheld

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM ----- 
Margaret Sims/EAC/GOV
05/16/2006 03:50 PM
To: "Tova Wang"
cc
Subject Re: board of advisers presentation

I haven't sent it yet. If you need to leave early, you can look at what I have so far, which does not have the intro or the text regarding the final report. --- Peggy
Hi Peg. Have you tried to send me the presentation? I haven't gotten it, but I think we may be having email problems. Let me know. I'd need to look at it today since I'll be tied up tomorrow. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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Click here to receive our weekly e-mail updates.

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM ---

"Donsanto, Craig"
<Craig.Donsanto@usdoj.gov >
05/17/2006 03:24 PM
Subject RE: Status Report on Voting Fraud-Voter Intimidation Project

Thank you, Peg. This is at least more accurate than what I read this morning. Thank you for taking the time to discuss this with me. I shall see you tomorrow.

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Wednesday, May 17, 2006 3:04 PM
To: Donsanto, Craig
Subject: Status Report on Voting Fraud-Voter Intimidation Project

Craig:

This is what I was working on for the upcoming meetings of the EAC Board of Advisors and EAC
Peggy -- can you call me about this in about an hour?
202-514-1421.
--------------------------
Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Subject: Report on Voting Fraud-Voter Intimidation Research

Craig:

I'm putting the finishing touches on a status report to the EAC Standards Board and EAC Board of Advisors on our Voting Fraud-Voter Intimidation research project. For the most part, I am using our consultants summaries for the report, but one bullet under the interview summaries is giving me heartburn. It is the bullet that references the decrease in DOJ voter intimidation actions. It is one of the places in which our consultants had indicated that your office is focussing on prosecuting individuals. I have reworded it and would like your feedback on the revision:

Several people indicate - including representatives from DOJ -- that for various reasons, the Department of Justice is bringing fewer voter intimidation and suppression cases now, and has increased its focus on matters such as noncitizen voting, double voting, and felon voting. While the Voting Section of the Civil Rights Division focuses on systemic patterns of malfeasance, the Election Crimes Branch of the Public Integrity Section has increased prosecutions of individual instances of felon, alien, and double voting while also maintaining an aggressive pursuit of systematic schemes to corrupt the electoral process.

Please suggest any changes that you think would further clarify the current approach. --- Peggy

000835
Shall I call you at about 2:30 PM? -- Peggy
——— Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM ———
Margaret Sims/EAC/GOV
05/15/2006 05:09 PM
To: Job Serebrov
cc
Subject: Mileage Rate for POV

Job:
The federal mileage rate for POVs is $.445 per mile (see http://www.gsa.gov/Portal/gsa/ep/contentView.do?programId=9299&channelId=-13224&ooid=10359&contentId=9646&pageType=GSA_BASIC&programPage=2Fep%2Fprogram%2FgsaBasic.jsp&P=MTT). Write down the number on you odometer at the beginning (starting at home) and end of the trip (when you arrive back home). The difference should be your total mileage, unless you make any side trips for personal convenience. The mileage for side trips should be deleted from the total. --- Peggy
——— Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM ———
Margaret Sims/EAC/GOV
05/24/2006 03:16 PM
To: "Tova Wang"
cc
Subject: Re: presentation

I'm glad it is over --- for now. One audience was a lot tougher than the other. The Standards Board was much more critical of the research than the Board of Advisors.

Of course, the Board of Advisors is the body that wanted EAC to place a high priority on the research. Its members were interested in sharing personal experiences (including problems with getting anyone to prosecute) and observations (that we need to expand the research to give Congress and political parties a better picture of how rare or prevalent are voting fraud and intimidation, that the HAVA-mandated statewide voter registration lists should help to prevent fraud, etc.). They also asked if EAC will look at specific opportunities for fraud (using cell phones in vote buying schemes to photograph the ballot being cast at the poll) and how the agency will research voter intimidation/suppression involving voters with disabilities (advocates want to pass on complaints received).

The members of the Standards Board focused much more on the scope of the research and the completeness and accuracy of the information gleaned. Some wanted to include campaign finance crimes in the mix; others understood why we did not. Several did not like the use of newspaper articles, or were defensive about references to the large number of articles about their State. They made the point that, given the vagaries of the press, EAC should not use the number of articles about a specific State or particular vote fraud/intimidation activity as a basis for determining the likelihood that problems will occur in a given State or the frequency with which certain activities occur. (I never said that we did, but some members thought it was at least implied.) Some members want more research on the topic (into prosecutions and/or unsuccessful referrals made by election officials to law enforcement agencies); others want us to "quit throwing away tax dollars" and to stop the research altogether. Although my first slide noted our statutory authority to conduct this study, several members challenged EAC's right to do so --- saying that DOJ, not EAC, should conduct such research.

The dueling approaches of these boards may give us heartburn when the time comes for them to review
and comment on the draft. We will have to make a strong statement at the beginning, perhaps repeated at
the end, that this is preliminary research. We also may need to thoroughly explain how choices were
made regarding what to look at, who to interview, etc. We may need to clearly acknowledge both the
strengths and weaknesses of the various sources of information used in the preliminary research. Finally,
when reviewing ideas for subsequent research, we may need to discuss the pros and cons of each
approach, what additional information we expect to retrieve, and, perhaps, the estimated cost.

By the way, I did clarify the polling place fraud bullet. --- Peg

"Tova Wang"

"Tova Wang"
05/24/2006 09:14 AM
To psims@eac.gov
cc
Subject presentation

How did it go? Were you able to verbally correct that discrepancy we talked about the other day?
Thanks. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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Click here to receive our weekly e-mail updates.

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM ---

"Tova Wang"
05/24/2006 03:27 PM
To psims@eac.gov
cc
Subject RE: presentation

Yikes. It sounds like a lot of work after all. Should we talk over what the report should look like again, I
guess when Job gets back? Will you help us write it in a way you think will satisfy? I guess it goes to the
commissioners first anyway. Does this portend anything for phase 2? Thanks Peg. Tova

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Wednesday, May 24, 2006 2:16 PM
To: 
Subject: Re: presentation
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Democracy Fellow
The Century Foundation

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----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM -----
"Tova Wang" To psims@eac.gov
05/16/2006 05:08 PM cc
Subject RE: board of advisers presentation

This looks fine otherwise, but I'm not sure I understand why you included the attachments you did. They are not really representative of what we did for the project as a whole. The summaries are just meant to supplement the nexis excel charts.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 16, 2006 2:51 PM
To: 
Subject: Re: board of advisers presentation

I haven't sent it yet. If you need to leave early, you can look at what I have so far, which does not have the intro or the text regarding the final report. --- Peggy

"Tova Wang"
05/16/2006 03:47 PM To psims@eac.gov cc
Subject board of advisers presentation
Hi Peg, Have you tried to send me the presentation? I haven't gotten it, but I think we may be having email problems. Let me know. I'd need to look at it today since I'll be tied up tomorrow.
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Tova Andrea Wang
Democracy Fellow
The Century Foundation

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--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM ---

"Donsanto, Craig"
<Craig.Donsanto@usdoj.gov>
To: psims@eac.gov
cc
Subject: RE: Your Materials

Thank you, Peg. This stuff is very interesting.

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 16, 2006 11:27 AM
To: Donsanto, Craig
Subject: Re: Your Materials

I have forwarded your message to our consultants and have requested a corrected version for distribution at the WG meeting. --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/16/2006 10:46 AM
Peg -

I have read over the materials you sent to me and viewed the pieces on the CD.

I have only one correction:

I did not say that offenders who receive target letters routinely request or routinely receive audiences here at DOJHQ. That is very rare. Instead, what usually happens is that once a subject for an election fraud investigation is advised that he or she is going to be charged that person usually enters into plea negotiations and ultimately pleads guilty. Very few federal election fraud cases go to trial. When a subject does request a HQ interview or a HW hearing, it would be held in the first instance by myself. But again, Peg, that is rare.

Also, while the occurrences of prosecutions of isolated instances of felons and alien voters and double voters has increased, we still aggressively and I believe quite successfully pursue systematic schemes to corrupt the electoral process, as the cases we brought recently out of Knott and Pike Counties in Kentucky, those we brought out of Lincoln and Logan Counties in West Virginia, and those we brought in New Hampshire growing out of the jamming of get-out-the-vote phone bank lines attest.

I don't think anyone should be given the opportunity to correct mistakes.

Should we send all of the interview summaries to the people we interviewed for review then?

-----Original Message-----
From: psims@eac.gov  [mailto:psims@eac.gov]  
Sent: Tuesday, May 16, 2006 10:30 AM  
To: 
Subject: Re: Corrections

It wasn't his mistake. I was there at the interview. I just did not have time to review all of the interview summaries. --- Peggy

"Job Serebrov" <serebrov@sbcglobal.net>
05/16/2006 11:13 AM
To "Tova Wang"
cc Subject Corrections

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----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM -----
Margaret Sims/EAC/GOV
05/16/2006 11:30 AM
To "Job Serebrov"
cc Subject Re: Corrections

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"Job Serebrov" <serebrov@sbcglobal.net>
05/16/2006 11:13 AM
To "Tova Wang"
cc Subject Corrections

I don't think anyone should be given the opportunity to correct mistakes.
OK. Weather is not going to be great in DC Thursday. I hope that does not delay me.'

--- psims@eac.gov wrote:

> We don't need a castle key, but we have to wait
> until the Chairman returns
> to the office tomorrow to confirm availability of
> the parking pass. I
> expect you will be on the road, then. Try calling
> me our toll-free line
> (1-866-747-1471) tomorrow afternoon, say after 2 PM
> EST, so that we can
> talk about this. --- Peg

--- "Job Serebrov" wrote:

> Did you find out whether I can use the Chairman's
> parking spot?

> You will need to submit hotel and parking
> receipts.
> You don't need to submit meal receipts. You don't
> need to submit gas receipts because use of a
> personally owned vehicle (POV) is reimbursed based
> on mileage. I think I emailed the mileage rate to
> you. If you need it again, I'll look it up when I
> am
> at the office (this afternoon).
went out.

My first concern is ensuring that the Working Group has the correct information. Then, we can deal with what version, if any, goes in the final report. Do you want me to excerpt the corrections from your email and submit them to the Working Group? --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/16/2006 01:41 PM

Topsims@eac.gov

cc

Subject RE: Your Materials

Sure. But where is the resistance coming from? The notes were not accurate. As you know, I have to be very concerned about that.

--- Peggy

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 16, 2006 12:34 PM
To: Donsanto, Craig
Subject: RE: Your Materials

Craig:

I am getting some resistance from my consultants to correcting the summary of the interview prior to the meeting. Would you mind noting the corrections at the meeting? --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/16/2006 12:06 PM

Topsims@eac.gov

cc

Subject RE: Your Materials

00089½
Lets discuss this in 10 minutes.

--- psims@eac.gov wrote:

> Tova and Job:
> 
> Craig Donsanto responds that it is not possible for
> him to assess the
> level of public attribution that would be
> appropriate without seeing the
> substantive stuff in context. He does not foresee a
> problem; but
> recommends that I provide him with the draft text.
> He will review it to
> ensure we are not disclosing things we shouldn't
disclose.
> 
> Therefore, please provide the draft text to me ASAP,
> so that I can forward
> it to him for review. I suspect he will provide me
> with a prompt
> response, which I will forward to you.
> 
> Peggy Sims
> Election Research Specialist
> U.S. Election Assistance Commission
> 1225 New York Ave, NW - Ste 1100
> Washington, DC 20005
> Phone: 866-747-1471 (toll free) or 202-566-3120
> (direct)
> Fax: 202-566-3127
> email: psims@eac.gov
Hi Peg,

Attached is a draft of an agenda for the working group. Let us know what you think. Thanks. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation

Visit our Web site, for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.

--- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM -----

"Job Serebrov" To psims@eac.gov, "Tova Andrea Wang" cc
04/04/2006 12:35 PM
Subject Re: Project Working Group Meeting

Peggy:

Here is my situation. I am to go to work full time for the Governor at some time in June. I just don't know when and because we are having a special session right now, no one can give me any indications as to the date. The special session will last for at least two weeks. However, I had to arrange a job because the contract ends at the end of May. So---all of this said---if, for instance, I go to work for the Governor the first week of June, I will only be able to work on EAC matters after hours at night.

Job

--- psims@eac.gov wrote:

> The Chairman and Vice Chairman are interested in attending the meeting. Due to schedule conflicts, they are asking us to look at the week of May 15. Does that pose a problem for either of you peggy
> ---------------------------------
> Sent from my BlackBerry Wireless Handheld
> 
> 
> 00089€
Sorry, you mean it's today. OK, thanks, Tova

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, April 10, 2006 8:45 PM
To: Tova Andrea Wang; Job Serebrov
Subject: Kennedy Interview

It appears that the teleconference with Kevin Kennedy is set for tomorrow, April 11, at 10:30 AM CST/11:30 AM EST. Use the usual phone number (866-222-9044) and passcode (62209).

If you have trouble connecting, contact Nicole.

Peg

--------------------------
Sent from my BlackBerry Wireless Handheld

Kevin:

Following up on yesterday's conversation, would you be available next Tuesday (4/11) to be interviewed by phone by our consultants on the Voting Fraud-Voter Intimidation research project? The interview is likely to take less than an hour. You pick the time and I'll confirm it with our consultants, Tova Wang and Job Serebrov. Then, I'll send you an email with the toll-free number and pass code that you will need for the teleconference.

EAC is conducting this preliminary research to determine how best to meet HAVA requirements. Section 241 of the Help America Vote Act of 2002 requires EAC to conduct research on election administration issues. Among the issues listed in the statute are the development of:
• nationwide statistics and methods of identifying, deterring, and investigating voting fraud in elections for Federal office [section 241(b)(6)]; and
• methods of identifying, deterring, and investigating methods of voter intimidation [section 241(b)(7)].

Please let me know if you have any questions. Thanks.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

Please review the attached and let me know of any corrections that should be made. Thanks! --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM ---
Margaret Sims/EAC/GOV
04/03/2006 04:33 PM
To Tova Andrea Wang, Job Serebrov
cc
Subject Working Group Contact Info

Thanks, Craig! --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
04/03/2006 03:16 PM
To psims@eac.gov
cc
Subject RE: Voting Fraud-Voter Intimidation Project

Hello Peg!

God willing, I will be here the first two weeks of May.
As for your second question, it is not possible for me to assess the level of public attribution that would be appropriate without seeing the substantive stuff in context. I do not foresee a problem. So, I recommend that you get me a draft text and I will review it to ensure we are not disclosing things we shouldn't disclose.

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, April 03, 2006 3:13 PM
To: Donsanto, Craig
Subject: Re: Voting Fraud-Voter Intimidation Project

Craig:

I have 2 issues for you today.

First, I am trying to schedule a meeting of the project working group for EAC's Voting Fraud-Voter Intimidation research project. As a technical advisor on this project, your attendance is particularly important to me. Would you please look at your schedule and let me know if there are any days during the first 2 weeks of May that you would NOT be available?

Second, is it OK for our consultants to refer in their report to guidance provided in the DOJ training materials? I ask this because I understood that some materials in the materials are considered confidential and we do not want to violate your confidentiality provisions. If there is a compromise position, such as having you review that portion of the consultants' report, then let me know.

Thanks!

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM -----

"Tova Wang"
04/10/2006 11:04 AM
To psims@eac.gov
cc "Job Serebrov"
Subject small question for Donsanto

Could you please also ask him what the training materials are referring to when they discuss "ballot box stuffing?" Does this mean elections workers add extra votes? Thanks so much. Tova

Tova Andrea Wang
Craig is on the list because the Commission requested he serve as a technical advisory to the project. Although not a member of the project working group, I do need to check his availability for the meeting.

I tried to tell you on the phone that we still are trying to confirm the El Paso County, TX election official for the working group. (Several attempts have been made to contact the Election Director, but she has been out of town.) If we can't get her, we will try for her deputy (also Hispanic). Once I have a response that one of them is willing to serve, I'll update the contact info table and see if I can't get a bio for you two to review. --- Peggy

Why is Craig Donsanto on the list? And what happened about the local election official? Thanks. Tova

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, April 03, 2006 3:33 PM
To: vu°^>
Subject: Working Group Contact Info

Please review the attached and let me know of any corrections that should be made. Thanks! --- Peggy
That gives us no time between interviews though, right? We've never been able to really limit it to 30 minutes.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, April 10, 2006 8:45 PM
To: Tova Andrea Wang; Job Serebrov
Subject: Kennedy Interview

It appears that the teleconference with Kevin Kennedy is set for tomorrow, April 11, at 10:30 AM CST/11:30 AM EST. Use the usual phone number (866-222-9044) and passcode (62209).

If you have trouble connecting, contact Nicole.

Peg

Sent from my BlackBerry Wireless Handheld

--- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM ---

Peggy:
The interviews are ok with me.

Tova:
I think I should write the review on the IFES white paper instead of the red book.

Job

--- psims@eac.gov wrote:
> Hi, Job and Tova:
>
Tony Sirvello (former election director for Harris County, TX and current Executive Director of the International Association of Clerks, Recorders, Election Officials and Treasurers) can make himself available for an interview next Wednesday morning (4/12). He is on CST. Is there a time that works well for the two of you? How about 10 AM CST/11 AM EST? I saw Kevin Kennedy at a meeting in our office this past Tuesday. We are trying to set up an interview with him next Tuesday (4/11).

I asked Donsanto about an updated version of his Prosecution of Election Offenses. He responded that it is at the printers and will not be available for a couple of months. In the interim, he referred me to the white paper he did for IFES, which I have attached. He said that the white paper includes the same information on the prosecution of election fraud that will be in the book.

--- Peggy

Hi Peg,

I've just made it through the 2004 binder of materials and have two questions. First, I understand that these materials are confidential, but may we refer to guidance provided in them in our report? Otherwise they are of not much use to us. There's not that much in it that would add to what Donsanto and Tanner told us, but there are a few issues raised that I believe might be germane.

Second, there are several sections evidently missing from the 2004 binder and I'm not sure if that's because of what Donsanto sent over or a problem in the photocopying. From what I can see, some of the table of contents is missing and tabs 14, 15, 16, 17, 21, 23 and 26 are all empty. Can you please look into this?

Thanks and I look forward to speaking to you tomorrow. Tova
Tony:

Which one do you think would be best? J.R. Perez, as Election Administrator, should have knowledge of voting fraud and voter intimidation in both voter registration and voting. I assume that, though Patricia is the voter registration supervisor, she also would have knowledge of voting fraud and voter intimidation in balloting. Would they be available in May for a meeting of the project working group? Who could best stand up to the DNC and RNC counsels?

On a related matter, would you be available for our consultants to interview you by telephone next Wednesday? If so, let me know a convenient time. I'll confirm the time with the two consultants, Job Serebrov and Tova Wang. Then, I'll get back to you with the toll-free line and pass code you will need to use for the teleconference.

Thanks!

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
e-mail: psims@eac.gov

Good Afternoon Peg,

How about J. R. Perez, Elections Administrator, Guadalupe County or Patricia Benavides, Voting Registration Supervisor, Tarrant County, Texas?

Tony

----- Original Message -----
From: Helen Jamison
To: Tony J. Sirvello III
Sent: Tuesday, April 04, 2006 11:46 AM
Subject: RE: Nonpartisan Local Election Official Needed for Voting Fraud/Voter Intimidation Working Group

Dear Tony,
Unfortunately both Javier and myself have to decline in being members of the working group from Texas. It is a bad time of the year where we have so many elections and would not be able to contribute enough time to doing research of any kind. Please keep us in mind for future meetings.
Helen Jamison

-----Original Message-----
From: Tony J. Sirvello III [mailto: tony.sirvello@eac.gov]
Sent: Monday, April 03, 2006 1:19 PM
To: Helen Jamison; Javier Chacon
Subject: Fw: Nonpartisan Local Election Official Needed for Voting Fraud/Voter Intimidation Working Group

Helen, Javier,

Attached is the information from the EAC requesting your services as a member of the working group from Texas. Please let me know in a couple of days if one of you will be able to participate. If you need more information, call me and I will conference in with Peggy Sims, who can give you more details.

Thanks,

Tony

----- Original Message ----- 
From: psims@eac.gov
To: 
Sent: Thursday, March 16, 2006 10:29 AM
Subject: Nonpartisan Local Election Official Needed for Voting Fraud/Voter Intimidation Working Group

Tony:

Thanks for being willing to help me identify a qualified, nonpartisan local election official to serve on our Project Working Group for the preliminary research being conducted on voting fraud and voter intimidation.

Background

Section 241 of the Help America Vote Act of 2002 requires EAC to conduct research on election administration issues. Among the issues listed in the statute are the development of:
1. nationwide statistics and methods of identifying, deterring, and investigating voting fraud in elections for Federal office [section 241(b)(6)]; and
2. methods of identifying, deterring, and investigating methods of voter intimidation [section 241(b)(7)].

EAC's Board of Advisors recommended that EAC make research on these topics a high priority.

Preliminary EAC Research

Subsequently, the Commission contracted with two consultants (Tova Wang and Job Serebrov) to:

1. develop a comprehensive description of what constitutes voting fraud and voter intimidation in the context of Federal elections;
2. perform preliminary research on these topics (including Federal and State administrative and case law review), identify related activities of key government agencies and civic and advocacy organizations, and deliver a summary of this research and all source documentation;
3. convene a meeting of a project working group composed of key individuals and representatives of organizations knowledgeable about the topics of voting fraud and voter intimidation, provide the results of the preliminary research to the working group, and record the working group's deliberations; and
4. produce a report to EAC summarizing the findings of the preliminary research effort and working group deliberations that includes recommendations for future EAC action, if any.

The Project Working Group will probably meet only once during this preliminary research effort (probably in late April) to review the consultants research and provide input. Other members of the Working Group are lawyers from advocacy groups and major political parties, two State election officials, and Barry Weinberg, former Deputy Chief of DOJ's Voting Section, Civil Rights Division. Craig Donsanto, Director of DOJ's Election Crimes Branch will serve as a technical advisor to the group.

I really appreciate any help you can offer in identifying a qualified individual to fill the slot on the Working Group that has been reserved for an experienced, nonpartisan local election official.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov
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Subject: Fw: Nonpartisan Local Election Official Needed for Voting Fraud/Voter Intimidation Working Group

Helen, Javier,

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Thanks,

Tony

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To:
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3. convene a meeting of a project working group composed of key individuals and representatives of organizations knowledgeable about the topics of voting fraud and voter intimidation, provide the results of the preliminary research to the working group, and record the working group's deliberations; and
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I really appreciate any help you can offer in identifying a qualified individual to fill the slot on the Working Group that has been reserved for an experienced, nonpartisan local election official.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
OK, thanks. I can access the IFES web site. That will give the consultants something to work with. --- Peg

The fraud chapter has been published by IFES as part of their Money and Politics Program. It's on their website. I tweaked the text a bit and presented it in Abjua. The rest of it is regretably not public at present.

Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed Apr 05 17:26:12 2006
Subject: Re: Voting Fraud-Voter Intimidation Project

Is there any way to get an advance copy? Our consultants will need to review it before you receive your printed versions. --- Peggy
To
psims@eac.gov

cc

Subject
Re: Voting Fraud-Voter Intimidation Project

The 7th edition is done and on its way to the printer. It is my hope to get it our in a couple months.
--------------------------
Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed Apr 05 13:05:15 2006
Subject: Voting Fraud-Voter Intimidation Project

Craig:

In reviewing the great materials you gave our consultants, we have not found an updated draft of your famous Prosecution of Election Offenses. Is that available for review? If you have a pdf version, I could pass that on to our consultants (noting any restrictions you may have on use).

Also, we noticed some gaps in the 2004 DOJ training binder. It appears that we are missing the Chris Herren information from Panel 3 and something titled "July 21, 2004" from Panel 4. If these were removed because we should not see them, just let me know.

I also have to check your availability the week of May15. I'm still trying to find a date that everyone will be available for the working group meeting.

Sorry to bug you. Hope all is going well.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
e-mail: psims@eac.gov
Hi, Barry:

I'm trying to arrange a meeting of the Working Group for EAC's Voting Fraud-Voter Intimidation project. Would you please look at your schedule and let me know if there are any days during the first 2 weeks of May that you would NOT be available?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov
Hi, Job and Tova:

Tony Sirvello (former election director for Harris County, TX and current Executive Director of the International Association of Clerks, Recorders, Election Officials and Treasurers) can make himself available for an interview next Wednesday morning (4/12). He is on CST. Is there a time that works well for the two of you? How about 10 AM CST/11 AM EST? I saw Kevin Kennedy at a meeting in our office this past Tuesday. We are trying to set up an interview with him next Tuesday (4/11).

I asked Donsanto about an updated version of his *Prosecution of Election Offenses*. He responded that it is at the printers and will not be available for a couple of months. In the interim, he referred me to the white paper he did for IFES, which I have attached. He said that the white paper includes the same information on the prosecution of election fraud that will be in the book. --- Peggy

Thank you.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, April 10, 2006 11:02 AM
To: Kevin Kennedy
Subject: Re: Interview

I am trying to arrange the teleconference for 10:30 AM CST tomorrow, April 11. Will get back to you once confirmed.
Peggy

--------------------------
Sent from my BlackBerry Wireless Handheld

----- Original Message ----- 
From: "Kennedy, Kevin" <Kennedy, Kevin>
Sent: 04/09/2006 11:13 AM
To: "'psims@eac.gov" <psims@eac.gov>
Subject: RE: Interview

That time is fine. A half hour earlier would be better. I also have a 12 CDT
meeting.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Friday, April 07, 2006 12:27 PM
To: Kevin Kennedy
Subject: Interview

Kevin:
I'm just following up on my request for your availability to be interviewed by our consultants for our voting fraud/voter intimidation project. Are you available Tuesday, April 11 at 11 AM CST?
Peggy Sims

--------------------------
Sent from my BlackBerry Wireless Handheld

all dial in info is the same!

Regards,

Nicole K. Mortellito
Research Assistant
U.S. Election Assistance Commission
1225 New York Avenue - Suite 1100
Washington, DC
202.566.2209 phone
202.566.3128 fax
----- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM -----

Tova: I'm checking with Craig regarding reference in our report to the DOJ training materials. The 2004 DOJ training materials did not have a table of contents. I think Devon added that to help you find your way
Hi Peg,

I've just made it through the 2004 binder of materials and have two questions. First, I understand that these materials are confidential, but may we refer to guidance provided in them in our report? Otherwise they are of not much use to us. There's not that much in it that would add to what Donsanto and Tanner told us, but there are a few issues raised that I believe might be germane.

Second, there are several sections evidently missing from the 2004 binder and I'm not sure if that's because of what Donsanto sent over or a problem in the photocopying. From what I can see, some of the table of contents is missing and tabs 14, 15, 16, 17, 21, 23 and 26 are all empty. Can you please look into this?

Thanks and I look forward to speaking to you tomorrow. Tova
I just saw what you did. I should be out of hours at the end of May. I believe I will be working for the state in June which will make it difficult to find time to finish and could slow things down but I am not yet sure of that.

--- psims@eac.gov wrote:

> Attached is an updated invoice schedule for the FY 06 contracts for the Voting Fraud/Voter Intimidation project. --- Peggy

I know you preferred Friday, but Job is not available then. He also said he is not available next week. Do you have any time available this Wednesday? --- Peggy

I can't do it Friday but Wednesday is ok.

--- psims@eac.gov wrote:

> Tova and Job:
I've passed Tova's request on to Craig.

Also, Sarah Ball Johnson, KY, finally called back to say she would be available Wednesday through Friday this week and next week for the interview. Which day and time is best for you and Job?

--- Peggy

Hi Peg,

Happy Easter!

Would it be possible to talk to Mr. Donsanto about this latest initiative, or somehow get more information? Thanks. Tova

http://www.fbi.gov/page2/april06/electioncrime041406.htm

Attached is an updated invoice schedule for the FY 06 contracts for the Voting Fraud/Voter Intimidation project. --- Peggy
That's what I am concerned about. I think we need to end all interviews with Sarah Ball Johnson. With the literature reviews I am finishing, the case write up and the Tova's Nexis research that I need to read, I will have about 45 hours left for the Working Group meeting and final write up.

--- psims@eac.gov wrote:

> I have to check with Conny McCormack to see if things have settled down for her enough so that she would be available. I have had no response to my overtures to Colleen McAndrews' office. I can try again, but I have to be out of town again, from Wednesday through Friday this week, on another research contract and for EAC's public meeting in Seattle. Were you able to get through to Mike McCarthy?
> Please remember to watch your time. We'll need to reserve some of your time for the working group meeting and the subsequent reports. --- Peggy

> "Job Serebrov"  
> 04/17/2006 10:17 AM
> To psims@eac.gov, cc
> Subject Re: Follow up Donsanto and KY Interviews
> 
> Next week is out for me. I need to check my schedule this week. Is this the last interview that you were able to arrange?
----- psims@eac.gov wrote:

> Tova and Job:
> I've passed Tova's request on to Craig.
> Also, Sarah Ball Johnson, KY, finally called back to say she would be available Wednesday through Friday this week and next week for the interview. Which day and time is best for you and Job?
> --- Peggy

> 04/16/2006 11:39 AM

> To
> psims@eac.gov
> cc
> "Tova Wang"  
> Subject
donsanto again

> Hi Peg,
> Happy Easter!
> Would it be possible to talk to Mr. Donsanto about this latest initiative, or somehow get more information? Thanks. Tova

http://www.fbi.gov/page2/april06/electioncrime041406.htm

----- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM -----

"Tova Wang"
04/17/2006 10:21 AM
To "Job Serebrov" psims@eac.gov
cc
Subject RE: Announcement of FBI Election Crimes Initiative
We could skim it

-----Original Message-----
From: Job Serebrov
Sent: Monday, April 17, 2006 9:13 AM
To: Tova Wang; psims@eac.gov
Subject: RE: Announcement of FBI Election Crimes Initiative

Tova-Do we have time to review this?

--- Tova Wang wrote:

> Is it possible to get the materials they are using
> for the trainings?
> Thanks Peg.
> 
> -----Original Message-----
> From: psims@eac.gov [mailto:psims@eac.gov]
> Sent: Monday, April 17, 2006 9:08 AM
> To: 
> Subject: Fw: Announcement of FBI Election Crimes Initiative
> 
> See Donsanto response below.--- Peggy
> 
> ----- Forwarded by Margaret Sims/EAC/GOV on
> 04/17/2006 10:07 AM -----
> 
> "Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
> 
> 04/17/2006 09:56 AM
> 
> To
> psims@eac.gov
> 
> cc
> 
> Subject
> RE: Announcement of FBI Election Crimes Initiative
> 
> 
> 
> Peg - -
> 
> This is essentially FBI's equivalent of the
> Department's Ballot Access and
> Integrity Initiative. The news conference on
> Thursday announced that FBI
> was enhancing its prioritization of campaign
> financing offenses. The main
feature of this initiative, aside from enhancing the priority these cases will get in the Bureau, is that each of the Bureau's 57 Field Divisions will have at least one "Election Coordinator Agent" who will be the equivalent of the District Election Officer AUSAs. We have been training these new FBI-types: the week before last we had roughly 75 of them in Denver in a very well received two-day session in election law enforcement at which several FEC people spoke. On Wednesday, I head out to Portland, Oregon for more of the same.

Hi, Craig:

Tova noticed an article about an FBI initiative against election crimes (see attached email). Is this something new, or is it more of the same initiative that you addressed in your interview? If it is new, would you have time for a teleconference with Job and Tova to answer any questions they may have on the initiative?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/17/2006 08:56 AM ------


04/16/2006 11:39 AM
Hi Peg,

Happy Easter!

Would it be possible to talk to Mr. Donsanto about this latest initiative, or somehow get more information? Thanks. Tova

<http://www.fbi.gov/page2/april06/electioncrime041406.htm>

http://www.fbi.gov/page2/april06/electioncrime041406.htm

--- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM ---

"Job Serebrov"  To psims@eac.gov

04/17/2006 10:56 AM cc

Subject Re: Invoice Schedule

Peggy:

This is incorrect. Our project ends May 31. This month's invoice is due on April 21 and is invoice number 3. Invoice number 4 is due at the end of May.

--- psims@eac.gov wrote:
Attached is an updated invoice schedule for the FY 06 contracts for the Voting Fraud/Voter Intimidation project. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM ---

"Tova Wang"

04/17/2006 09:20 AM
To psims@eac.gov, @creativecommons
cc
Subject RE: Follow up Donsanto and KY Interviews

Any time Friday is fine for me. Thanks

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, April 17, 2006 8:05 AM
To:
Subject: Re: Follow up Donsanto and KY Interviews

Tova and Job:

I've passed Tova's request on to Craig.

Also, Sarah Ball Johnson, KY, finally called back to say she would be available Wednesday through Friday this week and next week for the interview. Which day and time is best for you and Job?

--- Peggy
Hi Peg,

Happy Easter!

Would it be possible to talk to Mr. Donsanto about this latest initiative, or somehow get more information? Thanks. Tova

http://www.fbi.gov/page2/april06/electioncrime041406.htm

---

Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM ---

"Job Serebrov"  
04/17/2006 10:17 AM  
To psims@eac.gov, wang@tcf.org  
cc  
Subject Re: Follow up Donsanto and KY Interviews

Next week is out for me. I need to check my schedule this week. Is this the last interview that you were able to arrange?

--- psims@eac.gov wrote:

> Tova and Job:
> >
> > I've passed Tova's request on to Craig.
> >
> > Also, Sarah Ball Johnson, KY, finally called back to say she would be available Wednesday through Friday this week and next week for the interview. Which day and time is best for you and Job?
> >
> > --- Peggy
> >
> >
> > 04/16/2006 11:39 AM
> >
> > To psims@eac.gov
> > cc
> > "Tova Wang"
> > Subject donsanto again
> >
> >
Hi Peg,

Happy Easter!

Would it be possible to talk to Mr. Donsanto about this latest initiative, or somehow get more information? Thanks. Tova

http://www.fbi.gov/page2/april06/electioncrime041406.htm

--- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM ---

Good Morning Peg,

That works for me....I will stay off the phone and wait on the call.

Have A Great Weekend,

Tony

----- Original Message ----- 
From: psims@eac.gov
To: ☐
Sent: Thursday, April 06, 2006 2:27 PM
Subject: Re: Fw: Nonpartisan Local Election Official Needed for Voting Fraud/Voter Intimidation Working Group

Tony:

How about scheduling the teleconference with our consultants for 10 AM CST/11 AM EST on Wednesday, April 12? --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM -----
Hi, Craig:

Tova noticed an article about an FBI initiative against election crimes (see attached email). Is this something new, or is it more of the same initiative that you addressed in your interview? If it is new, would you have time for a teleconference with Job and Tova to answer any questions they may have on the initiative?

Peggy Sims
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1225 New York Ave, NW - Ste 1100
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email: psims@eac.gov

--- Forwarded by Margaret Sims/EAC/GOV on 04/17/2006 08:56 AM ---

04/16/2006 11:39 AM
To psims@eac.gov
cc "Tova Wang" psims@eac.gov
Subject donsanto again

Hi Peg,

Happy Easter!

Would it be possible to talk to Mr. Donsanto about this latest initiative, or somehow get more information?

Thanks. Tova

http://www.fbi.gov/page2/april06/electioncrime041406.htm

--- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM ---

"Tony J. Sirvello III"
04/11/2006 03:40 PM
To psims@eac.gov
cc
Subject Re: Fw: Nonpartisan Local Election Official Needed for Voting Fraud/Voter Intimidation Working Group

Good Afternoon Peg,

I will make the call as scheduled. I am still in shock about Ray.

Tony
--- Original Message ---
From: psims@eac.gov
To: Tony Sirvello
Sent: Monday, April 10, 2006 6:04 PM
Subject: Re: Fw: Nonpartisan Local Election Official Needed for Voting Fraud/Voter Intimidation Working Group

Tony:
We have set up your telephone interview with our 2 consultants (Job Serebrov and Tova Wang) as a teleconference. Please call 1-866-222-9044 (toll free) at around 10 AM CST on Wed 4/12. At the prompt for the passcode, enter 62209. Tova and Job will join you on the line. This works best if you use a land line, rather than a cell phone.

If you have trouble connecting, please call Nicole Mortellito at our office. Thanks!

Peggy

--------------------------
Sent from my BlackBerry Wireless Handheld

--- Original Message ---
From: "Tony J. Sirvello III" (tj.sirvello@ea.gov)
Sent: 04/07/2006 08:52 AM
To: Margaret Sims
Subject: Re: Fw: Nonpartisan Local Election Official Needed for Voting Fraud/Voter Intimidation Working Group

Good Morning Peg,

That works for me....I will stay off the phone and wait on the call.

Have A Great Weekend,

Tony

--- Original Message ---
From: psims@eac.gov
To: [REDACTED]
Sent: Thursday, April 06, 2006 2:27 PM
Subject: Re: Fw: Nonpartisan Local Election Official Needed for Voting Fraud/Voter Intimidation Working Group

Tony:

How about scheduling the teleconference with our consultants for 10 AM CST/11 AM EST on Wednesday, April 12? --- Peggy
The 4th batch. More to come tomorrow.

Peg Sims

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM -----
Margaret Sims/EAC/GOV
05/09/2006 11:44 AM
To "Job Serebrov"
cc
Subject Re: Working Group-Perez

OK, I get it. The text in the attachment follows:

EXCERPTS FROM TEXAS ELECTION CODE

SUBCHAPTER B. COUNTY ELECTIONS ADMINISTRATOR

***

§ 31.032. APPOINTMENT OF ADMINISTRATOR; COUNTY ELECTION COMMISSION.
   (a) The position of county elections administrator is filled by appointment of the county election commission, which consists of:
      (1) the county judge, as chair;
      (2) the county clerk, as vice chair;
      (3) the county tax assessor-collector, as secretary; and
      (4) the county chair of each political party that made nominations by primary election for the last general election for state and county officers preceding the date of the meeting at which the appointment is made.
   (b) The affirmative vote of a majority of the commission's membership is necessary for the appointment of an administrator.
   (c) Each appointment must be evidenced by a written resolution or order signed by the number of commission members necessary to make the appointment. Not later than the third day after the date an administrator is appointed, the officer who presided at the meeting shall file a signed copy of the resolution or order with the county clerk. Not later than the third day after the date the copy is filed, the county clerk shall deliver a certified copy of the resolution or order to the secretary of state.
   (d) The initial appointment may be made at any time after the adoption of the order creating the position.
§ 31.035. RESTRICTIONS ON POLITICAL ACTIVITIES.

(a) A county elections administrator may not be a candidate for a public office or an office of a political party, hold a public office, or hold an office of or position in a political party. At the time an administrator becomes a candidate or accepts an office or position in violation of this subsection, the administrator vacates the position of administrator.

(b) A county elections administrator commits an offense if the administrator makes a political contribution or political expenditure, as defined by the law regulating political funds and campaigns, or publicly supports or opposes a candidate for public office or a measure to be voted on at an election. An offense under this subsection is a Class A misdemeanor. On a final conviction, the administrator's employment is terminated, and the person convicted is ineligible for future appointment as county elections administrator.

The code attachment did not work that is what I meant by it did not come through.

--- psims@eac.gov wrote:
> Did you look at the attached excerpts from Texas Code? --- Peggy

--- psims@eac.gov wrote:
> To psims@eac.gov
> Subject Re: Working Group-Perez
We have the same set-up here in Arkansas. We hired a person just like Perez. However, given this, I would still like to know if he has a party affiliation and this brings up another issue. How is the county election commission chosen. In Arkansas it is the Chairmen of the Republican and Democrat Parties or if he/she does not want to serve a person is elected in his/her stead and a third member picked by the party with the most constitutional officers. Practically that has meant that the Democrats have controlled election commissions in Arkansas since the end of Reconstruction. This is why I want to know the situation in Texas.

--- psims@eac.gov wrote:

As you may recall, the Commissioners directed me to find a nonpartisan local election official to serve on the Working Group. The three of us discussed the desirability of having a Hispanic. I proposed that I find someone from Texas because of that State's colorful history of voting fraud and their innovative approaches to combat it. In those Texas counties that hire Election Administrators to run elections, rather than having elected officials do so (Tax Assessor for voter registration; County Clerk for balloting), the Election Administrator is hired by the County Election Commission and is supposed to perform his or her duties in a nonpartisan manner. (See attached excerpts from Texas Election Code regarding election administrator hiring and restrictions on partisan activity.) Any experienced Texas election official will be familiar with voting fraud and voter intimidation schemes used in that State.

Mr. Perez has over 13 years experience as a county Election Administrator in Texas. You won't find many news articles mentioning him because he has kept his nose clean. (The Texas press, as in many other parts of the country, prefers to report bad news.) Mr. Perez is plugged into the
association of Texas

election officials and the two largest
organizations
of election officials
in this country: the International Association of
Clerks, Recorders,
Election Officials and Treasurers (IACREOT); and
The
Election Center. He
is a past President and past Chairman of the
Legislative Committee for the
Texas Association of Election Administrators. He
currently serves on
IACREOT's Election Officials Committee, which
plans
the educational
sessions for election officials that are conducted
at that organization's
courses. His peers in IACREOT and The
Election
Center have selected
his submissions on web presentations (IACREOT) and
his professional
practices papers (Election Center) for awards.
Mr.
Perez also has access
to information from other States through his
membership in IACREOT and The
Election Center. He also has a sense of humor,
which you will note if you
access the staff web page on the Guadalupe County
Elections web site and
hear the Mission Impossible theme .. something
that
might be useful in the
upcoming meeting.

Guadalupe County is small but growing. In 2004,
the
county had over 65
thousand registered voters (a number more than
doubled the number of
registered voters in 1988). A third of the
county's
population claims
Hispanic or Latino origin, according to the U.S.
Census Bureau. The county
is in south central Texas and is bordered by
Comal,
Hays, Cladwell,
Gonzales, Wilson, and Bexar counties. In the
1980s,
the county was
predominately a farming community; but in recent
years, many people have
moved from San Antonio (Bexar County) to Guadalupe
County, preferring to
live in Guadalupe County and work in Bexar County.

--- Peggy
Peggy:

What political party is Perez with? How political is he? Is the position in Texas neutral or political? Who appointed Perez?

As to Pat I will contact him but I can't promise anything. If Pat can't come, who is getting knocked off Tova's list?

Job

[Forwarded email]

Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM

"Job Serebrov" To psims@eac.gov

05/11/2006 03:17 PM cc

Subject Re: Literature Summary

Fed Crime Election Fraud.doc
--- psims@eac.gov wrote:

> Tova just sent me the summary you prepared of The Federal Crime of Election Fraud by Craig Donsanto. There is something wrong in the fourth paragraph (odd characters and missing text). Can you please send a replacement fourth paragraph? You can send it in an email and I will place it in the document. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM ---

Margaret Sims/EAC/GOV
05/12/2006 10:19 AM
To Tova Andrea Wang, Job Serebrov
cc
Subject Fraud Definition

Would you please take a look at the attached? I combined both of your definitions, reformatted the list, removed a reference to the fraud having to have an actual impact on the election results (because fraud can be prosecuted without proving that it actually changed the results of the election), and taken out a couple of vague examples (e.g.; reference to failing to enforce state laws -- because there may be legitimate reasons for not doing so).

I have made contact with Ben Ginsberg's office and am waiting to hear if he accepts our invitation to join the working group. --- Peggy

Fraud Project Definition v 5-12-46.doc

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM ---

Margaret Sims/EAC/GOV
04/27/2006 09:24 AM
To "Weinberg and Utrecht"
cc
Subject Re: Voting Fraud-Voter Intimidation Project

Thanks! I'll get back to you. --- Peggy

"Weinberg and Utrecht"

"Weinberg and Utrecht"
04/27/2006 07:56 AM
To psims@eac.gov
cc
Subject Re: Voting Fraud-Voter Intimidation Project

000931
Peggy:
You’ve hit the jackpot! I’m available, with 2 exceptions, every hour of every day from May 15 through May 19. I am not available Thursday morning, May 18, or Friday afternoon, May 19.

Barry
----- Original Message -----
From: psims@eac.gov
To: Barry Weinberg
Sent: Wednesday, April 26, 2006 8:28 PM
Subject: Re: Voting Fraud-Voter Intimidation Project

Barry:
Are you available any days in the third week of May?
Peggy

--------------------------
Sent from my BlackBerry Wireless Handheld

----- Original Message -----
From: "Weinberg and Utrecht"
Sent: 04/04/2006 08:14 AM
To: Margaret Sims
Subject: Re: Voting Fraud-Voter Intimidation Project

Peggy:
May looks pretty good right now. I will not be available May 1, or in the morning (before 12:30) on May 4 or May 11, or in the afternoon on May 10.

Barry
----- Original Message -----
From: psims@eac.gov
To: Barry Weinberg
Sent: Monday, April 03, 2006 3:15 PM
Subject: Voting Fraud-Voter Intimidation Project

Hi, Barry:

I'm trying to arrange a meeting of the Working Group for EAC's Voting Fraud-Voter Intimidation project. Would you please look at your schedule and let me know if there are any days during the first 2 weeks of May that you would NOT be available?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov
Your response suggests that you do not care what the Commissioners may think about the effort. ---
Peggy

"Job Serebrov"

Peggy:

Braden is ok also with me but please don't tell me not to "stir up" things. I assure you nothing will come back to bite me. I know these people well enough to say they will also want a balanced group. In fact, one of them was very unhappy with Tova's folks.

Job

--- psims@eac.gov wrote:

> According to the Commissioners, you and Tova each
> got to pick three
> members of the Working Group. The Commission
> guidance regarding this
> particular member follows:
> 4 people from the Academic, Legal and Advocacy
> sectors - 2 to be chosen by
> Tova and 2 to be chosen by Job.
> This issue of allowing a designee relates to Tova's
> pick.
> As I understand it, we are working on a replacement
> for Norcross. If
> Ginsberg is not viable, how about Mark Braden, who
> includes public
> integrity in his areas of specialization. I would
> not try and stir up
> other members of the Working Group, if I were you.
> The effort is likely
> to come back and bite you.
I really don't care if he represents the organization or not. What mixed race? The entire discussion was because Arnwine was African-American. If you are going to invite him without first having a replacement for my side, I may have to call Thor and Todd and discuss all of this.

--- psims@eac.gov wrote:

Greenbaum is representing Arnwine, not replacing her. He works for her organization and is of mixed race. --- Peggy

I have an objection to Greenbaum. While I realize he comes from an advocacy group, he is not a minority attorney and we already have a rep who worked with DOJ. If it is to be Greenbaum, I would rather not fill that position since I am one down.
--- Tova Wang wrote:

is Jon Greenbaum

Here's his info in full:

He is the Director of the Voting Rights Project for the Lawyers Committee for Civil Rights. He will be representing Barbara Arnwine, the Executive Director of the Lawyers Committee.

His contact and mailing info is:

jgreenbaum

Washington, DC 20005

Tova Andrea Wang

Democracy Fellow

The Century Foundation

Visit our Web site, subscribe to our latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.
Do you have text to replace the corrupted text in paragraph 4? --- Peggy

"Job Serebrov"  
05/11/2006 03:17 PM  
To psims@eac.gov  
cc  
Subject Re: Literature Summary

Fed Crime Election Fraud.doc

--- psims@eac.gov wrote:

> Tova just sent me the summary you prepared of The Federal Crime of Election Fraud by Craig Donsanto. There is something wrong in the fourth paragraph (odd characters and missing text). Can you please send a replacement fourth paragraph? You can send it in an email and I will place it in the document. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM ---

Devon E. Romig/EAC/GOV  
05/02/2006 09:45 AM  
To  
cc Margaret Sims/EAC/GOV@EAC  
Subject Voting Fraud/Voter Intimidation Project Working Group

Dear Tova,

I am working with Peggy Sims in order to set a date for the Voting Fraud/Voter Intimidation Project Working Group. I have been trying to reach Barbara Arnwine in order to find out which days in May she is potentially available to attend this meeting but all of my attempts have been unsuccessful.

I would appreciate any help that you could provide in this matter.
As you may recall, the Commissioners directed me to find a nonpartisan local election official to serve on the Working Group. The three of us discussed the desirability of having a Hispanic. I proposed that I find someone from Texas because of that State's colorful history of voting fraud and their innovative approaches to combat it. In those Texas counties that hire Election Administrators to run elections, rather than having elected officials do so (Tax Assessor for voter registration; County Clerk for balloting), the Election Administrator is hired by the County Election Commission and is supposed to perform his or her duties in a nonpartisan manner. (See attached excerpts from Texas Election Code regarding election administrator hiring and restrictions on partisan activity.)

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Guadalupe County is small but growing. In 2004, the county had over 65 thousand registered voters (a number more than doubled the number of registered voters in 1988). A third of the county's population claims Hispanic or Latino origin, according to the U.S. Census Bureau. The county is in south central Texas and is bordered by Comal, Hays, Cladwell, Gonzales, Wilson, and Bexar counties. In the 1980s, the county was predominately a farming community; but in recent years, many people have moved from San Antonio (Bexar County) to Guadalupe County, preferring to live in Guadalupe County and work in Bexar County.

--- Peggy
Peggy:

What political party is Perez with? How political is he? Is the position in Texas neutral or political? Who appointed Perez?

As to Pat I will contact him but I can't promise anything. If Pat can't come, who is getting knocked off Tova's list?

Job

---- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM ----

Devon E. Romig/EAC/GOV
04/24/2006 04:41 PM

To Margaret Sims/EAC/GOV@EAC
cc
Subject Updated scheduling list and Contact info

Peggy,

Here is the most updated version of the list that I have available.

[Attachment: Work Group Contact Availability Info.xls]

Thanks,

Devon Romig
U.S. Election Assistance Commission
1225 New York Ave. NW - Suite #1100
Washington, D.C. 20005
(202)566-2377

---- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM ----

"Donsanto, Craig"
<Craig.Donsanto@usdoj.gov>
05/16/2006 01:41 PM

To psims@eac.gov
cc
Subject RE: Your Materials
Sure. But where is the resistance coming from? The notes were not accurate. As you know, I have to be very concerned about that.

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 16, 2006 12:34 PM
To: Donsanto, Craig
Subject: RE: Your Materials

Craig:

I am getting some resistance from my consultants to correcting the summary of the interview prior to the meeting. Would you mind noting the corrections at the meeting? --- Peggy

*"Donsanto, Craig"* <Craig.Donsanto@usdoj.gov>

05/16/2006 12:06 PM

Topsims@eac.gov
cc
SubjectRE: Your Materials

Thank you, Peg. This stuff is very interesting.

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 16, 2006 11:27 AM
To: Donsanto, Craig
Subject: Re: Your Materials

I have forwarded your message to our consultants and have requested a corrected version for distribution at the WG meeting. --- Peggy

*"Donsanto, Craig"* <Craig.Donsanto@usdoj.gov>
Peg --

I have read over the materials you sent to me and viewed the pieces on the CD.

I have only one correction:

I did not say that offenders who receive target letters routinely request or routinely receive audiences here at DOJHQ. That is very rare. Instead, what usually happens is that once a subject for an election fraud investigation is advised that he or she is going to be charged that person usually enters into plea negotiations and ultimately pleads guilty. Very few federal election fraud cases go to trial. When a subject does request a HQ interview or a HW hearing, it would be held in the first instance by myself. But again, Peg, that is rare.

Also, while the occurrences of prosecutions of isolated instances of felons and alien voters and double voters has increased, we still aggressively and I believe quite successfully pursue systematic schemes to corrupt the electoral process, as the cases we brought recently out of Knott and Pike Counties in Kentucky, those we brought out of Lincoln and Logan Counties in West Virginia, and those we brought in New Hampshire growing out of the jamming of get-out-the-vote phone bank lines attest.

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM -----
To psims@eac.gov
cc

Subject
Re: new working group representative

I really don't care if he represents the organization or not. What mixed race? The entire discussion was because Arnwine was African-American. If you are going to invite him without first having a replacement for my side, I may have to call Thor and Todd and discuss all of this.

--- psims@eac.gov wrote:

Greenbaum is representing Arnwine, not replacing her. He works for her organization and is of mixed race. --- Peggy

"Job Serebrov" 05/11/2006 03:36 PM
To "Tova Wang", psims@eac.gov cc Subject
Re: new working group representative

I have an objection to Greenbaum. While I realize he comes from an advocacy group, he is not a minority attorney and we already have a rep who worked with DOJ. If it is to be Greenbaum, I would rather not fill that position since I am one down.

--- Tova Wang wrote:

is Jon Greenbaum

Here's his info in full:
He is the Director of the Voting Rights Project for the Lawyers Committee for Civil Rights. He will be representing Barbara Arnwine, the Executive Director of the Lawyers Committee.

His contact and mailing info is:

Washington, DC 20005

Tova Andrea Wang
Democracy Fellow
The Century Foundation

Visit our Web site, for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.
Dinner sounds like a great idea. Do either of you have any dietary restrictions or preferences? (I seem to recall that Tova would prefer a place that has vegetarian options). I'll try to locate a nearby place that won't bust the budget. --- Peggy

"Job Serebrov"

On another note entirely, since traffic will be bad going to Roanoke, do you want to have a dinner meeting with Tova and me after the group meeting to discuss the final report? As long as we are out by 7 or so I am ok with it. Also, my wife would have to be there as she will be meeting me after the WG.

--- psims@eac.gov wrote:

> According to the Commissioners, you and Tova each got to pick three members of the Working Group. The Commission guidance regarding this particular member follows:
> 4 people from the Academic, Legal and Advocacy sectors - 2 to be chosen by Tova and 2 to be chosen by Job.
> This issue of allowing a designee relates to Tova's pick.
> As I understand it, we are working on a replacement for Norcross. If Ginsberg is not viable, how about Mark Braden, who includes public integrity in his areas of specialization. I would not try and stir up other members of the Working Group, if I were you. The effort is likely to come back and bite you.
I really don't care if he represents the organization or not. What mixed race? The entire discussion was because Arnwine was African-American. If you are going to invite him without first having a replacement for my side, I may have to call Thor and Todd and discuss all of this.

--- psims@eac.gov wrote:

> Greenbaum is representing Arnwine, not replacing her. He works for her organization and is of mixed race. --- Peggy

I have an objection to Greenbaum. While I realize he comes from an advocacy group, he is not a minority attorney and we already have a rep who worked with DOJ. If it is to be Greenbaum, I would rather not fill that position since I am one down.

--- Tova Wang wrote:

> is Jon Greenbaum

Here's his info in full:
He is the Director of the Voting Rights Project for the Lawyers Committee for Civil Rights. He will be representing Barbara Arnwine, the Executive Director of the Lawyers Committee.

His contact and mailing info is:

Washington, DC 20005

Tova Andrea Wang
Democracy Fellow
The Century Foundation

Visit our Web site, , for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.
Subject: RE: Case Summaries

yes

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 09, 2006 10:38 AM
To: 
Subject: Fw: Case Summaries

Had you seen this? --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 05/09/2006 11:38 AM -----
"Job Serebrov"

05/08/2006 09:30 AM

Peggy:

Please add this to the packet.

Job

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:27 PM -----
"Job Serebrov"

05/12/2006 03:45 PM

I'm thankful it all worked out.

--- psims@eac.gov wrote:

> Ginsberg has accepted our invitation! --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:27 PM -----
Peggy,

I just spoke to Valerie Johnson, Ms. Arnwine's assistant. The following are a list of dates that are possible for her attendance;

8th - PM (2pm to 6pm)
9th - Possible PM
16th - PM (1:30pm - 5:30pm)
17th - All day*
18th - All day*
19th - All day*

*All day availability does not begin until after 9:30 or 10:00 AM

I will update this information on the shared drive.

Thanks,

Devon

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:27 PM -----
Teleconference
Are both of you available for a teleconference next Tuesday afternoon at about 4 PM EST? If this does not work for you, please suggest another date and/or time. I would like to discuss our preparations for the Working Group meeting.

Working Group Members
We have a very good person to fill the slot for the nonpartisan local election official: J.R. Perez, Elections Administrator for Guadalupe County, TX. Attached is his bio. Hope you have no objections to him. He is available on May 18. I have placed 2 calls to Pat Rogers office, but have not yet received a reply. Job, if you have any pull with him, you may want to contact him, too.

Travel Arrangements
You should make your own travel arrangements, including hotel. Travel time cannot be billed to the contract, except for hours actually worked on the contract (i.e.; reviewing materials in preparation for the meeting, and the like). Current Federal rates follow:

- Maximum Lodging = $180 per day- does not include hotel taxes (if you cannot get this rate, we have covered reasonable rates that are a little higher)
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- Mileage for Personally Owned Vehicle = $.445 per mile

Under the new contract, I do not have to fill out a travel authorization for you. I can approve your trip via email. Afterwards, when you turn in your next pay voucher, you can attach the airline receipt (or mileage documentation), hotel receipt(s), and ground transportation receipts and a copy of any printed itineraries. Calculate the total travel expenses due you, including applicable per diem. I do not need meal receipts.

Job, under Federal travel regulations, deviations for personal reasons are not normally accommodated. What you can do, however, is to give me a comparison of the cost of roundtrip mileage, hotel, and per diem of doing
it your way against the cost of a roundtrip flight,
ground transportation,
hotel, and per diem. If your way costs less, it
should be no problem to
cover the full cost. If your way is more expensive,
we may only pay up to
the amount of traditional travel. (The same rules
apply to me when I
travel.) If you can tell me where, other than DC,
you will spend the
night, I can check on applicable per diem rates.
>
Peggy
>
--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:27 PM ---
Margaret Sims/EAC/GOV 05/11/2006 02:35 PM  To Craig Donsanto
cc
Subject Voting Fraud-Voter Intimidation Working Group

Craig:

I think we have resolved the issue of Barbara Arnwine's absence from the upcoming meeting by having
one of her staff represent her (and her organization). Please review the attached rough summary of DOJ
Cases ASAP and let me know if I need to delete reference to the open investigations. Hopefully, we won't
have to remove this information as it does not specify the defendants or States involved. --- Peg

Rough Summary of Department of Justice, Public Integrity Section Activities, October
2002-January 2006

Prosecutions and Convictions-- Individuals
Noncitizen voting: 20
Vote buying: 49
Double voting: 12
Registration fraud: 13
Civil Rights: 4
Voter Intimidation: 2
Unclear: 1

Open Investigations (note: a few cases overlap with prosecutions and convictions)
Noncitizen voting: 3
Vote buying: 25
Double voting: 15
Registration fraud: 29

000943
Absentee ballot fraud: 9
Official: 8
Ineligibles: 4
Deceptive Practices: 1
Civil Rights: 14
Intimidation: 6
Other: 2

Cases and Investigations Closed for Lack of Evidence

Civil Rights: 8
Official: 12
Registration Fraud: 12
Absentee Ballot Fraud: 14
Ineligible Voting: 3
Intimidation: 8
Double Voting: 5
Ballot Box Stuffing: 1
Vote Buying: 14
Ballot/machine tampering: 2
Other: 8
Unclear: 3

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:27 PM -----

"Donsanto, Craig"
To psims@eac.gov
cc
Subject RE: Voting Fraud-Voter Intimidation

Peg - - what is the name of the group?

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 04, 2006 3:13 PM
To: Donsanto, Craig
Subject: RE: Voting Fraud-Voter Intimidation

Craig:

This meeting is being held to obtain input from our eight-member Working Group for the project. The group is composed of election lawyers, election officials, and a representative of an advocacy group, all of whom have an interest and some expertise in the identification and/or prosecution of voting fraud and voter intimidation. The group was chosen so that we would have an equal number of folks on each side of the political spectrum, plus some nonpartisan members.
After our consultants review the results of their preliminary research (interviews, literature review, case law), we will ask the Working Group to brainstorm possible next steps for EAC. Our consultants will write a report summarizing the proposals that come out of this meeting. The report will go to the Commissioners, who will decide what they want to do, funds available, and what priority to assigned to the effort(s).

Your participation in this part of the process is extremely important, so I am very happy that you can find time for us that afternoon. I'll get an agenda and other information to you next week. --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
05/04/2006 02:32 PM
Topsims@eac.gov
cc
Subject: RE: Voting Fraud-Voter Intimidation

Okay, Peg - - I will mark off the entire afternoon and try to be there. What is the agenda? I was not aware that this was anything beyond having your contractors spend another session with me. Also, if they will be needing stats and stuff like that I need to know as I will bring my state-people with me.

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 04, 2006 2:28 PM
To: Donsanto, Craig
Subject: Re: Voting Fraud-Voter Intimidation

Right now, we are planning to meet in EAC's large conference room between 1 PM and 5 PM. If you cannot be there for the whole afternoon, we will appreciate whatever time you can spare. I'll get back to you with more information (agenda, list of Working Group members, etc.). --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
05/03/2006 05:59 PM
Topsims@eac.gov
cc
Afternoon of May 18 -- 2:30 okay? How long will they need??
--------------------------
Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 16:59:09 2006
Subject: Re: Voting Fraud-Voter Intimidation

I am looking at the afternoon of 5/18 for the meeting, due to scheduling conflicts of Working Group members. There remain two members from whom we have not yet received confirmations of their schedule (with some, it is like pulling teeth), but right now 5/18 still looks like the best day. We may have to hold the meeting over here to make it easier for Commissioners to drop in. --- Peg

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
05/03/2006 12:53 PM
To
    psims@eac.gov
cc
Subject
    Re: Voting Fraud-Voter Intimidation

Okay -- you are on for May 18th! Can we do it over here at 10?
--------------------------
Sent from Dr. D's Fabulous BlackBerry Wireless Handheld
-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 12:40:19 2006
Subject: Re: Voting Fraud-Voter Intimidation

My problem is that agency staff is booked most of the week of 5/21. Monday through Wednesday are taken up with meetings of the Standards Board Executive Committee, the full Standards Board, and the Board of Advisors. Thursday, we have EAC's public meeting. Also, I will lose one of my two consultants in June, so I'm trying to wrap up this project (and get the final report from the consultants) by the end of May.

Say "Hi" to Cameron for me.

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/03/2006 11:56 AM
To
    psims@eac.gov
cc

Subject
Re: Voting Fraud-Voter Intimidation

Hi Peg. I am sitting here with Cameron Quinn putting together this year's ballt conference for AUSAs. She send her best!

I am available on 5/18. But I am also going to the Board of Advisors Meeting the following week. I would rather do this then.

--------------------------
Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 11:39:50 2006
Subject: Voting Fraud-Voter Intimidation

Craig:

We are continuing our efforts to hone in on a date for the Working Group meeting. Are you available the afternoon of Thursday, May 18?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
Peg:

Since I am driving to DC, besides hotel receipts, do you want me to keep my gas receipts or how will my car use be compensated? Also, I assume I don't have to retain food receipts.

Job

My problem is that agency staff is booked most of the week of 5/21. Monday through Wednesday are taken up with meetings of the Standards Board Executive Committee, the full Standards Board, and the Board of Advisors. Thursday, we have EAC's public meeting. Also, I will lose one of my two consultants in June, so I'm trying to wrap up this project (and get the final report from the consultants) by the end of May.

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Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:27 PM -----
Margaret Sims/EAC/GOV
05/11/2006 02:08 PM
To: Job Serebrov
cc
Subject: Literature Summary

Tova just sent me the summary you prepared of The Federal Crime of Election Fraud by Craig Donsanto. There is something wrong in the fourth paragraph (odd characters and missing text). Can you please send a replacement fourth paragraph? You can send it in an email and I will place it in the document. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM -----
Margaret Sims/EAC/GOV
05/10/2006 10:32 AM
To: Devon Romig
cc
Subject: Fw: Court Reporter for Working Group Meeting

Devon:
We have the OK from Tom to obtain a court reporter. Per his response (attached), please coordinate with Joyce. Also, I understand the reporter for the Asian Language Working Group arrived late. Please find out how we can ensure the one for our meeting arrives on time. Thanks! --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 05/10/2006 10:31 AM -----
Thomas R. Wilkey/EAC/GOV
Yes, please let Joyce know and she will get someone

Tom

Tom:
I understand that EAC hired a court reporter for the Asian Language Working Group meeting. I would like to do the same for the May 18 Voting Fraud-Voter Intimidation Working Group meeting, but I did not include funds in my budget for this service. Do we have funds that could be used for this purpose? (See Devon's cost estimate below.) --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 05/10/2006 10:18 AM ----
Devon E. Romig/EAC/GOV

Peggy,
I spoke to the people who usually handle the EAC court reporting. They charge $9.00 per page with an average of 40 pages per hour. This service would cost about $1800.00.

The turn around time for the transcript is 10 to 15 days. The transcripts comes in a bound paper copy and an electronic copy.

I can also check around for different prices.

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM -----
Devon E. Romig/EAC/GOV
05/03/2006 10:50 AM
To Margaret Sims/EAC/GOV@EAC
cc
Subject Secretary Rokita's schedule

Peggy,

I just spoke to Nathan Cane (Secretary Rokita's assistant). He did not have any new information but they are going to have a scheduling meeting tomorrow morning and he will ask specifically about the afternoon of May 18th. I also reminded him to find out any of the days that he was not available or any of the days that he had could attend the meeting in the morning or the afternoon.

Thanks,

Devon
----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM -----
Margaret Sims/EAC/GOV
05/04/2006 01:05 PM
To Devon E. Romig/EAC/GOV
cc
Subject Re: VFVI Working Group

Devon:
I forgot to tell you that Thor Hearne's assistant is named Bethany. She can be reached at 314/613-2510.
--- Peggy

Devon E. Romig/EAC/GOV
Peggy,

I have called each of the participants. So far I have a definite confirmation from Kathy Rogers.

Here is the list of the out of town participants for the Voter Fraud/Voter Intimidation Project Working Group:

Mark Hearne II - St. Louis, MO
Todd Rokita - Indianapolis, IN
Kathy Rogers - Atlanta, GA

Possible Participant.

Patrick Rogers - New Mexico

Thanks,

Devon Romig
U.S. Election Assistance Commission
1225 New York Ave. NW - Suite #1100
Washington, D.C. 20005
(202)566-2377

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM -----

"Tova Wang"
05/11/2006 05:32 PM
To: psims@eac.gov
cc
Subject: RE: new working group representative

I'm up for a short meeting afterward and a teleconference on Monday. And maybe when all of this is over, you and I can have dinner! Have I told you that I am moving down to DC this summer?

I suspect you have put up with much more than I have and I really appreciate everything you have done.

-----Original Message-----
From: psims@eac.gov
Sent: Thursday, May 11, 2006 4:27 PM
To: [REDACTED]
Subject: RE: new working group representative
Tova:

I understood Job to say that he could only find a hotel room with the right bed in Roanoke (hours away). He will drive in Thursday morning for the meeting and return to that hotel Thursday night. He won’t drive back into DC for a Friday morning meeting.

We don’t have to do dinner. I recognize that you have spent a lot of time and energy to make this project work, and I don’t want to put you out. (You have done a lot under difficult circumstances.) Though we will be bushed, we may want to have a short meeting right after the Working Group disperses --- or we could do a teleconference the following Monday afternoon (before I head into three more days of meetings). --- Peggy

05/11/2006 04:54 PM

To psims@eac.gov,

Subject RE: new working group representative

It would not be my first preference to do this right after the meeting, and I sort of had tentative plans. They can be changed if necessary of course, but what happened to meeting on Friday morning?

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 11, 2006 3:47 PM
To: 
Subject: Re: new working group representative

Dinner sounds like a great idea. Do either of you have any dietary restrictions of preferences? (I seem to recall that Tova would prefer a place that has vegetarian options). I’ll try to locate a nearby place that won’t bust the budget. --- Peggy

"Job Serebrov"  

05/11/2006 04:39 PM

To psims@eac.gov

cc

Subject Re: new working group representative
On another note entirely, since traffic will be bad going to Roanoke, do you want to have a dinner meeting with Tova and me after the group meeting to discuss the final report? As long as we are out by 7 or so I am ok with it. Also, my wife would have to be there as she will be meeting me after the WG.

--- psims@eac.gov wrote:

> According to the Commissioners, you and Tova each got to pick three members of the Working Group. The Commission guidance regarding this particular member follows:

> 4 people from the Academic, Legal and Advocacy sectors - 2 to be chosen by Tova and 2 to be chosen by Job.

> This issue of allowing a designee relates to Tova's pick.

> As I understand it, we are working on a replacement for Norcross. If Ginsberg is not viable, how about Mark Braden, who includes public integrity in his areas of specialization. I would not try and stir up other members of the Working Group, if I were you. The effort is likely to come back and bite you.

"Job Serebrov" 05/11/2006 03:53 PM

To psims@eac.gov
cc
Subject Re: new working group representative
I really don't care if he represents the organization or not. What mixed race? The entire discussion was because Arnwine was African-American. If you are going to invite him without first having a replacement for my side, I may have to call Thor and Todd and discuss all of this.

--- psims@eac.gov wrote:

Greenbaum is representing Arnwine, not replacing her. He works for her organization and is of mixed race. --- Peggy

"Job Serebrov" 05/11/2006 03:36 PM

To "Tova Wang", psims@eac.gov

Subject Re: new working group representative

I have an objection to Greenbaum. While I realize he comes from an advocacy group, he is not a minority attorney and we already have a rep who worked with DOJ. If it is to be Greenbaum, I would rather not fill that position since I am one down.

--- Tova Wang wrote:

is Jon Greenbaum

Here's his info in full:

He is the Director of the Voting Rights Project for the Lawyers Committee for Civil Rights. He will be representing
Dear Meeting Participants,

Thank you for confirming your participation in the upcoming Voter Fraud/Voter Intimidation Working Group Meeting in Washington, D.C. This meeting will take place at our office from 1:00 PM to 5:30 PM on Thursday May 18th, 2006.
The Election Assistance Commission (EAC) will cover the cost of your flight, the cost of your hotel room and provide you with a daily per diem. The cost of the airfare and the hotel stay will be paid directly by the EAC, as long as you book your travel through Adventure Travel.

To coordinate your flight and hotel stay, please contact Marvin Brokaw of Adventure Travel at (205) 444-4800, ext. 3501. Please note that the eligible dates of the hotel accommodation include the evenings on May 17th and May 18th. Once you have contacted him and you have received the itinerary via e-mail you must forward me a copy immediately so that I can complete a travel authorization form.

I have included two attachments with this email; the first attachment is a letter that contains important information that you will need to know before calling the travel agent and the second attachment provides some general information that should help you get around the city during your trip.

In addition to your travel itinerary, I will also need the following information by the close of business this Friday May 12, 2006 in order to complete your travel authorization:

Full Name:
Title:
Entity for whom you work:
Address to Which the Reimbursement Check Will Be Mailed:
Work Telephone:
Fax Number:
Social Security #: (if uncomfortable e-mailing this, feel free to call me):

Feel free to contact me with any questions.

Sincerely,

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov

Per Diem Letter VFVI.doc Logistics Sheet VFVI.doc
---- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM ----

"Tova Wang"
05/11/2006 01:30 PM
To psims@eac.gov, dromig@eac.gov
cc
Subject research summaries

I have the feeling we didn't include these in the original batch I sent you. Could you double check and if not, would you please include them in the existing research materials? Sorry and thanks. I'm kind of doing all of this on my own in case you couldn't tell. List is coming...

Tova Andrea Wang
Given the information I have Peggy, that is not going to be financially possible. First, given Tova's info about the hotels, it is too much for me to front. Two to three days in DC would run around $1000 for the hotel alone. That does not count the two days on the road to get there and two days back. Second, if I can't charge the federal per mile allowance for the entire trip to DC and back and can only get the equivalent of plane fare, I will actually lose money.

I simply do not see how we can do this in person given the financial restrictions.

--- psims@eac.gov wrote:

> Job:
> I don't think we can put you on teleconference for 41/2 hours. We really need to have you here in person if you are to help conduct the Working Group meeting. You should make your travel arrangements ASAP. --- Peggy
Subject
Re: Working Group

Peggy:

4:00 eastern on Tuesday is fine however, given the financial restrictions that you indicated would be in place for use of my car (I would actually loose money coming to DC) and given the cost of hotels at this time (I can't afford to front these costs and wait for months to be repaid), etc, it would take a miracle for this working group meeting to take place in person. It is looking like the only way it will get done is by teleconference. I also share Tova's concern about the unknown nature of Mr. Perez.

Job

--- psims@eac.gov wrote:

Hi, Folks:

Teleconference

Are both of you available for a teleconference next Tuesday afternoon at about 4 PM EST? If this does not work for you, please suggest another date and/or time. I would like to discuss our preparations for the Working Group meeting.

Working Group Members

We have a very good person to fill the slot for the nonpartisan local election official: J.R. Perez, Elections Administrator for Guadalupe County, TX. Attached is his bio. Hope you have no objections to him. He is available on May 18. I have place 2 calls to Pat Rogers office, but have not yet received a reply. Job, if you have any pull with him, you may want to contact him, too.
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Job, under Federal travel regulations, deviations for personal reasons are not normally accommodated. What you can do, however, is to give me a comparison of the cost of roundtrip mileage, hotel, and per diem of doing it your way against the cost of a roundtrip flight, ground transportation, hotel, and per diem. If your way costs less, it should be no problem to cover the full cost. If your way is more expensive, we may only pay up to the amount of traditional travel. (The same rules apply to me when I travel.) If you can tell me where, other than DC, you will spend the night, I can check on applicable per diem rates.

Peggy
Let me check with Devon early tomorrow. If she did not hear from him this afternoon, I'll have her contact you. Perhaps you will have more success than we have.

Peggy

Sent from my BlackBerry Wireless Handheld

Do you want me to call both Bob too?

Tova Andrea Wang
Democracy Fellow
The Century Foundation
Visit our Web site, , for the latest news, analysis, opinions, and events.

FYI - The person I mentioned as a replacement for David Norcross, who was unavailable, could not attend or Voting Fraud-Voter Intimidation Working Group meeting. Our consultant, Job Serebrov, suggested Benjamin Ginsberg, who is willing. I'm sorry I could not check with you on this beforehand --- things
That was not the only reason — it was to have someone from the civil rights community. I hardly think you can have a discussion about voter intimidation and suppression without someone with that background at the table. I know you agree with this given what you’ve said to me in the past.

-----Original Message-----
From: Job Serebrov
Sent: Thursday, May 11, 2006 2:48 PM
To: Tova Wang; psims@eac.gov
Subject: RE: new working group representative

We don’t know about Ginsburg but it was only stated, over my objection, that no current invitee was being disinvited. This does not apply to representatives of those people in my mind, especially when the main specific reason for inviting the person was her race.

--- Tova Wang wrote:

> He is representing Barbara Arnwine, and we have
> already established we are
> not disinviting anyone. We still don’t know about
> Ginsburg yet anyway,
> right?
> 
> -----Original Message-----
> From: Job Serebrov [mailto:serebrov@sbcglobal.net]
> Sent: Thursday, May 11, 2006 2:36 PM
> To: Tova Wang; psims@eac.gov
> Cc:
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> 
> I have an objection to Greenbaum. While I realize he
> comes from an advocacy group, he is not a minority
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> Here’s his info in full:

000963
He is the Director of the Voting Rights Project for the Lawyers Committee for Civil Rights. He will be representing Barbara Arnwine, the Executive Director of the Lawyers Committee.

His contact and mailing info is:

Tova Andrea Wang
Democracy Fellow
The Century Foundation
p.

Visit our Web site, , for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.

The code attachment did not work that is what I meant by it did not come through.
--- psims@eac.gov wrote:

> Did you look at the attached excerpts from Texas Code? --- Peggy

> "Job Serebrov" 05/09/2006 11:23 AM

> To
> psims@eac.gov
> cc
> Subject
> Re: Working Group-Perez

> We have the same set-up here in Arkansas. We hired a person just like Perez. However, given this, I would still like to know if he has a party affiliation and this brings up another issue. How is the county election commission chosen. In Arkansas it is the Chairmen of the Republican and Democrat Parties or if he/she does not want to serve a person is elected in his/her stead and a third member picked by the party with the most constitutional officers. Practically that has meant that the Democrats have controlled election commissions in Arkansas since the end of Reconstruction. This is why I want to know the situation in Texas.

--- psims@eac.gov wrote:

> As you may recall, the Commissioners directed me to find a nonpartisan local election official to serve on the Working Group. The three of us discussed the desirability of having a Hispanic. I proposed that I find someone from Texas because of that State's colorful history of voting fraud and their innovative approaches to combat it. In those Texas counties that hire Election Administrators to run elections, rather than having elected officials do so (Tax Assessor for voter registration; County Clerk for balloting), the Election
Administrator is hired by the County Election Commission and is supposed to perform his or her duties in a nonpartisan manner. (See attached excerpts from Texas Election Code regarding election administrator hiring and restrictions on partisan activity.) Any experienced Texas election official will be familiar with voting fraud and voter intimidation schemes used in that State.

Mr. Perez has over 13 years experience as a county Election Administrator in Texas. You won't find many news articles mentioning him because he has kept his nose clean. (The Texas press, as in many other parts of the country, prefers to report bad news.) Mr. Perez is plugged into the association of Texas election officials and the two largest organizations of election officials in this country: the International Association of Clerks, Recorders, Election Officials and Treasurers (IACREOT); and The Election Center. He is a past President and past Chairman of the Legislative Committee for the Texas Association of Election Administrators. He currently serves on IACREOT's Election Officials Committee, which plans the educational sessions for election officials that are conducted at that organization's conferences. His peers in IACREOT and The Election Center have selected his submissions on web presentations (IACREOT) and his professional practices papers (Election Center) for awards. Mr. Perez also has access to information from other States through his membership in IACREOT and The Election Center. He also has a sense of humor, which you will note if you access the staff web page on the Guadalupe County Elections web site and hear the Mission Impossible theme .. something that might be useful in the upcoming meeting.

Guadalupe County is small but growing. In 2004, the county had over 65
thousand registered voters (a number more than doubled the number of registered voters in 1988). A third of the county's population claims Hispanic or Latino origin, according to the U.S. Census Bureau. The county is in south central Texas and is bordered by Comal, Hays, Cladwell, Gonzales, Wilson, and Bexar counties. In the 1980s, the county was predominately a farming community; but in recent years, many people have moved from San Antonio (Bexar County) to Guadalupe County, preferring to live in Guadalupe County and work in Bexar County.

--- Peggy

"Job Serebrov" 05/08/2006 11:30 PM

To psims@eac.gov
cc

Subject Re: Working Group

Peggy:

What political party is Perez with? How political is he? Is the position in Texas neutral or political? Who appointed Perez?

As to Pat I will contact him but I can't promise anything. If Pat can't come, who is getting knocked off Tova's list?

Job
Craig:

We are continuing our efforts to hone in on a date for the Working Group meeting. Are you available the afternoon of Thursday, May 18?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission

Job, please double check to make sure I haven't missed anything

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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Existing Literature Reviewed.doc
Tova:

I understood Job to say that he could only find a hotel room with the right bed in Roanoke (hours away). He will drive in Thursday morning for the meeting and return to that hotel Thursday night. He won't drive back into DC for a Friday morning meeting.

We don't have to do dinner. I recognize that you have spent a lot of time and energy to make this project work, and I don't want to put you out. (You have done a lot under difficult circumstances.) Though we will be bushed, we may want to have a short meeting right after the Working Group disperses --- or we could do a teleconference the following Monday afternoon (before I head into three more days of meetings). --- Peggy

"Tova Wang"

05/11/2006 04:54 PM

To psims@eac.gov, cc

Subject RE: new working group representative

It would not be my first preference to do this right after the meeting, and I sort of had tentative plans. They can be changed if necessary of course, but what happened to meeting on Friday morning?

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 11, 2006 3:47 PM
To: _.. 
Subject: Re: new working group representative

Dinner sounds like a great idea. Do either of you have any dietary restrictions of preferences? (I seem to recall that Tova would prefer a place that has vegetarian options). I'll try to locate a nearby place that won't bust the budget. --- Peggy

"Job Serebrov"

05/11/2006 04:39 PM

To psims@eac.gov

cc

Subject Re: new working group representative

On another note entirely, since traffic will be bad
Peg,

Correct me if I'm wrong, but I think I omitted sending you these specific summaries that are based on complex cases that could not be adequately described within the confines of the nexis article excel spreadsheets. If we can, these should be included, probably on the disc. Sorry.

Tova Andrea Wang  
Democracy Fellow  
The Century Foundation

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--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM ---
Margaret Sims/EAC/GOV
05/11/2006 11:45 AM
To Job Serebrov
cc
Subject Court Case Charts

Job
In preparing the CDs, we have run across the following files that appear to be duplicates. Which ones should go on the CD? --- Peggy

Chart Election Accessible.doc Chart Vote Inaccessible.doc  
Chart Denial Voter Registrat.doc Chart Denial Voter Registrat2.doc  
Chart Provisional Ballot Den.doc Chart Provisional Ballot Den2.doc

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM ---
"Job Serebrov"
05/09/2006 12:03 PM
To psims@eac.gov
cc
Subject Re: Working Group-Perez

Here is the issue---four of the five people who
going to Roanoke, do you want to have a dinner meeting with Tova and me after the group meeting to discuss the final report? As long as we are out by 7 or so I am ok with it. Also, my wife would have to be there as she will be meeting me after the WG.

--- psims@eac.gov wrote:

> According to the Commissioners, you and Tova each got to pick three members of the Working Group. The Commission guidance regarding this particular member follows:
>
> 4 people from the Academic, Legal and Advocacy sectors - 2 to be chosen by Tova and 2 to be chosen by Job.
>
> This issue of allowing a designee relates to Tova's pick.
> 
> As I understand it, we are working on a replacement for Norcross. If Ginsberg is not viable, how about Mark Braden, who includes public integrity in his areas of specialization. I would not try and stir up other members of the Working Group, if I were you. The effort is likely to come back and bite you.
>
> "Job Serebrov" 05/11/2006 03:53 PM
>
> To psims@eac.gov
> cc
> Subject Re: new working group representative
>
> I really don't care if he represents the organization or not. What mixed race? The entire discussion was because Arnwine was African-American. If you are going to invite him without first having a replacement for my side, I may have to call Thor and Todd and discuss all of this.
--- psims@eac.gov wrote:

Greenbaum is representing Arnwine, not replacing her. He works for her organization and is of mixed race. --- Peggy

---

"Job Serebrov"
05/11/2006 03:36 PM

To
"Tova Wang" psims@eac.gov
cc
Subject
Re: new working group representative

---

I have an objection to Greenbaum. While I realize he comes from an advocacy group, he is not a minority attorney and we already have a rep who worked with DOJ. If it is to be Greenbaum, I would rather not fill that position since I am one down.

--- Tova Wang wrote:

is Jon Greenbaum:

Here's his info in full:

http://www.lawyerscommittee.org/2005website/aboutus/staff/staffgreenbaum.htm

1

He is the Director of the Voting Rights Project for the Lawyers Committee for Civil Rights. He will be representing Barbara Arnwine, the Executive Director of the Lawyers Committee.

His contact and mailing info is:

[...]

---
"Jo Serabry"  
04/17/2006 12:44 PM  
To psims@eac.gov  
cc  
Subject Re: Conference Call This Afternoon

Yes but it needs to go no longer then 30 mins

--- psims@eac.gov wrote:

> Are you two still available for the conference call  
> we had scheduled for  
> this afternoon at 4 PM EST/3 PM CST? --- Peg

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:28 PM ---

Devon E. Romig/EAC/GOV  
04/19/2006 03:44 PM  
To Margaret Sims/EAC/GOV@EAC  
cc  
Subject Re: Voting Fraud/Voter Intimidation Project Working Group

Yes, she is the assistant to David A. Norcross and she is unavailable until Monday. I spoke with the woman who is filling in for her this week and she does not have access to Mr. Norcross's schedule.

Margaret Sims/EAC/GOV

Margaret Sims/EAC/GOV  
04/19/2006 03:27 PM  
To Devon E. Romig/EAC/GOV@EAC  
cc  
Subject Re: Voting Fraud/Voter Intimidation Project Working Group

Was this message sent to someone's assistant? We have noone named Rivers on our working group.  
Peggy
Hi, Sarah:

Thank you for agreeing to be interviewed on Wednesday, April 19, by the consultants for EAC's initial research on voting fraud and voter intimidation, Job Serebrov and Tova Wang. Our consultants are conducting interviews as part of preliminary research to determine how EAC may best meet the requirements of Section 241(b)6 and 7 of the Help America Vote Act of 2002. As you may recall, Section 241 requires EAC to conduct research on election administration issues, including the development of:

- nationwide statistics and methods of identifying, deterring, and investigating voting fraud in elections for Federal office; and
- methods of identifying, deterring, and investigating methods of voter intimidation.

This is what I need you (and the Secretary, if he is available) to do:

- At approximately 11 AM EST on April 19, call 1-866-222-9044.
- At the prompt for the pass code, enter 62209.

Tova and Job will join you on the line. We have arranged for the line to be open for an hour, with 10 minutes extra on the front end (for folks who have not synchronized their watches).

You mentioned that Secretary Grayson may be using a cell phone. Our teleconference provider has given us the following information regarding the use of cell phones during the teleconference:

- Signals are often in and out and the audio bridging equipment cannot compensate fast enough by adjusting the signal. This affects all participants connected. If participants must use a cell phone – they should be stationary in a location where they can pick up the other participants, moving while using a cell phone causes the signal to go in and out and often will pick up extraneous electrical signals that will cause heavy static on the call.
- The cell phone should be well charged and muted, if possible, until the individual is ready to speak.
- If there is a problem, anybody who dials into a conference can contact the operator/technicians by simply pressing *0 (star zero). This information is part of the recording when individuals are dialing in.

If you have any problems accessing the teleconference, please call Edgardo Cortés. You can reach him at 1-866-747-1471 (toll-free) or 202-566-3126. He can contact our service provider to correct any problems. (I will be on my way to Seattle and unable to help.)

Thanks, again!

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3126 (direct)
Fax: 202-566-3127
email: psims@eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:28 PM -----
Margaret Sims/EAC/GOV
04/17/2006 12:37 PM To Job Serebrov, Tova Andrea Wang
Are you two still available for the conference call we had scheduled for this afternoon at 4 PM EST/3 PM CST? --- Peg

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:28 PM -----

"Tova Wang"
04/21/2006 11:09 AM
To psims@eac.gov, "Job Serebrov"
cc
Subject interview summaries 3

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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Interview with Lori Minnite.doc Interview with Neil Bradley final.doc Interview with Nina Perales final.doc
Interview with Pat Rogers.doc Interview with Rebecca Vigil-Giron.doc Interview with Sarah Ball Johnson.doc
Interview with Steve Ansolobehere and Chandler Davidson.doc Interview with Tracy Campbell.doc

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:28 PM -----

Margaret Sims/EAC/GOV
04/19/2006 03:31 PM
To "Job Serebrov" "Tova Andrea Wang"
cc
Subject Recent email from Aletha Barrington

Please ignore the message sent to you today by Aletha Barrington. It was sent in error. As COR for this project, I remain your primary contact. Thanks.
Peggy

Sent from my BlackBerry Wireless Handheld
Tova Andrea Wang  
Democracy Fellow  
The Century Foundation

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indiana litigation - official.doc  Section 5 Recommendation Memorandum summary.doc  Securing the Vote.doc  Shattering the Myth.doc

Steal this Vote Review final.doc  stealing elections review.doc

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:28 PM ----

Diana Scott/EAC/GOV  
04/18/2006 11:38 AM

I have just forwarded to you the Feb 3 email I sent to EAC Staff.

Diana M. Scott  
Administrative Officer  
U.S. Election Assistance Commission  
(202) 566-3100 (office)  
(202) 566-3127 (fax)  
dscott@eac.gov

Edgardo Cortes/EAC/GOV
Hi, Sarah:

Thank you for agreeing to be interviewed on Wednesday, April 19, by the consultants for EAC's initial research on voting fraud and voter intimidation, Job Serebrov and Tova Wang. Our consultants are conducting interviews as part of preliminary research to determine how EAC may best meet the requirements of Section 241(b)6 and 7 of the Help America Vote Act of 2002. As you may recall, Section 241 requires EAC to conduct research on election administration issues, including the development of:

- nationwide statistics and methods of identifying, deterring, and investigating voting fraud in elections for Federal office; and
- methods of identifying, deterring, and investigating methods of voter intimidation.

This is what I need you (and the Secretary, if he is available) to do:

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Tova and Job will join you on the line. We have arranged for the line to be open for an hour, with 10 minutes extra on the front end (for folks who have not synchronized their watches).

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Thanks, again!

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
e-mail: psims@eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:28 PM -----

"Tova Wang"
04/21/2006 11:05 AM
To psims@eac.gov, "Job Serebrov"
cc
Subject summaries of interviews

Part 1. I'm going to try not to overload

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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Interview Justice Stratton.doc Interview w Tony Sirvello FINAL.doc

000933
Ms. Rivers,

My name is Devon Romig and I am writing to you on behalf of the Election Assistance Commission. I believe that you have been contacted previously by our consultant Job Serebrov about the Voting Fraud/Voter Intimidation Project Working Group that we are organizing.

We are in the process of setting a date for this event and we would appreciate any suggestions that you may contribute based upon Mr. Norcross's availability in the month of May. The proposed dates are May 1, 2, 3, 8, 9, 10, 11, 12, 15, 16, 17, 18, 19. The meeting will only last for one day. Please let me know any and all of the listed dates that will work with Mr. Norcross's schedule.

Also, I tried to contact you by phone but I received a disconnected notification. Could you please provide me with your most current contact information?

Feel free to call or email me with any questions.

Thanks!

Devon Romig
U.S. Election Assistance Commission
1225 New York Ave. NW - Suite #1100
Washington, D.C. 20005
(202)566-2377
Tova Andrea Wang  
Democracy Fellow  
The Century Foundation

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--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:28 PM ----

"Tova Wang"

To psims@eac.gov

Subject nexis article charts and overview/analysis
Tova Andrea Wang  
Democracy Fellow  
The Century Foundation  
130 E. 58th Street, New York, NY 10022  
Tel: 212-434-3300  
Visit our Web site, for the latest news, analysis, opinions, and events.  
Click here to receive our weekly e-mail updates.  

methodology - official.doc  
--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:28 PM ---  
"Tova Wang"  
04/21/2006 11:07 AM  
To psims@eac.gov, "Job Serebrov"  
cc  
Subject interview with Doug Webber — correct version  

I sent the wrong version! Please use this one.

Tova Andrea Wang  
Democracy Fellow  
The Century Foundation  
130 E. 58th Street, New York, NY 10022  
Tel: 212-434-3300  
Visit our Web site, for the latest news, analysis, opinions, and events.  
Click here to receive our weekly e-mail updates.
And there will be one more forthcoming next week.

Tova Andrea Wang  
Democracy Fellow  
The Century Foundation

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——- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:28 PM ———
Ms. Rivers,

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We are in the process of setting a date for this event and we would appreciate any suggestions that you may contribute based upon Mr. Norcross's availability in the month of May. The proposed dates are May 1, 2, 3, 5, 6, 8, 9, 10, 11, 12, 15, 16, 17, 18, 19. The meeting will only last for one day. Please let me know any and all of the listed dates that will work with Mr. Norcross's schedule.

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Feel free to call or email me with any questions.

Thanks!

Devon Romig
U.S. Election Assistance Commission
1225 New York Ave. NW - Suite #1100
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(202)566-2377
Tova Andrea Wang
Democracy Fellow
The Century Foundation

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Interview with Heather Dawn Thompson.doc Interview with Jason Torchinsky final.doc Interview with Joe Rich.doc
Interview with Joe SandlerFINAL.doc Interview with John Ravitz.doc Interview with John Tanner.doc
Interview with Kevin Kennedy.doc

Diana:

This is just to let you know that I have requested a teleconference on Wednesday, April 19, from 11 AM to Noon EST. I asked for 6 lines to accommodate our research consultants and the folks that they will be interviewing for our Voting Fraud/Voter Intimidation project.

Peggy Sims
Election Research Specialist
I know you preferred Friday, but Job is not available then. He also said he is not available next week. Do you have any time available this Wednesday? --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/17/2006 11:45 AM ---

"Job Serebrov"

04/17/2006 11:06 AM

To psims@eac.gov

cc

Subject Re: Follow up Donsanto and KY Interviews

I can't do it Friday but Wednesday is ok.

--- psims@eac.gov wrote:

> Tova and Job:
> 
> I've passed Tova's request on to Craig.
> 
> Also, Sarah Ball Johnson, KY, finally called back to say she would be available Wednesday through Friday this week and next week for the interview. Which day and time is best for you and Job?
> 
> --- Peggy
> 
> 
> 
> 04/16/2006 11:39 AM
> 
> To
> 
> psims@eac.gov
> 
> cc
> 
> "Tova Wang"
Hi Peg,

Happy Easter!

Would it be possible to talk to Mr. Donsanto about this latest initiative, or somehow get more information? Thanks. Tova

http://www.fbi.gov/page2/april06/electioncrime041406.htm

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:27 PM ---

"Tova Wang"
04/17/2006 04:53 PM

To psims@eac.gov
cc

Subject interview analysis

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:27 PM ---

"Donsanto, Craig"
05/03/2006 11:56 AM

To psims@eac.gov
cc

Subject Re: Voting Fraud-Voter Intimidation

Hi Peg. I am sitting here with Cameron Quinn putting together this year's
ballt conference for AUSAs. She send her best!

I am available on 5/18. But I am also going to the Board of Advisors Meeting the following week. I would rather do this then.

--------------------------
Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 11:39:50 2006
Subject: Voting Fraud-Voter Intimidation

Craig:

We are continuing our efforts to hone in on a date for the Working Group meeting. Are you available the afternoon of Thursday, May 18?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:27 PM ----
Devon E. Romig/EAC/GOV
05/10/2006 09:54 AM

Peggy,

I spoke to the people who usually handle the EAC court reporting. They charge $9.00 per page with an average of 40 pages per hour. This service would cost about $1800.00.

The turn around time for the transcript is 10 to 15 days. The transcripts comes in a bound paper copy and an electronic copy.

I can also check around for different prices.

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:27 PM ----
To psims@eac.gov, serebrov@sbcglobal.net
cc

000992
Literally, there is not a hotel room to be found in the district on these dates. The only thing I could find was a room for $379 a night. I have booked it and will assume that since we are so under-budget on travel that this will be OK.

----- Original Message ----- 
From: psims@eac.gov
To: [redacted]
Cc: dromig@eac.gov
Sent: Friday, May 05, 2006 2:32 PM
Subject: Working Group

Hi, Folks:

Teleconference
Are both of you available for a teleconference next Tuesday afternoon at about 4 PM EST? If this does not work for you, please suggest another date and/or time. I would like to discuss our preparations for the Working Group meeting.

Working Group Members
We have a very good person to fill the slot for the nonpartisan local election official: J.R. Perez, Elections Administrator for Guadalupe County, TX. Attached is his bio. Hope you have no objections to him. He is available on May 18. I have placed 2 calls to Pat Rogers' office, but have not yet received a reply. Job, if you have any pull with him, you may want to contact him, too.

Travel Arrangements
You should make your own travel arrangements, including hotel. Travel time cannot be billed to the contract, except for hours actually worked on the contract (i.e.; reviewing materials in preparation for the meeting, and the like). Current Federal rates follow:

Maximum Lodging = $180 per day- does not include hotel taxes (if you cannot get this rate, we have covered reasonable rates that are a little higher)
Meals & Incidental = $64 per day (except that it is $48 on the first and last day of travel)
Mileage for Personally Owned Vehicle = $.445 per mile

Under the new contract, I do not have to fill out a travel authorization for you. I can approve your trip via email. Afterwords, when you turn in your next pay voucher, you can attach the airline receipt (or mileage documentation), hotel receipt(s), and ground transportation receipts and a copy of any printed itineraries. Calculate the total travel expenses due you, including applicable per diem. I do not need meal receipts.

Job, under Federal travel regulations, deviations for personal reasons are not normally accommodated. What you can do, however, is to give me a comparison of the cost of roundtrip mileage, hotel, and per diem of doing it your way against the cost of a roundtrip flight, ground transportation, hotel, and per diem. If your way costs less, it should be no problem to cover the full cost. If your way is more expensive, we may only pay up to the amount of traditional travel. (The same rules apply to me when I travel.) If you can tell me where, other than DC, you will spend the night, I can check on applicable per diem rates.
All. They are not duplicates. There are some cases repeated and some not. It is a slight variant of the word search.

--- psims@eac.gov wrote:

> Job
> In preparing the CDs, we have run across the following files that appear to be duplicates. Which ones should go on the CD?
> --- Peggy
Thank you, Peg - - see you then.

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Friday, May 05, 2006 12:53 PM
To: Donsanto, Craig
Subject: RE: Please remind me of time and place for Voter Intimidation project meeting

The meeting is scheduled for Thursday, May 18, 1- 5:30 PM (though we may finish earlier). It will be held in EAC's large conference room (the one we use for public meetings, located off our lobby). --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
If you tell me now I will put it into my calendar here, which in turn will remind me!

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Friday, May 05, 2006 12:42 PM
To: Donsanto, Craig
Subject: Re: Please remind me of time and place for Voter Intimidation project meeting

How many days in advance do you need the reminder? --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:27 PM ---

Margaret Sims/EAC/GOV
05/04/2006 02:07 PM
To Paul DeGregorio, Ray Martinez, Donetta Davidson, Gracia Hillman
cc twilkey@eac.gov, jthompson@eac.gov, Gavin S. Gilmour/EAC/GOV@EAC, Amie J. Sherrill/EAC/GOV@EAC, Adam Ambrogi/EAC/GOV@EAC, Eileen L. Collier/EAC/GOV@EAC, Sheila A. Banks/EAC/GOV@EAC, bbenavides@eac.gov, Karen Lynn-Dyson/EAC/GOV@EAC
Subject Voting Fraud-Voter Intimidation Working Group Meeting

Dear Commissioners:

This is to let you know that the Working Group for our Voting Fraud and Voter Intimidation preliminary research project is scheduled to meet in EAC's large conference room the afternoon of Thursday, May 18. I will provide more information about this meeting to you later.

Peggy Sims
Election Research Specialist

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:27 PM ---

Margaret Sims/EAC/GOV
05/09/2006 11:19 AM
To Devon Romig
cc
Subject May 18 Meeting

Did Barbara Arnwine's office indicate who they propose to send in her place? --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:27 PM ---

"Job Serebrov"
05/10/2006 02:35 PM
To psims@eac.gov
cc
Subject Latham
The Latham is booked solid. I called. I am checking out some possibilities but this is not looking good.

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:27 PM ---
Margaret Sims/EAC/GOV
05/10/2006 03:20 PM
To "Job Serebrov"
cc
Subject Re: Latham

One source suggests the Georgetown Inn has vacancies and pillow top beds. Try 1-800-424-2979 or 202-353-8900.

"Job Serebrov"
05/10/2006 02:35 PM
To psims@eac.gov
cc
Subject Latham

The Latham is booked solid. I called. I am checking out some possibilities but this is not looking good.

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:27 PM ---
Margaret Sims/EAC/GOV
05/11/2006 10:06 AM
To Tova Andrea Wang, Job Serebrov
cc
Subject Today's Teleconference

I assume that we are still on for today's teleconference at 11 AM EST. I will call you. I have attached a draft agenda for your review and comment. --- Peggy

Agenda 5-18-06 Mtg-draft.doc
This is ok, given the fact that the WG may have suggestions. Will you be sending us the same packets that you are sending the WG? Also, I figure with Tova's response we will need to have a teleconference on the report once I return to Little Rock. We will need to do it that following Monday or Tuesday.

--- psims@eac.gov wrote:

> Would you please take a look at the attached? I combined both of your
> definitions, reformatted the list, removed a reference to the fraud having
> to have an actual impact on the election results
> (because fraud can be prosecuted without proving that it actually changed
> the results of the election), and taken out a couple of vague examples
> (e.g.; reference to failing to enforce state laws --- because there may
> be legitimate reasons for not doing so).
> > I have made contact with Ben Ginsberg's office and am waiting to hear if
> he accepts our invitation to join the working group.
> > --- Peggy
> >
> Yes. My wife is a vegetarian and I can't eat wheat products and don't eat pork. Non-toxic Oriental seems to always work. I did not cc Tova on this until I received your reaction. You probably want to include
Hi Devon:
We have heard from Mark Hearne and Todd Rokita. They are both flying in and out on the 18th and will not need hotel rooms. We're kind of waiting to see if Perez and Rogers need rooms before booking any hotel. As soon as we get approval of Hearne and Rokita air schedules and get them booked, we'll forward their itineraries to you.

Kind Regards,
Marvin

-----Original Message-----
From: dromig@eac.gov [mailto:dromig@eac.gov]
Sent: Tuesday, May 09, 2006 8:31 AM
To: 
Cc: psims@eac.gov
Subject: May 18th Meeting at EAC

Hello Marvin,

I just wanted to follow up with the voicemail message that I left for you yesterday. We will be holding a meeting at our offices in Washington DC on May 18, 2006. I have informed the out of state attendees to contact you for their travel arrangements.

We have been authorized to pay for the attendees airfare and hotel arrangements. Please note
that all of the participants are authorized for a two night hotel room stay, as long as the dates are May 17th and 18th.

I attached the list of the meeting participants that will be contacting you about their travel arrangements for the May 18th meeting in Washington DC.
Let me know if you have any questions for me or if you need any more information from me.

Thanks for your help!

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov

Peggy,

I just spoke to Mr. Norcross's assistant, he cannot attend the meeting on the 18th, he will be out of town at another event.

Devon Romig
U.S. Election Assistance Commission
1225 New York Ave. NW - Suite #1100
Washington, D.C. 20005
(202)566-2377

Peggy -- they don't have anything to do with the Leadership Conference on Civil Rights do they?

I ask only because the Justice Department is currently engaged in a very acrimonious FOIA litigation with LCCR that focuses precisely on our efforts to combat voter "intimidationm"
It is just the Working Group for the Voting Fraud-Voter Intimidation Project. I am asking you to attend as Technical Advisor for the project. --- Peggy

Craig:

This meeting is being held to obtain input from our eight-member Working Group for the project. The group is composed of election lawyers, election officials, and a representative of an advocacy group, all of whom have an interest and some expertise in the identification and/or prosecution of voting fraud and voter intimidation. The group was chosen so that we would have an equal number of folks on each side of the political spectrum, plus some nonpartisan members.

After our consultants review the results of their preliminary research (interviews, literature review, case law), we will ask the Working Group to brainstorm possible next steps for EAC. Our consultants will write a report summarizing the proposals that come out of this meeting. The report will go to the Commissioners, who will decide what they want to do, funds available, and what priority to assigned to the effort(s).
Your participation in this part of the process is extremely important, so I am very happy that you can find time for us that afternoon. I'll get an agenda and other information to you next week. --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
05/04/2006 02:32 PM
To
cc
Subject RE: Voting Fraud-Voter Intimidation

Okay, Peg -- I will mark off the entire afternoon and try to be there. What is the agenda? I was not aware that this was anything beyond having your contractors spend another session with me. Also, if they will be needing stats and stuff like that I need to know as I will bring my state-people with me.

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 04, 2006 2:28 PM
To: Donsanto, Craig
Subject: Re: Voting Fraud-Voter Intimidation

Right now, we are planning to meet in EAC's large conference room between 1 PM and 5 PM. If you cannot be there for the whole afternoon, we will appreciate whatever time you can spare. I'll get back to you with more information (agenda, list of Working Group members, etc.). --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
05/03/2006 05:59 PM
To
cc
psims@eac.gov
Subject: Re: Voting Fraud-Voter Intimidation

Afternoon of May 18 -- 2:30 okay? How long will they need??
--------------------------
Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 16:59:09 2006
Subject: Re: Voting Fraud-Voter Intimidation

I am looking at the afternoon of 5/18 for the meeting, due to scheduling conflicts of Working Group members. There remain two members from whom we have not yet received confirmations of their schedule (with some, it is like pulling teeth), but right now 5/18 still looks like the best day. We may have to hold the meeting over here to make it easier for Commissioners to drop in.
--- Peg

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
05/03/2006 12:53 PM
To
    psims@eac.gov
cc
Subject: Re: Voting Fraud-Voter Intimidation

Okay -- you are on for May 18th! Can we do it over here at 10?
--------------------------
Sent from Dr. D's Fabulous BlackBerry Wireless Handheld
-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 12:40:19 2006
Subject: Re: Voting Fraud-Voter Intimidation

My problem is that agency staff is booked most of the week of 5/21. Monday through Wednesday are taken up with meetings of the Standards Board Executive Committee, the full Standards Board, and the Board of Advisors. Thursday, we have EAC's public meeting. Also, I will lose one of my two consultants in June, so I'm trying to wrap up this project (and get the final report from the consultants) by the end of May.

Say "Hi" to Cameron for me.

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
05/03/2006 11:56 AM
To
cc
Subject

Hi Peg. I am sitting here with Cameron Quinn putting together this year's ballt conference for AUSAs. She send her best!

I am available on 5/18. But I am also going to the Board of Advisors Meeting the following week. I would rather do this then.

--------------------------
Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 11:39:50 2006
Subject: Re: Voting Fraud-Voter Intimidation

Craig:

We are continuing our efforts to hone in on a date for the Working Group meeting. Are you available the afternoon of Thursday, May 18?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
On another note entirely, since traffic will be bad going to Roanoke, do you want to have a dinner meeting with Tova and me after the group meeting to discuss the final report? As long as we are out by 7 or so I am ok with it. Also, my wife would have to be there as she will be meeting me after the WG.

--- psims@eac.gov wrote:
>
> According to the Commissioners, you and Tova each got to pick three members of the Working Group. The Commission guidance regarding this particular member follows:
> 4 people from the Academic, Legal and Advocacy sectors – 2 to be chosen by Tova and 2 to be chosen by Job.
> This issue of allowing a designee relates to Tova's pick.
> As I understand it, we are working on a replacement for Norcross. If Ginsberg is not viable, how about Mark Braden, who includes public integrity in his areas of specialization. I would not try and stir up other members of the Working Group, if I were you.
> The effort is likely to come back and bite you.

> "Job Serebrov" 05/11/2006 03:53 PM
For purposes of travel arrangements, Job do you want to plan to meet the day before and/or the day after the meeting?

----- Original Message ----- 
From: psims@eac.gov
To: 
Cc: dromig@eac.gov
Sent: Friday, May 05, 2006 2:32 PM
Subject: Working Group

Hi, Folks:
Teleconference
Are both of you available for a teleconference next Tuesday afternoon at about 4 PM EST? If this does not work for you, please suggest another date and/or time. I would like to discuss our preparations for the Working Group meeting.

Working Group Members
We have a very good person to fill the slot for the nonpartisan local election official: J.R. Perez, Elections Administrator for Guadalupe County, TX. Attached is his bio. Hope you have no objections to him. He is available on May 18. I have placed 2 calls to Pat Rogers office, but have not yet received a reply. Job, if you have any pull with him, you may want to contact him, too.

Travel Arrangements
You should make your own travel arrangements, including hotel. Travel time cannot be billed to the contract, except for hours actually worked on the contract (i.e.; reviewing materials in preparation for the meeting, and the like). Current Federal rates follow:

Maximum Lodging = $180 per day- does not include hotel taxes (if you cannot get this rate, we have covered reasonable rates that are a little higher)
Meals & Incidentals = $64 per day (except that it is $48 on the first and last day of travel)
Mileage for Personally Owned Vehicle = $.445 per mile

Under the new contract, I do not have to fill out a travel authorization for you. I can approve your trip via email. Afterwords, when you turn in your next pay voucher, you can attach the airline receipt (or mileage documentation), hotel receipt(s), and ground transportation receipts and a copy of any printed itineraries. Calculate the total travel expenses due you, including applicable per diem. I do not need meal receipts.

Job, under Federal travel regulations, deviations for personal reasons are not normally accommodated. What you can do, however, is to give me a comparison of the cost of roundtrip mileage, hotel, and per diem of doing it your way against the cost of a roundtrip flight, ground transportation, hotel, and per diem. If your way costs less, it should be no problem to cover the full cost. If your way is more expensive, we may only pay up to the amount of traditional travel. (The same rules apply to me when I travel.) If you can tell me where, other than DC, you will spend the night, I can check on applicable per diem rates.

Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM -----

05/05/2006 06:18 PM  To  psims@eac.gov
cc  dromig@eac.gov
Subject  Re: Working Group

I'm finding there are no hotel rooms available

----- Original Message -----  
From: psims@eac.gov  
To:  

Hi, Folks:

Teleconference
Are both of you available for a teleconference next Tuesday afternoon at about 4 PM EST? If this does not work for you, please suggest another date and/or time. I would like to discuss our preparations for the Working Group meeting.

Working Group Members
We have a very good person to fill the slot for the nonpartisan local election official: J.R. Perez, Elections Administrator for Guadalupe County, TX. Attached is his bio. Hope you have no objections to him. He is available on May 18. I have place 2 calls to Pat Rogers office, but have not yet received a reply. Job, if you have any pull with him, you may want to contact him, too.

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- Meals & Incidental = $64 per day (except that it is $48 on the first and last day of travel)
- Mileage for Personally Owned Vehicle = $.445 per mile

Under the new contract, I do not have to fill out a travel authorization for you. I can approve your trip via email. Afterwords, when you turn in your next pay voucher, you can attach the airline receipt (or mileage documentation), hotel receipt(s), and ground transportation receipts and a copy of any printed itineraries. Calculate the total travel expenses due you, including applicable per diem. I do not need meal receipts.

Job, under Federal travel regulations, deviations for personal reasons are not normally accommodated. What you can do, however, is to give me a comparison of the cost of roundtrip mileage, hotel, and per diem of doing it your way against the cost of a roundtrip flight, ground transportation, hotel, and per diem. If your way costs less, it should be no problem to cover the full cost. If your way is more expensive, we may only pay up to the amount of traditional travel. (The same rules apply to me when I travel.) If you can tell me where, other than DC, you will spend the night, I can check on applicable per diem rates.

Peggy
I really don't care if he represents the organization or not. What mixed race? The entire discussion was because Arnwine was African-American. If you are going to invite him without first having a replacement for my side, I may have to call Thor and Todd and discuss all of this.

--- psims@eac.gov wrote:

> Greenbaum is representing Arnwine, not replacing her. He works for her organization and is of mixed race. --- Peggy

> "Job Serebrov" 05/11/2006 03:36 PM

> To

> "Tova Wang" psims@eac.gov

> Subject

> Re: new working group representative

> I have an objection to Greenbaum. While I realize he comes from an advocacy group, he is not a minority attorney and we already have a rep who worked with DOJ. If it is to be Greenbaum, I would rather not fill that position since I am one down.

> --- Tova Wang wrote:

> is Jon Greenbaum

> Here's his info in full:

> He is the Director of the Voting Rights Project for the Lawyers Committee for Civil Rights. He will be representing Barbara Arnwine, the Executive Director of the Lawyers Committee.

> His contact and mailing info is:
Plus, I found a few typos on the nexis analysis. Sorry about this.

Tova Andrea Wang
Democracy Fellow
The Century Foundation

Visit our Web site for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.
Upon first reading, my only comment would be that I would like to restore "failing to follow the requirements of the Voting Rights Act"

--- Original Message ---
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Friday, May 12, 2006 9:20 AM
To: [REDACTED]
Subject: Fraud Definition

Would you please take a look at the attached? I combined both of your definitions, reformatted the list, removed a reference to the fraud having to have an actual impact on the election results (because fraud can be prosecuted without proving that it actually changed the results of the election), and taken out a couple of vague examples (e.g.; reference to failing to enforce state laws --- because there may be legitimate reasons for not doing so).

I have made contact with Ben Ginsberg's office and am waiting to hear if he accepts our invitation to join the working group. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM ---
Margaret Sims/EAC/GOV
05/04/2006 10:52 AM
To: Joyce Wilson
cc: Large Conference Room Needed

This is just to confirm my request to reserve the large conference room on Thursday, May 18, from Noon-6 PM. We will be using it for a meeting of the Voting Fraud/Voter Intimidation Working Group. Thanks! --- Peggy

--- Forwarded by Devon E. Romig/EAC/GOV on 04/30/2007 04:26 PM ---
Devon E. Romig/EAC/GOV
05/08/2006 02:56 PM
To: [REDACTED]
cc: [REDACTED]
Subject: Voter Fraud/Voter Intimidation Working Group, May 18th

Dear Meeting Participants,

Thank you for confirming your participation in the upcoming Voter Fraud/Voter Intimidation Working Group Meeting in Washington, D.C. This meeting will take place at our office from 1:00 PM to 5:30 PM on
Thursday May 18th, 2006.

The office of the Election Assistance Commission is located at:
1225 New York Avenue NW, Suite 1100
Washington, D.C. 20005

We will send more information about this meeting via Federal Express. If you would like this information to be sent to an address other than your office please reply with the preferred address.

Feel free to contact me with any questions.

Sincerely,

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM -----

"Tova Wang"
05/10/2006 11:45 AM
To psims@eac.gov
cc dromig@eac.gov
Subject Material I may not have included

Peg,

Correct me if I'm wrong, but I think I omitted sending you these specific summaries that are based on complex cases that could not be adequately described within the confines of the nexis article excel spreadsheets. If we can, these should be included, probably on the disc. Sorry.

Tova Andrea Wang
Democracy Fellow
The Century Foundation

Visit our Web site, vfor the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.

Wisconsin FINAL.doc South Dakota FINAL.doc Washington FINAL.doc

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM -----

"Job Serebrov"
05/09/2006 11:24 AM
To psims@eac.gov
cc dromig@eac.gov
Subject Re: Fwd: RE: Working Group meeting
I will hear from him tomorrow but that still does not solve all of my issues---see my longer e-mail.

--- psims@eac.gov wrote:

> I had a voice mail message from him on Monday. I called him back but had to leave a voice mail message (telephone tag). If you hear from him and he is willing and able to come, I need to know this. We need to have him call our travel service to make travel arrangements ASAP. Thanks. ---
> Peggy

> "Job Serebrov" 05/09/2006 10:46 AM
> To psims@eac.gov
> cc
> Subject Fwd: RE: Working Group meeting

> FYI
> --- "Patrick J. Rogers" wrote:
> Subject: RE: Working Group meeting
> Date: Tue, 9 May 2006 07:42:44 -0600
> From: "Patrick J. Rogers"
> To: "Job Serebrov" <jobserebrov@albuquerque.com>
> Job---maybe. I will call you and/or Ms. Sims tomorrow. Depositions all day today. Thanks, Pat
> What's the best number to call you tomorrow?

Patrick J. Rogers
McDowell, Sperling, Roehl, Harris & Sick, P.A.
P. 505 2168
Albuquerque, NM 87107 2168
E. jobserebrov@albuquerque.com
-----Original Message-----
From: Job Serebrov
Sent: Monday, May 08, 2006 9:41 PM
To: Patrick J. Rogers
Subject: Working Group meeting

Pat:

The working group meeting for the voter fraud project is scheduled for May 18th in DC but David Norcross can't attend.
Could you come? If so, we need to arrange travel and a hotel for you.

Regards,

Job

--------------------------------------------------------------------
> Modrall, Sperling, Roehl, Harris & Sisk, P.A.
>
> THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. If the reader of this message is not the intended recipient or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination or copying of this communication is strictly prohibited. If you have received this electronic transmission in error, please delete it from your system without copying it, and notify the sender by reply e-mail or by calling so that our address record can be corrected. Thank you.

------ Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM ------
Barbara says that you have been working it out with her assistant Valerie, that they have spoken to you several times.

-----Original Message-----
From: dromig@eac.gov [mailto:dromig@eac.gov]
Sent: Tuesday, May 02, 2006 8:46 AM
To: Tova
Cc: psims@eac.gov
Subject: Voting Fraud/Voter Intimidation Project Working Group

Dear Tova,

I am working with Peggy Sims in order to set a date for the Voting Fraud/Voter Intimidation Project Working Group. I have been trying to reach Barbara Arnwine in order to find out which days in May she is potentially available to attend this meeting but all of my attempts have been unsuccessful.

I would appreciate any help that you could provide in this matter.

Sincerely,

Devon Romig
U.S. Election Assistance Commission
1225 New York Ave. NW - Suite #1100
Washington, D.C. 20005
(202)566-2377

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM -----

"Weinberg and Utrecht"

05/04/2006 01:34 PM

To: psims@eac.gov
Cc:
Subject: Re: Voting Fraud-Voter Intimidation

that would be fine

----- Original Message -----
Barry:

It appears that the afternoon of Thursday, May 18 is best for a meeting of the working group. I know you said you would not be available in the morning that day. If we started at 1 PM, would that be too soon for you?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM -----
Margaret Sims/EAC/GOV
05/04/2006 02:08 PM
To  "Weinberg and Utrecht"
cc
Subject Re: Voting Fraud-Voter Intimidation

OK, thanks. I'll get back to you with more information. --- Peggy

"Weinberg and Utrecht"

05/04/2006 01:34 PM
To  psims@eac.gov
cc
Subject Re: Voting Fraud-Voter Intimidation

that would be fine
----- Original Message -----  
From: psims@eac.gov
To: "Weinberg and Utrecht"
Sent: Thursday, May 04, 2006 1:08 PM
Subject: Voting Fraud-Voter Intimidation

Barry:

It appears that the afternoon of Thursday, May 18 is best for a meeting of the working group. I know you said you would not be available in the morning that day. If we started at 1 PM, would that be too soon for you?
Sounds good to me. If not Ginsburg try Braden.

--- psims@eac.gov wrote:

> I will add "DRAFT" to the definition and, yes, the
> WG will have
> > suggestions. I do plan to send packets to you and
> > Tova containing the
> > same materials being provided to the WG. I haven't
> > sent anything yet
> > because I was hoping to finalize the WG list for
> > inclusion. (Still
> > waiting for a response from Ginsberg.)
> >
> > Regarding Tova's response, we may want to have a
> > very short meeting after
> > the WG disperses, followed by a teleconference the
> > following Monday
> > afternoon. Tuesday is bad for me because I'll be
> > out of the office
> > attending a series of EAC meetings that begin that
> > day. --- Peggy

> "Job Serebrov" 05/12/2006 12:52 PM
> 05/12/2006 12:52 PM
> To psims@eac.gov, wang@tcf.org
> cc
> Subject Re: Fraud Definition
This is ok, given the fact that the WG may have suggestions. Will you be sending us the same packets that you are sending the WG? Also, I figure with Tova's response we will need to have a teleconference on the report once I return to Little Rock. We will need to do it that following Monday or Tuesday.

---

--- psims@eac.gov wrote:

Would you please take a look at the attached? I combined both of your definitions, reformatted the list, removed a reference to the fraud having to have an actual impact on the election results (because fraud can be prosecuted without proving that it actually changed the results of the election), and taken out a couple of vague examples (e.g.; reference to failing to enforce state laws --- because there may be legitimate reasons for not doing so).

I have made contact with Ben Ginsberg's office and am waiting to hear if he accepts our invitation to join the working group.

--- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM -----

Margaret Sims/EAC/GOV 05/12/2006 02:56 PM

To: "Job Serebrov"

Subject: Re: Fraud Definition

I am reluctant to invite Braden until after I have received a "No" from Ginsberg. --- Peg
Sounds good to me. If not Ginsburg try Braden.

--- psims@eac.gov wrote:

> I will add "DRAFT" to the definition and, yes, the
> WG will have
> suggestions. I do plan to send packets to you and
> Tova containing the
> same materials being provided to the WG. I haven't
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> day. --- Peggy
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> This is ok, given the fact that the WG may have
> suggestions. Will you be sending us the same packets
> that you are sending the WG? Also, I figure with
> Tova's response we will need to have a
> teleconference
> on the report once I return to Little Rock. We will
> need to do it that following Monday or Tuesday.
--- psims@eac.gov wrote:

> Would you please take a look at the attached? I combined both of your definitions, reformat... results (because fraud can be prosecuted without proving that it actually changed the results of the election), and taken out a couple of vague examples (e.g.; reference to failing to enforce state laws --- because there may be legitimate reasons for not doing so).

> I have made contact with Ben Ginsberg's office and am waiting to hear if he accepts our invitation to join the working group.

> --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM ---

"Job Serebrov"

To psims@eac.gov

cc

Subject Re: Working Group-Perez

I did not get any attachments.

--- psims@eac.gov wrote:

> Did you look at the attached excerpts from Texas Code? --- Peggy

> "Job Serebrov" 05/09/2006 11:23 AM
We have the same set-up here in Arkansas. We hired a person just like Perez. However, given this, I would still like to know if he has a party affiliation and this brings up another issue. How is the county election commission chosen. In Arkansas it is the Chairmen of the Republican and Democrat Parties or if he/she does not want to serve a person is elected in his/her stead and a third member picked by the party with the most constitutional officers. Practically that has meant that the Democrats have controlled election commissions in Arkansas since the end of Reconstruction. This is why I want to know the situation in Texas.

--- psims@eac.gov wrote:

> As you may recall, the Commissioners directed me to find a nonpartisan local election official to serve on the Working Group. The three of us discussed the desirability of having a Hispanic. I proposed that I find someone from Texas because of that State's colorful history of voting fraud and their innovative approaches to combat it.
> In those Texas counties that hire Election Administrators to run elections, rather than having elected officials do so (Tax Assessor for voter registration; County Clerk for balloting), the Election Administrator is hired by the County Election Commission and is supposed to perform his or her duties in a nonpartisan manner. (See attached excerpts from Texas Election Code regarding election administrator hiring and restrictions on partisan activity.) Any experienced Texas election official will be familiar with voting fraud
and voter intimidation schemes used in that State.

Mr. Perez has over 13 years experience as a county Election Administrator in Texas. You won't find many news articles mentioning him because he has kept his nose clean. (The Texas press, as in many other parts of the country, prefers to report bad news.) Mr. Perez is plugged into the association of Texas election officials and the two largest organizations of election officials in this country: the International Association of Clerks, Recorders, Election Officials and Treasurers (IACREOT); and The Election Center. He is a past President and past Chairman of the Legislative Committee for the Texas Association of Election Administrators. He currently serves on IACREOT's Election Officials Committee, which plans the educational sessions for election officials that are conducted at that organization's conferences. His peers in IACREOT and The Election Center have selected his submissions on web presentations (IACREOT) and his professional practices papers (Election Center) for awards.

Mr. Perez also has access to information from other States through his membership in IACREOT and The Election Center. He also has a sense of humor, which you will note if you access the staff web page on the Guadalupe County Elections web site and hear the Mission Impossible theme … something that might be useful in the upcoming meeting.

Guadalupe County is small but growing. In 2004, the county had over 65 thousand registered voters (a number more than doubled the number of registered voters in 1988). A third of the county's population claims Hispanic or Latino origin, according to the U.S. Census Bureau. The county is in south central Texas and is bordered by Comal, Hays, Cladwell,
Gonzales, Wilson, and Bexar counties. In the 1980s, predominately a farming community; but in recent years, many people have moved from San Antonio (Bexar County) to Guadalupe County, preferring to live in Guadalupe County and work in Bexar County.

--- Peggy

"Job Serebrov"
05/08/2006 11:30 PM

To psims@eac.gov
cc

Subject Re: Working Group

Peggy:

What political party is Perez with? How political is he? Is the position in Texas neutral or political? Who appointed Perez?

As to Pat I will contact him but I can't promise anything. If Pat can't come, who is getting knocked off Tova's list?

Job

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM ---

"Job Serebrov"
05/04/2006 11:17 AM
To psims@eac.gov
cc
Subject Re: Good News

I will have a better idea about my uncle's condition today after surgery.

See:

--- psims@eac.gov wrote:

> Job:
> > Secretary Rokita is available May 18. I'm going to
> > talk with the Chairman
> > today about substituting Rogers for Norcross. Do
> > you have contact
> > information for Rogers? --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM -----

"Job Serebrov"

05/03/2006 01:46 PM

Subject Re: Working Group Meeting

To psims@eac.gov

To psims@eac.gov

Monday afternoon I have a commission meeting.

--- psims@eac.gov wrote:

> Job and Tova:
> > As of now, the afternoon of Thursday, May 18 appears
> > to be the best
> > possible date for the meeting. Norcross is not
> > available to attend in
> > person that day (he is available only 2 days during
> > the first three weeks
> > of May). We won't have confirmation of the
> > availability of Secretary
> > Rokita until tomorrow --- but I am hopeful.
> > > I'll give you an update tomorrow. Maybe we can
> > schedule a teleconference
> > > on Monday afternoon. --- Peggy
I did send you the Brennan piece, but not the other one.

-----Original Message-----
From: Tova Wang
Sent: Thursday, May 11, 2006 12:31 PM
To: psims@eac.gov; dromig@eac.gov
Subject: research summaries

I have the feeling we didn’t include these in the original batch I sent you. Could you double check and if not, would you please include them in the existing research materials? Sorry and thanks. I’m kind of doing all of this on my own in case you couldn’t tell. List is coming...

Tova Andrea Wang
Democracy Fellow
The Century Foundation
Visit our Web site, [site link], for the latest news, analysis, opinions, and events.

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM ---

Devon:

Send an email to Perez to remind him to contact Adventure Travel ASAP. We don't have confirmation of Rogers participation yet, though we have had a number of voice mails flying back and forth, so we cannot yet notify him to make travel arrangements immediately. --- Peggy

Devon E. Romig/EAC/GOV
Hi Devon:
We have heard from Mark Hearne and Todd Rokita. They are both flying in and out on the 18th and will not need hotel rooms. We're kind of waiting to see if Perez and Rogers need rooms before booking any hotel. As soon as we get approval of Hearne and Rokita air schedules and get them booked, we'll forward their itineraries to you.

Kind Regards,
Marvin

-----Original Message-----
From: dromig@eac.gov [mailto:dromig@eac.gov]
Sent: Tuesday, May 09, 2006 8:31 AM
To:
Cc: psims@eac.gov
Subject: May 18th Meeting at EAC

Hello Marvin,

I just wanted to follow up with the voicemail message that I left for you yesterday. We will be holding a meeting at our offices in Washington DC on May 18, 2006. I have informed the out of state attendees to contact you for their travel arrangements.

We have been authorized to pay for the attendees airfare and hotel arrangements. Please note that all of the participants are authorized for a two night hotel room stay, as long as the dates are May 17th and 18th.

I attached the list of the meeting participants that will be contacting you about their travel arrangements for the May 18th meeting in Washington DC.
Let me know if you have any questions for me or if you need any more information from me.

Thanks for your help!

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----

Tova Wang
05/02/2006 05:06 PM
To dromig@eac.gov
cc psims@eac.gov
Subject RE: Voting Fraud/Voter Intimidation Project Working Group

Can you please give me an idea where we are at with all this? I'd like to be able to figure out my schedule. Thanks -- and thanks for all your assistance on this. Tova

-----Original Message-----
From: dromig@eac.gov [mailto:dromig@eac.gov]
Sent: Tuesday, May 02, 2006 3:54 PM
To:
Subject: RE: Voting Fraud/Voter Intimidation Project Working Group

Yes, I have spoken to her assistant several times but today has been the first time that I have ever spoken to her assistant. We did get the information that we needed. Thanks for your help!

Devon Romig
U.S. Election Assistance Commission
1225 New York Ave. NW - Suite #1100
Washington, D.C. 20005
(202)566-2377

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----

Margaret Sims/EAC/GOV
05/02/2006 05:41 PM
To "Tova Wang"
cc
Subject RE: Voting Fraud/Voter Intimidation Project Working Group

I hope to have a better idea tomorrow, if Rokita's office responds. If not, we'd better have a teleconference to discuss our options. --- Peggy
Can you please give me an idea where we are at with all this? I'd like to be able to figure out my schedule. Thanks -- and thanks for all your assistance on this. Tova

----- Original Message-----
From: dromig@eac.gov [mailto:dromig@eac.gov]
Sent: Tuesday, May 02, 2006 3:54 PM
To: wang@tcf.org
Subject: RE: Voting Fraud/Voter Intimidation Project Working Group

Yes, I have spoken to her assistant several times but today has been the first time that I have ever spoken to her assistant. We did get the information that we needed. Thanks for your help!

Devon Romig
U.S. Election Assistance Commission
1225 New York Ave. NW - Suite #1100
Washington, D.C. 20005
(202)566-2377

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM ---

05/03/2006 02:25 PM
To: psims@eac.gov, serebrov@sbcglobal.net
cc: dromig@eac.gov
Subject: Re: Working Group Meeting

Sounds good. I'm available any time on Monday. Tova

----- Original Message -----
From: psims@eac.gov
To: dromig@eac.gov
Cc: dromig@eac.gov
Sent: Wednesday, May 03, 2006 1:44 PM
Subject: Working Group Meeting

Job and Tova:
As of now, the afternoon of Thursday, May 18 appears to be the best possible date for the meeting. Norcross is not available to attend in person that day (he is available only 2 days during the first three weeks of May). We won't have confirmation of the availability of Secretary Rokita until tomorrow --- but I am hopeful.

I'll give you an update tomorrow. Maybe we can schedule a teleconference on Monday afternoon. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----

"Donsanto, Craig"
Craig.Donsanto@usdoj.gov
05/11/2006 03:36 PM

To: psims@eac.gov
cc: "Mitchell, Cynthia" <Cynthia.Mitchell@usdoj.gov>
Subject: RE: Voting Fraud-Voter Intimidation Working Group

Peg - -

I plan to be here tomorrow, although I may have to go to the main building during the day. If you are here and I am out, just leave the packet with the receptionist. Thank you.

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 11, 2006 3:34 PM
To: Donsanto, Craig
Subject: RE: Voting Fraud-Voter Intimidation Working Group

Craig:

I would love to have an updated list for our research files. For purposes of getting this information out to our participants, I will note that the consultants' summary is based upon information provided as of January 2006. Thanks.

Do you expect to be at your office tomorrow afternoon? I can walk over with the information packet we will have put together for the Working Group. --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
Peggy 

I have Cynthia Mitchell in here with me now.

She says that the figures you listed in your attachment are your analysis of our product, and that therefore we cannot re-evaluate them.

I do not see anything in these raw numbers that impacts adversely any privacy or privilege issues.

We can update the public list and send that to you, if you'd prefer. That would allow you to represent that the numbers are current up through now. But if you would prefer, you can use what you have as long as it is represented as complete only through January, 2006.

Let us know your desires — —

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 11, 2006 2:35 PM
To: Donsanto, Craig
Subject: Voting Fraud-Voter Intimidation Working Group
Importance: High

Craig:

I think we have resolved the issue of Barbara Arnwine's absence from the upcoming meeting by having one of her staff represent her (and her organization). Please review the attached rough summary of DOJ Cases ASAP and let me know if I need to delete reference to the open investigations. Hopefully, we won't have to remove this information as it does not specify the defendants or States involved. --- Peg

Rough Summary of Department of Justice, Public Integrity Section Activities, October 2002-January 2006

Prosecutions and Convictions— Individuals
Noncitizen voting: 20
Vote buying: 49
Double voting: 12
Registration fraud: 13
Civil Rights: 4
Voter Intimidation: 2
Unclear: 1
Open Investigations (note: a few cases overlap with prosecutions and convictions)
Noncitizen voting: 3
Vote buying: 25
Double voting: 15
Registration fraud: 29
Absentee ballot fraud: 9
Official: 8
Ineligibles: 4
Deceptive Practices: 1
Civil Rights: 14
Intimidation: 6
Other: 2

Cases and Investigations Closed for Lack of Evidence
Civil Rights: 8
Official: 12
Registration Fraud: 12
Absentee Ballot Fraud: 14
Ineligible Voting: 3
Intimidation: 8
Double Voting: 5
Ballot Box Stuffing: 1
Vote Buying: 14
Ballot/machine tampering: 2
Other: 8
Unclear: 3

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----
"Tova Wang"
04/24/2006 09:23 AM
To psims@eac.gov
cc
Subject invoice

Hi Peg,

Can you please check this before I fax it? Thanks! And can we talk sometime today?

Tova Andrea Wang
Democracy Fellow
The Century Foundation
120 Wall Street, New York, NY 10005

001031
Dear Commissioners:

This is to let you know that the Working Group for our Voting Fraud and Voter Intimidation preliminary research project is scheduled to meet in EAC's large conference room the afternoon of Thursday, May 18. I will provide more information about this meeting to you later.

Peggy Sims
Election Research Specialist

Existing_research_thoughts.doc
Job found it. I'm assuming it's too late to include so as I said I'll just present it if that's OK. Thanks again Job.
 ----- Original Message ----- 
From: "Job Serebrov" 
To: 
Sent: Saturday, May 13, 2006 10:12 AM 
Subject: Re: research summary

> T-
> Are you talking about this?
> J-
> --- wrote:
>> In the middle of the night I got the feeling that
>> you may be right, that I did do a summary of the
>> existing literature review (that Job, you approved)
>> I'll have to look for it on Monday (unless I go
>> into the office over the weekend, which is
>> possible). I may be hallucinating, but if not, I'll
>> just present it at the meeting rather than try to
>> get it to them ahead of time. Tova

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----

"Donsanto, Craig"
<Craig.Donsanto@usdoj.gov>
05/11/2006 02:55 PM
To psims@eac.gov
cc
Subject RE: Voting Fraud-Voter Intimidation Working Group

Peggy -

I have Cynthia Mitchell in here with me now.

She says that the figures you listed in your attachment are your analysis of our product, and that
therefore we cannot re-evaluate them.

I do not see anything in these raw numbers that impacts adversely any privacy or privilege issues.

We can update the public list and send that to you, if you'd prefer. That would allow you to represent that
the numbers are current up through now. But if you would prefer, you can use what you have as long as it
is represented as complete only through January, 2006.

Let us know your desires - - -

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 11, 2006 2:35 PM
To: Donsanto, Craig
Subject: Voting Fraud-Voter Intimidation Working Group
Importance: High
Craig:

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Intimidation: 8
Double Voting: 5
Ballot Box Stuffing: 1
Vote Buying: 14
Ballot/machine tampering: 2
Other: 8
Unclear: 3

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----
Margaret Sims/EAC/GOV
05/11/2006 03:33 PM
To: "Donsanto, Craig"
<Craig.Donsanto@usdoj.gov>@GSAEXTERNAL
cc
Subject: RE: Voting Fraud-Voter Intimidation Working Group

Craig:

I would love to have an updated list for our research files. For purposes of getting this information out to our participants, I will note that the consultants' summary is based upon information provided as of January 2006. Thanks.

Do you expect to be at your office tomorrow afternoon? I can walk over with the information packet we will have put together for the Working Group. --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

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Let us know your desires - - -

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Sent: Thursday, May 11, 2006 2:35 PM
To: Donsanto, Craig
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Importance: High
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Ballot/machine tampering: 2
Other: 8
Unclear: 3

---- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM ----

"Tova Wang"
05/11/2006 01:10 PM

To psims@eac.gov
cc Someone@EAC
Subject new working group representative

is Jon Greenbaum

Here's his info in full:

He is the Director of the Voting Rights Project for the Lawyers Committee for Civil Rights. He will be representing Barbara Arnwine, the Executive Director of the Lawyers Committee.

His contact and mailing info is:

101 New York Avenue, NW
Suite 100
Washington, DC 20005

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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Click here to receive our weekly e-mail updates.

---- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM ----

Devon E. Romig/EAC/GOV
05/09/2006 09:31 AM

To Someone@EAC
cc Margaret Sims/EAC/GOV@EAC
Subject May 18th Meeting at EAC
Hello Marvin,

I just wanted to follow up with the voicemail message that I left for you yesterday. We will be holding a meeting at our offices in Washington DC on May 18, 2006. I have informed the out of state attendees to contact you for their travel arrangements.

We have been authorized to pay for the attendees airfare and hotel arrangements. Please note that all of the participants are authorized for a two night hotel room stay, as long as the dates are May 17th and 18th.

I attached the list of the meeting participants that will be contacting you about their travel arrangements for the May 18th meeting in Washington DC.

Let me know if you have any questions for me or if you need any more information from me.

Thanks for your help!

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM ---
Margaret Sims/EAC/GOV
05/08/2006 01:05 PM
To “Job Serebrov”
cc
Subject Re: Working Group

Job:

I don’t think we can put you on teleconference for 4 1/2 hours. We really need to have you here in person if you are to help conduct the Working Group meeting. You should make your travel arrangements ASAP.

--- Peggy

“Job Serebrov”

05/08/2006 10:14 AM
To psims@eac.gov, wang@tcf.org
cc
Subject Re: Working Group
Peggy:

4:00 eastern on Tuesday is fine however, given the financial restrictions that you indicated would be in place for use of my car (I would actually loose money coming to DC) and given the cost of hotels at this time (I can't afford to front these costs and wait for months to be repaid), etc, it would take a miracle for this working group meeting to take place in person. It is looking like the only way it will get done is by teleconference. I also share Tova's concern about the unknown nature of Mr. Perez.

Job

--- psims@eac.gov wrote:

> Hi, Folks:
> > Teleconference
> > Are both of you available for a teleconference next Tuesday afternoon at about 4 PM EST? If this does not work for you, please suggest another date and/or time. I would like to discuss our preparations for the Working Group meeting.
> > Working Group Members
> > We have a very good person to fill the slot for the nonpartisan local election official: J.R. Perez, Elections Administrator for Guadalupe County, TX. Attached is his bio. Hope you have no objections to him. He is available on May 18. I have placed 2 calls to Pat Rogers office, but have not yet received a reply. Job, if you have any pull with him, you may want to contact him, too.
> > Travel Arrangements
> > You should make your own travel arrangements, including hotel. Travel time cannot be billed to the contract, except for hours actually worked on the contract (i.e.; reviewing materials in preparation for the meeting, and the like). Current Federal rates follow:
> > Maximum Lodging = $180 per day- does not include hotel taxes (if you cannot get this rate, we have covered reasonable rates that are a little higher)
> > Meals & Incidentals = $64 per day (except that it is $48 on the first and last day of travel)
> > Mileage for Personally Owned Vehicle = $.445 per mile
Under the new contract, I do not have to fill out a travel authorization for you. I can approve your trip via email. Afterwords, when you turn in your next pay voucher, you can attach the airline receipt (or mileage documentation), hotel receipt(s), and ground transportation receipts and a copy of any printed itineraries. Calculate the total travel expenses due you, including applicable per diem. I do not need meal receipts.

Job, under Federal travel regulations, deviations for personal reasons are not normally accommodated. What you can do, however, is to give me a comparison of the cost of roundtrip mileage, hotel, and per diem of doing it your way against the cost of a roundtrip flight, ground transportation, hotel, and per diem. If your way costs less, it should be no problem to cover the full cost. If your way is more expensive, we may only pay up to the amount of traditional travel. (The same rules apply to me when I travel.) If you can tell me where, other than DC, you will spend the night, I can check on applicable per diem rates.

Peggy

Do you have any other suggestions?

--- psims@eac.gov wrote:

One source suggests the Georgetown Inn has vacancies and pillow top beds. Try 1-800-424-2979 or 202-353-8900.
To psims@eac.gov
cc
Subject Latham

The Latham is booked solid. I called. I am checking our some possibilities but this is not looking good.

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM ---
Margaret Sims/EAC/GOV
05/10/2006 11:45 AM To "Job Serebrov"
cc
Subject Re: Update

Why is the hotel suggestion not workable? (I need to know as we continue our search.) -- Peg

"Job Serebrov"

05/10/2006 10:29 AM To psims@eac.gov
cc
Subject Update

Peggy:

Pat just e-mailed me. He has something he can't move on the 18th. So I am now down one person and still no good hotel situation. Devon's suggestion is not workable.

Job
Here is the first batch of my archived email related to the vote fraud study.

Peg Sims

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

"Job Serebrov"

To psims@eac.gov

cc

Subject Project

Peg:

Where are we on things?

Job

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Margaret Sims/EAC/GOV

To Juliet E. Hodgkins/EAC/GOV

cc

Subject Fw: Definition of Voting Fraud and Voter Intimidation

I think this is the communication to which you referred this afternoon. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 09/25/2006 03:39 PM -----

Gavin S. Gilmour/EAC/GOV

To Margaret Sims/EAC/GOV

cc jthompson@eac.gov

Subject Re: Definition of Voting Fraud and Voter Intimidation

Peggy,

Per our discussion, I have some initial concerns regarding the definitions that have been proposed.

1. Fraud is a legal term of art. Fraud is an intentional act or omission (i.e. actual fraud or constructive
fraud) of misrepresentation or deceit. There is no such thing as defacto fraud or quasi fraud. Fraud must be intentional.... negligence alone is not fraud.

The general definition of voter fraud must concise and universally applicable (this in the challenging part). After this definition is created and intellectually tested, one can then create examples and explanations. These would 1) apply the definition to the entire election process (from beginning to end) and (2) apply it to action by voters, 3rd parties and election officials. Through this process a determination may be made regarding whether three definitions are needed or just one.

2. The document has no definition of voter intimidation. What is voter intimidation and how does it differ from voter fraud? I assume this would also be an intentional act.

3. Definitions need to be concise and tight. Such definitions need to be able to be broken down into elements. Each of these elements must have clear, applicable and enforceable meaning. This can be a challenge. For example use of the term “any illegal act” is unclear, begs the question and suggests that fraud only occurs in the course of committing a related crime.

These are just my initial thoughts.

GG
Gavin S. Gilmour
Associate General Counsel
United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100
Margaret Sims/EAC/GOV

Margaret Sims/EAC/GOV
11/30/2005 09:28 AM
To jthompson@eac.gov, Gavin S. Gilmour/EAC/GOV@EAC
cc
Subject Definition of Voting Fraud and Voter Intimidation

Attached discusses the definitions that Job and Tova would like to use. I have already taken issue with the exclusion of all voter registration shenanigans and the inclusion of administrative mistakes. Would be pleased to have your feedback and, if possible, your assistance for 15 minutes of a teleconference today (3:30 PM to 3:45 PM). --- Peggy

combined defining Fraud 11-18-05.doc

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----
Hi Peg, Here is the list of literature reviewed in bibliographic form. Please let us know if you have been able to look over any of the materials. Starting this afternoon, I will be pretty unavailable for the next two weeks.

Thanks

Tova Andrea Wang
Democracy Fellow
The Century Foundation

Visit our Web site, for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.

Lit review in bibliographic form.doc

I'm assuming we will get the extension for the revision period. Thanks.

----- Original Message ----- 
From: <psims@eac.gov>
To: 
Sent: Friday, August 11, 2006 2:39 PM
Subject: Re: direct deposit

> Tova:
> >
> > I show only 2 hours left on your contract as of 7/15/06 -- but here is the form you requested. --- Peggy
> >
> > (See attached file: EFT Form.rtf)
Hey Peg,

Hope you are well. Whenever you have a chance, I need the form to change the direct deposit to my new bank account. Thanks so much.

Tova

PS -- Keep me posted on what's going on with the report

---- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ----

Margaret Sims/EAC/GOV

08/11/2006 02:39 PM

Tova:

I show only 2 hours left on your contract as of 7/15/06 -- but here is the form you requested. --- Peggy

EFT Form.rtf
Hey Peg,

Hope you are well. Whenever you have a chance, I need the form to change the direct deposit to my new bank account. Thanks so much.

Tova

PS -- Keep me posted on what's going on with the report

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ---

Juliet E.
Thompson-Hodgkins/EAC/GOV
08/10/2006 04:24 PM

To Margaret Sims/EAC/GOV@EAC
cc
Subject John Tanner Comments

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

--- Forwarded by Juliet E. Thompson-Hodgkins/EAC/GOV on 08/10/2006 04:25 PM ---

"Cameron.Quinn@usdoj.gov"
<Cameron.Quinn@usdoj.gov>
08/10/2006 12:29 PM

To "jthompsonhodgkins@eac.gov"
<jthompsonhodgkins@eac.gov>
cc
Subject

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ---

Jeannie Layson/EAC/GOV
10/12/2006 04:08 PM

To twilkey@eac.gov
cc jthompson@eac.gov, ggilmour@eac.gov, klynndyson@eac.gov, psims@eac.gov
Tom,
A draft letter is attached. I've incorporated comments from Gavin and Julie.

Jeannie Layson
U.S. Election Assistance Commission
1225 New York Ave., NW
Suite 1100
Washington, DC 20005
Phone: 202-566-3100

Any chance you could send a pdf version of the letter to me? --Peggy

The letter was addressed to the commissioners. I will ask Sheila to give a copy to you.

Per our normal procedures, I would guess a reply should be drafted for the Chairman's signature (especially as he is the DFO for the Board of Advisors) but you should check that with Tom.

Thanks.
I would hope that we can refer to it as a status report on the research project (prepared by EAC staff based upon information available at the time from our consultants, Tova and Job). Calling it a preliminary report has given rise to some confusion. That confusion has led to complaints from project working group members and requests from outsiders, who mistakenly think that EAC has released the document written by our consultant that fully reports on the preliminary research into voting fraud and voter intimidation and makes recommendations for future EAC action. --- Peggy

Jeannie Layson/EAC/GOV

To Margaret Sims/EAC/GOV@EAC
cc
Subject Re: Voting Fraud-Voter Intimidation Report

Thanks for the update. Per legal, the preliminary report is absolutely public information which is why we had to give it to the reporter when he asked for it.

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

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ---
Margaret Sims/EAC/GOV
10/13/2006 02:49 PM
To Tova Andrea Wang, Job Serebrov
cc
Subject Don't Believe Everything You Read

Tova and Job:

I am home recuperating, but see that in my absence, a USA Today article has gotten everyone stirred up. The report to which the article refers is only the status report on the voting fraud-voter intimidation research project that was delivered to our Standards Board and Board of Advisors last spring. I provided a copy of this document to both of you, but have attached another copy for your information. This document is subject to public release because it was presented at a public meeting.

Due to internal resource allocation problems, your final report has not yet been reviewed by the Commissioners. It is considered a working document (not subject to public release) until it has completed the review process and the Commissioners have agreed to release it. There has been no attempt by the Commission to hold up the report. I bear responsibility for any delays in moving it along. Please be
reassured that we would not release your report without letting you know.

Peggy Sims  
Election Research Specialist  
U.S. Election Assistance Commission  
1225 New York Ave, NW - Ste 1100  
Washington, DC 20005  
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)  
Fax: 202-566-3127  
email: psims@eac.gov

VF-VI Study Status 5-17-06.pdf  
----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----  
Jeannie Layson/EAC/GOV  
10/13/2006 10:50 AM  
To  
cc  
Subject Your inquiry

Mr. Levine,  
Per your inquiry from yesterday, the status report on the EAC's voter fraud and intimidation research project is attached. It was prepared by EAC staff and presented to our Standards Board and Board of Advisors at a meeting that was open to the public in May of this year. EAC staff is currently working on a final report.

Please let me know if I can be of further assistance, and I'd be glad to add you to our distribution list so you'll get updates on this and other EAC projects.

Jeannie Layson  
U.S. Election Assistance Commission  
1225 New York Ave., NW  
Suite 1100  
Washington, DC 20005  
Phone: 202-566-3100

www.eac.gov VF-VI Study Status 5-17-06.pdf  
----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----  
Paul DeGregorio/EAC/GOV  
10/11/2006 10:20 AM  
To Jeannie Layson/EAC/GOV@EAC  
cc Amie J. Sherrill/EAC/GOV@EAC, Margaret Sims/EAC/GOV@EAC  
Subject Re: Interview Request
Find a time that works. There's a story in today's St Louis PD that points to over 1000 suspect voter registrations.

Sent from my BlackBerry Wireless Handheld

----- Original Message ----- 
From: Jeannie Layson
Sent: 10/11/2006 10:15 AM
To: Paul DeGregorio
Cc: Amie Sherrill; Margaret Sims
Subject: Interview Request

Mr. Chairman,
Will Lester of the Associated Press wants to interview you briefly via phone about the preliminary fraud report. I recommend you accomodate him, as he has dutifully covered EAC, and plans to include us in a story next week about the election landscape. He has requested a copy of the preliminary report, which I am sending to him. He only needs a few minutes, and as we discussed, i think the message is that these are preliminary findings that we presented to our advisory boards to get their input. When the final report is complete, we will release it. You can also use some of the talking pts from your speech, such as the challenge related to the very definition of the term "fraud," as people define it differently. How about I set it up for noon?

The only question he asked that I don't know the answer to is when we expect the final report. Peg... please weigh in on this.

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

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ----- 
Bryan Whitener/EAC/GOV
10/11/2006 11:34 AM

To  Thomas R. Wilkey/EAC/GOV@EAC
cc Jeannie Layson/EAC/GOV@EAC, Margaret Sims/EAC/GOV@EAC, Karen Lynn-Dyson/EAC/GOV@EAC, Juliet E. Hodgkins/EAC/GOV@EAC
Subject  Fw: request for reports - Wendy Weiser, Brennan Center

Tom,

Do we have a policy on distributing the items she is requesting?

----- Forwarded by Bryan Whitener/EAC/GOV on 10/11/2006 11:33 AM ----- 
"Wendy Weiser"
Mr. Whitener,

I write to request a copy of the following two reports submitted to the Election Assistance Commission:

(1) a report on voter fraud and voter intimidation, outlining a future research agenda, prepared by Tova Wang and Job Serebrov, and discussed in this morning's USA TODAY;

(2) a report on provisional ballots and voter ID, prepared by the Moritz School of Law at Ohio State University in collaboration with others.

It is my understanding that these reports were commissioned by and submitted to the EAC several months ago. It is in the public interest to release these reports since they will advance the public discussion and understanding of important election administration issues.

Thank you very much for your attention to this request. Please let me know when I can expect to receive a copy of these reports. If this request is denied, please provide an explanation as to why.

Sincerely,

Wendy R. Weiser  
Deputy Director, Democracy Program  
Brennan Center for Justice at NYU School of Law  
161 Avenue of the Americas, 12th Floor  
New York, NY 10013  
(212) 998-1240
Just a note to clarify that we are not releasing the preliminary report on voting fraud and voter intimidation (Tova & Job's report) because the draft report is going through EAC review. The only document we can offer at this time is the status report on the research project, which was delivered to our boards and which apparently is considered public information. The status report does not address any recommendations for future EAC action.

I am using some of my work at home time on the draft report. Hopefully, I can meet with Julie and Tamar next week. After that, we will have a better idea of when it will be ready for a Commissioner briefing. --- Peggy

---

Find a time that works. There's a story in today's St Louis PD that points to over 1000 suspect voter registrations.
am sending to him. He only needs a few minutes, and as we discussed, I think the message is that these are preliminary findings that we presented to our advisory boards to get their input. When the final report is complete, we will release it. You can also use some of the talking points from your speech, such as the challenge related to the very definition of the term "fraud," as people define it differently. How about I set it up for noon?

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

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----
Margaret Sims/EAC/GOV
10/11/2006 01:57 PM
To: Jeannie Layson/EAC/GOV
cc: twilkey@eac.gov, Juliet E. Hodgkins/EAC/GOV@EAC, bwhitener@eac.gov
Subject: Re: Voting Fraud-Voter Intimidation Report

The working group met prior to the meeting of the EAC boards, but too late for its deliberations to be summarized in the written status report on the project that was delivered to the boards. The status report notes that a meeting of the working group was about to be held to review the research so far and make recommendations. ---- Peggy

Jeannie Layson/EAC/GOV

Jeannie Layson/EAC/GOV
10/11/2006 01:03 PM
To: Margaret Sims/EAC/GOV@EAC
cc
Subject: Re: Voting Fraud-Voter Intimidation Report

Has the working group met since the preliminary report was given to the Standards Bd?

-----------------------
Sent from my BlackBerry Wireless Handheld
Margaret Sims
----- Original Message -----
Just a note to clarify that we are not releasing the preliminary report on voting fraud and voter intimidation (Tova & Job's report) because the draft report is going through EAC review. The only document we can offer at this time is the status report on the research project, which was delivered to our boards and which apparently is considered public information. The status report does not address any recommendations for future EAC action.

I am using some of my work at home time on the draft report. Hopefully, I can meet with Julie and Tamar next week. After that, we will have a better idea of when it will be ready for a Commissioner briefing. --- Peggy

Find a time that works. There's a story in today's St Louis PD that points to over 1000 suspect voter registrations.

Mr. Chairman,
Will Lester of the Associated Press wants to interview you briefly via phone about the preliminary fraud report. I recommend you accommodate him, as he has dutifully covered EAC, and plans to include us in a story next week about the election landscape. He has requested a copy of the preliminary report, which I am sending to him. He only needs a few minutes, and as we discussed, I think the message is that these are preliminary findings that we presented to our advisory boards to get their input. When the final report is complete, we will release it. You can also use some of the talking pts from your speech, such as the challenge related to the very definition of the term "fraud," as people define it differently. How about I set it up for noon?

The only question he asked that I don't know the answer to is when we expect the final report. Peg...

001054
please weigh in on this.

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

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Paul DeGregorio/EAC/GOV  
09/28/2006 11:27 PM  
To Margaret Sims/EAC/GOV  
cc  
Subject Speech

Peg,

I thought I would share with you the speech I am going to given on Fraud and Intimidation in Salt Lake City at noon on Friday. If you have time, please read it over and let me know if you see anything I shouldn't say. Thanks.

Speech on Fraud intimidation Sept 29 06 Salt Lake City.doc

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

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Thomas R. Wilkey/EAC/GOV  
10/11/2006 11:42 AM  
To Bryan Whitener/EAC/GOV@EAC  
cc Jeannie Layson/EAC/GOV@EAC, Margaret Sims/EAC/GOV@EAC, Karen Lynn-Dyson/EAC/GOV@EAC, Juliet E. Hodgkins/EAC/GOV@EAC  
Subject Re: request for reports - Wendy Weiser, Brennan Center
Both of these reports are draft reports to the EAC and are currently being reviewed by staff. While we have released some of the data tables that Eagleton neither of these reports can be released.

---------------------------------
Sent from my BlackBerry Wireless Handheld
Bryan Whitener
----- Original Message ----- 

From: Bryan Whitener  
Sent: 10/11/2006 11:34 AM  
To: Thomas Wilkey  
Cc: Jeannie Layson; Margaret Sims; Karen Lynn-Dyson; Juliet Hodgkins  
Subject: Fw: request for reports - Wendy Weiser, Brennan Center

Tom,

Do we have a policy on distributing the items she is requesting?

----- Forwarded by Bryan Whitener/EAC/GOV on 10/11/2006 11:33 AM ---- 
"Wendy Weiser"  

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It is my understanding that these reports were commissioned by and submitted to the EAC several months ago. It is in the public interest to release these reports since they will advance the public discussion and understanding of important election administration issues.

Thank you very much for your attention to this request. Please let me know when I can expect to receive a copy of these reports. If this request is denied, please provide an explanation as to why.

Sincerely,
Tom,

Thanks but Wendy Weiser seems to be under the assumption that we provided all of this material to USA Today. As agreed to by the commissioners, counsel and staff, we only provided USA Today with the public documents that were presented to the advisory boards at the May meetings. Should we not clarify this to Wendy and provide her or anyone else with the same. I also just received the same request from election officials in Cook County, IL and King County, WA. Reporters are pestering them for information based on the USA Today article so election officials now want it from EAC. Looks like this is only the start so we need to get ahead of the curve.

Both of these reports are draft reports to the EAC and are currently being reviewed by staff. While we have released some of the data tables that Eagleton neither of these reports can be released.

----- Original Message -----
From: Bryan Whitener
Sent: 10/11/2006 11:34 AM
To: Thomas Wilkey  
Cc: Jeannie Layson; Margaret Sims; Karen Lynn-Dyson; Juliet Hodgkins  
Subject: Fw: request for reports - Wendy Weiser, Brennan Center

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Forwarded by Bryan Whitener/EAC/GOV on 10/11/2006 11:33 AM ----

"Wendy Weiser"  
To bwhitener@eac.gov  
10/11/2006 10:57 AM  
cc  
Subject request for reports

Mr. Whitener,

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(1) a report on voter fraud and voter intimidation, outlining a future research agenda, prepared by Tova Wang and Job Serebrov, and discussed in this morning’s USA TODAY;

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Sincerely,

Wendy R. Weiser  
Deputy Director, Democracy Program  
Brennan Center for Justice at NYU School of Law  
161 Avenue of the Americas, 12th Floor  
New York, NY 10013  
edu
We don't have a summary in numbers. We just have a summary of cases, some of which do not appear to reach the level of election fraud, and the charts of newspaper articles, some of which only contain allegations and some of which report convictions. These charts were on the CD I sent you before the Working Group meeting. Unfortunately, we have a long way to go before we have what I would classify as statistics.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

No reliable, comprehensive data --- just the preliminary research results from case law, literature review, and interviews. --- Peggy
"Donsanto, Craig"  
<Craig.Donsanto@usdoj.gov>

08/22/2006 12:50 PM  
To: psims@eac.gov, bhancock@eac.gov  
cc: "Campbell, Benton" <Benton.Campbell@usdoj.gov>, "Simmons, Nancy" <Nancy.Simmons@usdoj.gov>  
Subject: Does EAC have access to stats on --

-- State and local level prosecutions dealing with electoral fraud?

This message was brought to you by Dr. D's fabulous Blackberry!

---- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ----

Margaret Sims/EAC/GOV  
10/11/2006 02:37 PM  
To: Jeannie Layson/EAC/GOV@EAC  
cc: twilkey@eac.gov, Juliet E. Hodgkins/EAC/GOV@EAC, bwhitener@eac.gov  
Subject: Re: Voting Fraud-Voter Intimidation Report

The answer is tricky. The working group met after the written report was submitted for the board meetings, but before the status report was formally presented (orally) at the board meetings. --- Peggy

Jeannie Layson/EAC/GOV  
10/11/2006 02:27 PM  
To: Margaret Sims/EAC/GOV@EAC  
cc:

Subject: Re: Voting Fraud-Voter Intimidation Report

So the answer is yes, they did meet after the status report was presented?

Jeannie Layson  
U.S. Election Assistance Commission  
1225 New York Ave., NW  
Suite 1100  
Washington, DC 20005  
Phone: 202-566-3100  
www.eac.gov  
Margaret Sims/EAC/GOV
The status report was written on May 17, 2006 (the last day it could be submitted for the upcoming board meetings). The first and only meeting of the working group was May 18, 2006. --- Peggy

Yes, that is what prompted my question. So the answer is no -- they have not met since May 17?

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ---

Peggy,
Could you give Jeannie a call she needs some help fashioning a statement regarding the USA Today article since Tova and Job are hoping mad
Thanks

Sent from my BlackBerry Wireless Handheld
FYI.

Peggy,

As noted in our recent status report, 75 percent of contract funding has been reached. The attached is submitted in accordance with the contract requirements.

If you have any questions please contact me.

Regards,
Jim

James Carrera / KPMG LLP /

---------------------------------------------------------------
The information in this email is confidential and may be legally privileged. It is intended solely for the addressee. Access to this email by anyone else is unauthorized. If you are not the intended recipient, any disclosure, copying, distribution or any action taken or omitted to be taken in reliance on it, is prohibited and may be unlawful. When addressed to our clients any opinions or advice contained in this email are subject to the terms and conditions expressed in the governing KPMG client engagement letter.

---------------------------------------------------------------
Bryan:

An electronic copy of the status report is attached, as requested for the USA Today inquiry. The status report includes the attachment listing the Working Group members. I suggest that you check to ensure that I have protected the copy against any manipulation, and protect it yourself if I have not, before sending it out to anyone. --- Peggy

Who is signing the letter?

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

I will IF they sign off on it
See questions below. I can answer the first two, but see if this language is acceptable for questions 3 and 4.

Can I get full report submitted by Tova Wang? If not, why not? EAC staff is currently reviewing the data, and we have not compiled a final report. I will make sure you receive the final report when it is issued.

This answer will probably not make him happy, but it's the best I can come up with. Suggestions?
Art Levine
Salon.com

deadline today or tomorrow

What exactly is the document USA Today refers to? Is it a report or just a staff document? Can I get full report submitted by Tova Wang? If not, why not?

FYI
Google search shows this on the DLC website

Art Levine
Senior Fellow
Progressive Policy Institute
319 1st St, #500
Washington, D.C. 20008
(202) 416-5629
artlevine@politics.org

Also,

Salon's shameful six

There was Florida in 2000 and Ohio in 2004. Here are the six states where vote suppression could cost voters their voice -- and Democrats the election -- in 2006.

Salon News
By Art Levine

Eva Steele has a son in the military who is supposed to be fighting for freedom in Iraq, but sitting in a wheelchair in her room in a Mesa, Ariz., assisted-living facility, she wonders why it's so hard for her to realize a basic freedom back here in America: the right to vote.
Arriving in Arizona in January from Kansas City, weakened by four heart attacks and degenerative disk disease, Steele, 57, discovered that without a birth certificate she can't register to vote. Under a draconian new Arizona law that supposedly targets illegal immigrants, she needs proof of citizenship and a state-issued driver's license or photo I.D. to register. But her van and purse were stolen in the first few weeks after she moved to Mesa, and with her disability checks going to rent and medicine, she can't afford the $15 needed to get her birth certificate from Missouri. Her wheelchair makes it hard for her to navigate the bus routes or the bureaucratic maze required to argue with state bureaucrats. She's unable to overcome the hurdles thrown in her way -- and in the way of as many as 500,000 other Arizona residents -- by the state's Republican politicians.

###

---- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ----

Jeannie Layson/EAC/GOV
10/12/2006 10:59 AM

To
cc

Subject Research update


Tom,

Per our conversation, attached is the update the Standards Bd. and Bd. of Adv. received at their May meeting. That's all it was -- a status report. And we clearly stated in our Fed. Register notice that we would deliver an update on our research projects. And this meeting was open to the public.

Take care, and let's get together soon. Let me know if you need anything else.

Jeannie Layson
U.S. Election Assistance Commission
1225 New York Ave., NW
Suite 1100
Washington, DC 20005
Phone: 202-566-3100

www.eac.gov VF-VI Study Status 5-17-06.pdf

---- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ----

Jeannie Layson/EAC/GOV
10/12/2006 05:26 PM

To ghillman@eac.gov, pdegregorio@eac.gov, dddavidson@eac.gov
cc twilkey@eac.gov, jthompson@eac.gov, ggilmour@eac.gov, pslides@eac.gov, klynndyson@eac.gov, bwhitener@eac.gov

Subject FOR YOUR APPROVAL


Commissioners,

Wendy Weiser of the Brennan Center has requested some of the information that was distributed to the Bd. of Adv. and the Standards Bd. at the May meeting. Her request is below. Attached is a draft letter that
suggest accompany the information we provide. Also enclosed would be the resolutions passed by both entities. Please let me know if the letter meets your approval. (The letter would be from Tom.)

I write to request a copy of the following two reports submitted to the Election Assistance Commission:

(1) a report on voter fraud and voter intimidation, outlining a future research agenda, prepared by Tova Wang and Job Serebrov, and discussed in this morning's USA TODAY;

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Thank you very much for your attention to this request. Please let me know when I can expect to receive a copy of these reports. If this request is denied, please provide an explanation as to why.

Jeannie Layson
U.S. Election Assistance Commission
1225 New York Ave., NW
Suite 1100
Washington, DC 20005
Phone: 202-566-3100

www.eac.gov brennan center letter.doc

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ----

"Donsanto, Craig"
<Craig.Donsanto@usdoj.gov>

To "Campbell, Benton" <Benton.Campbell@usdoj.gov>,
"Simmons, Nancy" <Nancy.Simmons@usdoj.gov>
cc psims@eac.gov

Subject FW: Does EAC have access to stats on –

Ben - -

This forwards a short e-mail chain between me and Peg Sims at the EAC. Peg is an institution where this sort of thing is concerned and if there were national stats available she would be the first place I would go - - which come to think of it is why I did!

Her remarks bring-up another issue: apples and oranges.

There are a lot of categories of crime that could arguably fit under the umbrella of "election crime" but which would not be the sort of thing we would find useful for present purposes. Examples would be theft of election materials unrelated to an intent to corrupt the election, campaigning or assaults in or near polls, "campaign slander" (i.e., lying about one's opponent) which is not a federal crime but is potentially a crime in 20 or so states, corruption in the procurement of election equipment (i.e., Louisiana had a recent high
profile case against its secretary of state who took bribes from voting equipment vendors in exchange for buying their machines). This stuff is criminal, but it does not involve corruption of the electoral process itself.

Also, some local prosecutors who do enforce the laws dealing with particularly vote buying -- for various reasons -- chose to prosecute the voters for selling their votes rather than the corrupt political operatives who buy the votes. Many times this is simply because slamming the voter rather than the corrupt pols is easier, quicker and does not entangle the prosecutor in the caldron of local politics. In other instances it is more sinister: I am aware of several instances where local prosecutors tried to charge voters whose names surfaced as people whose votes locally prominent pols had been bought in order to silence them in the federal case. Federally, we usually treat the voters as victims and go after those who tried to purchase their birthright. In one case in Western North Carolina, the target of our case was a local DA. When our indictment against him was returned it named the voters whose votes he was being charged with having bought (we try to avoid this now!). His first act of defense was to charge all these voters with selling their votes under N.C. law. We had to intercede for him -- through the U.S. Attorney at that time -- with the N.C. Governor to pardon these voters so that they could testify concerning the material facts without incriminating themselves.

My point here is this:

Even if we can get some State stats, since the State concept of "election crime" and ours is usually different, and since state prosecutors often approach this type of case from an entirely different perspective than we do at the federal level, State stats will likely have minimal value to substantiating the thesis we are trying to advance: that local law enforcement in the election crime area is not adequate.

----- Message from psims@eac.gov on Tue, 22 Aug 2006 14:09:06 -0400 -----

To: "Donsanto, Craig" <Craig.Donsanto@crm.usdoj.gov>

Subject: RE: Does EAC have access to stats on --

We don't have a summary in numbers. We just have a summary of cases, some of which do not appear to reach the level of election fraud, and the charts of newspaper articles, some of which only contain allegations and some of which report convictions. These charts were on the CD I sent you before the Working Group meeting. Unfortunately, we have a long way to go before we have what I would classify as statistics.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

08/22/2006 01:54 PM
Peggy - - I can take whatever you got!!! What does the data you got show?

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, August 22, 2006 1:53 PM
To: Donsanto, Craig
Subject: Re: Does EAC have access to stats on --

No reliable, comprehensive data --- just the preliminary research results from case law, literature review, and interviews. --- Peggy

"Donsanto, Craig"
Craig.Donsanto@usdoj.gov

08/22/2006 12:50 PM
To psims@eac.gov, bhanchock@eac.gov
cc "Campbell, Benton" <Benton.Campbell@usdoj.gov>, "Simmons, Nancy" <Nancy.Simmons@usdoj.gov>
Subje Does EAC have access to stats on --

-- State and local level prosecutions dealing with electoral fraud?

This message was brought to you by Dr. D's fabulous Blackberry!

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ---

"Tova Wang"
10/03/2006 10:41 AM
To "Ambrogi, Adam (Rules)"
<Adam_Ambrogi@rules.senate.gov>, psims@eac.gov
cc
Subject RE: Chapin Survey
Thanks Adam. As the current project moves forward and then proceeds to phase 2, this will be a great resource I'm sure. Tova

Tova Andrea Wang, Democracy Fellow
The Century Foundation
1201 New York Avenue, NW, Washington, DC 20005

Visit our Web site, , for the latest news, analysis, opinions, and events.

From: Ambrogi, Adam (Rules) [mailto:Adam_Ambrogi@rules.senate.gov]
Sent: Monday, October 02, 2006 11:39 AM
To: psims@eac.gov; 
Subject: Chapin Survey

Peggy and Tova:

I know that we had been looking for a state survey of election fraud and intimidation statutes—as you may have seen, doug chapin recently released a report on this info-attached here. I hope all is well with the both of you.

Best regards,
Adam

------------------------
Adam D. Ambrogi
Democratic Professional Staff Member
Senate Committee on Rules and Administration
Russell Senate Office Building, Room 479
Washington, D.C. 20510
202-224-0279

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Margaret Sims/EAC/GOV
10/13/2006 04:40 PM
To Jeannie Layson/EAC/GOV
cc twikey@eac.gov
Subject Fw: Don't Believe Everything You Read

Jeannie:

Attached is the email I sent to Tova and Job, and Job's response. (I have not yet heard back from Tova.)
Peg:

We saw both the USA Today article and a similar thing was reported on Rush Limbaugh's show naming both of us. I had a talk this morning with folks at the EAC. I told them at this point there needs to be a press release sent out by the Chairman saying just what you stated. This is the only way to rehabilitate the work we did, the Chairman's credibility, and our reputations. I also fear that if this is not done the EAC will begin to receive calls from Congressman and Senators regarding the "report" and its effect on voter ID requirements.

Peg, up to now Tova and I have refused to speak with the press at all out of respect for the EAC and its mission. We both stand by our work and its conclusions. We both also feel that if a statement (as well phrased as you did in this e-mail clarifying the issue) is not forthcoming from the Chairman then I will have to correct this error with the Press. I explained this in my conversation this morning with the EAC.

Tova and I worked hard to produce a correct, accurate and truthful report. I could care less that the results are not what the more conservative members of my Party wanted. Neither one of us was willing to conform results for political expediency. I think it's important for me to note that I was very impressed with Tova's members of the Working Group and I can't say enough about Tova's partnership effort in this endeavor. While neither one of us really care about outside opinions, we do care that the Chairman was quoted or misquoted in a way that would disparage our year-long effort and all of the tax payer money that went into it. For this reason, we believe that a press release clarifying the situation is necessary from either the Chairman or from me.

Regards,

Job

psims@eac.gov wrote:

Tova and Job:

I am home recuperating, but see that in my absence, a USA Today article has gotten everyone stirred up. The report to which the article refers is only the status report on the voting fraud-voter intimidation research project that was delivered to our Standards Board and Board of Advisors last spring. I provided a copy of this document to both of you. but have attached another copy for your information. This
document is subject to public release because it was presented at a public meeting.

Due to internal resource allocation problems, your final report has not yet been reviewed by the Commissioners. It is considered a working document (not subject to public release) until it has completed the review process and the Commissioners have agreed to release it. There has been no attempt by the Commission to hold up the report. I bear responsibility for any delays in moving it along. Please be reassured that we would not release your report without letting you know.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----
Jeannie Layson/EAC/GOV
10/13/2006 04:11 PM
To psims@eac.gov
cc
Subject job and tova

Please forward me the email you sent Tova and Job, as he is calling me and I want to make sure I understand what is being communicated to them. Thank you.

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

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----
Jeannie Layson/EAC/GOV
10/11/2006 08:22 AM
To pdegregorio@eac.gov, ghillman@eac.gov, ddavidson@eac.gov
twilkey@eac.gov, jthompson@eac.gov, psims@eac.gov, bwhitener@eac.gov
Subject USA Today

See story below that ran in today's USA Today. This reporter requested the info a few weeks ago, and we had to release it b/c it was distributed at a Standards Bd. meeting, which is considered a public venue.
Also, the document was not labeled draft.

I anticipate that we may get questions about why we haven't released it. I propose the following response. Please let me know if you approve. The story follows.

"This was a preliminary report presented to our oversight committees. The EAC is waiting on a final report, which we will release upon its completion."

Report refutes fraud at poll sites

Updated 10/11/2006 8:05 AM ET
By Richard Wolf, USA TODAY
WASHINGTON — At a time when many states are instituting new requirements for voter registration and identification, a preliminary report to the U.S. Election Assistance Commission has found little evidence of the type of polling-place fraud those measures seek to stop.
USA TODAY obtained the report from the commission four months after it was delivered by two consultants hired to write it. The commission has not distributed it publicly.

NEW LAWS: Thousands of voters shut out
At least 11 states have approved new rules for independent voter-registration drives or requirements that voters produce specific forms of photo ID at polling places. Several of those laws have been blocked in court, most recently in Arizona last week. The House of Representatives last month approved a photo-ID law, now pending in the Senate.
The bipartisan report by two consultants to the election commission casts doubt on the problem those laws are intended to address. "There is widespread but not unanimous agreement that there is little polling-place fraud, or at least much less than is claimed, including voter impersonation, 'dead' voters, non-citizen voting and felon voters," the report says.
The report, prepared by Tova Wang, an elections expert at the Century Foundation think tank, and Job Serebrov, an Arkansas attorney, says most fraud occurs in the absentee ballot process, such as through coercion or forgery. Wang declined to comment on the report, and Serebrov could not be reached for comment.
Others who reviewed the report for the election commission differ on its findings. Jon Greenbaum of the liberal Lawyers' Committee for Civil Rights Under Law says it was convincing. The committee wrote to the commission Friday seeking its release.
Conservatives dispute the research and conclusions. Thor Hearne, counsel to the American Center for Voting Rights, notes that the Justice Department has sued Missouri for having ineligible voters registered, while dead people have turned up on the registration rolls in Michigan. "It is just wrong to say that this isn't a problem," he says.
That's one reason the commission decided not to officially release the report. "There was a division of opinion here," Chairman Paul DeGregorio says. "We've seen places where fraud does occur."
The consultants found little evidence of that. Barry Weinberg, former deputy chief of the voting section in the Justice Department's civil rights division, reviewed their work. "Fraud at the polling place is generally difficult to pull off," he says. "It takes a lot of planning and a lot of coordination."
The proposed response sounds okay but the story is out. Other media may want the information. That the material given USA Today wasn't identified as draft or preliminary findings is now our problem.

I hope we are working post haste to have the report ready to release less we be seen as trying to bury this. It seems to me that other articles will be written, if not from the document that we sent to USA Today, then certainly from the USA Today article as the source document.

My initial reaction is that both reports are currently under review by EAC staff. I will entertain other thoughts but that is pretty much the what is the situation right now. Both research projects were designed to give the EAC issues and recommendations in both of these areas and are currently being reviewed. As a matter of fact the report from our consultants on Voter fraud and Intimation has not been forwarded by staff to the Commissioners but Peg will need to weigh in on that.
Richard Wolf of USA Today called and asked for the following. Jeannie and I ask that you consider this carefully and let us know ASAP what to provide.

(1) The status report on voter fraud and consultant update that was presented to the advisory boards in May, 2006.

(2) The status of the required guidance document on provisional voting and voter ID that is referenced in the following passage in today's Electionline Weekly by Doug Chapin.

In addition to the EAC's considerable election management responsibilities (especially in the area of voting equipment certification and testing), the agency has key policy issues to resolve in the immediate to near-term future, including a required guidance document on provisional voting and voter ID (now nearly two years overdue) and continued regulatory oversight over state implementation of "motor voter". This latter issue will almost certainly involve questions about the intersection of state and federal laws on voter registration - questions which divided the Commission when applied to Arizona, and could divide it again as Republicans and Democrats continue their traditional struggle to balance access to the franchise with concerns about the potential for fraud at the polls.

Thanks,
Bryan

I like this..it needs to go to the 3 C's for review and approval.
We also need to be prepared as to what happens when they receive it.
Thanks for your help.
Tom

Thomas R. Wilkey
Executive Director
US Election Assistance Commission
1225 New York Ave, NW - Suite 1100
Washington, DC 20005
(202) 566-3109 phone
TWilkey@eac.gov

Jeannie Layson/EAC/GOV
Tom,
A draft letter is attached. I've incorporated comments from Gavin and Julie.

Jeannie Layson
U.S. Election Assistance Commission
1225 New York Ave., NW
Suite 1100
Washington, DC 20005
Phone: 202-566-3100
www.eac.gov brennan center letter.doc

Matt (and Amy) are working on a speech for the Chairman to deliver at the Vote Fraud conference in Utah at the end of the week. Matt has asked for the consultants' definition of vote fraud/voter intimidation and the draft recommendations. As neither have been through full Commission review, I would like to speak with one or both of you before I drop this information in any one Commissioner's lap. Matt is looking for this information today. FYI, attached are copies of the consultants' definition and the draft recommendations from the consultants and others from the working group. Also attached is a summary of concerns expressed by the working group. --- Peggy
WASHINGTON (AP) -- The most common form of voter fraud involves absentee ballots, including forgery and coercion in getting older or ailing voters to fill them out, according to a preliminary report to the U.S. Election Assistance Commission.

But the report, delivered in May, suggested that reports of polling place fraud involving "dead" voters and voting by felons and non-citizens might be overstated. The researchers said there is far more anecdotal evidence about voter fraud than specific verifiable claims.

"On balance, more researchers find it to be less of a problem than is commonly described in political debate," the report said.

"Many times people put their own partisan spin on voter fraud and voter intimidation," EAC Chairman Paul DeGregorio said Wednesday.

DeGregorio said the report was only preliminary and cautioned that more investigation is needed to understand the amount of voter fraud in this country.

"Many times you see people attempting to commit fraud, but it never gets to the level of being reported," said DeGregorio, a former elections official in St. Louis. He noted a case of more than 1,400 suspect voter registration cards being investigated in St. Louis.

The preliminary report was prepared by Tova Wang, an elections expert at the Century Foundation think tank and Job Serebrov, an Arkansas attorney.

Conservatives have argued the problem of voter fraud is severe in some states, while liberals generally argue that voters face too many restrictions.

New state laws requiring voters to present identification at polling places have faced legal challenges in states such as Arizona and Georgia.

"It's absolutely a serious problem," said Thor Hearne, counsel to the American Center for Voting Rights. "It's an unfortunate reality, particularly in battleground states."

Those problems include voter fraud and voter intimidation, he said.

The final voter fraud report is expected after the Nov. 7 midterm elections, DeGregorio said.

###

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ---

Jeannie Layson/EAC/GOV
10/12/2006 10:32 AM

To
Dan,
Just wanted to let you know that the USAT article is not about a research report but a "status" report, which was presented to the Standards Bd. and the Bd. of Advisors at a meeting held in May. During this meeting, these entities received updates on many EAC activities, and the aforementioned status report was just one of those updates. And by the way, the meeting was open to the public, and posted on our website and in the Fed. Register. In the Fed. Register notice you'll see that the agenda included an update on our research projects.

Please let me know if you have any questions. Thank you for your consideration in this matter.

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

A.) The "report" they refer to was a status report written by staff
B.) The full report is currently being reviewed by staff and the report was intended to give recommendations to the EAC on how and what to do additional studies or guidance on.
C.) the report will be available at some future time after staff has had an opportunity to review and evaluate it's contents.
See questions below. I can answer the first two, but see if this language is acceptable for questions 3 and 4.

Can I get full report submitted by Tova Wang? If not, why not? EAC staff is currently reviewing the data, and we have not compiled a final report. I will make sure you receive the final report when it is issued.

This answer will probably not make him happy, but it's the best I can come up with. Suggestions?

----- Forwarded by Jeannie Layson/EAC/GOV on 10/12/2006 04:06 PM -----
Bryan Whitener/EAC/GOV

What exactly is the document USA Today refers to?
Is it a report or just a staff document?
Can I get full report submitted by Tova Wang?
If not, why not?
FYI
Google search shows this on the DLC website

Art Levine
Senior Fellow
Progressive Policy Institute

Also,

Salon's shameful six

There was Florida in 2000 and Ohio in 2004. Here are the six states where vote suppression could cost voters their voice -- and Democrats the election -- in 2006.

Salon News
By Art Levine

Eva Steele has a son in the military who is supposed to be fighting for freedom in Iraq, but sitting in a wheelchair in her room in a Mesa, Ariz., assisted-living facility, she wonders why it's so hard for her to realize a basic freedom back here in America: the right to vote.

Arriving in Arizona in January from Kansas City, weakened by four heart attacks and degenerative disk disease, Steele, 57, discovered that without a birth certificate she can't register to vote. Under a draconian new Arizona law that supposedly targets illegal immigrants, she needs proof of citizenship and a state-issued driver's license or photo ID to register. But her van and purse were stolen in the first few weeks after she moved to Mesa, and with her disability checks going to rent and medicine, she can't afford the $15 needed to get her birth certificate from Missouri. Her wheelchair makes it hard for her to navigate the bus routes or the bureaucratic maze required to argue with state bureaucrats. She's unable to overcome the hurdles thrown in her way -- and in the way of as many as 500,000 other Arizona residents -- by the state's Republican politicians.

###
Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM

Paul DeGregorio/EAC/GOV
09/27/2006 12:36 PM

To Margaret Sims/EAC/GOV@EAC

Subject Re: Last Submission from Vote Fraud-Voter Intimidation Consultants

No big deal--and no big delay. Don't worry about it.

Paul DeGregorio
Chairman
US Election Assistance Commission
Dear Mr. Chairman:

The last submission from the Vote Fraud-Voter Intimidation Study consultants is dated August 8. At this time, EAC staff are reviewing all items submitted for the report to the Commission with an eye toward the best way of presenting the information to the Commissioners for their consideration. There has been some delay in this staff review process, for which I take full responsibility.

Peggy Sims
Election Research Specialist

Attached is a proposed draft. I have to get this resolved ASAP as she is demanding a delivery time from me. I literally cannot answer my phone. Unfortunately, the Brennan Center can and will make a big stink if we don't respond. We don't need more accusations about us sitting on research.

The letter would be accompanied by the resolutions passed at the May meetings.
Please note that Wendy Weiser has asked me to provide a time frame for when I will provide the following documents. Tom, per our conversation, I can write a letter, but how do we address her request for the voter ID info? Also, is this something Karen should handle as these are for research docs? I need an answer soon...

Mr. Whitener,

I write to request a copy of the following two reports submitted to the Election Assistance Commission:

(1) a report on voter fraud and voter intimidation, outlining a future research agenda, prepared by Tova Wang and Job Serebrov, and discussed in this morning's USA TODAY;

(2) a report on provisional ballots and voter ID, prepared by the Moritz School of Law at Ohio State University in collaboration with others.

It is my understanding that these reports were commissioned by and submitted to the EAC several months ago. It is in the public interest to release these reports since they will advance the public discussion and understanding of important election administration issues.

Thank you very much for your attention to this request. Please let me know when I can expect to receive a copy of these reports. If this request is denied, please provide an explanation as to why.

Sincerely,

Wendy R. Weiser
Jeannie Layson  
U.S. Election Assistance Commission  
1225 New York Ave., NW  
Suite 1100  
Washington, DC 20005  
Phone: 202-566-3100  
www.eac.gov

Jeannie:  

Here are the changes I suggested for the Vote Count-Recount and the Voting Fraud-Voter Intimidation research projects. I don't think they will help the current situation much, as the original VF-VI description already stated that it is preliminary research. As it is preliminary research, we did not expect that it would provide a total picture of voting fraud and voter intimidation in this country. We just wanted to get some sense of what is going on, and a better idea of the direction future EAC research on the subject should take. To ensure that the research would be balanced, we had consultants and project working group members from opposing sides of the political spectrum.

According to folks intimately familiar with the development of HAVA, disputes over the extent to which voting fraud and voter intimidation existed caused Congress to add the study of these subjects to EAC's list of research projects. Given the nature of the subject (most offenders try to hide their activities, sufficient evidence is hard come by with some types of activity, and prosecution of offenses may not occur for political or budgetary reasons), it is doubtful that we will ever have completely reliable statistics on occurrences of voting fraud and voter intimidation, but we may be able to obtain better statistics than anyone else has. And we should be able to identify where in the voting process most offenses tend to occur and to explore alternatives for addressing vulnerabilities that leave the process open to corruption.  
--- Peggy
Peg:

We saw both the USA Today article and a similar thing was reported on Rush Limbaugh's show naming both of us. I had a talk this morning with folks at the EAC. I told them at this point there needs to be a press release sent out by the Chairman saying just what you stated. This is the only way to rehabilitate the work we did, the Chairman's credibility, and our reputations. I also fear that if this is not done the EAC will begin to receive calls from Congressman and Senators regarding the "report" and its effect on voter ID requirements.

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Regards,

Job

psims@eac.gov wrote:

Tova and Job:

I am home recuperating, but see that in my absence, a USA Today article has gotten everyone stirred up. The report to which the article refers is only the status report on the voting fraud-voter intimidation research project that was delivered to our Standards Board and Board of Advisors last spring. I provided a copy of this document to both of you, but have attached another copy for your information. This document is subject to public release because it was presented at a public meeting.

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Please be reassured that we would not release your report without letting you know.

Peggy Sims  
Election Research Specialist  
U.S. Election Assistance Commission  
1225 New York Ave, NW - Ste 1100  
Washington, DC 20005  
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)  
Fax: 202-566-3127  
email: psims@eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----  
Margaret Sims/EAC/GOV  
09/26/2006 12:50 PM  
To Thomas Wilkey  
cc  
Subject Fw: Preparation for Vote Fraud Conference in Utah

Here are the documents I sent you yesterday. Also attached is a copy of the status report on this research that was provided to the Standards Board and Board of Advisors earlier this year. --- Peggy

EAC Boards VF-VI Status Report.doc

----- Forwarded by Margaret Sims/EAC/GOV on 09/26/2006 12:48 PM -----  
Margaret Sims/EAC/GOV  
09/25/2006 12:36 PM  
To Juliet E. Hodgkins/EAC/GOV@EAC, twilkey@eac.gov  
cc Karen Lynn-Dyson/EAC/GOV@EAC  
Subject Preparation for Vote Fraud Conference in Utah

Matt (and Amy) are working on a speech for the Chairman to deliver at the Vote Fraud conference in Utah at the end of the week. Matt has asked for the consultants’ definition of vote fraud/voter intimidation and the draft recommendations. As neither have been through full Commission review, I would like to speak with one or both of you before I drop this information in any one Commissioner’s lap. Matt is looking for this information today. FYI, attached are copies of the consultants’ definition and the draft recommendations from the consultants and others from the working group. Also attached is a summary of concerns expressed by the working group. --- Peggy

Fraud Project Definition-rev 6-27.doc  RECOMMENDATIONS - final2.doc  Working Group Recommendations final.doc  
Key Working Group Comments and Observations AND concerns final.doc

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----  
Karen Lynn-Dyson/EAC/GOV  
09/25/2006 12:39 PM  
To Margaret Sims/EAC/GOV@EAC
A new email you may want to add to the collection.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
e-mail: psims@eac.gov

Do we know who received her letter? I haven't seen it. --- Peggy

Jeannie Layson/EAC/GOV

See her press release (third item).

Jeannie Layson
U.S. Election Assistance Commission
1225 New York Ave., NW
Suite 1100
Washington, DC 20005
Phone: 202-566-3100
www.eac.gov
I think the attached emails are the ones missing from the last batch. --- Peggy

Job:
The 1099 appears to be correct based on records from the Finance Office. Apparently, the amount includes all but the first two payments made to you under the contracts, based on when the payment was processed by GSA (see attached spreadsheet). --- Peggy

All is well Peg. How are you? I added up my invoices and it should be between $39,700 and $47,000 with the travel check included.

Regards,

Job

--- psims@eac.gov wrote:

> Job:
> > Julie just forwarded your inquiry. That figure looks too high to me, too!
> > I'll check with our finance folks next Monday to
find out what happened.
Hope all is well with you.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120
(direct)
Fax: 202-566-3127
e-mail: psims@eac.gov

----- Forwarded by Juliet E. Hodgkins/EAC/GOV on
02/09/2007 05:44 PM -----

"Job Serebrov" >
02/09/2007 05:33 PM

To
"Julie Thompson-Hodgkins" <jhodgkins@eac.gov>
cc
Subject
1099

Julie:

I received my 1099 and the figure looks too high. It
is listed at $58,065.35. Can you check on this?
Job

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 04:22 PM -----

Bola Olu/EAC/GOV
03/08/2007 02:28 PM
To Margaret Sims/EAC/GOV@EAC
cc
Subject Deobligation

Peggy:

To the best of my knowledge, there is no activity on these 2 contracts. Please confirm if it is OK to
deobligate these funds. Thank you.
Bola Olu  
Financial Administrative Specialist  
United States Election Assistance Commission  
1225 New York Avenue N.W., Suite - 1100  
Washington, DC 20005  
P: 202-566-3124  
F: 202/566-3127  
http://www.eac.gov/  

"Intelligence plus character...the goal of true education. Dr. Martin Luther King."

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 04:22 PM -----  
Bola Olu/EAC/GOV  
03/08/2007 02:38 PM  To Margaret Sims/EAC/GOV@EAC  
cc  
Subject Fw: Deobligation

The same applies to Job Serebrov's. There is no more activity of this contract. Please confirm if I can deobligate this. Thank you.

----- Forwarded by Bola Olu/EAC/GOV on 03/08/2007 02:36 PM -----  
Bola Olu/EAC/GOV  
03/08/2007 02:28 PM  To Margaret Sims/EAC/GOV  
cc  
Subject Deobligation
Peggy:

To the best of my knowledge, there is no activity on these 2 contracts. Please confirm if it is OK to deobligate these funds. Thank you.

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Bola Olu
Financial Administrative Specialist
United States Election Assistance Commission
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"Intelligence plus character...the goal of true education. Dr. Martin Luther King."

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 04:22 PM -----

Juliet E. Hodgkins/EAC/GOV
03/09/2007 02:53 PM
To: Bryan Whitener/EAC/GOV@EAC
cc: Jeannie Layson/EAC/GOV@EAC, Margaret Sims/EAC/GOV@EAC, Thomas R. Wilkey/EAC/GOV@EAC
Subject: Re: Response Requested - Fw: info request re: House Appropriations subcommittee hearing

The document that has been requested is covered under an exemption to FOIA -- deliberative process privilege. The only reason that we are providing this to the Congressional Committee is that they are exempt from FOIA and that we cannot exert that privilege before the committee. That does not, however, change our position on the fact that this document is predecisional as to all other requestors. Congress should not, but may, release this document. They have a funny way of deciding which laws they comply with and which ones they do not.

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

Please see Dan Seligson's questions and request. Exactly what are we going to provide to the House subcommittee and when? Once they receive it, can the subcommittee or its members then release it to anyone they choose? Do we plan to release it to everyone once we've provided it to the subcommittee?

Bryan -

As I mentioned on the phone, I am seeking information as a follow up to the House Appropriations Subcommittee on Financial Services. At the hearing, Rep. Maurice Hinchey, D-N.Y., requested that the EAC submit the original version of a report written by Tova Wang and Job Serebrov. Chairwoman Davidson said she would provide the original report (I believe) within three days. Is that still the case? Will the subcommittee have the original report, as submitted by the consultants, on Monday? And if so, may we have a copy as well?

Thanks,
Dan

Daniel Seligson
editor
Hello all,

A columnist from the WaPo has asked for info about both the voter ID and the fraud and intimidation reports. This was prompted by the accusation that the president was concerned that the fired prosecutors were not aggressively pursuing voter fraud cases. She had heard that we were refusing to release this information, so I am trying to demonstrate otherwise, as well as show that we have discussed these projects numerous times in public meetings. Please take a look at my draft email to her and let me know if you have any suggestions. She needs to hear back from me by 4 p.m. Thanks for your help with this.

Ms. Cocco,

Per your questions, go here to view the testimony regarding voter ID from our Feb. 2 public meeting. As I mentioned, at this meeting EAC Chair Donetta Davidson requested that staff review the initial research provided by Eagleton and produce a final report, which would include recommendations for further study on this subject. Currently, staff is working to finalize the voter ID report.

Regarding the voter fraud and intimidation research, at a May 2006 public meeting of our Standards Board and Board of Advisors, the EAC project manager for this research presented a staff update on the project. Go here to view the agenda, page 3. The document you referred to was the update the project manager gave at this public meeting, and it has been made available to anyone who asked for it. The final culmination of this project can be found here, and links to the attachments provided by the consultants are available by going to page 24 of this report. The commissioners adopted this report at a public meeting in Dec. 2006.

As a small agency of 23 employees, including the four commissioners, it is necessary for the agency to contract with consultants to gather the initial data for these projects. After EAC receives the initial data, the agency reviews the data for accuracy and then releases a final report.

Jeannie Layson
U.S. Election Assistance Commission
1225 New York Ave., NW
Suite 1100
Washington, DC 20005
Phone: 202-566-3100
The info that is on the website should be everything that you and she need. If you have trouble locating that info, Jeannie can probably direct you to where you can find it.

Sent from my BlackBerry Wireless Handheld

Karen Lynn-Dyson

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

From: Karen Lynn-Dyson
Sent: 04/02/2007 11:02 AM EDT
To: Margaret Sims
Cc: Juliet Hodgkins; stephanie.wolson@gmail.com

Peg-

This week Heather Moss, a research intern will be starting with us. Heather is presently in law school and worked for DOJ in the Voting Rights Division for four years. Heather’s primary responsibility (for the next month or so) will be helping us develop the follow-on research project for the Election Crimes study.

Also as an FYI- Commissioner Hunter and her Special Assistant, Stephanie Wolson have expressed an interest in working closely with staff on this project.

I would like to schedule a call/meeting for later on this week so that everyone can be brought up to speed on this work.

In preparation for this meeting I would like to give Heather the project materials which Job and Tova worked on and any relevant material you may have.

Could you direct me to these files so that Heather may begin her work on this project? Could you also let me know dates and times this week that might work for you?

Thanks

Karen Lynn-Dyson
Research Director
U.S. Election Assistance Commission
1225 New York Avenue, NW Suite 1100
Washington, DC 20005
tel:202-566-3123
Julie has already raised the point that most concerned me: I don't think it is accurate to say the consultant's recommendations were their findings. The recommendations were a combination of consultant recommendations and working group recommendations for future EAC action. We did not ask the consultants to provide "findings" because this research was never supposed to be the definitive study on the subject. Instead, it was supposed to be an initial effort to see what relevant information is available, to define voting fraud and voter intimidation, and to make recommendations to EAC regarding how to pursue the subject (next steps). --- Peggy

Jeannie Layson/EAC/GOV

This are questions from a "freelance" reporter who is very hot about the "Tova Wang report." Please let me know if my answers are accurate, and I welcome any suggestions you may have. I need to get your input by COB tomorrow. I am also looking for more clarification on what didn't make it into the fraud report. She is asking if we included all of their "findings" and their "research."

Thanks.

1) You said that the Wang/Serebrov report has not been released because it was predecisional. Was the Moritz/Eagleton report released because it was not predecisional? The Moritz/Eagleton report was a predecisional document. The commissioners took an action not to adopt a final report based upon the Moritz/Eagleton report, but to release all the predecisional information (the draft report).

2) I understood you to say that the December EAC report includes all of the Wang/Serebrov recommendations but not all of the Wang/Serebrov findings. Is that correct? The report does include all of their recommendations, which were their findings, and all of the research they conducted.

3) I understood you to say that EAC staff added results of their own research to the December EAC report. Is that correct? What I said was EAC staff reviewed the report for accuracy, for grammar and added language that reflected the commission's decision to adopt the final version based upon the initial research provided by the consultants.

4) If I'm correct on questions 2 and 3, would it be accurate to say that
readers of the December report cannot tell how much of that report does and
does not reflect the original Wang/Serebrov findings? The consultants'
recommendations are their findings. All of the recommendations are included in
the final report, so readers can make the determination regarding the
recommendations.

5) I called earlier today requesting the Wang/Serebrov report, and you sent me
the December EAC report. I am concerned that if I had not already been
researching this closely, I would have thought that you'd sent me the
Wang/Serebrov report and would have reported incorrectly that you had. Does
the EAC have any comment on this manner of responding to press inquiries? (I
contacted you to request the report after I read in the Statesman Journal of
Salem, Oregon, an article by Marie Cocco that says: "The bipartisan commission
didn't widely release the consultants' review, but makes it available on
request." Did the EAC indeed give Ms. Cocco a copy of the "consultants'
review"? Or has she misunderstood you in the way I'm concerned about?) I sent
you a link to the "EAC report" because it is what was adopted by the
commission based upon the research conducted by the consultants. The final
report clearly states how it was compiled and includes bios for both of the
consultants. Regarding Ms. Cocco, I explained the entire process to her. I
provided the staff update on the project which was presented at a public
meeting in May 2006 and the final report, which is posted on the EAC website.
Regarding "this manner of responding to press inquiries," I have forwarded
your comments to my supervisor so he can review my performance regarding the
handling of your inquiry.

6) I understood you to say that the EAC did not release the Wang/Serebrov
report in its original form because the EAC has to do due diligence and its
staff is small. Do I understand you correctly? As a small agency of 23
employees, including the four commissioners, it is necessary for the agency to
contract with consultants to gather the initial data for research projects.
After EAC receives the initial data, the agency reviews the data for accuracy.
What form of due diligence does the EAC's staff routinely conduct on research
that is contracted out to experts before that research is released? You
mentioned "vetting" the research. What does that vetting entail? It depends on
the project. For instance, if it is information directly related to a mandate
within the Help America Vote Act (HAVA), staff will make sure that the
information is consistent with the law. In addition, we often ask for input
from our Standards Board and Board of Advisors, which combined consist of more
than 147 members. If we are using research that will eventually become
guidance, we are required by HAVA to seek the input of these boards. Go here
for more information about these boards and its members. If the board members
have feedback, then we must make the determination whether to incorporate it,
and, if so, how to incorporate their changes. If the research is focused on
election laws throughout the country, we make sure the laws are cited
correctly and that state legislatures haven't changed or amended these laws
since the research was conducted. (As you probably know, there have been many
new election laws introduced at the state level since 2004.) Throughout
the process, we review for grammar as well as make sure the document flows and is
arranged logically -- the basic tenets of editing.

Jeannie Layson
U.S. Election Assistance Commission
1225 New York Ave., NW
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Washington, DC 20005
Phone: 202-566-3100
www.eac.gov
Most of the working files for this project are in a red folder sitting on my window sill; but I have some individual files in manila folders for Job and Tova propped upright on my desk next to the computer. Isn't this something that can wait until Monday? --- Peggy

Where are your working files maintained?
Margaret Sims

----- Original Message -----
From: Margaret Sims
Sent: 04/13/2007 04:27 PM EDT
To: Edgardo Cortes
Subject: Re: Working group meeting transcript

I don't maintain "official" contract files, just working copies (and I am missing a copy of one of Tova's contracts). The official files should be with the other official EAC contract files. There were 4 personal services contracts between Tova and Job. --- Peggy

Peggy,
They are also requesting copies of the signed contracts. Where are your official contract files for that contract? Let me know where they are and I will pull them to give Gavin the copies so he can review for releasability. Thanks!

Edgardo Cortés
Election Research Specialist
To Edgardo Cortes/EAC/GOV@EAC
cc Gavin S. Gilmour/EAC/GOV@EAC
Subject Re: Working group meeting transcript

There is only one transcript. In addition to the electronic copy, I have a hard copy in the file. Job Serebrov submitted one correction related to the information reported on his background, not the study. Otherwise, the transcript has NOT been reviewed for accuracy and we have not released copies to anyone but our consultants. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 04:21 PM ---
Gavin:
For the most part, the appendices published on our website appear to be cleaned up versions of what was on the CD. One big exception: the appendices do not include the charts of Nexis articles reviewed, which were on the CD. Also, I can't tell at a glance if all of the case law charts were put on the website. --- Peggy

Gavin S. Gilmour/EAC/GOV

Gavin S. Gilmour/EAC/GOV
04/16/2007 03:24 PM
To Margaret Sims/EAC/GOV@EAC
cc ecortes@eac.gov, Jeannie Layson/EAC/GOV@EAC, Juliet E. Hodgkins/EAC/GOV@EAC
Subject Re: Fw: Your Information Request

Is this the same thing (with subsequent research collected) that appears in the 4 appendix to the final report as posted on our website?

GG

Gavin S. Gilmour
Deputy General Counsel
United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100

THIS MESSAGE IS FOR ITS INTENDED RECIPIENT ONLY. IT IS A PRIVILEGED DOCUMENT AND SHALL NOT BE RELEASED TO A THIRD PARTY WITHOUT THE CONSENT OF THE SENDER.

Margaret Sims/EAC/GOV

Margaret Sims/EAC/GOV
04/16/2007 02:18 PM
To Gavin S. Gilmour/EAC/GOV@EAC
cc ecortes@eac.gov, Juliet E. Hodgkins/EAC/GOV@EAC, Jeannie Layson/EAC/GOV@EAC
Subject Re: Fw: Your Information Request

Gavin:
We put the bulk of the raw research, as it stood just prior to the Working Group meeting, on a CD that was included in the folder provided to all meeting participants. You can access the contents that we put on the
Peggy,

Do you know the CD that is being referenced, below?

GG

Thank you. I would also like to obtain a certain CD (I presume this contains data from the Serebrov/Wang research) that is referred to many time in the transcript of the May 18, 2006 EAC Voting Fraud Meeting. Do you know if this is available? I believe it was sent to the meeting participants before the meeting - but we cannot locate a copy in our office materials. A copy sent by mail to my attention would be most helpful. Thank you. Jerry Bonnet

-----Original Message-----
From: ggilmour@eac.gov [mailto:ggilmour@eac.gov]
Sent: Monday, April 16, 2007 11:11 AM
To: Bonnet, Jerry (SOS)
Subject: Re: Your Information Request

Here are the docs, zipped per your request.
(See attached file: Requested docs.zip)

Gavin S. Gilmour  
Deputy General Counsel  
United States Election Assistance Commission  
1225 New York Ave., NW, Ste 1100  
Washington, DC 20005  
(202) 566-3100

THIS MESSAGE IS FOR ITS INTENDED RECIPIENT ONLY. IT IS A PRIVILEGED DOCUMENT AND SHALL NOT BE RELEASED TO A THIRD PARTY WITHOUT THE CONSENT OF THE SENDER.

Gavin S. Gilmour  
Gilmour/EAC/GOV

To  
04/16/2007 10:45 AM  
jbbonnet@sos.in.gov  
cc

Subject  
Re: Your Information Request  
(Document link: Gavin S. Gilmour)

Gavin S. Gilmour  
Deputy General Counsel  
United States Election Assistance Commission  
1225 New York Ave., NW, Ste 1100  
Washington, DC 20005  
(202) 566-3100

THIS MESSAGE IS FOR ITS INTENDED RECIPIENT ONLY. IT IS A PRIVILEGED DOCUMENT AND SHALL NOT BE RELEASED TO A THIRD PARTY WITHOUT THE CONSENT OF THE SENDER.

Gavin S. Gilmour  
Gilmour/EAC/GOV

To  
04/13/2007 05:30 PM  
jbbonnet@sos.in.gov  
cc

Subject  
Re: Your Information Request  
(Document link: Gavin S. Gilmour)
Jerry,

The employment agreements you requested.

[attachment "Employee Agreements Fraud Project.pdf" deleted by Gavin S. Gilmour/EAC/GOV]

Let me know if you have questions

Gavin S. Gilmour
Deputy General Counsel
United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100

THIS MESSAGE IS FOR ITS INTENDED RECIPIENT ONLY. IT IS A PRIVILEGED DOCUMENT AND SHALL NOT BE RELEASED TO A THIRD PARTY WITHOUT THE CONSENT OF THE SENDER.

Jerry,

Per your request, please find a copy of the meeting transcript.
[attachment "Transcript 051806.TXT" deleted by Gavin S. Gilmour/EAC/GOV]

Additionally, you will find the final EAC report (including the attachments--see page 24) on our website. The link is posted, below.

[attachment "Voter%20Fraud%20&%20Intimidation%20Report%20-POSTED.url" deleted by Gavin S. Gilmour/EAC/GOV]

A copy of a draft report has been posted on the NY Times Website. I
believe you can find it at the following link:

[attachment "20070411voters_draft_report.url" deleted by Gavin S. Gilmour/EAC/GOV]

I will need to get back with you regarding the Contract Employees scope of work.

Gavin S. Gilmour
Deputy General Counsel
United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100

THIS MESSAGE IS FOR ITS INTENDED RECIPIENT ONLY. IT IS A PRIVILEGED DOCUMENT AND SHALL NOT BE RELEASED TO A THIRD PARTY WITHOUT THE CONSENT OF THE SENDER.

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 04:21 PM -----

Margaret Sims/EAC/GOV
04/17/2007 01:27 PM	To Jeannie Layson/EAC/GOV
cc Juliet E. Hodgkins/EAC/GOV@EAC
Subject Re: Vote fraud report

As far as I know, you are absolutely correct! Julie did the bulk of the rewrite and used my analyses of the preliminary info submitted by our contractors. I know that I had no contact with the administration regarding this study. --- Peggy

Jeannie Layson/EAC/GOV

Jeannie Layson/EAC/GOV
04/17/2007 01:16 PM	To psims@eac.gov, Thomas R. Wilkey/EAC/GOV@EAC, jthompson@eac.gov
cc Subject Vote fraud report

The St. Louis Post Dispatch wrote an editorial that said the administration edited our report. I am almost absolutely sure that is not true, but I wanted to confirm that with you before I request a correction. Thanks.

Jeannie Layson
Julie:
The attached appears to be the Job Serebrov email, a portion of which was quoted in the NY Times. He was responding to my email advising him that recent press reports were referring to the status report on the vote fraud-voter intimidation project, and that we had not released the final report. (A copy of my email is attached.) There are no follow-up emails on this topic. --- Peggy

Peg:

We saw both the USA Today article and a similar thing was reported on Rush Limbaugh's show naming both of us. I had a talk this morning with folks at the EAC. I told them at this point there needs to be a press release sent out by the Chairman saying just what you stated. This is the only way to rehabilitate the work we did, the Chairman's credibility, and our reputations. I also fear that if this is not done the EAC will begin to receive calls from Congressman and Senators regarding the "report" and its effect on voter ID requirements.

Peg, up to now Tova and I have refused to speak with the press at all out of respect for the EAC and its mission. We both stand by our work and its conclusions. We both also feel that if a statement (as well phrased as you did in this e-mail clarifying the issue) is not forthcoming from the Chairman then I will have to correct this error with the Press. I explained this in my conversation this morning with the EAC.

Tova and I worked hard to produce a correct, accurate and truthful report. I could care less that the results are not what the more conservative members of my Party wanted. Neither one of us
was willing to conform results for political expediency. I think it's important for me to note that I was very impressed with Tova's members of the Working Group and I can't say enough about Tova's partnership effort in this endeavor. While neither one of us really care about outside opinions, we do care that the Chairman was quoted or misquoted in a way that would disparage our year-long effort and all of the taxpayer money that went into it. For this reason, we believe that a press release clarifying the situation is necessary from either the Chairman or from me.

Regards,

Job

*psims@eac.gov* wrote:

Tova and Job:

I am home recuperating, but see that in my absence, a USA Today article has gotten everyone stirred up. The report to which the article refers is only the status report on the voting fraud-voter intimidation research project that was delivered to our Standards Board and Board of Advisors last spring. I provided a copy of this document to both of you, but have attached another copy for your information. This document is subject to public release because it was presented at a public meeting.

Due to internal resource allocation problems, your final report has not yet been reviewed by the Commissioners. It is considered a working document (not subject to public release) until it has completed the review process and the Commissioners have agreed to release it. There has been no attempt by the Commission to hold up the report. I bear responsibility for any delays in moving it along. Please be reassured that we would not release your report without letting you know.

Peggy Sims  
Election Research Specialist  
U.S. Election Assistance Commission  
1225 New York Ave, NW - Ste 1100  
Washington, DC 20005  
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)  
Fax: 202-566-3127  
email: psims@eac.gov

Juliet E. Hodgkins/EAC/GOV

To Margaret Sims/EAC/GOV@EAC  
cc  
Subject Need emails

Peggy,

Can you pull out the emails between you and Job that were quoted in the NYT? I need anything that has to do with the subject that was referred to in the quoted email as well as any follow up to that email. We
need it to be able to respond to the letter from Sen. Feinstein, and I figured you could identify those easier than me searching through the reams of paper in Jeannie's office.

Juliet T. Hodgkins
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(202) 566-3100

--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 04:21 PM ---

Margaret Sims/EAC/GOV
04/18/2007 05:40 PM
To: Jeannie Layson/EAC/GOV@EAC
cc: Juliet E. Hodgkins/EAC/GOV@EAC, Thomas R. Wilkey/EAC/GOV@EAC
Subject: Re: Need your help ASAP

Jeannie:

I did not receive your request in time to type responses on my blackberry by 2 PM, given the information needed. Here are the answers to your questions:

1. **Why did we only contact DOJ officials regarding the accuracy of their interviews?**

As far as I know, we didn't contact DOJ officials about this except in response to concerns they had previously expressed to us. Also, I don't believe we ever allowed DOJ to edit the summaries. (I certainly didn't.) I believe the consultants and I discussed the idea of having all the interviewees review their respective interview summaries, but the consultants objected to the idea and there were concerns that the all of the money remaining available was needed to complete the final report.

Craig Donsanto, Election Crimes Branch, saw the summary of his interview among the documents provided to the Working Group (prior to the meeting of that group), and pointed out an important factual error. The summary, as originally written, portrayed DOJ as switching from the prosecution of conspiracies to the prosecution of individuals. I was present at this interview and this was not what Craig had said, nor is it supported by the information available on the election crimes pursued by that branch. DOJ continues to pursue conspiracies and, in addition, has begun to pursue individuals (specifically, double voting, felon voting and alien voting) in an effort to deter others from election crime.

To my knowledge, John Tanner, Voting Section, Civil Rights Division, had not seen the consultants' full summary of his interview; but he expressed concern to Tova Wang and EAC about the consultants' characterization of the interviews with Donsanto and him that had been included in the May 2006 status report. This report was provided to the members of the EAC Standards and Advisory Boards. Per HAVA requirements, the Voting Section is represented on the Advisory Board. Tanner pointed to the following errors:

- First, the consultants stated that DOJ was not pursuing voter suppression cases. Tanner responded that "[t]he Department has brought two 11(b) cases, one of the two in this Administration. The focus of DOJ activity has shifted, in fact, to voter suppression cases as there are fewer cases over voter dilution (challenges to at-large election systems, etc.) being brought by anyone as the number of jurisdictions with at-large election systems has shrunk dramatically. This Administration has, in fact, brought far more voter-suppression cases ... than ever in the past, including a majority of all cases under Sections 203 and 208 of the Act, and such key recent Section 2 cases as US v. City of Boston and US v. State of Michigan."
v. Long County, Georgia.

Second, the consultants implied that DOJ is not pursuing instances of unequal implementation of ID rules. Tanner's response was that "[c]hallenges based on race and unequal implementation of ID rules are indeed actionable and we have brought lawsuits, such as in Boston and Long County; we have not identified instances of such discrimination in which we have not taken action."

Tanner also pointed to the consultants' refusal during the interview to define what they meant by "voter intimidation", which Tanner suspected did not jibe with the meaning of the term in federal prosecutions and probably contributed to misunderstandings. (Federal voter intimidation prosecutions require the threat of economic or physical harm.)

By the way, both of these officials are career attorneys, not political appointees. They have years of service at DOJ, working under a number of different administrations.

2. Exactly what did we change and why?

In the case of the Donsanto interview summary, I spoke with our consultants and asked them to make the correction. At first, they both refused. Later, they revised the summary to be a little less blatant, but the implication that there had been a complete change in approach remained. We revised the summary to clearly indicate that prosecution of conspiracies continues. The revised paragraph is on page 4 of the published summary. We also added an intro paragraph similar to other interview summaries submitted by the consultants to summarize the enforcement authority of the Election Crimes Branch and to distinguish it from the Voting Section, Civil Rights Division.

In the case of the actual John Tanner interview summary, we added an intro paragraph similar to other interview summaries submitted by the consultants to summarize the enforcement authority of the Voting Section and to distinguish it from the Election Crimes Branch. We also moved the consultants' note about the refusal to share certain internal working papers to the end of the summary because it seemed to distract from the main interview points if left as an introduction.

Making the distinction between the Election Crimes Branch and the Voting Section is important. The Voting Section brings cases involving "systemic" discrimination because federal voting statutes focus on discriminatory action by local governments. It is criminal statutes that involve malfeasance by individuals and that are enforced by the Election Crimes Branch through Us Attorneys' offices. The difference is key to understanding federal election law enforcement.

Peggy Sims
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email: psims@eac.gov

Jeannie Layson/EAC/GOV

Jeannie Layson/EAC/GOV 04/18/2007 12:17 PM

To psims@eac.gov
cc Juliet E. Hodgkins/EAC/GOV@EAC, Thomas R. Wilkey/EAC/GOV@EAC
Subject Need your help ASAP
Peg,

If possible, I need answers for these questions in reference to the vote fraud/voter intimidation project by 2 p.m. today for an inquiry for Congressional Quarterly:

1. Why did we only contact DOJ officials regarding the accuracy of their interviews?
2. Exactly what did we change and why?

Jeannie Layson
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FYI - I noticed that some newsclips are saying we spent $100,000 on the Voting Fraud-Voter Intimidation project. Each of the consultants had two contracts totaling almost $75,000 (not including funds set aside for related travel), so the total between them would have been closer to $150,000. If anyone needs to know the added travel costs, Wang spent about $4,500 and Serebrov $1,200 over the course of the 2 contracts.

Peggy Sims
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U.S. Election Assistance Commission
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Fax: 202-566-3127
e-mail: psims@eac.gov
Here are most of the emails from my active email files. A few did not hold the check mark, so I will send them separately. I’m trying to work out the best way to hand off copies of the emails from my archived files.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

Hi Peg, I left you a voice message last week -- you might have been at NCSL. Anyway, would you give me a call when you have a moment? Thanks.

Tova Andrea Wang, Democracy Fellow
The Century Foundation
Visit our Web site, www.tcf.org, for the latest news, analysis, opinions, and events.

I spoke to Job about the documents that I need. He will send me his summary of the articles/books that he read. However, he said that Tova also summarized some of those articles/books. I don’t have a contact number/email for Tova. Could you contact her and ask her to provide us with any summary of the articles/books that she read as they are listed in Appendix 2?
Juliet Thompson Hodgkins
General Counsel
United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100

--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:52 PM ---

Margaret Sims/EAC/GOV
11/03/2006 07:11 PM
To: Juliet E. Hodgkins/EAC/GOV@EAC
cc
Subject: Re: Job and Tova

Juliet E. Hodgkins/EAC/GOV
11/03/2006 05:42 PM
To: Margaret Sims/EAC/GOV@EAC
cc
Subject: Job and Tova

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General Counsel
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1225 New York Ave., NW, Ste 1100
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--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM ---

Juliet E. Hodgkins/EAC/GOV
11/03/2006 07:14 PM
To: Margaret Sims/EAC/GOV@EAC
cc
Subject: Re: Job and Tova
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Sent from my BlackBerry Wireless Handheld
Margaret Sims
----- Original Message -----

From: Margaret Sims
Sent: 11/03/2006 06:11 PM
To: Juliet Hodgkins
Subject: Re: Job and Tova

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Juliet Thompson Hodgkins
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1225 New York Ave., NW, Ste 1100
Washington, DC 20005
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  From: Margaret Sims
  Sent: 11/03/2006 06:38 PM
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Juliet E. Hodgkins/EAC/GOV  
To Margaret Sims/EAC/GOV@EAC  
cc  
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I. BACKGROUND/INTRODUCTION

A. WHAT WE KNOW ABOUT FRAUD
B. PURPOSE OF THE EAC STUDY
C. METHODOLOGY OF THE EAC STUDY

II. DEFINITION OF ELECTION CRIMES
A. VOTER FRAUD IS TOO LIMITED
B. COLLOQUIAL DEFINITION IS TOO BROAD
C. ELECTION CRIMES
D. WHAT IS NOT AN ELECTION CRIME FOR PURPOSES OF THIS STUDY

III. RECOMMENDATIONS ON HOW TO STUDY ELECTION CRIMES
A. ACCEPTED RECOMMENDATIONS
   i. SURVEY LAW ENFORCEMENT, INVESTIGATORY AGENCIES, AND PROSECUTORS
   ii. REVIEW ADMINISTRATIVE COMPLAINTS FILED WITH STATES
   iii. REVIEW DOJ/USA ACTIONS
B. REJECTED RECOMMENDATIONS
   i. REASONS WHY REJECTED
Juliet:
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Juliet Thompson Hodgkins
General Counsel
United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100
Is this an outline of an EAC staff report to accompany the consultants' report, or has there been a decision not to publish the consultants' report at all? (Just curious, as I have been a little out of the loop.) --- Peg

Juliet E. Hodgkins/EAC/GOV
11/06/2006 12:30 PM
To Margaret Sims/EAC/GOV@EAC
cc
Subject Re: VF_VI Literature Review

The consultant's report is a draft of an EAC report. We will take the consultant's report and finalize it into OUR report.
Juliet Thompson Hodgkins
General Counsel
United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100
Margaret Sims/EAC/GOV

Margaret Sims/EAC/GOV
11/06/2006 12:21 PM
To Juliet E. Hodgkins/EAC/GOV@EAC
cc
Subject Re: VF_VI Literature Review

Peggy,

I wanted to let you know that I had a chance to review your summaries today. I think that these are some excellent conclusions that we can definitely use in our report. Thank you for doing such a detailed and thorough job. If tomorrow goes quietly, hopefully I will have some time to write.

Juliet Thompson Hodgkins

001118
Juliet:
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EAC-Learned from Lit Review 11-6-06.doc  EAC Lit Review Notes 11-5-06.doc

Juliet E. Hodgkins/EAC/GOV

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

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM ----
Julie:

Happy to help, especially as I have to assume the blame for the report turned in by the consultants. I think you were aware that I was disappointed that it was not a more professional product. As I was not clear what the Commission's position is on editing such reports after receipt of the final, and as the consultants insisted that their work not be changed, I felt a bit stymied. Let me know what else I can do.

In the meantime, I'm revisiting some drafts received on the Vote Count-Recount best practices to see if I can encourage more improvements before submission of the final. We're still waiting for the state-by-state summary of practices, originally delayed by the subcontractor's nonperformance, which could affect goes into the best practices. I think some of the emphasis I see in the drafts on post election audits and proper recordkeeping will help respond to some of the issues raised in the literature review for the voting fraud-voter intimidation study.

--- Peggy

Peggy,

I wanted to let you know that I had a chance to review your summaries today. I think that these are some excellent conclusions that we can definitely use in our report. Thank you for doing such a detailed and thorough job. If tomorrow goes quietly, hopefully I will have some time to write.

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11/03/2006 06:41 PM  To Margaret Sims/EAC/GOV@EAC
                          cc
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11/03/2006 05:42 PM  
To: Margaret Sims/EAC/GOV@EAC  
cc:  
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Juliet Thompson Hodgkins  
General Counsel  
United States Election Assistance Commission  
1225 New York Ave., NW, Ste 1100  
Washington, DC 20005  
(202) 566-3100

Hi-

Is this the kind of thing I should be passing on to you or Gavin?

Karen Lynn-Dyson/EAC/GOV  
11/07/2006 07:05 AM  
To: Juliet E. Hodgkins/EAC/GOV@EAC  
cc: Margaret Sims/EAC/GOV@EAC  
Subject: Fw: please investigate
Please investigate this incident or pass it on to the proper authority.

This morning, I received a recorded message saying that my polling place was "St. Francis" something or other. Later in the day, I wondered why I was informed of this change via a phone number with an out of state area code. I just check the Mahoning County Board of Elections site and the polling location is still listed as "Frank Ohl School" which is where I've voted since moving here.

Since I received another call about the same time, I'll give you information on both numbers.

For the first call (which I believe is the culprit) the information on my caller ID was "Unknown Name 320-230-0961". They claimed they were from American for Reform Now or something like that. When I dialed that number, I received this message: "Mailbox for Rob Olsen is full." While writing this email, I just received another call from this number. Now the recorded message was from Ohio for Fair Minimum Wage.

For the other call (from this morning) the information on my caller ID was "Amer Voice Retr 206-706-2650". When I dialed that number I got a recording which identified them as "People for Washington State Democrats... authorized by K1 2006."

Thank you for your time and attention to this matter.

Cheryl Bollinger
consultants.

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

Margaret Sims/EAC/GOV
11/07/2006 09:45 AM
To Juliet E. Hodgkins/EAC/GOV@EAC
cc
Subject Re: VF and VI study

Yes (at T:\RESEARCH IN PROGRESS\VOTING FRAUD-VOTER INTIMIDATION\Interviews\Interview Summaries). Do you want me to do the same with those as I did with the literature summaries? --- Peggy

Juliet E. Hodgkins/EAC/GOV

Juliet E. Hodgkins/EAC/GOV
11/07/2006 09:33 AM
To Margaret Sims/EAC/GOV@EAC
cc
Subject VF and VI study

Did Tova and Job provide us with summaries or notes of their interviews?

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

---- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM ----

Margaret Sims/EAC/GOV
11/07/2006 11:29 AM
To Juliet E. Hodgkins/EAC/GOV@EAC
cc
Subject Re: VF and VI study

OK, I will get started on the interview summaries today.

DOJ (Donsanto and Tanner) raised objections to the consultants' description of their interviews, which
Did Tova and Job provide us with summaries or notes of their interviews?

Juliet Thompson Hodgkins
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United States Election Assistance Commission
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Washington, DC 20005
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11/07/2006 09:45 AM
To Juliet E. Hodgkins/EAC/GOV
cc
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----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM -----
Juliet E. Hodgkins/EAC/GOV
11/07/2006 09:47 AM
To Margaret Sims/EAC/GOV@EAC
cc
Subject Re: VF and VI study

that would be great. I am also interested in identifying the points of contention between DOJ and the
state that DOJ officials agreed they were bringing fewer intimidation and suppression cases. An advocacy group is going after DOJ, accusing the agency of doing just that for political reasons, so this is something DOJ wants corrected.

Apart from the consultants pre-existing bias that "the feds aren't doing enough", a big part of the problem appears to have been a misunderstanding over terminology. When our consultants used the term "intimidation", they included all sorts of suppression activities. When Craig Donsanto used the term "intimidation", he was using the definition under federal criminal vote fraud statutes, which requires the action be accompanied by threat of physical or economic harm. (He told me he has had only one such case in 30 years.) His office is actively pursuing voter suppression activities under statutes other than federal voter intimidation laws (e.g.; the recent case in NH where a campaign operative conspired to block election day GOTV telephone lines of the opposing party). A copy of Tanner's comments on the interview summary in the status report for the Standards and Advisory Boards meetings is attached.

I had many long discussions with Tova and Job about this. I was able to get them to soften their description (see 4th bullet on page 7 of the draft report), but not entirely to my satisfaction. Also, at the Working Group meeting, it was agreed that the consultants would add a note to their definition to clarify that the working definition for purposes of the research includes activities that do not meet the federal definition of voter intimidation. The resulting note on page 5 of the draft report is too vague.

DOJ has not seen everything the consultants put in the draft final report, so they may have additional concerns. For example, the consultants' recommendations include the following:

Attend the Department of Justice's Ballot Access and Voting Integrity Symposium. The consultants also believe it would be useful for any further activity in this area to include attendance at the next Ballot Access and Voting Integrity Symposium. According to the Department, DEOs are required to attend annual training conferences centered on combating election fraud and voting rights abuses. These conferences sponsored by the Voting Section of the Civil Rights Division and the Public Integrity Section of the Criminal Division, feature presentations by civil rights officials and senior prosecutors from the Public Integrity Section and the U.S. Attorneys' Offices. According to the Department, DEOs are required to attend annual training conferences centered on combating election fraud and voting rights abuses. These conferences sponsored by the Voting Section of the Civil Rights Division and the Public Integrity Section of the Criminal Division, feature presentations by civil rights officials and senior prosecutors from the Public Integrity Section and the U.S. Attorneys' Offices.

Footnote:
By attending the symposium researchers could learn more about the following:
How DEOs are trained, e.g. what they are taught to focus their resources on; How they are instructed to respond to various types of complaints; How information about previous elections and voting issues is presented; and, How the Voting Rights Act, the criminal laws governing election fraud and intimidation, the National Voter Registration Act, and the Help America Vote Act are described and explained to participants.

DOJ has stated that this is an internal meeting, involving only DOJ officials, US Attorneys and FBI. EAC researchers cannot be admitted without opening the meeting to other outsiders. DOJ does not want to do this, probably for two reasons: (1) confidential information on current enforcement cases may be discussed; and (2) making enforcement strategies public could give unscrupulous individuals a virtual "how to" manual for circumventing such strategies when committing election crimes.

We may also have a hard time gaining access to the DOE reports and the Voting Section records of complaints, as they probably aren't considered public documents.

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

Margaret Sims/EAC/GOV

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Juliet Thompson Hodgkins
General Counsel
United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100
I am getting close to having a first cut at a report, minus a few key sections. Just wondering how those summaries are coming along.

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

--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM ---

Margaret Sims/EAC/GOV  
11/09/2006 12:04 PM  
To Juliet E. Hodgkins/EAC/GOV  
cc  
Subject Re: How are the summaries of the interviews coming?

Almost finished sorting through the interview summaries. I don't find them as helpful as the literature summaries, but hope to have something to you by the end of the day. (I was at the clinic yesterday, and could only work a half day.) --- Peggy

Juliet E. Hodgkins/EAC/GOV

--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM ---

Juliet E. Hodgkins/EAC/GOV  
11/09/2006 11:41 AM  
To Margaret Sims/EAC/GOV@EAC  
cc  
Subject How are the summaries of the interviews coming?

I am getting close to having a first cut at a report, minus a few key sections. Just wondering how those summaries are coming along.

Juliet Thompson Hodgkins  
General Counsel  
United States Election Assistance Commission  
1225 New York Ave., NW, Ste 1100  
Washington, DC 20005  
(202) 566-3100
Thanks. Currently, on the phone with Job. Ugh!!!!

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

Almost finished sorting through the interview summaries. I don't find them as helpful as the literature summaries, but hope to have something to you by the end of the day. (I was at the clinic yesterday, and could only work a half day.) --- Peggy

I am getting close to having a first cut at a report, minus a few key sections. Just wondering how those summaries are coming along.

Juliet Thompson Hodgkins
General Counsel
United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100
Sorry this is later than expected. I was missing the notes of one interview and had several computer crashes when I tried to retrieve archived email to determine if I had failed to file it after one of the consultants sent it. I finally gave up looking for it in favor of summarizing what I had.

Attached is a summary of points raised in the interviews. I found it more difficult to extract lessons learned from the interview notes, so I used a summary format. (The interview notes make it appear that the focus of the interviews differed from one person to another, perhaps because consultants were seeking different information from interviewees). I've also attached a list of interviewees with pertinent interview notes. (Some of the interview notes dealt with irregularities other than voting fraud and voter intimidation.) --- Peggy

Julie:

I just remembered that there was one other DOJ objection. It was about the way the consultants described the Election Crimes Branch focus on cases. In the interview with Donsanto (the only interview I attended), he made reference to the fact that the Election Crimes Branch used to only go after conspiracies, not individuals. Now, however, they had begun prosecuting individuals for noncitizen and felon voting. The consultants heard an unexpressed "instead", which would mean that DOJ had dropped pursuing conspiracies in favor of going after individuals. Based on my previous experience, I heard and unexpressed "in addition", meaning that DOJ was not just prosecuting conspiracies, the department also had begun to prosecute individuals.

I had lengthy discussions with the consultants over this issue as well. Donsanto confirmed that he meant "in addition", and the lists of cases he provided indicates that the department continues to pursue conspiracies. (It doesn't make sense any other way, unless you believe that the government is out to get the little guy.) --- Peggy
Peggy,

I have attached a rough draft of the report that I think that we should propose to the Commissioners. I was hoping that you could give it a read and give me your comments by Friday morning, as I have to deliver a draft to the Commissioners on Friday. I also have a couple of questions. You will notice that I have noted that several items will be attached as appendixes. First question: Should we attach these things? Second question: In cases where you have provided summaries of the summaries, should we attach yours or theirs?

---

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

Do you have contact information for this guy?

---

Mark (Thor) Hearne II
Partner-Member

Thomas R. Wilkey/EAC/GOV

11/15/2006 12:23 PM
To Margaret Sims/EAC/GOV@EAC
cc
Subject Thor Hearn

Do you have contact information for this guy?

Thomas R. Wilkey
Executive Director
US Election Assistance Commission
1225 New York Ave, NW - Suite 1100
Washington, DC 20005
(202) 566-3109 phone
TWilkey@eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM -----
Margaret Sims/EAC/GOV
11/15/2006 04:02 PM
To Juliet E. Hodgkins/EAC/GOV
cc
Subject Re: Draft Voter Fraud/Voter Intimidation

Got it, and will get back to you by Friday AM. --- Peggy
----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM -----
Juliet E. Hodgkins/EAC/GOV
11/15/2006 04:10 PM
To Margaret Sims/EAC/GOV@EAC
cc
Subject Re: Draft Voter Fraud/Voter Intimidation

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

Margaret Sims/EAC/GOV  
11/15/2006 04:02 PM  
To Juliet E. Hodgkins/EAC/GOV@EAC  
cc  
Subject Re: Draft Voter Fraud/Voter Intimidation

Got it, and will get back to you by Friday AM. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM ----

Margaret Sims/EAC/GOV  
11/17/2006 09:28 AM  
To Juliet E. Hodgkins/EAC/GOV@EAC  
cc  
Subject Draft Voter Fraud/Voter Intimidation Report

Julie:

I really like the tone, focus, and organization of the paper. I also liked the way you interspersed the lists of Working Group members, interviewees, and reports reviewed with the text (drawing the reader's attention to the info, cutting down on the # of appendices, and giving the eye a break from regular text). Attached is your document with my comments, questions, and suggested changes. I did not do much to it.

Regarding your questions about the appendices:  
I really did not prepare my summaries with an eye toward publication, but the consultants' summaries probably include incendiary info (particularly re DOJ interviews). As for the case law, we have multiple, voluminous charts, but no list. We can create a list from the charts, but that will take time. The Commissioners may want to see the consultants' or my summaries and the case law charts, but do we need to publish them?

Do we need to put short bios for Tova and Job in an appendix? --- Peggy
Thanks for your comments.

Last night, I took the case charts and assembled into one 200-page document. So, that is compiled. I have also amended to include Job and Tova's bios as appendix "1". I have established both your summaries and theirs into alternative appendixes and will talk to the commissioners about that. One question that I have is whether we would need to go through and "clean up" their summaries? I have compiled them into a single document (that is one for interviews and one for literature). Other than the DOJ issue, are there any other "problems" that you recall?

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

--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM ---

Margaret Sims/EAC/GOV  
11/17/2006 02:54 PM  
To Juliet E. Hodgkins/EAC/GOV  
cc  
Subject Re: Draft Voter Fraud/Voter Intimidation Report

I'll need to refresh my memory. I'll take a look at them one more time and get back to you. Hope you enjoy your time out of the office, and have a happy turkey day. --- Peggy

Juliet E. Hodgkins/EAC/GOV

Juliet E. Hodgkins/EAC/GOV  
11/17/2006 09:44 AM  
To Margaret Sims/EAC/GOV@EAC  
cc  
Subject Re: Draft Voter Fraud/Voter Intimidation Report

Thanks for your comments.

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Juliet Thompson Hodgkins  
General Counsel  
United States Election Assistance Commission  
1225 New York Ave., NW, Ste 1100  
Washington, DC 20005  
(202) 566-3100
Thanks so much for all of your help. Have a very Happy Thanksgiving.

Margaret Sims
----- Original Message ----- 
From: Margaret Sims  
Sent: 11/17/2006 02:54 PM  
To: Juliet Hodgkins  
Subject: Re: Draft Voter Fraud/Voter Intimidation Report

I'll need to refresh my memory. I'll take a look at them one more time and get back to you. Hope you enjoy your time out of the office, and have a happy thanksgiving. --- Peggy

Juliet E. Hodgkins/EAC/GOV

Juliet E. Hodgkins/EAC/GOV  
11/17/2006 09:44 AM  
To: Margaret Sims/EAC/GOV@EAC  
cc  
Subject: Re: Draft Voter Fraud/Voter Intimidation Report

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Juliet Thompson Hodgkins
General Counsel
United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100
Juliet:
I reviewed our materials and refreshed my memory. The DOJ issues appear to be the only potential pitfalls in the consultants' interview summaries. The only other issue that arose during the course of the work was Secretary Rokita's objection to EAC doing the research. I think you have taken care of that in your paper. --- Peggy

Juliet E. Hodgkins/EAC/GOV

11/26/2006 09:39 PM	To Juliet E. Hodgkins/EAC/GOV
cc
Subject Re: Draft Voter Fraud/Voter Intimidation Report

Thanks so much for all of your help. Have a very Happy Thanksgiving.

------------------------
Sent from my BlackBerry Wireless Handheld
Margaret Sims
----- Original Message -----

From: Margaret Sims
Sent: 11/17/2006 02:54 PM
To: Juliet Hodgkins
Subject: Re: Draft Voter Fraud/Voter Intimidation Report

I'll need to refresh my memory. I'll take a look at them one more time and get back to you. Hope you enjoy your time out of the office, and have a happy turkey day. --- Peggy

Juliet E. Hodgkins/EAC/GOV

11/17/2006 09:44 AM	To Margaret Sims/EAC/GOV@EAC
cc
Subject Re: Draft Voter Fraud/Voter Intimidation Report

Thanks for your comments.

Last night, I took the case charts and assembled into one 200-page document. So, that is compiled. I have also amended to include Job and Tova's bios as appendix "1". I have established both your summaries and theirs into alternative appendixes and will talk to the commissioners about that. One question that I have is whether we would need to go through and "clean up" their summaries? I have compiled them into a single document (that is one for interviews and one for literature). Other than the
DOJ issue, are there any other "problems" that you recall?

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

Peggy,

Just to clarify... you only attended (by teleconference or otherwise) one of the interviews? I thought it was more than that?

Gavin S. Gilmour  
Deputy General Counsel  
United States Election Assistance Commission  
1225 New York Ave., NW, Ste 1100  
Washington, DC 20005  
(202) 566-3100

This looks good to me. I just have a few questions/clarifications, both involving the second paragraph:

1. First sentence - Do you mean "intra-agency", rather than interagency?
2. Second sentence - If we plan to release an EAC report based on the material provided by the consultants, then can we avoid implying that we are ever going to release a report written by the consultants?
3. Sixth sentence - I was present at only one interview, not all of them; but I did facilitate and help schedule the interviews.

--- Peggy

Gavin S. Gilmour/EAC/GOV

Do Not Release

People for the American Way.doc

Gavin S. Gilmour
Deputy General Counsel
United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100

THIS MESSAGE IS FOR ITS INTENDED RECIPIENT ONLY. IT IS A PRIVILEGED DOCUMENT AND SHALL NOT BE RELEASED TO A THIRD PARTY WITHOUT THE CONSENT OF THE SENDER.

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM -----
Margaret Sims/EAC/GOV
11/27/2006 11:30 AM

To Gavin S. Gilmour/EAC/GOV
cc
Subject Re: My Thoughts —PRIVILEGED COMMUNICATION

I attended only the interview with Craig Donsanto. --- Peggy

Gavin S. Gilmour/EAC/GOV

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM -----
Margaret Sims/EAC/GOV
11/27/2006 10:58 AM

To Margaret Sims/EAC/GOV@EAC
cc
Subject Re: My Thoughts —PRIVILEGED COMMUNICATION
Peggy,

Just to clarify... you only attended (by teleconference or otherwise) one of the interviews? I thought it was more than that?

Gavin S. Gilmour
Deputy General Counsel
United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100

THIS MESSAGE IS FOR ITS INTENDED RECIPIENT ONLY. IT IS A PRIVILEGED DOCUMENT AND SHALL NOT BE RELEASED TO A THIRD PARTY WITHOUT THE CONSENT OF THE SENDER.

Margaret Sims/EAC/GOV

Margaret Sims/EAC/GOV
11/17/2006 02:48 PM
To Gavin S. Gilmour/EAC/GOV@EAC
cc Juliet E. Hodgkins/EAC/GOV@EAC, Jeannie Layson/EAC/GOV@EAC
Subject Re: My Thoughts --PRIVILEGED COMMUNICATION

Gavin:

This looks good to me. I just have a few questions/clarifications, both involving the second paragraph:

1. First sentence - Do you mean "intra-agency", rather than interagency?
2. Second sentence - If we plan to release an EAC report based on the material provided by the consultants, then can we avoid implying that we are ever going to release a report written by the consultants?
3. Sixth sentence - I was present at only one interview, not all of them; but I did facilitate and help schedule the interviews.

--- Peggy

Gavin S. Gilmour/EAC/GOV

Gavin S. Gilmour/EAC/GOV
11/17/2006 01:39 PM
To Juliet E. Hodgkins/EAC/GOV@EAC, Jeannie Layson/EAC/GOV, Margaret Sims/EAC/GOV@EAC
cc
Subject My Thoughts --PRIVILEGED COMMUNICATION

Do Not Release
Attached is a revised version of the Voting Fraud/Voter Intimidation Draft Report. The changes that Commissioner Hillman suggested have been made and highlighted in yellow. See pages 10-11.

Peggy and I are working on the revision of the Donsanto and Tanner interview summaries and will forward that to you under a separate email.
Juliet Thompson Hodgkins  
General Counsel  
United States Election Assistance Commission  
1225 New York Ave., NW, Ste 1100  
Washington, DC  20005  
(202) 566-3100
--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM ---

Margaret Sims/EAC/GOV  
11/30/2006 04:37 PM  
To Juliet E. Hodgkins/EAC/GOV@EAC  
cc  
Subject Donsanto-Tanner Interviews

Julie:

I made some suggested edits in the attached excerpts of the Donsanto and Tanner interview summaries. You may be able to better phrase them. The most important edits are:

- I noticed that the consultants had listed Donsanto’s and Tanner’s titles incorrectly (which we may also need to correct in our report where we list the interviewees). Donsanto and Tanner might be amused that our consultants “promoted” them, but their bosses may not.
- I redacted two sentences that I thought we should not publicize and one that I thought was in error from the Donsanto description. I also tried to correct the paragraph that discusses DOJ’s pursuit of individual offenders.
- I moved the note about Tanner’s failure to provide data and information to the end of the description (the highlighted paragraph) so that it’s isn’t so “in your face”. I also tried to edit it, but am still a bit concerned about including it at all.

If you have any questions, or want to talk about this, give me a call (703-323-9277). Also, I may be in the office tomorrow, if my insides cooperate. --- Peggy

--- Summaries of Interviews with Donsanto-Tanner redacted-revised.doc ---

Juliet E. Hodgkins/EAC/GOV  
12/01/2006 03:17 PM  
To Margaret Sims/EAC/GOV@EAC  
cc  
Subject Re: Donsanto-Tanner Interviews

I made the correction on the titles in the report. There was one that was not correct.

There are a couple of things I may suggest that we leave in, as I don't think that DOJ would have a problem with it, (e.g. the fact that they won't release information on pending cases).

I will forward to the Cs for their review.
Juliet:  
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If you have any questions, or want to talk about this, give me a call (703-323-9277). Also, I may be in the office tomorrow, if my insides cooperate. --- Peggy

Julie:  
I assume you mean the note associated with the Tanner interview when you mentioned the pending cases. That's fine by me. I was just a little concerned that the note as a whole was a little adversarial and whiny. If any questions arise as to why certain items should be deleted from the Donsanto interview summary, I have answers. --- Peggy
I made the correction on the titles in the report. There was one that was not correct.

There are a couple of things I may suggest that we leave in, as I don't think that DOJ would have a problem with it, (e.g. the fact that they won't release information on pending cases).

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Juliet E. Hodgkins/EAC/GOV
Juliet E. Hodgkins/EAC/GOV
12/01/2006 03:17 PM
To Margaret Sims/EAC/GOV@EAC
cc
Subject Re: Donsanto-Tanner Interviews

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If you have any questions, or want to talk about this, give me a call (703-323-9277). Also, I may be in the office tomorrow, if my insides cooperate. --- Peggy
Dear Peter:

I apologize for the delayed response. The paper that the media touted as an EAC statement on vote fraud was actually just a report on the status of preliminary research into voting fraud and voter intimidation conducted by EAC consultants. The document does not represent a consensus statement on the subject by EAC. The status report was presented to the EAC Board of Advisors and the EAC Standards Board last spring. As these meetings were open to the public, the status report is available to the public. (See attached.)

EAC plans to consider a draft of its own report, which is based on the preliminary research of our consultants, at this Thursday's public meeting. (See agenda published at http://www.eac.gov/docs/Public%20Meeting%20-%2012-07-06%20Revised%20Final%20Agenda.pdf.) If the report is approved, EAC will publish it on our web page.

Regards,

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

---

Then I need to get commishes to okay.
Brian,

Please find attached the draft fraud report press release for review. The other documents will follow in a separate email.

Jennifer

-------------------
NEW E-MAIL:

Jennifer Rose-Utley
Manager, Public Affairs

We've Moved!

Please visit us at our new location:

Oki.

Fraud Press Release - DRAFT v2.doc

Bryan:

The two consultants were:

- Tova Wang
- Job Serebrov
For Immediate Release
December 7, 2006

Contact:
Jeannie Layson
Bryan Whitener
(202) 566-3100

EAC Releases Findings of Voting Fraud and Voter Intimidation Study

No consensus on the regularity of voting fraud and voting intimidation found. Agency accepts recommendations to conduct a comprehensive study on elections crimes.

WASHINGTON - The United States Election Assistance Commission (EAC) today voted on the findings of the "Voting Fraud and Voter Intimidation Study" and accepted recommendations to conduct.
a comprehensive assessment of all claims, charges and prosecutions of voting crimes.

The study represents the first phase of the information gathering process and includes a working definition of election crimes. EAC will now proceed with the second phase, a more comprehensive data-driven survey and study of elections crimes and voter intimidation. The new phase will offer consistency to the study and will identify a common definition of the issue for dialogue among elections officials, civil rights and voter advocacy groups, law enforcement officials, attorneys and the public.

The recommendations accepted by EAC today include:

**Survey Chief Elections Officers to Review and Assess Administrative Complaints:** EAC will survey the states' chief election officers regarding complaints that have been filed, investigated and resolved since January 1, 2004.

**Survey State Election Crime Investigation Units Regarding Complaints Filed and Referred:** EAC will gather information on the numbers and types of complaints that have been received by, investigated, and ultimately referred to local or state law enforcement by election crime investigation units since January 1, 2004.

**Survey Law Enforcement and Prosecutorial Agencies Regarding Complaints and Charge of Voting Crimes:** EAC will survey law enforcement and prosecutorial agencies at the local, state and federal level to determine the number and types of complaints, charges, or indictments, and pleas or convictions of election crimes since January 1, 2004.

**Analyze Survey Data in Light of State Laws and Procedures:** EAC will use the reliable data gathered from each survey group to analyze the effectiveness of fraud prevention and reporting measures.

In order to arrive at the findings, EAC consultants reviewed existing studies, articles, reports and case law on voting fraud and intimidation and conducted interviews with experts in the field regarding their experiences and research. According to the findings, while there is currently no consensus on the frequency of voting fraud and voter intimidation, most participants agreed that absentee balloting is subject to the greatest proportion of fraudulent acts, followed by vote buying and voter registration fraud.

Following today's vote to approve the survey recommendations, EAC will begin a comprehensive survey and subsequent study on voting fraud and voter intimidation based on hard data. Section 241 of the Help America Vote Act of 2002 (HAVA) mandates that EAC research and study various issues related to the administration of elections. During Fiscal Year 2006, EAC in consultation with the Standards Board and Board of Advisors selected voting fraud and voter intimidation from a list of potential research topics that serve to improve the administration of elections for federal office.

For the EAC's full report on the Voting Fraud and Voter Intimidation Study or to view testimony from today's hearing, visit [www.eac.gov](http://www.eac.gov).
EAC is an independent bipartisan commission created by HAVA. It is charged with administering payments to states and developing guidance to meet HAVA requirements, implementing election administration improvements, adopting voluntary voting system guidelines, accrediting voting system test laboratories and certifying voting equipment and serving as a national clearinghouse and resource of information regarding election administration. The three EAC commissioners are Paul DeGregorio, chairman; Donetta Davidson and Gracia Hillman. One vacancy currently exists.

###

Commissioners,

I want to respond to Rick Hasen's post regarding EAC and the fraud report. My suggested response is below, and his original post follows. Please let me know if you agree that I should attempt to correct the misinformation he posted. If so, please let me know if you approve of my suggested response. Thank you.

Mr. Hason,

I write to point out incorrect information you posted on your website on December 11, 2006. You wrote: "Note what's missing compared to the earlier version leaked to the USA Today Newspaper." No one at the EAC leaked anything to USA Today. The reporter asked for a copy of the staff report about the fraud research that was presented at a public meeting in May to our Board of Advisors and the Standards Board, and the EAC provided it to him. This information was presented and discussed at a meeting that was open to the public, so we provided materials distributed at the meeting to anyone who requested it. The staff report about the fraud project was also distributed to every member of both advisory boards. Go here to view the Federal Register notice about the public meeting at which this project and many others were discussed.

The statement you attribute to one of the consultants is absolutely correct. As stated by their contract, these consultants were hired so that the EAC could "...obtain consulting services from an individual who can provide advice drawn from broad professional and technical experience in the area of voter fraud and intimidation."

As for your reference to what's "missing compared to the earlier version," the report contains the complete summaries of every interview conducted by the consultants as well as every book, article, report or case that was reviewed. It does not contain the synopsis of those interviews, which were written by the consultants. EAC provided the individual summaries so readers could reach their own conclusions about the substance of the interviews.
EAC's interpretation of HAVA and its determination of what it will study and how it will use its resources to study it are matters of agency policy and decision. These are not, nor should they be, determinations or decisions made by consultants. The EAC has the ultimate responsibility for the reports it issues, and it is incumbent upon the agency to conduct due diligence to ensure reports, data or any other information is complete and accurate before it is adopted by the Commission.

As someone with a public platform who informs the public about matters regarding election administration, I would appreciate it if you would extend the same professional courtesy most journalists do and contact the agency in the future if you have questions or concerns about EAC policy or actions. You may reach me directly at 202-566-3103. I appreciate your consideration in this matter.

Sincerely,
Jeannie Layson
Director of Communications
US Election Assistance Commission

More on FL-13, and a Role for the EAC?
When I saw this headline on the Sarasota Herald Tribune web page, I thought it must have been about the FL-13 race. Over on the election law listserv, Doug Johnson, responding to my commentary calling for the House to investigate the problems and declare a revote in the FL-13 race, suggested that perhaps the EAC is better situated to conduct an investigation than the House of the problems in the FL-13.
I'm afraid we might not be able to count on the EAC to conduct an investigation that is well-funded, tough, and fair. Politics appears to be creeping in to decisions of the EAC's advisory board, and there's real concern about the EAC's vote fraud report. Note what's missing compared to the earlier version leaked to the USA Today newspaper. Tova Wang, who authored the draft report for the EAC, issued the following statement to me: "My co-consultant and I provided the EAC with a tremendous amount of research and analysis for this project. The EAC released what is their report yesterday."
The EAC has also lost two commissioners, one Republican and one Democrat, who appeared to be tough-minded and fair. I am very worried about the fairness and non-partisanship of the new rumored nominees.
In short, the EAC has to prove it is up to the task of fair and serious inquiry before it could be trusted with something like an investigation of the FL-13.
I agree that Jeannie should send the response.

Sent from my BlackBerry Wireless Handheld

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM -----

Gracia Hillman/EAC/GOV
12/14/2006 12:07 PM

To "Paul DeGregorio" <pdegregorio@eac.gov>, "Donetta Davidson" <ddavidson@eac.gov>, Thomas R. Wilkey/EAC/GOV@EAC, Juliet E. Thompson/EAC/GOV@EAC, Margaret Sims/EAC/GOV@EAC, "Jeannie Layson" <jlayson@eac.gov>, "Karen Lynn-Dyson" <klynn-dyson@eac.gov>

cc "Sheila Banks" <sbanks@eac.gov>

Subject People For

I know that People For the American Way delivered petitions to EAC about release of the Fraud report but I need to know what other communications EAC has had with People For about the study.

Was it represented on the study's working group? If so, by whom? Did they write to us and did we answer? Did anybody from there talk with anybody at EAC about the study and our work? Thanks.

Sent from my BlackBerry Wireless Handheld

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM -----

Margaret Sims/EAC/GOV
12/14/2006 12:40 PM

To Gracia Hillman/EAC/GOV@EAC

cc "Donetta Davidson" <ddavidson@eac.gov>, "Jeannie Layson" <jlayson@eac.gov>, Juliet E. Thompson/EAC/GOV@EAC, "Karen Lynn-Dyson" <klynn-dyson@eac.gov>, "Paul DeGregorio" <pdegregorio@eac.gov>, "Sheila Banks" <sbanks@eac.gov>, Thomas R. Wilkey/EAC/GOV@EAC

Subject Re: People For

Commissioner Hillman:

PFAW was not represented on the Working Group for the Voting Fraud-Voter Intimidation research project. Also, I have had no communications with the organization about the study. I did work with
Jeannie and Gavin on a response to PFAW's FOIA request for the study. Jeannie should have the final copy of that reply.

Peggy Sims
Election Research Specialist

Gracia Hillman/EAC/GOV

I know that People For the American Way delivered petitions to EAC about release of the Fraud report but I need to know what other communications EAC has had with People For about the study.

Was it represented on the study's working group? If so, by whom? Did they write to us and did we answer? Did anybody from there talk with anybody at EAC about the study and our work? Thanks.

Sent from my BlackBerry Wireless Handheld

Are there any plans to rebut the PFAW response? If so, may I help? --- Peggy

I didn't get any comments from you regarding yesterday's response to Rick Hasen. Any thoughts on that?

Jeannie Layson
U.S. Election Assistance Commission
1225 New York Ave., NW
Are there any plans to rebut the PFAW response? If so, may I help? --- Peggy

Sorry. I saw a message addressed to the Commissioners. I did not realize the fact that I was cc'd meant that you wanted my comments as well. Will do better next time. In the case of PFAW, I think we may need to address other points, as well. I can put some comments in bullet form, and you can take them or leave them. --- Peggy

I didn't get any comments from you regarding yesterday's response to Rick Hasen. Any thoughts on that?
Are there any plans to rebut the PFAW response? If so, may I help? --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM -----

Karen Lynn-Dyson/EAC/GOV
12/14/2006 01:36 PM

Subject Re: People Form

Peg, et.al-

I did not have any interaction with this group.

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

Margaret Sims/EAC/GOV

Margaret Sims/EAC/GOV
12/14/2006 12:40 PM

To Gracia Hillman/EAC/GOV@EAC

cc "Donetta Davidson" <Ddavidson@eac.gov>, "Jeannie Layson" <Jlayson@eac.gov>, "Karen Lynn-Dyson" <klynn-dyson@eac.gov>, "Paul DeGregorio" <pdegregorio@eac.gov>, "Sheila Banks" <sbanks@eac.gov>, Thomas R. Wilkey/EAC/GOV@EAC

Subject Re: People Form
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Peggy Sims
Election Research Specialist

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Was it represented on the study's working group? If so, by whom? Did they write to us and did we answer? Did anybody from there talk with anybody at EAC about the study and our work? Thanks.

Sent from my BlackBerry Wireless Handheld

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM -----
Thomas R. Wilkey/EAC/GOV
01/23/2007 02:35 PM
To Margaret Sims/EAC/GOV@EAC
cc
Subject Fraud report

Was the report that was drafted after the working group meeting or the interviews done with eac participant reviewed after the draft was completed. Need this right away

Sent from my BlackBerry Wireless Handheld

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM -----
Karen Lynn-Dyson/EAC/GOV
01/26/2007 11:49 AM
To Elileen L. Kuala/EAC/GOV@EAC
cc Margaret Sims/EAC/GOV@EAC
Subject Re:

Peg-

Could you get Elle and answer on this, if she hasn't already gotten one?

Thanks

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

Elileen L. Kuala/EAC/GOV

Elileen L. Kuala/EAC/GOV
01/23/2007 02:14 PM
To "Karen Lynn-Dyson" <klynndyson@eac.gov>
cc
Subject

Hey Karen,

Did Barbara Arnwine ever attend ANY of the voter fraud working group meetings?

Thanks,
I already got one, thanks!

Elle L.K. Kuala
Special Assistant to the Chair
U.S. Election Assistance Commission
office: (202) 566-2256
blackberry: (202) 294-9251

Karen Lynn-Dyson/EAC/GOV

Peg-
Could you get Elle and answer on this, if she hasn't already gotten one?

Thanks

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

Did Barbara Arnwine ever attend ANY of the voter fraud working group meetings?

Thanks,

Elle
Elle Collver
U.S. Election Assistance Commission
1225 New York Avenue, Suite 1100
Washington, D.C. 20005
(202) 566-2256
www.eac.gov

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Sent from my BlackBerry Wireless Handheld

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM -----
Juliet E. Hodgkins/EAC/GOV
02/09/2007 05:45 PM
To Margaret Sims/EAC/GOV@EAC
cc
Subject Fw: 1099

Juliet Thompson Hodgkins
General Counsel
United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100
----- Forwarded by Juliet E. Hodgkins/EAC/GOV on 02/09/2007 05:44 PM -----
"Job Sarah Brow" <jb@eac.gov>
02/09/2007 05:33 PM
To "Julie Thompson-Hodgkins" <jhodgkins@eac.gov>
cc
Subject 1099
Julie:

I received my 1099 and the figure looks too high. It is listed at $58,065.35. Can you check on this?

Job

Diana And Bola:

Job Serebrov, one of our personal services contractors on the Vote Fraud-Voter Intimidation research project, has received a 1099 that shows total payments from EAC in 2006 of $58,065.35. He asked me to check the payments I had listed for him because the amount seemed too high to him.

I don't have access to copies of his invoices right now, but I do have access to the spreadsheets I used to track payments. Even if I include his travel reimbursements, the amount shown on the 1099 appears too high. Can one of you help me figure this out? The ACT and contract numbers for his personal services contracts involving any payments in 2006 follow:
Peggy Sims
Election Research Specialist
— Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:49 PM ——
Bola Olu/EAC/GOV
02/12/2007 12:30 PM
To Margaret Sims/EAC/GOV@EAC
cc DScott@eac.gov
Subject Re: Possible Discrepancy on Contractor's 1099

Peggy:

I will look into this and get back to you.

Bola Olu
Financial Administrative Specialist
United States Election Assistance Commission
1225 New York Avenue N.W., Suite - 1100
Washington, DC 20005
P:202-566-3124
F:202/566-3127
http://www.eac.gov/

"Intelligence plus character...the goal of true education. Dr. Martin Luther King."

Margaret Sims/EAC/GOV

Margaret Sims/EAC/GOV
02/12/2007 12:13 PM
To DScott@eac.gov, Bola Olu/EAC/GOV@EAC
cc
Subject Possible Discrepancy on Contractor's 1099

Diana And Bola:

Job Serebrov, one of our personal services contractors on the Vote Fraud-Voter Intimidation research project, has received a 1099 that shows total payments from EAC in 2006 of $58,065.35. He asked me to check the payments I had listed for him because the amount seemed too high to him.

I don't have access to copies of his invoices right now, but I do have access to the spreadsheets I used to track payments. Even if I include his travel reimbursements, the amount shown on the 1099 appears too high. Can one of you help me figure this out? The ACT and contract numbers for his personal services contracts involving any payments in 2006 follow:

ACT# E4019698, Contract # EAC 05-67
ACT# E4019905, Contract # EAC 06-05
Curtis:

I believe that the only items I have in hard copy, and not in electronic format, are my working copies of the contracts (official copies would be in the agency contract files), the monthly pay invoices and travel reimbursement requests submitted by the consultants, and some DOJ training documentation that was given to us on condition that we keep it confidential.

Other than emails, the documentation that is in electronic form is housed in EAC's shared drawer at T:\RESEARCH IN PROGRESS\VOTING FRAUD-VOTER INTIMIDATION. Do you have read access to that?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
e-mail: psims@eac.gov

Curtis Crider/EAC/GOV

All:

The Office of Inspector General has initiated an evaluation of the contracting process used by the EAC for the voter fraud and voter intimidation projects. In order for us to complete our evaluation, we need copies of all e-mails or other documents that you have regarding either project. Electronic documents can be sent to an e-mail account that we have set up - eaccon@eac.gov. If you have any hard copy documents, please let me know.

If you do not have any documents or e-mails, please send me an e-mail to that effect.

Thank you,

Curtis Crider
Office of Inspector General, Election Assistance Commission
Phone - (202) 566-3125
Fax - (202) 566-0957

Important: This electronic transmission is intended for the use of the individual or entity to which it is
Fifth batch attached. More to come. --- Peggy Sims

Please do ask him. Thanks

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, April 03, 2006 4:14 PM
To: Margaret Sims/EAC/GOV@EAC
Subject: Fw: DOJ Training Materials

Devon's response is attached. Guess I'll add this to the list of questions going to Donsanto.
---Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/03/2006 05:12 PM -----
Devon E. Romig/EAC/GOV

Peggy,

The sections that you listed below are also empty in our copy. I have attached a copy of the complete table of contents with all of the section that are empty in our copy of the 2004 DOJ training binder.

Thanks,

Devon
Devon:
One of our consultants noted that there are several sections appear to be missing from the 2004 DOJ training binder. She wasn't sure if it is because of what DOJ sent over to EAC or a problem in the photocopying. From what she can see, some of the table of contents is missing and tabs 14, 15, 16, 17, 21, 23 and 26 are all empty. I think we must have provided the T of C because I don't see one in the binder. Can you please retrieve the binder and check this out for me? 
Thanks! --- Peggy

Hi Peg,

I will call J.R. on Thursday to run it by him and let you know what he says. As for my availability on Wednesday, April 12, the answer is "yes". Morning is best for me, although I could be available in the afternoon. You choose a time and I will be here.

Thanks,

Tony

----- Original Message ----- 
From: psims@eac.gov 
To: dromig@eac.gov 
cc: 
Subject: DOJ Training Materials
Intimidation Working Group

Tony:

Which one do you think would be best? J.R. Perez, as Election Administrator, should have knowledge of voting fraud and voter intimidation in both voter registration and voting. I assume that, though Patricia is the voter registration supervisor, she also would have knowledge of voting fraud and voter intimidation in balloting. Would they be available in May for a meeting of the project working group? Who could best stand up to the DNC and RNC counsels?

On a related matter, would you be available for our consultants to interview you by telephone next Wednesday? If so, let me know a convenient time. I'll confirm the time with the two consultants, Job Serebrov and Tova Wang. Then, I'll get back to you with the toll-free line and pass code you will need to use for the teleconference.

Thanks!

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
e-mail: psims@eac.gov

Good Afternoon Peg,

How about J. R. Perez, Elections Administrator, Guadalupe County or Patricia Benavides, Voting Registration Supervisor, Tarrant County, Texas?

Tony
Dear Tony,

Unfortunately both Javier and myself have to decline in being members of the working group from Texas. It is a bad time of the year where we have so many elections and would not be able to contribute enough time to doing research of any kind. Please keep us in mind for future meetings.

Helen Jamison

-----Original Message-----
From: Tony J. Sirvello III
Sent: Monday, April 03, 2006 1:19 PM
To: Helen Jamison; Javier Chacon
Subject: Fw: Nonpartisan Local Election Official Needed for Voting Fraud/Voter Intimidation Working Group

Helen, Javier,

Attached is the information from the EAC requesting your services as a member of the working group from Texas. Please let me know in a couple of days if one of you will be able to participate. If you need more information, call me and I will conference in with Peggy Sims, who can give you more details.

Thanks,

Tony

----- Original Message ----- 
From: psims@eac.gov
To: 
Sent: Thursday, March 16, 2006 10:29 AM
Subject: Nonpartisan Local Election Official Needed for Voting Fraud/Voter Intimidation Working Group

Tony:

Thanks for being willing to help me identify a qualified, nonpartisan local election official to serve on our Project Working Group for the preliminary research being conducted on voting fraud and voter intimidation.

Background
Section 241 of the Help America Vote Act of 2002 requires EAC to conduct research on election administration issues. Among the issues listed in the statute are the development of:

1. nationwide statistics and methods of identifying, deterring, and investigating voting fraud in elections for Federal office [section 241(b)(6)]; and
2. methods of identifying, deterring, and investigating methods of voter intimidation [section 241(b)(7)].

EAC's Board of Advisors recommended that EAC make research on these topics a high priority.

Preliminary EAC Research

Subsequently, the Commission contracted with two consultants (Tova Wang and Job Serebrov) to:

1. develop a comprehensive description of what constitutes voting fraud and voter intimidation in the context of Federal elections;
2. perform preliminary research on these topics (including Federal and State administrative and case law review), identify related activities of key government agencies and civic and advocacy organizations, and deliver a summary of this research and all source documentation;
3. convene a meeting of a project working group composed of key individuals and representatives of organizations knowledgeable about the topics of voting fraud and voter intimidation, provide the results of the preliminary research to the working group, and record the working group's deliberations; and
4. produce a report to EAC summarizing the findings of the preliminary research effort and working group deliberations that includes recommendations for future EAC action, if any.

The Project Working Group will probably meet only once during this preliminary research effort (probably in late April) to review the consultants research and provide input. Other members of the Working Group are lawyers from advocacy groups and major political parties, two State election officials, and Barry Weinberg, former Deputy Chief of DOJ's Voting Section, Civil Rights Division. Craig Donsanto, Director of DOJ's Election Crimes Branch will serve as a technical advisor to the group.

I really appreciate any help you can offer in identifying a qualified individual to fill the slot on the Working Group that has been reserved for an experienced, nonpartisan local election official.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

"Tony J. Sirvello III"
Good Afternoon Peg,

How about J. R. Perez, Elections Administrator, Guadalupe County or Patricia Benavides, Voting Registration Supervisor, Tarrant County, Texas?

Tony

----- Original Message ----- 
From: Helen Jamison
To: Tony J. Sirvello III
Sent: Tuesday, April 04, 2006 11:46 AM
Subject: RE: Nonpartisan Local Election Official Needed for Voting Fraud/Voter Intimidation Working Group

Dear Tony,
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Helen Jamison

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To: Helen Jamison; Javier Chacon
Sent: Monday, April 03, 2006 1:19 PM
Subject: Fw: Nonpartisan Local Election Official Needed for Voting Fraud/Voter Intimidation Working Group

Helen, Javier,

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Thanks,

Tony

----- Original Message ----- 
From: psims@eac.gov
To: [Blank]
Sent: Thursday, March 16, 2006 10:29 AM
Subject: Nonpartisan Local Election Official Needed for Voting Fraud/Voter Intimidation Working Group

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I really appreciate any help you can offer in identifying a qualified individual to fill the slot on the Working Group that has been reserved for an experienced, nonpartisan local election official.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Tony:

How about scheduling the teleconference with our consultants for 10 AM CST/11 AM EST on Wednesday, April 12? --- Peggy

No, except it means pushing everything back, ie the final report. I suppose we could, as we discussed, take a week or two off in May and tack it on to June. There's no way we could write a final report in ten days, obviously. That would be fine with me.

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, April 04, 2006 8:46 AM
To: Tova Andrea Wang; Job Serebrov
Subject: Project Working Group Meeting

The Chairman and Vice Chairman are interested in attending the meeting. Due to schedule conflicts, they are asking us to look at the week of May 15. Does that pose a problem for either of you peggy

Sent from my BlackBerry Wireless Handheld
That's fine, just asking

-----Original Message-----
From: Job Serebrov [mailto:] Sent: Wednesday, April 12, 2006 11:26 AM
To: Tova Wang; psims@eac.gov
Cc: 'Job Serebrov'; 'Nicole Mortellito'
Subject: Re: working group meeting

It was my understanding that the meeting would be on
the 15th or later.

Tova, Peggy is out of the office this week.

--- Tova Wang <___> wrote:

> I cannot do it on May 5 now. Any update on a date?
> I will be in DC for
> other meetings May 4 - May 7 if that makes any
> difference (EAC would not
> have to pay my transportation if it was on, for
> example, Monday May 8 or
> possibly even the 9th) Thanks.
>  
> Tova Andrea Wang
> Democracy Fellow
> The Century Foundation
> Visit our Web site, for the latest news,
> analysis, opinions, and events.
> 
>  
> Click here to receive our
> weekly e-mail updates.
> 
>  
> —— Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM ——

"Tova Wang"

04/11/2006 11:42 AM
To  psims@eac.gov, "Job Serebrov"
cc  "Nicole Mortellito" <nmortellito@eac.gov>
Subject  RE: Kennedy Interview
As I have alerted Nicole, the call is not working. Someone ought to get in touch with Kevin -- I do not have his contact information.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, April 10, 2006 8:45 PM
To: Tova Andrea Wang; Job Serebrov
Subject: Kennedy Interview

It appears that the teleconference with Kevin Kennedy is set for tomorrow, April 11, at 10:30 AM CST/11:30 AM EST. Use the usual phone number (866-222-9044) and passcode (62209).

If you have trouble connecting, contact Nicole.

Peg

--------------------------
Sent from my BlackBerry Wireless Handheld

--- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM ----

Nicole Mortellito/CONTRACTOR/EA C/GOV
04/11/2006 11:45 AM

To "Tova Wang" <*

cc psims@eac.gov, "Job Serebrov"

Subject RE: Kennedy Interview

the call is up and running!! you may dial in

Regards,

Nicole K. Mortellito
Research Assistant
U.S. Election Assistance Commission
1225 New York Avenue - Suite 1100
Washington, DC
202.566.2209 phone
202.566.3128 fax

"Tova Wang" 

04/11/2006 11:42 AM 

To psims@eac.gov, "Job Serebrov" 

cc
As I have alerted Nicole, the call is not working. Someone ought to get in touch with Kevin -- I do not have his contact information.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, April 10, 2006 8:45 PM
To: Tova Andrea Wang; Job Serebrov
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If you have trouble connecting, contact Nicole.

Peg

--------------------------
Sent from my BlackBerry Wireless Handheld

----- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM -----

Nicole Mortellito/CONTRACTOR/EA C/GOV

04/10/2006 10:05 AM

To: Margaret Sims/EAC/GOV@EAC
cc: Subject: Re: Teleconference set up

You are set for the 12th at 11am 866-222-9044 pass code 62209

Regards,

Nicole K. Mortellito
Research Assistant
U.S. Election Assistance Commission
1225 New York Avenue - Suite 1100
Washington, DC
202.566.2209 phone
202.566.3128 fax
Margaret Sims/EAC/GOV
Nicole:
Could you please help me set up a teleconference for Wednesday, April 12 at 11 AM EST (for 1 hour)?
Please send me confirmation.
Peg

Sent from my BlackBerry Wireless Handheld

----- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM -----

Peggy:
May looks pretty good right now. I will not be available May 1, or in the morning (before 12:30) on May 4 or May 11, or in the afternoon on May 10.
Barry

----- Original Message ----- 
From: psims@eac.gov
To: psims@eac.gov
Sent: Monday, April 03, 2006 3:15 PM
Subject: Voting Fraud-Voter Intimidation Project

Hi, Barry:

I'm trying to arrange a meeting of the Working Group for EAC's Voting Fraud-Voter Intimidation project. Would you please look at your schedule and let me know if there are any days during the first 2 weeks of May that you would NOT be available?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov
I didn't have anything specific in mind yet, especially as I have not finished going through the voluminous documentation, but I will let you know.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, April 03, 2006 2:41 PM
To: serebrov@sbcglobal.net
Subject: Mentioning DOJ Training Guidance

Tova and Job:

Craig Donsanto responds that it is not possible for him to assess the level of public attribution that would be appropriate without seeing the substantive stuff in context. He does not foresee a problem; but recommends that I provide him with the draft text. He will review it to ensure we are not disclosing things we shouldn't disclose.

Therefore, please provide the draft text to me ASAP, so that I can forward it to him for review. I suspect he will provide me with a prompt response, which I will forward to you.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM ----

That time is fine. A half hour earlier would be better. I also have a 12 CDT meeting.
To: Kevin Kennedy
Subject: Interview

Kevin:
I'm just following up on my request for your availability to be interviewed by our consultants for our voting fraud/voter intimidation project. Are you available Tuesday, April 11 at 11 AM CST?
Peggy Sims

Sent from my BlackBerry Wireless Handheld

--- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM ---
Margaret Sims/EAC/GOV
04/03/2006 05:11 PM
To: "Job Serebrov"
cc
Subject: Re: Working Group Contact Info

Thanks, Job! --- Peggy

"Job Serebrov"
04/03/2006 04:57 PM
To: psims@eac.gov
cc
Subject: Re: Working Group Contact Info

Norcross's assistant is Maria Rivers:

Rokita's assistant is:

Amy Miller
Executive Assistant
Indiana Secretary of State Todd Rokita

--- psims@eac.gov wrote:

> Please review the attached and let me know of any corrections that should be made. Thanks! --- Peggy
>
The fraud chapter has been published by IFES as part of their Money and Politics Program. It's on their website. I tweaked the text a bit and presented it in Abjua. The rest of it is regrettably not public at present.

Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@usdoj.gov>
Sent: Wed Apr 05 17:26:12 2006
Subject: Re: Voting Fraud-Voter Intimidation Project

Is there any way to get an advance copy? Our consultants will need to review it before you receive your printed versions. --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
To
p@eac.gov

cc

Subject
Re: Voting Fraud-Voter Intimidation Project

The 7th edition is done and on its way to the printer. It is my hope to get it our in a couple months.

Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: p@eac.gov <p@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed Apr 05 13:05:15 2006
Subject: Voting Fraud-Voter Intimidation Project

Craig:

In reviewing the great materials you gave our consultants, we have not found an updated draft of your famous Prosecution of Election Offenses. Is that available for review? If you have a pdf version, I could pass that on to our consultants (noting any restrictions you may have on use).

Also, we noticed some gaps in the 2004 DOJ training binder. It appears that we are missing the Chris Herren information from Panel 3 and something titled "July 21, 2004" from Panel 4. If these were removed because we should not see them, just let me know.

I also have to check your availability the week of May15. I'm still trying to find a date that everyone will be available for the working group meeting.

Sorry to bug you. Hope all is going well.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: p@eac.gov
Hi, Barry:

I'm trying to arrange a meeting of the Working Group for EAC's Voting Fraud-Voter Intimidation project. Would you please look at your schedule and let me know if there are any days during the first 2 weeks of May that you would NOT be available?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

I've been trying to schedule an interview (by teleconference) among our two consultants, Tova Wang and Job Serebrov. and an election attorney, Colleen McAndrews (310/458-1405). I had to leave your name with her assistant, today, just in case she calls back when I am out of the office.

The EAC consultants are available for interviews next week before 4:30 AM EST on Monday (4/10) and in the afternoon on Wednesday (4/12). Email info on any teleconferences scheduled to Job (serebrov@sbcglobal.net) and Tova (wang@tcf.org). Job operates on CST; Tova on EST.

Thanks! --- Peggy

That time is fine for me. Thanks.

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

That time is fine for me. Thanks.

------ Original Message ------
Hi, Job and Tova:

Tony Sirvello (former election director for Harris County, TX and current Executive Director of the International Association of Clerks, Recorders, Election Officials and Treasurers) can make himself available for an interview next Wednesday morning (4/12). He is on CST. Is there a time that works well for the two of you? How about 10 AM CST/11 AM EST? I saw Kevin Kennedy at a meeting in our office this past Tuesday. We are trying to set up an interview with him next Tuesday (4/11).

I asked Donsanto about an updated version of his *Prosecution of Election Offenses*. He responded that it is at the printers and will not be available for a couple of months. In the interim, he referred me to the white paper he did for IFES, which I have attached. He said that the white paper includes the same information on the prosecution of election fraud that will be in the book. --- Peggy

---

Thank you.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, April 10, 2006 11:02 AM
To: Kevin Kennedy
Subject: Re: Interview

I am trying to arrange the teleconference for 10:30 AM CST tomorrow, April 11. Will get back to you once confirmed.

Peggy

--------------------------
Sent from my BlackBerry Wireless Handheld

----- Original Message ----- 
From: "Kennedy, Kevin" [mailto:KennedyJ.I@justice.gov]
Sent: 04/09/2006 11:13 AM
To: "'psims@eac.gov" <psims@eac.gov>
Subject: RE: Interview

That time is fine. A half hour earlier would be better. I also have a 12 CDT
meeting.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Friday, April 07, 2006 12:27 PM
To: Kevin Kennedy
Subject: Interview

Kevin:
I'm just following up on my request for your availability to be interviewed
by our consultants for our voting fraud/voter intimidation project. Are you
available Tuesday, April 11 at 11 AM CST?
Peggy Sims

--------------------------
Sent from my BlackBerry Wireless Handheld

----- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM -----
Nicole Mortellito/CONTRACTOR/EA C/GOV
04/11/2006 11:45 AM
To “Tova Wang”
cc psims@eac.gov
Subject conf call is up and running

all dial in info is the same!

Regards,
Nicole K. Mortellito
Research Assistant
U.S. Election Assistance Commission
1225 New York Avenue - Suite 1100
Washington, DC
202.566.2209 phone
202.566.3128 fax

----- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM -----
Margaret Sims/EAC/GOV
04/03/2006 03:18 PM
To psims@eac.gov
cc George Connor
Subject Re: DOJ training materials

Tova:
I'm checking with Craig regarding reference in our report to the DOJ training materials. The 2004 DOJ
training materials did not have a table of contents. I think Devon added that to help you find your way
Hi Peg,

I've just made it through the 2004 binder of materials and have two questions. First, I understand that these materials are confidential, but may we refer to guidance provided in them in our report? Otherwise they are of not much use to us. There's not that much in it that would add to what Donsanto and Tanner told us, but there are a few issues raised that I believe might be germane.

Second, there are several sections evidently missing from the 2004 binder and I'm not sure if thats because of what Donsanto sent over or a problem in the photocopying. From what I can see, some of the table of contents is missing and tabs 14, 15, 16, 17, 21, 23 and 26 are all empty. Can you please look into this?

Thanks and I look forward to speaking to you tomorrow. Tova

Ms. Wang,

My name is Devon Romig and I am working with Peggy and Edgardo at the EAC. I have completed a travel voucher for you and I need your signature in order to submit the voucher.

If you could please respond with a fax number, I will send you a copy of the voucher.

Let me know if you have any other questions.

Sincerely,

Devon Romig
United States Election Assistance Commission
I just saw what you did. I should be out of hours at the end of May. I believe I will be working for the state in June which will make it difficult to find time to finish and could slow things down but I am not yet sure of that.

--- psims@eac.gov wrote:

> Attached is an updated invoice schedule for the FY 06 contracts for the Voting Fraud/Voter Intimidation project. --- Peggy

I know you preferred Friday, but Job is not available then. He also said he is not available next week. Do you have any time available this Wednesday? --- Peggy

I can't do it Friday but Wednesday is ok.

--- psims@eac.gov wrote:

> Tova and Job:
I've passed Tova's request on to Craig.

Also, Sarah Ball Johnson, KY, finally called back to say she would be available Wednesday through Friday this week and next week for the interview. Which day and time is best for you and Job?

--- Peggy

---

04/16/2006 11:39 AM

To
psims@eac.gov
cc
"Tova Wang"
Subject
donsanto again

Hi Peg,

Happy Easter!

Would it be possible to talk to Mr. Donsanto about this latest initiative, or somehow get more information? Thanks. Tova

http://www.fbi.gov/page2/april06/electioncrime041406.htm

--- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM ---

Margaret Sims/EAC/GOV
04/17/2006 10:48 AM

To  Job Serebrov, Tova Andrea Wang
cc

Subject  Invoice Schedule

Attached is an updated invoice schedule for the FY 06 contracts for the Voting Fraud/Voter Intimidation project. --- Peggy

FY06 Contracts Invoice Schedule.xls
That's what I am concerned about. I think we need to end all interviews with Sarah Ball Johnson. With the literature reviews I am finishing, the case write up and the Tova's Nexis research that I need to read, I will have about 45 hours left for the Working Group meeting and final write up.

--- psims@eac.gov wrote:

> I have to check with Conny McCormack to see if things have settled down
> for her enough so that she would be available. I have had no response to my overtures to Colleen McAndrews' office. I can try again, but I have to be out of town again, from Wednesday through Friday this week, on another research contract and for EAC's public meeting in Seattle. Were you able to get through to Mike McCarthy?
>
> Please remember to watch your time. We'll need to reserve some of your time for the working group meeting and the subsequent reports. --- Peggy
>
>
> "Job Serebrov" 04/17/2006 10:17 AM
>
> To psims@eac.gov,
> cc
>
> Subject Re: Follow up Donsanto and KY Interviews
>
>
> Next week is out for me. I need to check my schedule this week. Is this the last interview that you were able to arrange?
--- psims@eac.gov wrote:

Tova and Job:

I've passed Tova's request on to Craig.

Also, Sarah Ball Johnson, KY, finally called back to say she would be available Wednesday through Friday this week and next week for the interview. Which day and time is best for you and Job?

--- Peggy

04/16/2006 11:39 AM

To psims@eac.gov
cc "Tova Wang"
Subject donsanto again

Hi Peg,

Happy Easter!

Would it be possible to talk to Mr. Donsanto about this latest initiative, or somehow get more information? Thanks. Tova

http://www.fbi.gov/page2/april06/electioncrime041406.htm

04/17/2006 10:21 AM

"Tova Wang"

04/16/2006 11:39 AM

To "Job Serebrov", psims@eac.gov
cc

Subject RE: Announcement of FBI Election Crimes Initiative
We could skim it

-----Original Message-----
From: Job Serebrov [m.]
Sent: Monday, April 17, 2006 9:13 AM
To: Tova Wang; psims@eac.gov
Subject: RE: Announcement of FBI Election Crimes Initiative

Tova-Do we have time to review this?

--- Tova Wang wrote:

> Is it possible to get the materials they are using for the trainings?
> Thanks Peg.
> 
> --- Original Message----
> From: psims@eac.gov [mailto:psims@eac.gov]
> Sent: Monday, April 17, 2006 9:08 AM
> To: [m.]
> Subject: Fw: Announcement of FBI Election Crimes Initiative
> 
> See Donsanto response below.--- Peggy
> 
> ----- Forwarded by Margaret Sims/EAC/GOV on 04/17/2006 10:07 AM ------
> 
> "Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
> 
> 04/17/2006 09:56 AM
> 
> To
> psims@eac.gov
> 
> cc
> 
> Subject
> RE: Announcement of FBI Election Crimes Initiative
> 
> Peg --
> 
> This is essentially FBI's equivalent of the Department's Ballot Access and Integrity Initiative. The news conference on Thursday announced that FBI was enhancing its prioritization of campaign financing offenses. The main
feature of this initiative, aside from enhancing the priority these cases will get in the Bureau, is that each of the Bureau's 57 Field Divisions will have at least one "Election Coordinator Agent" who will be the equivalent of the District Election Officer AUSAs. We have been training these new FBI-types: the week before last we had roughly 75 of them in Denver in a very well received two-day session in election law enforcement at which several FEC people spoke. On Wednesday, I head out to Portland, Oregon for more of the same.

Hi, Craig:

Tova noticed an article about an FBI initiative against election crimes (see attached email). Is this something new, or is it more of the same initiative that you addressed in your interview? If it is new, would you have time for a teleconference with Job and Tova to answer any questions they may have on the initiative?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/17/2006 08:56 AM -----
Hi Peg,

Happy Easter!

Would it be possible to talk to Mr. Donsanto about this latest initiative, or somehow get more information? Thanks. Tova

<http://www.fbi.gov/page2/april06/electioncrime041406.htm>
http://www.fbi.gov/page2/april06/electioncrime041406.htm

--- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM ---

"Job Serebrov"

To psims@eac.gov
cc
Subject Re: Invoice Schedule

Peggy:

This is incorrect. Our project ends May 31. This month's invoice is due on April 21 and is invoice number 3. Invoice number 4 is due at the end of May.

--- psims@eac.gov wrote:
> Attached is an updated invoice schedule for the FY 06 contracts for the Voting Fraud/Voter Intimidation project. --- Peggy

Any time Friday is fine for me. Thanks

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, April 17, 2006 8:05 AM
To: Tova and Job:
Subject: Re: Follow up Donsanto and KY Interviews

Tova and Job:

I've passed Tova's request on to Craig.

Also, Sarah Ball Johnson, KY, finally called back to say she would be available Wednesday through Friday this week and next week for the interview. Which day and time is best for you and Job?

--- Peggy
Hi Peg,

Happy Easter!

Would it be possible to talk to Mr. Donsanto about this latest initiative, or somehow get more information? Thanks. Tova

http://www.fbi.gov/page2/april06/electioncrime041406.htm

----- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM -----

"Job Serbrov"

04/17/2006 10:17 AM

cc

Subject Re: Follow up Donsanto and KY Interviews

Next week is out for me. I need to check my schedule this week. Is this the last interview that you were able to arrange?

--- psims@eac.gov wrote:

> Tova and Job:
> 
> I've passed Tova's request on to Craig.
> 
> Also, Sarah Ball Johnson, KY, finally called back to say she would be available Wednesday through Friday this week and next week for the interview. Which day and time is best for you and Job?
>
> --- Peggy
> 
> 
> 
> 
> 
> 04/16/2006 11:39 AM
> 
> To
> psims@eac.gov
> cc
> "Tova Wang"
> Subject
donsanto again
Hi Peg,

Happy Easter!

Would it be possible to talk to Mr. Donsanto about this latest initiative, or somehow get more information? Thanks. Tova

http://www.fbi.gov/page2/april06/electioncrime041406.htm

Good Morning Peg,

That works for me....I will stay off the phone and wait on the call.

Have A Great Weekend,

Tony

----- Original Message ----- 
From: psims@eac.gov
To: 
Sent: Thursday, April 06, 2006 2:27 PM
Subject: Re: Fw: Nonpartisan Local Election Official Needed for Voting Fraud/Voter Intimidation Working Group

Tony:

How about scheduling the teleconference with our consultants for 10 AM CST/11 AM EST on Wednesday, April 12? -- Peggy

---- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM ----

Margaret Sims/EAC/GOV
04/17/2006 08:59 AM
To: Craig Donsanto
cc
Subject: Fw: Announcement of FBI Election Crimes Initiative
Hi, Craig:

Tova noticed an article about an FBI initiative against election crimes (see attached email). Is this something new, or is it more of the same initiative that you addressed in your interview? If it is new, would you have time for a teleconference with Job and Tova to answer any questions they may have on the initiative?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

--- Forwarded by Margaret Sims/EAC/GOV on 04/17/2006 08:56 AM ---

Hi Peg,

Happy Easter!

Would it be possible to talk to Mr. Donsanto about this latest initiative, or somehow get more information? Thanks. Tova

http://www.fbi.gov/page2/april06/electioncrime041406.htm

--- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM ---

Good Afternoon Peg,

I will make the call as scheduled. I am still in shock about Ray.

Tony
Tony:
We have set up your telephone interview with our 2 consultants (Job Serebrov and Tova Wang) as a teleconference. Please call 1-866-222-9044 (toll free) at around 10 AM CST on Wed 4/12. At the prompt for the passcode, enter 62209. Tova and Job will join you on the line. This works best if you use a land line, rather than a cell phone.

If you have trouble connecting, please call Nicole Mortellito at our office (866-747-7421. Thanks!

Peggy

------------
Sent from my BlackBerry Wireless Handheld

----- Original Message ----- 
From: "Tony J. Sirvello III" 
Sent: 04/07/2006 08:52 AM 
To: Margaret Sims 
Subject: Re: Fw: Nonpartisan Local Election Official Needed for Voting Fraud/Voter Intimidation Working Group

Good Morning Peg,

That works for me....I will stay off the phone and wait on the call.

Have A Great Weekend,

Tony

----- Original Message ----- 
From: psims@eac.gov 
To: 
Sent: Thursday, April 06, 2006 2:27 PM 
Subject: Re: Fw: Nonpartisan Local Election Official Needed for Voting Fraud/Voter Intimidation Working Group

Tony:

How about scheduling the teleconference with our consultants for 10 AM CST/11 AM EST on Wednesday, April 12? --- Peggy
The 4th batch. More to come tomorrow.
Peg Sims

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM -----
Margaret Sims/EAC/GOV
05/09/2006 11:44 AM
To "Job Serebrov"
cc
Subject Re: Working Group-Perez

OK, I get it. The text in the attachment follows:

EXCERPTS FROM TEXAS ELECTION CODE

SUBCHAPTER B. COUNTY ELECTIONS ADMINISTRATOR

***

§ 31.032. APPOINTMENT OF ADMINISTRATOR; COUNTY ELECTION COMMISSION.

(a) The position of county elections administrator is filled by appointment of the county election commission, which consists of:

(1) the county judge, as chair;
(2) the county clerk, as vice chair;
(3) the county tax assessor-collector, as secretary; and
(4) the county chair of each political party that made nominations by primary election for the last general election for state and county officers preceding the date of the meeting at which the appointment is made.

(b) The affirmative vote of a majority of the commission's membership is necessary for the appointment of an administrator.

(c) Each appointment must be evidenced by a written resolution or order signed by the number of commission members necessary to make the appointment. Not later than the third day after the date an administrator is appointed, the officer who presided at the meeting shall file a signed copy of the resolution or order with the county clerk. Not later than the third day after the date the copy is filed, the county clerk shall deliver a certified copy of the resolution or order to the secretary of state.

(d) The initial appointment may be made at any time after the adoption of the order creating the position.
§ 31.035. RESTRICTIONS ON POLITICAL ACTIVITIES.

(a) A county elections administrator may not be a candidate for a public office or an office of a political party, hold a public office, or hold an office of or position in a political party. At the time an administrator becomes a candidate or accepts an office or position in violation of this subsection, the administrator vacates the position of administrator.

(b) A county elections administrator commits an offense if the administrator makes a political contribution or political expenditure, as defined by the law regulating political funds and campaigns, or publicly supports or opposes a candidate for public office or a measure to be voted on at an election. An offense under this subsection is a Class A misdemeanor. On a final conviction, the administrator's employment is terminated, and the person convicted is ineligible for future appointment as county elections administrator.

The code attachment did not work that is what I meant by it did not come through.

--- psims@eac.gov wrote:

> Did you look at the attached excerpts from Texas Code? --- Peggy

---

"Job Serebrov" 05/09/2006 11:23 AM

To  psims@eac.gov
cc
Subject  Re: Working Group-Perez

---

"Job Serebrov" 05/08/2006 11:38 AM

To  psims@eac.gov
cc
Subject  Re: Working Group-Perez
We have the same set-up here in Arkansas. We hired a person just like Perez. However, given this, I would still like to know if he has a party affiliation and this brings up another issue. How is the county election commission chosen. In Arkansas it is the Chairman of the Republican and Democrat Parties or if he/she does not want to serve a person is elected in his/her stead and a third member picked by the party with the most constitutional officers. Practically that has meant that the Democrats have controlled election commissions in Arkansas since the end of Reconstruction. This is why I want to know the situation in Texas.

--- psims@eac.gov wrote:

As you may recall, the Commissioners directed me to find a nonpartisan local election official to serve on the Working Group. The three of us discussed the desirability of having a Hispanic. I proposed that I find someone from Texas because of that State's colorful history of voting fraud and their innovative approaches to combat it.

In those Texas counties that hire Election Administrators to run elections, rather than having elected officials do so (Tax Assessor for voter registration; County Clerk for balloting), the Election Administrator is hired by the County Election Commission and is supposed to perform his or her duties in a nonpartisan manner. (See attached excerpts from Texas Election Code regarding election administrator hiring and restrictions on partisan activity.) Any experienced Texas election official will be familiar with voting fraud and voter intimidation schemes used in that State.

Mr. Perez has over 13 years experience as a county Election Administrator in Texas. You won't find many news articles mentioning him because he has kept his nose clean. (The Texas press, as in many other parts of the country, prefers to report bad news.) Mr. Perez is plugged into the
association of Texas

> election officials and the two largest
> organizations
> of election officials
> in this country: the International Association of
> Clerks, Recorders,
> Election Officials and Treasurers (IACREOT); and
> The
> Election Center. He
> is a past President and past Chairman of the
> Legislative Committee for the
> Texas Association of Election Administrators. He
> currently serves on
> IACREOT's Election Officials Committee, which
> plans
> sessions for election officials that are conducted
> at that organization's
> conferences. His peers in IACREOT and The
> Election
> Center have selected
> his submissions on web presentations (IACREOT) and
> his professional
> practices papers (Election Center) for awards.

Mr. Perez also has access
> to information from other States through his
> membership in IACREOT and The
> Election Center. He also has a sense of humor,
> which you will note if you
> access the staff web page on the Guadalupe County
> Elections web site and
> hear the Mission Impossible theme .. something
> that
> might be useful in the
> upcoming meeting.

> Guadalupe County is small but growing. In 2004,
> the
> county had over 65
> thousand registered voters (a number more than
> doubled the number of
> registered voters in 1988). A third of the
> county's
> population claims
> Hispanic or Latino origin, according to the U.S.
> Census Bureau. The county
> is in south central Texas and is bordered by
> Comal,
> Hays, Cladwell,
> Gonzales, Wilson, and Bexar counties. In the
> 1980s,
> the county was
> predominately a farming community; but in recent
> years, many people have
> moved from San Antonio (Bexar County) to Guadalupe
> County, preferring to
> live in Guadalupe County and work in Bexar County.

--- Peggy
Peggy:

What political party is Perez with? How political is he? Is the position in Texas neutral or political? Who appointed Perez?

As to Pat I will contact him but I can't promise anything. If Pat can't come, who is getting knocked off Tova's list?

Job
--- psims@eac.gov wrote:

Tova just sent me the summary you prepared of The Federal Crime of Election Fraud by Craig Donsanto. There is something wrong in the fourth paragraph (odd characters and missing text). Can you please send a replacement fourth paragraph? You can send it in an email and I will place it in the document. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM ---

Margaret Sims/EAC/GOV
05/12/2006 10:19 AM
To Tova Andrea Wang, Job Serebrov
cc
Subject Fraud Definition

Would you please take a look at the attached? I combined both of your definitions, reformatted the list, removed a reference to the fraud having to have an actual impact on the election results (because fraud can be prosecuted without proving that it actually changed the results of the election), and taken out a couple of vague examples (e.g.; reference to failing to enforce state laws --- because there may be legitimate reasons for not doing so).

I have made contact with Ben Ginsberg's office and am waiting to hear if he accepts our invitation to join the working group. --- Peggy

Fraud Project Definition-rev 5-12.06.doc

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM ---

Margaret Sims/EAC/GOV
04/27/2006 09:24 AM
To "Weinberg and Utrecht"
cc
Subject Re: Voting Fraud-Voter Intimidation Project

Thanks! I'll get back to you. --- Peggy

"Weinberg and Utrecht" psims@eac.gov
04/27/2006 07:56 AM
To psims@eac.gov
cc
Subject Re: Voting Fraud-Voter Intimidation Project
Peggy:
You've hit the jackpot! I'm available, with 2 exceptions, every hour of every day from May 15 through May 19. I am not available Thursday morning, May 18, or Friday afternoon, May 19.

Barry
-----
Original Message ----- 
From: psims@eac.gov
To: Barry Weinberg
Sent: Wednesday, April 26, 2006 8:28 PM
Subject: Re: Voting Fraud-Voter Intimidation Project

Barry:
Are you available any days in the third week of May?
Peggy
----------------------------------------
Sent from my BlackBerry Wireless Handheld

----- Original Message ----- 
From: "Weinberg and Utrecht" 
Sent: 04/04/2006 08:14 AM 
To: Margarets Sims
Subject: Re: Voting Fraud-Voter Intimidation Project

Peggy:
May looks pretty good right now. I will not be available May 1, or in the morning (before 12:30) on May 4 or May 11, or in the afternoon on May 10. 
Barry
----- Original Message ----- 
From: psims@eac.gov
To:  
Sent: Monday, April 03, 2006 3:15 PM
Subject: Voting Fraud-Voter Intimidation Project

Hi, Barry:

I'm trying to arrange a meeting of the Working Group for EAC's Voting Fraud-Voter Intimidation project. Would you please look at your schedule and let me know if there are any days during the first 2 weeks of May that you would NOT be available?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov
Your response suggests that you do not care what the Commissioners may think about the effort. --- Peggy

"Job Serebrov" - psims@eac.gov

05/11/2006 04:35 PM

To psims@eac.gov
cc
Subject: Re: new working group representative

Peggy:

Braden is ok also with me but please don't tell me not to "stir up" things. I assure you nothing will come back to bite me. I know these people well enough to say they will also want a balanced group. In fact, one of them was very unhappy with Tova's folks.

Job

--- psims@eac.gov wrote:

> According to the Commissioners, you and Tova each
> got to pick three
> members of the Working Group. The Commission
> guidance regarding this
> particular member follows:
> >
> > 4 people from the Academic, Legal and Advocacy
> > sectors - 2 to be chosen by
> > Tova and 2 to be chosen by Job.
> >
> > This issue of allowing a designee relates to Tova's
> > pick.
> >
> > As I understand it, we are working on a replacement
> > for Norcross. If
> > Ginsberg is not viable, how about Mark Braden, who
> > includes public
> > integrity in his areas of specialization. I would
> > not try and stir up
> > other members of the Working Group, if I were you.
> > The effort is likely
> > to come back and bite you.
I really don't care if he represents the organization or not. What mixed race? The entire discussion was because Arnwine was African-American. If you are going to invite him without first having a replacement for my side, I may have to call Thor and Todd and discuss all of this.

--- psims@eac.gov wrote:

> Greenbaum is representing Arnwine, not replacing her. He works for her organization and is of mixed race. --- Peggy

> "Job Serebrov" <
> 05/11/2006 03:36 PM
> To
> "Tova Wang" psims@eac.gov
> cc
> Subject
> Re: new working group representative

> I have an objection to Greenbaum. While I realize he comes from an advocacy group, he is not a minority attorney and we already have a rep who worked with DOJ. If it is to be Greenbaum, I would rather not fill that position since I am one down.
Here are most of the emails from my active email files. A few did not hold the check mark, so I will send them separately. I'm trying to work out the best way to hand off copies of the emails from my archived files.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
e-mail: psims@eac.gov

Hi Peg, I left you a voice message last week -- you might have been at NCSL. Anyway, would you give me a call when you have a moment? Thanks.

Tova Andrea Wang, Democracy Fellow
The Century Foundation
Visit our Web site, for the latest news, analysis, opinions, and events.

I spoke to Job about the documents that I need. He will send me his summary of the articles/books that he read. However, he said that Tova also summarized some of those articles/books. I don't have a contact number/email for Tova. Could you contact her and ask her to provide us with any summary of the articles/books that she read as they are listed in Appendix 2?
Juliet Thompson Hodgkins  
General Counsel  
United States Election Assistance Commission  
1225 New York Ave., NW, Ste 1100  
Washington, DC 20005  
(202) 566-3100  
----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:52 PM -----  

Margaret Sims/EAC/GOV  
11/03/2006 07:11 PM  
To Juliet E. Hodgkins/EAC/GOV@EAC  
cc  
Subject Re: Job and Tova  

Juliet:  

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If you want, I can cross reference each of these with the list of articles and ID any missing summaries. I could do that over the weekend. --- Peggy  

Juliet E. Hodgkins/EAC/GOV  

Juliet E. Hodgkins/EAC/GOV  
11/03/2006 05:42 PM  
To Margaret Sims/EAC/GOV@EAC  
cc  
Subject Job and Tova  

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General Counsel  
United States Election Assistance Commission  
1225 New York Ave., NW, Ste 1100  
Washington, DC 20005  
(202) 566-3100  
----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM -----  

Juliet E. Hodgkins/EAC/GOV  
11/03/2006 07:14 PM  
To Margaret Sims/EAC/GOV@EAC  
cc  
Subject Re: Job and Tova  

001205
I think we should use the content of those articles or some summary of them as a background of what we know about VF and VI. I just didn't want to have to read all of those articles to be able to make some generalized statements about their contents.

Sent from my BlackBerry Wireless Handheld
Margaret Sims
----- Original Message -----

From: Margaret Sims
Sent: 11/03/2006 06:11 PM
To: Juliet Hodgkins
Subject: Re: Job and Tova

Julie:

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Juliet E. Hodgkins/EAC/GOV

Juliet E. Hodgkins/EAC/GOV
11/03/2006 05:42 PM  To Margaret Sims/EAC/GOV@EAC
cc
Subject Job and Tova

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

--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM ---

Juliet E. Hodgkins/EAC/GOV
11/03/2006 07:41 PM  To Margaret Sims/EAC/GOV@EAC
cc
Subject: Re: Job and Tova

I appreciate it. I will send you a copy of the outline that I am working from. It is somewhat subject to change as I am still trying to gel in my mind what goes first, second ....

Sent from my BlackBerry Wireless Handheld
Margaret Sims
----- Original Message -----

From: Margaret Sims
Sent: 11/03/2006 06:38 PM
To: Juliet Hodgkins
Subject: Re: Job and Tova

I can review them over the weekend and attempt to summarize what they tell us.--- Peggy

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

From: Juliet E. Hodgkins
Sent: 11/03/2006 06:14 PM
To: Margaret Sims
Subject: Re: Job and Tova

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From: Margaret Sims
Sent: 11/03/2006 06:11 PM
To: Juliet Hodgkins
Subject: Re: Job and Tova

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

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM -----
Margaret Sims/EAC/GOV
11/06/2006 11:07 AM To Juliet E. Hodgkins/EAC/GOV@EAC
cc
Subject Re: VF_VI Literature Review

Juliet:
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EAC-Learned from Lit Review 11-6-06.doc  EAC Lit Review Notes 11-5-06.doc

Juliet E. Hodgkins/EAC/GOV

----- Re: Job and Tova -----
Juliet E. Hodgkins/EAC/GOV
11/03/2006 06:41 PM To Margaret Sims/EAC/GOV@EAC
cc
Subject Re: Job and Tova

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From: Juliet E. Hodgkins
Sent: 11/03/2006 06:14 PM
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Sent from my BlackBerry Wireless Handheld
Margaret Sims
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From: Margaret Sims
Sent: 11/03/2006 06:11 PM
To: Juliet Hodgkins
Subject: Re: Job and Tova

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Juliet E. Hodgkins/EAC/GOV

Juliet E. Hodgkins/EAC/GOV
11/03/2006 05:42 PM
To Margaret Sims/EAC/GOV@EAC
cc
Subject Job and Tova

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I. BACKGROUND/INTRODUCTION

A. WHAT WE KNOW ABOUT FRAUD
B. PURPOSE OF THE EAC STUDY
C. METHODOLOGY OF THE EAC STUDY

II. DEFINITION OF ELECTION CRIMES
A. VOTER FRAUD IS TOO LIMITED
B. COLLOQUIAL DEFINITION IS TOO BROAD
C. ELECTION CRIMES
D. WHAT IS NOT AN ELECTION CRIME FOR PURPOSES OF THIS STUDY

III. RECOMMENDATIONS ON HOW TO STUDY ELECTION CRIMES
A. ACCEPTED RECOMMENDATIONS
   i. SURVEY LAW ENFORCEMENT, INVESTIGATORY AGENCIES, AND PROSECUTORS
   ii. REVIEW ADMINISTRATIVE COMPLAINTS FILED WITH STATES
   iii. REVIEW DOJ/USA ACTIONS
B. REJECTED RECOMMENDATIONS
   i. REASONS WHY REJECTED
Julie:
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Juliet E. Hodgkins/EAC/GOV

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

From: Margaret Sims
Sent: 11/03/2006 06:11 PM
To: Juliet Hodgkins
Subject: Re: Job and Tova

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Juliet E. Hodgkins/EAC/GOV
11/03/2006 05:42 PM	To Margaret Sims/EAC/GOV@EAC
cc
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Juliet Thompson Hodgkins
General Counsel
United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM ----- 

Margaret Sims/EAC/GOV
11/06/2006 12:21 PM	To Juliet E. Hodgkins/EAC/GOV
cc
Subject: Re: VF VI Literature Review

Is this an outline of an EAC staff report to accompany the consultants' report, or has there been a decision not to publish the consultants' report at all? (Just curious, as I have been a little out of the loop.) --- Peg

--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM ---

Juliet E. Hodgkins/EAC/GOV
11/06/2006 12:30 PM
To Margaret Sims/EAC/GOV@EAC
cc
Subject: Re: VF VI Literature Review

The consultant's report is a draft of an EAC report. We will take the consultant's report and finalize it into OUR report.
Juliet Thompson Hodgkins
General Counsel
United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100
Margaret Sims/EAC/GOV

Margaret Sims/EAC/GOV
11/06/2006 12:21 PM
To Juliet E. Hodgkins/EAC/GOV@EAC
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--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM ---

Juliet E. Hodgkins/EAC/GOV
11/06/2006 05:18 PM
To Margaret Sims/EAC/GOV@EAC
cc
Subject: Re: VF VI Literature Review

Peggy,

I wanted to let you know that I had a chance to review your summaries today. I think that these are some excellent conclusions that we can definitely use in our report. Thank you for doing such a detailed and thorough job. If tomorrow goes quietly, hopefully I will have some time to write.

Juliet Thompson Hodgkins
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---

Juliet E. Hodgkins/2006-11-03 18:41

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------------

Sent from my BlackBerry Wireless Handheld
Margaret Sims
----- Original Message -----

From: Margaret Sims
Sent: 11/03/2006 06:38 PM
To: Juliet Hodgkins
Subject: Re: Job and Tova

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Sent from my BlackBerry Wireless Handheld
Margaret Sims
----- Original Message ----- 

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Sent: 11/03/2006 06:11 PM
To: Juliet Hodgkins
Subject: Re: Job and Tova

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11/03/2006 05:42 PM
To Margaret Sims/EAC/GOV@EAC
cc
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General Counsel
United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM -----

001215
Julie:

Happy to help, especially as I have to assume the blame for the report turned in by the consultants. I think you were aware that I was disappointed that it was not a more professional product. As I was not clear what the Commission's position is on editing such reports after receipt of the final, and as the consultants insisted that their work not be changed, I felt a bit stymied. Let me know what else I can do.

In the meantime, I'm revisiting some drafts received on the Vote Count-Recount best practices to see if I can encourage more improvements before submission of the final. We're still waiting for the state-by-state summary of practices, originally delayed by the subcontractor's nonperformance, which could affect goes into the best practices. I think some of the emphasis I see in the drafts on post election audits and proper recordkeeping will help respond to some of the issues raised in the literature review for the voting fraud-voter intimidation study.

--- Peggy

Juliet E. Hodgkins/EAC/GOV

Peggy,

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Margaret Sims/EAC/GOV

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Juliet E. Hodgkins/EAC/GOV

Juliet E. Hodgkins/EAC/GOV 11/03/2006 06:41 PM  To Margaret Sims/EAC/GOV@EAC
  cc
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----- Original Message -----

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

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To: Juliet Hodgkins
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Juliet E. Hodgkins/EAC/GOV

11/03/2006 05:42 PM

To Margaret Sims/EAC/GOV@EAC

cc

Subject Job and Tova

--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM ---

Karen Lynn-Dyson/EAC/GOV

11/07/2006 07:05 AM

To Juliet E. Hodgkins/EAC/GOV@EAC

cc Margaret Sims/EAC/GOV@EAC

Subject Fw: please investigate

Hi-

Is this the kind of thing I should be passing on to you or Gavin?
Please investigate this incident or pass it on to the proper authority.

This morning, I received a recorded message saying that my polling place was "St. Francis" something or other. Later in the day, I wondered why I was informed of this change via a phone number with an out of state area code. I just check the Mahoning County Board of Elections site and the polling location is still listed as "Frank Ohl School" which is where I've voted since moving here. Since I received another call about the same time, I'll give you information on both numbers.

For the first call (which I believe is the culprit) the information on my caller ID was "Unknown Name 320-230-0961". They claimed they were from American for Reform Now or something like that. When I dialed that number, I received this message: "Mailbox for Rob Olsen is full." While writing this email, I just received another call from this number. Now the recorded message was from Ohio for Fair Minimum Wage.

For the other call (from this morning) the information on my caller ID was "Amer Voice Retr 206-706-2650". When I dialed that number I got a recording which identified them as "People for Washington State Democrats... authorized by Kl 2006."

Thank you for your time and attention to this matter.

Cheryl Bollinger
Did Tova and Job provide us with summaries or notes of their interviews?

Juliet Thompson Hodgkins  
General Counsel  
United States Election Assistance Commission  
1225 New York Ave., NW, Ste 1100  
Washington, DC 20005  
(202) 566-3100  
----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM -----  
Margaret Sims/EAC/GOV  
11/07/2006 09:45 AM  
To Juliet E. Hodgkins/EAC/GOV  
cc  
Subject Re: VF and VI study  

Yes (at T:\RESEARCH IN PROGRESS\VOTING FRAUD-VOTER INTIMIDATION\Interviews\Interview Summaries). Do you want me to do the same with those as I did with the literature summaries? --- Peggy  

Juliet E. Hodgkins/EAC/GOV  
11/07/2006 09:33 AM  
To Margaret Sims/EAC/GOV@EAC  
cc  
Subject VF and VI study  

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Juliet Thompson Hodgkins  
General Counsel  
United States Election Assistance Commission  
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Washington, DC 20005  
(202) 566-3100  
----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM -----  
Juliet E. Hodgkins/EAC/GOV  
11/07/2006 09:47 AM  
To Margaret Sims/EAC/GOV@EAC  
cc  
Subject Re: VF and VI study  

that would be great. I am also interested in identifying the points of contention between DOJ and the  

001226
consultants.

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

Margaret Sims/EAC/GOV
11/07/2006 09:45 AM
To Juliet E. Hodgkins/EAC/GOV@EAC
cc
Subject Re: VF and VI study

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11/07/2006 09:33 AM
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United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM -----
Margaret Sims/EAC/GOV
11/07/2006 11:29 AM
To Juliet E. Hodgkins/EAC/GOV@EAC
cc
Subject Re: VF and VI study

OK, I will get started on the interview summaries today.

DOJ (Donsanto and Tanner) raised objections to the consultants' description of their interviews, which
state that DOJ officials agreed they were bringing fewer intimidation and suppression cases. An advocacy group is going after DOJ, accusing the agency of doing just that for political reasons, so this is something DOJ wants corrected.

Apart from the consultants pre-existing bias that "the feds aren't doing enough", a big part of the problem appears to have been a misunderstanding over terminology. When our consultants used the term "intimidation", they included all sorts of suppression activities. When Craig Donsanto used the term "intimidation", he was using the definition under federal criminal vote fraud statutes, which requires the action be accompanied by threat of physical or economic harm. (He told me he has had only one such case in 30 years.) His office is actively pursuing voter suppression activities under statutes other than federal voter intimidation laws (e.g., the recent case in NH where a campaign operative conspired to block election day GOTV telephone lines of the opposing party). A copy of Tanner's comments on the interview summary in the status report for the Standards and Advisory Boards meetings is attached.

I had many long discussions with Tova and Job about this. I was able to get them to soften their description (see 4th bullet on page 7 of the draft report), but not entirely to my satisfaction. Also, at the Working Group meeting, it was agreed that the consultants would add a note to their definition to clarify that the working definition for purposes of the research includes activities that do not meet the federal definition of voter intimidation. The resulting note on page 5 of the draft report is too vague.

DOJ has not seen everything the consultants put in the draft final report, so they may have additional concerns. For example, the consultants' recommendations include the following:

Attend the Department of Justice's Ballot Access and Voting Integrity Symposium. The consultants also believe it would be useful for any further activity in this area to include attendance at the next Ballot Access and Voting Integrity Symposium. According to the Department, DEOs are required to attend annual training conferences centered on combating election fraud and voting rights abuses. These conferences sponsored by the Voting Section of the Civil Rights Division and the Public Integrity Section of the Criminal Division, feature presentations by civil rights officials and senior prosecutors from the Public Integrity Section and the U.S. Attorneys' Offices. According to the Department, DEOs are required to attend annual training conferences centered on combating election fraud and voting rights abuses. These conferences sponsored by the Voting Section of the Civil Rights Division and the Public Integrity Section of the Criminal Division, feature presentations by civil rights officials and senior prosecutors from the Public Integrity Section and the U.S. Attorneys' Offices.

Footnote:
By attending the symposium researchers could learn more about the following:
How DEOs are trained, e.g. what they are taught to focus their resources on; How they are instructed to respond to various types of complaints; How information about previous elections and voting issues is presented; and, How the Voting Rights Act, the criminal laws governing election fraud and intimidation, the National Voter Registration Act, and the Help America Vote Act are described and explained to participants.

DOJ has stated that this is an internal meeting, involving only DOJ officials, US Attorneys and FBI. EAC researchers cannot be admitted without opening the meeting to other outsiders. DOJ does not want to do this, probably for two reasons: (1) confidential information on current enforcement cases may be discussed; and (2) making enforcement strategies public could give unscrupulous individuals a virtual "how to" manual for circumventing such strategies when committing election crimes.

We may also have a hard time gaining access to the DOE reports and the Voting Section records of complaints, as they probably aren't considered public documents.

--- Peggy
that would be great. I am also interested in identifying the points of contention between DOJ and the consultants.

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

Margaret Sims/EAC/GOV

Margaret Sims/EAC/GOV  
11/07/2006 09:45 AM  
To Juliet E. Hodgkins/EAC/GOV@EAC  
cc  
Subject Re: VF and VI study

Yes (at T:\RESEARCH IN PROGRESS\VOTING FRAUD-VOTER INTIMIDATION\Interviews\Interview Summaries). Do you want me to do the same with those as I did with the literature summaries? --- Peggy

Juliet E. Hodgkins/EAC/GOV

Juliet E. Hodgkins/EAC/GOV  
11/07/2006 09:33 AM  
To Margaret Sims/EAC/GOV@EAC  
cc  
Subject VF and VI study

Did Tova and Job provide us with summaries or notes of their interviews?

Juliet Thompson Hodgkins  
General Counsel  
United States Election Assistance Commission  
1225 New York Ave., NW, Ste 1100  
Washington, DC 20005  
(202) 566-3100
I am getting close to having a first cut at a report, minus a few key sections. Just wondering how those summaries are coming along.

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

Almost finished sorting through the interview summaries. I don't find them as helpful as the literature summaries, but hope to have something to you by the end of the day. (I was at the clinic yesterday, and could only work a half day.) --- Peggy

I am getting close to having a first cut at a report, minus a few key sections. Just wondering how those summaries are coming along.

Juliet Thompson Hodgkins
General Counsel
United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100
Thanks. Currently, on the phone with Job. Ugh!!!!

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

Almost finished sorting through the interview summaries. I don’t find them as helpful as the literature summaries, but hope to have something to you by the end of the day. (I was at the clinic yesterday, and could only work a half day.) --- Peggy

Juliet E. Hodgkins/EAC/GOV

I am getting close to having a first cut at a report, minus a few key sections. Just wondering how those summaries are coming along.

Juliet Thompson Hodgkins
General Counsel
United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100
Sorry this is later than expected. I was missing the notes of one interview and had several computer crashes when I tried to retrieve archived email to determine if I had failed to file it after one of the consultants sent it. I finally gave up looking for it in favor of summarizing what I had.

Attached is a summary of points raised in the interviews. I found it more difficult to extract lessons learned from the interview notes, so I used a summary format. (The interview notes make it appear that the focus of the interviews differed from one person to another, perhaps because consultants were seeking different information from interviewees). I've also attached a list of interviewees with pertinent interview notes. (Some of the interview notes dealt with irregularities other than voting fraud and voter intimidation.) --- Peggy

Julie:

I just remembered that there was one other DOJ objection. It was about the way the consultants described the Election Crimes Branch focus on cases. In the interview with Donsanto (the only interview I attended), he made reference to the fact that the Election Crimes Branch used to only go after conspiracies, not individuals. Now, however, they had begun prosecuting individuals for noncitizen and felon voting. The consultants heard an unexpressed "instead", which would mean that DOJ had dropped pursuing conspiracies in favor of going after individuals. Based on my previous experience, I heard and unexpressed "in addition", meaning that DOJ was not just prosecuting conspiracies, the department also had begun to prosecute individuals.

I had lengthy discussions with the consultants over this issue as well. Donsanto confirmed that he meant "in addition", and the lists of cases he provided indicates that the department continues to pursue conspiracies. (It doesn't make sense any other way, unless you believe that the government is out to get the little guy.) --- Peggy

Juliet E. Hodgkins/EAC/GOV

11/15/2006 09:58 AM

To Margaret Sims/EAC/GOV@EAC

cc

Subject Draft Voter Fraud/Voter Intimidation
Peggy,

I have attached a rough draft of the report that I think that we should propose to the Commissioners. I was hoping that you could give it a read and give me your comments by Friday morning, as I have to deliver a draft to the Commissioners on Friday. I also have a couple of questions. You will notice that I have noted that several items will be attached as appendixes. First question: Should we attach these things? Second question: In cases where you have provided summaries of the summaries, should we attach yours or theirs?

Do you have contact information for this guy?

Mark (Thor) Hearne II  
Partner-Member
Do you have contact information for this guy?

--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM ---

Margaret Sims/EAC/GOV
11/15/2006 04:02 PM To Juliet E. Hodgkins/EAC/GOV
cc
Subject Re: Draft Voter Fraud/Voter Intimidation

Got it, and will get back to you by Friday AM. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM ---

Juliet E. Hodgkins/EAC/GOV
11/15/2006 04:10 PM To Margaret Sims/EAC/GOV@EAC
cc
Subject Re: Draft Voter Fraud/Voter Intimidation

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

Margaret Sims/EAC/GOV  
11/15/2006 04:02 PM  
To Juliet E. Hodgkins/EAC/GOV@EAC  
cc  
Subject Re: Draft Voter Fraud/Voter Intimidation

Got it, and will get back to you by Friday AM. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM -----  
Margaret Sims/EAC/GOV  
11/17/2006 09:28 AM  
To Juliet E. Hodgkins/EAC/GOV@EAC  
cc  
Subject Draft Voter Fraud/Voter Intimidation Report

Julie:

I really like the tone, focus, and organization of the paper. I also liked the way you interspersed the lists of Working Group members, interviewees, and reports reviewed with the text (drawing the reader's attention to the info, cutting down on the # of appendices, and giving the eye a break from regular text). Attached is your document with my comments, questions, and suggested changes. I did not do much to it.

Regarding your questions about the appendices:
I really did not prepare my summaries with an eye toward publication, but the consultants' summaries probably include incendiary info (particularly re DOJ interviews). As for the case law, we have multiple, voluminous charts, but no list. We can create a list from the charts, but that will take time. The Commissioners may want to see the consultants' or my summaries and the case law charts, but do we need to publish them?

Do we need to put short bios for Tova and Job in an appendix? --- Peggy

---

EAC VF-VI Report- rev 11-17-06.doc  
----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM -----  
Juliet E. Hodgkins/EAC/GOV  
11/17/2006 09:44 AM  
To Margaret Sims/EAC/GOV@EAC  
cc  
Subject Re: Draft Voter Fraud/Voter Intimidation Report
Thanks for your comments.

Last night, I took the case charts and assembled into one 200-page document. So, that is compiled. I have also amended to include Job and Tova's bios as appendix "1". I have established both your summaries and theirs into alternative appendixes and will talk to the commissioners about that. One question that I have is whether we would need to go through and "clean up" their summaries? I have compiled them into a single document (that is one for interviews and one for literature). Other than the DOJ issue, are there any other "problems" that you recall?

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

--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM ----

Margaret Sims/EAC/GOV  
11/17/2006 02:54 PM  
To  Juliet E. Hodgkins/EAC/GOV  
cc

Subject   Re: Draft Voter Fraud/Voter Intimidation Report

I'll need to refresh my memory. I'll take a look at them one more time and get back to you. Hope you enjoy your time out of the office, and have a happy turkey day. --- Peggy

Juliet E. Hodgkins/EAC/GOV

Juliet E. Hodgkins/EAC/GOV  
11/17/2006 09:44 AM  
To  Margaret Sims/EAC/GOV@EAC  
cc

Subject   Re: Draft Voter Fraud/Voter Intimidation Report

Thanks for your comments.

Last night, I took the case charts and assembled into one 200-page document. So, that is compiled. I have also amended to include Job and Tova's bios as appendix "1". I have established both your summaries and theirs into alternative appendixes and will talk to the commissioners about that. One question that I have is whether we would need to go through and "clean up" their summaries? I have compiled them into a single document (that is one for interviews and one for literature). Other than the DOJ issue, are there any other "problems" that you recall?

Juliet Thompson Hodgkins  
General Counsel  
United States Election Assistance Commission  
1225 New York Ave., NW, Ste 1100  
Washington, DC  20005  
(202) 566-3100
Thanks so much for all of your help. Have a very Happy Thanksgiving.

------------------------
Sent from my BlackBerry Wireless Handheld
Margaret Sims
----- Original Message ----- 
From: Margaret Sims
Sent: 11/17/2006 02:54 PM
To: Juliet Hodgkins
Subject: Re: Draft Voter Fraud/Voter Intimidation Report

I'll need to refresh my memory. I'll take a look at them one more time and get back to you. Hope you enjoy your time out of the office, and have a happy turkey day. --- Peggy

Juliet E. Hodgkins/EAC/GOV

Juliet E. Hodgkins/EAC/GOV
11/17/2006 09:44 AM
To: Margaret Sims/EAC/GOV@EAC
cc
Subject: Re: Draft Voter Fraud/Voter Intimidation Report

Thanks for your comments.

Last night, I took the case charts and assembled into one 200-page document. So, that is compiled. I have also amended to include Job and Tova's bios as appendix "1". I have established both your summaries and theirs into alternative appendixes and will talk to the commissioners about that. One question that I have is whether we would need to go through and "clean up" their summaries? I have compiled them into a single document (that is one for interviews and one for literature). Other than the DOJ issue, are there any other "problems" that you recall?

Juliet Thompson Hodgkins
General Counsel
United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100
Juliet:
I reviewed our materials and refreshed my memory. The DOJ issues appear to be the only potential pitfalls in the consultants' interview summaries. The only other issue that arose during the course of the work was Secretary Rokita's objection to EAC doing the research. I think you have taken care of that in your paper. --- Peggy

Juliet E. Hodgkins/EAC/GOV

Juliet E. Hodgkins/EAC/GOV

Thanks so much for all of your help. Have a very Happy Thanksgiving.

Sent from my BlackBerry Wireless Handheld
Margaret Sims
----- Original Message -----
From: Margaret Sims
Sent: 11/17/2006 02:54 PM
To: Juliet Hodgkins
Subject: Re: Draft Voter Fraud/Voter Intimidation Report

I'll need to refresh my memory. I'll take a look at them one more time and get back to you. Hope you enjoy your time out of the office, and have a happy turkey day. --- Peggy

Juliet E. Hodgkins/EAC/GOV

Thanks for your comments.

Last night, I took the case charts and assembled into one 200-page document. So, that is compiled. I have also amended to include Job and Tova's bios as appendix "I". I have established both your summaries and theirs into alternative appendixes and will talk to the commissioners about that. One question that I have is whether we would need to go through and "clean up" their summaries? I have compiled them into a single document (that is one for interviews and one for literature). Other than the
DOJ issue, are there any other "problems" that you recall?

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

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM -----

Gavin S. Gilmour/EAC/GOV
11/27/2006 10:58 AM
To Margaret Sims/EAC/GOV@EAC
cc
Subject Re: My Thoughts --PRIVILEGED COMMUNICATION

Peggy,

Just to clarify... you only attended (by teleconference or otherwise) one of the interviews? I thought it was more than that?

Gavin S. Gilmour
Deputy General Counsel
United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100

THIS MESSAGE IS FOR ITS INTENDED RECIPIENT ONLY. IT IS A PRIVILEGED DOCUMENT AND SHALL NOT BE RELEASED TO A THIRD PARTY WITHOUT THE CONSENT OF THE SENDER.

Margaret Sims/EAC/GOV
Margaret Sims/EAC/GOV
11/17/2006 02:48 PM
To Gavin S. Gilmour/EAC/GOV@EAC
cc Juliet E. Hodgkins/EAC/GOV@EAC, Jeannie Layson/EAC/GOV@EAC
Subject Re: My Thoughts --PRIVILEGED COMMUNICATION

Gavin:

This looks good to me. I just have a few questions/clarifications, both involving the second paragraph:

1. First sentence - Do you mean "intra-agency", rather than interagency?
2. Second sentence - If we plan to release an EAC report based on the material provided by the consultants, then can we avoid implying that we are ever going to release a report written by the consultants?
3. Sixth sentence - I was present at only one interview, not all of them; but I did facilitate and help schedule the interviews.

--- Peggy

Gavin S. Gilmour/EAC/GOV

Gavin S. Gilmour/EAC/GOV
To Juliet E. Hodgkins/EAC/GOV@EAC, Jeannie Layson/EAC/GOV, Margaret Sims/EAC/GOV@EAC
cc
Subject My Thoughts --PRIVILEGED COMMUNICATION

Do Not Release

People for the American Way.doc

Gavin S. Gilmour
Deputy General Counsel
United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100

THIS MESSAGE IS FOR ITS INTENDED RECIPIENT ONLY. IT IS A PRIVILEGED DOCUMENT AND SHALL NOT BE RELEASED TO A THIRD PARTY WITHOUT THE CONSENT OF THE SENDER.

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM -----

Margaret Sims/EAC/GOV
To Gavin S. Gilmour/EAC/GOV
cc
Subject Re: My Thoughts --PRIVILEGED COMMUNICATION

I attended only the interview with Craig Donsanto. --- Peggy

Gavin S. Gilmour/EAC/GOV

Gavin S. Gilmour/EAC/GOV
To Margaret Sims/EAC/GOV@EAC
cc
Subject Re: My Thoughts --PRIVILEGED COMMUNICATION
Peggy,

Just to clarify... you only attended (by teleconference or otherwise) one of the interviews? I thought it was more than that?

Gavin S. Gilmour  
Deputy General Counsel  
United States Election Assistance Commission  
1225 New York Ave., NW, Ste 1100  
Washington, DC 20005  
(202) 566-3100

--- Peggy

Gavin:  
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2. Second sentence - If we plan to release an EAC report based on the material provided by the consultants, then can we avoid implying that we are ever going to release a report written by the consultants?  
3. Sixth sentence - I was present at only one interview, not all of them; but I did facilitate and help schedule the interviews.

--- Peggy

Do Not Release
Attached is a revised version of the Voting Fraud/Voter Intimidation Draft Report. The changes that Commissioner Hillman suggested have been made and highlighted in yellow. See pages 10-11.

Peggy and I are working on the revision of the Donsanto and Tanner interview summaries and will forward that to you under a separate email.
Juliet Thompson Hodgkins
General Counsel
United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM -----

Margaret Sims/EAC/GOV
11/30/2006 04:37 PM	To Juliet E. Hodgkins/EAC/GOV@EAC
cc
Subject Donsanto-Tanner Interviews

Julie:

I made some suggested edits in the attached excerpts of the Donsanto and Tanner interview summaries. You may be able to better phrase them. The most important edits are:

- I noticed that the consultants had listed Donsanto's and Tanner's titles incorrectly (which we may also need to correct in our report where we list the interviewees). Donsanto and Tanner might be amused that our consultants "promoted" them, but their bosses may not.
- I redacted two sentences that I thought we should not publicize and one that I thought was in error from the Donsanto description. I also tried to correct the paragraph that discusses DOJ's pursuit of individual offenders.
- I moved the note about Tanner's failure to provide data and information to the end of the description (the highlighted paragraph) so that it isn't so "in your face". I also tried to edit it, but am still a bit concerned about including it at all.

If you have any questions, or want to talk about this, give me a call (703-323-9277). Also, I may be in the office tomorrow, if my insides cooperate. --- Peggy

I made the correction on the titles in the report. There was one that was not correct.

There are a couple of things I may suggest that we leave in, as I don't think that DOJ would have a problem with it, (e.g. the fact that they won't release information on pending cases).

I will forward to the Cs for their review.
Juliet Thompson Hodgkins
General Counsel
United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100
Margaret Sims/EAC/GOV

Margaret Sims/EAC/GOV
11/30/2006 04:37 PM
To Juliet E. Hodgkins/EAC/GOV@EAC
cc
Subject Donsanto-Tanner Interviews

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- I moved the note about Tanner's failure to provide data and information to the end of the description (the highlighted paragraph) so that it's not so "in your face". I also tried to edit it, but am still a bit concerned about including it at all.

If you have any questions, or want to talk about this, give me a call (703-323-9277). Also, I may be in the office tomorrow, if my insides cooperate. --- Peggy

Summaries of Interviews with Donsanto-Tanner redacted-revised.doc

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM -----

Margaret Sims/EAC/GOV
12/01/2006 03:52 PM
To Juliet E. Hodgkins/EAC/GOV
cc
Subject Re: Donsanto-Tanner Interviews

Julie:

I assume you mean the note associated with the Tanner interview when you mentioned the pending cases. That's fine by me. I was just a little concerned that the note as a whole was a little adversarial and whiny. If any questions arise as to why certain items should be deleted from the Donsanto interview summary, I have answers. --- Peggy
I made the correction on the titles in the report. There was one that was not correct.

There are a couple of things I may suggest that we leave in, as I don’t think that DOJ would have a problem with it, (e.g. the fact that they won’t release information on pending cases).

I will forward to the Cs for their review.

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

Juliet E. Hodgkins/EAC/GOV
12/01/2006 03:17 PM
To Margaret Sims/EAC/GOV@EAC
cc
Subject Re: Donsanto-Tanner Interviews

Julie:

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If you have any questions, or want to talk about this, give me a call. Also, I may be in the office tomorrow, if my insides cooperate. --- Peggy

Margaret Sims/EAC/GOV
11/30/2006 04:37 PM
To Juliet E. Hodgkins/EAC/GOV@EAC
cc
Subject Donsanto-Tanner Interviews

Summaries of Interviews with Donsanto-Tanner redacted-revised.doc
Dear Peter:

I apologize for the delayed response. The paper that the media touted as an EAC statement on vote fraud was actually just a report on the status of preliminary research into voting fraud and voter intimidation conducted by EAC consultants. The document does not represent a consensus statement on the subject by EAC. The status report was presented to the EAC Board of Advisors and the EAC Standards Board last spring. As these meetings were open to the public, the status report is available to the public. (See attached.)

EAC plans to consider a draft of its own report, which is based on the preliminary research of our consultants, at this Thursday's public meeting. (See agenda published at [http://www.eac.gov/docs/Public%20Meeting.%202012-07-06.%20Wash.%20Revised%20Final%20Agenda.pdf](http://www.eac.gov/docs/Public%20Meeting.%202012-07-06.%20Wash.%20Revised%20Final%20Agenda.pdf)). If the report is approved, EAC will publish it on our web page.

Regards,

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

VF-VI Study Status 5-17-06.pdf

----- Forwarded by Bryan Whitener/EAC/GOV on 12/06/2006 12:36 PM -----
Brian,

Please find attached the draft fraud report press release for review. The other documents will follow in a separate email.

Jennifer

------------------------------
Jennifer Rose-Utley
Manager, Public Affairs
Burson-Marsteller

--------------------
We've Moved!

Please visit us at our new location:

Burson-Marsteller
1110 Vermont Avenue, NW, Suite 1100
Washington, DC 20005

--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM ---
Margaret Sims/EAC/GOV
12/06/2006 03:46 PM

Bryan:

The two consultants were:

- Tova Wang
- Job Serebrov
The contact information for the Project Working Group, including technical advisor, Craig Donsanto, is in the attached spreadsheet.

You should also send notice to John Tanner, Chief, Voting Section, Civil Rights Division, DOJ (john.k.tanner@usdoj.gov). --- Peggy

---

Work Group Contact Availability Info.xls
----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM -----
"Bryan Whitener"
<bwhitener@eac.gov>
To psims@eac.gov
cc
csms@eac.gov
12/07/2006 02:45 PM
Subject EAC Releases Findings of Voting Fraud and Voter Intimidation Study, 12-07-06

---

U.S. ELECTION ASSISTANCE COMMISSION
1225 New York Ave. NW – Suite 1100
Washington, DC 20005

For Immediate Release
December 7, 2006

Contact:
Jeannie Layson
Bryan Whitener
(202) 566-3100

EAC Releases Findings of Voting Fraud and Voter Intimidation Study

No consensus on the regularity of voting fraud and voting intimidation found
Agency accepts recommendations to conduct a comprehensive study on elections crimes

WASHINGTON - The United States Election Assistance Commission (EAC) today voted on the findings of the "Voting Fraud and Voter Intimidation Study" and accepted recommendations to conduct
a comprehensive assessment of all claims, charges and prosecutions of voting crimes.

The study represents the first phase of the information gathering process and includes a working
definition of election crimes. EAC will now proceed with the second phase, a more comprehensive
data-driven survey and study of elections crimes and voter intimidation. The new phase will offer
consistency to the study and will identify a common definition of the issue for dialogue among elections
officials, civil rights and voter advocacy groups, law enforcement officials, attorneys and the public.

The recommendations accepted by EAC today include:

Survey Chief Elections Officers to Review and Assess Administrative Complaints: EAC will survey
the states' chief election officers regarding complaints that have been filed, investigated and resolved
since January 1, 2004.

Survey State Election Crime Investigation Units Regarding Complaints Filed and Referred: EAC
will gather information on the numbers and types of complaints that have been received by, investigated,
and ultimately referred to local or state law enforcement by election crime investigation units since

Survey Law Enforcement and Prosecutorial Agencies Regarding Complaints and Charge of
Voting Crimes: EAC will survey law enforcement and prosecutorial agencies at the local, state and
federal level to determine the number and types of complaints, charges, or indictments, and pleas or
convictions of election crimes since January 1, 2004.

Analyze Survey Data in Light of State Laws and Procedures: EAC will use the reliable data
gathered from each survey group to analyze the effectiveness of fraud prevention and reporting
measures.

In order to arrive at the findings, EAC consultants reviewed existing studies, articles, reports and case
law on voting fraud and intimidation and conducted interviews with experts in the field regarding their
experiences and research. According to the findings, while there is currently no consensus on the
frequency of voting fraud and voter intimidation, most participants agreed that absentee balloting is
subject to the greatest proportion of fraudulent acts, followed by vote buying and voter registration
fraud.

Following today's vote to approve the survey recommendations, EAC will begin a comprehensive
survey and subsequent study on voting fraud and voter intimidation based on hard data. Section 241 of
the Help America Vote Act of 2002 (HAVA) mandates that EAC research and study various issues
related to the administration of elections. During Fiscal Year 2006, EAC in consultation with the
Standards Board and Board of Advisors selected voting fraud and voter intimidation from a list of
potential research topics that serve to improve the administration of elections for federal office.

For the EAC's full report on the Voting Fraud and Voter Intimidation Study or to view testimony from
today's hearing, visit www.eac.gov.
EAC is an independent bipartisan commission created by HAVA. It is charged with administering payments to states and developing guidance to meet HAVA requirements, implementing election administration improvements, adopting voluntary voting system guidelines, accrediting voting system test laboratories and certifying voting equipment and serving as a national clearinghouse and resource of information regarding election administration. The three EAC commissioners are Paul DeGregorio, chairman; Donetta Davidson and Gracia Hillman. One vacancy currently exists.

###

Commissioners,
I want to respond to Rick Hasen's post regarding EAC and the fraud report. My suggested response is below, and his original post follows. Please let me know if you agree that I should attempt to correct the misinformation he posted. If so, please let me know if you approve of my suggested response. Thank you.

Mr. Hason,
I write to point out incorrect information you posted on your website on December 11, 2006. You wrote: "Note what's missing compared to the earlier version leaked to the USA Today Newspaper." No one at the EAC leaked anything to USA Today. The reporter asked for a copy of the staff report about the fraud research that was presented at a public meeting in May to our Board of Advisors and the Standards Board, and the EAC provided it to him. This information was presented and discussed at a meeting that was open to the public, so we provided materials distributed at the meeting to anyone who requested it. The staff report about the fraud project was also distributed to every member of both advisory boards. Go here to view the Federal Register notice about the public meeting at which this project and many others were discussed.

The statement you attribute to one of the consultants is absolutely correct. As stated by their contract, these consultants were hired so that the EAC could "...obtain consulting services from an individual who can provide advice drawn from broad professional and technical experience in the area of voter fraud and intimidation."

As for your reference to what's "missing compared to the earlier version," the report contains the complete summaries of every interview conducted by the consultants as well as every book, article, report or case that was reviewed. It does not contain the synopsis of those interviews, which were written by the consultants. EAC provided the individual summaries so readers could reach their own conclusions about the substance of the interviews.
EAC's interpretation of HAVA and its determination of what it will study and how it will use its resources to study it are matters of agency policy and decision. These are not, nor should they be, determinations or decisions made by consultants. The EAC has the ultimate responsibility for the reports it issues, and it is incumbent upon the agency to conduct due diligence to ensure reports, data or any other information is complete and accurate before it is adopted by the Commission.

As someone with a public platform who informs the public about matters regarding election administration, I would appreciate it if you would extend the same professional courtesy most journalists do and contact the agency in the future if you have questions or concerns about EAC policy or actions. You may reach me directly at 202-566-3103. I appreciate your consideration in this matter.

Sincerely,
Jeannie Layson
Director of Communications
US Election Assistance Commission

More on FL-13, and a Role for the EAC?
When I saw this headline on the Sarasota Herald Tribune web page, I thought it must have been about the FL-13 race. Over on the election law listserv, Doug Johnson, responding to my commentary calling for the House to investigate the problems and declare a revote in the FL-13 race, suggested that perhaps the EAC is better situated to conduct an investigation than the House of the problems in the FL-13. I'm afraid we might not be able to count on the EAC to conduct an investigation that is well-funded, tough, and fair. Politics appears to be creeping into decisions of the EAC's advisory board, and there's real concern about the EAC's vote fraud report. Note what's missing compared to the earlier version leaked to the USA Today newspaper. Tova Wang, who authored the draft report for the EAC, issued the following statement to me: "My co-consultant and I provided the EAC with a tremendous amount of research and analysis for this project. The EAC released what is their report yesterday." The EAC has also lost two commissioners, one Republican and one Democrat, who appeared to be tough-minded and fair. I am very worried about the fairness and non-partisanship of the new rumored nominees. In short, the EAC has to prove it is up to the task of fair and serious inquiry before it could be trusted with something like an investigation of the FL-13.

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

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM -----
I agree that Jeannie should send the response.

Sent from my BlackBerry Wireless Handheld

--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM ----

Gracia Hillman/EAC/GOV
12/14/2006 12:07 PM

To "Paul DeGregorio" <pdegregorio@eac.gov>, "Donetta Davidson" <ddavidson@eac.gov>, Thomas R. Wilkey/EAC/GOV@EAC, Juliet E. Thompson/EAC/GOV@EAC, Margaret Sims/EAC/GOV@EAC, "Jeannie Layson" <jlayson@eac.gov>, "Karen Lynn-Dyson" <klynn-dyson@eac.gov>
cc "Sheila Banks" <sbanks@eac.gov>

Subject People For

I know that People For the American Way delivered petitions to EAC about release of the Fraud report but I need to know what other communications EAC has had with People For about the study.

Was it represented on the study's working group? If so, by whom? Did they write to us and did we answer? Did anybody from there talk with anybody at EAC about the study and our work? Thanks.

Sent from my BlackBerry Wireless Handheld

--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM ----

Margaret Sims/EAC/GOV
12/14/2006 12:40 PM

To Gracia Hillman/EAC/GOV
cc "Donetta Davidson" <ddavidson@eac.gov>, "Jeannie Layson" <jlayson@eac.gov>, Juliet E. Thompson/EAC/GOV@EAC, "Karen Lynn-Dyson" <klynn-dyson@eac.gov>, "Paul DeGregorio" <pdegregorio@eac.gov>, "Sheila Banks" <sbanks@eac.gov>, Thomas R. Wilkey/EAC/GOV@EAC

Subject Re: People For

Commissioner Hillman:

PFAW was not represented on the Working Group for the Voting Fraud-Voter Intimidation research project. Also, I have had no communications with the organization about the study. I did work with
Jeannie and Gavin on a response to PFAW's FOIA request for the study. Jeannie should have the final copy of that reply.

Peggy Sims
Election Research Specialist

Gracia Hillman/EAC/GOV

12/14/2006 12:07 P.M.

Dear Commissioner Hillman:

I know that People For the American Way delivered petitions to EAC about release of the Fraud report but I need to know what other communications EAC has had with People For about the study.

Was it represented on the study's working group? If so, by whom? Did they write to us and did we answer? Did anybody from there talk with anybody at EAC about the study and our work? Thanks.

Sent from my BlackBerry Wireless Handheld

-- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM --

Margaret Sims/EAC/GOV
12/14/2006 12:55 P.M.

To: Juliet E. Hodgkins/EAC/GOV, Jeannie Layson/EAC/GOV
cc: PFAW Response to EAC Vote Fraud Report

Subject: PFAW Response to EAC Vote Fraud Report

Are there any plans to rebut the PFAW response? If so, may I help? --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM ----- 

Jeannie Layson/EAC/GOV
12/14/2006 01:08 P.M.

To: Margaret Sims/EAC/GOV@EAC
cc: Juliet E. Hodgkins/EAC/GOV@EAC

Subject: Re: PFAW Response to EAC Vote Fraud Report

I didn't get any comments from you regarding yesterday's response to Rick Hasen. Any thoughts on that?
Margaret Sims/EAC/GOV  
12/14/2006 12:55 PM  
To Juliet E. Hodgkins/EAC/GOV@EAC, Jeannie Layson/EAC/GOV@EAC  
cc  
Subject PFAW Response to EAC Vote Fraud Report

Are there any plans to rebut the PFAW response? If so, may I help? --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM ----

Margaret Sims/EAC/GOV  
12/14/2006 01:19 PM  
To Jeannie Layson/EAC/GOV@EAC  
cc  
Subject Re: PFAW Response to EAC Vote Fraud Report

Sorry. I saw a message addressed to the Commissioners. I did not realize the fact that I was cc'd meant that you wanted my comments as well. Will do better next time. In the case of PFAW, I think we may need to address other points, as well. I can put some comments in bullet form, and you can take them or leave them. --- Peggy

Jeannie Layson/EAC/GOV

Jeannie Layson/EAC/GOV  
12/14/2006 01:08 PM  
To Margaret Sims/EAC/GOV@EAC  
cc Juliet E. Hodgkins/EAC/GOV@EAC  
Subject Re: PFAW Response to EAC Vote Fraud Report

I didn't get any comments from you regarding yesterday's response to Rick Hasen. Any thoughts on that?

Jeannie Layson
U.S. Election Assistance Commission
1225 New York Ave., NW
Suite 1100
Washington, DC 20005
Phone: 202-566-3100
www.eac.gov
Margaret Sims/EAC/GOV
Are there any plans to rebut the PFAW response? If so, may I help? --- Peggy

Peg, et.al-

I did not have any interaction with this group.

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

Commissioner Hillman:
PFAW was not represented on the Working Group for the Voting Fraud-Voter Intimidation research project. Also, I have had no communications with the organization about the study. I did work with Jeannie and Gavin on a response to PFAW's FOIA request for the study. Jeannie should have the final copy of that reply.

Peggy Sims
Election Research Specialist

Gracia
Hillman/EAC/GOV
12/14/2006 12:07
PMDear Commissioner

Hillman:

To "Paul DeGregorio" <pdeggregorio@eac.gov>, "Donetta Davidson" <Ddavidson@eac.gov>, Thomas R. Wilkey/EAC/GOV@EAC, Juliet E. Thompson/EAC/GOV@EAC, Margaret Sims/EAC/GOV@EAC, "Jeannie Layson" <jlayson@eac.gov>, "Karen Lynn-Dyson" <klynn-dyson@eac.gov>

CC "Sheila Banks" <sbanks@eac.gov>

Subject People For

I know that People For the American Way delivered petitions to EAC about release of the Fraud report but I need to know what other communications EAC has had with People For about the study.

Was it represented on the study's working group? If so, by whom? Did they write to us and did we answer? Did anybody from there talk with anybody at EAC about the study and our work? Thanks.

--------------
Sent from my BlackBerry Wireless Handheld

-------- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM --------

Gracia Hillman/EAC/GOV
12/18/2006 12:44 PM

To pdeggregorio@eac.gov, Ddavidson@eac.gov, Margaret Sims/EAC/GOV@EAC

CC "Sheila Banks" <sbanks@eac.gov>

Subject Suggested Timeline for Election Crimes Study

Attached is the suggested timeline that I offered for the Election Crimes Study.

It is an excel spreadsheet, which, if printed, should be done with Landscape layout. If printed on 8 1/2 x 11 paper, it will print as two pages.

Election Crimes, Proj 2007 Timeline.xls
-------- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM --------
Was the report that was drafted after the working group meeting or the interviews done with eac participant reviewed after the draft was completed. Need this right away

--------------------
Sent from my BlackBerry Wireless Handheld

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM -----

Karen Lynn-Dyson/EAC/GOV
01/26/2007 11:49 AM

To Elieen L. Kuala/EAC/GOV@EAC
cc Margaret Sims/EAC/GOV@EAC

Subject Re:  

Peg-

Could you get Elle and answer on this, if she hasn't already gotten one?

Thanks

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

Elieen L. Kuala/EAC/GOV

01/23/2007 02:14 PM

To "Karen Lynn-Dyson" <klynndyson@eac.gov>
cc

Subject

Hey Karen,

Did Barbara Arnwine ever attend ANY of the voter fraud working group meetings?

Thanks,
I already got one, thanks!

Karen Lynn-Dyson/EAC/GOV
01/26/2007 11:49 AM

Peg-

Could you get Elle and answer on this, if she hasn't already gotten one?

Thanks

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

Did Barbara Arnwine ever attend ANY of the voter fraud working group meetings?

Thanks,
Elle
Elle Coliver
U.S. Election Assistance Commission
1225 New York Avenue, Suite 1100
Washington, D.C. 20005
(202) 566-2256
www.eac.gov

Sent from my BlackBerry Wireless Handheld
Julie:

I received my 1099 and the figure looks too high. It is listed at $58,065.35. Can you check on this?

Job

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM -----
Margaret Sims/EAC/GOV
02/09/2007 06:01 PM
To [email address]
cc
Subject 1099

Job:

Julie just forwarded your inquiry. That figure looks too high to me, too! I'll check with our finance folks next Monday to find out what happened. Hope all is well with you.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

----- Forwarded by Juliet E. Hodgkins/EAC/GOV on 02/09/2007 05:44 PM -----
"Job Serebrov"
02/09/2007 05:33 PM
To "Julie Thompson-Hodgkins" <jhodgkins@eac.gov>
cc
Subject 1099

Julie:

I received my 1099 and the figure looks too high. It is listed at $58,065.35. Can you check on this?

Job

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM -----
Juliet E. Hodgkins/EAC/GOV
02/09/2007 06:07 PM
To Margaret Sims/EAC/GOV@EAC
cc
Subject Fw: 1099 Incorrect
Julie:

I just added my invoices and I get only around $39,700 including the travel expense reimbursement. The 1099 needs to be corrected.

Job

All is well Peg. How are you? I added up my invoices and it should be between $39,700 and $47,000 with the travel check included.

Regards,

Job

--- psims@eac.gov wrote:

> Job:
> > Julie just forwarded your inquiry. That figure looks too high to me, too!
> > I'll check with our finance folks next Monday to find out what happened.
> > Hope all is well with you.
Diana And Bola:

Job Serebrov, one of our personal services contractors on the Vote Fraud-Voter Intimidation research project, has received a 1099 that shows total payments from EAC in 2006 of $58,065.35. He asked me to check the payments I had listed for him because the amount seemed too high to him.

I don't have access to copies of his invoices right now, but I do have access to the spreadsheets I used to track payments. Even if I include his travel reimbursements, the amount shown on the 1099 appears too high. Can one of you help me figure this out? The ACT and contract numbers for his personal services contracts involving any payments in 2006 follow:
ACT# E4019698, Contract # EAC 05-67
ACT# E4019905, Contract # EAC 06-05

Peggy Sims
Election Research Specialist
---- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:49 PM ----

Bola Olu/EAC/GOV
02/12/2007 12:30 PM

To  Margaret Sims/EAC/GOV@EAC
cc  DScott@eac.gov

Subject  Re: Possible Discrepancy on Contractor's 1099

Peggy:

I will look into this and get back to you.

Bola Olu
Financial Administrative Specialist
United States Election Assistance Commission
1225 New York Avenue N.W., Suite - 1100
Washington, DC 20005
P:202-566-3124
F:202/566-3127
http://www.eac.gov/

"Intelligence plus character...the goal of true education. Dr. Martin Luther King."

Margaret Sims/EAC/GOV

Margaret Sims/EAC/GOV
02/12/2007 12:13 PM

To  DScott@eac.gov, Bola Olu/EAC/GOV@EAC
cc

Subject  Possible Discrepancy on Contractor's 1099

Diana And Bola:

Job Serebrov, one of our personal services contractors on the Vote Fraud-Voter Intimidation research project, has received a 1099 that shows total payments from EAC in 2006 of $58,065.35. He asked me to check the payments I had listed for him because the amount seemed too high to him.

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ACT# E4019698, Contract # EAC 05-67
ACT# E4019905, Contract # EAC 06-05
Margaret Sims/EAC/GOV

To DScott@eac.gov, Bola Olu/EAC/GOV@EAC
cc

Subject Possible Discrepancy on Contractor's 1099

Diana And Bola:

Job Serebrov, one of our personal services contractors on the Vote Fraud-Voter Intimidation research project, has received a 1099 that shows total payments from EAC in 2006 of $58,065.35. He asked me to check the payments I had listed for him because the amount seemed too high to him.

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ACT# E4019698, Contract # EAC 05-67
ACT# E4019905, Contract # EAC 06-05

Peggy Sims
Election Research Specialist
Margaret Sims/EAC/GOV
04/23/2007 02:58 PM
To Curtis Crider/EAC/GOV@EAC
cc
bcc
Subject Re: documentation for evaluation

Curtis:

I believe that the only items I have in hard copy, and not in electronic format, are my working copies of the contracts (official copies would be in the agency contract files), the monthly pay invoices and travel reimbursement requests submitted by the consultants, and some DOJ training documentation that was given to us on condition that we keep it confidential.

Other than emails, the documentation that is in electronic form is housed in EAC's shared drawer at T:\RESEARCH IN PROGRESS\VOTING FRAUD-VOTER INTIMIDATION. Do you have read access to that?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
e-mail: psims@eac.gov

Curtis Crider/EAC/GOV

Curtis Crider/EAC/GOV
04/23/2007 02:27 PM
To EAC Personnel
cc
Subject documentation for evaluation

All:

The Office of Inspector General has initiated an evaluation of the contracting process used by the EAC for the voter fraud and voter intimidation projects. In order for us to complete our evaluation, we need copies of all e-mails or other documents that you have regarding either project. Electronic documents can be sent to an e-mail account that we have set up- eaccon@eac.gov.

If you have any hard copy documents, please let me know.

If you do not have any documents or e-mails, please send me an e-mail to that effect.

Thank you,

Curtis Crider
Office of Inspector General, Election Assistance Commission
Phone - (202) 566-3125
Fax - (202) 566-0957

Important: This electronic transmission is intended for the use of the individual or entity to which it is
addressed. It may contain information that is privileged, confidential, or otherwise protected from disclosure under applicable law.
Fifth batch attached. More to come. --- Peggy Sims

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, April 03, 2006 4:14 PM
To: [name_redacted]
Subject: Fw: DOJ Training Materials

Devon's response is attached. Guess I'll add this to the list of questions going to Donsanto.
---Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/03/2006 05:12 PM -----

Peggy,

The sections that you listed below are also empty in our copy. I have attached a copy of the complete table of contents with all of the section that are empty in our copy of the 2004 DOJ training binder.

Thanks,

Devon
Devon:
One of our consultants noted that there are several sections appear to be missing from the 2004 DOJ training binder. She wasn't sure if it is because of what DOJ sent over to EAC or a problem in the photocopying. From what she can see, some of the table of contents is missing and tabs 14, 15, 16, 17, 21, 23 and 26 are all empty. I think we must have provided the T of C because I don't see one in the binder. Can you please retrieve the binder and check this out for me?

Thanks! --- Peggy

Hi Peg,

I will call J.R. on Thursday to run it by him and let you know what he says. As for my availability on Wednesday, April 12, the answer is "yes". Morning is best for me, although I could be available in the afternoon. You choose a time and I will be here.

Thanks,

Tony

----- Original Message -----
Intimidation Working Group

Tony:

Which one do you think would be best? J.R. Perez, as Election Administrator, should have knowledge of voting fraud and voter intimidation in both voter registration and voting. I assume that, though Patricia is the voter registration supervisor, she also would have knowledge of voting fraud and voter intimidation in balloting. Would they be available in May for a meeting of the project working group? Who could best stand up to the DNC and RNC counsels?

On a related matter, would you be available for our consultants to interview you by telephone next Wednesday? If so, let me know a convenient time. I'll confirm the time with the two consultants, Job Serebrov and Tova Wang. Then, I'll get back to you with the toll-free line and pass code you will need to use for the teleconference.

Thanks!

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
e-mail: psims@eac.gov

Good Afternoon Peg,

How about J. R. Perez, Elections Administrator, Guadalupe County or Patricia Benavides, Voting Registration Supervisor, Tarrant County, Texas?

Tony
Dear Tony,

Unfortunately both Javier and myself have to decline in being members of the working group from Texas. It is a bad time of the year where we have so many elections and would not be able to contribute enough time to doing research of any kind. Please keep us in mind for future meetings.

Helen Jamison

-----Original Message-----
From: psims@eac.gov
To: psims@eac.gov
Sent: Thursday, March 16, 2006 10:29 AM
Subject: Nonpartisan Local Election Official Needed for Voting Fraud/Voter Intimidation Working Group

Tony:

Thanks for being willing to help me identify a qualified, nonpartisan local election official to serve on our Project Working Group for the preliminary research being conducted on voting fraud and voter intimidation.

Background
Section 241 of the Help America Vote Act of 2002 requires EAC to conduct research on election administration issues. Among the issues listed in the statute are the development of:

1. nationwide statistics and methods of identifying, deterring, and investigating voting fraud in elections for Federal office [section 241(b)(6)]; and
2. methods of identifying, deterring, and investigating methods of voter intimidation [section 241(b)(7)].

EAC’s Board of Advisors recommended that EAC make research on these topics a high priority.

Preliminary EAC Research

Subsequently, the Commission contracted with two consultants (Tova Wang and Job Serebrov) to:

1. develop a comprehensive description of what constitutes voting fraud and voter intimidation in the context of Federal elections;
2. perform preliminary research on these topics (including Federal and State administrative and case law review), identify related activities of key government agencies and civic and advocacy organizations, and deliver a summary of this research and all source documentation;
3. convene a meeting of a project working group composed of key individuals and representatives of organizations knowledgeable about the topics of voting fraud and voter intimidation, provide the results of the preliminary research to the working group, and record the working group's deliberations; and
4. produce a report to EAC summarizing the findings of the preliminary research effort and working group deliberations that includes recommendations for future EAC action, if any.

The Project Working Group will probably meet only once during this preliminary research effort (probably in late April) to review the consultants research and provide input. Other members of the Working Group are lawyers from advocacy groups and major political parties, two State election officials, and Barry Weinberg, former Deputy Chief of DOJ’s Voting Section, Civil Rights Division. Craig Donsanto, Director of DOJ’s Election Crimes Branch will serve as a technical advisor to the group.

I really appreciate any help you can offer in identifying a qualified individual to fill the slot on the Working Group that has been reserved for an experienced, nonpartisan local election official.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

"Tony J. Sirvello III"
Good Afternoon Peg,

How about J. R. Perez, Elections Administrator, Guadalupe County or Patricia Benavides, Voting Registration Supervisor, Tarrant County, Texas?

Tony

----- Original Message ----- 
From: Helen Jamison 
To: Tony J. Sirvello III 
Sent: Tuesday, April 04, 2006 11:46 AM 
Subject: RE: Nonpartisan Local Election Official Needed for Voting Fraud/Voter Intimidation Working Group

Dear Tony,
Unfortunately both Javier and myself have to decline in being members of the working group from Texas. It is a bad time of the year where we have so many elections and would not be able to contribute enough time to doing research of any kind. Please keep us in mind for future meetings.
Helen Jamison

----- Original Message ----- 
From: Tony J. Sirvello III 
Sent: Monday, April 03, 2006 1:19 PM 
To: Helen Jamison; Javier Chacon 
Subject: Fw: Nonpartisan Local Election Official Needed for Voting Fraud/Voter Intimidation Working Group

Helen, Javier,

Attached is the information from the EAC requesting your services as a member of the working group from Texas. Please let me know in a couple of days if one of you will be able to participate. If you need more information, call me and I will conference in with Peggy Sims, who can give you more details.

Thanks,

Tony

----- Original Message ----- 
From: psims@eac.gov
Tony:

Thanks for being willing to help me identify a qualified, nonpartisan local election official to serve on our Project Working Group for the preliminary research being conducted on voting fraud and voter intimidation.

Background

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3. convene a meeting of a project working group composed of key individuals and representatives of organizations knowledgeable about the topics of voting fraud and voter intimidation, provide the results of the preliminary research to the working group, and record the working group's deliberations; and
4. produce a report to EAC summarizing the findings of the preliminary research effort and working group deliberations that includes recommendations for future EAC action, if any.

The Project Working Group will probably meet only once during this preliminary research effort (probably in late April) to review the consultants research and provide input. Other members of the Working Group are lawyers from advocacy groups and major political parties, two State election officials, and Barry Weinberg, former Deputy Chief of DOJ’s Voting Section, Civil Rights Division. Craig Donsanto, Director of DOJ’s Election Crimes Branch will serve as a technical advisor to the group.

I really appreciate any help you can offer in identifying a qualified individual to fill the slot on the Working Group that has been reserved for an experienced, nonpartisan local election official.

Peggy Sims
Election Research Specialist
U. S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Tony:

How about scheduling the teleconference with our consultants for 10 AM CST/11 AM EST on Wednesday, April 12? --- Peggy

No, except it means pushing everything back, ie the final report. I suppose we could, as we discussed, take a week or two off in May and tack it on to June. There's no way we could write a final report in ten days, obviously. That would be fine with me.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, April 04, 2006 8:46 AM
To: Tova Andrea Wang; Job Serebrov
Subject: Project Working Group Meeting

The Chairman and Vice Chairman are interested in attending the meeting. Due to schedule conflicts, they are asking us to look at the week of May 15. Does that pose a problem for either of you? Peggy

--------------
Sent from my BlackBerry Wireless Handheld

----- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM -----
That's fine, just asking

-----Original Message-----
From: Job Serebrov
Sent: Wednesday, April 12, 2006 11:26 AM
To: Tova Wang; psims@eac.gov
Cc: 'Job Serebrov'; 'Nicole Mortellito'
Subject: Re: working group meeting

It was my understanding that the meeting would be on the 15th or later.

Tova, Peggy is out of the office this week.

--- Tova Wang --- wrote:

> I cannot do it on May 5 now. Any update on a date?
> I will be in DC for other meetings May 4 - May 7 if that makes any
difference (EAC would not have to pay my transportation if it was on, for
example, Monday May 8 or possibly even the 9th) Thanks.
> Tova Andrea Wang
> Democracy Fellow
> The Century Foundation
> Visit our Web site, for the latest news,
> analysis, opinions, and events.
>
> Click here to receive our weekly e-mail updates.
>
As I have alerted Nicole, the call is not working. Someone ought to get in touch with Kevin -- I do not have his contact information.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, April 10, 2006 8:45 PM
To: Tova Andrea Wang; Job Serebrov
Subject: Kennedy Interview

It appears that the teleconference with Kevin Kennedy is set for tomorrow, April 11, at 10:30 AM CST/11:30 AM EST. Use the usual phone number (866-222-9044) and passcode (62209).

If you have trouble connecting, contact Nicole.

Peg

--------------------------
Sent from my BlackBerry Wireless Handheld

----- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM -----

Nicole Mortellito/CONTRACTOR/EAC/GOV
To: "Tova Wang"
cc psims@eac.gov, "Job Serebrov"
Subject: RE: Kennedy Interview

the call is up and running!! you may dial in

Regards,

Nicole K. Mortellito
Research Assistant
U.S. Election Assistance Commission
1225 New York Avenue - Suite 1100
Washington, DC
202.566.2209 phone
202.566.3128 fax

"Tova Wang"

04/11/2006 11:42 AM
As I have alerted Nicole, the call is not working. Someone ought to get in touch with Kevin -- I do not have his contact information.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, April 10, 2006 8:45 PM
To: Tova Andrea Wang; Job Serebrov
Subject: Kennedy Interview

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If you have trouble connecting, contact Nicole.

Peg

--------------------------
Sent from my BlackBerry Wireless Handheld

--- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM ---

Nicole Mortellito/CONTRACTOR/EA C/GOV
04/10/2006 10:05 AM
To Margaret Sims/EAC/GOV@EAC
cc
Subject Re: Teleconference set up

You are set for the 12th at 11am 866-222-9044 pass code 62209

Regards,

Nicole K. Mortellito
Research Assistant
U.S. Election Assistance Commission
1225 New York Avenue - Suite 1100
Washington, DC
202.566.2209 phone
202.566.3128 fax
Margaret Sims/EAC/GOV
Nicole:
Could you please help me set up a teleconference for Wednesday, April 12 at 11 AM EST (for 1 hour)?
Please send me confirmation.
Peg

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Sent from my BlackBerry Wireless Handheld

----- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM -----
"Weinberg and Utrecht"
04/04/2006 08:14 AM
To psims@eac.gov
cc
Subject Re: Voting Fraud-Voter Intimidation Project

Peggy:
May looks pretty good right now. I will not be available May 1, or in the morning (before 12:30) on May 4 or May 11, or in the afternoon on May 10.
Barry

----- Original Message ----- 
From: psims@eac.gov
To:
Sent: Monday, April 03, 2006 3:15 PM
Subject: Voting Fraud-Voter Intimidation Project

Hi, Barry:

I'm trying to arrange a meeting of the Working Group for EAC's Voting Fraud-Voter Intimidation project. Would you please look at your schedule and let me know if there are any days during the first 2 weeks of May that you would NOT be available?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov
I didn't have anything specific in mind yet, especially as I have not finished going through the voluminous documentation, but I will let you know.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, April 03, 2006 2:41 PM
To: [Redacted]
Subject: Mentioning DOJ Training Guidance

Tova and Job:

Craig Donsanto responds that it is not possible for him to assess the level of public attribution that would be appropriate without seeing the substantive stuff in context. He does not foresee a problem; but recommends that I provide him with the draft text. He will review it to ensure we are not disclosing things we shouldn't disclose.

Therefore, please provide the draft text to me ASAP, so that I can forward it to him for review. I suspect he will provide me with a prompt response, which I will forward to you.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

That time is fine. A half hour earlier would be better. I also have a 12 CDT meeting.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Friday, April 07, 2006 12:27 PM
To: Kevin Kennedy
Subject: Interview

Kevin:
I'm just following up on my request for your availability to be interviewed by our consultants for our voting fraud/voter intimidation project. Are you available Tuesday, April 11 at 11 AM CST?
Peggy Sims

--------------------------
Sent from my BlackBerry Wireless Handheld

--- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM ---
Margaret Sims/EAC/GOV
04/03/2006 05:11 PM
To "Job Serebrov"
cc
Subject Re: Working Group Contact Info

Thanks, Job! --- Peggy

"Job Serebrov"

"Job Serebrov"
04/03/2006 04:57 PM
To psims@eac.gov
cc
Subject Re: Working Group Contact Info

Norcross's assistant is Maria Rivers:

Rokita's assistant is:

Amy Miller
Executive Assistant
Indiana Secretary of State Todd Rokita

dc
--- psims@eac.gov wrote:

> Please review the attached and let me know of any
> corrections that should
> be made. Thanks! --- Peggy
>
"Job Serebrov"

To: psims@eac.gov, wang@tcf.org

Subject: Re: Mentioning DOJ Training Guidance

04/03/2006 03:46 PM

Lets discuss this in 10 minutes.

--- psims@eac.gov wrote:

> Tova and Job:
> Craig Donsanto responds that it is not possible for
> him to assess the
> level of public attribution that would be
> appropriate without seeing the
> substantive stuff in context. He does not foresee a
> problem; but
> recommends that I provide him with the draft text.
> He will review it to
> ensure we are not disclosing things we shouldn't
> disclose.
> Therefore, please provide the draft text to me ASAP,
> so that I can forward
> it to him for review. I suspect he will provide me
> with a prompt
> response, which I will forward to you.
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> Peggy Sims
> Election Research Specialist
> U.S. Election Assistance Commission
> 1225 New York Ave, NW - Ste 1100
> Washington, DC 20005
> Phone: 866-747-1471 (toll free) or 202-566-3120
> (direct)
> Fax: 202-566-3127
> email: psims@eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM -----

"Tova Wang"

To: psims@eac.gov

cc: "Job Serebrov" "Tova Wang"

Subject: working group agenda

04/04/2006 01:30 PM
Hi Peg,

Attached is a draft of an agenda for the working group. Let us know what you think. Thanks. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation

Visit our Web site for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.

--- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM ---

Peggy:

Here is my situation. I am to go to work full time for the Governor at some time in June. I just don't know when and because we are having a special session right now, no one can give me any indications as to the date. The special session will last for at least two weeks. However, I had to arrange a job because the contract ends at the end of May. So--all of this said--if, for instance, I go to work for the Governor the first week of June, I will only be able to work on EAC matters after hours at night.

Job

--- psims@eac.gov wrote:

> The Chairman and Vice Chairman are interested in attending the meeting. Due to schedule conflicts, they are asking us to look at the week of May 15.
> Does that pose a problem for either of youpeggy

---

Sent from my BlackBerry Wireless Handheld
Sorry, you mean it's today. OK, thanks. Tova

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, April 10, 2006 8:45 PM
To: Tova Andrea Wang; Job Serebrov
Subject: Kennedy Interview

It appears that the teleconference with Kevin Kennedy is set for tomorrow, April 11, at 10:30 AM CST/11:30 AM EST. Use the usual phone number (866-222-9044) and passcode (62209).

If you have trouble connecting, contact Nicole...

Peg

--------------------------
Sent from my BlackBerry Wireless Handheld

Kevin:

Following up on yesterday's conversation, would you be available next Tuesday (4/11) to be interviewed by phone by our consultants on the Voting Fraud-Voter Intimidation research project? The interview is likely to take less than an hour. You pick the time and I'll confirm it with our consultants, Tova Wang and Job Serebrov. Then, I'll send you an email with the toll-free number and pass code that you will need for the teleconference.

EAC is conducting this preliminary research to determine how best to meet HAVA requirements. Section 241 of the Help America Vote Act of 2002 requires EAC to conduct research on election administration issues. Among the issues listed in the statute are the development of:
• nationwide statistics and methods of identifying, deterring, and investigating voting fraud in elections for Federal office [section 241(b)(6)]; and
• methods of identifying, deterring, and investigating methods of voter intimidation [section 241(b)(7)].

Please let me know if you have any questions. Thanks.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM -----
Margaret Sims/EAC/GOV
04/03/2006 04:33 PM
To Tova Andrea Wang, Job Serebrov
cc
Subject Working Group Contact Info

Please review the attached and let me know of any corrections that should be made. Thanks! --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM -----
Margaret Sims/EAC/GOV
04/03/2006 03:41 PM
To "Donsanto, Craig"
<Craig.Donsanto@usdoj.gov>@GSAEXTERNAL
cc
Subject RE: Voting Fraud-Voter Intimidation Project

Thanks, Craig! --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

04/03/2006 03:16 PM
To psims@eac.gov
cc
Subject RE: Voting Fraud-Voter Intimidation Project

Hello Peg!

God willing, I will be here the first two weeks of May.
As for your second question, it is not possible for me to assess the level of public attribution that would be appropriate without seeing the substantive stuff in context. I do not foresee a problem. So, I recommend that you get me a draft text and I will review it to ensure we are not disclosing things we shouldn't disclose.

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, April 03, 2006 3:13 PM
To: Donsanto, Craig
Subject: Re: Voting Fraud-Voter Intimidation Project

Craig:

I have 2 issues for you today.

First, I am trying to schedule a meeting of the project working group for EAC's Voting Fraud-Voter Intimidation research project. As a technical advisor on this project, your attendance is particularly important to me. Would you please look at your schedule and let me know if there are any days during the first 2 weeks of May that you would NOT be available?

Second, is it OK for our consultants to refer in their report to guidance provided in the DOJ training materials? I ask this because I understood that some materials in the materials are considered confidential and we do not want to violate your confidentiality provisions. If there is a compromis position, such as having you review that portion of the consultants' report, then let me know.

Thanks!

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
e-mail: psims@eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM -----
"Tova Wang"
04/10/2006 11:04 AM
To psims@eac.gov
cc "Job Serebrov"
Subject small question for Donsanto

Could you please also ask him what the training materials are referring to when they discuss "ballot box stuffing"? Does this mean elections workers add extra votes? Thanks so much. Tova

Tova Andrea Wang
Craig is on the list because the Commission requested he serve as a technical advisory to the project. Although not a member of the project working group, I do need to check his availability for the meeting.

I tried to tell you on the phone that we still are trying to confirm the El Paso County, TX election official for the working group. (Several attempts have been made to contact the Election Director, but she has been out of town.) If we can't get her, we will try for her deputy (also Hispanic). Once I have a response that one of them is willing to serve, I'll update the contact info table and see if I can't get a bio for you two to review. --- Peggy

Why is Craig Donsanto on the list? And what happened about the local election official? Thanks. Tova

From: psims@eac.gov
Sent: Monday, April 03, 2006 3:33 PM
To: [email]
Subject: Working Group Contact Info

Please review the attached and let me know of any corrections that should be made. Thanks! --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM -----
To psims@eac.gov, "Job Serebrov"

Subject: RE: Kennedy Interview

That gives us no time between interviews though, right? We've never been able to really limit it to 30 minutes.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, April 10, 2006 8:45 PM
To: Tova Andrea Wang; Job Serebrov
Subject: Kennedy Interview

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If you have trouble connecting, contact Nicole...

Peg

--------------------------
Sent from my BlackBerry Wireless Handheld

----- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM -----

"Job Serebrov"

Subject: Re: Upcoming Interviews-DOJ Info

Peggy:
The interviews are ok with me.

Tova:
I think I should write the review on the IFES white paper instead of the red book.

Job

--- psims@eac.gov wrote:

> Hi, Job and Tova:
>
Tony Sirvello (former election director for Harris County, TX and current Executive Director of the International Association of Clerks, Recorders, Election Officials and Treasurers) can make himself available for an interview next Wednesday morning (4/12). He is on CST. Is there a time that works well for the two of you? How about 10 AM CST/11 AM EST? I saw Kevin Kennedy at a meeting in our office this past Tuesday. We are trying to set up an interview with him next Tuesday (4/11).

I asked Donsanto about an updated version of his Prosecution of Election Offenses. He responded that it is at the printers and will not be available for a couple of months. In the interim, he referred me to the white paper he did for IFES, which I have attached. He said that the white paper includes the same information on the prosecution of election fraud that will be in the book.

--- Peggy

Hi Peg,

I've just made it through the 2004 binder of materials and have two questions. First, I understand that these materials are confidential, but may we refer to guidance provided in them in our report? Otherwise they are of not much use to us. There's not that much in it that would add to what Donsanto and Tanner told us, but there are a few issues raised that I believe might be germane.

Second, there are several sections evidently missing from the 2004 binder and I'm not sure if that's because of what Donsanto sent over or a problem in the photocopying. From what I can see, some of the table of contents is missing and tabs 14, 15, 16, 17, 21, 23 and 26 are all empty. Can you please look into this?

Thanks and I look forward to speaking to you tomorrow. Tova
Tony:

Which one do you think would be best? J.R. Perez, as Election Administrator, should have knowledge of voting fraud and voter intimidation in both voter registration and voting. I assume that, though Patricia is the voter registration supervisor, she also would have knowledge of voting fraud and voter intimidation in balloting. Would they be available in May for a meeting of the project working group? Who could best stand up to the DNC and RNC counsels?

On a related matter, would you be available for our consultants to interview you by telephone next Wednesday? If so, let me know a convenient time. I'll confirm the time with the two consultants, Job Serebrov and Tova Wang. Then, I'll get back to you with the toll-free line and pass code you will need to use for the teleconference.

Thanks!

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
e-mail: psims@eac.gov

----- Original Message -----
From: Helen Jamison
To: Tony J. Sirvello III
Sent: Tuesday, April 04, 2006 11:46 AM
Subject: RE: Nonpartisan Local Election Official Needed for Voting Fraud/Voter Intimidation Working Group

Dear Tony,
Unfortunately both Javier and myself have to decline in being members of the working group from Texas. It is a bad time of the year where we have so many elections and would not be able to contribute enough time to doing research of any kind. Please keep us in mind for future meetings.
Helen Jamison

-----Original Message-----
From: Tony J. Sirvello III
Sent: Monday, April 03, 2006 1:19 PM
To: Helen Jamison; Javier Chacon
Subject: Fw: Nonpartisan Local Election Official Needed for Voting Fraud/Voter Intimidation Working Group

Helen, Javier,

Attached is the information from the EAC requesting your services as a member of the working group from Texas. Please let me know in a couple of days if one of you will be able to participate. If you need more information, call me and I will conference in with Peggy Sims, who can give you more details.

Thanks,

Tony

----- Original Message ----- 
From: psims@eac.gov
To: 
Sent: Thursday, March 16, 2006 10:29 AM
Subject: Nonpartisan Local Election Official Needed for Voting Fraud/Voter Intimidation Working Group

Tony:

Thanks for being willing to help me identify a qualified, nonpartisan local election official to serve on our Project Working Group for the preliminary research being conducted on voting fraud and voter intimidation.

Background

Section 241 of the Help America Vote Act of 2002 requires EAC to conduct research on election administration issues. Among the issues listed in the statute are the development of:
Preliminary EAC Research

Subsequently, the Commission contracted with two consultants (Tova Wang and Job Serebrov) to:

1. develop a comprehensive description of what constitutes voting fraud and voter intimidation in the context of Federal elections;
2. perform preliminary research on these topics (including Federal and State administrative and case law review), identify related activities of key government agencies and civic and advocacy organizations, and deliver a summary of this research and all source documentation;
3. convene a meeting of a project working group composed of key individuals and representatives of organizations knowledgeable about the topics of voting fraud and voter intimidation, provide the results of the preliminary research to the working group, and record the working group's deliberations; and
4. produce a report to EAC summarizing the findings of the preliminary research effort and working group deliberations that includes recommendations for future EAC action, if any.

The Project Working Group will probably meet only once during this preliminary research effort (probably in late April) to review the consultants research and provide input. Other members of the Working Group are lawyers from advocacy groups and major political parties, two State election officials, and Barry Weinberg, former Deputy Chief of DOJ's Voting Section, Civil Rights Division. Craig Donsanto, Director of DOJ's Election Crimes Branch will serve as a technical advisor to the group.

I really appreciate any help you can offer in identifying a qualified individual to fill the slot on the Working Group that has been reserved for an experienced, nonpartisan local election official.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
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Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

"Tony J. Sirvello III"
Good Afternoon Peg,

How about J. R. Perez, Elections Administrator, Guadalupe County or Patricia Benavides, Voting Registration Supervisor, Tarrant County, Texas?

Tony

----- Original Message ----- 
From: Helen Jamison  
To: Tony J. Sirvello III  
Sent: Tuesday, April 04, 2006 11:46 AM  
Subject: RE: Nonpartisan Local Election Official Needed for Voting Fraud/Voter Intimidation Working Group

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Sent: Monday, April 03, 2006 1:19 PM  
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Subject: Fw: Nonpartisan Local Election Official Needed for Voting Fraud/Voter Intimidation Working Group

Helen, Javier,

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Thanks,

Tony

----- Original Message -----  
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1. nationwide statistics and methods of identifying, deterring, and investigating voting fraud in elections for Federal office [section 241(b)(6)]; and
2. methods of identifying, deterring, and investigating methods of voter intimidation [section 241(b)(7)].

EAC’s Board of Advisors recommended that EAC make research on these topics a high priority.

Preliminary EAC Research

Subsequently, the Commission contracted with two consultants (Tova Wang and Job Serebrov) to:

1. develop a comprehensive description of what constitutes voting fraud and voter intimidation in the context of Federal elections;
2. perform preliminary research on these topics (including Federal and State administrative and case law review), identify related activities of key government agencies and civic and advocacy organizations, and deliver a summary of this research and all source documentation;
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I really appreciate any help you can offer in identifying a qualified individual to fill the slot on the Working Group that has been reserved for an experienced, nonpartisan local election official.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
----- Original Message ----- 
From: "Job Serebrov"
Sent: 05/12/2006 09:05 PM
To: psims@eac.gov
Subject: Question

Peg:

Since I am driving to DC, besides hotel receipts, do you want me to keep my gas receipts or how will my car use be compensated? Also, I assume I don't have to retain food receipts.

Job

----- End forwarded message -------
What is the information you need when you say:
The consultants jointly selected experts from ???

We chose the interviewees by first coming up with a list of the categories of types of people we wanted to interview. Then we each filled those categories with a certain number of people, equally. The ultimate categories were academics, advocates, elections officials, lawyers and judges.

Is that what you need?

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 16, 2006 2:51 PM
To: wang@tcf.org
Subject: Re: board of advisers presentation

I haven't sent it yet. If you need to leave early, you can look at what I have so far, which does not have the intro or the text regarding the final report. --- Peggy
having email problems. Let me know. I’d need to look at it today since I’ll be tied up tomorrow.

Tova

Tova Andrea Wang
Democracy Fellow

Visit our Web site for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM ---

"Job Serebrov"

To psims@eac.gov
cc

Subject Re: Fw: New Working Group Member

Excellent!

--- psims@eac.gov wrote:

> Just thught you would like to see the Chairman’s
> reaction to the Ginsberg choice, attached.
> Peggy
> 
> ----- Original Message ----- 
> From: Paul DeGregorio
> Sent: 05/14/2006 12:01 PM
> To: CN=Martget Sims/OU=EAC/O=GOV@EAC
> Cc: CN=Amie J. Sherrill/OU=EAC/O=GOV
> Subject: Re: New Working Group Member
> 
> Ben Ginsberg is one of the most respected election
> law attorneys in the country. Great choice.
> 
> ----- Original Message ----- 
> From: Margaret Sims
> Sent: 05/12/2006 04:04 PM
> To: pdeggregorio@eac.gov
> Cc: CN=Amie J. Sherrill/OU=EAC/O=GOV@EAC
> Subject: New Working Group Member
Hello to all,

I would love to help, but I will not be in the office from today (Monday, May 15th) thru Wednesday, May 17th ------ I'll be back on Thursday morning. When is your meeting taking place? I had e-mailed Adam a draft of the table tents I did for the APIA working group; perhaps he still has it archived in his Lotus notes and could forward it to you. All you would have to do then is erase the APIA names and insert the ones for the new working group. In case he does not have the document I sent him and you need them prior to me returning to the office ---- in Microsoft Word, open a new document, go under Tools, then labels and envelopes, choose Labels and then Options -- then choose the correct Avery product number for your tent cards and click New document -- this will bring a blank template where you can begin to insert the names. I hope this helps. I can be reached by phone at (610) 780-5551 in case you need my help. Also, the tent card box usually brings an instruction sheet, it's not the most clear though.

Laiza N. Otero
Research Associate
U.S. Election Assistance Commission
1225 New York Avenue, Suite 1100
Washington, DC 20005
Tel. (202) 566-1707
Fax (202) 566-3128

-----Elieen L. Coliver/EAC/GOV wrote: -----
Also, I will need help from Laiza on the table tents, or we can see if she has the time to help with that.

Thanks!

Elle

Elle L.K Colver
U.S. Election Assistance Commission
1225 New York Avenue, Suite 1100
Washington, D.C. 20005
office: (202) 566-2256
blackberry: (202) 294-9251
www.eac.gov

— Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM —
Margaret Sims/EAC/GOV
05/22/2006 04:55 PM
To Tova Andrea Wang, Job Serebrov
cc
Subject PowerPoint Presentation to EAC Boards

FYI - Attached is a copy of the PowerPoint presentation on the voting fraud-voter intimidation research project for tomorrow's meetings of the EAC Standards Board (110 state and local election officials) and the EAC Advisory Board (37 representatives from national associations and government agencies who play a role in HAVA implementation and from science and technology-related professions appointed by Congressional members). I used your summaries as the primary source of information for the presentation. --- Peggy

VF-VI Project Presentation.ppt

— Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM —
Tamar Nedzar/EAC/GOV
05/18/2006 04:36 PM
To cdonsanto@usdoj.gov, jcaldwell@usdoj.gov, jrerez@usdoj.gov, mhearnen@usdoj.gov, bginsberg@usdoj.gov, RBauer@usdoj.gov, barnwine@usdoj.gov, serebrov@usdoj.gov
cc Margaret Sims/EAC/GOV@EAC, Edgardo Cortes/EAC/GOV@EAC, Juliet E. Thompson-Hodgkins/EAC/GOV@EAC
Subject Senate and House Conference Reports

All,

As discussed in the meeting today, please find attached the House and Senate Conference Reports associated with the passage of HAVA. In each document, the word "fraud" is capitalized, bolded, and highlighted.
Kind Regards,

Tamar Nedzar
Law Clerk
U.S. Election Assistance Commission
1225 New York Avenue, NW Suite 1100
Washington, DC 20005
(202) 566-2377
http://www.eac.gov
TNedzar@eac.gov

House Conference Report.doc

Senate Conference Report.doc

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM -----
"Tova Wang" To psims@eac.gov
05/23/2006 09:23 AM cc
Subject RE: PowerPoint Presentation to EAC Boards

OK, thanks

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 23, 2006 7:46 AM
To: wang@tcf.org
Subject: RE: PowerPoint Presentation to EAC Boards

I know --- I'll have to cover that in my oral presentation, along with some other points. The audience will have a copy of the paper I put together using Job's and your summaries and findings. The paper provides a lot more detail. We did not plan to provide a copy of the PowerPoint presentation, which is just meant to keep me on track and them interested in the presentation. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM -----
"Tova Wang"
05/22/2006 03:43 PM To psims@eac.gov
Subject RE: voucher

Is there something separate I should fill out for the travel, or should I just submit a letter? Thanks.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Tova:
Here is your voucher with the pay period dates and signature date updated, and a check mark added for the travel costs. I've been thinking that it might be better to make a separate submission for the travel costs. That way, if there are any delays in receiving your receipts, or there are any corrections or clarifications needed on the travel costs, we won't have to hold up the voucher for payment of personal services. If you agree, you should delete the check mark, dollar amount and travel dates from this voucher. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM -----
Margaret Sims/EAC/GOV
05/22/2006 03:58 PM
To "Tova Wang"
cc
Subject RE: voucher

A letter detailing the costs, noting the total reimbursement expected, and attaching your travel receipts is fine. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM -----
"Tova Wang"
05/19/2006 04:34 PM
To psims@eac.gov
cc
Subject Re: Monday Teleconference

That's fine for me. Thanks so much for doing such a great job running the show yesterday. Did you think it went well? Also, is there any reason why we cannot talk about our findings with people now? Please let me know. Thanks. Have a great weekend. Tova

-----Original Message-----
From: psims@eac.gov
To: 
Date: Fri, 19 May 2006 15:30:59 -0400
Subject: Monday Teleconference

This is just to confirm our Monday, May 22, teleconference at 4:30 PM EST/3:30 PM CST. Attached is a list of follow-up activities discussed at the working group meeting and recorded on the flip chart. We will need to flesh these out a bit, perhaps once we have access to the transcript. --- Peggy

Recommendations for Future Research
fraud) of misrepresentation or deceit. There is no such thing as defacto fraud or quasi fraud. Fraud must be intentional. Negligence alone is not fraud.

The general definition of voter fraud must concise and universally applicable (this in the challenging part). After this definition is created and intellectually tested, one can then create examples and explanations. These would (1) apply the definition to the entire election process (from beginning to end) and (2) apply it to action by voters, 3rd parties and election officials. Through this process a determination may be made regarding whether three definitions are needed or just one.

2. The document has no definition of voter intimidation. What is voter intimidation and how does it differ from voter fraud? I assume this would also be an intentional act.

3. Definitions need to be concise and tight. Such definitions need to be able to be broken down into elements. Each of these elements must have clear, applicable and enforceable meaning. This can be a challenge. For example use of the term "any illegal act" is unclear, begs the question and suggests that fraud only occurs in the course of committing a related crime.

These are just my initial thoughts.

GG
Gavin S. Gilmour
Associate General Counsel
United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100
Margaret Sims/EAC/GOV

Attached discusses the definitions that Job and Tova would like to use. I have already taken issue with the exclusion of all voter registration shenanigans and the inclusion of administrative mistakes. Would be pleased to have your feedback and, if possible, your assistance for 15 minutes of a teleconference today (3:30 PM to 3:45 PM). --- Peggy
Bipartisan observers/poll watchers
- To collect data
- To deter fraud/intimidation

Surveys
- State laws
- State election offices
- Specific states
- Local election officials
- Voters (this suggestion was rejected by the panel)
- State implementation of administrative complaint procedures (applies only to HAVA Title III violations) to ID examples of procedures for other than HAVA Title III complaints

Follow up on initial reports of fraud/intimidation from the Nexis search of news articles and literature review

Research absentee balloting process issues
- Methodology of “for cause” absentee voting

Risk-analysis for voting fraud
- Who?
- What part of process?
- Ease of committing the fraud
- Which elections?

Analyze
- Phone logs from toll-free lines for election concerns
- Federal observer reports
- Local newspapers

Academic statistical research

Search and match procedures for voter registration list maintenance (subject to confirmation) to identify potential avenues for vote fraud

Research State district court actions

Broaden scope of interviews to local officials and district attorneys

Explore the concept of election courts

Model statutes
Subject: Re: Voting Fraud-Voter Intimidation

Peggy:
The package came today. Thanks. See you Thursday.
Barry

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM ---
Margaret Sims/EAC/GOV
05/15/2006 01:56 PM

To: "Weinberg and Utrecht"

Subject: Re: Voting Fraud-Voter Intimidation

Barry:

Would you please take a moment to review the draft definition of election fraud? One of our consultants is concerned that it does not sufficiently cover violations of the Voting Rights Act that would qualify. Thanks!
--- Peggy

"Weinberg and Utrecht"

To: psims@eac.gov

Subject: Re: Voting Fraud-Voter Intimidation

Peggy:
The package came today. Thanks. See you Thursday.
Barry

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM ---
Margaret Sims/EAC/GOV
05/16/2006 11:27 AM

To: "Donsanto, Craig"

Subject: Re: Your Materials

I have forwarded your message to our consultants and have requested a corrected version for distribution at the WG meeting. --- Peggy

001237
"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/16/2006 10:46 AM

To psims@eac.gov
cc

Subject Your Materials

Peg - -

I have read over the materials you sent to me and viewed the pieces on the CD.

I have only one correction:

I did not say that offenders who receive target letters routinely request or routinely receive audiences here at DOJHQ. That is very rare. Instead, what usually happens is that once a subject for an election fraud investigation is advised that he or she is going to be charged that person usually enters into plea negotiations and ultimately pleads guilty. Very few federal election fraud cases go to trial. When a subject does request a HQ interview or a HW hearing, it would be held in the first instance by myself. But again, Peg, that is rare.

Also, while the occurrences of prosecutions of isolated instances of felons and alien voters and double voters has increased, we still aggressively and I believe quite successfully pursue systematic schemes to corrupt the electoral process, as the cases we brought recently out of Knott and Pike Counties in Kentucky, those we brought out of Lincoln and Logan Counties in West Virginia, and those we brought in New Hampshire growing out of the jamming of get-out-the-vote phone bank lines attest.

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM -----

"Tova Wang"

05/16/2006 03:53 PM

To psims@eac.gov
cc

Subject RE: board of advisers presentation

I'll be here for a while, I just wanted to make sure. If you send it to me anytime before 5 I can look at it in time. If not, I'll try my best to look at it en route tomorrow.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 16, 2006 2:51 PM
To: wang@tcf.org
Subject: Re: board of advisers presentation

I haven't sent it yet. If you need to leave early, you can look at what I have so far, which does not have the intro or the text regarding the final report. --- Peggy
Hi Peg. Have you tried to send me the presentation? I haven't gotten it, but I think we may be having email problems. Let me know. I'd need to look at it today since I'll be tied up tomorrow.

Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation
Visit our Web site for the latest news, analysis, opinions, and events.

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM ---

I agree!

--- Tova Wang wrote:

> I still think its sufficient for him to raise the points verbally. All of > the interview summaries reflect what Job and I both understood the > interviewees to say. This really opens to the door to people making, as Job > says, "corrections" > > ----Original Message----- > From: psims@eac.gov [mailto:psims@eac.gov]

001290
Might not be a bad idea before the final report is prepared, but I would not worry about it for Thursday's meeting. I'm only concerned with the Donsanto interview summary because he will be attending the meeting. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM ---

"Job Serebrov"

05/15/2006 09:55 AM

To psims@eac.gov

cc

Subject Re: Question

Ok

--- psims@eac.gov wrote:

> You will need to submit hotel and parking receipts.
> You don't need to submit meal receipts. You don't need to submit gas receipts because use of a personally owned vehicle (POV) is reimbursed based on mileage. I think I emailed the mileage rate to you. If you need it again, I'll look it up when I am at the office (this afternoon).
> Peg
> 
> --------------------------
> Sent from my BlackBerry Wireless Handheld
> 
> ----- Original Message ----- 
> From: "Job Serebrov" [--------------------]
> Sent: 05/12/2006 09:05 PM
> To: psims@eac.gov
> Subject: Question
> 
> Peg:
> 
> Since I am driving to DC, besides hotel receipts, do you want me to keep my gas receipts or how will my car use be compensated? Also, I assume I don't have to retain food receipts.
Great -- thanks so much and apologies for the false alarm.

-----Original Message-----
From: dromig@eac.gov [mailto:dromig@eac.gov]
Sent: Monday, May 15, 2006 8:51 AM
To: [redacted]
Cc: psims@eac.gov
Subject: RE: I'm sorry

This article is on the CD, it is located in the "Nexis Article Charts" folder.

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov

Thats good. I'm probably just getting crazy, trying to make sure everything is perfect. Devon, maybe you can check? Otherwise I'll check it when it comes. Thanks. And be well Peg.
-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, May 15, 2006 8:23 AM
To: Tova Andrea Wang
Subject: Re: I’m sorry

Tova:
I think you did send this --- or is this a revised version of one you
sent earlier? It should be on the CD in the packet you should receive
today.. (Can’t check that right now as I am at the clinic.) If I put
anything on the CD that you want to highlight at the meeting, let me
know and we’ll make copies for those attending.
Peggy

Sent from my BlackBerry Wireless Handheld

----- Original Message ----- 
From: "Tova Wang" 
Sent: 05/15/2006 09:07 AM
To: Margaret Sims
Cc: Devon Romig
Subject: I’m sorry

I don’t think I sent this to you either. Can we hand it out at the meeting as an addendum? It’s
another summary that would have gone in the news article section. I’m usually so organized, I’m
very embarrassed. Too many things! Thanks

Tova Andrea Wang
Democracy Fellow
The Century Foundation

Visit our Web site for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM -----
"Donsanto, Craig"
<Cr...@usdoj.gov>
05/15/2006 04:53 PM
To psims@eac.gov
cc
Subject Re: Voting Fraud-Voter Intimidation Working Group

Peggy --

I am currently on train in transit back from a day in Newark. I tried to
recover your attachment on Blackberry but got a message telling me the "file
Dear Working Group Members and Participants:

You should receive a packet of information today, either by Federal Express or hand delivery, concerning Thursday's meeting of the project Working Group for EAC's Voting Fraud-Voter Intimidation research project. Attached is an analysis of the consultants' research into relevant literature and reports. This summary was not available when we prepared the information packets last Friday, but may be of interest to you. Our consultants and I look forward to having a productive discussion with you.

Regards,

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

---- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM ----
Margaret Sims/EAC/GOV
05/16/2006 08:43 AM
To "Donsanto, Craig"
<Craig.Donsanto@usdoj.gov>@GSAEXTERNAL
cc
Subject Re: Voting Fraud-Voter Intimidation Working Group

Here is the content of the email attachment:
Existing Research Analysis

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

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

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

Other items of note:

- There is as much evidence, and as much concern, about structural forms of disenfranchisement as about intentional abuse of the system. These include felon disenfranchisement, poor maintenance of databases and identification requirements.

- There is tremendous disagreement about the extent to which polling place fraud, e.g. double voting, intentional felon voting, noncitizen voting, is a serious problem. On balance, more researchers find it to be less of a problem than is commonly described in the political debate, but some reports say it is a major problem, albeit hard to identify.

- There is substantial concern across the board about absentee balloting and the opportunity it presents for fraud.

- Federal law governing election fraud and intimidation is varied and complex and yet may nonetheless be insufficient or subject to too many limitations to be as effective as it might be.
Deceptive practices, e.g. targeted flyers and phone calls providing misinformation, were a major problem in 2004.

Voter intimidation continues to be focused on minority communities, although the American Center for Voting Rights uniquely alleges it is focused on Republicans.

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

Donsanto, Craig
To: psims@eac.gov
cc:
Subject: Re: Voting Fraud-Voter Intimidation Working Group

Peggy --

I am currently on train in transit back from a day in Newark. I tried to recover your attachment on Blackberry but got a message telling me the "file is empty."

Can you paste it to an e-mail perhaps?

Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: barnwine@lawyerscommittee.org <barnwine@lawyerscommittee.org>; Rbauer@perkinscoie.com <Rbauer@perkinscoie.com>; bginsberg@pattonboggs.com <bginsberg@pattonboggs.com>; mhearne@lathropgage.com <mhearne@lathropgage.com>; jrperez50@sbcglobal.net <jrperez50@sbcglobal.net>; krogers@sos.state.ga.us <krogers@sos.state.ga.us>; assistant@sos.in.gov <assistant@sos.in.gov>; weinutr@verizon.net <weinutr@verizon.net>
CC: jgreenbaum@lawyerscommittee.org <jgreenbaum@lawyerscommittee.org>; vjohnson@lawyerscommittee.org <vjohnson@lawyerscommittee.org>; dlovechio@perkinscoie.com <dlovechio@perkinscoie.com>; bschuler@lathropgage.com <bschuler@lathropgage.com>; Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Mon May 15 16:37:48 2006
Subject: Voting Fraud-Voter Intimidation Working Group

Dear Working Group Members and Participants:

You should receive a packet of information today, either by Federal Express or hand delivery, concerning Thursday's meeting of the project Working Group for EAC's Voting Fraud-Voter Intimidation research project. Attached is an analysis of the consultants' research into relevant literature and reports. This summary was not available when we prepared the information packets last Friday, but may be of interest to you. Our consultants and I look forward to having a productive discussion with you.

Regards,
Craig;

You asked about the Nexis search terms used by our consultants. The list follows. --- Peggy.

Election and fraud
Voter and fraud
Vote and fraud
Voter and challenge
Vote and challenge
Election and challenge
Election and irregularity
Election and irregularities
Election and violation
Election and stealing
Ballot box and tampering
Ballot box and theft
Ballot box and stealing
Election and officers
Election and Sheriff
Miscount and votes
Election and crime
Election and criminal
Vote and crime
Vote and criminal
Double voting
Multiple voting
Dead and voting
Election and counting and violation
Election and counting and error
Vote and counting and violation
Vote and counting and error
Voter and intimidation
Voter and intimidating
Voter and intimidation
Denial and voter and registration
Voter identification
Vote and identification
Voter and racial profiling
Vote and racial profiling
Voter and racial
Vote and racial
Voter and racial and challenge
Vote and racial and challenge
Voter and deny and racial
Vote and deny and racial
Voter and deny and racial
Vote and deny and challenge
Vote and deny and challenge
Voter and deny and black
Vote and deny and black
Voter and black and challenge
Vote and black and challenge
Voter and deny and African American
Vote and deny and African American
Voter and African American and challenge
Vote and African American and challenge
Election and black and challenge
Election and African American and challenge
Voter and deny and Hispanic
Voter and deny and Latino
Vote and deny and Hispanic
Vote and deny and Latino
Voter and Hispanic and challenge
Voter and Latino and challenge
Vote and Hispanic and challenge
Vote and Latino and challenge
Election and Hispanic and challenge
Election and Latino and challenge
Voter and deny and Native American
Vote and deny and Native American
Voter and Native American and challenge
Vote and Native American and challenge
Election and Native American and challenge
Voter and deny and Asian American
Vote and deny and Asian American
Voter and Asian American and challenge
Vote and Asian American and challenge
Voter and Asian American and challenge
Election and Asian American and challenge
Voter and deny and Indian
Vote and deny and Indian
Voter and Indian and challenge
Vote and Indian and challenge
Election and Indian and challenge
Poll tax
Voting and test
Absentee ballot and deny
Absentee ballot and reject
Absentee ballot and challenge
Vote and challenge
Voter and challenge
Election and challenge
Vote and police
Voter and police
Poll and police
Vote and law enforcement
Voter and law enforcement
Poll and law enforcement
Vote and deceptive practices
Voter and deceptive practices
Election and deceptive practices
Voter and deceive
Voter and false information
Dirty tricks
Vote and felon
Vote and ex-felon
Disenfranchisement
Disenfranchise
Law and election and manipulation
Vote and purging
Vote and purge
Registration and removal
Registration and purging
Registration and purge
Vote buying
Vote and noncitizen
Voter and noncitizen
Vote and selective enforcement
Identification and selective
Election and misinformation
Registration and restrictions
Election and administrator and fraud
Election and official and fraud
Provisional ballot and deny
Provisional ballot and denial
Affidavit ballot and deny
Affidavit ballot and denial
Absentee ballot and coerce
Absentee ballot and coercion
Registration and destruction
Voter and deter
Vote and deterrence
Voter and deterrence
Ballot integrity
Ballot security
Ballot security and minority
Ballot security and black
Ballot security and African American
Ballot security and Latino
Ballot security and Hispanic
Ballot security and Native American
Ballot security and Indian
Vote and suppression
Minority and vote and suppression
Black and vote and suppression
African American and vote and suppression
Latino and vote and suppression
Hispanic and vote and suppression
Native American and vote and suppression
Vote and suppress
Minority and vote and suppress
African American and vote and suppress
Latino and vote and suppress
Native American and vote and suppress
Vote and depress
Jim Crow
Literacy test
Voter and harass
Voter and harassment
Vote and mail and fraud
Poll and guards
Election and consent decree
Vote and barrier
Voting and barrier
Voter and barrier
Election and long line
Voter and long line

Poll worker and challenge
Poll worker and intimidate
Poll worker and intimidation
Poll worker and intimidating
Poll worker and threatening
Poll worker and abusive
Election official and challenge
Election official and intimidate
Election official and intimidation
Election official and intimidating
Election official and threatening
Election official and abusive
Poll watcher and challenge
Poll watcher and intimidate
Poll watcher and intimidating
Poll watcher and intimidation
Poll watcher and abusive
Poll inspector and challenge
Poll inspector and intimidate
Poll inspector and intimidating
Poll inspector and intimidation
Poll inspector and abusive
Poll inspector and threatening
Poll judge and challenge
Poll judge and intimidate
Poll judge and intimidating
Poll judge and intimidation
Poll judge and abusive
Poll judge and threatening
Poll monitor and challenge
Poll monitor and intimidate
Poll monitor and intimidating
Poll monitor and intimidation
Poll monitor and abusive
Poll monitor and threatening
Election judge and challenge
Election judge and intimidate
Election judge and intimidating
Election judge and intimidation
Election judge and abusive
Election judge and threatening
Election monitor and challenge
Election monitor and intimidating
Election monitor and intimidation
Election monitor and abusive
Election monitor and threatening
Election observer and challenge
Election observer and intimidating
Election observer and intimidation
Election observer and abusive
Election observer and threatening

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM -----
Margaret Sims/EAC/GOV
05/16/2006 03:37 PM To "Donsanto, Craig" <Craig.Donsanto@usdoj.gov>@GSAEXTERNAL
cc
Subject RE: Your Materials

OK. --- Peg

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

"Donsanto, Craig"
<Craig.Donsanto@usdoj.gov>
05/16/2006 03:17 PM To psims@eac.gov
cc
Subject RE: Your Materials

Let me try to do it, Peg. Again what I do not want to see occur is for the LCCR to start attacking us. We have more in common with them than I had originally assumed, thanks to the write-ups of their interviews. We need to promote what we have in common not try to score political points. But I will try to correct the records as long as you will agree you heard what I said the way I know I said it!

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 16, 2006 3:14 PM
To: Donsanto, Craig
Subject: RE: Your Materials

I fully understand. Do you want me to prepare a correction sheet for the Working Group, placing your second and more important point first, or do you want to handle this verbally at the meeting? --- Peggy
The first item is not as big a deal as the second one: the processes under which subjects of investigations come to Jesus is not as important as the overall assessment of our law enforcement achievements. But stressing the isolated test cases we brought - - and will continue to being - - to deter things like felon voting, alien voting and double voting, which not mentioning such significant achievements as the five case PROJECTS mentioned in my last e-mail - - misrepresents what we are doing and the deterrent message we are trying to communicate.

I appreciate that these two young people may have found themselves in a Brave New World when they came over here. It showed in their questioning. But the fact that criminal law enforcement is not at all similar to preventative legal relief (as under the Voting Rights Act) or civil relief (as election contest litigation) is I guess more of a problem than I at first foresaw. My real concern is that the civil rights groups - - with whom we over here have an amazing amount of common grounds - - will take the singling out of the felon and alien voter cases as evincing a malevolent aggression on their constituencies. That is not the case. We are only enforcing the law.

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 16, 2006 2:47 PM
To: Donsanto, Craig
Subject: RE: Your Materials

I think they are panicking because they are preparing to travel tomorrow and may not have time to submit a revised version. They also are resisting changes to their interview summaries because the summaries represent what they think they heard. I was there at the interview and I heard what you said. I'm not sure that either of them heard everything (including the nuances) because so much of the information was new to them and it was one of their earlier interviews. I'm sorry I did not catch the defects before the summary went out.

My first concern is ensuring that the Working Group has the correct information. Then, we can deal with what version, if any, goes in the final report. Do you want me to excerpt the corrections from your email and submit them to the Working Group? --- Peggy
"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/16/2006 12:06 PM

Topsims@eac.gov
cc
Subject: RE: Your Materials

Sure. But where is the resistance coming from? The notes were not accurate. As you know, I have to be very concerned about that.

---

From: psims@eac.gov [mailto:psims@eac.gov]  
Sent: Tuesday, May 16, 2006 12:34 PM  
To: Donsanto, Craig  
Subject: RE: Your Materials

Craig:

I am getting some resistance from my consultants to correcting the summary of the interview prior to the meeting. Would you mind noting the corrections at the meeting? --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/16/2006 12:06 PM
Thank you, Peg. This stuff is very interesting.

I have forwarded your message to our consultants and have requested a corrected version for distribution at the WG meeting. --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/16/2006 10:46 AM
Peg - -

I have read over the materials you sent to me and viewed the pieces on the CD.

I have only one correction:

I did not say that offenders who receive target letters routinely request - - or routinely receive - - audiences here at DOJHQ. That is very rare. Instead, what usually happens is that once a subject for an election fraud investigation is advised that he or she is going to be charged that person usually enters into plea negotiations and ultimately pleads guilty. Very few federal election fraud cases go to trial. When a subject does request a HQ interview or a HW hearing, it would be held in the first instance by myself. But again, Peg, that is rare.

Also, while the occurrences of prosecutions of isolated instances of felons and alien voters and double voters has increased, we still aggressively and I believe quite successfully pursue systematic schemes to corrupt the electoral process, as the cases we brought recently out of Knott and Pike Counties in Kentucky, those we brought out of Lincoln and Logan Counties in West Virginia, and those we brought in New Hampshire growing out of the jamming of get-Out-the-vote phone bank lines attest.

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM -----
Margaret Sims/EAC/GOV
05/15/2006 03:51 PM
To Paul DeGregorio, Ray Martinez, Donetta Davidson, Gracia Hillman
cc twilkey@eac.gov, jthompson@eac.gov, Gavin S. Gilmour/EAC/GOV@EAC, ecortes@eac.gov, Annie J. Sherrill/EAC/GOV@EAC, Adam Ambrogi/EAC/GOV@EAC, Eileen L. Collier/EAC/GOV@EAC, Sheila A. Banks/EAC/GOV@EAC
Subject Voting Fraud-Voter Intimidation Project Briefing
Dear Commissioners:

Attached is our consultants' analysis of the literature reviewed for the Voting Fraud-Voter Intimidation preliminary research project. It was not included in the information packets delivered to you on Friday, May 12, because we did not receive it until today. I thought you might be interested in having it prior to tomorrow's briefing.

Peggy Sims
Election Research Specialist

I think he can just raise these points at the meeting, no? I'm sure many we interviewed would say we misquoted them on something. This is what both Job and I remember him saying. I think it would be unfair for him to change/amend his interview without giving the same opportunity to the other interviewees.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 16, 2006 9:59 AM
To: [redacted]
Subject: Fw: Your Materials

See corrections from Donsanto at DOJ. We should probably provide corrected versions to the Working Group. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 05/16/2006 10:58 AM -----
"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/16/2006 10:46 AM
To psims@eac.gov
cc
Subject Your Materials
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I have only one correction:

I did not say that offenders who receive target letters routinely request - - or routinely receive - - audiences here at DOJHQ. That is very rare. Instead, what usually happens is that once a subject for an election fraud investigation is advised that he or she is going to be charged that person usually enters into plea negotiations and ultimately pleads guilty. Very few federal election fraud cases go to trial. When a subject does request a HQ interview or a HW hearing, it would be held in the first instance by myself. But again, Peg, that is rare.

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Peggy --

I was just thinking of you!

Great session yesterday. I really enjoyed it. Robust discussion.

On another subject, Nancy Simmons needs the e-mail address of NASED. Can you give her both that and the website address for them? Her e-mail is nancy.simmons@usdoj.gov.

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Voter and challenge
Vote and challenge
Election and challenge
Election and irregularity
Election and irregularities
Election and violation
Election and stealing
Ballot box and tampering
Ballot box and theft
Ballot box and stealing
Election and officers
Election and Sheriff
Miscount and votes
Election and crime
Election and criminal
Vote and crime
Vote and criminal
Double voting
Multiple voting
Dead and voting
Election and counting and violation
Election and counting and error
Vote and counting and violation
Vote and counting and error
Voter and intimidation
Voter and intimidating
Vote and intimidation
Denial and voter and registration
Voter identification
Vote and identification
Voter and racial profiling
Vote and racial profiling
Voter and racial
Vote and racial
Voter and racial and challenge
Vote and racial and challenge
Voter and deny and racial
Vote and deny and racial
Voter and deny and challenge
Vote and deny and challenge
Voter and deny and black
Vote and deny and black
Voter and black and challenge
Vote and black and challenge
Voter and deny and African American
Vote and African American
Voter and African American and challenge
Vote and African American and challenge
Election and black and challenge
Election and African American and challenge
Election and black and challenge
Voter and deny and Hispanic
Voter and deny and Latino
Vote and deny and Hispanic
Vote and deny and Latino
Voter and Hispanic and challenge
Voter and Latino and challenge
Vote and Hispanic and challenge
Voter and Latino and challenge
Election and Hispanic and challenge
Election and Latino and challenge
Vote and deny and Native American
Vote and deny and Native American
Voter and Native American and challenge
Vote and Native American and challenge
Election and Native American and challenge
Voter and deny and Asian American
Vote and deny and Asian American
Voter and Asian American and challenge
Vote and Asian American and challenge
Voter and Asian American and challenge
Election and Asian American and challenge
Voter and deny and Indian
Vote and deny and Indian
Voter and Indian and challenge
Vote and Indian and challenge
Election and Indian and challenge
Poll tax
Voting and test
Absentee ballot and deny
Absentee ballot and reject
Absentee ballot and challenge
Vote and challenge
Voter and challenge
Election and challenge
Vote and police
Voter and police
Poll and police
Vote and law enforcement
Voter and law enforcement
Poll and law enforcement
Vote and deceptive practices
Voter and deceptive practices
Election and deceptive practices
Voter and deceive
Voter and false information
Dirty tricks
Vote and felon
Vote and ex-felon
Disenfranchisement
Disenfranchise
Law and election and manipulation
Vote and purging
Vote and purge
Registration and removal
Registration and purging
Registration and purge
Vote buying
Vote and noncitizen
Voter and noncitizen
Vote and selective enforcement
Identification and selective
Election and misinformation
Registration and restrictions
Election and administrator and fraud
Election and official and fraud
Provisional ballot and deny
Provisional ballot and denial
Affidavit ballot and deny
Affidavit ballot and denial
Absentee ballot and coerce
Absentee ballot and coercion
Registration and destruction
Voter and deter
Vote and deterrence
Voter and deterrence
Ballot integrity
Ballot security
Ballot security and minority
Ballot security and black
Ballot security and African American
Ballot security and Latino
Ballot security and Hispanic
Ballot security and Native American
Ballot security and Indian
Vote and suppression
Minority and vote and suppression
Black and vote and suppression
African American and vote and suppression
Latino and vote and suppression
Hispanic and vote and suppression
Native American and vote and suppression
Vote and suppress
Minority and vote and suppress
African American and vote and suppress
Latino and vote and suppress
Native American and vote and suppress
Vote and depress
Jim Crow
Literacy test
Voter and harass
Vote and harassment
Vote and mail and fraud
Poll and guards
Election and consent decree
Vote and barrier
Voting and barrier
Voter and barrier
Election and long line
Voter and long line
Poll worker and challenge
Poll worker and intimidate
Poll worker and intimidation
Poll worker and threatening
Poll worker and abusive
Election official and challenge
Election official and intimidate
Election official and intimidation
Election official and intimidating
Election official and threatening
Election official and abusive
Poll watcher and challenge
Poll watcher and intimidate
Poll watcher and intimidating
Poll watcher and intimidation
Poll watcher and abusive
Poll watcher and threatening
Poll inspector and challenge
Poll inspector and intimidate
Poll inspector and intimidating
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Poll inspector and abusive
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Poll judge and challenge
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Election judge and abusive
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Election monitor and challenge
Election monitor and intimidate
Election monitor and intimidating
Election monitor and intimidation
Election monitor and abusive
Election monitor and threatening
Election observer and challenge
Election observer and intimidate
Election observer and intimidating
Election observer and intimidation
Election observer and abusive
Election observer and threatening

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM ---

"Tova Wang"
05/15/2006 05:05 PM
To psims@eac.gov
cc
Subject RE: Fraud Definition

Sounds good. Thanks.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, May 15, 2006 4:03 PM
To: 
Subject: Re: Fraud Definition
Election and stealing
Ballot box and tampering
Ballot box and theft
Ballot box and stealing
Election and officers
Election and Sheriff
Misscount and votes
Election and crime
Election and criminal
Vote and crime
Vote and criminal
Double voting
Multiple voting
Dead and voting
Election and counting and violation
Election and counting and error
Vote and counting and violation
Vote and counting and error
Voter and intimidation
Voter and intimidating
Vote and intimidation
Denial and voter and registration
Voter identification
Vote and identification
Voter and racial profiling
Vote and racial profiling
Voter and racial
Vote and racial
Voter and racial and challenge
Vote and racial and challenge
Voter and deny and racial
Vote and deny and racial
Voter and deny and challenge
Vote and deny and challenge
Voter and deny and black
Vote and deny and black
Voter and black and challenge
Vote and black and challenge
Voter and deny and African American
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Voter and African American and challenge
Vote and African American and challenge
Election and black and challenge
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Voter and deny and Hispanic
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Election and Asian American and challenge
Voter and deny and Indian
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Voter and Indian and challenge
Vote and Indian and challenge
Election and Indian and challenge
Poll tax
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Voter and challenge
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Vote and police
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Election observer and intimidating
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Election observer and abusive
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--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM ----

Margaret Sims/EAC/GOV
05/16/2006 03:37 PM
To "Donsanto, Craig"
Craig.Donsanto@usdoj.gov
GSAEXTERNAL
cc
Subject RE: Your Materials

OK. --- Peg

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

"Donsanto, Craig"
Craig.Donsanto@usdoj.gov
05/16/2006 03:17 PM
To psims@eac.gov
cc
Subject RE: Your Materials

Let me try to do it, Peg. Again what I do not want to see occur is for the LCCR to start attacking us. We have more in common with them than I had originally assumed, thanks to the write-ups of their interviews. We need to promote what we have in common not try to score political points. But I will try to correct the records as long as you will agree you heard what I said the way I know I said it!
I fully understand. Do you want me to prepare a correction sheet for the Working Group, placing your second and more important point first, or do you want to handle this verbally at the meeting? --- Peggy

The first item is not as big a deal as the second one: the processes under which subjects of investigations come to Jesus is not as important as the overall assessment of our law enforcement achievements. But stressing the isolated test cases we brought - - and will continue to bring - - to deter things like felon voting, alien voting and double voting, which not mentioning such significant achievements as the five case PROJECTS mentioned in my last e-mail - - misrepresents what we are doing and the deterrent message we are trying to communicate.

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represent what they think they heard. I was there at the interview and I heard what you said. I'm not sure that either of them heard everything (including the nuances) because so much of the information was new to them and it was one of their earlier interviews. I'm sorry I did not catch the defects before the summary went out.

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Peg - -

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Dear Commissioners:

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Peggy Sims
Election Research Specialist

---

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Sent: Tuesday, May 16, 2006 9:59 AM
To: psims@eac.gov, serebrov@sbcglobal.net
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On another subject, Nancy Simmons needs the e-mail address of NASED. Can you give her both that and the website address for them? Her e-mail is nancy.simmons@usdoj.gov.
Craig:

You asked about the Nexis search terms used by our consultants. The list follows. --- Peggy.

Election and fraud
Voter and fraud
Vote and fraud
Voter and challenge
Vote and challenge
Election and challenge
Election and irregularity
Election and irregularities
Election and violation
Election and stealing
Ballot box and tampering
Ballot box and theft
Ballot box and stealing
Election and officers
Election and Sheriff
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Vote and criminal
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Vote and identification
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Vote and racial profiling
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Vote and deny and Indian
Voter and Indian and challenge
Vote and Indian and challenge
Election and Indian and challenge
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Absentee ballot and reject
Absentee ballot and challenge
Vote and challenge
Voter and challenge
Election and challenge
Vote and police
Voter and police
Poll and police
Vote and law enforcement
Voter and law enforcement
Poll and law enforcement
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Voter and deceptive practices
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Voter and deceive
Voter and false information
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Vote and ex-felon
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Disenfranchise
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Registration and purge
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Voter and noncitizen
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Election and misinformation
Registration and restrictions
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Election and official and fraud
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Affidavit ballot and denial
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Latino and vote and suppression
Hispanic and vote and suppression
Native American and vote and suppression
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Minority and vote and suppress
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Voter and harassment
Vote and mail and fraud
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Voting and barrier
Voter and barrier
Election and long line
Voter and long line
Poll worker and challenge
Poll worker and intimidate
Poll worker and intimidation
Poll worker and intimidating
Poll worker and threatening
Poll worker and abusive
Election official and challenge
Election official and intimate
Election official and intimidation
Election official and intimidating
Election official and threatening
Election official and abusive
Poll watcher and challenge
Poll watcher and intimidate
Poll watcher and intimidating
Poll watcher and intimidation
Poll watcher and abusive
Poll watcher and threatening
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Poll inspector and threatening
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Poll judge and intimidating
Poll judge and intimidation
Poll judge and abusive
Poll judge and threatening
Poll monitor and challenge
Poll monitor and intimidate
Poll monitor and intimidating
Poll monitor and intimidation
Poll monitor and abusive
Poll monitor and threatening
Election judge and challenge
Election judge and intimidate
Election judge and intimidating
Election judge and intimidation
Election judge and abusive
Election judge and threatening
Election monitor and challenge
Election monitor and intimidate
Election monitor and intimidating
Election monitor and intimidation
Election monitor and abusive
Election monitor and threatening
Election observer and challenge
Election observer and intimidate
Election observer and intimidating
Election observer and intimidation
Election observer and abusive
Election observer and threatening

Sounds good. Thanks.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, May 15, 2006 4:03 PM
To: 
Subject: Re: Fraud Definition
Election and stealing
Ballot box and tampering
Ballot box and theft
Ballot box and stealing
Election and officers
Election and Sheriff
Miscount and votes
Election and crime
Election and criminal
Vote and crime
Vote and criminal
Double voting
Multiple voting
Dead and voting
Election and counting and violation
Election and counting and error
Vote and counting and violation
Vote and counting and error
Voter and intimidation
Voter and intimidating
Vote and intimidation
Denial and voter and registration
Voter identification
Vote and identification
Voter and racial profiling
Vote and racial profiling
Voter and racial
Vote and racial
Voter and racial and challenge
Vote and racial and challenge
Voter and deny and racial
Vote and deny and racial
Voter and deny and challenge
Vote and deny and challenge
Voter and deny and black
Vote and deny and black
Voter and black and challenge
Vote and black and challenge
Voter and deny and African American
Vote and deny and African American
Voter and African American and challenge
Vote and African American and challenge
Election and black and challenge
Election and African American and challenge
Voter and deny and Hispanic
Voter and deny and Latino
Vote and deny and Hispanic
Vote and deny and Latino
Voter and Hispanic and challenge
Voter and Latino and challenge
Vote and Hispanic and challenge
Vote and Latino and challenge
Election and Hispanic and challenge
Election and Latino and challenge
Voter and deny and Native American
Vote and deny and Native American
Voter and Native American and challenge
Vote and Native American and challenge
Election and Native American and challenge
Voter and deny and Asian American
Vote and deny and Asian American
Voter and Asian American and challenge
Vote and Asian American and challenge
Voter and Asian American and challenge
Election and Asian American and challenge
Voter and deny and Indian
Vote and deny and Indian
Voter and Indian and challenge
Vote and Indian and challenge
Election and Indian and challenge
Poll tax
Voting and test
Absentee ballot and deny
Absentee ballot and reject
Absentee ballot and challenge
Vote and challenge
Voter and challenge
Election and challenge
Vote and police
Voter and police
Poll and police
Vote and law enforcement
Voter and law enforcement
Poll and law enforcement
Vote and deceptive practices
Voter and deceptive practices
Election and deceptive practices
Voter and deceive
Voter and false information
Dirty tricks
Vote and felon

001335
Vote and ex-felon
Disenfranchisement
Disenfranchise
Law and election and manipulation
Vote and purging
Vote and purge
Registration and removal
Registration and purging
Registration and purge
Vote buying
Vote and noncitizen
Voter and noncitizen
Vote and selective enforcement
Identification and selective
Election and misinformation
Registration and restrictions
Election and administrator and fraud
Election and official and fraud
Provisional ballot and deny
Provisional ballot and denial
Affidavit ballot and deny
Affidavit ballot and denial
Absenteec ballot and coerce
Absenteec ballot and coercion
Registration and destruction
Voter and deter
Vote and deterrence
Voter and deterrence
Ballot integrity
Ballot security
Ballot security and minority
Ballot security and black
Ballot security and African American
Ballot security and Latino
Ballot security and Hispanic
Ballot security and Native American
Ballot security and Indian
Vote and suppression
Minority and vote and suppression
Black and vote and suppression
African American and vote and suppression
Latino and vote and suppression
Hispanic and vote and suppression
Native American and vote and suppression
Vote and suppress
Minority and vote and suppress
African American and vote and suppress
Latino and vote and suppress
Native American and vote and suppress
Vote and depress
Jim Crow
Literacy test
Voter and harass
Voter and harassment
Vote and mail and fraud
Poll and guards
Election and consent decree
Vote and barrier
Voting and barrier
Voter and barrier
Election and long line
Voter and long line
Poll worker and challenge
Poll worker and intimidate
Poll worker and intimidating
Poll worker and threatening
Poll worker and abusive
Election official and challenge
Election official and intimidate
Election official and intimidation
Election official and intimidating
Election official and threatening
Election official and abusive
Poll watcher and challenge
Poll watcher and intimidate
Poll watcher and intimidating
Poll watcher and threatening
Poll watcher and abusive
Poll inspector and challenge
Poll inspector and intimidate
Poll inspector and intimidating
Poll inspector and intimidation
Poll inspector and abusive
Poll inspector and threatening
Poll judge and challenge
Poll judge and intimidate
Poll judge and intimidating
Tom,

Thanks but Wendy Weiser seems to be under the assumption that we provided all of this material to USA Today. As agreed to by the commissioners, counsel and staff, we only provided USA Today with the public documents that were presented to the advisory boards at the May meetings. Should we not clarify this to Wendy and provide her or anyone else with the same. I also just received the same request from election officials in Cook County, IL and King County, WA. Reporters are pestering them for information based on the USA Today article so election officials now want it from EAC. Looks like this is only the start so we need to get ahead of the curve.

Both of these reports are draft reports to the EAC and are currently being reviewed by staff. While we have released some of the data tables that Eagleton neither of these reports can be released.

--------------------
Sent from my BlackBerry Wireless Handheld
Bryan Whitener

Original Message

From: Bryan Whitener
Sent: 10/11/2006 11:34 AM
To: Tom

Do we have a policy on distributing the items she is requesting?


Mr. Whitener,

I write to request a copy of the following two reports submitted to the Election Assistance Commission:

(1) a report on voter fraud and voter intimidation, outlining a future research agenda, prepared by Tova Wang and Job Serebrov, and discussed in this morning's USA TODAY;

(2) a report on provisional ballots and voter ID, prepared by the Moritz School of Law at Ohio State University in collaboration with others.

It is my understanding that these reports were commissioned by and submitted to the EAC several months ago. It is in the public interest to release these reports since they will advance the public discussion and understanding of important election administration issues.

Thank you very much for your attention to this request. Please let me know when I can expect to receive a copy of these reports. If this request is denied, please provide an explanation as to why.

Sincerely,

Wendy R. Weiser
Deputy Director, Democracy Program
Brennan Center for Justice at NYU School of Law
161 Avenue of the Americas, 12th Floor
New York, NY 10013
We don't have a summary in numbers. We just have a summary of cases, some of which do not appear to reach the level of election fraud, and the charts of newspaper articles, some of which only contain allegations and some of which report convictions. These charts were on the CD I sent you before the Working Group meeting. Unfortunately, we have a long way to go before we have what I would classify as statistics.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
e-mail: psims@eac.gov

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

Peggy - - I can take whatever you got!!! What does the data you got show?

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, August 22, 2006 1:53 PM
To: Donsanto, Craig
Subject: Re: Does EAC have access to stats on --

No reliable, comprehensive data --- just the preliminary research results from case law, literature review, and interviews. --- Peggy
Does EAC have access to stats on --

State and local level prosecutions dealing with electoral fraud?

This message was brought to you by Dr. D's fabulous Blackberry!

The answer is tricky. The working group met after the written report was submitted for the board meetings, but before the status report was formally presented (orally) at the board meetings. --- Peggy

So the answer is yes, they did meet after the status report was presented?
The status report was written on May 17, 2006 (the last day it could be submitted for the upcoming board meetings). The first and only meeting of the working group was May 18, 2006. --- Peggy

Jeannie Layson/EAC/GOV

Jeannie Layson/EAC/GOV
10/11/2006 02:06 PM
To Margaret Sims/EAC/GOV@EAC
cc twilkey@eac.gov, Juliet E. Hodgkins/EAC/GOV@EAC, bwhitener@eac.gov
Subject Re: Voting Fraud-Voter Intimidation Report

Yes, that is what prompted my question. So the answer is no -- they have not met since May 17?

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

Peggy,
Could you give Jeannie a call she needs some help fashioning a statement regarding the USA Today article since Tova and Job are hoping mad
Thanks
--------------
Sent from my BlackBerry Wireless Handheld
FYI.

--- Forwarded by Margaret Sims/EAC/GOV on 10/13/2006 01:22 PM ---
"Carrera, James A."

10/10/2006 12:35 PM

To pims@eac.gov
cc
Subject: Funding

Peggy,

As noted in our recent status report, 75 percent of contract funding has been reached. The attached is submitted in accordance with the contract requirements.

If you have any questions please contact me.

Regards,

Jim

James Carrera / KPMG LLP /
Bryan:

An electronic copy of the status report is attached, as requested for the USA Today inquiry. The status report includes the attachment listing the Working Group members. I suggest that you check to ensure that I have protected the copy against any manipulation, and protect it yourself if I have not, before sending it out to anyone. --- Peggy

Who is signing the letter?

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

I will IF they sign off on it
Who is signing the letter?

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

See questions below. I can answer the first two, but see if this language is acceptable for questions 3 and 4.

Can I get full report submitted by Tova Wang? If not, why not? EAC staff is currently reviewing the data, and we have not compiled a final report. I will make sure you receive the final report when it is issued.

This answer will probably not make him happy, but it's the best I can come up with. Suggestions?

----- Forwarded by Jeannie Layson/EAC/GOV on 10/12/2006 04:14 PM -----
To Jeannie Layson/EAC/GOV@EAC

cc

Subject reporter - Art Levine, Salon.com

Art Levine

[redacted]

deadline today or tomorrow

What exactly is the document USA Today refers to?
Is it a report or just a staff document?
Can I get full report submitted by Tova Wang?
If not, why not?

FYI

Google search shows this on the DLC website

Art Levine
Senior Fellow
Program in Public Affairs
Washington, D.C. 20008

Also,

Salon's shameful six

There was Florida in 2000 and Ohio in 2004. Here are the six states where vote suppression could cost voters their voice -- and Democrats the election -- in 2006.

Salon News
By Art Levine

Eva Steele has a son in the military who is supposed to be fighting for freedom in Iraq, but sitting in a wheelchair in her room in a Mesa, Ariz., assisted-living facility, she wonders why it's so hard for her to realize a basic freedom back here in America: the right to vote.
Arriving in Arizona in January from Kansas City, weakened by four heart attacks and degenerative disk disease, Steele, 57, discovered that without a birth certificate she can't register to vote. Under a draconian new Arizona law that supposedly targets illegal immigrants, she needs proof of citizenship and a state-issued driver's license or photo I.D. to register. But her van and purse were stolen in the first few weeks after she moved to Mesa, and with her disability checks going to rent and medicine, she can't afford the $15 needed to get her birth certificate from Missouri. Her wheelchair makes it hard for her to navigate the bus routes or the bureaucratic maze required to argue with state bureaucrats. She's unable to overcome the hurdles thrown in her way -- and in the way of as many as 500,000 other Arizona residents -- by the state's Republican politicians.

---

Tom,

Per our conversation, attached is the update the Standards Bd. and Bd. of Adv. received at their May meeting. That's all it was -- a status report. And we clearly stated in our Fed. Register notice that we would deliver an update on our research projects. And this meeting was open to the public.

Take care, and let's get together soon. Let me know if you need anything else.

Jeannie Layson
U.S. Election Assistance Commission
1225 New York Ave., NW
Suite 1100
Washington, DC 20005
Phone: 202-566-3100

www.eac.gov VF-VI Study Status 5-17-06.pdf

Commissioners,

Wendy Weiser of the Brennan Center has requested some of the information that was distributed to the Bd. of Adv. and the Standards Bd. at the May meeting. Her request is below. Attached is a draft letter that I
suggest accompany the information we provide. Also enclosed would be the resolutions passed by both entities. Please let me know if the letter meets your approval. (The letter would be from Tom.)

I write to request a copy of the following two reports submitted to the Election Assistance Commission:

(1) a report on voter fraud and voter intimidation, outlining a future research agenda, prepared by Tova Wang and Job Serebrov, and discussed in this morning's USA TODAY;

(2) a report on provisional ballots and voter ID, prepared by the Moritz School of Law at Ohio State University in collaboration with others.

It is my understanding that these reports were commissioned by and submitted to the EAC several months ago. It is in the public interest to release these reports since they will advance the public discussion and understanding of important election administration issues.

Thank you very much for your attention to this request. Please let me know when I can expect to receive a copy of these reports. If this request is denied, please provide an explanation as to why.

Jeannie Layson
U.S. Election Assistance Commission
1225 New York Ave., NW
Suite 1100
Washington, DC 20005
Phone: 202-566-3100

www.eac.gov
brennan center letter.doc

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ---

"Donsanto, Craig"
<Craig.Donsanto@usdoj.gov>  To "Campbell, Benton" <Benton.Campbell@usdoj.gov>,
"Simmons, Nancy" <Nancy.Simmons@usdoj.gov>
  cc psims@eac.gov

Subject FW: Does EAC have access to stats on —

Ben —

This forwards a short e-mail chain between me and Peg Sims at the EAC. Peg is an institution where this sort of thing is concerned and if there were national stats available she would be the first place I would go — which come to think of it is why I did!

Her remarks bring-up another issue: apples and oranges.

There are a lot of categories of crime that could arguably fit under the umbrella of "election crime" but which would not be the sort of thing we would find useful for present purposes. Examples would be theft of election materials unrelated to an intent to corrupt the election, campaigning or assaults in or near polls, "campaign slander" (i.e., lying about one's opponent) which is not a federal crime but is potentially a crime in 20 or so states, corruption in the procurement of election equipment (i.e., Louisiana had a recent high
profile case against its secretary of state who took bribes from voting equipment vendors in exchange for buying their machines). This stuff is criminal, but it dopes not involve corruption of the electoral process itself.

Also, some local prosecutors who do enforce the laws dealing with particularly vote buying - - for various reasons - - chose to prosecute the voters for selling their votes rather than the corrupt political operatives who buy the votes. Many times this is simply because slamming the voter rather than the corrupt pols is easier, quicker and does not entangle the prosecutor in the caldron of local politics. In other instances it is more sinister: I am aware of several instances where local prosecutors tried to charge voters whose names surfaced as people whose votes locally prominent pols had been bought in order to silence them in the federal case. Federally, we usually treat the voters as victims and go after those who tried to purchase their birthright. In one case in Western North Carolina, the target of our case was a local DA. When our indictment against him was returned it named the voters whose votes he was being charged with having bought (we try to avoid this now!). His first act of defense was to charge all these voters with selling their votes under N.C. law. We had to intercede for him - - through the U.S. Attorney at that time - -with the N.C. Governor to pardon these voters so that they could testify concerning the material facts without incriminating themselves.

My point here is this:

Even if we can get some State stats, since the State concept of "election crime" and ours is usually different, and since state prosecutors often approach this type of case from an entirely different perspective than we do at the federal level, State stats will likely have minimal value to substantiating the thesis we are trying to advance: that local law enforcement in the election crime area is not adequate.

----- Message from psims@eac.gov on Tue, 22 Aug 2006 14:09:06 -0400 -----

To: "Donsanto, Craig" <Craig.Donsanto@crn.usdoj.gov>

Subject: RE: Does EAC have access to stats on --

We don't have a summary in numbers. We just have a summary of cases, some of which do not appear to reach the level of election fraud, and the charts of newspaper articles, some of which only contain allegations and some of which report convictions. These charts were on the CD I sent you before the Working Group meeting. Unfortunately, we have a long way to go before we have what I would classify as statistics.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

08/22/2006 01:54 PM

To psims@eac.gov
cc
Subject RE: Does EAC have access to stats on --
Peggy - - I can take whatever you got!!! What does the data you got show?

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, August 22, 2006 1:53 PM
To: Donsanto, Craig
Subject: Re: Does EAC have access to stats on --

No reliable, comprehensive data --- just the preliminary research results from case law, literature review, and interviews. --- Peggy

"Donsanto, Craig"
<Craig.Donsanto@usdoj.gov>

08/22/2006 12:50 PM

-- State and local level prosecutions dealing with electoral fraud?

This message was brought to you by Dr. D's fabulous Blackberry!

------ Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ------

"Tova Wang"

10/03/2006 10:41 AM
Thanks Adam. As the current project moves forward and then proceeds to phase 2, this will be a great resource I'm sure. Tova

Tova Andrea Wang, Democracy Fellow
The Century Foundation
1500 Eye St, NW, Washington, DC 20005
Visit us online at century.org for the latest news, analysis, opinions, and events.

From: Ambrogi, Adam (Rules) [mailto:Adam_Ambrogi@rules.senate.gov]
Sent: Monday, October 02, 2006 11:39 AM
To: psims@eac.gov;
Subject: Chapin Survey

Peggy and Tova:

I know that we had been looking for a state survey of election fraud and intimidation statutes—as you may have seen, doug chapin recently released a report on this info-attached here. I hope all is well with the both of you.

Best regards,
Adam

Adam D. Ambrogi
Democratic Professional Staff Member
Senate Committee on Rules and Administration
Russell Senate Office Building, Room 479
Washington, D.C. 20510
202-224-0279

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ------

Margaret Sims/EAC/GOV
10/13/2006 04:40 PM
To: Jeannie Layson/EAC/GOV
cc: twilkey@eac.gov
Subject: Fw: Don't Believe Everything You Read

Jeannie:

Attached is the email I sent to Tova and Job, and Job's response. (I have not yet heard back from Tova.)
Peg:

We saw both the USA Today article and a similar thing was reported on Rush Limbaugh's show naming both of us. I had a talk this morning with folks at the EAC. I told them at this point there needs to be a press release sent out by the Chairman saying just what you stated. This is the only way to rehabilitate the work we did, the Chairman's credibility, and our reputations. I also fear that if this is not done the EAC will begin to receive calls from Congressman and Senators regarding the "report" and its effect on voter ID requirements.

Peg, up to now Tova and I have refused to speak with the press at all out of respect for the EAC and its mission. We both stand by our work and its conclusions. We both also feel that if a statement (as well phrased as you did in this e-mail clarifying the issue) is not forthcoming from the Chairman then I will have to correct this error with the Press. I explained this in my conversation this morning with the EAC.

Tova and I worked hard to produce a correct, accurate and truthful report. I could care less that the results are not what the more conservative members of my Party wanted. Neither one of us was willing to conform results for political expediency. I think its important for me to note that I was very impressed with Tova's members of the Working Group and I can't say enough about Tova's partnership effort in this endeavor. While neither one of us really care about outside opinions, we do care that the Chairman was quoted or misquoted in a way that would disparage our year-long effort and all of the tax payer money that went into it. For this reason, we believe that a press release clarifying the situation is necessary from either the Chairman or from me.

Regards,

Job

psims@eac.gov wrote:

Tova and Job:

I am home recuperating, but see that in my absence, a USA Today article has gotten everyone stirred up. The report to which the article refers is only the status report on the voting fraud-voter intimidation research project that was delivered to our Standards Board and Board of Advisors last spring. I provided a copy of this document to both of you, but have attached another copy for your information.
document is subject to public release because it was presented at a public meeting.

Due to internal resource allocation problems, your final report has not yet been reviewed by the Commissioners. It is considered a working document (not subject to public release) until it has completed the review process and the Commissioners have agreed to release it. There has been no attempt by the Commission to hold up the report. I bear responsibility for any delays in moving it along. Please be reassured that we would not release your report without letting you know.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Jeannie Layson/EAC/GOV
10/13/2006 04:11 PM
To psims@eac.gov
cc
Subject job and tova

Please forward me the email you sent Tova and Job, as he is calling me and I want to make sure I understand what is being communicated to them. Thank you.

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

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Jeannie Layson/EAC/GOV
10/11/2006 08:22 AM
To pdegregorio@eac.gov, ghillman@eac.gov, ddavidson@eac.gov
twilkey@eac.gov, jhompson@eac.gov, psims@eac.gov,
bwhitener@eac.gov
cc
Subject USA Today

See story below that ran in today's USA Today. This reporter requested the info a few weeks ago, and we had to release it b/c it was distributed at a Standards Bd. meeting, which is considered a public venue.
Also, the document was not labeled draft.

I anticipate that we may get questions about why we haven't released it. I propose the following response. Please let me know if you approve. The story follows.

"This was a preliminary report presented to our oversight committees. The EAC is waiting on a final report, which we will release upon its completion."

Report refutes fraud at poll sites

Updated 10/11/2006 8:05 AM ET
By Richard Wolf, USA TODAY
WASHINGTON — At a time when many states are instituting new requirements for voter registration and identification, a preliminary report to the U.S. Election Assistance Commission has found little evidence of the type of polling-place fraud those measures seek to stop.
USA TODAY obtained the report from the commission four months after it was delivered by two consultants hired to write it. The commission has not distributed it publicly.

NEW LAWS: Thousands of voters shut out
At least 11 states have approved new rules for independent voter-registration drives or requirements that voters produce specific forms of photo ID at polling places. Several of those laws have been blocked in court, most recently in Arizona last week. The House of Representatives last month approved a photo-ID law, now pending in the Senate.
The bipartisan report by two consultants to the election commission casts doubt on the problem those laws are intended to address. "There is widespread but not unanimous agreement that there is little polling-place fraud, or at least much less than is claimed, including voter impersonation, 'dead' voters, non-citizen voting and felon voters," the report says.
The report, prepared by Tova Wang, an elections expert at the Century Foundation think tank, and Job Serebrov, an Arkansas attorney, says most fraud occurs in the absentee ballot process, such as through coercion or forgery. Wang declined to comment on the report, and Serebrov could not be reached for comment.
Others who reviewed the report for the election commission differ on its findings. Jon Greenbaum of the liberal Lawyers' Committee for Civil Rights Under Law says it was convincing. The committee wrote to the commission Friday seeking its release.
Conservatives dispute the research and conclusions. Thor Hearne, counsel to the American Center for Voting Rights, notes that the Justice Department has sued Missouri for having ineligible voters registered, while dead people have turned up on the registration rolls in Michigan. "It is just wrong to say that this isn't a problem," he says.
That's one reason the commission decided not to officially release the report. "There was a division of opinion here," Chairman Paul DeGregorio says. "We've seen places where fraud does occur."
The consultants found little evidence of that. Barry Weinberg, former deputy chief of the voting section in the Justice Department's civil rights division, reviewed their work. "Fraud at the polling place is generally difficult to pull off," he says. "It takes a lot of planning and a lot of coordination."

Jeannie Layson
U.S. Election Assistance Commission
1225 New York Ave., NW
The proposed response sounds okay but the story is out. Other media may want the information. That the material given USA Today wasn't identified as draft or preliminary findings is now our problem.

I hope we are working post haste to have the report ready to release less we be seen as trying to bury this. It seems to me that other articles will be written, if not from the document that we sent to USA Today, then certainly from the USA Today article as the source document.

My initial reaction is that both reports are currently under review by EAC staff. I will entertain other thoughts but that is pretty much the what is the situation right now. Both research projects were designed to give the EAC issues and recommendations in both of these areas and are currently being reviewed. As a matter of fact the report from our consultants on Voter fraud and Intimation has not been forwarded by staff to the Commissioners but Peg will need to weigh in on that.
All

Richard Wolf of USA Today called and asked for the following. Jeannie and I ask that you consider this carefully and let us know ASAP what to provide.

(1) The status report on voter fraud and consultant update that was presented to the advisory boards in May, 2006.

(2) The status of the required guidance document on provisional voting and voter ID that is referenced in the following passage in today’s Electionline Weekly by Doug Chapin.

   In addition to the EAC’s considerable election management responsibilities (especially in the area of voting equipment certification and testing), the agency has key policy issues to resolve in the immediate to near-term future, including a required guidance document on provisional voting and voter ID (now nearly two years overdue) and continued regulatory oversight over state implementation of "motor voter". This latter issue will almost certainly involve questions about the intersection of state and federal laws on voter registration - questions which divided the Commission when applied to Arizona, and could divide it again as Republicans and Democrats continue their traditional struggle to balance access to the franchise with concerns about the potential for fraud at the polls.

Thanks,
Bryan

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

To Jeannie Layson/EAC/GOV@EAC
cc ggilmour@eac.gov, jthompson@eac.gov, klynndyson@eac.gov, psims@eac.gov
Subject Re: Brennan Center letter

I like this..it needs to go to the 3 C's for review and approval.
We also need to be prepared as to what happens when they receive it.
Thanks for your help.
Tom

Thomas R. Wilkey
Executive Director
US Election Assistance Commission
1225 New York Ave, NW - Suite 1100
Washington, DC 20005
(202) 566-3109 phone
TWilkey@eac.gov

Jeannie Layson/EAC/GOV
Tom,

A draft letter is attached. I've incorporated comments from Gavin and Julie.

Jeannie Layson
U.S. Election Assistance Commission
1225 New York Ave., NW
Suite 1100
Washington, DC 20005
Phone: 202-566-3100

www.eac.gov brennan center letter.doc

Matt (and Amy) are working on a speech for the Chairman to deliver at the Vote Fraud conference in Utah at the end of the week. Matt has asked for the consultants' definition of vote fraud/voter intimidation and the draft recommendations. As neither have been through full Commission review, I would like to speak with one or both of you before I drop this information in any one Commissioner's lap. Matt is looking for this information today. FYI, attached are copies of the consultants' definition and the draft recommendations from the consultants and others from the working group. Also attached is a summary of concerns expressed by the working group. --- Peggy

Fraud Project Definition rev 6-27.doc RECOMMENDATIONS final2.doc Working Group Recommendations final.doc

Key Working Group Comments and Observations AND concerns final.doc

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ---

Bryan Whitener/EAC/GOV
10/11/2006 05:29 PM

To Paul DeGregorio/EAC/GOV@EAC, Donetta L. Davidson/EAC/GOV@EAC, Gracia Hillman/EAC/GOV@EAC
cc Thomas R. Wilkey/EAC/GOV@EAC, Juliet E.
WASHINGTON (AP) -- The most common form of voter fraud involves absentee ballots, including forgery and coercion in getting older or ailing voters to fill them out, according to a preliminary report to the U.S. Election Assistance Commission.

But the report, delivered in May, suggested that reports of polling place fraud involving "dead" voters and voting by felons and non-citizens might be overstated. The researchers said there is far more anecdotal evidence about voter fraud than specific verifiable claims.

"On balance, more researchers find it to be less of a problem than is commonly described in political debate," the report said.

"Many times people put their own partisan spin on voter fraud and voter intimidation," EAC Chairman Paul DeGregorio said Wednesday.

DeGregorio said the report was only preliminary and cautioned that more investigation is needed to understand the amount of voter fraud in this country.

"Many times you see people attempting to commit fraud, but it never gets to the level of being reported," said DeGregorio, a former elections official in St. Louis. He noted a case of more than 1,400 suspect voter registration cards being investigated in St. Louis.

The preliminary report was prepared by Tova Wang, an elections expert at the Century Foundation think tank and Job Serebrov, an Arkansas attorney.

Conservatives have argued the problem of voter fraud is severe in some states, while liberals generally argue that voters face too many restrictions.

New state laws requiring voters to present identification at polling places have faced legal challenges in states such as Arizona and Georgia.

"It's absolutely a serious problem," said Thor Hearne, counsel to the American Center for Voting Rights. "It's an unfortunate reality, particularly in battleground states."

Those problems include voter fraud and voter intimidation, he said.

The final voter fraud report is expected after the Nov. 7 midterm elections, DeGregorio said.

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--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ---

Jeannie Layson/EAC/GOV
10/12/2006 10:32 AM
Dan,
Just wanted to let you know that the USAT article is not about a research report but a "status" report, which was presented to the Standards Bd. and the Bd. of Advisors at a meeting held in May. During this meeting, these entities received updates on many EAC activities, and the aforementioned status report was just one of those updates. And by the way, the meeting was open to the public, and posted on our website and in the Fed. Register. In the Fed. Register notice you'll see that the agenda included an update on our research projects.

Please let me know if you have any questions. Thank you for your consideration in this matter.

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

A.) The "report" they refer to was a status report written by staff
B.) The full report is currently being reviewed by staff and the report was intended to give recommendations to the EAC on how and what to do additional studies or guidance on.
C.) The report will be available at some future time after staff has had an opportunity to review and evaluate its contents.

Thomas R. Wilkey
Executive Director
US Election Assistance Commission
1225 New York Ave, NW - Suite 1100
Washington, DC 20005
See questions below. I can answer the first two, but see if this language is acceptable for questions 3 and 4.

Can I get full report submitted by Tova Wang? If not, why not? EAC staff is currently reviewing the data, and we have not compiled a final report. I will make sure you receive the final report when it is issued.

This answer will probably not make him happy, but it's the best I can come up with. Suggestions?

----- Forwarded by Jeannie Layson/EAC/GOV on 10/12/2006 04:06 PM -----
Bryan Whitener/EAC/GOV

Art Levine

What exactly is the document USA Today refers to? Is it a report or just a staff document? Can I get full report submitted by Tova Wang? If not, why not?
FYI
Google search shows this on the DLC website

Art Levine
Senior Fellow
Washington, D.C. 20008

Also,

Salon's shameful six

There was Florida in 2000 and Ohio in 2004. Here are the six states where vote suppression could cost voters their voice -- and Democrats the election -- in 2006.

Salon News
By Art Levine

Eva Steele has a son in the military who is supposed to be fighting for freedom in Iraq, but sitting in a wheelchair in her room in a Mesa, Ariz., assisted-living facility, she wonders why it's so hard for her to realize a basic freedom back here in America: the right to vote.

Arriving in Arizona in January from Kansas City, weakened by four heart attacks and degenerative disk disease, Steele, 57, discovered that without a birth certificate she can't register to vote. Under a draconian new Arizona law that supposedly targets illegal immigrants, she needs proof of citizenship and a state-issued driver's license or photo I.D. to register. But her van and purse were stolen in the first few weeks after she moved to Mesa, and with her disability checks going to rent and medicine, she can't afford the $15 needed to get her birth certificate from Missouri. Her wheelchair makes it hard for her to navigate the bus routes or the bureaucratic maze required to argue with state bureaucrats. She's unable to overcome the hurdles thrown in her way -- and in the way of as many as 500,000 other Arizona residents -- by the state's Republican politicians.

No big deal--and no big delay. Don't worry about it.

Paul DeGregorio
Chairman
US Election Assistance Commission
Dear Mr. Chairman:

The last submission from the Vote Fraud-Voter Intimidation Study consultants is dated August 8. At this time, EAC staff are reviewing all items submitted for the report to the Commission with an eye toward the best way of presenting the information to the Commissioners for their consideration. There has been some delay in this staff review process, for which I take full responsibility.

Peggy Sims
Election Research Specialist

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ---

Jeannie Layson/EAC/GOV
10/12/2006 02:03 PM

To: twilkey@eac.gov
cc: jthompson@eac.gov, psims@eac.gov, ggilmour@eac.gov, klynndyson@eac.gov

Subject: response to Wendy Weiser

Attached is a proposed draft. I have to get this resolved ASAP as she is demanding a delivery time from me. I literally cannot answer my phone. Unfortunately, the Brennan Center can and will make a big stink if we don’t respond. We don’t need more accusations about us sitting on research.

The letter would be accompanied by the resolutions passed at the May meetings.
And, I need to know who is supposed to sign this letter.

Jeannie Layson  
U.S. Election Assistance Commission  
1225 New York Ave., NW  
Suite 1100  
Washington, DC 20005  
Phone: 202-566-3100

www.eac.gov  
brennan center letter.doc  
—— Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ——  
Jeannie Layson/EAC/GOV  
10/12/2006 01:18 PM  
To: twilkey@eac.gov  
cc: klynndyson@eac.gov, jthompson@eac.gov, ggilmour@eac.gov, psims@eac.gov  
Subject: Brennan Center

Please note that Wendy Weiser has asked me to provide a time frame for when I will provide the following documents. Tom, per our conversation, I can write a letter, but how do we address her request for the voter ID info? Also, is this something Karen should handle as these are for research docs? I need an answer soon...

Mr. Whitener,

I write to request a copy of the following two reports submitted to the Election Assistance Commission:

(1) a report on voter fraud and voter intimidation, outlining a future research agenda, prepared by Tova Wang and Job Serebrov, and discussed in this morning's USA TODAY;

(2) a report on provisional ballots and voter ID, prepared by the Moritz School of Law at Ohio State University in collaboration with others.

It is my understanding that these reports were commissioned by and submitted to the EAC several months ago. It is in the public interest to release these reports since they will advance the public discussion and understanding of important election administration issues.

Thank you very much for your attention to this request. Please let me know when I can expect to receive a copy of these reports. If this request is denied, please provide an explanation as to why.

Sincerely,

Wendy R. Weiser
Jeannie Layson  
U.S. Election Assistance Commission  
1225 New York Ave., NW  
Suite 1100  
Washington, DC 20005  
Phone: 202-566-3100  
www.eac.gov

Jeannie:

Here are the changes I suggested for the Vote Count-Recount and the Voting Fraud-Voter Intimidation research projects. I don't think they will help the current situation much, as the original VF-VI description already stated that it is preliminary research. As it is preliminary research, we did not expect that it would provide a total picture of voting fraud and voter intimidation in this country. We just wanted to get some sense of what is going on, and a better idea of the direction future EAC research on the subject should take. To ensure that the research would be balanced, we had consultants and project working group members from opposing sides of the political spectrum.

According to folks intimately familiar with the development of HAVA, disputes over the extent to which voting fraud and voter intimidation existed caused Congress to add the study of these subjects to EAC's list of research projects. Given the nature of the subject (most offenders try to hide their activities, sufficient evidence is hard come by with some types of activity, and prosecution of offenses may not occur for political or budgetary reasons), it is doubtful that we will ever have completely reliable statistics on occurrences of voting fraud and voter intimidation, but we may be able to obtain better statistics than anyone else has. And we should be able to identify where in the voting process most offenses tend to occur and to explore alternatives for addressing vulnerabilities that leave the process open to corruption.

--- Peggy
Subject: Re: Don't Believe Everything You Read

Peg:

We saw both the USA Today article and a similar thing was reported on Rush Limbaugh's show naming both of us. I had a talk this morning with folks at the EAC. I told them at this point there needs to be a press release sent out by the Chairman saying just what you stated. This is the only way to rehabilitate the work we did, the Chairman's credibility, and our reputations. I also fear that if this is not done the EAC will begin to receive calls from Congressman and Senators regarding the "report" and its effect on voter ID requirements.

Peg, up to now Tova and I have refused to speak with the press at all out of respect for the EAC and its mission. We both stand by our work and its conclusions. We both also feel that if a statement (as well phrased as you did in this e-mail clarifying the issue) is not forthcoming from the Chairman then I will have to correct this error with the Press. I explained this in my conversation this morning with the EAC.

Tova and I worked hard to produce a correct, accurate and truthful report. I could care less that the results are not what the more conservative members of my Party wanted. Neither one of us was willing to conform results for political expediency. I think its important for me to note that I was very impressed with Tova's members of the Working Group and I can't say enough about Tova's partnership effort in this endeavor. While neither one of us really care about outside opinions, we do care that the Chairman was quoted or misquoted in a way that would disparage our year-long effort and all of the tax payer money that went into it. For this reason, we believe that a press release clarifying the situation is necessary from either the Chairman or from me.

Regards,

Job

psims@eac.gov wrote:

Tova and Job:

I am home recuperating, but see that in my absence, a USA Today article has gotten everyone stirred up. The report to which the article refers is only the status report on the voting fraud-voter intimidation research project that was delivered to our Standards Board and Board of Advisors last spring. I provided a copy of this document to both of you, but have attached another copy for your information. This document is subject to public release because it was presented at a public meeting.

Due to internal resource allocation problems, your final report has not yet been reviewed by the Commissioners. It is considered a working document (not subject to public release) until it has completed the review process and the Commissioners have agreed to release it. There has been no attempt by the Commission to hold up the report. I bear responsibility for any delays in moving it along.
Please be reassured that we would not release your report without letting you know.

Peggy Sims  
Election Research Specialist  
U.S. Election Assistance Commission  
1225 New York Ave, NW - Ste 1100  
Washington, DC 20005  
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)  
Fax: 202-566-3127  
email: psims@eac.gov

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ---
Margaret Sims/EAC/GOV  
09/26/2006 12:50 PM  
To: Thomas Wilkey  
cc
Subject: Fw: Preparation for Vote Fraud Conference in Utah

Here are the documents I sent you yesterday. Also attached is a copy of the status report on this research that was provided to the Standards Board and Board of Advisors earlier this year. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 09/25/2006 12:36 PM ---
Margaret Sims/EAC/GOV  
09/25/2006 12:36 PM  
To: Juliet E. Hodgkins/EAC/GOV@EAC, twilkey@eac.gov  
cc: Karen Lynn-Dyson/EAC/GOV@EAC
Subject: Preparation for Vote Fraud Conference in Utah

Matt (and Amy) are working on a speech for the Chairman to deliver at the Vote Fraud conference in Utah at the end of the week. Matt has asked for the consultants' definition of vote fraud/voter intimidation and the draft recommendations. As neither have been through full Commission review, I would like to speak with one or both of you before I drop this information in any one Commissioner's lap. Matt is looking for this information today. FYI, attached are copies of the consultants' definition and the draft recommendations from the consultants and others from the working group. Also attached is a summary of concerns expressed by the working group. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ---
Karen Lynn-Dyson/EAC/GOV  
09/25/2006 12:39 PM  
To: Margaret Sims/EAC/GOV@EAC
Many, many thanks for keeping me in the loop on this
(I think)

:-)

Karen Lynn-Dyson
Research Director
U.S. Election Assistance Commission
1225 New York Avenue, NW Suite 1100
Washington, DC 20005
tel:202-566-3123
A new email you may want to add to the collection.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

Do we know who received her letter? I haven’t seen it. --- Peggy

Jeannie Layson/EAC/GOV

See her press release (third item).

Jeannie Layson
U.S. Election Assistance Commission
1225 New York Ave., NW
Suite 1100
Washington, DC 20005
Phone: 202-566-3100
www.eac.gov
Margaret Sims/EAC/GOV	 To eaccon@eac.gov
04/24/2007 04:27 PM	 cc
Subject Vote Fraud Project Emails

I think the attached emails are the ones missing from the last batch. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 04:22 PM ---
Margaret Sims/EAC/GOV  
02/12/2007 02:01 PM  
To "Job Serebrov"  
cc
Subject Re: 1099

Job:
The 1099 appears to be correct based on records from the Finance Office. Apparently, the amount includes all but the first two payments made to you under the contracts, based on when the payment was processed by GSA (see attached spreadsheet). --- Peggy

GSA List of Job Serebrov payment for Year 2006.xls

"Job Serebrov"  
02/09/2007 06:19 PM  
To psims@eac.gov  
cc
Subject Re: 1099

All is well Peg. How are you? I added up my invoices and it should be between $39,700 and $47,000 with the travel check included.

Regards,
Job

--- psims@eac.gov wrote:
> Job:
>>
> Julie just forwarded your inquiry. That figure looks too high to me, too!
> I'll check with our finance folks next Monday to
All,

Please see Dan Seligson's questions and request. Exactly what are we going to provide to the House subcommittee and when? Once they receive it, can the subcommittee or its members then release it to anyone they choose? Do we plan to release it to everyone once we've provided it to the subcommittee?

--- Forwarded by Bryan Whitener/EAC/GOV on 03/09/2007 02:29 PM ---

"Dan Seligson"

To "Bryan Whitener" <bwhitener@eac.gov>

Subject info request re: House Appropriations subcommittee hearing

Bryan -

As I mentioned on the phone, I am seeking information as a follow up to the House Appropriations Subcommittee on Financial Services. At the hearing, Rep. Maurice Hinchey, D-N.Y., requested that the EAC submit the original version of a report written by Tova Wang and Job Serebrov. Chairwoman Davidson said she would provide the original report (I believe) within three days. Is that still the case? Will the subcommittee have the original report, as submitted by the consultants, on Monday? And if so, may we have a copy as well?

Thanks,
Dan

Daniel Seligson
editor
electionline.org
Washington, DC 20004

--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 04:22 PM ---

Margaret Sims/EAC/GOV
03/13/2007 02:31 PM

To Jeannie Layson/EAC/GOV
Looks fine to me. Of course, she is probably referring to our decision not to release the consultants' draft final report. --- Peggy

Hello all,
A columnist from the WaPo has asked for info about both the voter ID and the fraud and intimidation reports. This was prompted by the accusation that the president was concerned that the fired prosecutors were not aggressively pursuing voter fraud cases. She had heard that we were refusing to release this information, so I am trying to demonstrate otherwise, as well as show that we have discussed these projects numerous times in public meetings. Please take a look at my draft email to her and let me know if you have any suggestions. She needs to hear back from me by 4 p.m. Thanks for your help with this.

Ms. Cocco,
Per your questions, go here to view the testimony regarding voter ID from our Feb. 2 public meeting. As I mentioned, at this meeting EAC Chair Donetta Davidson requested that staff review the initial research provided by Eagleton and produce a final report, which would include recommendations for further study on this subject. Currently, staff is working to finalize the voter ID report.

Regarding the voter fraud and intimidation research, at a May 2006 public meeting of our Standards Board and Board of Advisors, the EAC project manager for this research presented a staff update on the project. Go here to view the agenda, page 3. The document you referred to was the update the project manager gave at this public meeting, and it has been made available to anyone who asked for it. The final culmination of this project can be found here, and links to the attachments provided by the consultants are available by going to page 24 of this report. The commissioners adopted this report at a public meeting in Dec. 2006.

As a small agency of 23 employees, including the four commissioners, it is necessary for the agency to contract with consultants to gather the initial data for these projects. After EAC receives the initial data, the agency reviews the data for accuracy and then releases a final report.

Jeannie Layson
U.S. Election Assistance Commission
1225 New York Ave., NW
Suite 1100
Washington, DC 20005
Phone: 202-566-3100

Jeannie Layson/EAC/GOV
Julie has already raised the point that most concerned me: I don't think it is accurate to say the consultant's recommendations were their findings. The recommendations were a combination of consultant recommendations and working group recommendations for future EAC action. We did not ask the consultants to provide "findings" because this research was never supposed to be the definitive study on the subject. Instead, it was supposed to be an initial effort to see what relevant information is available, to define voting fraud and voter intimidation, and to make recommendations to EAC regarding how to pursue the subject (next steps). --- Peggy

Jeannie Layson/EAC/GOV

This are questions from a "freelance" reporter who is very hot about the "Tova Wang report." Please let me know if my answers are accurate, and I welcome any suggestions you may have. I need to get your input by COB tomorrow. I am also looking for more clarification on what didn't make it into the fraud report. She is asking if we included all of their "findings" and their "research."

Thanks.

1) You said that the Wang/Serebrov report has not been released because it was predecisional. Was the Moritz/Eagleton report released because it was not predecisional? The Moritz/Eagleton report was a predecisional document. The commissioners took an action not to adopt a final report based upon the Moritz/Eagleton report, but to release all the predecisional information (the draft report).

2) I understood you to say that the December EAC report includes all of the Wang/Serebrov recommendations but not all of the Wang/Serebrov findings. Is that correct? The report does include all of their recommendations, which were their findings, and all of the research they conducted.

3) I understood you to say that EAC staff added results of their own research to the December EAC report. Is that correct? What I said was EAC staff reviewed the report for accuracy, for grammar and added language that reflected the commission's decision to adopt the final version based upon the initial research provided by the consultants.

4) If I'm correct on questions 2 and 3, would it be accurate to say that
readers of the December report cannot tell how much of that report does and
does not reflect the original Wang/Serebrov findings? The consultants' recommendation are their findings. All of the recommendations are included in the final report, so readers can make the determination regarding the recommendations.

5) I called earlier today requesting the Wang/Serebrov report, and you sent me the December EAC report. I am concerned that if I had not already been researching this closely, I would have thought that you'd sent me the Wang/Serebrov report and would have reported incorrectly that you had. Does the EAC have any comment on this manner of responding to press inquiries? Did the EAC indeed give Ms. Cocco a copy of the "consultants' review"? Or has she misunderstood you in the way I'm concerned about?) I sent you a link to the "EAC report" because it is what was adopted by the commission based upon the research conducted by the consultants. The final report clearly states how it was compiled and includes bios for both of the consultants. Regarding Ms. Cocco, I explained the entire process to her. I provided the staff update on the project which was presented at a public meeting in May 2006 and the final report, which is posted on the EAC website. Regarding "this manner of responding to press inquiries," I have forwarded your comments to my supervisor so he can review my performance regarding the handling of your inquiry.

6) I understood you to say that the EAC did not release the Wang/Serebrov report in its original form because the EAC has to do due diligence and its staff is small. Do I understand you correctly? As a small agency of 23 employees, including the four commissioners, it is necessary for the agency to contract with consultants to gather the initial data for research projects. After EAC receives the initial data, the agency reviews the data for accuracy. What form of due diligence does the EAC's staff routinely conduct on research that is contracted out to experts before that research is released? You mentioned "vetting" the research. What does that vetting entail? It depends on the project. For instance, if it is information directly related to a mandate within the Help America Vote Act (HAVA), staff will make sure that the information is consistent with the law. In addition, we often ask for input from our Standards Board and Board of Advisors, which combined consist of more than 147 members. If we are using research that will eventually become guidance, we are required by HAVA to seek the input of these boards. Go here for more information about these boards and its members. If the board members have feedback, then we must make the determination whether to incorporate it, and, if so, how to incorporate their changes. If the research is focused on election laws throughout the country, we make sure the laws are cited correctly and that state legislatures haven't changed or amended these laws since the research was conducted. As you probably know, there have been many new election laws introduced at the state level since 2004.) Throughtout the process, we review for grammar as well as make sure the document flows and is arranged logically -- the basic tenets of editing.

Jeannie Layson
U.S. Election Assistance Commission
1225 New York Ave., NW
Suite 1100
Washington, DC 20005
Phone: 202-566-3100
www.eac.gov
Most of the working files for this project are in a red folder sitting on my window sill; but I have some individual files in manila folders for Job and Tova propped upright on my desk next to the computer. Isn't this something that can wait until Monday? --- Peggy

Edgardo Cortes/EAC/GOV

Where are your working files maintained?
Margaret Sims

----- Original Message -----
From: Margaret Sims
Sent: 04/13/2007 04:27 PM EDT
To: Edgardo Cortes
Subject: Re: Working group meeting transcript

I don't maintain "official" contract files, just working copies (and I am missing a copy of one of Tova's contracts). The official files should be with the other official EAC contract files. There were 4 personal services contracts between Tova and Job. --- Peggy

Edgardo Cortes/EAC/GOV

Peggy,
They are also requesting copies of the signed contracts. Where are your official contract files for that contract? Let me know where they are and I will pull them to give Gavin the copies so he can review for releasability. Thanks!

Edgardo Cortés
Election Research Specialist
There is only one transcript. In addition to the electronic copy, I have a hard copy in the file. Job Serebrov submitted one correction related to the information reported on his background, not the study. Otherwise, the transcript has NOT been reviewed for accuracy and we have not released copies to anyone but our consultants. --- Peggy

Peggy,
Is the transcript contained in T:\RESEARCH IN PROGRESS\VOTING FRAUD-VOTER INTIMIDATION\Working Group the only transcript that exists for that working group? Did you ever review it for accuracy? Has it been released to anyone previously? We've had a request from Todd Rokita's office for a copy and I want to be sure we are sending the correct file. Please let us know as soon as possible. Thanks!

Edgardo Cortés
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave. NW, Ste. 1100
Washington, DC 20005
866-747-1471 toll free
202-566-3126 direct
202-566-3127 fax
eortes@eac.gov
believe you can find it at the following link:

[attachment "20070411voters_draft_report.url" deleted by Gavin S. Gilmour/EAC/GOV]

I will need to get back with you regarding the Contract Employees scope of work.

Gavin S. Gilmour
Deputy General Counsel
United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100

THIS MESSAGE IS FOR ITS INTENDED RECIPIENT ONLY. IT IS A PRIVILEGED DOCUMENT AND SHALL NOT BE RELEASED TO A THIRD PARTY WITHOUT THE CONSENT OF THE SENDER.

As far as I know, you are absolutely correct! Julie did the bulk of the rewrite and used my analyses of the preliminary info submitted by our contractors. I know that I had no contact with the administration regarding this study. --- Peggy

The St. Louis Post Dispatch wrote an editorial that said the administration edited our report. I am almost absolutely sure that is not true, but I wanted to confirm that with you before I request a correction. Thanks.

Jeannie Layson
Julie:
The attached appears to be the Job Serebrov email, a portion of which was quoted in the NY Times. He was responding to my email advising him that recent press reports were referring to the status report on the vote fraud-voter intimidation project, and that we had not released the final report. (A copy of my email is attached.) There are no follow-up emails on this topic. --- Peggy

Peg:

We saw both the USA Today article and a similar thing was reported on Rush Limbaugh's show naming both of us. I had a talk this morning with folks at the EAC. I told them at this point there needs to be a press release sent out by the Chairman saying just what you stated. This is the only way to rehabilitate the work we did, the Chairman's credibility, and our reputations. I also fear that if this is not done the EAC will begin to receive calls from Congressman and Senators regarding the "report" and its effect on voter ID requirements.

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was willing to conform results for political expediency. I think it is important for me to note that I was very impressed with Tova's members of the Working Group and I can't say enough about Tova's partnership effort in this endeavor. While neither one of us really care about outside opinions, we do care that the Chairman was quoted or misquoted in a way that would disparage our year-long effort and all of the tax payer money that went into it. For this reason, we believe that a press release clarifying the situation is necessary from either the Chairman or from me.

Regards,

Job

psims@eac.gov wrote:

Tova and Job:

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Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
e-mail: psims@eac.gov

Juliet E. Hodgkins/EAC/GOV

Juliet E. Hodgkins/EAC/GOV
04/17/2007 02:58 PM
To Margaret Sims/EAC/GOV@EAC
cc
Subject Need emails

Peggy,

Can you pull out the emails between you and Job that were quoted in the NYT? I need anything that has to do with the subject that was referred to in the quoted email as well as any follow up to that email. We
need it to be able to respond to the letter from Sen. Feinstein, and I figured you could identify those easier than me searching through the reams of paper in Jeannie's office.

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

--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 04:21 PM ---

Margaret Sims/EAC/GOV  
04/18/2007 05:40 PM  
To Jeannie Layson/EAC/GOV@EAC  
cc Juliet E. Hodgkins/EAC/GOV@EAC, Thomas R. Wilkey/EAC/GOV@EAC  
Subject Re: Need your help ASAP

Jeannie:

I did not receive your request in time to type responses on my blackberry by 2 PM, given the information needed. Here are the answers to your questions:

1. Why did we only contact DOJ officials regarding the accuracy of their interviews?

As far as I know, we didn’t contact DOJ officials about this except in response to concerns they had previously expressed to us. Also, I don’t believe we ever allowed DOJ to edit the summaries. (I certainly didn’t.) I believe the consultants and I discussed the idea of having all the interviewees review their respective interview summaries, but the consultants objected to the idea and there were concerns that the all of the money remaining available was needed to complete the final report.

Craig Donsanto, Election Crimes Branch, saw the summary of his interview among the documents provided to the Working Group (prior to the meeting of that group), and pointed out an important factual error. The summary, as originally written, portrayed DOJ as switching from the prosecution of conspiracies to the prosecution of individuals. I was present at this interview and this was not what Craig had said, nor is it supported by the information available on the election crimes pursued by that branch. DOJ continues to pursue conspiracies and, in addition, has begun to pursue individuals (specifically, double voting, felon voting and alien voting) in an effort to deter others from election crime.

To my knowledge, John Tanner, Voting Section, Civil Rights Division, had not seen the consultants’ full summary of his interview; but he expressed concern to Tova Wang and EAC about the consultants’ characterization of the interviews with Donsanto and him that had been included in the May 2006 status report. This report was provided to the members of the EAC Standards and Advisory Boards. Per HAVA requirements, the Voting Section is represented on the Advisory Board. Tanner pointed to the following errors:

- First, the consultants stated that DOJ was not pursuing voter suppression cases. Tanner responded that “the Department has brought two 11(b) cases, one of the two in this Administration. The focus of DOJ activity has shifted, in fact, to voter suppression as there are fewer cases over voter dilution (challenges to at-large election systems, etc.) being brought by anyone as the number of jurisdictions with at-large election systems has shrunk dramatically. This Administration has, in fact, brought far more voter-suppression cases ... than ever in the past, including a majority of all cases under Sections 203 and 208 of the Act, and such key recent Section 2 cases as US v. City of Boston and US...
v. Long County, Georgia."

- Second, the consultants implied that DOJ is not pursuing instances of unequal implementation of ID rules. Tanner's response was that "[c]hallenges based on race and unequal implementation of ID rules are indeed actionable and we have brought lawsuits, such as in Boston and Long County; we have not identified instances of such discrimination in which we have not taken action."

Tanner also pointed to the consultants' refusal during the interview to define what they meant by "voter intimidation", which Tanner suspected did not jibe with the meaning of the term in federal prosecutions and probably contributed to misunderstandings. (Federal voter intimidation prosecutions require the threat of economic or physical harm.)

By the way, both of these officials are career attorneys, not political appointees. They have years of service at DOJ, working under a number of different administrations.

2. Exactly what did we change and why?

In the case of the Donsanto interview summary, I spoke with our consultants and asked them to make the correction. At first, they both refused. Later, they revised the summary to be a little less blatant, but the implication that there had been a complete change in approach remained. We revised the summary to clearly indicate that prosecution of conspiracies continues. The revised paragraph is on page 4 of the published summary. We also added an intro paragraph similar to other interview summaries submitted by the consultants to summarize the enforcement authority of the Election Crimes Branch and to distinguish it from the Voting Section, Civil Rights Division.

In the case of the actual John Tanner interview summary, we added an intro paragraph similar to other interview summaries submitted by the consultants to summarize the enforcement authority of the Voting Section and to distinguish it from the Election Crimes Branch. We also moved the consultants' note about the refusal to share certain internal working papers to the end of the summary because it seemed to distract from the main interview points if left as an introduction.

Making the distinction between the Election Crimes Branch and the Voting Section is important. The Voting Section brings cases involving "systemic" discrimination because federal voting statutes focus on discriminatory action by local governments. It is criminal statutes that involve malfeasance by individuals and that are enforced by the Election Crimes Branch through Us Attorneys' offices. The difference is key to understanding federal election law enforcement.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
e-mail: psims@eac.gov

Jeannie Layson/EAC/GOV

Jeannie Layson/EAC/GOV
04/18/2007 12:17 PM
To psims@eac.gov
cc Juliet E. Hodgkins/EAC/GOV@EAC, Thomas R. Wilkey/EAC/GOV@EAC
Subject Need your help ASAP
Peg,

If possible, I need answers for these questions in reference to the vote fraud/voter intimidation project by 2 p.m. today for an inquiry for Congressional Quarterly:

1. Why did we only contact DOJ officials regarding the accuracy of their interviews?
2. Exactly what did we change and why?

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

FYI - I noticed that some newscasts are saying we spent $100,000 on the Voting Fraud-Voter Intimidation project. Each of the consultants had two contracts totaling almost $75,000 (not including funds set aside for related travel), so the total between them would have been closer to $150,000. If anyone needs to know the added travel costs, Wang spent about $4,500 and Serebrov $1,200 over the course of the 2 contracts.

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email: psims@eac.gov
Here are most of the emails from my active email files. A few did not hold the check mark, so I will send them separately. I'm trying to work out the best way to hand off copies of the emails from my archived files.

Peggy Sims
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Fax: 202-566-3127
email: psims@eac.gov

Hi Peg, I left you a voice message last week -- you might have been at NCSL. Anyway, would you give me a call when you have a moment? Thanks.

Tova Andrea Wang, Democracy Fellow
The Century Foundation
Visit our Web site, for the latest news, analysis, opinions, and events.

I spoke to Job about the documents that I need. He will send me his summary of the articles/books that he read. However, he said that Tova also summarized some of those articles/books. I don't have a contact number/email for Tova. Could you contact her and ask her to provide us with any summary of the articles/books that she read as they are listed in Appendix 2?
Juliet Thompson Hodgkins
General Counsel
United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:52 PM -----

Margaret Sims/EAC/GOV
11/03/2006 07:11 PM To: Juliet E. Hodgkins/EAC/GOV@EAC
cc
Subject: Re: Job and Tova

Juliet E. Hodgkins/EAC/GOV
11/03/2006 05:42 PM To: Margaret Sims/EAC/GOV@EAC
cc
Subject: Job and Tova

Juliet:  
All of the summaries received are in the shared drawer under T:\RESEARCH IN PROGRESS\VOTING FRAUD-VOTER INTIMIDATION\Research Summaries. There are too many of them to append to this message, or I would do it. The researchers did not propose to include these summaries in the report. Are you considering adding them?  
If you want, I can cross reference each of these with the list of articles and ID any missing summaries. I could do that over the weekend. --- Peggy

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----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM -----

Juliet E. Hodgkins/EAC/GOV
11/03/2006 07:14 PM To: Margaret Sims/EAC/GOV@EAC
cc
Subject: Re: Job and Tova
I think we should use the content of those articles or some summary of them as a background of what we know about VF and VI. I just didn’t want to have to read all of those articles to be able to make some generalized statements about their contents.

--------------------
Sent from my BlackBerry Wireless Handheld
Margaret Sims
----- Original Message -----

From: Margaret Sims
Sent: 11/03/2006 06:11 PM
To: Juliet Hodgkins
Subject: Re: Job and Tova

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Juliet E. Hodgkins/EAC/GOV

--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM ---

Juliet E. Hodgkins/EAC/GOV
11/03/2006 07:41 PM
To: Margaret Sims/EAC/GOV@EAC
cc
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Sent from my BlackBerry Wireless Handheld
Margaret Sims
----- Original Message -----

From: Margaret Sims
Sent: 11/03/2006 06:38 PM
To: Juliet Hodgkins
Subject: Re: Job and Tova

I can review them over the weekend and attempt to summarize what they tell us.--- Peggy

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Juliet E. Hodgkins
----- Original Message -----

From: Juliet E. Hodgkins
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11/03/2006 06:41 PM
To Margaret Sims/EAC/GOV@EAC
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Juliet E. Hodgkins/EAC/GOV

Juliet E. Hodgkins/EAC/GOV 11/03/2006 05:42 PM  
To Margaret Sims/EAC/GOV@EAC
  cc
Subject Job and Tova

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sorry, about that. Here's the outline...

I. BACKGROUND/INTRODUCTION

A. WHAT WE KNOW ABOUT FRAUD
B. PURPOSE OF THE EAC STUDY
C. METHODOLOGY OF THE EAC STUDY

II. DEFINITION OF ELECTION CRIMES
A. VOTER FRAUD IS TOO LIMITED
B. COLLOQUIAL DEFINITION IS TOO BROAD
C. ELECTION CRIMES
D. WHAT IS NOT AN ELECTION CRIME FOR PURPOSES OF THIS STUDY

III. RECOMMENDATIONS ON HOW TO STUDY ELECTION CRIMES
A. ACCEPTED RECOMMENDATIONS
   i. SURVEY LAW ENFORCEMENT, INVESTIGATORY AGENCIES, AND PROSECUTORS
   ii. REVIEW ADMINISTRATIVE COMPLAINTS FILED WITH STATES
   iii. REVIEW DOJ/USA ACTIONS
B. REJECTED RECOMMENDATIONS
   i. REASONS WHY REJECTED
Julie:
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Juliet E. Hodgkins/EAC/GOV

To: Margaret Sims/EAC/GOV@EAC
cc

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Juliet Thompson Hodgkins
General Counsel
United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100
Is this an outline of an EAC staff report to accompany the consultants' report, or has there been a decision not to publish the consultants' report at all? (Just curious, as I have been a little out of the loop.) --- Peg

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM -----

Juliet E. Hodgkins/EAC/GOV
11/06/2006 12:30 PM
To: Margaret Sims/EAC/GOV@EAC
cc
Subject: Re: VF_VI Literature Review

The consultant's report is a draft of an EAC report. We will take the consultant's report and finalize it into OUR report.
Juliet Thompson Hodgkins
General Counsel
United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100
Margaret Sims/EAC/GOV

Margaret Sims/EAC/GOV
11/06/2006 12:21 PM
To: Juliet E. Hodgkins/EAC/GOV@EAC
cc
Subject: Re: VF_VI Literature Review

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Juliet Thompson Hodgkins
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Margaret Sims

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

From: Margaret Sims
Sent: 11/03/2006 06:38 PM
To: Juliet Hodgkins
Subject: Re: Job and Tova

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Juliet E. Hodgkins

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

From: Juliet E. Hodgkins
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Juliet E. Hodgkins/EAC/GOV

Juliet E. Hodgkins/EAC/GOV
11/03/2006 05:42 PM

To Margaret Sims/EAC/GOV@EAC
cc

Subject Job and Tova

--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM ---
Margaret Sims/EAC/GOV
11/06/2006 06:36 PM

To Juliet E. Hodgkins/EAC/GOV@EAC
cc
Subject Re: VF_VI Literature Review

Julie:

Happy to help, especially as I have to assume the blame for the report turned in by the consultants. I think you were aware that I was disappointed that it was not a more professional product. As I was not clear what the Commission's position is on editing such reports after receipt of the final, and as the consultants insisted that their work not be changed, I felt a bit stymied. Let me know what else I can do.

In the meantime, I'm revisiting some drafts received on the Vote Count-Recount best practices to see if I can encourage more improvements before submission of the final. We're still waiting for the state-by-state summary of practices, originally delayed by the subcontractor's nonperformance, which could affect goes into the best practices. I think some of the emphasis I see in the drafts on post election audits and proper recordkeeping will help respond to some of the issues raised in the literature review for the voting fraud-voter intimidation study.

--- Peggy

Juliet E. Hodgkins/EAC/GOV

Juliet E. Hodgkins/EAC/GOV
11/06/2006 05:18 PM

To Margaret Sims/EAC/GOV@EAC
cc
Subject Re: VF_VI Literature Review

Peggy,

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General Counsel
United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100
Margaret Sims/EAC/GOV

Margaret Sims/EAC/GOV
11/06/2006 11:07 AM

To Juliet E. Hodgkins/EAC/GOV@EAC
cc
Subject Re: VF_VI Literature Review
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---

EAC: Learned from Lit Review 11-6-06.doc  EAC Lit Review Notes 11-5-06.doc

Juliet E. Hodgkins/EAC/GOV

Juliet E. Hodgkins/EAC/GOV  To  Margaret Sims/EAC/GOV@EAC
  cc
  Subject  Re: Job and Tova

---

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Juliet E. Hodgkins/EAC/GOV

-----Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM-----

Karen Lynn-Dyson/EAC/GOV  
11/07/2006 07:05 AM  
To Juliet E. Hodgkins/EAC/GOV@EAC  
cc Margaret Sims/EAC/GOV@EAC  
Subject Fw: please investigate  

Hi-

Is this the kind of thing I should be passing on to you or Gavin?

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

Did Tova and Job provide us with summaries or notes of their interviews?

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

--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM ---

Margaret Sims/EAC/GOV
11/07/2006 09:45 AM
To Juliet E. Hodgkins/EAC/GOV
cc
Subject Re: VF and VI study

Yes (at T:\RESEARCH IN PROGRESS\VOTING FRAUD-VOTER INTIMIDATION\Interviews\Interview Summaries). Do you want me to do the same with those as I did with the literature summaries? --- Peggy

Juliet E. Hodgkins/EAC/GOV

Juliet E. Hodgkins/EAC/GOV
11/07/2006 09:33 AM
To Margaret Sims/EAC/GOV@EAC
cc
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Juliet E. Hodgkins/EAC/GOV
11/07/2006 09:47 AM
To Margaret Sims/EAC/GOV@EAC
cc
Subject Re: VF and VI study

that would be great. I am also interested in identifying the points of contention between DOJ and the
consultants.

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

--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM ---

Margaret Sims/EAC/GOV  
11/07/2006 11:29 AM  
To Juliet E. Hodgkins/EAC/GOV@EAC  
cc  
Subject Re: VF and VI study

Did Tova and Job provide us with summaries or notes of their interviews?

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

OK, I will get started on the interview summaries today.

DOJ (Donsanto and Tanner) raised objections to the consultants' description of their interviews, which
state that DOJ officials agreed they were bringing fewer intimidation and suppression cases. An advocacy group is going after DOJ, accusing the agency of doing just that for political reasons, so this is something DOJ wants corrected.

Apart from the consultants pre-existing bias that "the feds aren't doing enough", a big part of the problem appears to have been a misunderstanding over terminology. When our consultants used the term "intimidation", they included all sorts of suppression activities. When Craig Donsanto used the term "intimidation", he was using the definition under federal criminal vote fraud statutes, which requires the action be accompanied by threat of physical or economic harm. (He told me he has had only one such case in 30 years.) His office is actively pursuing voter suppression activities under statutes other than federal voter intimidation laws (e.g.; the recent case in NH where a campaign operative conspired to block election day GOTV telephone lines of the opposing party). A copy of Tanner's comments on the interview summary in the status report for the Standards and Advisory Boards meetings is attached.

I had many long discussions with Tova and Job about this. I was able to get them to soften their description (see 4th bullet on page 7 of the draft report), but not entirely to my satisfaction. Also, at the Working Group meeting, it was agreed that the consultants would add a note to their definition to clarify that the working definition for purposes of the research includes activities that do not meet the federal definition of voter intimidation. The resulting note on page 5 of the draft report is too vague.

DOJ has not seen everything the consultants put in the draft final report, so they may have additional concerns. For example, the consultants' recommendations include the following:

- Attend the Department of Justice's Ballot Access and Voting Integrity Symposium. The consultants also believe it would be useful for any further activity in this area to include attendance at the next Ballot Access and Voting Integrity Symposium. According to the Department, DEOs are required to attend annual training conferences centered on combating election fraud and voting rights abuses. These conferences sponsored by the Voting Section of the Civil Rights Division and the Public Integrity Section of the Criminal Division, feature presentations by civil rights officials and senior prosecutors from the Public Integrity Section and the U.S. Attorneys' Offices. According to the Department, DEOs are required to attend annual training conferences centered on combating election fraud and voting rights abuses. These conferences sponsored by the Voting Section of the Civil Rights Division and the Public Integrity Section of the Criminal Division, feature presentations by civil rights officials and senior prosecutors from the Public Integrity Section and the U.S. Attorneys' Offices.

Footnote:
By attending the symposium researchers could learn more about the following: How DEOs are trained, e.g. what they are taught to focus their resources on; How they are instructed to respond to various types of complaints; How information about previous elections and voting issues is presented; and, How the Voting Rights Act, the criminal laws governing election fraud and intimidation, the National Voter Registration Act, and the Help America Vote Act are described and explained to participants.

DOJ has stated that this is an internal meeting, involving only DOJ officials, US Attorneys and FBI. EAC researchers cannot be admitted without opening the meeting to other outsiders. DOJ does not want to do this, probably for two reasons: (1) confidential information on current enforcement cases may be discussed; and (2) making enforcement strategies public could give unscrupulous individuals a virtual "how to" manual for circumventing such strategies when committing election crimes.

We may also have a hard time gaining access to the DOE reports and the Voting Section records of complaints, as they probably aren't considered public documents.

--- Peggy
that would be great. I am also interested in identifying the points of contention between DOJ and the consultants.

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

Margaret Sims/EAC/GOV

Margaret Sims/EAC/GOV
11/07/2006 09:45 AM
To Juliet E. Hodgkins/EAC/GOV@EAC
cc
Subject Re: VF and VI study

Yes (at T:\RESEARCH IN PROGRESS\VOTING FRAUD-VOTER INTIMIDATION\Interviews\Interview Summaries). Do you want me to do the same with those as I did with the literature summaries? --- Peggy

Juliet E. Hodgkins/EAC/GOV

Did Tova and Job provide us with summaries or notes of their interviews?

Juliet Thompson Hodgkins
General Counsel
United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100
I am getting close to having a first cut at a report, minus a few key sections. Just wondering how those summaries are coming along.

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

Almost finished sorting through the interview summaries. I don't find them as helpful as the literature summaries, but hope to have something to you by the end of the day. (I was at the clinic yesterday, and could only work a half day.) --- Peggy

Juliet E. Hodgkins/EAC/GOV

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Juliet Thompson Hodgkins
General Counsel
United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100
Thanks. Currently, on the phone with Job. Ugh!!!!

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

Almost finished sorting through the interview summaries. I don't find them as helpful as the literature summaries, but hope to have something to you by the end of the day. (I was at the clinic yesterday, and could only work a half day.) --- Peggy

I am getting close to having a first cut at a report, minus a few key sections. Just wondering how those summaries are coming along.
Sorry this is later than expected. I was missing the notes of one interview and had several computer crashes when I tried to retrieve archived email to determine if I had failed to file it after one of the consultants sent it. I finally gave up looking for it in favor of summarizing what I had.

Attached is a summary of points raised in the interviews. I found it more difficult to extract lessons learned from the interview notes, so I used a summary format. (The interview notes make it appear that the focus of the interviews differed from one person to another, perhaps because consultants were seeking different information from interviewees). I've also attached a list of interviewees with pertinent interview notes. (Some of the interview notes dealt with irregularities other than voting fraud and voter intimidation.) --- Peggy

Julie:

I just remembered that there was one other DOJ objection. It was about the way the consultants described the Election Crimes Branch focus on cases. In the interview with Donsanto (the only interview I attended), he made reference to the fact that the Election Crimes Branch used to only go after conspiracies, not individuals. Now, however, they had begun prosecuting individuals for noncitizen and felon voting. The consultants heard an unexpressed "instead", which would mean that DOJ had dropped pursuing conspiracies in favor of going after individuals. Based on my previous experience, I heard and unexpressed "in addition", meaning that DOJ was not just prosecuting conspiracies, the department also had begun to prosecute individuals.

I had lengthy discussions with the consultants over this issue as well. Donsanto confirmed that he meant "in addition", and the lists of cases he provided indicates that the department continues to pursue conspiracies. (It doesn't make sense any other way, unless you believe that the government is out to get the little guy.) --- Peggy

Juliet E. Hodgkins/EAC/GOV
11/15/2006 09:58 AM
To Margaret Sims/EAC/GOV@EAC
cc
Subject Draft Voter Fraud/Voter Intimidation
Peggy,

I have attached a rough draft of the report that I think that we should propose to the Commissioners. I was hoping that you could give it a read and give me your comments by Friday morning, as I have to deliver a draft to the Commissioners on Friday. I also have a couple of questions. You will notice that I have noted that several items will be attached as appendixes. First question: Should we attach these things? Second question: In cases where you have provided summaries of the summaries, should we attach yours or theirs?

IN EAC REPORT ON VOTER FRAUD AND VOTER INTIMIDATION STUDY.doc

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

Do you have contact information for this guy?

Thomas R. Wilkey/EAC/GOV
11/15/2006 12:23 PM
To Margaret Sims/EAC/GOV@EAC
cc
Subject Thor Hearn

Mark (Thor) Hearne II
Partner-Member
Thomas R. Wilkey/EAC/GOV

Thomas R. Wilkey/EAC/GOV
11/15/2006 12:23 PM

To: Margaret Sims/EAC/GOV@EAC

cc

Subject: Thor Hearn

Do you have contact information for this guy?

Thomas R. Wilkey
Executive Director
US Election Assistance Commission
1225 New York Ave, NW - Suite 1100
Washington, DC 20005
(202) 566-3109 phone
TWilkey@eac.gov

---- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM ----
Margaret Sims/EAC/GOV
11/15/2006 04:02 PM

To: Juliet E. Hodgkins/EAC/GOV

cc

Subject: Re: Draft Voter Fraud/Voter Intimidation

Got it, and will get back to you by Friday AM. --- Peggy

---- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM ----
Juliet E. Hodgkins/EAC/GOV
11/15/2006 04:10 PM

To: Margaret Sims/EAC/GOV@EAC

cc

Subject: Re: Draft Voter Fraud/Voter Intimidation

Thanks.

001407
Juliet Thompson Hodgkins  
General Counsel  
United States Election Assistance Commission  
1225 New York Ave., NW, Ste 1100  
Washington, DC 20005  
(202) 566-3100  
Margaret Sims/EAC/GOV

Margaret Sims/EAC/GOV  
11/15/2006 04:02 PM  
To: Juliet E. Hodgkins/EAC/GOV@EAC  
cc  
Subject: Re: Draft Voter Fraud/Voter Intimidation

Got it, and will get back to you by Friday AM. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM ----

Margaret Sims/EAC/GOV  
11/17/2006 09:28 AM  
To: Juliet E. Hodgkins/EAC/GOV@EAC  
cc  
Subject: Draft Voter Fraud/Voter Intimidation Report

Juliet:

I really like the tone, focus, and organization of the paper. I also liked the way you interspersed the lists of Working Group members, interviewees, and reports reviewed with the text (drawing the reader's attention to the info, cutting down on the # of appendices, and giving the eye a break from regular text). Attached is your document with my comments, questions, and suggested changes. I did not do much to it.

Regarding your questions about the appendices:
I really did not prepare my summaries with an eye toward publication, but the consultants' summaries probably include incendiary info (particularly re DOJ interviews). As for the case law, we have multiple, voluminous charts, but no list. We can create a list from the charts, but that will take time. The Commissioners may want to see the consultants' or my summaries and the case law charts, but do we need to publish them?

Do we need to put short bios for Tova and Job in an appendix? --- Peggy
Thanks for your comments.

Last night, I took the case charts and assembled into one 200-page document. So, that is compiled. I have also amended to include Job and Tova's bios as appendix "1". I have established both your summaries and theirs into alternative appendixes and will talk to the commissioners about that. One question that I have is whether we would need to go through and "clean up" their summaries? I have compiled them into a single document (that is one for interviews and one for literature). Other than the DOJ issue, are there any other "problems" that you recall?

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

--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM ---

Margaret Sims/EAC/GOV
11/17/2006 02:54 PM

To Juliet E. Hodgkins/EAC/GOV

cc

Subject Re: Draft Voter Fraud/Voter Intimidation Report

I'll need to refresh my memory. I'll take a look at them one more time and get back to you. Hope you enjoy your time out of the office, and have a happy turkey day. --- Peggy

Juliet E. Hodgkins/EAC/GOV

Juliet E. Hodgkins/EAC/GOV
11/17/2006 09:44 AM

To Margaret Sims/EAC/GOV@EAC

cc

Subject Re: Draft Voter Fraud/Voter Intimidation Report

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Juliet Thompson Hodgkins
General Counsel
United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100
Thanks so much for all of your help. Have a very Happy Thanksgiving.

--------------------------
Sent from my BlackBerry Wireless Handheld
Margaret Sims

----- Original Message -----
From: Margaret Sims
Sent: 11/17/2006 02:54 PM
To: Juliet Hodgkins
Subject: Re: Draft Voter Fraud/Voter Intimidation Report

I'll need to refresh my memory. I'll take a look at them one more time and get back to you. Hope you enjoy your time out of the office, and have a happy turkey day. --- Peggy

Juliet E. Hodgkins/EAC/GOV

Juliet E. Hodgkins/EAC/GOV
11/17/2006 09:44 AM

To: Margaret Sims/EAC/GOV@EAC
cc
Subject: Re: Draft Voter Fraud/Voter Intimidation Report

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Juliet Thompson Hodgkins
General Counsel
United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100
Juliet:
I reviewed our materials and refreshed my memory. The DOJ issues appear to be the only potential
pitfalls in the consultants' interview summaries. The only other issue that arose during the course of the
work was Secretary Rokita's objection to EAC doing the research. I think you have taken care of that in
your paper. --- Peggy

Juliet E. Hodgkins/EAC/GOV

Juliet E. Hodgkins/EAC/GOV
To: Margaret Sims/EAC/GOV@EAC
cc
Subject: Re: Draft Voter Fraud/Voter Intimidation Report

Thanks so much for all of your help. Have a very Happy Thanksgiving.

Sent from my BlackBerry Wireless Handheld
Margaret Sims
----- Original Message -----

From: Margaret Sims
Sent: 11/17/2006 02:54 PM
To: Juliet Hodgkins
Subject: Re: Draft Voter Fraud/Voter Intimidation Report

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

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM -----

Margaret Sims/EAC/GOV  
11/30/2006 04:37 PM  
To: Juliet E. Hodgkins/EAC/GOV@EAC  
cc:

Subject: Donsanto-Tanner Interviews

Julie:

I made some suggested edits in the attached excerpts of the Donsanto and Tanner interview summaries. You may be able to better phrase them. The most important edits are:

- I noticed that the consultants had listed Donsanto's and Tanner's titles incorrectly (which we may also need to correct in our report where we list the interviewees). Donsanto and Tanner might be amused that our consultants "promoted" them, but their bosses may not.
- I redacted two sentences that I thought we should not publicize and one that I thought was in error from the Donsanto description. I also tried to correct the paragraph that discusses DOJ's pursuit of individual offenders.
- I moved the note about Tanner's failure to provide data and information to the end of the description (the highlighted paragraph) so that it's isn't so "in your face". I also tried to edit it, but am still a bit concerned about including it at all.

If you have any questions, or want to talk about this, give me a call, so, I may be in the office tomorrow, if my insides cooperate. --- Peggy

I made the correction on the titles in the report. There was one that was not correct.

There are a couple of things I may suggest that we leave in, as I don't think that DOJ would have a problem with it, (e.g. the fact that they won't release information on pending cases).

I will forward to the Cs for their review.
Julie:  

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If you have any questions, or want to talk about this, give me a call. Also, I may be in the office tomorrow, if my insides cooperate. --- Peggy

---

Julie:

I assume you mean the note associated with the Tanner interview when you mentioned the pending cases. That's fine by me. I was just a little concerned that the note as a whole was a little adversarial and whiny. If any questions arise as to why certain items should be deleted from the Donsanto interview summary, I have answers. --- Peggy
I made the correction on the titles in the report. There was one that was not correct.

There are a couple of things I may suggest that we leave in, as I don't think that DOJ would have a problem with it, (e.g. the fact that they won't release information on pending cases).

I will forward to the Cs for their review.

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

Juliet E. Hodgkins/EAC/GOV

Margaret Sims/EAC/GOV

To Juliet E. Hodgkins/EAC/GOV@EAC
cc
Subject Re: Donsanto-Tanner Interviews

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If you have any questions, or want to talk about this, give me a call. Also, I may be in the office tomorrow, if my insides cooperate. --- Peggy

Summaries of Interviews with Donsanto-Tanner redacted-revised.doc
Dear Peter:

I apologize for the delayed response. The paper that the media touted as an EAC statement on vote fraud was actually just a report on the status of preliminary research into voting fraud and voter intimidation conducted by EAC consultants. The document does not represent a consensus statement on the subject by EAC. The status report was presented to the EAC Board of Advisors and the EAC Standards Board last spring. As these meetings were open to the public, the status report is available to the public. (See attached.)

EAC plans to consider a draft of its own report, which is based on the preliminary research of our consultants, at this Thursday's public meeting. (See agenda published at [http://www.eac.gov/docs/Public%20Meeting%202012-07-06,%20Washington%20Revised%20Final%20Agenda.pdf](http://www.eac.gov/docs/Public%20Meeting%202012-07-06,%20Washington%20Revised%20Final%20Agenda.pdf)) If the report is approved, EAC will publish it on our web page.

Regards,

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
e-mail: psims@eac.gov

---

Then I need to get commishes to okay.

Bryan Whitener/EAC/GOV
12/06/2006 12:36 PM
To Juliet E. Hodgkins/EAC/GOV@EAC, Margaret Sims/EAC/GOV@EAC
cc
Subject Please review ASAP - Fw: Fraud Report Press Release - DRAFT

----- Forwarded by Bryan Whitener/EAC/GOV on 12/06/2006 12:36 PM -----
Brian,

Please find attached the draft fraud report press release for review. The other documents will follow in a separate email.

Jennifer

--------------------
NEW E-MAIL: jennifer.roseutley@bm.com

Jennifer Rose-Utley
Manager, Public Affairs

---
We've Moved!

Please visit us at our new location:

Burson-Marsteller
1110 Vermont Avenue, NW, Suite 1100
Washington, DC 20005

Fraud Press Release - DRAFT v2.doc
--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM ---

Bryan:

The two consultants were:

- Tova Wang
- Job Serebrov
The contact information for the Project Working Group, including technical advisor, Craig Donsanto, is in the attached spreadsheet.

You should also send notice to John Tanner, Chief, Voting Section, Civil Rights Division, DOJ (john.k.tanner@usdoj.gov). --- Peggy

---

For Immediate Release
December 7, 2006

Contact:
Jeannie Layson
Bryan Whitener
(202) 566-3100

EAC Releases Findings of Voting Fraud and Voter Intimidation Study

No consensus on the regularity of voting fraud and voting intimidation found
Agency accepts recommendations to conduct a comprehensive study on elections crimes

WASHINGTON - The United States Election Assistance Commission (EAC) today voted on the findings of the "Voting Fraud and Voter Intimidation Study" and accepted recommendations to conduct
a comprehensive assessment of all claims, charges and prosecutions of voting crimes.

The study represents the first phase of the information gathering process and includes a working definition of election crimes. EAC will now proceed with the second phase, a more comprehensive data-driven survey and study of elections crimes and voter intimidation. The new phase will offer consistency to the study and will identify a common definition of the issue for dialogue among elections officials, civil rights and voter advocacy groups, law enforcement officials, attorneys and the public.

The recommendations accepted by EAC today include:

Survey Chief Elections Officers to Review and Assess Administrative Complaints: EAC will survey the states' chief election officers regarding complaints that have been filed, investigated and resolved since January 1, 2004.

Survey State Election Crime Investigation Units Regarding Complaints Filed and Referred: EAC will gather information on the numbers and types of complaints that have been received by, investigated, and ultimately referred to local or state law enforcement by election crime investigation units since January 1, 2004.

Survey Law Enforcement and Prosecutorial Agencies Regarding Complaints and Charge of Voting Crimes: EAC will survey law enforcement and prosecutorial agencies at the local, state and federal level to determine the number and types of complaints, charges, or indictments, and pleas or convictions of election crimes since January 1, 2004.

Analyze Survey Data in Light of State Laws and Procedures: EAC will use the reliable data gathered from each survey group to analyze the effectiveness of fraud prevention and reporting measures.

In order to arrive at the findings, EAC consultants reviewed existing studies, articles, reports and case law on voting fraud and intimidation and conducted interviews with experts in the field regarding their experiences and research. According to the findings, while there is currently no consensus on the frequency of voting fraud and voter intimidation, most participants agreed that absentee balloting is subject to the greatest proportion of fraudulent acts, followed by vote buying and voter registration fraud.

Following today's vote to approve the survey recommendations, EAC will begin a comprehensive survey and subsequent study on voting fraud and voter intimidation based on hard data. Section 241 of the Help America Vote Act of 2002 (HAVA) mandates that EAC research and study various issues related to the administration of elections. During Fiscal Year 2006, EAC in consultation with the Standards Board and Board of Advisors selected voting fraud and voter intimidation from a list of potential research topics that serve to improve the administration of elections for federal office.

For the EAC's full report on the Voting Fraud and Voter Intimidation Study or to view testimony from today's hearing, visit www.eac.gov.
EAC is an independent bipartisan commission created by HAVA. It is charged with administering payments to states and developing guidance to meet HAVA requirements, implementing election administration improvements, adopting voluntary voting system guidelines, accrediting voting system test laboratories and certifying voting equipment and serving as a national clearinghouse and resource of information regarding election administration. The three EAC commissioners are Paul DeGregorio, chairman; Donetta Davidson and Gracia Hillman. One vacancy currently exists.

***

Commissioners,
I want to respond to Rick Hasen's post regarding EAC and the fraud report. My suggested response is below, and his original post follows. Please let me know if you agree that I should attempt to correct the misinformation he posted. If so, please let me know if you approve of my suggested response. Thank you.

Mr. Hasen,
I write to point out incorrect information you posted on your website on December 11, 2006. You wrote: "Note what's missing compared to the earlier version leaked to the USA Today Newspaper." No one at the EAC leaked anything to USA Today. The reporter asked for a copy of the staff report about the fraud research that was presented at a public meeting in May to our Board of Advisors and the Standards Board, and the EAC provided it to him. This information was presented and discussed at a meeting that was open to the public, so we provided materials distributed at the meeting to anyone who requested it. The staff report about the fraud project was also distributed to every member of both advisory boards. Go here to view the Federal Register notice about the public meeting at which this project and many others were discussed.

The statement you attribute to one of the consultants is absolutely correct. As stated by their contract, these consultants were hired so that the EAC could "...obtain consulting services from an individual who can provide advice drawn from broad professional and technical experience in the area of voter fraud and intimidation."

As for your reference to what's "missing compared to the earlier version," the report contains the complete summaries of every interview conducted by the consultants as well as every book, article, report or case that was reviewed. It does not contain the synopsis of those interviews, which were written by the consultants. EAC provided the individual summaries so readers could reach their own conclusions about the substance of the interviews.

---
EAC’s interpretation of HAVA and its determination of what it will study and how it will use its resources to study it are matters of agency policy and decision. These are not, nor should they be, determinations or decisions made by consultants. The EAC has the ultimate responsibility for the reports it issues, and it is incumbent upon the agency to conduct due diligence to ensure reports, data or any other information is complete and accurate before it is adopted by the Commission.

As someone with a public platform who informs the public about matters regarding election administration, I would appreciate it if you would extend the same professional courtesy most journalists do and contact the agency in the future if you have questions or concerns about EAC policy or actions. You may reach me directly at 202-566-3103. I appreciate your consideration in this matter.

Sincerely,
Jeannie Layson
Director of Communications
US Election Assistance Commission

More on FL-13, and a Role for the EAC?
When I saw this headline on the Sarasota Herald Tribune web page, I thought it must have been about the FL-13 race. Over on the election law listserv, Doug Johnson, responding to my commentary calling for the House to investigate the problems and declare a revote in the FL-13 race, suggested that perhaps the EAC is better situated to conduct an investigation than the House of the problems in the FL-13. I'm afraid we might not be able to count on the EAC to conduct an investigation that is well-funded, tough, and fair. Politics appears to be creeping in to decisions of the EAC's advisory board, and there's real concern about the EAC's vote fraud report. Note what's missing compared to the earlier version leaked to the USA Today newspaper. Tova Wang, who authored the draft report for the EAC, issued the following statement to me: "My co-consultant and I provided the EAC with a tremendous amount of research and analysis for this project. The EAC released what is their report yesterday."
The EAC has also lost two commissioners, one Republican and one Democrat, who appeared to be tough-minded and fair. I am very worried about the fairness and non-partisanship of the new rumored nominees. In short, the EAC has to prove it is up to the task of fair and serious inquiry before it could be trusted with something like an investigation of the FL-13.
I agree that Jeannie should send the response.

Sent from my BlackBerry Wireless Handheld

------ Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM -----

Gracia Hillman/EAC/GOV

I know that PFAW delivered petitions to EAC about release of the Fraud report but I need to know what other communications EAC has had with PFAW about the study.

Was it represented on the study's working group? If so, by whom? Did they write to us and did we answer? Did anybody from there talk with anybody at EAC about the study and our work? Thanks.

Sent from my BlackBerry Wireless Handheld

------ Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM -----

Margaret Sims/EAC/GOV

Commissioner Hillman:

PFAW was not represented on the Working Group for the Voting Fraud-Voter Intimidation research project. Also, I have had no communications with the organization about the study. I did work with
Jeannie and Gavin on a response to PFAW’s FOIA request for the study. Jeannie should have the final copy of that reply.

Peggy Sims
Election Research Specialist

Gracia Hillman/EAC/GOV

To Commissioner Hillman:

I know that People For the American Way delivered petitions to EAC about release of the Fraud report but I need to know what other communications EAC has had with People For about the study.

Was it represented on the study’s working group? If so, by whom? Did they write to us and did we answer? Did anybody from there talk with anybody at EAC about the study and our work? Thanks.

-- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM --

Are there any plans to rebut the PFAW response? If so, may I help? --- Peggy

I didn't get any comments from you regarding yesterday's response to Rick Hasen. Any thoughts on that?

Jeannie Layson
U.S. Election Assistance Commission
1225 New York Ave., NW
Are there any plans to rebut the PFAW response? If so, may I help? --- Peggy

Sorry. I saw a message addressed to the Commissioners. I did not realize the fact that I was cc'd meant that you wanted my comments as well. Will do better next time. In the case of PFAW, I think we may need to address other points, as well. I can put some comments in bullet form, and you can take them or leave them. --- Peggy

I didn't get any comments from you regarding yesterday's response to Rick Hasen. Any thoughts on that?
12/14/2006 12:55 PM

To Juliet E. Hodgkins/EAC/GOV@EAC, Jeannie Layson/EAC/GOV@EAC
cc
Subject PFAW Response to EAC Vote Fraud Report

Are there any plans to rebut the PFAW response? If so, may I help? --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM -----

Karen Lynn-Dyson/EAC/GOV
12/14/2006 01:36 PM

To Margaret Sims/EAC/GOV@EAC
cc "Donetta Davidson" <Ddavidson@eac.gov>, Gracia Hillman/EAC/GOV@EAC, "Jeannie Layson" <jlayson@eac.gov>, Juliet E. Thompson/EAC/GOV@EAC, "Karen Lynn-Dyson" <klynn-dyson@eac.gov>, "Paul DeGregorio" <pdegregorio@eac.gov>, "Sheila Banks" <sbanks@eac.gov>, Thomas R. Wilkey/EAC/GOV@EAC

Subject Re: People ForI

Peg, et.al-

I did not have any interaction with this group.

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

Margaret Sims/EAC/GOV

Margaret Sims/EAC/GOV
12/14/2006 12:40 PM

To Gracia Hillman/EAC/GOV@EAC
cc "Donetta Davidson" <Ddavidson@eac.gov>, "Jeannie Layson" <jlayson@eac.gov>, Juliet E. Thompson/EAC/GOV@EAC, "Karen Lynn-Dyson" <klynn-dyson@eac.gov>, "Paul DeGregorio" <pdegregorio@eac.gov>, "Sheila Banks" <sbanks@eac.gov>, Thomas R. Wilkey/EAC/GOV@EAC

Subject Re: People ForI

Commissioner Hillman:
PFAW was not represented on the Working Group for the Voting Fraud-Voter Intimidation research project. Also, I have had no communications with the organization about the study. I did work with Jeannie and Gavin on a response to PFAW's FOIA request for the study. Jeannie should have the final copy of that reply.

Peggy Sims
Election Research Specialist

I know that People For the American Way delivered petitions to EAC about release of the Fraud report but I need to know what other communications EAC has had with People For about the study.

Was it represented on the study's working group? If so, by whom? Did they write to us and did we answer? Did anybody from there talk with anybody at EAC about the study and our work? Thanks.

Sent from my BlackBerry Wireless Handheld

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM -----

Gracia Hillman/EAC/GOV
12/18/2006 12:44 PM
To "Paul DeGregorio" <pdegregorio@eac.gov>, "Donetta Davidson" <Ddavidson@eac.gov>, Thomas R. Wilkey/EAC/GOV@EAC, Juliet E. Thompson/EAC/GOV@EAC, Margaret Sims/EAC/GOV@EAC, "Jeannie Layson" <jlayson@eac.gov>, "Karen Lynn-Dyson" <klynn-dyson@eac.gov>
cc "Sheila Banks" <sbanks@eac.gov>
Subject Suggested Timeline for Election Crimes Study

Attached is the suggested timeline that I offered for the Election Crimes Study.

It is an excel spreadsheet, which, if printed, should be done with Landscape layout. If printed on 8 1/2 x 11 paper, it will print as two pages.
Was the report that was drafted after the working group meeting or the interviews done with eac participant reviewed after the draft was completed.
Need this right away

Sent from my BlackBerry Wireless Handheld

--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM ---
Karen Lynn-Dyson/EAC/GOV
01/26/2007 11:49 AM
To Eileen L. Kuala/EAC/GOV@EAC
cc Margaret Sims/EAC/GOV@EAC
Subject Re: 

Peg-
Could you get Elle and answer on this, if she hasn't already gotten one?
Thanks

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

Eileen L. Kuala/EAC/GOV

01/23/2007 02:14 PM
To "Karen Lynn-Dyson" <klyndyson@eac.gov>
cc
Subject

Hey Karen,
Did Barbara Arnwine ever attend ANY of the voter fraud working group meetings?
Thanks,
I already got one, thanks!

Elle L.K. Kuala
Special Assistant to the Chair
U.S. Election Assistance Commission
office: (202) 566-2256
blackberry: (202) 294-9251

Karen Lynn-Dyson/EAC/GOV

Karen Lynn-Dyson/EAC/GOV
01/26/2007 11:49 AM
To Eileen L. Kuala/EAC/GOV@EAC
cc Margaret Sims/EAC/GOV@EAC
Subject Re: ☐

Peg-

Could you get Elle and answer on this, if she hasn't already gotten one?

Thanks

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

Did Barbara Arnwine ever attend ANY of the voter fraud working group meetings?

Thanks,
Elie
Elle Coliver
U.S. Election Assistance Commission
1225 New York Avenue, Suite 1100
Washington, D.C. 20005
(202) 566-2256
www.eac.gov

Sent from my BlackBerry Wireless Handheld
Julie:

I received my 1099 and the figure looks too high. It is listed at $58,065.35. Can you check on this?

Job

---- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM ----

Margaret Sims/EAC/GOV
02/09/2007 06:01 PM
To
cc
Subject 1099

Job:

Julie just forwarded your inquiry. That figure looks too high to me, too! I'll check with our finance folks next Monday to find out what happened. Hope all is well with you.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
e-mail: psims@eac.gov

---- Forwarded by Juliet E. Hodgkins/EAC/GOV on 02/09/2007 05:44 PM ----

"Job Serebrov"
02/09/2007 05:33 PM
To "Julie Thompson-Hodgkins" <jhodgkins@eac.gov>
cc
Subject 1099

Julie:

I received my 1099 and the figure looks too high. It is listed at $58,065.35. Can you check on this?

Job

---- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM ----

Juliet E. Hodgkins/EAC/GOV
02/09/2007 06:07 PM
To Margaret Sims/EAC/GOV@EAC
cc
Subject Fw: 1099 Incorrect
Julie:

I just added my invoices and I get only around $39,700 including the travel expense reimbursement. The 1099 needs to be corrected.

Job

All is well Peg. How are you? I added up my invoices and it should be between $39,700 and $47,000 with the travel check included.

Regards,

Job

--- psims@eac.gov wrote:

> Job:
> 
> Julie just forwarded your inquiry. That figure looks too high to me, too!
> I'll check with our finance folks next Monday to find out what happened.
> Hope all is well with you.
Job Serebrov, one of our personal services contractors on the Vote Fraud-Voter Intimidation research project, has received a 1099 that shows total payments from EAC in 2006 of $58,065.35. He asked me to check the payments I had listed for him because the amount seemed too high to him.

I don't have access to copies of his invoices right now, but I do have access to the spreadsheets I used to track payments. Even if I include his travel reimbursements, the amount shown on the 1099 appears too high. Can one of you help me figure this out? The ACT and contract numbers for his personal services contracts involving any payments in 2006 follow:
ACT# E4019698, Contract # EAC 05-67
ACT# E4019905, Contract # EAC 06-05

Peggy Sims
Election Research Specialist
--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:49 PM ---

Bola Olu/EAC/GOV
02/12/2007 12:30 PM
To Margaret Sims/EAC/GOV@EAC
cc DScott@eac.gov
Subject Re: Possible Discrepancy on Contractor's 1099

Peggy:

I will look into this and get back to you.

Bola Olu
Financial Administrative Specialist
United States Election Assistance Commission
1225 New York Avenue N.W., Suite - 1100
Washington, DC 20005
P:202-566-3124
F:202/566-3127
http://www.eac.gov/

"Intelligence plus character...the goal of true education. Dr. Martin Luther King."

Margaret Sims/EAC/GOV

Margaret Sims/EAC/GOV
02/12/2007 12:13 PM
To DScott@eac.gov, Bola Olu/EAC/GOV@EAC
cc
Subject Possible Discrepancy on Contractor's 1099

Diana And Bola:

Job Serebrov, one of our personal services contractors on the Vote Fraud-Voter Intimidation research project, has received a 1099 that shows total payments from EAC in 2006 of $58,065.35. He asked me to check the payments I had listed for him because the amount seemed too high to him.

I don't have access to copies of his invoices right now, but I do have access to the spreadsheets I used to track payments. Even if I include his travel reimbursements, the amount shown on the 1099 appears too high. Can one of you help me figure this out? The ACT and contract numbers for his personal services contracts involving any payments in 2006 follow:

ACT# E4019698, Contract # EAC 05-67
ACT# E4019905, Contract # EAC 06-05

001432
Margaret Sims/EAC/GOV  To Curtis Crider/EAC/GOV@EAC
04/23/2007 02:58 PM cc
bcc
Subject Re: documentation for evaluation

Curtis:

I believe that the only items I have in hard copy, and not in electronic format, are my working copies of the contracts (official copies would be in the agency contract files), the monthly pay invoices and travel reimbursement requests submitted by the consultants, and some DOJ training documentation that was given to us on condition that we keep it confidential.

Other than emails, the documentation that is in electronic form is housed in EAC's shared drawer at T:RESEARCH IN PROGRESS/VOTING FRAUD-VOTER INTIMIDATION. Do you have read access to that?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
e-mail: psims@eac.gov

Curtis Crider/EAC/GOV

Curtis Crider/EAC/GOV  To EAC Personnel
04/23/2007 02:27 PM cc
Subject documentation for evaluation

All:

The Office of Inspector General has initiated an evaluation of the contracting process used by the EAC for the voter fraud and voter intimidation projects. In order for us to complete our evaluation, we need copies of all e-mails or other documents that you have regarding either project. Electronic documents can be sent to an e-mail account that we have set up - eaccon@eac.gov.
If you have any hard copy documents, please let me know.

If you do not have any documents or e-mails, please send me an e-mail to that effect.

Thank you,

Curtis Crider
Office of Inspector General, Election Assistance Commission
Phone - (202) 566-3125
Fax - (202) 566-0957

Important: This electronic transmission is intended for the use of the individual or entity to which it is
Peggy sorry but I am out of town on the 18th of May. Good luck

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM -----

"Job Serebrov"
05/09/2006 03:09 PM
To psims@eac.gov
cc
Subject Conference Call

Peggy:

I would like to get this travel issue sorted out between us before the call at 4pm. While the hotel problem is applicable to both Tova and me, the ground travel is not. In any case, I will want to read the federal regulation on this before we speak. Please either send me the regulation that states I must travel by the least expensive means and that all alternative travel cost can not exceed this or give me the site.

Thanks,

Job

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM -----

Margaret Sims/EAC/GOV
05/09/2006 03:34 PM
To "Job Serebrov"
cc twilkey@eac.gov, jthompson@eac.gov
Subject Re: Conference Call

Job:

I'm afraid I don't have time to look up the Federal travel regulation. I can refer to GSA Form 87, which is the Federal travel authorization form that is based on the travel regulations. There are two questions on this form that would apply to your situation:

- Question 14 asks, "Is the employee making any deviations from the authorized itinerary for personal convenience, taking any annual leave or using a different mode of transportation for personal convenience?"
Question 17A asks, "Will POV be used for any travel between itinerary points? (If 'Yes', check one box below and complete item 17B.)" This is followed by one box with a statement, "Use of POV is advantageous to the government." Another box states, "Use of POV is not advantageous to the government. Use of POV has been determined to be for personal convenience and reimbursement limited to constructive cost of common carrier."

Line 17B is used to note mileage rate. These provisions apply to our Commissioners, our staff, and our consultants. I understand that everyone has to make allowances for emergencies, but your emergency has not yet arrived and may well arrive after the May 18 meeting. Furthermore, personal emergencies are considered personal matters. The government does not reimburse us for additional travel costs resulting from our need to address personal matters.

Because you are not a Federal employee and we recognize that airlines do not and hotels may not offer you government rate, we can reimburse the higher hotel rate so long as your total travel costs under the current contract do not exceed the total amount budgeted for travel reimbursement for this contract ($3,500).

Regarding the Working Group meeting, I am pleased that you recognize that convening the Working Group is a deliverable. You also should recall that the only reason Commission staff is involved in helping to set up this meeting is that you and Tova told me that the two of you did not have the resources to do it and that it would be better to have one central coordinator (i.e., EAC). We have repeatedly talked about holding the meeting in DC because so many of our working group members are here and because we can support the meeting at EAC offices and stay within the EAC budget.

The date for the original Working Group meeting was presented by you and Tova to me in your work plan. As you know, many of the dates in the plan had to slide because the two of you indicated that you needed more time to complete the preliminary research to be presented at the meeting. Beginning in April, our teleconferences honed in on possible weeks for the meeting. May 18 is the only day all but Norcross could attend. Norcross was available only 2 days out of the three weeks we were considering. We are attempting to fill his slot with the person you recommended, Pat Rogers.

We can discuss any remaining concerns you have regarding the participation of Perez and of Pat Rogers during this afternoon's teleconference. --- Peggy

Peggy:

I would like to get this travel issue sorted out between us before the call at 4pm. While the hotel problem is applicable to both Tova and me, the ground travel is not. In any case, I will want to read the federal regulation on this before we speak. Please either send me the regulation that states I must travel by the least expensive means and that all
alternative travel cost can not exceed this or give me the site.

Thanks,

Job

Peggy:

I expect that since Norcross can't make it either you will try to get Rogers or cut one of Tova's folks.

Job

--- psims@eac.gov wrote:

> Job and Tova:
> 
> As of now, the afternoon of Thursday, May 18 appears to be the best possible date for the meeting. Norcross is not available to attend in person that day (he is available only 2 days during the first three weeks of May). We won't have confirmation of the availability of Secretary Rokita until tomorrow --- but I am hopeful.
> 
> I'll give you an update tomorrow. Maybe we can schedule a teleconference on Monday afternoon. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM ---

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

To psims@eac.gov

cc dromig@eac.gov

Subject Re: Voting Fraud-Voter Intimidation Project
Peg -- I'll have check. I am pretty well clogged next month.

What do you need Peg?

--------------------------
Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed Apr 26 20:30:24 2006
Subject: Re: Voting Fraud-Voter Intimidation Project

Craig:
Are yu available any days in the third week of May? Peggy

--------------------------
Sent from my BlackBerry Wireless Handheld

----- Original Message ----- 
From: "Donsanto, Craig" [Craig.Donsanto@usdoj.gov]
Sent: 04/03/2006 03:16 PM
To: Margaret Sims
Subject: RE: Voting Fraud-Voter Intimidation Project

Hello Peg!

God willing, I will be here the first two weeks of May.

As for your second question, it is not possible for me to assess the level of public attribution that would be appropriate without seeing the substantive stuff in context. I do not foresee a problem. So, I recommend that you get me a draft text and I will review it to ensure we are not disclosing things we shouldn't disclose.

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, April 03, 2006 3:13 PM
To: Donsanto, Craig
Subject: Re: Voting Fraud-Voter Intimidation Project
Craig:

I have 2 issues for you today.

First, I am trying to schedule a meeting of the project working group for EAC's Voting Fraud-Voter Intimidation research project. As a technical advisor on this project, your attendance is particularly important to me. Would you please look at your schedule and let me know if there are any days during the first 2 weeks of May that you would NOT be available?

Second, is it OK for our consultants to refer in their report to guidance provided in the DOJ training materials? I ask this because I understood that some materials in the materials are considered confidential and we do not want to violate your confidentiality provisions. If there is a compromise position, such as having you review that portion of the consultants' report, then let me know.

Thanks!

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov
the Working Group and not the Commission and it never specifies where or when this is to take place. All this to say that while the contract does specify a Working Group meeting it does not specify that it must take place on any particular date or in a particular city. With that said, I have never heard of any federal travel requirements that would result in a loss of money because I decided to drive and not fly. In fact, that is why there is a an amount paid per mile. So I would like to see the federal regulation that forces me to take the least expensive transport and restricts all other ground transport costs to that figure.

As to hotels, based on Tova's research there are no rooms for under the $350 range per night. If you can find hotels that are less expensive but still carry the kind of bed I need for my back (either pillow top or a number bed) please do.

The issue of my uncle---today I have not had an update on his condition. But, as I previously stated, if he were to die or have an event while I was in DC, I would have to go to NYC meeting or no meeting.

Finally, neither Tova nor I have been satisfied about Mr. Perez and I have not been told whether Pat Rogers will be coming or one of Tova's people will not be.

In the end, I need to see the travel regulation that I requested above, I would like you to look into hotels for Tova and me that have the kind of bed I need and I would like to know about Perez and Rogers. In the mean time, I should have an update on my uncle by morning. I would also be happy to talk to Julie about the issues involved. I will take you up on your offer to process my travel expenses faster and I do not and never did expect you to get me a travel advance. I worked in international development and know what a headache those are to apply for on the state level.

Job

--- psims@eac.gov wrote:

> Job:
> Folks here are concerned that your failure to show up in person to help conduct the meeting would be a breach of contract. I also am concerned about the impression that your absence will leave with the Commissioners and with the VIPs coming to this meeting.
> If you are concerned about delays in reimbursement caused by including the travel expenses in the personal services voucher, I can always process your request (with receipts) separately and earlier.
I can have staff here check to see if we can find hotel rooms at a more reasonable rate for you and Tova. (We recognize that you may not be able to obtain Federal government rate.) What I cannot do is offer a travel advance, which is not permitted for nonfederal employees, or offer to pay the difference between normal travel expenses and those incurred for personal convenience, when the latter is the higher amount.

I urge you to make your travel arrangements ASAP.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

"Job Serebrov" <[redacted]>
05/08/2006 01:41 PM

To
psims@eac.gov
cc

Subject
Re: Working Group

Given the information I have Peggy, that is not going to be financially possible. First, given Tova's info about the hotels, it is too much for me to front. Two to three days in DC would run around $1000 for the hotel alone. That does not count the two days on the road to get there and two days back. Second, if I can't charge the federal per mile allowance for the entire trip to DC and back and can only get the equivalent of plane fare, I will actually loose money.

I simply do not see how we can do this in person given the financial restrictions.
--- psims@eac.gov wrote:
>
> Job:
>
> I don't think we can put you on teleconference for 41/2 hours. We really need to have you here in person if you are to help conduct the Working Group meeting. You should make your travel arrangements ASAP. --- Peggy

> "Job Serebrov" <aui>
> 05/08/2006 10:14 AM
>
> To psims@eac.gov, wang@tcf.org
>
> Subject Re: Working Group
>
> Peggy:
>
> 4:00 eastern on Tuesday is fine however, given the financial restrictions that you indicated would be in place for use of my car (I would actually loose money coming to DC) and given the cost of hotels at this time (I can't afford to front these costs and wait for months to be repaid), etc, it would take a miracle for this working group meeting to take place in person.
>
> It is looking like the only way it will get done is by teleconference. I also share Tova's concern about the unknown nature of Mr. Perez.

> Job

> --- psims@eac.gov wrote:
>
> Hi, Folks:
Teleconference
Are both of you available for a teleconference next Tuesday afternoon at about 4 PM EST? If this does not work for you, please suggest another date and/or time. I would like to discuss our preparations for the Working Group meeting.

Working Group Members
We have a very good person to fill the slot for the nonpartisan local election official: J.R. Perez, Elections Administrator for Guadalupe County, TX. Attached is his bio. Hope you have no objections to him. He is available on May 18. I have placed 2 calls to Pat Rogers office, but have not yet received a reply. Job, if you have any pull with him, you may want to contact him, too.

Travel Arrangements
You should make your own travel arrangements, including hotel. Travel time cannot be billed to the contract, except for hours actually worked on the contract (i.e., reviewing materials in preparation for the meeting, and the like). Current Federal rates follow:

Maximum Lodging = $180 per day - does not include hotel taxes (if you cannot get this rate, we have covered reasonable rates that are a little higher)
Meals & Incidentals = $64 per day (except that it is $48 on the first and last day of travel)
Mileage for Personally Owned Vehicle = $0.445 per mile

Under the new contract, I do not have to fill out a travel authorization for you. I can approve your trip via email. Afterwords, when you turn in your next pay voucher, you can attach the airline receipt (or mileage documentation), hotel receipt(s), and ground...
transportation receipts and a copy of any printed itineraries. Calculate the total travel expenses due

Do you want me to call both Bob too?

Tova Andrea Wang
Democracy Fellow

Visit our Web site for the latest news, analysis, opinions, and events.

We accidentally left it out when we emailed all the summaries

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 11, 2006 1:09 PM
To: 
Cc: 
Subject: Literature Summary

Tova just sent me the summary you prepared of The Federal Crime of Election Fraud by Craig Donsanto. There is something wrong in the fourth paragraph (odd characters and missing text). Can you please send a replacement fourth paragraph? You can send it in an email and I will place it in the document. --- Peggy
He is representing Barbara Arnwine, and we have already established we are not disinviting anyone. We still don't know about Ginsburg yet anyway, right?

-----Original Message-----
From: Job Serebrov [mailto:JobSerebrov@ac.gov]
Sent: Thursday, May 11, 2006 2:36 PM
To: Tova Wang; peims@eac.gov
Cc: 
Subject: Re: new working group representative

I have an objection to Greenbaum. While I realize he comes from an advocacy group, he is not a minority attorney and we already have a rep who worked with DOJ. If it is to be Greenbaum, I would rather not fill that position since I am one down.

--- Tova Wang wrote:

is Jon Greenbaum

Here' s his info in full:

http://www.lawyerscommittee.org/2005website/aboutus/staff/staffgreenbaum.htm

He is the Director of the Voting Rights Project for the Lawyers Committee for Civil Rights. He will be representing Barbara Arnwine, the Executive Director of the Lawyers Committee.

His contact and mailing info is:

Suite 400
Washington, DC 20005

Tova Andrea Wang
Democracy Fellow
The Century Foundation

I resent the review as you see at the bottom. When I opened it and sent it there was no corrupted text.

--- psims@eac.gov wrote:

Do you have text to replace the corrupted text in paragraph 4? --- Peggy

--- psims@eac.gov wrote:

Tova just sent me the summary you prepared of The Federal Crime of Election Fraud by Craig Donsanto. There is
Thanks, J.R. Great to have you on board! We will get back to you shortly regarding travel arrangements. The meeting materials will be sent by Federal Express next week.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
demail: psims@eac.gov

Hi Peggy, it was nice talking with you today and I would be glad to try and add to the discussion. I am attaching a brief bio and will await your instructions for the travel arrangements. I look forward to receiving the current information on panel issues.

J.R. Perez
Elections Administrator
Guadalupe County
Barry:

Would you please provide an address to which we can Federal Express materials before the meeting? --- Peg

Barry:

It appears that the afternoon of Thursday, May 18 is best for a meeting of the working group. I know you
said you would not be available in the morning that day. If we started at 1 PM, would that be too soon for you?

Peggy Sims
Election Research Specialist
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1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
e-mail: psims@eac.gov

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM ---

"Job Serebrov" To psims@eac.gov
05/12/2006 02:52 PM
cc
Subject Re: Working Group List

List a vacancy---to be filled. If we don't hear from Ginsberg by late afternoon please call Braden.

Job

--- psims@eac.gov wrote:

> Job:
> > What do you suggest I do with the list of Working Group members. I need
> > to get the Fed Ex packages out by the end of the day, and have not heard
> > back from Ginsberg. Do you want me to list a vacancy, or list Norcross
> > with a note that he cannot attend? If we find a substitute, we can always
> > provide an updated list next Thursday. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM ---

Devon E. Romig/EAC/GOV To Margaret Sims/EAC/GOV@EAC
05/09/2006 04:43 PM
cc
Subject Hotel for Job

Peggy,

A possible hotel suggestion for Job might be the Sheraton College Park in Beltsville, MD. They have room availability for the nights of the 17th and the 18th for $159.00 a night.
They have what is called the Sheraton Sweet Sleeper Bed. More information at:

This hotel is a little out of the way but the members of the Asian Language Working Group and others have stayed there. The hotel does offer a shuttle to and from Reagan airport and the metro.

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM -----
Margaret Sims/EAC/GOV
05/12/2006 01:51 PM
To Devon Romig
cc
Subject Wang & Serebov Fed Ex Info

Devon:

Here is the information you need for the Fed Ex forms for Job and Tova.

Tova Wang
201 West 74th Street, Apt 11F
New York, NY 10023
Phone: 212-362-5223
(Note that the package may be left with the doorman.)

Job Serebrov
2110 South Spring Street
Little Rock, AR 72206
Phone: 501-374-2176

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM -----
"Tova Wang"
05/02/2006 05:52 PM
To psims@eac.gov
cc
Subject RE: Voting Fraud/Voter Intimidation Project Working Group

OK. I'll be out of the office for the next three days, and mostly unavailable on Thursday and Friday as you know already. Tomorrow you can try me on my cell phone 917-656-7905. I'll try to check email when I can. Thanks Peg. Tova

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 02, 2006 4:41 PM
To:
Subject: RE: Voting Fraud/Voter Intimidation Project Working Group

I hope to have a better idea tomorrow, if Rokita's office responds. If not, we'd better have a teleconference to discuss our options. --- Peggy

"Tova Wang"  
05/02/2006 05:06 PM

To dromig@eac.gov
cc psims@eac.gov
Subject RE: Voting Fraud/Voter Intimidation Project Working Group

Can you please give me an idea where we are at with all this? I'd like to be able to figure out my schedule. Thanks -- and thanks for all your assistance on this. Tova

-----Original Message-----
From: dromig@eac.gov [mailto:dromig@eac.gov]
Sent: Tuesday, May 02, 2006 3:54 PM
To: wang@tcf.org
Subject: RE: Voting Fraud/Voter Intimidation Project Working Group

Yes, I have spoken to her assistant several times but today has been the first time that I have ever spoken to her assistant. We did get the information that we needed. Thanks for your help!

Devon Romig
U.S. Election Assistance Commission
1225 New York Ave. NW - Suite #1100
Washington, D.C. 20005
(202)566-2377

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM -----

"Tova Wang"
04/26/2006 04:39 PM

To psims@eac.gov
cc
Subject RE: interview analysis

I think I can help you at least with respect to Barbara. I'll be speaking to her today!

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Thanks. We are still trying to get through to Bauer and Arnwine. They have not responded, so their availability is not yet reflected on our spreadsheet. --- Peggy

Hi Peg,

Attached, to add to the collection, is a summary overview of the interviews. Do you have that spreadsheet you were telling me about reflecting the times WG participants are available? If so, maybe we can talk soon? Thanks. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation
10 East 63rd Street, New York, NY 10021
phone: 212-432-7730 fax: 212-432-2683

Visit our Web site, for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.

Hi Peg,
Here is the last summary of existing research. Please let us know how to proceed from here. Thanks.

Tova Andrea Wang
Democracy Fellow
The Century Foundation

Visit our Web site, for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.

Response to the CB Report FINAL.doc
 Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM ----
Margaret Sims/EAC/GOV
05/04/2006 05:47 PM
To
cc
Subject Re: wg

Tova:

Rokita is available --- so the afternoon of May 18 it is. I will not disinvite anyone. I am trying to get Job's next choice (Pat Rogers) as a replacement for Norcross.

Monday appears to be out for a teleconference because Job will be unavailable that afternoon and I am scheduled for something else that morning. I'll check my schedule tomorrow and send a message to you and Job regarding other possible days and times. --- Peggy

Hi Peg,

Just wondering if you had any word from Rokita. Also, I wanted to let you know that I think disinviting members of the working group would be a very unwise and frankly embarrassing way of dealing with the problem of getting 100% attendance. I'm sure we'll talk before any decisions are made. As I said, I'm free on Monday. Thanks. Tova

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM ----
I would give him until Monday morning but I would also

call Braden today and tell him there may be an opening

for him on the WG and find out whether he is free.

--- psims@eac.gov wrote:

> I have placed another call to his office (after one
> previous call to his
> assistant and an email to him). I, too, am
> concerned about our dwindling
> chances. --- Peggy
>
>
>
> "Job Serebrov"  
> 05/12/2006 03:06 PM
>
> To
> psims@eac.gov
> cc
>
> Subject
> Re: Fraud Definition
>
>
>
> Given the short time period, you may want to give
> Ginsberg a deadline. The longer we wait, the poorer
> our chances are of getting Braden.
>
> --- psims@eac.gov wrote:
>
> > I am reluctant to invite Braden until after I have
> > received a "No" from
> > Ginsberg. --- Peg
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001454
Sounds good to me. If not Ginsburg try Braden.

--- psims@eac.gov wrote:

I will add "DRAFT" to the definition and, yes, the WG will have suggestions. I do plan to send packets to you and same materials containing the same materials being provided to the WG. I haven't sent anything yet because I was hoping to finalize the WG list for inclusion. (Still waiting for a response from Ginsberg.) Regarding Tova's response, we may want to have a very short meeting after the WG disperses, followed by a teleconference the following Monday afternoon. Tuesday is bad for me because I'll be out of the office attending a series of EAC meetings that begin that day. --- Peggy

"Job Serebrov" 05/12/2006 12:52 PM

To psims@eac.gov, wang@tcf.org cc Subject Re: Fraud Definition

This is ok, given the fact that the WG may have suggestions. Will you be sending us the same packets that you are sending the WG? Also, I figure with Tova's response we will need to have a teleconference on the report once I return to Little Rock. We
Will need to do it that following Monday or Tuesday.

--- psims@eac.gov wrote:

Would you please take a look at the attached?

I combined both of your definitions, reformatted the list, removed a reference to the fraud having to have an actual impact on the election results

(because fraud can be prosecuted without proving that it actually changed the results of the election), and taken out a couple of vague examples

(e.g.; reference to failing to enforce state laws --- because there may be legitimate reasons for not doing so).

I have made contact with Ben Ginsberg's office and am waiting to hear if he accepts our invitation to join the working group.

--- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM ---
Peggy:

Please add this to the packet.

---

The bed is not what I need and Beltsville is a bit far out.

--- psims@eac.gov wrote:

> Why is the hotel suggestion not workable? (I need to know as we continue our search.) -- Peg

> "Job Serebrov"
> 05/10/2006 10:29 AM

> To
> psims@eac.gov
> cc
> Subject Update

> Peggy:

> Pat just e-mailed me. He has something he can't move on the 18th. So I am now down one person and still no good hotel situation. Devon's suggestion is not workable.

> Job

>
I am concerned about the number of hours left for this project. If you and Tova both agree, I'll see if our Contracting Officer will approve a contract mod to provide for some additional hours and money to incorporate comments received on the report and other efforts that fall within the tasks specified in the current contract. We won't get 60 thou, but there might be a little year end money we can use to finish this off properly.

Peg

Sent from my BlackBerry Wireless Handheld

----- Original Message ----- 
From: "Job Serebrov"
Sent: 06/30/2006 05:58 PM
To: psims@eac.gov; Peg
Subject: Various

Peg:

I had to take time off this afternoon to handle some issues. Did you get an answer as to my travel reimbursement?

I spoke to Tova about the Donsanto issue. We both agree about what we heard during the interview. We also agree that this is taking up too much time (of which we have so little left) and is a minor part of one interview which makes up one of thirty interviews. I feel the same as Tova, the Commission was not in on the interview and thus do not know what was said and we are not giving those interviewed the opportunity, especially given how long ago the interviews were, to object. Frankly, if the Commission wants to give us another sixty hours each we can call all of our interviewees, give them the review and ask for comments. In any case, we can't include comments from other interviews with, or lectures by person interviewed, outside of our interview with that person. We simply can't afford to single out one statement in one interview that there is a disagreement on. Finally, I don't read the paragraph as you do---I remember what was said---the paragraph clearly does not imply an abandonment of other DOJ electoral investigations.

Job
According to the Commissioners, you and Tova each got to pick three members of the Working Group. The Commission guidance regarding this particular member follows:

4 people from the Academic, Legal and Advocacy sectors - 2 to be chosen by Tova and 2 to be chosen by Job.

This issue of allowing a designee relates to Tova's pick.

As I understand it, we are working on a replacement for Norcross. If Ginsberg is not viable, how about Mark Braden, who includes public integrity in his areas of specialization. I would not try and stir up other members of the Working Group, if I were you. The effort is likely to come back and bite you.

---

I really don't care if he represents the organization or not. What mixed race? The entire discussion was because Arnwine was African-American. If you are going to invite him without first having a replacement for my side, I may have to call Thor and Todd and discuss all of this.

---

psims@eac.gov wrote:

> Greenbaum is representing Arnwine, not replacing her. He works for her organization and is of mixed race. --- Peggy
> serebrov@sbcglobal.net
> Subject
> Re: new working group representative
> 
> 
> I have an objection to Greenbaum. While I realize he
> comes from an advocacy group, he is not a minority
> attorney and we already have a rep who worked with
> DOJ. If it is to be Greenbaum, I would rather not
> fill
> that position since I am one down.
> 
> --- Tova Wang <redacted> wrote:
> 
> > is Jon Greenbaum
> > 
> > Here' s his info in full:
> > 
> > I
> > 
> > He is the Director of the Voting Rights Project
> > for
> > the Lawyers Committee
> > for Civil Rights. He will be representing Barbara
> > Arnwine, the Executive
> > Director of the Lawyers Committee.
> > 
> > His contact and mailing info is:
> > 
> > Tova Andrea Wang
> > Democracy Fellow
> > The Century Foundation
> > Visit our Web site, for the latest news,
> > analysis, opinions, and events.
> > 
> > 
> > 
> > Click here to receive our
> > weekly e-mail updates.
> > 
> >
Yes. please let Joyce know and she will get someone
Tom

Tom:
I understand that EAC hired a court reporter for the Asian Language Working Group meeting. I would like to do the same for the May 18 Voting Fraud-Voter Intimidation Working Group meeting, but I did not include funds in my budget for this service. Do we have funds that could be used for this purpose? (See Devon's cost estimate below.) --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 05/10/2006 10:18 AM -----
Devon E. Romig/EAC/GOV

05/10/2006 09:54 AM
To Margaret Sims/EAC/GOV@EAC
cc
Subject Court reporter
Peggy,

I spoke to the people who usually handle the EAC court reporting. They charge $9.00 per page with an average of 40 pages per hour. This service would cost about $1800.00.

The turn around time for the transcript is 10 to 15 days. The transcripts comes in a bound paper copy and an electronic copy.

I can also check around for different prices.

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov
Peggy Sims
Election Research Specialist

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:49 PM -----
Bola Olu/EAC/GOV
02/12/2007 01:13 PM
To Margaret Sims/EAC/GOV@EAC
cc DScott@eac.gov
Subject Re: Possible Discrepancy on Contractor's 1099

Peggy:

Please find attached a record of payments that GSA Finance made to Job during 2006. Hope this will clear any confusion on both sides. Let me know if I can further assist you.

List of Job Serebrov payment for Year 2006.xls

Bola Olu
Financial Administrative Specialist
United States Election Assistance Commission
1225 New York Avenue N.W., Suite - 1100
Washington, DC 20005
P:202-566-3124
F:202/566-3127
http://www.eac.gov/

"Intelligence plus character...the goal of true education. Dr. Martin Luther King."

Margaret Sims/EAC/GOV

Margaret Sims/EAC/GOV
02/12/2007 12:13 PM
To DScott@eac.gov, Bola Olu/EAC/GOV@EAC
cc
Subject Possible Discrepancy on Contractor's 1099

Diana And Bola:

Job Serebrov, one of our personal services contractors on the Vote Fraud-Voter Intimidation research project, has received a 1099 that shows total payments from EAC in 2006 of $58,065.35. He asked me to check the payments I had listed for him because the amount seemed too high to him.

I don't have access to copies of his invoices right now, but I do have access to the spreadsheets I used to track payments. Even if I include his travel reimbursements, the amount shown on the 1099 appears too
Can one of you help me figure this out? The ACT and contract numbers for his personal services contracts involving any payments in 2006 follow:

ACT# E4019698, Contract # EAC 05-67
ACT# E4019905, Contract # EAC 06-05

Peggy Sims
Election Research Specialist

Thanks for looking this up for me. It appears that they included 2 payments made at the end of 2005 in the total for 2006. Is that standard operating procedure? --- Peggy

Peggy:

Please find attached a record of payments that GSA Finance made to Job during 2006. Hope this will clear any confusion on both sides. Let me know if I can further assist you.

List of Job Serebrov payment for Year 2006.xls

Bola Olu
Financial Administrative Specialist
United States Election Assistance Commission
1225 New York Avenue N.W., Suite - 1100
Washington, DC 20005
P:202-566-3124
F:202/566-3127
http://www.eac.gov/

"Intelligence plus character...the goal of true education." Dr. Martin Luther King."
Diana And Bola:

Job Serebrov, one of our personal services contractors on the Vote Fraud-Voter Intimidation research project, has received a 1099 that shows total payments from EAC in 2006 of $58,065.35. He asked me to check the payments I had listed for him because the amount seemed too high to him.

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ACT# E4019698, Contract # EAC 05-67
ACT# E4019905, Contract # EAC 06-05

Peggy Sims  
Election Research Specialist
-----Original Message-----
From: Job Serebrov [mailto:]
Sent: Monday, May 08, 2006 9:41 PM
To: Patrick J. Rogers
Subject: Working Group meeting

Pat:

The working group meeting for the voter fraud
project is scheduled for
May 18th in DC but David Norcross can't attend.
Could you come? If so,
we need to arrange travel and a hotel for you.

Regards,

Job

Modrall, Sperling, Roehl, Harris & Sisk, P.A.

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE
INDIVIDUAL OR ENTITY TO
WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION
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electronic transmission in error, please delete it
from your system
without copying it, and notify the sender by reply
e-mail or by calling
so that our address record can be
corrected. Thank you.

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM -----
Margaret Sims/EAC/GOV
05/09/2006 11:40 AM	To Serebrov
cc
As you may recall, the Commissioners directed me to find a nonpartisan local election official to serve on the Working Group. The three of us discussed the desirability of having a Hispanic. I proposed that I find someone from Texas because of that State's colorful history of voting fraud and their innovative approaches to combat it. In those Texas counties that hire Election Administrators to run elections, rather than having elected officials do so (Tax Assessor for voter registration; County Clerk for balloting), the Election Administrator is hired by the County Election Commission and is supposed to perform his or her duties in a nonpartisan manner. (See attached excerpts from Texas Election Code regarding election administrator hiring and restrictions on partisan activity.) Any experienced Texas election official will be familiar with voting fraud and voter intimidation schemes used in that State. Mr. Perez has over 13 years experience as a county Election Administrator in Texas. You won't find many news articles mentioning him because he has kept his nose clean. (The Texas press, as in many other parts of the country, prefers to report bad news.) Mr. Perez is plugged into the association of Texas election officials and the two largest organizations of election officials in this country: the International Association of Clerks, Recorders, Election Officials and Treasurers (IACREOT); and The Election Center. He is a past President and past Chairman of the Legislative Committee for the Texas Association of Election Administrators. He currently serves on IACREOT's Election Officials Committee, which plans the educational sessions for election officials that are conducted at that organization's conferences. His peers in IACREOT and The Election Center have selected his submissions on web presentations (IACREOT) and his professional practices papers (Election Center) for awards. Mr. Perez also has access to information from other States through his membership in IACREOT and The Election Center. He also has a sense of humor, which you will note if you access the staff web page on the Guadalupe County Elections web site and hear the Mission Impossible theme... something that might be useful in the upcoming meeting.

Guadalupe County is small but growing. In 2004, the county had over 65 thousand registered voters (a number more than doubled the number of registered voters in 1988). A third of the county's population claims Hispanic or Latino origin, according to the U.S. Census Bureau. The county is in south central Texas and is bordered by Comal, Hays, Cladwell, Gonzales, Wilson, and Bexar counties. In the 1980s, the county was predominately a farming community; but in recent years, many people have moved from San Antonio (Bexar County) to Guadalupe County, preferring to live in Guadalupe County and work in Bexar County.

--- Peggy

tx elec admin-appt-partisan restrictions.doc
Peggy:

What political party is Perez with? How political is he? Is the position in Texas neutral or political? Who appointed Perez?

As to Pat I will contact him but I can't promise anything. If Pat can't come, who is getting knocked off Tova's list?

Job

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM -----  
Margaret Sims/EAC/GOV 
05/09/2006 11:38 AM 
To: Tova Andrea Wang 
cc: 
Subject: Fw: Case Summaries

Had you seen this? --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 05/09/2006 11:38 AM -----  
"Job Serebrov" 
05/08/2006 09:30 AM 
To: psims@eac.gov 
cc: 
Subject: Case Summaries

Peggy:

Please add this to the packet.

Job

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM -----  
"Job Serebrov"
The teleconference is on. However, I am still one person down for the meeting and I am not comfortable. This will have to be discussed since from the start it was agreed that the WG would be equal and if I lost a person Tova would have to loose one. Further and most importantly, I don't yet have a hotel so my attendance is still up in the air. Finally, the agenda is not what we discussed and gives far too much time for areas that can be covered in a short time. Not listed are all of the questions that Tova's proposed agenda had. All in all, it needs to be redone.

--- psims@eac.gov wrote:

> I assume that we are still on for today's teleconference at 11 AM EST. I will call you. I have attached a draft agenda for your review and comment. --- Peggy

---- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM ----

Diana Scott/EAC/GOV

05/08/2006 01:52 PM

To Margaret Sims/EAC/GOV@EAC

cc dromig@eac.gov, Karen Lynn-Dyson/EAC/GOV@EAC, Edgardo Cortes/EAC/GOV@EAC

Subject Re: Working Group Travel

I have given Adventure Travel the necessary credit card authorization on this. Devon please follow-up with the reservations etc.

Diana M. Scott
Administrative Officer
U.S. Election Assistance Commission
(202) 566-3100 (office)
(202) 566-3127 (fax)
dscott@eac.gov

Margaret Sims/EAC/GOV
Diana:

The following members of the Working Group for our Voting Fraud/Voter Intimidation research project will need to make travel arrangements in order to attend an afternoon meeting of the group on May 18 in Washington, DC:

Mark "Thor" Hearne - St Louis, MO
J.R. Perez - Seguin, TX
The Honorable Todd Rokita - Indianapolis, IN
Kathy Rogers - Atlanta, GA

I may have one additional member from Albuquerque, NM confirmed early next week.

May these people use Adventure Travel to make these arrangements in the same manner as the Asian Language Working Group? I understand the members of that group made hotel and flight arrangements through Adventure Travel and that these costs were billed directly to EAC. We did plan for EAC to pay for the travel of the Voting Fraud/Voter Intimidation Working Group (budgeted under Research). Devon will prepare their travel authorizations.

Peggy Sims  
Election Research Specialist

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM -----  
"Tova Wang"  
05/08/2006 10:18 AM  
To: psims@eac.gov  
cc:  
Subject: RE: Working Group

I am more than happy to attend in person
Peggy:

4:00 eastern on Tuesday is fine however, given the financial restrictions that you indicated would be in place for use of my car (I would actually loose money coming to DC) and given the cost of hotels at this time (I can't afford to front these costs and wait for months to be repaid), etc, it would take a miracle for this working group meeting to take place in person. It is looking like the only way it will get done is by teleconference. I also share Tova's concern about the unknown nature of Mr. Perez.

Job

--- psims@eac.gov wrote:

> Hi, Folks:
> >
> > Teleconference
> > Are both of you available for a teleconference next Tuesday afternoon at about 4 PM EST? If this does not work for you, please suggest another date and/or time. I would like to discuss our preparations for the Working Group meeting.
> >
> > Working Group Members
> > We have a very good person to fill the slot for the nonpartisan local election official: J.R. Perez, Elections Administrator for Guadalupe County, TX. Attached is his bio. Hope you have no objections to him. He is available on May 18. I have place 2 calls to Pat Rogers office, but have not yet received a reply. Job, if you have any pull with him, you may want to contact him, too.
> >
> > Travel Arrangements
> > You should make your own travel arrangements, including hotel. Travel time cannot be billed to the contract, except for hours actually worked on the contract (i.e.; reviewing materials in preparation for the meeting, and the like). Current Federal rates follow:
> >
> > Maximum Lodging = $180 per day- does not include hotel taxes (if you cannot get this rate, we have covered reasonable rates that are a little higher)
> > Meals & Incidentals = $64 per day (except that it is $48 on the first and last day of travel)
> > Mileage for Personally Owned Vehicle = $ .445 per mile
> >
> > Under the new contract, I do not have to fill out a
travel authorization
for you. I can approve your trip via email.
Afterwords, when you turn in
your next pay voucher, you can attach the airline
receipt (or mileage
documentation), hotel receipt(s), and ground
transportation receipts and a
copy of any printed itineraries. Calculate the
total travel expenses due
you, including applicable per diem. I do not need
meal receipts.

Job, under Federal travel regulations, deviations
for personal reasons are
not normally accommodated. What you can do,
however, is to give me a
comparison of the cost of roundtrip mileage, hotel,
and per diem of doing
it your way against the cost of a roundtrip flight,
ground transportation,
hotel, and per diem. If your way costs less, it
should be no problem to
cover the full cost. If your way is more expensive,
we may only pay up to
the amount of traditional travel. (The same rules
apply to me when I
travel.) If you can tell me where, other than DC,
you will spend the
night, I can check on applicable per diem rates.

Peggy

Peggy:
I may have the only option left but it is a risk time
wise. I could stay at the Baymont in Salem by Roanoke
and then leave early that morning and drive into DC or
to a park and ride (Metro). I would make it before
12:00 barring any unforeseen road issues. However, I
would have to leave to go home right after the
meeting. That would cancel the next day's meeting.
I need to run to West Little Rock so you can get me on my cell if you want to talk.

Job:

What do you suggest I do with the list of Working Group members. I need to get the Fed Ex packages out by the end of the day, and have not heard back from Ginsberg. Do you want me to list a vacancy, or list Norcross with a note that he cannot attend? If we find a substitute, we can always provide an updated list next Thursday. --- Peggy

news article review

Would these go under literature review or news article review? --- Peggy
Peg,

Correct me if I'm wrong, but I think I omitted sending you these specific summaries that are based on complex cases that could not be adequately described within the confines of the nexis article excel spreadsheets. If we can, these should be included, probably on the disc. Sorry.

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM -----
Margaret Sims/EAC/GOV
05/11/2006 11:45 AM  To  Job Serebrov
cc
Subject  Court Case Charts

Job
In preparing the CDs, we have run across the following files that appear to be duplicates. Which ones should go on the CD? --- Peggy

Chart Election Accessible.doc  Chart Vote Inaccessible.doc
Chart Denial Voter Registrat.doc  Chart Denial Voter Registrat2.doc
Chart Provisional Ballot Den.doc  Chart Provisional Ballot Den2.doc

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM -----
"Job Serebrov"
05/09/2006 12:03 PM  To  psims@eac.gov
cc
Subject  Re: Working Group-Perez

Here is the issue---four of the five people who
selected Perez are Republicans. If the shoe were on the other foot I would be uncomfortable. This one is up to Tova to call but I am not sure that he can be neutral.

--- psims@eac.gov wrote:

> OK, I get it. The text in the attachment follows:

> EXCERPTS FROM TEXAS ELECTION CODE

> SUBCHAPTER B. COUNTY ELECTIONS ADMINISTRATOR

> ***

> § 31.032. APPOINTMENT OF ADMINISTRATOR; COUNTY ELECTION COMMISSION.

> (a) The position of county elections administrator is filled by appointment of the county election commission, which consists of:

> (1) the county judge, as chair;

> (2) the county clerk, as vice chair;

> (3) the county tax assessor-collector, as secretary; and

> (4) the county chair of each political party that made nominations by primary election for the last general election for state and county officers preceding the date of the meeting at which the appointment is made.

> (b) The affirmative vote of a majority of the commission's membership is necessary for the appointment of an administrator.

> (c) Each appointment must be evidenced by a written resolution or order signed by the number of commission members necessary to make the appointment. Not later than the third day after the date an administrator is appointed, the officer who presided at the meeting shall file a signed copy of the resolution or order with the county clerk. Not later than the third day after the date the copy is filed, the county clerk shall deliver a certified copy of the resolution or order to the secretary of state.

> (d) The initial appointment may be made at any time after the adoption of the order creating the position.

> ***

> § 31.035. RESTRICTIONS ON POLITICAL ACTIVITIES.

> (a) A county elections administrator may not be a candidate for a public office or an office of a political party,
hold a public office, or
hold an office of or position in a political party.
At the time an
administrator becomes a candidate or accepts an
office or position in
violation of this subsection, the administrator
vacates the position of
administrator.

(b) A county elections administrator
commits an offense if the
administrator makes a political contribution or
political expenditure, as
defined by the law regulating political funds and
campaigns, or publicly
supports or opposes a candidate for public office or
a measure to be voted
on at an election. An offense under this subsection
is a Class A
misdemeanor. On a final conviction, the
administrator's employment is
terminated, and the person convicted is ineligible
for future appointment
as county elections administrator.
We have the same set-up here in Arkansas. We hired a person just like Perez. However, given this, I would still like to know if he has a party affiliation and this brings up another issue. How is the county election commission chosen. In Arkansas it is the Chairmen of the Republican and Democrat Parties or if he/she does not want to serve a person is elected in his/her stead and a third member picked by the party with the most constitutional officers. Practically that has meant that the Democrats have controlled election commissions in Arkansas since the end of Reconstruction. This is why I want to know the situation in Texas.

--- psims@eac.gov wrote:

> As you may recall, the Commissioners directed me to find a nonpartisan local election official to serve on the Working Group. The three of us discussed the desirability of having a Hispanic.

> I proposed that I find someone from Texas because of that State's colorful history of voting and their innovative approaches to combat it.

> In those Texas counties that hire Election Administrators to run elections, rather than having elected officials do so (Tax Assessor for voter registration; County Clerk for balloting), the Election Administrator is hired by the County Election Commission and is supposed to perform his or her duties in a nonpartisan manner. (See attached excerpts from Texas Election Code regarding election administrator hiring and...
re restrictions on partisan activity.)
Any experienced Texas election official will be familiar with voting fraud and voter intimidation schemes used in that State.

Mr. Perez has over 13 years experience as a county Election Administrator in Texas. You won't find many news articles mentioning him because he has kept his nose clean.

(The Texas press, as in many other parts of the country, prefers to report bad news.) Mr. Perez is plugged into the association of Texas election officials and the two largest organizations of election officials in this country: the International Association of Clerks, Recorders, Election Officials and Treasurers (IACREOT); and

--- message truncated ---

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM -----

"Tova Wang"
05/11/2006 01:59 PM
To psims@eac.gov
cc
Subject RE: research summaries

Job did this one

-----Original Message-----
From: psims@eac.gov
Sent: Thursday, May 11, 2006 12:56 PM
To: 
Subject: Re: research summaries

Something is wrong in the fourth paragraph of the Federal Election Crime summary. Do you know what it is supposed to say there?

"Tova Wang"
05/11/2006 01:30 PM
To psims@eac.gov, dromig@eac.gov

001473
I have the feeling we didn't include these in the original batch I sent you. Could you double check and if not, would you please include them in the existing research materials? Sorry and thanks. I'm kind of doing all of this on my own in case you couldn't tell. List is coming...

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM -----
Margaret Sims/EAC/GOV
05/11/2006 11:16 AM
To Job Serebrov, Tova Andrea Wang
cc
Subject Rev Agenda for Working Group Meeting

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM -----
Margaret Sims/EAC/GOV
05/09/2006 02:48 PM
To Adam Ambrogi/EAC/GOV
cc
Subject Fw: Working Group-Perez

Adam:

J.R. Perez's resume is attached, and I have forwarded my last explanatory email to Job in answer to his concerns. I will tell Tova not to contact Ray, but that she may talk with you about this issue. Thanks! --- Peggy

Perez bio 5_5_06.doc
As you may recall, the Commissioners directed me to find a nonpartisan local election official to serve on the Working Group. The three of us discussed the desirability of having a Hispanic. I proposed that I find someone from Texas because of that State's colorful history of voting fraud and their innovative approaches to combat it. In those Texas counties that hire Election Administrators to run elections, rather than having elected officials do so (Tax Assessor for voter registration; County Clerk for balloting), the Election Administrator is hired by the County Election Commission and is supposed to perform his or her duties in a nonpartisan manner. (See attached excerpts from Texas Election Code regarding election administrator hiring and restrictions on partisan activity.)

Any experienced Texas election official will be familiar with voting fraud and voter intimidation schemes used in that State. Mr. Perez has over 13 years experience as a county Election Administrator in Texas. You won't find many news articles mentioning him because he has kept his nose clean. (The Texas press, as in many other parts of the country, prefers to report bad news.) Mr. Perez is plugged into the association of Texas election officials and the two largest organizations of election officials in this country: the International Association of Clerks, Recorders, Election Officials and Treasurers (IACREOT); and The Election Center. He is a past President and past Chairman of the Legislative Committee for the Texas Association of Election Administrators. He currently serves on IACREOT's Election Officials Committee, which plans the educational sessions for election officials that are conducted at that organization's conferences. His peers in IACREOT and The Election Center have selected his submissions on web presentations (IACREOT) and his professional practices papers (Election Center) for awards. Mr. Perez also has access to information from other States through his membership in IACREOT and The Election Center. He also has a sense of humor, which you will note if you access the staff web page on the Guadalupe County Elections web site and hear the Mission Impossible theme... something that might be useful in the upcoming meeting.

Guadalupe County is small but growing. In 2004, the county had over 65 thousand registered voters (a number more than doubled the number of registered voters in 1988). A third of the county's population claims Hispanic or Latino origin, according to the U.S. Census Bureau. The county is in south central Texas and is bordered by Comal, Hays, Cladwell, Gonzales, Wilson, and Bexar counties. In the 1980s, the county was predominately a farming community; but in recent years, many people have moved from San Antonio (Bexar County) to Guadalupe County, preferring to live in Guadalupe County and work in Bexar County.

--- Peggy
Peggy:

What political party is Perez with? How political is he? Is the position in Texas neutral or political? Who appointed Perez?

As to Pat I will contact him but I can't promise anything. If Pat can't come, who is getting knocked off Tova's list?

Job

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM -----

"Job Serebrov" To psims@eac.gov

05/11/2006 04:35 PM cc

Subject Re: new working group representative

Peggy:

Braden is ok also with me but please don't tell me not to "stir up" things. I assure you nothing will come back to bite me. I know these people well enough to say they will also want a balanced group. In fact, one of them was very unhappy with Tova's folks.

Job

--- psims@eac.gov wrote:

> According to the Commissioners, you and Tova each
> got to pick three
> members of the Working Group. The Commission
> guidance regarding this
> particular member follows:
> >
> > 4 people from the Academic, Legal and Advocacy
> > sectors - 2 to be chosen by
> > Tova and 2 to be chosen by Job.
> >
> > This issue of allowing a designee relates to Tova's
> > pick.
> >
> > As I understand it, we are working on a replacement
> > for Norcross. If
> > Ginsberg is not viable, how about Mark Braden, who
> > includes public
> > integrity in his areas of specialization. I would
> > not try and stir up
other members of the Working Group, if I were you.
The effort is likely
to come back and bite you.

"Job Serebrov"
05/11/2006 03:53 PM

To
psims@eac.gov
cc

Subject
Re: new working group representative

I really don't care if he represents the organization or not. What mixed race? The entire discussion was because Arnwine was African-American. If you are going to invite him without first having a replacement for my side, I may have to call Thor and Todd and discuss all of this.

--- psims@eac.gov wrote:

> Greenbaum is representing Arnwine, not replacing her. He works for her organization and is of mixed race. --- Peggy

"Job Serebrov"
05/11/2006 03:36 PM

To
"Tova Wang" <psims@eac.gov
cc

Subject
Re: new working group representative

I have an objection to Greenbaum. While I realize he comes from an advocacy group, he is not a minority attorney and we already have a rep who worked with
DOJ. If it is to be Greenbaum, I would rather not fill that position since I am one down.

--- Tova Wang <wang@tcf.org> wrote:

is Jon Greenbaum

Here's his info in full:

He is the Director of the Voting Rights Project for the Lawyers Committee for Civil Rights. He will be representing Barbara Arnwine, the Executive Director of the Lawyers Committee.

His contact and mailing info is:

Suite 400
Washington, DC 20005

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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Click here to receive our weekly e-mail updates.
When I opened the attachment, I still had problems with the 4th paragraph. Would you please just send me that paragraph within the text of your email so that I can paste it into the document? --- Peggy

"Job Serebrov"

---

I resent the review as you see at the bottom. When I opened it and sent it there was no corrupted text.

--- psims@eac.gov wrote:

> Do you have text to replace the corrupted text in paragraph 4? --- Peggy
> 
> --- psims@eac.gov wrote:
> 
> > --- psims@eac.gov wrote:
Tova just sent me the summary you prepared of The Federal Crime of Election Fraud by Craig Donsanto. There is something wrong in the fourth paragraph (odd characters and missing text). Can you please send a replacement fourth paragraph? You can send it in an email and I will place it in the document. --- Peggy

Ok. Thanks

--- psims@eac.gov wrote:

> Job:
> I've signed and submitted your voucher. I had to correct the contract date. (It is 2/26/06, not 4/22/06.) Everything else looked great. --- Peggy

We are still on for 4 PM. Ray is out of the office due to a family emergency, so I suggest you NOT contact him. You may contact his Special Assistant, Adam Ambrogi (aambrogi@eac.gov or 202-566-3105), who also hails from Texas. --- Peggy

"Tova Wang"
We are still doing the 4 pm call, right? We can discuss it more then. Would it be OK if I see if Ray knows this person? Thanks. Tova

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]  
Sent: Tuesday, May 09, 2006 10:14 AM  
To: serebrov@sbcglobal.net  
Cc: wang@tcf.org  
Subject: Re: Working Group-Perez

As you may recall, the Commissioners directed me to find a nonpartisan local election official to serve on the Working Group. The three of us discussed the desirability of having a Hispanic. I proposed that I find someone from Texas because of that State's colorful history of voting fraud and their innovative approaches to combat it. In those Texas counties that hire Election Administrators to run elections, rather than having elected officials do so (Tax Assessor for voter registration; County Clerk for balloting), the Election Administrator is hired by the County Election Commission and is supposed to perform his or her duties in a nonpartisan manner. (See attached excerpts from Texas Election Code regarding election administrator hiring and restrictions on partisan activity.)

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--- Peggy
Peggy:

What political party is Perez with? How political is he? Is the position in Texas neutral or political? Who appointed Perez?

As to Pat I will contact him but I can't promise anything. If Pat can't come, who is getting knocked off Tova's list?

Job

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM -----

Dear Mr. Ginsberg:

This is to confirm my call to your office this morning inviting you to be a member of and attend the upcoming meeting of the U.S. Election Assistance Commission's (EAC) Working Group on Voting Fraud-Voter Intimidation. The meeting is scheduled to take place from 1:00 PM to 5:30 PM on Thursday, May 18th, 2006 at the offices of the U.S. Election Assistance Commission (EAC), 1225 New York Avenue, NW, 11th Floor, Washington, DC.

Section 241 of the Help America Vote Act of 2002 (HAVA) requires EAC to conduct research on election administration issues. Among the tasks listed in the statute are the development of:

- nationwide statistics and methods of identifying, deterring, and investigating voting fraud in elections for Federal office [section 241(b)(6)]; and
- methods of identifying, deterring, and investigating methods of voter intimidation [section 241(b)(7)].

EAC's Board of Advisors recommended that the agency make research on these matters a high priority. Subsequently, the Commission contracted with two consultants (Job Serebrov and Tova Wang) to:

00145
• develop a comprehensive description of what constitutes voting fraud and voter intimidation in the context of Federal elections;
• perform background research (including Federal and State administrative and case law review), identify current activities of key government agencies, civic and advocacy organizations regarding these topics, and deliver a summary of this research and all source documentation;
• establish a project working group, in consultation with EAC, composed of key individuals and representatives of organizations knowledgeable about the topics of voting fraud and voter intimidation;
• provide the description of what constitutes voting fraud and voter intimidation, and the results of the preliminary research to the working group, and convene the working group to discuss potential avenues for future EAC research on this topic; and
• produce a report to EAC summarizing the findings of the preliminary research effort and working group deliberations that includes recommendations for future research, if any;

We strive to include bipartisan representation on the Working Group associated with this project. You were recommended for this project by our Republican consultant, Job Serebrov. Your ideas for possible EAC activities related to this topic will help the agency as it plans future actions to meet its HAVA responsibilities.

If you can find the time in your busy schedule to participate, I will have an information packet delivered to your office by COB, Monday, May 15. Please let me know if you are available. Thank you.

Regards,

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM ---

Margaret Sims/EAC/GOV
05/10/2006 09:25 AM
To "Tova Wang"
cc
Subject Re: arnwine

I'm checking on this. Will get back to you as soon as I have more info. --- Peggy

"Tova Wang"
05/09/2006 05:28 PM
To psims@eac.gov
cc
Subject arnwine
She definitely cannot do it. Would you please find out if Wade Henderson would be possible? Now its my turn to be upset!!! Thanks.

Tova Andrea Wang
Democracy Fellow

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Click here to receive our weekly e-mail updates.
Here is the second batch of my archived email related to the vote fraud study.

Peg Sims

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:28 PM -----

Aletha Barrington/CONTRACTOR/EAC/GOV
04/19/2006 01:09 PM

To
cc
Subject Voting fraud/Voter intimidation

Good afternoon:

I like to introduce myself, I am Aletha Barrington, the new Contract Assistant, I will be replacing Nicole Mortellito. You may address any questions regarding the Voting Fraud/Voter Intimidation Contract to me as well as cc all monthly reports. Thank you and I look forward to working with you!

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:28 PM -----

Margaret Sims/EAC/GOV
04/17/2006 04:33 PM

To Sarah Ball Johnson
cc ecortes@eac.gov
Subject Voting Fraud-Voter Intimidation Teleconference 4-19-06

Hi, Sarah:

Thank you for agreeing to be interviewed on Wednesday, April 19, by the consultants for EAC's initial research on voting fraud and voter intimidation, Job Serebrov and Tova Wang. Our consultants are conducting interviews as part of preliminary research to determine how EAC may best meet the requirements of Section 241(b)6 and 7 of the Help America Vote Act of 2002. As you may recall, Section 241 requires EAC to conduct research on election administration issues, including the development of:

- nationwide statistics and methods of identifying, deterring, and investigating voting fraud in elections for Federal office; and
- methods of identifying, deterring, and investigating methods of voter intimidation.

This is what I need you (and the Secretary, if he is available) to do:

- At approximately 11 AM EST on April 19, call 1-866-222-9044.
- At the prompt for the pass code, enter 62209.
Tova and Job will join you on the line. We have arranged for the line to be open for an hour, with 10 minutes extra on the front end (for folks who have not synchronized their watches).

You mentioned that Secretary Grayson may be using a cell phone. Our teleconference provider has given us the following information regarding the use of cell phones during the teleconference:

- Signals are often in and out and the audio bridging equipment cannot compensate fast enough by adjusting the signal. This affects all participants connected. If participants must use a cell phone – they should be stationary in a location where they can pick up the other participants, moving while using a cell phone causes the signal to go in and out and often will pick up extraneous electrical signals that will cause heavy static on the call.
- The cell phone should be well charged and muted, if possible, until the individual is ready to speak.
- If there is a problem, anybody who dials into a conference can contact the operator/technicians by simply pressing *0 (star zero). This information is part of the recording when individuals are dialing in.

If you have any problems accessing the teleconference, please call Edgardo Cortés. You can reach him at 1-866-747-1471 (toll-free) or 202-566-3126. He can contact our service provider to correct any problems. (I will be on my way to Seattle and unable to help.)

Thanks, again!

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:28 PM -----
"Tova Wang"
04/17/2006 01:34 PM
To psims@eac.gov
cc
Subject RE: Interviews

Actually, 11 EST would be better. Thanks.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, April 17, 2006 10:49 AM
To: Tova Wang
Subject: Interviews

I know you preferred Friday, but Job is not available then. He also said he is not available next week. Do you have any time available this Wednesday? --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/17/2006 11:45 AM -----
I can't do it Friday but Wednesday is ok.

--- psims@eac.gov wrote:

> Tova and Job:
> >
> > I've passed Tova's request on to Craig.
> >
> > Also, Sarah Ball Johnson, KY, finally called back to say she would be available Wednesday through Friday this week and next week for the interview. Which day and time is best for you and Job?
> >
> > --- Peggy
>
> 04/16/2006 11:39 AM
> >
> > Hi Peg,
> >
> > Happy Easter!
> >
> > Would it be possible to talk to Mr. Donsanto about this latest initiative, or somehow get more information? Thanks. Tova
>
> http://www.fbi.gov/page2/april06/electioncrime041406.htm
Ms. Rivers,

My name is Devon Romig and I am writing to you on behalf of the Election Assistance Commission. I believe that you have been contacted previously by our consultant Job Serebrov about the Voting Fraud/Voter Intimidation Project Working Group that we are organizing.

We are in the process of setting a date for this event and we would appreciate any suggestions that you may contribute based upon Mr. Norcross's availability in the month of May. The proposed dates are May 1, 2, 3, 8, 9, 10, 11, 12, 15, 16, 17, 18, 19. The meeting will only last for one day. Please let me know any and all of the listed dates that will work with Mr. Norcross's schedule.

Also, I tried to contact you by phone but I received a disconnected notification. Could you please provide me with your most current contact information?

Feel free to call or email me with any questions.

Thanks!

Devon Romig
U.S. Election Assistance Commission
1225 New York Ave. NW - Suite #1100
Washington, D.C. 20005
(202)566-2377
Peg, I hope we will be able to review the binders you put together before they get sent out. Thanks. Just one more research summary to come Monday. Tova

Tova Andrea Wang
Democracy Fellow

I will now begin sending several emails with material for the working group meeting. Peg, we still have not heard back from you on whether you like the agenda. I have attached it again. With respect to the interview and research summaries, would you both please review them to make sure there are no glaring mistakes?

Are we going on a hiatus next week? I'm a little confused about what happens from here. Tova

Tova Andrea Wang
Democracy Fellow
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--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:28 PM ---

"Tova Wang"
To: psims@eac.gov, "Job Serabro" 
cc
Subject: interview summaries 4 (final)

Please also double check that I have not left any out. Thanks.

Tova Andrea Wang
Democracy Fellow

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--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:28 PM ---

"Johnson, Sarah Ball (SBE)"
To: psims@eac.gov
cc
Subject: RE: Voting Fraud-Voter Intimidation Teleconference 4-19-06

Peggy,
I am attaching a link to a recent book published by a Kentucky History Professor, Tracy Campbell, which details voter fraud on state and national level. It is very interesting reading.
http://www.amazon.com/gp/product/078671591X/sr=8-1/qid=1145390029/ref=pd_bbs_1/103-8923253-6647806?%5Fencoding=UTF8

Sarah Ball Johnson
Executive Director
Hi, Sarah:

Thank you for agreeing to be interviewed on Wednesday, April 19, by the consultants for EAC's initial research on voting fraud and voter intimidation, Job Serebrov and Tova Wang. Our consultants are conducting interviews as part of preliminary research to determine how EAC may best meet the requirements of Section 241(b)6 and 7 of the Help America Vote Act of 2002. As you may recall, Section 241 requires EAC to conduct research on election administration issues, including the development of:

- nationwide statistics and methods of identifying, deterring, and investigating voting fraud in elections for Federal office; and
- methods of identifying, deterring, and investigating methods of voter intimidation.

This is what I need you (and the Secretary, if he is available) to do:

- At approximately 11 AM EST on April 19, call 1-866-222-9044.
- At the prompt for the pass code, enter 62209.

Tova and Job will join you on the line. We have arranged for the line to be open for an hour, with 10 minutes extra on the front end (for folks who have not synchronized their watches).

You mentioned that Secretary Grayson may be using a cell phone. Our teleconference provider has given us the following information regarding the use of cell phones during the teleconference:

- Signals are often in and out and the audio bridging equipment cannot compensate fast enough by adjusting the signal. This affects all participants connected. If participants must use a cell phone – they should be stationary in a location where they can pick up the other participants, moving while using a cell phone causes the signal to go in and out and often will pick up extraneous electrical signals that will cause heavy static on the call.
- The cell phone should be well charged and muted, if possible, until the individual is ready to speak.
- If there is a problem, anybody who dials into a conference can contact the operator/technicians by simply pressing *0 (star zero). This information is part of the recording when individuals are dialing in.
If you have any problems accessing the teleconference, please call Edgardo Cortés. You can reach him at 1-866-747-1471 (toll-free) or 202-566-3126. He can contact our service provider to correct any problems. (I will be on my way to Seattle and unable to help.)

Thanks, again!

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

Tova Andrea Wang
Democracy Fellow
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Click here to receive our weekly e-mail updates.

Summary of DOJ activities 0405.doc

Sarah:
Thank you. I have not reviewed this myself, so I really appreciate the link. Professor Campbell was among the people interviewed by our consultants.
Peggy Sims  
Election Research Specialist  
U.S. Election Assistance Commission  
1225 New York Ave, NW - Ste 1100  
Washington, DC 20005  
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)  
Fax: 202-566-3127  
email: psims@eac.gov

"Johnson, Sarah Ball (SBE)"

To psims@eac.gov  
cc

04/18/2006 04:02 PM  
Subject RE: Voting Fraud-Voter Intimidation Teleconference 4-19-06

Peggy,  
I am attaching a link to a recent book published by a Kentucky History Professor, Tracy Campbell, which details voter fraud on state and national level. It is very interesting reading.
http://www.amazon.com/gp/product/078671591X/sr=8-1/qid=1145390029/ref=pd_bbs_1/103-8923253-6647806?%5Fencoding=UTF8

Sarah Ball Johnson  
Executive Director  
140 Walnut Street  
Frankfort, KY 40601

NOTICE: This electronic mail transmission is for the use of the named individual or entity to which it is directed and may contain information that is privileged or confidential. It is not to be transmitted to or received by anyone other than the named addressee (or a person authorized to deliver it to the named addressee). It is not to be copied or forwarded to any unauthorized persons. If you have received this electronic mail transmission in error, delete it from your system without copying or forwarding it, and notify the sender of the error by replying via email or by calling the Kentucky State Board of Elections at (502) 573-7100, so that our address record can be corrected.

From: psims@eac.gov [mailto:psims@eac.gov]  
Sent: Monday, April 17, 2006 4:34 PM  
To: Johnson, Sarah Ball (SBE)  
Cc: ecortes@eac.gov  
Subject: Voting Fraud-Voter Intimidation Teleconference 4-19-06
Hi, Sarah:

Thank you for agreeing to be interviewed on Wednesday, April 19, by the consultants for EAC's initial research on voting fraud and voter intimidation, Job Serebrov and Tova Wang. Our consultants are conducting interviews as part of preliminary research to determine how EAC may best meet the requirements of Section 241(b)6 and 7 of the Help America Vote Act of 2002. As you may recall, Section 241 requires EAC to conduct research on election administration issues, including the development of:

- nationwide statistics and methods of identifying, deterring, and investigating voting fraud in elections for Federal office; and
- methods of identifying, deterring, and investigating methods of voter intimidation.

This is what I need you (and the Secretary, if he is available) to do:

- At approximately 11 AM EST on April 19, call 1-866-222-9044.
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Tova and Job will join you on the line. We have arranged for the line to be open for an hour, with 10 minutes extra on the front end (for folks who have not synchronized their watches).

You mentioned that Secretary Grayson may be using a cell phone. Our teleconference provider has given us the following information regarding the use of cell phones during the teleconference:

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- If there is a problem, anybody who dials into a conference can contact the operator/technicians by simply pressing *0 (star zero). This information is part of the recording when individuals are dialing in.

If you have any problems accessing the teleconference, please call Edgardo Cortés. You can reach him at 1-866-747-1471 (toll-free) or 202-566-3126. He can contact our service provider to correct any problems. (I will be on my way to Seattle and unable to help.)

Thanks, again!

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3126 (direct)
Fax: 202-566-3127
e-mail: psims@eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:28 PM -----
Are you two still available for the conference call we had scheduled for this afternoon at 4 PM EST/3 PM CST? --- Peg

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:28 PM -----

"Tova Wang"
To psims@eac.gov, "Job Serebrov"
cc
04/21/2006 11:09 AM

Subject interview summaries 3

Tova Andrea Wang
Democracy Fellow
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Interview with Lori Minnite.doc Interview with Neil Bradley final.doc Interview with Nina Perales final.doc
Interview with Pat Rogers.doc Interview with Rebecca Vigil-Giron.doc Interview with Sarah Ball Johnson.doc
Interview with Steve Ansolobehere and Chandler Davidson.doc Interview with Tracy Campbell.doc

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:28 PM -----

Margaret Sims/EAC/GOV
04/19/2006 03:31 PM
To "Job Serebrov"
cc
Tova Andrea Wang

Subject Recent email from Aletha Barrington

Please ignore the message sent to you today by Aletha Barrington. It was sent in error. As COR for this project, I remain your primary contact. Thanks.
Peggy

----------
Sent from my BlackBerry Wireless Handheld

001506
Tova Andrea Wang
Democracy Fellow
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indiana litigation - official.doc Section 5 Recommendation Memorandum summary.doc Securing the Vote.doc Shattering the Myth.doc
Steal this Vote Review final.doc stealing elections review.doc

I have just forwarded to you the Feb 3 email I sent to EAC Staff.

Diana M. Scott
Administrative Officer
U.S. Election Assistance Commission
(202) 566-3100 (office)
(202) 566-3127 (fax)
dscott@eac.gov

Edgardo Cortes/EAC/GOV
What is the contact info for our conference call provider in case we run into trouble at the start of the call? Nicole used to handle conference calls and I am not sure who I would speak to in that instance. Please let me know. Thanks.

Edgardo Cortés
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave. NW, Ste. 1100
Washington, DC 20005
866-747-1471 toll free
202-566-3126 direct
202-566-3127 fax
e cortes@eac.gov
Margaret Sims/EAC/GOV

Hi, Sarah:

Thank you for agreeing to be interviewed on Wednesday, April 19, by the consultants for EAC's initial research on voting fraud and voter intimidation, Job Serebrov and Tova Wang. Our consultants are conducting interviews as part of preliminary research to determine how EAC may best meet the requirements of Section 241(b)6 and 7 of the Help America Vote Act of 2002. As you may recall, Section 241 requires EAC to conduct research on election administration issues, including the development of:

- nationwide statistics and methods of identifying, deterring, and investigating voting fraud in elections for Federal office; and
- methods of identifying, deterring, and investigating methods of voter intimidation.

This is what I need you (and the Secretary, if he is available) to do:

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- At the prompt for the pass code, enter 62209.

Tova and Job will join you on the line. We have arranged for the line to be open for an hour, with 10 minutes extra on the front end (for folks who have not synchronized their watches).

You mentioned that Secretary Grayson may be using a cell phone. Our teleconference provider has given us the following information regarding the use of cell phones during the teleconference:
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If you have any problems accessing the teleconference, please call Edgardo Cortés. You can reach him at 1-866-747-1471 (toll-free) or 202-566-3126. He can contact our service provider to correct any problems. (I will be on my way to Seattle and unable to help.)

Thanks, again!

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll-free) or 202-566-3120 (direct)
Fax: 202-566-3127
e-mail: psims@eac.gov

Part 1. I'm going to try not to overload

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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Interview Justice Stratton.doc  Interview w Tony Sirvello FINAL.doc
Yes but it needs to go no longer then 30 mins

--- psims@eac.gov wrote:

> Are you two still available for the conference call
> we had scheduled for
> this afternoon at 4 PM EST/3 PM CST? --- Peg

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:28 PM ---

Devon E. Romig/EAC/GOV 04/19/2006 03:44 PM

To Margaret Sims/EAC/GOV@EAC
cc

Subject Re: Voting Fraud/Voter Intimidation Project Working Group

Yes, she is the assistant to David A. Norcross and she is unavailable until Monday. I spoke with the woman who is filling in for her this week and she does not have access to Mr. Norcross's schedule.

Margaret Sims/EAC/GOV

04/19/2006 03:27 PM

To Devon E. Romig/EAC/GOV@EAC
cc

Subject Re: Voting Fraud/Voter Intimidation Project Working Group

Was this message sent to someone's assistant? We have noone named Rivers on our working group. Peggy
Ms. Rivers,

My name is Devon Romig and I am writing to you on behalf of the Election Assistance Commission. I believe that you have been contacted previously by our consultant Job Serebrov about the Voting Fraud/Voter Intimidation Project Working Group that we are organizing.

We are in the process of setting a date for this event and we would appreciate any suggestions that you may contribute based upon Mr. Norcross's availability in the month of May. The proposed dates are May 1, 2, 3, 8, 9, 10, 11, 12, 15, 16, 17, 18, 19. The meeting will only last for one day. Please let me know any and all of the listed dates that will work with Mr. Norcross's schedule.

Also, I tried to contact you by phone but I received a disconnected notification. Could you please provide me with you most current contact information?

Feel free to call or email me with any questions.

Thanks!

Devon Romig
U.S. Election Assistance Commission
1225 New York Ave. NW - Suite #1100
Washington, D.C. 20005
(202)566-2377

----- Original Message ----- 
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, April 17, 2006 11:38 AM
To: 
Subject: Conference Call This Afternoon

Are you two still available for the conference call we had scheduled for this afternoon at 4 PM EST/3 PM CST? --- Peg

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:28 PM -----
Tova Andrea Wang  
Democracy Fellow  

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--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:28 PM ---

"Tova Wang"  
To psims@eac.gov  
04/21/2006 11:14 AM  
cc "Job Serebrov"  
Subject nexis article charts and overview/analysis
Tova Andrea Wang
Democracy Fellow
The Century Foundation

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I sent the wrong version! Please use this one.

Tova Andrea Wang
Democracy Fellow
The Century Foundation

Visit our Web site for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.
And there will be one more forthcoming next week.

Tova Andrea Wang
Democracy Fellow
The Century Foundation

Visit our Web site, for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.

A Funny Thing Review.doc American Center Report FINAL.doc Americas Modern Poll Tax (JS).doc

Brennan Analysis Voter Fraud Report FINAL.doc cb summary.doc Chandler Davidson summary - official.doc Crazy Quilt.doc

Deliver the Vote Review.doc dnc ohio.doc DOJ Public Integrity Reports (JS).doc

Tova Andrea Wang
Democracy Fellow
The Century Foundation

Visit our Web site, for the latest news, analysis, opinions, and events.
Was this message sent to someone's assistant? We have no one named Rivers on our working group. Peggy

Sent from my BlackBerry Wireless Handheld

Devon E. Romig

From: Devon E. Romig
Sent: 04/19/2006 12:24 PM
To: [REDACTED]@EAC
Cc: Margaret Sims
Subject: Voting Fraud/Voter Intimidation Project Working Group

Ms. Rivers,

My name is Devon Romig and I am writing to you on behalf of the Election Assistance Commission. I believe that you have been contacted previously by our consultant Job Serebrov about the Voting Fraud/Voter Intimidation Project Working Group that we are organizing.

We are in the process of setting a date for this event and we would appreciate any suggestions that you may contribute based upon Mr. Norcross’s availability in the month of May. The proposed dates are May 1,2,3,8,9,10,11,12,15,16,17,18,19. The meeting will only last for one day. Please let me know any and all of the listed dates that will work with Mr. Norcross’s schedule.

Also, I tried to contact you by phone but I received a disconnected notification. Could you please provide me with your most current contact information?

Feel free to call or email me with any questions.

Thanks!

Devon Romig
U.S. Election Assistance Commission
1225 New York Ave. NW - Suite #1100
Washington, D.C. 20005
(202)566-2377
Diana:

This is just to let you know that I have requested a teleconference on Wednesday, April 19, from 11 AM to Noon EST. I asked for 6 lines to accommodate our research consultants and the folk that they will be interviewing for our Voting Fraud/Voter Intimidation project.

Peggy Sims
Election Research Specialist

001510
I know you preferred Friday, but Job is not available then. He also said he is not available next week. Do you have any time available this Wednesday? --- Peggy

I can't do it Friday but Wednesday is ok.

--- psims@eac.gov wrote:

> Tova and Job:
> 
> I've passed Tova's request on to Craig.
> 
> Also, Sarah Ball Johnson, KY, finally called back to say she would be available Wednesday through Friday this week and next week for the interview. Which day and time is best for you and Job?
> 
> --- Peggy
> 
>
Hi Peg,

Happy Easter!

Would it be possible to talk to Mr. Donsanto about this latest initiative, or somehow get more information? Thanks. Tova

http://www.fbi.gov/page2/april06/electioncrime041406.htm
ballt conference for AUSAs. She send her best!

I am available on 5/18. But I am also going to the Board of Advisors Meeting the following week. I would rather do this then.

Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 11:39:50 2006
Subject: Voting Fraud-Voter Intimidation

Craig:

We are continuing our efforts to hone in on a date for the Working Group meeting. Are you available the afternoon of Thursday, May 18?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission

Peggy,

I spoke to the people who usually handle the EAC court reporting. They charge $9.00 per page with an average of 40 pages per hour. This service would cost about $1800.00.

The turn around time for the transcript is 10 to 15 days. The transcripts comes in a bound paper copy and an electronic copy.

I can also check around for different prices.

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov
Literally, there is not a hotel room to be found in the district on these dates. The only thing I could find was a room for $379 a night. I have booked it and will assume that since we are so under-budget on travel that this will be OK

----- Original Message ----- 
From: psims@eac.gov
To: 
Cc: dromig@eac.gov
Sent: Friday, May 05, 2006 2:32 PM
Subject: Working Group

Hi, Folks:

Teleconference
Are both of you available for a teleconference next Tuesday afternoon at about 4 PM EST? If this does not work for you, please suggest another date and/or time. I would like to discuss our preparations for the Working Group meeting.

Working Group Members
We have a very good person to fill the slot for the nonpartisan local election official: J.R. Perez, Elections Administrator for Guadalupe County, TX. Attached is his bio. Hope you have no objections to him. He is available on May 18. I have place 2 calls to Pat Rogers office, but have not yet received a reply. Job, if you have any pull with him, you may want to contact him, too.

Travel Arrangements
You should make your own travel arrangements, including hotel. Travel time cannot be billed to the contract, except for hours actually worked on the contract (i.e.; reviewing materials in preparation for the meeting, and the like). Current Federal rates follow:

Maximum Lodging = $180 per day- does not include hotel taxes (if you cannot get this rate, we have covered reasonable rates that are a little higher)
Meals & Incidental = $64 per day (except that it is $48 on the first and last day of travel)
Mileage for Personally Owned Vehicle = $ .445 per mile

Under the new contract, I do not have to fill out a travel authorization for you. I can approve your trip via email. Afterwords, when you turn in your next pay voucher, you can attach the airline receipt (or mileage documentation), hotel receipt(s), and ground transportation receipts and a copy of any printed itineraries. Calculate the total travel expenses due you, including applicable per diem. I do not need meal receipts.

Job, under Federal travel regulations, deviations for personal reasons are not normally accommodated. What you can do, however, is to give me a comparison of the cost of roundtrip mileage, hotel, and per diem of doing it your way against the cost of a roundtrip flight, ground transportation, hotel, and per diem. If your way costs less, it should be no problem to cover the full cost. If your way is more expensive, we may only pay up to the amount of traditional travel. (The same rules apply to me when I travel.) If you can tell me where, other than DC, you will spend the night, I can check on applicable per diem rates.
OK, I will include all on the CD. Thanks. ---- Peggy

All. They are not duplicates. There are some cases repeated and some not. It is a slight variant of the word search.

--- psims@eac.gov wrote:

> Job
> In preparing the CDs, we have run across the following files that appear to be duplicates. Which ones should go on the CD?
> --- Peggy
> >
> >
> >

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:27 PM ---

"Tova Wang"

To psims@eac.gov
cc dromig@eac.gov
Subject list of interviewees
Thank you, Peg - - see you then.

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Friday, May 05, 2006 12:53 PM
To: Donsanto, Craig
Subject: RE: Please remind me of time and place for Voter Intimidation project meeting

The meeting is scheduled for Thursday, May 18, 1- 5:30 PM (though we may finish earlier). It will be held in EAC's large conference room (the one we use for public meetings, located off our lobby). --- Peggy
If you tell me now I will put it into my calendar here, which in turn will remind me!

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Friday, May 05, 2006 12:42 PM
To: Donsanto, Craig
Subject: Re: Please remind me of time and place for Voter Intimidation project meeting

How many days in advance do you need the reminder? --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:27 PM -----

Margaret Sims/EAC/GOV
To: Paul DeGregorio, Ray Martinez, Donetta Davidson, Gracia Hillman
twilkey@eac.gov, jthompson@eac.gov, Gavin S.
Gilmour/EAC/GOV@EAC, Amie J. Sherrill/EAC/GOV@EAC,
Adam Ambrogi/EAC/GOV@EAC, Eileen L.
Coliver/EAC/GOV@EAC, Sheila A. Banks/EAC/GOV@EAC,
bbenavides@eac.gov, Karen Lynn-Dyson/EAC/GOV@EAC
Subject: Voting Fraud-Voter Intimidation Working Group Meeting

Dear Commissioners:

This is to let you know that the Working Group for our Voting Fraud and Voter Intimidation preliminary research project is scheduled to meet in EAC's large conference room the afternoon of Thursday, May 18. I will provide more information about this meeting to you later.

Peggy Sims
Election Research Specialist

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:27 PM -----

Margaret Sims/EAC/GOV
To: Devon Romig
twcc
Subject: May 18 Meeting

Did Barbara Arnwine's office indicate who they propose to send in her place? --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:27 PM -----

"Job Serebrov"
To: psims@eac.gov
twcc
Subject: Latham
The Latham is booked solid. I called. I am checking out some possibilities but this is not looking good.

One source suggests the Georgetown Inn has vacancies and pillow top beds. Try 1-800-424-2979 or 202-353-8900.

The Latham is booked solid. I called. I am checking out some possibilities but this is not looking good.

I assume that we are still on for today's teleconference at 11 AM EST. I will call you. I have attached a draft agenda for your review and comment. --- Peggy
This is ok, given the fact that the WG may have suggestions. Will you be sending us the same packets that you are sending the WG? Also, I figure with Tova's response we will need to have a teleconference on the report once I return to Little Rock. We will need to do it that following Monday or Tuesday.

--- psims@eac.gov wrote:

> Would you please take a look at the attached? I combined both of your definitions, reformatted the list, removed a reference to the fraud having to have an actual impact on the election results (because fraud can be prosecuted without proving that it actually changed the results of the election), and taken out a couple of vague examples (e.g.; reference to failing to enforce state laws --- because there may be legitimate reasons for not doing so).
> I have made contact with Ben Ginsberg's office and am waiting to hear if he accepts our invitation to join the working group.
> --- Peggy

Yes. My wife is a vegetarian and I can't eat wheat products and don't eat pork. Non-toxic Oriental seems to always work. I did not cc Tova on this until I received your reaction. You probably want to include
Hi Devon:
We have heard from Mark Hearne and Todd Rokita. They are both flying in and out on the 18th and will not need hotel rooms. We're kind of waiting to see if Perez and Rogers need rooms before booking any hotel. As soon as we get approval of Hearne and Rokita air schedules and get them booked, we'll forward their itineraries to you.

Kind Regards,

Marvin

-----Original Message-----
From: dromig@eac.gov [mailto:dromig@eac.gov]
Sent: Tuesday, May 09, 2006 8:31 AM
To: [Redacted]
Cc: psims@eac.gov
Subject: May 18th Meeting at EAC

Hello Marvin,

I just wanted to follow up with the voicemail message that I left for you yesterday. We will be holding a meeting at our offices in Washington DC on May 18, 2006. I have informed the out of state attendees to contact you for their travel arrangements.

We have been authorized to pay for the attendees airfare and hotel arrangements. Please note
that all of the participants are authorized for a two night hotel room stay, as long as the dates are
May 17th and 18th.

I attached the list of the meeting participants that will be contacting you about their travel
arrangements for the May 18th meeting in Washington DC.
Let me know if you have any questions for me or if you need any more information from me.

Thanks for your help!

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov

Peggy,

I just spoke to Mr. Norcross's assistant, he cannot attend the meeting on the 18th, he will be out of town at
another event.

Devon Romig
U.S. Election Assistance Commission
1225 New York Ave. NW - Suite #1100
Washington, D.C. 20005
(202)566-2377

Peggy -- they don't have anything to do with the Leadership Conference on
Civil Rights do they?

I ask only because the Justice Department is currently engaged in a very
acrimonious FOIA litigation with LCCR that focuses precisely on our efforts to
combat voter "intimidation"

--------------------
Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Thu May 04 17:20:39 2006
Subject: RE: Voting Fraud-Voter Intimidation

It is just the Working Group for the Voting Fraud-Voter Intimidation Project. I am asking you to attend as Technical Advisor for the project. --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
05/04/2006 03:26 PM
To
cc
Subject
RE: Voting Fraud-Voter Intimidation

Peg -- what is the name of the group?

__________________________

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 04, 2006 3:13 PM
To: Donsanto, Craig
Subject: RE: Voting Fraud-Voter Intimidation

Craig:

This meeting is being held to obtain input from our eight-member Working Group for the project. The group is composed of election lawyers, election officials, and a representative of an advocacy group, all of whom have an interest and some expertise in the identification and/or prosecution of voting fraud and voter intimidation. The group was chosen so that we would have an equal number of folks on each side of the political spectrum, plus some nonpartisan members.

After our consultants review the results of their preliminary research (interviews, literature review, case law), we will ask the Working Group to brainstorm possible next steps for EAC. Our consultants will write a report summarizing the proposals that come out of this meeting. The report will go to the Commissioners, who will decide what they want to do, funds available, and what priority to assigned to the effort(s).
Your participation in this part of the process is extremely important, so I am very happy that you can find time for us that afternoon. I'll get an agenda and other information to you next week. --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
05/04/2006 02:32 PM
To psims@eac.gov
cc
Subject RE: Voting Fraud-Voter Intimidation

Okay, Peg - - I will mark off the entire afternoon and try to be there. What is the agenda? I was not aware that this was anything beyond having your contractors spend another session with me. Also, if they will be needing stats and stuff like that I need to know as I will bring my state-people with me.

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 04, 2006 2:28 PM
To: Donsanto, Craig
Subject: Re: Voting Fraud-Voter Intimidation

Right now, we are planning to meet in EAC's large conference room between 1 PM and 5 PM. If you cannot be there for the whole afternoon, we will appreciate whatever time you can spare. I'll get back to you with more information (agenda, list of Working Group members, etc.). --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
05/03/2006 05:59 PM
To psims@eac.gov
cc

001523
Subject: Re: Voting Fraud-Voter Intimidation

Afternoon of May 18 -- 2:30 okay? How long will they need??
--------------------------
Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 16:59:09 2006
Subject: Re: Voting Fraud-Voter Intimidation

I am looking at the afternoon of 5/18 for the meeting, due to scheduling conflicts of Working Group members. There remain two members from whom we have not yet received confirmations of their schedule (with some, it is like pulling teeth), but right now 5/18 still looks like the best day. We may have to hold the meeting over here to make it easier for Commissioners to drop in.
--- Peg

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
05/03/2006 12:53 PM
To
psims@eac.gov
cc
Subject: Re: Voting Fraud-Voter Intimidation

Okay -- you are on for May 18th! Can we do it over here at 10?
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Sent from Dr. D's Fabulous BlackBerry Wireless Handheld
-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 12:40:19 2006
Subject: Re: Voting Fraud-Voter Intimidation

My problem is that agency staff is booked most of the week of 5/21. Monday through Wednesday are taken up with meetings of the Standards Board Executive Committee, the full Standards Board, and the Board of Advisors. Thursday, we have EAC's public meeting. Also, I will lose one of my two consultants in June, so I'm trying to wrap up this project (and get the final report from the consultants) by the end of May.

Say "Hi" to Cameron for me.

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
05/03/2006 11:56 AM
To
psims@eac.gov
cc
Subject
Re: Voting Fraud-Voter Intimidation

Hi Peg. I am sitting here with Cameron Quinn putting together this year's ballt conference for AUSAs. She send her best!

I am available on 5/18. But I am also going to the Board of Advisors Meeting the following week. I would rather do this then.

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Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 11:39:50 2006
Subject: Voting Fraud-Voter Intimidation

Craig:

We are continuing our efforts to hone in on a date for the Working Group meeting. Are you available the afternoon of Thursday, May 18?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
On another note entirely, since traffic will be bad
going to Roanoke, do you want to have a dinner meeting
with Tova and me after the group meeting to discuss
the final report? As long as we are out by 7 or so I am
ok with it. Also, my wife would have to be there as
she will be meeting me after the WG.

--- psims@eac.gov wrote:

> According to the Commissioners, you and Tova each
got to pick three
> members of the Working Group. The Commission
> guidance regarding this
> particular member follows:
> > 4 people from the Academic, Legal and Advocacy
> sectors - 2 to be chosen by
> Tova and 2 to be chosen by Job.
> >
> > This issue of allowing a designee relates to Tova's
> pick.
> >
> > As I understand it, we are working on a replacement
> for Norcross. If
> > Ginsberg is not viable, how about Mark Braden, who
> includes public
> > integrity in his areas of specialization. I would
> > not try and stir up
> > other members of the Working Group, if I were you.
> > The effort is likely
> > to come back and bite you.
> >
> > "Job Serebrov" 05/11/2006 03:53 PM
To psims@eac.gov
cc
Subject
Re: new working group representative

I really don't care if he represents the organization or not. What mixed race? The entire discussion was because Arnwine was African-American. If you are going to invite him without first having a replacement for my side, I may have to call Thor and Todd and discuss all of this.

--- psims@eac.gov wrote:

> Greenbaum is representing Arnwine, not replacing her. He works for her organization and is of mixed race. --- Peggy

I have an objection to Greenbaum. While I realize he comes from an advocacy group, he is not a minority attorney and we already have a rep who worked with DOJ. If it is to be Greenbaum, I would rather not fill that position since I am one down.

--- Tova Wang wrote:

> is Jon Greenbaum
> Here's his info in full:
He is the Director of the Voting Rights Project for the Lawyers Committee for Civil Rights. He will be representing Barbara Arnwine, the Executive Director of the Lawyers Committee.

His contact and mailing info is:

Suite 400
Washington, DC 20005

Tova Andrea Wang
Democracy Fellow
The Century Foundation

Visit our Web site, [link] for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.
Dinner sounds like a great idea. Do either of you have any dietary restrictions or preferences? (I seem to recall that Tova would prefer a place that has vegetarian options). I'll try to locate a nearby place that won't bust the budget. --- Peggy

On another note entirely, since traffic will be bad going to Roanoke, do you want to have a dinner meeting with Tova and me after the group meeting to discuss the final report? As long as we are out by 7 or so I am ok with it. Also, my wife would have to be there as she will be meeting me after the WG.

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>
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Subject
Re: new working group representative

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Suite 400
Washington, DC 20005

Tova Andrea Wang
Democracy Fellow
The Century Foundation
Visit our Web site, for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.
Subject RE: Case Summaries

yes

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 09, 2006 10:38 AM
To: 
Subject: Fw: Case Summaries

Had you seen this? --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 05/09/2006 11:38 AM ----- 
"Job Serebrov"  
05/08/2006 09:30 AM

Peggy:

Please add this to the packet.

Job

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:27 PM ----- 
"Job Serebrov"  
05/12/2006 03:45 PM

I'm thankful it all worked out.

--- psims@eac.gov wrote:
> Ginsberg has accepted our invitation! --- Peggy
Peggy,

I just spoke to Valerie Johnson, Ms. Arnwine's assistant. The following are a list of dates that are possible for her attendance:

8th - PM (2pm to 6pm)
9th - Possible PM
16th - PM (1:30pm - 5:30pm)
17th - All day
18th - All day
19th - All day

*All day availability does not begin until after 9:30 or 10:00 AM

I will update this information on the shared drive.

Thanks,

Devon

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:27 PM -----

"Job Serebrov" To psims@eac.gov, wang@tcf.org
05/08/2006 10:14 AM cc
Subject Re: Working Group

Peggy:

4:00 eastern on Tuesday is fine however, given the financial restrictions that you indicated would be in place for use of my car (I would actually loose money coming to DC) and given the cost of hotels at this time (I can't afford to front these costs and wait for months to be repaid), etc, it would take a miracle for this working group meeting to take place in person. It is looking like the only way it will get done is by teleconference. I also share Tova's concern about the unknown nature of Mr. Perez.

Job

--- psims@eac.gov wrote:

> Hi, Folks:
>
> Teleconference
> Are both of you available for a teleconference next
> Tuesday afternoon at
> about 4 PM EST? If this does not work for you,
> please suggest another
> date and/or time. I would like to discuss our
> preparations for the
> Working Group meeting.
>
> Working Group Members
> We have a very good person to fill the slot for the
> nonpartisan local
> election official: J.R. Perez, Elections
> Administrator for Guadalupe
> County, TX. Attached is his bio. Hope you have no
> objections to him. He
> is available on May 18. I have placed 2 calls to Pat
> Rogers’ office, but
> have not yet received a reply. Job, if you have any
> pull with him, you
> may want to contact him, too.
>
> Travel Arrangements
> You should make your own travel arrangements,
> including hotel. Travel
> time cannot be billed to the contract, except for
> hours actually worked on
> the contract (i.e.; reviewing materials in
> preparation for the meeting,
> and the like). Current Federal rates follow:
>
> Maximum Lodging = $180 per day- does not include
> hotel taxes (if you
> cannot get this rate, we have covered reasonable
> rates that are a little
> higher)
> Meals & Incidentals = $64 per day (except that it is
> $48 on the first and
> last day of travel)
> Mileage for Personally Owned Vehicle = $ .445 per
> mile
>
> Under the new contract, I do not have to fill out a
> travel authorization
> for you. I can approve your trip via email.
> Afterwords, when you turn in
> your next pay voucher, you can attach the airline
> receipt (or mileage
> documentation), hotel receipt(s), and ground
> transportation receipts and a
> copy of any printed itineraries. Calculate the
> total travel expenses due
> you, including applicable per diem. I do not need
> meal receipts.
>
> Job, under Federal travel regulations, deviations
> for personal reasons are
> not normally accommodated. What you can do,
> however, is to give me a
> comparison of the cost of roundtrip mileage, hotel,
> and per diem of doing
Craig:

I think we have resolved the issue of Barbara Arnwine’s absence from the upcoming meeting by having one of her staff represent her (and her organization). Please review the attached rough summary of DOJ Cases ASAP and let me know if I need to delete reference to the open investigations. Hopefully, we won't have to remove this information as it does not specify the defendants or States involved. --- Peg

Rough Summary of Department of Justice, Public Integrity Section Activities, October 2002-January 2006

Prosecutions and Convictions -- Individuals
Noncitizen voting: 20
Vote buying: 49
Double voting: 12
Registration fraud: 13
Civil Rights: 4
Voter Intimidation: 2
Unclear: 1

Open Investigations (note: a few cases overlap with prosecutions and convictions)
Noncitizen voting: 3
Vote buying: 25
Double voting: 15
Registration fraud: 29
Absentee ballot fraud: 9
Official: 8
Ineligibles: 4
Deceptive Practices: 1
Civil Rights: 14
Intimidation: 6
Other: 2

Cases and Investigations Closed for Lack of Evidence

Civil Rights: 8
Official: 12
Registration Fraud: 12
Absentee Ballot Fraud: 14
Ineligible Voting: 3
Intimidation: 8
Double Voting: 5
Ballot Box Stuffing: 1
Vote Buying: 14
Ballot/machine tampering: 2
Other: 8
Unclear: 3

Peg - - what is the name of the group?

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 04, 2006 3:13 PM
To: Donsanto, Craig
Subject: RE: Voting Fraud-Voter Intimidation

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Afternoon of May 18 -- 2:30 okay? How long will they need?
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05/03/2006 11:56 AM
To
cc
Subject
Re: Voting Fraud-Voter Intimidation

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I am available on 5/18. But I am also going to the Board of Advisors Meeting the following week. I would rather do this then.

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Sent: Wed May 03 11:39:50 2006
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Craig:

We are continuing our efforts to hone in on a date for the Working Group meeting. Are you available the afternoon of Thursday, May 18?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
Peg:

Since I am driving to DC, besides hotel receipts, do you want me to keep my gas receipts or how will my car use be compensated? Also, I assume I don't have to retain food receipts.

Job

My problem is that agency staff is booked most of the week of 5/21. Monday through Wednesday are taken up with meetings of the Standards Board Executive Committee, the full Standards Board, and the Board of Advisors. Thursday, we have EAC’s public meeting. Also, I will lose one of my two consultants in June, so I’m trying to wrap up this project (and get the final report from the consultants) by the end of May.

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Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:27 PM -----
Margaret Sims/EAC/GOV
05/11/2006 02:08 PM
To: Job Serebrov
cc: 
Subject: Literature Summary

Tova just sent me the summary you prepared of The Federal Crime of Election Fraud by Craig Donsanto. There is something wrong in the fourth paragraph (odd characters and missing text). Can you please send a replacement fourth paragraph? You can send it in an email and I will place it in the document. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM -----
Margaret Sims/EAC/GOV
05/10/2006 10:32 AM
To: Devon Romig
cc: 
Subject: Fw: Court Reporter for Working Group Meeting

Devon:
We have the OK from Tom to obtain a court reporter. Per his response (attached), please coordinate with Joyce. Also, I understand the reporter for the Asian Language Working Group arrived late. Please find out how we can ensure the one for our meeting arrives on time. Thanks! --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 05/10/2006 10:31 AM -----
Thomas R. Wilkey/EAC/GOV
Tom:
I understand that EAC hired a court reporter for the Asian Language Working Group meeting. I would like to do the same for the May 18 Voting Fraud-Voter Intimidation Working Group meeting, but I did not include funds in my budget for this service. Do we have funds that could be used for this purpose? (See Devon's cost estimate below.) --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 05/10/2006 10:18 AM ---
Devon E. Romig/EAC/GOV
I spoke to the people who usually handle the EAC court reporting. They charge $9.00 per page with an average of 40 pages per hour. This service would cost about $1800.00.

The turn around time for the transcript is 10 to 15 days. The transcripts comes in a bound paper copy and an electronic copy.

I can also check around for different prices.

Devon Romig  
United States Election Assistance Commission  
1225 New York Ave. NW, Suite 1100  
Washington, DC 20005  
202.566.2377 phone  
202.566.3128 fax  
www.eac.gov

Peggy,

I just spoke to Nathan Cane (Secretary Rokita's assistant). He did not have any new information but they are going to have a scheduling meeting tomorrow morning and he will ask specifically about the afternoon of May 18th. I also reminded him to find out any of the days that he was not available or any of the days that he had could attend the meeting in the morning or the afternoon.

Thanks,

Devon

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM ---

Margaret Sims/EAC/GOV  
05/04/2006 01:05 PM  
To Devon E. Romig/EAC/GOV  
cc  
Subject Re: VFVI Working Group

Devon:

I forgot to tell you that Thor Hearne's assistant is named Bethany. She can be reached at 314/613-2510.

--- Peggy

Devon E. Romig/EAC/GOV  

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM ---

Devon E. Romig/EAC/GOV  
05/03/2006 10:50 AM  
To Margaret Sims/EAC/GOV@EAC  
cc  
Subject Secretary Rokita's schedule
Peggy,

I have called each of the participants. So far I have a definite confirmation from Kathy Rogers.

Here is the list of the out of town participants for the Voter Fraud/Voter Intimidation Project Working Group:

Mark Hearne II - St. Louis, MO
Todd Rokita - Indianapolis, IN
Kathy Rogers - Atlanta, GA

Possible Participant:

Patrick Rogers - New Mexico

Thanks,

Devon Romig
U.S. Election Assistance Commission
1225 New York Ave. NW - Suite #1100
Washington, D.C. 20005
(202)566-2377
Tova:

I understood Job to say that he could only find a hotel room with the right bed in Roanoke (hours away). He will drive in Thursday morning for the meeting and return to that hotel Thursday night. He won't drive back into DC for a Friday morning meeting.

We don't have to do dinner. I recognize that you have spent a lot of time and energy to make this project work, and I don't want to put you out. (You have done a lot under difficult circumstances.) Though we will be bushed, we may want to have a short meeting right after the Working Group disperses --- or we could do a teleconference the following Monday afternoon (before I head into three more days of meetings). --- Peggy

"Tova Wang"

05/11/2006 04:54 PM

To psims@eac.gov, serebrov@sbcglobal.net

cc

Subject RE: new working group representative

It would not be my first preference to do this right after the meeting, and I sort of had tentative plans. They can be changed if necessary of course, but what happened to meeting on Friday morning?

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 11, 2006 3:47 PM
To: [redacted]
Subject: Re: new working group representative

Dinner sounds like a great idea. Do either of you have any dietary restrictions of preferences? (I seem to recall that Tova would prefer a place that has vegetarian options). I'll try to locate a nearby place that won't bust the budget. --- Peggy

"Job Serebrov"

05/11/2006 04:39 PM

To psims@eac.gov

cc

Subject Re: new working group representative
On another note entirely, since traffic will be bad going to Roanoke, do you want to have a dinner meeting with Tova and me after the group meeting to discuss the final report? As long as we are out by 7 or so I am ok with it. Also, my wife would have to be there as she will be meeting me after the WG.

--- psims@eac.gov wrote:

> According to the Commissioners, you and Tova each
> got to pick three
> members of the Working Group. The Commission
> guidance regarding this
> particular member follows:
> 
> 4 people from the Academic, Legal and Advocacy
> sectors - 2 to be chosen by
> Tova and 2 to be chosen by Job.
> 
> This issue of allowing a designee relates to Tova's
> pick.
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> As I understand it, we are working on a replacement
> for Norcross. If
> Ginsberg is not viable, how about Mark Braden, who
> includes public
> integrity in his areas of specialization. I would
> not try and stir up
> other members of the Working Group, if I were you.
> The effort is likely
> to come back and bite you.
> 
> "Job Serebrov" 05/11/2006 03:53 PM
> 
> To
> psims@eac.gov
> cc
> Subject
> Re: new working group representative
I really don't care if he represents the organization or not. What mixed race? The entire discussion was because Arnwine was African-American. If you are going to invite him without first having a replacement for my side, I may have to call Thor and Todd and discuss all of this.

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--- Tova Wang wrote:

> is Jon Greenbaum

--- Here's his info in full:

--- 1

--- He is the Director of the Voting Rights Project for the Lawyers Committee for Civil Rights. He will be representing
-- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM --

Devon E. Romig/EAC/GOV
05/09/2006 09:32 AM

To: bschuler, mhearn, jrperez, krogers
cc: Margaret Sims/EAC/GOV@EAC

Subject: Voter Fraud/Voter Intimidation Working Group, May 18th, 2006

Dear Meeting Participants,

Thank you for confirming your participation in the upcoming Voter Fraud/Voter Intimidation Working Group Meeting in Washington, D.C. This meeting will take place at our office from 1:00 PM to 5:30 PM on Thursday May 18th, 2006.
The Election Assistance Commission (EAC) will cover the cost of your flight, the cost of your hotel room and provide you with a daily per diem. The cost of the airfare and the hotel stay will be paid directly by the EAC, as long as you book your travel through Adventure Travel.

To coordinate your flight and hotel stay, please contact Marvin Brokaw of Adventure Travel at (205) 444-4800, ext. 3501. Please note that the eligible dates of the hotel accommodation include the evenings on May 17th and May 18th. Once you have contacted him and you have received the itinerary via e-mail you must forward me a copy immediately so that I can complete a travel authorization form.

I have included two attachments with this email; the first attachment is a letter that contains important information that you will need to know before calling the travel agent and the second attachment provides some general information that should help you get around the city during your trip.

In addition to your travel itinerary, I will also need the following information by the close of business this Friday May 12, 2006 in order to complete your travel authorization:

Full Name:
Title:
Entity for whom you work:
Address to Which the Reimbursement Check Will Be Mailed:
Work Telephone:
Fax Number:
Social Security #: (if uncomfortable e-mailing this, feel free to call me):

Feel free to contact me with any questions.

Sincerely,
Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov

I have the feeling we didn't include these in the original batch I sent you. Could you double check and if not, would you please include them in the existing research materials? Sorry and thanks. I'm kind of doing all of this on my own in case you couldn't tell. List is coming...

Tova Andrea Wang
Given the information I have Peggy, that is not going to be financially possible. First, given Tova’s info about the hotels, it is too much for me to front. Two to three days in DC would run around $1000 for the hotel alone. That does not count the two days on the road to get there and two days back. Second, if I can’t charge the federal per mile allowance for the entire trip to DC and back and can only get the equivalent of plane fare, I will actually lose money.

I simply do not see how we can do this in person given the financial restrictions.

--- psims@eac.gov wrote:

> Job:
> > I don't think we can put you on teleconference for 41/2 hours. We really
> > need to have you here in person if you are to help
> > conduct the Working
> > Group meeting. You should make your travel
> > arrangements ASAP. --- Peggy
> >
> "Job Serebrov"
> > 05/08/2006 10:14 AM
> >
> > To psims@eac.gov, wang@tcf.org
> > cc
Peggy:

4:00 eastern on Tuesday is fine however, given the financial restrictions that you indicated would be in place for use of my car (I would actually lose money coming to DC) and given the cost of hotels at this time (I can't afford to front these costs and wait for months to be repaid), etc, it would take a miracle for this working group meeting to take place in person. It is looking like the only way it will get done is by teleconference. I also share Tova's concern about the unknown nature of Mr. Perez.

Job

--- psims@eac.gov wrote:

Hi, Folks:

Teleconference

Are both of you available for a teleconference next Tuesday afternoon at about 4 PM EST? If this does not work for you, please suggest another date and/or time. I would like to discuss our preparations for the Working Group meeting.

Working Group Members

We have a very good person to fill the slot for the nonpartisan local election official: J.R. Perez, Elections Administrator for Guadalupe County, TX. Attached is his bio. Hope you have no objections to him. He is available on May 18. I have place 2 calls to Pat Rogers office, but have not yet received a reply. Job, if you have any pull with him, you may want to contact him, too.
Travel Arrangements

You should make your own travel arrangements, including hotel. Travel time cannot be billed to the contract, except for hours actually worked on the contract (i.e.; reviewing materials in preparation for the meeting, and the like). Current Federal rates follow:

Maximum Lodging = $180 per day - does not include hotel taxes (if you cannot get this rate, we have covered reasonable rates that are a little higher)

Meals & Incidentals = $64 per day (except that it is $48 on the first and last day of travel)

Mileage for Personally Owned Vehicle = $ .445 per mile

Under the new contract, I do not have to fill out a travel authorization for you. I can approve your trip via email. Afterwords, when you turn in your next pay voucher, you can attach the airline receipt (or mileage documentation), hotel receipt(s), and ground transportation receipts and a copy of any printed itineraries. Calculate the total travel expenses due you, including applicable per diem. I do not need meal receipts.

Job, under Federal travel regulations, deviations for personal reasons are not normally accommodated. What you can do, however, is to give me a comparison of the cost of roundtrip mileage, hotel, and per diem of doing it your way against the cost of a roundtrip flight, ground transportation, hotel, and per diem. If your way costs less, it should be no problem to cover the full cost. If your way is more expensive, we may only pay up to the amount of traditional travel. (The same rules apply to me when I travel.) If you can tell me where, other than DC, you will spend the night, I can check on applicable per diem rates.

Peggy
Let me check with Devon early tomorrow. If she did not hear from him this afternoon, I'll have her contact you. Perhaps you will have more success than we have.

Peggy

Sent from my BlackBerry Wireless Handheld

---- Original Message ----
From: "Tova Wang"  
Sent: 04/26/2006 05:46 PM  
To: Margaret Sims  
Subject: wg

Do you want me to call both Bob too?

Tova Andrea Wang  
Democracy Fellow  
The Century Foundation  

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FYI - The person I mentioned as a replacement for David Norcross, who was unavailable, could not attend or Voting Fraud-Voter Intimidation Working Group meeting. Our consultant, Job Serebrov, suggested Benjamin Ginsberg, who is willing. I'm sorry I could not check with you on this beforehand --- things
happened so fast! --- Peggy
----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM -----

"Tova Wang"

05/11/2006 03:56 PM

To "Job Serebrov" psims@eac.gov

Subject RE: new working group representative

That was not the only reason -- it was to have someone from the civil rights community. I hardly think you can have a discussion about voter intimidation and suppression without someone with that background at the table. I know you agree with this given what you've said to me in the past.

-----Original Message-----
From: Job Serebrov
Sent: Thursday, May 11, 2006 2:48 PM
To: Tova Wang; psims@eac.gov
Subject: RE: new working group representative

We don't know about Ginsburg but it was only stated, over my objection, that no current invitee was being disinvited. This does not apply to representatives of those people in my mind, especially when the main specific reason for inviting the person was her race.

--- Tova Wang wrote:

> He is representing Barbara Arnwine, and we have
> already established we are not disinviting anyone. We still don't know about
> Ginsburg yet anyway,
> right?
>
> -----Original Message-----
> From: Job Serebrov
> Sent: Thursday, May 11, 2006 2:36 PM
> To: Tova Wang; psims@eac.gov
> Cc: Subj:Re:
> Subject: Re: new working group representative
>
> I have an objection to Greenbaum. While I realize he comes from an advocacy group, he is not a minority attorney and we already have a rep who worked with DOJ. If it is to be Greenbaum, I would rather not fill that position since I am one down.
>
> --- Tova Wang wrote:
> > is Jon Greenbaum
> >
> > Here's his info in full:
> >
> >

Liii001551.
He is the Director of the Voting Rights Project for the Lawyers Committee for Civil Rights. He will be representing Barbara Arnwine, the Executive Director of the Lawyers Committee.

His contact and mailing info is:

Suite 400
Washington, DC 20005

Tova Andrea Wang
Democracy Fellow
The Century Foundation


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The code attachment did not work that is what I meant by it did not come through.
--- psims@eac.gov wrote:

> Did you look at the attached excerpts from Texas Code? --- Peggy
>
> "Job Serebrov" 05/09/2006 11:23 AM
>
> To
> psims@eac.gov
> cc
>
> Subject
> Re: Working Group-Perez
>
> We have the same set-up here in Arkansas. We hired a person just like Perez. However, given this, I would still like to know if he has a party affiliation and this brings up another issue. How is the county election commission chosen. In Arkansas it is the Chairmen of the Republican and Democrat Parties or if he/she does not want to serve a person is elected in his/her stead and a third member picked by the party with the most constitutional officers. Practically that has meant that the Democrats have controlled election commissions in Arkansas since the end of Reconstruction. This is why I want to know the situation in Texas.
>
> --- psims@eac.gov wrote:
>
> > As you may recall, the Commissioners directed me to find a nonpartisan local election official to serve on the Working Group. The three of us discussed the desirability of having a Hispanic. I proposed that I find someone from Texas because of that State's colorful history of voting and their innovative approaches to combat it. In those Texas counties that hire Election Administrators to run elections, rather than having elected officials do so (Tax Assessor for voter registration; County Clerk for balloting), the Election
Administrator is hired by the County Election Commission and is supposed to perform his or her duties in a nonpartisan manner. (See attached excerpts from Texas Election Code regarding election administrator hiring and restrictions on partisan activity.) Any experienced Texas election official will be familiar with voting fraud and voter intimidation schemes used in that State.

Mr. Perez has over 13 years experience as a county Election Administrator in Texas. You won't find many news articles mentioning him because he has kept his nose clean. (The Texas press, as in many other parts of the country, prefers to report bad news.) Mr. Perez is plugged into the association of Texas election officials and the two largest organizations of election officials in this country: the International Association of Clerks, Recorders, Election Officials and Treasurers (IACREOT); and The Election Center. He is a past President and past Chairman of the Legislative Committee for the Texas Association of Election Administrators. He currently serves on IACREOT's Election Officials Committee, which plans the educational sessions for election officials that are conducted at that organization's conferences. His peers in IACREOT and The Election Center have selected his submissions on web presentations (IACREOT) and his professional practices papers (Election Center) for awards.

Mr. Perez also has access to information from other States through his membership in IACREOT and The Election Center. He also has a sense of humor, which you will note if you access the staff web page on the Guadalupe County Elections web site and hear the Mission Impossible theme.. something that might be useful in the upcoming meeting.

Guadalupe County is small but growing. In 2004, the county had over 65
thousand registered voters (a number more than
doubled the number of
registered voters in 1988). A third of the
county's
population claims
Hispanic or Latino origin, according to the U.S.
Census Bureau. The county
is in south central Texas and is bordered by
Comal,
Hays, Cladwell,
Gonzales, Wilson, and Bexar counties. In the
1980s,
the county was
predominately a farming community; but in recent
years, many people have
moved from San Antonio (Bexar County) to Guadalupe
County, preferring to
live in Guadalupe County and work in Bexar County.

--- Peggy

"Job Serebrov"
05/08/2006 11:30 PM

To
psims@eac.gov
cc

Subject
Re: Working Group

Peggy:

What political party is Perez with? How political
is he? Is the position in Texas neutral or political?
Who
appointed Perez?

As to Pat I will contact him but I can't promise
anything. If Pat can't come, who is getting
knocked
off Tova's list?

Job
Craig:

We are continuing our efforts to hone in on a date for the Working Group meeting. Are you available the afternoon of Thursday, May 18?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission

Job, please double check to make sure I haven't missed anything

Tova Andrea Wang
Democracy Fellow
The Century Foundation

Visit our Web site for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.
Tova:

I understood Job to say that he could only find a hotel room with the right bed in Roanoke (hours away). He will drive in Thursday morning for the meeting and return to that hotel Thursday night. He won't drive back into DC for a Friday morning meeting.

We don't have to do dinner. I recognize that you have spent a lot of time and energy to make this project work, and I don't want to put you out. (You have done a lot under difficult circumstances.) Though we will be bushed, we may want to have a short meeting right after the Working Group disperses --- or we could do a teleconference the following Monday afternoon (before I head into three more days of meetings). --- Peggy

"Tova Wang"

05/11/2006 04:54 PM

To psims@eac.gov

Subject RE: new working group representative

It would not be my first preference to do this right after the meeting, and I sort of had tentative plans. They can be changed if necessary of course, but what happened to meeting on Friday morning?

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 11, 2006 3:47 PM
To: serebrov@sbcglobal.net; wang@tcf.org
Subject: Re: new working group representative

Dinner sounds like a great idea. Do either of you have any dietary restrictions of preferences? (I seem to recall that Tova would prefer a place that has vegetarian options). I'll try to locate a nearby place that won't bust the budget. --- Peggy

"Job Serebrov"

05/11/2006 04:39 PM

To psims@eac.gov

cc

Subject: Re: new working group representative

On another note entirely, since traffic will be bad
going to Roanoke, do you want to have a dinner meeting with Tova and me after the group meeting to discuss the final report? As long as we are out by 7 or so I am ok with it. Also, my wife would have to be there as she will be meeting me after the WG.

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> "Job Serebrov"
> 05/11/2006 03:53 PM
> To psims@eac.gov
> cc
> Subject Re: new working group representative

> I really don't care if he represents the organization or not. What mixed race? The entire discussion was because Arnwine was African-American. If you are going to invite him without first having a replacement for my side, I may have to call Thor and Todd and discuss all of this.
--- psims@eac.gov wrote:

Greenbaum is representing Arnwine, not replacing her. He works for her organization and is of mixed race. --- Peggy

"Job Serebrov"
05/11/2006 03:36 PM
To
"Tova Wang", psims@eac.gov
cc
serebrov
Subject
Re: new working group representative

I have an objection to Greenbaum. While I realize he comes from an advocacy group, he is not a minority attorney and we already have a rep who worked with DOJ. If it is to be Greenbaum, I would rather not fill that position since I am one down.

--- Tova Wang wrote:

is Jon Greenbaum

Here's his info in full:

He is the Director of the Voting Rights Project for the Lawyers Committee for Civil Rights. He will be representing Barbara Arnwine, the Executive Director of the Lawyers Committee.

His contact and mailing info is:
For purposes of travel arrangements, Job do you want to plan to meet the day before and/or the day after the meeting?

----- Original Message -----
From: psims@eac.gov
To: 
Cc: dromig@eac.gov
Sent: Friday, May 05, 2006 2:32 PM
Subject: Working Group

Hi, Folks;
Teleconference
Are both of you available for a teleconference next Tuesday afternoon at about 4 PM EST? If this does not work for you, please suggest another date and/or time. I would like to discuss our preparations for the Working Group meeting.

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Peggy

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--- psims@eac.gov wrote:

> Greenbaum is representing Arnwine, not replacing her. He works for her organization and is of mixed race. --- Peggy

> 

> "Job Serebrov" <serebrov@sbcglobal.net>
> 05/11/2006 03:36 PM
> 
> To
> "Tova Wang" <mangle>, psims@eac.gov
> cc
> 
> Subject
> Re: new working group representative
> 
> 
> I have an objection to Greenbaum. While I realize he comes from an advocacy group, he is not a minority attorney and we already have a rep who worked with DOJ. If it is to be Greenbaum, I would rather not fill that position since I am one down.

--- Tova Wang <mangle> wrote:

> is Jon Greenbaum
>
> Here's his info in full:
>
> > 1
> > He is the Director of the Voting Rights Project for the Lawyers Committee for Civil Rights. He will be representing Barbara Arnwine, the Executive Director of the Lawyers Committee.
>
> > His contact and mailing info is:
Plus, I found a few typos on the nexis analysis. Sorry about this.

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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votebuyingsummary.doc  Nexis Analysis.doc

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM ---

"Tova Wang"
05/10/2006 12:16 PM
To  psims@eac.gov, dromig@eac.gov
cc
Subject  another one
Upon first reading, my only comment would be that I would like to restore "failing to follow the requirements of the Voting Rights Act"

Would you please take a look at the attached? I combined both of your definitions, reformatted the list, removed a reference to the fraud having to have an actual impact on the election results (because fraud can be prosecuted without proving that it actually changed the results of the election), and taken out a couple of vague examples (e.g.; reference to failing to enforce state laws --- because there may be legitimate reasons for not doing so).

I have made contact with Ben Ginsberg's office and am waiting to hear if he accepts our invitation to join the working group. --- Peggy

This is just to confirm my request to reserve the large conference room on Thursday, May 18, from Noon-6 PM. We will be using it for a meeting of the Voting Fraud/Voter Intimidation Working Group. Thanks! --- Peggy

Dear Meeting Participants,

Thank you for confirming your participation in the upcoming Voter Fraud/Voter Intimidation Working Group Meeting in Washington, D.C. This meeting will take place at our office from 1:00 PM to 5:30 PM on
Thursday May 18th, 2006.

The office of the Election Assistance Commission is located at:
1225 New York Avenue NW, Suite 1100
Washington, D.C. 20005

We will send more information about this meeting via Federal Express. If you would like this information to be sent to an address other than your office please reply with the preferred address.

Feel free to contact me with any questions.

Sincerely,

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM ---

“Tova Wang”
05/10/2006 11:45 AM
To psims@eac.gov
cc romig@eac.gov
Subject Material I may not have included

Peg,

Correct me if I’m wrong, but I think I omitted sending you these specific summaries that are based on complex cases that could not be adequately described within the confines of the nlexis article excel spreadsheets. If we can, these should be included, probably on the disc. Sorry.

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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Wisconsin FINAL.doc South Dakota FINAL.doc Washington FINAL.doc
--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM ---

“Job Serebrov”
05/09/2006 11:24 AM
To psims@eac.gov
Subject Re: Fwd: RE: Working Group meeting
I will hear from him tomorrow but that still does not solve all of my issues---see my longer e-mail.

--- psims@eac.gov wrote:

> I had a voice mail message from him on Monday. I called him back but had to leave a voice mail message (telephone tag). If you hear from him and he is willing and able to come, I need to know this. We need to have him call our travel service to make travel arrangements ASAP. Thanks. ---

Peggy

---

"Job Serebrov" 05/09/2006 10:46 AM
To psims@eac.gov cc
Subject Fwd: RE: Working Group meeting

FYI

--- "Patrick J. Rogers" wrote:

> Subject: RE: Working Group meeting
> Date: Tue, 9 May 2006 07:42:44 -0600
> From: "Patrick J. Rogers"
> To: "Job Serebrov"
> Job---maybe. I will call you and/or Ms. Sims tomorrow. Depositions all day today. Thanks, Pat
> What's the best number to call you tomorrow?

Patrick J. Rogers
Albuquerque, NM 87103-2168
-----Original Message-----
From: Job Serebrov

Sent: Monday, May 08, 2006 9:41 PM
To: Patrick J. Rogers
Subject: Working Group meeting

Pat:

The working group meeting for the voter fraud project is scheduled for May 18th in DC but David Norcross can't attend. Could you come? If so, we need to arrange travel and a hotel for you.

Regards,

Job

Modrall, Sperling, Roehl, Harris & Sisk, P.A.

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. If the reader of this message is not the intended recipient or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination or copying of this communication is strictly prohibited. If you have received this electronic transmission in error, please delete it from your system without copying it, and notify the sender by reply e-mail or by calling so that our address record can be corrected. Thank you.
Barbara says that you have been working it out with her assistant Valerie, that they have spoken to you several times.

-----Original Message-----
From: dromig@eac.gov [mailto:dromig@eac.gov]
Sent: Tuesday, May 02, 2006 8:46 AM
To: 
Cc: psims@eac.gov
Subject: Voting Fraud/Voter Intimidation Project Working Group

Dear Tova,

I am working with Peggy Sims in order to set a date for the Voting Fraud/Voter Intimidation Project Working Group. I have been trying to reach Barbara Arnwine in order to find out which days in May she is potentially available to attend this meeting but all of my attempts have been unsuccessful.

I would appreciate any help that you could provide in this matter.

Sincerely,

Devon Romig
U.S. Election Assistance Commission
1225 New York Ave. NW - Suite #1100
Washington, D.C. 20005
(202)566-2377

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM -----

"Weinberg and Utrecht"

05/04/2006 01:34 PM

To: psims@eac.gov
Cc: 
Subject: Re: Voting Fraud-Voter Intimidation

that would be fine

----- Original Message -----
Barry:

It appears that the afternoon of Thursday, May 18 is best for a meeting of the working group. I know you said you would not be available in the morning that day. If we started at 1 PM, would that be too soon for you?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

---- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM ----

OK, thanks. I'll get back to you with more information. --- Peggy

"Weinberg and Utrecht"

that would be fine

----- Original Message ----- 
From: psims@eac.gov
To: "Weinberg and Utrecht"
Sent: Thursday, May 04, 2006 1:08 PM
Subject: Voting Fraud-Voter Intimidation

Barry:

It appears that the afternoon of Thursday, May 18 is best for a meeting of the working group. I know you said you would not be available in the morning that day. If we started at 1 PM, would that be too soon for you?
Sounds good to me. If not Ginsburg try Braden.

--- psims@eac.gov wrote:

> I will add "DRAFT" to the definition and, yes, the
> WG will have
> suggestions. I do plan to send packets to you and
> Tova containing the
> same materials being provided to the WG. I haven't
> sent anything yet
> because I was hoping to finalize the WG list for
> inclusion. (Still
> waiting for a response from Ginsberg.)
> 
> Regarding Tova's response, we may want to have a
> very short meeting after
> the WG disperses, followed by a teleconference the
> following Monday
> afternoon. Tuesday is bad for me because I'll be
> out of the office
> attending a series of EAC meetings that begin that
> day. --- Peggy
> 
> ---
This is ok, given the fact that the WG may have suggestions. Will you be sending us the same packets that you are sending the WG? Also, I figure with Tova's response we will need to have a teleconference on the report once I return to Little Rock. We will need to do it that following Monday or Tuesday.

--- psims@eac.gov wrote:

> Would you please take a look at the attached? I combined both of your definitions, reformatted the list, removed a reference to the fraud having to have an actual impact on the election results (because fraud can be prosecuted without proving that it actually changed the results of the election), and taken out a couple of vague examples (e.g.; reference to failing to enforce state laws --- because there may be legitimate reasons for not doing so).

> I have made contact with Ben Ginsberg's office and am waiting to hear if he accepts our invitation to join the working group.

--- Peggy

I am reluctant to invite Braden until after I have received a "No" from Ginsberg. --- Peg
Sounds good to me. If not Ginsburg try Braden.

--- psims@eac.gov wrote:

> I will add "DRAFT" to the definition and, yes, the
> WG will have
> suggestions. I do plan to send packets to you and
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> very short meeting after
> the WG disperses, followed by a teleconference the
> following Monday
> afternoon. Tuesday is bad for me because I'll be
> out of the office
> attending a series of EAC meetings that begin that
> day. --- Peggy

> "Job Serebrov"
> 05/12/2006 12:52 PM
>
> To
> psims@eac.gov, wang@tcf.org
> cc
>
> Subject
> Re: Fraud Definition
>
>
> This is ok, given the fact that the WG may have
> suggestions. Will you be sending us the same packets
> that you are sending the WG? Also, I figure with
> Tova's response we will need to have a
> teleconference
> on the report once I return to Little Rock. We will
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> for not doing so).
> 
> I have made contact with Ben Ginsberg's office and
> am waiting to hear if
> he accepts our invitation to join the working
> group.
> --- Peggy

---

I did not get any attachments.

--- psims@eac.gov wrote:

> Did you look at the attached excerpts from Texas
> Code? --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM ---

"Job Serebrov"  To psims@eac.gov
05/09/2006 11:35 AM cc
Subject Re: Working Group-Perez

I did not get any attachments.

--- psims@eac.gov wrote:

> Did you look at the attached excerpts from Texas
> Code? --- Peggy

To psims@eac.gov
cc
Subject Re: Working Group-Perez

We have the same set-up here in Arkansas. We hired a person just like Perez. However, given this, I would still like to know if he has a party affiliation and this brings up another issue. How is the county election commission chosen. In Arkansas it is the Chairmen of the Republican and Democrat Parties or if he/she does not want to serve a person is elected in his/her stead and a third member picked by the party with the most constitutional officers. Practically that has meant that the Democrats have controlled election commissions in Arkansas since the end of Reconstruction. This is why I want to know the situation in Texas.

--- psims@eac.gov wrote:

> As you may recall, the Commissioners directed me to find a nonpartisan local election official to serve on the Working Group. The three of us discussed the desirability of having a Hispanic. I proposed that I find someone from Texas because of that State's colorful history of voting fraud and their innovative approaches to combat it.

> In those Texas counties that hire Election Administrators to run elections, rather than having elected officials do so (Tax Assessor for voter registration;
> County Clerk for balloting), the Election Administrator is hired by the County Election Commission and is supposed to perform his or her duties in a nonpartisan manner. (See attached excerpts from Texas Election Code regarding election administrator hiring and restrictions on partisan activity.) Any experienced Texas election official will be familiar with voting fraud
and voter intimidation schemes used in that State.

Mr. Perez has over 13 years experience as a county Election Administrator in Texas. You won't find many news articles mentioning him because he has kept his nose clean. (The Texas press, as in many other parts of the country, prefers to report bad news.) Mr. Perez is plugged into the association of Texas election officials and the two largest organizations of election officials in this country: the International Association of Clerks, Recorders, Election Officials and Treasurers (IACREOT); and The Election Center. He is a past President and past Chairman of the Legislative Committee for the Texas Association of Election Administrators. He currently serves on IACREOT's Election Officials Committee, which plans the educational sessions for election officials that are conducted at that organization's conferences. His peers in IACREOT and The Election Center have selected his submissions on web presentations (IACREOT) and his professional practices papers (Election Center) for awards.

Mr. Perez also has access to information from other States through his membership in IACREOT and The Election Center. He also has a sense of humor, which you will note if you access the staff web page on the Guadalupe County Elections web site and hear the Mission Impossible theme ... something that might be useful in the upcoming meeting.

Guadalupe County is small but growing. In 2004, the county had over 65 thousand registered voters (a number more than doubled the number of registered voters in 1988). A third of the county's population claims Hispanic or Latino origin, according to the U.S. Census Bureau. The county is in south central Texas and is bordered by Comal, Hays, Cladwell,
In the 1980s, the county was predominately a farming community; but in recent years, many people have moved from San Antonio (Bexar County) to Guadalupe County, preferring to live in Guadalupe County and work in Bexar County.

--- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM ---

"Job Serebrov" 05/04/2006 11:17 AM To psims@eac.gov cc
Subject Re: Good News

I will have a better idea about my uncle's condition today after surgery.

See:

Albuquerque, NM 87103-2168

--- psims@eac.gov wrote:

> Job:
> Secretary Rokita is available May 18. I'm going to talk with the Chairman today about substituting Rogers for Norcross. Do you have contact information for Rogers? --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM ---

"Job Serebrov"

To psims@eac.gov

cc

Subject Re: Working Group Meeting

Monday afternoon I have a commission meeting.

--- psims@eac.gov wrote:

> Job and Tova:
>
> As of now, the afternoon of Thursday, May 18 appears to be the best possible date for the meeting. Norcross is not available to attend in person that day (he is available only 2 days during the first three weeks of May). We won't have confirmation of the availability of Secretary Rokita until tomorrow --- but I am hopeful.
>
> I'll give you an update tomorrow. Maybe we can schedule a teleconference on Monday afternoon. --- Peggy
I did send you the Brennan piece, but not the other one.

----- Original Message ----- 
From: Tova Wang
Sent: Thursday, May 11, 2006 12:31 PM
To: psims@eac.gov; dromig@eac.gov
Subject: research summaries

I have the feeling we didn't include these in the original batch I sent you. Could you double check and if not, would you please include them in the existing research materials? Sorry and thanks. I'm kind of doing all of this on my own in case you couldn't tell. List is coming...

Tova Andrea Wang
Democracy Fellow
The Century Foundation

Visit our Web site for the latest news, analysis, opinions, and events.
Click here to receive our weekly e-mail updates.

Devon:

Send an email to Perez to remind him to contact Adventure Travel ASAP. We don't have confirmation of Rogers participation yet, though we have had a number of voice mails flying back and forth, so we cannot yet notify him to make travel arrangements immediately. --- Peggy
Hi Devon:
We have heard from Mark Hearne and Todd Rokita. They are both flying in and out on the 18th and will not need hotel rooms. We're kind of waiting to see if Perez and Rogers need rooms before booking any hotel. As soon as we get approval of Hearne and Rokita air schedules and get them booked, we'll forward their itineraries to you.

Kind Regards,
Marvin

-----Original Message-----
From: dromig@eac.gov [mailto:dromig@eac.gov]
Sent: Tuesday, May 09, 2006 8:31 AM
To: [redacted]
Cc: psims@eac.gov
Subject: May 18th Meeting at EAC

Hello Marvin,

I just wanted to follow up with the voicemail message that I left for you yesterday. We will be holding a meeting at our offices in Washington DC on May 18, 2006. I have informed the out of state attendees to contact you for their travel arrangements.

We have been authorized to pay for the attendees airfare and hotel arrangements. Please note that all of the participants are authorized for a two night hotel room stay, as long as the dates are May 17th and 18th.

I attached the list of the meeting participants that will be contacting you about their travel arrangements for the May 18th meeting in Washington DC.
Let me know if you have any questions for me or if you need any more information from me.

Thanks for your help!

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov

Can you please give me an idea where we are at with all this? I'd like to be able to figure out my schedule. Thanks -- and thanks for all your assistance on this. Tova

-----Original Message-----
From: dromig@eac.gov [mailto:dromig@eac.gov]
Sent: Tuesday, May 02, 2006 3:54 PM
To: 
Subject: RE: Voting Fraud/Voter Intimidation Project Working Group

Yes, I have spoken to her assistant several times but today has been the first time that I have ever spoken to her assistant. We did get the information that we needed. Thanks for your help!

Devon Romig
U.S. Election Assistance Commission
1225 New York Ave. NW - Suite #1100
Washington, D.C. 20005
(202)566-2377

I hope to have a better idea tomorrow, if Rokita's office responds. If not, we'd better have a teleconference to discuss our options. --- Peggy
Can you please give me an idea where we are at with all this? I'd like to be able to figure out my schedule. Thanks -- and thanks for all your assistance on this. Tova

-----Original Message-----
From: dromig@eac.gov [mailto:dromig@eac.gov]
Sent: Tuesday, May 02, 2006 3:54 PM
To: 
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1225 New York Ave. NW - Suite #1100
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----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----
As of now, the afternoon of Thursday, May 18 appears to be the best possible date for the meeting. Norcross is not available to attend in person that day (he is available only 2 days during the first three weeks of May). We won't have confirmation of the availability of Secretary Rokita until tomorrow --- but I am hopeful.

I'll give you an update tomorrow. Maybe we can schedule a teleconference on Monday afternoon. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM ------

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>       To psims@eac.gov
     05/11/2006 03:36 PM                          cc "Mitchell, Cynthia" <Cynthia.Mitchell@usdoj.gov>
Subject RE: Voting Fraud-Voter Intimidation Working Group

---

Peg --

I plan to be here tomorrow, although I may have to go to the main building during the day. If you are here and I am out, just leave the packet with the receptionist. Thank you.

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 11, 2006 3:34 PM
To: Donsanto, Craig
Subject: RE: Voting Fraud-Voter Intimidation Working Group

Craig:

I would love to have an updated list for our research files. For purposes of getting this information out to our participants, I will note that the consultants' summary is based upon information provided as of January 2006. Thanks.

Do you expect to be at your office tomorrow afternoon? I can walk over with the information packet we will have put together for the Working Group. --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/11/2006 02:55 PM

To psims@eac.gov
cc
Subject RE: Voting Fraud-Voter Intimidation Working Group
Peggy - -

I have Cynthia Mitchell in here with me now.

She says that the figures you listed in your attachment are your analysis of our product, and that therefore we cannot re-evaluate them.

I do not see anything in these raw numbers that impacts adversely any privacy or privilege issues.

We can update the public list and send that to you, if you'd prefer. That would allow you to represent that the numbers are current up through now. But if you would prefer, you can use what you have as long as it is represented as complete only through January, 2006.

Let us know your desires - - -

---

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 11, 2006 2:35 PM
To: Donsanto, Craig
Subject: Voting Fraud-Voter Intimidation Working Group
Importance: High

Craig:

I think we have resolved the issue of Barbara Arnwine's absence from the upcoming meeting by having one of her staff represent her (and her organization). Please review the attached rough summary of DOJ Cases ASAP and let me know if I need to delete reference to the open investigations. Hopefully, we won't have to remove this information as it does not specify the defendants or States involved. --- Peg

Rough Summary of Department of Justice, Public Integrity Section Activities, October 2002-January 2006

Prosecutions and Convictions-- Individuals
Noncitizen voting: 20
Vote buying: 49
Double voting: 12
Registration fraud: 13
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Open Investigations (note: a few cases overlap with prosecutions and convictions)
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Double voting: 15
Registration fraud: 29
Absentee ballot fraud: 9
Official: 8
Ineligibles: 4
Deceptive Practices: 1
Civil Rights: 14
Intimidation: 6
Other: 2

Cases and Investigations Closed for Lack of Evidence
Civil Rights: 8
Official: 12
Registration Fraud: 12
Absentee Ballot Fraud: 14
Ineligible Voting: 3
Intimidation: 8
Double Voting: 5
Ballot Box Stuffing: 1
Vote Buying: 14
Ballot/machine tampering: 2
Other: 8
Unclear: 3

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM ---

Hi Peg,

Can you please check this before I fax it? Thanks! And can we talk sometime today?

Tova Andrea Wang
Democracy Fellow
The Century Foundation

04/24/2006 09:23 AM
To psims@eac.gov
cc
Subject invoice
Dear Commissioners:

This is to let you know that the Working Group for our Voting Fraud and Voter Intimidation preliminary research project is scheduled to meet in EAC’s large conference room the afternoon of Thursday, May 18. I will provide more information about this meeting to you later.

Peggy Sims
Election Research Specialist

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM ---

05/13/2006 10:54 AM

To psims@eac.gov

cc *Job Serebrov*

Subject Fw: research summary

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM ---

Oops! I forgot to cc. you on this. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 05/04/2006 02:23 PM ---

Margaret Sims/EAC/GOV
05/04/2006 02:23 PM

To Jeannie Layson/EAC/GOV

cc bwhitener@eac.gov

Subject Fw: Voting Fraud-Voter Intimidation Working Group Meeting

--- Forwarded by Margaret Sims/EAC/GOV on 05/04/2006 02:07 PM ---

Margaret Sims/EAC/GOV
05/04/2006 02:07 PM

To Paul DeGregorio, Ray Martinez, Donetta Davidson, Gracia Hillman
twilkey@eac.gov, jthompson@eac.gov, Gavin S. Gilmour/EAC/GOV@EAC, Amie J. Sherrill/EAC/GOV@EAC,
cc Adam Ambrogi/EAC/GOV@EAC, Eileen L. Colver/EAC/GOV@EAC, Sheila A. Banks/EAC/GOV@EAC,
bbenavides@eac.gov, Karen Lynn-Dyson/EAC/GOV@EAC

Subject Voting Fraud-Voter Intimidation Working Group Meeting

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM ---

voucher 3-26-4-22.doc

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----
From: "Job Serebrov" <[redacted]>
To: [redacted]
Sent: Saturday, May 13, 2006 10:12 AM
Subject: Re: research summary

> T-
> >
> > Are you talking about this?
> >
> > J-
> >
> > ---
> >> In the middle of the night I got the feeling that
> >> you may be right, that I did do a summary of the
> >> existing literature review (that Job, you approved)
> >> . I'll have to look for it on Monday (unless I go
> >> into the office over the weekend, which is
> >> possible). I may be hallucinating, but if not, I'll
> >> just present it at the meeting rather than try to
> >> get it to them ahead of time. Tova

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----

"Donsanto, Craig"
Craig.Donsanto@usdoj.gov

To psims@eac.gov
cc
05/11/2006 02:55 PM
Subject RE: Voting Fraud-Voter Intimidation Working Group

Peggy --

I have Cynthia Mitchell in here with me now.

She says that the figures you listed in your attachment are your analysis of our product, and that
there3fore we cannot re-evaluate them.

I do not see anything in these raw numbers that impacts adversely any privacy or privilege issues.

We can update the public list and send that to you, if you'd prefer. That would allow you to represent that
the numbers are current up through now. But if you would prefer, you can use what you have as long as it
is represented as complete only through January, 2006.

Let us know your desires --

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 11, 2006 2:35 PM
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Importance: High
Craig:

I think we have resolved the issue of Barbara Arnwine's absence from the upcoming meeting by having one of her staff represent her (and her organization). Please review the attached rough summary of DOJ Cases ASAP and let me know if I need to delete reference to the open investigations. Hopefully, we won't have to remove this information as it does not specify the defendants or States involved. --- Peg

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Ballot Box Stuffing: 1  
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Ballot/machine tampering: 2
Other: 8
Unclear: 3

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----
"Tova Wang"
05/11/2006 01:10 PM
To psims@eac.gov
cc
Subject new working group representative

is Jon Greenbaum

Here's his info in full:

He is the Director of the Voting Rights Project for the Lawyers Committee for Civil Rights. He will be representing Barbara Arnwine, the Executive Director of the Lawyers Committee.

His contact and mailing info is:

greenbaum
Suite 400
Washington, DC 20005

Tova Andrea Wang
Democracy Fellow
The Century Foundation

Visit our Web site for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----
Devon E. Romig/EAC/GOV
05/09/2006 09:31 AM
To
cc Margaret Sims/EAC/GOV@EAC
Subject May 18th Meeting at EAC
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Let thanks for your help!

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov

OUT OF STATE PARTICIPANTS VFVI Meeting.doc
----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----
Margaret Sims/EAC/GOV
05/08/2006 01:05 PM
To "Job Serebrov"
cc
Subject Re: Working Group

Job:
I don't think we can put you on teleconference for 41/2 hours. We really need to have you here in person if you are to help conduct the Working Group meeting. You should make your travel arrangements ASAP.
--- Peggy

"Job Serebrov"
Peggy:

4:00 eastern on Tuesday is fine however, given the financial restrictions that you indicated would be in place for use of my car (I would actually loose money coming to DC) and given the cost of hotels at this time (I can't afford to front these costs and wait for months to be repaid), etc, it would take a miracle for this working group meeting to take place in person. It is looking like the only way it will get done is by teleconference. I also share Tova's concern about the unknown nature of Mr. Perez.

Job

--- psims@eac.gov wrote:

> Hi, Folks:
> 
> > Teleconference
> > Are both of you available for a teleconference next Tuesday afternoon at about 4 PM EST? If this does not work for you, please suggest another date and/or time. I would like to discuss our preparations for the Working Group meeting.
> > 
> > Working Group Members
> > We have a very good person to fill the slot for the nonpartisan local election official: J.R. Perez, Elections Administrator for Guadalupe County, TX. Attached is his bio. Hope you have no objections to him. He is available on May 18. I have made 2 calls to Pat Rogers office, but have not yet received a reply. Job, if you have any pull with him, you may want to contact him, too.
> > 
> > Travel Arrangements
> > You should make your own travel arrangements, including hotel. Travel time cannot be billed to the contract, except for hours actually worked on the contract (i.e.; reviewing materials in preparation for the meeting, and the like). Current Federal rates follow:
> > 
> > Maximum Lodging = $180 per day- does not include hotel taxes (if you cannot get this rate, we have covered reasonable rates that are a little higher)
> > Meals & Incidentals = $64 per day (except that it is $48 on the first and last day of travel)
> > Mileage for Personally Owned Vehicle = $.445 per mile
Under the new contract, I do not have to fill out a travel authorization for you. I can approve your trip via email. Afterwords, when you turn in your next pay voucher, you can attach the airline receipt (or mileage documentation), hotel receipt(s), and ground transportation receipts and a copy of any printed itineraries. Calculate the total travel expenses due you, including applicable per diem. I do not need meal receipts.

Job, under Federal travel regulations, deviations for personal reasons are not normally accommodated. What you can do, however, is to give me a comparison of the cost of roundtrip mileage, hotel, and per diem of doing it your way against the cost of a roundtrip flight, ground transportation, hotel, and per diem. If your way costs less, it should be no problem to cover the full cost. If your way is more expensive, we may only pay up to the amount of traditional travel. (The same rules apply to me when I travel.) If you can tell me where, other than DC, you will spend the night, I can check on applicable per diem rates.

Peggy

Do you have any other suggestions?

--- psims@eac.gov wrote:

One source suggests the Georgetown Inn has vacancies and pillow top beds.
Try 1-800-424-2979 or 202-353-8900.
The Latham is booked solid. I called. I am checking out some possibilities but this is not looking good.

Why is the hotel suggestion not workable? (I need to know as we continue our search.) -- Peg

Peggy:

Pat just e-mailed me. He has something he can't move on the 18th. So I am now down one person and still no good hotel situation. Devon's suggestion is not workable.

Job
Here is the first batch of my archived email related to the vote fraud study.

Peg Sims

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ----- 
"Job Serebrov"
08/02/2006 07:12 PM 
To psims@eac.gov 
cc
Subject Project

Peg:
Where are we on things?
Job

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ----- 
Margaret Sims/EAC/GOV
09/25/2006 03:39 PM 
To Juliet E. Hodgkins/EAC/GOV 
cc
Subject Fw: Definition of Voting Fraud and Voter Intimidation

I think this is the communication to which you referred this afternoon. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 09/25/2006 03:39 PM ----- 
Gavin S. Gilmour/EAC/GOV
11/30/2005 10:19 AM 
To Margaret Sims/EAC/GOV@EAC 
cc jthompson@eac.gov
Subject Re: Definition of Voting Fraud and Voter Intimidation

Peggy,
Per our discussion, I have some initial concerns regarding the definitions that have been proposed.

1. Fraud is a legal term of art. Fraud is an intentional act or omission (i.e. actual fraud or constructive
Hi Peg, Here is the list of literature reviewed in bibliographic form. Please let us know if you have been able to look over any of the materials. Starting this afternoon, I will be pretty unavailable for the next two weeks.

Thanks

Tova Andrea Wang
Democracy Fellow
The Century Foundation

Visit our Web site for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.

Lit review in bibliographic form.doc

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ---

08/11/2006 02:46 PM

To: psims@eac.gov
cc

Subject: Re: direct deposit

I'm assuming we will get the extension for the revision period. Thanks.

----- Original Message -----
From: <psims@eac.gov>
To: 
Sent: Friday, August 11, 2006 2:39 PM
Subject: Re: direct deposit

> Tova:
> I show only 2 hours left on your contract as of 7/15/06 -- but here is the form you requested. --- Peggy
>
> (See attached file: EFT Form.rtf)
Hey Peg,

Hope you are well. Whenever you have a chance, I need the form to change the direct deposit to my new bank account. Thanks so much.

Tova

PS -- Keep me posted on what's going on with the report

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ---
Margaret Sims/EAC/GOV
08/11/2006 02:39 PM
To
cc
Subject Re: direct deposit

Tova:

I show only 2 hours left on your contract as of 7/15/06 -- but here is the form you requested. --- Peggy
Hey Peg,

Hope you are well. Whenever you have a chance, I need the form to change the direct deposit to my new bank account. Thanks so much.

Tova

PS -- Keep me posted on what's going on with the report
Subject Brennan Center letter

Tom,

A draft letter is attached. I've incorporated comments from Gavin and Julie.

Jeannie Layson  
U.S. Election Assistance Commission  
1225 New York Ave., NW  
Suite 1100  
Washington, DC 20005  
Phone: 202-566-3100

www.eac.gov brennan center letter.doc  
----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----  
Margaret Sims/EAC/GOV  
10/10/2006 01:56 PM  
To Sheila A. Banks/EAC/GOV  
cc  
Subject Fw: Letter from Barbara Arnwine

Any chance you could send a pdf version of the letter to me? --Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 10/10/2006 01:55 PM -----  
Gracia Hillman/EAC/GOV  
10/10/2006 12:12 PM  
To Margaret Sims/EAC/GOV  
cc "Julie Thompson-Hodgkins" <jthompson@eac.gov>, "Tom Wilkey" <twilkey@eac.gov>, sbanks@eac.gov  
Subject Re: Letter from Barbara Arnwine

The letter was addressed to the commissioners. I will ask Sheila to give a copy to you.

Per our normal procedures, I would guess a reply should be drafted for the Chairman's signature (especially as he is the DFO for the Board of Advisors) but you should check that with Tom.

Thanks.

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----  
Margaret Sims/EAC/GOV  
10/11/2006 01:45 PM  
To Jeannie Layson/EAC/GOV  
cc twilkey@eac.gov, Juliet E. Hodgkins/EAC/GOV@EAC, bwhitener@eac.gov  
Subject Re: Voting Fraud-Voter Intimidation Report
I would hope that we can refer to it as a status report on the research project (prepared by EAC staff based upon information available at the time from our consultants, Tova and Job). Calling it a preliminary report has given rise to some confusion. That confusion has led to complaints from project working group members and requests from outsiders, who mistakenly think that EAC has released the document written by our consultant that fully reports on the preliminary research into voting fraud and voter intimidation and makes recommendations for future EAC action. --- Peggy

Jeannie Layson/EAC/GOV

To Margaret Sims/EAC/GOV@EAC

cc

Subject Re: Voting Fraud-Voter Intimidation Report

Thanks for the update. Per legal, the preliminary report is absolutely public information which is why we had to give it to the reporter when he asked for it.

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

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Margaret Sims/EAC/GOV

To Tova Andrea Wang, Job Serebrov

cc

Subject Don't Believe Everything You Read

Tova and Job:

I am home recuperating, but see that in my absence, a USA Today article has gotten everyone stirred up. The report to which the article refers is only the status report on the voting fraud-voter intimidation research project that was delivered to our Standards Board and Board of Advisors last spring. I provided a copy of this document to both of you, but have attached another copy for your information. This document is subject to public release because it was presented at a public meeting.

Due to internal resource allocation problems, your final report has not yet been reviewed by the Commissioners. It is considered a working document (not subject to public release) until it has completed the review process and the Commissioners have agreed to release it. There has been no attempt by the Commission to hold up the report. I bear responsibility for any delays in moving it along. Please be
reassured that we would not release your report without letting you know.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or
Fax: 202-566-3127
email: psims@eac.gov

Mr. Levine,
Per your inquiry from yesterday, the status report on the EAC’s voter fraud and intimidation research project is attached. It was prepared by EAC staff and presented to our Standards Board and Board of Advisors at a meeting that was open to the public in May of this year. EAC staff is currently working on a final report.

Please let me know if I can be of further assistance, and I’d be glad to add you to our distribution list so you’ll get updates on this and other EAC projects.

Jeannie Layson
U.S. Election Assistance Commission
1225 New York Ave., NW
Suite 1100
Washington, DC 20005
Phone: 202-566-3100

www.eac.gov VF-VI Study Status 5-17-06.pdf
— Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ——
Find a time that works. There's a story in today's St Louis PD that points to over 1000 suspect voter registrations.

Sent from my BlackBerry Wireless Handheld

----- Original Message ----- 
From: Jeannie Layson
Sent: 10/11/2006 10:15 AM
To: Paul DeGregorio
Cc: Amie Sherrill; Margaret Sims
Subject: Interview Request

Mr. Chairman,
Will Lester of the Associated Press wants to interview you briefly via phone about the preliminary fraud report. I recommend you accomodate him, as he has dutifully covered EAC, and plans to include us in a story next week about the election landscape. He has requested a copy of the preliminary report, which I am sending to him. He only needs a few minutes, and as we discussed, i think the message is that these are preliminary findings that we presented to our advisory boards to get their input. When the final report is complete, we will release it. You can also use some of the talking pts from your speech, such as the challenge related to the very definition of the term "fraud," as people define it differently. How about I set it up for noon?

The only question he asked that I don't know the answer to is when we expect the final report. Peg... please weigh in on this.

Jeannie Layson
U.S. Election Assistance Commission
1225 New York Ave., NW
Suite 1100
Washington, DC 20005
Phone: 202-566-3100
www.eac.gov
----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ----- 
Bryan Whitener/EAC/GOV
10/11/2006 11:34 AM
To: Thomas R. Wilkey/EAC/GOV@EAC
cc: Jeannie Layson/EAC/GOV@EAC, Margaret Sims/EAC/GOV@EAC, Karen Lynn-Dyson/EAC/GOV@EAC, Juliet E. Hodgkins/EAC/GOV@EAC
Subject: Fw: request for reports - Wendy Weiser, Brennan Center

Tom,

Do we have a policy on distributing the items she is requesting?

----- Forwarded by Bryan Whitener/EAC/GOV on 10/11/2006 11:33 AM ----- 
"Wendy Weiser"
Mr. Whitener,

I write to request a copy of the following two reports submitted to the Election Assistance Commission:

(1) a report on voter fraud and voter intimidation, outlining a future research agenda, prepared by Tova Wang and Job Serebrov, and discussed in this morning's USA TODAY;

(2) a report on provisional ballots and voter ID, prepared by the Moritz School of Law at Ohio State University in collaboration with others.

It is my understanding that these reports were commissioned by and submitted to the EAC several months ago. It is in the public interest to release these reports since they will advance the public discussion and understanding of important election administration issues.

Thank you very much for your attention to this request. Please let me know when I can expect to receive a copy of these reports. If this request is denied, please provide an explanation as to why.

Sincerely,

Wendy R. Weiser
Deputy Director, Democracy Program
Brennan Center for Justice at NYU School of Law
New York, NY 10013

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ----- 

Jeannie Layson/EAC/GOV
10/11/2006 01:03 PM
To Margaret Sims/EAC/GOV@EAC
cc
Subject Re: Voting Fraud-Voter Intimidation Report

Has the working group met since the preliminary report was given to the Standards Bd?
Just a note to clarify that we are not releasing the preliminary report on voting fraud and voter intimidation (Tova & Job's report) because the draft report is going through EAC review. The only document we can offer at this time is the status report on the research project, which was delivered to our boards and which apparently is considered public information. The status report does not address any recommendations for future EAC action.

I am using some of my work at home time on the draft report. Hopefully, I can meet with Julie and Tamar next week. After that, we will have a better idea of when it will be ready for a Commissioner briefing. --- Peggy

Find a time that works. There's a story in today's St Louis PD that points to over 1000 suspect voter registrations.
am sending to him. He only needs a few minutes, and as we discussed, I think the message is that these are preliminary findings that we presented to our advisory boards to get their input. When the final report is complete, we will release it. You can also use some of the talking pts from your speech, such as the challenge related to the very definition of the term “fraud,” as people define it differently. How about I set it up for noon?

The only question he asked that I don't know the answer to is when we expect the final report. Peg... please weigh in on this.

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

The working group met prior to the meeting of the EAC boards, but too late for its deliberations to be summarized in the written status report on the project that was delivered to the boards. The status report notes that a meeting of the working group was about to be held to review the research so far and make recommendations. ---- Peggy

Has the working group met since the preliminary report was given to the Standards Bd?

Sent from my BlackBerry Wireless Handheld

----- Original Message -----
From: Margaret Sims
Sent: 10/11/2006 12:34 PM
To: Paul DeGregorio; Jeannie Layson; Thomas Wilkey
Just a note to clarify that we are not releasing the preliminary report on voting fraud and voter intimidation (Tova & Job's report) because the draft report is going through EAC review. The only document we can offer at this time is the status report on the research project, which was delivered to our boards and which apparently is considered public information. The status report does not address any recommendations for future EAC action.

I am using some of my work at home time on the draft report. Hopefully, I can meet with Julie and Tamar next week. After that, we will have a better idea of when it will be ready for a Commissioner briefing. --- Peggy

--- Original Message ---
From: Jeannie Layson
Sent: 10/11/2006 10:15 AM
To: Paul DeGregorio
Cc: Amie Sherrill, Margaret Sims
Subject: Interview Request

Mr. Chairman,
Will Lester of the Associated Press wants to interview you briefly via phone about the preliminary fraud report. I recommend you accomodate him, as he has dutifully covered EAC, and plans to include us in a story next week about the election landscape. He has requested a copy of the preliminary report, which I am sending to him. He only needs a few minutes, and as we discussed, I think the message is that these are preliminary findings that we presented to our advisory boards to get their input. When the final report is complete, we will release it. You can also use some of the talking pts from your speech, such as the challenge related to the very definition of the term “fraud,” as people define it differently. How about I set it up for noon?

The only question he asked that I don't know the answer to is when we expect the final report. Peg...
please weigh in on this.

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

— Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM —

Paul DeGregorio/EAC/GOV
09/28/2006 11:27 PM
To Margaret Sims/EAC/GOV
cc
Subject Speech

Peg,

I thought I would share with you the speech I am going to given on Fraud and Intimidation in Salt Lake City at noon on Friday. If you have time, please read it over and let me know if you see anything I shouldn’t say. Thanks.

Speech on Fraud intimidation Sept 29 06 Salt Lake City.doc

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

— Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM —

Thomas R. Wilkey/EAC/GOV
10/11/2006 11:42 AM
To Bryan Whitener/EAC/GOV
cc Jeannie Layson/EAC/GOV@EAC, Margaret Sim/EAC/GOV@EAC, Karen Lynn-Dyson/EAC/GOV@EAC, Juliet E. Hodgkins/EAC/GOV@EAC
Subject Re: request for reports - Wendy Weiser, Brennan Center
Both of these reports are draft reports to the EAC and are currently being reviewed by staff. While we have released some of the data tables that Eagleton neither of these reports can be released.

Sent from my BlackBerry Wireless Handheld
Bryan Whitener

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

From: Bryan Whitener
Sent: 10/11/2006 11:34 AM
To: Thomas Wilkey
Cc: Jeannie Layson; Margaret Sims; Karen Lynn-Dyson; Juliet Hodgkins
Subject: Fw: request for reports - Wendy Weiser, Brennan Center

Tom,

Do we have a policy on distributing the items she is requesting?

----- Forwarded by Bryan Whitener/EAC/GOV on 10/11/2006 11:33 AM ----- 

"Wendy Weiser"

To bwhitener@eac.gov

10/11/2006 10:57 AM

Subject request for reports

Mr. Whitener,

I write to request a copy of the following two reports submitted to the Election Assistance Commission:

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It is my understanding that these reports were commissioned by and submitted to the EAC several months ago. It is in the public interest to release these reports since they will advance the public discussion and understanding of important election administration issues.

Thank you very much for your attention to this request. Please let me know when I can expect to receive a copy of these reports. If this request is denied, please provide an explanation as to why.

Sincerely,
Poll judge and intimidation
Poll judge and abusive
Poll judge and threatening
Poll monitor and challenge
Poll monitor and intimidate
Poll monitor and intimidating
Poll monitor and intimidation
Poll monitor and abusive
Poll monitor and threatening
Election judge and challenge
Election judge and intimidate
Election judge and intimidating
Election judge and intimidation
Election judge and abusive
Election judge and threatening
Election monitor and challenge
Election monitor and intimidate
Election monitor and intimidating
Election monitor and intimidation
Election monitor and abusive
Election monitor and threatening
Election observer and challenge
Election observer and intimidate
Election observer and intimidating
Election observer and intimidation
Election observer and abusive
Election observer and threatening

---- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM ----
Margaret Sims/EAC/GOV
05/16/2006 03:37 PM
To "Donsanto, Craig"
    <Craig.Donsanto@usdoj.gov>@GSAEXTERNAL
    cc
Subject RE: Your Materials

OK. --- Peg

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

"Donsanto, Craig"
    <Craig.Donsanto@usdoj.gov>
05/16/2006 03:17 PM
To psims@eac.gov
    cc
Subject RE: Your Materials
Let me try to do it, Peg. Again what I do not want to see occur is for the LCCR to start attacking us. We have more in common with them than I had originally assumed, thanks to the write-ups of their interviews. We need to promote what we have in common not try to score political points. But I will try to correct the records as long as you will agree you heard what I said the way I know I said it!

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 16, 2006 3:14 PM
To: Donsanto, Craig
Subject: RE: Your Materials

I fully understand. Do you want me to prepare a correction sheet for the Working Group, placing your second and more important point first, or do you want to handle this verbally at the meeting? --- Peggy

*Donsanto, Craig* <Craig.Donsanto@usdoj.gov>

05/16/2006 02:55 PM

c
Subject: RE: Your Materials

The first item is not as big a deal as the second one: the processes under which subjects of investigations come to Jesus is not as important as the overall assessment of our law enforcement achievements. But stressing the isolated test cases we brought - - and will continue to being - - to deter things like felon voting, alien voting and double voting, which not mentioning such significant achievements as the five case PROJECTS mentioned in my last e-mail - - misrepresents what we are doing and the deterrent message we are trying to communicate.

I appreciate that these two young people may have found themselves in a Brave New World when they came over here. It showed in their questioning. But the fact that criminal law enforcement is not at all similar to preventative legal relief (as under the Voting Rights Act) or civil relief (as election contest litigation) is I guess more of a problem than I at first foresaw. My real concerns is that the civil rights groups - - with whom we over here have an amazing amount of common grounds - - will take the singling out of the felon and alien voter cases as evincing a malevolent aggression on their constituencies. That is not the case. We are only enforcing the law.

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 16, 2006 2:47 PM
To: Donsanto, Craig  
Subject: RE: Your Materials

I think they are panicking because they are preparing to travel tomorrow and may not have time to submit a revised version. They also are resisting changes to their interview summaries because the summaries represent what they think they heard. I was there at the interview and I heard what you said. I’m not sure that either of them heard everything (including the nuances) because so much of the information was new to them and it was one of their earlier interviews. I’m sorry I did not catch the defects before the summary went out.

My first concern is ensuring that the Working Group has the correct information. Then, we can deal with what version, if any, goes in the final report. Do you want me to excerpt the corrections from your email and submit them to the Working Group? --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/16/2006 01:41 PM

Topsims@eac.gov
cc
Subject: RE: Your Materials

Sure. But where is the resistance coming from? The notes were not accurate. As you know, I have to be very concerned about that.

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 16, 2006 12:34 PM
To: Donsanto, Craig
Subject: RE: Your Materials
Craig:

I am getting some resistance from my consultants to correcting the summary of the interview prior to the meeting. Would you mind noting the corrections at the meeting? --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/16/2006 12:06 PM

Thank you, Peg. This stuff is very interesting.

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 16, 2006 11:27 AM
To: Donsanto, Craig
Subject: Re: Your Materials

I have forwarded your message to our consultants and have requested a corrected version for distribution.
I have read over the materials you sent to me and viewed the pieces on the CD.

I have only one correction:

I did not say that offenders who receive target letters routinely request -- or routinely receive -- audiences here at DOJHQ. That is very rare. Instead, what usually happens is that once a subject for an election fraud investigation is advised that he or she is going to be charged that person usually enters into plea negotiations and ultimately pleads guilty. Very few federal election fraud cases go to trial. When a subject does request a HQ interview or a HW hearing, it would be held in the first instance by myself. But again, Peg, that is rare.

Also, while the occurrences of prosecutions of isolated instances of felons and alien voters and double voters has increased, we still aggressively and I believe quite successfully pursue systematic schemes to corrupt the electoral process, as the cases we brought recently out of Knott and Pike Counties in Kentucky, those we brought out of Lincoln and Logan Counties in West Virginia, and those we brought in
New Hampshire growing out of the jamming of get0-out-the-vote phone bank lines attest.

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM -----
Margaret Sims/EAC/GOV
05/15/2006 03:51 PM

To: Paul DeGregorio, Ray Martinez, Donetta Davidson, Gracia Hillman
cc: twilkey@eac.gov, jthompson@eac.gov, Gavin S. Gilmour/EAC/GOV@EAC, ecortes@eac.gov, Amie J. Sherrill/EAC/GOV@EAC, Adam Ambrogi/EAC/GOV@EAC, Elieen L. Colver/EAC/GOV@EAC, Sheila A. Banks/EAC/GOV@EAC
Subject: Voting Fraud-Voter Intimidation Project Briefing

Dear Commissioners:

Attached is our consultants' analysis of the literature reviewed for the Voting Fraud-Voter Intimidation preliminary research project. It was not included in the information packets delivered to you on Friday, May 12, because we did not receive it until today. I thought you might be interested in having it prior to tomorrow's briefing.

Peggy Sims
Election Research Specialist

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM -----
"Tova Wang"
05/16/2006 11:03 AM

To: psims@eac.gov
cc: psims@eac.gov
Subject: RE: Your Materials

I think he can just raise these points at the meeting, no? I'm sure many we interviewed would say we misquoted them on something. This is what both Job and I remember him saying. I think it would be unfair for him to change/amend his interview without giving the same opportunity to the other interviewees.

----- Original Message ----- 
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 16, 2006 9:59 AM
To: 
Subject: Fw: Your Materials

See corrections from Donsanto at DOJ. We should probably provide corrected versions to the Working Group. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 05/16/2006 10:58 AM -----
Peg --

I have read over the materials you sent to me and viewed the pieces on the CD.

I have only one correction:

I did not say that offenders who receive target letters routinely request or routinely receive audiences here at DOJHQ. That is very rare. Instead, what usually happens is that once a subject for an election fraud investigation is advised that he or she is going to be charged that person usually enters into plea negotiations and ultimately pleads guilty. Very few federal election fraud cases go to trial. When a subject does request a HQ interview or a HW hearing, it would be held in the first instance by myself. But again, Peg, that is rare.

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-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Fri May 19 14:51:21 2006
Subject: Voting Fraud-Voter Intimidation Project-Nexis Word Search

Craig;

You asked about the Nexis search terms used by our consultants. The list follows. --- Peggy.

Election and fraud
Voter and fraud
Vote and fraud
Voter and challenge
Vote and challenge
Election and challenge
Election and irregularity
Election and irregularities
Election and violation
Election and stealing
Ballot box and tampering
Ballot box and theft
Ballot box and stealing
Election and officers
Election and Sheriff
Miscount and votes
Election and crime
Election and criminal
Vote and crime
Vote and criminal
Double voting
Multiple voting
Dead and voting
Election and counting and violation
Election and counting and error
Vote and counting and violation
Vote and counting and error
Voter and intimidation
Voter and intimidating
Vote and intimidation
Denial and voter and registration
Voter identification
Vote and identification
Voter and racial profiling
Vote and racial profiling
Voter and racial
Vote and racial
Voter and racial and challenge
Vote and racial and challenge
Voter and deny and racial
Vote and deny and racial
Voter and deny and challenge
Vote and deny and challenge
Voter and deny and black
Vote and deny and black
Voter and black and challenge
Vote and black and challenge

001618
Voter and deny and African American
Vote and deny and African American
Voter and African American and challenge
Vote and African American and challenge
Election and black and challenge
Election and African American and challenge
Voter and deny and Hispanic
Voter and deny and Latino
Vote and deny and Hispanic
Vote and deny and Latino
Voter and Hispanic and challenge
Voter and Latino and challenge
Vote and Hispanic and challenge
Vote and Latino and challenge
Election and Hispanic and challenge
Election and Latino and challenge
Voter and deny and Native American
Vote and deny and Native American
Voter and Native American and challenge
Vote and Native American and challenge
Election and Native American and challenge
Voter and deny and Asian American
Voter and deny and Asian American
Vote and Asian American and challenge
Vote and Asian American and challenge
Vote and Asian American and challenge
Election and Asian American and challenge
Voter and deny and Indian
Vote and deny and Indian
Voter and Indian and challenge
Vote and Indian and challenge
Election and Indian and challenge
Poll tax
Voting and test
Absentee ballot and deny
Absentee ballot and reject
Absentee ballot and challenge
Vote and challenge
Voter and challenge
Election and challenge
Vote and police
Voter and police
Poll and police
Vote and law enforcement
Voter and law enforcement
Poll and law enforcement
Vote and deceptive practices
Voter and deceptive practices
Election and deceptive practices
Voter and deceive
Voter and false information
Dirty tricks
Vote and felon
Vote and ex-felon
Disenfranchisement
Disenfranchise
Law and election and manipulation
Vote and purging
Vote and purge
Registration and removal
Registration and purging
Registration and purge
Vote buying
Vote and noncitizen
Voter and noncitizen
Vote and selective enforcement
Identification and selective
Election and misinformation
Registration and restrictions
Election and administrator and fraud
Election and official and fraud
Provisional ballot and deny
Provisional ballot and denial
Affidavit ballot and deny
Affidavit ballot and denial
Absentee ballot and coerce
Absentee ballot and coercion
Registration and destruction
Voter and deter
Vote and deterrence
Voter and deterrence
Ballot integrity
Ballot security
Ballot security and minority
Ballot security and black
Ballot security and African American
Ballot security and Latino
Ballot security and Hispanic
Ballot security and Native American
Ballot security and Indian
Vote and suppression
Minority and vote and suppression
Black and vote and suppression
African American and vote and suppression
Latino and vote and suppression
Hispanic and vote and suppression
Native American and vote and suppression
Vote and suppress
Minority and vote and suppress
African American and vote and suppress
Latino and vote and suppress
Native American and vote and suppress
Vote and depress
Jim Crow
Literacy test
Voter and harass
Voter and harassment
Vote and mail and fraud
Poll and guards
Election and consent decree
Vote and barrier
Voting and barrier
Voter and barrier
Election and long line
Voter and long line
Poll worker and challenge
Poll worker and intimidate
Poll worker and intimidation
Poll worker and intimidating
Poll worker and threatening
Poll worker and abusive
Election official and challenge
Election official and intimidate
Election official and intimidating
Election official and threatening
Election official and abusive
Poll watcher and challenge
Poll watcher and intimidate
Poll watcher and intimidating
Poll watcher and intimidation
Poll watcher and abusive
Poll watcher and threatening
Poll inspector and challenge
Poll inspector and intimidate
Poll inspector and intimidating
Poll inspector and intimidation
Poll inspector and abusive
Poll inspector and threatening
Poll judge and challenge
Poll judge and intimidate
Poll judge and intimidating
Poll judge and intimidation
Poll judge and abusive
Poll judge and threatening
Poll monitor and challenge
Poll monitor and intimidate
Poll monitor and intimidating
Poll monitor and intimidation
Poll monitor and abusive
Poll monitor and threatening
Election judge and challenge
Election judge and intimidate
Election judge and intimidating
Election judge and intimidation
Election judge and abusive
Election judge and threatening
Election monitor and challenge
Election monitor and intimidate
Election monitor and intimidating
Election monitor and intimidation
Election monitor and abusive
Election monitor and threatening
Election observer and challenge
Election observer and intimidate
Election observer and intimidating
Election observer and intimidation
Election observer and abusive
Election observer and threatening

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM -----

"Tova Wang"

05/15/2006 05:05 PM

To psims@eac.gov

cc

Subject RE: Fraud Definition
Sounds good. Thanks.

----- Original Message ----- 
From: psims@eac.gov [mailto:psims@eac.gov] 
Sent: Monday, May 15, 2006 4:03 PM 
To: [REDACTED] 
Subject: Re: Fraud Definition

Tova:

We can certainly discuss this at the Working Group meeting. (The draft definition had already been sent out by the time I read your message.) There may be other VRA provisions that should be considered as well, such as the prohibition on removing the names of certain registrants, who were registered by federal examiners, without obtaining prior approval of the Justice Department.

After I received your email, I asked Barry Weinberg to review the draft definition and consider if we have left off examples of Voting Rights Act violations that would qualify as election fraud. Barry, during his 25 years with DOJ, led aggressive action against attempts to place police at the polls to intimidate voters, challenges targeting minorities, failure to provide election materials and assistance in languages other than English (in covered jurisdictions), etc. His input should prove helpful. --- Peggy

05/12/2006 09:48 PM 
psims@eac.gov 
cc 
Subject 
Re: Fraud Definition

How about specifying Section 2 and 203 of the VRA? 
----- Original Message ----- 
From: psims@eac.gov 
To: [REDACTED] 
Sent: Friday, May 12, 2006 1:34 PM 
Subject: RE: Fraud Definition

Lets raise this issue at the meeting. (I'll add "DRAFT" to the current document.) My concern is that there are a number of requirements in the Voting Rights Act. Not all of them are considered election fraud, when violated. For example, failure to preclear changes in election procedures
is not treated as election fraud, though it is actionable. --- Peggy

"Tova Wang"

05/12/2006 12:45 PM

psims@eac.gov, To

cc

Subject RE: Fraud Definition

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM ---

Margaret Sims/EAC/GOV

05/17/2006 09:56 AM

To Craig Donsanto

cc

Subject Report on Voting Fraud-Voter Intimidation Research

Upon first reading, my only comment would be that I would like to restore "failing to follow the requirements of the Voting Rights Act" -----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Friday, May 12, 2006 9:20 AM
To: [Object removed]
Subject: Fraud Definition

Would you please take a look at the attached? I combined both of your definitions, reformatted the list, removed a reference to the fraud having to have an actual impact on the election results (because fraud can be prosecuted without proving that it actually changed the results of the election), and taken out a couple of vague examples (e.g.; reference to failing to enforce state laws --- because there may be legitimate reasons for not doing so).

I have made contact with Ben Ginsberg's office and am waiting to hear if he accepts our invitation to join the working group. --- Peggy
Craig:

I'm putting the finishing touches on a status report to the EAC Standards Board and EAC Board of Advisors on our Voting Fraud-Voter Intimidation research project. For the most part, I am using our consultants' summaries for the report, but one bullet under the interview summaries is giving me heartburn. It is the bullet that references the decrease in DOJ voter intimidation actions. It is one of the places in which our consultants had indicated that your office is focusing on prosecuting individuals. I have reworded it and would like your feedback on the revision:

Several people indicate - including representatives from DOJ -- that for various reasons, the Department of Justice is bringing fewer voter intimidation and suppression cases now, and has increased its focus on matters such as noncitizen voting, double voting, and felon voting. While the Voting Section of the Civil Rights Division focuses on systemic patterns of malfeasance, the Election Crimes Branch of the Public Integrity Section has increased prosecutions of individual instances of felon, alien, and double voting while also maintaining an aggressive pursuit of systematic schemes to corrupt the electoral process.

Please suggest any changes that you think would further clarify the current approach. --- Peggy

No problem. I've got the conference room reserved from Noon to 6 PM, so you can come earlier. --- Peggy

Is it OK if I come around 12:30 or so to make sure I have all my materials arranged properly for presentation? Thanks.

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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I did not realize that I had to itemize the per diem, so yes, that was an oversight. There was a $5 service charge. I will forward you the documentation on that. Thanks so much. Tova

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, June 01, 2006 1:50 PM
To: 
Subject: Travel Reimbursement

Tova:

In reviewing your travel reimbursement request that arrived in my in box this week, I noticed that you did not include per diem in your request for payment. Was that an oversight? I calculate that you would be eligible for a total of $160 in per diem for the trip ( $48 for Wednesday 5/17, $64 for Thursday 5/18, and $48 for Friday 5/19). Also, the airfare receipt shows a total charge of $288.60, but the amount you requested for airfare was $293.60. Perhaps there was a service fee that does not show on the receipt. Can you clarify? --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM ---

--- "Craig C. Donsanto" <cdonsanto@yahoo.com> wrote:

> Date: Tue, 30 May 2006 19:57:36 -0700 (PDT)
> From: "Craig C. Donsanto" <cdonsanto@yahoo.com>
> Subject: Re: Article to your secondary e-mail address
> To: "Elliott, Michael (LA) (IC)" <Michael.Elliott@ic.fbi.gov>
> Mike --
> As we say back where I come from: this article is "wicked pissah"!
> The woman mentioned in this piece towards the end has
been contracted with the Election Assistance Commission to do a study of electoral fraud in the US.
She is my problem, and she doesn't have a clue -- despite the fact that she has had the rare opportunity to interview me and get stats from me and my colleagues on our electoral fraud cases.
You should be most proud of this article as it accurately captures the soul of what you and I are trying to do in this very important area of federal law enforcement.
And greetings from Hilton Head, South Carolina --
--- "Elliott, Michael (LA) (IC)"
<Michael.Elliott@ic.fbi.gov> wrote:
Craig,

As requested, please find below The Hill article on the CF&BF Initiative:


Michael
SSA Michael B. Elliott
Public Corruption/Governmental Fraud Unit
FBIHQ, Room 3975
Craig C. Donsanto
Thanks. Tova

Tova Andrea Wang  
Democracy Fellow  
The Century Foundation

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----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM ----- 

"Tova Wang"  
05/31/2006 01:50 PM

To psims@eac.gov

Subject RE: Working Group Notes

Peg, I'm sorry, but this is really not helpful. Its another outline. I guess we have to wait for the transcript. I wish now I had taken notes myself! Thanks anyway. Tova

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

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Wednesday, May 31, 2006 12:31 PM
To:
Cc:  
Subject: Re: Working Group Notes

Sorry. We have had so much going on, I did not have time to send the attached to you last week. This is Devon's compilation of notes taken by EAC staff at the working group meeting. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM ----- 

"Tova Wang"  
05/31/2006 11:26 AM

To psims@eac.gov

Subject notes
Hi Peg,

How are you? I was wondering, whatever happened to getting the collective notes of the EAC staff? Thanks. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM -----
Margaret Sims/EAC/GOV
06/01/2006 02:50 PM To Tova Andrea Wang
cc
Subject Travel Reimbursement

Tova:
In reviewing your travel reimbursement request that arrived in my In box this week, I noticed that you did not include per diem in your request for payment. Was that an oversight? I calculate that you would be eligible for a total of $160 in per diem for the trip ($48 for Wednesday 5/17, $64 for Thursday 5/18, and $48 for Friday 5/19). Also, the airfare receipt shows a total charge of $288.60, but the amount you requested for airfare was $293.60. Perhaps there was a service fee that does not show on the receipt. Can you clarify? --- Peggy
----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM -----
Margaret Sims/EAC/GOV
05/31/2006 01:30 PM To “Tova Wang”
cc
Subject Re: Working Group Notes

Sorry. We have had so much going on, I did not have time to send the attached to you last week. This is Devon’s compilation of notes taken by EAC staff at the working group meeting. --- Peggy

VFVI Meeting Summary.doc

“Tova Wang”

“Tova Wang”

05/31/2006 11:26 AM
To psims@eac.gov
cc
Hi Peg,

How are you? I was wondering, whatever happened to getting the collective notes of the EAC staff? Thanks. Tova

Tova Andrea Wang  
Democracy Fellow  
The Century Foundation  
15 West 49th Street, New York, NY 10020  
(212) 758-8170  
360-7634  

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---

Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM —

"Tova Wang"  
06/02/2006 04:50 PM  
To psims@eac.gov  
cc  
Subject transcript

Hi Peg,

Do you have an ETA for the transcript? Seems like it should be around now. Thanks and have a great weekend. Tova

Tova Andrea Wang  
Democracy Fellow  
The Century Foundation  

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---

Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM —

06/08/2006 09:15 AM  
To psims@eac.gov  
cc "Job Serebrov"  
Subject
Hi, What's going on? I have not received responses from either one of you in a week. I'd like to wrap this up in the next two weeks if we can. Did you get my recommendations? Thanks.

Tova

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM -----
Margaret Sims/EAC/GOV
06/08/2006 09:35 AM

Sorry. We have been swamped with other program activities and preparations for today's testimony before House Admin. We have not yet received the transcript of the Working Group session. Devon checked with the court reporter, who said it will be delivered today. --- Peggy

06/08/2006 09:15 AM

To psims@eac.gov
cc Job Serebrov

Hi, What's going on? I have not received responses from either one of you in a week. I'd like to wrap this up in the next two weeks if we can. Did you get my recommendations? Thanks.

Tova

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM -----
Margaret Sims/EAC/GOV
06/08/2006 09:35 AM

Devon E. Romig/EAC/GOV
06/07/2006 10:08 AM

Tim at Carol reporting said the transcript will be here today or tomorrow.

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
Have we had any word about the transcript for the 5-18-06 Voting Fraud-Voter Intimidation Working Group meeting? Our consultants each need a copy so that they can draft the final report? If we have it in electronic form, so much the better. --- Peggy

Hi Peg,

How do you recommend dealing with this? I have this feeling like he's trying to create a situation where I will have to write it myself. Thanks. Tova

-----Original Message-----
From: Job Serebrov [mailto:]
Sent: Thursday, June 08, 2006 9:42 PM
To: psims@eac.gov;
Subject: Re: Transcript & Teleconference

Peggy:

I can’t predict when I get home but it is between 5:30 and 6:30 my time. I know that is generally too late to have a teleconference.

I plan to review Tova’s recommendations this weekend and work on my own as well as expanding the explanation of the case section.

Please see what your financial officer did with regards to my travel.
Thank you,
Job

--- psims@eac.gov wrote:

> What time do you arrive home from work? Perhaps we could talk then?
>
> Re your question on the mileage, I have approached our Financial Officer with a request that you receive full reimbursement on the grounds that your actual total travel costs are less than the estimated total travel costs if you had flown to DC, stayed in our more expensive hotels, and received the higher per diem for 3 days (instead of 1). I have not yet received a response from her and she has been out of the office much of this week, so I don't know what she decided to do. --- Peggy

"Job Serebrov" 06/08/2006 01:10 PM

To psims@eac.gov, wang@tcf.org
cc

Subject Re: Transcript & Teleconference

Peg:

I just arrived home for lunch. I can no longer take time during the work day for telephone conferences. As I told you I will need to finish this project after daily working hours. I am still getting things done from being out for ten days. I will review Tova's recommendations and expand on mine this weekend.

Also, I sent you an e-mail asking how you handled the mileage portion of my travel voucher?

Job

--- psims@eac.gov wrote:
4 PM EST is fine with me, if it works for Job.
---
Peggy

Can we make it 4 EST? I have another meeting at 3.

I'll see how it comes in. I hope we receive an electronic copy. If we only receive a hard copy, we can pdf it and email it to the two of you.

How about Monday afternoon at 3 PM EST for a brief teleconference? I really can't do it before them because of other commitments. --- Peggy
How will you be getting it to us? Will it be something you can email? And can we set up a call for some time in the next few days? Thanks.

----- Original Message ----- 
From: <psims@eac.gov> 
To: 
Cc: 
Sent: Thursday, June 08, 2006 9:35 AM 
Subject: Re: 

>>> Sorry. We have been swamped with other program activities and preparations for today's testimony before House Admin. We have not yet received the transcript of the Working Group session. Devon checked with the court reporter, who said it will be delivered today. --- Peggy

06/08/2006 09:15 To AM

psims@eac.gov

cc

"Job Serebrov"

Subject

Hi, What's going on? I have not received
recommendations

Here are my recommendations with the last one now included. Please let me know about the transcript and when you all want to talk about getting the final report done. Thanks. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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future suggestions.doc

Peggy:

Any sign of the transcript? Will the other members of the working group get a copy? I have had questions from several about it.

If you want to talk I can do so this Friday at 6 pm your time.

Job

4 PM EST is fine with me, if it works for Job. --- Peggy

wang@tcf.org
Can we make it 4 est? I have another meeting at 3.

----- Original Message -----
From: <psims@eac.gov>
To: [redacted]
Cc: [redacted]
Sent: Thursday, June 08, 2006 9:55 AM
Subject: Re: Transcript & Teleconference

> I'll see how it comes in. I hope we receive an electronic copy. If we
> only receive a hard copy, we can pdf it and email it to the two of you.
> How about Monday afternoon at 3 PM EST for a brief teleconference? I
> really can't do it before them because of other commitments. --- Peggy
>

How will you be getting it to us? Will it be something you can email?
And

can we set up a call for some time in the next few days? Thanks.

----- Original Message -----
From: <psims@eac.gov>
To: [redacted]
Cc: [redacted]
Sent: Thursday, June 08, 2006 9:35 AM
Subject: Re: Transcript & Teleconference
>> Sorry: We have been swamped with other program activities and
>> preparations
>> for today's testimony before House Admin. We have not yet received the
>> transcript of the Working Group session. Devon checked with the court
>> reporter, who said it will be delivered today. --- Peggy

Hi, What's going on? I have not received responses from either one of
you in a week. I'd like to wrap this up in the next two weeks if we can. Did
you get my recommendations? Thanks.

Tova

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM -----

"Tova Wang"

06/13/2006 10:07 AM To "Job Serebrov" psims@eac.gov

cc

Subject RE: Transcripts, Etc.

I can't do that time, I'll be at an event in DC.

----- Original Message -----  
From: Job Serebrov [mailto: ]
Sent: Tuesday, June 13, 2006 8:10 AM
To: psims@eac.gov; wang@tcf.org
Subject: Transcripts, Etc.

Peggy:

Any sign of the transcript? Will the other members of the working group get a copy? I have had questions from several about it.

If you want to talk I can do so this Friday at 6 pm your time.

Job

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM -----
"Tova Wang"
06/09/2006 12:09 PM
To psims@eac.gov, "Job Serebrov"
cc
Subject gao report

This has information on many of our topics, but they also surveyed jurisdictions on voter reg fraud coming up with a rate of 5%

http://www.gao.gov/cgi-bin/getrpt?GAO-06-450

Tova Andrea Wang
Democracy Fellow
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----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM -----
Joyce Wilson/EAC/GOV
06/07/2006 09:58 AM
To Margaret Sims/EAC/GOV@EAC
cc
Subject Re: Transcript of 5-18-06 Working Group Meeting
Not that I know of. Would it have gone to Bryan possibly? Our public meeting transcripts go to him.

Joyce H. Wilson
Staff Assistant
US Election Assistance Commission
202-566-3100 (office)
202-566-3128 (fax)

— Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM ——

Margaret Sims/EAC/GOV
06/09/2006 04:50 PM

To: "Job Serebrov"
cc: "Job Serebrov"

Subject: Re: Travel & Transcripts

Our Financial Officer accepted my arguments. You should receive a travel reimbursement totalling $1,200.03. GSA will reimburse through electronic funds transfer. I don't usually receive notification when our consultants are reimbursed.

I still have no transcripts. --- Peggy

"Job Serebrov"

To: psims@eac.gov
cc: psims@eac.gov

Subject: Re: Transcript & Teleconference

Peggy:

I can't predict when I get home but it is between 5:30 and 6:30 my time. I know that is generally too late to have a teleconference.

I plan to review Tova's recommendations this weekend and work on my own as well as expanding the explanation of the case section.

Please see what your financial officer did with regards to my travel.

Thank you,

Job

--- psims@eac.gov wrote:

> What time do you arrive home from work? Perhaps we
> could talk then?
>
> Re your question on the mileage, I have approached
> our Financial Officer
> with a request that you receive full reimbursement
> on the grounds that
> your actual total travel costs are less than the
> estimated total travel
> costs if you had flown to DC, stayed in our more
> expensive hotels, and
> received the higher per diem for 3 days (instead of
> 1). I have not yet
> received a response from her and she has been out of
> the office much of
> this week, so I don't know what she decided to do.
> --- Peggy
>
> "Job Serebrov"  
> 06/08/2006 01:10 PM
>
> To
> psims@eac.gov,
> cc
> Subject
> Re: Transcript & Teleconference
>
> Peg:
>
> I just arrived home for lunch. I can no longer take
> time during the work day for telephone conferences.
> As
> I told you I will need to finish this project after
> daily working hours. I am still getting things done
> from being out for ten days. I will review Tova's
> recommendations and expand on mine this weekend.
> Also, I sent you an e-mail asking how you handled
> the
> mileage portion of my travel voucher?
> Job
>
> --- psims@eac.gov wrote:
> >> 4 PM EST is fine with me, if it works for Job.
> ---
> >> Peggy
> >>
Can we make it 4 EST? I have another meeting at 3.

I'll see how it comes in. I hope we receive an electronic copy. If we only receive a hard copy, we can pdf it and email it to the two of you.

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How will you be getting it to us? Will it be something you can email? And can we set up a call for some time in the next few days? Thanks.

----- Original Message ----- 
From: <psims@eac.gov>
To: <psims@eac.gov>
Cc: <psims@eac.gov>
Sent: Thursday, June 08, 2006 9:35 AM
Subject: Re:

>> Sorry. We have been swamped with other program activities and preparations for today's testimony before House Admin. We have not yet received the transcript of the Working Group session. Devon checked with the court reporter, who said it will be delivered today.

--- Peggy

06/08/2006 09:15 To AM
psims@eac.gov
cc "Job Serebrov"

Subject

Hi, What's going on? I have not received responses from either one of you in a week. I'd like to wrap this up in the next two weeks if we can.

Did you get my recommendations? Thanks.
Could you do Friday in the morning?

----- Original Message ----- 
From: "Job Serebrov" <psims@eac.gov>
To: "Job Serebrov" <psims@eac.gov>
Sent: Wednesday, June 14, 2006 6:29 PM
Subject: Re: teleconference

> Tova:
> 5 pm EST is 4 pm Central. Peg would have to call at 7 pm EST to be 6 pm Central.
> Job
> --- wang@tcf.org wrote:
> >> Let's try to do that. Peg, you will call us 5 pm EST?
> >> ----- Original Message ----- 
> >> From: "Job Serebrov" <psims@eac.gov>
> >> To: "Tova Wang"
> >> Sent: Wednesday, June 14, 2006 6:29 PM
> >> Subject: Re: teleconference
> >>
> >> Wednesday next week? It would have to be 6 pm.
> >>
> >> --- Tova Wang wrote:
> >>
> >> >> Hi Job,
> >> >>
> >> >> Peg tells me that we should now be getting the
transcript early next week. Regardless, we should talk about the organization and distribution of work on the final report and try to finally get it done. Would it be possible for you to do a call before you leave for work in the morning, say 8 am your time, on Wednesday? If not, could you do 6 pm your time on Wednesday? Thanks.

Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation


---
Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM ---

"Job Serebrov"
06/08/2006 01:10 PM
To psims@eac.gov.
cc
Subject Re: Transcript & Teleconference

Peg:
I just arrived home for lunch. I can no longer take time during the work day for telephone conferences. As I told you I will need to finish this project after daily working hours. I am still getting things done from being out for ten days. I will review Tova's
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Job

--- psims@eac.gov wrote:

> 4 PM EST is fine with me, if it works for Job. ---
> Peggy

--- Original Message ----
> 06/08/2006 10:10 AM
> To: psims@eac.gov
> Cc: 
> Subject: Re: Transcript & Teleconference
>
> Can we make it 4 est? I have another meeting at 3.
> ----- Original Message ----- 
> From: <psims@eac.gov>
> To: 
> Cc: 
> Sent: Thursday, June 08, 2006 8:55 AM 
> Subject: Re: Transcript & Teleconference
>
> >
> > I'll see how it comes in. I hope we receive an 
> > electronic copy. If we 
> > only receive a hard copy, we can pdf it and email 
> > it to the two of you.
> > How about Monday afternoon at 3 PM EST for a brief 
> > teleconference? I 
> > really can't do it before them because of other 
> > commitments. --- Peggy

---

06/08/2006 09:42 To
psims@eac.gov
Re: Re:

How will you be getting it to us? Will it be something you can email?

And

can we set up a call for some time in the next few days? Thanks.

----- Original Message ----- 
From: <sims@eac.gov>
To: 
Cc:  
Sent: Thursday, June 08, 2006 9:35 AM
Subject: Re:


Sorry. We have been swamped with other program activities and preparations for today's testimony before House Admin. We have not yet received the transcript of the Working Group session. Devon checked with the court reporter, who said it will be delivered today.

--- Peggy

06/08/2006 09:15 To
psims@eac.gov
cc
Serebrov"
Subject
Hi, What’s going on? I have not received responses from either one of you in a week. I’d like to wrap this up in the next two weeks if we can. Did you get my recommendations? Thanks.

Tova

Hi again,

I just got the bill from our car service from the trip last month. Can I still send it to you? Do I need a cover note? Thanks. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation

Visit our Web site, for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.
What time do you arrive home from work? Perhaps we could talk then?

Re your question on the mileage, I have approached our Financial Officer with a request that you receive full reimbursement on the grounds that your actual total travel costs are less than the estimated total travel costs if you had flown to DC, stayed in our more expensive hotels, and received the higher per diem for 3 days (instead of 1). I have not yet received a response from her and she has been out of the office much of this week, so I don't know what she decided to do. --- Peggy

"Job Serebrov"

06/08/2006 01:10 PM

To psims@eac.gov

Subject Re: Transcript & Teleconference

Peg:

I just arrived home for lunch. I can no longer take time during the work day for telephone conferences. As I told you I will need to finish this project after daily working hours. I am still getting things done from being out for ten days. I will review Tova's recommendations and expand on mine this weekend.

Also, I sent you an e-mail asking how you handled the mileage portion of my travel voucher?

Job

--- psims@eac.gov wrote:

> 4 PM EST is fine with me, if it works for Job. ---
> Peggy
> 06/08/2006 10:10 AM
> To psims@eac.gov
> CC
> Subject Re: Transcript & Teleconference
Can we make it 4 EST? I have another meeting at 3.

----- Original Message -----
From: <psims@eac.gov>
To: <psims@eac.gov>
Cc: <psims@eac.gov>
Sent: Thursday, June 08, 2006 9:55 AM
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----- Original Message -----
From: <psims@eac.gov>
To: <psims@eac.gov>
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--- Peggy

Hi, What's going on? I have not received responses from either one of you in a week. I'd like to wrap this up in the next two weeks if we can. Did you get my recommendations? Thanks.

Tova
Normally I am not home for lunch.

--- Tova Wang wrote:

> What about during a lunch hour?
> 
> I can’t predict when I get home but it is between 5:30 and 6:30 my time. I know that is generally too late to have a teleconference.
> 
> I plan to review Tova’s recommendations this weekend and work on my own as well as expanding the explanation of the case section.
> 
> Please see what your financial officer did with regards to my travel.
> 
> Thank you,
> 
> Job

--- psims@eac.gov wrote:

> What time do you arrive home from work? Perhaps we could talk then?
> 
> Re your question on the mileage, I have approached our Financial Officer with a request that you receive full reimbursement on the grounds that your actual total travel costs are less than the estimated total travel
costs if you had flown to DC, stayed in our more
expensive hotels, and
received the higher per diem for 3 days (instead
of
1). I have not yet
received a response from her and she has been out
of
the office much of
this week, so I don't know what she decided to do.
--- Peggy

"Job Serebrov" <
06/08/2006 01:10 PM
To
psims@eac.gov,
CC
Subject
Re: Transcript & Teleconference

Peg:

I just arrived home for lunch. I can no longer
take
time during the work day for telephone
conferences.
As
I told you I will need to finish this project
after
daily working hours. I am still getting things
done
from being out for ten days. I will review Tova's
recommendations and
expand on mine this weekend.
Also, I sent you an e-mail asking how you handled
the
mileage portion of my travel voucher?
Job

--- psims@eac.gov wrote:

> 4 PM EST is fine with me, if it works for Job.
---
> Peggy
06/08/2006 10:10 AM
To: psims@eac.gov
CC: 
Subject: Re: Transcript & Teleconference

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--- Original Message ---
From: <psims@eac.gov>
To: 
Cc: 
Sent: Thursday, June 08, 2006 9:55 AM
Subject: Re: Transcript & Teleconference

I'll see how it comes in. I hope we receive an electronic copy. If we only receive a hard copy, we can pdf it and email it to the two of you.

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06/08/2006 09:42 To AM
psims@eac.gov
cc 
Subject Re: Re:
How will you be getting it to us? Will it be something you can email?

And can we set up a call for some time in the next few days? Thanks.

----- Original Message ----- 
From: <psims@eac.gov>
Cc:
Sent: Thursday, June 08, 2006 9:35 AM
Subject: Re:

Sorry. We have been swamped with other program activities and preparations for today's testimony before House Admin. We have not yet received the transcript of the Working Group session. Devon checked with the court reporter, who said it will be delivered today.

--- Peggy

06/08/2006 09:15 To
AM

message truncated ===

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM -----

"Tova Wang" 
06/21/2006 11:00 AM

To "Job Serebrov" psims@eac.gov
cc
Subject nexis

Hi Peg and Job,
I don't know how we might be able to use these but here, finally, are the super-refined versions of the nexis charts. Can we include them? Thanks. Tova

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM ---

"Tova Wang"

06/19/2006 01:53 PM

To psims@eac.gov

cc

Subject RE: voucher

That's a first! Thanks -- I'll fax and send. Tova

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, June 19, 2006 12:24 PM
To: 
Subject: Re: voucher

Looks good to me! --- Peggy

"Tova Wang"

06/19/2006 08:40 AM

To psims@eac.gov

cc

Subject voucher

Hi Peg,

Attached is my voucher for the last month -- can you check it quickly before I send it? Also, are we good for Wednesday at 7? Thanks. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation
----- Original Message -----
From: "Job Serebrov" psims@eac.gov
To: <psims@eac.gov>
Sent: Wednesday, June 14, 2006 10:17 PM
Subject: Re: teleconference

> Tova:
> > 5 pm EST is 4 pm Central. Peg would have to call at 7
> > pm EST to be 6 pm Central.
> >
> > Job.
>
> --- [redacted] wrote:
>
> >> Let's try to do that. Peg, you will call us 5 pm
> >> EST?
> >> ---- Original Message ----
> >> From: "Job Serebrov" psims@eac.gov
> >> To: "Tova Wang" <psims@eac.gov>
> >> Sent: Wednesday, June 14, 2006 6:29 PM
> >> Subject: Re: teleconference
> >>
> >>
> >> > Wednesday next week? It would have to be 6 pm.
> >>
> >> > --- Tova Wang <psims@eac.gov> wrote:
> >>
> >> > Hi Job,
> >>
> >> > Peg tells me that we should now be getting the
> >> > transcript early next week.
> >> > Regardless, we should talk about the organization
> >> > and distribution of work
> >> > on the final report and try to finally get it
done.
> >> > Would it be possible
> >> > for you to do a call before you leave for work in
> >> > the morning, say 8 am your
> >> > time, on Wednesday? If not, could you do 6 pm
> >> your
> >> > time on Wednesday?
Hi Peg,

Attached is my voucher for the last month -- can you check it quickly before I send it? Also, are we good for Wednesday at 7? Thanks. Tova
Good news!!! The transcript is finally here.

Devon Romig  
United States Election Assistance Commission  
1225 New York Ave. NW, Suite 1100  
Washington, DC 20005  
202.566.2377 phone  
202.566.3128 fax  
www.eac.gov

Dear EAC,

Attached please note the ASCII file for the Voting Fraud-Voter Intimidation Meeting taken on Wednesday, May 18, 2006. Your transcript has been shipped to you.

ASCII file name: 051806.txt

Please let us know if you have any questions.
I have been told that GSA expects to make the disbursement next week, probably on or around June 28.
--- Peggy

Here's an update from Craig on his Election Crimes book. The last was published in 1995.

It is written and currently in the Deputy AG's office for policy review.

I have published the two most substantive chapters of the new book as private, personal papers under the aegis of the International Foundation for Electoral Systems (IFES), for which I have done a lot of work around the world. I recommend that you access IFES' website and go to the "Money and Politics" part of their extensive site. I should have two papers available there, one addressing Abuse of the Franchise (published in connection with work I did last year in Liberia) and the other involving Federal Campaign Finance Xrime" done in connection with work in Bosnia.

If you can't find them this way, please call me:

Sent from Dr. D's Fabulous BlackBerry Wireless Handheld
Subject: Re: Teleconference

It will need to be early next week. What news of the transcript?

--- psims@eac.gov wrote:

> I am sorry, but I have to postpone the teleconference originally scheduled for this evening. Is another day this week or early next week good for you two? Peggy

Sent from my BlackBerry Wireless Handheld

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM -----

06/22/2006 10:29 AM To psims@eac.gov
cc
Subject

Can I also get an answer on whether we can speak about the project publicly?

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM -----

Margaret Sims/EAC/GOV
06/19/2006 12:19 PM To [REDACTED]
cc [REDACTED]
Subject Re: teleconference

OK. I have marked my calendar for a 7 PM EST/6 PM CST teleconference for this Wednesday. Still no transcript. --- Peggy

To [REDACTED], psims@eac.gov
finea
----- Original Message -----
From: "Job Serebroy" <psims@eac.gov>
To: <psims@eac.gov>
Sent: Wednesday, June 14, 2006 10:17 PM
Subject: Re: teleconference

> Tova:
> 5 pm EST is 4 pm Central. Peg would have to call at 7 pm EST to be 6 pm Central.
> Job
> --- wang@tcf.org wrote:
>
>> Let's try to do that. Peg, you will call us 5 pm EST?
>> ---- Original Message ----
>> From: "Job Serebroy" <psims@eac.gov>
>> To: "Tova Wang"
>> Sent: Wednesday, June 14, 2006 6:29 PM
>> Subject: Re: teleconference
>>
>> Wednesda y next week? It would have to be 6 pm.
>>
>> Tova Wang <psims@eac.gov> wrote:
>>
>>> Hi Job,
>>> Peg tells me that we should now be getting the transcript early next week. Regardless, we should talk about the organization and distribution of work on the final report and try to finally get it done.
>>> Would it be possible for you to do a call before you leave for work in the morning, say 8 am your time, on Wednesday? If not, could you do 6 pm your time on Wednesday?
>>> Thanks.
>>> Tova
>>> Tova Andrea Wang
>>> Democracy Fellow
>>> The Century Foundation
Would it be possible to find out how fast GSA will be able to process the travel reimbursement for Job Serebrov? --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM ---

Margaret Sims/EAC/GOV
06/19/2006 02:28 PM

To Diana Scott
cc Bola Olu/EAC/GOV@EAC
Subject Travel Reimbursement for Serebrov

Peggy:

I need you to check on Monday to see when I will get my last invoice paid as well as my travel which was going to be expedited.

Are we still talking on Wednesday at 7 EST?

Thanks,

Job

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM ---
Your personal services invoice should be paid this week (Thursday or Friday). The payment of travel costs will take longer. I'll check with Finance to see if we can get an estimated date from GSA. --- Peggy

Peggy:

I need you to check on Monday to see when I will get my last invoice paid as well as my travel which was going to be expedited.

Are we still talking on Wednesday at 7 EST?

Thanks,

Job

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM -----

Adam, Craig thought you were looking for a list of federal statutes, which are discussed in our election fraud manual. We don't have lists of state election crimes. Craig suggests that you contact Peggy Sims at the EAC — she's a wonderful resource, and I'm including her in my reply. Good luck.

Nancy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM -----
Peggy--We sent the request to the Finance Center on 6/13. Finance quotes a 2 week turnaround.

Diana M. Scott
Administrative Officer
U.S. Election Assistance Commission
(202) 566-3100 (office)
(202) 566-3127 (fax)
dscott@eac.gov

Margaret Sims/EAC/GOV

Margaret Sims/EAC/GOV
06/19/2006 02:28 PM
To: DScott@eac.gov
cc: Bola Olu/EAC/GOV@EAC
Subject: Travel Reimbursement for Serebrov

Would it be possible to find out how fast GSA will be able to process the travel reimbursement for Job Serebrov? --- Peggy

-------- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM --------
Margaret Sims/EAC/GOV
06/22/2006 10:30 AM
To: "Job Serebrov"
cc: Tova Andrea Wang
Subject: Re: Teleconference

OK. Next Monday (6-26) at 7 PM EST. I'll call you.
Peggy

-----------------------------
Sent from my BlackBerry Wireless Handheld

-------- Original Message --------
From: "Job Serebrov"
Sent: 06/21/2006 09:34 PM
To: psims@eac.gov
Subject: Re: Teleconference

Monday at 7 EST is ok with me. What about you Peg?

Job

--- wrote:

> How about Monday at 6:30 or 7 est?

> ----- Original Message ----- 
> From: "Job Serebrov" <psims@eac.gov>
> To: <psims@eac.gov>; "Tova Andrea Wang"
> <psims@eac.gov>
> Sent: Wednesday, June 21, 2006 6:21 PM
> Subject: Re: Teleconference
>
>
> It will need to be early next week. What news of
> the
> transcript?
>
>
> --- psims@eac.gov wrote:
>
> >> I am sorry, but I have to postpone the
> >> teleconference originally scheduled
> >> for this evening. Is another day this week or
> >> early
> >> next week good for you
> >> two?
> >> Peggy
> >> --------------------------
> >> Sent from my BlackBerry Wireless Handheld
> >> 
> >>
>

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM ------
Margaret Sims/EAC/GOV
06/19/2006 12:30 PM

To Bryan Whitener/EAC/GOV
cc Gavin S. Gilmour/EAC/GOV@EAC, Juliet E. Thompson-Hodgkins/EAC/GOV@EAC
Subject Re: Fw: The 7th Edition!

I have a copy of Donsanto's IFES paper, if you need it. We used it as one of the resources for the vote fraud-voter intimidation research. --- Peggy
Here's an update from Craig on his Election Crimes book. The last was published in 1995.

It is written and currently in the Deputy AG's office for policy review.

I have published the two most substantive chapters of the new book as private, personal papers under the aegis of the International Foundation for Electoral Systems (IFES), for which I have done a lot of work around the world. I recommend that you access IFES' website and go to the "Money and Politics" part of their extensive site. I should have two papers available there, one addressing Abuse of the Franchise (published in connection with work I did last year in Liberia) and the other involving Federal Campaign Finance Xrime" done in connection with work in Bosnia.

If you can't find them this way, please call me

Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM ---

"Tova Wang"
To: psims@eac.gov, "Job Serebrov"<br>
cc:
Subject: RE: Teleconference

Anyday anytime except tomorrow is OK by me. Tova

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
I am sorry, but I have to postpone the teleconference originally scheduled for this evening. Is another day this week or early next week good for you two? Peggy

Sent from my BlackBerry Wireless Handheld

--- Forwaded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM ---

"Job Serebrov"

To psims@eac.gov

cc

Subject Suggestions

RECOMMENDATIONS.doc Peggy:

When Tova sent me her suggestions I made some changes and additions. Tova later wrote to me and said she expected me to come up with my own list. Due to time constraints and at risk of duplication I rather go with the corrected suggestions.

Job

--- Forwaded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM ---

"Job Serebrov"

To "Tova Wang" psims@eac.gov

cc

Subject Re: nexis

I have no objection to amending the official findings/CD to add these.

--- Tova Wang wrote:

> Hi Peg and Job,
> I don't know how we might be able to use these but here, finally, are the
> super-refined versions of the nexis charts. Can we
> include them? Thanks.
> Tova
>

----- Original Message -----  
From: "Job Serebrov"  
Sent: 06/21/2006 06:25 PM  
To: "Tova Wang" psims@eac.gov 
Subject: Re: nexis 

I have no objection to amending the official findings/CD to add these.

--- Tova Wang wrote:

> Hi Peg and Job,
> 
> I don't know how we might be able to use these but 
> here, finally, are the 
> super-refined versions of the nexis charts. Oh we 
> include them? Thanks.
> Tova
>

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM -----  
"Tova Wang" psims@eac.gov 
06/20/2006 11:10 AM  
Subject question
Am I correct in assuming that I still cannot discuss the findings of our report? Thanks.

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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Click here to receive our weekly e-mail updates.

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM -----

"Job Serebrov"

To: tms@eac.gov
cc
Subject: Re: Various

For Donsanto to be able to do this, we would need enough time and money to contact all interviewees and also permit comment from them. However, in this matter I am 100% in agreement with Tova.

--- wang@tcf.org o'reote:

> Also, I maintain that a reasonable solution to this
> is to allow Donsanto
> and/or any of the commissioners who desire to do so
> to provide a statement
> that would be included in the report and in the
> record.
> ------ Original Message ------
> From: [redacted]
> To: <psims@eac.gov>; "Job Serebrov"
> Cc: "Tova Wang"
> Sent: Friday, June 30, 2006 9:42 PM
> Subject: Re: Various
>
> That would be great on the contract.
> 
> If the interview is "edited" as you put it, I will
> be very, very
> uncomfortable, as I believe Job would be as well.
> I know you don't want
> to spend anymore time on this, but I consider it a
> rather important issue,
> and I think Job does too. I would be happy to
> talk to you and Tom and any
> of the commissioners about this further if that
> would be helpful. I am
> available by cell over the next four days and in
> the office all next week.
> >
> > Thanks for the updated invoice stuff. Happy 4th.
> >
> > Tova
> > ----- Original Message -----  
> > From: <psims@eac.gov>
> > To: "Job Serebrov" <
> > Cc: "Tova Andrea Wang"
> > Sent: Friday, June 30, 2006 6:41 PM
> > Subject: Re: Various
> >
> >
> > Actually, the Donsanto interview was the only one
> > I did attend, but I
> > agree the issue is taking up too much of your
> > time. I just wanted you to
> > be forewarned that the paragraph has already
> > raised red flags in DC of and
> > is likely to result in an edit. Enough said
> > about that.
> >
> > I am concerned about the number of hours left for
> > this project. If you
> > and Tova both agree, I'll see if our Contracting
> > Officer will approve a
> > contract mod to provide for some additional hours
> > and money to
> > incorporate comments received on the report and
> > other efforts that fall
> > within the tasks specified in the current
> > contract. We won't get 60
> > thou, but there might be a little year end money
> > we can use to finish
> > this off properly.
> > Peg
> >
> > Sent from my BlackBerry Wireless Handheld
> >
> >
> > ----- Original Message -----  
> > From: "Job Serebrov" <
> > Sent: 06/30/2006 05:58 PM
> > To: psims@eac.gov;<
> > Subject: Various
> >
> > Peg:
> >
> > I had to take time off this afternoon to handle
> > some
> > issues. Did you get an answer as to my travel
> > reimbursement? 
> >
> > I spoke to Tova about the Donsanto issue. We both
> > agree about what we heard during the interview.
> > We
> > also agree that this is taking up too much time
> > (of
> > which we have so little left) and is a minor part
of
>> one interview which makes up one of thirty
interviews.
>> I feel the same as Tova, the Commission was not
in on
>> the interview and thus do not know what was said
and
>> we are not giving those interviewed the
opportunity,
>> especially given how long ago the interviews
were, to
>> object. Frankly, if the Commission wants to give
us
>> another sixty hours each we can call all of our
>> interviewees, give them the review and ask for
>> comments. In any case, we can't include comments
from
>> other interviews with, or lectures by person
>> interviewed, outside of our interview with that
>> person. We simply can't afford to single out one
>> statement in one interview that there is a
>> disagreement on. Finally, I don't read the
paragraph
>> as you do---I remember what was said---the
paragraph
>> clearly does not imply an abandonment of other
DOJ
>> electoral investigations.
>>
>>

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM ---
Margaret Sims/EAC/GOV
06/27/2006 02:47 PM
To Jeannie Layson/EAC/GOV
cc
Subject Re: U.S. News & World Report

Here it is. --- Peg

EAC Boards VF-VI Status Report.doc
Jeannie Layson/EAC/GOV

Jeannie Layson/EAC/GOV
Peg,
Would you please send me the document regarding this project that was submitted to the Standards Bd?

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

As you may recall, the working group expressed interest in the risk analysis method. The recent report by
the Brennan Center on voting machines employs this methodology. If you look at pp. 8-19 of the attached,
it provides a potential model. I think it might be worth including this as an appendix or footnote in the
methodology section. Please let me know what you think. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation

Visit our Web site, for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.

brennan machine report.pdf
Here is the spreadsheet I have for you. Please let me know if you notice any discrepancies. Thanks. ---
Peggy

Serebrov Payment Tracking.xls
----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM -----
"Tova Wang"
06/27/2006 12:48 PM
To psims@eac.gov
cc
Subject invoice

Hi Peg,

What is the current invoice schedule? Thanks.

Tova Andrea Wang
Democracy Fellow
The Century Foundation

Visit our Web site for the latest news, analysis, opinions, and events.
Click here to receive our weekly e-mail updates.

----- Original Message ----- 
From: Job Serebrov [mailto:]
Sent: Wednesday, June 28, 2006 5:40 PM
To: Tova Wang; psims@eac.gov
Subject: Re: methodology

Agreed

--- Tova Wang > wrote:
> As you may recall, the working group expressed
interest in the risk analysis
method. The recent report by the Brennan Center on
testing machines employs
this methodology. If you look at pp. 8–19 of the
attached, it provides a
potential model. I think it might be worth
including this as an appendix or
footnote in the methodology section. Please let me
know what you think.
Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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analysis, opinions, and events.

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---

Peggy:

In the transcript, there is one serious mistake that
must be changed immediately. On page 5 it indicates
that I helped review and draft changes to the election
code of Libya. It should be Namibia not Libya. The
reason this is so serious if it stands is that at the
time I reviewed Namibia's Code it was illegal for
Americans to deal with Libya. I need to know that this
has been corrected and ALL parties who have seen the
transcript notified.

Job
Jeannie

We suspect that someone from the Voting Fraud-Voter Intimidation Project Working Group has been talking to reporters, tipping them off about what we are finding in our preliminary study, and referring them to our consultants (although the information could have come from anyone on the EAC boards, too). Apparently, the U.S. News & World Report reporter who contacted me also contacted both consultants working on the project.

Based on my recommendation, Tova Wang and, possibly, Job Serebrov, who are on EAC personal services contracts for our voting fraud and voter intimidation research, will seek further clarification from you about what they can and cannot say to reporters and in public fora about vote fraud and voter intimidation and about EAC's research. I have previously advised Tova and Job not to discuss the work they are doing for us as this is EAC research, the Commissioners have not yet received and accepted the final report, and the Commission has not approved their speaking about the EAC research.

Tova plans to call you tomorrow (Tuesday, June 27) about the issue. In addition to the reporter's inquiry, she has been invited to speak on the subject at the summer conference of the National Association of State Legislatures. She has plenty of knowledge of the subject in her own right (apart from our study), but is having trouble differentiating between her own work and the work she is doing for us. Please, just let me know what you advise her to do.

--- Peggy

Does this work for you?

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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Click here to receive our weekly e-mail updates.
Attached is an updated schedule showing 2 more invoice periods. I'll send separate spreadsheets to you and Job showing what funds and hours have been used and what are available. --- Peggy

Hi Peg,

What is the current invoice schedule? Thanks.

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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I would make time to discuss this. I feel that any edit would be wrong while a comment at the end of the interview by the Commission would not be. But in this case, two of us remember it one way and one the other way.

That would be great on the contract.

If the interview is "edited" as you put it, I will be very, very uncomfortable, as I believe Job would be as well. I know you don't want to spend anymore time on this, but I consider it a rather important issue, and I think Job does too. I would be happy to talk to you and Tom and any of the commissioners about this further if that would be helpful. I am available by cell over the next four days and in the office all next week.

Thanks for the updated invoice stuff. Happy 4th.

Tova

----- Original Message ----- 
From: <psims@eac.gov>
To: "Job Serebrov"
Cc: "Tova Andrea Wang"
Sent: Friday, June 30, 2006 6:41 PM
Subject: Re: Various

Actually, the Donsanto interview was the only one I did attend, but I agree the issue is taking up too much of your time. I just wanted you to be forwarned that the paragraph has already raised red flags in DC of and is likely to result in an edit. Enough said about that.

I am concerned about the number of hours left for this project. If you and Tova both agree, I'll see if our Contracting Officer will approve a contract mod to provide for some additional hours and money to incorporate comments received on the report and other efforts that fall within the tasks specified in the current contract. We won't get 60 thou, but there might be a little year end money we can use to finish this off properly.

Peg

--------------------------
I had to take time off this afternoon to handle some issues. Did you get an answer as to my travel reimbursement?

I spoke to Tova about the Donsanto issue. We both agree about what we heard during the interview. We also agree that this is taking up too much time (of which we have so little left) and is a minor part of one interview which makes up one of thirty interviews.

I feel the same as Tova, the Commission was not on the interview and thus do not know what was said and we are not giving those interviewed the opportunity, especially given how long ago the interviews were, to object. Frankly, if the Commission wants to give us another sixty hours each we can call all of our interviewees, give them the review and ask for comments. In any case, we can't include comments from other interviews with, or lectures by person interviewed, outside of our interview with that person. We simply can't afford to single out one statement in one interview that there is a disagreement on. Finally, I don't read the paragraph as you do---I remember what was said---the paragraph clearly does not imply an abandonment of other DOJ electoral investigations.
Margaret Sims/EAC/GOV
06/27/2006 04:13 PM

To “Tova Wang”
cc “Job Serebrov”
Subject Re: outline of final report

I’ll need to get back to you on this and the definition tomorrow (too many things going on today). In the meantime, I have attached the written status report that was presented to the EAC Standards Board and Board of Advisors, because I can’t remember if I ever provided the final version to the two of you. The status report is primarily made up of your preliminary reports, with some intro information provided and a brief summary of recommendations discussed at the Working Group meeting. This may or may not help the two of you in preparing the final. You can use any of it, or none of it. I am sure that your product will be much better than this quickly pulled together thing. --- Peggy

EAC Boards VF-VI Status Report.doc

“Tova Wang”

“Tova Wang”
06/27/2006 12:26 PM
To psims@eac.gov, “Job Serebrov”
cc
Subject outline of final report

Does this work for you?

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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Table of Contents.doc

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM -----

“Job Serebrov”
06/29/2006 07:58 PM
To psims@eac.gov
cc
Subject Travel Pay
Peg:
So far no travel pay. Tova got hers a couple of days ago. Please call and check. I need it.

Thanks,
Job

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM ---

Tova Wang
06/29/2006 01:24 PM

To psims@eac.gov,
cctwilkey@eac.gov
Subject RE: donsanto interview

Peg, If you review the numerous speeches and writings of Donsanto, including at the BAI training sessions, you will see that in the past he has frequently said that as a matter of law and policy the Department generally only pursued organized patterns. I can point you to particular citations if you like. He clearly said when we interviewed him that there had been a shift in resources and energy. This is in both of our notes. I don't think this should be an issue of departmental politics.

Tova

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, June 29, 2006 12:00 PM
To: [Redacted]
Cc: twilkey@eac.gov
Subject: Re: donsanto interview

Tova and Job:

All I can do is advise you that I don't think this paragraph will pass by the Commission, as written, because readers can misinterpret what is being reported and use something published by EAC against DOJ. I suspect that both of you are aware of legal action being taken by an advocacy group against DOJ alleging that the agency is acting in a manner that fails to protect, and even discourages, the voter participation of minorities and disadvantaged individuals. Though I do not intend to address the merits of that action, which focuses on the efforts of more than one DOJ office, I am concerned that some readers would use the sentence that begins with "This change in direction, focus, and level of aggression ..." as evidence that DOJ's Election Crimes Branch has completely changed course to focus on aggressively pursuing individuals who vote when ineligible, many of whom are minorities.

It is true that, for years, the Election Crimes Branch did not pursue individual violators. (I certainly observed this from the time I became involved in researching election administration matters in 1986.) Much of the reason for this is that the agency just did not have the resources to pursue everything; so, as the agency budget permitted, DOJ pursued cases that provided the most bang

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for the buck --- cases involving multiple individuals that were not already being pursued by State or local public attorneys. As you know, DOJ recently expanded its efforts and added the prosecution of individuals for double voting or voting when ineligible (felony convictions or no U.S. citizenship). Although I did not know of this decision prior to the interview, the action is not a complete surprise, given the increasing pressure on the agency to pursue such cases that began with a real squeaker of a 1996 race in California's 46th CD (Orange County). In the interview with you, Donsanto also stated that the department evaluates each case before pursuing it, and does not pursue every individual referred for voting violations. (You may remember he noted his reluctance to pursue noncitizen voting, which can result in deportation, when it could separate the individual from his family.)

In my opinion, the addition of the prosecution of individuals, while an important new development, is not a complete change in direction or focus. The pursuit of individual violators does not supplant DOJ's continuing efforts to pursue organized schemes to corrupt the process. It is part of a recent expansion of the agency's efforts to combat election crime that includes: (1) more aggressive pursuit of criminal campaign finance violations (not covered by EAC's study); (2) exploration of new avenues to prosecute voter suppression schemes (e.g.; the NH phone bank blocking case); (3) better training of U.S. attorneys and FBI agents in the recognition, investigation and prosecution of election offenses; (4) efforts to improve coordination with state and local law enforcement agencies; and (5) press conferences and public announcements before federal elections to publicize how the public can report election crimes. Donsanto provided information on much of these efforts either during the interview or by supplying case lists and training information on the day of the interview.

I hope you will reconsider revising the paragraph at issue.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission

Hi Peg,

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Neither of us thinks this passage says that the Department has stopped pursuing patterns, as you suggested, and we maintain that this is what Mr. Donsanto said to us in the interview. If Mr. Donsanto wants to object, perhaps he can write a letter or something to that effect that could be part of the record.

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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---- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM ----
Margaret Sims/EAC/GOV
06/29/2006 05:31 PM
To “Tova Wang”
cc Ikey@eac.gov
Subject RE: donsanto interview

I don’t think anyone disagrees that DOJ’s earlier policy was to prosecute organized conspiracies, not individual violators. This policy was based both on existing law and resources available. Donsanto made that clear in numerous presentations before election officials, though I doubt he would have highlighted the resource issue in any of his written reports.

I did not hear Donsanto say that there was a shift in resources and energy away from prosecuting organized conspiracies in order to pursue prosecutions of individuals. I think we should avoid implying that this is the case. I understood his statement to address a shift in DOJ resources and energy to support increased efforts to prosecute election crimes, including the expansion of prosecutions to include individual incidents. I have not seen, nor do I think Donsanto has ever stated, that there has been a decrease in the effort to prosecute organized conspiracies to corrupt the process. Yet, adequate resources continue to be an issue, as Donsanto noted in his interview and at the Working Group meeting (when referring to having to decide which of two voter suppression cases to prosecute because he didn’t have the resources to do both).

Your reference to policy based on law reminded me that changes in federal law, and an evolution in the understanding of how to use newer law, also would have affected DOJ’s decision to add the prosecution of individuals for such violations as registering and voting when not a U.S. citizen or when a convicted felon. Earlier federal law did not directly address voter registration by felons, permitting federal prosecution in such instances only where it could be shown that the applicant knowingly and willfully

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provided false information as to his or her eligibility to vote. Earlier federal law permitted the prosecution of noncitizens for registering to vote based on false claims of the U.S. citizenship that each State required for registering to vote in federal elections, but did not require U.S. citizenship to vote in federal elections. These laws made federal prosecution of noncitizen and felon voter registration and voting much more challenging. With the implementation of the NVRA in 1995, we began to see federal election law that could more easily be used for federal prosecution of both voter registration and voting by noncitizens and convicted felons. And, late in 1996, immigration reform legislation was passed that clearly prohibits noncitizens from voting in federal elections (without requiring the "knowing and willful" component).

--- Peggy

Subject: Re: donsanto interview

Peg, If you review the numerous speeches and writings of Donsanto, including at the BAI training sessions, you will see that in the past he has frequently said that as a matter of law and policy the Department generally only pursued organized patterns. I can point you to particular citations if you like. He clearly said when we interviewed him that there had been a shift in resources and energy. This is in both of our notes. I don't think this should be an issue of departmental politics.

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Sent: Thursday, June 29, 2006 12:00 PM
To: 
Cc: twilkey@eac.gov
Subject: Re: donsanto interview

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for the buck --- cases involving multiple individuals that were not already being pursued by State or local public attorneys. As you know, DOJ recently expanded its efforts and added the prosecution of individuals for double voting or voting when ineligible (felony convictions or no U.S. citizenship). Although I did not know of this decision prior to the interview, the action is not a complete surprise, given the increasing pressure on the agency to pursue such cases that began with a real squeaker of a 1996 race in California's 46th CD (Orange County). In the interview with you, Donsanto also stated that the department evaluates each case before pursuing it, and does not pursue every individual referred for voting violations. (You may remember he noted his reluctance to pursue noncitizen voting, which can result in deportation, when it could separate the individual from his family.)

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I hope you will reconsider revising the paragraph at issue.

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U.S. Election Assistance Commission

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Neither of us thinks this passage says that the Department has stopped pursuing patterns, as you suggested, and we maintain that this is what Mr. Donsanto said to us in the interview. If Mr. Donsanto wants to object, perhaps he can write a letter or something to that effect that could be part of the record.

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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July weekend.

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Sent from my BlackBerry Wireless Handheld

----- Original Message ----- 
From: "Job Serebrov" 
Sent: 06/30/2006 05:58 PM 
To: psims@eac.gov; 
Subject: Various

Peg:

I had to take time off this afternoon to handle some issues. Did you get an answer as to my travel reimbursement?

I spoke to Tova about the Donsanto issue. We both agree about what we heard during the interview. We also agree that this is taking up too much time (of which we have so little left) and is a minor part of one interview which makes up one of thirty interviews. I feel the same as Tova, the Commission was not in on the interview and thus do not know what was said and we are not giving those interviewed the opportunity, especially given how long ago the interviews were, to object. Frankly, if the Commission wants to give us another sixty hours each we can call all of our interviewees, give them the review and ask for comments. In any case, we can't include comments from other interviews with, or lectures by person interviewed, outside of our interview with that person. We simply can't afford to single out one statement in one interview that there is a disagreement on. Finally, I don't read the paragraph as you do---I remember what was said---the paragraph clearly does not imply an abandonment of other DOJ electoral investigations.

Job

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM -----

"Job Serebrov"  
06/30/2006 07:10 PM  
To psims@eac.gov.  
cc  
Subject Re: Various

Peg:

Its ok with me as long as we finish before the end of November.
--- psims@eac.gov wrote:

> Actually, the Donsanto interview was the only one I did attend, but I agree the issue is taking up too much of your time. I just wanted you to be forwarned that the paragraph has already raised red flags in DC of and is likely to result in an edit. Enough said about that.

> I am concerned about the number of hours left for this project. If you and Tova both agree, I'll see if our Contracting Officer will approve a contract mod to provide for some additional hours and money to incorporate comments received on the report and other efforts that fall within the tasks specified in the current contract. We won't get 60 thou, but there might be a little year end money we can use to finish this off properly.

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as you do---I remember what was said---the paragraph clearly does not imply an abandonment of other DOJ electoral investigations.

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM ---

Margaret Sims/EAC/GOV
06/26/2006 04:38 PM

To: "Tova Wang"

cc: dromig@eac.gov

Subject: RE: May 18, 2006 Meeting

I wasn't planning on circulating the transcript to the Commissioners. Most of them probably don't have the time to go through the whole thing. I will let them know it is available, if they are interested in reviewing it.

--- Peggy

"Tova Wang" <wang@tcf.org>

"Tova Wang"

06/23/2006 01:04 PM

To: dromig@eac.gov, psims@eac.gov

cc: [redacted]

Subject: RE: May 18, 2006 Meeting

Wow, there are a lot of errors in this. But at least it gets at the substance. Will this be circulated to the commissioners?

-----Original Message-----
From: dromig@eac.gov [mailto:dromig@eac.gov]
Sent: Thursday, June 22, 2006 2:45 PM
To: psims@eac.gov
Cc: [redacted]
Subject: Fw: May 18, 2006 Meeting

Good news!!! The transcript is finally here.

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov
Dear EAC,

Attached please note the ASCII file for the Voting Fraud-Voter Intimidation Meeting taken on Wednesday, May 18, 2006. Your transcript has been shipped to you.

ASCII file name: 051806.txt

Please let us know if you have any questions.

Timothy Brischler, Office Manager,

---

I am ok with it.

--- Tova Wang wrote:

> Is this OK now?
> Tova Andrea Wang
> Democracy Fellow
> The Century Foundation
>
> Visit our Web site, for the latest news, analysis, opinions, and events.
>
Jeannie:

Here are my responses:

1. **When will EAC receive the preliminary report on voter intimidation and voting fraud?**
   I anticipate that we will have a draft final report from our consultants in 2-3 weeks, after our consultants have had time to review the transcript from the project Working Group meeting, which was not available until last week.

2. **When we receive the preliminary report, what is the EAC process to formulate a final product that will be made public?**
   First, Commissioners and Commission staff will have to review the preliminary draft. Then a draft will be submitted to the EAC Standards Board and EAC Advisory Board for review and comment. This second step is taken in accordance with HAVA §247, which requires EAC to carry out its duties under Title II, Subtitle C (Studies and Other Activities to Promote Effective Administration of Federal Elections) in consultation with the Standards Board and the Board of Advisors.

3. **When will we make this research available to the public? What form will it be in? (Best practices, etc.)**
   The final report cannot be made public until it has been accepted by the Commissioners. Normally, this does not happen until the researcher(s) submit a final report that has been revised to address clarifications and corrections deemed necessary through the review process described above. The time it takes for the researchers to produce this final report will depend, somewhat, on the number of clarifications and corrections deemed necessary.
As the researchers were charged with conducting preliminary background research on voting fraud and voter intimidation in the U.S., this report will not include recommended best practices. It will summarize the preliminary research as well as the deliberations of our project Working Group. It also will include recommendations for future EAC activity related to the development of: (1) methods of identifying, deterring, and investigating voting fraud and voter intimidation; and (2) nationwide statistics on voting fraud.

If the reporter has spoken to Secretary Rokita, who maintains that EAC has no authority to conduct this research, you may want to note that EAC initiated this preliminary research on voting fraud and voter intimidation in accordance with the Help America Vote Act, (HAVA) §241, which requires EAC to conduct research on election administration issues, including the development of:

- nationwide statistics and methods of identifying, deterring, and investigating voting fraud in elections for Federal office [§241(b)(6)]; and
- ways of identifying, deterring, and investigating methods of voter intimidation [§241(b)(7)].

At its 2005 meeting, EAC's Board of Advisors recommended that the agency make research on these matters a high priority.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission

Jeannie Layson/EAC/GOV

06/27/2006 02:26 PM

To psims@eac.gov, twilkey@eac.gov
cc
Subject US News & World Report inquiry

Please provide answers to the following questions, posed to me by US News & World Report's Scott Michels. I need this info by the end of the day to meet his deadline.

1. When will EAC receive the preliminary report on voter intimidation and voting fraud?
2. When we receive the preliminary report, what is the EAC process to formulate a final product that will be made public?
3. When will we make this research available to the public? What form will it be in? (Best practices, etc.)

Jeannie Layson
U.S. Election Assistance Commission
1225 New York Ave., NW
Suite 1100
Washington, DC 20005
Phone: 202-566-3100
www.eac.gov
Hi Peg,

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Presumably the paragraph you are concerned about is the following:

Since 2002, the department has brought more cases against alien voters, felon voters, and double voters than ever before. Previously, cases were only brought when there was a pattern or scheme to corrupt the process. Charges were not brought against individuals – those cases went un-prosecuted. This change in direction, focus, and level of aggression was by the decision of the Attorney General. The reason for the change was for deterrence purposes.

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Margaret Sims/EAC/GOV
06/29/2006 01:00 PM
To "Tova Wang"
Serebrov
cc twilkey@eac.gov
Subject Re: donsanto interview

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U.S. Election Assistance Commission

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Tova Andrea Wang
Democracy Fellow
The Century Foundation

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Peggy:

Still no travel funds. Please see what you can fund out on Monday. At this point this is late.

Job

Further comment from Tova. --- Peggy

Also, I maintain that a reasonable solution to this is to allow Donsanto and/or any of the commissioners who desire to do so to provide a statement that would be included in the report and in the record.

----- Original Message-----
From: <psims@eac.gov>; "Job Serebrov" To: <psims@eac.gov>; "Job Serebrov"
Cc: "Tova Wang"
Sent: Friday, June 30, 2006 9:42 PM
Subject: Re: Various

> That would be great on the contract.
> 
> If the interview is "edited" as you put it, I will be very, very uncomfortable, as I believe Job would be as well. I know you don't want
to spend anymore time on this, but I consider it a rather important issue,
> and I think Job does too. I would be happy to talk to you and Tom and any
> of the commissioners about this further if that would be helpful. I am
> available by cell over the next four days and in the office all next week.
> 
> > Thanks for the updated invoice stuff. Happy 4th.
> >
> > Tova
> > ----- Original Message ----- 
> > From: <psims@eac.gov>
> > To: "Job Serebrov" < 
> > Cc: "Tova Andrea Wang"
> > Sent: Friday, June 30, 2006 6:41 PM
> > Subject: Re: Various
> > 
> >> Actually, the Donsanto interview was the only one I did attend, but I
> >> agree the issue is taking up too much of your time. I just wanted you to
> >> be forewarned that the paragraph has already raised red flags in DC of and
> >> is likely to result in an edit. Enough said about that.
> >>
> >> I am concerned about the number of hours left for this project. If you
> >> and Tova both agree, I'll see if our Contracting Officer will approve a
> >> contract mod to provide for some additional hours and money to
> >> incorporate comments received on the report and other efforts that fall
> >> within the tasks specified in the current contract. We won't get 60
> >> thou, but there might be a little year end money we can use to finish
> >> this off properly.
> >> Peg
> >> 
> >> --------------------------
> >> Sent from my BlackBerry Wireless Handheld
> >> 
> >> ----- Original Message ----- 
> >> From: "Job Serebrov"
> >> Sent: 06/30/2006 05:58 PM 
> >> To: psims@eac.gov; 
> >> Subject: Various
> >> 
> >> Peg:
> >> I had to take time off this afternoon to handle some
> >> issues. Did you get an answer as to my travel
> >> reimbursement?
> >>
> >> I spoke to Tova about the Donsanto issue. We both
> >> agree about what we heard during the interview. We
> >> also agree that this is taking up too much time (of
> >> which we have so little left) and is a minor part of
> >> one interview which makes up one of thirty interviews.
> >> I feel the same as Tova, the Commission was not in on
> >> the interview and thus do not know what was said and
> >> we are not giving those interviewed the opportunity,
> >> especially given how long ago the interviews were, to
> >> object. Frankly, if the Commission wants to give us
> >> another sixty hours each we can call all of our
> >> interviewees, give them the review and ask for
> >> comments. In any case, we can't include comments from
> >> other interviews with, or lectures by person
> >> interviewed, outside of our interview with that
Job:

I may have forgotten to send this summary of payments for personal services to you. If I didn't, here it is again. --- Peggy

Serebrov Payment Tracking.xls

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM ----

Margaret Sims/EAC/GOV
07/03/2006 10:35 AM
To: wang@tcf.org
cc: "Job Serebrov", "Tova Wang"
Subject: Re: Various

Most of the Commissioners and Tom will be out of the office for the next two weeks to attend the IACREOT, NASS, and NASED summer conferences. I'll let Tom know you want to talk with him when I see him at the airport tomorrow. He may decide to call from out of town. --- Peggy

--- Original Message ----
From: <psims@eac.gov>
To: "Job Serebrov"
Cc: "Tova Andrea Wang"
Sent: Friday, June 30, 2006 6:41 PM
Subject: Re: Various

> Actually, the Donsanto interview was the only one I did attend, but I
> agree the issue is taking up too much of your time. I just wanted you to
> be forwarned that the paragraph has already raised red flags in DC of and
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We'll have to guesstimate. It is likely that we will receive some comments and questions from the Commissioners and a number of comments from the boards. We could do the modification a little later, but we have to do it before the end of August to take advantage of year-end funds. Basically, the sooner we can figure this out, the better chance we have of using some of the year-end money for this project, before it is taken for something else. We have no guarantees that funds will be available in the next fiscal year. --- Peggy

"Tova Wang"

07/03/2006 11:13 AM

To psims@eac.gov

Subject RE: Estimated Additional Hours Needed

Doesn't it really depend on what the Commission comes back to us with? It's kind of hard to estimate before knowing what they're going to want.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, July 03, 2006 10:11 AM
To: twilkey@eac.gov
Cc: twilkey@eac.gov
Subject: Estimated Additional Hours Needed

Tova and Job:

I don't have the authority to modify contracts, but Tom Wilkey does. In order to help Tom determine how many additional hours (and dollars) should be added to your personal services contracts, I'll need an estimate from the two of you for the number of additional hours required to complete the final report (taking into account revisions that may be needed to address questions and comments submitted by the Commissioners and the EAC Standards Board and Board of Advisors). Please note that we cannot add any tasks to the existing contract, but we can account for additional hours required to complete the final report.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov
----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM -----
I thought I emailed an account of your hours used. Just in case I didn’t, here it is again.

Wang Payment Tracking.xls.

I think I’ve already gone over my hours. Let me know when I submit my invoice. If I have, I’ll just reduce them on paper. Thanks.

We'll have to guesstimate. It is likely that we will receive some comments and questions from the Commissioners and a number of comments from the boards. We could do the modification a little later, but we have to do it before the end of August to take advantage of year-end funds. Basically, the sooner we can figure this out, the better chance we have of using some of the year-end money for this project, before it is taken for something else. We have no guaranties that funds will be available in the next fiscal year. --- Peggy
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Fax: 202-566-3127
email: psims@eac.gov

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM ---

"Job Serabrov" To psims@eac.gov
07/07/2006 08:06 AM cc
Subject Travel Funds

Peg:

My travel funds finally came in to my bank.

Job

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM ---

"Tova Wang" To psims@eac.gov
07/03/2006 11:13 AM cc
Doesn't it really depend on what the Commission comes back to us with? It's kind of hard to estimate before knowing what they're going to want.

-----Original Message-----
From: psims@eac.gov
Sent: Monday, July 03, 2006 10:11 AM
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e-mail: psims@eac.gov

---- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM ----

07/01/2006 05:30 PM
To: psims@eac.gov
cc: 
Subject: Re: FW: methodology

It would be great if someone there could work on cleaning it up. Let us know. Thanks.

----- Original Message -----
The attached is the text extracted from pages 8-19 and the Attachment C referenced within the text. The formatting is still a little weird. Can you work with this, or do I need to play with it some more? --- Peggy

"Tova Wang"
06/29/2006 12:07 PM
To psims@eac.gov
cc
Subject FW: methodology

Will it be possible for you to extract the excerpt for inclusion in the report? Thanks.

-----Original Message-----
From: Job Serebrov [mailto:]
Sent: Wednesday, June 28, 2006 5:40 PM
To: Tova Wang; psims@eac.gov
Subject: Re: methodology

Agreed

--- Tova Wang <wrote:

> As you may recall, the working group expressed
> interest in the risk analysis
> method. The recent report by the Brennan Center on
> voting machines employs
> this methodology. If you look at pp. 8-19 of the
> attached, it provides a
> potential model. I think it might be worth
> including this as an appendix or
> footnote in the methodology section. Please let me
> know what you think.
> Tova
>
> Tova Andrea Wang
> Democracy Fellow
> The Century Foundation

for the latest news,
> analysis, opinions, and events.
I have asked our finance folks to check with GSA. I will let you know when I receive the answer. --- Peggy

Peggy:
Still no travel funds. Please see what you can fund out on Monday. At this point this is late.

Job

Tova and Job:
Peg:

I still have not received the travel funds. This is causing a large financial problem. I don't know what is with these people but it is obvious my bank has not received it and I doubt it was sent. Please find out what is going on.

Job

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM -----

"Tova Wang"  
07/03/2006 12:19 PM  
To: psims@eac.gov  
cc  
Subject: RE: Estimated Additional Hours Needed

I think I've already gone over my hours. Let me know when I submit my invoice. If I have, I'll just reduce them on paper. Thanks.

-----Original Message-----  
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Washington, DC 20005  
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)  
Fax: 202-566-3127  
email: psims@eac.gov

-forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM-

Margaret Sims/EAC/GOV  
07/11/2006 12:05 PM  
To Juliet E. Thompson-Hodgkins/EAC/GOV  
cc

Subject: Re: Fraud and Intimidation Study

I think it is this one. --- Peggy

EAC Boards VF-VI Status Report.doc

Juliet E. Thompson-Hodgkins/EAC/GOV

Juliet E. Thompson-Hodgkins/EAC/GOV  
07/11/2006 11:38 AM  
To Margaret Sims/EAC/GOV@EAC  
cc

Subject: Re: Fraud and Intimidation Study

Will you please send me a copy of the referenced report?

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

Margaret Sims/EAC/GOV  
07/11/2006 10:55 AM  
To Juliet E. Thompson-Hodgkins/EAC/GOV@EAC  
cc "Tom Wilkey" <twilkey@eac.gov>
Subject: Re: Fraud and Intimidation Study

It sounds similar to the issues I had with the Donsanto interview. It was a classic example of the interviewers interpreting what was said through their own biases.

It also is true that the original interview summaries failed to differentiate between the criminal definition of intimidation and the consultants use of the term. The consultants have revised their definition to note that it goes beyond the legal definition, but we may need to repeat the statement where the DOJ interviews are referenced.

I have already brought the Donsanto matter to our contractors' attention. When they responded that they did not think they should redraft that section, I told them that the section will likely be edited. It appears that we will have to do the same with the reference to Tanner's interview.

Why don't we discuss this with Tanner (and Donsanto) after we have had a chance to review a consolidated draft of the final report? We can determine what clarifications or corrections are necessary at that time.

Peg

Sent from my BlackBerry Wireless Handheld
Juliet E. Thompson-Hodgkins

From: Juliet E. Thompson-Hodgkins
Sent: 07/11/2006 09:46 AM
To: Margaret Sims
Subject: Re: Fraud and Intimidation Study

His concerns are that there were inaccurate or false statements about DOJ on pages 5 and 6, that in his words demonstrated a lack of understanding of criminal law.

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

Margaret Sims/EAC/GOV 07/11/2006 09:26 AM
To Juliet E. Thompson-Hodgkins/EAC/GOV@EAC
cc
Subject: Re: Fraud and Intimidation Study

Perhaps he was looking at the report that was delivered to the EAC boards. Let's find out what his concerns are so that we can address them.

Peg
I have not yet seen a draft final report. My best guess is that Tanner is concerned about the summary of his interview. I have already had discussions with our consultants about the description of the Donsanto interview, at which I was present. Wilkey knows that I won't let it go as is. I wasn't at the Tanner interview, but would be interested in hearing where he thinks the consultants went wrong.

It is possible that, due to my objections re the Donsanto interview, the consultants may have asked Tanner to review their description of his interview. I won't know for sure until I can contact them.

I gave you and Gavin a folder that included a summary of interviews, etc before the working group meeting. Also, the report delivered to the boards on this project is in the shared drawer under Research in Progress-Voting Fraud-Intimidation. That is everything I have at the moment.

Peg
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It also is true that the original interview summaries failed to differentiate between the criminal definition of intimidation and the consultants use of the term. The consultants have revised their definition to note that it goes beyond the legal definition, but we may need to repeat the statement where the DOJ interviews are referenced.

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Peg

Sent from my BlackBerry Wireless Handheld

Juliet E. Thompson-Hodgkins

From: Juliet E. Thompson-Hodgkins
Sent: 07/10/2006 02:34 PM
To: Margaret Sims
Subject: Re: Fraud and Intimidation Study

Tanner said he got it from Cameron. And referred specifically to pp. 5 and 6. I don’t remember that the summaries of interviews were laid out that way.

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

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Peg

Sent from my BlackBerry Wireless Handheld
Juliet E. Thompson-Hodgkins

From: Juliet E. Thompson-Hodgkins
Sent: 07/10/2006 10:55 AM
To: Margaret Sims
Cc: Thomas Wilkey
Subject: Fraud and Intimidation Study

I received a call from John Tanner today who was upset with pages 5 and 6 of some draft paper that he had received regarding our Fraud and Intimidation Study. I am in a very uncomfortable situation in that I have not received a copy of this paper and the Office of General Counsel has not vetted this document and yet I am being questioned about why there are erroneous statements in this paper. Please provide me with a copy of this document and please explain to me how John Tanner got a copy of this document before I did.

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

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM ------
Margaret Sims/EAC/GOV
07/03/2006 11:38 AM
To Devon Romig
cc
Subject Fw: methodology

Please edit the attached Word document to remove the returns at the end of each line that are not needed, then send it to Tova and Job. Thanks! --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 07/03/2006 11:37 AM ------
Margaret Sims/EAC/GOV
06/30/2006 05:25 PM
To “Tova Wang” AjAL
cc
Subject Re: FW: methodology
Will it be possible for you to extract the excerpt for inclusion in the report? Thanks.

-----Original Message-----
From: Job Serebrov [Job Serebrov]
Sent: Wednesday, June 28, 2006 5:40 PM
To: Tova Wang; psims@eac.gov
Subject: Re: methodology

Agreed

--- Tova Wang wrote:

> As you may recall, the working group expressed interest in the risk analysis method. The recent report by the Brennan Center on voting machines employs this methodology. If you look at pp. 8-19 of the attached, it provides a potential model. I think it might be worth including this as an appendix or footnote in the methodology section. Please let me know what you think.
> Tova
> Tova Andrea Wang
> Democracy Fellow
> The Century Foundation
Tova:
If you have used up all of your remaining hours, you need to stop work until we have the contract modification in place that provides for more hours.
Peggy

Also, I maintain that a reasonable solution to this is to allow Donsanto and/or any of the commissioners who desire to do so to provide a statement that would be included in the report and in the record.
Thanks for the updated invoice stuff. Happy 4th.

Tova

----- Original Message ----- 
From: <psims@eac.gov>
To: "Job Serebrov"
Cc: "Tova Andrea Wang"
Sent: Friday, June 30, 2006 6:41 PM
Subject: Re: Various

Actually, the Donsanto interview was the only one I did attend, but I
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issues. Did you get an answer as to my travel
reimbursement?

I spoke to Tova about the Donsanto issue. We both
agree about what we heard during the interview. We
also agree that this is taking up too much time (of
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I feel the same as Tova, the Commission was not in on
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especially given how long ago the interviews were, to
object. Frankly, if the Commission wants to give us
another sixty hours each we can call all of our
interviewees, give them the review and ask for
comments. In any case, we can't include comments from
other interviews with, or lectures by person
interviewed, outside of our interview with that
person. We simply can't afford to single out one
statement in one interview that there is a
disagreement on. Finally, I don't read the paragraph
>> as you do---I remember what was said---the paragraph
>> clearly does not imply an abandonment of other DOJ
>> electoral investigations.
>>
>> Job
>>
>>
>>
>>

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:16 PM ---
Margaret Sims/EAC/GOV
07/03/2006 12:40 PM
To: Serebrov
cc
Subject: Travel Reimbursement

GSA reports that a pay out of $1,200.03 was made today. --- Peggy
--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:16 PM ---
Margaret Sims/EAC/GOV
06/30/2006 05:25 PM
To: "Tova Wang"
cc
Subject: Re: FW: methodology

The attached is the text extracted from pages 8-19 and the Attachment C referenced within the text. The formatting is still a little weird. Can you work with this, or do I need to play with it some more? --- Peggy

Risk Analysis Methodology-Brennan Center excerpt.doc

"Tova Wang"

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06/29/2006 12:07 PM
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> Tova
> Tova Andrea Wang
> Democracy Fellow
> The Century Foundation
>
> Visit our Web site, <visit our website> for the latest news, analysis, opinions, and events.
>
> ---

Once is enough. You don't need to resend. --- Peggy

"Tova Wang"
Peg, We don't need to re-send you all of the material that we gave you to provide to the working group for the final report, eg the individual interviews, research summaries, nexis and case charts, right? Thanks. Happy 4th. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation

Visit our Web site for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.

Peg:

It seems to Tova and me that somewhere between 30 and 40 for each of us would be safe (having learned from not asking for enough hours).

Job

No, its Bank of America. I just checked again and its
not there. If it does not appear by morning I will need you to see what is going on.

--- psims@eac.gov wrote:

> They usually send it electronically. Could your bank have failed to post it due to the holiday? Does your bank tend to float deposits for a day or two? Peggy

> --------------------------
> Sent from my BlackBerry Wireless Handheld

> ----- Original Message ----- 
> From: "Job Serebrov"
> Sent: 07/05/2006 08:13 AM
> To: psims@eac.gov
> Subject: Re: Travel Reimbursement
> 
> Peg:
>
> I checked my account this morning (July 5th) and this still has not been paid. Did GSA mail it?
>
> Job
>
> --- psims@eac.gov wrote:
> 
> > GSA reports that a pay out of $1,200.03 was made today. --- Peggy
>
>
> ----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:16 PM -----
> Margaret Sims/EAC/GOV 07/03/2006 11:30 AM To "Tova Wang" Wang@eac.gov @R:
> cc Subject RE: Estimated Additional Hours Needed

We'll have to guesstimate. It is likely that we will receive some comments and questions from the Commissioners and a number of comments from the boards. We could do the modification a little later, but we have to do it before the end of August to take advantage of year-end funds. Basically, the sooner we can figure this out, the better chance we have of using some of the year-end money for this project, before it is taken for something else. We have no guaranties that funds will be available in the next fiscal year. --- Peggy

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Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
e-mail: psims@eac.gov

Peg:

I need to move our call to next Monday at 7 pm EST. What is the situation with the extra hours?
The excess returns would be a great start, and then I can do the rest. Thanks a lot.

Do you just need to have the excess returns removed, or do you think it needs other clean up as well? --- Peggy
It would be great if someone there could work on cleaning it up. Let us know. Thanks.

----- Original Message ----- 
From: psims@eac.gov 
To: 
Cc: 
Sent: Friday, June 30, 2006 5:25 PM 
Subject: Re: FW: methodology

The attached is the text extracted from pages 8-19 and the Attachment C referenced within the text. The formatting is still a little weird. Can you work with this, or do I need to play with it some more? --- Peggy

"Tova Wang"

06/29/2006 12:07 PM

To psims@eac.gov 
cc

Subject FW: methodology

Will it be possible for you to extract the excerpt for inclusion in the report? Thanks.

-----Original Message-----
From: Job Serebrov [mailto: 
Sent: Wednesday, June 28, 2006 5:40 PM 
To: Tova Wang; psims@eac.gov 
Subject: Re: methodology

Agreed

--- Tova Wang wrote:

> As you may recall, the working group expressed
> interest in the risk analysis
> method. The recent report by the Brennan Center on
> voting machines employs
this methodology. If you look at pp. 8-19 of the attached, it provides a potential model. I think it might be worth including this as an appendix or footnote in the methodology section. Please let me know what you think.

Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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<mailto:join-tcfmain@mailhost.groundspring.org>
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--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:16 PM ---

"Tova Wang"
07/17/2006 10:29 AM
To psims@eac.gov
cc "Job Serebrov"
Subject RE: final report

appendices attached, except Peg I think you put together the list of the working group members? In any case, I can't find one at the moment, but it would be easy enough to put together. Perhaps even Devon or someone could do that, especially since I don't think I have any hours left, and probably shouldn't even be writing this email. I don't remember the conversation about adding to the list of interviewees, but we can talk about that later.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, July 17, 2006 9:13 AM
To: [redacted]
Cc: 'Job Serebrov'; wang@tcf.org
Subject: Re: final report

Thanks. I probably won't be able to start getting into this until tomorrow AM. I noticed that the appendices weren't attached. I think we discussed earlier that the list of interviewees needed to
Hi Peg,

Attached please find drafts of the sections for the final report. Job, please double check I'm not missing anything or sent the wrong version of anything. I'm very concerned I may have. Is there a summary of the case review that I should have? Also, as we discussed, the attached does not include all of the individual summaries and charts which we already gave you for the working group and which have not changed. Peg, we'll want to see the complete set of the materials you plan to give to the commissioners, et al., before you do so. If you could both let me know if all the formatting is OK, that would be great too. Thanks so much and look forward to talking to you at 7 EST.

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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APPENDIX C -- BRENNAN EXCERPT.doc Existing Literature Reviewed.doc
Subject: Voucher

I received your faxed voucher today, signed it, and gave it to Finance. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:16 PM ---

Margaret Sims/EAC/GOV
07/17/2006 12:25 PM
To: “Tova Wang”
cc: “Job Serebrov”
Subject: RE: final report

Yes, I have the list of Working Group members. --- Peggy

“Tova Wang”
07/17/2006 10:29 AM
To: psims@eac.gov
cc: “Job Serebrov”
Subject: RE: final report

appendices attached, except Peg I think you put together the list of the working group members? In any case, I can’t find one at the moment, but it would be easy enough to put together. Perhaps even Devon or someone could do that, especially since I don’t think I have any hours left, and probably shouldn’t even be writing this email. I don’t remember the conversation about adding to the list of interviewees, but we can talk about that later.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, July 17, 2006 9:13 AM
To: 
Cc: “Job Serebrov”
Subject: Re: final report

Thanks. I probably won’t be able to start getting into this until tomorrow AM. I noticed that the appendices weren’t attached. I think we discussed earlier that the list of interviewees needed to have more information for the final report, and the list of books and documents should be presented in the same manner as a bibliography for the final report. We can talk more about this tonight during our teleconference at 7 PM EST. --- Peggy
Hi Peg,

Attached please find drafts of the sections for the final report. Job, please double check I'm not missing anything or sent the wrong version of anything. I'm very concerned I may have. Is there a summary of the case review that I should have? Also, as we discussed, the attached does not include all of the individual summaries and charts which we already gave you for the working group and which have not changed. Peg, we'll want to see the complete set of the materials you plan to give to the commissioners, et.al., before you do so. If you could both let me know if all the formatting is OK, that would be great too. Thanks so much and look forward to talking to you at 7 EST.

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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APPENDIX C -- BRENNAN EXCERPT.doc Existing Literature Reviewed.doc

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:16 PM -----
Here is the list of Working Group members with some information highlighted about each individual. Yes, you can email me later in the day to let me know if I should call you at home or at work. --- Peggy

Can you send it over? As I recall, it includes bios, right? I'm assuming on the interviewees you think we should have very short biographical information? Also, Peg, I'm not sure if I'll still be at work at 7 or home. Is it ok if I email you late in the day as to where I am? My home phone (for only two more weeks!) is 212-362-5223. Thanks.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, July 17, 2006 11:26 AM
To: 
Cc: 'Job Serebrov'; ang@tcf.org
Subject: RE: final report

Yes, I have the list of Working Group members. --- Peggy

appendices attached, except Peg I think you put together the list of the working group members? In any case, I can't find one at the moment, but it would be easy enough to put together. Perhaps even Devon or someone could do that, especially since I don't think I have any hours left, and probably shouldn't even be writing this email. I don't remember the conversation about adding to the list of interviewees, but we can talk about that later.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
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Hi Peg,

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Tova Andrea Wang
Democracy Fellow
The Century Foundation

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"Tova Wang"

07/17/2006 10:36 AM

To psims@eac.gov

cc

Subject RE: final report

Speaking of which, does this look ok to you?

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

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, July 17, 2006 9:13 AM
To: 
Cc: 'Job Serebrov'; 
Subject: Re: final report

Thanks. I probably won't be able to start getting into this until tomorrow AM. I noticed that the appendices weren't attached. I think we discussed earlier that the list of interviewees needed to have more information for the final report, and the list of books and documents should be presented in the same manner as a bibliography for the final report. We can talk more about this tonight during our teleconference at 7 PM EST. --- Peggy

"Tova Wang"

07/17/2006 09:33 AM

To psims@eac.gov

cc "Job Serebrov"

Subject final report

Hi Peg,

Attached please find drafts of the sections for the final report. Job, please double check I'm not missing anything or sent the wrong version of anything. I'm very concerned I may have. Is there a summary of the case review that I should have? Also, as we discussed, the attached does not include all of the individual summaries and charts which we already gave you for the working group and which have not changed. Peg, we'll want to see the complete set of the materials you
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Tova Andrea Wang  
Democracy Fellow  
The Century Foundation

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-------------

He asks that you call him on his cell, 501-626-0440

Tova Andrea Wang  
Democracy Fellow  
The Century Foundation

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Click here to receive our weekly e-mail updates.

-------------

I received your faxed voucher this morning, signed it, and submitted it to Finance. --- Peggy

-------------

"Tova Wang"  
07/17/2006 05:36 PM  
To psims@eac.gov  
cc
That's good.
Juliet Thompson Hodgkins
General Counsel
United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100
Margaret Sims/EAC/GOV
I'm sorry I did not get back to you on this yesterday. I reviewed the voucher this morning and found that only two corrections are needed (coverage dates and # of days worked during the first two weeks). I've made the corrections in red on the attached copy of your voucher. --- Peggy

Wang voucher 6-18 to 7.15.doc

Speaking of which, does this look ok to you?

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, July 17, 2006 9:13 AM
To:
Cc: 'Job Serebrov';
Subject: Re: final report

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"Tova Wang"
Okay -- you are on for May 18th! Can we do it over here at 10?

Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 12:40:19 2006
Subject: Re: Voting Fraud-Voter Intimidation

My problem is that agency staff is booked most of the week of 5/21. Monday through Wednesday are taken up with meetings of the Standards Board Executive Committee, the full Standards Board, and the Board of Advisors. Thursday, we have EAC's public meeting. Also, I will lose one of my two consultants in June, so I'm trying to wrap up this project (and get the final report from the consultants) by the end of May.

Say "Hi" to Cameron for me.
Hi Peg. I am sitting here with Cameron Quinn putting together this year's ballt conference for AUSAs. She send her best!

I am available on 5/18. But I am also going to the Board of Advisors Meeting the following week. I would rather do this then.

--------------------------
Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 11:39:50 2006
Subject: Voting Fraud-Voter Intimidation

Craig:

We are continuing our efforts to hone in on a date for the Working Group meeting. Are you available the afternoon of Thursday, May 18?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM ----
Margaret Sims/EAC/GOV
05/03/2006 04:59 PM To "Donsanto, Craig"
@Craig.Donsanto@usdoj.gov>@GSAEXTERNAL
cc Subject Re: Voting Fraud-Voter Intimidation

I am looking at the afternoon of 5/18 for the meeting, due to scheduling conflicts of Working Group members. There remain two members from whom we have not yet received confirmations of their schedule (with some, it is like pulling teeth), but right now 5/18 still looks like the best day. We may have to hold the meeting over here to make it easier for Commissioners to drop in. --- Peg

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

"Donsanto, Craig"
05/03/2006 12:53 PM To psims@eac.gov
cc Subject Re: Voting Fraud-Voter Intimidation
Okay -- you are on for May 18th! Can we do it over here at 10?

Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
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Say "Hi" to Cameron for me.

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
05/03/2006 11:56 AM
To
psims@eac.gov
cc
Subject
Re: Voting Fraud-Voter Intimidation

Hi Peg. I am sitting here with Cameron Quinn putting together this year's ballt conference for AUSAs. She send her best!

I am available on 5/18. But I am also going to the Board of Advisors Meeting the following week. I would rather do this then.

Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
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To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 11:39:50 2006
Subject: Voting Fraud-Voter Intimidation

Craig:
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Peggy Sims  
Election Research Specialist  
U.S. Election Assistance Commission

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM ---

To psims@eac.gov
cc
Subject Re: Working Group

Tuesday at 4 is OK for me.

----- Original Message ----- 
From: psims@eac.gov
To: 
Cc: dromig@eac.gov
Sent: Friday, May 05, 2006 2:32 PM
Subject: Working Group

Hi, Folks:

Teleconference
Are both of you available for a teleconference next Tuesday afternoon at about 4 PM EST? If this does not work for you, please suggest another date and/or time. I would like to discuss our preparations for the Working Group meeting.

Working Group Members
We have a very good person to fill the slot for the nonpartisan local election official: J.R. Perez, Elections Administrator for Guadalupe County, TX. Attached is his bio. Hope you have no objections to him. He is available on May 18. I have place 2 calls to Pat Rogers office, but have not yet received a reply. Job, if you have any pull with him, you may want to contact him, too.

Travel Arrangements
You should make your own travel arrangements, including hotel. Travel time cannot be billed to the contract, except for hours actually worked on the contract (i.e.; reviewing materials in preparation for the meeting, and the like). Current Federal rates follow:

Maximum Lodging = $180 per day- does not include hotel taxes (if you cannot get this rate, we have covered reasonable rates that are a little higher)
Meals & Incidentals = $64 per day (except that it is $48 on the first and last day of travel)
Mileage for Personally Owned Vehicle = $0.445 per mile

Under the new contract, I do not have to fill out a travel authorization for you. I can approve your trip via email. Afterwords, when you turn in your next pay voucher, you can attach the airline receipt (or mileage documentation), hotel receipt(s), and ground transportation receipts and a copy of any printed itineraries. Calculate the total travel expenses due you, including applicable per diem. I do not need meal receipts.

Job, under Federal travel regulations, deviations for personal reasons are not normally accommodated. What you can do, however, is to give me a comparison of the cost of roundtrip mileage, hotel, and per diem of doing it your way against the cost of a roundtrip flight, ground transportation, hotel, and per diem. If your way costs less, it should be no problem to cover the full cost. If your way is more expensive, we may only pay up to the amount of traditional travel. (The same rules apply to me when I travel.) If you can tell me where, other than DC, you will spend the night, I can check on applicable per diem rates.

Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM ------
Margaret Sims/EAC/GOV
05/04/2006 03:13 PM
To: "Donsanto, Craig"
@Craig.Donsanto@usdoj.gov@GSAEXTERNAL
Subject: RE: Voting Fraud-Voter Intimidation

Craig:

This meeting is being held to obtain input from our eight-member Working Group for the project. The group is composed of election lawyers, election officials, and a representative of an advocacy group, all of whom have an interest and some expertise in the identification and/or prosecution of voting fraud and voter intimidation. The group was chosen so that we would have an equal number of folks on each side of the political spectrum, plus some nonpartisan members.

After our consultants review the results of their preliminary research (interviews, literature review, case law), we will ask the Working Group to brainstorm possible next steps for EAC. Our consultants will write a report summarizing the proposals that come out of this meeting. The report will go to the Commissioners, who will decide what they want to do, funds available, and what priority to assigned to the effort(s).

Your participation in this part of the process is extremely important, so I am very happy that you can find time for us that afternoon. I'll get an agenda and other information to you next week. --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
To: psims@eac.gov
Subject: RE: Voting Fraud-Voter Intimidation
Okay, Peg - I will mark off the entire afternoon and try to be there. What is the agenda? I was not aware that this was anything beyond having your contractors spend another session with me. Also, if they will be needing stats and stuff like that I need to know as I will bring my state-people with me.

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 04, 2006 2:28 PM
To: Donsanto, Craig
Subject: Re: Voting Fraud-Voter Intimidation

Right now, we are planning to meet in EAC's large conference room between 1 PM and 5 PM. If you cannot be there for the whole afternoon, we will appreciate whatever time you can spare. I'll get back to you with more information (agenda, list of Working Group members, etc.). --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/03/2006 05:59 PM

Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

Afternoon of May 18 -- 2:30 okay? How long will they need??

-----Original Message-----
From: psims@eac.gov
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 16:59:09 2006
Subject: Re: Voting Fraud-Voter Intimidation

I am looking at the afternoon of 5/18 for the meeting, due to scheduling conflicts of Working Group members. There remain two members from whom we have not yet received confirmations of their schedule (with some, it is like pulling teeth), but right now 5/18 still looks like the best day. We may have to hold the meeting over here to make it easier for Commissioners to drop in. --- Peg
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From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 12:40:19 2006
Subject: Re: Voting Fraud-Voter Intimidation

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Sent from Dr. D’s Fabulous BlackBerry Wireless Handheld

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Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----
Margaret Sims/EAC/GOV
  05/09/2006 11:33 AM
To: "Job Serebrov"
cc
Subject: Re: Working Group-Perez

Did you look at the attached excerpts from Texas Code? --- Peggy

"Job Serebrov"
  05/09/2006 11:23 AM
To: psims@eac.gov
cc
Subject: Re: Working Group-Perez

We have the same set-up here in Arkansas. We hired a person just like Perez. However, given this, I would still like to know if he has a party affiliation and this brings up another issue. How is the county election commission chosen. In Arkansas it is the
Chairmen of the Republican and Democrat Parties or if he/she does not want to serve a person is elected in his/her stead and a third member picked by the party with the most constitutional officers. Practically that has meant that the Democrats have controlled election commissions in Arkansas since the end of Reconstruction. This is why I want to know the situation in Texas.

--- psims@eac.gov wrote:

> As you may recall, the Commissioners directed me to find a nonpartisan local election official to serve on the Working Group. The three of us discussed the desirability of having a Hispanic. I proposed that I find someone from Texas because of that State's colorful history of voting fraud and their innovative approaches to combat it. In those Texas counties that hire Election Administrators to run elections, rather than having elected officials do so (Tax Assessor for voter registration; County Clerk for balloting), the Election Administrator is hired by the County Election Commission and is supposed to perform his or her duties in a nonpartisan manner. (See attached excerpts from Texas Election Code regarding election administrator hiring and restrictions on partisan activity.) Any experienced Texas election official will be familiar with voting fraud and voter intimidation schemes used in that State. Mr. Perez has over 13 years experience as a county Election Administrator in Texas. You won't find many news articles mentioning him because he has kept his nose clean. (The Texas press, as in many other parts of the country, prefers to report bad news.) Mr. Perez is plugged into the association of Texas election officials and the two largest organizations of election officials in this country: the International Association of Clerks, Recorders, Election Officials and Treasurers (IACREOT); and The Election Center. He is a past President and past Chairman of the Legislative Committee for the Texas Association of Election Administrators. He currently serves on IACREOT's Election Officials Committee, which plans the educational sessions for election officials that are conducted...
at that organization's
conferences. His peers in IACREOT and The Election
Center have selected
his submissions on web presentations (IACREOT) and
his professional
practices papers (Election Center) for awards. Mr.
Perez also has access
to information from other States through his
membership in IACREOT and The
Election Center. He also has a sense of humor,
which you will note if you
access the staff web page on the Guadalupe County
Elections web site and
hear the Mission Impossible theme .. something that
might be useful in the
upcoming meeting.

Guadalupe County is small but growing. In 2004, the
county had over 65
thousand registered voters (a number more than
doubled the number of
registered voters in 1988). A third of the county's
population claims
Hispanic or Latino origin, according to the U.S.
Census Bureau. The county
is in south central Texas and is bordered by Comal,
Hays, Cladwell,
Gonzales, Wilson, and Bexar counties. In the 1980s,
the county was
predominately a farming community; but in recent
years, many people have
moved from San Antonio (Bexar County) to Guadalupe
County, preferring to
live in Guadalupe County and work in Bexar County.

--- Peggy

"Job Serebrov"
05/08/2006 11:30 PM

To
psims@eac.gov
cc

Subject
Re: Working Group

Peggy:

What political party is Perez with? How political is
he? Is the position in Texas neutral or political?
Diana:

The following members of the Working Group for our Voting Fraud/Voter Intimidation research project will need to make travel arrangements in order to attend an afternoon meeting of the group on May 18 in Washington, DC:

Mark "Thor" Hearne - St Louis, MO
J.R. Perez - Seguin, TX
The Honorable Todd Rokita - Indianapolis, IN
Kathy Rogers - Atlanta, GA

I may have one additional member from Albuquerque, NM confirmed early next week.

May these people use Adventure Travel to make these arrangements in the same manner as the Asian Language Working Group? I understand the members of that group made hotel and flight arrangements through Adventure Travel and that these costs were billed directly to EAC. We did plan for EAC to pay for the travel of the Voting Fraud/Voter Intimidation Working Group (budgeted under Research). Devon will prepare their travel authorizations.

Peggy Sims
Election Research Specialist

This seems OK, I guess its a less detailed version of what I sent you. I hope you will advise us as to what
we are supposed to talk about/go over since we have provided the group with everything we've done ahead of time. I also hope that you will have an answer for me on Wade. It utterly essential that we have a leader from the civil rights community at the table.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 11, 2006 9:07 AM
To: [REDACTED]
Subject: Today's Teleconference

I assume that we are still on for today's teleconference at 11 AM EST. I will call you. I have attached a draft agenda for your review and comment. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----
"Job Serebrov" 05/11/2006 03:36 PM
To: "Tova Wang"
cc: [REDACTED]
Subject: Re: new working group representative

I have an objection to Greenbaum. While I realize he comes from an advocacy group, he is not a minority attorney and we already have a rep who worked with DOJ. If it is to be Greenbaum, I would rather not fill that position since I am one down.

--- Tova Wang [REDACTED] wrote:

> is Jon Greenbaum
> Here's his info in full:
> l
> He is the Director of the Voting Rights Project for the Lawyers Committee for Civil Rights. He will be representing Barbara Arnwine, the Executive Director of the Lawyers Committee.
> His contact and mailing info is:
> Suite 400
> Washington, DC 20005
> Tova Andrea Wang
> Democracy Fellow
> The Century Foundation
Visit our Web site, iLC/</p>
> <mailto:join-tcfmain@mailhost.groundspring.org>
> Click here to receive our
> weekly e-mail updates.
>
>
> Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM —

"Tova Wang"

05/11/2006 02:12 PM

To psims@eac.gov

cc

Subject RE: Literature Summary

It might be an Apple issue

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 11, 2006 1:09 PM
To:
Cc:
Subject: Literature Summary

Tova just sent me the summary you prepared of The Federal Crime of Election Fraud by Craig Donsanto. There is something wrong in the fourth paragraph (odd characters and missing text). Can you please send a replacement fourth paragraph? You can send it in an email and I will place it in the document. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM —

"Job Serebrov"

05/04/2006 12:04 PM

To psims@eac.gov

cc

Subject Re: Good News

Peggy:

Rogers contact information is below on my last message. My uncle is having a complicated procedure where they are both cementing his spine to shore it up and testing for a malignant tumor---which they now
suspect as the cause of the sudden bone problems. If it is a tumor, the working group session could get complicated.

--- psims@eac.gov wrote:

> Job:
> > Hope your uncle's surgery goes well.
> > I have the Chairman's OK to follow your recommendation and replace Norcross with Rogers. Do you have contact information for Rogers? ---
> > Peggy
>
> "Job Serebrov" 05/04/2006 11:17 AM
>
> To
> psims@eac.gov
> cc
>
> Subject
> Re: Good News
>
>
> I will have a better idea about my uncle's condition today after surgery.
>
> See:

--- psims@eac.gov wrote:

> Job:
> > Secretary Rokita is available May 18. I'm going to talk with the Chairman today about substituting Rogers for Norcross. Do you have contact information for Rogers? --- Peggy
Okay, Peg - - thank you. I will be there.

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Friday, May 05, 2006 9:16 AM
To: Donsanto, Craig
Subject: Re: Voting Fraud-Voter Intimidation

The non-election officials on the Working Group currently include:
   • Barry Weinberg, whom you know
   • Barbara Arnwine, Lawyers Committee for Civil Rights Under Law (organization associated with the Voting Rights Project and Election Protection)
   • Bob Bauer, Perkins Coie, DC (Democrat attorney)
   • Mark "Thor" Hearne, Lathrop & Gage, St Louis, MO (Republican attorney)

I am trying to recruit one other Republican attorney, Patrick Rogers, Modrall, Sperling, Roehl, Harris and Sisk, NM, who was recommended by our Republican consultant. He would replace an original member who is no longer available.

I know that Barbara has associated at conferences and in legislative efforts with Wade Henderson, Leadership Conference on Civil Rights. Also, the Lawyers Committee for Civil Rights is listed as on of many members of the Executive Committee for the Leadership Conference on Civil Rights (see http://www.civilrights.org/about/lccr/executive_committee.html).

Does this information help? --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/04/2006 06:08 PM
To psims@eac.gov
cc
Subject: Re: Voting Fraud-Voter Intimidation
Peggy -- they don't have anything to do with the Leadership Conference on Civil Rights do they?

I ask only because the Justice Department is currently engaged in a very acrimonious FOIA litigation with LCCR that focuses precisely on our efforts to combat voter "intimidationm"

Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Thu May 04 17:20:39 2006
Subject: RE: Voting Fraud-Voter Intimidation

It is just the Working Group for the Voting Fraud-Voter Intimidation Project. I am asking you to attend as Technical Advisor for the project. --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
05/04/2006 03:26 PM
To
       psims@eac.gov
cc
Subject
       RE: Voting Fraud-Voter Intimidation

Peg -- what is the name of the group?
Craig:

This meeting is being held to obtain input from our eight-member Working Group for the project. The group is composed of election lawyers, election officials, and a representative of an advocacy group, all of whom have an interest and some expertise in the identification and/or prosecution of voting fraud and voter intimidation. The group was chosen so that we would have an equal number of folks on each side of the political spectrum, plus some nonpartisan members.

After our consultants review the results of their preliminary research (interviews, literature review, case law), we will ask the Working Group to brainstorm possible next steps for EAC. Our consultants will write a report summarizing the proposals that come out of this meeting. The report will go to the Commissioners, who will decide what they want to do, funds available, and what priority to assigned to the effort(s).

Your participation in this part of the process is extremely important, so I am very happy that you can find time for us that afternoon. I'll get an agenda and other information to you next week. --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
05/04/2006 02:32 PM
To psims@eac.gov
cc
Subject RE: Voting Fraud-Voter Intimidation

Okay, Peg -- I will mark off the entire afternoon and try to be there. What is the agenda? I was not aware that this was anything beyond having your contractors spend another session with me. Also, if they will be needing stats and stuff like that I need to know as I will bring my state-people with me.

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 04, 2006 2:28 PM
To: Donsanto, Craig
Subject: Re: Voting Fraud-Voter Intimidation

Right now, we are planning to meet in EAC's large conference room between 1 PM and 5 PM. If you cannot be there for the whole afternoon, we will appreciate whatever time you can spare. I'll get back to you with more information (agenda, list of Working Group members, etc.). --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/03/2006 05:59 PM

To
psims@eac.gov
cc
Subject
Re: Voting Fraud-Voter Intimidation

Afternoon of May 18 -- 2:30 okay? How long will they need??
--------------------------
Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 16:59:09 2006
Subject: Re: Voting Fraud-Voter Intimidation

I am looking at the afternoon of 5/18 for the meeting, due to scheduling conflicts of Working Group members. There remain two members from whom we have not yet received confirmations of their schedule (with some, it is like pulling teeth), but right now 5/18 still looks like the best day. We may have to hold the meeting over here to make it easier for Commissioners to drop in. --- Peg

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/03/2006 12:53 PM
To psims@eac.gov
cc
Subject Re: Voting Fraud-Voter Intimidation

Okay -- you are on for May 18th! Can we do it over here at 10?
--------------------------
Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 12:40:19 2006
Subject: Re: Voting Fraud-Voter Intimidation

My problem is that agency staff is booked most of the week of 5/21. Monday through Wednesday are taken up with meetings of the Standards Board Executive Committee, the full Standards Board, and the Board of Advisors. Thursday, we have EAC's public meeting. Also, I will lose one of my two consultants in June, so I'm trying to wrap up this project (and get the final report from the consultants) by the end of May.

Say "Hi" to Cameron for me.

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
05/03/2006 11:56 AM
To psims@eac.gov
cc
Subject Re: Voting Fraud-Voter Intimidation

Hi Peg. I am sitting here with Cameron Quinn putting together this year's ballt conference for AUSAs. She send her best!

I am available on 5/18. But I am also going to the Board of Advisors Meeting the following week. I would rather do this then.
--------------------------
Sent from Dr. D's Fabulous BlackBerry Wireless Handheld
-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 11:39:50 2006
Subject: Voting Fraud-Voter Intimidation

Craig:

We are continuing our efforts to hone in on a date for the Working Group meeting. Are you available the afternoon of Thursday, May 18?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----
Devon E. Romig/EAC/GOV
05/09/2006 11:34 AM
To: Margaret Sims/EAC/GOV@EAC
cc
Subject: Re: May 18 Meeting

No, but I have left a message for her assistant and I am waiting for her to return my call. I will let you know as soon as I hear anything.

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov
Margaret Sims/EAC/GOV
Did Barbara Arnwine's office indicate who they propose to send in her place? --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM ---

"Job Serebrov"
05/08/2006 11:30 PM
To psims@eac.gov
cc
Subject Re: Working Group

Peggy:

What political party is Perez with? How political is he? Is the position in Texas neutral or political? Who appointed Perez?

As to Pat I will contact him but I can't promise anything. If Pat can't come, who is getting knocked off Tova's list?

Job

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM ---

Diana Scott/EAC/GOV
05/08/2006 10:22 AM
To Margaret Sims/EAC/GOV@EAC
cc dromig@eac.gov, Karen Lynn-Dyson/EAC/GOV@EAC
Subject Re: Working Group Travel

Peggy,

I will send these names to Adventure Travel (AT) authorizing AT to place the airfare and hotel charges on our credit card. That is all I do on my end. BUT Devon has to follow up to make all the arrangements with Marvin Brokaw at AT and whatever else is required as far as support servs. for the meeting is concerned.

I assume this is a separate meeting from the 2 Karen & Brian are having?

Diana M. Scott
Administrative Officer
U.S. Election Assistance Commission
(202) 566-3100 (office)
(202) 566-3127 (fax)
dscott@eac.gov

Margaret Sims/EAC/GOV

Margaret Sims/EAC/GOV
Diana:

The following members of the Working Group for our Voting Fraud/Voter Intimidation research project will need to make travel arrangements in order to attend an afternoon meeting of the group on May 18 in Washington, DC:

Mark "Thor" Hearne - St Louis, MO  
J.R. Perez - Seguin, TX  
The Honorable Todd Rokita - Indianapolis, IN  
Kathy Rogers - Atlanta, GA

I may have one additional member from Albuquerque, NM confirmed early next week.

May these people use Adventure Travel to make these arrangements in the same manner as the Asian Language Working Group? I understand the members of that group made hotel and flight arrangements through Adventure Travel and that these costs were billed directly to EAC. We did plan for EAC to pay for the travel of the Voting Fraud/Voter Intimidation Working Group (budgeted under Research). Devon will prepare their travel authorizations.

Peggy Sims  
Election Research Specialist

Peggy:

Please tell the folks there that I am not worried about a perceived breach of contract. This is a completely ridiculous statement considering the contractual requirement that the consultants convene the Working Group and not the Commission and it never specifies where or when this is to take place. All this to say that while the contract does specify a Working Group meeting it does not specify that it must
take place on any particular date or in a particular
city. With that said, I have never heard of any
federal travel requirements that would result in a
loss of money because I decided to drive and not fly.
In fact, that is why there is a an amount paid per
mile. So I would like to see the federal regulation
that forces me to take the least expensive transport
and restricts all other ground transport costs to that
figure.

As to hotels, based on Tova's research there are no
rooms for under the $350 range per night. If you can
find hotels that are less expensive but still carry
the kind of bed I need for my back (either pillow top
or a number bed) please do.

The issue of my uncle---today I have not had an update
on his condition. But, as I previously stated, if he
were to die or have an event while I was in DC, I
would have to go to NYC meeting or no meeting.

Finally, neither Tova nor I have been satisfied about
Mr. Perez and I have not been told whether Pat Rogers
will be coming or one of Tova's people will not be.

In the end, I need to see the travel regulation that I
requested above, I would like you to look into hotels
for Tova and me that have the kind of bed I need and I
would like to know about Perez and Rogers. In the mean
time, I should have an update on my uncle by morning.
I would also be happy to talk to Julie about the
issues involved. I will take you up on your offer to
process my travel expenses faster and I do not and
never did expect you to get me a travel advance. I
worked in international development and know what a
headache those are to apply for on the state level.

Job

--- psims@eac.gov wrote:

> Job:
> Folks here are concerned that your failure to show
> up in person to help
> conduct the meeting would be a breach of contract.
> I also am concerned
> about the impression that your absence will leave
> with the Commissioners
> and with the VIPs coming to this meeting.
> If you are concerned about delays in reimbursement
> caused by including the
> travel expenses in the personal services voucher, I
> can always process
> your request (with receipts) separately and earlier.
> I can have staff
> here check to see if we can find hotel rooms at a
> more reasonable rate for
> you and Tova. (We recognize that you may not be
able to obtain Federal
government rate.) What I cannot do is offer a
teach advance, which is
not permitted for nonfederal employees, or offer to
pay the difference
between normal travel expenses and those incurred
for personal
convenience, when the latter is the higher amount.
I urge you to make your travel arrangements ASAP.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW – Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120
(direct)
Fax: 202-566-3127
e-mail: psims@eac.gov

"Job Serebrov" 05/08/2006 01:41 PM

To
psims@eac.gov
cc

Subject
Re: Working Group

Given the information I have Peggy, that is not
going
to be financially possible. First, given Tova's info
about the hotels, it is too much for me to front.
Two
to three days in DC would run around $1000 for the
hotel alone. That does not count the two days on the
road to get there and two days back. Second, if I
can't charge the federal per mile allowance for the
entire trip to DC and back and can only get the
equivalent of plane fare, I will actually loose
money.

I simply do not see how we can do this in person
given
the financial restrictions.

--- psims@eac.gov wrote:
I don't think we can put you on teleconference for 41/2 hours. We really need to have you here in person if you are to help conduct the Working Group meeting. You should make your travel arrangements ASAP. --- Peggy

"Job Serebrov" 05/08/2006 10:14 AM

To psims@eac.gov,.. cc

Subject Re: Working Group

Peggy:

4:00 eastern on Tuesday is fine however, given the financial restrictions that you indicated would be in place for use of my car (I would actually loose money coming to DC) and given the cost of hotels at this time (I can't afford to front these costs and wait for months to be repaid), etc, it would take a miracle for this working group meeting to take place in person. It is looking like the only way it will get done is by teleconference. I also share Tova's concern about the unknown nature of Mr. Perez.

--- psims@eac.gov wrote:

Hi, Folks:

Teleconference

Are both of you available for a teleconference next Tuesday afternoon at
about 4 PM EST? If this does not work for you, please suggest another date and/or time. I would like to discuss our preparations for the Working Group meeting.

Working Group Members

We have a very good person to fill the slot for the nonpartisan local election official: J.R. Perez, Elections Administrator for Guadalupe County, TX. Attached is his bio. Hope you have no objections to him. He is available on May 18. I have placed 2 calls to Pat Rogers office, but have not yet received a reply. Job, if you have any pull with him, you may want to contact him, too.

Travel Arrangements

You should make your own travel arrangements, including hotel. Travel time cannot be billed to the contract, except for hours actually worked on the contract (i.e., reviewing materials in preparation for the meeting, and the like). Current Federal rates follow:

Maximum Lodging = $180 per day - does not include hotel taxes (if you cannot get this rate, we have covered reasonable rates that are a little higher)
Meals & Incidentals = $64 per day (except that it is $48 on the first and last day of travel)
Mileage for Personally Owned Vehicle = $0.445 per mile

Under the new contract, I do not have to fill out a travel authorization for you. I can approve your trip via email. Afterwards, when you turn in your next pay voucher, you can attach the airline receipt (or mileage documentation), hotel receipt(s), and ground transportation receipts and a copy of any printed itineraries. Calculate the total travel expenses due.
Peggy:

At this point and unless my uncle dies before May 18, the only way I will go to DC is to drive my car. I will need it in case my uncle dies while I am there. You will need to get approval for the use of my car and the two days it will take me to get there and two days back.

Job

The Commissioners made this an equal bi-partisan issue. I am seen as representing the Republican Party. I now have a responsibility to assure that this ends up bi-partisan. I have been placed in a position of dual obligations---both to the contract and to the Party. I in fact see myself as carrying out what the Commission wanted to the letter---equal bi-partisan representation.

--- psims@eac.gov wrote:

> Your response suggests that you do not care what the Commissioners may think about the effort. --- Peggy

---

001753
Peggy:

Braden is ok also with me but please don't tell me not to "stir up" things. I assure you nothing will come back to bite me. I know these people well enough to say they will also want a balanced group. In fact, one of them was very unhappy with Tova's folks.

Job

--- psims@eac.gov wrote:

According to the Commissioners, you and Tova each got to pick three members of the Working Group. The Commission guidance regarding this particular member follows:

4 people from the Academic, Legal and Advocacy sectors - 2 to be chosen by Tova and 2 to be chosen by Job.

This issue of allowing a designee relates to Tova's pick.

As I understand it, we are working on a replacement for Norcross. If Ginsberg is not viable, how about Mark Braden, who includes public integrity in his areas of specialization. I would not try and stir up other members of the Working Group, if I were you.

The effort is likely to come back and bite you.
> > Subject
> > Re: new working group representative
> >
> > I really don't care if he represents the organization or not. What mixed race? The entire discussion was because Arnwine was African-American. If you are going to invite him without first having a replacement for my side, I may have to call Thor and Todd and discuss all of this.
> >
> > --- psims@eac.gov wrote:
> >
> > Greenbaum is representing Arnwine, not replacing her. He works for her organization and is of mixed race. --- Peggy
> >
> > --- "Job Serebrov" <Job Serebrov> 05/11/2006 03:36 PM
> >
> > To: Tova Wang <wang@tcf.org>
> > cc: psims@eac.gov
> >
> > Subject: Re: new working group representative
> >
> > I have an objection to Greenbaum. While I realize he comes from an advocacy group, he is not a minority attorney and we already have a rep who worked with DOJ. If it is to be Greenbaum, I would rather not fill that position since I am one down.
> >
> > --- Tova Wang <wang@tcf.org> wrote:
> >
> > is Jon Greenbaum
> >
> > Here's his info in full:
He is the Director of the Voting Rights Project for the Lawyers Committee for Civil Rights. He will be representing Barbara Arnwine, the Executive Director of the Lawyers Committee.

His contact and mailing info is:

Washington, DC 20005

Tova Andrea Wang
Democracy Fellow
The Century Foundation

Visit our Web site, for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.
Afternoon of May 18 -- 2:30 okay? How long will they need??

Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 16:59:09 2006
Subject: *Re: Voting Fraud-Voter Intimidation

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05/03/2006 12:53 PM
To
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Subject

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Election Research Specialist
U.S. Election Assistance Commission
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U.S. Election Assistance Commission

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Margaret Sims/EAC/GOV
05/12/2006 01:41 PM
To “Job Serebrov”
cc
Subject Re: Fraud Definition

I will add “DRAFT” to the definition and, yes, the WG will have suggestions. I do plan to send packets to you and Tova containing the same materials being provided to the WG. I haven’t sent anything yet because I was hoping to finalize the WG list for inclusion. (Still waiting for a response from Ginsberg.)

Regarding Tova’s response, we may want to have a very short meeting after the WG disperses, followed by a teleconference the following Monday afternoon. Tuesday is bad for me because I’ll be out of the office attending a series of EAC meetings that begin that day. --- Peggy

"Job Serebrov" <redacted>

"Job Serebrov"
05/12/2006 12:52 PM
To psims@eac.gov <redacted>
cc
Subject Re: Fraud Definition

This is ok, given the fact that the WG may have suggestions. Will you be sending us the same packets that you are sending the WG? Also, I figure with Tova's response we will need to have a teleconference on the report once I return to Little Rock. We will need to do it that following Monday or Tuesday.
--- psims@eac.gov wrote:

> Would you please take a look at the attached? I combined both of your definitions, reformatted the list, removed a reference to the fraud having to have an actual impact on the election results (because fraud can be prosecuted without proving that it actually changed the results of the election), and taken out a couple of vague examples (e.g.; reference to failing to enforce state laws --- because there may be legitimate reasons for not doing so).

> I have made contact with Ben Ginsberg’s office and am waiting to hear if he accepts our invitation to join the working group.

--- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM -----

Margaret Sims/EAC/GOV
05/05/2006 02:32 PM	To Tova Andrea Wang, Job Serebrov
cc dromig@eac.gov
Subject Working Group

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Travel Arrangements
You should make your own travel arrangements, including hotel. Travel time cannot be billed to the contract, except for hours actually worked on the contract (i.e.; reviewing materials in preparation for the meeting, and the like). Current Federal rates follow:

Maximum Lodging = $180 per day- does not include hotel taxes (if you cannot get this rate, we have covered reasonable rates that are a little higher)
Meals & Incidentals = $64 per day (except that it is $48 on the first and last day of travel)
Mileage for Personally Owned Vehicle = $ .445 per mile

Under the new contract, I do not have to fill out a travel authorization for you. I can approve your trip via email. Afterwards, when you turn in your next pay voucher, you can attach the airline receipt (or mileage documentation), hotel receipt(s), and ground transportation receipts and a copy of any printed itineraries. Calculate the total travel expenses due you, including applicable per diem. I do not need meal receipts.

Job, under Federal travel regulations, deviations for personal reasons are not normally accommodated. What you can do, however, is to give me a comparison of the cost of roundtrip mileage, hotel, and per diem of doing it your way against the cost of a roundtrip flight, ground transportation, hotel, and per diem. If your way costs less, it should be no problem to cover the full cost. If your way is more expensive, we may only pay up to the amount of traditional travel. (The same rules apply to me when I travel.) If you can tell me where, other than DC, you will spend the night, I can check on applicable per diem rates.

---

I have placed another call to his office (after one previous call to his assistant and an email to him). I, too, am concerned about our dwindling chances. --- Peggy

"Job Serebrov" <serebrov@sbcglobal.net>

Given the short time period, you may want to give Ginsberg a deadline. The longer we wait, the poorer our chances are of getting Braden.

--- psims@eac.gov wrote:

> I am reluctant to invite Braden until after I have received a "No" from Ginsberg. --- Peg
> >
> >
> >
Sounds good to me. If not Ginsburg try Braden.

--- psims@eac.gov wrote:

... I will add "DRAFT" to the definition and, yes, the
... WG will have
... suggestions. I do plan to send packets to you and
... Tova containing the
... same materials being provided to the WG. I
... haven't
... because I was hoping to finalize the WG list for
... inclusion. (Still
... waiting for a response from Ginsberg.)
... Regarding Tova's response, we may want to have a
... very short meeting after
... the WG disperses, followed by a teleconference the
... following Monday
... afternoon. Tuesday is bad for me because I'll be
... out of the office
... attending a series of EAC meetings that begin that
... day. --- Peggy

... This is ok, given the fact that the WG may have
... suggestions. Will you be sending us the same
... packets
... that you are sending the WG? Also, I figure with
> Tova's response we will need to have a
> teleconference
> on the report once I return to Little Rock. We will
> need to do it that following Monday or Tuesday.
>
> --- psims@eac.gov wrote:
> Would you please take a look at the attached? I
> combined both of your
> definitions, reformatted the list, removed a
> reference to the fraud having
> to have an actual impact on the election results
> (because fraud can be
> prosecuted without proving that it actually
> changed
> the results of the
> election), and taken out a couple of vague
> examples
> (e.g.; reference to
> failing to enforce state laws --- because there
> may
> be legitimate reasons
> for not doing so).
> I have made contact with Ben Ginsberg's office
> and am waiting to hear if
> he accepts our invitation to join the working
> group.
> --- Peggy
>
> ---- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM ----
> Margaret Sims/EAC/GOV
> 04/26/2006 04:37 PM
> To: "Tova Wang"
> cc
> Subject: Re: interview analysis
>
> Thanks. We are still trying to get through to Bauer and Arnwine. They have not responded, so their availability is not yet reflected on our spreadsheet. --- Peggy
Hi Peg,

Attached, to add to the collection, is a summary overview of the interviews. Do you have that spreadsheet you were telling me about reflecting the times WG participants are available? If so, maybe we can talk soon? Thanks. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation
Visit our Web site, for the latest news, analysis, opinions, and events.

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM ---

05/07/2006 12:33 PM  
To: psims@eac.gov
cc: "Job Sarebrow"

The bio for JR Perez tells us very little about him and there is pretty much nothing about him on the web. Can you tell us more about him and how you decided on him? Thanks. Tova

----- Original Message -----  
From: psims@eac.gov
To: 
Cc: dromig@eac.gov
Sent: Friday, May 05, 2006 2:32 PM
Subject: Working Group

Hi, Folks:
Teleconference
Are both of you available for a teleconference next Tuesday afternoon at about 4 PM EST? If this does not work for you, please suggest another date and/or time. I would like to discuss our preparations for the Working Group meeting.

Working Group Members
We have a very good person to fill the slot for the nonpartisan local election official: J.R. Perez, Elections Administrator for Guadalupe County, TX. Attached is his bio. Hope you have no objections to him. He is available on May 18. I have placed 2 calls to Pat Rogers office, but have not yet received a reply. Job, if you have any pull with him, you may want to contact him, too.

Travel Arrangements
You should make your own travel arrangements, including hotel. Travel time cannot be billed to the contract, except for hours actually worked on the contract (i.e.; reviewing materials in preparation for the meeting, and the like). Current Federal rates follow:

- Maximum Lodging = $180 per day- does not include hotel taxes (if you cannot get this rate, we have covered reasonable rates that are a little higher)
- Meals & Incidental = $64 per day (except that it is $48 on the first and last day of travel)
- Mileage for Personally Owned Vehicle = $ .445 per mile

Under the new contract, I do not have to fill out a travel authorization for you. I can approve your trip via email. Afterwords, when you turn in your next pay voucher, you can attach the airline receipt (or mileage documentation), hotel receipt(s), and ground transportation receipts and a copy of any printed itineraries. Calculate the total travel expenses due you, including applicable per diem. I do not need meal receipts.

Job, under Federal travel regulations, deviations for personal reasons are not normally accommodated. What you can do, however, is to give me a comparison of the cost of roundtrip mileage, hotel, and per diem of doing it your way against the cost of a roundtrip flight, ground transportation, hotel, and per diem. If your way costs less, it should be no problem to cover the full cost. If your way is more expensive, we may only pay up to the amount of traditional travel. (The same rules apply to me when I travel.) If you can tell me where, other than DC, you will spend the night, I can check on applicable per diem rates.

Peggy
Peggy,

I spoke to the people who usually handle the EAC court reporting. They charge $9.00 per page with an average of 40 pages per hour. This service would cost about $1800.00.

The turn around time for the transcript is 10 to 15 days. The transcripts comes in a bound paper copy and an electronic copy.

I can also check around for different prices.

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM ---

Yes. Thanks. Depending on when Commissioner Davidson can spare you, we may need your help putting materials together for the Working Group (probably next week). We also will have to print name tags and place cards. If you are a good note-taker, we also will need people to take turns taking notes at the meeting. --- Peggy

Elieen L. Collver/EAC/GOV

Peggy,
Can I help on this working group?

Elle

Elle L.K Collver
U.S. Election Assistance Commission
1225 New York Avenue, Suite 1100
Washington, D.C. 20005
office: (202) 566-2256
blackberry: (202) 294-9251
www.eac.gov
Margaret Sims/EAC/GOV

Margaret Sims/EAC/GOV
05/04/2006 02:07 PM
To  pdegregorio@eac.gov, rmartinez@eac.gov, ddavidson@eac.gov, ghillman@eac.gov
cc  twilkey@eac.gov, jthompson@eac.gov, Gavin S. Gilmour/EAC/GOV@EAC, Amie J. Sherrill/EAC/GOV@EAC, Adam Ambrogi/EAC/GOV@EAC, Eileen L. Collver/EAC/GOV@EAC, Sheila A. Banks/EAC/GOV@EAC, bbenavides@eac.gov, Karen Lynn-Dyson/EAC/GOV@EAC
Subject  Voting Fraud-Voter Intimidation Working Group Meeting

Dear Commissioners:

This is to let you know that the Working Group for our Voting Fraud and Voter Intimidation preliminary research project is scheduled to meet in EAC's large conference room the afternoon of Thursday, May 18. I will provide more information about this meeting to you later.

Peggy Sims
Election Research Specialist

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM -----
Margaret Sims/EAC/GOV
05/04/2006 10:33 AM
To  Job Serebrov
cc
Subject  Good News

Job:
Secretary Rokita is available May 18. I’m going to talk with the Chairman today about substituting Rogers for Norcross. Do you have contact information for Rogers? --- Peggy
----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM -----
Margaret Sims/EAC/GOV
05/04/2006 05:20 PM
To  "Donsanto, Craig"
<Craig.Donsanto@usdoj.gov> @GSAEXTERNAL
cc
Subject
RE: Voting Fraud-Voter Intimidation

It is just the Working Group for the Voting Fraud-Voter Intimidation Project. I am asking you to attend as Technical Advisor for the project. --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

Peg - - what is the name of the group?

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 04, 2006 3:13 PM
To: Donsanto, Craig
Subject: RE: Voting Fraud-Voter Intimidation

Craig:

This meeting is being held to obtain input from our eight-member Working Group for the project. The group is composed of election lawyers, election officials, and a representative of an advocacy group, all of whom have an interest and some expertise in the identification and/or prosecution of voting fraud and voter intimidation. The group was chosen so that we would have an equal number of folks on each side of the political spectrum, plus some nonpartisan members.

After our consultants review the results of their preliminary research (interviews, literature review, case law), we will ask the Working Group to brainstorm possible next steps for EAC. Our consultants will write a report summarizing the proposals that come out of this meeting. The report will go to the Commissioners, who will decide what they want to do, funds available, and what priority to assigned to the effort(s).

Your participation in this part of the process is extremely important, so I am very happy that you can find time for us that afternoon. I'll get an agenda and other information to you next week. --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
Okay, Peg - - I will mark off the entire afternoon and try to be there. What is the agenda? I was not aware that this was anything beyond having your contractors spend another session with me. Also, if they will be needing stats and stuff like that I need to know as I will bring my state-people with me.

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 04, 2006 2:28 PM
To: Donsanto, Craig
Subject: Re: Voting Fraud-Voter Intimidation

Right now, we are planning to meet in EAC's large conference room between 1 PM and 5 PM. If you cannot be there for the whole afternoon, we will appreciate whatever time you can spare. I'll get back to you with more information (agenda, list of Working Group members, etc.). --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/03/2006 05:59 PM

To: psims@eac.gov
cc
Subject: Re: Voting Fraud-Voter Intimidation

Afternoon of May 18 -- 2:30 okay? How long will they need??

------------------------------
-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 16:59:09 2006
Subject: Re: Voting Fraud-Voter Intimidation

I am looking at the afternoon of 5/18 for the meeting, due to scheduling conflicts of Working Group members. There remain two members from whom we have not yet received confirmations of their schedule (with some, it is like pulling teeth), but right now 5/18 still looks like the best day. We may have to hold the meeting over here to make it easier for Commissioners to drop in.
--- Peg

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
05/03/2006 12:53 PM
To
cc
Subject
Re: Voting Fraud-Voter Intimidation

Okay -- you are on for May 18th! Can we do it over here at 10?
--------------------------
Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 12:40:19 2006
Subject: Re: Voting Fraud-Voter Intimidation

My problem is that agency staff is booked most of the week of 5/21. Monday through Wednesday are taken up with meetings of the Standards Board Executive Committee, the full Standards Board, and the Board of Advisors. Thursday, we have EAC's public meeting. Also, I will lose one of my two consultants in June, so I'm trying to wrap up this project (and get the final report from the consultants) by the end of May.

Say "Hi" to Cameron for me.
Hi Peg. I am sitting here with Cameron Quinn putting together this year's ballt conference for AUSAs. She send her best!

I am available on 5/18. But I am also going to the Board of Advisors Meeting the following week. I would rather do this then.

--------------------------
Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 11:39:50 2006
Subject: Voting Fraud-Voter Intimidation

Craig:

We are continuing our efforts to hone in on a date for the Working Group meeting. Are you available the afternoon of Thursday, May 18?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM ----
Margaret Sims/EAC/GOV
05/12/2006 01:34 PM
To "Tova Wang"
cc
Subject RE: Fraud Definition

Lets raise this issue at the meeting. (I'll add "DRAFT" to the current document.) My concern is that there
are a number of requirements in the Voting Rights Act. Not all of them are considered election fraud, when violated. For example, failure to preclear changes in election procedures is not treated as election fraud, though it is actionable. --- Peggy

"Tova Wang"

05/12/2006 12:45 PM
To psims@eac.gov
cc
Subject RE: Fraud Definition

Upon first reading, my only comment would be that I would like to restore "failing to follow the requirements of the Voting Rights Act"

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Friday, May 12, 2006 9:20 AM
To: "Tova Wang"
Subject: Fraud Definition

Would you please take a look at the attached? I combined both of your definitions, reformatted the list, removed a reference to the fraud having to have an actual impact on the election results (because fraud can be prosecuted without proving that it actually changed the results of the election), and taken out a couple of vague examples (e.g.; reference to failing to enforce state laws --- because there may be legitimate reasons for not doing so).

I have made contact with Ben Ginsberg's office and am waiting to hear if he accepts our invitation to join the working group. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM -----
Margaret Sims/EAC/GOV
04/24/2006 12:13 PM
To "Tova Wang"
cc
Subject Re: invoice

Tova:

The draft voucher looks fine except for two things (one of them is our fault):

(1) it appears that you worked 11 days, rather than 10, during the first two weeks; and
(2) you need to put the total dollar amount owed you ($9,102) somewhere on the form. (Last time you put it in the box with the total hours worked this period.)

Don't forget to sign and date the voucher. Thanks.

Peggy Sims
Hi Peg,

Can you please check this before I fax it? Thanks! And can we talk sometime today?

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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voucher 3-26-4-22.doc

Barry Weinberg has confirmed he can attend the afternoon of May 18. He lives in the DC area, so we won't have to worry about travel. I have contacted Pat Rogers office and left a voice mail for his assistant. Hopefully, I will hear from them this afternoon. --- Peggy
We have heard from Bob Bauer regarding his availability, so we don't need to have you pursue the matter. Thanks for the offer, though. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM ---

I talked to Adam, and I am OK with JR Perez. I'm working on the Barbra situation.

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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Click here to receive our weekly e-mail updates.

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM ---

Peggy:

If I am calculating it right and I believe I am, it would cost around $450 plus my meal allowance in Virginia and Tennessee (coming and going).

All of this said, I am still a person down and there is the bed problem.

Job

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM ---
Hi Peg,

Just wondering if you had any word from Rokita. Also, I wanted to let you know that I think disinviting members of the working group would be a very unwise and frankly embarrassing way of dealing with the problem of getting 100% attendance. I'm sure we'll talk before any decisions are made. As I said, I'm free on Monday. Thanks. Tova

---

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM -----

Devon E. Romig/EAC/GOV
05/02/2006 01:11 PM
To Margaret Sims/EAC/GOV@EAC
cc
Subject Re: Barbara Arnwine

Peggy,

I just received an update about Ms. Arnwine's schedule. She is not available on May 9th.

Thanks,

Devon

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM -----

Margaret Sims/EAC/GOV
05/05/2006 10:56 AM
To "Weinberg and Utrecht"
cc
Subject Re: Voting Fraud-Voter Intimidation

Barry:

Would you please provide an address to which we can Federal Express materials before the meeting? ---
that would be fine

----- Original Message ----- 
From: psims@eac.gov
To: 
Sent: Thursday, May 04, 2006 1:08 PM
Subject: Voting Fraud-Voter Intimidation

Barry:

It appears that the afternoon of Thursday, May 18 is best for a meeting of the working group. I know you said you would not be available in the morning that day. If we started at 1 PM, would that be too soon for you?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM -----
"priceline.com Customer Service"
To: psims@eac.gov
cc
Subject: Travel Plans for Tova Wang
Are you available any days in the third week of May?
Peggy

-----------------------------
Sent from my BlackBerry Wireless Handheld

----- Original Message ----- 
From: "Donsanto, Craig" [Craig.Donsanto@usdoj.gov]
Sent: 04/03/2006 03:16 PM
To: Margaret Sims
Subject: RE: Voting Fraud-Voter Intimidation Project

Hello Peg!

God willing, I will be here the first two weeks of May.

As for your second question, it is not possible for me to assess the level of public attribution that would be appropriate without seeing the substantive stuff in context. I do not foresee a problem. So, I recommend that you get me a draft text and I will review it to ensure we are not disclosing things we shouldn't disclose.

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, April 03, 2006 3:13 PM
To: Donsanto, Craig
Subject: Re: Voting Fraud-Voter Intimidation Project

Craig:

I have 2 issues for you today.

First, I am trying to schedule a meeting of the project working group for EAC's Voting Fraud-Voter Intimidation research project. As a technical advisor on this project, your attendance is particularly important to me. Would you please look at your schedule and let me know if there are any days during the first 2 weeks of May that you would NOT be available?

Second, is it OK for our consultants to refer in their report to guidance provided in the DOJ training materials? I ask this because I understood that some materials in the materials are considered confidential and we do not want to violate your confidentiality provisions. If there is a compromise position, such as having you review that portion of the consultants' report, then let me know.
Thanks!

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM ----
Margaret Sims/EAC/GOV
04/27/2006 09:13 AM
To “Donsanto, Craig” <Craig.Donsanto@usdoj.gov>@GSAEXTERNAL
cc
Subject Re: Voting Fraud-Voter Intimidation Project

Unfortunately, I have to get the Working Group together before then, so that my consultants can prepare the final report before June. (In June, I lose one of them to State employment.) In understand about the crammed schedule. This month and next are chock full.

Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

"Donsanto, Craig"
04/26/2006 09:19 PM
<Craig.Donsanto@usdoj.gov>
To psims@eac.gov
cc
Subject Re: Voting Fraud-Voter Intimidation Project

How about we meld this wit the EAC Board of Advisors meeting? I just got taged to be parliamentarian --

We could attend to your folks while I arbitrate a food fight!!!!

--------------------------
Sent from Dr. D’s Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed Apr 26 20:30:24 2006
Subject: Re: Voting Fraud-Voter Intimidation Project

Craig:
Are you available any days in the third week of May?
Hello Peg!

God willing, I will be here the first two weeks of May.

As for your second question, it is not possible for me to assess the level of public attribution that would be appropriate without seeing the substantive stuff in context. I do not foresee a problem. So, I recommend that you get me a draft text and I will review it to ensure we are not disclosing things we shouldn't disclose.

Craig:

I have 2 issues for you today.

First, I am trying to schedule a meeting of the project working group for EAC's Voting Fraud-Voter Intimidation research project. As a technical advisor on this project, your attendance is particularly important to me. Would you please look at your schedule and let me know if there are any days during the first 2 weeks of May that you would NOT be available?

Second, is it OK for our consultants to refer in their report to guidance provided in the DOJ training materials? I ask this because I understood that some materials in the materials are considered confidential and we do not want to violate your confidentiality provisions. If there is a compromis position, such as having you review that portion of the consultants' report, then let me know.
Donsanto lists four types of election fraud: schemes to purposely and corruptly register voters who either do not exist, or who are known by the putative defendant to be ineligible to vote under applicable state law; schemes to cast, record or fraudulently tabulate votes for voters who do not participate in the voting act at all; schemes to corrupt the voting act of voters who do participate in the voting act to a limited extent; and, schemes to knowingly prevent voters qualified voters from voting.

--- psims@eac.gov wrote:

> When I opened the attachment, I still had problems with the 4th paragraph.
> Would you please just send me that paragraph within the text of your email so that I can paste it into the document? --- Peggy

> "Job Serebrov"
> 05/11/2006 03:49 PM
> To psims@eac.gov
> Subject Re: Literature Summary

> >
> >
> > >
> > >
> > > "Job Serebrov"
> > 05/11/2006 03:55 PM
> > To psims@eac.gov
> > cc
> > Subject Re: Literature Summary
> >
> >
I resent the review as you see at the bottom. When I opened it and sent it there was no corrupted text.

--- psims@eac.gov wrote:

> Do you have text to replace the corrupted text in paragraph 4? --- Peggy

---

"Job Serebrov"
05/11/2006 03:17 PM

To
cc

Subject
Re: Literature Summary

--- psims@eac.gov wrote:

> Tova just sent me the summary you prepared of The Federal Crime of Election Fraud by Craig Donsanto. There is something wrong in the fourth paragraph (odd characters and missing text). Can you please send a replacement fourth paragraph? You can send it in an email and I will place it in the document. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM -----
Absentee ballot fraud: 9
Official: 8
Ineligibles: 4
Deceptive Practices: 1
Civil Rights: 14
Intimidation: 6
Other: 2

Cases and Investigations Closed for Lack of Evidence

Civil Rights: 8
Official: 12
Registration Fraud: 12
Absentee Ballot Fraud: 14
Ineligible Voting: 3
Intimidation: 8
Double Voting: 5
Ballot Box Stuffing: 1
Vote Buying: 14
Ballot/machine tampering: 2
Other: 8
Unclear: 3

Peg -- what is the name of the group?

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:27 PM -----
After our consultants review the results of their preliminary research (interviews, literature review, case law), we will ask the Working Group to brainstorm possible next steps for EAC. Our consultants will write a report summarizing the proposals that come out of this meeting. The report will go to the Commissioners, who will decide what they want to do, funds available, and what priority to assigned to the effort(s).

Your participation in this part of the process is extremely important, so I am very happy that you can find time for us that afternoon. I'll get an agenda and other information to you next week. --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
05/04/2006 02:32 PM
Topsims@eac.gov
cc
Subject: RE: Voting Fraud-Voter Intimidation

Okay, Peg - - I will mark off the entire afternoon and try to be there. What is the agenda? I was not aware that this was anything beyond having your contractors spend another session with me. Also, if they will be needing stats and stuff like that I need to know as I will bring my state-people with me.

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 04, 2006 2:28 PM
To: Donsanto, Craig
Subject: Re: Voting Fraud-Voter Intimidation

Right now, we are planning to meet in EAC's large conference room between 1 PM and 5 PM. If you cannot be there for the whole afternoon, we will appreciate whatever time you can spare. I'll get back to you with more information (agenda, list of Working Group members, etc.). --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
05/03/2006 05:59 PM
Topsims@eac.gov
cc
Afternoon of May 18 -- 2:30 okay? How long will they need??

Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 16:59:09 2006
Subject: Re: Voting Fraud-Voter Intimidation

I am looking at the afternoon of 5/18 for the meeting, due to scheduling conflicts of Working Group members. There remain two members from whom we have not yet received confirmations of their schedule (with some, it is like pulling teeth), but right now 5/18 still looks like the best day. We may have to hold the meeting over here to make it easier for Commissioners to drop in.

--- Peg

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/03/2006 12:53 PM
To
cc
Subject

Re: Voting Fraud-Voter Intimidation

Okay -- you are on for May 18th! Can we do it over here at 10?

Sent from Dr. D's Fabulous BlackBerry Wireless Handheld
My problem is that agency staff is booked most of the week of 5/21. Monday through Wednesday are taken up with meetings of the Standards Board Executive Committee, the full Standards Board, and the Board of Advisors. Thursday, we have EAC's public meeting. Also, I will lose one of my two consultants in June, so I'm trying to wrap up this project (and get the final report from the consultants) by the end of May.

Say "Hi" to Cameron for me.

Hi Peg. I am sitting here with Cameron Quinn putting together this year's ballot conference for AUSAs. She send her best!

I am available on 5/18. But I am also going to the Board of Advisors Meeting the following week. I would rather do this then.

Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

Craig: We are continuing our efforts to hone in on a date for the Working Group meeting. Are you available the afternoon of Thursday, May 18?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
Peg:

Since I am driving to DC, besides hotel receipts, do you want me to keep my gas receipts or how will my car use be compensated? Also, I assume I don't have to retain food receipts.

Job

My problem is that agency staff is booked most of the week of 5/21. Monday through Wednesday are taken up with meetings of the Standards Board Executive Committee, the full Standards Board, and the Board of Advisors. Thursday, we have EAC's public meeting. Also, I will lose one of my two consultants in June, so I'm trying to wrap up this project (and get the final report from the consultants) by the end of May.

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I am available on 5/18. But I am also going to the Board of Advisors Meeting the following week. I would rather do this then.

--------------------
Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 11:39:50 2006
Subject: Voting Fraud-Voter Intimidation

Craig:

We are continuing our efforts to hone in on a date for the Working Group meeting. Are you available the afternoon of Thursday, May 18?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:27 PM ----- 
Margaret Sims/EAC/GOV
05/11/2006 02:08 PM 
To Job Serebrov
cc
Subject Literature Summary

Tova just sent me the summary you prepared of The Federal Crime of Election Fraud by Craig Donsanto. There is something wrong in the fourth paragraph (odd characters and missing text). Can you please send a replacement fourth paragraph? You can send it in an email and I will place it in the document. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM ----- 
Margaret Sims/EAC/GOV
05/10/2006 10:32 AM 
To Devon Romig
cc
Subject Fw: Court Reporter for Working Group Meeting

Devon:
We have the OK from Tom to obtain a court reporter. Per his response (attached), please coordinate with Joyce. Also, I understand the reporter for the Asian Language Working Group arrived late. Please find out how we can ensure the one for our meeting arrives on time. Thanks! --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 05/10/2006 10:31 AM ----- 
Thomas R. Wilkey/EAC/GOV
Yes, please let Joyce know and she will get someone
Tom

Thomas R. Wilkey
Executive Director
US Election Assistance Commission
1225 New York Ave, NW - Suite 1100
Washington, DC 20005
(202) 566-3109 phone
TWilkey@eac.gov
Margaret Sims/EAC/GOV

Margaret Sims/EAC/GOV
05/10/2006 10:26 AM
To twilkey@eac.gov
cc DScott@eac.gov, Karen Lynn-Dyson/EAC/GOV@EAC
Subject Fw: Court Reporter for Working Group Meeting

Tom:
I understand that EAC hired a court reporter for the Asian Language Working Group meeting. I would like
to do the same for the May 18 Voting Fraud-Voter Intimidation Working Group meeting, but I did not
include funds in my budget for this service. Do we have funds that could be used for this purpose? (See
Devon's cost estimate below.) --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 05/10/2006 10:18 AM ----- 
Devon E. Romig/EAC/GOV

05/10/2006 09:54 AM
To Margaret Sims/EAC/GOV@EAC
cc
Subject Court reporter

Peggy,
I spoke to the people who usually handle the EAC court reporting. They charge $9.00 per page with an average of 40 pages per hour. This service would cost about $1800.00.

The turn around time for the transcript is 10 to 15 days. The transcripts comes in a bound paper copy and an electronic copy.

I can also check around for different prices.

Devon Romig  
United States Election Assistance Commission  
1225 New York Ave. NW, Suite 1100  
Washington, DC 20005  
202.566.2377 phone  
202.566.3128 fax  
www.eac.gov

Peggy,

I just spoke to Nathan Cane (Secretary Rokita's assistant). He did not have any new information but they are going to have a scheduling meeting tomorrow morning and he will ask specifically about the afternoon of May 18th. I also reminded him to find out any of the days that he was not available or any of the days that he had could attend the meeting in the morning or the afternoon.

Thanks,

Devon

Devon:
I forgot to tell you that Thor Hearne's assistant is named Bethany. She can be reached at 314/613-2510.

--- Peggy
Peggy,

I have called each of the participants. So far I have a definite confirmation from Kathy Rogers.

Here is the list of the out of town participants for the Voter Fraud/Voter Intimidation Project Working Group:

Mark Hearne II - St. Louis, MO
Todd Rokita - Indianapolis, IN
Kathy Rogers - Atlanta, GA

Possible Participant

Patrick Rogers - New Mexico

Thanks,

Devon Romig
U.S. Election Assistance Commission
1225 New York Ave. NW - Suite #1100
Washington, D.C. 20005
(202)566-2377

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM ---

"Tova Wang"
05/11/2006 05:32 PM
To: psims@eac.gov
cc
Subject: RE: new working group representative

I'm up for a short meeting afterward and a teleconference on Monday. And maybe when all of this is over, you and I can have dinner! Have I told you that I am moving down to DC this summer?

I suspect you have put up with much more than I have and I really appreciate everything you have done.

----- Original Message ----- 
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 11, 2006 4:27 PM
To: 
Subject: RE: new working group representative
Tova:

I understood Job to say that he could only find a hotel room with the right bed in Roanoke (hours away). He will drive in Thursday morning for the meeting and return to that hotel Thursday night. He won't drive back into DC for a Friday morning meeting.

We don't have to do dinner. I recognize that you have spent a lot of time and energy to make this project work, and I don't want to put you out. (You have done a lot under difficult circumstances.) Though we will be bushed, we may want to have a short meeting right after the Working Group disperses --- or we could do a teleconference the following Monday afternoon (before I head into three more days of meetings). --- Peggy

---

It would not be my first preference to do this right after the meeting, and I sort of had tentative plans. They can be changed if necessary of course, but what happened to meeting on Friday morning?

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 11, 2006 3:47 PM
To: serebrov@sbcglobal.net; wang@tcf.org
Subject: Re: new working group representative

Dinner sounds like a great idea. Do either of you have any dietary restrictions of preferences? (I seem to recall that Tova would prefer a place that has vegetarian options). I'll try to locate a nearby place that won't bust the budget. --- Peggy

---

"Job Serebrov"  
05/11/2006 04:39 PM  
To psims@eac.gov  
cc  
Subject Re: new working group representative
On another note entirely, since traffic will be bad
going to Roanoke, do you want to have a dinner meeting
with Tova and me after the group meeting to discuss
the final report? As long as we are out by 7or so I am
ok with it. Also, my wife would have to be there as
she will be meeting me after the WG.

--- psims@eac.gov wrote:

> According to the Commissioners, you and Tova each
> got to pick three
> members of the Working Group. The Commission
> guidance regarding this
> particular member follows:
> 
> > 4 people from the Academic, Legal and Advocacy
> > sectors - 2 to be chosen by
> > Tova and 2 to be chosen by Job.
> > 
> > This issue of allowing a designee relates to Tova's
> > pick.
> > 
> > As I understand it, we are working on a replacement
> > for Norcross. If
> > Ginsberg is not viable, how about Mark Braden, who
> > includes public
> > integrity in his areas of specialization. I would
> > not try and stir up
> > other members of the Working Group, if I were you.
> > The effort is likely
> > to come back and bite you.
> > 
> > "Job Serebrov"
> > 05/11/2006 03:53 PM
> > 
> > To
> > psims@eac.gov
> > cc
> > Subject
> > Re: new working group representative
> > 
> >
I really don't care if he represents the organization or not. What mixed race? The entire discussion was because Arnwine was African-American. If you are going to invite him without first having a replacement for my side, I may have to call Thor and Todd and discuss all of this.

--- psims@eac.gov wrote:

Greenbaum is representing Arnwine, not replacing her. He works for her organization and is of mixed race. --- Peggy

"Job Serebrov"
05/11/2006 03:36 PM

To: "Tova Wang", psims@eac.gov
cc: serebrov@sbcglobal.net
Subject: Re: new working group representative

I have an objection to Greenbaum. While I realize he comes from an advocacy group, he is not a minority attorney and we already have a rep who worked with DOJ. If it is to be Greenbaum, I would rather not fill that position since I am one down.

--- Tova Wang wrote:

has Jon Greenbaum

Here's his info in full:

He is the Director of the Voting Rights Project for the Lawyers Committee for Civil Rights. He will be representing
Dear Meeting Participants,

Thank you for confirming your participation in the upcoming Voter Fraud/Voter Intimidation Working Group Meeting in Washington, D.C. This meeting will take place at our office from 1:00 PM to 5:30 PM on Thursday May 18th, 2006.
The Election Assistance Commission (EAC) will cover the cost of your flight, the cost of your hotel room and provide you with a daily per diem. The cost of the airfare and the hotel stay will be paid directly by the EAC, as long as you book your travel through Adventure Travel.

To coordinate your flight and hotel stay, please contact Marvin Brokaw of Adventure Travel at (205) 444-4800, ext. 3501. Please note that the eligible dates of the hotel accommodation include the evenings on May 17th and May 18th. Once you have contacted him and you have received the itinerary via e-mail you must forward me a copy immediately so that I can complete a travel authorization form.

I have included two attachments with this email; the first attachment is a letter that contains important information that you will need to know before calling the travel agent and the second attachment provides some general information that should help you get around the city during your trip.

In addition to your travel itinerary, I will also need the following information by the close of business this Friday May 12, 2006 in order to complete your travel authorization:

Full Name: 
Title: 
Entity for whom you work: 
Address to Which the Reimbursement Check Will Be Mailed: 
Work Telephone: 
Fax Number: 
Social Security #: (if uncomfortable e-mailing this, feel free to call me):

Feel free to contact me with any questions.

Sincerely,

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov

Per Diem Letter VFVI.doc Logistics Sheet VFVI.doc

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM ---

"Tova Wang"
05/11/2006 01:30 PM
To psims@eac.gov, dromig@eac.gov
cc
Subject research summaries

I have the feeling we didn't include these in the original batch I sent you. Could you double check and if not, would you please include them in the existing research materials? Sorry and thanks. I'm kind of doing all of this on my own in case you couldn't tell. List is coming...

Tova Andrea Wang
Given the information I have, Peggy, that is not going to be financially possible. First, given Tova's info about the hotels, it is too much for me to front. Two to three days in DC would run around $1000 for the hotel alone. That does not count the two days on the road to get there and two days back. Second, if I can't charge the federal per mile allowance for the entire trip to DC and back, and can only get the equivalent of plane fare, I will actually lose money. I simply do not see how we can do this in person given the financial restrictions.

---

psims@eac.gov wrote:

I don't think we can put you on teleconference for 4 1/2 hours. We really need to have you here in person if you are to help conduct the Working Group meeting. You should make your travel arrangements ASAP. --- Peggy

---

"Job Serebrov"
05/08/2006 10:14 AM
To: "psims@eac.gov"
05/08/2006 10:14 AM
To: psims@eac.gov, 00180
Peggy:

4:00 eastern on Tuesday is fine however, given the financial restrictions that you indicated would be in place for use of my car (I would actually lose money coming to DC) and given the cost of hotels at this time (I can't afford to front these costs and wait for months to be repaid), etc, it would take a miracle for this working group meeting to take place in person. It is looking like the only way it will get done is by teleconference. I also share Tova's concern about the unknown nature of Mr. Perez.

Job

--- psims@eac.gov wrote:

Hi, Folks:

Teleconference

Are both of you available for a teleconference next Tuesday afternoon at about 4 PM EST? If this does not work for you, please suggest another date and/or time. I would like to discuss our preparations for the Working Group meeting.

Working Group Members

We have a very good person to fill the slot for the nonpartisan local election official: J.R. Perez, Elections Administrator for Guadalupe County, TX. Attached is his bio. Hope you have no objections to him. He is available on May 18. I have place 2 calls to Pat Rogers office, but have not yet received a reply. Job, if you have any pull with him, you may want to contact him, too.
Travel Arrangements
You should make your own travel arrangements, including hotel. Travel time cannot be billed to the contract, except for hours actually worked on the contract (i.e.; reviewing materials in preparation for the meeting, and the like). Current Federal rates follow:

- Maximum Lodging = $180 per day- does not include hotel taxes (if you cannot get this rate, we have covered reasonable rates that are a little higher)
- Meals & Incidentals = $64 per day (except that it is $48 on the first and last day of travel)
- Mileage for Personally Owned Vehicle = $0.445 per mile

Under the new contract, I do not have to fill out a travel authorization for you. I can approve your trip via email. Afterwards, when you turn in your next pay voucher, you can attach the airline receipt (or mileage documentation), hotel receipt(s), and ground transportation receipts and a copy of any printed itineraries. Calculate the total travel expenses due you, including applicable per diem. I do not need meal receipts.

Job, under Federal travel regulations, deviations for personal reasons are not normally accommodated. What you can do, however, is to give me a comparison of the cost of roundtrip mileage, hotel, and per diem of doing it your way against the cost of a roundtrip flight, ground transportation, hotel, and per diem. If your way costs less, it should be no problem to cover the full cost. If your way is more expensive, we may only pay up to the amount of traditional travel. (The same rules apply to me when I travel.) If you can tell me where, other than DC, you will spend the night, I can check on applicable per diem rates.

Peggy
Let me check with Devon early tomorrow. If she did not hear from him this afternoon, I'll have her contact you. Perhaps you will have more success than we have.

Peggy

---------------
Sent from my BlackBerry Wireless Handheld

----- Original Message ----- 
From: "Tova Wang" 
Sent: 04/26/2006 05:46 PM 
To: Margaret Sims 
Subject: wg

Do you want me to call both Bob too?

Tova Andrea Wang 
Democracy Fellow 
The Century Foundation

Visit our Web site for the latest news, analysis, opinions, and events. 
Click here to receive our weekly e-mail updates.

FYI - The person I mentioned as a replacement for David Norcross, who was unavailable, could not attend or Voting Fraud-Voter Intimidation Working Group meeting. Our consultant, Job Serebrov, suggested Benjamin Ginsberg, who is willing. I'm sorry I could not check with you on this beforehand --- things
happened so fast! — Peggy

—— Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM ——

"Tova Wang"
05/11/2006 03:56 PM
To "Job Serebrov" psims@eac.gov
cc
Subject RE: new working group representative

That was not the only reason -- it was to have someone from the civil rights community. I hardly think you can have a discussion about voter intimidation and suppression without someone with that background at the table. I know you agree with this given what you've said to me in the past.

-----Original Message-----
From: Job Serebrov [mailto:]
Sent: Thursday, May 11, 2006 2:48 PM
To: Tova Wang; psims@eac.gov
Subject: RE: new working group representative

We don't know about Ginsburg but it was only stated, over my objection, that no current invitee was being disinvited. This does not apply to representatives of those people in my mind, especially when the main specific reason for inviting the person was her race.

--- Tova Wang wrote:

> He is representing Barbara Arnwine, and we have
> already established we are
> not disinviting anyone. We still don't know about
> Ginsburg yet anyway,
> right?
>
> ---- Original Message ----
> From: Job Serebrov [mailto:]
> Sent: Thursday, May 11, 2006 2:36 PM
> To: Tova Wang; psims@eac.gov
> Cc: 
> Subject: Re: new working group representative
> 
> I have an objection to Greenbaum. While I realize he
> comes from an advocacy group, he is not a minority
> attorney and we already have a rep who worked with
> DOJ. If it is to be Greenbaum, I would rather not
> fill
> that position since I am one down.
>
> --- Tova Wang wrote:
>
> > is Jon Greenbaum
> >
> > Here's his info in full:
> >
He is the Director of the Voting Rights Project for the Lawyers Committee for Civil Rights. He will be representing Barbara Arnwine, the Executive Director of the Lawyers Committee.

His contact and mailing info is:

Suite 400
Washington, DC 20005

Tova Andrea Wang
Democracy Fellow
The Century Foundation

Visit our Web site, [link], for the latest news, analysis, opinions, and events.

---

Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM ---

"Job Serebrov"

To psims@eac.gov
cc

Subject Re: Working Group-Perez

The code attachment did not work that is what I meant by it did not come through.
--- psims@eac.gov wrote:

> Did you look at the attached excerpts from Texas Code? --- Peggy

> "Job Serebrov"
> 05/09/2006 11:23 AM
>
> To
> psims@eac.gov
> cc
> 
> Subject
> Re: Working Group-Perez

> We have the same set-up here in Arkansas. We hired a person just like Perez. However, given this, I would still like to know if he has a party affiliation and this brings up another issue. How is the county election commission chosen. In Arkansas it is the Chairmen of the Republican and Democrat Parties or if he/she does not want to serve a person is elected in his/her stead and a third member picked by the party with the most constitutional officers. Practically that has meant that the Democrats have controlled election commissions in Arkansas since the end of Reconstruction. This is why I want to know the situation in Texas.

> --- psims@eac.gov wrote:

> As you may recall, the Commissioners directed me to find a nonpartisan local election official to serve on the Working Group. The three of us discussed the desirability of having a Hispanic. I proposed that I find someone from Texas because of that State's colorful history of voting fraud and their innovative approaches to combat it. In those Texas counties that hire Election Administrators to run elections, rather than having elected officials do so (Tax Assessor for voter registration; County Clerk for balloting), the Election
Administrator is hired by the County Election Commission and is supposed to perform his or her duties in a nonpartisan manner. (See attached excerpts from Texas Election Code regarding election administrator hiring and restrictions on partisan activity.)

Any experienced Texas election official will be familiar with voting fraud and voter intimidation schemes used in that State.

Mr. Perez has over 13 years experience as a county Election Administrator in Texas. You won't find many news articles mentioning him because he has kept his nose clean. (The Texas press, as in many other parts of the country, prefers to report bad news.) Mr. Perez is plugged into the association of Texas election officials and the two largest organizations of election officials in this country: the International Association of Clerks, Recorders, Election Officials and Treasurers (IACREOT); and The Election Center. He is a past President and past Chairman of the Legislative Committee for the Texas Association of Election Administrators. He currently serves on IACREOT's Election Officials Committee, which plans sessions for election officials that are conducted at that organization's conferences. His peers in IACREOT and The Election Center have selected his submissions on web presentations (IACREOT) and his professional practices papers (Election Center) for awards.

Mr. Perez also has access to information from other States through his membership in IACREOT and The Election Center. He also has a sense of humor, which you will note if you access the staff web page on the Guadalupe County Elections web site and hear the Mission Impossible theme .. something that might be useful in the upcoming meeting.

Guadalupe County is small but growing. In 2004, the county had over 65
thousand registered voters (a number more than doubled the number of registered voters in 1988). A third of the county's population claims Hispanic or Latino origin, according to the U.S. Census Bureau. The county is in south central Texas and is bordered by Comal, Hays, Cladwell, Gonzales, Wilson, and Bexar counties. In the 1980s, the county was predominately a farming community; but in recent years, many people have moved from San Antonio (Bexar County) to Guadalupe County, preferring to live in Guadalupe County and work in Bexar County.

--- Peggy

"Job Serebrov" 05/08/2006 11:30 PM
To psims@eac.gov cc
Subject Re: Working Group

Peggy:
What political party is Perez with? How political is he? Is the position in Texas neutral or political? Who appointed Perez?
As to Pat I will contact him but I can't promise anything. If Pat can't come, who is getting knocked off Tova's list?

Job
Craig:

We are continuing our efforts to hone in on a date for the Working Group meeting. Are you available the afternoon of Thursday, May 18?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission

Job, please double check to make sure I haven't missed anything

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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Tova:

I understood Job to say that he could only find a hotel room with the right bed in Roanoke (hours away). He will drive in Thursday morning for the meeting and return to that hotel Thursday night. He won't drive back into DC for a Friday morning meeting.

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"Tova Wang"

05/11/2006 04:54 PM

To psims@eac.gov, [redacted]

Subject RE: new working group representative

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-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 11, 2006 3:47 PM
To: [redacted]
Subject: Re: new working group representative

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"Job Serebrov"

05/11/2006 04:39 PM

To psims@eac.gov

cc

Subject Re: new working group representative

On another note entirely, since traffic will be bad
going to Roanoke, do you want to have a dinner meeting with Tova and me after the group meeting to discuss the final report? As long as we are out by 7 or so I am ok with it. Also, my wife would have to be there as she will be meeting me after the WG.

--- psims@eac.gov wrote:

> According to the Commissioners, you and Tova each got to pick three members of the Working Group. The Commission guidance regarding this particular member follows:
> 4 people from the Academic, Legal and Advocacy sectors - 2 to be chosen by Tova and 2 to be chosen by Job.
> This issue of allowing a designee relates to Tova's pick.
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> 05/11/2006 03:53 PM
> To
> psims@eac.gov
> cc
> Subject
> Re: new working group representative
>
> I really don't care if he represents the organization or not. What mixed race? The entire discussion was because Arnwine was African-American. If you are going to invite him without first having a replacement for my side, I may have to call Thor and Todd and discuss all of this.
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To "Tova Wang" psims@eac.gov

Subject Re: new working group representative

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--- Tova Wang < wrote:

> is Jon Greenbaum

> Here's his info in full:

> He is the Director of the Voting Rights Project for the Lawyers Committee for Civil Rights. He will be representing Barbara Arnwine, the Executive Director of the Lawyers Committee.

> His contact and mailing info is:

> Suite 400
For purposes of travel arrangements, do you want to plan to meet the day before and/or the day after the meeting?

----- Original Message -----  
From: psims@eac.gov  
To: Job  
Cc: dromig@eac.gov 
Sent: Friday, May 05, 2006 2:32 PM 
Subject: Working Group 

Hi, Folks:
Teleconference
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Mileage for Personally Owned Vehicle = $.445 per mile

Under the new contract, I do not have to fill out a travel authorization for you. I can approve your trip via email. Afterwords, when you turn in your next pay voucher, you can attach the airline receipt (or mileage documentation), hotel receipt(s), and ground transportation receipts and a copy of any printed itineraries. Calculate the total travel expenses due you, including applicable per diem. I do not need meal receipts.

Job, under Federal travel regulations, deviations for personal reasons are not normally accommodated. What you can do, however, is to give me a comparison of the cost of roundtrip mileage, hotel, and per diem of doing it your way against the cost of a roundtrip flight, ground transportation, hotel, and per diem. If your way costs less, it should be no problem to cover the full cost. If your way is more expensive, we may only pay up to the amount of traditional travel. (The same rules apply to me when I travel.) If you can tell me where, other than DC, you will spend the night, I can check on applicable per diem rates.

Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM -----

05/05/2006 06:18 PM
To: psims@eac.gov
cc: dromig@eac.gov
Subject: Re: Working Group

I'm finding there are no hotel rooms available

----- Original Message -----
Hi, Folks:

Teleconference
Are both of you available for a teleconference next Tuesday afternoon at about 4 PM EST? If this does not work for you, please suggest another date and/or time. I would like to discuss our preparations for the Working Group meeting.

Working Group Members
We have a very good person to fill the slot for the nonpartisan local election official: J.R. Perez, Elections Administrator for Guadalupe County, TX. Attached is his bio. Hope you have no objections to him. He is available on May 18. I have place 2 calls to Pat Rogers office, but have not yet received a reply. Job, if you have any pull with him, you may want to contact him, too.

Travel Arrangements
You should make your own travel arrangements, including hotel. Travel time cannot be billed to the contract, except for hours actually worked on the contract (i.e.; reviewing materials in preparation for the meeting, and the like). Current Federal rates follow:

- Maximum Lodging = $180 per day- does not include hotel taxes (if you cannot get this rate, we have covered reasonable rates that are a little higher)
- Meals & Incidentals = $64 per day (except that it is $48 on the first and last day of travel)
- Mileage for Personally Owned Vehicle = $.445 per mile

Under the new contract, I do not have to fill out a travel authorization for you. I can approve your trip via email. Afterwords, when you turn in your next pay voucher, you can attach the airline receipt (or mileage documentation), hotel receipt(s), and ground transportation receipts and a copy of any printed itineraries. Calculate the total travel expenses due you, including applicable per diem. I do not need meal receipts.

Job, under Federal travel regulations, deviations for personal reasons are not normally accommodated. What you can do, however, is to give me a comparison of the cost of roundtrip mileage, hotel, and per diem of doing it your way against the cost of a roundtrip flight, ground transportation, hotel, and per diem. If your way costs less, it should be no problem to cover the full cost. If your way is more expensive, we may only pay up to the amount of traditional travel. (The same rules apply to me when I travel.) If you can tell me where, other than DC, you will spend the night, I can check on applicable per diem rates.

Peggy
I really don't care if he represents the organization or not. What mixed race? The entire discussion was because Arnwine was African-American. If you are going to invite him without first having a replacement for my side, I may have to call Thor and Todd and discuss all of this.

--- psims@eac.gov wrote:

> Greenbaum is representing Arnwine, not replacing her. He works for her organization and is of mixed race. --- Peggy

--- Tova Wang wrote:

> I have an objection to Greenbaum. While I realize he comes from an advocacy group, he is not a minority attorney and we already have a rep who worked with DOJ. If it is to be Greenbaum, I would rather not fill that position since I am one down.

--- Tova Wang wrote:

> is Jon Greenbaum

> Here's his info in full:

> He is the Director of the Voting Rights Project for the Lawyers Committee for Civil Rights. He will be representing Barbara Arnwine, the Executive Director of the Lawyers Committee.

> His contact and mailing info is:
Plus, I found a few typos on the nexis analysis. Sorry about this.

Tova Andrea Wang  
Democracy Fellow  
The Century Foundation

Visit our Web site, for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.

votebuyingsummary.doc  NexisAnalysis.doc
To psims@eac.gov,

05/12/2006 12:45 PM
to psims@eac.gov, 

Subject RE: Fraud Definition

Upon first reading, my only comment would be that I would like to restore "failing to follow the requirements of the Voting Rights Act"

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Friday, May 12, 2006 9:20 AM
To: 
Subject: Fraud Definition

Would you please take a look at the attached? I combined both of your definitions, reformatted the list, removed a reference to the fraud having to have an actual impact on the election results (because fraud can be prosecuted without proving that it actually changed the results of the election), and taken out a couple of vague examples (e.g.; reference to failing to enforce state laws --- because there may be legitimate reasons for not doing so).

I have made contact with Ben Ginsberg's office and am waiting to hear if he accepts our invitation to join the working group. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM -----
Margaret Sims/EAC/GOV
05/04/2006 10:52 AM
To Joyce Wilson
cc
Subject Large Conference Room Needed

This is just to confirm my request to reserve the large conference room on Thursday, May 18, from Noon-6 PM. We will be using it for a meeting of the Voting Fraud/Voter Intimidation Working Group. Thanks! --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM -----
Devon E. Romig/EAC/GOV
05/08/2006 02:56 PM
To vjohnson
cc
Subject Voter Fraud/Voter Intimidation Working Group, May 18th

Dear Meeting Participants,

Thank you for confirming your participation in the upcoming Voter Fraud/Voter Intimidation Working Group Meeting in Washington, D.C. This meeting will take place at our office from 1:00 PM to 5:30 PM on
Thursday May 18th, 2006.

The office of the Election Assistance Commission is located at:
1225 New York Avenue NW, Suite 1100
Washington, D.C. 20005

We will send more information about this meeting via Federal Express. If you would like this information to be sent to an address other than your office please reply with the preferred address.

Feel free to contact me with any questions.

Sincerely,

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM -----

"Tova Wang"
05/10/2006 11:45 AM
To psims@eac.gov
cc dromig@eac.gov
Subject Material I may not have included

Peg,

Correct me if I'm wrong, but I think I omitted sending you these specific summaries that are based on complex cases that could not be adequately described within the confines of the nexis article excel spreadsheets. If we can, these should be included, probably on the disc. Sorry.

Tova Andrea Wang
Democracy Fellow
The Century Foundation

Visit our Web site (www.eac.gov) for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.

Wisconsin FINAL.doc South Dakota FINAL.doc Washington FINAL.doc
----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM -----

"Job Serebrov"
05/09/2006 11:24 AM
To psims@eac.gov
cc
Subject Re: Fwd: RE: Working Group meeting
I will hear from him tomorrow but that still does not solve all of my issues—see my longer e-mail.

--- psims@eac.gov wrote:

> I had a voice mail message from him on Monday. I called him back but had to leave a voice mail message (telephone tag). If you hear from him and he is willing and able to come, I need to know this. We need to have him call our travel service to make travel arrangements ASAP. Thanks. ---
> Peggy

> "Job Serebrov"
> 05/09/2006 10:46 AM
> 
> To
> psims@eac.gov
> cc
> Subject
> Fwd: RE: Working Group meeting
> 
> FYI
> 
> --- "Patrick J. Rogers" wrote:
> 
> Subject: RE: Working Group meeting
> Date: Tue, 9 May 2006 07:42:44 -0600
> From: "Patrick J. Rogers" <patrick.rogers@nmc.texas.gov>
> To: "Job Serebrov"
> 
> Job—maybe. I will call you and/or Ms. Sims tomorrow. Depositions all day today. Thanks, Pat
> 
> What's the best number to call you tomorrow?
Pat:

The working group meeting for the voter fraud project is scheduled for May 18th in DC but David Norcross can't attend. Could you come? If so, we need to arrange travel and a hotel for you.

Regards,

Job
Barbara says that you have been working it out with her assistant Valerie, that they have spoken to you several times.

----- Original Message ----- 
From: dromig@eac.gov [mailto:dromig@eac.gov]  
Sent: Tuesday, May 02, 2006 8:46 AM  
To:  
Cc: psims@eac.gov  
Subject: Voting Fraud/Voter Intimidation Project Working Group  

Dear Tova,  

I am working with Peggy Sims in order to set a date for the Voting Fraud/Voter Intimidation Project Working Group. I have been trying to reach Barbara Arnwine in order to find out which days in May she is potentially available to attend this meeting but all of my attempts have been unsuccessful.  

I would appreciate any help that you could provide in this matter.  

Sincerely,  

Devon Romig  
U.S. Election Assistance Commission  
1225 New York Ave. NW - Suite #1100  
Washington, D.C. 20005  
(202)566-2377  

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM -----  

"Weinberg and Utrecht"  
05/04/2006 01:34 PM  
To: psims@eac.gov  
Cc:  
Subject: Re: Voting Fraud-Voter Intimidation  

that would be fine  
----- Original Message -----  
From: psims@eac.gov  
To:  
Sent: Thursday, May 04, 2006 1:08 PM  
Subject: Voting Fraud-Voter Intimidation  

Barry:

It appears that the afternoon of Thursday, May 18 is best for a meeting of the working group. I know you said you would not be available in the morning that day. If we started at 1 PM, would that be too soon for you?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

— Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM —

Margaret Sims/EAC/GOV
05/04/2006 02:08 PM
To: "Weinberg and Utrecht"@GSAEXTERNAL
cc
Subject: Re: Voting Fraud-Voter Intimidation

OK, thanks. I'll get back to you with more information. --- Peggy

"Weinberg and Utrecht"

"Weinberg and Utrecht"
05/04/2006 01:34 PM
To: psims@eac.gov
cc
Subject: Re: Voting Fraud-Voter Intimidation

that would be fine

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

From: psims@eac.gov
To: 
Sent: Thursday, May 04, 2006 1:08 PM
Subject: Voting Fraud-Voter Intimidation

Barry:

It appears that the afternoon of Thursday, May 18 is best for a meeting of the working group. I know you said you would not be available in the morning that day. If we started at 1 PM, would that be too soon for you?
Sounds good to me. If not Ginsburg try Braden.

--- psims@eac.gov wrote:

I will add "DRAFT" to the definition and, yes, the WG will have suggestions. I do plan to send packets to you and Tova containing the same materials being provided to the WG. I haven't sent anything yet because I was hoping to finalize the WG list for inclusion. (Still waiting for a response from Ginsberg.)

Regarding Tova's response, we may want to have a very short meeting after the WG disperses, followed by a teleconference the following Monday afternoon. Tuesday is bad for me because I'll be out of the office attending a series of EAC meetings that begin that day. --- Peggy

---

"Job Serebrov" <psims@eac.gov>
05/12/2006 12:52 PM

To psims@eac.gov
cc

Subject Re: Fraud Definition

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM ---

"Job Serebrov" To psims@eac.gov
05/12/2006 02:33 PM

Subject Re: Fraud Definition
This is ok, given the fact that the WG may have
suggestions. Will you be sending us the same packets
that you are sending the WG? Also, I figure with
Tova's response we will need to have a
teleconference
on the report once I return to Little Rock. We will
need to do it that following Monday or Tuesday.

--- psims@eac.gov wrote:

> Would you please take a look at the attached? I
> combined both of your
definitions, reformatted the list, removed a
> reference to the fraud having
to have an actual impact on the election results
> (because fraud can be
> prosecuted without proving that it actually
> changed
> the results of the
election), and taken out a couple of vague
> examples
> (e.g.; reference to
> failing to enforce state laws --- because there
> may
> be legitimate reasons
> for not doing so).
>
> I have made contact with Ben Ginsberg's office and
> am waiting to hear if
> he accepts our invitation to join the working
group.
> --- Peggy

I am reluctant to invite Braden until after I have received a "No" from Ginsberg. --- Peg
Sounds good to me. If not Ginsburg try Braden.

--- psims@eac.gov wrote:

> I will add "DRAFT" to the definition and, yes, the
> WG will have
> suggestions. I do plan to send packets to you and
> Tova containing the
> same materials being provided to the WG. I haven't
> sent anything yet
> because I was hoping to finalize the WG list for
> inclusion. (Still
> waiting for a response from Ginsberg.)
> >
> > Regarding Tova's response, we may want to have a
> > very short meeting after
> > the WG disperses, followed by a teleconference the
> > following Monday
> > afternoon. Tuesday is bad for me because I'll be
> > out of the office
> > attending a series of EAC meetings that begin that
> > day. --- Peggy
> >
> >
> >
> > "Job Serebrov"  
> > 05/12/2006 12:52 PM
> >
> > To
> > psims@eac.gov, 
> > cc
> >
> > Subject
> > Re: Fraud Definition
> >
> >
> >
> >
> >
> > This is ok, given the fact that the WG may have
> > suggestions. Will you be sending us the same packets
> > that you are sending the WG? Also, I figure with
> > Tova's response we will need to have a
> > teleconference
> > on the report once I return to Little Rock. We will
> > need to do it that following Monday or Tuesday.
--- psims@eac.gov wrote:

> Would you please take a look at the attached? I combined both of your definitions, reformatted the list, removed a reference to the fraud having to have an actual impact on the election results (because fraud can be prosecuted without proving that it actually changed the results of the election), and taken out a couple of vague examples (e.g.; reference to failing to enforce state laws --- because there may be legitimate reasons for not doing so).
> I have made contact with Ben Ginsberg's office and am waiting to hear if he accepts our invitation to join the working group.
>
--- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM ---

"Job Serebrov"  
05/09/2006 11:35 AM  
To psims@eac.gov  
cc  
Subject Re: Working Group-Perez

I did not get any attachments.

--- psims@eac.gov wrote:

> Did you look at the attached excerpts from Texas Code? --- Peggy

"Job Serebrov"  
05/09/2006 11:23 AM
To psims@eac.gov
cc
Subject Re: Working Group-Perez

We have the same set-up here in Arkansas. We hired a person just like Perez. However, given this, I would still like to know if he has a party affiliation and this brings up another issue. How is the county election commission chosen. In Arkansas it is the Chairmen of the Republican and Democrat Parties or if he/she does not want to serve a person is elected in his/her stead and a third member picked by the party with the most constitutional officers. Practically that has meant that the Democrats have controlled election commissions in Arkansas since the end of Reconstruction. This is why I want to know the situation in Texas.

--- psims@eac.gov wrote:

> As you may recall, the Commissioners directed me to find a nonpartisan local election official to serve on the Working Group. The three of us discussed the desirability of having a Hispanic. I proposed that I find someone from Texas because of that State's colorful history of voting fraud and their innovative approaches to combat it. In those Texas counties that hire Election Administrators to run elections, rather than having elected officials do so (Tax Assessor for voter registration; County Clerk for balloting), the Election Administrator is hired by the County Election Commission and is supposed to perform his or her duties in a nonpartisan manner. (See attached excerpts from Texas Election Code regarding election administrator hiring and restrictions on partisan activity.) Any experienced Texas election official will be familiar with voting fraud.
Mr. Perez has over 13 years experience as a county Election Administrator in Texas. You won't find many news articles mentioning him because he has kept his nose clean. (The Texas press, as in many other parts of the country, prefers to report bad news.) Mr. Perez is plugged into the association of Texas election officials and the two largest organizations of election officials in this country: the International Association of Clerks, Recorders, Election Officials and Treasurers (IACREOT); and The Election Center. He is a past President and past Chairman of the Legislative Committee for the Texas Association of Election Administrators. He currently serves on IACREOT's Election Officials Committee, which plans the educational sessions for election officials that are conducted at that organization's conferences. His peers in IACREOT and The Election Center have selected his submissions on web presentations (IACREOT) and his professional practices papers (Election Center) for awards.

Mr. Perez also has access to information from other States through his membership in IACREOT and The Election Center. He also has a sense of humor, which you will note if you access the staff web page on the Guadalupe County Elections web site and hear the Mission Impossible theme .. something that might be useful in the upcoming meeting.

Guadalupe County is small but growing. In 2004, the county had over 65 thousand registered voters (a number more than doubled the number of registered voters in 1988). A third of the county's population claims Hispanic or Latino origin, according to the U.S. Census Bureau. The county is in south central Texas and is bordered by Comal, Hays, Cladwell,
Gonzales, Wilson, and Bexar counties. In the 1980s, the county was predominately a farming community; but in recent years, many people have moved from San Antonio (Bexar County) to Guadalupe County, preferring to live in Guadalupe County and work in Bexar County.

--- Peggy

"Job Serebrov" 05/08/2006 11:30 PM

To psims@eac.gov
cc

Subject Re: Working Group

Peggy:

What political party is Perez with? How political is he? Is the position in Texas neutral or political? Who appointed Perez?

As to Pat I will contact him but I can't promise anything. If Pat can't come, who is getting knocked off Tova's list?

Job

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM -----
I will have a better idea about my uncle's condition today after surgery.

--- psims@eac.gov wrote:

> Job:
> Secretary Rokita is available May 18. I'm going to
talk with the Chairman
today about substituting Rogers for Norcross. Do
you have contact
information for Rogers? --- Peggy

Monday afternoon I have a commission meeting.

--- psims@eac.gov wrote:

> Job and Tova:
>
> As of now, the afternoon of Thursday, May 18 appears
to be the best
possible date for the meeting. Norcross is not
available to attend in
person that day (he is available only 2 days during
the first three weeks
of May). We won't have confirmation of the
availability of Secretary
Rokita until tomorrow --- but I am hopeful.
>
> I'll give you an update tomorrow. Maybe we can
schedule a teleconference
> on Monday afternoon. --- Peggy
"Tova Wang"

To psims@eac.gov, dromig@eac.gov
cc
Subject RE: research summaries

I did send you the Brennan piece, but not the other one.

-----Original Message-----
From: Tova Wang
Sent: Thursday, May 11, 2006 12:31 PM
To: psims@eac.gov; dromig@eac.gov
Subject: research summaries

I have the feeling we didn't include these in the original batch I sent you. Could you double check and if not, would you please include them in the existing research materials? Sorry and thanks. I'm kind of doing all of this on my own in case you couldn't tell. List is coming...

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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Click here to receive our weekly e-mail updates.

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----
Margaret Sims/EAC/GOV
05/09/2006 11:23 AM
To Devon E. Romig/EAC/GOV
cc
Subject Re: Fw: May 18th Meeting at EAC

Devon:

Send an email to Perez to remind him to contact Adventure Travel ASAP. We don't have confirmation of Rogers participation yet, though we have had a number of voice mails flying back and forth, so we cannot yet notify him to make travel arrangements immediately. --- Peggy

Devon E. Romig/EAC/GOV
Hi Devon:

We have heard from Mark Hearne and Todd Rokita. They are both flying in and out on the 18th and will not need hotel rooms. We're kind of waiting to see if Perez and Rogers need rooms before booking any hotel. As soon as we get approval of Hearne and Rokita air schedules and get them booked, we'll forward their itineraries to you.

Kind Regards,

Marvin

-----Original Message-----
From: dromig@eac.gov [mailto:dromig@eac.gov]
Sent: Tuesday, May 09, 2006 8:31 AM
To: marvin.brokaw@adtrav.com
Cc: psims@eac.gov
Subject: May 18th Meeting at EAC

Hello Marvin,

I just wanted to follow up with the voicemail message that I left for you yesterday. We will be holding a meeting at our offices in Washington DC on May 18, 2006. I have informed the out of state attendees to contact you for their travel arrangements.

We have been authorized to pay for the attendees airfare and hotel arrangements. Please note that all of the participants are authorized for a two night hotel room stay, as long as the dates are May 17th and 18th.

I attached the list of the meeting participants that will be contacting you about their travel arrangements for the May 18th meeting in Washington DC.
Let me know if you have any questions for me or if you need any more information from me.

Thanks for your help!

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----

"Tova Wang"
05/02/2006 05:06 PM

To dromig@eac.gov
cc psims@eac.gov
Subject RE: Voting Fraud/Voter Intimidation Project Working Group

Can you please give me an idea where we are at with all this? I'd like to be able to figure out my schedule. Thanks -- and thanks for all your assistance on this. Tova

-----Original Message-----
From: dromig@eac.gov [mailto:dromig@eac.gov]
Sent: Tuesday, May 02, 2006 3:54 PM
To:
Subject: RE: Voting Fraud/Voter Intimidation Project Working Group

Yes, I have spoken to her assistant several times but today has been the first time that I have ever spoken to her assistant. We did get the information that we needed. Thanks for your help!

Devon Romig
U.S. Election Assistance Commission
1225 New York Ave. NW - Suite #1100
Washington, D.C. 20005
(202)566-2377

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----

Margaret Sims/EAC/GOV
05/02/2006 05:41 PM

To "Tova Wang" cc
Subject RE: Voting Fraud/Voter Intimidation Project Working Group

I hope to have a better idea tomorrow, if Rokita's office responds. If not, we'd better have a teleconference to discuss our options. --- Peggy
Can you please give me an idea where we are at with all this? I'd like to be able to figure out my schedule. Thanks -- and thanks for all your assistance on this. Tova

-----Original Message-----
From: dromig@eac.gov
Sent: Tuesday, May 02, 2006 3:54 PM
To: 
Subject: RE: Voting Fraud/Voter Intimidation Project Working Group

Yes, I have spoken to her assistant several times but today has been the first time that I have ever spoken to her assistant. We did get the information that we needed. Thanks for your help!

Devon Romig
U.S. Election Assistance Commission
1225 New York Ave. NW - Suite #1100
Washington, D.C. 20005
(202)566-2377

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM ---

Sounds good. I'm available any time on Monday. Tova

----- Original Message -----
From: psims@eac.gov
To: 
Cc: dromig@eac.gov
Sent: Wednesday, May 03, 2006 1:44 PM
Subject: Working Group Meeting

Job and Tova:
As of now, the afternoon of Thursday, May 18 appears to be the best possible date for the meeting. Norcross is not available to attend in person that day (he is available only 2 days during the first three weeks of May). We won't have confirmation of the availability of Secretary Rokita until tomorrow --- but I am hopeful.

I'll give you an update tomorrow. Maybe we can schedule a teleconference on Monday afternoon. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM ---

"Donsanto, Craig"
Craig.Donsanto@usdoj.gov
05/11/2006 03:36 PM

To: psims@eac.gov
cc: Mitchell, Cynthia
Subject: RE: Voting Fraud-Voter Intimidation Working Group

Peggy

I plan to be here tomorrow, although I may have to go to the main building during the day. If you are here and I am out, just leave the packet with the receptionist. Thank you.

---

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 11, 2006 3:34 PM
To: Donsanto, Craig
Subject: RE: Voting Fraud-Voter Intimidation Working Group

Craig:

I would love to have an updated list for our research files. For purposes of getting this information out to our participants, I will note that the consultants' summary is based upon information provided as of January 2006. Thanks.

Do you expect to be at your office tomorrow afternoon? I can walk over with the information packet we will have put together for the Working Group. --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
05/11/2006 02:55 PM

To: psims@eac.gov
cc: Mitchell, Cynthia
Subject: RE: Voting Fraud-Voter Intimidation Working Group
Peggy - - 

I have Cynthia Mitchell in here with me now.

She says that the figures you listed in your attachment are your analysis of our product, and that therefore we cannot re-evaluate them.

I do not see anything in these raw numbers that impacts adversely any privacy or privilege issues.

We can update the public list and send that to you, if you'd prefer. That would allow you to represent that the numbers are current up through now. But if you would prefer, you can use what you have as long as it is represented as complete only through January, 2006.

Let us know your desires - - -

---

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 11, 2006 2:35 PM
To: Donsanto, Craig
Subject: Voting Fraud-Voter Intimidation Working Group
Importance: High

Craig:

I think we have resolved the issue of Barbara Arnwine's absence from the upcoming meeting by having one of her staff represent her (and her organization). Please review the attached rough summary of DOJ Cases ASAP and let me know if I need to delete reference to the open investigations. Hopefully, we won't have to remove this information as it does not specify the defendants or States involved. --- Peg

---

Rough Summary of Department of Justice, Public Integrity Section Activities, October 2002-January 2006

Prosecutions and Convictions-- Individuals
Noncitizen voting: 20
Vote buying: 49
Double voting: 12
Registration fraud: 13
Civil Rights: 4
Voter Intimidation: 2
Unclear: 1
Open Investigations (note: a few cases overlap with prosecutions and convictions)
Noncitizen voting: 3
Vote buying: 25
Double voting: 15
Registration fraud: 29
Absentee ballot fraud: 9
Official: 8
Ineligibles: 4
Deceptive Practices: 1
Civil Rights: 14
Intimidation: 6
Other: 2

Cases and Investigations Closed for Lack of Evidence
Civil Rights: 8
Official: 12
Registration Fraud: 12
Absentee Ballot Fraud: 14
Ineligible Voting: 3
Intimidation: 8
Double Voting: 5
Ballot Box Stuffing: 1
Vote Buying: 14
Ballot/machine tampering: 2
Other: 8
Unclear: 3

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM ---

Hi Peg,

Can you please check this before I fax it? Thanks! And can we talk sometime today?

Tova Andrea Wang
Democracy Fellow
The Century Foundation

001841
Visit our Web site for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.

Oops! I forgot to cc. you on this. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 05/04/2006 02:23 PM ---
Margaret Sims/EAC/GOV
05/04/2006 02:07 PM
To Paul DeGregorio, Ray Martinez, Donetta Davidson, Gracia Hillman
twilkey@eac.gov, jthompson@eac.gov, Gavin S.
Gilmour/EAC/GOV@EAC, Amie J. Sherrill/EAC/GOV@EAC,
cce Adam Ambrogi/EAC/GOV@EAC, Eileen L.
Colver/EAC/GOV@EAC, Sheila A. Banks/EAC/GOV@EAC,
bbenavides@eac.gov, Karen Lynn-Dyson/EAC/GOV@EAC
Subject Voting Fraud-Voter Intimidation Working Group Meeting

Dear Commissioners:

This is to let you know that the Working Group for our Voting Fraud and Voter Intimidation preliminary research project is scheduled to meet in EAC's large conference room the afternoon of Thursday, May 18. I will provide more information about this meeting to you later.

Peggy Sims
Election Research Specialist
--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM ---
05/13/2006 10:54 AM
To psims@eac.gov
cc "Job Serebrov"
Subject Fw: research summary

Existing_research_thoughts.doc Job found it. I'm assuming its too late to include so as I said I'll just present it if thats OK. Thanks again Job. T
----- Original Message ----- 
From: "Job Serebrov"
To: 
Sent: Saturday, May 13, 2006 10:12 AM 
Subject: Re: research summary

> T-
> Are you talking about this?
> J-
> --- wrote:
> >> In the middle of the night I got the feeling that
> >> you may be right, that I did do a summary of the
> >> existing literature review (that Job, you approved)
> >> . I'll have to look for it on Monday (unless I go
> >> into the office over the weekend, which is
> >> possible). I may be hallucinating, but if not, I'll
> >> just present it at the meeting rather than try to
> >> get it to them ahead of time. Tova

---- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM ----
"Donsanto, Craig"
<Craig.Donsanto@usdoj.gov> 
To psims@eac.gov
cc  
05/11/2006 02:55 PM 
Subject RE: Voting Fraud-Voter Intimidation Working Group

Peggy --

I have Cynthia Mitchell in here with me now.

She says that the figures you listed in your attachment are your analysis of our product, and that
therefore we cannot re-evaluate them.

I do not see anything in these raw numbers that impacts adversely any privacy or privilege issues.

We can update the public list and send that to you, if you'd prefer. That would allow you to represent that
the numbers are current up through now. But if you would prefer, you can use what you have as long as it
is represented as complete only through January, 2006.

Let us know your desires --

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 11, 2006 2:35 PM
To: Donsanto, Craig
Subject: Voting Fraud-Voter Intimidation Working Group
Importance: High
Craig:

I think we have resolved the issue of Barbara Arnwine's absence from the upcoming meeting by having one of her staff represent her (and her organization). Please review the attached rough summary of DOJ Cases ASAP and let me know if I need to delete reference to the open investigations. Hopefully, we won't have to remove this information as it does not specify the defendants or States involved. --- Peg

---

**Rough Summary of Department of Justice, Public Integrity Section Activities, October 2002-January 2006**

**Prosecutions and Convictions-- Individuals**
- Noncitizen voting: 20
- Vote buying: 49
- Double voting: 12
- Registration fraud: 13
- Civil Rights: 4
- Voter Intimidation: 2
- Unclear: 1

**Open Investigations** (note: a few cases overlap with prosecutions and convictions)
- Noncitizen voting: 3
- Vote buying: 25
- Double voting: 15
- Registration fraud: 29
- Absentee ballot fraud: 9
- Official: 8
- Ineligibles: 4
- Deceptive Practices: 1
- Civil Rights: 14
- Intimidation: 6
- Other: 2

**Cases and Investigations Closed for Lack of Evidence**
- Civil Rights: 8
- Official: 12
- Registration Fraud: 12
- Absentee Ballot Fraud: 14
- Ineligible Voting: 3
- Intimidation: 8
- Double Voting: 5
- Ballot Box Stuffing: 1
- Vote Buying: 14
- Ballot/machine tampering: 2
Craig:

I would love to have an updated list for our research files. For purposes of getting this information out to our participants, I will note that the consultants’ summary is based upon information provided as of January 2006. Thanks.

Do you expect to be at your office tomorrow afternoon? I can walk over with the information packet we will have put together for the Working Group. --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

Peggy --

I have Cynthia Mitchell in here with me now.

She says that the figures you listed in your attachment are your analysis of our product, and that therefore we cannot re-evaluate them.

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Other: 8
Unclear: 3

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----  

"Tova Wang"

To psims@eac.gov  
cc  
Subject new working group representative

is Jon Greenbaum

Here's his info in full:

He is the Director of the Voting Rights Project for the Lawyers Committee for Civil Rights. He will be representing Barbara Arnwine, the Executive Director of the Lawyers Committee.

His contact and mailing info is:

Suite 400  
Washington, DC 20005

Tova Andrea Wang  
Democracy Fellow  
The Century Foundation  

Visit our Web site, for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----  

Devon E. Romig/EAC/GOV  
05/09/2006 09:31 AM  
To marvin.brokaw@adtrav.com  
cc Margaret Sims/EAC/GOV@EAC  
Subject May 18th Meeting at EAC
Hello Marvin,

I just wanted to follow up with the voicemail message that I left for you yesterday. We will be holding a meeting at our offices in Washington DC on May 18, 2006. I have informed the out of state attendees to contact you for their travel arrangements.

We have been authorized to pay for the attendees airfare and hotel arrangements. Please note that all of the participants are authorized for a two night hotel room stay, as long as the dates are May 17th and 18th.

I attached the list of the meeting participants that will be contacting you about their travel arrangements for the May 18th meeting in Washington DC. Let me know if you have any questions for me or if you need any more information from me.

Thanks for your help!

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov

OUT OF STATE PARTICIPANTS VFVI Meeting.doc
----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----
Margaret Sims/EAC/GOV
05/08/2006 01:05 PM
To "Job Serebrov"
cc

Job:

I don't think we can put you on teleconference for 4 1/2 hours. We really need to have you here in person if you are to help conduct the Working Group meeting. You should make your travel arrangements ASAP.

--- Peggy

"Job Serebrov"
Peggy:

4:00 eastern on Tuesday is fine however, given the financial restrictions that you indicated would be in place for use of my car (I would actually loose money coming to DC) and given the cost of hotels at this time (I can't afford to front these costs and wait for months to be repaid), etc, it would take a miracle for this working group meeting to take place in person. It is looking like the only way it will get done is by teleconference. I also share Tova's concern about the unknown nature of Mr. Perez.

Job

--- psims@eac.gov wrote:

> Hi, Folks:
> 
> Teleconference
> Are both of you available for a teleconference next Tuesday afternoon at about 4 PM EST? If this does not work for you, please suggest another date and/or time. I would like to discuss our preparations for the Working Group meeting.
> 
> Working Group Members
> We have a very good person to fill the slot for the nonpartisan local election official: J.R. Perez, Elections Administrator for Guadalupe County, TX. Attached is his bio. Hope you have no objections to him. He is available on May 18. I have place 2 calls to Pat Rogers office, but have not yet received a reply. Job, if you have any pull with him, you may want to contact him, too.
> 
> Travel Arrangements
> You should make your own travel arrangements, including hotel. Travel time cannot be billed to the contract, except for hours actually worked on the contract (i.e.; reviewing materials in preparation for the meeting, and the like). Current Federal rates follow:
> 
> Maximum Lodging = $180 per day- does not include hotel taxes (if you cannot get this rate, we have covered reasonable rates that are a little higher)
> Meals & Incidentals = $64 per day (except that it is $48 on the first and last day of travel)
> Mileage for Personally Owned Vehicle = $ .445 per mile
Under the new contract, I do not have to fill out a travel authorization for you. I can approve your trip via email. Afterwords, when you turn in your next pay voucher, you can attach the airline receipt (or mileage documentation), hotel receipt(s), and ground transportation receipts and a copy of any printed itineraries. Calculate the total travel expenses due you, including applicable per diem. I do not need meal receipts.

Job, under Federal travel regulations, deviations for personal reasons are not normally accommodated. What you can do, however, is to give me a comparison of the cost of roundtrip mileage, hotel, and per diem of doing it your way against the cost of a roundtrip flight, ground transportation, hotel, and per diem. If your way costs less, it should be no problem to cover the full cost. If your way is more expensive, we may only pay up to the amount of traditional travel. (The same rules apply to me when I travel.) If you can tell me where, other than DC, you will spend the night, I can check on applicable per diem rates.

Peggy

Do you have any other suggestions?

--- psims@eac.gov wrote:

One sources suggests the Georgetown Inn has vacancies and pillow top beds. Try 1-800-424-2979 or 202-353-8900.
The Latham is booked solid. I called. I am checking out some possibilities but this is not looking good.

Why is the hotel suggestion not workable? (I need to know as we continue our search.) -- Peg

Peggy:

Pat just e-mailed me. He has something he can't move on the 18th. So I am now down one person and still no good hotel situation. Devon's suggestion is not workable.

Job
Here is the first batch of my archived email related to the vote fraud study.

Peg Sims

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

"Job Sarebrow" To psims@eac.gov
08/02/2006 07:12 PM cc
Subject Project

Peg:
Where are we on things?
Job

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Margaret Sims/EAC/GOV To Juliet E. Hodgkins/EAC/GOV
09/25/2006 03:39 PM cc
Subject Fw: Definition of Voting Fraud and Voter Intimidation

I think this is the communication to which you referred this afternoon. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 09/25/2006 03:39 PM -----

Gavin S. Gilmour/EAC/GOV To Margaret Sims/EAC/GOV@EAC
11/30/2005 10:19 AM cc jthompson@eac.gov
Subject Re: Definition of Voting Fraud and Voter Intimidation

Peggy,
Per our discussion, I have some initial concerns regarding the definitions that have been proposed.

1. Fraud is a legal term of art. Fraud is an intentional act or omission (i.e. actual fraud or constructive

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fraud) of misrepresentation or deceit. There is no such thing as defacto fraud or quasi fraud. Fraud must be intentional.... negligence alone is not fraud.

The general definition of voter fraud must concise and universally applicable (this in the challenging part). After this definition is created and intellectually tested, one can then create examples and explanations. These would 1) apply the definition to the entire election process (from beginning to end) and (2) apply it to action by voters, 3rd parties and election officials. Through this process a determination may be made regarding whether three definitions are needed or just one.

2. The document has no definition of voter intimidation. What is voter intimidation and how does it differ from voter fraud? I assume this would also be an intentional act.

3. Definitions need to be concise and tight. Such definitions need to be able to be broken down into elements. Each of these elements must have clear, applicable and enforceable meaning. This can be a challenge. For example use of the term "any illegal act" is unclear, begs the question and suggests that fraud only occurs in the course of committing a related crime.

These are just my initial thoughts.

GG
Gavin S. Gilmour
Associate General Counsel
United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100
Margaret Sims/EAC/GOV

Attached discusses the definitions that Job and Tova would like to use. I have already taken issue with the exclusion of all voter registration shenanigans and the inclusion of administrative mistakes. Would be pleased to have your feedback and, if possible, your assistance for 15 minutes of a teleconference today (3:30 PM to 3:45 PM). --- Peggy
Hi Peg, Here is the list of literature reviewed in bibliographic form. Please let us know if you have been able to look over any of the materials. Starting this afternoon, I will be pretty unavailable for the next two weeks.

Thanks

Tova Andrea Wang
Democracy Fellow
The Century Foundation

Visit our Web site, for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.

Lit review in bibliographic form.doc

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ---

08/11/2006 02:46 PM
To: psims@eac.gov
cc
Subject: Re: direct deposit

I'm assuming we will get the extension for the revision period. Thanks.

----- Original Message
From: <psims@eac.gov>
To: <psims@eac.gov>
Sent: Friday, August 11, 2006 2:39 PM
Subject: Re: direct deposit

> Tova:
> I show only 2 hours left on your contract as of 7/15/06 -- but here is the form you requested. --- Peggy
> (See attached file: EFT Form.rtf)
Hey Peg,

Hope you are well. Whenever you have a chance, I need the form to change the direct deposit to my new bank account. Thanks so much.

Tova

PS -- Keep me posted on what's going on with the report

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ---

Margaret Sims/EAC/GOV
08/11/2006 02:39 PM

To
cc

Subject Re: direct deposit

Tova:

I show only 2 hours left on your contract as of 7/15/06 -- but here is the form you requested. --- Peggy

EFT Form.rtf
Hey Peg,

Hope you are well. Whenever you have a chance, I need the form to change the direct deposit to my new bank account. Thanks so much.

Tova

PS -- Keep me posted on what's going on with the report

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----
Tom,

A draft letter is attached. I've incorporated comments from Gavin and Julie.

Jeannie Layson
U.S. Election Assistance Commission
1225 New York Ave., NW
Suite 1100
Washington, DC 20005
Phone: 202-566-3100

Any chance you could send a pdf version of the letter to me? --Peggy

The letter was addressed to the commissioners. I will ask Sheila to give a copy to you.

Per our normal procedures, I would guess a reply should be drafted for the Chairman's signature (especially as he is the DFO for the Board of Advisors) but you should check that with Tom.

Thanks.

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----
I would hope that we can refer to it as a status report on the research project (prepared by EAC staff based upon information available at the time from our consultants, Tova and Job). Calling it a preliminary report has given rise to some confusion. That confusion has led to complaints from project working group members and requests from outsiders, who mistakenly think that EAC has released the document written by our consultant that fully reports on the preliminary research into voting fraud and voter intimidation and makes recommendations for future EAC action. --- Peggy

Jeannie Layson/EAC/GOV

To: Margaret Sims/EAC/GOV@EAC
cc
Subject: Re: Voting Fraud-Voter Intimidation Report

Thanks for the update. Per legal, the preliminary report is absolutely public information which is why we had to give it to the reporter when he asked for it.

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

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Margaret Sims/EAC/GOV
To: Tova Andrea Wang, Job Serebrov
cc
Subject: Don't Believe Everything You Read

Tova and Job:

I am home recuperating, but see that in my absence, a USA Today article has gotten everyone stirred up. The report to which the article refers is only the status report on the voting fraud-voter intimidation research project that was delivered to our Standards Board and Board of Advisors last spring. I provided a copy of this document to both of you, but have attached another copy for your information. This document is subject to public release because it was presented at a public meeting.

Due to internal resource allocation problems, your final report has not yet been reviewed by the Commissioners. It is considered a working document (not subject to public release) until it has completed the review process and the Commissioners have agreed to release it. There has been no attempt by the Commission to hold up the report. I bear responsibility for any delays in moving it along. Please be
reassured that we would not release your report without letting you know.

Peggy Sims  
Election Research Specialist  
U.S. Election Assistance Commission  
1225 New York Ave, NW - Ste 1100  
Washington, DC 20005  
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)  
Fax: 202-566-3127  
email: psims@eac.gov

Mr. Levine,  
Per your inquiry from yesterday, the status report on the EAC's voter fraud and intimidation research project is attached. It was prepared by EAC staff and presented to our Standards Board and Board of Advisors at a meeting that was open to the public in May of this year. EAC staff is currently working on a final report.

Please let me know if I can be of further assistance, and I'd be glad to add you to our distribution list so you'll get updates on this and other EAC projects.
Find a time that works. There's a story in today's St Louis PD that points to over 1000 suspect voter registrations.

Sent from my BlackBerry Wireless Handheld

----- Original Message ----- 
From: Jeannie Layson
Sent: 10/11/2006 10:15 AM
To: Paul DeGregorio
Cc: Amie Sherrill; Margaret Sims
Subject: Interview Request

Mr. Chairman,
Will Lester of the Associated Press wants to interview you briefly via phone about the preliminary fraud report. I recommend you accomodate him, as he has dutifully covered EAC, and plans to include us in a story next week about the election landscape. He has requested a copy of the preliminary report, which I am sending to him. He only needs a few minutes, and as we discussed, i think the message is that these are preliminary findings that we presented to our advisory boards to get their input. When the final report is complete, we will release it. You can also use some of the talking pts from your speech, such as the challenge related to the very definition of the term "fraud," as people define it differently. How about I set it up for noon?

The only question he asked that I don't know the answer to is when we expect the final report. Peg... please weigh in on this.

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

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ----- 
Bryan Whitener/EAC/GOV
10/11/2006 11:34 AM

To Thomas R. Wilkey/EAC/GOV@EAC
cc Jeannie Layson/EAC/GOV@EAC, Margaret Sims/EAC/GOV@EAC, Karen Lynn-Dyson/EAC/GOV@EAC, Juliet E. Hodgkins/EAC/GOV@EAC
Subject Fw: request for reports - Wendy Weiser, Brennan Center

Tom,

Do we have a policy on distributing the items she is requesting?

----- Forwarded by Bryan Whitener/EAC/GOV on 10/11/2006 11:33 AM ----- 

"Wendy Weiser"
Mr. Whitener,

I write to request a copy of the following two reports submitted to the Election Assistance Commission:

(1) a report on voter fraud and voter intimidation, outlining a future research agenda, prepared by Tova Wang and Job Serebrov, and discussed in this morning's USA TODAY;

(2) a report on provisional ballots and voter ID, prepared by the Moritz School of Law at Ohio State University in collaboration with others.

It is my understanding that these reports were commissioned by and submitted to the EAC several months ago. It is in the public interest to release these reports since they will advance the public discussion and understanding of important election administration issues.

Thank you very much for your attention to this request. Please let me know when I can expect to receive a copy of these reports. If this request is denied, please provide an explanation as to why.

Sincerely,

Wendy R. Weiser
Deputy Director, Democracy Program
Brennan Center for Justice at NYU School of Law
161 Avenue of the Americas, 12th Floor
New York, NY 10013

Has the working group met since the preliminary report was given to the Standards Bd?
Just a note to clarify that we are not releasing the preliminary report on voting fraud and voter intimidation (Tova & Job's report) because the draft report is going through EAC review. The only document we can offer at this time is the status report on the research project, which was delivered to our boards and which apparently is considered public information. The status report does not address any recommendations for future EAC action.

I am using some of my work at home time on the draft report. Hopefully, I can meet with Julie and Tamar next week. After that, we will have a better idea of when it will be ready for a Commissioner briefing. --- Peggy

Find a time that works. There's a story in today's St Louis PD that points to over 1000 suspect voter registrations.

Mr. Chairman,
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Jeannie Layson
U.S. Election Assistance Commission
1225 New York Ave., NW
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Washington, DC 20005
Phone: 202-566-3100
www.eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Margaret Sims/EAC/GOV
10/11/2006 01:57 PM
To: Jeannie Layson/EAC/GOV
cc: twilkey@eac.gov, Juliet E. Hodgkins/EAC/GOV@EAC, bwhitener@eac.gov
Subject: Re: Voting Fraud-Voter Intimidation Report

The working group met prior to the meeting of the EAC boards, but too late for its deliberations to be summarized in the written status report on the project that was delivered to the boards. The status report notes that a meeting of the working group was about to be held to review the research so far and make recommendations. ---- Peggy

Jeannie Layson/EAC/GOV
10/11/2006 01:03 PM
To: Margaret Sims/EAC/GOV@EAC
cc:
Subject: Re: Voting Fraud-Voter Intimidation Report

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-----------------------
Sent from my BlackBerry Wireless Handheld
Margaret Sims
----- Original Message -----
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Cc: Amie J. Sherrill, Margaret Sims
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Jeannie Layson  
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www.eac.gov

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ---

Paul DeGregorio/EAC/GOV  
09/28/2006 11:27 PM  
To Margaret Sims/EAC/GOV  
cc  
Subject Speech

Peg,

I thought I would share with you the speech I am going to given on Fraud and Intimidation in Salt Lake City at noon on Friday. If you have time, please read it over and let me know if you see anything I shouldn’t say. Thanks.

Speech on Fraud intimidation Sept 29 06 Salt Lake City.doc

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

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ---

Thomas R. Wilkey/EAC/GOV  
10/11/2006 11:42 AM  
To Bryan Whitener/EAC/GOV@EAC  
cc Jeannie Layson/EAC/GOV@EAC, Margaret Sims/EAC/GOV@EAC, Karen Lynn-Dyson/EAC/GOV@EAC, Juliet E. Hodgkins/EAC/GOV@EAC  
Subject Re: request for reports - Wendy Weiser, Brennan Center
Both of these reports are draft reports to the EAC and are currently being reviewed by staff. While we have released some of the data tables that Eagleton neither of these reports can be released.

Sent from my BlackBerry Wireless Handheld
Bryan Whitener
----- Original Message -----

From: Bryan Whitener
Sent: 10/11/2006 11:34 AM
To: Thomas Wilkey
Cc: Jeannie Layson; Margaret Sims; Karen Lynn-Dyson; Juliet Hodgkins
Subject: Fw: request for reports - Wendy Weiser, Brennan Center

Tom,

Do we have a policy on distributing the items she is requesting?


"Wendy Weiser"
10/11/2006 10:57 AM

To bwhitener@eac.gov
cc

Subject request for reports

Mr. Whitener,

I write to request a copy of the following two reports submitted to the Election Assistance Commission:

(1) a report on voter fraud and voter intimidation, outlining a future research agenda, prepared by Tova Wang and Job Serebrov, and discussed in this morning's USA TODAY;

(2) a report on provisional ballots and voter ID, prepared by the Moritz School of Law at Ohio State University in collaboration with others.

It is my understanding that these reports were commissioned by and submitted to the EAC several months ago. It is in the public interest to release these reports since they will advance the public discussion and understanding of important election administration issues.

Thank you very much for your attention to this request. Please let me know when I can expect to receive a copy of these reports. If this request is denied, please provide an explanation as to why.

Sincerely,
Wendy R. Weiser  
Deputy Director, Democracy Program  
Brennan Center for Justice at NYU School of Law  
161 Avenue of the Americas, 12th Floor  
New York, NY 10013  

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----  
Bryan Whitener/EAC/GOV  
10/11/2006 03:21 PM  
To: Thomas R. Wilkey/EAC/GOV  
cc: Jeannie Layson/EAC/GOV/EAC, Juliet E. Hodgkins/EAC/GOV/EAC, Karen Lynn-Dyson/EAC/GOV/EAC, Margaret Sims/EAC/GOV/EAC  
Subject: Re: request for reports - Wendy Weiser, Brennan Center  

Tom,  

Thanks but Wendy Weiser seems to be under the assumption that we provided all of this material to USA Today. As agreed to by the commissioners, counsel and staff, we only provided USA Today with the public documents that were presented to the advisory boards at the May meetings. Should we not clarify this to Wendy and provide her or anyone else with the same. I also just received the same request from election officials in Cook County, IL and King County, WA. Reporters are pestering them for information based on the USA Today article so election officials now want it from EAC. Looks like this is only the start so we need to get ahead of the curve.  

Thomas R. Wilkey/EAC/GOV  

Thomas R. Wilkey/EAC/GOV  
10/11/2006 11:42 AM  
To: Bryan Whitener/EAC/GOV/EAC  
cc: Jeannie Layson/EAC/GOV/EAC, Margaret Sims/EAC/GOV/EAC, Karen Lynn-Dyson/EAC/GOV/EAC, Juliet E. Hodgkins/EAC/GOV/EAC  
Subject: Re: request for reports - Wendy Weiser, Brennan Center  

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Sent from my BlackBerry Wireless Handheld  
Bryan Whitener  
----- Original Message -----  

From: Bryan Whitener  
Sent: 10/11/2006 11:34 AM  

001867
To: Thomas Wilkey
Cc: Jeannie Layson; Margaret Sims; Karen Lynn-Dyson; Juliet Hodgkins
Subject: Fw: request for reports - Wendy Weiser, Brennan Center

Tom,

Do we have a policy on distributing the items she is requesting?


"Wendy Weiser"

10/11/2006 10:57 AM

To: bwhitener@eac.gov
cc

Subject: request for reports

Mr. Whitener,

I write to request a copy of the following two reports submitted to the Election Assistance Commission:

(1) a report on voter fraud and voter intimidation, outlining a future research agenda, prepared by Tova Wang and Job Serebrov, and discussed in this morning's USA TODAY;

(2) a report on provisional ballots and voter ID, prepared by the Moritz School of Law at Ohio State University in collaboration with others.

It is my understanding that these reports were commissioned by and submitted to the EAC several months ago. It is in the public interest to release these reports since they will advance the public discussion and understanding of important election administration issues.

Thank you very much for your attention to this request. Please let me know when I can expect to receive a copy of these reports. If this request is denied, please provide an explanation as to why.

Sincerely,

Wendy R. Weiser
Deputy Director, Democracy Program
Brennan Center for Justice at NYU School of Law
161 Avenue of the Americas, 12th Floor
New York, NY 10013

001868
We don't have a summary in numbers. We just have a summary of cases, some of which do not appear to reach the level of election fraud, and the charts of newspaper articles, some of which only contain allegations and some of which report convictions. These charts were on the CD I sent you before the Working Group meeting. Unfortunately, we have a long way to go before we have what I would classify as statistics.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
e-mail: psims@eac.gov

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

Peggy - - I can take whatever you got!!! What does the data you got show?

No reliable, comprehensive data --- just the preliminary research results from case law, literature review, and interviews. --- Peggy
-- State and local level prosecutions dealing with electoral fraud?

This message was brought to you by Dr. D's fabulous Blackberry!

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----
Margaret Sims/EAC/GOV
10/11/2006 02:37 PM
To Jeannie Layson/EAC/GOV@EAC
cc twilkey@eac.gov, Juliet E. Hodgkins/EAC/GOV@EAC,
bwhitener@eac.gov
Subject Re: Voting Fraud-Voter Intimidation Report

The answer is tricky. The working group met after the written report was submitted for the board meetings, but before the status report was formally presented (orally) at the board meetings. --- Peggy

Jeannie Layson/EAC/GOV
10/11/2006 02:27 PM
To Margaret Sims/EAC/GOV@EAC
cc
Subject Re: Voting Fraud-Voter Intimidation Report

So the answer is yes, they did meet after the status report was presented?

Jeannie Layson
U.S. Election Assistance Commission
1225 New York Ave., NW
Suite 1100
Washington, DC 20005
Phone: 202-566-3100
www.eac.gov
Margaret Sims/EAC/GOV
The status report was written on May 17, 2006 (the last day it could be submitted for the upcoming board meetings). The first and only meeting of the working group was May 18, 2006. --- Peggy

Jeannie Layson/EAC/GOV

Jeannie Layson/EAC/GOV

Yes, that is what prompted my question. So the answer is no -- they have not met since May 17?

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

-------- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ------

Thomas R. Wilkey/EAC/GOV

Peggy,
Could you give Jeannie a call she needs some help fashioning a statement regarding the USA Today article since Tova and Job are hoping mad
Thanks

Sent from my BlackBerry Wireless Handheld
FYI.

--- Forwarded by Margaret Sims/EAC/GOV on 10/13/2006 01:22 PM ---
"Carrera, James A"

10/10/2006 12:35 PM

Peggy,

As noted in our recent status report, 75 percent of contract funding has been reached. The attached is submitted in accordance with the contract requirements.

If you have any questions please contact me.

Regards,
Jim

--------------------------------------------------------------------------------

The information in this email is confidential and may be legally privileged. It is intended solely for the addressee. Access to this email by anyone else is unauthorized. If you are not the intended recipient, any disclosure, copying, distribution or any action taken or omitted to be taken in reliance on it, is prohibited and may be unlawful. When addressed to our clients any opinions or advice contained in this email are subject to the terms and conditions expressed in the governing KPMG client engagement letter.

--------------------------------------------------------------------------------

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ---
Margaret Sims/EAC/GOV
09/27/2006 12:51 PM

To Bryan Whitener
cc Juliet E. Hodgkins/EAC/GOV@EAC, Karen
Bryan:

An electronic copy of the status report is attached, as requested for the USA Today inquiry. The status report includes the attachment listing the Working Group members. I suggest that you check to ensure that I have protected the copy against any manipulation, and protect it yourself if I have not, before sending it out to anyone. --- Peggy

Who is signing the letter?

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

I will IF they sign off on it
See questions below. I can answer the first two, but see if this language is acceptable for questions 3 and 4.

Can I get full report submitted by Tova Wang? If not, why not? EAC staff is currently reviewing the data, and we have not compiled a final report. I will make sure you receive the final report when it is issued.

This answer will probably not make him happy, but it's the best I can come up with. Suggestions?
Art Levine
Senior Fellow
Progressive Policy Institute
Washington, D.C. 20008

Also,

Salon's shameful six

There was Florida in 2000 and Ohio in 2004. Here are the six states where vote suppression could cost voters their voice -- and Democrats the election -- in 2006.

Salon News
By Art Levine

Eva Steele has a son in the military who is supposed to be fighting for freedom in Iraq, but sitting in a wheelchair in her room in a Mesa, Ariz., assisted-living facility, she wonders why it's so hard for her to realize a basic freedom back here in America: the right to vote.
Arriving in Arizona in January from Kansas City, weakened by four heart attacks and degenerative disk disease, Steele, 57, discovered that without a birth certificate she can't register to vote. Under a draconian new Arizona law that supposedly targets illegal immigrants, she needs proof of citizenship and a state-issued driver's license or photo I.D. to register. But her van and purse were stolen in the first few weeks after she moved to Mesa, and with her disability checks going to rent and medicine, she can't afford the $15 needed to get her birth certificate from Missouri. Her wheelchair makes it hard for her to navigate the bus routes or the bureaucratic maze required to argue with state bureaucrats. She's unable to overcome the hurdles thrown in her way -- and in the way of as many as 500,000 other Arizona residents -- by the state's Republican politicians.

Tom,
Per our conversation, attached is the update the Standards Bd. and Bd. of Adv. received at their May meeting. That's all it was -- a status report. And we clearly stated in our Fed. Register notice that we would deliver an update on our research projects. And this meeting was open to the public.

Take care, and let's get together soon. Let me know if you need anything else.

Jeannie Layson
U.S. Election Assistance Commission
1225 New York Ave., NW
Suite 1100
Washington, DC 20005
Phone: 202-566-3100

www.eac.gov VF-VI Study Status 5.17-06.pdf

Commissioners,
Wendy Weiser of the Brennan Center has requested some of the information that was distributed to the Bd. of Adv. and the Standards Bd. at the May meeting. Her request is below. Attached is a draft letter that I
suggestion accompany the information we provide. Also enclosed would be the resolutions passed by both entities. Please let me know if the letter meets your approval. (The letter would be from Tom.)

I write to request a copy of the following two reports submitted to the Election Assistance Commission:

(1) a report on voter fraud and voter intimidation, outlining a future research agenda, prepared by Tova Wang and Job Serebrov, and discussed in this morning's USA TODAY;

(2) a report on provisional ballots and voter ID, prepared by the Moritz School of Law at Ohio State University in collaboration with others.

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Thank you very much for your attention to this request. Please let me know when I can expect to receive a copy of these reports. If this request is denied, please provide an explanation as to why.

Jeannie Layson
U.S. Election Assistance Commission
1225 New York Ave., NW
Suite 1100
Washington, DC 20005
Phone: 202-566-3100

www.eac.gov
brennan center letter.doc

Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM

"Donsanto, Craig"<Craig.Donsanto@usdoj.gov>
08/22/2006 02:44 PM
To "Campbell, Benton"<Benton.Campbell@usdoj.gov>,
"Simmons, Nancy"<Nancy.Simmons@usdoj.gov>
cc psims@eac.gov
Subject FW: Does EAC have access to stats on --

Ben - -

This forwards a short e-mail chain between me and Peg Sims at the EAC. Peg is an institution where this sort of thing is concerned and if there were national stats available she would be the first place I would go -- which come to think of it is why I did!

Her remarks bring-up another issue: apples and oranges.

There are a lot of categories of crime that could arguably fit under the umbrella of "election crime" but which would not be the sort of thing we would find useful for present purposes. Examples would be theft of election materials unrelated to an intent to corrupt the election, campaigning or assaults in or near polls, "campaign slander" (i.e., lying about one's opponent) which is not a federal crime but is potentially a crime in 20 or so states, corruption in the procurement of election equipment (i.e., Louisiana had a recent high
profile case against its secretary of state who took bribes from voting equipment vendors in exchange for buying their machines). This stuff is criminal, but it does not involve corruption of the electoral process itself.

Also, some local prosecutors who do enforce the laws dealing with particularly vote buying - - for various reasons - - chose to prosecute the voters for selling their votes rather than the corrupt political operatives who buy the votes. Many times this is simply because slamming the voter rather than the corrupt pols is easier, quicker and does not entangle the prosecutor in the caldron of local politics. In other instances it is more sinister. I am aware of several instances where local prosecutors tried to charge voters whose names surfaced as people whose votes locally prominent pols had been bought in order to silence them in the federal case. Federally, we usually treat the voters as victims and go after those who tried to purchase their birthright. In one case in Western North Carolina, the target of our case was a local DA. When our indictment against him was returned it named the voters whose votes he was being charged with having bought (we try to avoid this now!). His first act of defense was to charge all these voters with selling their votes under N.C. law. We had to intercede for him - - through the U.S. Attorney at that time - - with the N.C. Governor to pardon these voters so that they could testify concerning the material facts without incriminating themselves.

My point here is this:

Even if we can get some State stats, since the State concept of "election crime" and ours is usually different, and since state prosecutors often approach this type of case from an entirely different perspective than we do at the federal level, State stats will likely have minimal value to substantiating the thesis we are trying to advance: that local law enforcement in the election crime area is not adequate.

----- Message from psims@eac.gov on Tue, 22 Aug 2006 14:09:06 -0400 -----

To: "Donsanto, Craig" <Craig.Donsanto@crm.usdoj.gov>

Subject: RE: Does EAC have access to stats on --

We don't have a summary in numbers. We just have a summary of cases, some of which do not appear to reach the level of election fraud, and the charts of newspaper articles, some of which only contain allegations and some of which report convictions. These charts were on the CD I sent you before the Working Group meeting. Unfortunately, we have a long way to go before we have what I would classify as statistics.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

08/22/2006 01:54 PM
Peggy -- I can take whatever you got!!! What does the data you got show?

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, August 22, 2006 1:53 PM
To: Donsanto, Craig
Subject: Re: Does EAC have access to stats on --

No reliable, comprehensive data --- just the preliminary research results from case law, literature review, and interviews. --- Peggy

"Donsanto, Craig"
<Craig.Donsanto@usdoj.gov>

08/22/2006 12:50 PM
To psims@eac.gov, bhancock@eac.gov
cc "Campbell, Benton" <Benton.Campbell@usdoj.gov>, "Simmons, Nancy" <Nancy.Simmons@usdoj.gov>
Subject Does EAC have access to stats on --

-- State and local level prosecutions dealing with electoral fraud?

This message was brought to you by Dr. D's fabulous Blackberry!

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ---
Thanks Adam. As the current project moves forward and then proceeds to phase 2, this will be a great resource I'm sure. Tova

Tova Andrea Wang, Democracy Fellow
The Century Foundation

Visit our Web site for the latest news, analysis, opinions, and events.

From: Ambrogi, Adam (Rules) [mailto:Adam_Ambrogi@rules.senate.gov]
Sent: Monday, October 02, 2006 11:39 AM
To: psims@eac.gov; 
Subject: Chapin Survey

Peggy and Tova:

I know that we had been looking for a state survey of election fraud and intimidation statutes—as you may have seen, doug chapin recently released a report on this info-attached here. I hope all is well with the both of you.

Best regards,
Adam

-----------------------
Adam D. Ambrogi
Democratic Professional Staff Member
Senate Committee on Rules and Administration
Russell Senate Office Building, Room 479
Washington, D.C. 20510
202-224-0279

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----
Margaret Sims/EAC/GOV
10/13/2006 04:40 PM 
To: Jeannie Layson/EAC/GOV
cc twilkey@eac.gov
Subject: Fw: Don't Believe Everything You Read

Jeannie:

Attached is the email I sent to Tova and Job, and Job's response. (I have not yet heard back from Tova.)
Peg:

We saw both the USA Today article and a similar thing was reported on Rush Limbaugh's show naming both of us. I had a talk this morning with folks at the EAC. I told them at this point there needs to be a press release sent out by the Chairman saying just what you stated. This is the only way to rehabilitate the work we did, the Chairman's credibility, and our reputations. I also fear that if this is not done the EAC will begin to receive calls from Congressmen and Senators regarding the "report" and its effect on voter ID requirements.

Peg, up to now Tova and I have refused to speak with the press at all out of respect for the EAC and its mission. We both stand by our work and its conclusions. We both also feel that if a statement (as well phrased as you did in this e-mail clarifying the issue) is not forthcoming from the Chairman then I will have to correct this error with the Press. I explained this in my conversation this morning with the EAC.

Tova and I worked hard to produce a correct, accurate and truthful report. I could care less that the results are not what the more conservative members of my Party wanted. Neither one of us was willing to conform results for political expediency. I think it's important for me to note that I was very impressed with Tova's members of the Working Group and I can't say enough about Tova's partnership effort in this endeavor. While neither one of us really care about outside opinions, we do care that the Chairman was quoted or misquoted in a way that would disparage our year-long effort and all of the tax payer money that went into it. For this reason, we believe that a press release clarifying the situation is necessary from either the Chairman or from me.

Regards,

Job

psims@eac.gov wrote:

Tova and Job:

I am home recuperating, but see that in my absence, a USA Today article has gotten everyone stirred up. The report to which the article refers is only the status report on the voting fraud-voter intimidation research project that was delivered to our Standards Board and Board of Advisors last spring. I provided a copy of this document to both of you, but have attached another copy for your information. This
document is subject to public release because it was presented at a public meeting.

Due to internal resource allocation problems, your final report has not yet been reviewed by the Commissioners. It is considered a working document (not subject to public release) until it has completed the review process and the Commissioners have agreed to release it. There has been no attempt by the Commission to hold up the report. I bear responsibility for any delays in moving it along. Please be reassured that we would not release your report without letting you know.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
e-mail: psims@eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Jeannie Layson/EAC/GOV
10/13/2006 04:11 PM
To psims@eac.gov
cc
Subject job and tova

Please forward me the email you sent Tova and Job, as he is calling me and I want to make sure I understand what is being communicated to them. Thank you.

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

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Jeannie Layson/EAC/GOV
10/11/2006 08:22 AM
To pdegregorio@eac.gov, ghillman@eac.gov,
d davidson@eac.gov
cc twilkey@eac.gov, jthompson@eac.gov, psims@eac.gov,
bwhitener@eac.gov
Subject USA Today

See story below that ran in today's USA Today. This reporter requested the info a few weeks ago, and we had to release it b/c it was distributed at a Standards Bd. meeting, which is considered a public venue.
Also, the document was not labeled draft.

I anticipate that we may get questions about why we haven't released it. I propose the following response. Please let me know if you approve. The story follows.

"This was a preliminary report presented to our oversight committees. The EAC is waiting on a final report, which we will release upon its completion."

Report refutes fraud at poll sites

Updated 10/11/2006 8:05 AM ET
By Richard Wolf, USA TODAY
WASHINGTON — At a time when many states are instituting new requirements for voter registration and identification, a preliminary report to the U.S. Election Assistance Commission has found little evidence of the type of polling-place fraud those measures seek to stop.
USA TODAY obtained the report from the commission four months after it was delivered by two consultants hired to write it. The commission has not distributed it publicly.

NEW LAWS: Thousands of voters shut out
At least 11 states have approved new rules for independent voter-registration drives or requirements that voters produce specific forms of photo ID at polling places. Several of those laws have been blocked in court, most recently in Arizona last week. The House of Representatives last month approved a photo-ID law, now pending in the Senate.

The bipartisan report by two consultants to the election commission casts doubt on the problem those laws are intended to address. "There is widespread but not unanimous agreement that there is little polling-place fraud, or at least much less than is claimed, including voter impersonation, 'dead' voters, non-citizen voting and felon voters," the report says.

The report, prepared by Tova Wang, an elections expert at the Century Foundation think tank, and Job Serebrov, an Arkansas attorney, says most fraud occurs in the absentee ballot process, such as through coercion or forgery. Wang declined to comment on the report, and Serebrov could not be reached for comment.

Others who reviewed the report for the election commission differ on its findings. Jon Greenbaum of the liberal Lawyers' Committee for Civil Rights Under Law says it was convincing. The committee wrote to the commission Friday seeking its release.

Conservatives dispute the research and conclusions. Thor Hearne, counsel to the American Center for Voting Rights, notes that the Justice Department has sued Missouri for having ineligible voters registered, while dead people have turned up on the registration rolls in Michigan. "It is just wrong to say that this isn't a problem," he says.

That's one reason the commission decided not to officially release the report. "There was a division of opinion here," Chairman Paul DeGregorio says. "We've seen places where fraud does occur."

The consultants found little evidence of that. Barry Weinberg, former deputy chief of the voting section in the Justice Department's civil rights division, reviewed their work. "Fraud at the polling place is generally difficult to pull off," he says. "It takes a lot of planning and a lot of coordination."

Jeannie Layson
U.S. Election Assistance Commission
1225 New York Ave., NW
The proposed response sounds okay but the story is out. Other media may want the information. That the material given USA Today wasn’t identified as draft or preliminary findings is now our problem.

I hope we are working post haste to have the report ready to release less we be seen as trying to bury this. It seems to me that other articles will be written, if not from the document that we sent to USA Today, then certainly from the USA Today article as the source document.

My initial reaction is that both reports are currently under review by EAC staff. I will entertain other thoughts but that is pretty much what is the situation right now. Both research projects were designed to give the EAC issues and recommendations in both of these areas and are currently being reviewed. As a matter of fact the report from our consultants on Voter fraud and Intimation has not been forwarded by staff to the Commissioners but Peg will need to weigh in on that.

Sent from my BlackBerry Wireless Handheld
Bryan Whitener
----- Original Message -----
Richard Wolf of USA Today called and asked for the following. Jeannie and I ask that you consider this carefully and let us know ASAP what to provide.

(1) The status report on voter fraud and consultant update that was presented to the advisory boards in May, 2006.

(2) The status of the required guidance document on provisional voting and voter ID that is referenced in the following passage in today's Electionline Weekly by Doug Chapin.

In addition to the EAC's considerable election management responsibilities (especially in the area of voting equipment certification and testing), the agency has key policy issues to resolve in the immediate to near-term future, including a required guidance document on provisional voting and voter ID (now nearly two years overdue) and continued regulatory oversight over state implementation of "motor voter". This latter issue will almost certainly involve questions about the intersection of state and federal laws on voter registration - questions which divided the Commission when applied to Arizona, and could divide it again as Republicans and Democrats continue their traditional struggle to balance access to the franchise with concerns about the potential for fraud at the polls.

Thanks,
Bryan

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Thomas R. Wilkey/EAC/GOV
10/12/2006 04:19 PM

To Jeannie Layson/EAC/GOV@EAC
cc ggilmour@eac.gov, jthompson@eac.gov, klynndyson@eac.gov, psims@eac.gov
Subject Re: Brennan Center letter

I like this..it needs to go to the 3 C's for review and approval.
We also need to be prepared as to what happens when they receive it.
Thanks for your help.
Tom

Thomas R. Wilkey
Executive Director
US Election Assistance Commission
1225 New York Ave, NW - Suite 1100
Washington, DC 20005
(202) 566-3109 phone
TWilkey@eac.gov

Jeannie Layson/EAC/GOV
Tom,
A draft letter is attached. I've incorporated comments from Gavin and Julie.

Jeannie Layson
U.S. Election Assistance Commission
1225 New York Ave., NW
Suite 1100
Washington, DC 20005
Phone: 202-566-3100

Matt (and Amy) are working on a speech for the Chairman to deliver at the Vote Fraud conference in Utah at the end of the week. Matt has asked for the consultants' definition of vote fraud/voter intimidation and the draft recommendations. As neither have been through full Commission review, I would like to speak with one or both of you before I drop this information in any one Commissioner's lap. Matt is looking for this information today. FYI, attached are copies of the consultants' definition and the draft recommendations from the consultants and others from the working group. Also attached is a summary of concerns expressed by the working group. — Peggy

Matt DeGregorio/EAC/GOV
Donetta L. Davidson/EAC/GOV
Gracia Hillman/EAC/GOV

Paul DeGregorio/EAC/GOV@EAC
Donetta L. Davidson/EAC/GOV@EAC
Gracia Hillman/EAC/GOV@EAC

Thomas R. Wilkey/EAC/GOV@EAC
Juliet E.
WASHINGTON (AP) -- The most common form of voter fraud involves absentee ballots, including forgery and coercion in getting older or ailing voters to fill them out, according to a preliminary report to the U.S. Election Assistance Commission.

But the report, delivered in May, suggested that reports of polling place fraud involving "dead" voters and voting by felons and non-citizens might be overstated. The researchers said there is far more anecdotal evidence about voter fraud than specific verifiable claims.

"On balance, more researchers find it to be less of a problem than is commonly described in political debate," the report said.

"Many times people put their own partisan spin on voter fraud and voter intimidation," EAC Chairman Paul DeGregorio said Wednesday.

DeGregorio said the report was only preliminary and cautioned that more investigation is needed to understand the amount of voter fraud in this country.

"Many times you see people attempting to commit fraud, but it never gets to the level of being reported," said DeGregorio, a former elections official in St. Louis. He noted a case of more than 1,400 suspect voter registration cards being investigated in St. Louis.

The preliminary report was prepared by Tova Wang, an elections expert at the Century Foundation think tank and Job Serebrov, an Arkansas attorney.

Conservatives have argued the problem of voter fraud is severe in some states, while liberals generally argue that voters face too many restrictions.

New state laws requiring voters to present identification at polling places have faced legal challenges in states such as Arizona and Georgia.

"It's absolutely a serious problem," said Thor Hearne, counsel to the American Center for Voting Rights. "It's an unfortunate reality, particularly in battleground states."

Those problems include voter fraud and voter intimidation, he said.

The final voter fraud report is expected after the Nov. 7 midterm elections, DeGregorio said.

###

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----  
  Jeannie Layson/EAC/GOV  
  10/12/2006 10:32 AM
Dan,

Just wanted to let you know that the USAT article is not about a research report but a "status" report, which was presented to the Standards Bd. and the Bd. of Advisors at a meeting held in May. During this meeting, these entities received updates on many EAC activities, and the aforementioned status report was just one of those updates. And by the way, the meeting was open to the public, and posted on our website and in the Fed. Register. In the Fed. Register notice you'll see that the agenda included an update on our research projects.

Please let me know if you have any questions. Thank you for your consideration in this matter.

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

A.) The "report" they refer to was a status report written by staff
B.) The full report is currently being reviewed by staff and the report was intended to give recommendations to the EAC on how and what to do additional studies or guidance on.
C.) The report will be available at some future time after staff has had an opportunity to review and evaluate it's contents.
See questions below. I can answer the first two, but see if this language is acceptable for questions 3 and 4.

Can I get full report submitted by Tova Wang? If not, why not? EAC staff is currently reviewing the data, and we have not compiled a final report. I will make sure you receive the final report when it is issued.

This answer will probably not make him happy, but it’s the best I can come up with. Suggestions?

----- Forwarded by Jeannie Layson/EAC/GOV on 10/12/2006 04:06 PM ----
Bryan Whitener/EAC/GOV

Art Levine

deadline today or tomorrow

What exactly is the document USA Today refers to?
Is it a report or just a staff document?
Can I get full report submitted by Tova Wang?
If not, why not?
FYI
Google search shows this on the DLC website
http://www.dlc.org/ndol_ci.cfm?kaid=139&subid=275&contentid=253439

Art Levine
Senior Fellow
Progressive Policy Institute
Washington, D.C. 20008

Also,

Salon's shameful six

There was Florida in 2000 and Ohio in 2004. Here are the six states where vote suppression could cost voters their voice -- and Democrats the election -- in 2006.

Salon News
By Art Levine

Eva Steele has a son in the military who is supposed to be fighting for freedom in Iraq, but sitting in a wheelchair in her room in a Mesa, Ariz., assisted-living facility, she wonders why it's so hard for her to realize a basic freedom back here in America: the right to vote.

Arriving in Arizona in January from Kansas City, weakened by four heart attacks and degenerative disk disease, Steele, 57, discovered that without a birth certificate she can't register to vote. Under a draconian new Arizona law that supposedly targets illegal immigrants, she needs proof of citizenship and a state-issued driver's license or photo I.D. to register. But her van and purse were stolen in the first few weeks after she moved to Mesa, and with her disability checks going to rent and medicine, she can't afford the $15 needed to get her birth certificate from Missouri. Her wheelchair makes it hard for her to navigate the bus routes or the bureaucratic maze required to argue with state bureaucrats. She’s unable to overcome the hurdles thrown in her way -- and in the way of as many as 500,000 other Arizona residents -- by the state's Republican politicians.

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ---
Paul DeGregorio/EAC/GOV
09/27/2006 12:36 PM
To Margaret Sims/EAC/GOV@EAC
cc
Subject Re: Last Submission from Vote Fraud-Voter Intimidation Consultants

No big deal--and no big delay. Don't worry about it.

Paul DeGregorio
Chairman
US Election Assistance Commission
Dear Mr. Chairman:

The last submission from the Vote Fraud-Voter Intimidation Study consultants is dated August 8. At this time, EAC staff are reviewing all items submitted for the report to the Commission with an eye toward the best way of presenting the information to the Commissioners for their consideration. There has been some delay in this staff review process, for which I take full responsibility.

Peggy Sims
Election Research Specialist

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Jeannie Layson/EAC/GOV
10/12/2006 02:03 PM

To twilkey@eac.gov
cc jthompson@eac.gov, psims@eac.gov, ggilmour@eac.gov, klynndyson@eac.gov

Subject response to Wendy Weiser

Attached is a proposed draft. I have to get this resolved ASAP as she is demanding a delivery time from me. I literally cannot answer my phone. Unfortunately, the Brennan Center can and will make a big stink if we don’t respond. We don’t need more accusations about us sitting on research.

The letter would be accompanied by the resolutions passed at the May meetings.
And, I need to know who is supposed to sign this letter.

Jeannie Layson  
U.S. Election Assistance Commission  
1225 New York Ave., NW  
Suite 1100  
Washington, DC 20005  
Phone: 202-566-3100

Please note that Wendy Weiser has asked me to provide a time frame for when I will provide the following documents. Tom, per our conversation, I can write a letter, but how do we address her request for the voter ID info? Also, is this something Karen should handle as these are for research docs? I need an answer soon...

Mr. Whitener,

I write to request a copy of the following two reports submitted to the Election Assistance Commission:

(1) a report on voter fraud and voter intimidation, outlining a future research agenda, prepared by Tova Wang and Job Serebrov, and discussed in this morning's USA TODAY;

(2) a report on provisional ballots and voter ID, prepared by the Moritz School of Law at Ohio State University in collaboration with others.

It is my understanding that these reports were commissioned by and submitted to the EAC several months ago. It is in the public interest to release these reports since they will advance the public discussion and understanding of important election administration issues.

Thank you very much for your attention to this request. Please let me know when I can expect to receive a copy of these reports. If this request is denied, please provide an explanation as to why.

Sincerely,

Wendy R. Weiser
Jeannie Layson
U.S. Election Assistance Commission
1225 New York Ave., NW
Suite 1100
Washington, DC 20005
Phone: 202-566-3100
www.eac.gov
---- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ----

Margaret Sims/EAC/GOV
10/13/2006 04:18 PM
To: Jeannie Layson/EAC/GOV@EAC
Cc: twilkey@eac.gov
Subject: Research Project Descriptions

Jeannie:

Here are the changes I suggested for the Vote Count-Recount and the Voting Fraud-Voter Intimidation research projects. I don’t think they will help the current situation much, as the original VF-VI description already stated that it is preliminary research. As it is preliminary research, we did not expect that it would provide a total picture of voting fraud and voter intimidation in this country. We just wanted to get some sense of what is going on, and a better idea of the direction future EAC research on the subject should take. To ensure that the research would be balanced, we had consultants and project working group members from opposing sides of the political spectrum.

According to folks intimately familiar with the development of HAVA, disputes over the extent to which voting fraud and voter intimidation existed caused Congress to add the study of these subjects to EAC’s list of research projects. Given the nature of the subject (most offenders try to hide their activities, sufficient evidence is hard come by with some types of activity, and prosecution of offenses may not occur for political or budgetary reasons), it is doubtful that we will ever have completely reliable statistics on occurrences of voting fraud and voter intimidation, but we may be able to obtain better statistics than anyone else has. And we should be able to identify where in the voting process most offenses tend to occur and to explore alternatives for addressing vulnerabilities that leave the process open to corruption.

--- Peggy

Rev Descriptions for Web Site Descriptions of Vote Counts- Recounts and Voting Fraud Research 9-6-06.doc
Peg:

We saw both the USA Today article and a similar thing was reported on Rush Limbaugh's show naming both of us. I had a talk this morning with folks at the EAC. I told them at this point there needs to be a press release sent out by the Chairman saying just what you stated. This is the only way to rehabilitate the work we did, the Chairman's credibility, and our reputations. I also fear that if this is not done the EAC will begin to receive calls from Congressman and Senators regarding the "report" and its effect on voter ID requirements.

Peg, up to now Tova and I have refused to speak with the press at all out of respect for the EAC and its mission. We both stand by our work and its conclusions. We both also feel that if a statement (as well phrased as you did in this e-mail clarifying the issue) is not forthcoming from the Chairman then I will have to correct this error with the Press. I explained this in my conversation this morning with the EAC.

Tova and I worked hard to produce a correct, accurate and truthful report. I could care less that the results are not what the more conservative members of my Party wanted. Neither one of us was willing to conform results for political expediency. I think its important for me to note that I was very impressed with Tova's members of the Working Group and I can't say enough about Tova's partnership effort in this endeavor. While neither one of us really care about outside opinions, we do care that the Chairman was quoted or misquoted in a way that would disparage our year-long effort and all of the tax payer money that went into it. For this reason, we believe that a press release clarifying the situation is necessary from either the Chairman or from me.

Regards,

Job

psims@eac.gov wrote:

Tova and Job:

I am home recuperating, but see that in my absence, a USA Today article has gotten everyone stirred up. The report to which the article refers is only the status report on the voting fraud-voter intimidation research project that was delivered to our Standards Board and Board of Advisors last spring. I provided a copy of this document to both of you, but have attached another copy for your information. This document is subject to public release because it was presented at a public meeting.

Due to internal resource allocation problems, your final report has not yet been reviewed by the Commissioners. It is considered a working document (not subject to public release) until it has completed the review process and the Commissioners have agreed to release it. There has been no attempt by the Commission to hold up the report. I bear responsibility for any delays in moving it along.
Please be reassured that we would not release your report without letting you know.

Peggy Sims  
Election Research Specialist  
U.S. Election Assistance Commission  
1225 New York Ave, NW - Ste 1100  
Washington, DC 20005  
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)  
Fax: 202-566-3127  
email: psims@eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ------

Margaret Sims/EAC/GOV  
09/26/2006 12:50 PM  
To Thomas Wilkey  
cc

Subject: Fw: Preparation for Vote Fraud Conference in Utah

Here are the documents I sent you yesterday. Also attached is a copy of the status report on this research that was provided to the Standards Board and Board of Advisors earlier this year. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 09/26/2006 12:48 PM ------

Margaret Sims/EAC/GOV  
09/25/2006 12:36 PM  
To Juliet E. Hodgkins/EAC/GOV@EAC, twilkey@eac.gov  
cc Karen Lynn-Dyson/EAC/GOV@EAC

Subject: Preparation for Vote Fraud Conference in Utah

Matt (and Amy) are working on a speech for the Chairman to deliver at the Vote Fraud conference in Utah at the end of the week. Matt has asked for the consultants' definition of vote fraud/voter intimidation and the draft recommendations. As neither have been through full Commission review, I would like to speak with one or both of you before I drop this information in any one Commissioner's lap. Matt is looking for this information today. FYI, attached are copies of the consultants' definition and the draft recommendations from the consultants and others from the working group. Also attached is a summary of concerns expressed by the working group. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ------

Karen Lynn-Dyson/EAC/GOV  
09/25/2006 12:39 PM  
To Margaret Sims/EAC/GOV@EAC
Many, many thanks for keeping me in the loop on this
(I think)

:-)

Karen Lynn-Dyson
Research Director
U.S. Election Assistance Commission
1225 New York Avenue, NW Suite 1100
Washington, DC 20005
tel:202-566-3123
A new email you may want to add to the collection.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
e-mail: psims@eac.gov

--- Forwarded by Margaret Sims/EAC/GOV on 04/26/2007 05:22 PM ---

Margaret Sims/EAC/GOV
04/26/2007 05:14 PM
To: Jeannie Layson/EAC/GOV
cc: jthompson@eac.gov
Subject: Re: tova

Do we know who received her letter? I haven't seen it. --- Peggy

Jeannie Layson/EAC/GOV

04/26/2007 04:45 PM
To: psims@eac.gov, jthompson@eac.gov
cc:
Subject: tova

See her press release (third item).
I think the attached emails are the ones missing from the last batch. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 04:22 PM -----
Margaret Sims/EAC/GOV
02/12/2007 02:01 PM
To "Job Serebrov"
cc
Subject Re: 1099

Job:
The 1099 appears to be correct based on records from the Finance Office. Apparently, the amount includes all but the first two payments made to you under the contracts, based on when the payment was processed by GSA (see attached spreadsheet). --- Peggy

GSA List of Job Serebrov payment for Year 2006.xls

"Job Serebrov"

02/09/2007 06:19 PM
To psims@eac.gov
cc
Subject Re: 1099

All is well Peg. How are you? I added up my invoices and it should be between $39,700 and $47,000 with the travel check included.

Regards,
Job

--- psims@eac.gov wrote:

> Job:
> > Job just forwarded your inquiry. That figure
> > looks too high to me, too!
> > I'll check with our finance folks next Monday to
> find out what happened.
> Hope all is well with you.
> 
> Peggy Sims
> Election Research Specialist
> U.S. Election Assistance Commission
> 1225 New York Ave, NW - Ste 1100
> Washington, DC 20005
> Phone: 866-747-1471 (toll free) or 202-566-3120
> (direct)
> Fax: 202-566-3127
> email: psims@eac.gov
> 
> ----- Forwarded by Juliet E. Hodgkins/EAC/GOV on
> 02/09/2007 05:44 PM -----
> 
> "Job Serebrow"
> 02/09/2007 05:33 PM
> 
> To
> "Julie Thompson-Hodgkins" <jhodgkins@eac.gov>
> cc
> 
> Subject
> 1099
> 
> 
> Julie:
> 
> I received my 1099 and the figure looks too high. It
> is listed at $58,065.35. Can you check on this?
> 
> Job
> 
> ---- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 04:22 PM ----
> 
> To Margaret Sims/EAC/GOV@EAC
> cc
> 
> Subject Deobligation
> 
> Peggy:
> To the best of my knowledge, there is no activity on these 2 contracts. Please confirm if it is OK to
deobligate these funds. Thank you.
All,

Please see Dan Seligson's questions and request. Exactly what are we going to provide to the House subcommittee and when? Once they receive it, can the subcommittee or its members then release it to anyone they choose? Do we plan to release it to everyone once we've provided it to the subcommittee?

----- Forwarded by Bryan Whitener/EAC/GOV on 03/09/2007 02:29 PM -----

"Dan Seligson"

To "Bryan Whitener" <bwhitener@eac.gov>

cc

03/09/2007 02:26 PM

Subject info request re: House Appropriations subcommittee hearing

Bryan -

As I mentioned on the phone, I am seeking information as a follow up to the House Appropriations Subcommittee on Financial Services. At the hearing, Rep. Maurice Hinchey, D-N.Y., requested that the EAC submit the original version of a report written by Tova Wang and Job Serebrov. Chairwoman Davidson said she would provide the original report (I believe) within three days. Is that still the case? Will the subcommittee have the original report, as submitted by the consultants, on Monday? And if so, may we have a copy as well?

Thanks,

Dan

Daniel Seligson
editor

Washington, DC 20004

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 04:22 PM -----
Hello all,

A columnist from the WaPo has asked for info about both the voter ID and the fraud and intimidation reports. This was prompted by the accusation that the president was concerned that the fired prosecutors were not aggressively pursuing voter fraud cases. She had heard that we were refusing to release this information, so I am trying to demonstrate otherwise, as well as show that we have discussed these projects numerous times in public meetings. Please take a look at my draft email to her and let me know if you have any suggestions. She needs to hear back from me by 4 p.m. Thanks for your help with this.

Ms. Cocco,
Per your questions, go here to view the testimony regarding voter ID from our Feb. 2 public meeting. As I mentioned, at this meeting EAC Chair Donetta Davidson requested that staff review the initial research provided by Eagleton and produce a final report, which would include recommendations for further study on this subject. Currently, staff is working to finalize the voter ID report.

Regarding the voter fraud and intimidation research, at a May 2006 public meeting of our Standards Board and Board of Advisors, the EAC project manager for this research presented a staff update on the project. Go here to view the agenda, page 3. The document you referred to was the update the project manager gave at this public meeting, and it has been made available to anyone who asked for it. The final culmination of this project can be found here, and links to the attachments provided by the consultants are available by going to page 24 of this report. The commissioners adopted this report at a public meeting in Dec. 2006.

As a small agency of 23 employees, including the four commissioners, it is necessary for the agency to contract with consultants to gather the initial data for these projects. After EAC receives the initial data, the agency reviews the data for accuracy and then releases a final report.

Jeannie Layson
U.S. Election Assistance Commission
1225 New York Ave., NW
Suite 1100
Washington, DC 20005
Phone: 202-566-3100
The info that is on the website should be everything that you and she need. If you have trouble locating that info, Jeannie can probably direct you to where you can find it.

Sent from my BlackBerry Wireless Handheld
Karen Lynn-Dyson

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

From: Karen Lynn-Dyson  
Sent: 04/02/2007 11:02 AM EDT  
To: Margaret Sims  
Cc: Juliet Hodgkins; stephanie.wolson@gmail.com  

 Peg-

This week Heather Moss, a research intern will be starting with us. Heather is presently in law school and worked for DOJ in the Voting Rights Division for four years. Heather's primary responsibility (for the next month or so) will be helping us develop the follow-on research project for the Election Crimes study.

Also as an FYI- Commissioner Hunter and her Special Assistant, Stephanie Wolson have expressed an interest in working closely with staff on this project.

I would like to schedule a call/meeting for later on this week so that everyone can be brought up to speed on this work.

In preparation for this meeting I would like to give Heather the project materials which Job and Tova worked on and any relevant material you may have .

Could you direct me to these files so that Heather may begin her work on this project? Could you also let me know dates and times this week that might work for you?

Thanks

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

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 04:22 PM ----- 

Margaret Sims/EAC/GOV 

To Jeannie Layson/EAC/GOV@EAC
Julie has already raised the point that most concerned me: I don't think it is accurate to say the consultant's recommendations were their findings. The recommendations were a combination of consultant recommendations and working group recommendations for future EAC action. We did not ask the consultants to provide “findings” because this research was never supposed to be the definitive study on the subject. Instead, it was supposed to be an initial effort to see what relevant information is available, to define voting fraud and voter intimidation, and to make recommendations to EAC regarding how to pursue the subject (next steps). --- Peggy

This are questions from a “freelance” reporter who is very hot about the “Tova Wang report.” Please let me know if my answers are accurate, and I welcome any suggestions you may have. I need to get your input by COB tomorrow. I am also looking for more clarification on what didn’t make it into the fraud report. She is asking if we included all of their “findings” and their "research."

Thanks.

1) You said that the Wang/Serebrov report has not been released because it was predecisional. Was the Moritz/Eagleton report released because it was not predecisional? The Moritz/Eagleton report was a predecisional document. The commissioners took an action not to adopt a final report based upon the Moritz/Eagleton report, but to release all the predecisional information (the draft report).

2) I understood you to say that the December EAC report includes all of the Wang/Serebrov recommendations but not all of the Wang/Serebrov findings. Is that correct? The report does include all of their recommendations, which were their findings, and all of the research they conducted.

3) I understood you to say that EAC staff added results of their own research to the December EAC report. Is that correct? What I said was EAC staff reviewed the report for accuracy, for grammar and added language that reflected the commission's decision to adopt the final version based upon the initial research provided by the consultants.

4) If I'm correct on questions 2 and 3, would it be accurate to say that
readers of the December report cannot tell how much of that report does and
does not reflect the original Wang/Serebrov findings? The consultants'
recommendations are their findings. All of the recommendations are included in
the final report, so readers can make the determination regarding the
recommendations.

5) I called earlier today requesting the Wang/Serebrov report, and you sent me
the December EAC report. I am concerned that if I had not already been
researching this closely, I would have thought that you'd sent me the
Wang/Serebrov report and would have reported incorrectly that you had. Does
the EAC have any comment on this manner of responding to press inquiries? (I
contacted you to request the report after I read in the Statesman Journal of
Salem, Oregon, an article by Marie Cocco that says: "The bipartisan commission
didn't widely release the consultants' review, but makes it available on
request." Did the EAC indeed give Ms. Cocco a copy of the "consultants'
review"? Or has she misunderstood you in the way I'm concerned about?) I sent
you a link to the "EAC report" because it is what was adopted by the
commission based upon the research conducted by the consultants. The final
report clearly states how it was compiled and includes bios for both of the
consultants. Regarding Ms. Cocco, I explained the entire process to her. I
provided the staff update on the project which was presented at a public
meeting in May 2006 and the final report, which is posted on the EAC website.
Regarding "this manner of responding to press inquiries," I have forwarded
your comments to my supervisor so he can review my performance regarding the
handling of your inquiry.

6) I understood you to say that the EAC did not release the Wang/Serebrov
report in its original form because the EAC has to do due diligence and its
staff is small. Do I understand you correctly? As a small agency of 23
employees, including the four commissioners, it is necessary for the agency to
contract with consultants to gather the initial data for research projects.
After EAC receives the initial data, the agency reviews the data for accuracy.
What form of due diligence does the EAC's staff routinely conduct on research
that is contracted out to experts before that research is released? You
mentioned "vetting" the research. What does that vetting entail? It depends on
the project. For instance, if it is information directly related to a mandate
within the Help America Vote Act (HAVA), staff will make sure that the
information is consistent with the law. In addition, we often ask for input
from our Standards Board and Board of Advisors, which combined consist of more
than 147 members. If we are using research that will eventually become
guidance, we are required by HAVA to seek the input of these boards. Go here
for more information about these boards and its members. If the board members
have feedback, then we must make the determination whether to incorporate it,
and, if so, how to incorporate their changes. If the research is focused on
election laws throughout the country, we make sure the laws are cited
correctly and that state legislatures haven't changed or amended these laws
since the research was conducted. (As you probably know, there have been many
new election laws introduced at the state level since 2004.) Throughout the
process, we review for grammar as well as make sure the document flows and is
arranged logically -- the basic tenets of editing.

Jeannie Layson
U.S. Election Assistance Commission
1225 New York Ave., NW
Suite 1100
Washington, DC 20005
Phone: 202-566-3100
www.eac.gov
Most of the working files for this project are in a red folder sitting on my window sill; but I have some individual files in manila folders for Job and Tova propped upright on my desk next to the computer. Isn't this something that can wait until Monday? --- Peggy

Edgardo Cortes/EAC/GOV

Where are your working files maintained?
Margaret Sims

----- Original Message -----
From: Margaret Sims
Sent: 04/13/2007 04:27 PM EDT
To: Edgardo Cortes
Subject: Re: Working group meeting transcript

I don't maintain "official" contract files, just working copies (and I am missing a copy of one of Tova's contracts). The official files should be with the other official EAC contract files. There were 4 personal services contracts between Tova and Job. --- Peggy

Edgardo Cortes/EAC/GOV

Peggy,
They are also requesting copies of the signed contracts. Where are your official contract files for that contract? Let me know where they are and I will pull them to give Gavin the copies so he can review for releasability. Thanks!

Edgardo Cortés
Election Research Specialist
There is only one transcript. In addition to the electronic copy, I have a hard copy in the file. Job Serebrov submitted one correction related to the information reported on his background, not the study. Otherwise, the transcript has NOT been reviewed for accuracy and we have not released copies to anyone but our consultants. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 04:21 PM ---
Gavin:

For the most part, the appendices published on our website appear to be cleaned up versions of what was on the CD. One big exception: the appendices do not include the charts of Nexis articles reviewed, which were on the CD. Also, I can't tell at a glance if all of the case law charts were put on the website. --- Peggy

Gavin S. Gilmour/EAC/GOV

Gavin S. Gilmour/EAC/GOV

Is this the same thing (with subsequent research collected) that appears in the 4 appendix to the final report as posted on our website?

GG

Gavin S. Gilmour
Deputy General Counsel
United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100

THIS MESSAGE IS FOR ITS INTENDED RECIPIENT ONLY. IT IS A PRIVILEGED DOCUMENT AND SHALL NOT BE RELEASED TO A THIRD PARTY WITHOUT THE CONSENT OF THE SENDER.

Gavin:

We put the bulk of the raw research, as it stood just prior to the Working Group meeting, on a CD that was included in the folder provided to all meeting participants. You can access the contents that we put on the
believe you can find it at the following link:

[attachment "20070411voters_draft_report.url" deleted by Gavin S. Gilmour/EAC/GOV]

I will need to get back with you regarding the Contract Employees scope of work.

Gavin S. Gilmour  
Deputy General Counsel  
United States Election Assistance Commission  
1225 New York Ave., NW, Ste 1100  
Washington, DC 20005  
(202) 566-3100

--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 04:21 PM ---

Margaret Sims/EAC/GOV  
04/17/2007 01:27 PM  
To Jeannie Layson/EAC/GOV  
cc Juliet E. Hodgkins/EAC/GOV@EAC  
Subject Re: Vote fraud report

As far as I know, you are absolutely correct! Julie did the bulk of the rewrite and used my analyses of the preliminary info submitted by our contractors. I know that I had no contact with the administration regarding this study. --- Peggy

Jeannie Layson/EAC/GOV

04/17/2007 01:16 PM  
To psims@eac.gov, Thomas R. Wilkey/EAC/GOV@EAC, jthompson@eac.gov  
cc  
Subject Vote fraud report

The St. Louis Post Dispatch wrote an editorial that said the administration edited our report. I am almost absolutely sure that is not true, but I wanted to confirm that with you before I request a correction. Thanks.

Jeannie Layson
Julie:
The attached appears to be the Job Serebrov email, a portion of which was quoted in the NY Times. He was responding to my email advising him that recent press reports were referring to the status report on the vote fraud-voter intimidation project, and that we had not released the final report. (A copy of my email is attached.) There are no follow-up emails on this topic. --- Peggy

Peg:
We saw both the USA Today article and a similar thing was reported on Rush Limbaugh's show naming both of us. I had a talk this morning with folks at the EAC. I told them at this point there needs to be a press release sent out by the Chairman saying just what you stated. This is the only way to rehabilitate the work we did, the Chairman's credibility, and our reputations. I also fear that if this is not done the EAC will begin to receive calls from Congressman and Senators regarding the "report" and its effect on voter ID requirements.

Peg, up to now Tova and I have refused to speak with the press at all out of respect for the EAC and its mission. We both stand by our work and its conclusions. We both also feel that if a statement (as well phrased as you did in this e-mail clarifying the issue) is not forthcoming from the Chairman then I will have to correct this error with the Press. I explained this in my conversation this morning with the EAC.

Tova and I worked hard to produce a correct, accurate and truthful report. I could care less that the results are not what the more conservative members of my Party wanted. Neither one of us
was willing to conform results for political expediency. I think its important for me to note that I was very impressed with Tova's members of the Working Group and I can't say enough about Tova's partnership effort in this endeavor. While neither one of us really care about outside opinions, we do care that the Chairman was quoted or misquoted in a way that would disparage our year-long effort and all of the tax payer money that went into it. For this reason, we believe that a press release clarifying the situation is necessary from either the Chairman or from me.

Regards,

Job

_psim@eac.gov_ wrote:

Tova and Job:

I am home recuperating, but see that in my absence, a USA Today article has gotten everyone stirred up. The report to which the article refers is only the status report on the voting fraud-voter intimidation research project that was delivered to our Standards Board and Board of Advisors last spring. I provided a copy of this document to both of you, but have attached another copy for your information. This document is subject to public release because it was presented at a public meeting.

Due to internal resource allocation problems, your final report has not yet been reviewed by the Commissioners. It is considered a working document (not subject to public release) until it has completed the review process and the Commissioners have agreed to release it. There has been no attempt by the Commission to hold up the report. I bear responsibility for any delays in moving it along. Please be reassured that we would not release your report without letting you know.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
e-mail: psims@eac.gov

Juliet E. Hodgkins/EAC/GOV

Juliet E. Hodgkins/EAC/GOV
04/17/2007 02:58 PM
To Margaret Sims/EAC/GOV@EAC
cc
Subject Need emails

Peggy,

Can you pull out the emails between you and Job that were quoted in the NYT? I need anything that has to do with the subject that was referred to in the quoted email as well as any follow up to that email. We
Jeannie:

I did not receive your request in time to type responses on my blackberry by 2 PM, given the information needed. Here are the answers to your questions:

1. Why did we only contact DOJ officials regarding the accuracy of their interviews?

As far as I know, we didn't contact DOJ officials about this except in response to concerns they had previously expressed to us. Also, I don't believe we ever allowed DOJ to edit the summaries. (I certainly didn't.) I believe the consultants and I discussed the idea of having all the interviewees review their respective interview summaries, but the consultants objected to the idea and there were concerns that the all of the money remaining available was needed to complete the final report.

Craig Donsanto, Election Crimes Branch, saw the summary of his interview among the documents provided to the Working Group (prior to the meeting of that group), and pointed out an important factual error. The summary, as originally written, portrayed DOJ as switching from the prosecution of conspiracies to the prosecution of individuals. I was present at this interview and this was not what Craig had said, nor is it supported by the information available on the election crimes pursued by that branch. DOJ continues to pursue conspiracies and, in addition, has begun to pursue individuals (specifically, double voting, felon voting and alien voting) in an effort to deter others from election crime.

To my knowledge, John Tanner, Voting Section, Civil Rights Division, had not seen the consultants' full summary of his interview; but he expressed concern to Tova Wang and EAC about the consultants' characterization of the interviews with Donsanto and him that had been included in the May 2006 status report. This report was provided to the members of the EAC Standards and Advisory Boards. Per HAVA requirements, the Voting Section is represented on the Advisory Board. Tanner pointed to the following errors:

- First, the consultants stated that DOJ was not pursuing voter suppression cases. Tanner responded that "[t]he Department has brought two 11(b) cases, one of the two in this Administration. The focus of DOJ activity has shifted, in fact, to voter suppression as there are fewer cases over voter dilution (challenges to at-large election systems, etc.) being brought by anyone as the number of jurisdictions with at-large election systems has shrunk dramatically. This Administration has, in fact, brought far more voter-suppression cases ... than ever in the past, including a majority of all cases under Sections 203 and 208 of the Act, and such key recent Section 2 cases as US v. City of Boston and US
v. Long County, Georgia."

- Second, the consultants implied that DOJ is not pursuing instances of unequal implementation of ID rules. Tanner's response was that "[c]hallenges based on race and unequal implementation of ID rules are indeed actionable and we have brought lawsuits, such as in Boston and Long County; we have not identified instances of such discrimination in which we have not taken action."

Tanner also pointed to the consultants' refusal during the interview to define what they meant by "voter intimidation", which Tanner suspected did not jibe with the meaning of the term in federal prosecutions and probably contributed to misunderstandings. (Federal voter intimidation prosecutions require the threat of economic or physical harm.)

By the way, both of these officials are career attorneys, not political appointees. They have years of service at DOJ, working under a number of different administrations.

2. Exactly what did we change and why?

In the case of the Donsanto interview summary, I spoke with our consultants and asked them to make the correction. At first, they both refused. Later, they revised the summary to be a little less blatant, but the implication that there had been a complete change in approach remained. We revised the summary to clearly indicate that prosecution of conspiracies continues. The revised paragraph is on page 4 of the published summary. We also added an intro paragraph similar to other interview summaries submitted by the consultants to summarize the enforcement authority of the Election Crimes Branch and to distinguish it from the Voting Section, Civil Rights Division.

In the case of the actual John Tanner interview summary, we added an intro paragraph similar to other interview summaries submitted by the consultants to summarize the enforcement authority of the Voting Section and to distinguish it from the Election Crimes Branch. We also moved the consultants' note about the refusal to share certain internal working papers to the end of the summary because it seemed to distract from the main interview points if left as an introduction.

Making the distinction between the Election Crimes Branch and the Voting Section is important. The Voting Section brings cases involving "systemic" discrimination because federal voting statutes focus on discriminatory action by local governments. It is criminal statutes that involve malfeasance by individuals and that are enforced by the Election Crimes Branch through Us Attorneys' offices. The difference is key to understanding federal election law enforcement.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
e-mail: psims@eac.gov

Jeannie Layson/EAC/GOV

Jeannie Layson/EAC/GOV
04/18/2007 12:17 PM
To psims@eac.gov
cc Juliet E. Hodgkins/EAC/GOV@EAC, Thomas R. Wilkey/EAC/GOV@EAC
Subject Need your help ASAP
 Peg,

If possible, I need answers for these questions in reference to the vote fraud/voter intimidation project by 2 p.m. today for an inquiry for Congressional Quarterly:

1. Why did we only contact DOJ officials regarding the accuracy of their interviews?
2. Exactly what did we change and why?

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

FYI - I noticed that some newsclips are saying we spent $100,000 on the Voting Fraud-Voter Intimidation project. Each of the consultants had two contracts totaling almost $75,000 (not including funds set aside for related travel), so the total between them would have been closer to $150,000. If anyone needs to know the added travel costs, Wang spent about $4,500 and Serebrov $1,200 over the course of the 2 contracts.

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Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)  
Fax: 202-566-3127  
email: psims@eac.gov
about 4 PM EST? If this does not work for you, please suggest another date and/or time. I would like to discuss our preparations for the Working Group meeting.

Working Group Members

We have a very good person to fill the slot for the nonpartisan local election official: J.R. Perez, Elections Administrator for Guadalupe County, TX. Attached is his bio. Hope you have no objections to him. He is available on May 18. I have placed 2 calls to Pat Rogers office, but have not yet received a reply. Job, if you have any pull with him, you may want to contact him, too.

Travel Arrangements

You should make your own travel arrangements, including hotel. Travel time cannot be billed to the contract, except for hours actually worked on the contract (i.e.; reviewing materials in preparation for the meeting, and the like). Current Federal rates follow:

- Maximum Lodging = $180 per day - does not include hotel taxes (if you cannot get this rate, we have covered reasonable rates that are a little higher)
- Meals & Incidentals = $64 per day (except that it is $48 on the first and last day of travel)
- Mileage for Personally Owned Vehicle = $0.445 per mile

Under the new contract, I do not have to fill out a travel authorization for you. I can approve your trip via email. Afterwords, when you turn in your next pay voucher, you can attach the airline receipt (or mileage documentation), hotel receipt(s), and ground transportation receipts and a copy of any printed itineraries. Calculate the total travel expenses due.
Peggy:

Braden is ok also with me but please don't tell me not to "stir up" things. I assure you nothing will come back to bite me. I know these people well enough to say they will also want a balanced group. In fact, one of them was very unhappy with Tova's folks.

Job

--- psims@eac.gov wrote:

According to the Commissioners, you and Tova each got to pick three members of the Working Group. The Commission guidance regarding this particular member follows:

4 people from the Academic, Legal and Advocacy sectors - 2 to be chosen by Tova and 2 to be chosen by Job.

This issue of allowing a designee relates to Tova's pick.

As I understand it, we are working on a replacement for Norcross. If Ginsberg is not viable, how about Mark Braden, who includes public integrity in his areas of specialization. I would not try and stir up other members of the Working Group, if I were you.

The effort is likely to come back and bite you.
Subject
Re: new working group representative

I really don't care if he represents the organization or not. What mixed race? The entire discussion was because Arnwine was African-American. If you are going to invite him without first having a replacement for my side, I may have to call Thor and Todd and discuss all of this.

--- psims@eac.gov wrote:

Greenbaum is representing Arnwine, not replacing her. He works for her organization and is of mixed race. --- Peggy

--- "Job Serebrov" 05/11/2006 03:36 PM

To "Tova Wang", psims@eac.gov
cc Subject
Re: new working group representative

--- Tova Wang wrote:

is Jon Greenbaum
Here's his info in full:
He is the Director of the Voting Rights Project for the Lawyers Committee for Civil Rights. He will be representing Barbara Arnwine, the Executive Director of the Lawyers Committee.

His contact and mailing info is:

Suite 400
Washington, DC 20005

Tova Andrea Wang
Democracy Fellow
The Century Foundation

Visit our Web site, n for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.
Afternoon of May 18 -- 2:30 okay? How long will they need??

Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 16:59:09 2006
Subject: Re: Voting Fraud-Voter Intimidation

I am looking at the afternoon of 5/18 for the meeting, due to scheduling conflicts of Working Group members. There remain two members from whom we have not yet received confirmations of their schedule (with some, it is like pulling teeth), but right now 5/18 still looks like the best day. We may have to hold the meeting over here to make it easier for Commissioners to drop in.

--- Peg

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/03/2006 12:53 PM

To

cc

Subject

Re: Voting Fraud-Voter Intimidation

Okay -- you are on for May 18th! Can we do it over here at 10?

Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 12:40:19 2006
Subject: Re: Voting Fraud-Voter Intimidation
My problem is that agency staff is booked most of the week of 5/21. Monday through Wednesday are taken up with meetings of the Standards Board Executive Committee, the full Standards Board, and the Board of Advisors. Thursday, we have EAC's public meeting. Also, I will lose one of my two consultants in June, so I'm trying to wrap up this project (and get the final report from the consultants) by the end of May.

Say "Hi" to Cameron for me.

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
05/03/2006 11:56 AM
To
    psims@eac.gov
cc
Subject
    Re: Voting Fraud-Voter Intimidation

Hi Peg. I am sitting here with Cameron Quinn putting together this year's ballt conference for AUSAs. She send her best!

I am available on 5/18. But I am also going to the Board of Advisors Meeting the following week. I would rather do this then.

--------------------------
Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 11:39:50 2006
Subject: Voting Fraud-Voter Intimidation

Craig:

We are continuing our efforts to hone in on a date for the Working Group meeting. Are you available the afternoon of Thursday, May 18?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
Right now, we are planning to meet in EAC's large conference room between 1 PM and 5 PM. If you cannot be there for the whole afternoon, we will appreciate whatever time you can spare. I'll get back to you with more information (agenda, list of Working Group members, etc.). --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

--- Original Message ---
From: psims@eac.gov <psims@eac.gov>
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Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM -----
Margaret Sims/EAC/GOV
05/12/2006 01:41 PM
To: "Job Serebrov"
cc
Subject: Re: Fraud Definition

I will add "DRAFT" to the definition and, yes, the WG will have suggestions. I do plan to send packets to you and Tova containing the same materials being provided to the WG. I haven't sent anything yet because I was hoping to finalize the WG list for inclusion. (Still waiting for a response from Ginsberg.)

Regarding Tova's response, we may want to have a very short meeting after the WG disperses, followed by a teleconference the following Monday afternoon. Tuesday is bad for me because I'll be out of the office attending a series of EAC meetings that begin that day. --- Peggy

"Job Serebrov" 05/12/2006 12:52 PM
To: psims@eac.gov
cc
Subject: Re: Fraud Definition

This is ok, given the fact that the WG may have suggestions. Will you be sending us the same packets that you are sending the WG? Also, I figure with Tova's response we will need to have a teleconference on the report once I return to Little Rock. We will need to do it that following Monday or Tuesday.
--- psims@eac.gov wrote:

> Would you please take a look at the attached? I combined both of your
> definitions, reformatted the list, removed a reference to the fraud having
> to have an actual impact on the election results (because fraud can be
> prosecuted without proving that it actually changed the results of the
> election), and taken out a couple of vague examples (e.g.; reference to
> failing to enforce state laws --- because there may be legitimate reasons
> for not doing so).
> I have made contact with Ben Ginsberg's office and am waiting to hear if he accepts our invitation to join the working group.
> --- Peggy
>

Hi, Folks:

Teleconference
Are both of you available for a teleconference next Tuesday afternoon at about 4 PM EST? If this does not work for you, please suggest another date and/or time. I would like to discuss our preparations for the Working Group meeting.

Working Group Members
We have a very good person to fill the slot for the nonpartisan local election official: J.R. Perez, Elections Administrator for Guadalupe County, TX. Attached is his bio. Hope you have no objections to him. He is available on May 18. I have place 2 calls to Pat Rogers office, but have not yet received a reply. Job, if you have any pull with him, you may want to contact him, too.

Travel Arrangements
You should make your own travel arrangements, including hotel. Travel time cannot be billed to the contract, except for hours actually worked on the contract (i.e.; reviewing materials in preparation for the meeting, and the like). Current Federal rates follow:

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Under the new contract, I do not have to fill out a travel authorization for you. I can approve your trip via email. Afterwords, when you turn in your next pay voucher, you can attach the airline receipt (or mileage documentation), hotel receipt(s), and ground transportation receipts and a copy of any printed itineraries. Calculate the total travel expenses due you, including applicable per diem. I do not need meal receipts.

Job, under Federal travel regulations, deviations for personal reasons are not normally accommodated. What you can do, however, is to give me a comparison of the cost of roundtrip mileage, hotel, and per diem of doing it your way against the cost of a roundtrip flight, ground transportation, hotel, and per diem. If your way costs less, it should be no problem to cover the full cost. If your way is more expensive, we may only pay up to the amount of traditional travel. (The same rules apply to me when I travel.) If you can tell me where, other than DC, you will spend the night, I can check on applicable per diem rates.

Peggy

---

Perez bio 5_5_06.doc
----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM -----
Margaret Sims/EAC/GOV
05/12/2006 03:19 PM
To "Job Serebrov"
cc
Subject Re: Fraud Definition

I have placed another call to his office (after one previous call to his assistant and an email to him). I, too, am concerned about our dwindling chances. --- Peggy

"Job Serebrov" 05/12/2006 03:06 PM
To psims@eac.gov
cc
Subject Re: Fraud Definition

Given the short time period, you may want to give Ginsberg a deadline. The longer we wait, the poorer our chances are of getting Braden.

--- psims@eac.gov wrote:
>
> I am reluctant to invite Braden until after I have
> received a "No" from
> Ginsberg. --- Peg
>
>
Sounds good to me. If not Ginsburg try Braden.

--- psims@eac.gov wrote:

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> WG will have
> suggestions. I do plan to send packets to you and
> Tova containing the
> same materials being provided to the WG. I
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"Job Serebrov" <serebrov@sbcglobal.net>
05/12/2006 12:52 PM

To
psims@eac.gov,
cc

Subject
Re: Fraud Definition

---

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may
be legitimate reasons
for not doing so).

I have made contact with Ben Ginsberg's office
and
am waiting to hear if
he accepts our invitation to join the working
group.

--- Peggy

Thanks. We are still trying to get through to Bauer and Arnwine. They have not responded, so their availability is not yet reflected on our spreadsheet. --- Peggy
Hi Peg,

Attached, to add to the collection, is a summary overview of the interviews. Do you have that spreadsheet you were telling me about reflecting the times WG participants are available? If so, maybe we can talk soon? Thanks. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation

Visit our Web site for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.

Interview conclusions.doc

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM -----

The bio for JR Perez tells us very little about him and there is pretty much nothing about him on the web. Can you tell us more about him and how you decided on him? Thanks. Tova

----- Original Message -----
From: psims@eac.gov
To: dromig@eac.gov
Cc: dromig@eac.gov
Sent: Friday, May 05, 2006 2:32 PM
Subject: Working Group

Hi, Folks:
Teleconference
Are both of you available for a teleconference next Tuesday afternoon at about 4 PM EST? If this does not work for you, please suggest another date and/or time. I would like to discuss our preparations for the Working Group meeting.

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Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM ---
Margaret Sims/EAC/GOV
05/10/2006 10:27 AM	To Devon E. Romig/EAC/GOV
cc Subject Re: Court reporter

Thanks for checking this out for me, Devon. I've asked Tom if there are funds available for this service. Our consultants were very enthusiastic about the idea. --- Peg

Devon E. Romig/EAC/GOV
Subject Court reporter

Peggy,

I spoke to the people who usually handle the EAC court reporting. They charge $9.00 per page with an average of 40 pages per hour. This service would cost about $1800.00.

The turn around time for the transcript is 10 to 15 days. The transcripts comes in a bound paper copy and an electronic copy.

I can also check around for different prices.

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM ---

Margaret Sims/EAC/GOV
05/04/2006 02:39 PM

To Eileen L. Collver/EAC/GOV
cc dromig@eac.gov, ecortes@eac.gov

Subject Re: Voting Fraud-Voter Intimidation Working Group Meeting

Yes. Thanks. Depending on when Commissioner Davidson can spare you, we may need your help putting materials together for the Working Group (probably next week). We also will have to print name tags and place cards. If you are a good note-taker, we also will need people to take turns taking notes at the meeting. --- Peggy

Eileen L. Collver/EAC/GOV

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM ---

Margaret Sims/EAC/GOV
05/04/2006 02:26 PM

To Margaret Sims/EAC/GOV@EAC
cc

Subject Re: Voting Fraud-Voter Intimidation Working Group Meeting
Dear Commissioners:

This is to let you know that the Working Group for our Voting Fraud and Voter Intimidation preliminary research project is scheduled to meet in EAC’s large conference room the afternoon of Thursday, May 18. I will provide more information about this meeting to you later.

Peggy Sims
Election Research Specialist

Job:
Secretary Rokita is available May 18. I’m going to talk with the Chairman today about substituting Rogers for Norcross. Do you have contact information for Rogers? --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM -----
Margaret Sims/EAC/GOV
05/04/2006 10:33 AM
To Job Serebrov
cc
Subject Good News
It is just the Working Group for the Voting Fraud-Voter Intimidation Project. I am asking you to attend as Technical Advisor for the project. --- Peggy

Peg - - what is the name of the group?

Craig:

This meeting is being held to obtain input from our eight-member Working Group for the project. The group is composed of election lawyers, election officials, and a representative of an advocacy group, all of whom have an interest and some expertise in the identification and/or prosecution of voting fraud and voter intimidation. The group was chosen so that we would have an equal number of folks on each side of the political spectrum, plus some nonpartisan members.

After our consultants review the results of their preliminary research (interviews, literature review, case law), we will ask the Working Group to brainstorm possible next steps for EAC. Our consultants will write a report summarizing the proposals that come out of this meeting. The report will go to the Commissioners, who will decide what they want to do, funds available, and what priority to assigned to the effort(s).

Your participation in this part of the process is extremely important, so I am very happy that you can find time for us that afternoon. I'll get an agenda and other information to you next week. --- Peggy
Okay, Peg -- I will mark off the entire afternoon and try to be there. What is the agenda? I was not aware that this was anything beyond having your contractors spend another session with me. Also, if they will be needing stats and stuff like that I need to know as I will bring my state-people with me.

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 04, 2006 2:28 PM
To: Donsanto, Craig
Subject: Re: Voting Fraud-Voter Intimidation

Right now, we are planning to meet in EAC's large conference room between 1 PM and 5 PM. If you cannot be there for the whole afternoon, we will appreciate whatever time you can spare. I'll get back to you with more information (agenda, list of Working Group members, etc.). --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/03/2006 05:59 PM

Topsims@eac.gov

cc
Subject: Re: Voting Fraud-Voter Intimidation

Afternoon of May 18 -- 2:30 okay? How long will they need??

-----------------------------
-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 16:59:09 2006
Subject: Re: Voting Fraud-Voter Intimidation

I am looking at the afternoon of 5/18 for the meeting, due to scheduling conflicts of Working Group members. There remain two members from whom we have not yet received confirmations of their schedule (with some, it is like pulling teeth), but right now 5/18 still looks like the best day. We may have to hold the meeting over here to make it easier for Commissioners to drop in. --- Peg

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/03/2006 12:53 PM
To
cc
Subject

Okay -- you are on for May 18th! Can we do it over here at 10?

--------------------------
Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 12:40:19 2006
Subject: Re: Voting Fraud-Voter Intimidation

My problem is that agency staff is booked most of the week of 5/21. Monday through Wednesday are taken up with meetings of the Standards Board Executive Committee, the full Standards Board, and the Board of Advisors. Thursday, we have EAC's public meeting. Also, I will lose one of my two consultants in June, so I'm trying to wrap up this project (and get the final report from the consultants) by the end of May.

Say "Hi" to Cameron for me.
Hi Peg. I am sitting here with Cameron Quinn putting together this year's ballt conference for AUSAs. She send her best!

I am available on 5/18. But I am also going to the Board of Advisors Meeting the following week. I would rather do this then.

Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

--- Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 11:39:50 2006
Subject: Voting Fraud-Voter Intimidation

Craig:

We are continuing our efforts to hone in on a date for the Working Group meeting. Are you available the afternoon of Thursday, May 18?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM ---
Margaret Sims/EAC/GOV
05/12/2006 01:34 PM
To: "Tova Wang"
cc
Subject: RE: Fraud Definition

Lets raise this issue at the meeting. (I'll add "DRAFT" to the current document.) My concern is that there
are a number of requirements in the Voting Rights Act. Not all of them are considered election fraud, when violated. For example, failure to preclear changes in election procedures is not treated as election fraud, though it is actionable. --- Peggy

"Tova Wang" 05/12/2006 12:45 PM
To psims@eac.gov
cc
Subject RE: Fraud Definition

Upon first reading, my only comment would be that I would like to restore "failing to follow the requirements of the Voting Rights Act"

----- Original Message ----- 
From: psims@eac.gov [mailto:psims@eac.gov] 
Sent: Friday, May 12, 2006 9:20 AM 
To: 
Subject: Fraud Definition

Would you please take a look at the attached? I combined both of your definitions, reformatted the list, removed a reference to the fraud having to have an actual impact on the election results (because fraud can be prosecuted without proving that it actually changed the results of the election), and taken out a couple of vague examples (e.g.; reference to failing to enforce state laws --- because there may be legitimate reasons for not doing so).

I have made contact with Ben Ginsberg's office and am waiting to hear if he accepts our invitation to join the working group. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM -----
Margaret Sims/EAC/GOV 
04/24/2006 12:13 PM 
To "Tova Wang" 
cc
Subject Re: invoice

Tova:
The draft voucher looks fine except for two things (one of them is our fault):

(1) it appears that you worked 11 days, rather than 10, during the first two weeks; and
(2) you need to put the total dollar amount owed you ($9,102) somewhere on the form. (Last time you put it in the box with the total hours worked this period.)

Don't forget to sign and date the voucher. Thanks.

Peggy Sims

001935
Hi Peg,

Can you please check this before I fax it? Thanks! And can we talk sometime today?

Tova Andrea Wang
Democracy Fellow
The Century Foundation

Visit our Web site for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.

voucher 3-25-4-22.doc

Barry Weinberg has confirmed he can attend the afternoon of May 18. He lives in the DC area, so we won't have to worry about travel. I have contacted Pat Rogers' office and left a voice mail for his assistant. Hopefully, I will hear from them this afternoon. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM -----
Subject: Bob Bauer

We have heard from Bob Bauer regarding his availability, so we don't need to have you pursue the matter. Thanks for the offer, though. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM ---

To: psims@eac.gov

Subject: Travel

Peggy:

If I am calculating it right and I believe I am, it would cost around $450 plus my meal allowance in Virginia and Tenessee (coming and going).

All of this said, I am still a person down and there is the bed problem.

Job

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM ---
Thats great news. What happens with respect to hotels? Should I make my own arrangements? I expect Job and I will want to stay the nights of the 17th and 18th. Thanks Pegs. And congratulations.

----- Original Message ----- 
From: <psims@eac.gov>
To: 
Sent: Thursday, May 04, 2006 5:47 PM
Subject: Re: wg

> Tova:
> Rokita is available --- so the afternoon of May 18 it is. I will not disinvite anyone. I am trying to get Job's next choice (Pat Rogers) as a replacement for Norcross.
> Monday appears to be out for a teleconference because Job will be unavailable that afternoon and I am scheduled for something else that morning. I'll check my schedule tomorrow and send a message to you and Job regarding other possible days and times. --- Peggy

001938
Hi Peg,

Just wondering if you had any word from Rokita. Also, I wanted to let you know that I think disinviting members of the working group would be a very unwise and frankly embarrassing way of dealing with the problem of getting 100% attendance. I'm sure we'll talk before any decisions are made. As I said, I'm free on Monday. Thanks. Tova

Peggy,

I just received an update about Ms. Arnwine's schedule. She is not available on May 9th.

Thanks,

Devon

Barry:

Would you please provide an address to which we can Federal Express materials before the meeting? ---
Are you available any days in the third week of May?

Peggy

--------------------------
Sent from my BlackBerry Wireless Handheld

----- Original Message ----- 
From: "Donsanto, Craig" [Craig.Donsanto@usdoj.gov]
Sent: 04/03/2006 03:16 PM
To: Margaret Sims
Subject: RE: Voting Fraud-Voter Intimidation Project

Hello Peg!

God willing, I will be here the first two weeks of May.

As for your second question, it is not possible for me to assess the level of public attribution that would be appropriate without seeing the substantive stuff in context. I do not foresee a problem. So, I recommend that you get me a draft text and I will review it to ensure we are not disclosing things we shouldn't disclose.

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, April 03, 2006 3:13 PM
To: Donsanto, Craig
Subject: Re: Voting Fraud-Voter Intimidation Project

Craig:

I have 2 issues for you today.

First, I am trying to schedule a meeting of the project working group for EAC's Voting Fraud-Voter Intimidation research project. As a technical advisor on this project, your attendance is particularly important to me. Would you please look at your schedule and let me know if there are any days during the first 2 weeks of May that you would NOT be available?

Second, is it OK for our consultants to refer in their report to guidance provided in the DOJ training materials? I ask this because I understood that some materials in the materials are considered confidential and we do not want to violate your confidentiality provisions. If there is a compromis position, such as having you review that portion of the consultants' report, then let me know.
Unfortunately, I have to get the Working Group together before then, so that my consultants can prepare the final report before June. (In June, I lose one of them to State employment.) I understand about the crammed schedule. This month and next are chock full.

Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

How about we meld this with the EAC Board of Advisors meeting? I just got tagged to be parliamentarian --

We could attend to your folks while I arbitrate a food fight!!!!

Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed Apr 26 20:30:24 2006
Subject: Re: Voting Fraud-Voter Intimidation Project

Craig:
Are you available any days in the third week of May?
Hello Peg!

God willing, I will be here the first two weeks of May.

As for your second question, it is not possible for me to assess the level of public attribution that would be appropriate without seeing the substantive stuff in context. I do not foresee a problem. So, I recommend that you get me a draft text and I will review it to ensure we are not disclosing things we shouldn't disclose.

Craig:

I have 2 issues for you today.

First, I am trying to schedule a meeting of the project working group for EAC's Voting Fraud-Voter Intimidation research project. As a technical advisor on this project, your attendance is particularly important to me. Would you please look at your schedule and let me know if there are any days during the first 2 weeks of May that you would NOT be available?

Second, is it OK for our consultants to refer in their report to guidance provided in the DOJ training materials? I ask this because I understood that some materials in the materials are considered confidential and we do not want to violate your confidentiality provisions. If there is a compromis position, such as having you review that portion of the consultants' report, then let me know.
Donsanto lists four types of election fraud: schemes to purposely and corruptly register voters who either do not exist, or who are known by the putative defendant to be ineligible to vote under applicable state law; schemes to cast, record or fraudulently tabulate votes for voters who do not participate in the voting act at all; schemes to corrupt the voting act of voters who do participate in the voting act to a limited extent; and, schemes to knowingly prevent voters qualified voters from voting.

--- psims@eac.gov wrote:

> When I opened the attachment, I still had problems with the 4th paragraph.
> Would you please just send me that paragraph within the text of your email so that I can paste it into the document? ---
> Peggy
I resent the review as you see at the bottom. When I opened it and sent it there was no corrupted text.

--- psims@eac.gov wrote:

Do you have text to replace the corrupted text in paragraph 4? --- Peggy

"Job Serebrov"
05/11/2006 03:17 PM

To
psims@eac.gov
cc

Subject
Re: Literature Summary

--- psims@eac.gov wrote:

Tova just sent me the summary you prepared of The Federal Crime of Election Fraud by Craig Donsanto. There is something wrong in the fourth paragraph (odd characters and missing text). Can you please send a replacement fourth paragraph? You can send it in an email and I will place it in the document. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM ---

Donetta L. Davidson/EAC/GOV
05/04/2006 03:57 PM
To Margaret Sims/EAC/GOV@EAC
cc
Subject: Re: Voting Fraud-Voter Intimidation Working Group Meeting

Peggy sorry but I am out of town on the 18th of May. Good luck

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM ---

"Job Serebrov"

05/09/2006 03:09 PM

To psims@eac.gov

cc

Subject: Conference Call

Peggy:

I would like to get this travel issue sorted out between us before the call at 4pm. While the hotel problem is applicable to both Tova and me, the ground travel is not. In any case, I will want to read the federal regulation on this before we speak. Please either send me the regulation that states I must travel by the least expensive means and that all alternative travel cost can not exceed this or give me the site.

Thanks,

Job

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM -----

Margaret Sims/EAC/GOV

05/09/2006 03:34 PM

To "Job Serebrov"

cc twilkey@eac.gov, jthompson@eac.gov

Subject: Re: Conference Call

Job:

I'm afraid I don't have time to look up the Federal travel regulation. I can refer to GSA Form 87, which is the Federal travel authorization form that is based on the travel regulations. There are two questions on this form that would apply to your situation:

- Question 14 asks, "Is the employee making any deviations from the authorized itinerary for personal convenience, taking any annual leave or using a different mode of transportation for personal convenience?"
• Question 17A asks, "Will POV be used for any travel between itinerary points? (If "Yes", check one box below and complete item 17B.)" This is followed by one check box with a statement, "Use of POV is advantageous to the government" and another check box that states, "Use of POV is not advantageous to the government. Use of POV has been determined to be for personal convenience and reimbursement limited to constructive cost of common carrier."

Line 17 B is used to note mileage rate. These provisions apply to our Commissioners, our staff, and our consultants. I understand that everyone has to make allowances for emergencies, but your emergency has not yet arrived, and may well arrive after the May 18 meeting. Furthermore, personal emergencies are considered personal matters. The government does not reimburse us for additional travel costs resulting from our need to address personal matters.

Because you are not a Federal employee and we recognize that airlines do not and hotels may not offer you government rate, we can reimburse the higher hotel rate so long as your total travel costs under the current contract do not exceed the total amount budgeted for travel reimbursement for this contract ($3,500).

Regarding the Working Group meeting, I am pleased that you recognize that convening the Working Group is a deliverable. You also should recall that the only reason Commission staff is involved in helping to set up this meeting is that you and Tova told me that the two of you did not have the resources to do it and that it would be better to have one central coordinator (i.e.; EAC). We have repeatedly talked about holding the meeting in DC because so many of our working group members are here and because we can support the meeting at EAC offices and stay within the EAC budget.

The date for the original Working Group meeting was presented by you and Tova to me in your work plan. As you know, many of the dates in the plan had to slide because the two of you indicated that you needed more time to complete the preliminary research to be presented at the meeting. Beginning in April, our teleconferences honed in on possible weeks for the meeting. May 18 is the only day all but Norcross could attend. Norcross was available only 2 days out of the three weeks we were considering. We are attempting to fill his slot with the person you recommended, Pat Rogers.

We can discuss any remaining concerns you have regarding the participation of Perez and of Pat Rogers during this afternoon's teleconference. --- Peggy

"Job Serebrov"
alternative travel cost can not exceed this or give me the site.

Thanks,

Job

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM ---

"Job Serebrov"

To psims@eac.gov, dromig@eac.gov

cc dromig@eac.gov

Subject Re: Working Group Meeting

Peggy:

I expect that since Norcross can't make it either you will try to get Rogers or cut one of Tova's folks.

Job

--- psims@eac.gov wrote:

> Job and Tova:
> > As of now, the afternoon of Thursday, May 18 appears to be the best possible date for the meeting. Norcross is not available to attend in person that day (he is available only 2 days during the first three weeks of May). We won't have confirmation of the availability of Secretary Rokita until tomorrow --- but I am hopeful.
> > I'll give you an update tomorrow. Maybe we can schedule a teleconference on Monday afternoon. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM ---

"Donsanto, Craig"

To psims@eac.gov

cc

Subject Re: Voting Fraud-Voter Intimidation Project
Peg -- I'll have check. I am pretty well clogged next month. 
What do you need Peg?  
--------------------------  
Sent from Dr. D's Fabulous BlackBerry Wireless Handheld  

-----Original Message-----  
From: psims@eac.gov <psims@eac.gov>  
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>  
Sent: Wed Apr 26 20:30:24 2006  
Subject: Re: Voting Fraud-Voter Intimidation Project  

Craig:  
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Peggy  
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Sent from my BlackBerry Wireless Handheld  

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Subject: RE: Voting Fraud-Voter Intimidation Project  

Hello Peg!  

God willing, I will be here the first two weeks of May.  

As for your second question, it is not possible for me to assess the level of public attribution that would be appropriate without seeing the substantive stuff in context. I do not foresee a problem. So, I recommend that you get me a draft text and I will review it to ensure we are not disclosing things we shouldn’t disclose.  

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Sent: Monday, April 03, 2006 3:13 PM  
To: Donsanto, Craig  
Subject: Re: Voting Fraud-Voter Intimidation Project
Craig:

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First, I am trying to schedule a meeting of the project working group for EAC's Voting Fraud-Voter Intimidation research project. As a technical advisor on this project, your attendance is particularly important to me. Would you please look at your schedule and let me know if there are any days during the first 2 weeks of May that you would NOT be available?

Second, is it OK for our consultants to refer in their report to guidance provided in the DOJ training materials? I ask this because I understood that some materials in the materials are considered confidential and we do not want to violate your confidentiality provisions. If there is a compromis position, such as having you review that portion of the consultants' report, then let me know.

Thanks!

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

---- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM ----
Margaret Sims/EAC/GOV
05/09/2006 11:25 AM	To Gavin Gilmour
cc jthompson@eac.gov
Subject Fw: Working Group-Travel Costs

Can you help me respond to this ... and soon? --- Peggy

---- Forwarded by Margaret Sims/EAC/GOV on 05/09/2006 11:25 AM ----
"Job Serebrov"
05/08/2006 09:58 PM	To psims@eac.gov
cc
Subject Re: Working Group-Travel Costs

Peggy:

Please tell the folks there that I am not worried about a perceived breach of contract. This is a completely ridiculous statement considering the contractual requirement that the consultants convene
the Working Group and not the Commission and it never specifies where or when this is to take place. All this to say that while the contract does specify a Working Group meeting it does not specify that it must take place on any particular date or in a particular city. With that said, I have never heard of any federal travel requirements that would result in a loss of money because I decided to drive and not fly. In fact, that is why there is a an amount paid per mile. So I would like to see the federal regulation that forces me to take the least expensive transport and restricts all other ground transport costs to that figure.

As to hotels, based on Tova's research there are no rooms for under the $350 range per night. If you can find hotels that are less expensive but still carry the kind of bed I need for my back (either pillow top or a number bed) please do.

The issue of my uncle---today I have not had an update on his condition. But, as I previously stated, if he were to die or have an event while I was in DC, I would have to go to NYC meeting or no meeting.

Finally, neither Tova nor I have been satisfied about Mr. Perez and I have not been told whether Pat Rogers will be coming or one of Tova's people will not be.

In the end, I need to see the travel regulation that I requested above, I would like you to look into hotels for Tova and me that have the kind of bed I need and I would like to know about Perez and Rogers. In the mean time, I should have an update on my uncle by morning. I would also be happy to talk to Julie about the issues involved. I will take you up on your offer to process my travel expenses faster and I do not and never did expect you to get me a travel advance. I worked in international development and know what a headache those are to apply for on the state level.

Job

--- psims@eac.gov wrote:

> Job:
> > Folks here are concerned that your failure to show up in person to help conduct the meeting would be a breach of contract. > I also am concerned about the impression that your absence will leave with the Commissioners > and with the VIPs coming to this meeting. > If you are concerned about delays in reimbursement caused by including the travel expenses in the personal services voucher, I can always process your request (with receipts) separately and earlier.
> I can have staff
> here check to see if we can find hotel rooms at a
> more reasonable rate for
> you and Tova. (We recognize that you may not be
> able to obtain Federal
> government rate.) What I cannot do is offer a
> travel advance, which is
> not permitted for nonfederal employees, or offer to
> pay the difference
> between normal travel expenses and those incurred
> for personal
> convenience, when the latter is the higher amount.
> 
> I urge you to make your travel arrangements ASAP.
> 
> Peggy Sims
> Election Research Specialist
> U.S. Election Assistance Commission
> 1225 New York Ave, NW - Ste 1100
> Washington, DC 20005
> Phone: 866-747-1471 (toll free) or 202-566-3120
> (direct)
> Fax: 202-566-3127
> email: psims@eac.gov
> 
> "Job Serebrow" <
> 05/08/2006 01:41 PM
> 
> To
> psims@eac.gov
> cc
> 
> Subject
> Re: Working Group
> 
> Given the information I have Peggy, that is not
> going
> to be financially possible. First, given Tova's info
> about the hotels, it is too much for me to front.
> Two
to three days in DC would run around $1000 for the
> hotel alone. That does not count the two days on the
> road to get there and two days back. Second, if I
can't charge the federal per mile allowance for the
> entire trip to DC and back and can only get the
> equivalent of plane fare, I will actually loose
> money.
> 
> I simply do not see how we can do this in person
> given
> the financial restrictions.
--- psims@eac.gov wrote:

Job:

I don't think we can put you on teleconference for 41/2 hours. We really need to have you here in person if you are to help conduct the Working Group meeting. You should make your travel arrangements ASAP. --- Peggy

"Job Serebrow"
05/08/2006 10:14 AM

To
psims@eac.gov,
cc

Subject
Re: Working Group

Peggy:

4:00 eastern on Tuesday is fine however, given the financial restrictions that you indicated would be in place for use of my car (I would actually loose money coming to DC) and given the cost of hotels at this time (I can't afford to front these costs and wait for months to be repaid), etc, it would take a miracle for this working group meeting to take place in person. It is looking like the only way it will get done is by teleconference. I also share Tova's concern about the unknown nature of Mr. Perez.

Job

--- psims@eac.gov wrote:

Hi, Folks:
> Teleconference
> Are both of you available for a teleconference next
> Tuesday afternoon at
> about 4 PM EST? If this does not work for you,
> please suggest another
date and/or time. I would like to discuss our
preparations for the
Working Group meeting.
> Working Group Members
> We have a very good person to fill the slot for
the
nonpartisan local
election official: J.R. Perez, Elections Administrator for Guadalupe County, TX. Attached is his bio. Hope you have no objections to him. He is available on May 18. I have placed 2 calls to Pat Rogers office, but have not yet received a reply. Job, if you have any pull with him, you may want to contact him, too.
> Travel Arrangements
> You should make your own travel arrangements,
including hotel. Travel time cannot be billed to the contract, except for hours actually worked on preparing for the meeting, and the like. Current Federal rates follow:
> Maximum Lodging = $180 per day - does not include hotel taxes (if you cannot get this rate, we have covered reasonable rates that are a little higher)
> Meals & Incidents = $64 per day (except that it is $48 on the first and last day of travel)
> Mileage for Personally Owned Vehicle = $ .445 per mile
> Under the new contract, I do not have to fill out a travel authorization for you. I can approve your trip via email. Afterwords, when you turn in your next pay voucher, you can attach the airline receipt (or mileage documentation), hotel receipt(s), and ground.
transportation receipts and a copy of any printed itineraries. Calculate the total travel expenses due.

--- message truncated ---

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM ---

"Tova Wang"

04/26/2006 05:46 PM

To psims@eac.gov

cc

Subject wg

Do you want me to call both Bob too?

Tova Andrea Wang
Democracy Fellow
The Century Foundation

Visit our Web site for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM --

"Tova Wang"

05/11/2006 02:10 PM

To psims@eac.gov

cc

Subject RE: Literature Summary

We accidentally left it out when we emailed all the summaries

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

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 11, 2006 1:09 PM
To: Peggy and Bob
Cc: Tova
Subject: Literature Summary

Tova just sent me the summary you prepared of The Federal Crime of Election Fraud by Craig Donsanto. There is something wrong in the fourth paragraph (odd characters and missing text). Can you please send a replacement fourth paragraph? You can send it in an email and I will place it in the document. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM ----

"Tova Wang"
He is representing Barbara Arnwine, and we have already established we are not disinviting anyone. We still don't know about Ginsburg yet anyway, right?

-----Original Message-----
From: Job Serebrov [mailto:serebrov@sbcglobal.net]
Sent: Thursday, May 11, 2006 2:36 PM
To: Tova Wan;
Cc: psims@eac.gov
Subject: Re: new working group representative

I have an objection to Greenbaum. While I realize he comes from an advocacy group, he is not a minority attorney and we already have a rep who worked with DOJ. If it is to be Greenbaum, I would rather not fill that position since I am one down.

--- Tova Wang <wrote:

> is Jon Greenbaum
>
> Here's his info in full:
>
> 1
>
> He is the Director of the Voting Rights Project for
> the Lawyers Committee
> for Civil Rights. He will be representing Barbara
> Arnwine, the Executive
> Director of the Lawyers Committee.
>
> His contact and mailing info is:
>
> 1
>
> Washington, DC 20005
>
>
> Tova Andrea Wang
> Democracy Fellow
> The Century Foundation
>
> Visit our Web site, for the latest news,
> analysis, opinions, and events.
I resent the review as you see at the bottom. When I opened it and sent it there was no corrupted text.

--- psims@eac.gov wrote:

> Do you have text to replace the corrupted text in paragraph 4?  --- Peggy

--- psims@eac.gov wrote:

> Tova just sent me the summary you prepared of The Federal Crime of Election Fraud by Craig Donsanto. There is...
something wrong in the fourth paragraph (odd characters and missing text). Can you please send a replacement fourth paragraph? You can send it in an email and I will place it in the document. --- Peggy

Thanks, J.R. Great to have you on board! We will get back to you shortly regarding travel arrangements. The meeting materials will be sent by Federal Express next week.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
e-mail: psims@eac.gov

Hi Peggy, it was nice talking with you today and I would be glad to try and add to the discussion. I am attaching a brief bio and will await your instructions for the travel arrangements. I look forward to receiving the current information on panel issues.

J.R. Perez
Elections Administrator
Guadalupe County

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM ---
Barry:

Would you please provide an address to which we can Federal Express materials before the meeting? --- Peg

Barry:

It appears that the afternoon of Thursday, May 18 is best for a meeting of the working group. I know you
said you would not be available in the morning that day. If we started at 1 PM, would that be too soon for you?

Peggy Sims  
Election Research Specialist  
U.S. Election Assistance Commission  
1225 New York Ave, NW - Ste 1100  
Washington, DC 20005  
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)  
Fax: 202-566-3127  
email: psims@eac.gov  

List a vacancy---to be filled. If we don't hear from Ginsberg by late afternoon please call Braden.

Job  
--- psims@eac.gov wrote:  

> Job:  
> What do you suggest I do with the list of Working Group members. I need  
> to get the Fed Ex packages out by the end of the day, and have not heard  
> back from Ginsberg. Do you want me to list a vacancy, or list Norcross  
> with a note that he cannot attend? If we find a substitute, we can always  
> provide an updated list next Thursday. --- Peggy  

Peggy,  
A possible hotel suggestion for Job might be the Sheraton College Park in Beltsville, MD. They have room availability for the nights of the 17th and the 18th for $159.00 a night.
They have what is called the Sheraton Sweet Sleeper Bed. More information at:


This hotel is a little out of the way but the members of the Asian Language Working Group and others have stayed there. The hotel does offer a shuttle to and from Reagan airport and the metro.

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov

Devon:
Here is the information you need for the Fed Ex forms for Job and Tova.

Tova Wang
New York, NY 10023
(Note that the package may be left with the doorman.)

Job Serebrov
Spring office
Little Rock, AR 72206

OK. I'll be out of the office for the next three days, and mostly unavailable on Thursday and Friday as you know already. Tomorrow you can try me on my cell phone 917-656-7905. I'll try to check email when I can. Thanks Peg. Tova
Subject: RE: Voting Fraud/Voter Intimidation Project Working Group

I hope to have a better idea tomorrow, if Rokita's office responds. If not, we'd better have a teleconference to discuss our options. --- Peggy

"Tova Wang"  
05/02/2006 05:06 PM  
To dromig@eac.gov  
cc psims@eac.gov  
Subject RE: Voting Fraud/Voter Intimidation Project Working Group

Can you please give me an idea where we are at with all this? I'd like to be able to figure out my schedule. Thanks -- and thanks for all your assistance on this. Tova

-----Original Message-----
From: dromig@eac.gov [mailto:dromig@eac.gov]
Sent: Tuesday, May 02, 2006 3:54 PM
To: wang@tcf.org
Subject: RE: Voting Fraud/Voter Intimidation Project Working Group

Yes, I have spoken to her assistant several times but today has been the first time that I have ever spoken to her assistant. We did get the information that we needed. Thanks for your help!

Devon Romig
U.S. Election Assistance Commission
1225 New York Ave. NW - Suite #1100
Washington, D.C. 20005
(202)566-2377

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM -----

"Tova Wang"  
04/26/2006 04:39 PM  
To psims@eac.gov  
cc  
Subject RE: interview analysis

I think I can help you at least with respect to Barbara. I'll be speaking to her today!

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Thanks. We are still trying to get through to Bauer and Arnwine. They have not responded, so their availability is not yet reflected on our spreadsheet. --- Peggy

Hi Peg,

Attached, to add to the collection, is a summary overview of the interviews. Do you have that spreadsheet you were telling me about reflecting the times WG participants are available? If so, maybe we can talk soon? Thanks. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation

Visit our Web site for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.

Hi Peg,
Here is the last summary of existing research. Please let us know how to proceed from here. Thanks.

Tova Andrea Wang
Democracy Fellow
The Century Foundation

Visit our Web site, for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.

Response to the CB Report FINAL.doc
----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM -----
Margaret Sims/EAC/GOV
05/04/2006 05:47 PM
To
cc
Subject Re: wg

Tova:

Rokita is available --- so the afternoon of May 18 it is. I will not disinvite anyone. I am trying to get Job's next choice (Pat Rogers) as a replacement for Norcross.

Monday appears to be out for a teleconference because Job will be unavailable that afternoon and I am scheduled for something else that morning. I'll check my schedule tomorrow and send a message to you and Job regarding other possible days and times. --- Peggy

Hi Peg,

Just wondering if you had any word from Rokita. Also, I wanted to let you know that I think disinviting members of the working group would be a very unwise and frankly embarrassing way of dealing with the problem of getting 100% attendance. I'm sure we'll talk before any decisions are made. As I said, I'm free on Monday. Thanks. Tova

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM -----
I would give him until Monday morning but I would also call Braden today and tell him there may be an opening for him on the WG and find out whether he is free.

--- psims@eac.gov wrote:

> I have placed another call to his office (after one previous call to his assistant and an email to him). I, too, am concerned about our dwindling chances. --- Peggy

--- psims@eac.gov wrote:

> Given the short time period, you may want to give Ginsberg a deadline. The longer we wait, the poorer our chances are of getting Braden.

> --- psims@eac.gov wrote:

> I am reluctant to invite Braden until after I have received a "No" from Ginsberg. --- Peg

--- "Job Serebrov" wrote:

> 05/12/2006 05:45 PM

> To
> psims@eac.gov
> cc

> Subject
> Re: Fraud Definition

--- "Job Serebrov" wrote:

> 05/12/2006 02:33 PM

> To
> psims@eac.gov
> cc

> Subject
> Re: Fraud Definition
Sounds good to me. If not Ginsburg try Braden.

--- psims@eac.gov wrote:

I will add "DRAFT" to the definition and, yes, the WG will have suggestions. I do plan to send packets to you and same materials being provided to the WG. I haven't sent anything yet because I was hoping to finalize the WG list for inclusion. (Still waiting for a response from Ginsberg.)

Regarding Tova's response, we may want to have a very short meeting after the WG disperses, followed by a teleconference the following Monday afternoon. Tuesday is bad for me because I'll be out of the office attending a series of EAC meetings that begin that day. --- Peggy

"Job Serebrov" 05/12/2006 12:52 PM

To psims@eac.gov, cc Subject Re: Fraud Definition

This is ok, given the fact that the WG may have suggestions. Will you be sending us the same packets that you are sending the WG? Also, I figure with Tova's response we will need to have a teleconference on the report once I return to Little Rock. We
--- psims@eac.gov wrote:

Would you please take a look at the attached?
I
combined both of your
definitions, reformatted the list, removed a
reference to the fraud having
to have an actual impact on the election
results
(because fraud can be
prosecuted without proving that it actually
changed
the results of the
election), and taken out a couple of vague
eamples
(e.g.; reference to
failing to enforce state laws --- because
there
may
be legitimate reasons
for not doing so).
I have made contact with Ben Ginsberg's office
and
am waiting to hear if
he accepts our invitation to join the working
group.
--- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM -----
"Job Sarshroy"
05/08/2006 09:30 AM
To psims@eac.gov
cc
Subject Case Summaries
Peggy:

Please add this to the packet.

---

The bed is not what I need and Beltsville is a bit far out.

--- psims@eac.gov wrote:

> Why is the hotel suggestion not workable? (I need
to know as we continue
our search.) -- Peg

> Peggy:

> Pat just e-mailed me. He has something he can't move
on the 18th. So I am now down one person and still
no
good hotel situation. Devon's suggestion is not
workable.
According to the Commissioners, you and Tova each got to pick three members of the Working Group. The Commission guidance regarding this particular member follows:

4 people from the Academic, Legal and Advocacy sectors - 2 to be chosen by Tova and 2 to be chosen by Job.

This issue of allowing a designee relates to Tova's pick.

As I understand it, we are working on a replacement for Norcross. If Ginsberg is not viable, how about Mark Braden, who includes public integrity in his areas of specialization. I would not try and stir up other members of the Working Group, if I were you. The effort is likely to come back and bite you.

---

I really don't care if he represents the organization or not. What mixed race? The entire discussion was because Arnwine was African-American. If you are going to invite him without first having a replacement for my side, I may have to call Thor and Todd and discuss all of this.

--- psims@eac.gov wrote:

> Greenbaum is representing Arnwine, not replacing her. He works for her organization and is of mixed race. --- Peggy

---
I have an objection to Greenbaum. While I realize he comes from an advocacy group, he is not a minority attorney and we already have a rep who worked with DOJ. If it is to be Greenbaum, I would rather not fill that position since I am one down.

--- Tova Wang wrote:

is Jon Greenbaum

Here's his info in full:

He is the Director of the Voting Rights Project for the Lawyers Committee for Civil Rights. He will be representing Barbara Arnwine, the Executive Director of the Lawyers Committee.

His contact and mailing info is:

Suite 400
Washington, DC 20005

Tova Andrea Wang
Democracy Fellow
The Century Foundation

Visit our Web site, for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.
Yes, please let Joyce know and she will get someone

Tom

Thomas R. Wilkey
Executive Director
US Election Assistance Commission
1225 New York Ave, NW - Suite 1100
Washington, DC 20005
(202) 566-3109 phone
TWilkey@eac.gov
Margaret Sims/EAC/GOV

Margaret Sims/EAC/OV
05/10/2006 10:26 AM
To twilkey@eac.gov
cc DScott@eac.gov, Karen Lynn-Dyson/EAC/OV@EAC
Subject Fw: Court Reporter for Working Group Meeting

Tom:
I understand that EAC hired a court reporter for the Asian Language Working Group meeting. I would like to do the same for the May 18 Voting Fraud-Voter Intimidation Working Group meeting, but I did not include funds in my budget for this service. Do we have funds that could be used for this purpose? (See Devon's cost estimate below.) --- Peggy

--- Forwarded by Margaret Sims/EAC/OV on 05/10/2006 10:18 AM ---
Devon E. Romig/EAC/OV

05/10/2006 09:54 AM
To Margaret Sims/EAC/OV@EAC
cc
Subject Court reporter
Peggy,

I spoke to the people who usually handle the EAC court reporting. They charge $9.00 per page with an average of 40 pages per hour. This service would cost about $1800.00.

The turn around time for the transcript is 10 to 15 days. The transcripts comes in a bound paper copy and an electronic copy.

I can also check around for different prices.

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov

---- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM ----

"Job Serebrov"
To psims@eac.gov
cc
Subject Fwd: RE: Working Group meeting

FYI

--- "Patrick J. Rogers" wrote:

> Subject: RE: Working Group meeting
> Date: Tue, 9 May 2006 07:42:44 -0600
> From: "Patrick J. Rogers" <>
> To: "Job Serebrov" <>
> > Job---maybe. I will call you and/or Ms. Sims
> > tomorrow. Depositions all
day today. Thanks, Pat
> > What's the best number to call you tomorrow?
> >
> > Patrick J. Rogers
> >
-----Original Message-----
From: Job Serebrov [mailto:]
Sent: Monday, May 08, 2006 9:1 PM
To: Patrick J. Rogers
Subject: Working Group meeting

Pat:

The working group meeting for the voter fraud project is scheduled for May 18th in DC but David Norcross can't attend. Could you come? If so, we need to arrange travel and a hotel for you.

Regards,

Job

-------- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM -------
Margaret Sims/EAC/GOV
05/09/2006 11:40 AM	 To Serebrov
cc

001971
Subject Fw: Working Group-Perez

This is the original email with the attachment. If you still don't see the attachment on your end, I can excerpt the content and send it in email text. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 05/09/2006 11:39 AM -----
Margaret Sims/EAC/GOV
05/09/2006 11:13 AM To "Job Serebrov" cc
Subject Re: Working Group-Perez

As you may recall, the Commissioners directed me to find a nonpartisan local election official to serve on the Working Group. The three of us discussed the desirability of having a Hispanic. I proposed that I find someone from Texas because of that State's colorful history of voting fraud and their innovative approaches to combat it. In those Texas counties that hire Election Administrators to run elections, rather than having elected officials do so (Tax Assessor for voter registration; County Clerk for balloting), the Election Administrator is hired by the County Election Commission and is supposed to perform his or her duties in a nonpartisan manner. (See attached excerpts from Texas Election Code regarding election administrator hiring and restrictions on partisan activity.)

Any experienced Texas election official will be familiar with voting fraud and voter intimidation schemes used in that State. Mr. Perez has over 13 years experience as a county Election Administrator in Texas. You won't find many news articles mentioning him because he has kept his nose clean. (The Texas press, as in many other parts of the country, prefers to report bad news.) Mr. Perez is plugged into the association of Texas election officials and the two largest organizations of election officials in this country: the International Association of Clerks, Recorders, Election Officials and Treasurers (IACREOT); and The Election Center. He is a past President and past Chairman of the Legislative Committee for the Texas Association of Election Administrators. He currently serves on IACREOT's Election Officials Committee, which plans the educational sessions for election officials that are conducted at that organization's conferences. His peers in IACREOT and The Election Center have selected his submissions on web presentations (IACREOT) and his professional practices papers (Election Center) for awards. Mr. Perez also has access to information from other States through his membership in IACREOT and The Election Center. He also has a sense of humor, which you will note if you access the staff web page on the Guadalupe County Elections web site and hear the Mission Impossible theme .. something that might be useful in the upcoming meeting.

Guadalupe County is small but growing. In 2004, the county had over 65 thousand registered voters (a number more than doubled the number of registered voters in 1988). A third of the county's population claims Hispanic or Latino origin, according to the U.S. Census Bureau. The county is in south central Texas and is bordered by Comal, Hays, Cladwell, Gonzales, Wilson, and Bexar counties. In the 1980s, the county was predominately a farming community; but in recent years, many people have moved from San Antonio (Bexar County) to Guadalupe County, preferring to live in Guadalupe County and work in Bexar County.

--- Peggy

---

001972
Peggy:

What political party is Perez with? How political is he? Is the position in Texas neutral or political? Who appointed Perez?

As to Pat I will contact him but I can't promise anything. If Pat can't come, who is getting knocked off Tova's list?

Job

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM ----
Margaret Sims/EAC/GOV
05/09/2006 11:38 AM
To Tova Andrea Wang
cc
Subject Fw: Case Summaries

Had you seen this? --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 05/09/2006 11:38 AM ----
"Job Serebrov"
05/08/2006 09:30 AM
To psims@eac.gov
cc
Subject Case Summaries

Case Summaries.doc Peggy:

Please add this to the packet.

Job

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM ----
"Job Serebrov"
The teleconference is on. However, I am still one person down for the meeting and I am not comfortable. This will have to be discussed since from the start it was agreed that the WG would be equal and if I lost a person Tova would have to loose one. Further and most importantly, I don't yet have a hotel so my attendance is still up in the air. Finally, the agenda is not what we discussed and gives far too much time for areas that can be covered in a short time. Not listed are all of the questions that Tova's proposed agenda had. All in all, it needs to be redone.

--- psims@eac.gov wrote:

> I assume that we are still on for today's
> teleconference at 11 AM EST. I
> will call you. I have attached a draft agenda for
> your review and
> comment. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM ----
Diana Scott/EAC/GOV
05/08/2006 01:52 PM

To Margaret Sims/EAC/GOV@EAC
cc dromig@eac.gov, Karen Lynn-Dyson/EAC/GOV@EAC,
Edgardo Cortes/EAC/GOV@EAC
Subject Re: Working Group Travel

I have given Adventure Travel the necessary credit card authorization on this. Devon please follow-up with the reservations etc.

Diana M. Scott
Administrative Officer
U.S. Election Assistance Commission
(202) 566-3100 (office)
(202) 566-3127 (fax)
dscott@eac.gov

Margaret Sims/EAC/GOV
Diana:

The following members of the Working Group for our Voting Fraud/Voter Intimidation research project will need to make travel arrangements in order to attend an afternoon meeting of the group on May 18 in Washington, DC:

Mark "Thor" Hearne - St Louis, MO
J.R. Perez - Seguin, TX
The Honorable Todd Rokita - Indianapolis, IN
Kathy Rogers - Atlanta, GA

I may have one additional member from Albuquerque, NM confirmed early next week.

May these people use Adventure Travel to make these arrangements in the same manner as the Asian Language Working Group? I understand the members of that group made hotel and flight arrangements through Adventure Travel and that these costs were billed directly to EAC. We did plan for EAC to pay for the travel of the Voting Fraud/Voter Intimidation Working Group (budgeted under Research). Devon will prepare their travel authorizations.

Peggy Sims
Election Research Specialist

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM -----

"Tova Wang"

05/08/2006 10:18 AM

To: psims@eac.gov
cc: psims@eac.gov
Subject: RE: Working Group

I am more than happy to attend in person

-----Original Message-----
From: Job Serebrov [mailto:]
Sent: Monday, May 08, 2006 9:15 AM
To: psims@eac.gov;
Subject: Re: Working Group
Peggy:

4:00 eastern on Tuesday is fine however, given the financial restrictions that you indicated would be in place for use of my car (I would actually loose money coming to DC) and given the cost of hotels at this time (I can't afford to front these costs and wait for months to be repaid), etc, it would take a miracle for this working group meeting to take place in person. It is looking like the only way it will get done is by teleconference. I also share Tova's concern about the unknown nature of Mr. Perez.

Job

--- psims@eac.gov wrote:

> Hi, Folks:
> 
> Teleconference
> Are both of you available for a teleconference next Tuesday afternoon at about 4 PM EST? If this does not work for you, please suggest another date and/or time. I would like to discuss our preparations for the Working Group meeting.
> 
> Working Group Members
> We have a very good person to fill the slot for the nonpartisan local election official: J.R. Perez, Elections Administrator for Guadalupe County, TX. Attached is his bio. Hope you have no objections to him. He is available on May 18. I have placed 2 calls to Pat Rogers office, but have not yet received a reply. Job, if you have any pull with him, you may want to contact him, too.
> 
> Travel Arrangements
> You should make your own travel arrangements, including hotel. Travel time cannot be billed to the contract, except for hours actually worked on the contract (i.e.; reviewing materials in preparation for the meeting, and the like). Current Federal rates follow:
> 
> Maximum Lodging = $180 per day- does not include hotel taxes (if you cannot get this rate, we have covered reasonable rates that are a little higher)
> Meals & Incidentals = $64 per day (except that it is $48 on the first and last day of travel)
> Mileage for Personally Owned Vehicle = $ .445 per mile
> 
> Under the new contract, I do not have to fill out a
travel authorization
for you. I can approve your trip via email.
Afterwords, when you turn in
your next pay voucher, you can attach the airline
receipt (or mileage
documentation), hotel receipt(s), and ground
transportation receipts and a
copy of any printed itineraries. Calculate the
total travel expenses due
you, including applicable per diem. I do not need
meal receipts.

Job, under Federal travel regulations, deviations
for personal reasons are
not normally accommodated. What you can do,
however, is to give me a
comparison of the cost of roundtrip mileage, hotel,
and per diem of doing
it your way against the cost of a roundtrip flight,
ground transportation,
hotel, and per diem. If your way costs less, it
should be no problem to
cover the full cost. If your way is more expensive,
we may only pay up to
the amount of traditional travel. (The same rules
apply to me when I
travel.) If you can tell me where, other than DC,
you will spend the
night, I can check on applicable per diem rates.

Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM ----
"Job Serebrov"
05/10/2006 03:03 PM To psims@eac.gov
subject Option

Peggy:

I may have the only option left but it is a risk time
wise. I could stay at the Baymont in Salem by Roanoke
and then leave early that morning and drive into DC or
to a park and ride (Metro). I would make it before
12:00 barring any unforeseen road issues. However, I
would have to leave to go home right after the
meeting. That would cancel the next day's meeting.

Job
I need to run to West Little Rock so you can get me on my cell if you want to talk.

501-626-0440

Job:

What do you suggest I do with the list of Working Group members. I need to get the FedEx packages out by the end of the day, and have not heard back from Ginsberg. Do you want me to list a vacancy, or list Norcross with a note that he cannot attend? If we find a substitute, we can always provide an updated list next Thursday. --- Peggy

news article review

Would these go under literature review or news article review? --- Peggy

"Tova Wang"

05/10/2006 11:45 AM

To psims@eac.gov
cc
Subject Material I may not have included
Peg,

Correct me if I'm wrong, but I think I omitted sending you these specific summaries that are based on complex cases that could not be adequately described within the confines of the Nexis article excel spreadsheets. If we can, these should be included, probably on the disc. Sorry.

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM ---
Margaret Sims/EAC/GOV
05/11/2006 11:45 AM
To Job Serebrov
cc
Subject Court Case Charts

Job
In preparing the CDs, we have run across the following files that appear to be duplicates. Which ones should go on the CD? --- Peggy

Chart Election Accessible.doc Chart Vote Inaccessible.doc
Chart Denial Voter Registrat.doc Chart Denial Voter Registrat2.doc
Chart Provisional Ballot Den.doc Chart Provisional Ballot Den2.doc

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM ---
"Job Serebrov"
05/09/2006 12:03 PM
To psims@eac.gov
cc
Subject Re: Working Group-Perez

Here is the issue---four of the five people who
selected Perez are Republicans. If the shoe were on the other foot I would be uncomfortable. This one is up to Tova to call but I am not sure that he can be neutral.

--- psims@eac.gov wrote:

> OK, I get it. The text in the attachment follows:
> 
> EXCERPTS FROM TEXAS ELECTION CODE
> 
> SUBCHAPTER B. COUNTY ELECTIONS ADMINISTRATOR
> 
> ***
> 
> § 31.032. APPOINTMENT OF ADMINISTRATOR; COUNTY ELECTION COMMISSION.
> (a) The position of county elections administrator is filled by appointment of the county election commission, which consists of:
> (1) the county judge, as chair;
> (2) the county clerk, as vice chair;
> (3) the county tax assessor-collector, as secretary; and
> (4) the county chair of each political party that made nominations by primary election for the last general election for state and county officers preceding the date of the meeting at which the appointment is made.
> (b) The affirmative vote of a majority of the commission's membership is necessary for the appointment of an administrator.
> (c) Each appointment must be evidenced by a written resolution or order signed by the number of commission members necessary to make the appointment. Not later than the third day after the date an administrator is appointed, the officer who presided at the meeting shall file a signed copy of the resolution or order with the county clerk. Not later than the third day after the date the copy is filed, the county clerk shall deliver a certified copy of the resolution or order to the secretary of state.
> (d) The initial appointment may be made at any time after the adoption of the order creating the position.
> ***
> 
> § 31.035. RESTRICTIONS ON POLITICAL ACTIVITIES.
> (a) A county elections administrator may not be a candidate for a public office or an office of a political party,
hold a public office, or
hold an office of or position in a political party.
At the time an
administrator becomes a candidate or accepts an
office or position in
violation of this subsection, the administrator
vacates the position of
administrator.
(b) A county elections administrator
commits an offense if the
administrator makes a political contribution or
political expenditure, as
defined by the law regulating political funds and
campaigns, or publicly
supports or opposes a candidate for public office or
a measure to be voted
on at an election. An offense under this subsection
is a Class A
misdemeanor. On a final conviction, the
administrator's employment is
terminated, and the person convicted is ineligible
for future appointment
as county elections administrator.

The code attachment did not work that is what I
meant
by it did not come through.
--- psims@eac.gov wrote:

Did you look at the attached excerpts from Texas
Code? --- Peggy

"Job Serebrov" 05/09/2006 11:38 AM
To
psims@eac.gov
cc
Subject
Re: Working Group-Perez

The code attachment did not work that is what I
meant
by it did not come through.
--- psims@eac.gov wrote:

Did you look at the attached excerpts from Texas
Code? --- Peggy

"Job Serebrov" 05/09/2006 11:23 AM
To
psims@eac.gov
cc
We have the same set-up here in Arkansas. We hired a person just like Perez. However, given this, I would still like to know if he has a party affiliation and this brings up another issue. How is the county election commission chosen. In Arkansas it is the Chairmen of the Republican and Democrat Parties or if he/she does not want to serve a person is elected in his/her stead and a third member picked by the party with the most constitutional officers. Practically that has meant that the Democrats have controlled election commissions in Arkansas since the end of Reconstruction. This is why I want to know the situation in Texas.

--- psims@eac.gov wrote:

As you may recall, the Commissioners directed me to find a nonpartisan local election official to serve on the Working Group. The three of us discussed the desirability of having a Hispanic. I proposed that I find someone from Texas because of that State's colorful history of voting fraud and their innovative approaches to combat it. In those Texas counties that hire Election Administrators to run elections, rather than having elected officials do so (Tax Assessor for voter registration; County Clerk for balloting), the Election Administrator is hired by the County Election Commission and is supposed to perform his or her duties in a nonpartisan manner. (See attached excerpts from Texas Election Code regarding election administrator hiring and
restrictions on partisan activity.) Any experienced Texas election official will be familiar with voting fraud and voter intimidation schemes used in that State. Mr. Perez has over 13 years experience as a county Election Administrator in Texas. You won't find many news articles mentioning him because he has kept his nose clean. (The Texas press, as in many other parts of the country, prefers to report bad news.) Mr. Perez is plugged into the association of Texas election officials and the two largest organizations of election officials in this country: the International Association of Clerks, Recorders, Election Officials and Treasurers (IACREOT); and

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM -----

"Tova Wang"
05/11/2006 01:59 PM

To psims@eac.gov
cc

Subject RE: research summaries

Job did this one

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 11, 2006 12:56 PM
To: [redacted]
Subject: Re: research summaries

Something is wrong in the fourth paragraph of the Federal Election Crime summary. Do you know what it is supposed to say there?

"Tova Wang"
I have the feeling we didn't include these in the original batch I sent you. Could you double check and if not, would you please include them in the existing research materials? Sorry and thanks. I'm kind of doing all of this on my own in case you couldn't tell. List is coming...

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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Click here to receive our weekly e-mail updates.

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM -----
Margaret Sims/EAC/GOV
05/11/2006 11:16 AM
To Job Serebrov, Tova Andrea Wang
cc
Subject Rev Agenda for Working Group Meeting

Adam:

J.R. Perez's resume is attached, and I have forwarded my last explanatory email to Job in answer to his concerns. I will tell Tova not to contact Ray, but that she may talk with you about this issue. Thanks! --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM ---
Margaret Sims/EAC/GOV
05/09/2006 02:48 PM
To Adam Ambrogi/EAC/GOV
cc
Subject Fw: Working Group-Perez

Perez bio 5_5_06.doc
As you may recall, the Commissioners directed me to find a nonpartisan local election official to serve on the Working Group. The three of us discussed the desirability of having a Hispanic. I proposed that I find someone from Texas because of that State's colorful history of voting fraud and their innovative approaches to combat it. In those Texas counties that hire Election Administrators to run elections, rather than having elected officials do so (Tax Assessor for voter registration; County Clerk for balloting), the Election Administrator is hired by the County Election Commission and is supposed to perform his or her duties in a nonpartisan manner. (See attached excerpts from Texas Election Code regarding election administrator hiring and restrictions on partisan activity.)

Any experienced Texas election official will be familiar with voting fraud and voter intimidation schemes used in that State. Mr. Perez has over 13 years experience as a county Election Administrator in Texas. You won't find many news articles mentioning him because he has kept his nose clean. (The Texas press, as in many other parts of the country, prefers to report bad news.) Mr. Perez is plugged into the association of Texas election officials and the two largest organizations of election officials in this country: the International Association of Clerks, Recorders, Election Officials and Treasurers (IACREOT); and The Election Center. He is a past President and past Chairman of the Legislative Committee for the Texas Association of Election Administrators. He currently serves on IACREOT's Election Officials Committee, which plans the educational sessions for election officials that are conducted at that organization's conferences. His peers in IACREOT and The Election Center have selected his submissions on web presentations (IACREOT) and his professional practices papers (Election Center) for awards. Mr. Perez also has access to information from other States through his membership in IACREOT and The Election Center. He also has a sense of humor, which you will note if you access the staff web page on the Guadalupe County Elections web site and hear the Mission Impossible theme... something that might be useful in the upcoming meeting.

Guadalupe County is small but growing. In 2004, the county had over 65 thousand registered voters (a number more than doubled the number of registered voters in 1988). A third of the county's population claims Hispanic or Latino origin, according to the U.S. Census Bureau. The county is in south central Texas and is bordered by Comal, Hays, Cladwell, Gonzales, Wilson, and Bexar counties. In the 1980s, the county was predominately a farming community; but in recent years, many people have moved from San Antonio (Bexar County) to Guadalupe County, preferring to live in Guadalupe County and work in Bexar County.

--- Peggy
Peggy:

What political party is Perez with? How political is he? Is the position in Texas neutral or political? Who appointed Perez?

As to Pat I will contact him but I can't promise anything. If Pat can't come, who is getting knocked off Tova's list?

Job

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM ---

"Job Serebrov"

To psims@eac.gov

cc

Subject Re: new working group representative

Peggy:

Braden is ok also with me but please don't tell me not to "stir up" things. I assure you nothing will come back to bite me. I know these people well enough to say they will also want a balanced group. In fact, one of them was very unhappy with Tova's folks.

Job

--- psims@eac.gov wrote:

> According to the Commissioners, you and Tova each
> got to pick three
> members of the Working Group. The Commission
> guidance regarding this
> particular member follows:
> > 4 people from the Academic, Legal and Advocacy
> sectors - 2 to be chosen by
> > Tova and 2 to be chosen by Job.
> >
> > This issue of allowing a designee relates to Tova's
> pick.
> >
> > As I understand it, we are working on a replacement
> for Norcross. If
> > Ginsberg is not viable, how about Mark Braden, who
> includes public
> > integrity in his areas of specialization. I would
> not try and stir up
other members of the Working Group, if I were you. The effort is likely to come back and bite you.

"Job Serebrov" <jobserebrov@aol.com>
05/11/2006 03:53 PM

To psims@eac.gov
cc SUBJECT

Re: new working group representative

I really don't care if he represents the organization or not. What mixed race? The entire discussion was because Arnwine was African-American. If you are going to invite him without first having a replacement for my side, I may have to call Thor and Todd and discuss all of this.

--- psims@eac.gov wrote:

> Greenbaum is representing Arnwine, not replacing her. He works for her organization and is of mixed race. --- Peggy

> I have an objection to Greenbaum. While I realize he comes from an advocacy group, he is not a minority attorney and we already have a rep who worked with...
DOJ. If it is to be Greenbaum, I would rather not fill that position since I am one down.

--- Tova Wang <wang@tcf.org> wrote:

> > is Jon Greenbaum

> > Here's his info in full:

> >

> >

> > 1

> > He is the Director of the Voting Rights Project for the Lawyers Committee for Civil Rights. He will be representing Barbara Arnwine, the Executive Director of the Lawyers Committee.

> > His contact and mailing info is:

> >

> > Washington, DC 20005

> >

> >

> > Tova Andrea Wang

> > Democracy Fellow

> > The Century Foundation

> > Visit our Web site, **www.tcf.org**, for the latest news, analysis, opinions, and events.

> >

> > Click here to receive our weekly e-mail updates.
When I opened the attachment, I still had problems with the 4th paragraph. Would you please just send me that paragraph within the text of your email so that I can paste it into the document? --- Peggy

I resent the review as you see at the bottom. When I opened it and sent it there was no corrupted text.

--- psims@eac.gov wrote:

> Do you have text to replace the corrupted text in paragraph 4? --- Peggy

--- psims@eac.gov wrote:
Tova just sent me the summary you prepared of The Federal Crime of Election Fraud by Craig Donsanto. There is something wrong in the fourth paragraph (odd characters and missing text). Can you please send a replacement fourth paragraph? You can send it in an email and I will place it in the document. --- Peggy

Ok. Thanks

--- psims@eac.gov wrote:

Job:

I've signed and submitted your voucher. I had to correct the contract date. (It is 2/26/06, not 4/22/06.) Everything else looked great. ---

Peggy

We are still on for 4 PM. Ray is out of the office due to a family emergency, so I suggest you NOT contact him. You may contact his Special Assistant, Adam Ambrogi (aambrogi@eac.gov or 202-566-3105), who also hails from Texas. --- Peggy

"Tova Wang"
We are still doing the 4 pm call, right? We can discuss it more then. Would it be OK if I see if Ray knows this person? Thanks. Tova

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 09, 2006 10:14 AM
To: 
Cc: 
Subject: Re: Working Group-Perez

As you may recall, the Commissioners directed me to find a nonpartisan local election official to serve on the Working Group. The three of us discussed the desirability of having a Hispanic. I proposed that I find someone from Texas because of that State’s colorful history of voting fraud and their innovative approaches to combat it. In those Texas counties that hire Election Administrators to run elections, rather than having elected officials do so (Tax Assessor for voter registration; County Clerk for balloting), the Election Administrator is hired by the County Election Commission and is supposed to perform his or her duties in a nonpartisan manner. (See attached excerpts from Texas Election Code regarding election administrator hiring and restrictions on partisan activity.)

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--- Peggy
Peggy:

What political party is Perez with? How political is he? Is the position in Texas neutral or political? Who appointed Perez?

As to Pat I will contact him but I can't promise anything. If Pat can't come, who is getting knocked off Tova's list?

Job
• develop a comprehensive description of what constitutes voting fraud and voter intimidation in the context of Federal elections;
• perform background research (including Federal and State administrative and case law review), identify current activities of key government agencies, civic and advocacy organizations regarding these topics, and deliver a summary of this research and all source documentation;
• establish a project working group, in consultation with EAC, composed of key individuals and representatives of organizations knowledgeable about the topics of voting fraud and voter intimidation;
• provide the description of what constitutes voting fraud and voter intimidation, and the results of the preliminary research to the working group, and convene the working group to discuss potential avenues for future EAC research on this topic; and
• produce a report to EAC summarizing the findings of the preliminary research effort and working group deliberations that includes recommendations for future research, if any;

We strive to include bipartisan representation on the Working Group associated with this project. You were recommended for this project by our Republican consultant, Job Serebrov. Your ideas for possible EAC activities related to this topic will help the agency as it plans future actions to meet its HAVA responsibilities.

If you can find the time in your busy schedule to participate, I will have an information packet delivered to your office by COB, Monday, May 15. Please let me know if you are available. Thank you.

Regards,

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
ey: psims@eac.gov

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM ---

Margaret Sims/EAC/GOV
05/10/2006 09:25 AM
To "Tova Wang"
cc
Subject Re: arnwine

I'm checking on this. Will get back to you as soon as I have more info. --- Peggy

"Tova Wang"
05/09/2006 05:28 PM
To psims@eac.gov
cc
Subject arnwine
She definitely cannot do it. Would you please find out if Wade Henderson would be possible? Now its my turn to be upset!!! Thanks.

Tova Andrea Wang
Democracy Fellow
The Century Foundation

Visit our Web site for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.
Here is the second batch of my archived email related to the vote fraud study.

Peg Sims

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:28 PM -----

Aletha Barrington/CONTRACTOR/EAC/GOV
04/19/2006 01:09 PM

To Margaret Sims/EAC/GOV
cc Margaret Sims/EAC/GOV@EAC
Subject Voting fraud/Voter intimidation

Good afternoon:

I like to introduce myself, I am Aletha Barrington, the new Contract Assistant, I will be replacing Nicole Mortellito. You may address any questions regarding the Voting Fraud/Voter Intimidation Contract to me as well as cc all monthly reports. Thank you and I look forward to working with you!

Aletha Barrington
(202) 566-2209

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:28 PM -----

Margaret Sims/EAC/GOV
04/17/2006 04:33 PM

To Sarah Ball Johnson
cc recortes@eac.gov
Subject Voting Fraud-Voter Intimidation Teleconference 4-19-06

Hi, Sarah:

Thank you for agreeing to be interviewed on Wednesday, April 19, by the consultants for EAC's initial research on voting fraud and voter intimidation, Job Serebrov and Tova Wang. Our consultants are conducting interviews as part of preliminary research to determine how EAC may best meet the requirements of Section 241(b)6 and 7 of the Help America Vote Act of 2002. As you may recall, Section 241 requires EAC to conduct research on election administration issues, including the development of:

- nationwide statistics and methods of identifying, deterring, and investigating voting fraud in elections for Federal office; and
- methods of identifying, deterring, and investigating methods of voter intimidation.

This is what I need you (and the Secretary, if he is available) to do:

- At approximately 11 AM EST on April 19, call 1-866-222-9044.
- At the prompt for the pass code, enter 62209.
Tova and Job will join you on the line. We have arranged for the line to be open for an hour, with 10 minutes extra on the front end (for folks who have not synchronized their watches).

You mentioned that Secretary Grayson may be using a cell phone. Our teleconference provider has given us the following information regarding the use of cell phones during the teleconference:

- Signals are often in and out and the audio bridging equipment cannot compensate fast enough by adjusting the signal. This affects all participants connected. If participants must use a cell phone – they should be stationary in a location where they can pick up the other participants, moving while using a cell phone causes the signal to go in and out and often will pick up extraneous electrical signals that will cause heavy static on the call.
- The cell phone should be well charged and muted, if possible, until the individual is ready to speak.
- If there is a problem, anybody who dials into a conference can contact the operator/technicians by simply pressing *0 (star zero). This information is part of the recording when individuals are dialing in.

If you have any problems accessing the teleconference, please call Edgardo Cortés. You can reach him at 1-866-747-1471 (toll-free) or 202-566-3126. He can contact our service provider to correct any problems. (I will be on my way to Seattle and unable to help.)

Thanks, again!

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:28 PM -----
I can't do it Friday but Wednesday is ok.

--- psims@eac.gov wrote:

> Tova and Job:
> I've passed Tova's request on to Craig.
> Also, Sarah Ball Johnson, KY, finally called back
to say she would be
available Wednesday through Friday this week and
next week for the
interview. Which day and time is best for you and
Job?

> --- Peggy

---

Hi Peg,
Happy Easter!
Would it be possible to talk to Mr. Donsanto about
this latest initiative,
or somehow get more information? Thanks. Tova

http://www.fbi.gov/page2/april06/electioncrime041406.htm
Ms. Rivers,

My name is Devon Romig and I am writing to you on behalf of the Election Assistance Commission. I believe that you have been contacted previously by our consultant Job Serebrov about the Voting Fraud/Voter Intimidation Project Working Group that we are organizing.

We are in the process of setting a date for this event and we would appreciate any suggestions that you may contribute based upon Mr. Norcross's availability in the month of May. The proposed dates are May 1, 2, 3, 8, 9, 10, 11, 12, 15, 16, 17, 18, 19. The meeting will only last for one day. Please let me know any and all of the listed dates that will work with Mr. Norcross's schedule.

Also, I tried to contact you by phone but I received a disconnected notification. Could you please provide me with your most current contact information?

Feel free to call or email me with any questions.

Thanks!

Devon Romig
U.S. Election Assistance Commission
1225 New York Ave. NW - Suite #1100
Washington, D.C. 20005
(202)566-2377

Hi Peg,

I think I might have told you only that I am unavailable on the 5th. I'm actually unavailable on the 4th as well. Any news on this front? We should also arrange a conference call next week about preparing for the meeting, don't you think? Thanks Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation
Peg, I hope we will be able to review the binders you put together before they get sent out. Thanks. Just one more research summary to come Monday. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation

I will now begin sending several emails with material for the working group meeting. Peg, we still have not heard back from you on whether you like the agenda. I have attached it again. With respect to the interview and research summaries, would you both please review them to make sure there are no glaring mistakes?

Are we going on a hiatus next week? I'm a little confused about what happens from here. Tova
Please also double check that I have not left any out. Thanks.

Tova Andrea Wang
Democracy Fellow
The Century Foundation

Peggy,
I am attaching a link to a recent book published by a Kentucky History Professor, Tracy Campbell, which details voter fraud on state and national level. It is very interesting reading.

http://www.amazon.com/gp/product/078671591X/sr=8-1/qid=1145390029/ref=pd_bbs_1/103-8923253-6647806?%5Fencoding=UTF8

Sarah Ball Johnson
Executive Director
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Thanks, again!

Peggy Sims
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--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:28 PM ---

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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Click here to receive our weekly e-mail updates.

Summary of DOJ activities 0405.doc

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:28 PM ---

Sarah:

Thank you. I have not reviewed this myself, so I really appreciate the link. Professor Campbell was among the people interviewed by our consultants.
Peggy Sims  
Election Research Specialist  
U.S. Election Assistance Commission  
1225 New York Ave, NW - Ste 1100  
Washington, DC 20005  
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)  
Fax: 202-566-3127  
email: psims@eac.gov

"Johnson, Sarah Ball (SBE)" <SarahBall.Johnson@ky.gov>

Subject: RE: Voting Fraud-Voter Intimidation Teleconference 4-19-06

Peggy,

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Sarah Ball Johnson  
Executive Director  
State Board of Elections  
140 Walnut Street  
Frankfort, KY 40601

NOTICE: This electronic mail transmission is for the use of the named individual or entity to which it is directed and may contain information that is privileged or confidential. It is not to be transmitted to or received by anyone other than the named addressee (or a person authorized to deliver it to the named addressee). It is not to be copied or forwarded to any unauthorized persons. If you have received this electronic mail transmission in error, delete it from your system without copying or forwarding it, and notify the sender of the error by replying via email or by calling the Kentucky State Board of Elections at (502) 573-7100, so that our address record can be corrected.

From: psims@eac.gov [mailto:psims@eac.gov]  
Sent: Monday, April 17, 2006 4:34 PM  
To: Johnson, Sarah Ball (SBE)  
Cc: cortes@eac.gov  
Subject: Voting Fraud-Voter Intimidation Teleconference 4-19-06
Hi, Sarah:

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If you have any problems accessing the teleconference, please call Edgardo Cortés. You can reach him at 1-866-747-1471 (toll-free) or 202-566-3126. He can contact our service provider to correct any problems. (I will be on my way to Seattle and unable to help.)

Thanks, again!

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll-free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: pims@eac.gov
Are you two still available for the conference call we had scheduled for this afternoon at 4 PM EST/3 PM CST? --- Peg

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:28 PM ---

"Tova Wang"

04/21/2006 11:09 AM

To psims@eac.gov, "Job Serebrov"

cc
document nor provided

Subject interview summaries 3

---

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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Interview with Lori Minnite.doc Interview with Neil Bradley final.doc Interview with Nina Perales final.doc

Interview with Pat Rogers.doc Interview with Rebecca Vigil-Giron.doc Interview with Sarah Ball Johnson.doc

Interview with Steve Ansolobehere and Chandler Davidson.doc Interview with Tracy Campbell.doc

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:28 PM ---

Margaret Sims/EAC/GOV
04/19/2006 03:31 PM

To "Job Serebrov"<tova.andaluca@noo.com>

cc Tova Andrea Wang

Subject Recent email from Aletha Barrington

Please ignore the message sent to you today by Aletha Barrington. It was sent in error. As COR for this project, I remain your primary contact. Thanks.

Peggy

-----------------------------

Sent from my BlackBerry Wireless Handheld
Tova Andrea Wang  
Democracy Fellow  
The Century Foundation  

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Donsanto IFES FINAL.doc  Election Protection stories.doc  fooled again review.doc  GA litigation summary2.doc  GAO Report [JS].doc
indiana litigation - official.doc  Section 5 Recommendation Memorandum summary.doc  Securing the Vote.doc  Shattering the Myth.doc
Steal this Vote Review final.doc  stealing elections review.doc

I have just forwarded to you the Feb 3 email I sent to EAC Staff.

Diana M. Scott  
Administrative Officer  
U.S. Election Assistance Commission  
(202) 566-3100 (office)  
(202) 566-3127 (fax)  
dscott@eac.gov  

Edgardo Cortes/EAC/GOV
What is the contact info for our conference call provider in case we run into trouble at the start of the call? Nicole used to handle conference calls and I am not sure who I would speak to in that instance. Please let me know. Thanks.

Edgardo Cortés
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave. NW, Ste. 1100
Washington, DC 20005
866-747-1471 toll free
202-566-3126 direct
202-566-3127 fax
econtes@eac.gov
Margaret Sims/EAC/GOV

Hi, Sarah:

Thank you for agreeing to be interviewed on Wednesday, April 19, by the consultants for EAC's initial research on voting fraud and voter intimidation, Job Serebrov and Tova Wang. Our consultants are conducting interviews as part of preliminary research to determine how EAC may best meet the requirements of Section 241(b)6 and 7 of the Help America Vote Act of 2002. As you may recall, Section 241 requires EAC to conduct research on election administration issues, including the development of:

- nationwide statistics and methods of identifying, deterring, and investigating voting fraud in elections for Federal office; and
- methods of identifying, deterring, and investigating methods of voter intimidation.

This is what I need you (and the Secretary, if he is available) to do:

- At approximately 11 AM EST on April 19, call 1-866-222-9044.
- At the prompt for the pass code, enter 62209.

Tova and Job will join you on the line. We have arranged for the line to be open for an hour, with 10 minutes extra on the front end (for folks who have not synchronized their watches).

You mentioned that Secretary Grayson may be using a cell phone. Our teleconference provider has given us the following information regarding the use of cell phones during the teleconference:
Signals are often in and out and the audio bridging equipment cannot compensate fast enough by adjusting the signal. This affects all participants connected. If participants must use a cell phone – they should be stationary in a location where they can pick up the other participants, moving while using a cell phone causes the signal to go in and out and often will pick up extraneous electrical signals that will cause heavy static on the call.

The cell phone should be well charged and muted, if possible, until the individual is ready to speak.

If there is a problem, anybody who dials into a conference can contact the operator/technicians by simply pressing *0 (star zero). This information is part of the recording when individuals are dialing in.

If you have any problems accessing the teleconference, please call Edgardo Cortés. You can reach him at 1-866-747-1471 (toll-free) or 202-566-3126. He can contact our service provider to correct any problems. (I will be on my way to Seattle and unable to help.)

Thanks, again!

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
e-mail: psims@eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:28 PM -----
"Tova Wang"
04/21/2006 11:05 AM
To psims@eac.gov, "Job Serebrov"
cc
Subject summaries of interviews

Part 1. I'm going to try not to overload

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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Interview Justice Stratton.doc Interview w Tony Sirvello FINAL.doc
Yes but it needs to go no longer then 30 mins

--- psims@eac.gov wrote:

> Are you two still available for the conference call
> we had scheduled for
> this afternoon at 4 PM EST/3 PM CST? --- Peg

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:28 PM ---

Devon E. Romig/EAC/GOV

04/19/2006 03:44 PM

To Margaret Sims/EAC/GOV@EAC

cc

Subject Re: Voting Fraud/Voter Intimidation Project Working Group

Yes, she is the assistant to David A. Norcross and she is unavailable until Monday. I spoke with the woman who is filling in for her this week and she does not have access to Mr. Norcross's schedule.

Margaret Sims/EAC/GOV

04/19/2006 03:27 PM

To Devon E. Romig/EAC/GOV@EAC

cc

Subject Re: Voting Fraud/Voter Intimidation Project Working Group

Was this message sent to someone's assistant? We have noone named Rivers on our working group. Peggy
Ms. Rivers,

My name is Devon Romig and I am writing to you on behalf of the Election Assistance Commission. I believe that you have been contacted previously by our consultant Job Serebrov about the Voting Fraud/Voter Intimidation Project Working Group that we are organizing.

We are in the process of setting a date for this event and we would appreciate any suggestions that you may contribute based upon Mr. Norcross's availability in the month of May. The proposed dates are May 1,2,3,8,9,10,11,12,15,16,17,18,19. The meeting will only last for one day. Please let me know any and all of the listed dates that will work with Mr. Norcross's schedule.

Also, I tried to contact you by phone but I received a disconnected notification. Could you please provide me with your most current contact information?

Feel free to call or email me with any questions.

Thanks!

Devon Romig
U.S. Election Assistance Commission
1225 New York Ave. NW - Suite #1100
Washington, D.C. 20005
(202)566-2377
Tova Andrea Wang
Democracy Fellow
The Century Foundation

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--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:28 PM ---
--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:28 PM ---

"Tova Wang"
To psims@eac.gov, "Job Serebrov"
cc
Subject methodology review

04/21/2006 11:22 AM

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:28 PM ---

"Tova Wang"
To psims@eac.gov, "Job Serebrov"
cc
Subject interview with Doug Webber — correct version

04/21/2006 11:07 AM

I sent the wrong version! Please use this one.

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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And there will be one more forthcoming next week.

Tova Andrea Wang  
Democracy Fellow  
The Century Foundation  

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Click here to receive our weekly e-mail updates.  

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A Funny Thing Review.doc  American Center Report FINAL.doc  Americas Modern Poll Tax (JS).doc  
Brennan Analysis Voter Fraud Report FINAL.doc  cb summary.doc  Chandler Davidson summary - official.doc  Crazy Quilt.doc  
Deliver the Vote Review.doc  dnc ohio.doc  DOJ Public Integrity Reports (JS).doc  

---  

Tova Andrea Wang  
Democracy Fellow  
The Century Foundation  

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Was this message sent to someone's assistant? We have no one named Rivers on our working group.

Peggy

Sent from my BlackBerry Wireless Handheld

Devon E. Romig

From: Devon E. Romig
Sent: 04/19/2006 12:24 PM
To: Rivers@BlankRome.com
Cc: Margaret Sims
Subject: Voting Fraud/Voter Intimidation Project Working Group

Ms. Rivers,

My name is Devon Romig and I am writing to you on behalf of the Election Assistance Commission. I believe that you have been contacted previously by our consultant Job Serebrov about the Voting Fraud/Voter Intimidation Project Working Group that we are organizing.

We are in the process of setting a date for this event and we would appreciate any suggestions that you may contribute based upon Mr. Norcross's availability in the month of May. The proposed dates are May 1, 2, 3, 8, 9, 10, 11, 12, 15, 16, 17, 18, 19. The meeting will only last for one day. Please let me know any and all of the listed dates that will work with Mr. Norcross's schedule.

Also, I tried to contact you by phone but I received a disconnected notification. Could you please provide me with your most current contact information?

Feel free to call or email me with any questions.

Thanks!

Devon Romig
U.S. Election Assistance Commission
1225 New York Ave. NW - Suite #1100
Washington, D.C. 20005
(202)566-2377
Diana:

This is just to let you know that I have requested a teleconference on Wednesday, April 19, from 11 AM to Noon EST. I asked for 6 lines to accommodate our research consultants and the folks that they will be interviewing for our Voting Fraud/Voter Intimidation project.

Peggy Sims
Election Research Specialist

04/17/2006 12:28 PM
I know you preferred Friday, but Job is not available then. He also said he is not available next week. Do you have any time available this Wednesday? --- Peggy

I can't do it Friday but Wednesday is ok.

--- psims@eac.gov wrote:

> Tova and Job:
> > I've passed Tova's request on to Craig.
> > Also, Sarah Ball Johnson, KY, finally called back
to say she would be available Wednesday through Friday this week and
next week for the interview. Which day and time is best for you and
Job?
> > --- Peggy
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> }
Hi Peg,

Happy Easter!

Would it be possible to talk to Mr. Donsanto about this latest initiative, or somehow get more information? Thanks. Tova

http://www.fbi.gov/page2/april06/electioncrime041406.htm

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:27 PM ---

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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Interview conclusions.doc

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:27 PM ---

Hi Peg. I am sitting here with Cameron Quinn putting together this year's
ballt conference for AUSAs. She send her best!

I am available on 5/18. But I am also going to the Board of Advisors Meeting the following week. I would rather do this then.

--------------------------------
Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 11:39:50 2006
Subject: Voting Fraud-Voter Intimidation

Craig:

We are continuing our efforts to hone in on a date for the Working Group meeting. Are you available the afternoon of Thursday, May 18?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:27 PM -----
Devon E. Romig/EAC/GOV
05/10/2006 09:54 AM
To Margaret Sims/EAC/GOV@EAC
cc Subject Court reporter

Peggy,

I spoke to the people who usually handle the EAC court reporting. They charge $9.00 per page with an average of 40 pages per hour. This service would cost about $1800.00.

The turn around time for the transcript is 10 to 15 days. The transcripts comes in a bound paper copy and an electronic copy.

I can also check around for different prices.

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov
----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:27 PM -----
05/05/2006 09:17 PM
To psims@eac.gov
cc
Literally, there is not a hotel room to be found in the district on these dates. The only thing I could find was a room for $379 a night. I have booked it and will assume that since we are so under-budget on travel that this will be OK

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

From: psims@eac.gov
To: romig@eac.gov
Cc: 
Sent: Friday, May 05, 2006 2:32 PM 
Subject: Working Group

Hi, Folks:

Teleconference
Are both of you available for a teleconference next Tuesday afternoon at about 4 PM EST? If this does not work for you, please suggest another date and/or time. I would like to discuss our preparations for the Working Group meeting.

Working Group Members
We have a very good person to fill the slot for the nonpartisan local election official: J.R. Perez, Elections Administrator for Guadalupe County, TX. Attached is his bio. Hope you have no objections to him. He is available on May 18. I have place 2 calls to Pat Rogers office, but have not yet received a reply. Job, if you have any pull with him, you may want to contact him, too.

Travel Arrangements
You should make your own travel arrangements, including hotel. Travel time cannot be billed to the contract, except for hours actually worked on the contract (i.e.; reviewing materials in preparation for the meeting, and the like). Current Federal rates follow:

- Maximum Lodging = $180 per day- does not include hotel taxes (if you cannot get this rate, we have covered reasonable rates that are a little higher)
- Meals & Incidentals = $64 per day (except that it is $48 on the first and last day of travel)
- Mileage for Personally Owned Vehicle = $.445 per mile

Under the new contract, I do not have to fill out a travel authorization for you. I can approve your trip via email. Afterwords, when you turn in your next pay voucher, you can attach the airline receipt (or mileage documentation), hotel receipt(s), and ground transportation receipts and a copy of any printed itineraries. Calculate the total travel expenses due you, including applicable per diem. I do not need meal receipts.

Job, under Federal travel regulations, deviations for personal reasons are not normally accommodated. What you can do, however, is to give me a comparison of the cost of roundtrip mileage, hotel, and per diem of doing it your way against the cost of a roundtrip flight, ground transportation, hotel, and per diem. If your way costs less, it should be no problem to cover the full cost. If your way is more expensive, we may only pay up to the amount of traditional travel. (The same rules apply to me when I travel.) If you can tell me where, other than DC, you will spend the night, I can check on applicable per diem rates.
OK, I will include all on the CD. Thanks. ---- Peggy

"Job Serebrov"

To: psims@eac.gov
cc: drotao wanna@eac.gov
Subject: Re: Court Case Charts

All. They are not duplicates. There are some cases repeated and some not. It is a slight variant of the word search.

--- psims@eac.gov wrote:

> Job
> In preparing the CDs, we have run across the following files that appear to be duplicates. Which ones should go on the CD?
> --- Peggy
>

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:27 PM ---

"Tova Wang"

To: psims@eac.gov
cc: drotao wanna@eac.gov
Subject: list of interviewees
Thank you, Peg -- see you then.

From: psims@eac.gov
Sent: Friday, May 05, 2006 12:53 PM
To: Donsanto, Craig
Subject: RE: Please remind me of time and place for Voter Intimidation project meeting

The meeting is scheduled for Thursday, May 18, 1-5:30 PM (though we may finish earlier). It will be held in EAC's large conference room (the one we use for public meetings, located off our lobby). --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/05/2006 12:43 PM
If you tell me now I will put it into my calendar here, which in turn will remind me!

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Friday, May 05, 2006 12:42 PM
To: Donsanto, Craig
Subject: Re: Please remind me of time and place for Voter Intimidation project meeting

How many days in advance do you need the reminder? --- Peggy

Dear Commissioners:

This is to let you know that the Working Group for our Voting Fraud and Voter Intimidation preliminary research project is scheduled to meet in EAC's large conference room the afternoon of Thursday, May 18. I will provide more information about this meeting to you later.

Peggy Sims
Election Research Specialist

Did Barbara Arnwine's office indicate who they propose to send in her place? --- Peggy
The Latham is booked solid. I called. I am checking out some possibilities but this is not looking good.

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:27 PM ---
Margaret Sims/EAC/GOV
05/10/2006 03:20 PM
To: "Job Serebrov"
cc
Subject: Re: Latham

One source suggests the Georgetown Inn has vacancies and pillow top beds. Try 1-800-424-2979 or 202-353-8900.
"Job Serebrov"

"Job Serebrov"
05/10/2006 02:35 PM
To: psims@eac.gov
cc
Subject: Latham

The Latham is booked solid. I called. I am checking out some possibilities but this is not looking good.

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:27 PM ---
Margaret Sims/EAC/GOV
05/11/2006 10:06 AM
To: Tova Andrea Wang, Job Serebrov
cc
Subject: Today's Teleconference

I assume that we are still on for today's teleconference at 11 AM EST. I will call you. I have attached a draft agenda for your review and comment. --- Peggy

Agenda 5-18-06 Mtg-draft.doc
This is ok, given the fact that the WG may have suggestions. Will you be sending us the same packets that you are sending the WG? Also, I figure with Tova's response we will need to have a teleconference on the report once I return to Little Rock. We will need to do it that following Monday or Tuesday.

--- psims@eac.gov wrote:

> Would you please take a look at the attached? I combined both of your definitions, reformatted the list, removed a reference to the fraud having to have an actual impact on the election results (because fraud can be prosecuted without proving that it actually changed the results of the election), and taken out a couple of vague examples (e.g.; reference to failing to enforce state laws --- because there may be legitimate reasons for not doing so).
> I have made contact with Ben Ginsberg's office and am waiting to hear if he accepts our invitation to join the working group. --- Peggy

Yes. My wife is a vegetarian and I can't eat wheat products and don't eat pork. Non-toxic Oriental seems to always work. I did not cc Tova on this until I received your reaction. You probably want to include
Hi Devon:
We have heard from Mark Hearne and Todd Rokita. They are both flying in and out on the 18th and will not need hotel rooms. We're kind of waiting to see if Perez and Rogers need rooms before booking any hotel. As soon as we get approval of Hearne and Rokita air schedules and get them booked, we'll forward their itineraries to you.

Kind Regards,

Marvin

---Original Message-----
From: dromig@eac.gov [mailto:dromig@eac.gov]
Sent: Tuesday, May 09, 2006 8:31 AM
To: marvin.brokaw@adtrav.com
Cc: palms@eac.gov
Subject: May 18th Meeting at EAC

Hello Marvin,

I just wanted to follow up with the voicemail message that I left for you yesterday. We will be holding a meeting at our offices in Washington DC on May 18, 2006. I have informed the out of state attendees to contact you for their travel arrangements.

We have been authorized to pay for the attendees airfare and hotel arrangements. Please note
that all of the participants are authorized for a two night hotel room stay, as long as the dates are May 17th and 18th.

I attached the list of the meeting participants that will be contacting you about their travel arrangements for the May 18th meeting in Washington DC.
Let me know if you have any questions for me or if you need any more information from me.

Thanks for your help!

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:27 PM ---

Peggy,
I just spoke to Mr. Norcross's assistant, he cannot attend the meeting on the 18th, he will be out of town at another event.

Peggy -- they don't have anything to do with the Leadership Conference on Civil Rights do they?

I ask only because the Justice Department is currently engaged in a very acrimonious FOIA litigation with LCCR that focuses precisely on our efforts to combat voter "intimidation"

--------------------------

002026
It is just the Working Group for the Voting Fraud-Voter Intimidation Project. I am asking you to attend as Technical Advisor for the project. --- Peggy

Craig:

This meeting is being held to obtain input from our eight-member Working Group for the project. The group is composed of election lawyers, election officials, and a representative of an advocacy group, all of whom have an interest and some expertise in the identification and/or prosecution of voting fraud and voter intimidation. The group was chosen so that we would have an equal number of folks on each side of the political spectrum, plus some nonpartisan members.

After our consultants review the results of their preliminary research (interviews, literature review, case law), we will ask the Working Group to brainstorm possible next steps for EAC. Our consultants will write a report summarizing the proposals that come out of this meeting. The report will go to the Commissioners, who will decide what they want to do, funds available, and what priority to assigned to the effort(s).
Your participation in this part of the process is extremely important, so I am very happy that you can find time for us that afternoon. I'll get an agenda and other information to you next week. --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>  
05/04/2006 02:32 PM  
To psims@eac.gov 
cc 
Subject RE: Voting Fraud-Voter Intimidation

Okay, Peg - - I will mark off the entire afternoon and try to be there. What is the agenda? I was not aware that this was anything beyond having your contractors spend another session with me. Also, if they will be needing stats and stuff like that I need to know as I will bring my state-people with me.

From: psims@eac.gov [mailto:psims@eac.gov]  
Sent: Thursday, May 04, 2006 2:28 PM  
To: Donsanto, Craig 
Subject: Re: Voting Fraud-Voter Intimidation

Right now, we are planning to meet in EAC's large conference room between 1 PM and 5 PM. If you cannot be there for the whole afternoon, we will appreciate whatever time you can spare. I'll get back to you with more information (agenda, list of Working Group members, etc.). --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov> 
05/03/2006 05:59 PM  
To psims@eac.gov 
cc
Subject: Re: Voting Fraud-Voter Intimidation

Afternoon of May 18 -- 2:30 okay? How long will they need??
--------------------------
Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 16:59:09 2006
Subject: Re: Voting Fraud-Voter Intimidation

I am looking at the afternoon of 5/18 for the meeting, due to scheduling conflicts of Working Group members. There remain two members from whom we have not yet received confirmations of their schedule (with some, it is like pulling teeth), but right now 5/18 still looks like the best day. We may have to hold the meeting over here to make it easier for Commissioners to drop in.
--- Peg

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
05/03/2006 12:53 PM
To
psims@eac.gov
cc
Subject
Re: Voting Fraud-Voter Intimidation

Okay -- you are on for May 18th! Can we do it over here at 10?
--------------------------
Sent from Dr. D's Fabulous BlackBerry Wireless Handheld
My problem is that agency staff is booked most of the week of 5/21. Monday through Wednesday are taken up with meetings of the Standards Board Executive Committee, the full Standards Board, and the Board of Advisors. Thursday, we have EAC's public meeting. Also, I will lose one of my two consultants in June, so I'm trying to wrap up this project (and get the final report from the consultants) by the end of May.

Say "Hi" to Cameron for me.

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
05/03/2006 11:56 AM
To
    psims@eac.gov
cc
Subject
    Re: Voting Fraud-Voter Intimidation

Hi Peg. I am sitting here with Cameron Quinn putting together this year's ballt conference for AUSAs. She send her best!

I am available on 5/18. But I am also going to the Board of Advisors Meeting the following week. I would rather do this then.

Sent from Dr. D's Fabulous BlackBerry Wireless Handheld
On another note entirely, since traffic will be bad going to Roanoke, do you want to have a dinner meeting with Tova and me after the group meeting to discuss the final report? As long as we are out by 7 or so I am ok with it. Also, my wife would have to be there as she will be meeting me after the WG.

--- psims@eac.gov wrote:

> According to the Commissioners, you and Tova each
got to pick three
> members of the Working Group. The Commission
guidance regarding this
> particular member follows:
>
> 4 people from the Academic, Legal and Advocacy
> sectors - 2 to be chosen by
> Tova and 2 to be chosen by Job.
>
> This issue of allowing a designee relates to Tova's
> pick.
>
> As I understand it, we are working on a replacement
> for Norcross. If
> Ginsberg is not viable, how about Mark Braden, who
> includes public
> integrity in his areas of specialization. I would
> not try and stir up
> other members of the Working Group, if I were you.
> The effort is likely
> to come back and bite you.

> "Job Serebrov"
> 05/11/2006 03:53 PM
To psims@eac.gov
cc
Subject Re: new working group representative

I really don't care if he represents the organization or not. What mixed race? The entire discussion was because Arnwine was African-American. If you are going to invite him without first having a replacement for my side, I may have to call Thor and Todd and discuss all of this.

--- psims@eac.gov wrote:

> Greenbaum is representing Arnwine, not replacing her. He works for her organization and is of mixed race. --- Peggy

> "Job Serebrov" 05/11/2006 03:36 PM

> To "Tova Wang", psims@eac.gov
> cc
> Subject
> Re: new working group representative

> I have an objection to Greenbaum. While I realize he comes from an advocacy group, he is not a minority attorney and we already have a rep who worked with DOJ. If it is to be Greenbaum, I would rather not fill that position since I am one down.

--- Tova Wang wrote:

> is Jon Greenbaum

> Here's his info in full:
He is the Director of the Voting Rights Project for the Lawyers Committee for Civil Rights. He will be representing Barbara Arnwine, the Executive Director of the Lawyers Committee. His contact and mailing info is:

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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Click here to receive our weekly e-mail updates.
Dinner sounds like a great idea. Do either of you have any dietary restrictions of preferences? (I seem to recall that Tova would prefer a place that has vegetarian options). I'll try to locate a nearby place that won't bust the budget. --- Peggy

On another note entirely, since traffic will be bad going to Roanoke, do you want to have a dinner meeting with Tova and me after the group meeting to discuss the final report? As long as we are out by 7 or so I am ok with it. Also, my wife would have to be there as she will be meeting me after the WG.

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Tova Andrea Wang
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Subject: RE: Case Summaries

Yes

----- Original Message ----- 
From: psims@eac.gov [mailto:psims@eac.gov]  
Sent: Tuesday, May 09, 2006 10:38 AM  
To: 
Subject: Fw: Case Summaries

Had you seen this? --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 05/09/2006 11:38 AM -----
"Job Serebrov"

05/08/2006 09:30 AM

To psims@eac.gov
cc
Subject Case Summaries

Peggy:

Please add this to the packet.

Job

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:27 PM -----
"Job Serebrov"

05/12/2006 03:45 PM

To psims@eac.gov
cc
Subject Re: Good News

I'm thankful it all worked out.

--- psims@eac.gov wrote:

> Ginsberg has accepted our invitation! --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:27 PM -----
Devon E. Romig/EAC/GOV
Peggy,

I just spoke to Valerie Johnson, Ms. Arnwine's assistant. The following are a list of dates that are possible for her attendance:

8th - PM (2pm to 6pm)
9th - Possible PM
16th - PM (1:30pm - 5:30pm)
17th - All day*
18th - All day*
19th - All day*

*All day availability does not begin until after 9:30 or 10:00 AM

I will update this information on the shared drive.

Thanks,

Devon

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:27 PM ---

Peggy:

4:00 eastern on Tuesday is fine however, given the financial restrictions that you indicated would be in place for use of my car (I would actually lose money coming to DC) and given the cost of hotels at this time (I can't afford to front these costs and wait for months to be repaid), etc, it would take a miracle for this working group meeting to take place in person. It is looking like the only way it will get done is by teleconference. I also share Tova's concern about the unknown nature of Mr. Perez.

Job
Teleconference
Are both of you available for a teleconference next Tuesday afternoon at about 4 PM EST? If this does not work for you, please suggest another date and/or time. I would like to discuss our preparations for the Working Group meeting.

Working Group Members
We have a very good person to fill the slot for the nonpartisan local election official: J.R. Perez, Elections Administrator for Guadalupe County, TX. Attached is his bio. Hope you have no objections to him. He is available on May 18. I have placed 2 calls to Pat Rogers office, but have not yet received a reply. Job, if you have any pull with him, you may want to contact him, too.

Travel Arrangements
You should make your own travel arrangements, including hotel. Travel time cannot be billed to the contract, except for hours actually worked on the contract (i.e.; reviewing materials in preparation for the meeting, and the like). Current Federal rates follow:

- Maximum Lodging = $180 per day - does not include hotel taxes (if you cannot get this rate, we have covered reasonable rates that are a little higher)
- Meals & Incidentals = $64 per day (except that it is $48 on the first and last day of travel)
- Mileage for Personally Owned Vehicle = $ .445 per mile

Under the new contract, I do not have to fill out a travel authorization for you. I can approve your trip via email. Afterwards, when you turn in your next pay voucher, you can attach the airline receipt (or mileage documentation), hotel receipt(s), and ground transportation receipts and a copy of any printed itineraries. Calculate the total travel expenses due you, including applicable per diem. I do not need meal receipts.

Job, under Federal travel regulations, deviations for personal reasons are not normally accommodated. What you can do, however, is to give me a comparison of the cost of roundtrip mileage, hotel, and per diem of doing
it your way against the cost of a roundtrip flight, ground transportation, hotel, and per diem. If your way costs less, it should be no problem to cover the full cost. If your way is more expensive, we may only pay up to the amount of traditional travel. (The same rules apply to me when I travel.) If you can tell me where, other than DC, you will spend the night, I can check on applicable per diem rates.

Peggy

---

Craig: 

I think we have resolved the issue of Barbara Arnwine's absence from the upcoming meeting by having one of her staff represent her (and her organization). Please review the attached rough summary of DOJ Cases ASAP and let me know if I need to delete reference to the open investigations. Hopefully, we won't have to remove this information as it does not specify the defendants or States involved. --- Peg

Rough Summary of Department of Justice, Public Integrity Section Activities, October 2002-January 2006

Prosecutions and Convictions-- Individuals
Noncitizen voting: 20
Vote buying: 49
Double voting: 12
Registration fraud: 13
Civil Rights: 4
Voter Intimidation: 2
Unclear: 1

Open Investigations (note: a few cases overlap with prosecutions and convictions)
Noncitizen voting: 3
Vote buying: 25
Double voting: 15
Registration fraud: 29
Here are my recommendations with the last one now included. Please let me know about the transcript and when you all want to talk about getting the final report done. Thanks. 

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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Peggy:

Any sign of the transcript? Will the other members of the working group get a copy? I have had questions from several about it.

If you want to talk I can do so this Friday at 6 pm your time.

Job

4 PM EST is fine with me, if it works for Job. --- Peggy
Can we make it 4 EST? I have another meeting at 3.

----- Original Message ----- 
From: <psims@eac.gov>
To: 
Cc: 
Sent: Thursday, June 08, 2006 9:55 AM
Subject: Re: Transcript & Teleconference

> I'll see how it comes in. I hope we receive an electronic copy. If we
> only receive a hard copy, we can pdf it and email it to the two of you.
> How about Monday afternoon at 3 PM EST for a brief teleconference? I
> really can't do it before them because of other commitments. --- Peggy
>
> How will you be getting it to us? Will it be something you can email?
> And
>
> can we set up a call for some time in the next few days? Thanks.

06/08/2006 09:42 AM
psims@eac.gov
cc
Re: Re:

----- Original Message -----
From: <psims@eac.gov>
To: 
Cc: 
Sent: Thursday, June 08, 2006 9:35 AM
Subject: Re: Transcript & Teleconference
Sorry. We have been swamped with other program activities and preparations for today's testimony before House Admin. We have not yet received the transcript of the Working Group session. Devon checked with the court reporter, who said it will be delivered today. --- Peggy

Hi, What's going on? I have not received responses from either one of you in a week. I'd like to wrap this up in the next two weeks if we can. Did you get my recommendations? Thanks.

Tova

I can't do that time, I'll be at an event in DC.
To: psims@eac.gov; Subject: Transcripts, Etc.

Peggy:

Any sign of the transcript? Will the other members of the working group get a copy? I have had questions from several about it.

If you want to talk I can do so this Friday at 6 pm your time.

Job

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM -----
"Tova Wang"
06/09/2006 12:09 PM
To psims@eac.gov,"Job Serebrov"
cc
Subject gao report

This has information on many of our topics, but they also surveyed jurisdictions on voter reg fraud coming up with a rate of 5%

http://www.gao.gov/cgi-bin/gettrpt?GAO-06-450

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM -----
Joyce Wilson/EAC/GOV
06/07/2006 09:58 AM
To Margaret Sims/EAC/GOV@EAC
cc
Subject Re: Transcript of 5-18-06 Working Group Meeting
Not that I know of. Would it have gone to Bryan possibly? Our public meeting transcripts go to him.

Joyce H. Wilson
Staff Assistant
US Election Assistance Commission
202-566-3100 (office)
202-566-3128 (fax)

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM -----
Margaret Sims/EAC/GOV
06/09/2006 04:50 PM
To: "Job Serebrov"
cc
Subject: Re: Travel & Transcripts

Our Financial Officer accepted my arguments. You should receive a travel reimbursement totalling $1,200.03. GSA will reimburse through electronic funds transfer. I don't usually receive notification when our consultants are reimbursed.

I still have no transcripts. --- Peggy

"Job Serebrov"

"Job Serebrov"
06/08/2006 10:42 PM
To: psims@eac.gov
cc
Subject: Re: Transcript & Teleconference

Peggy:

I can't predict when I get home but it is between 5:30 and 6:30 my time. I know that is generally too late to have a teleconference.

I plan to review Tova's recommendations this weekend and work on my own as well as expanding the explanation of the case section.

Please see what your financial officer did with regards to my travel.

Thank you,

Job

--- psims@eac.gov wrote:

> What time do you arrive home from work? Perhaps we
could talk then?

Re your question on the mileage, I have approached our Financial Officer with a request that you receive full reimbursement on the grounds that your actual total travel costs are less than the estimated total travel costs if you had flown to DC, stayed in our more expensive hotels, and received the higher per diem for 3 days (instead of 1). I have not yet received a response from her and she has been out of the office much of this week, so I don't know what she decided to do.

--- Peggy

"Job Serebrov"
06/08/2006 01:10 PM
To psims@eac.gov,
Cc
Subject Re: Transcript & Teleconference

Peg:

I just arrived home for lunch. I can no longer take time during the work day for telephone conferences. As I told you I will need to finish this project after daily working hours. I am still getting things done from being out for ten days. I will review Tova's recommendations and expand on mine this weekend.

Also, I sent you an e-mail asking how you handled the mileage portion of my travel voucher?

Job

--- psims@eac.gov wrote:

> 4 PM EST is fine with me, if it works for Job.
> ---
> Peggy
Can we make it 4 est? I have another meeting at 3.

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06/08/2006 09:42 To AM
psims@eac.gov
c

Subject Re: Re:
How will you be getting it to us? Will it be something you can email?
And can we set up a call for some time in the next few days? Thanks.

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--- Peggy

06/08/2006 09:15 To AM psims@eac.gov 

c
Serebrov

Subject

Hi, What's going on? I have not received responses from either one of you in a week. I'd like to wrap this up in the next two weeks if we can. Did you get my recommendations? Thanks.
Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM

--- Original Message ---
From: "Job Serebrov"
To: <psims@eac.gov>
Sent: Wednesday, June 14, 2006 10:46 PM
Subject: Re: teleconference

Could you do Friday in the morning?

--- Original Message ---
From: "Job Serebrov"
To: <psims@eac.gov>
Sent: Wednesday, June 14, 2006 10:17 PM
Subject: Re: teleconference

Tova:

5 pm EST is 4 pm Central. Peg would have to call at 7 pm EST to be 6 pm Central.

Job

--- Note:

Let's try to do that. Peg, you will call us 5 pm EST?

--- Original Message ---
From: "Job Serebrov"
To: "Tova Wang"
Sent: Wednesday, June 14, 2006 6:29 PM
Subject: Re: teleconference

Wednesday next week? It would have to be 6 pm.

--- Tova Wang ---

Hi Job,

Peg tells me that we should now be getting the
transcript early next week.
Regardless, we should talk about the organization and distribution of work on the final report and try to finally get it done.
Would it be possible for you to do a call before you leave for work in the morning, say 8 am your time, on Wednesday? If not, could you do 6 pm your time on Wednesday?
Thanks.

Tova
Tova Andrea Wang
Democracy Fellow
The Century Foundation

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Peg:
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recommendations and expand on mine this weekend.

Also, I sent you an e-mail asking how you handled the mileage portion of my travel voucher?

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Hi, What's going on? I have not received responses from either one of you in a week. I'd like to wrap this up in the next two weeks if we can.

Did you get my recommendations? Thanks.

Tova

Hi again,

I just got the bill from our car service from the trip last month. Can I still send it to you? Do I need a cover note? Thanks. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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"Job Serebrov"

06/08/2006 01:10 PM

To psims@eac.gov

cc

Subject Re: Transcript & Teleconference

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"Tova Wang"

To psims@eac.gov
-----Original Message-----
From: Job Serebrov [mailto:]
Sent: Friday, June 09, 2006 8:17 AM
To: Tova Wang
Subject: RE: Transcript & Teleconference

Normally I am not home for lunch.

--- Tova Wang wrote:

> What about during a lunch hour?
>
> -----Original Message-----
> From: Job Serebrov [mailto:]
> Sent: Thursday, June 08, 2006 9:42 PM
> To: psims@eac.gov;
> Subject: Re: Transcript & Teleconference
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Peggy

06/08/2006 09:15 To
AM

== message truncated ==

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM ----- 

06/21/2006 11:00 AM

To: "Job Serebrov" psims@eac.gov
cc
Subject: nexis

Hi Peg and Job,
Thats a first! Thanks -- I'll fax and send. Tova

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, June 19, 2006 12:24 PM
To: [REDACTED]
Subject: Re: voucher

Looks good to me! --- Peggy

"Tova Wang"
06/19/2006 08:40 AM

Hi Peg,

Attached is my voucher for the last month -- can you check it quickly before I send it? Also, are we good for Wednesday at 7? Thanks. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation

002061
fine

----- Original Message ----- 
From: "Job Serebrov" <serebrov@serenberg.com>
To: psims@eac.gov
Sent: Wednesday, June 14, 2006 10:17 PM
Subject: Re: teleconference

> Tova:
> 5 pm EST is 4 pm Central. Peg would have to call at 7 pm EST to be 6 pm Central.
> Job
> --- wrote:
> >> Let's try to do that. Peg, you will call us 5 pm EST?
> >> ----- Original Message ----- 
> >> From: "Job Serebrov" <serebrov@serenberg.com>
> >> To: "Tova Wang" <psims@eac.gov>
> >> Sent: Wednesday, June 14, 2006 6:29 PM
> >> Subject: Re: teleconference
> >>
> >> Wednesday next week? It would have to be 6 pm.
> >>
> >> --- Tova Wang wrote:
> >> Hi Job,
> >> Peg tells me that we should now be getting the transcript early next week.
> >> Regardless, we should talk about the organization and distribution of work on the final report and try to finally get it done.
> >> Would it be possible for you to do a call before you leave for work in the morning, say 8 am your time, on Wednesday? If not, could you do 6 pm your time on Wednesday?
Hi Peg,

Attached is my voucher for the last month -- can you check it quickly before I send it? Also, are we good for Wednesday at 7? Thanks. Tova
Good news!!! The transcript is finally here.

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov

Dear EAC,

Attached please note the ASCII file for the Voting Fraud-Voter Intimidation Meeting taken on Wednesday, May 18, 2006. Your transcript has been shipped to you.

ASCII file name: 051806.txt

Please let us know if you have any questions.

Timothy Brischler, Office Manager, 703.273.9221
Margaret Sims/EAC/GOV
06/19/2006 04:28 PM
To Job Serebrov
cc
Subject Travel Reimbursement

I have been told that GSA expects to make the disbursement next week, probably on or around June 28.
--- Peggy

Bryan Whitener/EAC/GOV
06/15/2006 05:01 PM
To Margaret Sims/EAC/GOV@EAC, Juliet E. Thompson-Hodgkins/EAC/GOV@EAC, Gavin S. Gilmour/EAC/GOV@EAC
cc
Subject Fw: The 7th Edition!

Here's an update from Craig on his Election Crimes book. The last was published in 1995.

It is written and currently in the Deputy AG's office for policy review.

I have published the two most substantive chapters of the new book as private, personal papers under the aegis of the International Foundation for Electoral Systems (IFES), for which I have done a lot of work around the world. I recommend that you access IFES' website and go to the "Money and Politics" part of their extensive site. I should have two papers available there, one addressing Abuse of the Franchise (published in connection with work I did last year in Liberia) and the other involving Federal Campaign Finance Xrime" done in connection with work in Bosnia.

If you can't find them this way, please call me: 202-514-1421.
--------------------------
Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

Job Serebrov
06/21/2006 06:21 PM
To psims@eac.gov,"Tova Andrea Wang"
cc
It will need to be early next week. What news of the transcript?

--- psims@eac.gov wrote:

> I am sorry, but I have to postpone the teleconference originally scheduled for this evening. Is another day this week or early next week good for you two?
> Peggy
> --------------------------
> Sent from my BlackBerry Wireless Handheld
>

Can I also get an answer on whether we can speak about the project publicly?

OK. I have marked my calendar for a 7 PM EST/6 PM CST teleconference for this Wednesday. Still no transcript. --- Peggy
fine
----- Original Message ----- 
From: "Job Serebrov"  
To: <psims@eac.gov>  
Sent: Wednesday, June 14, 2006 10:17 PM  
Subject: Re: teleconference

> Tova:  
> 5 pm EST is 4 pm Central. Peg would have to call at 7 pm EST to be 6 pm Central.  
> Job  
> --- wrote:  
> >> Let's try to do that. Peg, you will call us 5 pm EST?  
> >> ------- Original Message -------  
> >> From: "Job Serebrov"  
> >> To: "Tova Wang"  
> >> Sent: Wednesday, June 14, 2006 6:29 PM  
> >> Subject: Re: teleconference  
> >>  
> >> Wednesday next week? It would have to be 6 pm.  
> >> >> Tova Wang wrote:  
> >> >> Hi Job,  
> >> >> Peg tells me that we should now be getting the transcript early next week.  
> >> >> Regardless, we should talk about the organization and distribution of work  
> >> >> on the final report and try to finally get it done.  
> >> >> Would it be possible for you to do a call before you leave for work in the morning, say 8 am your time, on Wednesday? If not, could you do 6 pm your time on Wednesday?  
> >> >> Thanks.  
> >> >> Tova  
> >> >> Tova Andrea Wang  
> >> >> Democracy Fellow  
> >> >> The Century Foundation


Would it be possible to find out how fast GSA will be able to process the travel reimbursement for Job Serebrov? --- Peggy

Peggy:

I need you to check on Monday to see when I will get my last invoice paid as well as my travel which was going to be expedited.

Are we still talking on Wednesday at 7 EST?

Thanks,

Job
Your personal services invoice should be paid this week (Thursday or Friday). The payment of travel costs will take longer. I'll check with Finance to see if we can get an estimated date from GSA. --- Peggy

Peggy:

I need you to check on Monday to see when I will get my last invoice paid as well as my travel which was going to be expedited.

Are we still talking on Wednesday at 7 EST?

Thanks,

Job

---- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM -----

Adam, Craig thought you were looking for a list of federal statutes, which are discussed in our election fraud manual. We don't have lists of state election crimes. Craig suggests that you contact Peggy Sims at the EAC - she's a wonderful resource, and I'm including her in my reply. Good luck.

Nancy

---- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM -----

Diana Scott/EAC/GOV
Peggy--We sent the request to the Finance Center on 6/13. Finance quotes a 2 week turnaround.

Diana M. Scott
Administrative Officer
U.S. Election Assistance Commission
(202) 566-3100 (office)
(202) 566-3127 (fax)
dscott@eac.gov

Margaret Sims/EAC/GOV

Would it be possible to find out how fast GSA will be able to process the travel reimbursement for Job Serebrov? --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM -----
Margaret Sims/EAC/GOV
06/22/2006 10:30 AM
To "Job Serebrov", "Tova Andrea Wang"
cc
Subject Re: Teleconference

OK. Next Monday (6-26) at 7 PM EST. I'll call you.
Peggy

-----------------------------
Sent from my BlackBerry Wireless Handheld

----- Original Message ----- 
From: "Job Serebrov" 
Sent: 06/21/2006 09:34 PM
To: psims@eac.gov
Subject: Re: Teleconference

Monday at 7 EST is ok with me. What about you Peg?

Job

---.wang@tcf.org wrote:

> How about Monday at 6:30 or 7 est?
> ----- Original Message -----
> From: "Job Serebrov" <job@eac.gov>
> To: <psims@eac.gov>; Yvonne Wang
> Date: Wednesday, June 21, 2006 6:21 PM
> Subject: Re: Teleconference
>
>
> > It will need to be early next week. What news of
> > the
> > transcript?
> >
> >
> > --- psims@eac.gov wrote:
> >
> >
> >> I am sorry, but I have to postpone the
> >> teleconference originally scheduled
> >> for this evening. Is another day this week or
> >> early
> >> next week good for you
> >> two?
> >> Peggy
> >>
> >> --------------------------
> >> Sent from my BlackBerry Wireless Handheld
> >>
> >>
> >>
> >>
> >>
> >>
> >>
> >
> >

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM ----

Margaret Sims/EAC/GOV  
06/19/2006 12:30 PM

To   Bryan Whitener/EAC/GOV
cc  Gavin S. Gilmour/EAC/GOV@EAC, Juliet E. Thompson-Hodgkins/EAC/GOV@EAC
Subject Re: Fw: The 7th Edition!

I have a copy of Donsanto's IFES paper, if you need it. We used it as one of the resources for the vote fraud-voter intimidation research. --- Peggy
Here's an update from Craig on his Election Crimes book. The last was published in 1995.

---- Forwarded by Bryan Whitener/EAC/GOV on 06/15/2006 08:38 AM ----
"Donsanto, Craig"
To bwhitener@eac.gov
cc
06/13/2006 08:04 PM
Subject The 7th Edition!

It is written and currently in the Deputy AG's office for policy review.

I have published the two most substantive chapters of the new book as private, personal papers under the aegis of the International Foundation for Electoral Systems (IFES), for which I have done a lot of work around the world. I recommend that you access IFES' website and go to the "Money and Politics" part of their extensive site. I should have two papers available there, one addressing Abuse of the Franchise (published in connection with work I did last year in Liberia) and the other involving Federal Campaign Finance Xrime" done in connection with work in Bosnia.

If you can't find them this way, please call me: 202-514-1421.

Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

---- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM ----
"Tova Wang"
To psims@eac.gov, "Job Serebrov"
cc
06/21/2006 12:25 PM
Subject RE: Teleconference

Anyday anytime except tomorrow is OK by me. Tova

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]

002072
I am sorry, but I have to postpone the teleconference originally scheduled for this evening. Is another day this week or early next week good for you two? Peggy

--------------------
Sent from my BlackBerry Wireless Handheld

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM ---

"Job Serebrov"

To psims@eac.gov
cc
Subject Suggestions

RECOMMENDATIONS.doc

Peggy:
When Tova sent me her suggestions I made some changes and additions. Tova later wrote to me and said she expected me to come up with my own list. Due to time constraints and at risk of duplication I rather go with the corrected suggestions.

Job
--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM ---

"Job Serebrov"

To "Tova Wang" psims@eac.gov
cc
Subject Re: nexis

I have no objection to amending the official findings/CD to add these.

--- Tova Wang wrote:

Hi Peg and Job,

I don't know how we might be able to use these but here, finally, are the
Hi Peg and Job,

I don't know how we might be able to use these but here, finally, are the super-refined versions of the nexis charts. Can we include them? Thanks.

Tova
Am I correct in assuming that I still cannot discuss the findings of our report? Thanks.

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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Click here to receive our weekly e-mail updates.

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM -----

"Job Serebrov"  To psims@eac.gov
06/30/2006 10:02 PM  cc
Subject Re: Various

For Donsanto to be able to do this, we would need enough time and money to contact all interviewees and also permit comment from them. However, in this matter I am 100% in agreement with Tova.

--- wrote:

> Also, I maintain that a reasonable solution to this
> is to allow Donsanto
> and/or any of the commissioners who desire to do so
> to provide a statement
> that would be included in the report and in the
> record.
> ----- Original Message -----  
> From: <wang@tcf.org>
> To: <psims@eac.gov>; "Job Serebrov"
> Cc: "Tova Wang"
> Sent: Friday, June 30, 2006 9:42 PM
> Subject: Re: Various
> 
> > That would be great on the contract.
> > 
> > If the interview is "edited" as you put it, I will
> be very, very
> > uncomfortable, as I believe Job would be as well.
> I know you don't want
> > to spend anymore time on this, but I consider it a
> rather important issue,
> > and I think Job does too. I would be happy to
> talk to you and Tom and any
> > of the commissioners about this further if that
> would be helpful. I am
> > available by cell over the next four days and in
Thanks for the updated invoice stuff. Happy 4th.

Tova

----- Original Message ----- 
From: <psims@eac.gov>
To: "Job Serebrov"
Cc: "Tova Andrea Wang"
Sent: Friday, June 30, 2006 6:41 PM
Subject: Re: Various

Actually, the Donsanto interview was the only one I did attend, but I agree the issue is taking up too much of your time. I just wanted you to be forwarned that the paragraph has already raised red flags in DC of and is likely to result in an edit. Enough said about that.

I am concerned about the number of hours left for this project. If you and Tova both agree, I'll see if our Contracting Officer will approve a contract mod to provide for some additional hours and money to incorporate comments received on the report and other efforts that fall within the tasks specified in the current contract. We won't get 60 thou, but there might be a little year end money we can use to finish this off properly.

Peg

-------- Original Message -------- 
From: "Job Serebrov"
Sent: 06/30/2006 05:58 PM
To: psims@eac.gov; wang@tcf.org
Subject: Various

Peg:

I had to take time off this afternoon to handle some issues. Did you get an answer as to my travel reimbursement?

I spoke to Tova about the Donsanto issue. We both agree about what we heard during the interview. We also agree that this is taking up too much time (of which we have so little left) and is a minor part
of
>> one interview which makes up one of thirty
>> interviews.
>> I feel the same as Tova, the Commission was not
>> in on
>> the interview and thus do not know what was said
>> and
>> we are not giving those interviewed the
>> opportunity,
>> especially given how long ago the interviews
>> were, to
>> object. Frankly, if the Commission wants to give
>> us
>> another sixty hours each we can call all of our
>> interviewees, give them the review and ask for
>> comments. In any case, we can't include comments
>> from
>> other interviews with, or lectures by person
>> interviewed, outside of our interview with that
>> person. We simply can't afford to single out one
>> statement in one interview that there is a
>> disagreement on. Finally, I don't read the
>> paragraph
>> as you do---I remember what was said---the
>> paragraph
>> clearly does not imply an abandonment of other
>> DOJ
>> electoral investigations.

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM -----

Margaret Sims/EAC/GOV

06/27/2006 02:47 PM  To  Jeannie Layson/EAC/GOV

cc  Subject  Re: U.S. News & World Report

Here it is. --- Peg

EAC Boards VF-VI Status Report.doc

Jeannie Layson/EAC/GOV

Jeannie Layson/EAC/GOV

00207
Peg,
Would you please send me the document regarding this project that was submitted to the Standards Bd?

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

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM -----
"Tova Wang"
06/28/2006 04:37 PM
To psims@eac.gov, "Job Serebrov"
cc
Subject methodology

As you may recall, the working group expressed interest in the risk analysis method. The recent report by the Brennan Center on voting machines employs this methodology. If you look at pp. 8-19 of the attached, it provides a potential model. I think it might be worth including this as an appendix or footnote in the methodology section. Please let me know what you think. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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brennan machine report.pdf
----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM -----
Margaret Sims/EAC/GOV
06/30/2006 05:31 PM
To Job Serebrov
cc
Subject Contract Hours & Payments for Services
Here is the spreadsheet I have for you. Please let me know if you notice any discrepancies. Thanks. ---
Peggy

Serebrov Payment Tracking.xls
--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM ---

"Tova Wang"
To: psims@eac.gov
cc
Subject: invoice

Hi Peg,

What is the current invoice schedule? Thanks.

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM -----

"Tova Wang"
To: psims@eac.gov
cc
Subject: FW: methodology

Will it be possible for you to extract the excerpt for inclusion in the report? Thanks.

----- Original Message ----- 
From: Job Serebrov [mailto:]
Sent: Wednesday, June 28, 2006 5:40 PM
To: Tova Wang; psims@eac.gov
Subject: Re: methodology

Agreed

--- Tova Wang wrote:
> As you may recall, the working group expressed

002075
interest in the risk analysis method. The recent report by the Brennan Center on voting machines employs this methodology. If you look at pp. 8-19 of the attached, it provides a potential model. I think it might be worth including this as an appendix or footnote in the methodology section. Please let me know what you think.

Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM ---

"Job Serebrov"
07/02/2006 10:28 AM
To psims@eac.gov
cc
Subject Please Change This

Peggy:

In the transcript, there is one serious mistake that must be changed immediately. On page 5 it indicates that I helped review and draft changes to the election code of Libya. It should be Namibia not Libya. The reason this is so serious if it stands is that at the time I reviewed Namibia's Code it was illegal for Americans to deal with Libya. I need to know that this has been corrected and ALL parties who have seen the transcript notified.

Job

002080
Jeannie

We suspect that someone from the Voting Fraud-Voter Intimidation Project Working Group has been talking to reporters, tipping them off about what we are finding in our preliminary study, and referring them to our consultants (although the information could have come from anyone on the EAC boards, too). Apparently, the U.S. News & World Report reporter who contacted me also contacted both consultants working on the project.

Based on my recommendation, Tova Wang and, possibly, Job Serebrov, who are on EAC personal services contracts for our voting fraud and voter intimidation research, will seek further clarification from you about what they can and cannot say to reporters and in public fora about vote fraud and voter intimidation and about EAC's research. I have previously advised Tova and Job not to discuss the work they are doing for us as this is EAC research, the Commissioners have not yet received and accepted the final report, and the Commission has not approved their speaking about the EAC research.

Tova plans to call you tomorrow (Tuesday, June 27) about the issue. In addition to the reporter’s inquiry, she has been invited to speak on the subject at the summer conference of the National Association of State Legislatures. She has plenty of knowledge of the subject in her own right (apart from our study), but is having trouble differentiating between her own work and the work she is doing for us. Please, just let me know what you advise her to do.

--- Peggy

Does this work for you?

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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Click here to receive our weekly e-mail updates.
Attached is an updated schedule showing 2 more invoice periods. I'll send separate spreadsheets to you and Job showing what funds and hours have been used and what are available. --- Peggy

Hi Peg,

What is the current invoice schedule? Thanks.

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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Click here to receive our weekly e-mail updates.

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM -----
I would make time to discuss this. I feel that any edit would be wrong while a comment at the end of the interview by the Commission would not be. But in this case, two of us remember it one way and one the other way.

--- wrote:

> That would be great on the contract.
> 
> If the interview is "edited" as you put it, I will be very, very uncomfortable, as I believe Job would be as well. I know you don't want to spend anymore time on this, but I consider it a rather important issue, and I think Job does too. I would be happy to talk to you and Tom and any of the commissioners about this further if that would be helpful. I am available by cell over the next four days and in the office all next week.
> 
> Thanks for the updated invoice stuff. Happy 4th.
> 
> Tova
> 
> ----- Original Message ----- 
> From: <psims@eac.gov>
> To: "Job Serebrov"
> Cc: "Tova Andrea Wang"
> Sent: Friday, June 30, 2006 6:41 PM 
> Subject: Re: Various
> 
> 
> > Actually, the Donsanto interview was the only one I did attend, but I agree the issue is taking up too much of your time. I just wanted you to be forewarned that the paragraph has already raised red flags in DC of and is likely to result in an edit. Enough said about that.
> 
> > I am concerned about the number of hours left for this project. If you and Tova both agree, I'll see if our Contracting Officer will approve a contract mod to provide for some additional hours and money to incorporate comments received on the report and other efforts that fall within the tasks specified in the current contract. We won't get 60 thou, but there might be a little year end money we can use to finish this off properly.
> 
> > Peg
> 
> > --------------------------
Peg:

I had to take time off this afternoon to handle some issues. Did you get an answer as to my travel reimbursement?

I spoke to Tova about the Donsanto issue. We both agree about what we heard during the interview. We also agree that this is taking up too much time (of which we have so little left) and is a minor part of one interview which makes up one of thirty interviews.

I feel the same as Tova, the Commission was not on the interview and thus do not know what was said and we are not giving those interviewed the opportunity, especially given how long ago the interviews were, to object. Frankly, if the Commission wants to give us another sixty hours each we can call all of our interviewees, give them the review and ask for comments. In any case, we can't include comments from other interviews with, or lectures by person interviewed, outside of our interview with that person. We simply can't afford to single out one statement in one interview that there is a disagreement on. Finally, I don't read the paragraph as you do---I remember what was said---the paragraph clearly does not imply an abandonment of other DOJ electoral investigations.

Job
I'll need to get back to you on this and the definition tomorrow (too many things going on today). In the meantime, I have attached the written status report that was presented to the EAC Standards Board and Board of Advisors, because I can't remember if I ever provided the final version to the two of you. The status report is primarily made up of your preliminary reports, with some intro information provided and a brief summary of recommendations discussed at the Working Group meeting. This may or may not help the two of you in preparing the final. You can use any of it, or none of it. I am sure that your product will be much better than this quickly pulled together thing. --- Peggy

EAC Boards VF-VI Status Report.doc

"Tova Wang" <>

"Tova Wang"
06/27/2006 12:26 PM
To psims@eac.gov, "Job Serebrov"
cc
Subject outline of final report

Does this work for you?

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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Table of Contents.doc

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM -----

"Job Serebrov"
06/29/2006 07:58 PM
To psims@eac.gov
cc
Subject Travel Pay
Peg:

So far no travel pay. Tova got hers a couple of days ago. Please call and check. I need it.

Thanks,
Job

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM -----
"Tova Wang"
06/29/2006 01:24 PM

Peg, If you review the numerous speeches and writings of Donsanto, including at the BAI training sessions, you will see that in the past he has frequently said that as a matter of law and policy the Department generally only pursued organized patterns. I can point you to particular citations if you like. He clearly said when we interviewed him that there had been a shift in resources and energy. This is in both of our notes. I don't think this should be an issue of departmental politics.

Tova

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, June 29, 2006 12:00 PM
To: 
Cc: twilkey@eac.gov
Subject: Re: donsanto interview

Tova and Job:

All I can do is advise you that I don't think this paragraph will pass by the Commission, as written, because readers can misinterpret what is being reported and use something published by EAC against DOJ. I suspect that both of you are aware of legal action being taken by an advocacy group against DOJ alleging that the agency is acting in a manner that fails to protect, and even discourages, the voter participation of minorities and disadvantaged individuals. Though I do not intend to address the merits of that action, which focuses on the efforts of more than one DOJ office, I am concerned that some readers would use the sentence that begins with "This change in direction, focus, and level of aggression ..." as evidence that DOJ's Election Crimes Branch has completely changed course to focus on aggressively pursuing individuals who vote when ineligible, many of whom are minorities.

It is true that, for years, the Election Crimes Branch did not pursue individual violators. (I certainly observed this from the time I became involved in researching election administration matters in 1986.) Much of the reason for this is that the agency just did not have the resources to pursue everything; so, as the agency budget permitted, DOJ pursued cases that provided the most bang
for the buck --- cases involving multiple individuals that were not already being pursued by State or local public attorneys. As you know, DOJ recently expanded its efforts and added the prosecution of individuals for double voting or voting when ineligible (felony convictions or no U.S. citizenship). Although I did not know of this decision prior to the interview, the action is not a complete surprise, given the increasing pressure on the agency to pursue such cases that began with a real squeaker of a 1996 race in California's 46th CD (Orange County). In the interview with you, Donsanto also stated that the department evaluates each case before pursuing it, and does not pursue every individual referred for voting violations. (You may remember he noted his reluctance to pursue noncitizen voting, which can result in deportation, when it could separate the individual from his family.)

In my opinion, the addition of the prosecution of individuals, while an important new development, is not a complete change in direction or focus. The pursuit of individual violators does not supplant DOJ's continuing efforts to pursue organized schemes to corrupt the process. It is part of a recent expansion of the agency's efforts to combat election crime that includes: (1) more aggressive pursuit of criminal campaign finance violations (not covered by EAC's study); (2) exploration of new avenues to prosecute voter suppression schemes (e.g.; the NH phone bank blocking case); (3) better training of U.S. attorneys and FBI agents in the recognition, investigation and prosecution of election offenses; (4) efforts to improve coordination with state and local law enforcement agencies; and (5) press conferences and public announcements before federal elections to publicize how the public can report election crimes. Donsanto provided information on much of these efforts either during the interview or by supplying case lists and training information on the day of the interview.

I hope you will reconsider revising the paragraph at issue.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission

Hi Peg,

Job and I have discussed this matter and agree on our response to it.

Presumably the paragraph you are concerned about is the following:

002087
Since 2002, the department has brought more cases against alien voters, felon voters, and double voters than ever before. Previously, cases were only brought when there was a pattern or scheme to corrupt the process. Charges were not brought against individuals – those cases went un-prosecuted. This change in direction, focus, and level of aggression was by the decision of the Attorney General. The reason for the change was for deterrence purposes.

Neither of us thinks this passage says that the Department has stopped pursuing patterns, as you suggested, and we maintain that this is what Mr. Donsanto said to us in the interview. If Mr. Donsanto wants to object, perhaps he can write a letter or something to that effect that could be part of the record.

Tova Andrea Wang
Democracy Fellow
The Century Foundation


Click here to receive our weekly e-mail updates.

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM ---
Margaret Sims/EAC/GOV
06/29/2006 05:31 PM
To "Tova Wang" <twilkey@eac.gov>
cc doreenw@eac.gov
Subject RE: donsanto interview

I don't think anyone disagrees that DOJ's earlier policy was to prosecute organized conspiracies, not individual violators. This policy was based both on existing law and resources available. Donsanto made that clear in numerous presentations before election officials, though I doubt he would have highlighted the resource issue in any of his written reports.

I did *not* hear Donsanto say that there was a shift in resources and energy away from prosecuting organized conspiracies in order to pursue prosecutions of individuals. I think we should avoid implying that this is the case. I understood his statement to address a shift in DOJ resources and energy to support increased efforts to prosecute election crimes, including the expansion of prosecutions to include individual incidents. I have not seen, nor do I think Donsanto has ever stated, that there has been a decrease in the effort to prosecute organized conspiracies to corrupt the process. Yet, adequate resources continue to be an issue, as Donsanto noted in his interview and at the Working Group meeting (when referring to having to decide which of two voter suppression cases to prosecute because he didn't have the resources to do both).

Your reference to policy based on law reminded me that changes in federal law, and an evolution in the understanding of how to use newer law, also would have affected DOJ's decision to add the prosecution of individuals for such violations as registering and voting when not a U.S. citizen or when a convicted felon. Earlier federal law did not directly address voter registration by felons, permitting federal prosecution in such instances only where it could be shown that the applicant *knowingly and willfully*
provided false information as to his or her eligibility to vote. Earlier federal law permitted the prosecution of noncitizens for registering to vote based on false claims of the U.S. citizenship that each State required for registering to vote in federal elections, but did not require U.S. citizenship to vote in federal elections. These laws made federal prosecution of noncitizen and felon voter registration and voting much more challenging. With the implementation of the NVRA in 1995, we began to see federal election law that could more easily be used for federal prosecution of both voter registration and voting by noncitizens and convicted felons. And, late in 1996, immigration reform legislation was passed that clearly prohibits noncitizens from voting in federal elections (without requiring the "knowing and willful" component).

--- Peggy

"Tova Wang"

06/29/2006 01:24 PM

To psims@eac.gov, 

cc twilkey@eac.gov

Subject RE: donsanto interview

Peg. If you review the numerous speeches and writings of Donsanto, including at the BAI training sessions, you will see that in the past he has frequently said that as a matter of law and policy the Department generally only pursued organized patterns. I can point you to particular citations if you like. He clearly said when we interviewed him that there had been a shift in resources and energy. This is in both of our notes. I don't think this should be an issue of departmental politics.

Tova

-----Original Message-----
From psims@eac.gov [mailto:psims@eac.gov]
Sent Thursday, June 29, 2006 12:00 PM
To
Cc twilkey@eac.gov
Subject Re: donsanto interview

Tova and Job:

All I can do is advise you that I don't think this paragraph will pass by the Commission, as written, because readers can misinterpret what is being reported and use something published by EAC against DOJ. I suspect that both of you are aware of legal action being taken by an advocacy group against DOJ alleging that the agency is acting in a manner that fails to protect, and even discourages, the voter participation of minorities and disadvantaged individuals. Though I do not intend to address the merits of that action, which focuses on the efforts of more than one DOJ office, I am concerned that some readers would use the sentence that begins with "This change in direction, focus, and level of aggression ..." as evidence that DOJ's Election Crimes Branch has completely changed course to focus on aggressively pursuing individuals who vote when ineligible, many of whom are minorities.

It is true that, for years, the Election Crimes Branch did not pursue individual violators. (I certainly observed this from the time I became involved in researching election administration matters in 1986.) Much of the reason for this is that the agency just did not have the resources to pursue everything; so, as the agency budget permitted, DOJ pursued cases that provided the most bang
for the buck --- cases involving multiple individuals that were not already being pursued by State or local public attorneys. As you know, DOJ recently expanded its efforts and added the prosecution of individuals for double voting or voting when ineligible (felony convictions or no U.S. citizenship). Although I did not know of this decision prior to the interview, the action is not a complete surprise, given the increasing pressure on the agency to pursue such cases that began with a real squeaker of a 1996 race in California's 46th CD (Orange County). In the interview with you, Donsanto also stated that the department evaluates each case before pursuing it, and does not pursue every individual referred for voting violations. (You may remember he noted his reluctance to pursue noncitizen voting, which can result in deportation, when it could separate the individual from his family.)

In my opinion, the addition of the prosecution of individuals, while an important new development, is not a complete change in direction or focus. The pursuit of individual violators does not supplant DOJ's continuing efforts to pursue organized schemes to corrupt the process. It is part of a recent expansion of the agency's efforts to combat election crime that includes: (1) more aggressive pursuit of criminal campaign finance violations (not covered by EAC's study); (2) exploration of new avenues to prosecute voter suppression schemes (e.g.; the NH phone bank blocking case); (3) better training of U.S. attorneys and FBI agents in the recognition, investigation and prosecution of election offenses; (4) efforts to improve coordination with state and local law enforcement agencies; and (5) press conferences and public announcements before federal elections to publicize how the public can report election crimes. Donsanto provided information on much of these efforts either during the interview or by supplying case lists and training information on the day of the interview.

I hope you will reconsider revising the paragraph at issue.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission

Hi Peg,

Job and I have discussed this matter and agree on our response to it.

Presumably the paragraph you are concerned about is the following:
Since 2002, the department has brought more cases against alien voters, felon voters, and double voters than ever before. Previously, cases were only brought when there was a pattern or scheme to corrupt the process. Charges were not brought against individuals – those cases went un-prosecuted. This change in direction, focus, and level of aggression was by the decision of the Attorney General. The reason for the change was for deterrence purposes.

Neither of us thinks this passage says that the Department has stopped pursuing patterns, as you suggested, and we maintain that this is what Mr. Donsanto said to us in the interview. If Mr. Donsanto wants to object, perhaps he can write a letter or something to that effect that could be part of the record.

Tova Andrea Wang
Democracy Fellow
The Century Foundation

---

Here is the spreadsheet I have for you. Please let me know if you notice any discrepancies. Thanks. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM ----
Margaret Sims/EAC/GOV
06/30/2006 05:29 PM
To Tova Andrea Wang
cc
Subject Contract Hours & Payments for Services

Not yet. The problem is that so many folks seem to be off for a long 4th of
July weekend.

--------------------------
Sent from my BlackBerry Wireless Handheld

----- Original Message -----  
From: "Job Serebrov" [ ]  
Sent: 06/30/2006 05:58 PM  
To: psims@eac.gov;  
Subject: Various  

Peg:

I had to take time off this afternoon to handle some issues. Did you get an answer as to my travel reimbursement?

I spoke to Tova about the Donsanto issue. We both agree about what we heard during the interview. We also agree that this is taking up too much time (of which we have so little left) and is a minor part of one interview which makes up one of thirty interviews. I feel the same as Tova, the Commission was not in on the interview and thus do not know what was said and we are not giving those interviewed the opportunity, especially given how long ago the interviews were, to object. Frankly, if the Commission wants to give us another sixty hours each we can call all of our interviewees, give them the review and ask for comments. In any case, we can't include comments from other interviews with, or lectures by person interviewed, outside of our interview with that person. We simply can't afford to single out one statement in one interview that there is a disagreement on. Finally, I don't read the paragraph as you do---I remember what was said---the paragraph clearly does not imply an abandonment of other DOJ electoral investigations.

Job

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM -----  
"Job Serebrov"  
06/30/2006 07:10 PM  
To psims@eac.gov,  
cc  
Subject Re: Various

Peg:

It's ok with me as long as we finish before the end of November.
--- psims@eac.gov wrote:

> Actually, the Donsanto interview was the only one I did attend, but I agree the issue is taking up too much of your time. I just wanted you to be forwarned that the paragraph has already raised red flags in DC of and is likely to result in an edit. Enough said about that.

> I am concerned about the number of hours left for this project. If you and Tova both agree, I'll see if our Contracting Officer will approve a contract mod to provide for some additional hours and money to incorporate comments received on the report and other efforts that fall within the tasks specified in the current contract. We won't get 60 thou, but there might be a little year end money we can use to finish this off properly.

> Peg

> --------------------------
> Sent from my BlackBerry Wireless Handheld

> ----- Original Message ----- 
> From: "Job Serebrov" [Job Serebrov] 
> Sent: 06/30/2006 05:58 PM 
> To: psims@eac.gov; 
> Subject: Various

> Peg:

> I had to take time off this afternoon to handle some issues. Did you get an answer as to my travel reimbursement?

> I spoke to Tova about the Donsanto issue. We both agree about what we heard during the interview. We also agree that this is taking up too much time (of which we have so little left) and is a minor part of one interview which makes up one of thirty interviews.

> I feel the same as Tova, the Commission was not in on the interview and thus do not know what was said and we are not giving those interviewed the opportunity, especially given how long ago the interviews were, to object. Frankly, if the Commission wants to give us another sixty hours each we can call all of our interviewees, give them the review and ask for comments. In any case, we can't include comments from other interviews with, or lectures by person interviewed, outside of our interview with that person. We simply can't afford to single out one statement in one interview that there is a disagreement on. Finally, I don't read the paragraph
as you do---I remember what was said---the paragraph clearly does not imply an abandonment of other DOJ electoral investigations.

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM ----
Margaret Sims/EAC/GOV
06/26/2006 04:38 PM
To "Tova Wang"
cc dromig@eac.gov
Subject RE: May 18, 2006 Meeting

I wasn't planning on circulating the transcript to the Commissioners. Most of them probably don't have the time to go through the whole thing. I will let them know it is available, if they are interested in reviewing it.
--- Peggy

"Tova Wang"

"Tova Wang"
06/23/2006 01:04 PM
To dromig@eac.gov, psims@eac.gov
cc
Subject RE: May 18, 2006 Meeting

Wow, there are a lot of errors in this. But at least it gets at the substance. Will this be circulated to the commissioners?

-----Original Message-----
From: dromig@eac.gov [mailto:dromig@eac.gov]
Sent: Thursday, June 22, 2006 2:45 PM
To: psims@eac.gov
Cc:
Subject: Fw: May 18, 2006 Meeting

Good news!!! The transcript is finally here.

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov
Dear EAC,

Attached please note the ASCII file for the Voting Fraud-Voter Intimidation Meeting taken on Wednesday, May 18, 2006. Your transcript has been shipped to you.

ASCII file name: 051806.txt

Please let us know if you have any questions.

Timothy Brischler, Office Manager, 703.273.9221

---

I am ok with it.

--- Tova Wang wrote:

> Is this OK now?
>
> Tova Andrea Wang
> Democracy Fellow
> The Century Foundation
>
> Visit our Web site, for the latest news, analysis, opinions, and events.
>
Jeannie:

Here are my responses:

1. *When will EAC receive the preliminary report on voter intimidation and voting fraud?*
   
   I anticipate that we will have a draft final report from our consultants in 2-3 weeks, after our consultants have had time to review the transcript from the project Working Group meeting, which was not available until last week.

2. *When we receive the preliminary report, what is the EAC process to formulate a final product that will be made public?*
   
   First, Commissioners and Commission staff will have to review the preliminary draft. Then a draft will be submitted to the EAC Standards Board and EAC Advisory Board for review and comment. This second step is taken in accordance with HAVA §247, which requires EAC to carry out its duties under Title II, Subtitle C (Studies and Other Activities to Promote Effective Administration of Federal Elections) in consultation with the Standards Board and the Board of Advisors.

3. *When will we make this research available to the public? What form will it be in? (Best practices, etc.)*
   
   The final report cannot be made public until it has been accepted by the Commissioners. Normally, this does not happen until the researcher(s) submit a final report that has been revised to address clarifications and corrections deemed necessary through the review process described above. The time it takes for the researchers to produce this final report will depend, somewhat, on the number of clarifications and corrections deemed necessary.
As the researchers were charged with conducting preliminary background research on voting fraud and voter intimidation in the U.S., this report will not include recommended best practices. It will summarize the preliminary research as well as the deliberations of our project Working Group. It also will include recommendations for future EAC activity related to the development of: (1) methods of identifying, deterring, and investigating voting fraud and voter intimidation; and (2) nationwide statistics on voting fraud.

If the reporter has spoken to Secretary Rokita, who maintains that EAC has no authority to conduct this research, you may want to note that EAC initiated this preliminary research on voting fraud and voter intimidation in accordance with the Help America Vote Act, (HAVA) §241, which requires EAC to conduct research on election administration issues, including the development of:

- nationwide statistics and methods of identifying, deterring, and investigating voting fraud in elections for Federal office [§241(b)(6)]; and
- ways of identifying, deterring, and investigating methods of voter intimidation [§241(b)(7)].

At its 2005 meeting, EAC’s Board of Advisors recommended that the agency make research on these matters a high priority.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission

Jeannie Layson/EAC/GOV

06/27/2006 02:26 PM To psims@eac.gov, twilkey@eac.gov
cc
Subject US News & World Report inquiry

Please provide answers to the following questions, posed to me by US News & World Report’s Scott Michels. I need this info by the end of the day to meet his deadline.

1. When will EAC receive the preliminary report on voter intimidation and voting fraud?
2. When we receive the preliminary report, what is the EAC process to formulate a final product that will be made public?
3. When will we make this research available to the public? What form will it be in? (Best practices, etc.)

Jeannie Layson
U.S. Election Assistance Commission
1225 New York Ave., NW
Suite 1100
Washington, DC 20005
Phone: 202-566-3100
www.eac.gov
Hi Peg,

Job and I have discussed this matter and agree on our response to it.

Presumably the paragraph you are concerned about is the following:

Since 2002, the department has brought more cases against alien voters, felon voters, and double voters than ever before. Previously, cases were only brought when there was a pattern or scheme to corrupt the process. Charges were not brought against individuals – those cases went un-prosecuted. This change in direction, focus, and level of aggression was by the decision of the Attorney General. The reason for the change was for deterrence purposes.

Neither of us thinks this passage says that the Department has stopped pursuing patterns, as you suggested, and we maintain that this is what Mr. Donsanto said to us in the interview. If Mr. Donsanto wants to object, perhaps he can write a letter or something to that effect that could be part of the record.
Tova and Job:

All I can do is advise you that I don't think this paragraph will pass by the Commission, as written, because readers can misinterpret what is being reported and use something published by EAC against DOJ. I suspect that both of you are aware of legal action being taken by an advocacy group against DOJ alleging that the agency is acting in a manner that fails to protect, and even discourages, the voter participation of minorities and disadvantaged individuals. Though I do not intend to address the merits of that action, which focuses on the efforts of more than one DOJ office, I am concerned that some readers would use the sentence that begins with "This change in direction, focus, and level of aggression ..." as evidence that DOJ's Election Crimes Branch has completely changed course to focus on aggressively pursuing individuals who vote when ineligible, many of whom are minorities.

It is true that, for years, the Election Crimes Branch did not pursue individual violators. (I certainly observed this from the time I became involved in researching election administration matters in 1986.) Much of the reason for this is that the agency just did not have the resources to pursue everything; so, as the agency budget permitted, DOJ pursued cases that provided the most bang for the buck --- cases involving multiple individuals that were not already being pursued by State or local public attorneys. As you know, DOJ recently expanded its efforts and added the prosecution of individuals for double voting or voting when ineligible (felony convictions or no U.S. citizenship). Although I did not know of this decision prior to the interview, the action is not a complete surprise, given the increasing pressure on the agency to pursue such cases that began with a real squeaker of a 1996 race in California's 46th CD (Orange County). In the interview with you, Donsanto also stated that the department evaluates each case before pursuing it, and does not pursue every individual referred for voting violations. (You may remember he noted his reluctance to pursue noncitizen voting, which can result in deportation, when it could separate the individual from his family.)

In my opinion, the addition of the prosecution of individuals, while an important new development, is not a complete change in direction or focus. The pursuit of individual violators does not supplant DOJ's continuing efforts to pursue organized schemes to corrupt the process. It is part of a recent expansion of the agency's efforts to combat election crime that includes: (1) more aggressive pursuit of criminal campaign finance violations (not covered by EAC's study); (2) exploration of new avenues to prosecute voter suppression schemes (e.g.; the NH phone bank blocking case); (3) better training of U.S. attorneys and FBI agents in the recognition, investigation and prosecution of election offenses; (4) efforts to improve
coordination with state and local law enforcement agencies; and (5) press conferences and public announcements before federal elections to publicize how the public can report election crimes. Donsanto provided information on much of these efforts either during the interview or by supplying case lists and training information on the day of the interview.

I hope you will reconsider revising the paragraph at issue.

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Election Research Specialist
U.S. Election Assistance Commission

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Tova Andrea Wang
Democracy Fellow
The Century Foundation

Visit our Web site for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.
Peggy:

Still no travel funds. Please see what you can fund out on Monday. At this point this is late.

Job

--- Original Message ---
From: <wang@tcf.org>
To: <psims@eac.gov>; "Job Serebrov"
Cc: "Tova Wang"
Sent: Friday, June 30, 2006 9:42 PM
Subject: Re: Various

> That would be great on the contract.
> If the interview is "edited" as you put it, I will be very, very uncomfortable, as I believe Job would be as well. I know you don't want to spend anymore time on this, but I consider it a rather important issue,
and I think Job does too. I would be happy to talk to you and Tom and any of the commissioners about this further if that would be helpful. I am available by cell over the next four days and in the office all next week.

Thanks for the updated invoice stuff. Happy 4th.

Tova

----- Original Message ----- 
From: <psims@eac.gov>
To: "Job Serebrov"
Cc: "Tova Andrea Wang"
Sent: Friday, June 30, 2006 6:41 PM
Subject: Re: Various

Actually, the Donsanto interview was the only one I did attend, but I agree the issue is taking up too much of your time. I just wanted you to be forewarned that the paragraph has already raised red flags in DC of and is likely to result in an edit. Enough said about that.

I am concerned about the number of hours left for this project. If you and Tova both agree, I'll see if our Contracting Officer will approve a contract mod to provide for some additional hours and money to incorporate comments received on the report and other efforts that fall within the tasks specified in the current contract. We won't get 60 thou, but there might be a little year end money we can use to finish this off properly.

Peg

Sent from my BlackBerry Wireless Handheld

----- Original Message ----- 
From: "Job Serebrov"
Sent: 06/30/2006 05:58 PM
To: psims@eac.gov; 
Subject: Various

Peg:

I had to take time off this afternoon to handle some issues. Did you get an answer as to my travel reimbursement?

I spoke to Tova about the Donsanto issue. We both agree about what we heard during the interview. We also agree that this is taking up too much time (of which we have so little left) and is a minor part of one interview which makes up one of thirty interviews. I feel the same as Tova, the Commission was not in on the interview and thus do not know what was said and we are not giving those interviewed the opportunity, especially given how long ago the interviews were, to object. Frankly, if the Commission wants to give us another sixty hours each we can call all of our interviewees, give them the review and ask for comments. In any case, we can't include comments from other interviews with, or lectures by person interviewed, outside of our interview with that
Can you please find out where GSA is with this reimbursement? Thanks. --- Peggy

Peggy:

Still no travel funds. Please see what you can fund out on Monday. At this point this is late.

Job

Peggy:
I am assuming you are referring to the 6/9/06 payment in the amount of $1,200.03. I checked with Finance and the payout date is today.

Bola Olu  
Financial Administrative Specialist  
United States Election Assistance Commission  
1225 New York Avenue N.W., Suite - 1100  
Washington, DC 20005  
P:202-566-3124  
F:202/566-3127  
http://www.eac.gov/

"Integrity - Treat everyone with the same principle, be loyal to those who are not present"

Margaret Sims/EAC/GOV

Can you please find out where GSA is with this reimbursement? Thanks. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 07/03/2006 11:12 AM ----

Peggy:

Still no travel funds. Please see what you can fund out on Monday. At this point this is late.

Job

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM ----
Job:

I may have forgotten to send this summary of payments for personal services to you. If I didn't, here it is again. --- Peggy

---

Most of the Commissioners and Tom will be out of the office for the next two weeks to attend the IACREOT, NASS, and NASED summer conferences. I'll let Tom know you want to talk with him when I see him at the airport tomorrow. He may decide to call from out of town. --- Peggy

---

That would be great on the contract.

If the interview is "edited" as you put it, I will be very, very uncomfortable, as I believe Job would be as well. I know you don't want to spend anymore time on this, but I consider it a rather important issue, and I think Job does too. I would be happy to talk to you and Tom and any of the commissioners about this further if that would be helpful. I am available by cell over the next four days and in the office all next week.

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Tova

----- Original Message ----- 
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Cc: "Tova Andrea Wang"
Sent: Friday, June 30, 2006 6:41 PM
Subject: Re: Various

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Peg

Sent from my BlackBerry Wireless Handheld

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To: psims@eac.gov; 
Subject: Various

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Job

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM ----- 
Devon E. Romig/EAC/GOV 
07/03/2006 01:22 PM 
To: [redacted]
Peg:

I still have not received the travel funds. This is causing a large financial problem. I don’t know what is with these people but it is obvious my bank has not received it and I doubt it was sent. Please find out what is going on.

Job

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM -----

"Tova Wang"

To: psims@eac.gov
cc
Subject: RE: Estimated Additional Hours Needed

I think I’ve already gone over my hours. Let me know when I submit my invoice. If I have, I’ll just reduce them on paper. Thanks.

-----Original Message-----
From: psims@eac.gov
Sent: Monday, July 03, 2006 10:30 AM
To: "Tova Wang"
Subject: RE: Estimated Additional Hours Needed
We'll have to guesstimate. It is likely that we will receive some comments and questions from the Commissioners and a number of comments from the boards. We could do the modification a little later, but we have to do it before the end of August to take advantage of year-end funds. Basically, the sooner we can figure this out, the better chance we have of using some of the year-end money for this project, before it is taken for something else. We have no guarantees that funds will be available in the next fiscal year. — Peggy

"Tova Wang"

07/03/2006 11:13 AM

To: psims@eac.gov

cc

Subject: RE: Estimated Additional Hours Needed

Doesn't it really depend on what the Commission comes back to us with? It's kind of hard to estimate before knowing what they're going to want.

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

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, July 03, 2006 10:11 AM
To:
Cc: twilkey@eac.gov
Subject: Estimated Additional Hours Needed

Tova and Job:

I don't have the authority to modify contracts, but Tom Wilkey does. In order to help Tom determine how many additional hours (and dollars) should be added to your personal services contracts, I'll need an estimate from the two of you for the number of additional hours required to complete the final report (taking into account revisions that may be needed to address questions and comments submitted by the Commissioners and the EAC Standards Board and Board of Advisors). Please note that we cannot add any tasks to the existing contract, but we can account for additional hours required to complete the final report.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
e-mail: psims@eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM -----
I thought I emailed an account of your hours used. Just in case I didn't, here it is again.

Wang Payment Tracking.xls

I think I've already gone over my hours. Let me know when I submit my invoice. If I have, I'll just reduce them on paper. Thanks.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, July 03, 2006 10:30 AM
To:
Subject: RE: Estimated Additional Hours Needed

We'll have to guesstimate. It is likely that we will receive some comments and questions from the Commissioners and a number of comments from the boards. We could do the modification a little later, but we have to do it before the end of August to take advantage of year-end funds. Basically, the sooner we can figure this out, the better chance we have of using some of the year-end money for this project, before it is taken for something else. We have no guaranties that funds will be available in the next fiscal year. --- Peggy
Doesn't it really depend on what the Commission comes back to us with? Its kind of hard to estimate before knowing what they're going to want.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, July 03, 2006 10:11 AM
To: 
Cc: twilkey@eac.gov
Subject: Estimated Additional Hours Needed

Tova and Job:

I don't have the authority to modify contracts, but Tom Wilkey does. In order to help Tom determine how many additional hours (and dollars) should be added to your personal services contracts, I'll need an estimate from the two of you for the number of additional hours required to complete the final report (taking into account revisions that may be needed to address questions and comments submitted by the Commissioners and the EAC Standards Board and Board of Advisors). Please note that we cannot add any tasks to the existing contract, but we can account for additional hours required to complete the final report.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM ---

"Job Serebrov" To psims@eac.gov
07/07/2006 08:06 AM cc
Subject Travel Funds

Peg:
My travel funds finally came in to my bank.
Job

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM ---

"Tova Wang" To psims@eac.gov
07/03/2006 11:13 AM cc
Doesn’t it really depend on what the Commission comes back to us with? It’s kind of hard to estimate before knowing what they’re going to want.

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---

Will it be possible for you to extract the excerpt for inclusion in the report? Thanks.

-----Original Message-----
From: Job Serebrov [mailto:]
Sent: Wednesday, June 28, 2006 5:40 PM
To: Tova Wang; psims@eac.gov
Subject: Re: methodology

Agreed

--- Tova Wang [redacted] wrote:

> As you may recall, the working group expressed interest in the risk analysis method. The recent report by the Brennan Center on voting machines employs this methodology. If you look at pp. 8-19 of the attached, it provides a potential model. I think it might be worth including this as an appendix or footnote in the methodology section. Please let me know what you think.
> Tova
> Tova Andrea Wang
> Democracy Fellow
> The Century Foundation
> Visit our Web site, [url] for the latest news,
> analysis, opinions, and events.
>
I have asked our finance folks to check with GSA. I will let you know when I receive the answer. --- Peggy

Peggy:

Still no travel funds. Please see what you can fund out on Monday. At this point this is late.

Job

Tova and Job:
I don’t have the authority to modify contracts, but Tom Wilkey does. In order to help Tom determine how many additional hours (and dollars) should be added to your personal services contracts, I’ll need an estimate from the two of you for the number of additional hours required to complete the final report (taking into account revisions that may be needed to address questions and comments submitted by the Commissioners and the EAC Standards Board and Board of Advisors). Please note that we cannot add any tasks to the existing contract, but we can account for additional hours required to complete the final report.

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Fax: 202-566-3127  
email: psims@eac.gov  

I think it is this one. --- Peggy

EAC Boards VF-VI Status Report.doc

Juliet E. Thompson-Hodgkins/EAC/GOV

Will you please send me a copy of the referenced report?

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

Margaret Sims/EAC/GOV  
07/11/2006 10:55 AM  
To Juliet E. Thompson-Hodgkins/EAC/GOV@EAC  
cc "Tom Wilkey" <twilkey@eac.gov>
It sounds similar to the issues I had with the Donsanto interview. It was a classic example of the interviewers' interpreting what was said through their own biases.

It also is true that the original interview summaries failed to differentiate between the criminal definition of intimidation and the consultants' use of the term. The consultants have revised their definition to note that it goes beyond the legal definition, but we may need to repeat the statement where the DOJ interviews are referenced.

I have already brought the Donsanto matter to our contractors' attention. When they responded that they did not think they should redraft that section, I told them that the section will likely be edited. It appears that we will have to do the same with the reference to Tanner's interview.

Why don't we discuss this with Tanner (and Donsanto) after we have had a chance to review a consolidated draft of the final report? We can determine what clarifications or corrections are necessary at that time.

Peg

----------------------------------------
Sent from my BlackBerry Wireless Handheld
Juliet E. Thompson-Hodgkins

From: Juliet E. Thompson-Hodgkins
Sent: 07/11/2006 09:46 AM
To: Margaret Sims
Subject: Re: Fraud and Intimidation Study

His concerns are that there were inaccurate or false statements about DOJ on pages 5 and 6, that in his words demonstrated a lack of understanding of criminal law.

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

Margaret Sims/EAC/GOV
07/11/2006 09:26 AM
To: Juliet E. Thompson-Hodgkins/EAC/GOV@EAC
cc
Subject: Re: Fraud and Intimidation Study

Perhaps he was looking at the report that was delivered to the EAC boards. Let's find out what his concerns are so that we can address them.

Peg

----------------------------------------
Tanner said he got it from Cameron. And referred specifically to pp. 5 and 6. I don't remember that the summaries of interviews were laid out that way.

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

I have not yet seen a draft final report. My best guess is that Tanner is concerned about the summary of his interview. I have already had discussions with our consultants about the description of the Donsanto interview, at which I was present. Wlkey knows that I won't let it go as is. I wasn't at the Tanner interview, but would be interested in hearing where he thinks the consultants went wrong.

It is possible that, due to my objections re the Donsanto interview, the consultants may have asked Tanner to review their description of his interview. I won't know for sure until I can contact them.

I gave you and Gavin a folder that included a summary of interviews, etc before the working group meeting. Also, the report delivered to the boards on this project is in the shared drawer under Research in Progress-Voting Fraud-Intimidation. That is everything I have at the moment.

Peg

I received a call from John Tanner today who was upset with pages 5 and 6 of some draft paper that he had received regarding our Fraud and Intimidation Study. I am in a very uncomfortable situation in that I have not received a copy of this paper and the Office of General Counsel has not vetted this document and yet I am being questioned about why there are erroneous statements in this paper. Please provide me with a copy of this document and please explain to me how John Tanner got a copy of this document.
It sounds similar to the issues I had with the Donsanto interview. It was a classic example of the interviewers' interpreting what was said through their own biases.

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Peg

Sent from my BlackBerry Wireless Handheld

Juliet E. Thompson-Hodgkins

From: Juliet E. Thompson-Hodgkins
Sent: 07/10/2006 02:34 PM
To: Margaret Sims
Subject: Re: Fraud and Intimidation Study

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

Margaret Sims/EAC/GOV
07/10/2006 02:29 PM
To Juliet E. Thompson-Hodgkins/EAC/GOV@EAC
cc
Subject: Re: Fraud and Intimidation Study

I have not yet seen a draft final report. My best guess is that Tanner is concerned about the summary of his interview. I have already had discussions with our consultants about the description of the Donsanto interview, at which I was present. Wilkey knows that I won't let it go as is. I wasn't at the Tanner interview, but would be interested in hearing where he thinks the consultants went wrong.

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Sent: 07/10/2006 10:55 AM
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Cc: Thomas Wilkey
Subject: Fraud and Intimidation Study

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Juliet Thompson Hodgkins
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----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM -----
Margaret Sims/EAC/GOV
07/03/2006 11:38 AM
To Devon Romig
cc
Subject Fw: methodology

Please edit the attached Word document to remove the returns at the end of each line that are not needed, then send it to Tova and Job. Thanks! --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 07/03/2006 11:37 AM -----
Margaret Sims/EAC/GOV
06/30/2006 05:25 PM
To "Tova Wang" tovan@eac.gov
cc
Subject Re: FW: methodology

002118
Will it be possible for you to extract the excerpt for inclusion in the report? Thanks.

-----Original Message-----
From: Job Serebrov [mailto: ]
Sent: Wednesday, June 28, 2006 5:40 PM
To: Tova Wang; psims@eac.gov
Subject: Re: methodology

Agreed

--- Tova Wang wrote:

> As you may recall, the working group expressed
> interest in the risk analysis
> method. The recent report by the Brennan Center on
> voting machines employs
> this methodology. If you look at pp. 8-19 of the
> attached, it provides a
> potential model. I think it might be worth
> including this as an appendix or
> footnote in the methodology section. Please let me
> know what you think.
> Tova
> Tova Andrea Wang
> Democracy Fellow
> The Century Foundation
> Visit our Web site, for the latest news,
> analysis, opinions, and events.
Tova:
If you have used up all of your remaining hours, you need to stop work until we have the contract modification in place that provides for more hours.
Peggy

Also, I maintain that a reasonable solution to this is to allow Donsanto and/or any of the commissioners who desire to do so to provide a statement that would be included in the report and in the record.

----- Original Message ----- 
From: 
To: <psims@eac.gov>; "Job Serebrov" 
Cc: "Tova Wang"
Sent: Friday, June 30, 2006 9:42 PM 
Subject: Re: Various

That would be great on the contract.

If the interview is "edited" as you put it, I will be very, very uncomfortable, as I believe Job would be as well. I know you don't want to spend anymore time on this, but I consider it a rather important issue, and I think Job does too. I would be happy to talk to you and Tom and any of the commissioners about this further if that would be helpful. I am available by cell over the next four days and in the office all next week.
Thanks for the updated invoice stuff. Happy 4th.

Tova

----- Original Message ----- 
From: <psims@eac.gov>
To: "Job Serebrov"
Cc: "Tova Andrea Wang"
Sent: Friday, June 30, 2006 6:41 PM
Subject: Re: Various

> Actually, the Donsanto interview was the only one I did attend, but I
> agree the issue is taking up too much of your time. I just wanted you to
> be forewarned that the paragraph has already raised red flags in DC of and
> is likely to result in an edit. Enough said about that.
>
> I am concerned about the number of hours left for this project. If you
> and Tova both agree, I'll see if our Contracting Officer will approve a
> contract mod to provide for some additional hours and money to
> incorporate comments received on the report and other efforts that fall
> within the tasks specified in the current contract. We won't get 60
> thou, but there might be a little year end money we can use to finish
> this off properly.
> Peg
>
> --------------------------
> Sent from my BlackBerry Wireless Handheld
>

> ----- Original Message ----- 
From: "Job Serebrov"
Sent: 06/30/2006 05:58 PM 
To: psims@eac.gov;
Subject: Various

> Peg:
>
> I had to take time off this afternoon to handle some
> issues. Did you get an answer as to my travel
> reimbursement?
>
> I spoke to Tova about the Donsanto issue. We both
> agree about what we heard during the interview. We
> also agree that this is taking up too much time (of
> which we have so little left) and is a minor part of
> one interview which makes up one of thirty interviews.
> I feel the same as Tova, the Commission was not in on
> the interview and thus do not know what was said and
> we are not giving those interviewed the opportunity,
> especially given how long ago the interviews were, to
> object. Frankly, if the Commission wants to give us
> another sixty hours each we can call all of our
> interviewees, give them the review and ask for
> comments. In any case, we can't include comments from
> other interviews with, or lectures by person
> interviewed, outside of our interview with that
> person. We simply can't afford to single out one
> statement in one interview that there is a
> disagreement on. Finally, I don't read the paragraph
"as you do---I remember what was said---the paragraph clearly does not imply an abandonment of other DOJ electoral investigations.

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:16 PM ---
Margaret Sims/EAC/GOV
07/03/2006 12:40 PM
To Serebrov
cc
Subject Travel Reimbursement

GSA reports that a pay out of $1,200.03 was made today. --- Peggy
--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:16 PM ---
Margaret Sims/EAC/GOV
06/30/2006 05:25 PM
To "Tova Wang" <removed>
cc <removed>
Subject Re: FW: methodology

The attached is the text extracted from pages 8-19 and the Attachment C referenced within the text. The formatting is still a little weird. Can you work with this, or do I need to play with it some more? --- Peggy

Risk Analysis Methodology-Brennan Center excerpt.doc

"Tova Wang" <removed>

"Tova Wang"
06/29/2006 12:07 PM
To psims@eac.gov
cc
Subject FW: methodology

Will it be possible for you to extract the excerpt for inclusion in the report? Thanks.

----- Original Message -----  
From: Job Serebrov <removed>
Sent: Wednesday, June 28, 2006 5:40 PM

002123
Agreed

--- Tova Wang wrote:

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Tova Andrea Wang
Democracy Fellow
The Century Foundation

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Once is enough. You don't need to resend. --- Peggy
To psims@eac.gov

Subject final report

Peg, We don't need to re-send you all of the material that we gave you to provide to the working group for the final report, eg the individual interviews, research summaries, nexis and case charts, right? Thanks.

Happy 4th. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:16 PM -----

"Job Serebrov"

To psims@eac.gov

Subject Hrs

Peg:

It seems to Tova and me that somewhere between 30 and 40 for each of us would be safe (having learned from not asking for enough hours).

Job

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:16 PM -----

"Job Serebrov"

To psims@eac.gov

Subject Re: Travel Reimbursement

No, its Bank of America. I just checked again and its
not there. If it does not appear by morning I will need you to see what is going on.

--- psims@eac.gov wrote:

> They usually send it electronically. Could your bank have failed to post it due to the holiday? Does your bank tend to float deposits for a day or two?
> Peggy
> --------------------------
> Sent from my BlackBerry Wireless Handheld
> 
> ----- Original Message ----- 
> From: "Job Serebrov"
> Sent: 07/05/2006 08:13 AM
> To: psims@eac.gov
> Subject: Re: Travel Reimbursement
> 
> Peg:
> 
> I checked my account this morning (July 5th) and this still has not been paid. Did GSA mail it?
> 
> Job
> 
> --- psims@eac.gov wrote:
> 
> > GSA reports that a pay out of $1,200.03 was made today. --- Peggy
> > 
> 
> 
> --- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:16 PM --- 
> Margaret Sims/EAC/GOV
> 07/03/2006 11:30 AM
> To "Tova Wang"
> cc
> Subject RE: Estimated Additional Hours Needed

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"Tova Wang"
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Fax: 202-566-3127
email: psims@eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:16 PM -----

"Job Serebrov"
07/09/2006 06:00 PM

Peg:
I need to move our call to next Monday at 7 pm EST.
What is the situation with the extra hours?
I've asked Devon to do it. She can get it to you faster than I. --- Peggy

The excess returns would be a great start, and then I can do the rest. Thanks a lot.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, July 03, 2006 10:14 AM
To: To
Cc: To
Subject: Re: FW: methodology

Do you just need to have the excess returns removed, or do you think it needs other clean up as well? --- Peggy
It would be great if someone there could work on cleaning it up. Let us know. Thanks.

----- Original Message ----- 
From: psims@eac.gov 
To: 
Cc: 
Sent: Friday, June 30, 2006 5:25 PM 
Subject: Re: FW: methodology 

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Tova

Tova, Andrea Wang
Democracy Fellow
The Century Foundation

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---- Original Message ----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, July 17, 2006 9:13 AM
To: Tova Wang
Cc: 'Job Serebrov'
Subject: RE: final report

appendices attached, except Peg I think you put together the list of the working group members? In any case, I can't find one at the moment, but it would be easy enough to put together. Perhaps even Devon or someone could do that, especially since I don't think I have any hours left, and probably shouldn't even be writing this email. I don't remember the conversation about adding to the list of interviewees, but we can talk about that later.

Thanks. I probably won't be able to start getting into this until tomorrow AM. I noticed that the appendices weren't attached. I think we discussed earlier that the list of interviewees needed to
Hi Peg,

Attached please find drafts of the sections for the final report. Job, please double check I'm not missing anything or sent the wrong version of anything. I'm very concerned I may have. Is there a summary of the case review that I should have? Also, as we discussed, the attached does not include all of the individual summaries and charts which we already gave you for the working group and which have not changed. Peg, we'll want to see the complete set of the materials you plan to give to the commissioners, et.al., before you do so. If you could both let me know if all the formatting is OK, that would be great too. Thanks so much and look forward to talking to you at 7 EST.

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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Click here to receive our weekly e-mail updates. List of Experts Interviewed.doc
APPENDIX C -- BRENnan EXCERPT.doc Existing Literature Reviewed.doc
I received your faxed voucher today, signed it, and gave it to Finance. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:16 PM ---

Margaret Sims/EAC/GOV
07/17/2006 12:25 PM

To: "Tova Wang"
cc: "Job Serebrov"

Subject: RE: final report

Yes, I have the list of Working Group members. --- Peggy

"Tova Wang"
07/17/2006 10:29 AM

To: psims@eac.gov
cc: 'Job Serebrov'

Subject: RE: final report

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Hi Peg,

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APPENDIX C - BRENNAN EXCERPT.doc Existing Literature Reviewed.doc

— Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:16 PM ——
Here is the list of Working Group members with some information highlighted about each individual. Yes, you can email me later in the day to let me know if I should call you at home or at work. --- Peggy

"Tova Wang" 

Can you send it over? As I recall, it includes bios, right? I'm assuming on the interviewees you think we should have very short biographical information? Also, Peg, I'm not sure if I'll still be at work at 7 or home. Is it ok if I email you late in the day as to where I am? My home phone (for only two more weeks!) is

Thanks.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, July 17, 2006 11:26 AM
To: [redacted]
Cc: [redacted]
Subject: RE: final report

Yes, I have the list of Working Group members. --- Peggy

"Tova Wang" 

appendices attached, except Peg I think you put together the list of the working group members? In any case, I can't find one at the moment, but it would be easy enough to put together. Perhaps even Devon or someone could do that, especially since I don't think I have any hours left, and probably shouldn't even be writing this email. I don't remember the conversation about adding to the list of interviewees, but we can talk about that later.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Thanks. I probably won't be able to start getting into this until tomorrow AM. I noticed that the appendices weren't attached. I think we discussed earlier that the list of interviewees needed to have more information for the final report, and the list of books and documents should be presented in the same manner as a bibliography for the final report. We can talk more about this tonight during our teleconference at 7 PM EST. --- Peggy

Hi Peg,

Attached please find drafts of the sections for the final report. Job, please double check I'm not missing anything or sent the wrong version of anything. I'm very concerned I may have. Is there a summary of the case review that I should have? Also, as we discussed, the attached does not include all of the individual summaries and charts which we already gave you for the working group and which have not changed. Peg, we'll want to see the complete set of the materials you plan to give to the commissioners, et al., before you do so. If you could both let me know if all the formatting is OK, that would be great too. Thanks so much and look forward to talking to you at 7 EST.

Tova Andrea Wang
Democracy Fellow
The Century Foundation

Visit our Web site for the latest news, analysis, opinions, and events.
Click here to receive our weekly e-mail updates.
Subject: Re: final report

Thanks. I probably won't be able to start getting into this until tomorrow AM. I noticed that the appendices weren't attached. I think we discussed earlier that the list of interviewees needed to have more information for the final report, and the list of books and documents should be presented in the same manner as a bibliography for the final report. We can talk more about this tonight during our teleconference at 7 PM EST. --- Peggy

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Tova Andrea Wang
Democracy Fellow
The Century Foundation

Visit our Web site for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates. voucher 6-18 to 7-16.doc

He asks that you call him on his cell, 501-626-0440

Tova Andrea Wang
Democracy Fellow
The Century Foundation

Visit our Web site for the latest news, analysis, opinions, and events.

I received your faxed voucher this morning, signed it, and submitted it to Finance. --- Peggy

00213
Subject: I'll be in my office :(

212-452-7704

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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Click here to receive our weekly e-mail updates.

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:16 PM -----
Juliet E.
Thompson-Hodgkins/EAC/GOV
07/17/2006 10:18 AM

To: Margaret Sims/EAC/GOV@EAC
cc: Margaret Sims/EAC/GOV@EAC
Subject: Re: Voting Fraud-Voter Intimidation Draft Report

That's good.
Juliet Thompson Hodgkins
General Counsel
United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100
Margaret Sims/EAC/GOV

Margaret Sims/EAC/GOV
07/17/2006 10:15 AM

To: jthompson@eac.gov
cc: twilkey@eac.gov, Karen Lynn-Dyson/EAC/GOV@EAC
Subject: Voting Fraud-Voter Intimidation Draft Report

Julie:

I received pieces of the draft final report on voting fraud-voter intimidation this morning. If it is OK with you, I'll hold it until all I have all of the pieces, so that you can review it as a whole document. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:16 PM -----
I'm sorry I did not get back to you on this yesterday. I reviewed the voucher this morning and found that only two corrections are needed (coverage dates and # of days worked during the first two weeks). I've made the corrections in red on the attached copy of your voucher. --- Peggy

"Tova Wang"
07/17/2006 10:36 AM
To psims@eac.gov
cc 'Job Serebrov'
Subject RE: final report

Speaking of which, does this look ok to you?

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, July 17, 2006 9:13 AM
To: 
Cc: 'Job Serebrov'
Subject: Re: final report

Thanks. I probably won't be able to start getting into this until tomorrow AM. I noticed that the appendices weren't attached. I think we discussed earlier that the list of interviewees needed to have more information for the final report, and the list of books and documents should be presented in the same manner as a bibliography for the final report. We can talk more about this tonight during our teleconference at 7 PM EST. --- Peggy

"Tova Wang"
07/17/2006 09:33 AM
To psims@eac.gov
cc "Job Serebrov"
Subject final report
Hi Peg,

Attached please find drafts of the sections for the final report. Job, please double check I'm not missing anything or sent the wrong version of anything. I'm very concerned I may have. Is there a summary of the case review that I should have? Also, as we discussed, the attached does not include all of the individual summaries and charts which we already gave you for the working group and which have not changed. Peg, we'll want to see the complete set of the materials you plan to give to the commissioners, et.al., before you do so. If you could both let me know if all the formatting is OK, that would be great too. Thanks so much and look forward to talking to you at 7 EST.

Tova Andrea Wang
Democracy Fellow
The Century Foundation

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Click here to receive our weekly e-mail updates.

---

All-

I assume that in light of our Voting Fraud and Voter Intimidation project, we will have an EAC presence there?

K
Karen Lynn-Dyson
Research Manager
U.S. Election Assistance Commission
1225 New York Avenue, NW Suite 1100
Washington, DC 20005
Please find attached an invitation to attend the Election Fraud Conference co-sponsored by the Center for Public Policy and Administration at the University of Utah and the Caltech/MIT Voting Technology Project, September 29-30, 2006 in Salt Lake City, UT.

Regards,
Melissa Slemin

California Institute of Technology
Voting Technology Project
MC 228-77
1200 E California Blvd
Pasadena, CA 91125

http://votingtechnologyproject.org

---

There was no telephone conference scheduled yesterday. If you all remember, due to my current job and grandchildren situation we were unable to arrange a teleconference.

---

> What’s going on? Where are we at? Thanks. Tova
> ----- Original Message -----
Dear friends and colleagues,

As some of you know, I have decided to voluntarily give up many of my voting rights and become a resident of the District of Columbia. As I will be simply transferring to The Century Foundation's DC office, my email will remain the same. My new work contact information as of August 8 is as follows:

The Century Foundation
Washington, DC 20005

I look forward to speaking with you and seeing you soon.

Tova Wang
Democracy Fellow
The Century Foundation
Margaret Sims/EAC/GOV	 To eaccon@eac.gov  
04/30/2007 06:33 PM	 cc  

subject Vote Fraud Study-Archived Email Part 3

The 3rd batch.
Peg Sims

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----

"Donsanto, Craig"<Craig.Donsanto@usdoj.gov>
05/03/2006 12:53 PM
To psims@eac.gov
cc
Subject Re: Voting Fraud-Voter Intimidation

Okay -- you are on for May 18th! Can we do it over here at 10?

Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

----- Original Message ----- 
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 12:40:19 2006
Subject: Re: Voting Fraud-Voter Intimidation

My problem is that agency staff is booked most of the week of 5/21. Monday through Wednesday are taken up with meetings of the Standards Board Executive Committee, the full Standards Board, and the Board of Advisors. Thursday, we have EAC's public meeting. Also, I will lose one of my two consultants in June, so I'm trying to wrap up this project (and get the final report from the consultants) by the end of May.

Say "Hi" to Cameron for me.

"Donsanto, Craig"<Craig.Donsanto@usdoj.gov>
05/03/2006 11:56 AM
To psims@eac.gov
cc
Subject Re: Voting Fraud-Voter Intimidation
Hi Peg. I am sitting here with Cameron Quinn putting together this year's ballt conference for AUSAs. She send her best!

I am available on 5/18. But I am also going to the Board of Advisors Meeting the following week. I would rather do this then.

Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 11:39:50 2006
Subject: Voting Fraud-Voter Intimidation

Craig:

We are continuing our efforts to hone in on a date for the Working Group meeting. Are you available the afternoon of Thursday, May 18?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----
Margaret Sims/EAC/GOV
05/03/2006 04:59 PM
To: "Donsanto, Craig" <Craig.Donsanto@usdoj.gov>@GSAEXTERNAL
cc
Subject: Re: Voting Fraud-Voter Intimidation

I am looking at the afternoon of 5/18 for the meeting, due to scheduling conflicts of Working Group members. There remain two members from whom we have not yet received confirmations of their schedule (with some, it is like pulling teeth), but right now 5/18 still looks like the best day. We may have to hold the meeting over here to make it easier for Commissioners to drop in. --- Peg

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/03/2006 12:53 PM
To: psims@eac.gov
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Say "Hi" to Cameron for me.

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
05/03/2006 11:56 AM
To
cc psims@eac.gov
Subject Re: Voting Fraud-Voter Intimidation

Hi Peg. I am sitting here with Cameron Quinn putting together this year's ballot conference for AUSAs. She send her best!

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Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 11:39:50 2006
Subject: Voting Fraud-Voter Intimidation

Craig:
We are continuing our efforts to hone in on a date for the Working Group meeting. Are you available the afternoon of Thursday, May 18?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission

---

Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM ---

To: psims@eac.gov
cc
Subject: Re: Working Group

---

Original Message ----- 

From: psims@eac.gov
To: 
Cc: dromig@eac.gov
Sent: Friday, May 05, 2006 2:32 PM
Subject: Working Group

Hi, Folks:

Teleconference
Are both of you available for a teleconference next Tuesday afternoon at about 4 PM EST? If this does not work for you, please suggest another date and/or time. I would like to discuss our preparations for the Working Group meeting.

Working Group Members
We have a very good person to fill the slot for the nonpartisan local election official: J.R. Perez, Elections Administrator for Guadalupe County, TX. Attached is his bio. Hope you have no objections to him. He is available on May 18. I have place 2 calls to Pat Rogers office, but have not yet received a reply. Job, if you have any pull with him, you may want to contact him, too.

Travel Arrangements
You should make your own travel arrangements, including hotel. Travel time cannot be billed to the contract, except for hours actually worked on the contract (i.e.; reviewing materials in preparation for the meeting, and the like). Current Federal rates follow:

Maximum Lodging = $180 per day- does not include hotel taxes (if you cannot get this rate, we have covered reasonable rates that are a little higher)
Meals & Incidentals = $64 per day (except that it is $48 on the first and last day of travel)
Mileage for Personally Owned Vehicle = $ .445 per mile

Under the new contract, I do not have to fill out a travel authorization for you. I can approve your trip via email. Afterwards, when you turn in your next pay voucher, you can attach the airline receipt (or mileage documentation), hotel receipt(s), and ground transportation receipts and a copy of any printed itineraries. Calculate the total travel expenses due you, including applicable per diem. I do not need meal receipts.

Job, under Federal travel regulations, deviations for personal reasons are not normally accommodated. What you can do, however, is to give me a comparison of the cost of roundtrip mileage, hotel, and per diem of doing it your way against the cost of a roundtrip flight, ground transportation, hotel, and per diem. If your way costs less, it should be no problem to cover the full cost. If your way is more expensive, we may only pay up to the amount of traditional travel. (The same rules apply to me when I travel.) If you can tell me where, other than DC, you will spend the night, I can check on applicable per diem rates.

Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----
Margaret Sims/EAC/GOV
05/04/2006 03:13 PM
To “Donsanto, Craig” <Craig.Donsanto@usdoj.gov>@GSAEXTERNAL
cc
Subject RE: Voting Fraud-Voter Intimidation

Craig:

This meeting is being held to obtain input from our eight-member Working Group for the project. The group is composed of election lawyers, election officials, and a representative of an advocacy group, all of whom have an interest and some expertise in the identification and/or prosecution of voting fraud and voter intimidation. The group was chosen so that we would have an equal number of folks on each side of the political spectrum, plus some nonpartisan members.

After our consultants review the results of their preliminary research (interviews, literature review, case law), we will ask the Working Group to brainstorm possible next steps for EAC. Our consultants will write a report summarizing the proposals that come out of this meeting. The report will go to the Commissioners, who will decide what they want to do, funds available, and what priority to assigned to the effort(s).

Your participation in this part of the process is extremely important, so I am very happy that you can find time for us that afternoon. I'll get an agenda and other information to you next week. --- Peggy

“Donsanto, Craig” <Craig.Donsanto@usdoj.gov>

“Donsanto, Craig” <Craig.Donsanto@usdoj.gov> 05/04/2006 02:32 PM
To psims@eac.gov
cc
Subject RE: Voting Fraud-Voter Intimidation
Okay, Peg - - I will mark off the entire afternoon and try to be there. What is the agenda? I was not aware that this was anything beyond having your contractors spend another session with me. Also, if they will be needing stats and stuff like that I need to know as I will bring my state-people with me.

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 04, 2006 2:28 PM
To: Donsanto, Craig
Subject: Re: Voting Fraud-Voter Intimidation

Right now, we are planning to meet in EAC's large conference room between 1 PM and 5 PM. If you cannot be there for the whole afternoon, we will appreciate whatever time you can spare. I'll get back to you with more information (agenda, list of Working Group members, etc.). --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
05/03/2006 05:59 PM

Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 16:59:09 2006
Subject: Re: Voting Fraud-Voter Intimidation

I am looking at the afternoon of 5/18 for the meeting, due to scheduling conflicts of Working Group members. There remain two members from whom we have not yet received confirmations of their schedule (with some, it is like pulling teeth), but right now 5/18 still looks like the best day. We may have to hold the meeting over here to make it easier for Commissioners to drop in. --- Peg
Okay -- you are on for May 18th! Can we do it over here at 10?

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 12:40:19 2006
Subject: Re: Voting Fraud-Voter Intimidation

My problem is that agency staff is booked most of the week of 5/21. Monday through Wednesday are taken up with meetings of the Standards Board Executive Committee, the full Standards Board, and the Board of Advisors. Thursday, we have EAC's public meeting. Also, I will lose one of my two consultants in June, so I'm trying to wrap up this project (and get the final report from the consultants) by the end of May.

Say "Hi" to Cameron for me.

Hi Peg. I am sitting here with Cameron Quinn putting together this year's ballot conference for AUSAs. She send her best!
I am available on 5/18. But I am also going to the Board of Advisors Meeting the following week. I would rather do this then.

----------------------------------
Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 11:39:50 2006
Subject: Voting Fraud-Voter Intimidation

Craig:

We are continuing our efforts to hone in on a date for the Working Group meeting. Are you available the afternoon of Thursday, May 18?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----
Margaret Sims/EAC/GOV
05/09/2006 11:33 AM
To: "Job Serebrov"
cc: "Job Serebrov"
Subject: Re: Working Group-Perez

Did you look at the attached excerpts from Texas Code? --- Peggy

"Job Serebrov"
05/09/2006 11:23 AM
To: psims@eac.gov
cc: "Job Serebrov"
Subject: Re: Working Group-Perez

We have the same set-up here in Arkansas. We hired a person just like Perez. However, given this, I would still like to know if he has a party affiliation and this brings up another issue. How is the county election commission chosen. In Arkansas it is the
Chairmen of the Republican and Democrat Parties or if he/she does not want to serve a person is elected in his/her stead and a third member picked by the party with the most constitutional officers. Practically that has meant that the Democrats have controlled election commissions in Arkansas since the end of Reconstruction. This is why I want to know the situation in Texas.

--- psims@eac.gov wrote:

> As you may recall, the Commissioners directed me to find a nonpartisan local election official to serve on the Working Group. The three of us discussed the desirability of having a Hispanic. I proposed that I find someone from Texas because of that State's colorful history of voting fraud and their innovative approaches to combat it. In those Texas counties that hire Election Administrators to run elections, rather than having elected officials do so (Tax Assessor for voter registration; County Clerk for balloting), the Election Administrator is hired by the County Election Commission and is supposed to perform his or her duties in a nonpartisan manner. (See attached excerpts from Texas Election Code regarding election administrator hiring and restrictions on partisan activity.) Any experienced Texas election official will be familiar with voting fraud and voter intimidation schemes used in that State.

> Mr. Perez has over 13 years experience as a county Election Administrator in Texas. You won't find many news articles mentioning him because he has kept his nose clean. (The Texas press, as in many other parts of the country, prefers to report bad news.) Mr. Perez is plugged into the association of Texas election officials and the two largest organizations of election officials in this country: the International Association of Clerks, Recorders, Election Officials and Treasurers (IACREOT); and The Election Center. He is a past President and past Chairman of the Legislative Committee for the Texas Association of Election Administrators. He currently serves on IACREOT's Election Officials Committee, which plans the educational sessions for election officials that are conducted...
at that organization's conferences. His peers in IACREOT and The Election Center have selected his submissions on web presentations (IACREOT) and his professional practices papers (Election Center) for awards. Mr. Perez also has access to information from other States through his membership in IACREOT and The Election Center. He also has a sense of humor, which you will note if you access the staff web page on the Guadalupe County Elections web site and hear the Mission Impossible theme .. something that might be useful in the upcoming meeting.

Guadalupe County is small but growing. In 2004, the county had over 65 thousand registered voters (a number more than doubled the number of registered voters in 1980). A third of the county's population claims Hispanic or Latino origin, according to the U.S. Census Bureau. The county is in south central Texas and is bordered by Comal, Hays, Cladwell, Gonzales, Wilson, and Bexar counties. In the 1980s, the county was predominately a farming community; but in recent years, many people have moved from San Antonio (Bexar County) to Guadalupe County, preferring to live in Guadalupe County and work in Bexar County.

--- Peggy

"Job Serebrov" 05/08/2006 11:30 PM

To
psims@eac.gov
cc

Subject
Re: Working Group

Peggy:

What political party is Perez with? How political is he? Is the position in Texas neutral or political?
Who appointed Perez?

As to Pat I will contact him but I can't promise anything. If Pat can't come, who is getting knocked off Tova's list?

Job

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM ---

Margaret Sims/EAC/GOV
05/05/2006 05:34 PM
To Diana Scott
cc Karen Lynn-Dyson/EAC/GOV@EAC, dromig@eac.gov
Subject Working Group Travel

Diana:

The following members of the Working Group for our Voting Fraud/Voter Intimidation research project will need to make travel arrangements in order to attend an afternoon meeting of the group on May 18 in Washington, DC:

Mark "Thor" Hearne - St Louis, MO
J.R. Perez - Seguin, TX
The Honorable Todd Rokita - Indianapolis, IN
Kathy Rogers - Atlanta, GA

I may have one additional member from Albuquerque, NM confirmed early next week.

May these people use Adventure Travel to make these arrangements in the same manner as the Asian Language Working Group? I understand the members of that group made hotel and flight arrangements through Adventure Travel, and that these costs were billed directly to EAC. We did plan for EAC to pay for the travel of the Voting Fraud/Voter Intimidation Working Group (budgeted under Research). Devon will prepare their travel authorizations.

Peggy Sims
Election Research Specialist

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM ---

"Tova Wang"
05/11/2006 10:12 AM
To psims@eac.gov
cc
Subject RE: Today's Teleconference

This seems OK, I guess its a less detailed version of what I sent you. I hope you will advise us as to what
we are supposed to talk about/go over since we have provided the group with everything we've done ahead of time. I also hope that you will have an answer for me on Wade. It utterly essential that we have a leader from the civil rights community at the table.

-----Original Message-----
From: psims@eac.gov
Sent: Thursday, May 11, 2006 9:07 AM
To: 
Subject: Today's Teleconference

I assume that we are still on for today's teleconference at 11 AM EST. I will call you. I have attached a draft agenda for your review and comment. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----
"Job Serebrov" To "Tova Wang" psims@eac.gov
05/11/2006 03:36 PM cc 
Subject: Re: new working group representative

I have an objection to Greenbaum. While I realize he comes from an advocacy group, he is not a minority attorney and we already have a rep who worked with DOJ. If it is to be Greenbaum, I would rather not fill that position since I am one down.

--- Tova Wang wrote:

> is Jon Greenbaum
> > Here's his info in full:
> >
> > He is the Director of the Voting Rights Project for
> > the Lawyers Committee
> > for Civil Rights. He will be representing Barbara
> > Arnwine, the Executive
> > Director of the Lawyers Committee.
> >
> > His contact and mailing info is:
>>
>>
>>
> Washington, DC 20005
> >
> >
> > Tova Andrea Wang
> > Democracy Fellow
> > The Century Foundation
Visit our Web site, for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.

---- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM ----

"Tova Wang"
05/11/2006 02:12 PM

To psims@eac.gov,aghassami@verizon.net

cc

Subject RE: Literature Summary

It might be an Apple issue

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 11, 2006 1:09 PM
To: [redacted]
Cc: [redacted]
Subject: Literature Summary

Tova just sent me the summary you prepared of The Federal Crime of Election Fraud by Craig Donsanto. There is something wrong in the fourth paragraph (odd characters and missing text). Can you please send a replacement fourth paragraph? You can send it in an email and I will place it in the document. --- Peggy

---- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM ----

"Job Serebrov"
05/04/2006 12:04 PM

To psims@eac.gov

cc

Subject Re: Good News

Peggy:

Rogers contact information is below on my last message. My uncle is having a complicated procedure where they are both cementing his spine to shore it up and testing for a malignant tumor—which they now
suspect as the cause of the sudden bone problems. If it is a tumor, the working group session could get complicated.

Job

--- psims@eac.gov wrote:

> Job:
> Hope your uncle's surgery goes well.
> I have the Chairman's OK to follow your recommendation and replace Norcross with Rogers. Do you have contact information for Rogers? --- Peggy

> "Job Serebrov" 05/04/2006 11:17 AM

> To
> psims@eac.gov
> cc
> Subject
> Re: Good News

> I will have a better idea about my uncle's condition today after surgery.

> See:
> Albuquerque, NM 87103-2168
> patrogers@modrall.com

--- psims@eac.gov wrote:

> Job:
> Secretary Rokita is available May 18. I'm going to talk with the Chairman today about substituting Rogers for Norcross. Do you have contact information for Rogers? --- Peggy
Okay, Peg - thank you. I will be there.

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Friday, May 05, 2006 9:16 AM
To: Donsanto, Craig
Subject: Re: Voting Fraud-Voter Intimidation

The non-election officials on the Working Group currently include:
- Barry Weinberg, whom you know
- Barbara Arnwine, Lawyers Committee for Civil Rights Under Law (organization associated with the Voting Rights Project and Election Protection)
- Bob Bauer, Perkins Coie, DC (Democrat attorney)
- Mark “Thor” Hearne, Lathrop & Gage, St Louis, MO (Republican attorney)

I am trying to recruit one other Republican attorney, Patrick Rogers, Modrall, Sperling, Roehl, Harris and Sisk, NM, who was recommended by our Republican consultant. He would replace an original member who is no longer available.

I know that Barbara has associated at conferences and in legislative efforts with Wade Henderson, Leadership Conference on Civil Rights. Also, the Lawyers Committee for Civil Rights is listed as one of many members of the Executive Committee for the Leadership Conference on Civil Rights (see http://www.civilrights.org/about/lcrr/executive_committee.html).

Does this information help? --- Peggy
Peggy -- they don't have anything to do with the Leadership Conference on Civil Rights do they?

I ask only because the Justice Department is currently engaged in a very acrimonious FOIA litigation with LCCR that focuses precisely on our efforts to combat voter "intimidationm"

Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Thu May 04 17:20:39 2006
Subject: RE: Voting Fraud-Voter Intimidation

It is just the Working Group for the Voting Fraud-Voter Intimidation Project. I am asking you to attend as Technical Advisor for the project. --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/04/2006 03:26 PM
To
psims@eac.gov
cc
Subject
RE: Voting Fraud-Voter Intimidation

Peg -- what is the name of the group?
Craig:

This meeting is being held to obtain input from our eight-member Working Group for the project. The group is composed of election lawyers, election officials, and a representative of an advocacy group, all of whom have an interest and some expertise in the identification and/or prosecution of voting fraud and voter intimidation. The group was chosen so that we would have an equal number of folks on each side of the political spectrum, plus some nonpartisan members.

After our consultants review the results of their preliminary research (interviews, literature review, case law), we will ask the Working Group to brainstorm possible next steps for EAC. Our consultants will write a report summarizing the proposals that come out of this meeting. The report will go to the Commissioners, who will decide what they want to do, funds available, and what priority to assigned to the effort(s).

Your participation in this part of the process is extremely important, so I am very happy that you can find time for us that afternoon. I’ll get an agenda and other information to you next week. --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/04/2006 02:32 PM

To

psims@eac.gov

cc

Subject

RE: Voting Fraud-Voter Intimidation

Okay, Peg -- I will mark off the entire afternoon and try to be there. What is the agenda? I was not aware that this was anything beyond having your contractors spend another session with me. Also, if they will be needing stats and stuff like that I need to know as I will bring my state-people with me.

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 04, 2006 2:28 PM
To: Donsanto, Craig
Subject: Re: Voting Fraud-Voter Intimidation

Right now, we are planning to meet in EAC's large conference room between 1 PM and 5 PM. If you cannot be there for the whole afternoon, we will appreciate whatever time you can spare. I'll get back to you with more information (agenda, list of Working Group members, etc.). --- Peg

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
05/03/2006 05:59 PM

To
psims@eac.gov
cc
Subject
Re: Voting Fraud-Voter Intimidation

Afternoon of May 18 -- 2:30 okay? How long will they need??

Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 16:59:09 2006
Subject: Re: Voting Fraud-Voter Intimidation

I am looking at the afternoon of 5/18 for the meeting, due to scheduling conflicts of Working Group members. There remain two members from whom we have not yet received confirmations of their schedule (with some, it is like pulling teeth), but right now 5/18 still looks like the best day. We may have to hold the meeting over here to make it easier for Commissioners to drop in.

--- Peg

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
05/03/2006 12:53 PM
To psims@eac.gov
cc
Subject Re: Voting Fraud-Voter Intimidation

Okay -- you are on for May 18th! Can we do it over here at 10?
--------------------------
Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 12:40:19 2006
Subject: Re: Voting Fraud-Voter Intimidation

My problem is that agency staff is booked most of the week of 5/21. Monday through Wednesday are taken up with meetings of the Standards Board Executive Committee, the full Standards Board, and the Board of Advisors. Thursday, we have EAC's public meeting. Also, I will lose one of my two consultants in June, so I'm trying to wrap up this project (and get the final report from the consultants) by the end of May.

Say "Hi" to Cameron for me.

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
05/03/2006 11:56 AM
To psims@eac.gov
cc
Subject Re: Voting Fraud-Voter Intimidation

Hi Peg. I am sitting here with Cameron Quinn putting together this year's ballt conference for AUSAs. She send her best!

I am available on 5/18. But I am also going to the Board of Advisors Meeting the following week. I would rather do this then.
--------------------------
Sent from Dr. D's Fabulous BlackBerry Wireless Handheld
Craig:

We are continuing our efforts to hone in on a date for the Working Group meeting. Are you available the afternoon of Thursday, May 18?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM ---

No, but I have left a message for her assistant and I am waiting for her to return my call. I will let you know as soon as I hear anything.

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov
Margaret Sims/EAC/GOV
Did Barbara Arnwine's office indicate who they propose to send in her place? --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----

"Job Serebrov"

To psims@eac.gov
cc
Subject Re: Working Group

Peggy:

What political party is Perez with? How political is he? Is the position in Texas neutral or political? Who appointed Perez?

As to Pat I will contact him but I can't promise anything. If Pat can't come, who is getting knocked off Tova's list?

Job

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----

Diana Scott/EAC/GOV

To Margaret Sims/EAC/GOV@EAC
cc dromig@eac.gov, Karen Lynn-Dyson/EAC/GOV@EAC
Subject Re: Working Group Travel

Peggy,

I will send these names to Adventure Travel (AT) authorizing AT to place the airfare and hotel charges on our credit card. That is all I do on my end. BUT Devon has to follow up to make all the arrangements with Marvin Brokaw at AT and whatever else is required as far as support servs. for the meeting is concerned.

I assume this is a separate meeting from the 2 Karen & Brian are having?

Diana M. Scott
Administrative Officer
U.S. Election Assistance Commission
(202) 566-3100 (office)
(202) 566-3127 (fax)
dscott@eac.gov

Margaret Sims/EAC/GOV

Margaret Sims/EAC/GOV
Diana:

The following members of the Working Group for our Voting Fraud/Voter Intimidation research project will need to make travel arrangements in order to attend an afternoon meeting of the group on May 18 in Washington, DC:

Mark "Thor" Hearne - St Louis, MO
J.R. Perez - Seguin, TX
The Honorable Todd Rokita - Indianapolis, IN
Kathy Rogers - Atlanta, GA

I may have one additional member from Albuquerque, NM confirmed early next week.

May these people use Adventure Travel to make these arrangements in the same manner as the Asian Language Working Group? I understand the members of that group made hotel and flight arrangements through Adventure Travel and that these costs were billed directly to EAC. We did plan for EAC to pay for the travel of the Voting Fraud/Voter Intimidation Working Group (budgeted under Research). Devon will prepare their travel authorizations.

Peggy Sims
Election Research Specialist

Peggy:

Please tell the folks there that I am not worried about a perceived breach of contract. This is a completely ridiculous statement considering the contractual requirement that the consultants convene the Working Group and not the Commission and it never specifies where or when this is to take place. All this to say that while the contract does specify a Working Group meeting it does not specify that it must
take place on any particular date or in a particular city. With that said, I have never heard of any federal travel requirements that would result in a loss of money because I decided to drive and not fly. In fact, that is why there is an amount paid per mile. So I would like to see the federal regulation that forces me to take the least expensive transport and restricts all other ground transport costs to that figure.

As to hotels, based on Tova's research there are no rooms for under the $350 range per night. If you can find hotels that are less expensive but still carry the kind of bed I need for my back (either pillow top or a number bed) please do.

The issue of my uncle—today I have not had an update on his condition. But, as I previously stated, if he were to die or have an event while I was in DC, I would have to go to NYC meeting or no meeting.

Finally, neither Tova nor I have been satisfied about Mr. Perez and I have not been told whether Pat Rogers will be coming or one of Tova's people will not be.

In the end, I need to see the travel regulation that I requested above, I would like you to look into hotels for Tova and me that have the kind of bed I need and I would like to know about Perez and Rogers. In the mean time, I should have an update on my uncle by morning. I would also be happy to talk to Julie about the issues involved. I will take you up on your offer to process my travel expenses faster and I do not and never did expect you to get me a travel advance. I worked in international development and know what a headache those are to apply for on the state level.

Job

--- psims@eac.gov wrote:

> Job:
> 
> Folks here are concerned that your failure to show up in person to help conduct the meeting would be a breach of contract. I also am concerned about the impression that your absence will leave with the Commissioners and with the VIPs coming to this meeting.
> 
> If you are concerned about delays in reimbursement caused by including the travel expenses in the personal services voucher, I can always process your request (with receipts) separately and earlier. I can have staff here check to see if we can find hotel rooms at a more reasonable rate for you and Tova. (We recognize that you may not be
> able to obtain Federal
> government rate.) What I cannot do is offer a
> travel advance, which is
> not permitted for nonfederal employees, or offer to
> pay the difference
> between normal travel expenses and those incurred
> for personal
> convenience, when the latter is the higher amount.
> I urge you to make your travel arrangements ASAP.
>
> Peggy Sims
> Election Research Specialist
> U.S. Election Assistance Commission
> 1225 New York Ave, NW - Ste 1100
> Washington, DC 20005
> Phone: 866-747-1471 (toll free) or 202-566-3120
> (direct)
> Fax: 202-566-3127
> email: psims@eac.gov
>
>
> "Job Serebrov" 05/08/2006 01:41 PM
>
> To
> psims@eac.gov
> cc
>
> Subject
> Re: Working Group
>
>
> Given the information I have Peggy, that is not
> going
> to be financially possible. First, given Tova's info
> about the hotels, it is too much for me to front.
> Two
> to three days in DC would run around $1000 for the
> hotel alone. That does not count the two days on the
> road to get there and two days back. Second, if I
> can't charge the federal per mile allowance for the
> entire trip to DC and back and can only get the
> equivalent of plane fare, I will actually loose
> money.
>
> I simply do not see how we can do this in person
> given
> the financial restrictions.
>
> --- psims@eac.gov wrote:
Job:

I don't think we can put you on teleconference for 4½ hours. We really need to have you here in person if you are to help conduct the Working Group meeting. You should make your travel arrangements ASAP. --- Peggy

"Job Serebrov" 05/08/2006 10:14 AM

To psims@eac.gov, wang@tcf.org

cc

Subject Re: Working Group

---

Peggy:

4:00 eastern on Tuesday is fine however, given the financial restrictions that you indicated would be in place for use of my car (I would actually lose money coming to DC) and given the cost of hotels at this time (I can't afford to front these costs and wait for months to be repaid), etc, it would take a miracle for this working group meeting to take place in person. It is looking like the only way it will get done is by teleconference. I also share Tova's concern about the unknown nature of Mr. Perez.

--- psims@eac.gov wrote:

Hi, Folks:

Teleconference

Are both of you available for a teleconference next Tuesday afternoon at
Peggy:
At this point and unless my uncle dies before May 18, the only way I will go to DC is to drive my car. I will need it in case my uncle dies while I am there. You will need to get approval for the use of my car and the two days it will take me to get there and two days back.

Job

The Commissioners made this an equal bi-partisan issue. I am seen as representing the Republican Party. I now have a responsibility to assure that this ends up bi-partisan. I have been placed in a position of dual obligations---both to the contract and to the Party. I in fact see myself as carrying out what the Commission wanted to the letter---equal bi-partisan representation.

--- psims@eac.gov wrote:

> Your response suggests that you do not care what the Commissioners may think about the effort. --- Peggy

---
Open Investigations (note: a few cases overlap with prosecutions and convictions)
Noncitizen voting: 3
Vote buying: 25
Double voting: 15
Registration fraud: 29
Absentee ballot fraud: 9
Official: 8
Ineligibles: 4
Deceptive Practices: 1
Civil Rights: 14
Intimidation: 6
Other: 2

Cases and Investigations Closed for Lack of Evidence
Civil Rights: 8
Official: 12
Registration Fraud: 12
Absentee Ballot Fraud: 14
Ineligible Voting: 3
Intimidation: 8
Double Voting: 5
Ballot Box Stuffing: 1
Vote Buying: 14
Ballot/machine tampering: 2
Other: 8
Unclear: 3

Hi Peg,
Can you please check this before I fax it? Thanks! And can we talk sometime today?

Tova Andrea Wang
Democracy Fellow
The Century Foundation

002168
Visit our Web site, for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.

voucher 3:26-4-22.doc

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM ---
Margaret Sims/EAC/GOV
05/04/2006 02:23 PM
To Jeannie Layson/EAC/GOV
cc bwhitener@eac.gov
Subject Fw: Voting Fraud-Voter Intimidation Working Group Meeting

Oops! I forgot to cc. you on this. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 05/04/2006 02:23 PM ---
Margaret Sims/EAC/GOV
05/04/2006 02:07 PM
To Paul DeGregorio, Ray Martinez, Donetta Davidson, Gracia Hillman
twilkey@eac.gov, jthompson@eac.gov, Gavin S.
Gilmour/EAC/GOV@EAC, Amie J. Sherrill/EAC/GOV@EAC,
cc Adam Ambrogi/EAC/GOV@EAC, Eileen L.
Collver/EAC/GOV@EAC, Sheila A. Banks/EAC/GOV@EAC,
bbenavides@eac.gov, Karen Lynn-Dyson/EAC/GOV@EAC
Subject Voting Fraud-Voter Intimidation Working Group Meeting

Dear Commissioners:

This is to let you know that the Working Group for our Voting Fraud and Voter Intimidation preliminary research project is scheduled to meet in EAC's large conference room the afternoon of Thursday, May 18. I will provide more information about this meeting to you later.

Peggy Sims
Election Research Specialist

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM ---
05/13/2006 10:54 AM
To psims@eac.gov
cc "Job Serebrov"
Subject Fw: research summary

Existing_research_thoughts.doc Job found it. I'm assuming its too late to include so as I said I'll just present it if thats OK. Thanks again Job. T
> > Are you talking about this?
> >
> >
> >
> >> In the middle of the night I got the feeling that
> >> you may be right, that I did do a summary of the
> >> existing literature review (that Job, you approved)
> >> . I'll have to look for it on Monday (unless I go
> >> into the office over the weekend, which is
> >> possible). I may be hallucinating, but if not, I'll
> >> just present it at the meeting rather than try to
> >> get it to them ahead of time. Tova

Peggy --

I have Cynthia Mitchell in here with me now.

She says that the figures you listed in your attachment are your analysis of our product, and that therefore we cannot re-evaluate them.

I do not see anything in these raw numbers that impacts adversely any privacy or privilege issues.

We can update the public list and send that to you, if you'd prefer. That would allow you to represent that the numbers are current up through now. But if you would prefer, you can use what you have as long as it is represented as complete only through January, 2006.

Let us know your desires --
Craig:

I think we have resolved the issue of Barbara Arnwine's absence from the upcoming meeting by having one of her staff represent her (and her organization). Please review the attached rough summary of DOJ Cases ASAP and let me know if I need to delete reference to the open investigations. Hopefully, we won't have to remove this information as it does not specify the defendants or States involved. --- Peg

Rough Summary of Department of Justice, Public Integrity Section Activities, October 2002-January 2006

Prosecutions and Convictions-- Individuals
Noncitizen voting: 20
Vote buying: 49
Double voting: 12
Registration fraud: 13
Civil Rights: 4
Voter Intimidation: 2
Unclear: 1

Open Investigations (note: a few cases overlap with prosecutions and convictions)
Noncitizen voting: 3
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Absentee Ballot Fraud: 14
Ineligible Voting: 3
Intimidation: 8
Double Voting: 5
Ballot Box Stuffing: 1
Vote Buying: 14
Ballot/machine tampering: 2
Craig:

I would love to have an updated list for our research files. For purposes of getting this information out to our participants, I will note that the consultants’ summary is based upon information provided as of January 2006. Thanks.

Do you expect to be at your office tomorrow afternoon? I can walk over with the information packet we will have put together for the Working Group. --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

Peggy - -

I have Cynthia Mitchell in here with me now.

She says that the figures you listed in your attachment are your analysis of our product, and that therefore we cannot re-evaluate them.

I do not see anything in these raw numbers that impacts adversely any privacy or privilege issues.

We can update the public list and send that to you, if you’d prefer. That would allow you to represent that the numbers are current up through now. But if you would prefer, you can use what you have as long as it is represented as complete only through January, 2006.

Let us know your desires - - -

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 11, 2006 2:35 PM
To: Donsanto, Craig
Subject: Voting Fraud-Voter Intimidation Working Group
Importance: High
Craig:

I think we have resolved the issue of Barbara Arnwine's absence from the upcoming meeting by having one of her staff represent her (and her organization). Please review the attached rough summary of DOJ Cases ASAP and let me know if I need to delete reference to the open investigations. Hopefully, we won't have to remove this information as it does not specify the defendants or States involved. --- Peg

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4:00 eastern on Tuesday is fine however, given the financial restrictions that you indicated would be in place for use of my car (I would actually loose money coming to DC) and given the cost of hotels at this time (I can't afford to front these costs and wait for months to be repaid), etc, it would take a miracle for this working group meeting to take place in person. It is looking like the only way it will get done is by teleconference. I also share Tova's concern about the unknown nature of Mr. Perez.

--- psims@eac.gov wrote:

> Hi, Folks:
> 
> Teleconference
> Are both of you available for a teleconference next Tuesday afternoon at about 4 PM EST? If this does not work for you, please suggest another date and/or time. I would like to discuss our preparations for the Working Group meeting.
> 
> Working Group Members
> We have a very good person to fill the slot for the nonpartisan local election official: J.R. Perez, Elections Administrator for Guadalupe County, TX. Attached is his bio. Hope you have no objections to him. He is available on May 18. I have placed 2 calls to Pat Rogers office, but have not yet received a reply. Job, if you have any pull with him, you may want to contact him, too.
> 
> Travel Arrangements
> You should make your own travel arrangements, including hotel. Travel time cannot be billed to the contract, except for hours actually worked on the contract (i.e.; reviewing materials in preparation for the meeting, and the like). Current Federal rates follow:
> 
> Maximum Lodging = $180 per day- does not include hotel taxes (if you cannot get this rate, we have covered reasonable rates that are a little higher)
> Meals & Incidentals = $64 per day (except that it is $48 on the first and last day of travel)
> Mileage for Personally Owned Vehicle = $.445 per mile
Under the new contract, I do not have to fill out a travel authorization for you. I can approve your trip via email. Afterwards, when you turn in your next pay voucher, you can attach the airline receipt (or mileage documentation), hotel receipt(s), and ground transportation receipts and a copy of any printed itineraries. Calculate the total travel expenses due you, including applicable per diem. I do not need meal receipts.

Job, under Federal travel regulations, deviations for personal reasons are not normally accommodated. What you can do, however, is to give me a comparison of the cost of roundtrip mileage, hotel, and per diem of doing it your way against the cost of a roundtrip flight, ground transportation, hotel, and per diem. If your way costs less, it should be no problem to cover the full cost. If your way is more expensive, we may only pay up to the amount of traditional travel. (The same rules apply to me when I travel.) If you can tell me where, other than DC, you will spend the night, I can check on applicable per diem rates.

Peggy

Do you have any other suggestions?

--- psims@eac.gov wrote:

> One source suggests the Georgetown Inn has vacancies and pillow top beds.
> Try 1-800-424-2979 or 202-353-8900.
>
The Latham is booked solid. I called. I am checking out some possibilities but this is not looking good.

Why is the hotel suggestion not workable? (I need to know as we continue our search.) — Peg

Peggy:

Pat just e-mailed me. He has something he can't move on the 18th. So I am now down one person and still no good hotel situation. Devon's suggestion is not workable.

Job
Here is the first batch of my archived email related to the vote fraud study.

Peg Sims

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----  
"Job Serebrov" 
08/02/2006 07:12 PM  
To psims@eac.gov  
cc 
Subject Project

Peg:

Where are we on things?

Job

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----  
Margaret Sims/EAC/GOV  
09/25/2006 03:39 PM  
To Juliet E. Hodgkins/EAC/GOV  
cc 
Subject Fw: Definition of Voting Fraud and Voter Intimidation

I think this is the communication to which you referred this afternoon. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 09/25/2006 03:39 PM -----  
Gavin S. Gilmour/EAC/GOV  
11/30/2005 10:19 AM  
To Margaret Sims/EAC/GOV@EAC  
cc jthompson@eac.gov  
Subject Re: Definition of Voting Fraud and Voter Intimidation

Peggy,

Per our discussion, I have some initial concerns regarding the definitions that have been proposed.

1. Fraud is a legal term of art. Fraud is an intentional act or omission (i.e. actual fraud or constructive
fraud) of misrepresentation or deceit. There is no such thing as defacto fraud or quasi fraud. Fraud must be intentional.... negligence alone is not fraud.

The general definition of voter fraud must concise and universally applicable (this in the challenging part). After this definition is created and intellectually tested, one can then create examples and explanations. These would 1) apply the definition to the entire election process (from beginning to end) and (2) apply it to action by voters, 3rd parties and election officials. Through this process a determination may be made regarding whether three definitions are needed or just one.

2. The document has no definition of voter intimidation. What is voter intimidation and how does it differ from voter fraud? I assume this would also be an intentional act.

3. Definitions need to be concise and tight. Such definitions need to be able to be broken down into elements. Each of these elements must have clear, applicable and enforceable meaning. This can be a challenge. For example use of the term "any illegal act" is unclear, begs the question and suggests that fraud only occurs in the course of committing a related crime.

These are just my initial thoughts.

GG
Gavin S. Gilmour
Associate General Counsel
United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100
Margaret Sims/EAC/GOV

Margaret Sims/EAC/GOV
11/30/2005 09:28 AM
To jthompson@eac.gov, Gavin S. Gilmour/EAC/GOV@EAC
cc
Subject Definition of Voting Fraud and Voter Intimidation

Attached discusses the definitions that Job and Tova would like to use. I have already taken issue with the exclusion of all voter registration shenanigans and the inclusion of administrative mistakes. Would be pleased to have your feedback and, if possible, your assistance for 15 minutes of a teleconference today (3:30 PM to 3:45 PM). --- Peggy

combined defining Fraud 11-18-05.doc

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----
Hi Peg, Here is the list of literature reviewed in bibliographic form. Please let us know if you have been able to look over any of the materials. Starting this afternoon, I will be pretty unavailable for the next two weeks.

Thanks

Tova Andrea Wang
Democracy Fellow
The Century Foundation

Visit our Web site for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.

Lit review in bibliographic form.doc

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----
Hey Peg,

Hope you are well. Whenever you have a chance, I need the form to change the direct deposit to my new bank account. Thanks so much.

Tova

PS -- Keep me posted on what's going on with the report

--- Forwarded by Margaret Sims/EAC/Gov on 04/30/2007 02:25 PM ---

Margaret Sims/EAC/Gov
08/11/2006 02:39 PM

Subject: Re: direct deposit

Tova:

I show only 2 hours left on your contract as of 7/15/06 -- but here is the form you requested. --- Peggy

EFT Form.rtf
Hey Peg,

Hope you are well. Whenever you have a chance, I need the form to change the direct deposit to my new bank account. Thanks so much.

Tova

PS -- Keep me posted on what's going on with the report

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

Cameron P. Quinn
Counsel to the Assistant Attorney General
Civil Rights Division, US Dept. of Justice
Washington DC 20530
202-305-9750
Tom,

A draft letter is attached. I've incorporated comments from Gavin and Julie.

Jeannie Layson
U.S. Election Assistance Commission
1225 New York Ave., NW
Suite 1100
Washington, DC 20005
Phone: 202-566-3100

www.eac.gov  brennan center letter.doc

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----
Margaret Sims/EAC/GOV
10/10/2006 01:56 PM  
To  Sheila A. Banks/EAC/GOV
cc
Subject  Fw: Letter from Barbara Arnwine

Any chance you could send a pdf version of the letter to me? --Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 10/10/2006 01:55 PM -----
Gracia Hillman/EAC/GOV
10/10/2006 12:12 PM  
To  Margaret Sims/EAC/GOV@EAC
cc  "Julie Thompson-Hodgkins" <jthompson@eac.gov>, "Tom Wilkey" <twilkey@eac.gov>, sbanks@eac.gov
Subject  Re: Letter from Barbara Arnwine

The letter was addressed to the commissioners. I will ask Sheila to give a copy to you.

Per our normal procedures, I would guess a reply should be drafted for the Chairman's signature (especially as he is the DFO for the Board of Advisors) but you should check that with Tom.

Thanks.

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----
Margaret Sims/EAC/GOV
10/11/2006 01:45 PM  
To  Jeannie Layson/EAC/GOV
cc  twilkey@eac.gov, Juliet E. Hodgkins/EAC/GOV@EAC, bwhitener@eac.gov
Subject  Re: Voting Fraud-Voter Intimidation Report
I would hope that we can refer to it as a status report on the research project (prepared by EAC staff based upon information available at the time from our consultants, Tova and Job). Calling it a preliminary report has given rise to some confusion. That confusion has led to complaints from project working group members and requests from outsiders, who mistakenly think that EAC has released the document written by our consultant that fully reports on the preliminary research into voting fraud and voter intimidation and makes recommendations for future EAC action. --- Peggy

Jeannie Layson/EAC/GOV

To Margaret Sims/EAC/GOV@EAC
cc
Subject Re: Voting Fraud-Voter Intimidation Report

Thanks for the update. Per legal, the preliminary report is absolutely public information which is why we had to give it to the reporter when he asked for it.

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

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ---

Margaret Sims/EAC/GOV
10/13/2006 02:49 PM
To Tova Andrea Wang, Job Serebrov
cc
Subject Don't Believe Everything You Read

Tova and Job:

I am home recuperating, but see that in my absence, a USA Today article has gotten everyone stirred up. The report to which the article refers is only the status report on the voting fraud-voter intimidation research project that was delivered to our Standards Board and Board of Advisors last spring. I provided a copy of this document to both of you, but have attached another copy for your information. This document is subject to public release because it was presented at a public meeting.

Due to internal resource allocation problems, your final report has not yet been reviewed by the Commissioners. It is considered a working document (not subject to public release) until it has completed the review process and the Commissioners have agreed to release it. There has been no attempt by the Commission to hold up the report. I bear responsibility for any delays in moving it along. Please be
reassured that we would not release your report without letting you know.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
e-mail: psims@eac.gov

Mr. Levine,
Per your inquiry from yesterday, the status report on the EAC's voter fraud and intimidation research project is attached. It was prepared by EAC staff and presented to our Standards Board and Board of Advisors at a meeting that was open to the public in May of this year. EAC staff is currently working on a final report.

Please let me know if I can be of further assistance, and I'd be glad to add you to our distribution list so you'll get updates on this and other EAC projects.

Jeannie Layson
U.S. Election Assistance Commission
1225 New York Ave., NW
Suite 1100
Washington, DC 20005
Phone: 202-566-3100

www.eac.gov VF-VI Study Status 5-17-06.pdf
— Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ——

Paul DeGregorio/EAC/GOV
10/11/2006 10:20 AM
To Jeannie Layson/EAC/GOV@EAC
cc Amie J. Sherrill/EAC/GOV@EAC, Margaret Sims/EAC/GOV@EAC
Subject Re: Interview Request
Find a time that works. There's a story in today's St Louis PD that points to over 1000 suspect voter registrations.

Sent from my BlackBerry Wireless Handheld

----- Original Message ----- 
From: Jeannie Layson 
Sent: 10/11/2006 10:15 AM 
To: Paul DeGregorio 
Cc: Amie Sherrill; Margaret Sims 
Subject: Interview Request 

Mr. Chairman, 
Will Lester of the Associated Press wants to interview you briefly via phone about the preliminary fraud report. I recommend you accomodate him, as he has dutifully covered EAC, and plans to include us in a story next week about the election landscape. He has requested a copy of the preliminary report, which I am sending to him. He only needs a few minutes, and as we discussed, I think the message is that these are preliminary findings that we presented to our advisory boards to get their input. When the final report is complete, we will release it. You can also use some of the talking pts from your speech, such as the challenge related to the very definition of the term "fraud," as people define it differently. How about I set it up for noon? 

The only question he asked that I don't know the answer to is when we expect the final report. Peg... please weigh in on this. 

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

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM —
Bryan Whitener/EAC/GOV 
10/11/2006 11:34 AM 

To: Thomas R. Wilkey/EAC/GOV@EAC 
cc: Jeannie Layson/EAC/GOV@EAC, Margaret Sims/EAC/GOV@EAC, Karen Lynn-Dyson/EAC/GOV@EAC, Juliet E. Hodgkins/EAC/GOV@EAC 
Subject: Fw: request for reports - Wendy Weiser, Brennan Center 

Tom, 
Do we have a policy on distributing the items she is requesting? 

----- Forwarded by Bryan Whitener/EAC/GOV on 10/11/2006 11:33 AM —
"Wendy Weiser"
Mr. Whitener,

I write to request a copy of the following two reports submitted to the Election Assistance Commission:

(1) a report on voter fraud and voter intimidation, outlining a future research agenda, prepared by Tova Wang and Job Serebrov, and discussed in this morning's USA TODAY;

(2) a report on provisional ballots and voter ID, prepared by the Moritz School of Law at Ohio State University in collaboration with others.

It is my understanding that these reports were commissioned by and submitted to the EAC several months ago. It is in the public interest to release these reports since they will advance the public discussion and understanding of important election administration issues.

Thank you very much for your attention to this request. Please let me know when I can expect to receive a copy of these reports. If this request is denied, please provide an explanation as to why.

Sincerely,

Wendy R. Weiser
Deputy Director, Democracy Program
Brennan Center for Justice at NYU School of Law
161 Avenue of the Americas, 12th Floor
New York, NY 10013
Just a note to clarify that we are not releasing the preliminary report on voting fraud and voter intimidation (Tova & Job's report) because the draft report is going through EAC review. The only document we can offer at this time is the status report on the research project, which was delivered to our boards and which apparently is considered public information. The status report does not address any recommendations for future EAC action.

I am using some of my work at home time on the draft report. Hopefully, I can meet with Julie and Tamar next week. After that, we will have a better idea of when it will be ready for a Commissioner briefing. --- Peggy

Find a time that works. There's a story in today's St Louis PD that points to over 1000 suspect voter registrations.

Mr. Chairman,
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Jeannie Layson  
U.S. Election Assistance Commission  
1225 New York Ave., NW  
Suite 1100  
Washington, DC 20005  
Phone: 202-566-3100  
www.eac.gov

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ---

Margaret Sims/EAC/GOV  
10/11/2006 01:57 PM  
To: Jeannie Layson/EAC/GOV  
cc twilkey@eac.gov, Juliet E. Hodgkins/EAC/GOV@EAC, bwhitener@eac.gov  
Subject: Re: Voting Fraud-Voter Intimidation Report

The working group met prior to the meeting of the EAC boards, but too late for its deliberations to be summarized in the written status report on the project that was delivered to the boards. The status report notes that a meeting of the working group was about to be held to review the research so far and make recommendations. ---- Peggy

Jeannie Layson/EAC/GOV

--- Original Message ---

Has the working group met since the preliminary report was given to the Standards Bd?

Sent from my BlackBerry Wireless Handheld  
Margaret Sims  
----- Original Message -----  
From: Margaret Sims  
Sent: 10/11/2006 12:34 PM  
To: Paul DeGregorio; Jeannie Layson; Thomas Wilkey
Just a note to clarify that we are not releasing the preliminary report on voting fraud and voter intimidation (Tova & Job's report) because the draft report is going through EAC review. The only document we can offer at this time is the status report on the research project, which was delivered to our boards and which apparently is considered public information. The status report does not address any recommendations for future EAC action.

I am using some of my work at home time on the draft report. Hopefully, I can meet with Julie and Tamar next week. After that, we will have a better idea of when it will be ready for a Commissioner briefing. ---

Peggy

Find a time that works. There's a story in today's St Louis PD that points to over 1000 suspect voter registrations.

------------------
Sent from my BlackBerry Wireless Handheld

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From: Jeannie Layson 
Sent: 10/11/2006 10:15 AM 
To: Paul DeGregorio 
Cc: Amie Sherrill; Margaret Sims 
Subject: Interview Request

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please weigh in on this.

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

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ---

Paul DeGregorio/EAC/GOV
09/28/2006 11:27 PM
To Margaret Sims/EAC/GOV
cc
Subject Speech

Peg,

I thought I would share with you the speech I am going to given on Fraud and Intimidation in Salt Lake City at noon on Friday. If you have time, please read it over and let me know if you see anything I shouldn't say. Thanks.

Speech on Fraud intimidation Sept 29 06 Salt Lake City.doc

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

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ---

Thomas R. Wilkey/EAC/GOV
10/11/2006 11:42 AM
To Bryan Whitener/EAC/GOV@EAC
cc Jeannie Layson/EAC/GOV@EAC, Margaret Sims/EAC/GOV@EAC, Karen Lynn-Dyson/EAC/GOV@EAC, Juliet E. Hodgkins/EAC/GOV@EAC
Subject Re: request for reports - Wendy Weiser, Brennan Center
Both of these reports are draft reports to the EAC and are currently being reviewed by staff. While we have released some of the data tables that Eagleton neither of these reports can be released.

Sent from my BlackBerry Wireless Handheld
Bryan Whitener
----- Original Message ----- 

From: Bryan Whitener
Sent: 10/11/2006 11:34 AM
To: Thomas Wilkey
Cc: Jeannie Layson; Margaret Sims; Karen Lynn-Dyson; Juliet Hodgkins
Subject: Fw: request for reports - Wendy Weiser, Brennan Center

Tom,

Do we have a policy on distributing the items she is requesting?

---- Forwarded by Bryan Whitener/EAC/GOV on 10/11/2006 11:33 AM ----

"Wendy Weiser"

10/11/2006 10:57 AM

To bwhitener@eac.gov

cc

Subject request for reports

Mr. Whitener,

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It is my understanding that these reports were commissioned by and submitted to the EAC several months ago. It is in the public interest to release these reports since they will advance the public discussion and understanding of important election administration issues.

Thank you very much for your attention to this request. Please let me know when I can expect to receive a copy of these reports. If this request is denied, please provide an explanation as to why.

Sincerely,
Tom,

Thanks but Wendy Weiser seems to be under the assumption that we provided all of this material to USA Today. As agreed to by the commissioners, counsel and staff, we only provided USA Today with the public documents that were presented to the advisory boards at the May meetings. Should we not clarify this to Wendy and provide her or anyone else with the same. I also just received the same request from election officials in Cook County, IL and King County, WA. Reporters are pestering them for information based on the USA Today article so election officials now want it from EAC. Looks like this is only the start so we need to get ahead of the curve.

Thomas R. Wilkey/EAC/GOV

Both of these reports are draft reports to the EAC and are currently being reviewed by staff. While we have released some of the data tables that Eagleton neither of these reports can be released.

Sent from my BlackBerry Wireless Handheld
Bryan Whitener

----- Original Message -----
To: Thomas Wilkey  
Cc: Jeannie Layson; Margaret Sims; Karen Lynn-Dyson; Juliet Hodgkins  
Subject: Fw: request for reports - Wendy Weiser, Brennan Center  

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"Wendy Weiser"  
To bwhitener@eac.gov  
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cc  
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Sincerely,

Wendy R. Weiser  
Deputy Director, Democracy Program  
Brennan Center for Justice at NYU School of Law  
161 Avenue of the Americas, 12th Floor  
New York, NY 10013
We don't have a summary in numbers. We just have a summary of cases, some of which do not appear to reach the level of election fraud, and the charts of newspaper articles, some of which only contain allegations and some of which report convictions. These charts were on the CD I sent you before the Working Group meeting. Unfortunately, we have a long way to go before we have what I would classify as statistics.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

Peggy - - I can take whatever you got!!! What does the data you got show?

No reliable, comprehensive data --- just the preliminary research results from case law, literature review, and interviews. --- Peggy
Donsanto, Craig
Craig.Donsanto@usdoj.gov

To: psims@eac.gov, bhancock@eac.gov
cc: "Campbell, Benton" <Benton.Campbell@usdoj.gov>, "Simmons, Nancy" <Nancy.Simmons@usdoj.gov>
Subject: Does EAC have access to stats on --

08/22/2006 12:50 PM

-- State and local level prosecutions dealing with electoral fraud?

This message was brought to you by Dr. D's fabulous Blackberry!

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----
Margaret Sims/EAC/GOV
10/11/2006 02:37 PM
To: Jeannie Layson/EAC/GOV@EAC
cc: twilkey@eac.gov, Juliet E. Hodgkins/EAC/GOV@EAC, bwhitener@eac.gov
Subject: Re: Voting Fraud-Voter Intimidation Report

The answer is tricky. The working group met after the written report was submitted for the board meetings, but before the status report was formally presented (orally) at the board meetings. --- Peggy

Jeannie Layson/EAC/GOV
10/11/2006 02:27 PM
To: Margaret Sims/EAC/GOV@EAC
cc
Subject: Re: Voting Fraud-Voter Intimidation Report

So the answer is yes, they did meet after the status report was presented?

Jeannie Layson
U.S. Election Assistance Commission
1225 New York Ave., NW
Suite 1100
Washington, DC 20005
Phone: 202-566-3100
www.eac.gov
Margaret Sims/EAC/GOV
The status report was written on May 17, 2006 (the last day it could be submitted for the upcoming board meetings). The first and only meeting of the working group was May 18, 2006. --- Peggy

Yes, that is what prompted my question. So the answer is no -- they have not met since May 17?

Peggy,
Could you give Jeannie a call she needs some help fashioning a statment regarding the USA Today article since Tova and Job are hoping mad

Thanks

Sent from my BlackBerry Wireless Handheld
FYI.

---

"Carrera, James A"

10/10/2006 12:35 PM

To psims@eac.gov

cc

Subject Funding

Peggy,

As noted in our recent status report, 75 percent of contract funding has been reached. The attached is submitted in accordance with the contract requirements.

If you have any questions pleased contact me.

Regards,

Jim

---------------------------------------------------------------

The information in this email is confidential and may be legally privileged. It is intended solely for the addressee. Access to this email by anyone else is unauthorized. If you are not the intended recipient, any disclosure, copying, distribution or any action taken or omitted to be taken in reliance on it, is prohibited and may be unlawful. When addressed to our clients any opinions or advice contained in this email are subject to the terms and conditions expressed in the governing KPMG client engagement letter.

---------------------------------------------------------------

----- Original Message ----- 
From: Margaret Sims
Sent: 10/13/2006 01:30 PM
To: Thomas Wilkey; Diana Scott
Cc: Edgardo Cortes; Bola Olu
Subject: Fw: Funding

FYI.

--- Forwarded by Margaret Sims/EAC/GOV on 10/13/2006 01:22 PM ---
"Carrera, James A" 

10/10/2006 12:35 PM

To psims@eac.gov

cc

Subject Funding

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Regards,

Jim

---------------------------------------------------------------

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---------------------------------------------------------------

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ----- 
Margaret Sims/EAC/GOV
09/27/2006 12:51 PM

To Bryan Whitener

cc Juliet E. Hodgkins/EAC/GOV@EAC, Karen
Bryan:

An electronic copy of the status report is attached, as requested for the USA Today inquiry. The status report includes the attachment listing the Working Group members. I suggest that you check to ensure that I have protected the copy against any manipulation, and protect it yourself if I have not, before sending it out to anyone. --- Peggy

Who is signing the letter?

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

I will IF they sign off on it
See questions below. I can answer the first two, but see if this language is acceptable for questions 3 and 4.

Can I get full report submitted by Tova Wang? If not, why not? EAC staff is currently reviewing the data, and we have not compiled a final report. I will make sure you receive the final report when it is issued.

This answer will probably not make him happy, but it's the best I can come up with. Suggestions?
Art Levine

deadline today or tomorrow

What exactly is the document USA Today refers to? Is it a report or just a staff document? Can I get full report submitted by Tova Wang? If not, why not?

FYI
Google search shows this on the DLC website
http://www.dlc.org/ndol_ci.cfm?kaid=139&subid=275&contentid=253439

Art Levine
Senior Fellow
Progressive Policy Institute

Also,

Salon's shameful six

There was Florida in 2000 and Ohio in 2004. Here are the six states where vote suppression could cost voters their voice -- and Democrats the election -- in 2006.

Salon News
By Art Levine

Eva Steele has a son in the military who is supposed to be fighting for freedom in Iraq, but sitting in a wheelchair in her room in a Mesa, Ariz., assisted-living facility, she wonders why it's so hard for her to realize a basic freedom back here in America: the right to vote.
Arriving in Arizona in January from Kansas City, weakened by four heart attacks and degenerative disk disease, Steele, 57, discovered that without a birth certificate she can't register to vote. Under a draconian new Arizona law that supposedly targets illegal immigrants, she needs proof of citizenship and a state-issued driver's license or photo I.D. to register. But her van and purse were stolen in the first few weeks after she moved to Mesa, and with her disability checks going to rent and medicine, she can't afford the $15 needed to get her birth certificate from Missouri. Her wheelchair makes it hard for her to navigate the bus routes or the bureaucratic maze required to argue with state bureaucrats. She's unable to overcome the hurdles thrown in her way -- and in the way of as many as 500,000 other Arizona residents -- by the state's Republican politicians.
suggest accompany the information we provide. Also enclosed would be the resolutions passed by both entities. Please let me know if the letter meets your approval. (The letter would be from Tom.)

I write to request a copy of the following two reports submitted to the Election Assistance Commission:

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Jeannie Layson
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www.eac.gov brennan center letter.doc
----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ----
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<Craig.Donsanto@usdoj.gov >
08/22/2006 02:44 PM
To "Campbell, Benton" <Benton.Campbell@usdoj.gov>,
"Simmons, Nancy" <Nancy.Simmons@usdoj.gov>
cc psims@eac.gov
Subject FW: Does EAC have access to stats on --

Ben - -

This forwards a short e-mail chain between me and Peg Sims at the EAC. Peg is an institution where this sort of thing is concerned and if there were national stats available she would be the first place I would go --- which come to think of it is why I did!

Her remarks bring-up another issue: apples and oranges.

There are a lot of categories of crime that could arguably fit under the umbrella of "election crime" but which would not be the sort of thing we would find useful for present purposes. Examples would be theft of election materials unrelated to an intent to corrupt the election, campaigning or assaults in or near polls, "campaign slander" (i.e., lying about one's opponent) which is not a federal crime but is potentially a crime in 20 or so states, corruption in the procurement of election equipment (i.e., Louisiana had a recent high
profile case against its secretary of state who took bribes from voting equipment vendors in exchange for buying their machines). This stuff is criminal, but it does not involve corruption of the electoral process itself.

Also, some local prosecutors who do enforce the laws dealing with particular vote buying - - for various reasons - - chose to prosecute the voters for selling their votes rather than the corrupt political operatives who buy the votes. Many times this is simply because slamming the voter rather than the corrupt pols is easier, quicker and does not entangle the prosecutor in the caldron of local politics. In other instances it is more sinister: I am aware of several instances where local prosecutors tried to charge voters whose names surfaced as people whose votes locally prominent pols had been bought in order to silence them in the federal case. Federally, we usually treat the voters as victims and go after those who tried to purchase their birthright. In one case in Western North Carolina, the target of our case was a local DA. When our indictment against him was returned it named the voters whose votes he was being charged with having bought (we try to avoid this now!). His first act of defense was to charge all these voters with selling their votes under N.C. law. We had to intercede for him - - through the U.S. Attorney at that time - - with the N.C. Governor to pardon these voters so that they could testify concerning the material facts without incriminating themselves.

My point here is this:

Even if we can get some State stats, since the State concept of "election crime" and ours is usually different, and since state prosecutors often approach this type of case from an entirely different perspective than we do at the federal level, State stats will likely have minimal value to substantiating the thesis we are trying to advance: that local law enforcement in the election crime area is not adequate.

----- Message from psims@eac.gov on Tue, 22 Aug 2006 14:09:06 -0400 -----

To: "Donsanto, Craig" <Craig.Donsanto@crm.usdoj.gov>

Subject: RE: Does EAC have access to stats on --

We don't have a summary in numbers. We just have a summary of cases, some of which do not appear to reach the level of election fraud, and the charts of newspaper articles, some of which only contain allegations and some of which report convictions. These charts were on the CD I sent you before the Working Group meeting. Unfortunately, we have a long way to go before we have what I would classify as statistics.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

08/22/2006 01:54 PM
Peggy - I can take whatever you got!!! What does the data you got show?

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, August 22, 2006 1:53 PM
To: Donsanto, Craig
Subject: Re: Does EAC have access to stats on --

No reliable, comprehensive data --- just the preliminary research results from case law, literature review, and interviews. --- Peggy

"Donsanto, Craig"
<Craig.Donsanto@usdoj.gov>

08/22/2006 12:50 PM

To psims@eac.gov, bhancock@eac.gov
cc "Campbell, Benton" <Benton.Campbell@usdoj.gov>, "Simmons, Nancy" <Nancy.Simmons@usdoj.gov>
Subject: Does EAC have access to stats on --
ct

-- State and local level prosecutions dealing with electoral fraud?

This message was brought to you by Dr. D's fabulous Blackberry!

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----
Thanks Adam. As the current project moves forward and then proceeds to phase 2, this will be a great resource I'm sure. Tova

Tova Andrea Wang, Democracy Fellow
The Century Foundation

Visit our Web site for the latest news, analysis, opinions, and events.

From: Ambrogi, Adam (Rules) [mailto:Adam_Ambrogi@rules.senate.gov]
Sent: Monday, October 02, 2006 11:39 AM
To: psims@eac.gov;
Subject: Chapin Survey

Peggy and Tova:

I know that we had been looking for a state survey of election fraud and intimidation statutes—as you may have seen, Doug Chapin recently released a report on this info-attached here. I hope all is well with both of you.

Best regards,
Adam

Adam D. Ambrogi
Democratic Professional Staff Member
Senate Committee on Rules and Administration
Russell Senate Office Building, Room 479
Washington, D.C. 20510
202-224-0279

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----
Margaret Sims/EAC/GOV
10/13/2006 04:40 PM
To: Jeannie Layson/EAC/GOV
cc: twilkey@eac.gov
Subject: Fw: Don't Believe Everything You Read

Jeannie:

Attached is the email I sent to Tova and Job, and Job's response. (I have not yet heard back from Tova.)
Peg:

We saw both the USA Today article and a similar thing was reported on Rush Limbaugh's show naming both of us. I had a talk this morning with folks at the EAC. I told them at this point there needs to be a press release sent out by the Chairman saying just what you stated. This is the only way to rehabilitate the work we did, the Chairman's credibility, and our reputations. I also fear that if this is not done the EAG will begin to receive calls from Congressman and Senators regarding the "report" and its effect on voter ID requirements.

Peg, up to now Tova and I have refused to speak with the press at all out of respect for the EAC and its mission. We both stand by our work and its conclusions. We both also feel that if a statement (as well phrased as you did in this e-mail clarifying the issue) is not forthcoming from the Chairman then I will have to correct this error with the Press. I explained this in my conversation this morning with the EAC.

Tova and I worked hard to produce a correct, accurate and truthful report. I could care less that the results are not what the more conservative members of my Party wanted. Neither one of us was willing to conform results for political expediency. I think its important for me to note that I was very impressed with Tova's members of the Working Group and I can't say enough about Tova's partnership effort in this endeavor. While neither one of us really care about outside opinions, we do care that the Chairman was quoted or misquoted in a way that would disparage our year-long effort and all of the tax payer money that went into it. For this reason, we believe that a press release clarifying the situation is necessary from either the Chairman or from me.

Regards,

Job

*psims@eac.gov* wrote:

Tova and Job:

I am home recuperating, but see that in my absence, a USA Today article has gotten everyone stirred up. The report to which the article refers is only the status report on the voting fraud-voter intimidation research project that was delivered to our Standards Board and Board of Advisors last spring. I provided a copy of this document to both of you, but have attached another copy for your information. This
document is subject to public release because it was presented at a public meeting.

Due to internal resource allocation problems, your final report has not yet been reviewed by the Commissioners. It is considered a working document (not subject to public release) until it has completed the review process and the Commissioners have agreed to release it. There has been no attempt by the Commission to hold up the report. I bear responsibility for any delays in moving it along. Please be reassured that we would not release your report without letting you know.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Jeannie Layson/EAC/GOV
10/13/2006 04:11 PM
To psims@eac.gov
cc
Subject job and tova

Please forward me the email you sent Tova and Job, as he is calling me and I want to make sure I understand what is being communicated to them. Thank you.

Jeannie Layson
U.S. Election Assistance Commission
1225 New York Ave., NW
Suite 1100
Washington, DC 20005
Phone: 202-566-3100
www.eac.gov
----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----

Jeannie Layson/EAC/GOV
10/11/2006 08:22 AM
To pdegregorio@eac.gov, ghillman@eac.gov, ddavidson@eac.gov
twilkey@eac.gov, jthompson@eac.gov, psims@eac.gov, bwhitener@eac.gov
cc
Subject USA Today

See story below that ran in today's USA Today. This reporter requested the info a few weeks ago, and we had to release it b/c it was distributed at a Standards Bd. meeting, which is considered a public venue.
Also, the document was not labeled draft.

I anticipate that we may get questions about why we haven't released it. I propose the following response. Please let me know if you approve. The story follows.

"This was a preliminary report presented to our oversight committees. The EAC is waiting on a final report, which we will release upon its completion."

Report refutes fraud at poll sites

Updated 10/11/2006 8:05 AM ET
By Richard Wolf, USA TODAY
WASHINGTON — At a time when many states are instituting new requirements for voter registration and identification, a preliminary report to the U.S. Election Assistance Commission has found little evidence of the type of polling-place fraud those measures seek to stop.
USA TODAY obtained the report from the commission four months after it was delivered by two consultants hired to write it. The commission has not distributed it publicly.

NEW LAWS: Thousands of voters shut out
At least 11 states have approved new rules for independent voter-registration drives or requirements that voters produce specific forms of photo ID at polling places. Several of those laws have been blocked in court, most recently in Arizona last week. The House of Representatives last month approved a photo-ID law, now pending in the Senate.
The bipartisan report by two consultants to the election commission casts doubt on the problem those laws are intended to address. "There is widespread but not unanimous agreement that there is little polling-place fraud, or at least much less than is claimed, including voter impersonation, 'dead' voters, non-citizen voting and felon voters," the report says.
The report, prepared by Tova Wang, an elections expert at the Century Foundation think tank, and Job Serebrov, an Arkansas attorney, says most fraud occurs in the absentee ballot process, such as through coercion or forgery. Wang declined to comment on the report, and Serebrov could not be reached for comment.
Others who reviewed the report for the election commission differ on its findings. Jon Greenbaum of the liberal Lawyers' Committee for Civil Rights Under Law says it was convincing. The committee wrote to the commission Friday seeking its release.
Conservatives dispute the research and conclusions. Thor Hearne, counsel to the American Center for Voting Rights, notes that the Justice Department has sued Missouri for having ineligible voters registered, while dead people have turned up on the registration rolls in Michigan. "It is just wrong to say that this isn't a problem," he says.
That's one reason the commission decided not to officially release the report. "There was a division of opinion here," Chairman Paul DeGregorio says. "We've seen places where fraud does occur."
The consultants found little evidence of that. Barry Weinberg, former deputy chief of the voting section in the Justice Department's civil rights division, reviewed their work. "Fraud at the polling place is generally difficult to pull off," he says. "It takes a lot of planning and a lot of coordination."

Jeannie Layson
U.S. Election Assistance Commission
1225 New York Ave., NW
The proposed response sounds okay but the story is out. Other media may want the information. That the material given USA Today wasn't identified as draft or preliminary findings is now our problem.

I hope we are working post haste to have the report ready to release less we be seen as trying to bury this. It seems to me that other articles will be written, if not from the document that we sent to USA Today, then certainly from the USA Today article as the source document.

My initial reaction is that both reports are currently under review by EAC staff. I will entertain other thoughts but that is pretty much the what is the situation right now. Both research projects were designed to give the EAC issues and recommendations in both of these areas and are currently being reviewed. As a matter of fact the report from our consultants on Voter fraud and Intimation has not been forwarded by staff to the Commissioners but Peg will need to weigh in on that.
All

Richard Wolf of USA Today called and asked for the following. Jeannie and I ask that you consider this carefully and let us know ASAP what to provide.

(1) The status report on voter fraud and consultant update that was presented to the advisory boards in May, 2006.

(2) The status of the required guidance document on provisional voting and voter ID that is referenced in the following passage in today's Electionline Weekly by Doug Chapin.

In addition to the EAC's considerable election management responsibilities (especially in the area of voting equipment certification and testing), the agency has key policy issues to resolve in the immediate to near-term future, including a required guidance document on provisional voting and voter ID (now nearly two years overdue) and continued regulatory oversight over state implementation of "motor voter". This latter issue will almost certainly involve questions about the intersection of state and federal laws on voter registration - questions which divided the Commission when applied to Arizona, and could divide it again as Republicans and Democrats continue their traditional struggle to balance access to the franchise with concerns about the potential for fraud at the polls.

Thanks,
Bryan

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ---
Thomas R. Wilkey/EAC/GOV
10/12/2006 04:19 PM
To: Jeannie Layson/EAC/GOV@EAC
cc: ggilmour@eac.gov, jthompson@eac.gov, klynndyson@eac.gov, psims@eac.gov
Subject: Re: Brennan Center letter

I like this..it needs to go to the 3 C's for review and approval.
We also need to be prepared as to what happens when they receive it.
Thanks for your help.
Tom

Thomas R. Wilkey
Executive Director
US Election Assistance Commission
1225 New York Ave, NW - Suite 1100
Washington, DC 20005
(202) 566-3109 phone
TWilkey@eac.gov

Jeannie Layson/EAC/GOV
Tom,

A draft letter is attached. I’ve incorporated comments from Gavin and Julie.

Jeannie Layson
U.S. Election Assistance Commission
1225 New York Ave., NW
Suite 1100
Washington, DC 20005
Phone: 202-566-3100

Matt (and Amy) are working on a speech for the Chairman to deliver at the Vote Fraud conference in Utah at the end of the week. Matt has asked for the consultants' definition of vote fraud/voter intimidation and the draft recommendations. As neither have been through full Commission review, I would like to speak with one or both of you before I drop this information in any one Commissioner's lap. Matt is looking for this information today. FYI, attached are copies of the consultants' definition and the draft recommendations from the consultants and others from the working group. Also attached is a summary of concerns expressed by the working group. --- Peggy
WASHINGTON (AP) -- The most common form of voter fraud involves absentee ballots, including forgery and coercion in getting older or ailing voters to fill them out, according to a preliminary report to the U.S. Election Assistance Commission.

But the report, delivered in May, suggested that reports of polling place fraud involving "dead" voters and voting by felons and non-citizens might be overstated. The researchers said there is far more anecdotal evidence about voter fraud than specific verifiable claims.

"On balance, more researchers find it to be less of a problem than is commonly described in political debate," the report said.

"Many times people put their own partisan spin on voter fraud and voter intimidation," EAC Chairman Paul DeGregorio said Wednesday.

DeGregorio said the report was only preliminary and cautioned that more investigation is needed to understand the amount of voter fraud in this country.

"Many times you see people attempting to commit fraud, but it never gets to the level of being reported," said DeGregorio, a former elections official in St. Louis. He noted a case of more than 1,400 suspect voter registration cards being investigated in St. Louis.

The preliminary report was prepared by Tova Wang, an elections expert at the Century Foundation think tank and Job Serebrov, an Arkansas attorney.

Conservatives have argued the problem of voter fraud is severe in some states, while liberals generally argue that voters face too many restrictions.

New state laws requiring voters to present identification at polling places have faced legal challenges in states such as Arizona and Georgia.

"It's absolutely a serious problem," said Thor Hearne, counsel to the American Center for Voting Rights. "It's an unfortunate reality, particularly in battleground states."

Those problems include voter fraud and voter intimidation, he said.

The final voter fraud report is expected after the Nov. 7 midterm elections, DeGregorio said.
Dan,

Just wanted to let you know that the USAT article is not about a research report but a "status" report, which was presented to the Standards Bd. and the Bd. of Advisors at a meeting held in May. During this meeting, these entities received updates on many EAC activities, and the aforementioned status report was just one of those updates. And by the way, the meeting was open to the public, and posted on our website and in the Fed. Register. In the Fed. Register notice you’ll see that the agenda included an update on our research projects.

Please let me know if you have any questions. Thank you for your consideration in this matter.

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

A.) The "report" they refer to was a status report written by staff
B.) The full report is currently being reviewed by staff and the report was intended to give recommendations to the EAC on how and what to do additional studies or guidance on.
C.) the report will be available at some future time after staff has had an opportunity to review and evaluate it's contents.

Thomas R. Wilkey
Executive Director
US Election Assistance Commission
1225 New York Ave, NW - Suite 1100
Washington, DC 20005
See questions below. I can answer the first two, but see if this language is acceptable for questions 3 and 4.

Can I get full report submitted by Tova Wang? If not, why not? EAC staff is currently reviewing the data, and we have not compiled a final report. I will make sure you receive the final report when it is issued.

This answer will probably not make him happy, but it's the best I can come up with. Suggestions?

----- Forwarded by Jeannie Layson/EAC/GOV on 10/12/2006 04:06 PM -----
Bryan Whitener/EAC/GOV

What exactly is the document USA Today refers to? Is it a report or just a staff document? Can I get full report submitted by Tova Wang? If not, why not?
FYI
Google search shows this on the DLC website
http://www.dlc.org/ndol_ci.cfm?kaid=139&subid=275&contentid=253439

Art Levine
Senior Fellow
Progressive Policy Institute
Washington, D.C. 20008

Also,

Salon's shameful six

There was Florida in 2000 and Ohio in 2004. Here are the six states where vote suppression could cost voters their voice -- and Democrats the election -- in 2006.

Salon News
By Art Levine

Eva Steele has a son in the military who is supposed to be fighting for freedom in Iraq, but sitting in a wheelchair in her room in a Mesa, Ariz., assisted-living facility, she wonders why it's so hard for her to realize a basic freedom back here in America: the right to vote.

Arriving in Arizona in January from Kansas City, weakened by four heart attacks and degenerative disk disease, Steele, 57, discovered that without a birth certificate she can't register to vote. Under a draconian new Arizona law that supposedly targets illegal immigrants, she needs proof of citizenship and a state-issued driver's license or photo I.D. to register. But her van and purse were stolen in the first few weeks after she moved to Mesa, and with her disability checks going to rent and medicine, she can't afford the $15 needed to get her birth certificate from Missouri. Her wheelchair makes it hard for her to navigate the bus routes or the bureaucratic maze required to argue with state bureaucrats. She's unable to overcome the hurdles thrown in her way -- and in the way of as many as 500,000 other Arizona residents -- by the state's Republican politicians.

No big deal--and no big delay. Don't worry about it.

Paul DeGregorio
Chairman
US Election Assistance Commission

002215
Dear Mr. Chairman:

The last submission from the Vote Fraud-Voter Intimidation Study consultants is dated August 8. At this time, EAC staff are reviewing all items submitted for the report to the Commission with an eye toward the best way of presenting the information to the Commissioners for their consideration. There has been some delay in this staff review process, for which I take full responsibility.

Peggy Sims
Election Research Specialist

Attached is a proposed draft. I have to get this resolved ASAP as she is demanding a delivery time from me. I literally cannot answer my phone. Unfortunately, the Brennan Center can and will make a big stink if we don't respond. We don't need more accusations about us sitting on research.

The letter would be accompanied by the resolutions passed at the May meetings.
And, I need to know who is supposed to sign this letter.

Jeannie Layson  
U.S. Election Assistance Commission  
1225 New York Ave., NW  
Suite 1100  
Washington, DC 20005  
Phone: 202-566-3100

Please note that Wendy Weiser has asked me to provide a time frame for when I will provide the following documents. Tom, per our conversation, I can write a letter, but how do we address her request for the voter ID info? Also, is this something Karen should handle as these are for research docs? I need an answer soon...

Mr. Whitener,

I write to request a copy of the following two reports submitted to the Election Assistance Commission:

(1) a report on voter fraud and voter intimidation, outlining a future research agenda, prepared by Tova Wang and Job Serebrov, and discussed in this morning's USA TODAY;

(2) a report on provisional ballots and voter ID, prepared by the Moritz School of Law at Ohio State University in collaboration with others.

It is my understanding that these reports were commissioned by and submitted to the EAC several months ago. It is in the public interest to release these reports since they will advance the public discussion and understanding of important election administration issues.

Thank you very much for your attention to this request. Please let me know when I can expect to receive a copy of these reports. If this request is denied, please provide an explanation as to why.

Sincerely,

Wendy R. Weiser
Jeannie Layson
U.S. Election Assistance Commission
1225 New York Ave., NW
Suite 1100
Washington, DC 20005
Phone: 202-566-3100
www.eac.gov

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM ---

Margaret Sims/EAC/GOV
10/13/2006 04:18 PM
To Jeannie Layson/EAC/GOV@EAC
cc twilkey@eac.gov
Subject Research Project Descriptions

Jeannie:

Here are the changes I suggested for the Vote Count-Recount and the Voting Fraud-Voter Intimidation research projects. I don't think they will help the current situation much, as the original VF-VI description already stated that it is preliminary research. As it is preliminary research, we did not expect that it would provide a total picture of voting fraud and voter intimidation in this country. We just wanted to get some sense of what is going on, and a better idea of the direction future EAC research on the subject should take. To ensure that the research would be balanced, we had consultants and project working group members from opposing sides of the political spectrum.

According to folks intimately familiar with the development of HAVA, disputes over the extent to which voting fraud and voter intimidation existed caused Congress to add the study of these subjects to EAC's list of research projects. Given the nature of the subject (most offenders try to hide their activities, sufficient evidence is hard come by with some types of activity, and prosecution of offenses may not occur for political or budgetary reasons), it is doubtful that we will ever have completely reliable statistics on occurrences of voting fraud and voter intimidation, but we may be able to obtain better statistics than anyone else has. And we should be able to identify where in the voting process most offenses tend to occur and to explore alternatives for addressing vulnerabilities that leave the process open to corruption.

--- Peggy

Rev Descriptions for Web Site Descriptions of Vote Counts-Recounts and Voting Fraud Research 9-6-06.doc

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 02:25 PM -----
Subject: Re: Don't Believe Everything You Read

Peg:

We saw both the USA Today article and a similar thing was reported on Rush Limbaugh's show naming both of us. I had a talk this morning with folks at the EAC. I told them at this point there needs to be a press release sent out by the Chairman saying just what you stated. This is the only way to rehabilitate the work we did, the Chairman's credibility, and our reputations. I also fear that if this is not done the EAC will begin to receive calls from Congressman and Senators regarding the "report" and its effect on voter ID requirements.

Peg, up to now Tova and I have refused to speak with the press at all out of respect for the EAC and its mission. We both stand by our work and its conclusions. We both also feel that if a statement (as well phrased as you did in this e-mail clarifying the issue) is not forthcoming from the Chairman then I will have to correct this error with the Press. I explained this in my conversation this morning with the EAC.

Tova and I worked hard to produce a correct, accurate and truthful report. I could care less that the results are not what the more conservative members of my Party wanted. Neither one of us was willing to conform results for political expediency. I think it's important for me to note that I was very impressed with Tova's members of the Working Group and I can't say enough about Tova's partnership effort in this endeavor. While neither one of us really care about outside opinions, we do care that the Chairman was quoted or misquoted in a way that would disparage our year-long effort and all of the tax payer money that went into it. For this reason, we believe that a press release clarifying the situation is necessary from either the Chairman or from me.

Regards,

Job

*psims@eac.gov* wrote:

Tova and Job:

I am home recuperating, but see that in my absence, a USA Today article has gotten everyone stirred up. The report to which the article refers is only the status report on the voting fraud-voter intimidation research project that was delivered to our Standards Board and Board of Advisors last spring. I provided a copy of this document to both of you, but have attached another copy for your information. This document is subject to public release because it was presented at a public meeting.

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Please be reassured that we would not release your report without letting you know.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
e-mail: psims@eac.gov

Here are the documents I sent you yesterday. Also attached is a copy of the status report on this research that was provided to the Standards Board and Board of Advisors earlier this year. --- Peggy

EAC Boards VF-VI Status Report.doc

Matt (and Amy) are working on a speech for the Chairman to deliver at the Vote Fraud conference in Utah at the end of the week. Matt has asked for the consultants' definition of vote fraud/voter intimidation and the draft recommendations. As neither have been through full Commission review, I would like to speak with one or both of you before I drop this information in any one Commissioner's lap. Matt is looking for this information today. FYI, attached are copies of the consultants' definition and the draft recommendations from the consultants and others from the working group. Also attached is a summary of concerns expressed by the working group. --- Peggy

Fraud Project Definition-rev 6-27.doc RECOMMENDATIONS - final2.doc Working Group Recommendations final.doc

Key Working Group Comments and Observations AND concerns final.doc

002220
Many, many thanks for keeping me in the loop on this
(I think)

:-)

Karen Lynn-Dyson
Research Director
U.S. Election Assistance Commission
1225 New York Avenue, NW Suite 1100
Washington, DC 20005
tel: 202-566-3123
A new email you may want to add to the collection.

Peggy Sims  
Election Research Specialist  
U.S. Election Assistance Commission  
1225 New York Ave, NW - Ste 1100  
Washington, DC 20005  
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)  
Fax: 202-566-3127  
email: psims@eac.gov

Do we know who received her letter? I haven't seen it. --- Peggy

Jeannie Layson/EAC/GOV

See her press release (third item).

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

Please see Dan Seligson’s questions and request. Exactly what are we going to provide to the House subcommittee and when? Once they receive it, can the subcommittee or its members then release it to anyone they choose? Do we plan to release it to everyone once we’ve provided it to the subcommittee?

---- Forwarded by Bryan Whitener/EAC/GOV on 03/09/2007 02:29 PM ----

"Dan Seligson"
<dseligson@electionline.org>

To  "Bryan Whitener" <bwhitener@eac.gov>
cc

03/09/2007 02:26 PM

Subject  info request re: House Appropriations subcommittee hearing

Bryan -

As I mentioned on the phone, I am seeking information as a follow up to the House Appropriations Subcommittee on Financial Services. At the hearing, Rep. Maurice Hinchey, D-N.Y., requested that the EAC submit the original version of a report written by Tova Wang and Job Serebrov. Chairwoman Davidson said she would provide the original report (I believe) within three days. Is that still the case? Will the subcommittee have the original report, as submitted by the consultants, on Monday? And if so, may we have a copy as well?

Thanks,
Dan

Daniel Seligson
editor
electionline.org
1025 F St. NW Suite 900
Washington, DC 20004
202-552-2039

---- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 04:22 PM ----

Margaret Sims/EAC/GOV
03/13/2007 02:31 PM
To  Jeannie Layson/EAC/GOV
Looks fine to me. Of course, she is probably referring to our decision not to release the consultants' draft final report. --- Peggy

Jeannie Layson/EAC/GOV

Hello all,
A columnist from the WaPo has asked for info about both the voter ID and the fraud and intimidation reports. This was prompted by the accusation that the president was concerned that the fired prosecutors were not aggressively pursuing voter fraud cases. She had heard that we were refusing to release this information, so I am trying to demonstrate otherwise, as well as show that we have discussed these projects numerous times in public meetings. Please take a look at my draft email to her and let me know if you have any suggestions. She needs to hear back from me by 4 p.m. Thanks for your help with this.

Ms. Cocco,
Per your questions, go here to view the testimony regarding voter ID from our Feb. 2 public meeting. As I mentioned, at this meeting EAC Chair Donetta Davidson requested that staff review the initial research provided by Eagleton and produce a final report, which would include recommendations for further study on this subject. Currently, staff is working to finalize the voter ID report.

Regarding the voter fraud and intimidation research, at a May 2006 public meeting of our Standards Board and Board of Advisors, the EAC project manager for this research presented a staff update on the project. Go here to view the agenda, page 3. The document you referred to was the update the project manager gave at this public meeting, and it has been made available to anyone who asked for it. The final culmination of this project can be found here, and links to the attachments provided by the consultants are available by going to page 24 of this report. The commissioners adopted this report at a public meeting in Dec. 2006.

As a small agency of 23 employees, including the four commissioners, it is necessary for the agency to contract with consultants to gather the initial data for these projects. After EAC receives the initial data, the agency reviews the data for accuracy and then releases a final report.

Jeannie Layson
U.S. Election Assistance Commission
1225 New York Ave., NW
Suite 1100
Washington, DC 20005
Phone: 202-566-3100
The info that is on the website should be everything that you and she need. If you have trouble locating that info, Jeannie can probably direct you to where you can find it.

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

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

From: Karen Lynn-Dyson
Sent: 04/02/2007 11:02 AM EDT
To: Margaret Sims
Cc: Juliet Hodgkins; stephanie.wolson@gmail.com

Peg-

This week Heather Moss, a research intern will be starting with us. Heather is presently in law school and worked for DOJ in the Voting Rights Division for four years. Heather's primary responsibility (for the next month or so) will be helping us develop the follow-on research project for the Election Crimes study.

Also as an FYI- Commissioner Hunter and her Special Assistant, Stephanie Wolson have expressed an interest in working closely with staff on this project.

I would like to schedule a call/meeting for later on this week so that everyone can be brought up to speed on this work.

In preparation for this meeting I would like to give Heather the project materials which Job and Tova worked on and any relevant material you may have.

Could you direct me to these files so that Heather may begin her work on this project? Could you also let me know dates and times this week that might work for you?

Thanks

Karen Lynn-Dyson
Research Director
U.S. Election Assistance Commission
1225 New York Avenue, NW Suite 1100
Washington, DC 20005
tel:202-566-3123
Julie has already raised the point that most concerned me: I don’t think it is accurate to say the consultant’s recommendations were their findings. The recommendations were a combination of consultant recommendations and working group recommendations for future EAC action. We did not ask the consultants to provide “findings” because this research was never supposed to be the definitive study on the subject. Instead, it was supposed to be an initial effort to see what relevant information is available, to define voting fraud and voter intimidation, and to make recommendations to EAC regarding how to pursue the subject (next steps). --- Peggy

This are questions from a "freelance" reporter who is very hot about the "Tova Wang report." Please let me know if my answers are accurate, and I welcome any suggestions you may have. I need to get your input by COB tomorrow. I am also looking for more clarification on what didn’t make it into the fraud report. She is asking if we included all of their “findings” and their "research."

Thanks.

1) You said that the Wang/Serebrov report has not been released because it was predecisional. Was the Moritz/Eagleton report released because it was not predecisional? The Moritz/Eagleton report was a predecisional document. The commissioners took an action not to adopt a final report based upon the Moritz/Eagleton report, but to release all the predecisional information (the draft report).

2) I understood you to say that the December EAC report includes all of the Wang/Serebrov recommendations but not all of the Wang/Serebrov findings. Is that correct? The report does include all of their recommendations, which were their findings, and all of the research they conducted.

3) I understood you to say that EAC staff added results of their own research to the December EAC report. Is that correct? What I said was EAC staff reviewed the report for accuracy, for grammar and added language that reflected the commission’s decision to adopt the final version based upon the initial research provided by the consultants.

4) If I’m correct on questions 2 and 3, would it be accurate to say that
readers of the December report cannot tell how much of that report does and
does not reflect the original Wang/Serebrov findings? The consultants'
recommendations are their findings. All of the recommendations are included in
the final report, so readers can make the determination regarding the
recommendations.

5) I called earlier today requesting the Wang/Serebrov report, and you sent me
the December EAC report. I am concerned that if I had not already been
researching this closely, I would have thought that you'd sent me the
Wang/Serebrov report and would have reported incorrectly that you had. Does
the EAC have any comment on this manner of responding to press inquiries? (I
contacted you to request the report after I read in the Statesman Journal of
Salem, Oregon, an article by Marie Cocco that says: "The bipartisan commission
didn't widely release the consultants' review, but makes it available on
request." Did the EAC indeed give Ms. Cocco a copy of the "consultants'
review"? Or has she misunderstood you in the way I'm concerned about?) I sent
you a link to the "EAC report" because it is what was adopted by the
commission based upon the research conducted by the consultants. The final
report clearly states how it was compiled and includes bios for both of the
consultants. Regarding Ms. Cocco, I explained the entire process to her. I
provided the staff update on the project which was presented at a public
meeting in May 2006 and the final report, which is posted on the EAC website.
Regarding "this manner of responding to press inquiries," I have forwarded
your comments to my supervisor so he can review my performance regarding the
handling of your inquiry.

6) I understood you to say that the EAC did not release the Wang/Serebrov
report in its original form because the EAC has to do due diligence and its
staff is small. Do I understand you correctly? As a small agency of 23
employees, including the four commissioners, it is necessary for the agency to
contract with consultants to gather the initial data for research projects.
After EAC receives the initial data, the agency reviews the data for accuracy.
What form of due diligence does the EAC's staff routinely conduct on research
that is contracted out to experts before that research is released? You
mentioned "vetting" the research. What does that vetting entail? It depends on
the project. For instance, if it is information directly related to a mandate
within the Help America Vote Act (HAVA), staff will make sure that the
information is consistent with the law. In addition, we often ask for input
from our Standards Board and Board of Advisors, which combined consist of more
than 147 members. If we are using research that will eventually become
guidance, we are required by HAVA to seek the input of these boards. Go here
for more information about these boards and its members. If the board members
have feedback, then we must make the determination whether to incorporate it,
and, if so, how to incorporate their changes. If the research is focused on
election laws throughout the country, we make sure the laws are cited
correctly and that state legislatures haven't changed or amended these laws
since the research was conducted. (As you probably know, there have been many
new election laws introduced at the state level since 2004.) Throughout the
process, we review for grammar as well as make sure the document flows and is
arranged logically -- the basic tenets of editing.

Jeannie Layson
U.S. Election Assistance Commission
1225 New York Ave., NW
Suite 1100
Washington, DC 20005
Phone: 202-566-3100
www.eac.gov
Most of the working files for this project are in a red folder sitting on my window sill; but I have some individual files in manila folders for Job and Tova propped upright on my desk next to the computer. Isn't this something that can wait until Monday? --- Peggy

Edgardo Cortes/EAC/GOV

Where are your working files maintained?
Margaret Sims

----- Original Message ----- 
From: Margaret Sims
Sent: 04/13/2007 04:27 PM EDT
To: Edgardo Cortes
Subject: Re: Working group meeting transcript

I don't maintain "official" contract files, just working copies (and I am missing a copy of one of Tova's contracts). The official files should be with the other official EAC contract files. There were 4 personal services contracts between Tova and Job. --- Peggy

Edgardo Cortes/EAC/GOV

Peggy,
They are also requesting copies of the signed contracts. Where are your official contract files for that contract? Let me know where they are and I will pull them to give Gavin the copies so he can review for releasability. Thanks!

Edgardo Cortés
Election Research Specialist
There is only one transcript. In addition to the electronic copy, I have a hard copy in the file. Job Serebrov submitted one correction related to the information reported on his background, not the study. Otherwise, the transcript has NOT been reviewed for accuracy and we have not released copies to anyone but our consultants. --- Peggy

Peggy,
Is the transcript contained in T:\RESEARCH IN PROGRESS\VOTING FRAUD-VOTER INTIMIDATION\Working Group the only transcript that exists for that working group? Did you ever review it for accuracy? Has it been released to anyone previously? We've had a request from Todd Rokita's office for a copy and I want to be sure we are sending the correct file. Please let us know as soon as possible. Thanks!

Edgardo Cortés
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave. NW, Ste. 1100
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866-747-1471 toll free
202-566-3126 direct
202-566-3127 fax
eortes@eac.gov
Julie:
The attached appears to be the Job Serebrov email, a portion of which was quoted in the NY Times. He was responding to my email advising him that recent press reports were referring to the status report on the vote fraud-voter intimidation project, and that we had not released the final report. (A copy of my email is attached.) There are no follow-up emails on this topic. --- Peggy

Peg:

We saw both the USA Today article and a similar thing was reported on Rush Limbaugh's show naming both of us. I had a talk this morning with folks at the EAC. I told them at this point there needs to be a press release sent out by the Chairman saying just what you stated. This is the only way to rehabilitate the work we did, the Chairman's credibility, and our reputations. I also fear that if this is not done the EAC will begin to receive calls from Congressman and Senators regarding the "report" and its effect on voter ID requirements.

Peg, up to now Tova and I have refused to speak with the press at all out of respect for the EAC and its mission. We both stand by our work and its conclusions. We both also feel that if a statement (as well phrased as you did in this e-mail clarifying the issue) is not forthcoming from the Chairman then I will have to correct this error with the Press. I explained this in my conversation this morning with the EAC.

Tova and I worked hard to produce a correct, accurate and truthful report. I could care less that the results are not what the more conservative members of my Party wanted. Neither one of us
was willing to conform results for political expediency. I think its important for me to note that I was very impressed with Tova's members of the Working Group and I can't say enough about Tova's partnership effort in this endeavor. While neither one of us really care about outside opinions, we do care that the Chairman was quoted or misquoted in a way that would disparage our year-long effort and all of the tax payer money that went into it. For this reason, we believe that a press release clarifying the situation is necessary from either the Chairman or from me.

Regards,

Job

psims@eac.gov wrote:

Tova and Job:

I am home recuperating, but see that in my absence, a USA Today article has gotten everyone stirred up. The report to which the article refers is only the status report on the voting fraud-voter intimidation research project that was delivered to our Standards Board and Board of Advisors last spring. I provided a copy of this document to both of you. but have attached another copy for your information. This document is subject to public release because it was presented at a pubic meeting.

Due to internal resource allocation problems, your final report has not yet been reviewed by the Commissioners. It is considered a working document (not subject to public release) until it has completed the review process and the Commissioners have agreed to release it. There has been no attempt by the Commission to hold up the report. I bear responsibility for any delays in moving it along. Please be reassured that we would not release your report without letting you know.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

Juliet E. Hodgkins/EAC/GOV

To Margaret Sims/EAC/GOV@EAC
cc
Subject Need emails

Peggy,

Can you pull out the emails between you and Job that were quoted in the NYT? I need anything that has to do with the subject that was referred to in the quoted email as well as any follow up to that email. We
need it to be able to respond to the letter from Sen. Feinstein, and I figured you could identify those easier than me searching through the reams of paper in Jeannie's office.

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

Jeannie:

I did not receive your request in time to type responses on my blackberry by 2 PM, given the information needed. Here are the answers to your questions:

1. Why did we only contact DOJ officials regarding the accuracy of their interviews?

As far as I know, we didn't contact DOJ officials about this except in response to concerns they had previously expressed to us. Also, I don't believe we ever allowed DOJ to edit the summaries. (I certainly didn't.) I believe the consultants and I discussed the idea of having all the interviewees review their respective interview summaries, but the consultants objected to the idea and there were concerns that the all of the money remaining available was needed to complete the final report.

Craig Donsanto, Election Crimes Branch, saw the summary of his interview among the documents provided to the Working Group (prior to the meeting of that group), and pointed out an important factual error. The summary, as originally written, portrayed DOJ as switching from the prosecution of conspiracies to the prosecution of individuals. I was present at this interview and this was not what Craig had said, nor is it supported by the information available on the election crimes pursued by that branch. DOJ continues to pursue conspiracies and, in addition, has begun to pursue individuals (specifically, double voting, felon voting and alien voting) in an effort to deter others from election crime.

To my knowledge, John Tanner, Voting Section, Civil Rights Division, had not seen the consultants' full summary of his interview; but he expressed concern to Tova Wang and EAC about the consultants' characterization of the interviews with Donsanto and him that had been included in the May 2006 status report. This report was provided to the members of the EAC Standards and Advisory Boards. Per HAVA requirements, the Voting Section is represented on the Advisory Board. Tanner pointed to the following errors:

- First, the consultants stated that DOJ was not pursuing voter suppression cases. Tanner responded that "[t]he Department has brought two 11(b) cases, one of the two in this Administration. The focus of DOJ activity has shifted, in fact, to voter suppression as there are fewer cases over voter dilution (challenges to at-large election systems, etc.) being brought by anyone as the number of jurisdictions with at-large election systems has shrunk dramatically. This Administration has, in fact, brought far more voter-suppression cases ... than ever in the past, including a majority of all cases under Sections 203 and 208 of the Act, and such key recent Section 2 cases as US v. City of Boston and US
v. Long County, Georgia."

- Second, the consultants implied that DOJ is not pursuing instances of unequal implementation of ID rules. Tanner's response was that "challenges based on race and unequal implementation of ID rules are indeed actionable and we have brought lawsuits, such as in Boston and Long County; we have not identified instances of such discrimination in which we have not taken action."

Tanner also pointed to the consultants' refusal during the interview to define what they meant by "voter intimidation", which Tanner suspected did not jibe with the meaning of the term in federal prosecutions and probably contributed to misunderstandings. (Federal voter intimidation prosecutions require the threat of economic or physical harm.)

By the way, both of these officials are career attorneys, not political appointees. They have years of service at DOJ, working under a number of different administrations.

2. Exactly what did we change and why?

In the case of the Donsanto interview summary, I spoke with our consultants and asked them to make the correction. At first, they both refused. Later, they revised the summary to be a little less blatant, but the implication that there had been a complete change in approach remained. We revised the summary to clearly indicate that prosecution of conspiracies continues. The revised paragraph is on page 4 of the published summary. We also added an intro paragraph similar to other interview summaries submitted by the consultants to summarize the enforcement authority of the Election Crimes Branch and to distinguish it from the Voting Section, Civil Rights Division.

In the case of the actual John Tanner interview summary, we added an intro paragraph similar to other interview summaries submitted by the consultants to summarize the enforcement authority of the Voting Section and to distinguish it from the Election Crimes Branch. We also moved the consultants' note about the refusal to share certain internal working papers to the end of the summary because it seemed to distract from the main interview points if left as an introduction.

Making the distinction between the Election Crimes Branch and the Voting Section is important. The Voting Section brings cases involving "systemic" discrimination because federal voting statutes focus on discriminatory action by local governments. It is criminal statutes that involve malfesance by individuals and that are enforced by the Election Crimes Branch through Us Attorneys' offices. The difference is key to understanding federal election law enforcement.

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Fax: 202-566-3127
e-mail: psims@eac.gov

Jeannie Layson/EAC/GOV

To psims@eac.gov
cc Juliet E. Hodgkins/EAC/GOV@EAC, Thomas R. Wilkey/EAC/GOV@EAC
Subject Need your help ASAP
Peg,
If possible, I need answers for these questions in reference to the vote fraud/voter intimidation project by 2 p.m. today for an inquiry for Congressional Quarterly:

1. Why did we only contact DOJ officials regarding the accuracy of their interviews?
2. Exactly what did we change and why?

Jeannie Layson
U.S. Election Assistance Commission
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Suite 1100
Washington, DC 20005
Phone: 202-566-3100
www.eac.gov

FYI - I noticed that some newsclips are saying we spent $100,000 on the Voting Fraud-Voter Intimidation project. Each of the consultants had two contracts totaling almost $75,000 (not including funds set aside for related travel), so the total between them would have been closer to $150,000. If anyone needs to know the added travel costs, Wang spent about $4,500 and Serebrov $1,200 over the course of the 2 contracts.

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Fax: 202-566-3127
email: psims@eac.gov
Here are most of the emails from my active email files. A few did not hold the check mark, so I will send them separately. I'm trying to work out the best way to hand off copies of the emails from my archived files.

Peggy Sims
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Fax: 202-566-3127
e-mail: psims@eac.gov

--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:52 PM ---

"Tova Wang"
08/21/2006 12:16 PM
To psims@eac.gov
cc
Subject: call

Hi Peg, I left you a voice message last week -- you might have been at NCSL. Anyway, would you give me a call when you have a moment? Thanks.

Tova Andrea Wang, Democracy Fellow
The Century Foundation
1333 H Street, NW, Washington, D.C. 20037


--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:52 PM ---

Juliet E. Hodgkins/EAC/GOV
11/03/2006 06:42 PM
To Margaret Sims/EAC/GOV@EAC
cc
Subject: Job and Tova

I spoke to Job about the documents that I need. He will send me his summary of the articles/books that he read. However, he said that Tova also summarized some of those articles/books. I don't have a contact number/email for Tova. Could you contact her and ask her to provide us with any summary of the articles/books that she read as they are listed in Appendix 2?
All of the summaries received are in the shared drawer under T:\RESEARCH IN PROGRESS\VOTING FRAUD-VOTER INTIMIDATION\Research Summaries. There are too many of them to append to this message, or I would do it. The researchers did not propose to include these summaries in the report. Are you considering adding them?

If you want, I can cross reference each of these with the list of articles and ID any missing summaries. I could do that over the weekend. --- Peggy

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I think we should use the content of those articles or some summary of them as a background of what we know about VF and VI. I just didn’t want to have to read all of those articles to be able to make some generalized statements about their contents.

Sent from my BlackBerry Wireless Handheld
Margaret Sims
----- Original Message -----

From: Margaret Sims
Sent: 11/03/2006 06:11 PM
To: Juliet Hodgkins
Subject: Re: Job and Tova

Julie:

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Juliet E. Hodgkins/EAC/GOV

Juliet E. Hodgkins/EAC/GOV To Margaret Sims/EAC/GOV@EAC
11/03/2006 05:42 PM cc
Subject Job and Tova

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

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM -----
Juliet E. Hodgkins/EAC/GOV To Margaret Sims/EAC/GOV@EAC
11/03/2006 07:41 PM cc
I appreciate it. I will send you a copy of the outline that I am working from. It is somewhat subject to change as I am still trying to get in my mind what goes first, second ....

Sent from my BlackBerry Wireless Handheld
Margaret Sims
----- Original Message -----
From: Margaret Sims
Sent: 11/03/2006 06:38 PM
To: Juliet Hodgkins
Subject: Re: Job and Tova

I can review them over the weekend and attempt to summarize what they tell us. --- Peggy

Sent from my BlackBerry Wireless Handheld
Juliet E. Hodgkins
----- Original Message -----
From: Juliet E. Hodgkins
Sent: 11/03/2006 06:14 PM
To: Margaret Sims
Subject: Re: Job and Tova

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Juliet E. Hodgkins/EAC/GOV

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11/03/2006 05:42 PM
To Margaret Sims/EAC/GOV@EAC
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Juliet Thompson Hodgkins  
General Counsel  
United States Election Assistance Commission  
1225 New York Ave., NW, Ste 1100  
Washington, DC  20005  
(202) 566-3100

Julie:
I have not received the outline, but went ahead with reviewing the literature researched. Attached are my perspectives on what we learned and a listing of the literature with portions of the analysis for each. Both of these documents are on the shared drive under T:\RESEARCH IN PROGRESS\VOTING FRAUD-VOTER INTIMIDATION\Research Summaries. Hope these help. Let me know what else you need from me. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM ---

Margaret Sims/EAC/GOV  
11/06/2006 11:07 AM  
To Juliet E. Hodgkins/EAC/GOV@EAC  
cc

Subject Re: VF_VI Literature Review

Juliet E. Hodgkins/EAC/GOV

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sorry, about that. Here’s the outline...

I. BACKGROUND/INTRODUCTION

A. WHAT WE KNOW ABOUT FRAUD
B. PURPOSE OF THE EAC STUDY
C. METHODOLOGY OF THE EAC STUDY

II. DEFINITION OF ELECTION CRIMES
A. VOTER FRAUD IS TOO LIMITED
B. COLLOQUIAL DEFINITION IS TOO BROAD
C. ELECTION CRIMES
D. WHAT IS NOT AN ELECTION CRIME FOR PURPOSES OF THIS STUDY

III. RECOMMENDATIONS ON HOW TO STUDY ELECTION CRIMES
A. ACCEPTED RECOMMENDATIONS
   i. SURVEY LAW ENFORCEMENT, INVESTIGATORY AGENCIES, AND PROSECUTORS
   ii. REVIEW ADMINISTRATIVE COMPLAINTS FILED WITH STATES
   iii. REVIEW DOJ/USA ACTIONS
B. REJECTED RECOMMENDATIONS
   i. REASONS WHY REJECTED
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Juliet E. Hodgkins/EAC/GOV

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Margaret Sims/EAC/GOV
11/06/2006 12:21 PM
To: Juliet E. Hodgkins/EAC/GOV
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Juliet Thompson Hodgkins
General Counsel
United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM -----
Subject: Re: VF_VI Literature Review

Is this an outline of an EAC staff report to accompany the consultants' report, or has there been a decision not to publish the consultants' report at all? (Just curious, as I have been a little out of the loop.) --- Peg

--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM ---
Juliet E. Hodgkins/EAC/GOV
11/06/2006 12:30 PM
To: Margaret Sims/EAC/GOV@EAC
cc: Juliet E. Hodgkins/EAC/GOV@EAC
Subject: Re: VF_VI Literature Review

The consultant's report is a draft of an EAC report. We will take the consultant's report and finalize it into OUR report.
Juliet Thompson Hodgkins
General Counsel
United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100
Margaret Sims/EAC/GOV

Margaret Sims/EAC/GOV
11/06/2006 12:21 PM
To: Juliet E. Hodgkins/EAC/GOV@EAC
cc: Juliet E. Hodgkins/EAC/GOV@EAC
Subject: Re: VF_VI Literature Review

Peggy,

I wanted to let you know that I had a chance to review your summaries today. I think that these are some excellent conclusions that we can definitely use in our report. Thank you for doing such a detailed and thorough job. If tomorrow goes quietly, hopefully I will have some time to write.

Juliet Thompson Hodgkins
Julie:
I have not received the outline, but went ahead with reviewing the literature researched. Attached are my perspectives on what we learned and a listing of the literature with portions of the analysis for each. Both of these documents are on the shared drive under T:\RESEARCH IN PROGRESS\VOTING FRAUD-VOTER INTIMIDATION\Research Summaries. Hope these help. Let me know what else you need from me. --- Peggy

Sent from my BlackBerry Wireless Handheld

Juliet E. Hodgkins/EAC/GOV

I can review them over the weekend and attempt to summarize what they tell us. --- Peggy

Sent from my BlackBerry Wireless Handheld

Juliet E. Hodgkins
I think we should use the content of those articles or some summary of them as a background of what we
know about VF and VI. I just didn't want to have to read all of those articles to be able to make some
generalized statements about their contents.

Sent from my BlackBerry Wireless Handheld
Margaret Sims
----- Original Message -----

From: Margaret Sims
Sent: 11/03/2006 06:11 PM
To: Juliet Hodgkins
Subject: Re: Job and Tova

Julie:

All of the summaries received are in the shared drawer under T:\RESEARCH IN PROGRESS\VOTING FRAUD-VOTER INTIMIDATION\Research Summaries. There are too many of them to append to this message, or I would do it. The researchers did not propose to include these summaries in the report. Are you considering adding them?

If you want, I can cross reference each of these with the list of articles and ID any missing summaries. I could do that over the weekend. --- Peggy

Juliet E. Hodgkins/EAC/GOV

Juliet Hodgkins/EAC/GOV
11/03/2006 05:42 PM
To: Margaret Sims/EAC/GOV@EAC
cc
Subject: Job and Tova

I spoke to Job about the documents that I need. He will send me his summary of the articles/books that he read. However, he said that Tova also summarized some of those articles/books. I don't have a contact number/email for Tova. Could you contact her and ask her to provide us with any summary of the articles/books that she read as they are listed in Appendix 2?

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

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM -----
Julie:

Happy to help, especially as I have to assume the blame for the report turned in by the consultants. I think you were aware that I was disappointed that it was not a more professional product. As I was not clear what the Commission's position is on editing such reports after receipt of the final, and as the consultants insisted that their work not be changed, I felt a bit stymied. Let me know what else I can do.

In the meantime, I'm revisiting some drafts received on the Vote Count-Recount best practices to see if I can encourage more improvements before submission of the final. We're still waiting for the state-by-state summary of practices, originally delayed by the subcontractor's nonperformance, which could affect goes into the best practices. I think some of the emphasis I see in the drafts on post election audits and proper recordkeeping will help respond to some of the issues raised in the literature review for the voting fraud-voter intimidation study.

--- Peggy

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

Peggy,

I wanted to let you know that I had a chance to review your summaries today. I think that these are some excellent conclusions that we can definitely use in our report. Thank you for doing such a detailed and thorough job. If tomorrow goes quietly, hopefully I will have some time to write.

Juliet E. Hodgkins/EAC/GOV
11/06/2006 05:18 PM
To  Margaret Sims/EAC/GOV@EAC
cc
Subject  Re: VF_VI Literature Review
Julie:
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---

I appreciate it. I will send you a copy of the outline that I am working from. It is somewhat subject to change as I am still trying to gel in my mind what goes first, second ....

-----------

I can review them over the weekend and attempt to summarize what they tell us.--- Peggy

-----------

I think we should use the content of those articles or some summary of them as a background of what we know about VF and VI. I just didn't want to have to read all of those articles to be able to make some generalized statements about their contents.
To: Juliet Hodgkins  
Subject: Re: Job and Tova

Julie:

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Juliet E. Hodgkins/EAC/GOV

Juliet E. Hodgkins/EAC/GOV
11/03/2006 05:42 PM
To Margaret Sims/EAC/GOV@EAC
cc
Subject Job and Tova

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

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM -----  
Karen Lynn-Dyson/EAC/GOV
11/07/2006 07:05 AM
To Juliet E. Hodgkins/EAC/GOV@EAC
cc Margaret Sims/EAC/GOV@EAC
Subject Fw: please investigate

Hi-

Is this the kind of thing I should be passing on to you or Gavin?
Thanks

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

----- Forwarded by Karen Lynn-Dyson/EAC/GOV on 11/07/2006 07:03 AM -----

11/06/2006 07:47 PM

To i com, HAVAinfo eac. ov, info@mikedewine.com
cc
Subject please investigate

Please investigate this incident or pass it on to the proper authority.

This morning, I received a recorded message saying that my polling place was "St. Francis" something or other. Later in the day, I wondered why I was informed of this change via a phone number with an out of state area code. I just check the Mahoning County Board of Elections site and the polling location is still listed as "Frank Ohl School" which is where I've voted since moving here.
Since I received another call about the same time, I'll give you information on both numbers.

For the first call (which I believe is the culprit) the information on my caller ID was "Unknown Name 320-230-0961". They claimed they were from American for Reform Now or something like that. When I dialed that number, I received this message: "Mailbox for Rob Olsen is full." While writing this email, I just received another call from this number. Now the recorded message was from Ohio for Fair Minimum Wage.

For the other call (from this morning) the information on my caller ID was "Amer Voice Retr 206-706-2650". When I dialed that number I got a recording which identified them as "People for Washington State Democrats... authorized by K1 2006."

Thank you for your time and attention to this matter.

Cheryl Bollinger
Austintown, OH

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM -----

Juliet E. Hodgkins/EAC/GOV
11/07/2006 09:33 AM
To Margaret Sims/EAC/GOV@EAC
cc

002256
Did Tova and Job provide us with summaries or notes of their interviews?

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

--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM ---

Margaret Sims/EAC/GOV
11/07/2006 09:45 AM
To: Juliet E. Hodgkins/EAC/GOV
cc

Subject Re: VF and VI study

Yes (at T:\RESEARCH IN PROGRESS\VOTING FRAUD-VOTER INTIMIDATION\Interviews\Interview
Summaries). Do you want me to do the same with those as I did with the literature summaries? --- Peggy

Juliet E. Hodgkins/EAC/GOV

Juliet E. Hodgkins/EAC/GOV
11/07/2006 09:33 AM
To: Margaret Sims/EAC/GOV@EAC
cc

Subject VF and VI study

Did Tova and Job provide us with summaries or notes of their interviews?

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

--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM ---

Juliet E. Hodgkins/EAC/GOV
11/07/2006 09:47 AM
To: Margaret Sims/EAC/GOV@EAC
cc

Subject Re: VF and VI study

that would be great. I am also interested in identifying the points of contention between DOJ and the
consultants.

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

Yes (at T:\RESEARCH IN PROGRESS\VOTING FRAUD-VOTER INTIMIDATION\Interviews\Interview Summaries). Do you want me to do the same with those as I did with the literature summaries? --- Peggy

Juliet E. Hodgkins/EAC/GOV

Did Tova and Job provide us with summaries or notes of their interviews?

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

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM -----

OK, I will get started on the interview summaries today.

DOJ (Donsanto and Tanner) raised objections to the consultants' description of their interviews, which
state that DOJ officials agreed they were bringing fewer intimidation and suppression cases. An advocacy group is going after DOJ, accusing the agency of doing just that for political reasons, so this is something DOJ wants corrected.

Apart from the consultants pre-existing bias that "the feds aren't doing enough", a big part of the problem appears to have been a misunderstanding over terminology. When our consultants used the term "intimidation", they included all sorts of suppression activities. When Craig Donsanto used the term "intimidation", he was using the definition under federal criminal vote fraud statutes, which requires the action be accompanied by threat of physical or economic harm. (He told me he has had only one such case in 30 years.) His office is actively pursuing voter suppression activities under statutes other than federal voter intimidation laws (e.g.; the recent case in NH where a campaign operative conspired to block election day GOTV telephone lines of the opposing party). A copy of Tanner's comments on the interview summary in the status report for the Standards and Advisory Boards meetings is attached.

I had many long discussions with Tova and Job about this. I was able to get them to soften their description (see 4th bullet on page 7 of the draft report), but not entirely to my satisfaction. Also, at the Working Group meeting, it was agreed that the consultants would add a note to their definition to clarify that the working definition for purposes of the research includes activities that do not meet the federal definition of voter intimidation. The resulting note on page 5 of the draft report is too vague.

DOJ has not seen everything the consultants put in the draft final report, so they may have additional concerns. For example, the consultants' recommendations include the following:

- Attend the Department of Justice's Ballot Access and Voting Integrity Symposium. The consultants also believe it would be useful for any further activity in this area to include attendance at the next Ballot Access and Voting Integrity Symposium. According to the Department, DEOs are required to attend annual training conferences centered on combating election fraud and voting rights abuses. These conferences sponsored by the Voting Section of the Civil Rights Division and the Public Integrity Section of the Criminal Division, feature presentations by civil rights officials and senior prosecutors from the Public Integrity Section and the U.S. Attorneys' Offices. According to the Department, DEOs are required to attend annual training conferences centered on combating election fraud and voting rights abuses. These conferences sponsored by the Voting Section of the Civil Rights Division and the Public Integrity Section of the Criminal Division, feature presentations by civil rights officials and senior prosecutors from the Public Integrity Section and the U.S. Attorneys' Offices.

Footnote:
By attending the symposium researchers could learn more about the following:
How DEOs are trained, e.g. what they are taught to focus their resources on; How they are instructed to respond to various types of complaints; How information about previous elections and voting issues is presented; and, How the Voting Rights Act, the criminal laws governing election fraud and intimidation, the National Voter Registration Act, and the Help America Vote Act are described and explained to participants.

DOJ has stated that this is an internal meeting, involving only DOJ officials, US Attorneys and FBI. EAC researchers cannot be admitted without opening the meeting to other outsiders. DOJ does not want to do this, probably for two reasons: (1) confidential information on current enforcement cases may be discussed; and (2) making enforcement strategies public could give unscrupulous individuals a virtual "how to" manual for circumventing such strategies when committing election crimes.

We may also have a hard time gaining access to the DOE reports and the Voting Section records of complaints, as they probably aren't considered public documents.

--- Peggy
That would be great. I am also interested in identifying the points of contention between DOJ and the consultants.

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

Margaret Sims/EAC/GOV

Yes (at T:\RESEARCH IN PROGRESS\VOTING FRAUD-VOTER INTIMIDATION\Interviews\Interview Summaries). Do you want me to do the same with those as I did with the literature summaries? --- Peggy

Did Tova and Job provide us with summaries or notes of their interviews?

Juliet Thompson Hodgkins  
General Counsel  
United States Election Assistance Commission  
1225 New York Ave., NW, Ste 1100  
Washington, DC 20005  
(202) 566-3100
I am getting close to having a first cut at a report, minus a few key sections. Just wondering how those summaries are coming along.

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

Almost finished sorting through the interview summaries. I don't find them as helpful as the literature summaries, but hope to have something to you by the end of the day. (I was at the clinic yesterday, and could only work a half day.) --- Peggy

Juliet E. Hodgkins/EAC/GOV
Thanks. Currently, on the phone with Job. Ugh!!!

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

Almost finished sorting through the interview summaries. I don't find them as helpful as the literature summaries, but hope to have something to you by the end of the day. (I was at the clinic yesterday, and could only work a half day.) --- Peggy

I am getting close to having a first cut at a report, minus a few key sections. Just wondering how those summaries are coming along.
Sorry this is later than expected. I was missing the notes of one interview and had several computer crashes when I tried to retrieve archived email to determine if I had failed to file it after one of the consultants sent it. I finally gave up looking for it in favor of summarizing what I had.

Attached is a summary of points raised in the interviews. I found it more difficult to extract lessons learned from the interview notes, so I used a summary format. (The interview notes make it appear that the focus of the interviews differed from one person to another, perhaps because consultants were seeking different information from interviewees). I've also attached a list of interviewees with pertinent interview notes. (Some of the interview notes dealt with irregularities other than voting fraud and voter intimidation.) --- Peggy

Julie:

I just remembered that there was one other DOJ objection. It was about the way the consultants described the Election Crimes Branch focus on cases. In the interview with Donsanto (the only interview I attended), he made reference to the fact that the Election Crimes Branch used to only go after conspiracies, not individuals. Now, however, they had begun prosecuting individuals for noncitizen and felon voting. The consultants heard an unexpressed "instead", which would mean that DOJ had dropped pursuing conspiracies in favor of going after individuals. Based on my previous experience, I heard and unexpressed "in addition", meaning that DOJ was not just prosecuting conspiracies, the department also had begun to prosecute individuals.

I had lengthy discussions with the consultants over this issue as well. Donsanto confirmed that he meant "in addition", and the lists of cases he provided indicates that the department continues to pursue conspiracies. (It doesn't make sense any other way, unless you believe that the government is out to get the little guy.) --- Peggy
Peggy,

I have attached a rough draft of the report that I think that we should propose to the Commissioners. I was hoping that you could give it a read and give me your comments by Friday morning, as I have to deliver a draft to the Commissioners on Friday. I also have a couple of questions. You will notice that I have noted that several items will be attached as appendixes. First question: Should we attach these things? Second question: In cases where you have provided summaries of the summaries, should we attach yours or theirs?

EAC REPORT ON VOTER FRAUD AND VOTER INTIMIDATION STUDY.doc

Juliet Thompson Hodgkins
General Counsel
United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100
----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM -----

Thomas R. Wilkey/EAC/GOV
11/15/2006 12:23 PM
To Margaret Sims/EAC/GOV@EAC
cc
Subject Thor Hearn

Do you have contact information for this guy?

Thomas R. Wilkey
Executive Director
US Election Assistance Commission
1225 New York Ave, NW - Suite 1100
Washington, DC 20005
(202) 566-3109 phone
TWilkey@eac.gov
----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM -----

Margaret Sims/EAC/GOV
11/15/2006 01:52 PM
To Thomas R. Wilkey/EAC/GOV
cc
Subject Re: Thor Hearn

Mark (Thor) Hearne II
Partner-Member
Thomas R. Wilkey/EAC/GOV

To

Margaret Sims/EAC/GOV@EAC

cc

Subject Thor Hearn

Do you have contact information for this guy?

--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM ---

Margaret Sims/EAC/GOV

To

Juliet E. Hodgkins/EAC/GOV

cc

Subject Re: Draft Voter Fraud/Voter Intimidation

Got it, and will get back to you by Friday AM. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM ---

Juliet E. Hodgkins/EAC/GOV

To

Margaret Sims/EAC/GOV@EAC

cc

Subject Re: Draft Voter Fraud/Voter Intimidation

Thanks.
Got it, and will get back to you by Friday AM. -- Peggy

Julie:

I really like the tone, focus, and organization of the paper. I also liked the way you interspersed the lists of Working Group members, interviewees, and reports reviewed with the text (drawing the reader's attention to the info, cutting down on the # of appendices, and giving the eye a break from regular text). Attached is your document with my comments, questions, and suggested changes. I did not do much to it.

Regarding your questions about the appendices:
I really did not prepare my summaries with an eye toward publication, but the consultants' summaries probably include incendiary info (particularly re DOJ interviews). As for the case law, we have multiple, voluminous charts, but no list. We can create a list from the charts, but that will take time. The Commissioners may want to see the consultants' or my summaries and the case law charts, but do we need to publish them?

Do we need to put short bios for Tova and Job in an appendix? -- Peggy
Thanks for your comments.

Last night, I took the case charts and assembled into one 200-page document. So, that is compiled. I have also amended to include Job and Tova's bios as appendix "1". I have established both your summaries and theirs into alternative appendixes and will talk to the commissioners about that. One question that I have is whether we would need to go through and "clean up" their summaries? I have compiled them into a single document (that is one for interviews and one for literature). Other than the DOJ issue, are there any other "problems" that you recall?

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

--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM ---

Margaret Sims/EAC/GOV  
11/17/2006 02:54 PM  
To Juliet E. Hodgkins/EAC/GOV  
cc  
Subject Re: Draft Voter Fraud/Voter Intimidation Report

I'll need to refresh my memory. I'll take a look at them one more time and get back to you. Hope you enjoy your time out of the office, and have a happy turkey day. --- Peggy

Juliet E. Hodgkins/EAC/GOV  
11/17/2006 09:44 AM  
To Margaret Sims/EAC/GOV@EAC  
cc  
Subject Re: Draft Voter Fraud/Voter Intimidation Report

Thanks for your comments.

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Juliet Thompson Hodgkins  
General Counsel  
United States Election Assistance Commission  
1225 New York Ave., NW, Ste 1100  
Washington, DC 20005  
(202) 566-3100
Thanks so much for all of your help. Have a very Happy Thanksgiving.

Sent from my BlackBerry Wireless Handheld
Margaret Sims

From: Margaret Sims
Sent: 11/17/2006 02:54 PM
To: Juliet Hodgkins
Subject: Re: Draft Voter Fraud/Voter Intimidation Report

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Juliet E. Hodgkins/EAC/GOV

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11/17/2006 09:44 AM
To: Margaret Sims/EAC/GOV@EAC
cc
Subject: Re: Draft Voter Fraud/Voter Intimidation Report

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

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM -----
Margaret Sims/EAC/GOV
Julie:
I reviewed our materials and refreshed my memory. The DOJ issues appear to be the only potential pitfalls in the consultants' interview summaries. The only other issue that arose during the course of the work was Secretary Rokita's objection to EAC doing the research. I think you have taken care of that in your paper. --- Peggy

Thanks so much for all of your help. Have a very Happy Thanksgiving.

Sent from my BlackBerry Wireless Handheld
Margaret Sims
----- Original Message ----- 
From: Margaret Sims
Sent: 11/17/2006 02:54 PM
To: Juliet Hodgkins
Subject: Re: Draft Voter Fraud/Voter Intimidation Report

I'll need to refresh my memory. I'll take a look at them one more time and get back to you. Hope you enjoy your time out of the office, and have a happy turkey day. --- Peggy

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DOJ issue, are there any other "problems" that you recall?

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

Peggy,

Just to clarify... you only attended (by teleconference or otherwise) one of the interviews? I thought it was more than that?

Gavin S. Gilmour
Deputy General Counsel
United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100

This looks good to me. I just have a few questions/clarifications, both involving the second paragraph:

1. First sentence - Do you mean "intra-agency", rather than interagency?
2. Second sentence - If we plan to release an EAC report based on the material provided by the consultants, then can we avoid implying that we are ever going to release a report written by the consultants?
3. Sixth sentence - I was present at only one interview, not all of them; but I did facilitate and help schedule the interviews.

--- Peggy

Gavin S. Gilmour/EAC/GOV

Do Not Release

People for the American Way.doc

Gavin S. Gilmour
Deputy General Counsel
United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100

THIS MESSAGE IS FOR ITS INTENDED RECIPIENT ONLY. IT IS A PRIVILEGED DOCUMENT AND SHALL NOT BE RELEASED TO A THIRD PARTY WITHOUT THE CONSENT OF THE SENDER.

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM -----

Margaret Sims/EAC/GOV
11/27/2006 11:30 AM

To Gavin S. Gilmour/EAC/GOV
cc

Subject Re: My Thoughts --PRIVILEGED COMMUNICATION

I attended only the interview with Craig Donsanto. --- Peggy

Gavin S. Gilmour/EAC/GOV

002265
Peggy,

Just to clarify... you only attended (by teleconference or otherwise) one of the interviews? I thought it was more than that?

Gavin S. Gilmour
Deputy General Counsel
United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100

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Margaret Sims/EAC/GOV

To Gavin S. Gilmour/EAC/GOV@EAC
cc Juliet E. Hodgkins/EAC/GOV@EAC, Jeannie Layson/EAC/GOV@EAC
Subject Re: My Thoughts --PRIVILEGED COMMUNICATION

Gavin:

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--- Peggy

Gavin S. Gilmour/EAC/GOV

To Juliet E. Hodgkins/EAC/GOV@EAC, Jeannie Layson/EAC/GOV, Margaret Sims/EAC/GOV@EAC
cc
Subject My Thoughts --PRIVILEGED COMMUNICATION

Do Not Release
ATTACHED is a revised version of the Voting Fraud/Voter Intimidation Draft Report. The changes that Commissioner Hillman suggested have been made and highlighted in yellow. See pages 10-11.

Peggy and I are working on the revision of the Donsanto and Tanner interview summaries and will forward that to you under a separate email.
Juliet Thompson Hodgkins
General Counsel
United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100

--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM ---

Margaret Sims/EAC/GOV
11/30/2006 04:37 PM
To Juliet E. Hodgkins/EAC/GOV@EAC
cc
Subject Donsanto-Tanner Interviews

Julie:

I made some suggested edits in the attached excerpts of the Donsanto and Tanner interview summaries. You may be able to better phrase them. The most important edits are:

- I noticed that the consultants had listed Donsanto's and Tanner's titles incorrectly (which we may also need to correct in our report where we list the interviewees). Donsanto and Tanner might be amused that our consultants "promoted" them, but their bosses may not.
- I redacted two sentences that I thought we should not publicize and one that I thought was in error from the Donsanto description. I also tried to correct the paragraph that discusses DOJ's pursuit of individual offenders.
- I moved the note about Tanner's failure to provide data and information to the end of the description (the highlighted paragraph) so that it's isn't so "in your face". I also tried to edit it, but am still a bit concerned about including it at all.

If you have any questions, or want to talk about this, give me a call (703-323-9277). Also, I may be in the office tomorrow, if my insides cooperate. --- Peggy

I made the correction on the titles in the report. There was one that was not correct.

There are a couple of things I may suggest that we leave in, as I don't think that DOJ would have a problem with it, (e.g. the fact that they won't release information on pending cases).

I will forward to the Cs for their review.
Juliet Thompson Hodgkins
General Counsel
United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100
Margaret Sims/EAC/GOV

Margaret Sims/EAC/GOV
11/30/2006 04:37 PM
To Juliet E. Hodgkins/EAC/GOV@EAC
cc
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Summaries of Interviews with Donsanto-Tanner redacted-revised.doc

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM -----
Margaret Sims/EAC/GOV
12/01/2006 03:52 PM
To Juliet E. Hodgkins/EAC/GOV
cc
Subject Re: Donsanto-Tanner Interviews

Julie:

I assume you mean the note associated with the Tanner interview when you mentioned the pending cases. That's fine by me. I was just a little concerned that the note as a whole was a little adversarial and whiny. If any questions arise as to why certain items should be deleted from the Donsanto interview summary, I have answers. --- Peggy
I made the correction on the titles in the report. There was one that was not correct.

There are a couple of things I may suggest that we leave in, as I don't think that DOJ would have a problem with it, (e.g. the fact that they won't release information on pending cases).

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If you have any questions, or want to talk about this, give me a call (703-323-9277). Also, I may be in the office tomorrow, if my insides cooperate. --- Peggy
Dear Peter:

I apologize for the delayed response. The paper that the media touted as an EAC statement on vote fraud was actually just a report on the status of preliminary research into voting fraud and voter intimidation conducted by EAC consultants. The document does not represent a consensus statement on the subject by EAC. The status report was presented to the EAC Board of Advisors and the EAC Standards Board last spring. As these meetings were open to the public, the status report is available to the public. (See attached.)

EAC plans to consider a draft of its own report, which is based on the preliminary research of our consultants, at this Thursday's public meeting. (See agenda published at http://www.eac.gov/docs/Public%20Meeting.%2012-07-06.%20Wash.%20Revised%20Final%20Agenda.pdf.) If the report is approved, EAC will publish it on our web page.

Regards,

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

VF-VI Study Status 5-17-06.pdf

Then I need to get commishes to okay.
Brian,

Please find attached the draft fraud report press release for review. The other documents will follow in a separate email.

Jennifer

-------------------
NEW E-MAIL: jennifer.roseutley@bm.com

Jennifer Rose-Utley
Manager, Public Affairs
Burson-Marsteller
202.530.4505
jennifer.roseutley@bm.com

--------------
We've Moved!

Please visit us at our new location:

Burson-Marsteller
1110 Vermont Avenue, NW, Suite 1100
Washington, DC 20005

Bryan:

The two consultants were:

- Tova Wang (atical)
- Job Serebrov (serebro@checkmed.net)

002272
The contact information for the Project Working Group, including technical advisor, Craig Donsanto, is in the attached spreadsheet.

You should also send notice to John Tanner, Chief, Voting Section, Civil Rights Division, DOJ (john.k.tanner@usdoj.gov). --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM ---

"Bryan Whitener"<bwhitener@eac.gov> 12/07/2006 02:45 PM To psims@eac.gov cc Subject EAC Releases Findings of Voting Fraud and Voter Intimidation Study, 12-07-06

For Immediate Release
December 7, 2006

Contact:
Jeannie Layson
Bryan Whitener
(202) 566-3100

EAC Releases Findings of Voting Fraud and Voter Intimidation Study

No consensus on the regularity of voting fraud and voting intimidation found
Agency accepts recommendations to conduct a comprehensive study on elections crimes

WASHINGTON - The United States Election Assistance Commission (EAC) today voted on the findings of the "Voting Fraud and Voter Intimidation Study" and accepted recommendations to conduct
a comprehensive assessment of all claims, charges and prosecutions of voting crimes.

The study represents the first phase of the information gathering process and includes a working definition of election crimes. EAC will now proceed with the second phase, a more comprehensive data-driven survey and study of elections crimes and voter intimidation. The new phase will offer consistency to the study and will identify a common definition of the issue for dialogue among elections officials, civil rights and voter advocacy groups, law enforcement officials, attorneys and the public.

The recommendations accepted by EAC today include:

**Survey Chief Elections Officers to Review and Assess Administrative Complaints:** EAC will survey the states' chief election officers regarding complaints that have been filed, investigated and resolved since January 1, 2004.

**Survey State Election Crime Investigation Units Regarding Complaints Filed and Referred:** EAC will gather information on the numbers and types of complaints that have been received by, investigated, and ultimately referred to local or state law enforcement by election crime investigation units since January 1, 2004.

**Survey Law Enforcement and Prosecutorial Agencies Regarding Complaints and Charge of Voting Crimes:** EAC will survey law enforcement and prosecutorial agencies at the local, state and federal level to determine the number and types of complaints, charges, or indictments, and pleas or convictions of election crimes since January 1, 2004.

**Analyze Survey Data in Light of State Laws and Procedures:** EAC will use the reliable data gathered from each survey group to analyze the effectiveness of fraud prevention and reporting measures.

In order to arrive at the findings, EAC consultants reviewed existing studies, articles, reports and case law on voting fraud and intimidation and conducted interviews with experts in the field regarding their experiences and research. According to the findings, while there is currently no consensus on the frequency of voting fraud and voter intimidation, most participants agreed that absentee balloting is subject to the greatest proportion of fraudulent acts, followed by vote buying and voter registration fraud.

Following today's vote to approve the survey recommendations, EAC will begin a comprehensive survey and subsequent study on voting fraud and voter intimidation based on hard data. Section 241 of the Help America Vote Act of 2002 (HAVA) mandates that EAC research and study various issues related to the administration of elections. During Fiscal Year 2006, EAC in consultation with the Standards Board and Board of Advisors selected voting fraud and voter intimidation from a list of potential research topics that serve to improve the administration of elections for federal office.

For the EAC's full report on the Voting Fraud and Voter Intimidation Study or to view testimony from today's hearing, visit [www.eac.gov](http://www.eac.gov).
EAC is an independent bipartisan commission created by HAVA. It is charged with administering payments to states and developing guidance to meet HAVA requirements, implementing election administration improvements, adopting voluntary voting system guidelines, accrediting voting system test laboratories and certifying voting equipment and serving as a national clearinghouse and resource of information regarding election administration. The three EAC commissioners are Paul DeGregorio, chairman; Donetta Davidson and Gracia Hillman. One vacancy currently exists.

###

Commissioners,

I want to respond to Rick Hasen's post regarding EAC and the fraud report. My suggested response is below, and his original post follows. Please let me know if you agree that I should attempt to correct the misinformation he posted. If so, please let me know if you approve of my suggested response. Thank you.

Mr. Hason,

I write to point out incorrect information you posted on your website on December 11, 2006. You wrote: "Note what's missing compared to the earlier version leaked to the USA Today Newspaper." No one at the EAC leaked anything to USA Today. The reporter asked for a copy of the staff report about the fraud research that was presented at a public meeting in May to our Board of Advisors and the Standards Board, and the EAC provided it to him. This information was presented and discussed at a meeting that was open to the public, so we provided materials distributed at the meeting to anyone who requested it. The staff report about the fraud project was also distributed to every member of both advisory boards. Go [here](#) to view the Federal Register notice about the public meeting at which this project and many others were discussed.

The statement you attribute to one of the consultants is absolutely correct. As stated by their contract, these consultants were hired so that the EAC could "...obtain consulting services from an individual who can provide advice drawn from broad professional and technical experience in the area of voter fraud and intimidation."

As for your reference to what's "missing compared to the earlier version," the report contains the complete summaries of every interview conducted by the consultants as well as every book, article, report or case that was reviewed. It does not contain the synopsis of those interviews, which were written by the consultants. EAC provided the individual summaries so readers could reach their own conclusions about the substance of the interviews.

---

Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM ---

Jeannie Layson/EAC/GOV
12/13/2006 10:14 AM

To: pdegregorio@eac.gov, ghillman@eac.gov, dddavidson@eac.gov
cc: twilkey@eac.gov, psims@eac.gov, jthompson@eac.gov, ggilmour@eac.gov, bwhitener@eac.gov
Subject: Rick Hasen response-need your approval
EAC's interpretation of HAVA and its determination of what it will study and how it will use its resources to study it are matters of agency policy and decision. These are not, nor should they be, determinations or decisions made by consultants. The EAC has the ultimate responsibility for the reports it issues, and it is incumbent upon the agency to conduct due diligence to ensure reports, data or any other information is complete and accurate before it is adopted by the Commission.

As someone with a public platform who informs the public about matters regarding election administration, I would appreciate it if you would extend the same professional courtesy most journalists do and contact the agency in the future if you have questions or concerns about EAC policy or actions. You may reach me directly at 202-566-3103. I appreciate your consideration in this matter.

Sincerely,
Jeannie Layson
Director of Communications
US Election Assistance Commission

More on FL-13, and a Role for the EAC?
When I saw this headline on the Sarasota Herald Tribune web page, I thought it must have been about the FL-13 race. Over on the election law listserv, Doug Johnson, responding to my commentary calling for the House to investigate the problems and declare a revote in the FL-13 race, suggested that perhaps the EAC is better situated to conduct an investigation than the House of the problems in the FL-13. I'm afraid we might not be able to count on the EAC to conduct an investigation that is well-funded, tough, and fair. Politics appears to be creeping in to decisions of the EAC's advisory board, and there's real concern about the EAC's vote fraud report. Note what's missing compared to the earlier version leaked to the USA Today newspaper. Tova Wang, who authored the draft report for the EAC, issued the following statement to me: "My co-consultant and I provided the EAC with a tremendous amount of research and analysis for this project. The EAC released what is their report yesterday."

The EAC has also lost two commissioners, one Republican and one Democrat, who appeared to be tough-minded and fair. I am very worried about the fairness and non-partisanship of the new rumored nominees. In short, the EAC has to prove it is up to the task of fair and serious inquiry before it could be trusted with something like an investigation of the FL-13.

Jeannie Layson
U.S. Election Assistance Commission
1225 New York Ave., NW
Suite 1100
Washington, DC 20005
Phone: 202-566-3100
www.eac.gov
I agree that Jeannie should send the response.

Sent from my BlackBerry Wireless Handheld

--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM -----

I know that People For the American Way delivered petitions to EAC about release of the Fraud report but I need to know what other communications EAC has had with People For about the study.

Was it represented on the study's working group? If so, by whom? Did they write to us and did we answer? Did anybody from there talk with anybody at EAC about the study and our work? Thanks.

Sent from my BlackBerry Wireless Handheld

--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM -----

Commissioner Hillman:

PFAW was not represented on the Working Group for the Voting Fraud-Voter Intimidation research project. Also, I have had no communications with the organization about the study. I did work with
Jeannie and Gavin on a response to PFAW's FOIA request for the study. Jeannie should have the final copy of that reply.

Peggy Sims
Election Research Specialist
Gracia Hillman/EAC/GOV

To "Paul DeGregorio" <pdegregorio@eac.gov>, "Donetta Davidson" <ddavidson@eac.gov>, Thomas R. Wilkey/EAC/GOV@EAC, Juliet E. Thompson/EAC/GOV@EAC, Margaret Sims/EAC/GOV@EAC, "Jeannie Layson" <jlayson@eac.gov>, "Karen Lynn-Dyson" <klynn-dyson@eac.gov>
cc "Sheila Banks" <sbanks@eac.gov>

Subject People For the American Way

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Sent from my BlackBerry Wireless Handheld

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM -----
Margaret Sims/EAC/GOV
12/14/2006 12:55 PM
To Juliet E. Hodgkins/EAC/GOV, Jeannie Layson/EAC/GOV
cc
Subject PFAW Response to EAC Vote Fraud Report

Are there any plans to rebut the PFAW response? If so, may I help? --- Peggy
----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM -----
Jeannie Layson/EAC/GOV
12/14/2006 01:08 PM
To Margaret Sims/EAC/GOV@EAC
cc Juliet E. Hodgkins/EAC/GOV@EAC
Subject Re: PFAW Response to EAC Vote Fraud Report

I didn't get any comments from you regarding yesterday's response to Rick Hasen. Any thoughts on that?

Jeannie Layson
U.S. Election Assistance Commission
1225 New York Ave., NW
Are there any plans to rebut the PFAW response? If so, may I help? --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM ---
Margaret Sims/EAC/GOV
12/14/2006 01:19 PM
To Jeannie Layson/EAC/GOV@EAC
cc
Subject Re: PFAW Response to EAC Vote Fraud Report

Sorry. I saw a message addressed to the Commissioners. I did not realize the fact that I was cc'd meant that you wanted my comments as well. Will do better next time. In the case of PFAW, I think we may need to address other points, as well. I can put some comments in bullet form, and you can take them or leave them. --- Peggy

Jeannie Layson/EAC/GOV
12/14/2006 01:08 PM
To Margaret Sims/EAC/GOV@EAC
cc Juliet E. Hodgkins/EAC/GOV@EAC
Subject Re: PFAW Response to EAC Vote Fraud Report

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Karen Lynn-Dyson/EAC/GOV
12/14/2006 01:36 PM
To Margaret Sims/EAC/GOV@EAC
cc "Donetta Davidson" <Ddavidson@eac.gov>, Gracia Hillman/EAC/GOV@EAC, "Jeannie Layson" <jlayson@eac.gov>, Juliet E. Thompson/EAC/GOV@EAC, "Karen Lynn-Dyson" <klynn-dyson@eac.gov>, "Paul DeGregorio" <pdegregorio@eac.gov>, "Sheila Banks" <sbanks@eac.gov>, Thomas R. Wilkey/EAC/GOV@EAC
Subject Re: People For

Peg, et.al-
I did not have any interaction with this group.

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

Margaret Sims/EAC/GOV

Margaret Sims/EAC/GOV
12/14/2006 12:40 PM
To Gracia Hillman/EAC/GOV@EAC
cc "Donetta Davidson" <Ddavidson@eac.gov>, "Jeannie Layson" <jlayson@eac.gov>, Juliet E. Thompson/EAC/GOV@EAC, "Karen Lynn-Dyson" <klynn-dyson@eac.gov>, "Paul DeGregorio" <pdegregorio@eac.gov>, "Sheila Banks" <sbanks@eac.gov>, Thomas R. Wilkey/EAC/GOV@EAC
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Peggy Sims
Election Research Specialist

Gracia Hillman/EAC/GOV
12/14/2006 12:07
PM
Dear Commissioner
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Sent from my BlackBerry Wireless Handheld

--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM ---

Gracia Hillman/EAC/GOV
12/18/2006 12:44 PM

To pdgregorio@eac.gov, Ddavidson@eac.gov, Margaret Sims/EAC/GOV@EAC

cc sbanks@eac.gov

Subject Suggested Timeline for Election Crimes Study

Attached is the suggested timeline that I offered for the Election Crimes Study.

It is an excel spreadsheet, which, if printed, should be done with Landscape layout. If printed on 8 1/2 x 11 paper, it will print as two pages.

Election Crimes, Proj 2007 Timeline.xls

--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM ---
Was the report that was drafted after the working group meeting or the interviews done with eac participant reviewed after the draft was completed.
Need this right away

Sent from my BlackBerry Wireless Handheld

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM -----
Karen Lynn-Dyson/EAC/GOV
01/26/2007 11:49 AM
To Elieen L. Kuala/EAC/GOV@EAC
cc Margaret Sims/EAC/GOV@EAC
Subject Re: 

Peg-

Could you get Elle and answer on this, if she hasn't already gotten one?

Thanks

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

Elieen L. Kuala/EAC/GOV

Hey Karen,

Did Barbara Arnwine ever attend ANY of the voter fraud working group meetings?

Thanks,
I already got one, thanks!

Elle L.K. Kuala
Special Assistant to the Chair
U.S. Election Assistance Commission
office: (202) 566-2256
blackberry: (202) 294-9251

Karen Lynn-Dyson/EAC/GOV

Peg-

Could you get Elle and answer on this, if she hasn't already gotten one?

Thanks

Karen Lynn-Dyson
Research Director
U.S. Election Assistance Commission
1225 New York Avenue , NW Suite 1100
Washington, DC 20005
tel:202-566-3123
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Thanks,
Elle
Elle Collver
U.S. Election Assistance Commission
1225 New York Avenue, Suite 1100
Washington, D.C. 20005
(202) 566-2256
www.eac.gov

Sent from my BlackBerry Wireless Handheld
Curtis:

I believe that the only items I have in hard copy, and not in electronic format, are my working copies of the contracts (official copies would be in the agency contract files), the monthly pay invoices and travel reimbursement requests submitted by the consultants, and some DOJ training documentation that was given to us on condition that we keep it confidential.

Other than emails, the documentation that is in electronic form is housed in EAC's shared drawer at T:\RESEARCH IN PROGRESS\VOTING FRAUD-VOTER INTIMIDATION. Do you have read access to that?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
e-mail: psims@eac.gov

Curtis Crider/EAC/GOV

04/23/2007 02:27 PM	To	EAC Personnel
	cc

All:

The Office of Inspector General has initiated an evaluation of the contracting process used by the EAC for the voter fraud and voter intimidation projects. In order for us to complete our evaluation, we need copies of all e-mails or other documents that you have regarding either project. Electronic documents can be sent to an e-mail account that we have set up - eaccon@eac.gov.
If you have any hard copy documents, please let me know.

If you do not have any documents or e-mails, please send me an e-mail to that effect.

Thank you,

Curtis Crider
Office of Inspector General, Election Assistance Commission
Phone - (202) 566-3125
Fax - (202) 566-0957

Important: This electronic transmission is intended for the use of the individual or entity to which it is
Fifth batch attached. More to come. --- Peggy Sims

Please do ask him. Thanks

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, April 03, 2006 4:14 PM
To: psims@eac.gov [mailto:psims@eac.gov]
Subject: Fw: DOJ Training Materials

Devon's response is attached. Guess I'll add this to the list of questions going to Donsanto.

---Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/03/2006 05:12 PM -----

Devon E. Romig/EAC/GOV

04/03/2006 04:21 PM

To Margaret Sims/EAC/GOV@EAC
cc
Subject Re: DOJ Training Materials Link

Peggy,

The sections that you listed below are also empty in our copy. I have attached a copy of the complete table of contents with all of the sections that are empty in our copy of the 2004 DOJ training binder.

Thanks,

Devon
Devon:
One of our consultants noted that there are several sections appear to be missing from the 2004 DOJ training binder. She wasn't sure if it is because of what DOJ sent over to EAC or a problem in the photocopying. From what she can see, some of the table of contents is missing and tabs 14, 15, 16, 17, 21, 23 and 26 are all empty. I think we must have provided the T of C because I don't see one in the binder. Can you please retrieve the binder and check this out for me?
Thanks! --- Peggy

Hi Peg,

I will call J.R. on Thursday to run it by him and let you know what he says. As for my availability on Wednesday, April 12, the answer is "yes". Morning is best for me, although I could be available in the afternoon. You choose a time and I will be here.

Thanks,

Tony

----- Original Message -----
From: psims@eac.gov
To: psims@eac.gov
Cc:
Subject: Re: Fw: Nonpartisan Local Election Official Needed for Voting Fraud/Voter Intimidation Working Group

04/03/2006 03:47 PM

To: dromig@eac.gov
Cc:
Subject: DOJ Training Materials
Intimidation Working Group

Tony:

Which one do you think would be best? J.R. Perez, as Election Administrator, should have knowledge of voting fraud and voter intimidation in both voter registration and voting. I assume that, though Patricia is the voter registration supervisor, she also would have knowledge of voting fraud and voter intimidation in balloting. Would they be available in May for a meeting of the project working group? Who could best stand up to the DNC and RNC counsels?

On a related matter, would you be available for our consultants to interview you by telephone next Wednesday? If so, let me know a convenient time. I’ll confirm the time with the two consultants, Job Serebrov and Tova Wang. Then, I’ll get back to you with the toll-free line and pass code you will need to use for the teleconference.

Thanks!

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

Good Afternoon Peg,

How about J. R. Perez, Elections Administrator, Guadalupe County or Patricia Benavides, Voting Registration Supervisor, Tarrant County, Texas?

Tony
----- Original Message -----  
From: Helen Jamison  
To: Tony J. Sirvello III  
Sent: Tuesday, April 04, 2006 11:46 AM  
Subject: RE: Nonpartisan Local Election Official Needed for Voting Fraud/Voter Intimidation Working Group

Dear Tony,
Unfortunately both Javier and myself have to decline in being members of the working group from Texas. It is a bad time of the year where we have so many elections and would not be able to contribute enough time to doing research of any kind. Please keep us in mind for future meetings.

Helen Jamison
-----Original Message-----  
From: Tony J. Sirvello III [mailto:  
Sent: Monday, April 03, 2006 1:19 PM  
To: Helen Jamison; Javier Chacon  
Subject: Fw: Nonpartisan Local Election Official Needed for Voting Fraud/Voter Intimidation Working Group

Helen, Javier,

Attached is the information from the EAC requesting your services as a member of the working group from Texas. Please let me know in a couple of days if one of you will be able to participate. If you need more information, call me and I will conference in with Peggy Sims, who can give you more details.

Thanks,

Tony

----- Original Message -----  
From: psims@eac.gov  
To:  
Sent: Thursday, March 16, 2006 10:29 AM  
Subject: Nonpartisan Local Election Official Needed for Voting Fraud/Voter Intimidation Working Group

Tony:

Thanks for being willing to help me identify a qualified, nonpartisan local election official to serve on our Project Working Group for the preliminary research being conducted on voting fraud and voter intimidation.

Background
Section 241 of the Help America Vote Act of 2002 requires EAC to conduct research on election administration issues. Among the issues listed in the statute are the development of:

1. nationwide statistics and methods of identifying, deterring, and investigating voting fraud in elections for Federal office [section 241(b)(6)]; and
2. methods of identifying, deterring, and investigating methods of voter intimidation [section 241(b)(7)].

EAC's Board of Advisors recommended that EAC make research on these topics a high priority.

Preliminary EAC Research

Subsequently, the Commission contracted with two consultants (Tova Wang and Job Serebrov) to:

1. develop a comprehensive description of what constitutes voting fraud and voter intimidation in the context of Federal elections;
2. perform preliminary research on these topics (including Federal and State administrative and case law review), identify related activities of key government agencies and civic and advocacy organizations, and deliver a summary of this research and all source documentation;
3. convene a meeting of a project working group composed of key individuals and representatives of organizations knowledgeable about the topics of voting fraud and voter intimidation, provide the results of the preliminary research to the working group, and record the working group's deliberations; and
4. produce a report to EAC summarizing the findings of the preliminary research effort and working group deliberations that includes recommendations for future EAC action, if any.

The Project Working Group will probably meet only once during this preliminary research effort (probably in late April) to review the consultants research and provide input. Other members of the Working Group are lawyers from advocacy groups and major political parties, two State election officials, and Barry Weinberg, former Deputy Chief of DOJ's Voting Section, Civil Rights Division. Craig Donsanto, Director of DOJ's Election Crimes Branch will serve as a technical advisor to the group.

I really appreciate any help you can offer in identifying a qualified individual to fill the slot on the Working Group that has been reserved for an experienced, nonparitarian local election official.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

"Tony J. Sirvello III"  
04/04/2006 02:17 PM  To "Peggy Sims" <psims@eac.gov>  
cc  
Subje Fw: Nonpartisan Local Election Official Needed for Voting Fraud/Voter Intimidation ct Working Group
Good Afternoon Peg,

How about J. R. Perez, Elections Administrator, Guadalupe County or Patricia Benavides, Voting Registration Supervisor, Tarrant County, Texas?

Tony

----- Original Message ----- 
From: Helen Jamison 
To: Tony J. Sirvello III 
Sent: Tuesday, April 04, 2006 11:46 AM 
Subject: RE: Nonpartisan Local Election Official Needed for Voting Fraud/Voter Intimidation Working Group

Dear Tony,
Unfortunately both Javier and myself have to decline in being members of the working group from Texas. It is a bad time of the year where we have so many elections and would not be able to contribute enough time to doing research of any kind. Please keep us in mind for future meetings.

Helen Jamison
-----Original Message-----
From: Tony J. Sirvello III [mailto: ] 
Sent: Monday, April 03, 2006 1:19 PM 
To: Helen Jamison; Javier Chacon 
Subject: Fw: Nonpartisan Local Election Official Needed for Voting Fraud/Voter Intimidation Working Group

Helen, Javier,

Attached is the information from the EAC requesting your services as a member of the working group from Texas. Please let me know in a couple of days if one of you will be able to participate. If you need more information, call me and I will conference in with Peggy Sims, who can give you more details.

Thanks,

Tony

----- Original Message ----- 
From: psims@eac.gov
To: [Redacted]

Sent: Thursday, March 16, 2006 10:29 AM

Subject: Nonpartisan Local Election Official Needed for Voting Fraud/Voter Intimidation Working Group

Tony:

Thanks for being willing to help me identify a qualified, nonpartisan local election official to serve on our Project Working Group for the preliminary research being conducted on voting fraud and voter intimidation.

Background

Section 241 of the Help America Vote Act of 2002 requires EAC to conduct research on election administration issues. Among the issues listed in the statute are the development of:

1. nationwide statistics and methods of identifying, deterring, and investigating voting fraud in elections for Federal office [section 241(b)(6)]; and
2. methods of identifying, deterring, and investigating methods of voter intimidation [section 241(b)(7)].

EAC's Board of Advisors recommended that EAC make research on these topics a high priority.

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Subsequently, the Commission contracted with two consultants (Tova Wang and Job Serebrov) to:

1. develop a comprehensive description of what constitutes voting fraud and voter intimidation in the context of Federal elections;
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4. produce a report to EAC summarizing the findings of the preliminary research effort and working group deliberations that includes recommendations for future EAC action, if any.

The Project Working Group will probably meet only once during this preliminary research effort (probably in late April) to review the consultants research and provide input. Other members of the Working Group are lawyers from advocacy groups and major political parties, two State election officials, and Barry Weinberg, former Deputy Chief of DOJ's Voting Section, Civil Rights Division. Craig Donsanto, Director of DOJ's Election Crimes Branch will serve as a technical advisor to the group.

I really appreciate any help you can offer in identifying a qualified individual to fill the slot on the Working Group that has been reserved for an experienced, nonpartisan local election official.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005

002290
Tony:

How about scheduling the teleconference with our consultants for 10 AM CST/11 AM EST on Wednesday, April 12? --- Peggy

No, except it means pushing everything back, ie the final report. I suppose we could, as we discussed, take a week or two off in May and tack it on to June. There’s no way we could write a final report in ten days, obviously. That would be fine with me.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, April 04, 2006 8:46 AM
To: Tova Andrea Wang; Job Serebrov
Subject: Project Working Group Meeting

The Chairman and Vice Chairman are interested in attending the meeting. Due to schedule conflicts, they are asking us to look at the week of May 15. Does that pose a problem for either of you peggy

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Sent from my BlackBerry Wireless Handheld

----- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM -----
That's fine, just asking

-----Original Message-----
From: Job Serebrov [mailto:job.serebrov.net]
Sent: Wednesday, April 12, 2006 11:26 AM
To: Tova Wang; psims@eac.gov
Cc: 'Job Serebrov'; 'Nicole Mortellito'
Subject: Re: working group meeting

It was my understanding that the meeting would be on the 15th or later.

Tova, Peggy is out of the office this week.

--- Tova Wang wrote:
> I cannot do it on May 5 now. Any update on a date?
> I will be in DC for
> other meetings May 4 - May 7 if that makes any
> difference (EAC would not
> have to pay my transportation if it was on, for
> example, Monday May 8 or
> possibly even the 9th) Thanks.
> ~
> Tova Andrea Wang
> Democracy Fellow
> The Century Foundation
> 41 East 70th Street - New York, NY 10021
> ~
> Visit our Web site, for the latest news,
> analysis, opinions, and events.
> ~
> ~
> Click here to receive our
> weekly e-mail updates.
> ~
> ~
As I have alerted Nicole, the call is not working. Someone ought to get in touch with Kevin -- I do not have his contact information.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, April 10, 2006 8:45 PM
To: Tova Andrea Wang; Job Serebrov
Subject: Kennedy Interview

It appears that the teleconference with Kevin Kennedy is set for tomorrow, April 11, at 10:30 AM CST/11:30 AM EST. Use the usual phone number (866-222-9044) and passcode (62209).

If you have trouble connecting, contact Nicole.

Peg

--------------------------
Sent from my BlackBerry Wireless Handheld

----- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM -----

Nicole
Mortellito/CONTRACTOR/EA
C/GOV
04/11/2006 11:45 AM

To: "Tova Wang" <psims@eac.gov>
cc psims@eac.gov, "Job Serebrov"
Subject: RE: Kennedy Interview

the call is up and running!! you may dial in

Regards,

Nicole K. Mortellito
Research Assistant
U.S. Election Assistance Commission
1225 New York Avenue - Suite 1100
Washington, DC
202.566.2209 phone
202.566.3128 fax

"Tova Wang" 

04/11/2006 11:42 AM
As I have alerted Nicole, the call is not working. Someone ought to get in touch with Kevin -- I do not have his contact information.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, April 10, 2006 8:45 PM
To: Tova Andrea Wang; Job Serebrov
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Peg

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Sent from my BlackBerry Wireless Handheld

----- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM -----

Nicole Mortellito/CONTRACTOR/EA C/GOV

04/10/2006 10:05 AM

To Margaret Sims/EAC/GOV@EAC

Subject Re: Teleconference set up

You are set for the 12th at 11am 866-222-9044 pass code 62209

Regards,

Nicole K. Mortellito
Research Assistant
U.S. Election Assistance Commission
1225 New York Avenue - Suite 1100
Washington, DC
202.566.2209 phone
202.566.3128 fax
Margaret Sims/EAC/GOV
Nicole:
Could you please help me set up a teleconference for Wednesday, April 12 at 11 AM EST (for 1 hour)?
Please send me confirmation.
Peg

-----------------------------
Sent from my BlackBerry Wireless Handheld

----- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM -----
"Weinberg and Utrecht"

To psims@eac.gov
04/04/2006 08:14 AM
cc
Subject Re: Voting Fraud-Voter Intimidation Project

Peggy:
May looks pretty good right now. I will not be available May 1, or in the morning (before 12:30) on May 4 or May 11, or in the afternoon on May 10.
Barry
----- Original Message ----- 
From: psims@eac.gov
To: 
Sent: Monday, April 03, 2006 3:15 PM
Subject: Voting Fraud-Voter Intimidation Project

Hi, Barry:

I'm trying to arrange a meeting of the Working Group for EAC's Voting Fraud-Voter Intimidation project. Would you please look at your schedule and let me know if there are any days during the first 2 weeks of May that you would NOT be available?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
e-mail: psims@eac.gov
I didn't have anything specific in mind yet, especially as I have not finished going through the voluminous documentation, but I will let you know.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, April 03, 2006 2:41 PM
To: Tova Wang <Tova.Wang@eac.gov>
Subject: RE: Mentioning DOJ Training Guidance

Tova and Job:

Craig Donsanto responds that it is not possible for him to assess the level of public attribution that would be appropriate without seeing the substantive stuff in context. He does not foresee a problem; but recommends that I provide him with the draft text. He will review it to ensure we are not disclosing things we shouldn't disclose.

Therefore, please provide the draft text to me ASAP, so that I can forward it to him for review. I suspect he will provide me with a prompt response, which I will forward to you.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

-----Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM-----
"Kennedy, Kevin"
<Kevin.Kennedy@seb.state.wi.us> To "psims@eac.gov" <psims@eac.gov>
04/09/2006 11:13 AM cc Subject RE: Interview

That time is fine. A half hour earlier would be better. I also have a 12 CDT meeting.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Friday, April 07, 2006 12:27 PM
To: Kevin Kennedy
Subject: Interview

Kevin:
I'm just following up on my request for your availability to be interviewed by our consultants for our voting fraud/voter intimidation project. Are you available Tuesday, April 11 at 11 AM CST?
Peggy Sims

Sent from my BlackBerry Wireless Handheld

----- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM ----

Margaret Sims/EAC/GOV
04/03/2006 05:11 PM

To: "Job Serebrov"
cc
Subject: Re: Working Group Contact Info

Thanks, Job! --- Peggy

"Job Serebrov"
04/03/2006 04:57 PM

To: psims@eac.gov
cc
Subject: Re: Working Group Contact Info

Norcross's assistant is Maria Rivers:
Rivers@BlankRome.com

Rokita's assistant is:

Amy Miller
Executive Assistant
Indiana Secretary of State Todd Rokita
317-232-6536
assistant@sos.in.gov

--- psims@eac.gov wrote:
> Please review the attached and let me know of any corrections that should be made. Thanks! --- Peggy
>
"Job Serebrov"
04/03/2006 03:46 PM
To psims@eac.gov,
cc
Subject Re: Mentioning DOJ Training Guidance

Lets discuss this in 10 minutes.

--- psims@eac.gov wrote:

> Tova and Job:
> 
> Craig Donsanto responds that it is not possible for him to assess the level of public attribution that would be appropriate without seeing the substantive stuff in context. He does not foresee a problem; but recommends that I provide him with the draft text. He will review it to ensure we are not disclosing things we shouldn't disclose.
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> Peggy Sims
> Election Research Specialist
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> 1225 New York Ave, NW - Ste 1100
> Washington, DC 20005
> Phone: 866-747-1471 (toll free) or 202-566-3120
> (direct)
> Fax: 202-566-3127
> email: psims@eac.gov
>

--- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM ---

"Tova Wang"
04/04/2006 01:30 PM
To psims@eac.gov
cc "Job Serebrov" serebrov@globalnet.net, "Tova Wang"
Subject working group agenda

002301
Hi Peg,

Attached is a draft of an agenda for the working group. Let us know what you think. Thanks. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021

Visit our Web site for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.

--- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM ---

"Job Serebrov"
04/04/2006 12:35 PM

To psims@eac.gov, "Tova Andrea Wang"

Subject Re: Project Working Group Meeting

Peggy:

Here is my situation. I am to go to work full time for the Governor at some time in June. I just don't know when and because we are having a special session right now, no one can give me any indications as to the date. The special session will last for at least two weeks. However, I had to arrange a job because the contract ends at the end of May. So---all of this said---if, for instance, I go to work for the Governor the first week of June, I will only be able to work on EAC matters after hours at night.

Job

--- psims@eac.gov wrote:

> The Chairman and Vice Chairman are interested in
> attending the meeting. Due
to schedule conflicts, they are asking us to look at
> the week of May 15.
> Does that pose a problem for either of youpeggy
> 
> ---

Sent from my BlackBerry Wireless Handheld

>
------ Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM ------

"Tova Wang"
04/11/2006 10:24 AM
To: psims@eac.gov, "Job Serebrov"
cc
Subject: RE: Kennedy Interview

Sorry, you mean it's today. OK, thanks. Tova

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, April 10, 2006 8:45 PM
To: Tova Andrea Wang; Job Serebrov
Subject: Kennedy Interview

It appears that the teleconference with Kevin Kennedy is set for tomorrow, April 11, at 10:30 AM CST/11:30 AM EST. Use the usual phone number (866-222-9044) and passcode (62209).

If you have trouble connecting, contact Nicole.

Peg

--------------------------
Sent from my BlackBerry Wireless Handheld

------ Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM ------

Margaret Sims/EAC/GOV
04/05/2006 01:24 PM
To: Kevin Kennedy
cc
Subject: Interview Request

Kevin:

Following up on yesterday's conversation, would you be available next Tuesday (4/11) to be interviewed by phone by our consultants on the Voting Fraud-Voter Intimidation research project? The interview is likely to take less than an hour. You pick the time and I'll confirm it with our consultants, Tova Wang and Job Serebrov. Then, I'll send you an email with the toll-free number and pass code that you will need for the teleconference.

EAC is conducting this preliminary research to determine how best to meet HAVA requirements. Section 241 of the Help America Vote Act of 2002 requires EAC to conduct research on election administration issues. Among the issues listed in the statute are the development of:
• nationwide statistics and methods of identifying, deterring, and investigating voting fraud in elections for Federal office [section 241(b)(6)]; and
• methods of identifying, deterring, and investigating methods of voter intimidation [section 241(b)(7)].

Please let me know if you have any questions. Thanks.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

--- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM ---
Margaret Sims/EAC/GOV
04/03/2006 04:33 PM
To Tova Andrea Wang, Job Serebrov
cc
Subject Working Group Contact Info

Please review the attached and let me know of any corrections that should be made. Thanks! --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM -----
Margaret Sims/EAC/GOV
04/03/2006 03:41 PM
To "Donsanto, Craig"
<Craig.Donsanto@usdoj.gov>@GSAEXTERNAL
cc
Subject RE: Voting Fraud-Voter Intimidation Project

Thanks, Craig! --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

----- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM -----
"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
04/03/2006 03:16 PM
To psims@eac.gov
cc
Subject RE: Voting Fraud-Voter Intimidation Project

Hello Peg!

God willing, I will be here the first two weeks of May.

002304
As for your second question, it is not possible for me to assess the level of public attribution that would be appropriate without seeing the substantive stuff in context. I do not foresee a problem. So, I recommend that you get me a draft text and I will review it to ensure we are not disclosing things we shouldn't disclose.

--- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM ---

"Tova Wang"

04/10/2006 11:04 AM

To psims@eac.gov

cc "Job Serebrov" serebrov@eac.gov

Subject small question for Donsanto

Could you please also ask him what the training materials are referring to when they discuss “ballot box stuffing?” Does this mean elections workers add extra votes? Thanks so much. Tova

Tova Andrea Wang
Craig is on the list because the Commission requested he serve as a technical advisory to the project. Although not a member of the project working group, I do need to check his availability for the meeting.

I tried to tell you on the phone that we still are trying to confirm the El Paso County, TX election official for the working group. (Several attempts have been made to contact the Election Director, but she has been out of town.) If we can't get her, we will try for her deputy (also Hispanic). Once I have a response that one of them is willing to serve, I'll update the contact info table and see if I can't get a bio for you two to review. --- Peggy

---

Why is Craig Donsanto on the list? And what happened about the local election official? Thanks. Tova

----- Original Message ----- 
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, April 03, 2006 3:33 PM
To: Tova Wang
Subject: Working Group Contact Info

Please review the attached and let me know of any corrections that should be made. Thanks! --- Peggy

-----

"Tova Wang"
That gives us no time between interviews though, right? We've never been able to really limit it to 30 minutes.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, April 10, 2006 8:45 PM
To: Tova Andrea Wang; Job Serebrov
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Peg

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Sent from my BlackBerry Wireless Handheld

--- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM ---

"Job Serebrov"

04/06/2006 09:56 AM

To: psims@eac.gov, psims@eac.gov
cc

Subject: Re: Upcoming Interviews-DOJ Info

Peggy:
The interviews are ok with me.
Tova:
I think I should write the review on the IFES white paper instead of the red book.
Job

--- psims@eac.gov wrote:
> Hi, Job and Tova:
Tony Sirvello (former election director for Harris County, TX and current Executive Director of the International Association of Clerks, Recorders, Election Officials and Treasurers) can make himself available for an interview next Wednesday morning (4/12). He is on CST. Is there a time that works well for the two of you? How about 10 AM CST/11 AM EST? I saw Kevin Kennedy at a meeting in our office this past Tuesday. We are trying to set up an interview with him next Tuesday (4/11).

I asked Donsanto about an updated version of his Prosecution of Election Offenses. He responded that it is at the printers and will not be available for a couple of months. In the interim, he referred me to the white paper he did for IFES, which I have attached. He said that the white paper includes the same information on the prosecution of election fraud that will be in the book. --- Peggy

Hi Peg,

I've just made it through the 2004 binder of materials and have two questions. First, I understand that these materials are confidential, but may we refer to guidance provided in them in our report? Otherwise they are of not much use to us. There's not that much in it that would add to what Donsanto and Tanner told us, but there are a few issues raised that I believe might be germane.

Second, there are several sections evidently missing from the 2004 binder and I'm not sure if that's because of what Donsanto sent over or a problem in the photocopying. From what I can see, some of the table of contents is missing and tabs 14, 15, 16, 17, 21, 23 and 26 are all empty. Can you please look into this?

Thanks and I look forward to speaking to you tomorrow. Tova

--- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM ---

To psims@eac.gov
cc "Job Serebrov" <emg@tso.com> "Tova Wang"
Subject doj training materials

--- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM ---

Margaret Sims/EAC/GOV
Tony:

Which one do you think would be best? J.R. Perez, as Election Administrator, should have knowledge of voting fraud and voter intimidation in both voter registration and voting. I assume that, though Patricia is the voter registration supervisor, she also would have knowledge of voting fraud and voter intimidation in balloting. Would they be available in May for a meeting of the project working group? Who could best stand up to the DNC and RNC counsels?

On a related matter, would you be available for our consultants to interview you by telephone next Wednesday? If so, let me know a convenient time. I'll confirm the time with the two consultants, Job Serebrov and Tova Wang. Then, I'll get back to you with the toll-free line and pass code you will need to use for the teleconference.

Thanks!

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
e-mail: psims@eac.gov

"Tony J. Sirvello III" <tjsthree@msn.com>

Good Afternoon Peg,

How about J. R. Perez, Elections Administrator, Guadalupe County or Patricia Benavides, Voting Registration Supervisor, Tarrant County, Texas?

Tony

----- Original Message -----
Dear Tony,
Unfortunately both Javier and myself have to decline in being members of the working group from Texas. It is a bad time of the year where we have so many elections and would not be able to contribute enough time to doing research of any kind. Please keep us in mind for future meetings.
Helen Jamison

-----Original Message-----
From: Tony J. Sirvello III [mailto.]
Sent: Monday, April 03, 2006 1:19 PM
To: Helen Jamison; Javier Chacon
Subject: Fw: Nonpartisan Local Election Official Needed for Voting Fraud/Voter Intimidation Working Group

Helen, Javier,

Attached is the information from the EAC requesting your services as a member of the working group from Texas. Please let me know in a couple of days if one of you will be able to participate. If you need more information, call me and I will conference in with Peggy Sims, who can give you more details.

Thanks,

Tony

----- Original Message ----- 
From: psims@eac.gov
To: 
Sent: Thursday, March 16, 2006 10:29 AM
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2. methods of identifying, deterring, and investigating methods of voter intimidation [section 241(b)(7)].

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2. perform preliminary research on these topics (including Federal and State administrative and case law review), identify related activities of key government agencies and civic and advocacy organizations, and deliver a summary of this research and all source documentation;
3. convene a meeting of a project working group composed of key individuals and representatives of organizations knowledgeable about the topics of voting fraud and voter intimidation, provide the results of the preliminary research to the working group, and record the working group's deliberations; and
4. produce a report to EAC summarizing the findings of the preliminary research effort and working group deliberations that includes recommendations for future EAC action, if any.

The Project Working Group will probably meet only once during this preliminary research effort (probably in late April) to review the consultants research and provide input. Other members of the Working Group are lawyers from advocacy groups and major political parties, two State election officials, and Barry Weinberg, former Deputy Chief of DOJ's Voting Section, Civil Rights Division. Craig Donsanto, Director of DOJ's Election Crimes Branch will serve as a technical advisor to the group.

I really appreciate any help you can offer in identifying a qualified individual to fill the slot on the Working Group that has been reserved for an experienced, nonpartisan local election official.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

"Tony J. Sirvello III"
Good Afternoon Peg,

How about J. R. Perez, Elections Administrator, Guadalupe County or Patricia Benavides, Voting Registration Supervisor, Tarrant County, Texas?

Tony

----- Original Message ----- 
From: Helen Jamison 
To: Tony J. Sirvello III 
Sent: Tuesday, April 04, 2006 11:46 AM 
Subject: RE: Nonpartisan Local Election Official Needed for Voting Fraud/Voter Intimidation Working Group

Dear Tony,
Unfortunately both Javier and myself have to decline in being members of the working group from Texas. It is a bad time of the year where we have so many elections and would not be able to contribute enough time to doing research of any kind. Please keep us in mind for future meetings.
Helen Jamison

-----Original Message-----
From: Tony J. Sirvello III [mailto: 
Sent: Monday, April 03, 2006 1:19 PM 
To: Helen Jamison; Javier Chacon 
Subject: Fw: Nonpartisan Local Election Official Needed for Voting Fraud/Voter Intimidation Working Group

Helen, Javier,

Attached is the information from the EAC requesting your services as a member of the working group from Texas. Please let me know in a couple of days if one of you will be able to participate. If you need more information, call me and I will conference in with Peggy Sims, who can give you more details.

Thanks,

Tony

----- Original Message ----- 
From: psims@eac.gov 
To: 
Sent: Thursday, March 16, 2006 10:29 AM 

Subject: Nonpartisan Local Election Official Needed for Voting Fraud/Voter Intimidation Working Group

Tony:

Thanks for being willing to help me identify a qualified, nonpartisan local election official to serve on our Project Working Group for the preliminary research being conducted on voting fraud and voter intimidation.

Background

Section 241 of the Help America Vote Act of 2002 requires EAC to conduct research on election administration issues. Among the issues listed in the statute are the development of:

1. nationwide statistics and methods of identifying, deterring, and investigating voting fraud in elections for Federal office [section 241(b)(6)]; and
2. methods of identifying, deterring, and investigating methods of voter intimidation [section 241(b)(7)].

EAC's Board of Advisors recommended that EAC make research on these topics a high priority.

Preliminary EAC Research

Subsequently, the Commission contracted with two consultants (Tova Wang and Job Serebrov) to:

1. develop a comprehensive description of what constitutes voting fraud and voter intimidation in the context of Federal elections;
2. perform preliminary research on these topics (including Federal and State administrative and case law review), identify related activities of key government agencies and civic and advocacy organizations, and deliver a summary of this research and all source documentation;
3. convene a meeting of a project working group composed of key individuals and representatives of organizations knowledgeable about the topics of voting fraud and voter intimidation, provide the results of the preliminary research to the working group, and record the working group's deliberations; and
4. produce a report to EAC summarizing the findings of the preliminary research effort and working group deliberations that includes recommendations for future EAC action, if any.

The Project Working Group will probably meet only once during this preliminary research effort (probably in late April) to review the consultants research and provide input. Other members of the Working Group are lawyers from advocacy groups and major political parties, two State election officials, and Barry Weinberg, former Deputy Chief of DOJ's Voting Section, Civil Rights Division. Craig Donsanto, Director of DOJ's Election Crimes Branch will serve as a technical advisor to the group.

I really appreciate any help you can offer in identifying a qualified individual to fill the slot on the Working Group that has been reserved for an experienced, nonpartrisan local election official.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
OK, thanks. I can access the IFES web site. That will give the consultants something to work with. --- Peg

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

The fraud chapter has been published by IFES as part of their Money and Politics Program. It's on their website. I tweaked the text a bit and presented it in Abuja. The rest of it is regrettably not public at present.

Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

Is there any way to get an advance copy? Our consultants will need to review it before you receive your printed versions. --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
To
psims@eac.gov

c

Subject
Re: Voting Fraud-Voter Intimidation Project

The 7th edition is done and on its way to the printer. It is my hope to get it our in a couple months.
--------------------------
Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed Apr 05 13:05:15 2006
Subject: Voting Fraud-Voter Intimidation Project

Craig:

In reviewing the great materials you gave our consultants, we have not found an updated draft of your famous Prosecution of Election Offenses. Is that available for review? If you have a pdf version, I could pass that on to our consultants (noting any restrictions you may have on use).

Also, we noticed some gaps in the 2004 DOJ training binder. It appears that we are missing the Chris Herren information from Panel 3 and something titled "July 21, 2004" from Panel 4. If these were removed because we should not see them, just let me know.

I also have to check your availability the week of May15. I'm still trying to find a date that everyone will be available for the working group meeting.

Sorry to bug you. Hope all is going well.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
e-mail: psims@eac.gov
Hi, Barry:

I'm trying to arrange a meeting of the Working Group for EAC's Voting Fraud-Voter Intimidation project. Would you please look at your schedule and let me know if there are any days during the first 2 weeks of May that you would NOT be available?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

I've been trying to schedule an interview (by teleconference) among our two consultants, Tova Wang and Job Serebrov, and an election attorney, Colleen McAndrews (310/458-1405). I had to leave your name with her assistant, today, just in case she calls back when I am out of the office.

The EAC consultants are available for interviews next week before 4:30 AM EST on Monday (4/10) and in the afternoon on Wednesday (4/12). Email info on any teleconferences scheduled to Job (serebrov@sbcglobal.net) and Tova (wang@tcf.org). Job operates on CST; Tova on EST.

Thanks! --- Peggy
Hi, Job and Tova:

Tony Sirvello (former election director for Harris County, TX and current Executive Director of the International Association of Clerks, Recorders, Election Officials and Treasurers) can make himself available for an interview next Wednesday morning (4/12). He is on CST. Is there a time that works well for the two of you? How about 10 AM CST/11 AM EST? I saw Kevin Kennedy at a meeting in our office this past Tuesday. We are trying to set up an interview with him next Tuesday (4/11).

I asked Donsanto about an updated version of his *Prosecution of Election Offenses*. He responded that it is at the printers and will not be available for a couple of months. In the interim, he referred me to the white paper he did for IFES, which I have attached. He said that the white paper includes the same information on the prosecution of election fraud that will be in the book. --- Peggy

Thank you.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, April 10, 2006 11:02 AM
To: Kevin Kennedy
Subject: Re: Interview

I am trying to arrange the teleconference for 10:30 AM CST tomorrow, April 11. Will get back to you once confirmed.
Peggy

--------------------------
Sent from my BlackBerry Wireless Handheld

----- Original Message -----
From: "Kennedy, Kevin" [Kevin.Kennedy@seb.state.wi.us]
Sent: 04/09/2006 11:13 AM
To: "psims@eac.gov" <psims@eac.gov>
Subject: RE: Interview

That time is fine. A half hour earlier would be better. I also have a 12 CDT
meeting.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Friday, April 07, 2006 12:27 PM
To: Kevin Kennedy
Subject: Interview

Kevin:
I'm just following up on my request for your availability to be interviewed by our consultants for our voting fraud/voter intimidation project. Are you available Tuesday, April 11 at 11 AM CST?
Peggy Sims

--------------------------
Sent from my BlackBerry Wireless Handheld

----- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM -----
Nicole Mortellito/CONTRACTOR/EA C/GOV
04/11/2006 11:45 AM
To "Tova Wang" psims@eac.gov
cc psims@eac.gov
Subject conf call is up and running

all dial in info is the same!

Regards,

Nicole K. Mortellito
Research Assistant
U.S. Election Assistance Commission
1225 New York Avenue - Suite 1100
Washington, DC
202.566.2209 phone
202.566.3128 fax

----- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM -----
Margaret Sims/EAC/GOV
04/03/2006 03:18 PM
To
cc
Subject Re: doj training materials

Tova:
I'm checking with Craig regarding reference in our report to the DOJ training materials. The 2004 DOJ training materials did not have a table of contents. I think Devon added that to help you find your way
Hi Peg,

I've just made it through the 2004 binder of materials and have two questions. First, I understand that these materials are confidential, but may we refer to guidance provided in them in our report? Otherwise they are of not much use to us. There's not that much in it that would add to what Donsanto and Tanner told us, but there are a few issues raised that I believe might be germane.

Second, there are several sections evidently missing from the 2004 binder and I'm not sure if that's because of what Donsanto sent over or a problem in the photocopying. From what I can see, some of the table of contents is missing and tabs 14, 15, 16, 17, 21, 23 and 26 are all empty. Can you please look into this?

Thanks and I look forward to speaking to you tomorrow. Tova
I just saw what you did. I should be out of hours at the end of May. I believe I will be working for the state in June which will make it difficult to find time to finish and could slow things down but I am not yet sure of that.

--- psims@eac.gov wrote:

> Attached is an updated invoice schedule for the FY 06 contracts for the Voting Fraud/Voter Intimidation project. --- Peggy

I know you preferred Friday, but Job is not available then. He also said he is not available next week. Do you have any time available this Wednesday? --- Peggy

I can't do it Friday but Wednesday is ok.

--- psims@eac.gov wrote:

> Tova and Job:
I've passed Tova's request on to Craig.

Also, Sarah Ball Johnson, KY, finally called back to say she would be available Wednesday through Friday this week and next week for the interview. Which day and time is best for you and Job?

--- Peggy

---

04/16/2006 11:39 AM

To
psims@eac.gov
cc
"Tova Wang"
Subject
donsanto again

Hi Peg,

Happy Easter!

Would it be possible to talk to Mr. Donsanto about this latest initiative, or somehow get more information? Thanks. Tova

http://www.fbi.gov/page2/april06/electioncrime041406.htm

----- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM -----
Margaret Sims/EAC/GOV
04/17/2006 10:48 AM
To Job Serebrov, Tova Andrea Wang
cc
Subject Invoice Schedule

Attached is an updated invoice schedule for the FY 06 contracts for the Voting Fraud/Voter Intimidation project. --- Peggy

FY06 Contracts Invoice Schedule.xls
That's what I am concerned about. I think we need to end all interviews with Sarah Ball Johnson. With the literature reviews I am finishing, the case write up and the Tova's Nexis research that I need to read, I will have about 45 hours left for the Working Group meeting and final write up.

--- psims@eac.gov wrote:

> I have to check with Conny McCormack to see if things have settled down for her enough so that she would be available. I have had no response to my overtures to Colleen McAndrews' office. I can try again, but I have to be out of town again, from Wednesday through Friday this week, on another research contract and for EAC's public meeting in Seattle. Were you able to get through to Mike McCarthy?

> Please remember to watch your time. We'll need to reserve some of your time for the working group meeting and the subsequent reports. --- Peggy

> "Job Serebrov" <...@...>
> 04/17/2006 10:17 AM
> To psims@eac.gov, ...
> cc
> Subject Re: Follow up Donsanto and KY Interviews

> Next week is out for me. I need to check my schedule this week. Is this the last interview that you were able to arrange?
--- psims@eac.gov wrote:

Tova and Job:

I've passed Tova's request on to Craig.

Also, Sarah Ball Johnson, KY, finally called back to say she would be available Wednesday through Friday this week and next week for the interview. Which day and time is best for you and Job?

--- Peggy

Hi Peg,

Happy Easter!

Would it be possible to talk to Mr. Donsanto about this latest initiative, or somehow get more information? Thanks, Tova

http://www.fbi.gov/page2/april06/electioncrime041406.htm
We could skim it

-----Original Message-----
From: Job Serebrov [mailto:Job.Serebrov@ca.gov]
Sent: Monday, April 17, 2006 9:13 AM
To: Tova Wang; psims@eac.gov
Subject: RE: Announcement of FBI Election Crimes Initiative

Tova-Do we have time to review this?

--- Tova Wang <mailto:Tova.Wang@eac.gov>

> Is it possible to get the materials they are using
> for the trainings?
> Thanks Peg.
>
> -----Original Message-----
> From: psims@eac.gov [mailto:psims@eac.gov]
> Sent: Monday, April 17, 2006 9:08 AM
> To: Tova Wang <mailto:Tova.Wang@eac.gov>
> Subject: Fw: Announcement of FBI Election Crimes Initiative
>
> See Donsanto response below.--- Peggy
>
> ----- Forwarded by Margaret Sims/EAC/GOV on
> 04/17/2006 10:07 AM ----- 
>
> "Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
>
> 04/17/2006 09:56 AM
>
> To 
> psims@eac.gov
>
> cc
>
> Subject 
> RE: Announcement of FBI Election Crimes Initiative
>
>
> Peg--

> This is essentially FBI's equivalent of the
> Department's Ballot Access and
> Integrity Initiative. The news conference on
> Thursday announced that FBI
> was enhancing its prioritization of campaign
> financing offenses. The main
> feature of this initiative, aside from enhancing the
> priority these cases
> will get in the Bureau, is that each of the Bureau's
> 57 Field Divisions will
> have at least one "Election Coordinator Agent" who
> will be the equivalent of
> the District Election Officer AUSAs. We have been
> training these new
> FBI-types: the week before last we had roughly 75 of
> them in Denver in a
> very well received two-day session in election law enforcement at
> which several FEC people spoke. On Wednesday, I head out
> to Portland, Oregon for
> more of the same.
>
> From: psims@eac.gov [mailto:psims@eac.gov]
> Sent: Monday, April 17, 2006 9:00 AM
> To: Donsanto, Craig
> Subject: Fw: Announcement of FBI Election Crimes
> Initiative
>
> Hi, Craig:
>
> Tova noticed an article about an FBI initiative
> against election crimes (see
> attached email). Is this something new, or is it
> more of the same
> initiative that you addressed in your interview? If
> it is new, would you
> have time for a teleconference with Job and Tova to
> answer any questions
> they may have on the initiative?
>
> Peggy Sims
> Election Research Specialist
> U.S. Election Assistance Commission
> 1225 New York Ave, NW - Ste 1100
> Washington, DC 20005
> Phone: 866-747-1471 (toll free) or 202-566-3120
> (direct)
> Fax: 202-566-3127
> email: psims@eac.gov
>
> ----- Forwarded by Margaret Sims/EAC/GOV on
> 04/17/2006 08:56 AM -----
Hi Peg,

Happy Easter!

Would it be possible to talk to Mr. Donsanto about this latest initiative, or somehow get more information? Thanks. Tova

<http://www.fbi.gov/page2/april06/electioncrime041406.htm>
http://www.fbi.gov/page2/april06/electioncrime041406.htm

Peggy:

This is incorrect. Our project ends May 31. This month's invoice is due on April 21 and is invoice number 3. Invoice number 4 is due at the end of May.

--- psims@eac.gov wrote:
Attached is an updated invoice schedule for the FY 06 contracts for the Voting Fraud/Voter Intimidation project. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM -------
"Tova Wang"

04/17/2006 09:20 AM

To, psims@eac.gov
cc

Subject: RE: Follow up Donsanto and KY Interviews

Any time Friday is fine for me. Thanks

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, April 17, 2006 8:05 AM
To: Tova and Job:
Subject: Re: Follow up Donsanto and KY Interviews

Tova and Job:

I've passed Tova's request on to Craig.

Also, Sarah Ball Johnson, KY, finally called back to say she would be available Wednesday through Friday this week and next week for the interview. Which day and time is best for you and Job?

--- Peggy

04/16/2006 11:39 AM

psims@eac.gov

"Tova Wang" cc

donsanto again Subject
Hi Peg,

Happy Easter!

Would it be possible to talk to Mr. Donsanto about this latest initiative, or somehow get more information? Thanks. Tova

http://www.fbi.gov/page2/april06/electioncrime041406.htm

---

Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM ---

"Job Serebrov"

To psims@eac.gov

cc

Subject Re: Follow up Donsanto and KY Interviews

Next week is out for me. I need to check my schedule this week. Is this the last interview that you were able to arrange?

--- psims@eac.gov wrote:

> Tova and Job:
> 
> I've passed Tova's request on to Craig.
> 
> Also, Sarah Ball Johnson, KY, finally called back to say she would be available Wednesday through Friday this week and next week for the interview. Which day and time is best for you and Job?
> 
> --- Peggy
> 
> 
> 
> 04/16/2006 11:39 AM
> 
> To psims@eac.gov
> 
> cc "Tova Wang"
> 
> Subject donsanto again
> 
> 
> 
> 
> 002325
Hi Peg,

Happy Easter!

Would it be possible to talk to Mr. Donsanto about this latest initiative, or somehow get more information? Thanks. Tova

http://www.fbi.gov/page2/april06/electioncrime041406.htm

--- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM ---

"Tony J. Sirvello III"

To: psims@eac.gov
cc

Subject: Re: Fw: Nonpartisan Local Election Official Needed for Voting Fraud/Voter Intimidation Working Group

Good Morning Peg,

That works for me....I will stay off the phone and wait on the call.

Have A Great Weekend,

Tony

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

From: psims@eac.gov 
To: 
Sent: Thursday, April 06, 2006 2:27 PM 
Subject: Re: Fw: Nonpartisan Local Election Official Needed for Voting Fraud/Voter Intimidation Working Group

Tony:

How about scheduling the teleconference with our consultants for 10 AM CST/11 AM EST on Wednesday, April 12? --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM -----

Margaret Sims/EAC/GOV 
04/17/2006 08:59 AM 
To: Craig Donsanto 
cc 
Subject: Fw: Announcement of FBI Election Crimes Initiative
Hi, Craig:

Tova noticed an article about an FBI initiative against election crimes (see attached email). Is this something new, or is it more of the same initiative that you addressed in your interview? If it is new, would you have time for a teleconference with Job and Tova to answer any questions they may have on the initiative?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

Hi Peg,

Happy Easter!

Would it be possible to talk to Mr. Donsanto about this latest initiative, or somehow get more information? Thanks. Tova

http://www.fbi.gov/page2/april06/electioncrime041406.htm

Good Afternoon Peg,

I will make the call as scheduled. I am still in shock about Ray.

Tony
Tony:
We have set up your telephone interview with our 2 consultants (Job Serebrov and Tova Wang) as a teleconference. Please call 1-866-222-9044 (toll free) at around 10 AM CST on Wed 4/12. At the prompt for the passcode, enter 62209. Tova and Job will join you on the line. This works best if you use a land line, rather than a cell phone.

If you have trouble connecting, please call Nicole Mortellito at our office (866-747-7421). Thanks!

Peggy

Good Morning Peg,

That works for me...I will stay off the phone and wait on the call.

Have A Great Weekend,

Tony
The 4th batch. More to come tomorrow.
Peg Sims

OK, I get it. The text in the attachment follows:

EXCERPTS FROM TEXAS ELECTION CODE

SUBCHAPTER B. COUNTY ELECTIONS ADMINISTRATOR

***

§ 31.032. APPOINTMENT OF ADMINISTRATOR; COUNTY ELECTION COMMISSION.

(a) The position of county elections administrator is filled by appointment of the county election commission, which consists of:

(1) the county judge, as chair;
(2) the county clerk, as vice chair;
(3) the county tax assessor-collector, as secretary; and
(4) the county chair of each political party that made nominations by primary election for the last general election for state and county officers preceding the date of the meeting at which the appointment is made.

(b) The affirmative vote of a majority of the commission's membership is necessary for the appointment of an administrator.

(c) Each appointment must be evidenced by a written resolution or order signed by the number of commission members necessary to make the appointment. Not later than the third day after the date an administrator is appointed, the officer who presided at the meeting shall file a signed copy of the resolution or order with the county clerk. Not later than the third day after the date the copy is filed, the county clerk shall deliver a certified copy of the resolution or order to the secretary of state.

(d) The initial appointment may be made at any time after the adoption of the order creating the position.
§ 31.035. RESTRICTIONS ON POLITICAL ACTIVITIES.

(a) A county elections administrator may not be a candidate for a public office or an office of a political party, hold a public office, or hold an office of or position in a political party. At the time an administrator becomes a candidate or accepts an office or position in violation of this subsection, the administrator vacates the position of administrator.

(b) A county elections administrator commits an offense if the administrator makes a political contribution or political expenditure, as defined by the law regulating political funds and campaigns, or publicly supports or opposes a candidate for public office or a measure to be voted on at an election. An offense under this subsection is a Class A misdemeanor. On a final conviction, the administrator's employment is terminated, and the person convicted is ineligible for future appointment as county elections administrator.

--- psims@eac.gov wrote:

> Did you look at the attached excerpts from Texas Code? --- Peggy

---

The code attachment did not work that is what I meant by it did not come through.
We have the same set-up here in Arkansas. We hired a person just like Perez. However, given this, I would still like to know if he has a party affiliation and this brings up another issue. How is the county election commission chosen. In Arkansas it is the Chairmen of the Republican and Democrat Parties or if he/she does not want to serve a person is elected in his/her stead and a third member picked by the party with the most constitutional officers. Practically that has meant that the Democrats have controlled election commissions in Arkansas since the end of Reconstruction. This is why I want to know the situation in Texas.

--- psims@eac.gov wrote:

As you may recall, the Commissioners directed me to find a nonpartisan local election official to serve on the Working Group. The three of us discussed the desirability of having a Hispanic. I proposed that I find someone from Texas because of that State's colorful history of voting fraud and their innovative approaches to combat it.

In those Texas counties that hire Election Administrators to run elections, rather than having elected officials do so (Tax Assessor for voter registration; County Clerk for balloting), the Election Administrator is hired by the County Election Commission and is supposed to perform his or her duties in a nonpartisan manner. (See attached excerpts from Texas Election Code regarding election administrator hiring and restrictions on partisan activity.) Any experienced Texas election official will be familiar with voting fraud and voter intimidation schemes used in that State.

Mr. Perez has over 13 years experience as a county Election Administrator in Texas. You won't find many news articles mentioning him because he has kept his nose clean.

(The Texas press, as in many other parts of the country, prefers to report bad news.) Mr. Perez is plugged into the
association of Texas election officials and the two largest organizations of election officials in this country: the International Association of Clerks, Recorders, Election Officials and Treasurers (IACREOT); and The Election Center. He is a past President and past Chairman of the Legislative Committee for the Texas Association of Election Administrators. He currently serves on IACREOT's Election Officials Committee, which plans the educational sessions for election officials that are conducted at that organization's conferences. His peers in IACREOT and The Election Center have selected his submissions on web presentations (IACREOT) and his professional practices papers (Election Center) for awards.

Mr. Perez also has access to information from other States through his membership in IACREOT and The Election Center. He also has a sense of humor, which you will note if you access the staff web page on the Guadalupe County Elections web site and hear the Mission Impossible theme... something that might be useful in the upcoming meeting.

Guadalupe County is small but growing. In 2004, the county had over 65 thousand registered voters (a number more than doubled the number of registered voters in 1988). A third of the county's population claims Hispanic or Latino origin, according to the U.S. Census Bureau. The county is in south central Texas and is bordered by Comal, Hays, Cladwell, Gonzales, Wilson, and Bexar counties. In the 1980s, the county was predominately a farming community; but in recent years, many people have moved from San Antonio (Bexar County) to Guadalupe County, preferring to live in Guadalupe County and work in Bexar County.

--- Peggy
To: psims@eac.gov
cc
Subject: Re: Working Group

Peggy:

What political party is Perez with? How political is he? Is the position in Texas neutral or political? Who appointed Perez?

As to Pat I will contact him but I can't promise anything. If Pat can't come, who is getting knocked off Tova's list?

Job

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM -----

"Job Serebrov"

To: psims@eac.gov
cc
Subject: Re: Literature Summary

Fed Crime Election Fraud.doc
psims@eac.gov wrote:

> Tova just sent me the summary you prepared of The Federal Crime of Election Fraud by Craig Donsanto. There is something wrong in the fourth paragraph (odd characters and missing text). Can you please send a replacement fourth paragraph? You can send it in an email and I will place it in the document. --- Peggy

Would you please take a look at the attached? I combined both of your definitions, reformatted the list, removed a reference to the fraud having to have an actual impact on the election results (because fraud can be prosecuted without proving that it actually changed the results of the election), and taken out a couple of vague examples (e.g., reference to failing to enforce state laws --- because there may be legitimate reasons for not doing so).

I have made contact with Ben Ginsberg’s office and am waiting to hear if he accepts our invitation to join the working group. --- Peggy

Fraud Project Definition rev 5-12-06.doc

Thanks! I’ll get back to you. --- Peggy

"Weinberg and Utrecht”
Peggy:
You've hit the jackpot! I'm available, with 2 exceptions, every hour of every day from May 15 through May 19. I am not available Thursday morning, May 18, or Friday afternoon, May 19.

Barry
----- Original Message -----
From: psims@eac.gov
To: Barry Weinberg
Sent: Wednesday, April 26, 2006 8:28 PM
Subject: Re: Voting Fraud-Voter Intimidation Project

Barry:
Are you available any days in the third week of May?
Peggy

Sent from my BlackBerry Wireless Handheld

----- Original Message -----
From: "Weinberg and Utrecht"
Sent: 04/04/2006 08:14 AM
To: Margaret Sims
Subject: Re: Voting Fraud-Voter Intimidation Project

Peggy:
May looks pretty good right now. I will not be available May 1, or in the morning (before 12:30) on May 4 or May 11, or in the afternoon on May 10.

Barry
----- Original Message -----
From: psims@eac.gov
To: Barry Weinberg
Sent: Monday, April 03, 2006 3:15 PM
Subject: Voting Fraud-Voter Intimidation Project

Hi, Barry:

I'm trying to arrange a meeting of the Working Group for EAC's Voting Fraud-Voter Intimidation project. Would you please look at your schedule and let me know if there are any days during the first 2 weeks of May that you would NOT be available?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
e-mail: psims@eac.gov

002335
Your response suggests that you do not care what the Commissioners may think about the effort. --- Peggy

"Job Serebrov"  

Peggy:

Braden is ok also with me but please don't tell me not to "stir up" things. I assure you nothing will come back to bite me. I know these people well enough to say they will also want a balanced group. In fact, one of them was very unhappy with Tova's folks.

Job

--- psims@eac.gov wrote:

> According to the Commissioners, you and Tova each
got to pick three
> members of the Working Group. The Commission
guidance regarding this
> particular member follows:
>
> - 4 people from the Academic, Legal and Advocacy
> sectors - 2 to be chosen by
> Tova and 2 to be chosen by Job.
>
> This issue of allowing a designee relates to Tova's
pick.
>
> As I understand it, we are working on a replacement
for Norcross. If
> Ginsberg is not viable, how about Mark Braden, who
includes public
> integrity in his areas of specialization. I would
not try and stir up
> other members of the Working Group, if I were you.
The effort is likely
> to come back and bite you.
I really don't care if he represents the organization or not. What mixed race? The entire discussion was because Arnwine was African-American. If you are going to invite him without first having a replacement for my side, I may have to call Thor and Todd and discuss all of this.

--- psims@eac.gov wrote:

Greenbaum is representing Arnwine, not replacing her. He works for her organization and is of mixed race. --- Peggy

I have an objection to Greenbaum. While I realize he comes from an advocacy group, he is not a minority attorney and we already have a rep who worked with DOJ. If it is to be Greenbaum, I would rather not fill that position since I am one down.
--- Tova Wang <wang@tcf.org> wrote:

is Jon Greenbaum

Here's his info in full:

He is the Director of the Voting Rights Project for the Lawyers Committee for Civil Rights. He will be representing Barbara Arnwine, the Executive Director of the Lawyers Committee.

His contact and mailing info is:

1401 New York Avenue, NW Suite 400 Washington, DC 20005

Tova Andrea Wang Democracy Fellow The Century Foundation 41 East 70th Street - New York, NY 10021 Visit our Web site, , for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.
psims@eac.gov wrote:

Tova just sent me the summary you prepared of The Federal Crime of Election Fraud by Craig Donsanto. There is something wrong in the fourth paragraph (odd characters and missing text). Can you please send a replacement fourth paragraph? You can send it in an email and I will place it in the document. --- Peggy

Dear Tova,

I am working with Peggy Sims in order to set a date for the Voting Fraud/Voter Intimidation Project Working Group. I have been trying to reach Barbara Arnwine in order to find out which days in May she is potentially available to attend this meeting but all of my attempts have been unsuccessful.

I would appreciate any help that you could provide in this matter.
As you may recall, the Commissioners directed me to find a nonpartisan local election official to serve on the Working Group. The three of us discussed the desirability of having a Hispanic. I proposed that I find someone from Texas because of that State's colorful history of voting fraud and their innovative approaches to combat it. In those Texas counties that hire Election Administrators to run elections, rather than having elected officials do so (Tax Assessor for voter registration; County Clerk for balloting), the Election Administrator is hired by the County Election Commission and is supposed to perform his or her duties in a nonpartisan manner. (See attached excerpts from Texas Election Code regarding election administrator hiring and restrictions on partisan activity.)

Any experienced Texas election official will be familiar with voting fraud and voter intimidation schemes used in that State. Mr. Perez has over 13 years experience as a county Election Administrator in Texas. You won't find many news articles mentioning him because he has kept his nose clean. (The Texas press, as in many other parts of the country, prefers to report bad news.) Mr. Perez is plugged into the association of Texas election officials and the two largest organizations of election officials in this country: the International Association of Clerks, Recorders, Election Officials and Treasurers (IACREOT); and The Election Center. He is a past President and past Chairman of the Legislative Committee for the Texas Association of Election Administrators. He currently serves on IACREOT's Election Officials Committee, which plans the educational sessions for election officials that are conducted at that organization's conferences. His peers in IACREOT and The Election Center have selected his submissions on web presentations (IACREOT) and his professional practices papers (Election Center) for awards. Mr. Perez also has access to information from other States through his membership in IACREOT and The Election Center. He also has a sense of humor, which you will note if you access the staff web page on the Guadalupe County Elections web site and hear the Mission Impossible theme... something that might be useful in the upcoming meeting.

Guadalupe County is small but growing. In 2004, the county had over 65 thousand registered voters (a number more than doubled the number of registered voters in 1988). A third of the county's population claims Hispanic or Latino origin, according to the U.S. Census Bureau. The county is in south central Texas and is bordered by Comal, Hays, Cladwell, Gonzales, Wilson, and Bexar counties. In the 1980s, the county was predominately a farming community; but in recent years, many people have moved from San Antonio (Bexar County) to Guadalupe County, preferring to live in Guadalupe County and work in Bexar County.

--- Peggy
Peggy:

What political party is Perez with? How political is he? Is the position in Texas neutral or political? Who appointed Perez?

As to Pat I will contact him but I can’t promise anything. If Pat can’t come, who is getting knocked off Tova’s list?

Job

-- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM --

Devon E. Romig/EAC/GOV

04/24/2006 04:41 PM

To Margaret Sims/EAC/GOV@EAC

cc

Subject Updated scheduling list and Contact info

Peggy,

Here is the most updated version of the list that I have available.

Thanks,

Devon Romig
U.S. Election Assistance Commission
1225 New York Ave. NW - Suite #1100
Washington, D.C. 20005
(202)566-2377

-- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM --

"Donsanto, Craig"
<Craig.Donsanto@usdoj.gov>

05/16/2006 01:41 PM

To psims@eac.gov

cc

Subject RE: Your Materials
Sure. But where is the resistance coming from? The notes were not accurate. As you know, I have to be very concerned about that.

---

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 16, 2006 12:34 PM
To: Donsanto, Craig
Subject: RE: Your Materials

Craig:

I am getting some resistance from my consultants to correcting the summary of the interview prior to the meeting. Would you mind noting the corrections at the meeting? --- Peggy

---

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
05/16/2006 12:06 PM
Topsims@eac.gov
cc
Subject: RE: Your Materials

Thank you, Peg. This stuff is very interesting.

---

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 16, 2006 11:27 AM
To: Donsanto, Craig
Subject: Re: Your Materials

I have forwarded your message to our consultants and have requested a corrected version for distribution at the WG meeting. --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
Peg - -

I have read over the materials you sent to me and viewed the pieces on the CD.

I have only one correction:

I did not say that offenders who receive target letters routinely request - - or routinely receive - - audiences here at DOJHQ. That is very rare. Instead, what usually happens is that once a subject for an election fraud investigation is advised that he or she is going to be charged that person usually enters into plea negotiations and ultimately pleads guilty. Very few federal election fraud cases go to trial. When a subject does request a HQ interview or a HW hearing, it would be held in the first instance by myself. But again, Peg, that is rare.

Also, while the occurrences of prosecutions of isolated instances of felons and alien voters and double voters has increased, we still aggressively and I believe quite successfully pursue systematic schemes to corrupt the electoral process, as the cases we brought recently out of Knott and Pike Counties in Kentucky, those we brought out of Lincoln and Logan Counties in West Virginia, and those we brought in New Hampshire growing out of the jamming of get0-out-the-vote phone bank lines attest.

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM -----

"Job Serebrov"

05/15/2006 09:54 AM To psims@eac.gov
cc
Subject Re: research summary
What about my question on gas receipts?

Job

--- psims@eac.gov wrote:

> I can email this out to our participants after I get
> back to the office, and we can have copies available
> at the meeting.
> Peggy
> --------------------------
> Sent from my BlackBerry Wireless Handheld
>
>
> ----- Original Message ----- 
> From: wang
> Sent: 05/13/2006 10:54 AM
> To: psims@eac.gov
> Cc: "Job Serebrov" <
> Subject: Fw: research summary
> 
> Job found it. I'm assuming its too late to include
> so as I said I'll just
> present it if thats OK. Thanks again Job. T
> ----- Original Message ----- 
> From: "Job Serebrov" <
> To: <
> Sent: Saturday, May 13, 2006 10:12 AM 
> Subject: Re: research summary
> 
>
> > T-
> >
> > Are you talking about this?
> >
> > J-
> >
> > ---
> >>
> >> In the middle of the night I got the feeling that
> >> you may be right, that I did do a summary of the
> >> existing literature review (that Job, you
> >> approved)
> >> I'll have to look for it on Monday (unless I go
> >> into the office over the weekend, which is
> >> possible). I may be hallucinating, but if not,
> >> I'll
> >> just present it at the meeting rather than try to
> >> get it to them ahead of time. Tova
> >
> 

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM -----
"Tova Wang"
05/22/2006 06:07 PM
To psims@eac.gov
cc
Subject RE: PowerPoint Presentation to EAC Boards

I don't know if it's too late, but in the interview summary we actually said There is widespread but not unanimous agreement that there is little polling place fraud. That's quite different than saying, as you do here, that there is disagreement.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, May 22, 2006 3:56 PM
To: [obscured]
Subject: PowerPoint Presentation to EAC Boards

FYI - Attached is a copy of the PowerPoint presentation on the voting fraud-voter intimidation research project for tomorrow's meetings of the EAC Standards Board (110 state and local election officials) and the EAC Advisory Board (37 representatives from national associations and government agencies who play a role in HAVA implementation and from science and technology-related professions appointed by Congressional members). I used your summaries as the primary source of information for the presentation. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM -----
Devon E. Romig/EAC/GOV
05/25/2006 02:37 PM
To: Margaret Sims/EAC/GOV@EAC
cc
Subject: Summary for VFVI working group meeting

Peggy,

Here is the summary that you requested. Let me know if this works.

Thanks!

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov

VFVI Meeting Summary.doc
----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM -----
Margaret Sims/EAC/GOV
05/16/2006 02:47 PM
To: "Donsanto, Craig"
<Craig.Donsanto@usdoj.gov>@GSAEXTERNAL
cc
I think they are panicking because they are preparing to travel tomorrow and may not have time to submit a revised version. They also are resisting changes to their interview summaries because the summaries represent what they think they heard. I was there at the interview and I heard what you said. I'm not sure that either of them heard everything (including the nuances) because so much of the information was new to them and it was one of their earlier interviews. I'm sorry I did not catch the defects before the summary went out.

My first concern is ensuring that the Working Group has the correct information. Then, we can deal with what version, if any, goes in the final report. Do you want me to excerpt the corrections from your email and submit them to the Working Group? --- Peggy

Sure. But where is the resistance coming from? The notes were not accurate. As you know, I have to be very concerned about that.

Craig:

I am getting some resistance from my consultants to correcting the summary of the interview prior to the meeting. Would you mind noting the corrections at the meeting? --- Peggy
Thank you, Peg. This stuff is very interesting.

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 16, 2006 11:27 AM
To: Donsanto, Craig
Subject: Re: Your Materials

I have forwarded your message to our consultants and have requested a corrected version for distribution at the WG meeting. --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/16/2006 10:46 AM

Peg -

I have read over the materials you sent to me and viewed the pieces on the CD.

I have only one correction:

I did not say that offenders who receive target letters routinely request -- or routinely receive -- audiences here at DOJHQ. That is very rare. Instead, what usually happens is that once a subject for an
election fraud investigation is advised that he or she is going to be charged that person usually enters into plea negotiations and ultimately pleads guilty. Very few federal election fraud cases go to trial. When a subject does request a HQ interview or a HW hearing, it would be held in the first instance by myself. But again, Peg, that is rare.

Also, while the occurrences of prosecutions of isolated instances of felons and alien voters and double voters has increased, we still aggressively and I believe quite successfully pursue systematic schemes to corrupt the electoral process, as the cases we brought recently out of Knott and Pike Counties in Kentucky, those we brought out of Lincoln and Logan Counties in West Virginia, and those we brought in New Hampshire growing out of the jamming of get0-out-the-vote phone bank lines attest.

How about specifying Section 2 and 203 of the VRA?

----- Original Message -----
From: psims@eac.gov
To: [redacted]
Sent: Friday, May 12, 2006 1:34 PM
Subject: RE: Fraud Definition

Lets raise this issue at the meeting. (I'll add "DRAFT" to the current document.) My concern is that there are a number of requirements in the Voting Rights Act. Not all of them are considered election fraud, when violated. For example, failure to preclear changes in election procedures is not treated as election fraud, though it is actionable. --- Peggy

Upon first reading, my only comment would be that I would like to restore "failing to follow the
requirements of the Voting Rights Act

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Friday, May 12, 2006 9:20 AM
To: [Redacted]
Subject: Fraud Definition

Would you please take a look at the attached? I combined both of your definitions, reformatted the list, removed a reference to the fraud having to have an actual impact on the election results (because fraud can be prosecuted without proving that it actually changed the results of the election), and taken out a couple of vague examples (e.g., reference to failing to enforce state laws --- because there may be legitimate reasons for not doing so).

I have made contact with Ben Ginsberg's office and am waiting to hear if he accepts our invitation to join the working group. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM ----
"Donsanto, Craig"
<Craig.Donsanto@usdoj.gov>
To psims@eac.gov
cc
05/16/2006 02:55 PM
Subject RE: Your Materials

The first item is not as big a deal as the second one: the processes under which subjects of investigations come to Jesus is not as important as the overall assessment of our law enforcement achievements. But stressing the isolated test cases we brought - - and will continue to bring - - to deter things like felon voting, alien voting and double voting, which not mentioning such significant achievements as the five case PROJECTS mentioned in my last e-mail - - misrepresents what we are doing and the deterrent message we are trying to communicate.

I appreciate that these two young people may have found themselves in a Brave New World when they came over here. It showed in their questioning. But the fact that criminal law enforcement is not at all similar to preventative legal relief (as under the Voting Rights Act) or civil relief (as election contest litigation) is I guess more of a problem than I at first foresaw. My real concerns is that the civil rights groups - - with whom we over here have an amazing amount of common grounds - - will take the singling out of the felon and alien voter cases as evincing a malevolent aggression on their constituencies. That is not the case. We are only enforcing the law.

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 16, 2006 2:47 PM
To: Donsanto, Craig
Subject: RE: Your Materials

I think they are panicking because they are preparing to travel tomorrow and may not have time to submit a revised version. They also are resisting changes to their interview summaries because the summaries represent what they think they heard. I was there at the interview and I heard what you said. I'm not sure that either of them heard everything (including the nuances) because so much of the information was new to them and it was one of their earlier interviews. I'm sorry I did not catch the defects before the summary
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My first concern is ensuring that the Working Group has the correct information. Then, we can deal with what version, if any, goes in the final report. Do you want me to excerpt the corrections from your email and submit them to the Working Group? --- Peggy

*Donsanto, Craig* <Craig.Donsanto@usdoj.gov>

05/16/2006 01:41 PM

Topsims@eac.gov

cc

Subject: RE: Your Materials

Sure. But where is the resistance coming from? The notes were not accurate. As you know, I have to be very concerned about that.

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 16, 2006 12:34 PM
To: Donsanto, Craig
Subject: RE: Your Materials

Craig:

I am getting some resistance from my consultants to correcting the summary of the interview prior to the meeting. Would you mind noting the corrections at the meeting? --- Peggy

*Donsanto, Craig* <Craig.Donsanto@usdoj.gov>

05/16/2006 12:06 PM

Topsims@eac.gov

cc

Subject: RE: Your Materials
Thank you, Peg. This stuff is very interesting.

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 16, 2006 11:27 AM
To: Donsanto, Craig
Subject: Re: Your Materials

I have forwarded your message to our consultants and have requested a corrected version for distribution at the WG meeting. --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/16/2006 10:46 AM
Peg - -

I have read over the materials you sent to me and viewed the pieces on the CD.

I have only one correction:

I did not say that offenders who receive target letters routinely request or routinely receive audiences here at DOJHQ. That is very rare. Instead, what usually happens is that once a subject for an election fraud investigation is advised that he or she is going to be charged that person usually enters into plea negotiations and ultimately pleads guilty. Very few federal election fraud cases go to trial. When a subject does request a HQ interview or a HW hearing, it would be held in the first instance by myself. But again, Peg, that is rare.

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----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:21 PM ----

Margaret Sims/EAC/GOV  
05/16/2006 02:37 PM  
To Eileen L. Collver/EAC/GOV  
cc dromig@eac.gov  
Subject Re: Tent Cards

Oops! I hit send prematurely. Here is the attachment. --- Peggy

Working Group Attendees 5-18-06.doc

Eileen L. Collver/EAC/GOV

Eileen L. Collver/EAC/GOV  
05/16/2006 01:38 PM  
To Margaret Sims/EAC/GOV@EAC  
cc dromig@eac.gov  
Subject Re: Tent Cards

Please forward list...there was no attachment. thanks!

Elle L.K Collver
Attached is a list of folks who will be attending the Voting Fraud-Voter Intimidation Working Group meeting. I have asterisked the names that will require tent cards. I am working on a seating chart so that we can be sure the Ds and the Rs aren’t all seated together in a “them vs. us” pattern. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:21 PM ---

Peg --

At the Advisory Board meeting we had last week, your two contractors asked to interview the over-100 AUSAs who are serving as District Election Officers in connection with the Fraud study.

This request needs to be addressed to Natalie Voris of EOUSA per the message from here that follows.

If the contractors require additional information in connection with the Fraud Study, and should EOUSA not be able to satisfy their needs in they can communicate with me on criminal issues and Cameron Quinn on Civil Rights issues.

I will be here when you arrive later today at the Board of Advisors meeting when you arrive to talk to us at 4:30.

Ms. Voris’ message follows:

Per the USAM, all requests for interviews/surveys/research projects that involve USAOs must be approved by EOUSA. I am pasting the provision
below - the contact name needs to be updated. Requests should come to me, as the Acting Counsel to the Director.

Thanks,
Natalie

Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:21 PM -----
Margaret Sims/EAC/GOV
05/24/2006 03:17 PM
To "Tova Wang" @eac.gov
cc Jeannie Layson/EAC/GOV@EAC, bwhitener@eac.gov
Subject Re: press interview

Thanks for the "heads up". --- Peggy

"Tova Wang" @eac.gov

"Tova Wang"
05/24/2006 02:52 PM
To psims@eac.gov
cc
Subject press interview

Hi Peg,

Just wanted to give you the heads up that I did an interview with a reporter from The Hill today on fraud. As far as I know he is simply referring to me as a fellow at TCF and I did not discuss the project in any way

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021

Click here to receive our weekly e-mail updates.

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:21 PM -----
"Donsanto, Craig"
<Craig.Donsanto@usdoj.gov>
To psims@eac.gov
cc "Hillman, Noel" <Noel.Hillman@usdoj.gov>, "Simmons,
Thank you for this, Peg.

The third bullet point is one I embrace fully. We lack the statutory tools to do the job. Hopefully, that can be remedied through legislation. But as things stand today, large loopholes in the federal legal matrix addressing electoral abuse and fraud exist — particularly when such abuses occur in elections where there were no federal candidates on the ballot.

---

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 16, 2006 8:44 AM
To: Donsanto, Craig
Subject: Re: Voting Fraud-Voter Intimidation Working Group

Here is the content of the email attachment:

**Existing Research Analysis**

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

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

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

Other items of note:
• There is as much evidence, and as much concern, about structural forms of disenfranchisement as about intentional abuse of the system. These include felon disenfranchisement, poor maintenance of databases and identification requirements.

• There is tremendous disagreement about the extent to which polling place fraud, e.g. double voting, intentional felon voting, noncitizen voting, is a serious problem. On balance, more researchers find it to be less of a problem than is commonly described in the political debate, but some reports say it is a major problem, albeit hard to identify.

• There is substantial concern across the board about absentee balloting and the opportunity it presents for fraud.

• Federal law governing election fraud and intimidation is varied and complex and yet may nonetheless be insufficient or subject to too many limitations to be as effective as it might be.

• Deceptive practices, e.g. targeted flyers and phone calls providing misinformation, were a major problem in 2004.

• Voter intimidation continues to be focused on minority communities, although the American Center for Voting Rights uniquely alleges it is focused on Republicans.

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/15/2006 04:53 PM
topsims@eac.gov
cc
Subject: Re: Voting Fraud-Voter Intimidation Working Group

Peggy --

I am currently on train in transit back from a day in Newark. I tried to recover your attachment on Blackberry but got a message telling me the "file is empty."

Can you paste it to an e-mail perhaps?
-----------------------------
Sent from Dr. D's Fabulous BlackBerry Wireless Handheld
Dear Working Group Members and Participants:

You should receive a packet of information today, either by Federal Express or hand delivery, concerning Thursday's meeting of the project Working Group for EAC's Voting Fraud-Voter Intimidation research project. Attached is an analysis of the consultants' research into relevant literature and reports. This summary was not available when we prepared the information packets last Friday, but may be of interest to you. Our consultants and I look forward to having a productive discussion with you.

Regards,

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:21 PM ---
Margaret Sims/EAC/GOV
05/17/2006 03:03 PM
To Craig Donsanto
cc
Subject Status Report on Voting Fraud-Voter Intimidation Project

Craig:

This is what I was working on for the upcoming meetings of the EAC Board of Advisors and EAC Standards Board. --- Peggy
Cases were from 2000 to the present.

--- psims@eac.gov wrote:

> Would you please refresh my memory about the date
> ranges used for the
> Nexis article research and the case law research?
> I'm drawing a blank and
> I don't see it in the summaries. I need it for this
> mornings Commissioner
> briefing. Thanks! --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:21 PM ---

Did you find out whether I can use the Chairman's parking spot?

--- psims@eac.gov wrote:

> You will need to submit hotel and parking receipts.
> You don't need to submit meal receipts. You don't
> need to submit gas receipts because use of a
> personally owned vehicle (POV) is reimbursed based
> on mileage. I think I emailed the mileage rate to
> you. If you need it again, I'll look it up when I am
> at the office (this afternoon).
> Peg
> 
> --------------------------
> Sent from my BlackBerry Wireless Handheld
> 
> ----- Original Message -----  
> From: "Job Serebrov" 
> Sent: 05/12/2006 09:05 PM 
> To: psims@eac.gov 
> Subject: Question 
> 
>
Peg:

Since I am driving to DC, besides hotel receipts, do you want me to keep my gas receipts or how will my car use be compensated? Also, I assume I don't have to retain food receipts.

Job

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:21 PM ---
Margaret Sims/EAC/GOV
05/24/2006 04:57 PM To "Tova Wang" - Wang@
cc
Subject RE: presentation

The Standards Board has the reputation of being crankier than the Board of Advisors. They beat up on the Commissioners last year.

"Tova Wang" - Wang@

"Tova Wang"
05/24/2006 04:50 PM To psims@eac.gov
c
c
Subject RE: presentation

Is such a roasting usual? I mean, do they think we did a bad job???

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Wednesday, May 24, 2006 3:43 PM
To: 
Subject: RE: presentation

You have most of the pieces of the report now. We absolutely need to put the statutory authority for the research up front. We need to add the definition. We also need to add a short piece addressing the approach for this preliminary research (including short statements on the pros and cons of information sources --- you began to address this in the literature review summary). I expect that the biggest project will be fleshing out the possible avenues for subsequent research in this area. It would be great if we could come up with cost estimates. If we can't, we need to at least identify what info we hope to get, what we are likely to miss, and any pitfalls.

Given today's roast, I will take another look at what we have now to highlight remarks that might
needlessly tick board members off. We can discuss whether or not editing or removing the remark would be detrimental to or have no real effect on the final report. (An example of such a remark is the reference to the number of articles out of Florida. A local official from that State objected on the grounds that the number of articles does not reliably indicate the number of problems.) I know we can expect a challenge from Board of Advisors member Craig Donsanto regarding the focus of the Election Crimes Branch prosecutions.

Yes, we can discuss the organization and "look" of the report after Job returns. Yes, the Commissioners will want to review it and submit their changes before the report goes to the boards.

It is too early to tell what EAC efforts may be mounted in FY 2007. I doubt that fire from the Standards Board will prevent Commissioners from doing what they think is needed. But, given that it is an election year, appropriations legislation may not be signed until December or later -- so we won't know how much money we have for awhile. --- Peggy

"Tova Wang"

05/24/2006 03:27 PM

To psims@eac.gov
cc
Subject RE: presentation

Yikes. It sounds like a lot of work after all. Should we talk over what the report should look like again, I guess when Job gets back? Will you help us write it in a way you think will satisfy? I guess it goes to the commissioners first anyway. Does this portend anything for phase 2?

Thanks Peg. Tova

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Wednesday, May 24, 2006 2:16 PM
To:  
Subject: Re: presentation

I'm glad it is over --- for now. One audience was a lot tougher than the other. The Standards Board was much more critical of the research than the Board of Advisors.

Of course, the Board of Advisors is the body that wanted EAC to place a high priority on the research. Its members were interested in sharing personal experiences (including problems with getting anyone to prosecute) and observations (that we need to expand the research to give Congress and political parties a better picture of how rare or prevalent are voting fraud and intimidation, that the HAVA-mandated statewide voter registration lists should help to prevent fraud, etc.). They also asked if EAC will look at specific opportunities for fraud (using cell phones
in vote buying schemes to photograph the ballot being cast at the poll) and how the agency will research voter intimidation/suppression involving voters with disabilities (advocates want to pass on complaints received).

The members of the Standards Board focused much more on the scope of the research and the completeness and accuracy of the information gleaned. Some wanted to include campaign finance crimes in the mix; others understood why we did not. Several did not like the use of newspaper articles, or were defensive about references to the large number of articles about their State. They made the point that, given the vagaries of the press, EAC should not use the number of articles about a specific State or particular vote fraud/intimidation activity as a basis for determining the likelihood that problems will occur in a given State or the frequency with which certain activities occur. (I never said that we did, but some members thought it was at least implied.) Some members want more research on the topic (into prosecutions and/or unsuccessful referrals made by election officials to law enforcement agencies); others want us to "quit throwing away tax dollars" and to stop the research altogether. Although my first slide noted our statutory authority to conduct this study, several members challenged EAC's right to do so --- saying that DOJ, not EAC, should conduct such research.

The dueling approaches of these boards may give us heartburn when the time comes for them to review and comment on the draft. We will have to make a strong statement at the beginning, perhaps repeated at the end, that this is preliminary research. We also may need to thoroughly explain how choices were made regarding what to look at, who to interview, etc. We may need to clearly acknowledge both the strengths and weaknesses of the various sources of information used in the preliminary research. Finally, when reviewing ideas for subsequent research, we may need to discuss the pros and cons of each approach, what additional information we expect to retrieve, and, perhaps, the estimated cost.

By the way, I did clarify the polling place fraud bullet. --- Peg

How did it go? Were you able to verbally correct that discrepancy we talked about the other day? Thanks. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation
Peggy,

In preparation for the logistics of this week's working group, I need to know how many people to expect for the meeting. Also, if you still need me to make name tags, I will need a list of attendees and the Avery label size.

Also, I will need help from Laiza on the table tents, or we can see if she has the time to help with that.

Thanks!

Elle

Elle L.K Collver
U.S. Election Assistance Commission
1225 New York Avenue, Suite 1100
Washington, D.C. 20005
office: (202) 566-2256
blackberry: (202) 294-9251
www.eac.gov

I have attached the list of the working group's participants. Peggy, you may want to double check this list incase I have left anyone out.

In place of name tags we just used the tent cards for the APIA working group. This seemed to be effective because it was easier to identify the person who was speaking but we could use both.
Peggy,

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Also, I will need help from Laiza on the table tents, or we can see if she has the time to help with that.

Thanks!

Elle

I have arranged for a transcriptionist to be at the meeting but I am not sure about the snacks for the break.

Devon Romig
Sounds great. It did seem to work just fine for our Asian Language group. Is there going to be a transcriptionist? If so, has anyone taken care of that?

Did you still want to provide the cookies or snacks, or shall I get that from Cafe Mozart (where I am planning to get the coffee). I can just buy a few boxes of cookies for the break.

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www.eac.gov

Margaret Sims/EAC/GOV

To Eileen L. Collver/EAC/GOV@EAC
cc dromig@eac.gov
Subject Re: working group
to do in preparation. --- Peggy

Eileen L. Collier/EAC/GOV

05/15/2006 12:19 PM

To Margaret Sims/EAC/GOV@EAC
cc Laiza N. Otero/EAC/GOV@EAC, dromig@eac.gov@EAC
Subject working group

Peggy,

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www.eac.gov

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:21 PM ---

"Donsanto, Craig"
<Craig.Donsanto@usdoj.gov>

To psims@eac.gov
cc

Subject RE: Report on Voting Fraud-Voter Intimidation Research

Peg - -
This is a complicated issue largely because of two things: 1) there is a lot of ambiguity out there as to what constitutes "intimidation." To the civil rights community, "intimidation" means anything that makes voting uncomfortable or less than automatic. To us in the criminal law enforcement "intimidation" means threats of economic or physical nature made to force or prevent voting. Only the latter involve aggravating factors that warrant putting offenders in jail, and the statutes that address "intimidation" from a criminal perspective are thus limited. We have never had many "intimidation" criminal cases. For one thing, in this modern post voting rights era, there is not a lot of physical/economic duress out there in the voting context - - at least not that I have seen. For another, where it does occur it is very hard to investigate and detect as victims who have been physically or economically intimidated are not likely to come to the FBI.

The bottom line is that we take matters that do present predication for physical or economically based "intimidation" very seriously, AND that we are being extremely proactive in trying to find ways to prosecute matters involving voter suppression as in the Tobin cases in New Hampshire where the local GOP tried to jam telephone lines for a GOTV effort run by the Dems. But even there - - the usual "suppression" matter involves flyers that are passed around giving out misleading information about an election, and we have investigated every one of those that came to our attention last election cycle. We were not able to identify the person(s) responsible for printing the misleading flyers in any of these. But we sure as heck tried.

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:21 PM ---

Eileen L. Colver/EAC/GOV
05/15/2006 03:35 PM

To Devon E. Romig/EAC/GOV@EAC, gvogel@eac.gov@EAC
cc Margaret Sims/EAC/GOV@EAC

Subject Re: working group

I am working on the snacks. I just ordered the coffee (reg/decaf). Cafe Mozart is faxing over an invoice and we can pick up a few boxes of cookies from there too.
foods/coffees that are provided at these meetings? Any ideas?

Thanks,
Elle

Elle L.K Collver
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Washington, D.C. 20005
office: (202) 566-2256
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www.eac.gov
Devon E. Romig/EAC/GOV

I have arranged for a transcriptionist to be at the meeting but I am not sure about the snacks for the break.

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov
Elieen L. Collver/EAC/GOV

Sounds great. It did seem to work just fine for our Asian Language group. Is there going to be a transcriptionist? If so, has anyone taken care of that?

Did you still want to provide the cookies or snacks, or shall I get that from Cafe Mozart (where I am planning to get the coffee). I can just buy a few boxes of cookies for the break.

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Elle:  
I think our number will be about 21 (with the Working Group members, consultants, possible EAC Commissioners and staff, and the court reporter). I'll have a better idea of the final list after I brief Commissioners tomorrow morning. Devon noted that they used only tent cards for the Asian Language Working Group. That might be sufficient for this group and would cut back on some of the work we have to do in preparation. --- Peggy

---

Margaret Sims/EAC/GOV  
05/15/2006 02:48 PM  
To Eileen L. Collver/EAC/GOV@EAC  
cc dromig@eac.gov  
Subject Re: working group

Elleen L. Collver/EAC/GOV  
05/15/2006 12:19 PM  
To Margaret Sims/EAC/GOV@EAC  
cc Laiza N. Otero/EAC/GOV@EAC, dromig@eac.gov@EAC  
Subject working group

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Also, I will need help from Laiza on the table tents, or we can see if she has the time to help with that.

---

002370
Thanks!

Elle

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Washington, D.C. 20005
office: (202) 566-2256
blackberry: (202) 294-9251
www.eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:21 PM -----
Margaret Sims/EAC/GOV
05/22/2006 05:01 PM
To Cortes, Romig, Collver, Tamar Nedzar/EAC/GOV, Laiza N. Otero
cc
Subject Voting Fraud-Voter Intimidation Working Group Meeting

If any of you took notes of the discussion during the Voting Fraud-Voter Intimidation Working Group meeting, would you please provide a copy to Devon. Devon, would you please use the meeting agenda to organize and consolidate any notes by topic, and send the consolidated notes to me? Thanks. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:21 PM -----
Margaret Sims/EAC/GOV
05/15/2006 04:37 PM
To Voting Fraud-Voter Intimidation Working Group
cc jgreenbaum@lawyerscommittee.org, vjohnson@lawyerscommittee.org, diovecchio@perkinscoie.com, bschuler@lathropgage.com, Craig.Donsanto@usdoj.gov
Subject Voting Fraud-Voter Intimidation Working Group

Dear Working Group Members and Participants:

You should receive a packet of information today, either by Federal Express or hand delivery, concerning Thursday's meeting of the project Working Group for EAC’s Voting Fraud-Voter Intimidation research project. Attached is an analysis of the consultants’ research into relevant literature and reports. This summary was not available when we prepared the information packets last Friday, but may be of interest to you. Our consultants and I look forward to having a productive discussion with you.

Regards,

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Gaylin Vogel/EAC/GOV
05/15/2006 03:39 PM

To: Eileen L. Collver/EAC/GOV@EAC
cc: Devon E. Romig/EAC/GOV@EAC, Margaret Sims/EAC/GOV@EAC
Subject: Re: working group

I haven't really looked into it. I know that contractors and grantee's can order food and have the government pay for it if the meeting is to disseminate information. Logic dictates that we can do the same, but I am not sure of the process. I have been here when we ordered lunch for meetings. Diana would be the one to ask. Perhaps the contractor can pay for it and put it on their next invoice but the COTR for the contract would have to be in the loop on this call.

Gaylin Vogel
Law Clerk
U.S. Election Assistance Commission
1225 New York Avenue, NW Suite 1100
Washington, DC 20005
tel: 202-566-3116
http://www.eac.gov
GVogel@eac.gov

Elieen L. Collver/EAC/GOV
05/15/2006 03:35 PM

To: Devon E. Romig/EAC/GOV@EAC, gvogel@eac.gov@EAC
cc: Margaret Sims/EAC/GOV@EAC
Subject: Re: working group

I am working on the snacks. I just ordered the coffee (reg/decaf). Cafe Mozart is faxing over an invoice and we can pick up a few boxes of cookies from there too.

GAYLIN-Adam said that you had looked into the way of getting reimbursed for paying for the break foods/coffees that are provided at these meetings? Any ideas?

Thanks,
Elle

Elle L.K Collver
U.S. Election Assistance Commission
I have arranged for a transcriptionist to be at the meeting but I am not sure about the snacks for the break.

Devon Romig  
United States Election Assistance Commission  
1225 New York Ave. NW, Suite 1100  
Washington, DC 20005  
202.566.2377 phone  
202.566.3128 fax  
www.eac.gov  
Eileen L. Collver/EAC/GOV

Sounds great. It did seem to work just fine for our Asian Language group. Is there going to be a transcriptionist? If so, has anyone taken care of that?

Did you still want to provide the cookies or snacks, or shall I get that from Cafe Mozart (where I am planning to get the coffee). I can just buy a few boxes of cookies for the break.

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1225 New York Avenue, Suite 1100  
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office: (202) 566-2256  
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Elle:
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Also, I will need help from Laiza on the table tents, or we can see if she has the time to help with that.

Thanks!

Elle

Elle L.K Collver
U.S. Election Assistance Commission
The contracts for the two consultants on this project do not cover such costs. --- Peggy

This is just to confirm our Monday, May 22, teleconference at 4:30 PM EST/3:30 PM CST. Attached is a list of follow-up activities discussed at the working group meeting and recorded on the flip chart. We will need to flesh these out a bit, perhaps once we have access to the transcript. --- Peggy

Recommendations for Future Research

- Bipartisan observers/poll watchers
  - To collect data
  - To deter fraud/intimidation

- Surveys
  - State laws
  - State election offices
  - Specific states
  - Local election officials
  - Voters (this suggestion was rejected by the panel)
  - State implementation of administrative complaint procedures (applies only to HAVA Title III violations) to ID examples of procedures for other than HAVA Title III complaints

- Follow up on initial reports of fraud/intimidation from the Nexis search of news articles and literature review

- Research absentee ballot process issues
  - Methodology of “for cause” absentee voting

- Risk-analysis for voting fraud
Who?
What part of process?
Ease of committing the fraud
Which elections?

» Analyze
Phone logs from toll-free lines for election concerns
Federal observer reports
Local newspapers

» Academic statistical research

» Search and match procedures for voter registration list maintenance (subject to confirmation) to identify potential avenues for vote fraud

» Research State district court actions

» Broaden scope of interviews to local officials and district attorneys

» Explore the concept of election courts

» Model statutes

Peggy,

Here are the notes from the meeting.

Thanks!

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
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"Job Serebrov"
How did you deal with the issue of mileage v. airline costs for my travel?

--- psims@eac.gov wrote:

> I signed and submitted your personal services payment vouchers this morning. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:21 PM ---

Margaret Sims/EAC/GOV
05/23/2006 11:11 AM
To "Job Serebrov"
cc
Subject Re: Payment Vouchers

I have to have a little time to focus on these issues and to check with our Finance Officer. Today and tomorrow, most of my time is scheduled for the EAC Standards Board and Board of Advisors meetings. --- Peggy

"Job Serebrov"

"Job Serebrov"
05/23/2006 09:17 AM
To psims@eac.gov
cc
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--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:21 PM ---

Margaret Sims/EAC/GOV
05/23/2006 09:16 AM
To "Job Serebrov", Tova Andrea Wang
cc
Subject Payment Vouchers
I signed and submitted your personal services payment vouchers this morning. --- Peggy

Hi Peg, I have this all filled out -- would you quickly check before I fax? And I have all my travel receipts which I will mail to you. Thanks. T

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021
Visit our Web site for the latest news, analysis, opinions, and events.

Tova:
Here is your voucher with the pay period dates and signature date updated, and a check mark added for the travel costs. I've been thinking that it might be better to make a separate submission for the travel costs. That way, if there are any delays in receiving your receipts, or there are any corrections or clarifications needed on the travel costs, we won't have to hold up the voucher for payment of personal services. If you agree, you should delete the check mark, dollar amount and travel dates from this voucher. --- Peggy
Subject: RE: Date Ranges for Research

January 1, 2001 - January 1, 2006

Original Message:
From: psims@eac.gov
Sent: Tuesday, May 16, 2006 7:41 AM
To: wang@etc.org, jerebro@seasobus.net
Subject: Date Ranges for Research

Would you please refresh my memory about the date ranges used for the Nexis article research and the case law research? I'm drawing a blank and I don't see it in the summaries. I need it for this morning's Commissioner briefing. Thanks! -- Peggy

Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:21 PM

Margaret Sims/EAC/GOV
05/15/2006 02:48 PM
To: Elileen L. Collver/EAC/GOV
cc: dromig@eac.gov
Subject: Re: working group

Elle:
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05/15/2006 12:19 PM
To: Margaret Sims/EAC/GOV@EAC
cc: Laiza N. Otero/EAC/GOV@EAC, dromig@eac.gov@EAC
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www.eac.gov
Margaret Sims/EAC/GOV

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www.eac.gov

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:21 PM ---

Margaret Sims/EAC/GOV
05/15/2006 06:41 PM

To "Craig Donsanto" <Craig.Donsanto@usdoj.gov>
cc
Subject Re: Voting Fraud-Voter Intimidation Working Group

It could be a Berry problem. (I occasionally have that problem with attachments I try to retrieve through my Blackberry.)

The attachment is a pdf file, but I have access to a Word version that I can use to insert text in an email tomorrow. I don't have access to the attachment from my Berry.

Peggy

-----------------------------
Sent from my BlackBerry Wireless Handheld

----- Original Message -----  
From: "Donsanto, Craig" [Craig.Donsanto@usdoj.gov]
Sent: 05/15/2006 04:53 PM
To: psims@eac.gov
Subject: Re: Voting Fraud-Voter Intimidation Working Group

Peggy --

I am currently on train in transit back from a day in Newark. I tried to recover your attachment on Blackberry but got a message telling me the "file is empty."

Can you paste it to an e-mail perhaps?

Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: barnwine@lawyerscommittee.org <barnwine@lawyerscommittee.org>; Rbauer@perkinscoie.com <Rbauer@perkinscoie.com>; bginsberg@pattonboggs.com <bginsberg@pattonboggs.com>; mhearnel@lathropgage.com <mhearnel@lathropgage.com>; krogers@sos.state.ga.us <krogers@sos.state.ga.us>; assistant@sos.in.gov <assistant@sos.in.gov>; weinutr@verizon.net <weinutr@verizon.net>
CC: jgreenbaum@lawyerscommittee.org <jgreenbaum@lawyerscommittee.org>; vjohnson@lawyerscommittee.org <vjohnson@lawyerscommittee.org>; dlovecchio@perkinscoie.com <dlovecchio@perkinscoie.com>; bschuler@lathropgage.com <bschuler@lathropgage.com>; Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Mon May 15 16:37:48 2006
Subject: Voting Fraud-Voter Intimidation Working Group

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Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:21 PM -----
Margaret Sims/EAC/GOV
05/17/2006 03:02 PM
To: Amie J. Sherrill/EAC/GOV, Adam Ambrogi/EAC/GOV

002382
Subject Replacement Handout for EAC Board

I found some typos in the Status Report. Please replace the one I gave you with the attached. Thanks. --- Peggy

EAC Boards VI-VI Status Report.doc

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:21 PM -----
Margaret Sims/EAC/GOV
05/23/2006 08:45 AM
To “Tova Wang” cc
Subject RE: PowerPoint Presentation to EAC Boards

I know --- I'll have to cover that in my oral presentation, along with some other points. The audience will have a copy of the paper I put together using Job's and your summaries and findings. The paper provides a lot more detail. We did not plan to provide a copy of the PowerPoint presentation, which is just meant to keep me on track and them interested in the presentation. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM -----
“Tova Wang”
05/26/2006 10:41 AM
To psims@eac.gov, “Job Serebrov” cc
Subject RE: Request to interview AUSAs

I still think we should include the recommendations in the report

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Friday, May 26, 2006 9:30 AM
To: Tova Andrea Wang; Job Serebrov
Subject: Fw: Request to interview AUSAs

Below is Craig's response to the request to interview AUSAs. It does not appear that this avenue is likely because the AUSAs are so busy..

Also, he asked about permission for other folks to attend the election crimes training session, and the answer was "no". (I can't even get in, and I'm a federal employee.). I understand that a good part of the reason is practical -- they are having enough trouble accommodating the folks that are required to come.

Peggy
----- Original Message ----- 
From: "Donsanto, Craig" [Craig.Donsanto@usdoj.gov] 
Sent: 05/23/2006 02:49 PM 
To: psims@eac.gov; "Voris, Natalie (USAEO)" <Natalie.Voris@usdoj.gov>; 
"Hillman, Noel" <Noel.Hillman@usdoj.gov>; "Simmons, Nancy" 
<Nancy.Simmons@usdoj.gov> 
Subject: Request to interview AUSAs

Peg --

At the Advisory Board meeting we had last week, your two contractors asked
to interview the over-100 AUSAs who are serving as District Election
Officers in connection with the Fraud study.

This request needs to be addressed to Natalie Voris of EOUSA per the message
from here that follows.

If the contractors require additional information in connection with the
Fraud Study, and should EOUSA not be able to satisfy their needs n they can
communicate with me on criminal issues and Cameron Quinn on Civil Rights
issues.

I will be here when you arrive later today at the Board of Advisors meeting
when you arrive to talk to us at 4:30.

Ms. Voris' message follows:

Per the USAM, all requests for interviews/surveys/research projects that
involve USAOs must be approved by EOUSA. I am pasting the provision below -
the contact name needs to be updated. Requests should come to me, as the
Acting Counsel to the Director.

Thanks,
Natalie
-------------------------

Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM ----- 
Margaret Sims/EAC/GOV 
05/16/2006 03:50 PM 
To "Tova Wang" 
cc 
Subject Re: board of advisers presentation

I haven't sent it yet. If you need to leave early, you can look at what I have so far, which does not have the
intro or the text regarding the final report. --- Peggy
Hi Peg. Have you tried to send me the presentation? I haven't gotten it, but I think we may be having email problems. Let me know. I'd need to look at it today since I'll be tied up tomorrow. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021

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Thank you, Peg. This is at least more accurate than what I read this morning. Thank you for taking the time to discuss this with me. I shall see you tomorrow.

Craig:

This is what I was working on for the upcoming meetings of the EAC Board of Advisors and EAC
Peggy -- can you call me about this in about an hour?
202-514-1421.

Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Craig.Donsanto@usdoj.gov
Subject: Report on Voting Fraud-Voter Intimidation Research

Craig:

I'm putting the finishing touches on a status report to the EAC Standards Board and EAC Board of Advisors on our Voting Fraud-Voter Intimidation research project. For the most part, I am using our consultants summaries for the report, but one bullet under the interview summaries is giving me heartburn. It is the bullet that references the decrease in DOJ voter intimidation actions. It is one of the places in which our consultants had indicated that your office is focussing on prosecuting individuals. I have reworded it and would like your feedback on the revision:

Several people indicate - including representatives from DOJ -- that for various reasons, the Department of Justice is bringing fewer voter intimidation and suppression cases now, and has increased its focus on matters such as noncitizen voting, double voting, and felon voting. While the Voting Section of the Civil Rights Division focuses on systemic patterns of malfeasance, the Election Crimes Branch of the Public Integrity Section has increased prosecutions of individual instances of felon, alien, and double voting while also maintaining an aggressive pursuit of systematic schemes to corrupt the electoral process.

Please suggest any changes that you think would further clarify the current approach. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM ---
Shall I call you at about 2:30 PM? -- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM ---

Margaret Sims/EAC/GOV
05/15/2006 05:09 PM
To: Job Serebrov
cc:
Subject: Mileage Rate for POV

Job:
The federal mileage rate for POVs is $.445 per mile (see http://www.gsa.gov/Portal/gsa/ep/contentView.do?programId=9299&channelId=-13224&ooid=10359&contentId=9646&pageTypeId=8203&contentType=GSA_BASIC&programPage=%2Fep%2Fprogram%2FgsaBasic.jsp&P=MTT). Write down the number on your odometer at the beginning (starting at home) and end of the trip (when you arrive back home). The difference should be your total mileage, unless you make any side trips for personal convenience. The mileage for side trips should be deleted from the total. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM ---

Margaret Sims/EAC/GOV
05/24/2006 03:16 PM
To: "Tova Wang"
cc:
Subject: Re: presentation

I'm glad it is over --- for now. One audience was a lot tougher than the other. The Standards Board was much more critical of the research than the Board of Advisors.

Of course, the Board of Advisors is the body that wanted EAC to place a high priority on the research. Its members were interested in sharing personal experiences (including problems with getting anyone to prosecute) and observations (that we need to expand the research to give Congress and political parties a better picture of how rare or prevalent are voting fraud and intimidation, that the HAVA-mandated statewide voter registration lists should help to prevent fraud, etc.). They also asked if EAC will look at specific opportunities for fraud (using cell phones in vote buying schemes to photograph the ballot being cast at the poll) and how the agency will research voter intimidation/suppression involving voters with disabilities (advocates want to pass on complaints received).

The members of the Standards Board focused much more on the scope of the research and the completeness and accuracy of the information gleaned. Some wanted to include campaign finance crimes in the mix; others understood why we did not. Several did not like the use of newspaper articles, or were defensive about references to the large number of articles about their State. They made the point that, given the vagaries of the press, EAC should not use the number of articles about a specific State or particular vote fraud/intimidation activity as a basis for determining the likelihood that problems will occur in a given State or the frequency with which certain activities occur. (I never said that we did, but some members thought it was at least implied.) Some members want more research on the topic (into prosecutions and/or unsuccessful referrals made by election officials to law enforcement agencies); others want us to "quit throwing away tax dollars" and to stop the research altogether. Although my first slide noted our statutory authority to conduct this study, several members challenged EAC's right to do so --- saying that DOJ, not EAC, should conduct such research.

The dueling approaches of these boards may give us heartburn when the time comes for them to review
and comment on the draft. We will have to make a strong statement at the beginning, perhaps repeated at
the end, that this is preliminary research. We also may need to thoroughly explain how choices were
made regarding what to look at, who to interview, etc. We may need to clearly acknowledge both the
strengths and weaknesses of the various sources of information used in the preliminary research. Finally,
when reviewing ideas for subsequent research, we may need to discuss the pros and cons of each
approach, what additional information we expect to retrieve, and, perhaps, the estimated cost.

By the way, I did clarify the polling place fraud bullet. --- Peg

"Tova Wang"

"Tova Wang"

05/24/2006 09:14 AM
To psims@eac.gov
cc
Subject presentation

How did it go? Were you able to verbally correct that discrepancy we talked about the other day?
Thanks. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021

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Yikes. It sounds like a lot of work after all. Should we talk over what the report should look like again, I
guess when Job gets back? Will you help us write it in a way you think will satisfy? I guess it goes to the
commissioners first anyway. Does this portend anything for phase 2? Thanks Peg. Tova

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Wednesday, May 24, 2006 2:16 PM
To: psims@eac.gov
Subject: Re: presentation
How did it go? Were you able to verbally correct that discrepancy we talked about the other day? Thanks. Tova

Tova Andrea Wang  
Democracy Fellow  
The Century Foundation  
41 East 70th Street - New York, NY 10021

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----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM -----
"Tova Wang"  
To psims@eac.gov  
cc  
Subject RE: board of advisers presentation

This looks fine otherwise, but I'm not sure I understand why you included the attachments you did. They are not really representative of what we did for the project as a whole. The summaries are just meant to supplement the nexis excel charts.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]  
Sent: Tuesday, May 16, 2006 2:51 PM  
To:  
Subject: Re: board of advisers presentation

I haven't sent it yet. If you need to leave early, you can look at what I have so far, which does not have the intro or the text regarding the final report. --- Peggy

"Tova Wang"  
05/16/2006 03:47 PM  
To psims@eac.gov  
cc  
Subject board of advisers presentation
I'm glad it is over --- for now. One audience was a lot tougher than the other. The Standards Board was much more critical of the research than the Board of Advisors.

Of course, the Board of Advisors is the body that wanted EAC to place a high priority on the research. Its members were interested in sharing personal experiences (including problems with getting anyone to prosecute) and observations (that we need to expand the research to give Congress and political parties a better picture of how rare or prevalent are voting fraud and intimidation, that the HAVA-mandated statewide voter registration lists should help to prevent fraud, etc.). They also asked if EAC will look at specific opportunities for fraud (using cell phones in vote buying schemes to photograph the ballot being cast at the poll) and how the agency will research voter intimidation/suppression involving voters with disabilities (advocates want to pass on complaints received).

The members of the Standards Board focused much more on the scope of the research and the completeness and accuracy of the information gleaned. Some wanted to include campaign finance crimes in the mix; others understood why we did not. Several did not like the use of newspaper articles, or were defensive about references to the large number of articles about their State. They made the point that, given the vagaries of the press, EAC should not use the number of articles about a specific State or particular vote fraud/intimidation activity as a basis for determining the likelihood that problems will occur in a given State or the frequency with which certain activities occur. (I never said that we did, but some members thought it was at least implied.) Some members want more research on the topic (into prosecutions and/or unsuccessful referrals made by election officials to law enforcement agencies); others want us to "quit throwing away tax dollars" and to stop the research altogether. Although my first slide noted our statutory authority to conduct this study, several members challenged EAC’s right to do so --- saying that DOJ, not EAC, should conduct such research.

The dueling approaches of these boards may give us heartburn when the time comes for them to review and comment on the draft. We will have to make a strong statement at the beginning, perhaps repeated at the end, that this is preliminary research. We also may need to thoroughly explain how choices were made regarding what to look at, who to interview, etc. We may need to clearly acknowledge both the strengths and weaknesses of the various sources of information used in the preliminary research. Finally, when reviewing ideas for subsequent research, we may need to discuss the pros and cons of each approach, what additional information we expect to retrieve, and, perhaps, the estimated cost.

By the way, I did clarify the polling place fraud bullet. --- Peg
Hi Peg. Have you tried to send me the presentation? I haven't gotten it, but I think we may be having email problems. Let me know. I'd need to look at it today since I'll be tied up tomorrow.

Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation
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--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM ---

"Donsanto, Craig"
Craig.Donsanto@usdoj.gov
05/16/2006 12:06 PM
Subject: RE: Your Materials

Thank you, Peg. This stuff is very interesting.

From: psims@eac.gov
Sent: Tuesday, May 16, 2006 11:27 AM
To: Donsanto, Craig
Subject: Re: Your Materials

I have forwarded your message to our consultants and have requested a corrected version for distribution at the WG meeting. --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
Peg --

I have read over the materials you sent to me and viewed the pieces on the CD.

I have only one correction:

I did not say that offenders who receive target letters routinely request or routinely receive audiences here at DOJHQ. That is very rare. Instead, what usually happens is that once a subject for an election fraud investigation is advised that he or she is going to be charged that person usually enters into plea negotiations and ultimately pleads guilty. Very few federal election fraud cases go to trial. When a subject does request a HQ interview or a HW hearing, it would be held in the first instance by myself. But again, Peg, that is rare.

Also, while the occurrences of prosecutions of isolated instances of felons and alien voters and double voters has increased, we still aggressively and I believe quite successfully pursue systematic schemes to corrupt the electoral process, as the cases we brought recently out of Knott and Pike Counties in Kentucky, those we brought out of Lincoln and Logan Counties in West Virginia, and those we brought in New Hampshire growing out of the jamming of get-out-the-vote phone bank lines attest.

I don't think anyone should be given the opportunity to correct mistakes.

Should we send all of the interview summaries to the people we interviewed for review then?

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 16, 2006 10:30 AM
To: 

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM -----
"Job Serebrov"
To "Tova Wang"
cc
Subject Corrections

05/16/2006 11:13 AM

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM -----
"Tova Wang"
To psims@eac.gov, 
cc
Subject RE: Corrections

05/16/2006 11:34 AM
It wasn't his mistake. I was there at the interview. I just did not have time to review all of the interview summaries. --- Peggy

I don't think anyone should be given the opportunity to correct mistakes.

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM ---

Margaret Sims/EAC/GOV
05/16/2006 11:30 AM
To "Job Serebrov"
cc "EAC@cheolevel.gov"
Subject Re: Corrections

It wasn't his mistake. I was there at the interview. I just did not have time to review all of the interview summaries. --- Peggy

I don't think anyone should be given the opportunity to correct mistakes.
OK. Weather is not going to be great in DC Thursday. I hope that does not delay me.

--- psims@eac.gov wrote:

> We don't need a castle key, but we have to wait
> until the Chairman returns
> to the office tomorrow to confirm availability of
> the parking pass. I
> expect you will be on the road, then. Try calling
> me our toll-free line
> (1-866-747-1471) tomorrow afternoon, say after 2 PM
> EST, so that we can
> talk about this. --- Peg

> "Job Serebrov"
> 05/15/2006 09:56 AM
> To
> psims@eac.gov
> cc
> Subject  Re: Question

> Did you find out whether I can use the Chairman's
> parking spot?

--- psims@eac.gov wrote:

> You will need to submit hotel and parking
> receipts.
> You don't need to submit meal receipts. You don't
> need to submit gas receipts because use of a
> personally owned vehicle (POV) is reimbursed based
> on mileage. I think I emailed the mileage rate to
> you. If you need it again, I'll look it up when I
> am
> at the office (this afternoon).
Peg

----- Original Message ----- 
From: "Job Serebrov"
Sent: 05/12/2006 09:05 PM
To: psims@eac.gov
Subject: Question

Peg:

Since I am driving to DC, besides hotel receipts, do you want me to keep my gas receipts or how will my car use be compensated? Also, I assume I don't have to retain food receipts.

Job

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM -----
"Tova Wang"

To psims@eac.gov
cc dromig@eac.gov
Subject I'm sorry

I don't think I sent this to you either. Can we hand it out at the meeting as an addendum? Its another summary that would have gone in the news article section. I'm usually so organized, I'm very embarrassed. Too many things! Thanks

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021

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What is the information you need when you say:
The consultants jointly selected experts from ???

We chose the interviewees by first coming up with a list of the categories of types of people we
wanted to interview. Then we each filled those categories with a certain number of people,
equally. The ultimate categories were academics, advocates, elections officials, lawyers and
judges.

Is that what you need?

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 16, 2006 2:51 PM
To: 
Subject: Re: board of advisers presentation

I haven't sent it yet. If you need to leave early, you can look at what I have so far, which does not
have the intro or the text regarding the final report. --- Peggy

Hi Peg, Have you tried to send me the presentation? I haven't gotten it, but I think we may be
having email problems. Let me know. I'd need to look at it today since I'll be tied up tomorrow.

Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021
phone: 212-452-7766

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--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM ---

"Job Serebrov"

To psims@eac.gov
cc

Subject Re: Fw: New Working Group Member

--- psims@eac.gov wrote:

> Just thought you would like to see the Chairman's
> reaction to the Ginsberg choice, attached.
> Peggy
>
> --------------------------
> Sent from my BlackBerry Wireless Handheld
>
> ----- Original Message ----- 
> From: Paul DeGregorio
> Sent: 05/14/2006 12:01 PM
> To: CN=Margaret Sims/OU=EAC/O=GOV@EAC
> Cc: CN=Amie J. Sherrill/OU=EAC/O=GOV
> Subject: Re: New Working Group Member
>
> Ben Ginsberg is one of the most respected election
> law attorneys in the country. Great choice.
>
> --------------------------
> Sent from my BlackBerry Wireless Handheld
>
> ----- Original Message ----- 
> From: Margaret Sims
> Sent: 05/12/2006 04:04 PM
> To: pdeggregorio@eac.gov
> Cc: CN=Amie J. Sherrill/OU=EAC/O=GOV@EAC
> Subject: Amie J. Sherrill
Hello to all,

I would love to help, but I will not be in the office from today (Monday, May 15th) thru Wednesday, May 17th ---- I'll be back on Thursday morning. When is your meeting taking place? I had e-mailed Adam a draft of the table tents I did for the APIA working group; perhaps he still has it archived in his Lotus notes and could forward it to you. All you would have to do then is erase the APIA names and insert the ones for the new working group. In case he does not have the document I sent him and you need them prior to me returning to the office ---- in Microsoft Word, open a new document, go under Tools, then labels and envelopes, choose Labels and then Options -- then choose the correct Avery product number for your tent cards and click New document -- this will bring a blank template where you can begin to insert the names. I hope this helps. I can be reached by phone at (610) 780-8551 in case you need my help. Also, the tent card box usually brings an instruction sheet, it's not the most clear though.

Laiza N. Otero
Research Associate
U.S. Election Assistance Commission
1225 New York Avenue, Suite 1100
Washington, DC 20005
Tel. (202) 566-1707
Fax (202) 566-3128

-----Elieen L. Collver/EAC/GOV wrote: -----
Also, I will need help from Laiza on the table tents, or we can see if she has the time to help with that.

Thanks!

Elle

Elle L.K Collver  
U.S. Election Assistance Commission  
1225 New York Avenue, Suite 1100  
Washington, D.C. 20005  
office: (202) 566-2256  
blackberry: (202) 294-9251  
www.eac.gov

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM ---
Margaret Sims/EAC/GOV  
05/22/2006 04:55 PM  
To Tova Andrea Wang, Job Serebrov  
cc  
Subject PowerPoint Presentation to EAC Boards

FYI - Attached is a copy of the PowerPoint presentation on the voting fraud-voter intimidation research project for tomorrow's meetings of the EAC Standards Board (110 state and local election officials) and the EAC Advisory Board (37 representatives from national associations and government agencies who play a role in HAVA implementation and from science and technology-related professions appointed by Congressional members). I used your summaries as the primary source of information for the presentation. --- Peggy

VF-VI Project Presentation.ppt
--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM ---
Tamar Nedzar/EAC/GOV  
05/18/2006 04:36 PM  
To cdonsanto@usdoj.gov, weinutr@verizon.net,  
assistant@sos.in.gov, krogers@sos.state.ga.us,  
jrperez50@sbcglobal.net, mheame@lathropgage.com,  
bginsberg@pattonboggs.com, Rbauer@perkinscoie.com,  
barnwine@lawyerscommittee.org,  
wang@tcf.org  
cc Margaret Sims/EAC/GOV@EAC, Edgardo Cortes/EAC/GOV@EAC, Juliet E. Thompson-Hodgkins/EAC/GOV@EAC  
Subject Senate and House Conference Reports

All,

As discussed in the meeting today, please find attached the House and Senate Conference Reports associated with the passage of HAVA. In each document, the word "fraud" is capitalized, bolded, and highlighted.
Kind Regards,

Tamar Nedzar
Law Clerk
U.S. Election Assistance Commission
1225 New York Avenue, NW Suite 1100
Washington, DC 20005
(202) 566-2377
http://www.eac.gov
TNedzar@eac.gov

House Conference Report.doc

Senate Conference Report.doc

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM ---

"Tova Wang"
05/23/2006 09:23 AM
To psims@eac.gov
cc
Subject RE: PowerPoint Presentation to EAC Boards

OK, thanks
-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 23, 2006 7:46 AM
To: 
Subject: RE: PowerPoint Presentation to EAC Boards

I know — I'll have to cover that in my oral presentation, along with some other points. The audience will have a copy of the paper I put together using Job's and your summaries and findings. The paper provides a lot more detail. We did not plan to provide a copy of the PowerPoint presentation, which is just meant to keep me on track and them interested in the presentation. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM -----

"Tova Wang"
05/22/2006 03:43 PM
To psims@eac.gov
cc
Subject RE: voucher

Is there something separate I should fill out for the travel, or should I just submit a letter? Thanks.
-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Tova:
Here is your voucher with the pay period dates and signature date updated, and a check mark added for the travel costs. I've been thinking that it might be better to make a separate submission for the travel costs. That way, if there are any delays in receiving your receipts, or there are any corrections or clarifications needed on the travel costs, we won't have to hold up the voucher for payment of personal services. If you agree, you should delete the check mark, dollar amount and travel dates from this voucher. --- Peggy

A letter detailing the costs, noting the total reimbursement expected, and attaching your travel receipts is fine. --- Peggy

That's fine for me. Thanks so much for doing such a great job running the show yesterday. Did you think it went well?

Also, is there any reason why we cannot talk about our findings with people now? Please let me know. Thanks. Have a great weekend. Tova

-----Original Message-----
From: psims@eac.gov
To: wang@f Ferm.  braun@sheolbel.net
Date: Fri, 19 May 2006 15:30:59 -0400
Subject: Monday Teleconference

This is just to confirm our Monday, May 22, teleconference at 4:30 PM EST/3:30 PM CST. Attached is a list of follow-up activities discussed at the working group meeting and recorded on the flip chart. We will need to flesh these out a bit, perhaps once we have access to the transcript. --- Peggy

Recommendations for Future Research
Bipartisan observers/poll watchers
- To collect data
- To deter fraud/intimidation

Surveys
- State laws
- State election offices
- Specific states
- Local election officials
- Voters (this suggestion was rejected by the panel)
- State implementation of administrative complaint procedures (applies only to HAVA Title III violations) to ID examples of procedures for other than HAVA Title III complaints

Follow up on initial reports of fraud/intimidation from the Nexis search of news articles and literature review

Research absentee balloting process issues
- Methodology of "for cause" absentee voting

Risk-analysis for voting fraud
- Who?
- What part of process?
- Ease of committing the fraud
- Which elections?

Analyze
- Phone logs from toll-free lines for election concerns
- Federal observer reports
- Local newspapers

Academic statistical research

Search and match procedures for voter registration list maintenance (subject to confirmation) to identify potential avenues for vote fraud

Research State district court actions

Broaden scope of interviews to local officials and district attorneys

Explore the concept of election courts

Model statutes
Peggy:
The package came today. Thanks. See you Thursday.
Barry

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM -----
Margaret Sims/EAC/GOV
05/15/2006 01:56 PM
To "Weinberg and Utrecht"
cc psims@eac.gov
Subject Re: Voting Fraud-Voter Intimidation

Barry:
Would you please take a moment to review the draft definition of election fraud? One of our consultants is concerned that it does not sufficiently cover violations of the Voting Rights Act that would qualify. Thanks!

--- Peggy

"Weinberg and Utrecht" <weinutr@verizon.net>

"Weinberg and Utrecht"
05/15/2006 01:53 PM
To psims@eac.gov
cc
Subject Re: Voting Fraud-Voter Intimidation

Peggy:
The package came today. Thanks. See you Thursday.
Barry

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM -----
Margaret Sims/EAC/GOV
05/16/2006 11:27 AM
To "Donsanto, Craig"
cc Craig.Donsanto@usdoj.gov@GSAEXTERNAL
Subject Re: Your Materials

I have forwarded your message to our consultants and have requested a corrected version for distribution at the WG meeting. --- Peggy
Peg --

I have read over the materials you sent to me and viewed the pieces on the CD.

I have only one correction:

I did not say that offenders who receive target letters routinely request or routinely receive audiences here at DOJHQ. That is very rare. Instead, what usually happens is that once a subject for an election fraud investigation is advised that he or she is going to be charged that person usually enters into plea negotiations and ultimately pleads guilty. Very few federal election fraud cases go to trial. When a subject does request a HQ interview or a HW hearing, it would be held in the first instance by myself. But again, Peg, that is rare.

Also, while the occurrences of prosecutions of isolated instances of felons and alien voters and double voters has increased, we still aggressively and I believe quite successfully pursue systematic schemes to corrupt the electoral process, as the cases we brought recently out of Knott and Pike Counties in Kentucky, those we brought out of Lincoln and Logan Counties in West Virginia, and those we brought in New Hampshire growing out of the jamming of get-out-the-vote phone bank lines attest.

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM -----

"Tova Wang"

To psims@eac.gov
cc
Subject RE: board of advisers presentation

I'll be here for a while, I just wanted to make sure. If you send it to me anytime before 5 I can look at it in time. If not, I'll try my best to look at it en route tomorrow.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 16, 2006 2:51 PM
To: psims@eac.gov
Subject: Re: board of advisers presentation

I haven't sent it yet. If you need to leave early, you can look at what I have so far, which does not have the intro or the text regarding the final report. --- Peggy
Hi Peg, Have you tried to send me the presentation? I haven't gotten it, but I think we may be having email problems. Let me know. I'd need to look at it today since I'll be tied up tomorrow.

Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021

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Click here to receive our weekly e-mail updates.

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM ---

I agree!

--- Tova Wang wrote:

> I still think its sufficient for him to raise the points verbally. All of
> the interview summaries reflect what Job and I both understood the
> interviewees to say. This really opens to the door to people making, as Job
> says, "corrections"
> >
> > -----Original Message-----
> > From: psims@eac.gov [mailto:psims@eac.gov]
Might not be a bad idea before the final report is prepared, but I would not worry about it for Thursday's meeting. I'm only concerned with the Donsanto interview summary because he will be attending the meeting. --- Peggy

Ok

--- psims@eac.gov wrote:

> You will need to submit hotel and parking receipts.
> You don't need to submit meal receipts. You don't need to submit gas receipts because use of a personally owned vehicle (POV) is reimbursed based on mileage. I think I emailed the mileage rate to you. If you need it again, I'll look it up when I am at the office (this afternoon).
> Peg
> 
> ----- Original Message ----- 
> From: "Job Serebrov" 
> Sent: 05/12/2006 09:05 PM 
> To: psims@eac.gov 
> Subject: Question 
> 
> Peg:
> 
> Since I am driving to DC, besides hotel receipts, do you want me to keep my gas receipts or how will my car use be compensated? Also, I assume I don't have to retain food receipts.
Great -- thanks so much and apologies for the false alarm.

This article is on the CD, it is located in the "Nexis Article Charts" folder.

Thats good. I'm probably just getting crazy, trying to make sure everything is perfect. Devon, maybe you can check? Otherwise I'll check it when it comes. Thanks. And be well Peg.
----- Original Message -----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, May 15, 2006 8:23 AM
To: Tova Andrea Wang
Subject: Re: I'm sorry

Tova:
I think you did send this --- or is this a revised version of one you
sent earlier? It should be on the CD in the packet you should receive
today. (Can't check that right now as I am at the clinic.) If I put
anything on the CD that you want to highlight at the meeting, let me
know and we'll make copies for those attending.
Peggy

-------------------------------
Sent from my BlackBerry Wireless Handheld

----- Original Message -----
From: "Tova Wang" [mailto:Tova.Wang@eac.gov]
Sent: 05/15/2006 09:07 AM
To: Margaret Sims
Cc: Devon Romig

Subject: I'm sorry

I don't think I sent this to you either. Can we hand it out at the meeting as an addendum? Its
another summary that would have gone in the news article section. I'm usually so organized, I'm
very embarrassed. Too many things! Thanks

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021

Visit our Web site, for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM -----
"Donsanto, Craig"
<Craig.Donsanto@usdoj.gov>
To psims@eac.gov
cc
05/15/2006 04:53 PM
Subject Re: Voting Fraud-Voter Intimidation Working Group

Peggy --
I am currently on train in transit back from a day in Newark. I tried to
recover your attachment on Blackberry but got a message telling me the "file
Dear Working Group Members and Participants:

You should receive a packet of information today, either by Federal Express or hand delivery, concerning Thursday's meeting of the project Working Group for EAC's Voting Fraud-Voter Intimidation research project. Attached is an analysis of the consultants' research into relevant literature and reports. This summary was not available when we prepared the information packets last Friday, but may be of interest to you. Our consultants and I look forward to having a productive discussion with you.

Regards,

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
e-mail: psims@eac.gov

Here is the content of the email attachment:
Existing Research Analysis

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

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

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

Other items of note:

- There is as much evidence, and as much concern, about structural forms of disenfranchisement as about intentional abuse of the system. These include felon disenfranchisement, poor maintenance of databases and identification requirements.

- There is tremendous disagreement about the extent to which polling place fraud, e.g. double voting, intentional felon voting, noncitizen voting, is a serious problem. On balance, more researchers find it to be less of a problem than is commonly described in the political debate, but some reports say it is a major problem, albeit hard to identify.

- There is substantial concern across the board about absentee balloting and the opportunity it presents for fraud.

- Federal law governing election fraud and intimidation is varied and complex and yet may nonetheless be insufficient or subject to too many limitations to be as effective as it might be.
• Deceptive practices, e.g. targeted flyers and phone calls providing misinformation, were a major problem in 2004.

• Voter intimidation continues to be focused on minority communities, although the American Center for Voting Rights uniquely alleges it is focused on Republicans.

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

---Original Message-----
From: psims@eac.gov  
To: barnwine@lawyerscommittee.org <barnwine@lawyerscommittee.org>; Rbauer@perkinscoie.com <Rbauer@perkinscoie.com>; bginsberg@pattonboggs.com <bginsberg@pattonboggs.com>; mhearnel@lathropgage.com <mhearnel@lathropgage.com>; jrperez50@sbcglobal.net <jrperez50@sbcglobal.net>; krogers@sos.state.ga.us <krogers@sos.state.ga.us>; assistant@sos.in.gov <assistant@sos.in.gov>; weinutr@verizon.net <weinutr@verizon.net>  
CC: jgreenbaum@lawyerscommittee.org <jgreenbaum@lawyerscommittee.org>; vjohnson@lawyerscommittee.org <vjohnson@lawyerscommittee.org>; dlovechio@perkinscoie.com <dlovechio@perkinscoie.com>; bschuler@lathropgage.com <bschuler@lathropgage.com>; Donsanto, Craig <Craig.Donsanto@usdoj.gov>  
Sent: Mon May 15 16:37:48 2006  
Subject: Voting Fraud-Voter Intimidation Working Group

Dear Working Group Members and Participants:

You should receive a packet of information today, either by Federal Express or hand delivery, concerning Thursday's meeting of the project Working Group for EAC's Voting Fraud-Voter Intimidation research project. Attached is an analysis of the consultants' research into relevant literature and reports. This summary was not available when we prepared the information packets last Friday, but may be of interest to you. Our consultants and I look forward to having a productive discussion with you.

Regards,
Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
e-mail: psims@eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM -----
Margaret Sims/EAC/GOV
05/19/2006 02:51 PM
To Craig Donsanto
cc
Subject Voting Fraud-Voter Intimidation Project-Nexis Word Search

Craig;

You asked about the Nexis search terms used by our consultants. The list follows. --- Peggy.

Election and fraud
Voter and fraud
Vote and fraud
Voter and challenge
Vote and challenge
Election and challenge
Election and irregularity
Election and irregularities
Election and violation
Election and stealing
Ballot box and tampering
Ballot box and theft
Ballot box and stealing
Election and officers
Election and Sheriff
Miscount and votes
Election and crime
Election and criminal
Vote and crime
Vote and criminal
Double voting
Multiple voting
Dead and voting
Election and counting and violation

02412
Election and counting and error
Vote and counting and violation
Vote and counting and error
Voter and intimidation
Voter and intimidating
Vote and intimidation
Denial and voter and registration
Voter identification
Vote and identification
Voter and racial profiling
Vote and racial profiling
Voter and racial
Vote and racial
Voter and racial and challenge
Vote and racial and challenge
Voter and deny and racial
Vote and deny and racial
Voter and deny and challenge
Vote and deny and challenge
Voter and deny and black
Vote and deny and black
Voter and black and challenge
Vote and black and challenge
Voter and deny and African American
Vote and deny and African American
Voter and African American and challenge
Vote and African American and challenge
Election and black and challenge
Election and African American and challenge
Voter and deny and Hispanic
Voter and deny and Latino
Vote and deny and Hispanic
Vote and deny and Latino
Voter and Hispanic and challenge
Voter and Latino and challenge
Vote and Hispanic and challenge
Voter and Latino and challenge
Election and Hispanic and challenge
Election and Latino and challenge
Voter and deny and Native American
Vote and deny and Native American
Voter and Native American and challenge
Vote and Native American and challenge
Election and Native American and challenge
Voter and deny and Asian American
Vote and deny and Asian American
Voter and Asian American and challenge
Vote and Asian American and challenge
Voter and Asian American and challenge
Election and Asian American and challenge
Voter and deny and Indian
Vote and deny and Indian
Voter and Indian and challenge
Vote and Indian and challenge
Election and Indian and challenge
Poll tax
Voting and test
Absentee ballot and deny
Absentee ballot and reject
Absentee ballot and challenge
Vote and challenge
Voter and challenge
Election and challenge
Vote and police
Voter and police
Poll and police
Vote and law enforcement
Voter and law enforcement
Poll and law enforcement
Vote and deceptive practices
Voter and deceptive practices
Election and deceptive practices
Voter and deceive
Voter and false information
Dirty tricks
Vote and felon
Vote and ex-felon
Disenfranchisement
Disenfranchise
Law and election and manipulation
Vote and purging
Vote and purge
Registration and removal
Registration and purging
Registration and purge
Vote buying
Vote and noncitizen
Voter and noncitizen
Vote and selective enforcement
Identification and selective
Election and misinformation
Registration and restrictions
Election and administrator and fraud
Election and official and fraud
Provisional ballot and deny
Provisional ballot and denial
Affidavit ballot and deny
Affidavit ballot and denial
Absentee ballot and coerce
Absentee ballot and coercion
Registration and destruction
Voter and deter
Vote and deterrence
Voter and deterrence
Ballot integrity
Ballot security
Ballot security and minority
Ballot security and black
Ballot security and African American
Ballot security and Latino
Ballot security and Hispanic
Ballot security and Native American
Ballot security and Indian
Vote and suppression
Minority and vote and suppression
Black and vote and suppression
African American and vote and suppression
Latino and vote and suppression
Hispanic and vote and suppression
Native American and vote and suppression
Vote and suppress
Minority and vote and suppress
African American and vote and suppress
Latino and vote and suppress
Native American and vote and suppress
Vote and depress
Jim Crow
Literacy test
Voter and harass
Voter and harassment
Vote and mail and fraud
Poll and guards
Election and consent decree
Vote and barrier
Voting and barrier
Voter and barrier
Election and long line
Voter and long line

Poll worker and challenge
Poll worker and intimidate
Poll worker and intimidation
Poll worker and intimidating
Poll worker and threatening
Poll worker and abusive
Election official and challenge
Election official and intimidate
Election official and intimidation
Election official and intimidating
Election official and threatening
Election official and abusive
Poll watcher and challenge
Poll watcher and intimidate
Poll watcher and intimidating
Poll watcher and intimidation
Poll watcher and abusive
Poll inspector and challenge
Poll inspector and intimidate
Poll inspector and intimidating
Poll inspector and intimidation
Poll inspector and abusive
Poll judge and challenge
Poll judge and intimidate
Poll judge and intimidating
Poll judge and intimidation
Poll judge and abusive
Poll monitor and challenge
Poll monitor and intimidate
Poll monitor and intimidating
Poll monitor and intimidation
Poll monitor and abusive
Poll monitor and threatening
Election judge and challenge
Election judge and intimidate
Election judge and intimidating
Election judge and intimidation
Election judge and abusive
Election judge and threatening
Election monitor and challenge
Election monitor and intimidate
Election monitor and intimidating
Election monitor and intimidation
Election monitor and abusive
Election monitor and threatening
Election observer and challenge
Election observer and intimidate
Election observer and intimidating
Election observer and intimidation
Election observer and abusive
Election observer and threatening

---- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM -----

Margaret Sims/EAC/GOV
05/16/2006 03:37 PM
To: "Donsanto, Craig"
<Craig.Donsanto@usdoj.gov>@GSAEXTERNAL
cc
Subject: RE: Your Materials

OK. --- Peg

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

"Donsanto, Craig"
<Craig.Donsanto@usdoj.gov>
To: psims@eac.gov
cc
Subject: RE: Your Materials

Let me try to do it, Peg. Again what I do not want to see occur is for the LCCR to start attacking us. We have more in common with them than I had originally assumed, thanks to the write-ups of their interviews. We need to promote what we have in common not try to score political points. But I will try to correct the records as long as you will agree you heard what I said the way I know I said it!

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 16, 2006 3:14 PM
To: Donsanto, Craig
Subject: RE: Your Materials

I fully understand. Do you want me to prepare a correction sheet for the Working Group, placing your second and more important point first, or do you want to handle this verbally at the meeting? --- Peggy
The first item is not as big a deal as the second one: the processes under which subjects of investigations come to Jesus is not as important as the overall assessment of our law enforcement achievements. But stressing the isolated test cases we brought - - and will continue to being - - to deter things like felon voting, alien voting and double voting, which not mentioning such significant achievements as the five case PROJECTS mentioned in my last e-mail - - misrepresents what we are doing and the deterrent message we are trying to communicate.

I appreciate that these two young peop0le may have found themselves in a Brave New World when they came over here. It showed in their questioning. But the fact that criminal law enforcement is not at all similar to preventative legal relief (as under the Voting Rights Act) or civil relief (as election contest litigation) is I guess more of a problem than I at first foresaw. My real concerns is that the civil rights groups - - with whom we over here have an amazing amount of common grounds - - will take the singling out of the felon and alien voter cases as evincing a malevolent aggression on their constituencies. That is not the case. We are only enforcing the law.

I think they are panicking because they are preparing to travel tomorrow and may not have time to submit a revised version. They also are resisting changes to their interview summaries because the summaries represent what they think they heard. I was there at the interview and I heard what you said. I'm not sure that either of them heard everything (including the nuances) because so much of the information was new to them and it was one of their earlier interviews. I'm sorry I did not catch the defects before the summary went out.

My first concern is ensuring that the Working Group has the correct information. Then, we can deal with what version, if any, goes in the final report. Do you want me to excerpt the corrections from your email and submit them to the Working Group? --- Peggy
Sure. But where is the resistance coming from? The notes were not accurate. As you know, I have to be very concerned about that.

Craig:

I am getting some resistance from my consultants to correcting the summary of the interview prior to the meeting. Would you mind noting the corrections at the meeting? --- Peggy
Thank you, Peg. This stuff is very interesting.

---

From: psims@eac.gov [mailto:psims@eac.gov]  
Sent: Tuesday, May 16, 2006 11:27 AM  
To: Donsanto, Craig  
Subject: Re: Your Materials

I have forwarded your message to our consultants and have requested a corrected version for distribution at the WG meeting. --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/16/2006 10:46 AM
Peg -

I have read over the materials you sent to me and viewed the pieces on the CD.

I have only one correction:

I did not say that offenders who receive target letters routinely request or routinely receive audiences here at DOJHQ. That is very rare. Instead, what usually happens is that once a subject for an election fraud investigation is advised that he or she is going to be charged that person usually enters into plea negotiations and ultimately pleads guilty. Very few federal election fraud cases go to trial. When a subject does request a HQ interview or a HW hearing, it would be held in the first instance by myself. But again, Peg, that is rare.

Also, while the occurrences of prosecutions of isolated instances of felons and alien voters and double voters has increased, we still aggressively and I believe quite successfully pursue systematic schemes to corrupt the electoral process, as the cases we brought recently out of Knott and Pike Counties in Kentucky, those we brought out of Lincoln and Logan Counties in West Virginia, and those we brought in New Hampshire growing out of the jamming of get-out-the-vote phone bank lines attest.

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM -----
Margaret Sims/EAC/GOV
05/15/2006 03:51 PM
To Paul DeGregorio, Ray Martinez, Donetta Davidson, Gracia Hillman
cc twilkey@eac.gov, jthompson@eac.gov, Gavin S. Gilmour/EAC/GOV@EAC, ecortes@eac.gov, Amie J. Sherrill/EAC/GOV@EAC, Adam Ambrogi/EAC/GOV@EAC, Eileen L. Collier/EAC/GOV@EAC, Sheila A. Banks/EAC/GOV@EAC
Subject Voting Fraud-Voter Intimidation Project Briefing
Dear Commissioners:

Attached is our consultants' analysis of the literature reviewed for the Voting Fraud-Voter Intimidation preliminary research project. It was not included in the information packets delivered to you on Friday, May 12, because we did not receive it until today. I thought you might be interested in having it prior to tomorrow's briefing.

Peggy Sims
Election Research Specialist

I think he can just raise these points at the meeting, no? I'm sure many we interviewed would say we misquoted them on something. This is what both Job and I remember him saying. I think it would be unfair for him to change/amend his interview without giving the same opportunity to the other interviewees.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 16, 2006 9:59 AM
To: [redacted]
Subject: Fw: Your Materials

See corrections from Donsanto at DOJ. We should probably provide corrected versions to the Working Group. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 05/16/2006 10:58 AM -----
"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/16/2006 10:46 AM
To psims@eac.gov
cc
Subject Your Materials
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I have only one correction:

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Peggy --

I was just thinking of you!

Great session yesterday. I really enjoyed it. Robust discussion.

On another subject, Nancy Simmons needs the e-mail address of NASED. Can you give her both that and the website address for them? Her e-mail is nancy.simmons@usdoj.gov.

---

Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Fri May 19 14:51:21 2006
Subject: Voting Fraud-Voter Intimidation Project-Nexis Word Search

Craig:

You asked about the Nexis search terms used by our consultants. The list follows. --- Peggy.

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Election and stealing
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Ballot box and theft
Ballot box and stealing
Election and officers
Election and Sheriff
Misscount and votes
Election and crime
Election and criminal
Vote and crime
Vote and criminal
Double voting
Multiple voting
Dead and voting
Election and counting and violation
Election and counting and error
Vote and counting and violation
Vote and counting and error
Voter and intimidation
Voter and intimidating
Vote and intimidation
Denial and voter and registration
Voter identification
Vote and identification
Voter and racial profiling
Vote and racial profiling
Voter and racial
Vote and racial and challenge
Vote and racial and challenge
Vote and deny and racial
Vote and deny and racial
Voter and deny and challenge
Vote and deny and challenge
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Voter and Indian and challenge
Vote and Indian and challenge
Election and Indian and challenge
Poll tax
Voting and test
Absentee ballot and deny
Absentee ballot and reject
Absentee ballot and challenge
Voter and challenge
Voter and challenge
Election and challenge
Vote and police
Voter and police
Poll and police
Vote and law enforcement
Voter and law enforcement
Poll and law enforcement
Vote and deceptive practices
Voter and deceptive practices
Election and deceptive practices
Voter and deceive
Voter and false information
Dirty tricks
Vote and felon
Vote and ex-felon
Disenfranchisement
Disenfranchise
Law and election and manipulation
Vote and purging
Vote and purge
Registration and removal
Registration and purging
Registration and purge
Vote buying
Vote and noncitizen
Voter and noncitizen
Vote and selective enforcement
Identification and selective
Election and misinformation
Registration and restrictions
Election and administrator and fraud
Election and official and fraud
Provisional ballot and deny
Provisional ballot and denial
Affidavit ballot and deny
Affidavit ballot and denial
Absentee ballot and coerce
Absentee ballot and coercion
Registration and destruction
Voter and deter
Vote and deterrence
Voter and deterrence
Ballot integrity
Ballot security
Ballot security and minority
Ballot security and black
Ballot security and African American
Ballot security and Latino
Ballot security and Hispanic
Ballot security and Native American
Ballot security and Indian
Vote and suppression
Minority and vote and suppression
Black and vote and suppression
African American and vote and suppression
Latino and vote and suppression
Hispanic and vote and suppression
Native American and vote and suppression
Vote and suppress
Minority and vote and suppress
African American and vote and suppress
Latino and vote and suppress
Native American and vote and suppress
Vote and depress
Jim Crow
Literacy test
Voter and harass
Voter and harassment
Vote and mail and fraud
Poll and guards
Election and consent decree
Vote and barrier
Voting and barrier
Voter and barrier
Election and long line
Voter and long line

Poll worker and challenge
Poll worker and intimidate
Poll worker and intimidation
Poll worker and intimidating
Poll worker and threatening
Poll worker and abusive
Election official and challenge
Election official and intimidate
Election official and intimidation
Election official and intimidating
Election official and threatening
Election official and abusive
Poll watcher and challenge
Poll watcher and intimidate
Poll watcher and intimidating
Poll watcher and intimidation
Poll watcher and abusive
Poll watcher and threatening
Poll inspector and challenge
Poll inspector and intimidate
Poll inspector and intimidating
Poll inspector and intimidation
Poll inspector and abusive
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Poll judge and challenge
Poll judge and intimidate
Poll judge and intimidating
Poll judge and intimidation
Poll judge and abusive
Poll judge and threatening
Poll monitor and challenge
Poll monitor and intimidate
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Election judge and challenge
Election judge and intimidate
Election judge and intimidating
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Election monitor and abusive
Election monitor and threatening
Election observer and challenge
Election observer and intimidate
Election observer and intimidating
Election observer and intimidation
Election observer and abusive
Election observer and threatening

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM -----

"Tova Wang"

To psims@eac.gov
cc
Subject RE: Fraud Definition

Sounds good. Thanks.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, May 15, 2006 4:03 PM
To: 
Subject: Re: Fraud Definition

Election and stealing
Ballot box and tampering
Ballot box and theft
Ballot box and stealing
Election and officers
Election and Sheriff
Miscount and votes
Election and crime
Election and criminal
Vote and crime
Vote and criminal
Double voting
Multiple voting
Dead and voting
Election and counting and violation
Election and counting and error
Vote and counting and violation
Vote and counting and error
Vote and intimidation
Vote and intimidating
Vote and intimidation
Denial and voter and registration
Voter identification
Vote and identification
Vote and racial profiling
Vote and racial profiling
Voter and racial
Vote and racial
Vote and racial and challenge
Vote and racial and challenge
Vote and deny and racial
Vote and deny and racial
Vote and deny and challenge
Vote and deny and challenge
Vote and deny and black
Vote and deny and black
Vote and black and challenge
Vote and black and challenge
Voter and deny and African American
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Vote and African American and challenge
Vote and African American and challenge
Election and black and challenge
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Vote and deny and Hispanic
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Election and Asian American and challenge
Voter and deny and Indian
Vote and deny and Indian
Voter and Indian and challenge
Vote and Indian and challenge
Election and Indian and challenge
Poll tax
Voting and test
Absentee ballot and deny
Absentee ballot and reject
Absentee ballot and challenge
Vote and challenge
Voter and challenge
Election and challenge
Vote and police
Voter and police
Poll and police
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Dirty tricks
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Vote and ex-felon
Disenfranchisement
Disenfranchise
Law and election and manipulation
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Vote and purge
Registration and removal
Registration and purging
Registration and purge
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I fully understand. Do you want me to prepare a correction sheet for the Working Group, placing your second and more important point first, or do you want to handle this verbally at the meeting? --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/16/2006 02:55 PM

The first item is not as big a deal as the second one: the processes under which subjects of investigations come to Jesus is not as important as the overall assessment of our law enforcement achievements. But stressing the isolated test cases we brought - - and will continue to being - - to deter things like felon voting, alien voting and double voting, which not mentioning such significant achievements as the five case PROJECTS mentioned in my last e-mail - - misrepresents what we are doing and the deterrent message we are trying to communicate.

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I think they are panicking because they are preparing to travel tomorrow and may not have time to submit a revised version. They also are resisting changes to their interview summaries because the summaries
represent what they think they heard. I was there at the interview and I heard what you said. I'm not sure that either of them heard everything (including the nuances) because so much of the information was new to them and it was one of their earlier interviews. I'm sorry I did not catch the defects before the summary went out.

My first concern is ensuring that the Working Group has the correct information. Then, we can deal with what version, if any, goes in the final report. Do you want me to excerpt the corrections from your email and submit them to the Working Group? --- Peggy

Sure. But where is the resistance coming from? The notes were not accurate. As you know, I have to be very concerned about that.

Craig:

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Thank you, Peg. This stuff is very interesting.

I have forwarded your message to our consultants and have requested a corrected version for distribution at the WG meeting. --- Peggy
Peg - -

I have read over the materials you sent to me and viewed the pieces on the CD.

I have only one correction:

I did not say that offenders who receive target letters routinely request - - or routinely receive - - audiences here at DOJHQ. That is very rare. Instead, what usually happens is that once a subject for an election fraud investigation is advised that he or she is going to be charged that person usually enters into plea negotiations and ultimately pleads guilty. Very few federal election fraud cases go to trial. When a subject does request a HQ interview or a HW hearing, it would be held in the first instance by myself. But again, Peg, that is rare.

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Dear Commissioners:

Attached is our consultants’ analysis of the literature reviewed for the Voting Fraud-Voter Intimidation preliminary research project. It was not included in the information packets delivered to you on Friday, May 12, because we did not receive it until today. I thought you might be interested in having it prior to tomorrow’s briefing.

Peggy Sims
Election Research Specialist

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM ---

"Tova Wang"

05/16/2006 11:03 AM
cc psims@eac.gov, 
Subject RE: Your Materials

I think he can just raise these points at the meeting, no? I’m sure many we interviewed would say we misquoted them on something. This is what both Job and I remember him saying. I think it would be unfair for him to change/amend his interview without giving the same opportunity to the other interviewees.

--- Original Message---
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 16, 2006 9:59 AM
To: 
Subject: Fw: Your Materials

See corrections from Donsanto at DOJ. We should probably provide corrected versions to the Working Group. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 05/16/2006 10:58 AM ---
"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
Peg --

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--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM ---

"Donsanto, Craig"<Craig.Donsanto@usdoj.gov>
05/19/2006 03:17 PM

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Fri May 19 14:51:21 2006
Subject: Voting Fraud-Voter Intimidation Project-Nexis Word Search
Craig;

You asked about the Nexis search terms used by our consultants. The list follows. --- Peggy.

Election and fraud
Voter and fraud
Vote and fraud
Voter and challenge
Vote and challenge
Election and challenge
Election and irregularity
Election and irregularities
Election and violation
Election and stealing
Ballot box and tampering
Ballot box and theft
Ballot box and stealing
Election and officers
Election and Sheriff
Miscount and votes
Election and crime
Election and criminal
Vote and crime
Vote and criminal
Double voting
Multiple voting
Dead and voting
Election and counting and violation
Election and counting and error
Vote and counting and violation
Vote and counting and error
Voter and intimidation
Vote and intimidating
Vote and intimidation
Denial and voter and registration
Voter identification
Vote and identification
Voter and racial profiling
Vote and racial profiling
Voter and racial
Vote and racial
Voter and racial and challenge
Vote and racial and challenge
Voter and deny and racial
Vote and deny and racial
Voter and deny and challenge
Vote and deny and challenge
Voter and deny and black
Vote and deny and black
Voter and black and challenge
Vote and black and challenge
Voter and deny and African American
Vote and deny and African American
Voter and African American and challenge
Vote and African American and challenge
Election and black and challenge
Election and African American and challenge
Voter and deny and Hispanic
Voter and deny and Latino
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Election and Native American and challenge
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Vote and deny and Asian American
Voter and Asian American and challenge
Vote and Asian American and challenge
Election and Asian American and challenge
Voter and deny and Indian
Vote and deny and Indian
Voter and Indian and challenge
Vote and Indian and challenge
Election and Indian and challenge
Poll tax
Voting and test
Absentee ballot and deny
Absentee ballot and reject
Absentee ballot and challenge
Vote and challenge
Voter and challenge
Election and challenge
Vote and police
Voter and police
Poll and police
Vote and law enforcement
Voter and law enforcement
Poll and law enforcement
Vote and deceptive practices
Voter and deceptive practices
Election and deceptive practices
Voter and deceive
Voter and false information
Dirty tricks
Vote and felon
Vote and ex-felon
Disenfranchisement
Disenfranchise
Law and election and manipulation
Vote and purging
Vote and purge
Registration and removal
Registration and purging
Registration and purge
Vote buying
Vote and noncitizen
Voter and noncitizen
Vote and selective enforcement
Identification and selective
Election and misinformation
Registration and restrictions
Election and administrator and fraud
Election and official and fraud
Provisional ballot and deny
Provisional ballot and denial
Affidavit ballot and deny
Affidavit ballot and denial
Absentee ballot and coerce
Absentee ballot and coercion
Registration and destruction
Voter and deter
Vote and deterrence
Voter and deterrence
Ballot integrity
Ballot security
Ballot security and minority
Ballot security and black
Ballot security and African American
Ballot security and Latino
Ballot security and Hispanic
Ballot security and Native American
Ballot security and Indian
Vote and suppression
Minority and vote and suppression
Black and vote and suppression
African American and vote and suppression
Latino and vote and suppression
Hispanic and vote and suppression
Native American and vote and suppression
Vote and suppress
Minority and vote and suppress
African American and vote and suppress
Latino and vote and suppress
Native American and vote and suppress
Vote and depress
Jim Crow
Literacy test
Voter and harass
Voter and harassment
Vote and mail and fraud
Poll and guards
Election and consent decree
Vote and barrier
Voting and barrier
Voter and barrier
Election and long line
Voter and long line
Poll worker and challenge
Poll worker and intimidate
Poll worker and intimidation
Poll worker and intimidating
Poll worker and threatening
Poll worker and abusive
Election official and challenge
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Election observer and challenge
Election observer and intimidate
Election observer and intimidating
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Election observer and threatening

Sounds good. Thanks.

-----Original Message-----
From: psims@eac.gov
Sent: Monday, May 15, 2006 4:03 PM
To: wang@tcf.org
Subject: Re: Fraud Definition
Ballot box and tampering
Ballot box and theft
Ballot box and stealing
Election and officers
Election and Sheriff
Miscount and votes
Election and crime
Election and criminal
Vote and crime
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Voter and racial
Vote and racial
Voter and racial and challenge
Vote and racial and challenge
Voter and deny and racial
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Election and challenge
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Poll and law enforcement
Vote and deceptive practices
Voter and deceptive practices
Election and deceptive practices
Voter and deceive
Voter and false information
Dirty tricks
Vote and felon

002444
Vote and ex-felon
Disenfranchisement
Disenfranchise
Law and election and manipulation
Vote and purging
Vote and purge
Registration and removal
Registration and purging
Registration and purge
Vote buying
Vote and noncitizen
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Vote and selective enforcement
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--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM ---

Margaret Sims/EAC/GOV
05/16/2006 03:37 PM
To "Donsanto, Craig"
<Craig.Donsanto@usdoj.gov> @GSAEXTERNAL
cc
Subject RE: Your Materials

OK. --- Peg

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

"Donsanto, Craig"
<Craig.Donsanto@usdoj.gov>
05/16/2006 03:17 PM
To psims@eac.gov
cc
Subject RE: Your Materials

002447
Let me try to do it, Peg. Again what I do not want to see occur is for the LCCR to start attacking us. We have more in common with them than I had originally assumed, thanks to the write-ups of their interviews. We need to promote what we have in common not try to score political points. But I will try to correct the records as long as you will agree you heard what I said the way I know I said it!

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 16, 2006 3:14 PM
To: Donsanto, Craig
Subject: RE: Your Materials

I fully understand. Do you want me to prepare a correction sheet for the Working Group, placing your second and more important point first, or do you want to handle this verbally at the meeting? --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/16/2006 02:55 PM
topsims@eac.gov
cc
Subject: RE: Your Materials

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To: Donsanto, Craig  
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"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>  
05/16/2006 01:41 PM

Topsims@eac.gov  
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Subject: RE: Your Materials

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Craig:

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"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/16/2006 12:06 PM

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From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 16, 2006 11:27 AM
To: Donsanto, Craig
Subject: Re: Your Materials

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Peggy Sims
Election Research Specialist

I think he can just raise these points at the meeting, no? I'm sure many we interviewed would say we misquoted them on something. This is what both Job and I remember him saying. I think it would be unfair for him to change/amend his interview without giving the same opportunity to the other interviewees.

----- Original Message -----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 16, 2006 9:59 AM
To: [redacted]
Subject: Fw: Your Materials

See corrections from Donsanto at DOJ. We should probably provide corrected versions to the Working Group. --- Peggy
Peg --

I have read over the materials you sent to me and viewed the pieces on the CD.

I have only one correction:

I did not say that offenders who receive target letters routinely request or routinely receive audiences here at DOJHQ. That is very rare. Instead, what usually happens is that once a subject for an election fraud investigation is advised that he or she is going to be charged that person usually enters into plea negotiations and ultimately pleads guilty. Very few federal election fraud cases go to trial. When a subject does request a HQ interview or a HW hearing, it would be held in the first instance by myself. But again, Peg, that is rare.

Also, while the occurrences of prosecutions of isolated instances of felons and alien voters and double voters has increased, we still aggressively and I believe quite successfully pursue systematic schemes to corrupt the electoral process, as the cases we brought recently out of Knott and Pike Counties in Kentucky, those we brought out of Lincoln and Logan Counties in West Virginia, and those we brought in New Hampshire growing out of the jamming of get-out-the-vote phone bank lines attest.

Peggy --

I was just thinking of you!

Great session yesterday. I really enjoyed it. Robust discussion.

On another subject, Nancy Simmons needs the e-mail address of NASED. Can you give her both that and the website address for them? Her e-mail is nancy.simmons@usdoj.gov.

Sent from Dr. D's Fabulous BlackBerry Wireless Handheld
Craig;

You asked about the Nexis search terms used by our consultants. The list follows. --- Peggy.

Election and fraud
Voter and fraud
Vote and fraud
Voter and challenge
Vote and challenge
Election and challenge
Election and irregularity
Election and irregularities
Election and violation
Election and stealing
Ballot box and tampering
Ballot box and theft
Ballot box and stealing
Election and officers
Election and Sheriff
Miscount and votes
Election and crime
Election and criminal
Vote and crime
Vote and criminal
Double voting
Multiple voting
Dead and voting
Election and counting and violation
Election and counting and error
Vote and counting and violation
Vote and counting and error
Voter and intimidation
Voter and intimidating
Vote and intimidation
Denial and voter and registration
Voter identification
Vote and identification
Voter and racial profiling
Vote and racial profiling
Voter and racial
Vote and racial
Voter and racial and challenge
Vote and racial and challenge
Voter and deny and racial
Vote and deny and racial
Voter and deny and challenge
Vote and deny and challenge
Voter and deny and black
Vote and deny and black
Voter and black and challenge
Vote and black and challenge
Voter and deny and African American
Vote and deny and African American
Voter and African American and challenge
Vote and African American and challenge
Election and black and challenge
Election and African American and challenge
Voter and deny and Hispanic
Voter and deny and Latino
Vote and deny and Hispanic
Vote and deny and Latino
Voter and Hispanic and challenge
Voter and Latino and challenge
Vote and Hispanic and challenge
Vote and Latino and challenge
Election and Hispanic and challenge
Election and Latino and challenge
Voter and deny and Native American
Vote and deny and Native American
Voter and Native American and challenge
Vote and Native American and challenge
Election and Native American and challenge
Voter and deny and Asian American
Vote and deny and Asian American
Voter and Asian American and challenge
Vote and Asian American and challenge
Voter and Asian American and challenge
Election and Asian American and challenge
Voter and deny and Indian
Vote and deny and Indian
Voter and Indian and challenge
Vote and Indian and challenge
Election and Indian and challenge
Poll tax
Voting and test
Absentee ballot and deny
Absentee ballot and reject
Absentee ballot and challenge
Vote and challenge
Voter and challenge
Election and challenge
Vote and police
Voter and police
Poll and police
Vote and law enforcement
Voter and law enforcement
Poll and law enforcement
Vote and deceptive practices
Voter and deceptive practices
Election and deceptive practices
Voter and deceive
Voter and false information
Dirty tricks
Vote and felon
Vote and ex-felon
Disenfranchisement
Disenfranchise
Law and election and manipulation
Vote and purging
Vote and purge
Registration and removal
Registration and purging
Registration and purge
Vote buying
Vote and noncitizen
Voter and noncitizen
Vote and selective enforcement
Identification and selective
Election and misinformation
Registration and restrictions
Election and administrator and fraud
Election and official and fraud
Provisional ballot and deny
Provisional ballot and denial
Affidavit ballot and deny
Affidavit ballot and denial
Absentee ballot and coerce
Absentee ballot and coercion
Registration and destruction
Voter and deter
Vote and deterrence
Voter and deterrence
Ballot integrity
Ballot security
Ballot security and minority
Ballot security and black
Ballot security and African American
Ballot security and Latino
Ballot security and Hispanic
Ballot security and Native American
Ballot security and Indian
Vote and suppression
Minority and vote and suppression
Black and vote and suppression
African American and vote and suppression
Latino and vote and suppression
Hispanic and vote and suppression
Native American and vote and suppression
Vote and suppress
Minority and vote and suppress
African American and vote and suppress
Latino and vote and suppress
Native American and vote and suppress
Vote and depress
Jim Crow
Literacy test
Voter and harass
Voter and harassment
Vote and mail and fraud
Poll and guards
Election and consent decree
Vote and barrier
Voting and barrier
Voter and barrier
Election and long line
Voter and long line

Poll worker and challenge
Poll worker and intimidate
Poll worker and intimidation
Poll worker and intimidating
Poll worker and threatening
Poll worker and abusive
Election official and challenge
Election official and intimidate
Election official and intimidating
Election official and threatening
Election official and abusive
Poll watcher and challenge
Poll watcher and intimidate
Poll watcher and intimidating
Poll watcher and intimidation
Poll watcher and abusive
Poll watcher and threatening
Poll inspector and challenge
Poll inspector and intimidate
Poll inspector and intimidating
Poll inspector and intimidation
Poll inspector and abusive
Poll inspector and threatening
Poll judge and challenge
Poll judge and intimidate
Poll judge and intimidating
Poll judge and intimidation
Poll judge and abusive
Poll judge and threatening
Poll monitor and challenge
Poll monitor and intimidate
Poll monitor and intimidating
Poll monitor and intimidation
Poll monitor and abusive
Poll monitor and threatening
Election judge and challenge
Election judge and intimidate
Election judge and intimidating
Election judge and intimidation
Election judge and abusive
Election judge and threatening
Election monitor and challenge
Election monitor and intimidate
Election monitor and intimidating
Election monitor and intimidation
Election monitor and abusive
Election monitor and threatening
Election observer and challenge
Election observer and intimidate
Election observer and intimidating
Election observer and intimidation
Election observer and abusive
Election observer and threatening
Sounds good. Thanks.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, May 15, 2006 4:03 PM
To: 
Subject: Re: Fraud Definition

Tova:

We can certainly discuss this at the Working Group meeting. (The draft definition had already been sent out by the time I read your message.) There may be other VRA provisions that should be considered as well, such as the prohibition on removing the names of certain registrants, who were registered by federal examiners, without obtaining prior approval of the Justice Department.

After I received your email, I asked Barry Weinberg to review the draft definition and consider if we have left off examples of Voting Rights Act violations that would qualify as election fraud. Barry, during his 25 years with DOJ, led aggressive action against attempts to place police at the polls to intimidate voters, challenges targeting minorities, failure to provide election materials and assistance in languages other than English (in covered jurisdictions), etc. His input should prove helpful. --- Peggy

----- Original Message ----- 
From: psims@eac.gov 
To: 
Sent: Friday, May 12, 2006 1:34 PM 
Subject: RE: Fraud Definition 

How about specifying Section 2 and 203 of the VRA?

----- Original Message ----- 
From: psims@eac.gov 
To: 
Sent: Friday, May 12, 2006 1:34 PM 
Subject: RE: Fraud Definition 

Lets raise this issue at the meeting. (I'll add "DRAFT" to the current document.) My concern is that there are a number of requirements in the Voting Rights Act. Not all of them are considered election fraud, when violated. For example, failure to preclear changes in election procedures
is not treated as election fraud, though it is actionable. --- Peggy

"Tova Wang"

05/12/2006 12:45 PM

psims@eac.gov,

cc

Subject

RE: Fraud Definition

Upon first reading, my only comment would be that I would like to restore "failing to follow the requirements of the Voting Rights Act" -----Original Message------
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Friday, May 12, 2006 9:20 AM
To: 
Subject: Fraud Definition

Would you please take a look at the attached? I combined both of your definitions, reformatted the list, removed a reference to the fraud having to have an actual impact on the election results (because fraud can be prosecuted without proving that it actually changed the results of the election), and taken out a couple of vague examples (e.g.; reference to failing to enforce state laws --- because there may be legitimate reasons for not doing so).

I have made contact with Ben Ginsberg's office and am waiting to hear if he accepts our invitation to join the working group. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM -----
Margaret Sims/EAC/GOV
05/17/2006 09:56 AM
To Craig Donsanto
cc
Subject Report on Voting Fraud-Voter Intimidation Research
Craig:

I'm putting the finishing touches on a status report to the EAC Standards Board and EAC Board of Advisors on our Voting Fraud-Voter Intimidation research project. For the most part, I am using our consultants summaries for the report, but one bullet under the interview summaries is giving me heartburn. It is the bullet that references the decrease in DOJ voter intimidation actions. It is one of the places in which our consultants had indicated that your office is focusing on prosecuting individuals. I have reworded it and would like your feedback on the revision:

Several people indicate - including representatives from DOJ -- that for various reasons, the Department of Justice is bringing fewer voter intimidation and suppression cases now, and has increased its focus on matters such as noncitizen voting, double voting, and felon voting. While the Voting Section of the Civil Rights Division focuses on systemic patterns of malfeasance, the Election Crimes Branch of the Public Integrity Section has increased prosecutions of individual instances of felon, alien, and double voting while also maintaining an aggressive pursuit of systematic schemes to corrupt the electoral process.

Please suggest any changes that you think would further clarify the current approach. --- Peggy

No problem. I've got the conference room reserved from Noon to 6 PM, so you can come earlier. --- Peggy

Is it OK if I come around 12:30 or so to make sure I have all my materials arranged properly for presentation? Thanks.

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021

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Peggy:

I will not be home from Las Vegas until Saturday. I was given an offer for a career clerking position with a federal judge and accepted. I will be relocating in December.

Job

psims@eac.gov wrote:

Sorry. We have had so much going on, I did not have time to send the attached to you last week. This is Devon's compilation of notes taken by EAC staff at the working group meeting. --- Peggy

Hi Peg,

How are you? I was wondering, whatever happened to getting the collective notes of the EAC staff?
Peg, I'm sorry, but this is really not helpful. It's another outline. I wish now I had taken notes myself! Thanks anyway. Tova

-----Original Message-----
From: psims@eac.gov
Sent: Wednesday, May 31, 2006 12:31 PM
To: pegs@pueblolocal.com
Cc: pegs@pueblolocal.com
Subject: Re: Working Group Notes

Sorry. We have had so much going on, I did not have time to send the attached to you last week. This is Devon's compilation of notes taken by EAC staff at the working group meeting. --- Peggy

"Tova Wang"

05/31/2006 11:26 AM

To psims@eac.gov
Cc
Subject notes
Hi Peg,

How are you? I was wondering, whatever happened to getting the collective notes of the EAC staff? Thanks. Tova

Tova Andrea Wang  
Democracy Fellow  
The Century Foundation  
41 East 70th Street - New York, NY 10021

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--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM ---
Margaret Sims/EAC/GOV  
06/01/2006 02:50 PM  
To Tova Andrea Wang  
cc  
Subject Travel Reimbursement

Tova:
In reviewing your travel reimbursement request that arrived in my In box this week, I noticed that you did not include per diem in your request for payment. Was that an oversight? I calculate that you would be eligible for a total of $160 in per diem for the trip ($48 for Wednesday 5/17, $64 for Thursday 5/18, and $48 for Friday 5/19). Also, the airfare receipt shows a total charge of $288.60, but the amount you requested for airfare was $293.60. Perhaps there was a service fee that does not show on the receipt. Can you clarify? --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM ---
Margaret Sims/EAC/GOV  
05/31/2006 01:30 PM  
To “Tova Wang”  
cc  
Subject Re: Working Group Notes

Sorry. We have had so much going on, I did not have time to send the attached to you last week. This is Devon's compilation of notes taken by EAC staff at the working group meeting. --- Peggy

VFVI Meeting Summary.doc

“To Tova Wang”  
05/31/2006 11:26 AM  
To psims@eac.gov  
cc
Hi Peg,

How are you? I was wondering, whatever happened to getting the collective notes of the EAC staff? Thanks. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021

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----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM -----

"Tova Wang"
To psims@eac.gov
cc
Subject transcript

Hi Peg,

Do you have an ETA for the transcript? Seems like it should be around now. Thanks and have a great weekend. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021

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----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM -----

wanga@... 06/08/2006 09:15 AM  To psims@eac.gov
cc "Job Serebro" nancy@...  Subject
Hi, what's going on? I have not received responses from either one of you in a week. I'd like to wrap this up in the next two weeks if we can. Did you get my recommendations? Thanks.

Tova

—— Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM ——

Margaret Sims/EAC/GOV

06/08/2006 09:35 AM

To

cc

Subject Re:

Sorry. We have been swamped with other program activities and preparations for today's testimony before House Admin. We have not yet received the transcript of the Working Group session. Devon checked with the court reporter, who said it will be delivered today. --- Peggy

wang@tcf.org

06/08/2006 09:15 AM

To

psims@eac.gov

cc

"Job Serebrov"

Subject

Hi, what's going on? I have not received responses from either one of you in a week. I'd like to wrap this up in the next two weeks if we can. Did you get my recommendations? Thanks.

Tova

—— Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM ——

Devon E. Romig/EAC/GOV

06/07/2006 10:08 AM

To Margaret Sims/EAC/GOV@EAC

cc jwilson@eac.gov

Subject Re: Transcript of 5-18-06 Working Group Meeting

Tim at Carol reporting said the transcript will be here today or tomorrow.

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
Margaret Sims/EAC/GOV

06/07/2006 09:47 AM

To  dromig@eac.gov, jwilson@eac.gov

cc

Subject  Transcript of 5-18-06 Working Group Meeting

Have we had any word about the transcript for the 5-18-06 Voting Fraud-Voter Intimidation Working Group meeting? Our consultants each need a copy so that they can draft the final report? If we have it in electronic form, so much the better. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM -----

"Tova Wang"

06/09/2006 08:53 AM

To  psims@eac.gov

cc

Subject  FW: Transcript & Teleconference

Hi Peg,

How do you recommend dealing with this? I have this feeling like he's trying to create a situation where I will have to write it myself. Thanks. Tova

-----Original Message-----
From: Job Serebrov [mailto:]
Sent: Thursday, June 08, 2006 9:42 PM
To: psims@eac.gov;
Subject: Re: Transcript & Teleconference

Peggy:

I can't predict when I get home but it is between 5:30 and 6:30 my time. I know that is generally too late to have a teleconference.

I plan to review Tova's recommendations this weekend and work on my own as well as expanding the explanation of the case section.

Please see what your financial officer did with regards to my travel.
Thank you,
Job

--- psims@eac.gov wrote:

> What time do you arrive home from work? Perhaps we
could talk then?

> Re your question on the mileage, I have approached
our Financial Officer
with a request that you receive full reimbursement
on the grounds that
your actual total travel costs are less than the
estimated total travel
costs if you had flown to DC, stayed in our more
expensive hotels, and
received the higher per diem for 3 days (instead of
1). I have not yet
received a response from her and she has been out of
the office much of
this week, so I don't know what she decided to do.
--- Peggy

---

"Job Serebrov" 06/08/2006 01:10 PM

To
psims@eac.gov,  
cc

Subject
Re: Transcript & Teleconference


Peg:

I just arrived home for lunch. I can no longer take
time during the work day for telephone conferences.
As
I told you I will need to finish this project after
daily working hours. I am still getting things done
from being out for ten days. I will review Tova's recommendations and
expand on mine this weekend.

Also, I sent you an e-mail asking how you handled
the
mileage portion of my travel voucher?

Job

--- psims@eac.gov wrote:
4 PM EST is fine with me, if it works for Job.

Peggy

06/08/2006 10:10 AM

To
psims@eac.gov
cc
Subject
Re: Transcript & Teleconference

Can we make it 4 est? I have another meeting at 3.

----- Original Message -----
From: <psims@eac.gov>
To:
Cc:
Sent: Thursday, June 08, 2006 9:55 AM
Subject: Re: Transcript & Teleconference

I'll see how it comes in. I hope we receive an electronic copy. If we only receive a hard copy, we can pdf it and email it to the two of you.

How about Monday afternoon at 3 PM EST for a brief teleconference? I really can't do it before them because of other commitments. --- Peggy

06/08/2006 09:42 To
psims@eac.gov
cc
Subject
Re: Re:
How will you be getting it to us? Will it be something you can email? And can we set up a call for some time in the next few days? Thanks.

----- Original Message ----- 
From: <psims@eac.gov> 
To: 
Cc: 
Sent: Thursday, June 08, 2006 9:35 AM 
Subject: Re:

Sorry. We have been swamped with other program activities and preparations for today's testimony before House Admin. We have not yet received the transcript of the Working Group session. Devon checked with the court reporter, who said it will be delivered today. --- Peggy

Hi, What's going on? I have not received
What time do you arrive home from work? Perhaps we could talk then?

Re your question on the mileage, I have approached our Financial Officer with a request that you receive full reimbursement on the grounds that your actual total travel costs are less than the estimated total travel costs if you had flown to DC, stayed in our more expensive hotels, and received the higher per diem for 3 days (instead of 1). I have not yet received a response from her and she has been out of the office much of this week, so I don't know what she decided to do. --- Peggy

Peg:

I just arrived home for lunch. I can no longer take time during the work day for telephone conferences. As I told you I will need to finish this project after daily working hours. I am still getting things done from being out for ten days. I will review Tova's recommendations and expand on mine this weekend.

Also, I sent you an e-mail asking how you handled the mileage portion of my travel voucher?

Job

--- psims@eac.gov wrote:

> 4 PM EST is fine with me, if it works for Job. ---
> Peggy
> 
> 
> 
> 
> 
> 06/08/2006 10:10 AM
> 
> To  psims@eac.gov
> 
> cc
> 
> Subject  Re: Transcript & Teleconference
Can we make it 4 EST? I have another meeting at 3.

----- Original Message ----- 
From: <psims@eac.gov>
To: [redacted]
Cc: [redacted]
Sent: Thursday, June 08, 2006 9:55 AM
Subject: Re: Transcript & Teleconference


> I'll see how it comes in. I hope we receive an
electronic copy. If we
> only receive a hard copy, we can pdf it and email
it to the two of you.
> How about Monday afternoon at 3 PM EST for a brief
teleconference? I
> really can't do it before them because of other
commitments. --- Peggy


06/08/2006 09:42 To
AM
psims@eac.gov
cc
[redacted]
[redacted]
Subject
Re: Re:

> How will you be getting it to us? Will it be
something you can email?
> And
> can we set up a call for some time in the next few
days? Thanks.

----- Original Message ----- 
From: <psims@eac.gov>
To: [redacted]
Cc: [redacted]
Sent: Thursday, June 08, 2006 9:35 AM
Subject: Re:
Sorry. We have been swamped with other program activities and preparations for today's testimony before House Admin. We have not yet received the transcript of the Working Group session. Devon checked with the court reporter, who said it will be delivered today.
--- Peggy

06/08/2006 09:15 AM
tsims@eac.gov
cc
"Job Serebrov"

Hi, What's going on? I have not received responses from either one of you in a week. I'd like to wrap this up in the next two weeks if we can.
Did you get my recommendations? Thanks.

Tova

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM ---

"Tova Wang" To psims@eac.gov
-----Original Message-----
From: Job Serebrov [mailto:]
Sent: Friday, June 09, 2006 8:17 AM
To: Tova Wang
Subject: RE: Transcript & Teleconference

Normally I am not home for lunch.

--- Tova Wang wrote:

> What about during a lunch hour?

I can't predict when I get home but it is between 5:30 and 6:30 my time. I know that is generally too late to have a teleconference.

I plan to review Tova's recommendations this weekend and work on my own as well as expanding the explanation of the case section.

Please see what your financial officer did with regards to my travel.

Thank you,

Job

--- psims@eac.gov wrote:

What time do you arrive home from work? Perhaps we could talk then?

Re your question on the mileage, I have approached our Financial Officer with a request that you receive full reimbursement on the grounds that your actual total travel costs are less than the estimated total travel.
costs if you had flown to DC, stayed in our more
expensive hotels, and
received the higher per diem for 3 days (instead
of
1). I have not yet
received a response from her and she has been out
of the office much of
this week, so I don't know what she decided to do.
--- Peggy

--- "Job Serebrov" 06/08/2006 01:10 PM
To psims@eac.gov, cc Subject
Re: Transcript & Teleconference
Peg:
I just arrived home for lunch. I can no longer
take
time during the work day for telephone
conferences.
As I told you I will need to finish this project
after
daily working hours. I am still getting things
done
from being out for ten days. I will review Tova's
recommendations and
expand on mine this weekend.
Also, I sent you an e-mail asking how you handled
the
mileage portion of my travel voucher?
Job
--- psims@eac.gov wrote:
> 4 PM EST is fine with me, if it works for Job.
--- > Peggy

00247z
Can we make it 4 EST? I have another meeting at 3.

I'll see how it comes in. I hope we receive an electronic copy. If we only receive a hard copy, we can pdf it and email it to the two of you.

How about Monday afternoon at 3 PM EST for a brief teleconference? I really can't do it before them because of other commitments. --- Peggy
How will you be getting it to us? Will it be something you can email? And can we set up a call for some time in the next few days? Thanks.

----- Original Message -----
From: <psims@eac.gov>
Cc: 
Sent: Thursday, June 08, 2006 9:35 AM
Subject: Re:

Sorry. We have been swamped with other program activities and preparations for today's testimony before House Admin. We have not yet received the transcript of the Working Group session. Devon checked with the court reporter, who said it will be delivered today.

--- Peggy

06/08/2006 09:15 To
AM

== message truncated ==
I don't know how we might be able to use these but here, finally, are the super-refined versions of the nexis charts. Can we include them? Thanks. Tova

Thats a first! Thanks -- I'll fax and send. Tova

Looks good to me! --- Peggy

Hi Peg,

Attached is my voucher for the last month -- can you check it quickly before I send it? Also, are we good for Wednesday at 7? Thanks. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021
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----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM -----

To: "Job Serebrov" @psims@eac.gov
cc
Subject: Re: teleconference

--- wang@tcf.org wrote:

> Tova:
> > 5 pm EST is 4 pm Central. Peg would have to call at 7
> > pm EST to be 6 pm Central.
> >
> > Job
> >
> > --- Tova Wang wrote:
> >
> >> Let's try to do that. Peg, you will call us 5 pm
> >> EST?
> >> ----- Original Message ----- 
> >> From: "Job Serebrov"
> >> To: "Tova Wang"
> >> Sent: Wednesday, June 14, 2006 6:29 PM
> >> Subject: Re: teleconference
> >>
> >>
> >> > Wednesday next week? It would have to be 6 pm.
> >> >
> >> > --- Tova Wang wrote:
> >> >
> >> > Hi Job,
> >> >>
> >> >> Peg tells me that we should now be getting the
> >> >> transcript early next week.
> >> >> Regardless, we should talk about the organization
> >> >> and distribution of work
> >> >> on the final report and try to finally get it
> >> >> done.
> >> >> Would it be possible
> >> >> for you to do a call before you leave for work in
> >> >> the morning, say 8 am your
> >> >> time, on Wednesday? If not, could you do 6 pm
> >> >> your
> >> >> time on Wednesday?
Hi Peg,

Attached is my voucher for the last month -- can you check it quickly before I send it? Also, are we good for Wednesday at 7? Thanks. Tova
Good news!! The transcript is finally here.

Dear EAC,

Attached please note the ASCII file for the Voting Fraud-Voter Intimidation Meeting taken on Wednesday, May 18, 2006. Your transcript has been shipped to you.

ASCII file name: 051806.txt

Please let us know if you have any questions.

051806.TXT Timothy Brischler, Office Manager, 703.273.9221
I have been told that GSA expects to make the disbursement next week, probably on or around June 28.
--- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM ---

Bryan Whitener/EAC/GOV
06/15/2006 05:01 PM
To Margaret Sims/EAC/GOV@EAC, Juliet E. Thompson-Hodgkins/EAC/GOV@EAC, Gavin S. Gilmour/EAC/GOV@EAC
cc
Subject Fw: The 7th Edition!

Here's an update from Craig on his Election Crimes book. The last was published in 1995.

It is written and currently in the Deputy AG's office for policy review.

I have published the two most substantive chapters of the new book as private, personal papers under the aegis of the International Foundation for Electoral Systems (IFES), for which I have done a lot of work around the world. I recommend that you access IFES' website and go to the "Money and Politics" part of their extensive site. I should have two papers available there, one addressing Abuse of the Franchise (published in connection with work I did last year in Liberia) and the other involving Federal Campaign Finance Xrime" done in connection with work in Bosnia.

If you can't find them this way, please call me: [phone number]

Sent from Dr. D's Fabulous BlackBerry Wireless Handheld
Subject Re: Teleconference

It will need to be early next week. What news of the transcript?

--- psims@eac.gov wrote:

> I am sorry, but I have to postpone the teleconference originally scheduled for this evening. Is another day this week or early next week good for you two?
> Peggy
> --------------------------
> Sent from my BlackBerry Wireless Handheld
> >
>

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM ---

06/22/2006 10:29 AM

To psims@eac.gov

cc

Subject

Can I also get an answer on whether we can speak about the project publicly?

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM ---

Margaret Sims/EAC/GOV
06/19/2006 12:19 PM

To wang@tcf.org

cc "Job Serebrov" psims@eac.gov

Subject Re: teleconference

OK. I have marked my calendar for a 7 PM EST/6 PM CST teleconference for this Wednesday. Still no transcript. --- Peggy

wang@tcf.org

To "Job Serebrov" psims@eac.gov

002432
fine

----- Original Message ----- 
From: "Job Serebrov" <psims@eac.gov>
To: ; <psims@eac.gov>
Sent: Wednesday, June 14, 2006 10:17 PM
Subject: Re: teleconference

> Tova:
> 
> 5 pm EST is 4 pm Central. Peg would have to call at 7 pm EST to be 6 pm Central.
> 
> Job
> 
> ---
>
> >> Let's try to do that. Peg, you will call us 5 pm EST?
> >>
> >> ----- Original Message ----- 
> >> From: "Job Serebrov" <psims@eac.gov>
> >> To: "Tova Wang" <twang@centuryfoundation.org>
> >> Sent: Wednesday, June 14, 2006 6:29 PM
> >> Subject: Re: teleconference
> >>
> >> > Wednesday next week? It would have to be 6 pm.
> >> >
> >> > --- Tova Wang <twang@centuryfoundation.org> wrote:
> >> >
> >> >> Hi Job,
> >> >>
> >> >> Peg tells me that we should now be getting the transcript early next week.
> >> >> Regardless, we should talk about the organization and distribution of work on the final report and try to finally get it done.
> >> >> Would it be possible for you to do a call before you leave for work in the morning, say 8 am your time, on Wednesday? If not, could you do 6 pm your time on Wednesday?
> >> >> Thanks.
> >> >>
> >> >> Tova
> >> >>
> >> >> Tova Andrea Wang
> >> >> Democracy Fellow
> >> >> The Century Foundation
> >> >> 41 East 70th Street - New York, NY 10021
Would it be possible to find out how fast GSA will be able to process the travel reimbursement for Job Serebrov? --- Peggy

Peggy:

I need you to check on Monday to see when I will get my last invoice paid as well as my travel which was going to be expedited.

Are we still talking on Wednesday at 7 EST?

Thanks,

Job

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM ---

Margaret Sims/EAC/GOV
06/19/2006 02:28 PM
To Diana Scott
cc Bola Olu/EAC/GOV@EAC
Subject Travel Reimbursement for Serebrov

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM ---

"Job Serebrov"
06/18/2006 12:31 PM
To psims@eac.gov
cc
Subject pay/travel
Your personal services invoice should be paid this week (Thursday or Friday). The payment of travel costs will take longer. I'll check with Finance to see if we can get an estimated date from GSA. --- Peggy

Peggy:

I need you to check on Monday to see when I will get my last invoice paid as well as my travel which was going to be expedited.

Are we still talking on Wednesday at 7 EST?

Thanks,
Job

Adam, Craig thought you were looking for a list of federal statutes, which are discussed in our election fraud manual. We don't have lists of state election crimes. Craig suggests that you contact Peggy Sims at the EAC — she's a wonderful resource, and I'm including her in my reply. Good luck.

Nancy
Peggy--We sent the request to the Finance Center on 6/13. Finance quotes a 2 week turnaround.

Diana M. Scott
Administrative Officer
U.S. Election Assistance Commission
(202) 566-3100 (office)
(202) 566-3127 (fax)
dscott@eac.gov

Would it be possible to find out how fast GSA will be able to process the travel reimbursement for Job Serebrov? --- Peggy

OK. Next Monday (6-26) at 7 PM EST. I'll call you.
Peggy
To: psims@eac.gov
Subject: Re: Teleconference

Monday at 7 EST is ok with me. What about you Peg?

Job

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM ---
Margaret Sims/EAC/GOV
06/19/2006 12:30 PM

To Bryan Whitener/EAC/GOV
cc Gavin S. Gilmour/EAC/GOV@EAC, Juliet E. Thompson-Hodgkins/EAC/GOV@EAC
Subject Re: Fw: The 7th Edition!

I have a copy of Donsanto's IFES paper, if you need it. We used it as one of the resources for the vote fraud-voter intimidation research. --- Peggy
Here's an update from Craig on his Election Crimes book. The last was published in 1995.

----- Forwarded by Bryan Whitener/EAC/GOV on 06/15/2006 08:38 AM -----
"Donsanto, Craig"
<Craig.Donsanto@usdoj.gov>

To bwhitener@eac.gov

cc

06/13/2006 08:04 PM

Subject The 7th Edition!

--- Forwarded by Margaret Sims/EAC/GOV on 06/30/2007 04:18 PM -----
"Tova Wang"

To psims@eac.gov, "Job Serebrov"

cc

06/21/2006 12:25 PM

Subject RE: Teleconference

It is written and currently in the Deputy AG's office for policy review.

I have published the two most substantive chapters of the new book as private, personal papers under the aegis of the International Foundation for Electoral Systems (IFES), for which I have done a lot of work around the world. I recommend that you access IFES' website and go to the "Money and Politics" part of theire extensive site. I should have two papers available there, one addressing Abuse of the Franchise (published in connection with work I did last year in Liberia) and the other involving Federal Campaign Finance Xrime" done in connection with work in Bosnia.

If you can't find them this way, please call me: 202-514-1421.
-------------
Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

Anyday anytime except tomorrow is OK by me. Tova

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
I am sorry, but I have to postpone the teleconference originally scheduled for this evening. Is another day this week or early next week good for you two? Peggy

Sent from my BlackBerry Wireless Handheld

---

"Job Serebrov"  To psims@eac.gov
06/22/2006 09:27 PM  cc
Subject Suggestions

RECOMMENDATIONS.doc

Peggy:

When Tova sent me her suggestions I made some changes and additions. Tova later wrote to me and said she expected me to come up with my own list. Due to time constraints and at risk of duplication I rather go with the corrected suggestions.

Job

I have no objection to amending the official findings/CD to add these.

--- Tova Wang

> Hi Peg and Job,
> > I don't know how we might be able to use these but
> > here, finally, are the
super-refined versions of the nexis charts. Can we include them? Thanks.
Tova

Fine by me.
Peggy

--- Original Message ----
From: "Job Serebrov" [Job Serebrov@FCC]
Sent: 06/21/2006 06:25 PM
To: "Tova Wang" <psims@eac.gov>
Subject: Re: nexis

I have no objection to amending the official findings/CD to add these.

--- Tova Wang wrote:

Hi Peg and Job,

I don't know how we might be able to use these but here, finally, are the super-refined versions of the nexis charts. Can we include them? Thanks.
Tova

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM ---
"Tova Wang"
06/20/2006 11:10 AM
To psims@eac.gov
cc
Subject question
Am I correct in assuming that I still cannot discuss the findings of our report? Thanks.

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021

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Click here to receive our weekly e-mail updates.

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM -----

"Job Serebrov"
To: "Tova Wang"
cc

06/30/2006 10:02 PM
Subject: Re: Various

For Donsanto to be able to do this, we would need enough time and money to contact all interviewees and also permit comment from them. However, in this matter I am 100% in agreement with Tova.

---

> Also, I maintain that a reasonable solution to this
> is to allow Donsanto
> and/or any of the commissioners who desire to do so
> to provide a statement
> that would be included in the report and in the
> record.
> ----- Original Message ------
> From: <psims@eac.gov>
> To: <psims@eac.gov>; "Job Serebrov"
> Cc: "Towa Wang"
> Sent: Friday, June 30, 2006 9:42 PM
> Subject: Re: Various
> 
> That would be great on the contract.
> 
> If the interview is "edited" as you put it, I will
> be very, very
> uncomfortable, as I believe Job would be as well.
> I know you don't want
> to spend anymore time on this, but I consider it a
> rather important issue,
> and I think Job does too. I would be happy to
> talk to you and Tom and any
> of the commissioners about this further if that
> would be helpful. I am
> available by cell over the next four days and in
Actually, the Donsanto interview was the only one I did attend, but I agree the issue is taking up too much of your time. I just wanted you to be forewarned that the paragraph has already raised red flags in DC of and is likely to result in an edit. Enough said about that.

I am concerned about the number of hours left for this project. If you and Tova both agree, I'll see if our Contracting Officer will approve a contract mod to provide for some additional hours and money to incorporate comments received on the report and other efforts that fall within the tasks specified in the current contract. We won't get 60 thou, but there might be a little year end money we can use to finish this off properly.

Peg

----- Original Message -----
From: "Job Serebrov" [mailto:JobSerebrov@EAC.ORG]
Sent: 06/30/2006 05:58 PM
To: psims@eac.gov; wang@tcf.org
Subject: Various

Peg:

I had to take time off this afternoon to handle some issues. Did you get an answer as to my travel reimbursement?

I spoke to Tova about the Donsanto issue. We both agree about what we heard during the interview. We also agree that this is taking up too much time (of which we have so little left) and is a minor part
of one interview which makes up one of thirty interviews.
I feel the same as Tova, the Commission was not in on the interview and thus do not know what was said and we are not giving those interviewed the opportunity, especially given how long ago the interviews were, to object. Frankly, if the Commission wants to give us another sixty hours each we can call all of our interviewees, give them the review and ask for comments. In any case, we can't include comments from other interviews with, or lectures by person interviewed, outside of our interview with that person. We simply can't afford to single out one statement in one interview that there is a disagreement on. Finally, I don't read the paragraph as you do---I remember what was said---the paragraph clearly does not imply an abandonment of other DOJ electoral investigations.

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM -----
Margaret Sims/EAC/GOV
06/27/2006 02:47 PM
To: Jeannie Layson/EAC/GOV
cc
Subject: Re: U.S. News & World Report

Here it is. --- Peg

EAC Boards' Status Report.doc
Jeannie Layson/EAC/GOV

Jeannie Layson/EAC/GOV
06/27/2006 01:12 PM
To: Margaret Sims/EAC/GOV@EAC
cc
Subject: Re: U.S. News & World Report

Peg,
Would you please send me the document regarding this project that was submitted to the Standards Bd?

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

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM -----
"Tova Wang"
swang@icf.org
06/28/2006 04:37 PM
To: psims@eac.gov, "Job Serebrov" 
cc
Subject: methodology

As you may recall, the working group expressed interest in the risk analysis method. The recent report by the Brennan Center on voting machines employs this methodology. If you look at pp. 8-19 of the attached, it provides a potential model. I think it might be worth including this as an appendix or footnote in the methodology section. Please let me know what you think. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021

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brennan machine report.pdf
----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM -----
Margaret Sims/EAC/GOV
06/30/2006 05:31 PM
To: Job Serebrov
cc
Subject: Contract Hours & Payments for Services
Here is the spreadsheet I have for you. Please let me know if you notice any discrepancies. Thanks.—

Peggy

Serebrov Payment Tracking.xls

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM ---

"Tova Wang"  To psims@eac.gov
06/27/2006 12:48 PM  cc
Subject invoice

Hi Peg,

What is the current invoice schedule? Thanks.

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021

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--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM ---

"Tova Wang"  To psims@eac.gov
06/29/2006 12:07 PM  cc
Subject FW: methodology

Will it be possible for you to extract the excerpt for inclusion in the report? Thanks.

-----Original Message-----
From: Job Serebrov [mailto:Job.Serebrov@kosciuszko.org]
Sent: Wednesday, June 28, 2006 5:40 PM
To: Tova Wang; psims@eac.gov
Subject: Re: methodology

Agreed

--- Tova Wang <tova@centfor.org> wrote:

> As you may recall, the working group expressed
> interest in the risk analysis
> method. The recent report by the Brennan Center on
> voting machines employs
> this methodology. If you look at pp. 8-19 of the
> attached, it provides a
> potential model. I think it might be worth
> including this as an appendix or
> footnote in the methodology section. Please let me
> know what you think.
> Tova
> Tova Andrea Wang
> Democracy Fellow
> The Century Foundation
> 41 East 70th Street - New York, NY 10021
> Visit our Web site, democracyfoundation.org, for the latest news,
> analysis, opinions, and events.

Peggy:

In the transcript, there is one serious mistake that must be changed immediately. On page 5 it indicates that I helped review and draft changes to the election code of Libya. It should be Namibia not Libya. The reason this is so serious if it stands is that at the time I reviewed Namibia's Code it was illegal for Americans to deal with Libya. I need to know that this has been corrected any ALL parties who have seen the transcript notified.

Job
Jeannie

We suspect that someone from the Voting Fraud-Voter Intimidation Project Working Group has been talking to reporters, tipping them off about what we are finding in our preliminary study, and referring them to our consultants (although the information could have come from anyone on the EAC boards, too). Apparently, the U.S. News & World Report reporter who contacted me also contacted both consultants working on the project.

Based on my recommendation, Tova Wang and, possibly, Job Serebrov, who are on EAC personal services contracts for our voting fraud and voter intimidation research, will seek further clarification from you about what they can and cannot say to reporters and in public fora about vote fraud and voter intimidation and about EAC's research. I have previously advised Tova and Job not to discuss the work they are doing for us as this is EAC research, the Commissioners have not yet received and accepted the final report, and the Commission has not approved their speaking about the EAC research.

Tova plans to call you tomorrow (Tuesday, June 27) about the issue. In addition to the reporter's inquiry, she has been invited to speak on the subject at the summer conference of the National Association of State Legislatures. She has plenty of knowledge of the subject in her own right (apart from our study), but is having trouble differentiating between her own work and the work she is doing for us. Please, just let me know what you advise her to do.

--- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM ---

"Tova Wang"

To psims@eac.gov, "Job Serebrov"@jglobalnet.com

cc twilkey@eac.gov, Karen Lynn-Dyson/EAC/GOV@EAC

Subject outline of final report

Does this work for you?

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021


Click here to receive our weekly e-mail updates.
Attached is an updated schedule showing 2 more invoice periods. I'll send separate spreadsheets to you and Job showing what funds and hours have been used and what are available. --- Peggy

Hi Peg,

What is the current invoice schedule? Thanks.

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021

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I would make time to discuss this. I feel that any edit would be wrong while a comment at the end of the interview by the Commission would not be. But in this case, two of us remember it one way and one the other way.

--- wang@tcf.org wrote:

> That would be great on the contract.
> 
> If the interview is "edited" as you put it, I will be very, very uncomfortable, as I believe Job would be as well. I know you don't want to spend anymore time on this, but I consider it a rather important issue, and I think Job does too. I would be happy to talk to you and Tom and any of the commissioners about this further if that would be helpful. I am available by cell over the next four days and in the office all next week.
> 
> Thanks for the updated invoice stuff. Happy 4th.
>
> Tova

> ----- Original Message ----- 
> From: <psims@eac.gov>
> To: "Job Serebrov" <
> Cc: "Tova Andrea Wang" 
> Sent: Friday, June 30, 2006 6:41 PM
> Subject: Re: Various
> 
> > Actually, the Donsanto interview was the only one I did attend, but I agree the issue is taking up too much of your time. I just wanted you to be forwarned that the paragraph has already raised red flags in DC of and is likely to result in an edit. Enough said about that.
> > 
> > I am concerned about the number of hours left for this project. If you and Tova both agree, I'll see if our Contracting Officer will approve a contract mod to provide for some additional hours and money to incorporate comments received on the report and other efforts that fall within the tasks specified in the current contract. We won't get 60 thou, but there might be a little year end money we can use to finish this off properly.
> > Peg
> > 
> > --------------------------
I had to take time off this afternoon to handle some issues. Did you get an answer as to my travel reimbursement?

I spoke to Tova about the Donsanto issue. We both agree about what we heard during the interview. We also agree that this is taking up too much time (of which we have so little left) and is a minor part of one interview which makes up one of thirty interviews.

I feel the same as Tova, the Commission was not on the interview and thus do not know what was said and we are not giving those interviewed the opportunity, especially given how long ago the interviews were, to object. Frankly, if the Commission wants to give us another sixty hours each we can call all of our interviewees, give them the review and ask for comments. In any case, we can't include comments from other interviews with, or lectures by person interviewed, outside of our interview with that person. We simply can't afford to single out one statement in one interview that there is a disagreement on. Finally, I don't read the paragraph as you do—I remember what was said—the paragraph clearly does not imply an abandonment of other DOJ electoral investigations.

Job

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM ---
I'll need to get back to you on this and the definition tomorrow (too many things going on today). In the meantime, I have attached the written status report that was presented to the EAC Standards Board and Board of Advisors, because I can't remember if I ever provided the final version to the two of you. The status report is primarily made up of your preliminary reports, with some intro information provided and a brief summary of recommendations discussed at the Working Group meeting. This may or may not help the two of you in preparing the final. You can use any of it, or none of it. I am sure that your product will be much better than this quickly pulled together thing. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM ---

"Job Serebrov" To psims@eac.gov
cc
Subject Travel Pay

Does this work for you?

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021

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Table of Contents.doc
Peg:

So far no travel pay. Tova got hers a couple of days ago. Please call and check. I need it.

Thanks,

Job

-----

Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM ----

"Tova Wang"

06/29/2006 01:24 PM

To psims@eac.gov, gregg@easglobalnet

cc twilkey@eac.gov

Subject RE: donsanto interview

Peg, If you review the numerous speeches and writings of Donsanto, including at the BAI training sessions, you will see that in the past he has frequently said that as a matter of law and policy the Department generally only pursued organized patterns. I can point you to particular citations if you like. He clearly said when we interviewed him that there had been a shift in resources and energy. This is in both of our notes. I don't think this should be an issue of departmental politics.

Tova

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

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, June 29, 2006 12:00 PM
To: wglial
Cc: twilkey@eac.gov
Subject: Re: donsanto interview

Tova and Job:

All I can do is advise you that I don't think this paragraph will pass by the Commission, as written, because readers can misinterpret what is being reported and use something published by EAC against DOJ. I suspect that both of you are aware of legal action being taken by an advocacy group against DOJ alleging that the agency is acting in a manner that fails to protect, and even discourages, the voter participation of minorities and disadvantaged individuals. Though I do not intend to address the merits of that action, which focuses on the efforts of more than one DOJ office, I am concerned that some readers would use the sentence that begins with "This change in direction, focus, and level of aggression ..." as evidence that DOJ's Election Crimes Branch has completely changed course to focus on aggressively pursuing individuals who vote when ineligible, many of whom are minorities.

It is true that, for years, the Election Crimes Branch did not pursue individual violators. (I certainly observed this from the time I became involved in researching election administration matters in 1986.) Much of the reason for this is that the agency just did not have the resources to pursue everything; so, as the agency budget permitted, DOJ pursued cases that provided the most bang
for the buck --- cases involving multiple individuals that were not already being pursued by State or local public attorneys. As you know, DOJ recently expanded its efforts and added the prosecution of individuals for double voting or voting when ineligible (felony convictions or no U.S. citizenship). Although I did not know of this decision prior to the interview, the action is not a complete surprise, given the increasing pressure on the agency to pursue such cases that began with a real squeaker of a 1996 race in California's 46th CD (Orange County). In the interview with you, Donsanto also stated that the department evaluates each case before pursuing it, and does not pursue every individual referred for voting violations. (You may remember he noted his reluctance to pursue noncitizen voting, which can result in deportation, when it could separate the individual from his family.)

In my opinion, the addition of the prosecution of individuals, while an important new development, is not a complete change in direction or focus. The pursuit of individual violators does not supplant DOJ's continuing efforts to pursue organized schemes to corrupt the process. It is part of a recent expansion of the agency's efforts to combat election crime that includes: (1) more aggressive pursuit of criminal campaign finance violations (not covered by EAC's study); (2) exploration of new avenues to prosecute voter suppression schemes (e.g.; the NH phone bank blocking case); (3) better training of U.S. attorneys and FBI agents in the recognition, investigation and prosecution of election offenses; (4) efforts to improve coordination with state and local law enforcement agencies; and (5) press conferences and public announcements before federal elections to publicize how the public can report election crimes. Donsanto provided information on much of these efforts either during the interview or by supplying case lists and training information on the day of the interview.

I hope you will reconsider revising the paragraph at issue.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission

Hi Peg,

Job and I have discussed this matter and agree on our response to it.

Presumably the paragraph you are concerned about is the following:
Since 2002, the department has brought more cases against alien voters, felon voters, and double voters than ever before. Previously, cases were only brought when there was a pattern or scheme to corrupt the process. Charges were not brought against individuals — those cases went un-prosecuted. This change in direction, focus, and level of aggression was by the decision of the Attorney General. The reason for the change was for deterrence purposes.

Neither of us thinks this passage says that the Department has stopped pursuing patterns, as you suggested, and we maintain that this is what Mr. Donsanto said to us in the interview. If Mr. Donsanto wants to object, perhaps he can write a letter or something to that effect that could be part of the record.

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021

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----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM -----
Margaret Sims/EAC/GOV
06/29/2006 05:31 PM To "Tova Wang" twilkey@eac.gov
cc sreb@barijlab.columbia.edu
Subject RE: donsanto interview

I don't think anyone disagrees that DOJ's earlier policy was to prosecute organized conspiracies, not individual violators. This policy was based both on existing law and resources available. Donsanto made that clear in numerous presentations before election officials, though I doubt he would have highlighted the resource issue in any of his written reports.

I did not hear Donsanto say that there was a shift in resources and energy away from prosecuting organized conspiracies in order to pursue prosecutions of individuals. I think we should avoid implying that this is the case. I understood his statement to address a shift in DOJ resources and energy to support increased efforts to prosecute election crimes, including the expansion of prosecutions to include individual incidents. I have not seen, nor do I think Donsanto has ever stated, that there has been a decrease in the effort to prosecute organized conspiracies to corrupt the process. Yet, adequate resources continue to be an issue, as Donsanto noted in his interview and at the Working Group meeting (when referring to having to decide which of two voter suppression cases to prosecute because he didn't have the resources to do both).

Your reference to policy based on law reminded me that changes in federal law, and an evolution in the understanding of how to use newer law, also would have affected DOJ's decision to add the prosecution of individuals for such violations as registering and voting when not a U.S. citizen or when a convicted felon. Earlier federal law did not directly address voter registration by felons, permitting federal prosecution in such instances only where it could be shown that the applicant knowingly and willfully
provided false information as to his or her eligibility to vote. Earlier federal law permitted the prosecution of noncitizens for registering to vote based on false claims of the U.S. citizenship that each State required for registering to vote in federal elections, but did not require U.S. citizenship to vote in federal elections. These laws made federal prosecution of noncitizen and felon voter registration and voting much more challenging. With the implementation of the NVRA in 1995, we began to see federal election law that could more easily be used for federal prosecution of both voter registration and voting by noncitizens and convicted felons. And, late in 1996, immigration reform legislation was passed that clearly prohibits noncitizens from voting in federal elections (without requiring the "knowing and willful" component).

--- Peggy

"Tova Wang" 06/29/2006 01:24 PM

Peg, If you review the numerous speeches and writings of Donsanto, including at the BAI training sessions, you will see that in the past he has frequently said that as a matter of law and policy the Department generally only pursued organized patterns. I can point you to particular citations if you like. He clearly said when we interviewed him that there had been a shift in resources and energy. This is in both of our notes. I don't think this should be an issue of departmental politics.

Tova

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, June 29, 2006 12:00 PM
To: psims@eac.gov, twilkey@eac.gov
Cc: twilkey@eac.gov
Subject: Re: donsanto interview

Tova and Job:

All I can do is advise you that I don't think this paragraph will pass by the Commission, as written, because readers can misinterpret what is being reported and use something published by EAC against DOJ. I suspect that both of you are aware of legal action being taken by an advocacy group against DOJ alleging that the agency is acting in a manner that fails to protect, and even discourages, the voter participation of minorities and disadvantaged individuals. Though I do not intend to address the merits of that action, which focuses on the efforts of more than one DOJ office, I am concerned that some readers would use the sentence that begins with "This change in direction, focus, and level of aggression ..." as evidence that DOJ's Election Crimes Branch has completely changed course to focus on aggressively pursuing individuals who vote when ineligible, many of whom are minorities.

It is true that, for years, the Election Crimes Branch did not pursue individual violators. (I certainly observed this from the time I became involved in researching election administration matters in 1986.) Much of the reason for this is that the agency just did not have the resources to pursue everything; so, as the agency budget permitted, DOJ pursued cases that provided the most bang
for the buck --- cases involving multiple individuals that were not already being pursued by State or local public attorneys. As you know, DOJ recently expanded its efforts and added the prosecution of individuals for double voting or voting when ineligible (felony convictions or no U.S. citizenship). Although I did not know of this decision prior to the interview, the action is not a complete surprise, given the increasing pressure on the agency to pursue such cases that began with a real squeaker of a 1996 race in California's 46th CD (Orange County). In the interview with you, Donsanto also stated that the department evaluates each case before pursuing it, and does not pursue every individual referred for voting violations. (You may remember he noted his reluctance to pursue noncitizen voting, which can result in deportation, when it could separate the individual from his family.)

In my opinion, the addition of the prosecution of individuals, while an important new development, is not a complete change in direction or focus. The pursuit of individual violators does not supplant DOJ's continuing efforts to pursue organized schemes to corrupt the process. It is part of a recent expansion of the agency's efforts to combat election crime that includes: (1) more aggressive pursuit of criminal campaign finance violations (not covered by EAC's study); (2) exploration of new avenues to prosecute voter suppression schemes (e.g.; the NH phone bank blocking case); (3) better training of U.S. attorneys and FBI agents in the recognition, investigation and prosecution of election offenses; (4) efforts to improve coordination with state and local law enforcement agencies; and (5) press conferences and public announcements before federal elections to publicize how the public can report election crimes. Donsanto provided information on much of these efforts either during the interview or by supplying case lists and training information on the day of the interview.

I hope you will reconsider revising the paragraph at issue.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission

Hi Peg,

Job and I have discussed this matter and agree on our response to it.

Presumably the paragraph you are concerned about is the following:
Since 2002, the department has brought more cases against alien voters, felon voters, and double voters than ever before. Previously, cases were only brought when there was a pattern or scheme to corrupt the process. Charges were not brought against individuals – those cases went un-prosecuted. This change in direction, focus, and level of aggression was by the decision of the Attorney General. The reason for the change was for deterrence purposes.

Neither of us thinks this passage says that the Department has stopped pursuing patterns, as you suggested, and we maintain that this is what Mr. Donsanto said to us in the interview. If Mr. Donsanto wants to object, perhaps he can write a letter or something to that effect that could be part of the record.

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021

Visit our Web site, for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.

Here is the spreadsheet I have for you. Please let me know if you notice any discrepancies. Thanks. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM ---

Margaret Sims/EAC/GOV
06/30/2006 05:29 PM
To Tova Andrea Wang
cc
Subject Contract Hours & Payments for Services

Not yet. The problem is that so many folks seem to be off for a long 4th of
July weekend.

----------------------------------
Sent from my BlackBerry Wireless Handheld

----- Original Message ----- 
From: "Job Serebrov" 
Sent: 06/30/2006 05:58 PM 
To: psims@eac.gov 
Subject: Various 

Peg:

I had to take time off this afternoon to handle some issues. Did you get an answer as to my travel reimbursement?

I spoke to Tova about the Donsanto issue. We both agree about what we heard during the interview. We also agree that this is taking up too much time (of which we have so little left) and is a minor part of one interview which makes up one of thirty interviews. I feel the same as Tova, the Commission was not in on the interview and thus do not know what was said and we are not giving those interviewed the opportunity, especially given how long ago the interviews were, to object. Frankly, if the Commission wants to give us another sixty hours each we can call all of our interviewees, give them the review and ask for comments. In any case, we can't include comments from other interviews with, or lectures by person interviewed, outside of our interview with that person. We simply can't afford to single out one statement in one interview that there is a disagreement on. Finally, I don't read the paragraph as you do---I remember what was said---the paragraph clearly does not imply an abandonment of other DOJ electoral investigations.

Job

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM ----- 
"Job Serebrov" 
06/30/2006 07:10 PM 
To psims@eac.gov 
cc 
Subject Re: Various

Peg:

It's ok with me as long as we finish before the end of November.
--- psims@eac.gov wrote:

> Actually, the Donsanto interview was the only one I did attend, but I agree the issue is taking up too much of your time. I just wanted you to be forewarned that the paragraph has already raised red flags in DC of and is likely to result in an edit. Enough said about that.

> I am concerned about the number of hours left for this project. If you and Tova both agree, I'll see if our Contracting Officer will approve a contract mod to provide for some additional hours and money to incorporate comments received on the report and other efforts that fall within the tasks specified in the current contract. We won't get 60 thou, but there might be a little year end money we can use to finish this off properly.

Peg

----- Original Message ----- 
From: "Job Serebrov" [mailto: JobSerebrov@eac.gov]
Sent: 06/30/2006 05:58 PM
To: psims@eac.gov; 
Subject: Various

Peg:

I had to take time off this afternoon to handle some issues. Did you get an answer as to my travel reimbursement?

I spoke to Tova about the Donsanto issue. We both agree about what we heard during the interview. We also agree that this is taking up too much time (of which we have so little left) and is a minor part of one interview which makes up one of thirty interviews.

I feel the same as Tova, the Commission was not in on the interview and thus do not know what was said and we are not giving those interviewed the opportunity, especially given how long ago the interviews were, to object. Frankly, if the Commission wants to give us another sixty hours each we can call all of our interviewees, give them the review and ask for comments. In any case, we can't include comments from other interviews with, or lectures by person interviewed, outside of our interview with that person. We simply can't afford to single out one statement in one interview that there is a disagreement on. Finally, I don't read the paragraph
> as you do---I remember what was said---the paragraph
> clearly does not imply an abandonment of other DOJ
> electoral investigations.
> Job
> 
> 
> ---- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM ----
> 
> Margaret Sims/EAC/GOV
> 06/26/2006 04:38 PM
> To: "Tova Wang" <webmaster@eacglobal.net>
> cc: dromig@eac.gov, psims@eac.gov
> Subject: RE: May 18, 2006 Meeting

I wasn't planning on circulating the transcript to the Commissioners. Most of them probably don't have the
time to go through the whole thing. I will let them know it is available, if they are interested in reviewing it.
--- Peggy

"Tova Wang" <webmaster@eacglobal.net>

"Tova Wang"

06/23/2006 01:04 PM
To: dromig@eac.gov, psims@eac.gov
cc: eT@ia^tr-am
Subject: RE: May 18, 2006 Meeting

Wow, there are a lot of errors in this. But at least it gets at the substance. Will this be circulated to the
commissioners?

-----Original Message-----
From: dromig@eac.gov [mailto:dromig@eac.gov]
Sent: Thursday, June 22, 2006 2:45 PM
To: psims@eac.gov
Cc: ---dromig@eac.gov; wang@eac.org
Subject: Fw: May 18, 2006 Meeting

Good news!!! The transcript is finally here.

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov
Dear EAC,

Attached please note the ASCII file for the Voting Fraud-Voter Intimidation Meeting taken on Wednesday, May 18, 2006. Your transcript has been shipped to you.

ASCII file name: 051806.txt

Please let us know if you have any questions.

Timothy Brischler, Office Manager, 703.273.9221

---

I am ok with it.

--- Tova Wang <tovawang@thecenturyfoundation.org> wrote:

> Is this OK now?
> Tova Andrea Wang
> Democracy Fellow
> The Century Foundation
> 41 East 70th Street - New York, NY 10021
> visit our Web site, http://www.thecenturyfoundation.org/
> for the latest news, analysis, opinions, and events.
>
Jeannie:

Here are my responses:

1. **When will EAC receive the preliminary report on voter intimidation and voting fraud?**

   I anticipate that we will have a draft final report from our consultants in 2-3 weeks, after our consultants have had time to review the transcript from the project Working Group meeting, which was not available until last week.

2. **When we receive the preliminary report, what is the EAC process to formulate a final product that will be made public?**

   First, Commissioners and Commission staff will have to review the preliminary draft. Then a draft will be submitted to the EAC Standards Board and EAC Advisory Board for review and comment. This second step is taken in accordance with HAVA §247, which requires EAC to carry out its duties under Title II, Subtitle C (Studies and Other Activities to Promote Effective Administration of Federal Elections) in consultation with the Standards Board and the Board of Advisors.

3. **When will we make this research available to the public? What form will it be in? (Best practices, etc.)**

   The final report cannot be made public until it has been accepted by the Commissioners. Normally, this does not happen until the researcher(s) submit a final report that has been revised to address clarifications and corrections deemed necessary through the review process described above. The time it takes for the researchers to produce this final report will depend, somewhat, on the number of clarifications and corrections deemed necessary.
As the researchers were charged with conducting preliminary background research on voting fraud and voter intimidation in the U.S., this report will not include recommended best practices. It will summarize the preliminary research as well as the deliberations of our project Working Group. It also will include recommendations for future EAC activity related to the development of: (1) methods of identifying, deterring, and investigating voting fraud and voter intimidation; and (2) nationwide statistics on voting fraud.

If the reporter has spoken to Secretary Rokita, who maintains that EAC has no authority to conduct this research, you may want to note that EAC initiated this preliminary research on voting fraud and voter intimidation in accordance with the Help America Vote Act, (HAVA) §241, which requires EAC to conduct research on election administration issues, including the development of:

- nationwide statistics and methods of identifying, deterring, and investigating voting fraud in elections for Federal office [§241(b)(6)]; and
- ways of identifying, deterring, and investigating methods of voter intimidation [§241(b)(7)].

At its 2005 meeting, EAC's Board of Advisors recommended that the agency make research on these matters a high priority.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission

Jeannie Layson/EAC/GOV

Jeannie Layson/EAC/GOV
06/27/2006 02:26 PM
To psims@eac.gov, twilkey@eac.gov
cc
Subject US News & World Report inquiry

Please provide answers to the following questions, posed to me by US News & World Report's Scott Michels. I need this info by the end of the day to meet his deadline.

1. When will EAC receive the preliminary report on voter intimidation and voting fraud?
2. When we receive the preliminary report, what is the EAC process to formulate a final product that will be made public?
3. When will we make this research available to the public? What form will it be in? (Best practices, etc.)

Jeannie Layson
U.S. Election Assistance Commission
1225 New York Ave., NW
Suite 1100
Washington, DC 20005
Phone: 202-566-3100
www.eac.gov
Hi Peg,

Job and I have discussed this matter and agree on our response to it.

Presumably the paragraph you are concerned about is the following:

Since 2002, the department has brought more cases against alien voters, felon voters, and double voters than ever before. Previously, cases were only brought when there was a pattern or scheme to corrupt the process. Charges were not brought against individuals — those cases went un-prosecuted. This change in direction, focus, and level of aggression was by the decision of the Attorney General. The reason for the change was for deterrence purposes.

Neither of us thinks this passage says that the Department has stopped pursuing patterns, as you suggested, and we maintain that this is what Mr. Donsanto said to us in the interview. If Mr. Donsanto wants to object, perhaps he can write a letter or something to that effect that could be part of the record.
Tova and Job:

All I can do is advise you that I don't think this paragraph will pass by the Commission, as written, because readers can misinterpret what is being reported and use something published by EAC against DOJ. I suspect that both of you are aware of legal action being taken by an advocacy group against DOJ alleging that the agency is acting in a manner that fails to protect, and even discourages, the voter participation of minorities and disadvantaged individuals. Though I do not intend to address the merits of that action, which focuses on the efforts of more than one DOJ office, I am concerned that some readers would use the sentence that begins with "This change in direction, focus, and level of aggression ..." as evidence that DOJ's Election Crimes Branch has completely changed course to focus on aggressively pursuing individuals who vote when ineligible, many of whom are minorities.

It is true that, for years, the Election Crimes Branch did not pursue individual violators. (I certainly observed this from the time I became involved in researching election administration matters in 1986.) Much of the reason for this is that the agency just did not have the resources to pursue everything; so, as the agency budget permitted, DOJ pursued cases that provided the most bang for the buck --- cases involving multiple individuals that were not already being pursued by State or local public attorneys. As you know, DOJ recently expanded its efforts and added the prosecution of individuals for double voting or voting when ineligible (felony convictions or no U.S. citizenship). Although I did not know of this decision prior to the interview, the action is not a complete surprise, given the increasing pressure on the agency to pursue such cases that began with a real squeaker of a 1996 race in California's 46th CD (Orange County). In the interview with you, Donsanto also stated that the department evaluates each case before pursuing it, and does not pursue every individual referred for voting violations. (You may remember he noted his reluctance to pursue noncitizen voting, which can result in deportation, when it could separate the individual from his family.)

In my opinion, the addition of the prosecution of individuals, while an important new development, is not a complete change in direction or focus. The pursuit of individual violators does not supplant DOJ's continuing efforts to pursue organized schemes to corrupt the process. It is part of a recent expansion of the agency's efforts to combat election crime that includes: (1) more aggressive pursuit of criminal campaign finance violations (not covered by EAC's study); (2) exploration of new avenues to prosecute voter suppression schemes (e.g.; the NH phone bank blocking case); (3) better training of U.S. attorneys and FBI agents in the recognition, investigation and prosecution of election offenses; (4) efforts to improve...
coordination with state and local law enforcement agencies; and (5) press conferences and public announcements before federal elections to publicize how the public can report election crimes. Donsanto provided information on much of these efforts either during the interview or by supplying case lists and training information on the day of the interview.

I hope you will reconsider revising the paragraph at issue.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission

"Tova Wang":wang@cforg.e

"Tova Wang" To psims@eac.gov
cc "Job Serebrov" ser@globalnet.co
Subject donsanto interview

Hi Peg,

Job and I have discussed this matter and agree on our response to it.

Presumably the paragraph you are concerned about is the following:

Since 2002, the department has brought more cases against alien voters, felon voters, and double voters than ever before. Previously, cases were only brought when there was a pattern or scheme to corrupt the process. Charges were not brought against individuals – those cases went un-prosecuted. This change in direction, focus, and level of aggression was by the decision of the Attorney General. The reason for the change was for deterrence purposes.

Neither of us thinks this passage says that the Department has stopped pursuing patterns, as you suggested, and we maintain that this is what Mr. Donsanto said to us in the interview. If Mr. Donsanto wants to object, perhaps he can write a letter or something to that effect that could be part of the record.

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021

Visit our Web site, to receive our weekly e-mail updates.
Peggy:

Still no travel funds. Please see what you can fund out on Monday. At this point this is late.

Job

Further comment from Tova. --- Peggy

Also, I maintain that a reasonable solution to this is to allow Donsanto and/or any of the commissioners who desire to do so to provide a statement that would be included in the report and in the record.

----- Original Message -----
From: <wang@tcf.org>
To: <psims@eac.gov>, "Job Serebrov" <serebrov@sbcglobal.net>
Cc: "Tova Wang" <tova@tcf.org>
Sent: Friday, June 30, 2006 9:42 PM
Subject: Re: Various

> That would be great on the contract.
> 
> If the interview is "edited" as you put it, I will be very, very uncomfortable, as I believe Job would be as well. I know you don't want to spend anymore time on this, but I consider it a rather important issue,
and I think Job does too. I would be happy to talk to you and Tom and any
of the commissioners about this further if that would be helpful. I am
available by cell over the next four days and in the office all next week.

Thanks for the updated invoice stuff. Happy 4th.

Tova

----- Original Message ----- 
From: <psims@eac.gov>
To: "Job Serebrov" <serebrov@globalfounders.com>
Cc: "Tova Andrea Wang" <andrea.wang@eac.gov>
Sent: Friday, June 30, 2006 6:41 PM 
Subject: Re: Various

Actually, the Donsanto interview was the only one I did attend, but I
agree the issue is taking up too much of your time. I just wanted you to
be forewarned that the paragraph has already raised red flags in DC of and
is likely to result in an edit. Enough said about that.

I am concerned about the number of hours left for this project. If you
and Tova both agree, I'll see if our Contracting Officer will approve a
contract mod to provide for some additional hours and money to
incorporate comments received on the report and other efforts that fall
within the tasks specified in the current contract. We won't get 60
thou, but there might be a little year end money we can use to finish
this off properly.

Peg

Sent from my BlackBerry Wireless Handheld 

----- Original Message ----- 
From: "Job Serebrov" <serebrov@globalfounders.com>
Sent: 06/30/2006 05:58 PM 
To: psims@eac.gov;
Subject: Various

Peg:

I had to take time off this afternoon to handle some
issues. Did you get an answer as to my travel
reimbursement?

I spoke to Tova about the Donsanto issue. We both
agree about what we heard during the interview. We
also agree that this is taking up too much time (of
which we have so little left) and is a minor part of
one interview which makes up one of thirty interviews.
I feel the same as Tova, the Commission was not in on
the interview and thus do not know what was said and
we are not giving those interviewed the opportunity,
especially given how long ago the interviews were, to
object. Frankly, if the Commission wants to give us
another sixty hours each we can call all of our
interviewees, give them the review and ask for
comments. In any case, we can't include comments from
other interviews with, or lectures by person
interviewed, outside of our interview with that
person. We simply can't afford to single out one statement in one interview that there is a disagreement on. Finally, I don't read the paragraph as you do—I remember what was said—the paragraph clearly does not imply an abandonment of other DOJ electoral investigations.

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM ----
Margaret Sims/EAC/GOV
07/03/2006 11:12 AM
To: Bola Olu/EAC/GOV
cc
Subject: Fw: Travel Funds

Can you please find out where GSA is with this reimbursement? Thanks. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 07/03/2006 11:12 AM ----
"Job Serebrov"
07/02/2006 09:34 AM
To: psims@eac.gov
cc
Subject: Travel Funds

Peggy:

Still no travel funds. Please see what you can fund out on Monday. At this point this is late.

Job

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM ----
Bola Olu/EAC/GOV
07/03/2006 11:57 AM
To: Margaret Sims/EAC/GOV@EAC
cc
Subject: Re: Fw: Travel Funds

Peggy:
I am assuming you are referring to the 6/9/06 payment in the amount of $1,200.03. I checked with Finance and the payout date is today.

Bola Olu
Financial Administrative Specialist
United States Election Assistance Commission
1225 New York Avenue N.W., Suite - 1100
Washington, DC 20005
P:202-566-3124
F:202/566-3127
http://www.eac.gov/

"Integrity - Treat everyone with the same principle, be loyal to those who are not present"

Margaret Sims/EAC/GOV

Can you please find out where GSA is with this reimbursement? Thanks. --- Peggy

Peggy:
Still no travel funds. Please see what you can fund out on Monday. At this point this is late.

Job

Peggy:
Still no travel funds. Please see what you can fund out on Monday. At this point this is late.

Job
Job:

I may have forgotten to send this summary of payments for personal services to you. If I didn't, here it is again. --- Peggy

Serebrov Payment Tracking.xls

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM ---

Margaret Sims/EAC/GOV

To: p.sims@eac.gov, "Job Serebrov" <serebrov@shieldslaw.com>

cc: "Tova Wang"

Subject: Re: Various

Most of the Commissioners and Tom will be out of the office for the next two weeks to attend the IACRET, NASS, and NASED summer conferences. I'll let Tom know you want to talk with him when I see him at the airport tomorrow. He may decide to call from out of town. --- Peggy

--- Original Message ---

From: <psims@eac.gov>
To: "Job Serebrov" <serebrov@shieldslaw.com>
Cc: "Tova Andrea Wang" <tova@ncr.org>
Sent: Friday, June 30, 2006 6:41 PM
Subject: Re: Various

That would be great on the contract.

If the interview is "edited" as you put it, I will be very, very uncomfortable, as I believe Job would be as well. I know you don't want to spend anymore time on this, but I consider it a rather important issue, and I think Job does too. I would be happy to talk to you and Tom and any of the commissioners about this further if that would be helpful. I am available by cell over the next four days and in the office all next week.

Thanks for the updated invoice stuff. Happy 4th.

Tova

----- Original Message -----
I am concerned about the number of hours left for this project. If you and Tova both agree, I'll see if our Contracting Officer will approve a contract mod to provide for some additional hours and money to incorporate comments received on the report and other efforts that fall within the tasks specified in the current contract. We won't get 60 thou, but there might be a little year end money we can use to finish this off properly. Peg

--------------------------
Sent from my BlackBerry Wireless Handheld

----- Original Message ----- 
From: "Job Serebrov" 
Sent: 06/30/2006 05:58 PM 
To: psims@eac.gov; 
Subject: Various

Peg:

I had to take time off this afternoon to handle some issues. Did you get an answer as to my travel reimbursement?

I spoke to Tova about the Donsanto issue. We both agree about what we heard during the interview. We also agree that this is taking up too much time (of which we have so little left) and is a minor part of one interview which makes up one of thirty interviews. I feel the same as Tova, the Commission was not in on the interview and thus do not know what was said and we are not giving those interviewed the opportunity, especially given how long ago the interviews were, to object. Frankly, if the Commission wants to give us another sixty hours each we can call all of our interviewees, give them the review and ask for comments. In any case, we can't include comments from other interviews with, or lectures by person interviewed, outside of our interview with that person. We simply can't afford to single out one statement in one interview that there is a disagreement on. Finally, I don't read the paragraph as you do—I remember what was said—the paragraph clearly does not imply an abandonment of other DOJ electoral investigations.

Job
Peg:

I still have not received the travel funds. This is causing a large financial problem. I don't know what is with these people but it is obvious my bank has not received it and I doubt it was sent. Please find out what is going on.

Job

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM -----
We'll have to guesstimate. It is likely that we will receive some comments and questions from the Commissioners and a number of comments from the boards. We could do the modification a little later, but we have to do it before the end of August to take advantage of year-end funds. Basically, the sooner we can figure this out, the better chance we have of using some of the year-end money for this project, before it is taken for something else. We have no guaranties that funds will be available in the next fiscal year. --- Peggy

"Tova Wang": wang@eac.gov

07/03/2006 11:13 AM

To psims@eac.gov
cc
Subject RE: Estimated Additional Hours Needed

Doesn't it really depend on what the Commission comes back to us with? Its kind of hard to estimate before knowing what they're going to want.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, July 03, 2006 10:11 AM
To: twilkey@eac.gov
Cc: twilkey@eac.gov
Subject: Estimated Additional Hours Needed

Tova and Job:

I don't have the authority to modify contracts, but Tom Wilkey does. In order to help Tom determine how many additional hours (and dollars) should be added to your personal services contracts, I'll need an estimate from the two of you for the number of additional hours required to complete the final report (taking into account revisions that may be needed to address questions and comments submitted by the Commissioners and the EAC Standards Board and Board of Advisors). Please note that we cannot add any tasks to the existing contract, but we can account for additional hours required to complete the final report.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
e-mail: psims@eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM -----

00252
I thought I emailed an account of your hours used. Just in case I didn't, here it is again.

Wang Payment Tracking.xls

I think I've already gone over my hours. Let me know when I submit my invoice. If I have, I'll just reduce them on paper. Thanks.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, July 03, 2006 10:30 AM
To: yl0p.
Subject: RE: Estimated Additional Hours Needed

We'll have to guesstimate. It is likely that we will receive some comments and questions from the Commissioners and a number of comments from the boards. We could do the modification a little later, but we have to do it before the end of August to take advantage of year-end funds. Basically, the sooner we can figure this out, the better chance we have of using some of the year-end money for this project, before it is taken for something else. We have no guaranties that funds will be available in the next fiscal year. --- Peggy
Doesn't it really depend on what the Commission comes back to us with? It's kind of hard to estimate before knowing what they're going to want.

----- Original Message ----- 
From: psims@eac.gov [mailto:psims@eac.gov]  
Sent: Monday, July 03, 2006 10:11 AM  
To:  
Cc: twilkey@eac.gov  
Subject: Estimated Additional Hours Needed

Tova and Job:

I don't have the authority to modify contracts, but Tom Wilkey does. In order to help Tom determine how many additional hours (and dollars) should be added to your personal services contracts, I'll need an estimate from the two of you for the number of additional hours required to complete the final report (taking into account revisions that may be needed to address questions and comments submitted by the Commissioners and the EAC Standards Board and Board of Advisors). Please note that we cannot add any tasks to the existing contract, but we can account for additional hours required to complete the final report.

Peggy Sims  
Election Research Specialist  
U.S. Election Assistance Commission  
1225 New York Ave, NW - Ste 1100  
Washington, DC 20005  
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)  
Fax: 202-566-3127  
email: psims@eac.gov

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM ---

"Job Serebrov"

To psims@eac.gov  
cc  
Subject Travel Funds

Peg:

My travel funds finally came in to my bank.

Job

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM ---

"Tova Wang"

To psims@eac.gov  
cc
Subject RE: Estimated Additional Hours Needed

Doesn’t it really depend on what the Commission comes back to us with? It’s kind of hard to estimate before knowing what they’re going to want.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, July 03, 2006 10:11 AM
To: taitai
Cc: twilkey@eac.gov
Subject: Estimated Additional Hours Needed

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----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM -----

It would be great if someone there could work on cleaning it up. Let us know. Thanks.

----- Original Message -----
Will it be possible for you to extract the excerpt for inclusion in the report? Thanks.

-----Original Message-----
From: Job Serebrov [mailto:job.serebrov@brennancenter.org]
Sent: Wednesday, June 28, 2006 5:40 PM
To: Tova Wang; psims@eac.gov
Subject: Re: methodology

Agreed

--- Tova Wang wrote:

> As you may recall, the working group expressed
> interest in the risk analysis
> method. The recent report by the Brennan Center on
> voting machines employs
> this methodology. If you look at pp. 8-19 of the
> attached, it provides a
> potential model. I think it might be worth
> including this as an appendix or
> footnote in the methodology section. Please let me
> know what you think.
> Tova
> Tova Andrea Wang
> Democracy Fellow
> The Century Foundation
> 41 East 70th Street - New York, NY 10021
> 212-635-3400 ext. 132
> 212-752-7534
> Visit our Web site, for the latest news,
> analysis, opinions, and events.
Margaret Sims/EAC/GOV
07/03/2006 11:13 AM
To  "Job Serebrov"
cc
Subject Re: Travel Funds

I have asked our finance folks to check with GSA. I will let you know when I receive the answer. --- Peggy

"Job Serebrov" <serebrov@sbcglobal.net>

"Job Serebrov"<serebrov@sbcglobal.net>
07/02/2006 09:34 AM
To  psims@eac.gov
cc
Subject Travel Funds

Peggy:

Still no travel funds. Please see what you can fund out on Monday. At this point this is late.

Job

Tova and Job:
I don't have the authority to modify contracts, but Tom Wilkey does. In order to help Tom determine how many additional hours (and dollars) should be added to your personal services contracts, I'll need an estimate from the two of you for the number of additional hours required to complete the final report (taking into account revisions that may be needed to address questions and comments submitted by the Commissioners and the EAC Standards Board and Board of Advisors). Please note that we cannot add any tasks to the existing contract, but we can account for additional hours required to complete the final report.

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email: psims@eac.gov

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM ---
Margaret Sims/EAC/GOV
07/11/2006 12:05 PM
To Juliet E. Thompson-Hodgkins/EAC/GOV
cc
Subject Re: Fraud and Intimidation Study

I think it is this one. --- Peggy

EAC Boards VF-VI Status Report.doc

Juliet E. Thompson-Hodgkins/EAC/GOV

Juliet E. Thompson-Hodgkins/EAC/GOV
07/11/2006 11:38 AM
To Margaret Sims/EAC/GOV@EAC
cc
Subject Re: Fraud and Intimidation Study

Will you please send me a copy of the referenced report?

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

Margaret Sims/EAC/GOV
07/11/2006 10:55 AM
To Juliet E. Thompson-Hodgkins/EAC/GOV@EAC
cc "Tom Wilkey" <twilkey@eac.gov>
It sounds similar to the issues I had with the Donsanto interview. It was a classic example of the interviewers' interpreting what was said through their own biases.

It also is true that the original interview summaries failed to differentiate between the criminal definition of intimidation and the consultants' use of the term. The consultants have revised their definition to note that it goes beyond the legal definition, but we may need to repeat the statement where the DOJ interviews are referenced.

I have already brought the Donsanto matter to our contractors' attention. When they responded that they did not think they should redraft that section, I told them that the section will likely be edited. It appears that we will have to do the same with the reference to Tanner's interview.

Why don't we discuss this with Tanner (and Donsanto) after we have had a chance to review a consolidated draft of the final report? We can determine what clarifications or corrections are necessary at that time.

Peg

Sent from my BlackBerry Wireless Handheld
Juliet E. Thompson-Hodgkins

His concerns are that there were inaccurate or false statements about DOJ on pages 5 and 6, that in his words demonstrated a lack of understanding of criminal law.

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

Perhaps he was looking at the report that was delivered to the EAC boards. Let's find out what his concerns are so that we can address them.

Peg
Tanner said he got it from Cameron. And referred specifically to pp. 5 and 6. I don't remember that the summaries of interviews were laid out that way.

I have not yet seen a draft final report. My best guess is that Tanner is concerned about the summary of his interview. I have already had discussions with our consultants about the description of the Donsanto interview, at which I was present. Wilkey knows that I won't let it go as is. I wasn't at the Tanner interview, but would be interested in hearing where he thinks the consultants went wrong.

It is possible that, due to my objections re the Donsanto interview, the consultants may have asked Tanner to review their description of his interview. I won't know for sure until I can contact them.

I gave you and Gavin a folder that included a summary of interviews, etc before the working group meeting. Also, the report delivered to the boards on this project is in the shared drawer under Research in Progress-Voting Fraud-Intimidation. That is everything I have at the moment.

Peg

------------------------

I received a call from John Tanner today who was upset with pages 5 and 6 of some draft paper that he had received regarding our Fraud and Intimidation Study. I am in a very uncomfortable situation in that I have not received a copy of this paper and the Office of General Counsel has not vetted this document and yet I am being questioned about why there are erroneous statements in this paper. Please provide me with a copy of this document and please explain to me how John Tanner got a copy of this document.
before I did.

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

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM ---

Margaret Sims/EAC/GOV
07/11/2006 10:55 AM To Juliet E. Thompson-Hodgkins/EAC/GOV@EAC
cc “Tom Wilkey” <twilkey@eac.gov>
Subject Re: Fraud and Intimidation Study

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Peg

-----------------------------
Sent from my BlackBerry Wireless Handheld
Juliet E. Thompson-Hodgkins

From: Juliet E. Thompson-Hodgkins
Sent: 07/11/2006 09:46 AM
To: Margaret Sims
Subject: Re: Fraud and Intimidation Study

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Juliet Thompson Hodgkins
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1225 New York Ave., NW, Ste 1100
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Margaret Sims/EAC/GOV

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Peg

Sent from my BlackBerry Wireless Handheld
Juliet E. Thompson-Hodgkins

From: Juliet E. Thompson-Hodgkins
Sent: 07/10/2006 10:55 AM
To: Margaret Sims
Cc: Thomas Wilkey
Subject: Fraud and Intimidation Study

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Juliet Thompson Hodgkins
General Counsel
United States Election Assistance Commission
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Washington, DC 20005
(202) 566-3100

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM -----
Margaret Sims/EAC/GOV
07/03/2006 11:38 AM
To Devon Romig
cc
Subject Fw: methodology

Please edit the attached Word document to remove the returns at the end of each line that are not needed, then send it to Tova and Job. Thanks! --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 07/03/2006 11:37 AM -----
Margaret Sims/EAC/GOV
06/30/2006 05:25 PM
To "Tova Wang" <tova.wang@eac.gov>"
cc "toev@ssgbba.net"
Subject Re: FW: methodology
The attached is the text extracted from pages 8-19 and the Attachment C referenced within the text. The formatting is still a little weird. Can you work with this, or do I need to play with it some more? --- Peggy

Risk Analysis Methodology-Brennan Center excerpt.doc

"Tova Wang"<swang@ack.org>

06/29/2006 12:07 PM
To psims@eac.gov
Subject FW: methodology

Will it be possible for you to extract the excerpt for inclusion in the report? Thanks.

-----Original Message-----
From: Job Serebrov [mailto:jbserebrov@center.org]
Sent: Wednesday, June 28, 2006 5:40 PM
To: Tova Wang; psims@eac.gov
Subject: Re: methodology

Agreed

--- Tova Wang <swang@ack.org> wrote:

> As you may recall, the working group expressed
> interest in the risk analysis
> method. The recent report by the Brennan Center on
> voting machines employs
> this methodology. If you look at pp. 8-19 of the
> attached, it provides a
> potential model. I think it might be worth
> including this as an appendix or
> footnote in the methodology section. Please let me
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> Tova
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> Tova Andrea Wang
> Democracy Fellow
> The Century Foundation
> 41 East 70th Street - New York, NY 10021
> phone: 212-639-6750 multipartax: 212-639-7534
>
> Visit our Web site, the latest news,
> analysis, opinions, and events.
>
> Click here to receive our
> weekly e-mail updates.
> 
> ---- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:17 PM ----

Margaret Sims/EAC/GOV

07/05/2006 02:49 PM

To: "Tova Andrea Wang" <wang@tcf.org>

cc

Subject: Contract Hours

Tova:
If you have used up all of your remaining hours, you need to stop work until we have the contract
modification in place that provides for more hours.

Peggy

Sent from my BlackBerry Wireless Handheld

Also, I maintain that a reasonable solution to this is to allow Donsanto
and/or any of the commissioners who desire to do so to provide a statement
that would be included in the report and in the record.

----- Original Message ----- 
From: <wang@tcf.org>
To: <psims@eac.gov>; "Job Serebrov" <serebrov@tcf.org>
Cc: "Tova Wang" <wang@tcf.org>
Sent: Friday, June 30, 2006 9:42 PM
Subject: Re: Various

> That would be great on the contract.
> 
> If the interview is "edited" as you put it, I will be very, very
> uncomfortable, as I believe Job would be as well. I know you don't want
> to spend anymore time on this, but I consider it a rather important issue,
> and I think Job does too. I would be happy to talk to you and Tom and any
> of the commissioners about this further if that would be helpful. I am
> available by cell over the next four days and in the office all next week.
Thanks for the updated invoice stuff. Happy 4th.

----- Original Message -----
From: <psims@eac.gov>
To: "Job Serebrov" <[removed]>
Cc: "Tova Andrea Wang" <[removed]>
Sent: Friday, June 30, 2006 6:41 PM
Subject: Re: Various

>> Actually, the Donsanto interview was the only one I did attend, but I
>> agree the issue is taking up too much of your time. I just wanted you to
>> be forwarned that the paragraph has already raised red flags in DC of and
>> is likely to result in an edit. Enough said about that.
>>
>> I am concerned about the number of hours left for this project. If you
>> and Tova both agree, I'll see if our Contracting Officer will approve a
>> contract mod to provide for some additional hours and money to
>> incorporate comments received on the report and other efforts that fall
>> within the tasks specified in the current contract. We won't get 60
>> thou, but there might be a little year end money we can use to finish
>> this off properly.
>> Peg
>>
>> Sent from my BlackBerry Wireless Handheld
>>

------ Original Message -----
From: "Job Serebrov" <[removed]>
Sent: 06/30/2006 05:58 PM
To: psims@eac.gov; [removed]
Subject: Various

Peg:

I had to take time off this afternoon to handle some
issues. Did you get an answer as to my travel
reimbursement?

I spoke to Tova about the Donsanto issue. We both
agree about what we heard during the interview. We
also agree that this is taking up too much time (of
which we have so little left) and is a minor part of
one interview which makes up one of thirty interviews.
I feel the same as Tova, the Commission was not in on
the interview and thus do not know what was said and
we are not giving those interviewed the opportunity,
especially given how long ago the interviews were, to
object. Frankly, if the Commission wants to give us
another sixty hours each we can call all of our
interviewees, give them the review and ask for
comments. In any case, we can't include comments from
other interviews with, or lectures by person
interviewed, outside of our interview with that
person. We simply can't afford to single out one
statement in one interview that there is a
disagreement on. Finally, I don't read the paragraph
>> as you do---I remember what was said---the paragraph
>> clearly does not imply an abandonment of other DOJ
>> electoral investigations.

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:16 PM ---
Margaret Sims/EAC/GOV
07/03/2006 12:40 PM
To Serebrov
cc
Subject Travel Reimbursement

GSA reports that a pay out of $1,200.03 was made today. --- Peggy
--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:16 PM ---
Margaret Sims/EAC/GOV
06/30/2006 05:25 PM
To "Tova Wang" <tnv@gsa.gov@GSA@EXTERNAL>
cc serebrov@sbcglobal.net
Subject Re: FW: methodology

The attached is the text extracted from pages 8-19 and the Attachment C referenced within the text. The formatting is still a little weird. Can you work with this, or do I need to play with it some more? --- Peggy

Risk Analysis Methodology-Brennan Center excerpt.doc

"Tova Wang" <tnv@gsa.gov@GSA@EXTERNAL>
06/29/2006 12:07 PM
To psims@eac.gov
cc
Subject FW: methodology

Will it be possible for you to extract the excerpt for inclusion in the report? Thanks.

-----Original Message-----
From: Job Serebrov [mailto: serebrov@sbcglobal.net]
Sent: Wednesday, June 28, 2006 5:40 PM
To: Tova Wang; psims@eac.gov
Subject: Re: methodology

Agreed

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> As you may recall, the working group expressed
> interest in the risk analysis
> method. The recent report by the Brennan Center on
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>

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:16 PM ----
Margaret Sims/EAC/GOV
07/03/2006 11:04 AM
To: “Tova Wang” <GSAEternal@GSAEXTERNAL>
cc: serbrov@stategov.net
Subject: Re: final report

Once is enough. You don't need to resend. --- Peggy

“Tova Wang”
Peg, We don't need to re-send you all of the material that we gave you to provide to the working group for the final report, eg the individual interviews, research summaries, nexis and case charts, right? Thanks. Happy 4th. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021
phone: 212-939-7704, fax: 212-535-7504

Visit our Web site, theCentury.org, for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:16 PM -----
"Job Serebrov"
07/03/2006 10:14 PM
To psims@eac.gov, ccc@eac.gov
cc
Subject Hrs

Peg:

It seems to Tova and me that somewhere between 30 and 40 for each of us would be safe (having learned from not asking for enough hours).

Job

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:16 PM -----
"Job Serebrov"
07/05/2006 07:19 PM
To psims@eac.gov
cc
Subject Re: Travel Reimbursement

No, its Bank of America. I just checked again and its
not there. If it does not appear by morning I will need you to see what is going on.

--- psims@eac.gov wrote:

> They usually send it electronically. Could your bank have failed to post it due to the holiday? Does your bank tend to float deposits for a day or two? Peggy

> --------------------------
> Sent from my BlackBerry Wireless Handheld

> ----- Original Message ----- 
> From: "Job Serebrov" [MAILER-DAEMON@EAC.GOV]
> Sent: 07/05/2006 08:13 AM 
> To: psims@eac.gov 
> Subject: Re: Travel Reimbursement

> Peg:

> I checked my account this morning (July 5th) and this still has not been paid. Did GSA mail it?

> Job

> --- psims@eac.gov wrote:

> > GSA reports that a pay out of $1,200.03 was made today. --- Peggy

> Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:16 PM ----

Margaret Sims/EAC/GOV
07/03/2006 11:30 AM To “Tova Wang” <Wang@GSA.Gov>

Subject RE: Estimated Additional Hours Needed

We’ll have to guesstimate. It is likely that we will receive some comments and questions from the Commissioners and a number of comments from the boards. We could do the modification a little later, but we have to do it before the end of August to take advantage of year-end funds. Basically, the sooner we can figure this out, the better chance we have of using some of the year-end money for this project, before it is taken for something else. We have no guaranties that funds will be available in the next fiscal year. --- Peggy

"Tova Wang" <wang@CSA.Gov>
Doesn't it really depend on what the Commission comes back to us with? It's kind of hard to estimate before knowing what they're going to want.

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Peggy Sims
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1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

---- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:16 PM ----

"Job Serebrov"

07/09/2006 06:00 PM

To psims@eac.gov, wang@eac.gov

Subject Telephone Conference

Peg:

I need to move our call to next Monday at 7 pm EST. What is the situation with the extra hours?
Margaret Sims/EAC/GOV 07/03/2006 11:35 AM

I've asked Devon to do it. She can get it to you faster than I. --- Peggy

"Tova Wang" <wang@tcf.org>

"Tova Wang" <wang@tcf.org> 07/03/2006 11:18 AM

The excess returns would be a great start, and then I can do the rest. Thanks a lot.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, July 03, 2006 10:14 AM
To:
Cc: s
Subject: Re: FW: methodology

Do you just need to have the excess returns removed, or do you think it needs other clean up as well? --- Peggy
It would be great if someone there could work on cleaning it up. Let us know. Thanks.

----- Original Message ------
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To:
Cc: psims@eac.gov
Sent: Friday, June 30, 2006 5:25 PM
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06/29/2006 12:07 PM

To
psims@eac.gov

cc

Subject
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Visit our Web site, <https://www.thecenturyfoundation.org>, for the latest news, analysis, opinions, and events.

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:16 PM ---

"Tova Wang"
07/17/2006 10:29 AM
04/30/2007 04:16 PM
To psims@eac.gov
cc "Job Serebrov" <serebrov@eac.gov>
Subject: RE: final report
appendices attached, except Peg I think you put together the list of the working group members? In any case, I can't find one at the moment, but it would be easy enough to put together. Perhaps even Devon or someone could do that, especially since I don't think I have any hours left, and probably shouldn't even be writing this email. I don't remember the conversation about adding to the list of interviewees, but we can talk about that later.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, July 17, 2006 9:13 AM
To: wsg@eac.gov
Cc: "Job Serebrov" <serebrov@eac.gov>
Subject: Re: final report

Thanks. I probably won't be able to start getting into this until tomorrow AM. I noticed that the appendices weren't attached. I think we discussed earlier that the list of interviewees needed to
have more information for the final report, and the list of books and documents should be presented in the same manner as a bibliography for the final report. We can talk more about this tonight during our teleconference at 7 PM EST. --- Peggy

Hi Peg,

Attached please find drafts of the sections for the final report. Job, please double check I'm not missing anything or sent the wrong version of anything. I'm very concerned I may have. Is there a summary of the case review that I should have? Also, as we discussed, the attached does not include all of the individual summaries and charts which we already gave you for the working group and which have not changed. Peg, we'll want to see the complete set of the materials you plan to give to the commissioners, et.al., before you do so. If you could both let me know if all the formatting is OK, that would be great too. Thanks so much and look forward to talking to you at 7 EST.

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021

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Click here to receive our weekly e-mail updates. List of Experts Interviewed.doc
APPENDIX C -- BRENNAN EXCERPT.doc Existing Literature Reviewed.doc

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:16 PM -----
Margaret Sims/EAC/GOV
07/20/2006 02:46 PM
To Tova Andrea Wang
cc
I received your faxed voucher today, signed it, and gave it to Finance. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:16 PM ---

Margaret Sims/EAC/GOV
07/17/2006 12:25 PM

To: “Tova Wang” <wang@tcf.org>
cc: “Job Serebrov” <serebrov@ssbglobal.net>
Subject: RE: final report

Yes, I have the list of Working Group members. --- Peggy

“Tova Wang” <wang@tcf.org>
07/17/2006 10:29 AM

To: psims@eac.gov
cc: “Job Serebrov”
Subject: RE: final report

appendices attached, except Peg I think you put together the list of the working group members? In any case, I can't find one at the moment, but it would be easy enough to put together. Perhaps even Devon or someone could do that, especially since I don't think I have any hours left, and probably shouldn't even be writing this email. I don't remember the conversation about adding to the list of interviewees, but we can talk about that later.

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From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, July 17, 2006 9:13 AM
To: 
Cc: Tova Wang, Job Serebrov
Subject: Re: final report

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--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:16 PM ---
Margaret Sims/EAC/GOV
07/17/2006 01:41 PM
To “Tova Wang” <wang@fsf.org> Cc "Job Serebrov” <job.serebrov@globalnet.co.uk>
Subject RE: final report
Here is the list of Working Group members with some information highlighted about each individual. Yes, you can email me later in the day to let me know if I should call you at home or at work. --- Peggy

Working Group Members 5-12-06.doc

"Tova Wang" <wang@tcf.org>

Can you send it over? As I recall, it includes bios, right? I'm assuming on the interviewees you think we should have very short biographical information? Also, Peg, I'm not sure if I'll still be at work at 7 or home. Is it ok if I email you late in the day as to where I am? My cell phone (for only two more weeks) is...

Thanks.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, July 17, 2006 11:26 AM
To: Job Serebrov; wang@tcf.org
Cc: psims@eac.gov
Subject: RE: final report

appendices attached, except Peg I think you put together the list of the working group members? In any case, I can't find one at the moment, but it would be easy enough to put together. Perhaps even Devon or someone could do that, especially since I don't think I have any hours left, and probably shouldn't even be writing this email. I don't remember the conversation about adding to the list of interviewees, but we can talk about that later.

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Click here to receive our weekly e-mail updates.
Speaking of which, does this look ok to you?

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, July 17, 2006 9:13 AM
To: wang@fcr.org
Cc: Job Serebrov
Subject: Re: final report

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Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021
phone: 212-427-5301; fax: 212-535-7528

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Click here to receive our weekly e-mail updates. voucher 6-18 to 7-16.doc

He asks that you call him on his cell, 555-1234.

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021

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I received your faxed voucher this morning, signed it, and submitted it to Finance. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:16 PM ---

"Tova Wang"
<psims@eac.gov>
07/17/2006 05:36 PM
To psims@eac.gov
cc
Subject Voucher
Subject I'll be in my office :(

212-452-7704

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021

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--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:16 PM ---

Juliet E.
Thompson-Hodgkins/EAC/GOV
07/17/2006 10:18 AM
To Margaret Sims/EAC/GOV@EAC
cc
Subject Re: Voting Fraud-Voter Intimidation Draft Report

That's good.
Juliet Thompson Hodgkins
General Counsel
United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100
Margaret Sims/EAC/GOV

Margaret Sims/EAC/GOV
07/17/2006 10:15 AM
To jthompson@eac.gov
cc twilkey@eac.gov, Karen Lynn-Dyson/EAC/GOV@EAC
Subject Voting Fraud-Voter Intimidation Draft Report

Julie:

I received pieces of the draft final report on voting fraud-voter intimidation this morning. If it is OK with you, I'll hold it until all I have all of the pieces, so that you can review it as a whole document. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:16 PM -----
I'm sorry I did not get back to you on this yesterday. I reviewed the voucher this morning and found that only two corrections are needed (coverage dates and # of days worked during the first two weeks). I've made the corrections in red on the attached copy of your voucher. --- Peggy

Wang voucher 6-18 to 7-15.doc

Speaking of which, does this look ok to you?

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, July 17, 2006 9:13 AM
To: wang@tcf.org
Cc: 'Job Serebrov'; wang@tcf.org
Subject: Re: final report

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Hi Peg,

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Tova Andrea Wang  
Democracy Fellow  
The Century Foundation  
41 East 70th Street - New York, NY 10021  


Click here to receive our weekly e-mail updates. voucher 6-18 to 7-16.doc

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:16 PM -----  
Karen Lynn-Dyson/EAC/GOV  
To twilkey@eac.gov, Margaret Sims/EAC/GOV@EAC, Edgardo Cortes/EAC/GOV@EAC  
Subject Fw: Invitation to attend Election Fraud Conference

All-

I assume that in light of our Voting Fraud and Voter Intimidation project, we will have an EAC presence there?

K  
Karen Lynn-Dyson  
Research Manager  
U.S. Election Assistance Commission  
1225 New York Avenue, NW Suite 1100  
Washington, DC 20005
Please find attached an invitation to attend the Election Fraud Conference co-sponsored by the Center for Public Policy and Administration at the University of Utah and the Caltech/MIT Voting Technology Project, September 29-30, 2006 in Salt Lake City, UT.

Regards,
Melissa Slemin

++++++++++++++++++++++++++++++++++
California Institute of Technology
Voting Technology Project
MC 228-77
1200 E California Blvd
Pasadena, CA 91125
phone: 626.395.4089
fax: 626.405.9841

http://votingtechnologyproject.org

There was no telephone conference scheduled yesterday. If you all remember, due to my current job and grandchildren situation we were unable to arrange a teleconference.

--- Original Message ---

> What's going on? Where are we at? Thanks. Tova
> ----- Original Message -----
Dear friends and colleagues,

As some of you know, I have decided to voluntarily give up many of my voting rights and become a resident of the District of Columbia. As I will be simply transferring to The Century Foundation's DC office, my email will remain the same. My new work contact information as of August 8 is as follows:

The Century Foundation
1333 H Street, NW
10th Floor
Washington, DC 20005

I look forward to speaking with you and seeing you soon.

Tova Wang
Democracy Fellow
The Century Foundation
Okay -- you are on for May 18th! Can we do it over here at 10?

--- Original Message ---
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 12:40:19 2006
Subject: Re: Voting Fraud-Voter Intimidation

My problem is that agency staff is booked most of the week of 5/21. Monday through Wednesday are taken up with meetings of the Standards Board Executive Committee, the full Standards Board, and the Board of Advisors. Thursday, we have EAC's public meeting. Also, I will lose one of my two consultants in June, so I'm trying to wrap up this project (and get the final report from the consultants) by the end of May.

Say "Hi" to Cameron for me.

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
05/03/2006 11:56 AM
To
psims@eac.gov
cc
Subject
Re: Voting Fraud-Voter Intimidation
Hi Peg. I am sitting here with Cameron Quinn putting together this year's ballt conference for AUSAs. She send her best!

I am available on 5/18. But I am also going to the Board of Advisors Meeting the following week. I would rather do this then.

----------------------------------------
Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 11:39:50 2006
Subject: Voting Fraud-Voter Intimidation

Craig:

We are continuing our efforts to hone in on a date for the Working Group meeting. Are you available the afternoon of Thursday, May 18?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----
Margaret Sims/EAC/GOV
05/03/2006 04:59 PM 
To "Donsanto, Craig"
<Craig.Donsanto@usdoj.gov>@GSAEXTERNAL
cc
Subject Re: Voting Fraud-Voter Intimidation

I am looking at the afternoon of 5/18 for the meeting, due to scheduling conflicts of Working Group members. There remain two members from whom we have not yet received confirmations of their schedule (with some, it is like pulling teeth), but right now 5/18 still looks like the best day. We may have to hold the meeting over here to make it easier for Commissioners to drop in. --- Peg

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
05/03/2006 12:53 PM
To psims@eac.gov
cc
Subject Re: Voting Fraud-Voter Intimidation
Okay -- you are on for May 18th! Can we do it over here at 10?
--------------------------
Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

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From: psims@eac.gov <psims@eac.gov>
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To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 11:39:50 2006
Subject: Voting Fraud-Voter Intimidation

Craig:
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Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission

Tuesday at 4 is OK for me.
----- Original Message ------
From: psims@eac.gov
To: wang@towerpg
Cc: dromig@eac.gov
Sent: Friday, May 05, 2006 2:32 PM
Subject: Working Group

Hi, Folks:

Teleconference
Are both of you available for a teleconference next Tuesday afternoon at about 4 PM EST? If this does not work for you, please suggest another date and/or time. I would like to discuss our preparations for the Working Group meeting.

Working Group Members
We have a very good person to fill the slot for the nonpartisan local election official: J.R. Perez, Elections Administrator for Guadalupe County, TX. Attached is his bio. Hope you have no objections to him. He is available on May 18. I have placed 2 calls to Pat Rogers office, but have not yet received a reply. Job, if you have any pull with him, you may want to contact him, too.

Travel Arrangements
You should make your own travel arrangements, including hotel. Travel time cannot be billed to the contract, except for hours actually worked on the contract (i.e.; reviewing materials in preparation for the meeting, and the like). Current Federal rates follow:

Maximum Lodging = $180 per day- does not include hotel taxes (if you cannot get this rate, we have covered reasonable rates that are a little higher)
Meals & Incidental = $64 per day (except that it is $48 on the first and last day of travel)
Mileage for Personally Owned Vehicle = $ .445 per mile

Under the new contract, I do not have to fill out a travel authorization for you. I can approve your trip via email. Afterwords, when you turn in your next pay voucher, you can attach the airline receipt (or mileage documentation), hotel receipt(s), and ground transportation receipts and a copy of any printed itineraries. Calculate the total travel expenses due you, including applicable per diem. I do not need meal receipts.

Job, under Federal travel regulations, deviations for personal reasons are not normally accommodated. What you can do, however, is to give me a comparison of the cost of roundtrip mileage, hotel, and per diem of doing it your way against the cost of a roundtrip flight, ground transportation, hotel, and per diem. If your way costs less, it should be no problem to cover the full cost. If your way is more expensive, we may only pay up to the amount of traditional travel. (The same rules apply to me when I travel.) If you can tell me where, other than DC, you will spend the night, I can check on applicable per diem rates.

Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----
Margaret Sims/EAC/GOV
05/04/2006 03:13 PM
To "Donsanto, Craig"
<Craig.Donsanto@usdoj.gov> @GSAEXTERNAL
cc
Subject RE: Voting Fraud-Voter Intimidation

Craig:

This meeting is being held to obtain input from our eight-member Working Group for the project. The group is composed of election lawyers, election officials, and a representative of an advocacy group, all of whom have an interest and some expertise in the identification and/or prosecution of voting fraud and voter intimidation. The group was chosen so that we would have an equal number of folks on each side of the political spectrum, plus some nonpartisan members.

After our consultants review the results of their preliminary research (interviews, literature review, case law), we will ask the Working Group to brainstorm possible next steps for EAC. Our consultants will write a report summarizing the proposals that come out of this meeting. The report will go to the Commissioners, who will decide what they want to do, funds available, and what priority to assigned to the effort(s).

Your participation in this part of the process is extremely important, so I am very happy that you can find time for us that afternoon. I'll get an agenda and other information to you next week. --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
Okay, Peg - - I will mark off the entire afternoon and try to be there. What is the agenda? I was not aware that this was anything beyond having your contractors spend another session with me. Also, if they will be needing stats and stuff like that I need to know as I will bring my state-people with me.

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 04, 2006 2:28 PM
To: Donsanto, Craig
Subject: Re: Voting Fraud-Voter Intimidation

Right now, we are planning to meet in EAC's large conference room between 1 PM and 5 PM. If you cannot be there for the whole afternoon, we will appreciate whatever time you can spare. I'll get back to you with more information (agenda, list of Working Group members, etc.). --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
05/03/2006 05:59 PM
topsims@eac.gov
cc
Subject: Re: Voting Fraud-Voter Intimidation

Afternoon of May 18 -- 2:30 okay? How long will they need??
--------------------------
Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 16:59:09 2006
Subject: Re: Voting Fraud-Voter Intimidation

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Election Research Specialist
U.S. Election Assistance Commission

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----
Margaret Sims/EAC/GOV
05/09/2006 11:33 AM
To: "Job Serebrov" <serebrov@sbcglobal.net>
cc: troy@ecbernal
Subject: Re: Working Group-Perez

Did you look at the attached excerpts from Texas Code? --- Peggy

"Job Serebrov" <serebrov@sbcglobal.net>

"Job Serebrov"
05/09/2006 11:23 AM
To: psims@eac.gov
cc: troy@ecbernal
Subject: Re: Working Group-Perez

We have the same set-up here in Arkansas. We hired a person just like Perez. However, given this, I would still like to know if he has a party affiliation and this brings up another issue. How is the county election commission chosen. In Arkansas it is the...
Chairmen of the Republican and Democrat Parties or if he/she does not want to serve a person is elected in his/her stead and a third member picked by the party with the most constitutional officers. Practically that has meant that the Democrats have controlled election commissions in Arkansas since the end of Reconstruction. This is why I want to know the situation in Texas.

--- psims@eac.gov wrote:

> As you may recall, the Commissioners directed me to find a nonpartisan local election official to serve on the Working Group. The three of us discussed the desirability of having a Hispanic. I proposed that I find someone from Texas because of that State's colorful history of voting fraud and their innovative approaches to combat it. In those Texas counties that hire Election Administrators to run elections, rather than having elected officials do so (Tax Assessor for voter registration; County Clerk for balloting), the Election Administrator is hired by the County Election Commission and is supposed to perform his or her duties in a nonpartisan manner. (See attached excerpts from Texas Election Code regarding election administrator hiring and restrictions on partisan activity.) Any experienced Texas election official will be familiar with voting fraud and voter intimidation schemes used in that State.
> Mr. Perez has over 13 years experience as a county Election Administrator in Texas. You won't find many news articles mentioning him because he has kept his nose clean. (The Texas press, as in many other parts of the country, prefers to report bad news.) Mr. Perez is plugged into the association of Texas election officials and the two largest organizations of election officials in this country: the International Association of Clerks, Recorders, Election Officials and Treasurers (IACREOT); and The Election Center. He is a past President and past Chairman of the Legislative Committee for the Texas Association of Election Administrators. He currently serves on IACREOT's Election Officials Committee, which plans the educational sessions for election officials that are conducted...
at that organization's conferences. His peers in IACREOT and The Election Center have selected his submissions on web presentations (IACREOT) and his professional practices papers (Election Center) for awards. Mr. Perez also has access to information from other States through his membership in IACREOT and The Election Center. He also has a sense of humor, which you will note if you access the staff web page on the Guadalupe County Elections web site and hear the Mission Impossible theme. Something that might be useful in the upcoming meeting.

Guadalupe County is small but growing. In 2004, the county had over 65 thousand registered voters (a number more than doubled the number of registered voters in 1988). A third of the county's population claims Hispanic or Latino origin, according to the U.S. Census Bureau. The county is in south central Texas and is bordered by Comal, Hays, Cladwell, Gonzales, Wilson, and Bexar counties. In the 1980s, the county was predominately a farming community; but in recent years, many people have moved from San Antonio (Bexar County) to Guadalupe County, preferring to live in Guadalupe County and work in Bexar County.

--- Peggy

"Job Serebrov" 05/08/2006 11:30 PM

To psims@eac.gov
cc
Subject Re: Working Group

Peggy:

What political party is Perez with? How political is he? Is the position in Texas neutral or political?
Diana:

The following members of the Working Group for our Voting Fraud/Voter Intimidation research project will need to make travel arrangements in order to attend an afternoon meeting of the group on May 18 in Washington, DC:

Mark "Thor" Hearne - St Louis, MO  
J.R. Perez - Seguin, TX  
The Honorable Todd Rokita - Indianapolis, IN  
Kathy Rogers - Atlanta, GA

I may have one additional member from Albuquerque, NM confirmed early next week.

May these people use Adventure Travel to make these arrangements in the same manner as the Asian Language Working Group? I understand the members of that group made hotel and flight arrangements through Adventure Travel and that these costs were billed directly to EAC. We did plan for EAC to pay for the travel of the Voting Fraud/Voter Intimidation Working Group (budgeted under Research). Devon will prepare their travel authorizations.

Peggy Sims  
Election Research Specialist

This seems OK, I guess its a less detailed version of what I sent you. I hope you will advise us as to what
we are supposed to talk about/go over since we have provided the group with everything we've done ahead of time. I also hope that you will have an answer for me on Wade. It utterly essential that we have a leader from the civil rights community at the table.

----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 11, 2006 9:07 AM
To: wang@iol.org, serebrov@abglobal.net
Subject: Today's Teleconference

I assume that we are still on for today's teleconference at 11 AM EST. I will call you. I have attached a draft agenda for your review and comment. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----

"Job Serebrov"
<serebrov@abglobal.net>
05/11/2006 03:36 PM
To: "Tova Wang" <weep@tdf.org>, psims@eac.gov
cc: serebrov@abglobal.net
Subject: Re: new working group representative

I have an objection to Greenbaum. While I realize he comes from an advocacy group, he is not a minority attorney and we already have a rep who worked with DOJ. If it is to be Greenbaum, I would rather not fill that position since I am one down.

--- Tova Wang wrote:

> is Jon Greenbaum
> > Here's his info in full:
> >
> >
> > He is the Director of the Voting Rights Project for the Lawyers Committee for Civil Rights. He will be representing Barbara Arnwine, the Executive Director of the Lawyers Committee.
> >
> > His contact and mailing info is:
> >
> > 1401 New York Avenue, NW
> > Suite 400
> > Washington, DC 20005
> >
> >
> > Tova Andrea Wang
> > Democracy Fellow
> > The Century Foundation
--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM ---

"Tova Wang"

to: psims@eac.gov, sbcoldblast.net

05/11/2006 02:12 PM

Subject: RE: Literature Summary

It might be an Apple issue.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 11, 2006 1:09 PM
To: sbcoldblast.net
Cc: wp@tcf.org
Subject: Literature Summary

Tova just sent me the summary you prepared of The Federal Crime of Election Fraud by Craig Donsanto. There is something wrong in the fourth paragraph (odd characters and missing text). Can you please send a replacement fourth paragraph? You can send it in an email and I will place it in the document. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM ---

"Job Serebrov"

to: psims@eac.gov

05/04/2006 12:04 PM

Subject: Re: Good News

Peggy:

Rogers contact information is below on my last message. My uncle is having a complicated procedure where they are both cementing his spine to shore it up and testing for a malignant tumor—which they now
suspect as the cause of the sudden bone problems. If it is a tumor, the working group session could get complicated.

Job

--- psims@eac.gov wrote:

> Job:
> 
> Hope your uncle's surgery goes well.
> 
> I have the Chairman's OK to follow your recommendation and replace Norcross with Rogers. Do you have contact information for Rogers? --- Peggy
> 
> "Job Serebrov" <serebrov@sbcglobal.net>
> 05/04/2006 11:17 AM
>
> To
> psims@eac.gov
> cc
>
> Subject
> Re: Good News
>
>
> I will have a better idea about my uncle's condition today after surgery.
>
> See:
> 500 Fourth Street NW
> P.O. Box 2168
> Albuquerque, NM 87103-2168
> (505) 848-1881
> Asst: eam
>
> --- psims@eac.gov wrote:
>
> > Job:
> > Secretary Rokita is available May 18. I'm going to talk with the Chairman
> > today about substituting Rogers for Norcross. Do you have contact information for Rogers? --- Peggy
> >
Okay, Peg - thank you. I will be there.

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Friday, May 05, 2006 9:16 AM
To: Donsanto, Craig
Subject: Re: Voting Fraud-Voter Intimidation

The non-election officials on the Working Group currently include:

- Barry Weinberg, whom you know
- Barbara Arnwine, Lawyers Committee for Civil Rights Under Law (organization associated with the Voting Rights Project and Election Protection)
- Bob Bauer, Perkins Coie, DC (Democrat attorney)
- Mark "Thor" Hearne, Lathrop & Gage, St Louis, MO (Republican attorney)

I am trying to recruit one other Republican attorney, Patrick Rogers, Modrall, Sperling, Roehl, Harris and Sisk, NM, who was recommended by our Republican consultant. He would replace an original member who is no longer available.

I know that Barbara has associated at conferences and in legislative efforts with Wade Henderson, Leadership Conference on Civil Rights. Also, the Lawyers Committee for Civil Rights is listed as one of many members of the Executive Committee for the Leadership Conference on Civil Rights (see http://www.civilrights.org/about/lccr/executive_committee.html).

Does this information help? --- Peggy
Peggy -- they don't have anything to do with the Leadership Conference on Civil Rights do they?

I ask only because the Justice Department is currently engaged in a very acrimonious FOIA litigation with LCCR that focuses precisely on our efforts to combat voter "intimidationm"

Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Thu May 04 17:20:39 2006
Subject: RE: Voting Fraud-Voter Intimidation

It is just the Working Group for the Voting Fraud-Voter Intimidation Project. I am asking you to attend as Technical Advisor for the project. --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
05/04/2006 03:26 PM
To
psims@eac.gov
cc
Subject
RE: Voting Fraud-Voter Intimidation

Peg -- what is the name of the group?

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 04, 2006 3:13 PM
To: Donsanto, Craig
Subject: RE: Voting Fraud-Voter Intimidation
Craig:

This meeting is being held to obtain input from our eight-member Working Group for the project. The group is composed of election lawyers, election officials, and a representative of an advocacy group, all of whom have an interest and some expertise in the identification and/or prosecution of voting fraud and voter intimidation. The group was chosen so that we would have an equal number of folks on each side of the political spectrum, plus some nonpartisan members.

After our consultants review the results of their preliminary research (interviews, literature review, case law), we will ask the Working Group to brainstorm possible next steps for EAC. Our consultants will write a report summarizing the proposals that come out of this meeting. The report will go to the Commissioners, who will decide what they want to do, funds available, and what priority to assigned to the effort(s).

Your participation in this part of the process is extremely important, so I am very happy that you can find time for us that afternoon. I'll get an agenda and other information to you next week. --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/04/2006 02:32 PM

To

cc

Subject

RE: Voting Fraud-Voter Intimidation

Okay, Peg - - I will mark off the entire afternoon and try to be there. What is the agenda? I was not aware that this was anything beyond having your contractors spend another session with me. Also, if they will be needing stats and stuff like that I need to know as I will bring my state-people with me.

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 04, 2006 2:28 PM
To: Donsanto, Craig
Subject: Re: Voting Fraud-Voter Intimidation

Right now, we are planning to meet in EAC's large conference room between 1 PM and 5 PM. If you cannot be there for the whole afternoon, we will appreciate whatever time you can spare. I'll get back to you with more information (agenda, list of Working Group members, etc.). --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/03/2006 05:59 PM

To
cc
Subject

--- Original Message ---
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 16:59:09 2006
Subject: Re: Voting Fraud-Voter Intimidation

I am looking at the afternoon of 5/18 for the meeting, due to scheduling conflicts of Working Group members. There remain two members from whom we have not yet received confirmations of their schedule (with some, it is like pulling teeth), but right now 5/18 still looks like the best day. We may have to hold the meeting over here to make it easier for Commissioners to drop in. --- Peg

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/03/2006 12:53 PM
To psims@eac.gov
cc
Subject Re: Voting Fraud-Voter Intimidation

Okay -- you are on for May 18th! Can we do it over here at 10?

Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 12:40:19 2006
Subject: Re: Voting Fraud-Voter Intimidation

My problem is that agency staff is booked most of the week of 5/21. Monday through Wednesday are taken up with meetings of the Standards Board Executive Committee, the full Standards Board, and the Board of Advisors. Thursday, we have EAC's public meeting. Also, I will lose one of my two consultants in June, so I'm trying to wrap up this project (and get the final report from the consultants) by the end of May.

Say "Hi" to Cameron for me.

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
05/03/2006 11:56 AM
To psims@eac.gov
cc
Subject Re: Voting Fraud-Voter Intimidation

Hi Peg. I am sitting here with Cameron Quinn putting together this year's ballt conference for AUSAs. She send her best!

I am available on 5/18. But I am also going to the Board of Advisors Meeting the following week. I would rather do this then.

Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

002577
-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 11:39:50 2006
Subject: Voting Fraud-Voter Intimidation

Craig:

We are continuing our efforts to hone in on a date for the Working Group meeting. Are you available the afternoon of Thursday, May 18?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----
Devon E. Romig/EAC/GOV
05/09/2006 11:34 AM
To: Margaret Sims/EAC/GOV@EAC
cc
Subject: Re: May 18 Meeting

No, but I have left a message for her assistant and I am waiting for her to return my call. I will let you know as soon as I hear anything.

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov
Margaret Sims/EAC/GOV
Did Barbara Arnwine's office indicate who they propose to send in her place? --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM ---

"Job Serebrov"

05/08/2006 11:30 PM

To  psims@eac.gov

cc

Subject  Re: Working Group

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM ---

Diana Scott/EAC/GOV

05/08/2006 10:22 AM

To  Margaret Sims/EAC/GOV@EAC

cc  dromig@eac.gov, Karen Lynn-Dyson/EAC/GOV@EAC

Subject  Re: Working Group Travel

Peggy,

I will send these names to Adventure Travel (AT) authorizing AT to place the airfare and hotel charges on our credit card. That is all I do on my end. BUT Devon has to follow up to make all the arrangements with Marvin Brokaw at AT and whatever else is required as far as support servs. for the meeting is concerned.

I assume this is a separate meeting from the 2 Karen & Brian are having?

Diana M. Scott
Administrative Officer
U.S. Election Assistance Commission
(202) 566-3100 (office)
(202) 566-3127 (fax)
dscott@eac.gov

Margaret Sims/EAC/GOV
Diana:

The following members of the Working Group for our Voting Fraud/Voter Intimidation research project will need to make travel arrangements in order to attend an afternoon meeting of the group on May 18 in Washington, DC:

Mark "Thor" Hearne - St Louis, MO
J.R. Perez - Seguin, TX
The Honorable Todd Rokita - Indianapolis, IN
Kathy Rogers - Atlanta, GA

I may have one additional member from Albuquerque, NM confirmed early next week.

May these people use Adventure Travel to make these arrangements in the same manner as the Asian Language Working Group? I understand the members of that group made hotel and flight arrangements through Adventure Travel and that these costs were billed directly to EAC. We did plan for EAC to pay for the travel of the Voting Fraud/Voter Intimidation Working Group (budgeted under Research). Devon will prepare their travel authorizations.

Peggy Sims
Election Research Specialist

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM ---

"Job Serebrov"

To psims@eac.gov
cc

Subject Re: Working Group-Travel Costs

Peggy:

Please tell the folks there that I am not worried about a perceived breach of contract. This is a completely ridiculous statement considering the contractual requirement that the consultants convene the Working Group and not the Commission and it never specifies where or when this is to take place. All this to say that while the contract does specify a Working Group meeting it does not specify that it must
take place on any particular date or in a particular city. With that said, I have never heard of any federal travel requirements that would result in a loss of money because I decided to drive and not fly. In fact, that is why there is an amount paid per mile. So I would like to see the federal regulation that forces me to take the least expensive transport and restricts all other ground transport costs to that figure.

As to hotels, based on Tova's research there are no rooms for under the $350 range per night. If you can find hotels that are less expensive but still carry the kind of bed I need for my back (either pillow top or a number bed) please do.

The issue of my uncle—today I have not had an update on his condition. But, as I previously stated, if he were to die or have an event while I was in DC, I would have to go to NYC meeting or no meeting.

Finally, neither Tova nor I have been satisfied about Mr. Perez and I have not been told whether Pat Rogers will be coming or one of Tova's people will not be.

In the end, I need to see the travel regulation that I requested above, I would like you to look into hotels for Tova and me that have the kind of bed I need and I would like to know about Perez and Rogers. In the mean time, I should have an update on my uncle by morning. I would also be happy to talk to Julie about the issues involved. I will take you up on your offer to process my travel expenses faster and I do not and never did expect you to get me a travel advance. I worked in international development and know what a headache those are to apply for on the state level.

Job

--- psims@eac.gov wrote:

> Job:
> 
> Folks here are concerned that your failure to show up in person to help conduct the meeting would be a breach of contract. I also am concerned about the impression that your absence will leave with the Commissioners and with the VIPs coming to this meeting.
> 
> If you are concerned about delays in reimbursement caused by including the travel expenses in the personal services voucher, I can always process your request (with receipts) separately and earlier. I can have staff here check to see if we can find hotel rooms at a more reasonable rate for you and Tova. (We recognize that you may not be
able to obtain Federal
government rate.) What I cannot do is offer a
tavel advance, which is
not permitted for nonfederal employees, or offer to
pay the difference
between normal travel expenses and those incurred
for personal
convenience, when the latter is the higher amount.

I urge you to make your travel arrangements ASAP.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120
(direct)
Fax: 202-566-3127
email: psims@eac.gov

"Job Serebrov" <job.serebrov@eac.gov>
05/08/2006 01:41 PM

To
psims@eac.gov
cc
Subject
Re: Working Group

Given the information I have Peggy, that is not
going
to be financially possible. First, given Tova’s info
about the hotels, it is too much for me to front.
Two
to three days in DC would run around $1000 for the
hotel alone. That does not count the two days on the
road to get there and two days back. Second, if I
can't charge the federal per mile allowance for the
entire trip to DC and back and can only get the
equivalent of plane fare, I will actually loose
money.

I simply do not see how we can do this in person
given
the financial restrictions.
Job:

I don't think we can put you on teleconference for 41/2 hours. We really need to have you here in person if you are to help conduct the Working Group meeting. You should make your travel arrangements ASAP. --- Peggy

--- "Job Serebrov" 05/08/2006 10:14 AM

To psims@eac.gov, cc

Subject Re: Working Group

--- psims@eac.gov wrote:

Hi, Folks:

Teleconference Are both of you available for a teleconference next Tuesday afternoon at
about 4 PM EST? If this does not work for you, please suggest another date and/or time. I would like to discuss our preparations for the Working Group meeting.

Working Group Members

We have a very good person to fill the slot for the nonpartisan local election official: J.R. Perez, Elections Administrator for Guadalupe County, TX. Attached is his bio. Hope you have no objections to him. He is available on May 18. I have placed 2 calls to Pat Rogers office, but have not yet received a reply. Job, if you have any pull with him, you may want to contact him, too.

Travel Arrangements

You should make your own travel arrangements, including hotel. Travel time cannot be billed to the contract, except for hours actually worked on the contract (i.e.; reviewing materials in preparation for the meeting, and the like). Current Federal rates follow:

- Maximum Lodging = $180 per day- does not include hotel taxes (if you cannot get this rate, we have covered reasonable rates that are a little higher)
- Meals & Incidentals = $64 per day (except that it is $48 on the first and last day of travel)
- Mileage forPersonally Owned Vehicle = $.445 per mile
- Under the new contract, I do not have to fill out a travel authorization for you. I can approve your trip via email. Afterwords, when you turn in your next pay voucher, you can attach the airline receipt (or mileage documentation), hotel receipt(s), and ground transportation receipts and a copy of any printed itineraries. Calculate the total travel expenses due.
Peggy:

At this point and unless my uncle dies before May 18, the only way I will go to DC is to drive my car. I will need it in case my uncle dies while I am there. You will need to get approval for the use of my car and the two days it will take me to get there and two days back.

Job

The Commissioners made this an equal bi-partisan issue. I am seen as representing the Republican Party. I now have a responsibility to assure that this ends up bi-partisan. I have been placed in a position of dual obligations---both to the contract and to the Party. I in fact see myself as carrying out what the Commission wanted to the letter---equal bi-partisan representation.

--- psims@eac.gov wrote:

> Your response suggests that you do not care what the Commissioners may think about the effort. --- Peggy
> >
> >
> >
> >
> > "Job Serebrov" 05/11/2006 04:35 PM
> >
> > To psims@eac.gov
Subject
Re: new working group representative

Peggy:

Braden is ok also with me but please don't tell me not to "stir up" things. I assure you nothing will come back to bite me. I know these people well enough to say they will also want a balanced group. In fact, one of them was very unhappy with Tova's folks.

Job

--- psims@eac.gov wrote:

According to the Commissioners, you and Tova each got to pick three members of the Working Group. The Commission guidance regarding this particular member follows:

4 people from the Academic, Legal and Advocacy sectors - 2 to be chosen by Tova and 2 to be chosen by Job.

This issue of allowing a designee relates to Tova's pick.

As I understand it, we are working on a replacement for Norcross. If Ginsberg is not viable, how about Mark Braden, who includes public integrity in his areas of specialization. I would not try and stir up other members of the Working Group, if I were you.

The effort is likely to come back and bite you.

"Job Serebrov" <Job.Serebrov@eac.gov>
05/11/2006 03:53 PM
To
psims@eac.gov
cc

I really don't care if he represents the organization or not. What mixed race? The entire discussion was because Arnwine was African-American. If you are going to invite him without first having a replacement for my side, I may have to call Thor and Todd and discuss all of this.

--- psims@eac.gov wrote:

Greenbaum is representing Arnwine, not replacing her. He works for her organization and is of mixed race. --- Peggy

"Job Serebrov" <ser@eac.gov> 05/11/2006 03:36 PM

To: "Tova Wang" <psims@eac.gov>
cc: Subject
Re: new working group representative

I have an objection to Greenbaum. While I realize he comes from an advocacy group, he is not a minority attorney and we already have a rep who worked with DOJ. If it is to be Greenbaum, I would rather not fill that position since I am one down.

--- Tova Wang <psims@eac.gov> wrote:

is Jon Greenbaum

Here's his info in full:
He is the Director of the Voting Rights Project for the Lawyers Committee for Civil Rights. He will be representing Barbara Arnwine, the Executive Director of the Lawyers Committee.

His contact and mailing info is:

1401 New York Avenue, NW
Suite 400
Washington, DC 20005

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021

Visit our Web site, for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.
Afternoon of May 18 -- 2:30 okay? How long will they need??

Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 16:59:09 2006
Subject: Re: Voting Fraud-Voter Intimidation

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"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/03/2006 12:53 PM
To
psims@eac.gov
cc
Subject
Re: Voting Fraud-Voter Intimidation

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To
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cc
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Craig:

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Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
Right now, we are planning to meet in EAC's large conference room between 1 PM and 5 PM. If you cannot be there for the whole afternoon, we will appreciate whatever time you can spare. I'll get back to you with more information (agenda, list of Working Group members, etc.). --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

Afternoon of May 18 -- 2:30 okay? How long will they need??
--------------------------
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"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/03/2006 12:53 PM
To
psims@eac.gov
cc
Subject
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Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

---Original Message---
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 12:40:19 2006
Subject: Re: Voting Fraud-Voter Intimidation

My problem is that agency staff is booked most of the week of 5/21. Monday through Wednesday are taken up with meetings of the Standards Board Executive Committee, the full Standards Board, and the Board of Advisors. Thursday, we have EAC's public meeting. Also, I will lose one of my two consultants in June, so I'm trying to wrap up this project (and get the final report from the consultants) by the end of May.

Say "Hi" to Cameron for me.

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
05/03/2006 11:56 AM
To
cc
Subject

Hi Peg. I am sitting here with Cameron Quinn putting together this year's ballt conference for AUSAs. She send her best!

I am available on 5/18. But I am also going to the Board of Advisors Meeting the following week. I would rather do this then.

Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

---Original Message---
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 11:39:50 2006
Subject: Voting Fraud-Voter Intimidation

Craig:

We are continuing our efforts to hone in on a date for the Working Group meeting. Are you available the afternoon of Thursday, May 18?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission

-------- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM --------
Margaret Sims/EAC/GOV
05/12/2006 01:41 PM
To: Job Serebrov
Subject: Re: Fraud Definition

I will add "DRAFT" to the definition and, yes, the WG will have suggestions. I do plan to send packets to you and Tova containing the same materials being provided to the WG. I haven't sent anything yet because I was hoping to finalize the WG list for inclusion. (Still waiting for a response from Ginsberg.)

Regarding Tova's response, we may want to have a very short meeting after the WG disperses, followed by a teleconference the following Monday afternoon. Tuesday is bad for me because I'll be out of the office attending a series of EAC meetings that begin that day. --- Peggy

"Job Serebrov" <serebrov@sbglobal.net>
05/12/2006 12:52 PM
To: psims@eac.gov, wfg@eac.gov
Subject: Re: Fraud Definition

This is ok, given the fact that the WG may have suggestions. Will you be sending us the same packets that you are sending the WG? Also, I figure with Tova's response we will need to have a teleconference on the report once I return to Little Rock. We will need to do it that following Monday or Tuesday.
--- psims@eac.gov wrote:

> Would you please take a look at the attached? I combined both of your definitions, reformatted the list, removed a reference to the fraud having to have an actual impact on the election results (because fraud can be prosecuted without proving that it actually changed the results of the election), and taken out a couple of vague examples (e.g.; reference to failing to enforce state laws --- because there may be legitimate reasons for not doing so).

> I have made contact with Ben Ginsberg's office and am waiting to hear if he accepts our invitation to join the working group.

> --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM -----

Margaret Sims/EAC/GOV
05/05/2006 02:32 PM  To Tova Andrea Wang, Job Serebrov
cc dromig@eac.gov
Subject Working Group

Hi, Folks:

**Teleconference**

Are both of you available for a teleconference next Tuesday afternoon at about 4 PM EST? If this does not work for you, please suggest another date and/or time. I would like to discuss our preparations for the Working Group meeting.

**Working Group Members**

We have a very good person to fill the slot for the nonpartisan local election official: J.R. Perez, Elections Administrator for Guadalupe County, TX. Attached is his bio. Hope you have no objections to him. He is available on May 18. I have place 2 calls to Pat Rogers office, but have not yet received a reply. Job, if you have any pull with him, you may want to contact him, too.

**Travel Arrangements**

You should make your own travel arrangements, including hotel. Travel time cannot be billed to the contract, except for hours actually worked on the contract (i.e.; reviewing materials in preparation for the meeting, and the like). Current Federal rates follow:

- **Maximum Lodging**: $180 per day- does not include hotel taxes (if you cannot get this rate, we have covered reasonable rates that are a little higher)
- **Meals & Incidentals**: $64 per day (except that it is $48 on the first and last day of travel)
Mileage for Personally Owned Vehicle = $ .445 per mile

Under the new contract, I do not have to fill out a travel authorization for you. I can approve your trip via email. Afterwords, when you turn in your next pay voucher, you can attach the airline receipt (or mileage documentation), hotel receipt(s), and ground transportation receipts and a copy of any printed itineraries. Calculate the total travel expenses due you, including applicable per diem. I do not need meal receipts.

Job, under Federal travel regulations, deviations for personal reasons are not normally accommodated. What you can do, however, is to give me a comparison of the cost of roundtrip mileage, hotel, and per diem of doing it your way against the cost of a roundtrip flight, ground transportation, hotel, and per diem. If your way costs less, it should be no problem to cover the full cost. If your way is more expensive, we may only pay up to the amount of traditional travel. (The same rules apply to me when I travel.) If you can tell me where, other than DC, you will spend the night, I can check on applicable per diem rates.

Peggy

I have placed another call to his office (after one previous call to his assistant and an email to him). I, too, am concerned about our dwindling chances. --- Peggy

"Job Serebrov" <serebrov@sbcglobal.net>

Given the short time period, you may want to give Ginsberg a deadline. The longer we wait, the poorer our chances are of getting Braden.

--- psims@eac.gov wrote:

> I am reluctant to invite Braden until after I have
> received a "No" from
> Ginsberg. --- Peg
> >
> >
> >
> >

002595
Sounds good to me. If not Ginsburg try Braden.

--- psims@eac.gov wrote:

> I will add "DRAFT" to the definition and, yes, the WG will have suggestions. I do plan to send packets to you and Tova containing the same materials being provided to the WG. I haven't sent anything yet because I was hoping to finalize the WG list for inclusion. (Still waiting for a response from Ginsberg.)

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> I have made contact with Ben Ginsberg's office and am waiting to hear if he accepts our invitation to join the working group.

--- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM ---

Margaret Sims/EAC/GOV 04/26/2006 04:37 PM To: "Tova Wang" <tova@eac.gov> cc: <arnwine@eac.gov>

Subject: Re: interview analysis

Thanks. We are still trying to get through to Bauer and Arnwine. They have not responded, so their availability is not yet reflected on our spreadsheet. --- Peggy
Hi Peg,

Attached, to add to the collection, is a summary overview of the interviews. Do you have that spreadsheet you were telling me about reflecting the times WG participants are available? If so, maybe we can talk soon? Thanks. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021

Visit our Web site, www.tc.org, for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.

----- Original Message -----
From: psims@eac.gov
To: dromig@eac.gov, Job Serebrov@ehcglobal.net
Cc: 
Subject: Working Group

The bio for JR Perez tells us very little about him and there is pretty much nothing about him on the web. Can you tell us more about him and how you decided on him? Thanks. Tova
Teleconference
Are both of you available for a teleconference next Tuesday afternoon at about 4 PM EST? If this does not work for you, please suggest another date and/or time. I would like to discuss our preparations for the Working Group meeting.

Working Group Members
We have a very good person to fill the slot for the nonpartisan local election official: J.R. Perez, Elections Administrator for Guadalupe County, TX. Attached is his bio. Hope you have no objections to him. He is available on May 18. I have place 2 calls to Pat Rogers office, but have not yet received a reply. Job, if you have any pull with him, you may want to contact him, too.

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Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM -----
Margaret Sims/EAC/GOV
05/10/2006 10:27 AM To Devon E. Romig/EAC/GOV
cc
Subject Re: Court reporter

Thanks for checking this out for me, Devon. I've asked Tom if there are funds available for this service. Our consultants were very enthusiastic about the idea. --- Peg

Devon E. Romig/EAC/GOV
Peggy,

I spoke to the people who usually handle the EAC court reporting. They charge $9.00 per page with an average of 40 pages per hour. This service would cost about $1800.00.

The turn around time for the transcript is 10 to 15 days. The transcripts comes in a bound paper copy and an electronic copy.

I can also check around for different prices.

Devon Romig  
United States Election Assistance Commission  
1225 New York Ave. NW, Suite 1100  
Washington, DC 20005  
202.566.2377 phone  
202.566.3128 fax  
www.eac.gov

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM ---

Yes. Thanks. Depending on when Commissioner Davidson can spare you, we may need your help putting materials together for the Working Group (probably next week). We also will have to print name tags and place cards. If you are a good note-taker, we also will need people to take turns taking notes at the meeting. --- Peggy

Elieen L. Collver/EAC/GOV

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM ---

Peggy,
Can I help on this working group?

Elle

Elle L.K Collver
U.S. Election Assistance Commission
1225 New York Avenue, Suite 1100
Washington, D.C. 20005
office: (202) 566-2256
blackberry: (202) 294-9251
www.eac.gov
Margaret Sims/EAC/GOV

Margaret Sims/EAC/GOV
05/04/2006 02:07 PM
To pdegregorio@eac.gov, rmartinez@eac.gov, ddavidson@eac.gov, ghillman@eac.gov
cc twilkey@eac.gov, jthompson@eac.gov, Gavin S. Gilmour/EAC/GOV@EAC, Amie J. Sherrill/EAC/GOV@EAC, Adam Ambrogi/EAC/GOV@EAC, Elieen L. Collver/EAC/GOV@EAC, Sheila A. Banks/EAC/GOV@EAC, bbenavides@eac.gov, Karen Lynn-Dyson/EAC/GOV@EAC
Subject Voting Fraud-Voter Intimidation Working Group Meeting

Dear Commissioners:

This is to let you know that the Working Group for our Voting Fraud and Voter Intimidation preliminary research project is scheduled to meet in EAC's large conference room the afternoon of Thursday, May 18. I will provide more information about this meeting to you later.

Peggy Sims
Election Research Specialist

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM -----
Margaret Sims/EAC/GOV
05/04/2006 10:33 AM
To Job Serebrov
cc
Subject Good News

Job:

Secretary Rokita is available May 18. I'm going to talk with the Chairman today about substituting Rogers for Norcross. Do you have contact information for Rogers? --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM -----
Margaret Sims/EAC/GOV
05/04/2006 05:20 PM
To "Donsanto, Craig"
<Craig.Donsanto@usdoj.gov>@GSAEXTERNAL
cc
Subject
It is just the Working Group for the Voting Fraud-Voter Intimidation Project. I am asking you to attend as Technical Advisor for the project. --- Peggy

Peg - - what is the name of the group?

Craig:

This meeting is being held to obtain input from our eight-member Working Group for the project. The group is composed of election lawyers, election officials, and a representative of an advocacy group, all of whom have an interest and some expertise in the identification and/or prosecution of voting fraud and voter intimidation. The group was chosen so that we would have an equal number of folks on each side of the political spectrum, plus some nonpartisan members.

After our consultants review the results of their preliminary research (interviews, literature review, case law), we will ask the Working Group to brainstorm possible next steps for EAC. Our consultants will write a report summarizing the proposals that come out of this meeting. The report will go to the Commissioners, who will decide what they want to do, funds available, and what priority to assigned to the effort(s).

Your participation in this part of the process is extremely important, so I am very happy that you can find time for us that afternoon. I'll get an agenda and other information to you next week. --- Peggy
Okay, Peg - - I will mark off the entire afternoon and try to be there. What is the agenda? I was not aware that this was anything beyond having your contractors spend another session with me. Also, if they will be needing stats and stuff like that I need to know as I will bring my state-people with me.

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 04, 2006 2:28 PM
To: Donsanto, Craig
Subject: Re: Voting Fraud-Voter Intimidation

Right now, we are planning to meet in EAC's large conference room between 1 PM and 5 PM. If you cannot be there for the whole afternoon, we will appreciate whatever time you can spare. I'll get back to you with more information (agenda, list of Working Group members, etc.). --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/03/2006 05:59 PM

Topsims@eac.gov
cc
SubjectRe: Voting Fraud-Voter Intimidation

Afternoon of May 18 -- 2:30 okay? How long will they need??

____________
I am looking at the afternoon of 5/18 for the meeting, due to scheduling conflicts of Working Group members. There remain two members from whom we have not yet received confirmations of their schedule (with some, it is like pulling teeth), but right now 5/18 still looks like the best day. We may have to hold the meeting over here to make it easier for Commissioners to drop in. --- Peg

Okay -- you are on for May 18th! Can we do it over here at 10?

My problem is that agency staff is booked most of the week of 5/21. Monday through Wednesday are taken up with meetings of the Standards Board Executive Committee, the full Standards Board, and the Board of Advisors. Thursday, we have EAC's public meeting. Also, I will lose one of my two consultants in June, so I'm trying to wrap up this project (and get the final report from the consultants) by the end of May.

Say "Hi" to Cameron for me.
Hi Peg. I am sitting here with Cameron Quinn putting together this year's ballt conference for AUSAs. She send her best!

I am available on 5/18. But I am also going to the Board of Advisors Meeting the following week. I would rather do this then.

Sent from Dr. D’s Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 11:39:50 2006
Subject: Voting Fraud-Voter Intimidation

Craig:

We are continuing our efforts to hone in on a date for the Working Group meeting. Are you available the afternoon of Thursday, May 18?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM -----
Margaret Sims/EAC/GOV
05/12/2006 01:34 PM

To: "Tova Wang" <wang@tcf.org>@GSAEXTERNAL
cc
Subject: RE: Fraud Definition

Lets raise this issue at the meeting. (I’ll add “DRAFT” to the current document.) My concern is that there
are a number of requirements in the Voting Rights Act. Not all of them are considered election fraud, when violated. For example, failure to preclear changes in election procedures is not treated as election fraud, though it is actionable. --- Peggy

Upon first reading, my only comment would be that I would like to restore "failing to follow the requirements of the Voting Rights Act"

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Friday, May 12, 2006 9:20 AM
To: wang@eb.com
gbc@eb.com
Subject: Fraud Definition

Would you please take a look at the attached? I combined both of your definitions, reformatted the list, removed a reference to the fraud having to have an actual impact on the election results (because fraud can be prosecuted without proving that it actually changed the results of the election), and taken out a couple of vague examples (e.g.; reference to failing to enforce state laws --- because there may be legitimate reasons for not doing so).

I have made contact with Ben Ginsberg's office and am waiting to hear if he accepts our invitation to join the working group. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM -----
Margaret Sims/EAC/GOV
04/24/2006 12:13 PM
To: "Tova Wang" <wang@eb.com>
cc
Subject: Re: invoice

Tova:
The draft voucher looks fine except for two things (one of them is our fault):

(1) it appears that you worked 11 days, rather than 10, during the first two weeks; and
(2) you need to put the total dollar amount owed you ($9,102) somewhere on the form. (Last time you put it in the box with the total hours worked this period.)

Don't forget to sign and date the voucher. Thanks.

Peggy Sims
Hi Peg,

Can you please check this before I fax it? Thanks! And can we talk sometime today?

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021

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voucher 3-26-4-22.doc

Barry Weinberg has confirmed he can attend the afternoon of May 18. He lives in the DC area, so we won't have to worry about travel. I have contacted Pat Rogers' office and left a voice mail for his assistant. Hopefully, I will hear from them this afternoon. --- Peggy
We have heard from Bob Bauer regarding his availability, so we don't need to have you pursue the matter. Thanks for the offer, though. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM ---

"Tova Wang"
sw@eac.gov

05/09/2006 05:17 PM
To psims@eac.gov, serenya@stilglobal.net
cc
Subject perez

I talked to Adam, and I am OK with JR Perez. I'm working on the Barbra situation.

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021
phone: 212-452-7564
Fax: 212-385-7504

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Click here to receive our weekly e-mail updates.

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM ---

"Job Serebrov"

05/10/2006 12:25 PM
To psims@eac.gov
cc
Subject Travel

Peggy:

If I am calculating it right and I believe I am, it would cost around $450 plus my meal allowance in Virginia and Tennessee (coming and going).

All of this said, I am still a person down and there is the bed problem.

Job

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM ---

05/06/2006 08:28 AM
To psims@eac.gov
cc
Hi Peg,

Just wondering if you had any word from Rokita. Also, I wanted to let you know that I think disinviting members of the working group would be a very unwise and frankly embarrassing way of dealing with the problem of getting 100% attendance. I'm sure we'll talk before any decisions are made. As I said, I'm free on Monday. Thanks. Tova

---

Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM ---

Devon E. Romig/EAC/GOV

To Margaret Sims/EAC/GOV@EAC

cc

Subject Re: Barbara Arnwine

Peggy,

I just received an update about Ms. Arnwine's schedule. She is not available on May 9th.

Thanks,

Devon

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM ---

Margaret Sims/EAC/GOV

To "Weinberg and Utrecht"

cc

Subject Re: Voting Fraud-Voter Intimidation

Barry:

Would you please provide an address to which we can Federal Express materials before the meeting? ---
Are you available any days in the third week of May? Peggy

--------------------------
Sent from my BlackBerry Wireless Handheld

----- Original Message ----- 
From: "Donsanto, Craig" [Craig.Donsanto@usdoj.gov] 
Sent: 04/03/2006 03:16 PM 
To: Margaret Sims 
Subject: RE: Voting Fraud-Voter Intimidation Project

Hello Peg!

God willing, I will be here the first two weeks of May.

As for your second question, it is not possible for me to assess the level of public attribution that would be appropriate without seeing the substantive stuff in context. I do not foresee a problem. So, I recommend that you get me a draft text and I will review it to ensure we are not disclosing things we shouldn't disclose.

From: psims@eac.gov [mailto:psims@eac.gov] 
Sent: Monday, April 03, 2006 3:13 PM 
To: Donsanto, Craig 
Subject: Re: Voting Fraud-Voter Intimidation Project

Craig:

I have 2 issues for you today.

First, I am trying to schedule a meeting of the project working group for EAC's Voting Fraud-Voter Intimidation research project. As a technical advisor on this project, your attendance is particularly important to me. Would you please look at your schedule and let me know if there are any days during the first 2 weeks of May that you would NOT be available?

Second, is it OK for our consultants to refer in their report to guidance provided in the DOJ training materials? I ask this because I understood that some materials in the materials are considered confidential and we do not want to violate your confidentiality provisions. If there is a compromise position, such as having you review that portion of the consultants' report, then let me know.
Thanks!

Peggy Sims  
Election Research Specialist  
U.S. Election Assistance Commission  
1225 New York Ave, NW - Ste 1100  
Washington, DC 20005  
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)  
Fax: 202-566-3127  
email: psims@eac.gov

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM ---

Margaret Sims/EAC/GOV  
04/27/2006 09:13 AM  
To: "Donsanto, Craig" <Craig.Donsanto@usdoj.gov>@GSAEXTERNAL  
cc  
Subject: Re: Voting Fraud-Voter Intimidation Project

Unfortunately, I have to get the Working Group together before then, so that my consultants can prepare the final report before June. (In June, I lose one of them to State employment.) I understand about the crammed schedule. This month and next are chock full.

Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>  
04/26/2006 09:19 PM  
To: psims@eac.gov  
cc  
Subject: Re: Voting Fraud-Voter Intimidation Project

How about we meld this with the EAC Board of Advisors meeting? I just got tagged to be parliamentarian --

We could attend to your folks while I arbitrate a food fight!!!!

--------------------------
Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>  
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>  
Sent: Wed Apr 26 20:30:24 2006  
Subject: Re: Voting Fraud-Voter Intimidation Project

Craig:  
Are you available any days in the third week of May?
Hello Peg!

God willing, I will be here the first two weeks of May.

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Donsanto lists four types of election fraud: schemes to purposely and corruptly register voters who either do not exist, or who are known by the putative defendant to be ineligible to vote under applicable state law; schemes to cast, record or fraudulently tabulate votes for voters who do not participate in the voting act at all; schemes to corrupt the voting act of voters who do participate in the voting act to a limited extent; and, schemes to knowingly prevent voters qualified voters from voting.

--- psims@eac.gov wrote:

> When I opened the attachment, I still had problems with the 4th paragraph.
> Would you please just send me that paragraph within the text of your email so that I can paste it into the document? ---
> Peggy

---
I resent the review as you see at the bottom. When I opened it and sent it there was no corrupted text.

--- psims@eac.gov wrote:

Do you have text to replace the corrupted text in paragraph 4? --- Peggy

"Job Serebrov" <serebrov@sbcglobal.net>
> 05/11/2006 03:17 PM

To
psims@eac.gov
cc
Subject
Re: Literature Summary

--- psims@eac.gov wrote:

Tova just sent me the summary you prepared of The Federal Crime of Election Fraud by Craig Donsanto. There is something wrong in the fourth paragraph (odd characters and missing text). Can you please send a replacement fourth paragraph? You can send it in an email and I will place it in the document. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM ---

Donetta L. Davidson/EAC/GOV
05/04/2006 03:57 PM

To Margaret Sims/EAC/GOV@EAC
cc
Peggy:  
I would like to get this travel issue sorted out between us before the call at 4pm. While the hotel problem is applicable to both Tova and me, the ground travel is not. In any case, I will want to read the federal regulation on this before we speak. Please either send me the regulation that states I must travel by the least expensive means and that all alternative travel cost can not exceed this or give me the site. 

Thanks,  
Job

Job:  
I'm afraid I don't have time to look up the Federal travel regulation. I can refer to GSA Form 87, which is the Federal travel authorization form that is based on the travel regulations. There are two questions on this form that would apply to your situation:  

- Question 14 asks, "Is the employee making any deviations from the authorized itinerary for personal convenience, taking any annual leave or using a different mode of transportation for personal convenience?"
• Question 17A asks, "Will POV be used for any travel between itinerary points? (If "Yes", check one box below and complete item 17B.)" This is followed by one check box with a statement, "Use of POV is advantageous to the government" and another check box that states, "Use of POV is not advantageous to the government. Use of POV has been determined to be for personal convenience and reimbursement limited to constructive cost of common carrier."

Line 17 B is used to note mileage rate. These provisions apply to our Commissioners, our staff, and our consultants. I understand that everyone has to make allowances for emergencies, but your emergency has not yet arrived, and may well arrive after the May 18 meeting. Furthermore, personal emergencies are considered personal matters. The government does not reimburse us for additional travel costs resulting from our need to address personal matters.

Because you are not a Federal employee and we recognize that airlines do not and hotels may not offer you government rate, we can reimburse the higher hotel rate so long as your total travel costs under the current contract do not exceed the total amount budgeted for travel reimbursement for this contract ($3,500).

Regarding the Working Group meeting, I am pleased that you recognize that convening the Working Group is a deliverable. You also should recall that the only reason Commission staff is involved in helping to set up this meeting is that you and Tova told me that the two of you did not have the resources to do it and that it would be better to have one central coordinator (i.e.; EAC). We have repeatedly talked about holding the meeting in DC because so many of our working group members are here and because we can support the meeting at EAC offices and stay within the EAC budget.

The date for the original Working Group meeting was presented by you and Tova to me in your work plan. As you know, many of the dates in the plan had to slide because the two of you indicated that you needed more time to complete the preliminary research to be presented at the meeting. Beginning in April, our teleconferences honed in on possible weeks for the meeting. May 18 is the only day all but Norcross could attend. Norcross was available only 2 days out of the three weeks we were considering. We are attempting to fill his slot with the person you recommended, Pat Rogers.

We can discuss any remaining concerns you have regarding the participation of Perez and of Pat Rogers during this afternoon's teleconference. --- Peggy

"Job Serebrov":

"Job Serebrov" <job.serebrov@eac.gov>
05/09/2006 03:09 PM
To: psims@eac.gov
cc
Subject: Conference Call

Peggy:

I would like to get this travel issue sorted out between us before the call at 4pm. While the hotel problem is applicable to both Tova and me, the ground travel is not. In any case, I will want to read the federal regulation on this before we speak. Please either send me the regulation that states I must travel by the least expensive means and that all
alternative travel cost can not exceed this or give me the site.

Thanks,
Job

-----
"Job Serebrov"
05/03/2006 01:48 PM
psims@eac.gov
cc dromig@eac.gov
Subject Re: Working Group Meeting

Peggy:

I expect that since Norcross can't make it either you will try to get Rogers or cut one of Tova's folks.

Job

--- psims@eac.gov wrote:

> Job and Tova:
> > As of now, the afternoon of Thursday, May 18 appears to be the best possible date for the meeting. Norcross is not available to attend in person that day (he is available only 2 days during the first three weeks of May). We won't have confirmation of the availability of Secretary Rokita until tomorrow --- but I am hopeful.
> > I'll give you an update tomorrow. Maybe we can schedule a teleconference on Monday afternoon. --- Peggy

-----
"Donsanto, Craig"
04/26/2006 09:07 PM
psims@eac.gov
Subject Re: Voting Fraud-Voter Intimidation Project
Peg -- I'll have check. I am pretty well clogged next month.

What do you need Peg?

--------------------------
Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed Apr 26 20:30:24 2006
Subject: Re: Voting Fraud-Voter Intimidation Project

Craig:
Are yu available any days in the third week of May?
Peggy

--------------------------
Sent from my BlackBerry Wireless Handheld

Hello Peg!

God willing, I will be here the first two weeks of May.

As for your second question, it is not possible for me to assess the level of public attribution that would be appropriate without seeing the substantive stuff in context. I do not foresee a problem. So, I recommend that you get me a draft text and I will review it to ensure we are not disclosing things we shouldn't disclose.

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, April 03, 2006 3:13 PM
To: Donsanto, Craig
Subject: Re: Voting Fraud-Voter Intimidation Project

002618
Craig:

I have 2 issues for you today.

First, I am trying to schedule a meeting of the project working group for EAC's Voting Fraud-Voter Intimidation research project. As a technical advisor on this project, your attendance is particularly important to me. Would you please look at your schedule and let me know if there are any days during the first 2 weeks of May that you would NOT be available?

Second, is it OK for our consultants to refer in their report to guidance provided in the DOJ training materials? I ask this because I understood that some materials in the materials are considered confidential and we do not want to violate your confidentiality provisions. If there is a compromise position, such as having you review that portion of the consultants' report, then let me know.

Thanks!

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

Can you help me respond to this ... and soon? --- Peggy

Peggy:

Please tell the folks there that I am not worried about a perceived breach of contract. This is a completely ridiculous statement considering the contractual requirement that the consultants convene
the Working Group and not the Commission and it never specifies where or when this is to take place. All this to say that while the contract does specify a Working Group meeting it does not specify that it must take place on any particular date or in a particular city. With that said, I have never heard of any federal travel requirements that would result in a loss of money because I decided to drive and not fly. In fact, that is why there is an amount paid per mile. So I would like to see the federal regulation that forces me to take the least expensive transport and restricts all other ground transport costs to that figure.

As to hotels, based on Tova's research there are no rooms for under the $350 range per night. If you can find hotels that are less expensive but still carry the kind of bed I need for my back (either pillow top or a number bed) please do.

The issue of my uncle—today I have not had an update on his condition. But, as I previously stated, if he were to die or have an event while I was in DC, I would have to go to NYC meeting or no meeting.

Finally, neither Tova nor I have been satisfied about Mr. Perez and I have not been told whether Pat Rogers will be coming or one of Tova's people will not be.

In the end, I need to see the travel regulation that I requested above, I would like you to look into hotels for Tova and me that have the kind of bed I need and I would like to know about Perez and Rogers. In the meantime, I should have an update on my uncle by morning. I would also be happy to talk to Julie about the issues involved. I will take you up on your offer to process my travel expenses faster and I do not and never did expect you to get me a travel advance. I worked in international development and know what a headache those are to apply for on the state level.

Job

--- psims@eac.gov wrote:

> Job:
> > Folks here are concerned that your failure to show up in person to help conduct the meeting would be a breach of contract. I also am concerned about the impression that your absence will leave with the Commissioners and with the VIPs coming to this meeting.
> > If you are concerned about delays in reimbursement caused by including the travel expenses in the personal services voucher, I can always process your request (with receipts) separately and earlier.
> I can have staff
> here check to see if we can find hotel rooms at a
> more reasonable rate for
> you and Tova. (We recognize that you may not be
> able to obtain Federal
> government rate.) What I cannot do is offer a
> travel advance, which is
> not permitted for nonfederal employees, or offer to
> pay the difference
> between normal travel expenses and those incurred
> for personal
> convenience, when the latter is the higher amount.
> 
> I urge you to make your travel arrangements ASAP.
> 
> Peggy Sims
> Election Research Specialist
> U.S. Election Assistance Commission
> 1225 New York Ave, NW - Ste 1100
> Washington, DC 20005
> Phone: 866-747-1471 (toll free) or 202-566-3120
> (direct)
> Fax: 202-566-3127
> email: psims@eac.gov
> 
> "Job Serebrov" <t"
> 05/08/2006 01:41-PM
> 
> To
> psims@eac.gov
> cc
> 
> Subject
> Re: Working Group
> 
> 
> Given the information I have Peggy, that is not
> going
> to be financially possible. First, given Tova's info
> about the hotels, it is too much for me to front.
> Two
> to three days in DC would run around $1000 for the
> hotel alone. That does not count the two days on the
> road to get there and two days back. Second, if I
> can't charge the federal per mile allowance for the
> entire trip to DC and back and can only get the
> equivalent of plane fare, I will actually loose
> money.
> 
> I simply do not see how we can do this in person
> given
> the financial restrictions.
--- psims@eac.gov wrote:

Job:

I don't think we can put you on teleconference for 41/2 hours. We really need to have you here in person if you are to help conduct the Working Group meeting. You should make your travel arrangements ASAP. --- Peggy

"Job Serebrov" <JobSerebrov@GlobalPartners> 05/08/2006 10:14 AM

To psims@eac.gov, 

Subject Re: Working Group

Peggy:

4:00 eastern on Tuesday is fine however, given the financial restrictions that you indicated would be in place for use of my car (I would actually loose money coming to DC) and given the cost of hotels at this time (I can't afford to front these costs and wait for months to be repaid), etc, it would take a miracle for this working group meeting to take place in person. It is looking like the only way it will get done is by teleconference. I also share Tova's concern about the unknown nature of Mr. Perez.

Job

--- psims@eac.gov wrote:

Hi, Folks:
Teleconference
Are both of you available for a teleconference next Tuesday afternoon at about 4 PM EST? If this does not work for you, please suggest another date and/or time. I would like to discuss our preparations for the Working Group meeting.

Working Group Members
We have a very good person to fill the slot for the nonpartisan local election official: J.R. Perez, Elections Administrator for Guadalupe County, TX. Attached is his bio. Hope you have no objections to him. He is available on May 18. I have placed 2 calls to Pat Rogers office, but have not yet received a reply. Job, if you have any pull with him, you may want to contact him, too.

Travel Arrangements
You should make your own travel arrangements, including hotel. Travel time cannot be billed to the contract, except for hours actually worked on the contract (i.e.; reviewing materials in preparation for the meeting, and the like). Current Federal rates follow:

- Maximum Lodging = $180 per day- does not include hotel taxes (if you cannot get this rate, we have covered reasonable rates that are a little higher)
- Meals & Incidentals = $64 per day (except that it is $48 on the first and last day of travel)
- Mileage for Personally Owned Vehicle = $ .445 per mile

Under the new contract, I do not have to fill out a travel authorization for you. I can approve your trip via email. Afterwords, when you turn in your next pay voucher, you can attach the airline receipt (or mileage documentation), hotel receipt(s), and ground
transportation receipts and a copy of any printed itineraries. Calculate the total travel expenses due.

--- message truncated ---

Do you want me to call both Bob too?

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021
ph: 212-659-7774 fax: 212-659-7634
Visit our Web site, www.tcf.org, for the latest news, analysis, opinions, and events.
Click here to receive our weekly e-mail updates.

We accidentally left it out when we emailed all the summaries

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 11, 2006 1:09 PM
To: llob
Cc: irtg
Subject: Literature Summary

Tova just sent me the summary you prepared of The Federal Crime of Election Fraud by Craig Donsanto. There is something wrong in the fourth paragraph (odd characters and missing text). Can you please send a replacement fourth paragraph? You can send it in an email and I will place it in the document. --- Peggy
He is representing Barbara Arnwine, and we have already established we are not disinviting anyone. We still don't know about Ginsburg yet anyway, right?

-----Original Message-----
From: Job Serebrov [mailto:serebrov@sbcglobal.net]
Sent: Thursday, May 11, 2006 2:36 PM
To: Tova Wang; psims@eac.gov
Cc: serebrov@sbcglobal.net
Subject: Re: new working group representative

I have an objection to Greenbaum. While I realize he comes from an advocacy group, he is not a minority attorney and we already have a rep who worked with DOJ. If it is to be Greenbaum, I would rather not fill that position since I am one down.

--- Tova Wang wrote:

> is Jon Greenbaum
>
> Here's his info in full:
>
> [link]
>
> He is the Director of the Voting Rights Project for
> the Lawyers Committee
> for Civil Rights. He will be representing Barbara
> Arnwine, the Executive
> Director of the Lawyers Committee.
>
> His contact and mailing info is:
>
> [link]
>
> Tova Andrea Wang
> Democracy Fellow
> The Century Foundation
> 41 East 70th Street - New York, NY 10021
> [phone number]
>
> Visit our Web site, [link], for the latest news,
> analysis, opinions, and events.
I resent the review as you see at the bottom. When I opened it and sent it there was no corrupted text.

--- psims@eac.gov wrote:

> Do you have text to replace the corrupted text in paragraph 4? --- Peggy

--- psims@eac.gov wrote:

> Tova just sent me the summary you prepared of The Federal Crime of Election Fraud by Craig Donsanto. There is
something wrong in the fourth paragraph (odd characters and missing text). Can you please send a replacement fourth paragraph? You can send it in an email and I will place it in the document. --- Peggy

Thanks, J.R. Great to have you on board! We will get back to you shortly regarding travel arrangements. The meeting materials will be sent by Federal Express next week.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

Hi Peggy, it was nice talking with you today and I would be glad to try and add to the discussion. I am attaching a brief bio and will await your instructions for the travel arrangements. I look forward to receiving the current information on panel issues.

J.R. Perez
Elections Administrator
Guadalupe County
5201 Roosevelt St.
Bethesda, MD 20814
301-493-5343

----- Original Message ----- 
From: psims@eac.gov
To: weinutr@verizon.net
Sent: Friday, May 05, 2006 10:56 AM
Subject: Re: Voting Fraud-Voter Intimidation

Barry:

Would you please provide an address to which we can Federal Express materials before the meeting? --- Peg

that would be fine

----- Original Message ----- 
From: psims@eac.gov
To: weinutr@verizon.net
Sent: Thursday, May 04, 2006 1:08 PM
Subject: Voting Fraud-Voter Intimidation

Barry:

It appears that the afternoon of Thursday, May 18 is best for a meeting of the working group. I know you
said you would not be available in the morning that day. If we started at 1 PM, would that be too soon for you?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
e-mail: psims@eac.gov

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM ---

"Job Serebrov"
<psims@eac.gov> To psims@eac.gov
05/12/2006 02:52 PM cc
Subject Re: Working Group List

List a vacancy---to be filled. If we don't hear from Ginsberg by late afternoon please call Braden.

Job

--- psims@eac.gov wrote:

> Job:
> 
> What do you suggest I do with the list of Working Group members. I need
to get the Fed Ex packages out by the end of the day, and have not heard
back from Ginsberg. Do you want me to list a vacancy, or list Norcross
with a note that he cannot attend? If we find a substitute, we can always
provide an updated list next Thursday. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM ---

Devon E. Romig/EAC/GOV To Margaret Sims/EAC/GOV@EAC
05/09/2006 04:43 PM cc
Subject Hotel for Job

Peggy,

A possible hotel suggestion for Job might be the Sheraton College Park in Beltsville, MD. They have room availability for the nights of the 17th and the 18th for $159.00 a night.

002625
They have what is called the Sheraton Sweet Sleeper Bed. More information at:

This hotel is a little out of the way but the members of the Asian Language Working Group and others have stayed there. The hotel does offer a shuttle to and from Reagan airport and the metro.

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM -----
Margaret Sims/EAC/GOV  
05/12/2006 01:51 PM  
To  Devon Romig  
cc  
Subject  Wang & Serebov Fed Ex Info

Devon:

Here is the information you need for the Fed Ex forms for Job and Tova.

Tova Wang
New York, NY 10023
(Note that the package may be left with the doorman.)

Job Serebrov
Spring Street
Little Rock, AR 72206
----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM -----
"Tova Wang"
05/02/2006 05:52 PM  
To  psims@eac.gov  
cc  
Subject  RE: Voting Fraud/Voter Intimidation Project Working Group

OK. I'll be out of the office for the next three days, and mostly unavailable on Thursday and Friday as you know already. Tomorrow you can try me on my cell phone 917-656-7905. I'll try to check email when I can. Thanks Peg. Tova

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 02, 2006 4:41 PM
To: 

Subject: RE: Voting Fraud/Voter Intimidation Project Working Group

I hope to have a better idea tomorrow, if Rokita's office responds. If not, we'd better have a teleconference to discuss our options. --- Peggy

"Tova Wang"  
05/02/2006 05:06 PM
To dromig@eac.gov
cc psims@eac.gov
Subject RE: Voting Fraud/Voter Intimidation Project Working Group

Can you please give me an idea where we are at with all this? I'd like to be able to figure out my schedule. Thanks -- and thanks for all your assistance on this. Tova

-----Original Message-----
From: dromig@eac.gov [mailto:dromig@eac.gov]
Sent: Tuesday, May 02, 2006 3:54 PM
To: 
Subject: RE: Voting Fraud/Voter Intimidation Project Working Group

Yes, I have spoken to her assistant several times but today has been the first time that I have ever spoken to her assistant. We did get the information that we needed. Thanks for your help!

Devon Romig
U.S. Election Assistance Commission
1225 New York Ave. NW - Suite #1100
Washington, D.C. 20005
(202)566-2377

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM -----
"Tova Wang"
04/26/2006 04:39 PM
To psims@eac.gov
cc
Subject RE: interview analysis

I think I can help you at least with respect to Barbara. I'll be speaking to her today!

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Thanks. We are still trying to get through to Bauer and Arnwine. They have not responded, so their availability is not yet reflected on our spreadsheet. --- Peggy

Hi Peg,

Attached, to add to the collection, is a summary overview of the interviews. Do you have that spreadsheet you were telling me about reflecting the times WG participants are available? If so, maybe we can talk soon? Thanks. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021

Visit our Web site, or the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.
Here is the last summary of existing research. Please let us know how to proceed from here. Thanks.

Tova Andrea Wang  
Democracy Fellow  
The Century Foundation  
41 East 70th Street - New York, NY 10021  
Phone: 212-455-7704 Fax: 212-535-5849

Visit our Web site, ____, for the latest news, analysis, opinions, and events.
Click here to receive our weekly e-mail updates.

Response to the CB Report FINAL.doc
----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM -----  
Margaret Sims/EAC/GOV  
05/04/2006 05:47 PM  
To: __jcs1032@ prayernet.org  
cc: __
Subject: Re: wgRl

Tova:

Rokita is available --- so the afternoon of May 18 it is. I will not disinvite anyone. I am trying to get Job's next choice (Pat Rogers) as a replacement for Norcross.

Monday appears to be out for a teleconference because Job will be unavailable that afternoon and I am scheduled for something else that morning. I'll check my schedule tomorrow and send a message to you and Job regarding other possible days and times. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM -----  
"Job Serebrov"  
05/04/2006 05:21 PM  
To: psims@eac.gov  
cc: __
Subject: wg

Hi Peg,

Just wondering if you had any word from Rokita. Also, I wanted to let you know that I think disinviting members of the working group would be a very unwise and frankly embarrassing way of dealing with the problem of getting 100% attendance. I'm sure we'll talk before any decisions are made. As I said, I'm free on Monday. Thanks. Tova

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM -----  
"Job Serebrov"  
05/04/2006 05:21 PM  
To: psims@eac.gov  
cc: __
Subject: wg
I would give him until Monday morning but I would also call Braden today and tell him there may be an opening for him on the WG and find out whether he is free.

--- psims@eac.gov wrote:

> I have placed another call to his office (after one previous call to his assistant and an email to him). I, too, am concerned about our dwindling chances. --- Peggy

> "Job Serebrov" 05/12/2006 03:06 PM

> To psims@eac.gov
> cc

> Subject Re: Fraud Definition

> Given the short time period, you may want to give Ginsberg a deadline. The longer we wait, the poorer our chances are of getting Braden.

> --- psims@eac.gov wrote:

> > I am reluctant to invite Braden until after I have received a "No" from Ginsberg. --- Peg

> > "Job Serebrov" 05/12/2006 02:33 PM

> > To psims@eac.gov
> > cc

> > Subject Re: Fraud Definition
Sounds good to me. If not Ginsburg try Braden.

--- psims@eac.gov wrote:

> I will add "DRAFT" to the definition and, yes, the
> WG will have
> suggestions. I do plan to send packets to you
> and
> same materials being provided to the WG. I
> haven't
> sent anything yet
> because I was hoping to finalize the WG list for
> inclusion. (Still
> waiting for a response from Ginsberg.)
>
> Regarding Tova's response, we may want to have a
> very short meeting after
> the WG disperses, followed by a teleconference
> the
> following Monday
> afternoon. Tuesday is bad for me because I'll
> be
> out of the office
> attending a series of EAC meetings that begin
> that
> day. --- Peggy

"Job Serebrov"

05/12/2006 12:52 PM

To
psims@eac.gov, wang@tcf.org
cc

Subject
Re: Fraud Definition

This is ok, given the fact that the WG may have
suggestions. Will you be sending us the same
packets
that you are sending the WG? Also, I figure
with
Tova's response we will need to have a
teleconference
on the report once I return to Little Rock. We
will need to do it that following Monday or Tuesday.

--- psims@eac.gov wrote:

Would you please take a look at the attached?

I combined both of your definitions, reformatted the list, removed a reference to the fraud having to have an actual impact on the election results.

(combined because fraud can be prosecuted without proving that it actually changed the results of the election), and taken out a couple of vague examples.

(e.g.; reference to failing to enforce state laws --- because there may be legitimate reasons for not doing so).

I have made contact with Ben Ginsberg's office and am waiting to hear if he accepts our invitation to join the working group.

--- Peggy


--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM ---
Peggy:

Please add this to the packet.

Job

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM ---

"Job Serebrov"
<serbrov@sivol.com> To psims@eac.gov
05/10/2006 11:51 AM
cc
Subject Re: Update

The bed is not what I need and Beltsville is a bit far out.

--- psims@eac.gov wrote:

> Why is the hotel suggestion not workable? (I need to know as we continue our search.) -- Peg
>
>
> "Job Serebrov" <serbrov@sivol.com>
> 05/10/2006 10:29 AM
>
>
> To
> psims@eac.gov
> cc
>
> Subject
> Update
>
>
> Peggy:
>
> Pat just e-mailed me. He has something he can't move on the 18th. So I am now down one person and still no good hotel situation. Devon's suggestion is not workable.
>
> Job
>
>
According to the Commissioners, you and Tova each got to pick three members of the Working Group. The Commission guidance regarding this particular member follows:

4 people from the Academic, Legal and Advocacy sectors - 2 to be chosen by Tova and 2 to be chosen by Job.

This issue of allowing a designee relates to Tova's pick.

As I understand it, we are working on a replacement for Norcross. If Ginsberg is not viable, how about Mark Braden, who includes public integrity in his areas of specialization. I would not try and stir up other members of the Working Group, if I were you. The effort is likely to come back and bite you.

I really don't care if he represents the organization or not. What mixed race? The entire discussion was because Arnwine was African-American. If you are going to invite him without first having a replacement for my side, I may have to call Thor and Todd and discuss all of this.

--- psims@eac.gov wrote:

> Greenbaum is representing Arnwine, not replacing
> her. He works for her
> organization and is of mixed race. --- Peggy
> 
> "Job Serebrov" <serebrov@sbcglobal.net> wrote:
> 05/11/2006 03:36 PM
> 
> To psims@eac.gov
> 
> cc psims@eac.gov
> 
> Subject Re: new working group representative
> 
> 00263
Subject
Re: new working group representative

I have an objection to Greenbaum. While I realize he comes from an advocacy group, he is not a minority attorney and we already have a rep who worked with DOJ. If it is to be Greenbaum, I would rather not fill that position since I am one down.

--- Tova Wang <tova@lawyers.com> wrote:

> is Jon Greenbaum
> Here's his info in full:
>
> He is the Director of the Voting Rights Project for the Lawyers Committee for Civil Rights. He will be representing Barbara Arnwine, the Executive Director of the Lawyers Committee.
>
> His contact and mailing info is:
>
> 1401 New York Avenue, NW
> Suite 400
> Washington, DC 20005
>
> Tova Andrea Wang
> Democracy Fellow
> The Century Foundation
> 41 East 70th Street - New York, NY 10021
>
> Visit our Web site, , for the latest news, analysis, opinions, and events.

> Click here to receive our weekly e-mail updates.
Yes, please let Joyce know and she will get someone

Tom

---

Tom: I understand that EAC hired a court reporter for the Asian Language Working Group meeting. I would like to do the same for the May 18 Voting Fraud-Voter Intimidation Working Group meeting, but I did not include funds in my budget for this service. Do we have funds that could be used for this purpose? (See Devon's cost estimate below.) --- Peggy
Peggy,

I spoke to the people who usually handle the EAC court reporting. They charge $9.00 per page with an average of 40 pages per hour. This service would cost about $1800.00.

The turn around time for the transcript is 10 to 15 days. The transcript comes in a bound paper copy and an electronic copy.

I can also check around for different prices.

Devon Romig  
United States Election Assistance Commission  
1225 New York Ave. NW, Suite 1100  
Washington, DC 20005  
202.566.2377 phone  
202.566.3128 fax  
www.eac.gov

--- Forwarded by Margaret Sims/EAC/Gov on 04/30/2007 04:23 PM ---

"Job Serebrov"  
05/09/2006 10:46 AM  
To psims@eac.gov  
cc

Subject Fwd: RE: Working Group meeting

FYI

--- "Patrick J. Rogers" <patrogers@modrall.com> wrote:

> Subject: RE: Working Group meeting
> Date: Tue, 9 May 2006 07:42:44 -0600
> From: "Patrick J. Rogers" <patrogers@modrall.com>
> To: "Job Serebrov" <serebrov@sbcglobal.net>
> >
> Job--maybe. I will call you and/or Ms. Sims
> tomorrow. Depositions all
day today. Thanks, Pat
> >
> What's the best number to call you tomorrow?
> >
> Patrick J. Rogers
> Modrall, Sperling, Roehl, Harris & Sisk, P.A.
Pat:

The working group meeting for the voter fraud project is scheduled for May 18th in DC but David Norcross can't attend. Could you come? If so, we need to arrange travel and a hotel for you.

Regards,

Job
As you may recall, the Commissioners directed me to find a nonpartisan local election official to serve on the Working Group. The three of us discussed the desirability of having a Hispanic. I proposed that I find someone from Texas because of that State's colorful history of voting fraud and their innovative approaches to combat it. In those Texas counties that hire Election Administrators to run elections, rather than having elected officials do so (Tax Assessor for voter registration; County Clerk for balloting), the Election Administrator is hired by the County Election Commission and is supposed to perform his or her duties in a nonpartisan manner. (See attached excerpts from Texas Election Code regarding election administrator hiring and restrictions on partisan activity.) Any experienced Texas election official will be familiar with voting fraud and voter intimidation schemes used in that State. Mr. Perez has over 13 years experience as a county Election Administrator in Texas. You won't find many news articles mentioning him because he has kept his nose clean. (The Texas press, as in many other parts of the country, prefers to report bad news.) Mr. Perez is plugged into the association of Texas election officials and the two largest organizations of election officials in this country: the International Association of Clerks, Recorders, Election Officials and Treasurers (IACREOT); and The Election Center. He is a past President and past Chairman of the Legislative Committee for the Texas Association of Election Administrators. He currently serves on IACREOT's Election Officials Committee, which plans the educational sessions for election officials that are conducted at that organization's conferences. His peers in IACREOT and The Election Center have selected his submissions on web presentations (IACREOT) and his professional practices papers (Election Center) for awards. Mr. Perez also has access to information from other States through his membership in IACREOT and The Election Center. He also has a sense of humor, which you will note if you access the staff web page on the Guadalupe County Elections web site and hear the Mission Impossible theme. something that might be useful in the upcoming meeting.

Guadalupe County is small but growing. In 2004, the county had over 65 thousand registered voters (a number more than doubled the number of registered voters in 1988). A third of the county's population claims Hispanic or Latino origin, according to the U.S. Census Bureau. The county is in south central Texas and is bordered by Comal, Hays, Cladwell, Gonzales, Wilson, and Bexar counties. In the 1980s, the county was predominately a farming community; but in recent years, many people have moved from San Antonio (Bexar County) to Guadalupe County, preferring to live in Guadalupe County and work in Bexar County.

--- Peggy
Peggy:

What political party is Perez with? How political is he? Is the position in Texas neutral or political? Who appointed Perez?

As to Pat I will contact him but I can't promise anything. If Pat can't come, who is getting knocked off Tova's list?

Job

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM ---
Margaret Sims/EAC/GOV
05/09/2006 11:38 AM
To Tova Andrea Wang
cc
Subject Fw: Case Summaries

Had you seen this? --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 05/09/2006 11:38 AM ---
"Job Serebrov"
05/08/2006 09:30 AM
To psims@eac.gov
cc
Subject Case Summaries

Please add this to the packet.

Job

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM ---
The teleconference is on. However, I am still one person down for the meeting and I am not comfortable. This will have to be discussed since from the start it was agreed that the WG would be equal and if I lost a person Tova would have to loose one. Further and most importantly, I don't yet have a hotel so my attendance is still up in the air. Finally, the agenda is not what we discussed and gives far too much time for areas that can be covered in a short time. Not listed are all of the questions that Tova's proposed agenda had. All in all, it needs to be redone.

--- psims@eac.gov wrote:

> I assume that we are still on for today's
> teleconference at 11 AM EST. I
> will call you. I have attached a draft agenda for
> your review and
> comment. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:23 PM -----

Diana Scott/EAC/GOV

To Margaret Sims/EAC/GOV@EAC

cc dromig@eac.gov, Karen Lynn-Dyson/EAC/GOV@EAC, Edgardo Cortes/EAC/GOV@EAC

Subject Re: Working Group Travel

I have given Adventure Travel the necessary credit card authorization on this. Devon please follow-up with the reservations etc.

Diana M. Scott
Administrative Officer
U.S. Election Assistance Commission
(202) 566-3100 (office)
(202) 566-3127 (fax)
dscott@eac.gov

Margaret Sims/EAC/GOV
Diana:

The following members of the Working Group for our Voting Fraud/Voter Intimidation research project will need to make travel arrangements in order to attend an afternoon meeting of the group on May 18 in Washington, DC:

Mark "Thor" Hearne - St Louis, MO
J.R. Perez - Seguin, TX
The Honorable Todd Rokita - Indianapolis, IN
Kathy Rogers - Atlanta, GA

I may have one additional member from Albuquerque, NM confirmed early next week.

May these people use Adventure Travel to make these arrangements in the same manner as the Asian Language Working Group? I understand the members of that group made hotel and flight arrangements through Adventure Travel and that these costs were billed directly to EAC. We did plan for EAC to pay for the travel of the Voting Fraud/Voter Intimidation Working Group (budgeted under Research). Devon will prepare their travel authorizations.

Peggy Sims
Election Research Specialist
Peggy:

4:00 eastern on Tuesday is fine however, given the financial restrictions that you indicated would be in place for use of my car (I would actually loose money coming to DC) and given the cost of hotels at this time (I can't afford to front these costs and wait for months to be repaid), etc, it would take a miracle for this working group meeting to take place in person. It is looking like the only way it will get done is by teleconference. I also share Tova's concern about the unknown nature of Mr. Perez.

Job

--- psims@eac.gov wrote:

> Hi, Folks:
> 
> Teleconference
> Are both of you available for a teleconference next Tuesday afternoon at about 4 PM EST? If this does not work for you, please suggest another date and/or time. I would like to discuss our preparations for the Working Group meeting.
> 
> Working Group Members
> We have a very good person to fill the slot for the nonpartisan local election official: J.R. Perez, Elections Administrator for Guadalupe County, TX. Attached is his bio. Hope you have no objections to him. He is available on May 18. I have placed 2 calls to Pat Rogers office, but have not yet received a reply. Job, if you have any pull with him, you may want to contact him, too.
> 
> Travel Arrangements
> You should make your own travel arrangements, including hotel. Travel time cannot be billed to the contract, except for hours actually worked on the contract (i.e.; reviewing materials in preparation for the meeting, and the like). Current Federal rates follow:
> 
> Maximum Lodging = $180 per day- does not include hotel taxes (if you cannot get this rate, we have covered reasonable rates that are a little higher)
> Meals & Incidentals = $64 per day (except that it is $48 on the first and last day of travel)
> Mileage for Personally Owned Vehicle = $.445 per mile
> 
> Under the new contract, I do not have to fill out a
travel authorization

for you. I can approve your trip via email.

Afterwords, when you turn in

your next pay voucher, you can attach the airline

receipt (or mileage

documentation), hotel receipt(s), and ground

transportation receipts and a

copy of any printed itineraries. Calculate the

total travel expenses due

you, including applicable per diem. I do not need

meal receipts.

Job, under Federal travel regulations, deviations

for personal reasons are

not normally accommodated. What you can do,

however, is to give me a

comparison of the cost of roundtrip mileage, hotel,

and per diem of doing

it your way against the cost of a roundtrip flight,

ground transportation,

hotel, and per diem. If your way costs less, it

should be no problem to

cover the full cost. If your way is more expensive,

we may only pay up to

the amount of traditional travel. (The same rules

apply to me when I

travel.) If you can tell me where, other than DC,

you will spend the

night, I can check on applicable per diem rates.

Peggy

Peggy:

I may have the only option left but it is a risk time

wise. I could stay at the Baymont in Salem by Roanoke

and then leave early that morning and drive into DC or

to a park and ride (Metro). I would make it before

12:00 barring any unforeseen road issues. However, I

would have to leave to go home right after the

meeting. That would cancel the next day's meeting.
I need to run to West Little Rock so you can get me on my cell if you want to talk.

501-626-0440

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM ---

Margaret Sims/EAC/GOV
05/12/2006 02:46 PM
To Job Serebrov
cc
Subject Working Group List

Job:

What do you suggest I do with the list of Working Group members. I need to get the Fed Ex packages out by the end of the day, and have not heard back from Ginsberg. Do you want me to list a vacancy, or list Norcross with a note that he cannot attend? If we find a substitute, we can always provide an updated list next Thursday. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM ---

"Tova Wang"
05/11/2006 04:25 PM
To psims@eac.gov
cc
Subject RE: Material I may not have included

news article review
-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 11, 2006 3:23 PM
To:
Subject: Re: Material I may not have included

Would these go under literature review or news article review? --- Peggy

"Tova Wang"
05/10/2006 11:45 AM
To psims@eac.gov
cc: romig@eac.gov
Subject Material I may not have included
Correct me if I'm wrong, but I think I omitted sending you these specific summaries that are based on complex cases that could not be adequately described within the confines of the Nexis article Excel spreadsheets. If we can, these should be included, probably on the disc. Sorry.

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021

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Job

In preparing the CDs, we have run across the following files that appear to be duplicates. Which ones should go on the CD? --- Peggy

Chart Election Accessible.doc  Chart Vote Inaccessible.doc
Chart Denial Voter Registrat.doc  Chart Denial Voter Registrat2.doc
Chart Provisional Ballot Den.doc  Chart Provisional Ballot Den2.doc

Here is the issue—four of the five people who
selected Perez are Republicans. If the shoe were on the other foot I would be uncomfortable. This one is up to Tova to call but I am not sure that he can be neutral.

--- psims@eac.gov wrote:

> OK, I get it. The text in the attachment follows:
> 
> EXCERPTS FROM TEXAS ELECTION CODE
> 
> SUBCHAPTER B. COUNTY ELECTIONS ADMINISTRATOR
> 
> ***
> 
> § 31.032. APPOINTMENT OF ADMINISTRATOR; COUNTY ELECTION COMMISSION.
>   (a) The position of county elections administrator is filled by appointment of the county election commission, which consists of:
>   (1) the county judge, as chair;
>   (2) the county clerk, as vice chair;
>   (3) the county tax assessor-collector, as secretary; and
>   (4) the county chair of each political party that made nominations by primary election for the last general election for state and county officers preceding the date of the meeting at which the appointment is made.
>   (b) The affirmative vote of a majority of the commission's membership is necessary for the appointment of an administrator.
>   (c) Each appointment must be evidenced by a written resolution or order signed by the number of commission members necessary to make the appointment. Not later than the third day after the date an administrator is appointed, the officer who presided at the meeting shall file a signed copy of the resolution or order with the county clerk. Not later than the third day after the date the copy is filed, the county clerk shall deliver a certified copy of the resolution or order to the secretary of state.
>   (d) The initial appointment may be made at any time after the adoption of the order creating the position.
> 
> ***
> 
> § 31.035. RESTRICTIONS ON POLITICAL ACTIVITIES.
>   (a) A county elections administrator may not be a candidate for a public office or an office of a political party,
hold a public office, or
hold an office of or position in a political party.
At the time an
administrator becomes a candidate or accepts an
office or position in
violation of this subsection, the administrator
vacates the position of
administrator.

(b) A county elections administrator
commits an offense if the
administrator makes a political contribution or
political expenditure, as
defined by the law regulating political funds and
campaigns, or publicly
supports or opposes a candidate for public office or
a measure to be voted
on at an election. An offense under this subsection
is a Class A
misdemeanor. On a final conviction, the
administrator's employment is
terminated, and the person convicted is ineligible
for future appointment
as county elections administrator.

"Job Serebrov" 05/09/2006 11:38 AM
To
psims@eac.gov
cc
Subject
Re: Working Group-Perez

The code attachment did not work that is what I
meant
by it did not come through.

--- psims@eac.gov wrote:

Did you look at the attached excerpts from Texas
Code? --- Peggy

"Job Serebrov" 05/09/2006 11:23 AM
To
psims@eac.gov
cc
We have the same set-up here in Arkansas. We hired a person just like Perez. However, given this, I would still like to know if he has a party affiliation and this brings up another issue. How is the county election commission chosen. In Arkansas it is the Chairmen of the Republican and Democrat Parties or if he/she does not want to serve a person is elected in his/her stead and a third member picked by the party with the most constitutional officers. Practically that has meant that the Democrats have controlled election commissions in Arkansas since the end of Reconstruction. This is why I want to know the situation in Texas.

--- psims@eac.gov wrote:

As you may recall, the Commissioners directed me to find a nonpartisan local election official to serve on the Working Group. The three of us discussed the desirability of having a Hispanic. I proposed that I find someone from Texas because of that State's colorful history of voting fraud and their innovative approaches to combat it. In those Texas counties that hire Election Administrators to run elections, rather than having elected officials do so (Tax Assessor for voter registration; County Clerk for balloting), the Election Administrator is hired by the County Election Commission and is supposed to perform his or her duties in a nonpartisan manner. (See attached excerpts from Texas Election Code regarding election administrator hiring and
Any experienced Texas election official will be familiar with voting fraud and voter intimidation schemes used in that State.

Mr. Perez has over 13 years experience as a county Election Administrator in Texas. You won't find many news articles mentioning him because he has kept his nose clean. (The Texas press, as in many other parts of the country, prefers to report bad news.) Mr. Perez is plugged into the association of Texas election officials and the two largest organizations of election officials in this country: the International Association of Clerks, Recorders, Election Officials and Treasurers (IACREOT); and

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM ----

"Tova Wang"

05/11/2006 01:59 PM

To psims@eac.gov

cc

Subject RE: research summaries

Job did this one

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

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 11, 2006 12:56 PM
To: dromig@eac.gov
Subject: Re: research summaries

Something is wrong in the fourth paragraph of the Federal Election Crime summary. Do you know what it is supposed to say there?

"Tova Wang"

05/11/2006 01:30 PM

To psims@eac.gov, dromig@eac.gov
I have the feeling we didn't include these in the original batch I sent you. Could you double check and if not, would you please include them in the existing research materials? Sorry and thanks. I'm kind of doing all of this on my own in case you couldn't tell. List is coming...

Tova Andrea Wang
Democracy Fellow
The Century Foundation
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---- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM ----
Margaret Sims/EAC/GOV
05/11/2006 11:16 AM
To Job Serebrov, Tova Andrea Wang
cc
Subject Rev Agenda for Working Group Meeting

Adam:

J.R. Perez's resume is attached, and I have forwarded my last explanatory email to Job in answer to his concerns. I will tell Tova not to contact Ray, but that she may talk with you about this issue. Thanks! ---
Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM ---
Margaret Sims/EAC/GOV
05/09/2006 02:48 PM
To Adam Ambrogi/EAC/GOV
cc
Subject Fw: Working Group-Perez

Perez bio 5_5_06.doc
As you may recall, the Commissioners directed me to find a nonpartisan local election official to serve on the Working Group. The three of us discussed the desirability of having a Hispanic. I proposed that I find someone from Texas because of that State's colorful history of voting fraud and their innovative approaches to combat it. In those Texas counties that hire Election Administrators to run elections, rather than having elected officials do so (Tax Assessor for voter registration; County Clerk for balloting), the Election Administrator is hired by the County Election Commission and is supposed to perform his or her duties in a nonpartisan manner. (See attached excerpts from Texas Election Code regarding election administrator hiring and restrictions on partisan activity.)

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Guadalupe County is small but growing. In 2004, the county had over 65 thousand registered voters (a number more than doubled the number of registered voters in 1988). A third of the county's population claims Hispanic or Latino origin, according to the U.S. Census Bureau. The county is in south central Texas and is bordered by Comal, Hays, Cladwell, Gonzales, Wilson, and Bexar counties. In the 1980s, the county was predominately a farming community; but in recent years, many people have moved from San Antonio (Bexar County) to Guadalupe County, preferring to live in Guadalupe County and work in Bexar County.

--- Peggy
Peggy:

What political party is Perez with? How political is he? Is the position in Texas neutral or political? Who appointed Perez?

As to Pat I will contact him but I can't promise anything. If Pat can't come, who is getting knocked off Tova's list?

Job

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM ---

"Job Serebrov"  
<job.serebrov@federalreserve.gov>  
05/11/2006 04:35 PM  
To psims@eac.gov  
cc  
Subject Re: new working group representative

Peggy:

Braden is ok also with me but please don't tell me not to "stir up" things. I assure you nothing will come back to bite me. I know these people well enough to say they will also want a balanced group. In fact, one of them was very unhappy with Tova's folks.

Job

--- psims@eac.gov wrote:

> According to the Commissioners, you and Tova each
> got to pick three
> members of the Working Group. The Commission
> guidance regarding this
> particular member follows:
> > 4 people from the Academic, Legal and Advocacy
> > sectors - 2 to be chosen by
> > Tova and 2 to be chosen by Job.
> > This issue of allowing a designee relates to Tova's
> > pick.
> > As I understand it, we are working on a replacement
> > for Norcross. If
> > Ginsberg is not viable, how about Mark Braden, who
> > includes public
> > integrity in his areas of specialization. I would
> > not try and stir up
other members of the Working Group, if I were you. The effort is likely to come back and bite you.

"Job Serebrov" <serebrov@globalnet.net> 05/11/2006 03:53 PM

To psims@eac.gov cc

Subject Re: new working group representative

I really don't care if he represents the organization or not. What mixed race? The entire discussion was because Arnwine was African-American. If you are going to invite him without first having a replacement for my side, I may have to call Thor and Todd and discuss all of this.

--- psims@eac.gov wrote:

> Greenbaum is representing Arnwine, not replacing her. He works for her organization and is of mixed race. --- Peggy

--- "Job Serebrov" <serebrov@globalnet.net> 05/11/2006 03:36 PM

To "Tova Wang" <wangtt@eac.gov>, psims@eac.gov cc sender@globalnet.net

Subject Re: new working group representative

I have an objection to Greenbaum. While I realize he comes from an advocacy group, he is not a minority attorney and we already have a rep who worked with...
DOJ. If it is to be Greenbaum, I would rather not fill that position since I am one down.

--- Tova Wang wrote:

is Jon Greenbaum

Here's his info in full:

He is the Director of the Voting Rights Project for the Lawyers Committee. He will be representing Barbara Arnwine, the Executive Director of the Lawyers Committee. His contact and mailing info is:

1401 New York Avenue, NW Suite 400 Washington, DC 20005

Tova Andrea Wang Democracy Fellow The Century Foundation 41 East 70th Street - New York, NY 10021

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Click here to receive our weekly e-mail updates.
When I opened the attachment, I still had problems with the 4th paragraph. Would you please just send me that paragraph within the text of your email so that I can paste it into the document? --- Peggy

"Job Serebrov" <serebrov@sbcglobal.net>

--- psims@eac.gov wrote:

> Do you have text to replace the corrupted text in paragraph 4? --- Peggy
> 
> "Job Serebrov" <serebrov@sbcglobal.net>
> 05/11/2006 03:17 PM
> 
> To
> psims@eac.gov
> cc
> Subject
> Re: Literature Summary
Tova just sent me the summary you prepared of The Federal Crime of Election Fraud by Craig Donsanto. There is something wrong in the fourth paragraph (odd characters and missing text). Can you please send a replacement fourth paragraph? You can send it in an email and I will place it in the document. --- Peggy

Ok. Thanks

--- psims@eac.gov wrote:

> Job:
> I've signed and submitted your voucher. I had to correct the contract date. (It is 2/26/06, not 4/22/06.) Everything else looked great. ---
> Peggy

We are still on for 4 PM. Ray is out of the office due to a family emergency, so I suggest you NOT contact him. You may contact his Special Assistant, Adam Ambrogi (aambrogi@eac.gov or 202-566-3105), who also hails from Texas. --- Peggy
Subject: RE: Working Group-Perez

We are still doing the 4 pm call, right? We can discuss it more then. Would it be OK if I see if Ray knows this person? Thanks. Tova

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 09, 2006 10:14 AM
To: [redacted]
Cc: [redacted]
Subject: Re: Working Group-Perez

As you may recall, the Commissioners directed me to find a nonpartisan local election official to serve on the Working Group. The three of us discussed the desirability of having a Hispanic. I proposed that I find someone from Texas because of that State's colorful history of voting fraud and their innovative approaches to combat it. In those Texas counties that hire Election Administrators to run elections, rather than having elected officials do so (Tax Assessor for voter registration; County Clerk for balloting), the Election Administrator is hired by the County Election Commission and is supposed to perform his or her duties in a nonpartisan manner. (See attached excerpts from Texas Election Code regarding election administrator hiring and restrictions on partisan activity.)

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Job

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM -----
Margaret Sims/EAC/GOV
05/12/2006 10:10 AM
To bginsberg@pattonboggs.com
cc
Subject Voting Fraud-Voter Intimidation Working Group

Dear Mr. Ginsberg:

This is to confirm my call to your office this morning inviting you to be a member of and attend the upcoming meeting of the U.S. Election Assistance Commission's (EAC) Working Group on Voting Fraud-Voter Intimidation. The meeting is scheduled to take place from 1:00 PM to 5:30 PM on Thursday, May 18th, 2006 at the offices of the U.S. Election Assistance Commission (EAC), 1225 New York Avenue, NW, 11th Floor, Washington, DC.

Section 241 of the Help America Vote Act of 2002 (HAVA) requires EAC to conduct research on election administration issues. Among the tasks listed in the statute are the development of:

- nationwide statistics and methods of identifying, deterring, and investigating voting fraud in elections for Federal office [section 241(b)(6)]; and
- methods of identifying, deterring, and investigating methods of voter intimidation [section 241(b)(7)].

EAC's Board of Advisors recommended that the agency make research on these matters a high priority. Subsequently, the Commission contracted with two consultants (Job Serebrov and Tova Wang) to:
• develop a comprehensive description of what constitutes voting fraud and voter intimidation in the context of Federal elections;
• perform background research (including Federal and State administrative and case law review), identify current activities of key government agencies, civic and advocacy organizations regarding these topics, and deliver a summary of this research and all source documentation;
• establish a project working group, in consultation with EAC, composed of key individuals and representatives of organizations knowledgeable about the topics of voting fraud and voter intimidation;
• provide the description of what constitutes voting fraud and voter intimidation, and the results of the preliminary research to the working group, and convene the working group to discuss potential avenues for future EAC research on this topic; and
• produce a report to EAC summarizing the findings of the preliminary research effort and working group deliberations that includes recommendations for future research, if any;

We strive to include bipartisan representation on the Working Group associated with this project. You were recommended for this project by our Republican consultant, Job Serebrov. Your ideas for possible EAC activities related to this topic will help the agency as it plans future actions to meet its HAVA responsibilities.

If you can find the time in your busy schedule to participate, I will have an information packet delivered to your office by COB, Monday, May 15. Please let me know if you are available. Thank you.

Regards,

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
e-mail: psims@eac.gov

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM ---

Margaret Sims/EAC/GOV
05/10/2006 09:25 AM
To "Tova Wang"
cc
Subject Re: arnwine

I'm checking on this. Will get back to you as soon as I have more info. --- Peggy

"Tova Wang"
She definitely cannot do it. Would you please find out if Wade Henderson would be possible? Now its my turn to be upset!!! Thanks.

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021


Click here to receive our weekly e-mail updates.
Here is the second batch of my archived email related to the vote fraud study.

Peg Sims

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:28 PM -----
Aletha Barrington/CONTRACTOR/EAC/GOV
04/19/2006 01:09 PM
To a
cc Margaret Sims/EAC/GOV@EAC
Subject Voting fraud/Voter intimidation

Good afternoon:

I like to introduce myself, I am Aletha Barrington, the new Contract Assistant, I will be replacing Nicole Mortellito. You may address any questions regarding the Voting Fraud/Voter Intimidation Contract to me as well as cc all monthly reports. Thank you and I look forward to working with you!

Aletha Barrington

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:28 PM -----
Margaret Sims/EAC/GOV
04/17/2006 04:33 PM
To Sarah Ball Johnson
cc serebrov@sbcglobal.net, wang@tcf.org, ecortes@eac.gov
Subject Voting Fraud-Voter Intimidation Teleconference 4-19-06

Hi, Sarah:

Thank you for agreeing to be interviewed on Wednesday, April 19, by the consultants for EAC's initial research on voting fraud and voter intimidation, Job Serebrov and Tova Wang. Our consultants are conducting interviews as part of preliminary research to determine how EAC may best meet the requirements of Section 241(b)6 and 7 of the Help America Vote Act of 2002. As you may recall, Section 241 requires EAC to conduct research on election administration issues, including the development of:

- nationwide statistics and methods of identifying, deterring, and investigating voting fraud in elections for Federal office; and
- methods of identifying, deterring, and investigating methods of voter intimidation.

This is what I need you (and the Secretary, if he is available) to do:

- At approximately 11 AM EST on April 19, call 1-866-222-9044.
- At the prompt for the pass code, enter 62209.
Tova and Job will join you on the line. We have arranged for the line to be open for an hour, with 10 minutes extra on the front end (for folks who have not synchronized their watches).

You mentioned that Secretary Grayson may be using a cell phone. Our teleconference provider has given us the following information regarding the use of cell phones during the teleconference:

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- The cell phone should be well charged and muted, if possible, until the individual is ready to speak.
- If there is a problem, anybody who dials into a conference can contact the operator/technicians by simply pressing *0 (star zero). This information is part of the recording when individuals are dialing in.

If you have any problems accessing the teleconference, please call Edgardo Cortés. You can reach him at 1-866-747-1471 (toll-free) or 202-566-3126. He can contact our service provider to correct any problems. (I will be on my way to Seattle and unable to help.)

Thanks, again!

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
e-mail: psims@eac.gov

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:28 PM ----

"Tova Wang"
04/17/2006 01:34 PM
cc psims@eac.gov
to psims@eac.gov
Subject RE: Interviews

Actually, 11 EST would be better. Thanks.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, April 17, 2006 10:49 AM
To: wang@eac.gov
Subject: Interviews

I know you preferred Friday, but Job is not available then. He also said he is not available next week. Do you have any time available this Wednesday? --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/17/2006 11:45 AM -----
I can't do it Friday but Wednesday is ok.

--- psims@eac.gov wrote:

> Tova and Job:
> > I've passed Tova's request on to Craig.
> > Also, Sarah Ball Johnson, KY, finally called back to say she would be available Wednesday through Friday this week and next week for the interview. Which day and time is best for you and Job?
> > --- Peggy
> >
> 04/16/2006 11:39 AM
> > To psims@eac.gov
> > cc "Tova Wang"
> > Subject donsanto again
> >
> Hi Peg,
> > Happy Easter!
> > Would it be possible to talk to Mr. Donsanto about this latest initiative, or somehow get more information? Thanks. Tova
> >
> http://www.fbi.gov/page2/april06/electioncrime041406.htm
Ms. Rivers,

My name is Devon Romig and I am writing to you on behalf of the Election Assistance Commission. I believe that you have been contacted previously by our consultant Job Serebrov about the Voting Fraud/Voter Intimidation Project Working Group that we are organizing.

We are in the process of setting a date for this event and we would appreciate any suggestions that you may contribute based upon Mr. Norcross’s availability in the month of May. The proposed dates are May 1, 2, 3, 8, 9, 10, 11, 12, 15, 16, 17, 18, 19. The meeting will only last for one day. Please let me know any and all of the listed dates that will work with Mr. Norcross’s schedule.

Also, I tried to contact you by phone but I received a disconnected notification. Could you please provide me with your most current contact information?

Feel free to call or email me with any questions.

Thanks!

Devon Romig
U.S. Election Assistance Commission
1225 New York Ave. NW - Suite #1100
Washington, D.C. 20005
(202) 566-2377

Hi Peg,

I think I might have told you only that I am unavailable on the 5th. I’m actually unavailable on the 4th as well. Any news on this front? We should also arrange a conference call next week about preparing for the meeting, don’t you think? Thanks Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021
Peg, I hope we will be able to review the binders you put together before they get sent out. Thanks. Just one more research summary to come Monday. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021

I will now begin sending several emails with material for the working group meeting. Peg, we still have not heard back from you on whether you like the agenda. I have attached it again. With respect to the interview and research summaries, would you both please review them to make sure there are no glaring mistakes?

Are we going on a hiatus next week? I'm a little confused about what happens from here. Tova
Visit our Web site, www.tcf.org, for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:28 PM ----

"Tova Wang"
<wang@tcf.org>
04/21/2006 11:10 AM

To psims@eac.gov, "Job Serebrov" <serk@tcf.org>
cc interview summaries 4 (final)

Please also double check that I have not left any out. Thanks.

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021

Visit our Web site, www.tcf.org, for the latest news, analysis, opinions, and events.

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:28 PM ----

"Johnson, Sarah Ball (SBE)"
<SarahBall.Johnson@ky.gov>
04/18/2006 04:02 PM

To psims@eac.gov
cc

Subject RE: Voting Fraud-Voter Intimidation Teleconference 4-19-06

Peggy,
I am attaching a link to a recent book published by a Kentucky History Professor, Tracy Campbell, which details voter fraud on state and national level. It is very interesting reading.

http://www.amazon.com/gp/product/078671591X/sr=8-1/qid=1145390029/ref=pd_bbs_1/103-8923253-6647806?%5Fencoding=UTF8

Sarah Ball Johnson
Executive Director
Hi, Sarah:

Thank you for agreeing to be interviewed on Wednesday, April 19, by the consultants for EAC's initial research on voting fraud and voter intimidation, Job Serebrov and Tova Wang. Our consultants are conducting interviews as part of preliminary research to determine how EAC may meet the requirements of Section 241(b)6 and 7 of the Help America Vote Act of 2002. As you may recall, Section 241 requires EAC to conduct research on election administration issues, including the development of:

- nationwide statistics and methods of identifying, deterring, and investigating voting fraud in elections for Federal office; and
- methods of identifying, deterring, and investigating methods of voter intimidation.

This is what I need you (and the Secretary, if he is available) to do:

- At approximately 11 AM EST on April 19, call 1-866-222-9044.
- At the prompt for the pass code, enter 62209.

Tova and Job will join you on the line. We have arranged for the line to be open for an hour, with 10 minutes extra on the front end (for folks who have not synchronized their watches).

You mentioned that Secretary Grayson may be using a cell phone. Our teleconference provider has given us the following information regarding the use of cell phones during the teleconference:

- Signals are often in and out and the audio bridging equipment cannot compensate fast enough by adjusting the signal. This affects all participants connected. If participants must use a cell phone – they should be stationary in a location where they can pick up the other participants, moving while using a cell phone causes the signal to go in and out and often will pick up extraneous electrical signals that will cause heavy static on the call.
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- If there is a problem, anybody who dials into a conference can contact the operator/technicians by simply pressing *0 (star zero). This information is part of the recording when individuals are dialing in.
If you have any problems accessing the teleconference, please call Edgardo Cortés. You can reach him at 1-866-747-1471 (toll-free) or 202-566-3126. He can contact our service provider to correct any problems. (I will be on my way to Seattle and unable to help.)

Thanks, again!

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

-- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:28 PM --

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021
Visit our Web site, , for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.

Summary of DOJ activities 0405.doc

Sarah:

Thank you. I have not reviewed this myself, so I really appreciate the link. Professor Campbell was among the people interviewed by our consultants.
Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
e-mail: psims@eac.gov

"Johnson, Sarah Ball (SBE)" <SarahBall.Johnson@ky.gov>

To psims@eac.gov
cc
Subject RE: Voting Fraud-Voter Intimidation Teleconference 4-19-06

Peggy,
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Sarah Ball Johnson
Executive Director
State Board of Elections
140 Walnut Street
Frankfort, KY 40601
(502) 573-7100
(502) 573-4369-fax

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Hi, Sarah:

Thank you for agreeing to be interviewed on Wednesday, April 19, by the consultants for EAC's initial research on voting fraud and voter intimidation, Job Serebrov and Tova Wang. Our consultants are conducting interviews as part of preliminary research to determine how EAC may best meet the requirements of Section 241(b)6 and 7 of the Help America Vote Act of 2002. As you may recall, Section 241 requires EAC to conduct research on election administration issues, including the development of:

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Thanks, again!

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:28 PM ---
Are you two still available for the conference call we had scheduled for this afternoon at 4 PM EST/3 PM CST? --- Peg

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:28 PM ---

"Tova Wang"
psims@eac.gov
04/21/2006 11:09 AM

To
psims@eac.gov, "Job Serebrov"
cc

Subject interview summaries 3

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:28 PM ---

Margaret Sims/EAC/GOV
04/19/2006 03:31 PM

To "Job Serebrov"
cc "Tova Andrea Wang"

Subject Recent email from Aletha Barrington

Please ignore the message sent to you today by Aletha Barrington. It was sent in error. As COR for this project, I remain your primary contact. Thanks.

Peggy

Sent from my BlackBerry Wireless Handheld
I have just forwarded to you the Feb 3 email I sent to EAC Staff.

Diana M. Scott
Administrative Officer
U.S. Election Assistance Commission
(202) 566-3100 (office)
(202) 566-3127 (fax)
dscott@eac.gov

Edgardo Cortes/EAC/GOV
What is the contact info for our conference call provider in case we run into trouble at the start of the call? Nicole used to handle conference calls and I am not sure who I would speak to in that instance. Please let me know. Thanks.

Edgardo Cortés  
Election Research Specialist  
U.S. Election Assistance Commission  
1225 New York Ave. NW, Ste. 1100  
Washington, DC 20005  
866-747-1471 toll free  
202-566-3126 direct  
202-566-3127 fax  
ecortes@eac.gov  
Margaret Sims/EAC/GOV

Margaret Sims/EAC/GOV  
04/17/2006 04:33 PM  
To sarahball.johnson@ky.gov  
cc serebrov@sbcglobal.net, wang@tcf.org, ecortes@eac.gov  
Subject Voting Fraud-Voter Intimidation Teleconference 4-19-06

Hi, Sarah:

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Thanks, again!

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
e-mail: psims@eac.gov

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:28 PM ---

"Tova Wang"
04/21/2006 11:05 AM
To psims@eac.gov, "Job Serebrov" <serebrov@che1global.net>
cc
Subject summaries of interviews

Part 1. I'm going to try not to overload

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021

Visit our Web site, <www.centuryfoundation.org>, for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.
Yes but it needs to go no longer than 30 mins

--- psims@eac.gov wrote:

> Are you two still available for the conference call
> we had scheduled for
tthis afternoon at 4 PM EST/3 PM CST? --- Peg

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:28 PM ---

Devon E. Romig/EAC/GOV
04/19/2006 03:44 PM
To Margaret Sims/EAC/GOV@EAC
cc
Subject Re: Voting Fraud/Voter Intimidation Project Working Group

Yes, she is the assistant to David A. Norcross and she is unavailable until Monday. I spoke with the woman who is filling in for her this week and she does not have access to Mr. Norcross’s schedule.

Margaret Sims/EAC/GOV

Margaret Sims/EAC/GOV
04/19/2006 03:27 PM
To Devon E. Romig/EAC/GOV@EAC
cc
Subject Re: Voting Fraud/Voter Intimidation Project Working Group

Was this message sent to someone’s assistant? We have no one named Rivers on our working group.

Peggy
Sent from my BlackBerry Wireless Handheld
Devon E. Romig

From: Devon E. Romig
Sent: 04/19/2006 12:24 PM
To: Rivers@BlankRome.com
Cc: Margaret Sims
Subject: Voting Fraud/Voter Intimidation Project Working Group

Ms. Rivers,

My name is Devon Romig and I am writing to you on behalf of the Election Assistance Commission. I believe that you have been contacted previously by our consultant Job Serebrov about the Voting Fraud/Voter Intimidation Project Working Group that we are organizing.

We are in the process of setting a date for this event and we would appreciate any suggestions that you may contribute based upon Mr. Norcross's availability in the month of May. The proposed dates are May 1, 2, 3, 8, 9, 10, 11, 12, 15, 16, 17, 18, 19. The meeting will only last for one day. Please let me know any and all of the listed dates that will work with Mr. Norcross's schedule.

Also, I tried to contact you by phone but I received a disconnected notification. Could you please provide me with your most current contact information?

Feel free to call or email me with any questions.

Thanks!

Devon Romig
U.S. Election Assistance Commission
1225 New York Ave. NW - Suite #1100
Washington, D.C. 20005
(202)566-2377

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:28 PM -----
"Tova Wang"
04/17/2006 12:55 PM
To: psims@eac.gov; go
cc
Subject RE: Conference Call This Afternoon

yes
-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, April 17, 2006 11:38 AM
To: [name redacted]
Subject: Conference Call This Afternoon

Are you two still available for the conference call we had scheduled for this afternoon at 4 PM EST/3 PM CST? --- Peg

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:28 PM -----
Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021

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--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:28 PM ---

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021

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absentee nexis chart 2.xls  'dead' voters and multiple voting nexis chart.xls  deceptive practices nexis chart.xls
Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021

Visit our Web site, , for the latest news, analysis, opinions, and events.

I sent the wrong version! Please use this one.

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021

Visit our Web site, , for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.
And there will be one more forthcoming next week.

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021

Visit our Web site, www.tcf.org, for the latest news, analysis, opinions, and events.

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:28 PM ---

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021

Visit our Web site, www.tcf.org, for the latest news, analysis, opinions, and events.
Was this message sent to someone's assistant? We have no one named Rivers on our working group. Peggy

------------------------
Sent from my BlackBerry Wireless Handheld
Devon E. Romig

From: Devon E. Romig
Sent: 04/19/2006 12:24 PM
To: Rivers@BlankRome.com
Cc: Margaret Sims
Subject: Voting Fraud/Voter Intimidation Project Working Group

Ms. Rivers,

My name is Devon Romig and I am writing to you on behalf of the Election Assistance Commission. I believe that you have been contacted previously by our consultant Job Serebrov about the Voting Fraud/Voter Intimidation Project Working Group that we are organizing.

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Feel free to call or email me with any questions.

Thanks!

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Tova Andrea Wang
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Interview with Heather Dawn Thompson.doc
Interview with Jason Torchinsky final.doc
Interview with Joe Rich.doc
Interview with Joe SandlerFINAL.doc
Interview with John Ravitz.doc
Interview with John Tanner.doc
Interview with Kevin Kennedy.doc

Diana:
This is just to let you know that I have requested a teleconference on Wednesday, April 19, from 11 AM to Noon EST. I asked for 6 lines to accommodate our research consultants and the folks that they will be interviewing for our Voting Fraud/Voter Intimidation project.

Peggy Sims
Election Research Specialist

Diana Scott
Teleconference Requested

To psims@eac.gov, "jwilson@albany.edu", eacgov, "US Docs Appraiser”
cc
Subject summaries of interviews 2
I know you preferred Friday, but Job is not available then. He also said he is not available next week. Do you have any time available this Wednesday? --- Peggy

To: psims@eac.gov
cc
Subject: Interviews

I can't do it Friday but Wednesday is ok.

--- psims@eac.gov wrote:

> Tova and Job:
> > I've passed Tova's request on to Craig.
> > Also, Sarah Ball Johnson, KY, finally called back
to say she would be
available Wednesday through Friday this week and
next week for the
interview. Which day and time is best for you and
Job?
> > --- Peggy
> >
> >
> >
> > 04/16/2006 11:39 AM
> >
> > To
> > psims@eac.gov
> > cc
> > "Tova Wang"
Hi Peg,

Happy Easter!

Would it be possible to talk to Mr. Donsanto about this latest initiative, or somehow get more information? Thanks. Tova

http://www.fbi.gov/page2/april06/electioncrime041406.htm

Hi Peg. I am sitting here with Cameron Quinn putting together this year's
ballt conference for AUSAs. She send her best!

I am available on 5/18. But I am also going to the Board of Advisors Meeting the following week. I would rather do this then.

Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 11:39:50 2006
Subject: Voting Fraud-Voter Intimidation

Craig:

We are continuing our efforts to hone in on a date for the Working Group meeting. Are you available the afternoon of Thursday, May 18?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:27 PM -----  
Devon E. Romig/EAC/GOV
05/10/2006 09:54 AM  To Margaret Sims/EAC/GOV@EAC
cc
Subject Court reporter

Peggy,

I spoke to the people who usually handle the EAC court reporting. They charge $9.00 per page with an average of 40 pages per hour. This service would cost about $1800.00.

The turn around time for the transcript is 10 to 15 days. The transcripts comes in a bound paper copy and an electronic copy.

I can also check around for different prices.

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:27 PM -----
Subject: hotels

Literally, there is not a hotel room to be found in the district on these dates. The only thing I could find was a room for $379 a night. I have booked it and will assume that since we are so under-budget on travel that this will be OK.

----- Original Message ----- 
From: psims@eac.gov
To: gI
Cc: dromig@eac.gov
Sent: Friday, May 05, 2006 2:32 PM
Subject: Working Group

Hi, Folks:

Teleconference
Are both of you available for a teleconference next Tuesday afternoon at about 4 PM EST? If this does not work for you, please suggest another date and/or time. I would like to discuss our preparations for the Working Group meeting.

Working Group Members
We have a very good person to fill the slot for the nonpartisan local election official: J.R. Perez, Elections Administrator for Guadalupe County, TX. Attached is his bio. Hope you have no objections to him. He is available on May 18. I have place 2 calls to Pat Rogers office, but have not yet received a reply. Job, if you have any pull with him, you may want to contact him, too.

Travel Arrangements
You should make your own travel arrangements, including hotel. Travel time cannot be billed to the contract, except for hours actually worked on the contract (i.e.; reviewing materials in preparation for the meeting, and the like). Current Federal rates follow:

- Maximum Lodging = $180 per day- does not include hotel taxes (if you cannot get this rate, we have covered reasonable rates that are a little higher)
- Meals & Incidentals = $64 per day (except that it is $48 on the first and last day of travel)
- Mileage for Personally Owned Vehicle = $.445 per mile

Under the new contract, I do not have to fill out a travel authorization for you. I can approve your trip via email. Afterwords, when you turn in your next pay voucher, you can attach the airline receipt (or mileage documentation), hotel receipt(s), and ground transportation receipts and a copy of any printed itineraries. Calculate the total travel expenses due you, including applicable per diem. I do not need meal receipts.

Job, under Federal travel regulations, deviations for personal reasons are not normally accommodated. What you can do, however, is to give me a comparison of the cost of roundtrip mileage, hotel, and per diem of doing it your way against the cost of a roundtrip flight, ground transportation, hotel, and per diem. If your way costs less, it should be no problem to cover the full cost. If your way is more expensive, we may only pay up to the amount of traditional travel. (The same rules apply to me when I travel.) If you can tell me where, other than DC, you will spend the night, I can check on applicable per diem rates.
All. They are not duplicates. There are some cases repeated and some not. It is a slight variant of the word search.

--- psims@eac.gov wrote:

> Job
> In preparing the CDs, we have run across the
> following files that appear
> to be duplicates. Which ones should go on the CD?
> --- Peggy
> 
> 

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:27 PM -----

"Tova Wang"

To psims@eac.gov

cc dromig@eac.gov, seredr@globalnet, "Tova Wang"

Subject list of interviewees
Thank you, Peg - see you then.

The meeting is scheduled for Thursday, May 18, 1-5:30 PM (though we may finish earlier). It will be held in EAC's large conference room (the one we use for public meetings, located off our lobby): --- Peggy
If you tell me now I will put it into my calendar here, which in turn will remind me!

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Friday, May 05, 2006 12:42 PM
To: Donsanto, Craig
Subject: Re: Please remind me of time and place for Voter Intimidation project meeting

How many days in advance do you need the reminder? --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:27 PM -----
Margaret Sims/EAC/GOV
05/04/2006 02:07 PM
To: Paul DeGregorio, Ray Martinez, Donetta Davidson, Gracia Hillman
cctwilkey@eac.gov, jthompson@eac.gov, Gavin S. Gilmour/EAC/GOV@EAC, Amie J. Sherrill/EAC/GOV@EAC, Adam Ambrogi/EAC/GOV@EAC, Eileen L. Collier/EAC/GOV@EAC, Sheila A. Banks/EAC/GOV@EAC, bbenavides@eac.gov, Karen Lynn-Dyson/EAC/GOV@EAC
Subject: Voting Fraud-Voter Intimidation Working Group Meeting

Dear Commissioners:

This is to let you know that the Working Group for our Voting Fraud and Voter Intimidation preliminary research project is scheduled to meet in EAC’s large conference room the afternoon of Thursday, May 18. I will provide more information about this meeting to you later.

Peggy Sims
Election Research Specialist

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:27 PM -----
Margaret Sims/EAC/GOV
05/09/2006 11:19 AM
To: Devon Romig
cc
Subject: May 18 Meeting

Did Barbara Arnwine’s office indicate who they propose to send in her place? --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:27 PM -----
"Job Serebrov"
05/10/2006 02:35 PM
To: psims@eac.gov
cc
Subject: Latham
The Latham is booked solid. I called. I am checking out some possibilities but this is not looking good.

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:27 PM ---
Margaret Sims/EAC/GOV
05/10/2006 03:20 PM
To "Job Serebrov"
cc
Subject Re: Latham

One source suggests the Georgetown Inn has vacancies and pillow top beds. Try 1-800-424-2979 or 202-353-8900.

"Job Serebrov" <serebrov@sbcglobal.net>

"Job Serebrov"
05/10/2006 02:35 PM
To psims@eac.gov
cc
Subject Latham

The Latham is booked solid. I called. I am checking out some possibilities but this is not looking good.

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:27 PM ---
Margaret Sims/EAC/GOV
05/11/2006 10:06 AM
To Tova Andrea Wang, Job Serebrov
cc
Subject Today’s Teleconference

I assume that we are still on for today’s teleconference at 11 AM EST. I will call you. I have attached a draft agenda for your review and comment. --- Peggy

Agenda 5-18-06 Mtg-draft.doc
This is ok, given the fact that the WG may have suggestions. Will you be sending us the same packets that you are sending the WG? Also, I figure with Tova's response we will need to have a teleconference on the report once I return to Little Rock. We will need to do it that following Monday or Tuesday.

--- psims@eac.gov wrote:

> Would you please take a look at the attached? I
> combined both of your
> definitions, reformatted the list, removed a
> reference to the fraud having
> to have an actual impact on the election results
> (because fraud can be
> prosecuted without proving that it actually changed
> the results of the
> election), and taken out a couple of vague examples
> (e.g.; reference to
> failing to enforce state laws --- because there may
> be legitimate reasons
> for not doing so).
> >
> > I have made contact with Ben Ginsberg's office and
> > am waiting to hear if
> > he accepts our invitation to join the working group.
> > --- Peggy
> >

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:27 PM ---

"Job Serebrov"

05/12/2006 12:52 PM

To psims@eac.gov, m@t.gov

cc

Subject Re: Fraud Definition

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:27 PM ---

"Job Serebrov"

05/11/2006 04:53 PM

To psims@eac.gov, m@t.gov

cc

Subject Re: Dinner

Yes. My wife is a vegetarian and I can't eat wheat products and don't eat pork. Non-toxic Oriental seems to always work. I did not cc Tova on this until I received your reaction. You probably want to include
Tova on replies to this e-mail.

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:27 PM -----  
Devon E. Romig/EAC/GOV  
05/09/2006 11:12 AM  
To: Margaret Sims/EAC/GOV@EAC  
cc:  
Subject: Fw: May 18th Meeting at EAC

Devon Romig  
United States Election Assistance Commission  
1225 New York Ave. NW, Suite 1100  
Washington, DC 20005  
202.566.2377 phone  
202.566.3128 fax  
www.eac.gov  
----- Forwarded by Devon E. Romig/EAC/GOV on 05/09/2006 11:12 AM -----  
"Marvin Brokaw"  
<marvin.brokaw@adtray.com>  
05/09/2006 11:04 AM  
To: dromig@eac.gov  
cc:  
Subject: RE: May 18th Meeting at EAC

Hi Devon:  
We have heard from Mark Hearne and Todd Rokita. They are both flying in and out on the 18th and will not need hotel rooms. We're kind of waiting to see if Perez and Rogers need rooms before booking any hotel. As soon as we get approval of Hearne and Rokita air schedules and get them booked, we'll forward their itineraries to you.

Kind Regards,  
Marvin

-----Original Message-----  
From: dromig@eac.gov [mailto:dromig@eac.gov]  
Sent: Tuesday, May 09, 2006 8:31 AM  
To: marvin.brokaw@adtrav.com  
Cc: psims@eac.gov  
Subject: May 18th Meeting at EAC

Hello Marvin,

I just wanted to follow up with the voicemail message that I left for you yesterday. We will be holding a meeting at our offices in Washington DC on May 18, 2006. I have informed the out of state attendees to contact you for their travel arrangements.

We have been authorized to pay for the attendees airfare and hotel arrangements. Please note...
that all of the participants are authorized for a two night hotel room stay, as long as the dates are May 17th and 18th.

I attached the list of the meeting participants that will be contacting you about their travel arrangements for the May 18th meeting in Washington DC.
Let me know if you have any questions for me or if you need any more information from me.

Thanks for your help!

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:27 PM -----
Devon E. Romig/EAC/GOV
05/03/2006 03:23 PM
To Margaret Sims/EAC/GOV@EAC
cc
Subject David Norcross

Peggy,

I just spoke to Mr. Norcross's assistant, he cannot attend the meeting on the 18th, he will be out of town at another event.

Devon Romig
U.S. Election Assistance Commission
1225 New York Ave. NW - Suite #1100
Washington, D.C. 20005
(202)566-2377
----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:27 PM -----
"Donsanto, Craig"
<Craig.Donsanto@usdoj.gov>
To psims@eac.gov
cc
Subject Re: Voting Fraud-Voter Intimidation

Peggy -- they don't have anything to do with the Leadership Conference on Civil Rights do they?

I ask only because the Justice Department is currently engaged in a very acrimonious FOIA litigation with LCCR that focuses precisely on our efforts to combat voter "intimidationm"
It is just the Working Group for the Voting Fraud-Voter Intimidation Project. I am asking you to attend as Technical Advisor for the project. --- Peggy

Peg -- what is the name of the group?

Craig:

This meeting is being held to obtain input from our eight-member Working Group for the project. The group is composed of election lawyers, election officials, and a representative of an advocacy group, all of whom have an interest and some expertise in the identification and/or prosecution of voting fraud and voter intimidation. The group was chosen so that we would have an equal number of folks on each side of the political spectrum, plus some nonpartisan members.

After our consultants review the results of their preliminary research (interviews, literature review, case law), we will ask the Working Group to brainstorm possible next steps for EAC. Our consultants will write a report summarizing the proposals that come out of this meeting. The report will go to the Commissioners, who will decide what they want to do, funds available, and what priority to assigned to the effort(s).
Your participation in this part of the process is extremely important, so I am very happy that you can find time for us that afternoon. I'll get an agenda and other information to you next week. --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/04/2006 02:32 PM
To psims@eac.gov
cc psims@eac.gov
Subject RE: Voting Fraud-Voter Intimidation

Okay, Peg -- I will mark off the entire afternoon and try to be there. What is the agenda? I was not aware that this was anything beyond having your contractors spend another session with me. Also, if they will be needing stats and stuff like that I need to know as I will bring my state-people with me.

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 04, 2006 2:28 PM
To: Donsanto, Craig
Subject: Re: Voting Fraud-Voter Intimidation

Right now, we are planning to meet in EAC's large conference room between 1 PM and 5 PM. If you cannot be there for the whole afternoon, we will appreciate whatever time you can spare. I'll get back to you with more information (agenda, list of Working Group members, etc.). --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/03/2006 05:59 PM
To psims@eac.gov
cc psims@eac.gov
Subject: Re: Voting Fraud-Voter Intimidation

Afternoon of May 18 -- 2:30 okay? How long will they need??
----------------------------------
Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 16:59:09 2006
Subject: Re: Voting Fraud-Voter Intimidation

I am looking at the afternoon of 5/18 for the meeting, due to scheduling conflicts of Working Group members. There remain two members from whom we have not yet received confirmations of their schedule (with some, it is like pulling teeth), but right now 5/18 still looks like the best day. We may have to hold the meeting over here to make it easier for Commissioners to drop in. --- Peg

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/03/2006 12:53 PM
To
   psims@eac.gov
cc
Subject: Re: Voting Fraud-Voter Intimidation

Okay -- you are on for May 18th! Can we do it over here at 10?
----------------------------------
Sent from Dr. D's Fabulous BlackBerry Wireless Handheld
My problem is that agency staff is booked most of the week of 5/21. Monday through Wednesday are taken up with meetings of the Standards Board Executive Committee, the full Standards Board, and the Board of Advisors. Thursday, we have EAC's public meeting. Also, I will lose one of my two consultants in June, so I'm trying to wrap up this project (and get the final report from the consultants) by the end of May.

Say "Hi" to Cameron for me.

Hi Peg. I am sitting here with Cameron Quinn putting together this year's ballot conference for AUSAs. She send her best!

I am available on 5/18. But I am also going to the Board of Advisors Meeting the following week. I would rather do this then.

Sent from Dr. D's Fabulous BlackBerry Wireless Handheld
On another note entirely, since traffic will be bad going to Roanoke, do you want to have a dinner meeting with Tova and me after the group meeting to discuss the final report? As long as we are out by 7 or so I am ok with it. Also, my wife would have to be there as she will be meeting me after the WG.

--- psims@eac.gov wrote:

> According to the Commissioners, you and Tova each got to pick three members of the Working Group. The Commission guidance regarding this particular member follows:
> 4 people from the Academic, Legal and Advocacy sectors - 2 to be chosen by Tova and 2 to be chosen by Job.
> This issue of allowing a designee relates to Tova's pick.
> As I understand it, we are working on a replacement for Norcross. If Ginsberg is not viable, how about Mark Braden, who includes public integrity in his areas of specialization. I would not try and stir up other members of the Working Group, if I were you. The effort is likely to come back and bite you.
> "Job Serebrov" <job.serebrov@eac.gov>
> 05/11/2006 03:53 PM
To psims@eac.gov
cc
Subject
Re: new working group representative

I really don't care if he represents the organization or not. What mixed race? The entire discussion was because Arnwine was African-American. If you are going to invite him without first having a replacement for my side, I may have to call Thor and Todd and discuss all of this.

--- psims@eac.gov wrote:

> Greenbaum is representing Arnwine, not replacing her. He works for her organization and is of mixed race. --- Peggy

"Job Serebrov" <serebroj@globalnet.org>
05/11/2006 03:36 PM

To "Tova Wang" <psims@eac.gov>
cc
Subject
Re: new working group representative

I have an objection to Greenbaum. While I realize he comes from an advocacy group, he is not a minority attorney and we already have a rep who worked with DOJ. If it is to be Greenbaum, I would rather not fill that position since I am one down.

--- Tova Wang

> is Jon Greenbaum
> Here's his info in full:
He is the Director of the Voting Rights Project for the Lawyers Committee for Civil Rights. He will be representing Barbara Arnwine, the Executive Director of the Lawyers Committee.

His contact and mailing info is:

1401 New York Avenue, NW
Suite 400
Washington, DC 20005

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021

Visit our Web site, [http://www.lawyerscommittee.org/][1], for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:27 PM ---
Dinner sounds like a great idea. Do either of you have any dietary restrictions or preferences? (I seem to recall that Tova would prefer a place that has vegetarian options). I'll try to locate a nearby place that won't bust the budget. --- Peggy

"Job Serebrov" <serebrov@sbcglobal.net>

On another note entirely, since traffic will be bad going to Roanoke, do you want to have a dinner meeting with Tova and me after the group meeting to discuss the final report? As long as we are out by 7 or so I am ok with it. Also, my wife would have to be there as she will be meeting me after the WG.

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--- psims@eac.gov wrote:

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--- Tova Wang <psims@eac.gov> wrote:

is Jon Greenbaum

Here's his info in full:
He is the Director of the Voting Rights Project for the Lawyers Committee for Civil Rights. He will be representing Barbara Arnwine, the Executive Director of the Lawyers Committee.

His contact and mailing info is:

jgreenbaum@lawyerscommittee.org
202-662-8315
1401 New York Avenue, NW
Suite 400
Washington, DC 20005

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021
Phone: 212-452-4704 Fax: 212-865-1334

Visit our Web site, for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.
Had you seen this? --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 05/09/2006 11:38 AM ---
"Job Serebrov" <serebrov@sbcglobal.net>

05/08/2006 09:30 AM

Peggy:
Please add this to the packet.
Job

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:27 PM ---
"Job Serebrov" <serebrov@sbcglobal.net>

05/12/2006 03:45 PM

I'm thankful it all worked out.
--- psims@eac.gov wrote:
> Ginsberg has accepted our invitation! --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:27 PM ---
Peggy,

I just spoke to Valerie Johnson, Ms. Arnwine's assistant. The following are a list of dates that are possible for her attendance:

8th - PM (2pm to 6pm)
9th - Possible PM
16th - PM (1:30pm - 5:30pm)
17th - All day*
18th - All day*
19th - All day*

*All day availability does not begin until after 9:30 or 10:00 AM

I will update this information on the shared drive.

Thanks,

Devon

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:27 PM ---

Peggy:

4:00 eastern on Tuesday is fine however, given the financial restrictions that you indicated would be in place for use of my car (I would actually loose money coming to DC) and given the cost of hotels at this time (I can't afford to front these costs and wait for months to be repaid), etc, it would take a miracle for this working group meeting to take place in person. It is looking like the only way it will get done is by teleconference. I also share Tova's concern about the unknown nature of Mr. Perez.

Job

--- psims@eac.gov wrote:

> Hi, Folks:
>
Teleconference
Are both of you available for a teleconference next Tuesday afternoon at about 4 PM EST? If this does not work for you, please suggest another date and/or time. I would like to discuss our preparations for the Working Group meeting.

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We have a very good person to fill the slot for the nonpartisan local election official: J.R. Perez, Elections Administrator for Guadalupe County, TX. Attached is his bio. Hope you have no objections to him. He is available on May 18. I have placed 2 calls to Pat Rogers office, but have not yet received a reply. Job, if you have any pull with him, you may want to contact him, too.

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Mileage for Personally Owned Vehicle = $ .445 per mile

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Job, under Federal travel regulations, deviations for personal reasons are not normally accommodated. What you can do, however, is to give me a comparison of the cost of roundtrip mileage, hotel, and per diem of doing...
it your way against the cost of a roundtrip flight, 
ground transportation, 
hotel, and per diem. If your way costs less, it 
should be no problem to 
cover the full cost. If your way is more expensive, 
we may only pay up to 
the amount of traditional travel. (The same rules 
apply to me when I 
travel.) If you can tell me where, other than DC, 
you will spend the 
night, I can check on applicable per diem rates.

Peggy

Craig:

I think we have resolved the issue of Barbara Arnwine’s absence from the upcoming meeting by having one of her staff represent her (and her organization). Please review the attached rough summary of DOJ Cases ASAP and let me know if I need to delete reference to the open investigations. Hopefully, we won’t have to remove this information as it does not specify the defendants or States involved. --- Peg

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:27 PM ---
Margaret Sims/EAC/GOV
05/11/2006 02:35 PM
To Craig Donsanto
cc
Subject Voting Fraud-Voter Intimidation Working Group

Rough Summary of Department of Justice, Public Integrity Section Activities, October 2002-January 2006

Prosecutions and Convictions-- Individuals
Noncitizen voting: 20
Vote buying: 49
Double voting: 12
Registration fraud: 13
Civil Rights: 4
Voter Intimidation: 2
Unclear: 1

Open Investigations (note: a few cases overlap with prosecutions and convictions)
Noncitizen voting: 3
Vote buying: 25
Double voting: 15
Registration fraud: 29
Absentee ballot fraud: 9
Official: 8
Ineligibles: 4
Deceptive Practices: 1
Civil Rights: 14
Intimidation: 6
Other: 2

Cases and Investigations Closed for Lack of Evidence

Civil Rights: 8
Official: 12
Registration Fraud: 12
Absentee Ballot Fraud: 14
Ineligible Voting: 3
Intimidation: 8
Double Voting: 5
Ballot Box Stuffing: 1
Vote Buying: 14
Ballot/machine tampering: 2
Other: 8
Unclear: 3

Peg - - what is the name of the group?

From: psims@eac.gov
Sent: Thursday, May 04, 2006 3:13 PM
To: Donsanto, Craig
Subject: RE: Voting Fraud-Voter Intimidation

Craig:

This meeting is being held to obtain input from our eight-member Working Group for the project. The group is composed of election lawyers, election officials, and a representative of an advocacy group, all of whom have an interest and some expertise in the identification and/or prosecution of voting fraud and voter intimidation. The group was chosen so that we would have an equal number of folks on each side of the political spectrum, plus some nonpartisan members.
After our consultants review the results of their preliminary research (interviews, literature review, case law), we will ask the Working Group to brainstorm possible next steps for EAC. Our consultants will write a report summarizing the proposals that come out of this meeting. The report will go to the Commissioners, who will decide what they want to do, funds available, and what priority to assign to the effort(s).

Your participation in this part of the process is extremely important, so I am very happy that you can find time for us that afternoon. I’ll get an agenda and other information to you next week. --- Peggy

Okay, Peg - - I will mark off the entire afternoon and try to be there. What is the agenda? I was not aware that this was anything beyond having your contractors spend another session with me. Also, if they will be needing stats and stuff like that I need to know as I will bring my state-people with me.

Right now, we are planning to meet in EAC’s large conference room between 1 PM and 5 PM. If you cannot be there for the whole afternoon, we will appreciate whatever time you can spare. I’ll get back to you with more information (agenda, list of Working Group members, etc.). --- Peggy
Afternoon of May 18 -- 2:30 okay? How long will they need??
--------------------------
Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 16:59:09 2006
Subject: Re: Voting Fraud-Voter Intimidation

I am looking at the afternoon of 5/18 for the meeting, due to scheduling
conflicts of Working Group members. There remain two members from whom we
have not yet received confirmations of their schedule (with some, it is like
pulling teeth), but right now 5/18 still looks like the best day. We may have
to hold the meeting over here to make it easier for Commissioners to drop in.
--- Peg

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
05/03/2006 12:53 PM
To
   psims@eac.gov
cc
Subject
   Re: Voting Fraud-Voter Intimidation

Okay -- you are on for May 18th! Can we do it over here at 10?
--------------------------
Sent from Dr. D's Fabulous BlackBerry Wireless Handheld
My problem is that agency staff is booked most of the week of 5/21. Monday through Wednesday are taken up with meetings of the Standards Board Executive Committee, the full Standards Board, and the Board of Advisors. Thursday, we have EAC's public meeting. Also, I will lose one of my two consultants in June, so I'm trying to wrap up this project (and get the final report from the consultants) by the end of May.

Say "Hi" to Cameron for me.

Hi Peg. I am sitting here with Cameron Quinn putting together this year's ballt conference for AUSAs. She send her best!

I am available on 5/18. But I am also going to the Board of Advisors Meeting the following week. I would rather do this then.

Craig:

We are continuing our efforts to hone in on a date for the Working Group meeting. Are you available the afternoon of Thursday, May 18?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
Peg:
Since I am driving to DC, besides hotel receipts, do you want me to keep my gas receipts or how will my car use be compensated? Also, I assume I don't have to retain food receipts.
Job

My problem is that agency staff is booked most of the week of 5/21. Monday through Wednesday are taken up with meetings of the Standards Board Executive Committee, the full Standards Board, and the Board of Advisors. Thursday, we have EAC's public meeting. Also, I will lose one of my two consultants in June, so I'm trying to wrap up this project (and get the final report from the consultants) by the end of May.

Say "Hi" to Cameron for me.

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
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I am available on 5/18. But I am also going to the Board of Advisors Meeting the following week. I would rather do this then.

----------
Sent from Dr. D’s Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 11:39:50 2006
Subject: Voting Fraud-Voter Intimidation

Craig:

We are continuing our efforts to hone in on a date for the Working Group meeting. Are you available the afternoon of Thursday, May 18?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:27 PM -----
Margaret Sims/EAC/GOV
05/11/2006 02:08 PM
To: Job Serebrov
Subject: Literature Summary

Tova just sent me the summary you prepared of The Federal Crime of Election Fraud by Craig Donsanto. There is something wrong in the fourth paragraph (odd characters and missing text). Can you please send a replacement fourth paragraph? You can send it in an email and I will place it in the document. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM -----
Margaret Sims/EAC/GOV
05/10/2006 10:32 AM
To: Devon Romig
Subject: Fw: Court Reporter for Working Group Meeting

Devon:
We have the OK from Tom to obtain a court reporter. Per his response (attached), please coordinate with Joyce. Also, I understand the reporter for the Asian Language Working Group arrived late. Please find out how we can ensure the one for our meeting arrives on time. Thanks! --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 05/10/2006 10:31 AM -----
Thomas R. Wilkey/EAC/GOV
Yes, please let Joyce know and she will get someone.

Tom

---

Tom:
I understand that EAC hired a court reporter for the Asian Language Working Group meeting. I would like to do the same for the May 18 Voting Fraud-Voter Intimidation Working Group meeting, but I did not include funds in my budget for this service. Do we have funds that could be used for this purpose? (See Devon's cost estimate below.) --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 05/10/2006 10:18 AM ---
Devon E. Romig/EAC/GOV

---

Peggy,
I spoke to the people who usually handle the EAC court reporting. They charge $9.00 per page with an average of 40 pages per hour. This service would cost about $1800.00.

The turn around time for the transcript is 10 to 15 days. The transcripts comes in a bound paper copy and an electronic copy.

I can also check around for different prices.

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov
Peggy,

I have called each of the participants. So far I have a definite confirmation from Kathy Rogers.

Here is the list of the out of town participants for the Voter Fraud/Voter Intimidation Project Working Group:

Mark Hearne II - St. Louis, MO
Todd Rokita - Indianapolis, IN
Kathy Rogers - Atlanta, GA

Possible Participant:

Patrick Rogers - New Mexico

Thanks,

Devon Romig
U.S. Election Assistance Commission
1225 New York Ave. NW - Suite #1100
Washington, D.C. 20005
(202)566-2377

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM -----

"Tova Wang"

To psims@eac.gov
cc
Subject RE: new working group representative

I'm up for a short meeting afterward and a teleconference on Monday. And maybe when all of this is over, you and I can have dinner! Have I told you that I am moving down to DC this summer?

I suspect you have put up with much more than I have and I really appreciate everything you have done.

----- Original Message -----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 11, 2006 4:27 PM
To: isims@eac.gov
Subject: RE: new working group representative
Tova:

I understood Job to say that he could only find a hotel room with the right bed in Roanoke (hours away). He will drive in Thursday morning for the meeting and return to that hotel Thursday night. He won't drive back into DC for a Friday morning meeting.

We don't have to do dinner. I recognize that you have spent a lot of time and energy to make this project work, and I don't want to put you out. (You have done a lot under difficult circumstances.) Though we will be bushed, we may want to have a short meeting right after the Working Group disperses --- or we could do a teleconference the following Monday afternoon (before I head into three more days of meetings). --- Peggy

--- Original Message ---

Dinner sounds like a great idea. Do either of you have any dietary restrictions of preferences? (I seem to recall that Tova would prefer a place that has vegetarian options). I'll try to locate a nearby place that won't bust the budget. --- Peggy
On another note entirely, since traffic will be bad going to Roanoke, do you want to have a dinner meeting with Tova and me after the group meeting to discuss the final report? As long as we are out by 7 or so I am ok with it. Also, my wife would have to be there as she will be meeting me after the WG.

--- psims@eac.gov wrote:

> According to the Commissioners, you and Tova each got to pick three members of the Working Group. The Commission guidance regarding this particular member follows:
> 4 people from the Academic, Legal and Advocacy sectors - 2 to be chosen by Tova and 2 to be chosen by Job.
> This issue of allowing a designee relates to Tova’s pick.
> As I understand it, we are working on a replacement for Norcross. If Ginsberg is not viable, how about Mark Braden, who includes public integrity in his areas of specialization. I would not try and stir up other members of the Working Group, if I were you. The effort is likely to come back and bite you.

"Job Serebrov" 05/11/2006 03:53 PM
To psims@eac.gov cc Subject Re: new working group representative
I really don't care if he represents the organization or not. What mixed race? The entire discussion was because Arnwine was African-American. If you are going to invite him without first having a replacement for my side, I may have to call Thor and Todd and discuss all of this.

--- psims@eac.gov wrote:

Greenbaum is representing Arnwine, not replacing her. He works for her organization and is of mixed race. --- Peggy

"Job Serebrov" <jserebrov@acg.com>, 05/11/2006 03:36 PM

To "Tova Wang", psims@eac.gov

Subject: Re: new working group representative

I have an objection to Greenbaum. While I realize he comes from an advocacy group, he is not a minority attorney and we already have a rep who worked with DOJ. If it is to be Greenbaum, I would rather not fill that position since I am one down.

--- Tova Wang

is Jon Greenbaum

Here's his info in full:

He is the Director of the Voting Rights Project for the Lawyers Committee for Civil Rights. He will be representing
Dear Meeting Participants,

Thank you for confirming your participation in the upcoming Voter Fraud/Voter Intimidation Working Group Meeting in Washington, D.C.. This meeting will take place at our office from 1:00 PM to 5:30 PM on Thursday May 18th, 2006.
The Election Assistance Commission (EAC) will cover the cost of your flight, the cost of your hotel room and provide you with a daily per diem. The cost of the airfare and the hotel stay will be paid directly by the EAC, as long as you book your travel through Adventure Travel.

To coordinate your flight and hotel stay, please contact Marvin Brokaw of Adventure Travel at (205) 444-4800, ext. 3501. Please note that the eligible dates of the hotel accommodation include the evenings on May 17th and May 18th. Once you have contacted him and you have received the itinerary via e-mail you must forward me a copy immediately so that I can complete a travel authorization form.

I have included two attachments with this email; the first attachment is a letter that contains important information that you will need to know before calling the travel agent and the second attachment provides some general information that should help you get around the city during your trip.

In addition to your travel itinerary, I will also need the following information by the close of business this Friday May 12, 2006 in order to complete your travel authorization:

Full Name:
Title:
Entity for whom you work:
Address to Which the Reimbursement Check Will Be Mailed:
Work Telephone:
Fax Number:
Social Security #: (if uncomfortable e-mailing this, feel free to call me):

Feel free to contact me with any questions.

Sincerely,
Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov

I have the feeling we didn't include these in the original batch I sent you. Could you double check and if not, would you please include them in the existing research materials? Sorry and thanks. I'm kind of doing all of this on my own in case you couldn't tell. List is coming...

Tova Andrea Wang
Given the information I have Peggy, that is not going to be financially possible. First, given Tova's info about the hotels, it is too much for me to front. Two to three days in DC would run around $1000 for the hotel alone. That does not count the two days on the road to get there and two days back. Second, if I can't charge the federal per mile allowance for the entire trip to DC and back and can only get the equivalent of plane fare, I will actually lose money.

I simply do not see how we can do this in person given the financial restrictions.

--- psims@eac.gov wrote:

> Job:
> I don't think we can put you on teleconference for 41/2 hours. We really need to have you here in person if you are to help conduct the Working Group meeting. You should make your travel arrangements ASAP. --- Peggy

---
Subject
Re: Working Group

Peggy:

4:00 eastern on Tuesday is fine however, given the financial restrictions that you indicated would be in place for use of my car (I would actually loose money coming to DC) and given the cost of hotels at this time (I can't afford to front these costs and wait for months to be repaid), etc, it would take a miracle for this working group meeting to take place in person. It is looking like the only way it will get done is by teleconference. I also share Tova's concern about the unknown nature of Mr. Perez.

Job

--- psims@eac.gov wrote:

Hi, Folks:

> Teleconference
> Are both of you available for a teleconference next Tuesday afternoon at about 4 PM EST? If this does not work for you, please suggest another date and/or time. I would like to discuss our preparations for the Working Group meeting.
> Working Group Members
> We have a very good person to fill the slot for the nonpartisan local election official: J.R. Perez, Elections Administrator for Guadalupe County, TX. Attached is his bio. Hope you have no objections to him. He is available on May 18. I have place 2 calls to Pat Rogers office, but have not yet received a reply. Job, if you have any may want to contact him, too.
Travel Arrangements

You should make your own travel arrangements, including hotel. Travel time cannot be billed to the contract, except for hours actually worked on the contract (i.e.; reviewing materials in preparation for the meeting, and the like). Current Federal rates follow:

- Maximum Lodging = $180 per day- does not include hotel taxes (if you cannot get this rate, we have covered reasonable rates that are a little higher)
- Meals & Incidentals = $64 per day (except that it is $48 on the first and last day of travel)
- Mileage for Personally Owned Vehicle = $ .445 per mile

Under the new contract, I do not have to fill out a travel authorization for you. I can approve your trip via email. Afterwords, when you turn in your next pay voucher, you can attach the airline receipt (or mileage documentation), hotel receipt(s), and ground transportation receipts and a copy of any printed itineraries. Calculate the total travel expenses due you, including applicable per diem. I do not need meal receipts.

Job, under Federal travel regulations, deviations for personal reasons are not normally accommodated. What you can do, however, is to give me a comparison of the cost of roundtrip mileage, hotel, and per diem of doing it your way against the cost of a roundtrip flight, ground transportation, hotel, and per diem. If your way costs less, it should be no problem to cover the full cost. If your way is more expensive, we may only pay up to the amount of traditional travel. (The same rules apply to me when I travel.) If you can tell me where, other than DC, you will spend the night, I can check on applicable per diem rates.

Peggy
Let me check with Devon early tomorrow. If she did not hear from him this afternoon, I'll have her contact you. Perhaps you will have more success than we have.

Peggy

Sent from my BlackBerry Wireless Handheld

----- Original Message ----- 
From: "Tova Wang" <tawa@century.org>
Sent: 04/26/2006 05:46 PM
To: Margaret Sims
Subject: wg

Do you want me to call both Bob too?

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021
Click here to receive our weekly e-mail updates.

FYI - The person I mentioned as a replacement for David Norcross, who was unavailable, could not attend or Voting Fraud-Voter Intimidation Working Group meeting. Our consultant, Job Serebrov, suggested Benjamin Ginsberg, who is willing. I'm sorry I could not check with you on this beforehand --- things
That was not the only reason -- it was to have someone from the civil rights community. I hardly think you can have a discussion about voter intimidation and suppression without someone with that background at the table. I know you agree with this given what you've said to me in the past.

-----Original Message-----
From: Job Serebrov [mailto: e@#]
Sent: Thursday, May 11, 2006 2:48 PM
To: Tova Wang; psims@eac.gov
Subject: RE: new working group representative

We don't know about Ginsburg but it was only stated, over my objection, that no current invitee was being disinvited. This does not apply to representatives of those people in my mind, especially when the main specific reason for inviting the person was her race.

--- Tova Wang  

> He is representing Barbara Arnwine, and we have
> already established we are
> not disinviting anyone. We still don't know about
> Ginsburg yet anyway,
> right?
> > -----Original Message-----
> > From: Job Serebrov [mailto: e@#]
> > Sent: Thursday, May 11, 2006 2:36 PM
> > To: Tova Wang; psims@eac.gov
> > Cc: serebrov@sbcglobal.net
> > Subject: Re: new working group representative
> >
> > I have an objection to Greenbaum. While I realize he
> > comes from an advocacy group, he is not a minority
> > attorney and we already have a rep who worked with
> > DOJ. If it is to be Greenbaum, I would rather not
> > fill
> > that position since I am one down.
> > --- Tova Wang
> >
> > > is Jon Greenbaum
> > >
> > > Here's his info in full:
> > >
> > >
> > http://www.lawyerscommittee.org/2005website/aboutus/staff/staffgreenbaum.htm
He is the Director of the Voting Rights Project for the Lawyers Committee for Civil Rights. He will be representing Barbara Arnwine, the Executive Director of the Lawyers Committee.

His contact and mailing info is:

jgreenbaum@lawyerscommittee.org
202-662-8315
1401 New York Avenue, NW
Suite 400
Washington, DC 20005

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021
phone: 212-888-4704 fax: 212-888-4724


<mailto:join-tcfmain@mailhost.groundspring.org>
Click here to receive our weekly e-mail updates.

— Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM —

"Job Serebrov"
05/09/2006 11:38 AM
To psims@eac.gov
cc
Subject Re: Working Group-Perez

The code attachment did not work that is what I meant by it did not come through.
Did you look at the attached excerpts from Texas Code? --- Peggy

"Job Serebrov" 05/09/2006 11:23 AM

To psims@eac.gov
cc
Subject Re: Working Group-Perez

We have the same set-up here in Arkansas. We hired a person just like Perez. However, given this, I would still like to know if he has a party affiliation and this brings up another issue. How is the county election commission chosen. In Arkansas it is the Chairmen of the Republican and Democrat Parties or if he/she does not want to serve a person is elected in his/her stead and a third member picked by the party with the most constitutional officers. Practically that has meant that the Democrats have controlled election commissions in Arkansas since the end of Reconstruction. This is why I want to know the situation in Texas.

--- psims@eac.gov wrote:

As you may recall, the Commissioners directed me to find a nonpartisan local election official to serve on the Working Group. The three of us discussed the desirability of having a Hispanic. I proposed that I find someone from Texas because of that State's colorful history of voting and their innovative approaches to combat it. In those Texas counties that hire Election Administrators to run elections, rather than having elected officials do so (Tax Assessor for voter registration; County Clerk for balloting), the Election
Administrator is hired by the County Election Commission and is supposed to perform his or her duties in a nonpartisan manner. (See attached excerpts from Texas Election Code regarding election administrator hiring and restrictions on partisan activity.) Any experienced Texas election official will be familiar with voting fraud and voter intimidation schemes used in that State.

Mr. Perez has over 13 years experience as a county Election Administrator in Texas. You won't find many news articles mentioning him because he has kept his nose clean. (The Texas press, as in many other parts of the country, prefers to report bad news.) Mr. Perez is plugged into the association of Texas election officials and the two largest organizations of election officials in this country: the International Association of Clerks, Recorders, Election Officials and Treasurers (IACREOT); and The Election Center. He is a past President and past Chairman of the Legislative Committee for the Texas Association of Election Administrators. He currently serves on IACREOT's Election Officials Committee, which plans the educational sessions for election officials that are conducted at that organization's conferences. His peers in IACREOT and The Election Center have selected his submissions on web presentations (IACREOT) and his professional practices papers (Election Center) for awards.

Mr. Perez also has access to information from other States through his membership in IACREOT and The Election Center. He also has a sense of humor, which you will note if you access the staff web page on the Guadalupe County Elections web site and hear the Mission Impossible theme .. something that might be useful in the upcoming meeting.

Guadalupe County is small but growing. In 2004, the county had over 65
A thousand registered voters (a number more than doubled the number of registered voters in 1988)... A third of the county's population claims Hispanic or Latino origin, according to the U.S. Census Bureau. The county is in south central Texas and is bordered by Comal, Hays, Cladwell, Gonzales, Wilson, and Bexar counties. In the 1980s, the county was predominately a farming community; but in recent years, many people have moved from San Antonio (Bexar County) to Guadalupe County, preferring to live in Guadalupe County and work in Bexar County.

--- Peggy

"Job Serebrov" 05/08/2006 11:30 PM

To psims@eac.gov cc Subject Re: Working Group

Peggy:

What political party is Perez with? How political is he? Is the position in Texas neutral or political? Who appointed Perez?

As to Pat I will contact him but I can't promise anything. If Pat can't come, who is getting knocked off Tova's list?

Job
Craig:

We are continuing our efforts to hone in on a date for the Working Group meeting. Are you available the afternoon of Thursday, May 18?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission

Job, please double check to make sure I haven’t missed anything

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021

Visit our Web site, for the latest news, analysis, opinions, and events.

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Margaret Sims/EAC/GOV
05/11/2006 05:26 PM
To “Tova Wang” wang@ton.org
cc
Subject RE: new working group representative
Tova:

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We don't have to do dinner. I recognize that you have spent a lot of time and energy to make this project work, and I don't want to put you out. (You have done a lot under difficult circumstances.) Though we will be bushed, we may want to have a short meeting right after the Working Group disperses --- or we could do a teleconference the following Monday afternoon (before I head into three more days of meetings). --- Peggy

"Tova Wang" <twa@nterg>

"Tova Wang"

05/11/2006 04:54 PM

To: psims@eac.gov, a@globalnet.net

cc

Subject: RE: new working group representative

It would not be my first preference to do this right after the meeting, and I sort of had tentative plans. They can be changed if necessary of course, but what happened to meeting on Friday morning?

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 11, 2006 3:47 PM
To: a@globalnet.net
Subject: Re: new working group representative

Dinner sounds like a great idea. Do either of you have any dietary restrictions of preferences? (I seem to recall that Tova would prefer a place that has vegetarian options). I'll try to locate a nearby place that won't bust the budget. --- Peggy

"Job Serebrov" <jor@nterg>

05/11/2006 04:39 PM

To: psims@eac.gov

cc

Subject: Re: new working group representative

On another note entirely, since traffic will be bad
going to Roanoke, do you want to have a dinner meeting with Tova and me after the group meeting to discuss the final report? As long as we are out by 7 or so I am ok with it. Also, my wife would have to be there as she will be meeting me after the WG.

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05/11/2006 03:53 PM

To psims@eac.gov
cc
Subject Re: new working group representative

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Greenbaum is representing Arnwine, not replacing her. He works for her organization and is of mixed race. --- Peggy

"Job Serebrov"<5.6.06-2:11.p002738>
05/11/2006 03:36 PM
To: psims@eac.gov, psims@eac.gov
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--- Tova Wang <wang@tcf.org> wrote:

is Jon Greenbaum
Here's his info in full:

He is the Director of the Voting Rights Project for the Lawyers Committee for Civil Rights. He will be representing Barbara Arnwine, the Executive Director of the Lawyers Committee.

His contact and mailing info is:

1401 New York Avenue, NW
Suite 400
For purposes of travel arrangements, Job do you want to plan to meet the day before and/or the day after the meeting?

----- Original Message ----- 
From: psims@eac.gov 
To:  
Cc: dromig@eac.gov 
Sent: Friday, May 05, 2006 2:32 PM 
Subject: Working Group 

Hi, Folks:
Teleconference
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Mileage for Personally Owned Vehicle = $ .445 per mile

Under the new contract, I do not have to fill out a travel authorization for you. I can approve your trip via email. Afterwords, when you turn in your next pay voucher, you can attach the airline receipt (or mileage documentation), hotel receipt(s), and ground transportation receipts and a copy of any printed itineraries. Calculate the total travel expenses due you, including applicable per diem. I do not need meal receipts.

Job, under Federal travel regulations, deviations for personal reasons are not normally accommodated. What you can do, however, is to give me a comparison of the cost of roundtrip mileage, hotel, and per diem of doing it your way against the cost of a roundtrip flight, ground transportation, hotel, and per diem. If your way costs less, it should be no problem to cover the full cost. If your way is more expensive, we may only pay up to the amount of traditional travel. (The same rules apply to me when I travel.) If you can tell me where, other than DC, you will spend the night, I can check on applicable per diem rates.

Peggy
Hi, Folks:

Teleconference
Are both of you available for a teleconference next Tuesday afternoon at about 4 PM EST? If this does not work for you, please suggest another date and/or time. I would like to discuss our preparations for the Working Group meeting.

Working Group Members
We have a very good person to fill the slot for the nonpartisan local election official: J.R. Perez, Elections Administrator for Guadalupe County, TX. Attached is his bio. Hope you have no objections to him. He is available on May 18. I have place 2 calls to Pat Rogers office, but have not yet received a reply. Job, if you have any pull with him, you may want to contact him, too.

Travel Arrangements
You should make your own travel arrangements, including hotel. Travel time cannot be billed to the contract, except for hours actually worked on the contract (i.e.; reviewing materials in preparation for the meeting, and the like). Current Federal rates follow:

Maximum Lodging = $180 per day- does not include hotel taxes (if you cannot get this rate, we have covered reasonable rates that are a little higher)
Meals & Incidentals = $64 per day (except that it is $48 on the first and last day of travel)
Mileage for Personally Owned Vehicle = $ .445 per mile

Under the new contract, I do not have to fill out a travel authorization for you. I can approve your trip via email. Afterwords, when you turn in your next pay voucher, you can attach the airline receipt (or mileage documentation), hotel receipt(s), and ground transportation receipts and a copy of any printed itineraries. Calculate the total travel expenses due you, including applicable per diem. I do not need meal receipts.

Job, under Federal travel regulations, deviations for personal reasons are not normally accommodated. What you can do, however, is to give me a comparison of the cost of roundtrip mileage, hotel, and per diem of doing it your way against the cost of a roundtrip flight, ground transportation, hotel, and per diem. If your way costs less, it should be no problem to cover the full cost. If your way is more expensive, we may only pay up to the amount of traditional travel. (The same rules apply to me when I travel.) If you can tell me where, other than DC, you will spend the night, I can check on applicable per diem rates.

Peggy
I really don't care if he represents the organization or not. What mixed race? The entire discussion was because Arnwine was African-American. If you are going to invite him without first having a replacement for my side, I may have to call Thor and Todd and discuss all of this.

--- psims@eac.gov wrote:

> Greenbaum is representing Arnwine, not replacing her. He works for her organization and is of mixed race. --- Peggy

--- Job Serebrov <job.serebrov@eac.gov>
> 05/11/2006 03:36 PM

> To: "Tova Wang" <tova.wang@eac.gov>
> cc: 

> Subject: Re: new working group representative

> I have an objection to Greenbaum. While I realize he comes from an advocacy group, he is not a minority attorney and we already have a rep who worked with DOJ. If it is to be Greenbaum, I would rather not fill that position since I am one down.

--- Tova Wang <tova.wang@eac.gov>

> is Jon Greenbaum

> Here's his info in full:

http://www.lawyerscommittee.org/education/examined/staff/staffgreenbaum.htm

> 1

> He is the Director of the Voting Rights Project for the Lawyers Committee for Civil Rights. He will be representing Barbara Arnwine, the Executive Director of the Lawyers Committee.

> His contact and mailing info is:

jgreenbaum@lawyerscommittee.org
Plus, I found a few typos on the nexis analysis. Sorry about this.

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021

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votebuyingsummary.doc  Nexis Analysis.doc

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM -----
"Tova Wang"

05/10/2006 12:16 PM
To psims@eac.gov, dromig@eac.gov
cc EAC@eac.gov
Subject another one
Upon first reading, my only comment would be that I would like to restore "failing to follow the requirements of the Voting Rights Act"

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Friday, May 12, 2006 9:20 AM
To: [email]
Subject: Fraud Definition

Would you please take a look at the attached? I combined both of your definitions, reformatted the list, removed a reference to the fraud having to have an actual impact on the election results (because fraud can be prosecuted without proving that it actually changed the results of the election), and taken out a couple of vague examples (e.g.; reference to failing to enforce state laws --- because there may be legitimate reasons for not doing so).

I have made contact with Ben Ginsberg's office and am waiting to hear if he accepts our invitation to join the working group. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM -----
Margaret Sims/EAC/GOV
05/04/2006 10:52 AM
To Joyce Wilson
cc
Subject Large Conference Room Needed

This is just to confirm my request to reserve the large conference room on Thursday, May 18, from Noon-6 PM. We will be using it for a meeting of the Voting Fraud/Voter Intimidation Working Group. Thanks! --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM -----
Devon E. Romig/EAC/GOV
05/08/2006 02:56 PM
To vjohnson@lawyerscommittee.org, barnwine@lawyerscommittee.org, dlovechio@perkinscoie.com, Rbauer@perkinscoie.com, weinutr@verizon.net
cc Margaret Sims/EAC/GOV@EAC
Subject Voter Fraud/Voter Intimidation Working Group, May 18th

Dear Meeting Participants,

Thank you for confirming your participation in the upcoming Voter Fraud/Voter Intimidation Working Group Meeting in Washington, D.C. This meeting will take place at our office from 1:00 PM to 5:30 PM on
Thursday May 18th, 2006.

The office of the Election Assistance Commission is located at:
1225 New York Avenue NW, Suite 1100
Washington, D.C. 20005

We will send more information about this meeting via Federal Express. If you would like this information to be sent to an address other than your office please reply with the preferred address.

Feel free to contact me with any questions.

Sincerely,

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM ---

"Tova Wang"

To psims@eac.gov
cc dromig@eac.gov

Subject Material I may not have included

Peg,

Correct me if I'm wrong, but I think I omitted sending you these specific summaries that are based on complex cases that could not be adequately described within the confines of the nexis article excel spreadsheets. If we can, these should be included, probably on the disc. Sorry.

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021

Visit our Web site, for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.

Wisconsin FINAL.doc South Dakota FINAL.doc Washington FINAL.doc

---- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM ----

"Job Serebrov"

To psims@eac.gov

cc

Subject Re: Fwd: RE: Working Group meeting
I will hear from him tomorrow but that still does not solve all of my issues---see my longer e-mail.

--- psims@eac.gov wrote:

> I had a voice mail message from him on Monday. I called him back but had to leave a voice mail message (telephone tag). If you hear from him and he is willing and able to come, I need to know this. We need to have him call our travel service to make travel arrangements ASAP. Thanks. ---
> Peggy

> "Job Serebrov" 05/09/2006 10:46 AM
> To psims@eac.gov
> cc
> Subject
> Fwd: RE: Working Group meeting
>
> FYI
> --- "Patrick J. Rogers" <patrogers@modrall.com> wrote:
>
> > Subject: RE: Working Group meeting
> > Date: Tue, 9 May 2006 07:42:44 -0600
> > From: "Patrick J. Rogers" <patrogers@modrall.com>
> > To: "Job Serebrov" <serebrov@sbcglobal.net>
> > > Job---maybe. I will call you and/or Ms. Sims tomorrow. Depositions all day today. Thanks, Pat
> > > What's the best number to call you tomorrow?
> > >
> > > Patrick J. Rogers
> > > Modrall, Sperling, Roehl, Harris & Sisk, P.A.
> > > P.O. Box 2168
> > > Albuquerque, NM 87103-2168
> > > Tel. 505-841-2168
> > > Fax: 505-841-2169
Job Serebrov

Sent: Monday, May 08, 2006 9:41 PM
To: Patrick J. Rogers
Subject: Working Group meeting

Pat:

The working group meeting for the voter fraud project is scheduled for May 18th in DC but David Norcross can't attend. Could you come? If so, we need to arrange travel and a hotel for you.

Regards,

Job

-----------------------------------------------------------------------------------------------------

This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination or copying of this communication is strictly prohibited. If you have received this electronic transmission in error, please delete it from your system without copying it, and notify the sender by reply e-mail or by calling 505.848.1800, so that our address record can be corrected. Thank you.

-----------------------------------------------------------------------------------------------------

Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM ----
Barbara says that you have been working it out with her assistant Valerie, that they have spoken to you several times.

-----Original Message-----
From: dromig@eac.gov [mailto:dromig@eac.gov]
Sent: Tuesday, May 02, 2006 8:46 AM
To:
Cc: psims@eac.gov
Subject: Voting Fraud/Voter Intimidation Project Working Group

Dear Tova,

I am working with Peggy Sims in order to set a date for the Voting Fraud/Voter Intimidation Project Working Group. I have been trying to reach Barbara Arnwine in order to find out which days in May she is potentially available to attend this meeting but all of my attempts have been unsuccessful.

I would appreciate any help that you could provide in this matter.

Sincerely,

Devon Romig
U.S. Election Assistance Commission
1225 New York Ave. NW - Suite #1100
Washington, D.C. 20005
(202)566-2377

that would be fine
----- Original Message -----
Barry:

It appears that the afternoon of Thursday, May 18 is best for a meeting of the working group. I know you said you would not be available in the morning that day. If we started at 1 PM, would that be too soon for you?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
e-mail: psims@eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM -----

Margaret Sims/EAC/GOV
05/04/2006 02:08 PM
To: "Weinberg and Utrecht"
cc
Subject: Re: Voting Fraud-Voter Intimidation

OK, thanks. I'll get back to you with more information. --- Peggy

"Weinberg and Utrecht"

"Weinberg and Utrecht"
05/04/2006 01:34 PM
To: psims@eac.gov
cc
Subject: Re: Voting Fraud-Voter Intimidation

that would be fine

----- Original Message ----- 
From: psims@eac.gov
To: "Weinberg and Utrecht"
Sent: Thursday, May 04, 2006 1:08 PM
Subject: Voting Fraud-Voter Intimidation

Barry:

It appears that the afternoon of Thursday, May 18 is best for a meeting of the working group. I know you said you would not be available in the morning that day. If we started at 1 PM, would that be too soon for you?
Sounds good to me. If not Ginsburg try Braden.

--- psims@eac.gov wrote:

> I will add "DRAFT" to the definition and, yes, the
> WG will have
> suggestions. I do plan to send packets to you and
> Tova containing the
> same materials being provided to the WG. I haven't
> sent anything yet
> because I was hoping to finalize the WG list for
> inclusion. (Still
> waiting for a response from Ginsberg.)
> Regarding Tova's response, we may want to have a
> very short meeting after
> the WG disperses, followed by a teleconference the
> following Monday
> afternoon. Tuesday is bad for me because I'll be
> out of the office
> attending a series of EAC meetings that begin that
day. --- Peggy

> "Job Serebrov" ... 
> 05/12/2006 12:52 PM
> To psims@eac.gov
> cc
> Subject Re: Fraud Definition

> ...
This is ok, given the fact that the WG may have suggestions. Will you be sending us the same packets that you are sending the WG? Also, I figure with Tova's response we will need to have a teleconference on the report once I return to Little Rock. We will need to do it that following Monday or Tuesday.

--- psims@eac.gov wrote:

> Would you please take a look at the attached? I combined both of your definitions, reformatted the list, removed a reference to the fraud having to have an actual impact on the election results (because fraud can be prosecuted without proving that it actually changed the results of the election), and taken out a couple of vague examples (e.g.; reference to failing to enforce state laws --- because there may be legitimate reasons for not doing so).

> I have made contact with Ben Ginsberg's office and am waiting to hear if he accepts our invitation to join the working group.

> --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM ---

Margaret Sims/EAC/GOV
05/12/2006 02:56 PM
To "Job Serebrov"
subject Re: Fraud Definition
cc

I am reluctant to invite Braden until after I have received a "No" from Ginsberg. --- Peg
Sounds good to me. If not Ginsburg try Braden.

--- psims@eac.gov wrote:

> I will add "DRAFT" to the definition and, yes, the
> WG will have
> suggestions. I do plan to send packets to you and
> Tova containing the
> same materials being provided to the WG. I haven't
> sent anything yet
> because I was hoping to finalize the WG list for
> inclusion. (Still
> waiting for a response from Ginsberg.)
>
> Regarding Tova's response, we may want to have a
> very short meeting after
> the WG disperses, followed by a teleconference the
> following Monday
> afternoon. Tuesday is bad for me because I'll be
> out of the office
> attending a series of EAC meetings that begin that
> day. --- Peggy
>
> ---

> "Job Serebrov" 05/12/2006 12:52 PM
>
> To psims@eac.gov,

> cc

> Subject Re: Fraud Definition

> This is ok, given the fact that the WG may have
> suggestions. Will you be sending us the same packets
> that you are sending the WG? Also, I figure with
> Tova's response we will need to have a
> teleconference
> on the report once I return to Little Rock. We will
> need to do it that following Monday or Tuesday.
--- psims@eac.gov wrote:

Would you please take a look at the attached? I combined both of your definitions, reformatted the list, removed a reference to the fraud having to have an actual impact on the election results (because fraud can be prosecuted without proving that it actually changed the results of the election), and taken out a couple of vague examples. (e.g.; reference to failing to enforce state laws --- because there may be legitimate reasons for not doing so). I have made contact with Ben Ginsberg's office and am waiting to hear if he accepts our invitation to join the working group.

--- Peggy

I have made contact with Ben Ginsberg's office and am waiting to hear if he accepts our invitation to join the working group.

--- Peggy

I did not get any attachments.

--- psims@eac.gov wrote:

Did you look at the attached excerpts from Texas Code? --- Peggy

"Job Serebrov" 05/09/2006 11:35 AM

I did not get any attachments.
To: psims@eac.gov

Re: Working Group-Perez

We have the same set-up here in Arkansas. We hired a person just like Perez. However, given this, I would still like to know if he has a party affiliation and this brings up another issue. How is the county election commission chosen. In Arkansas it is the Chairmen of the Republican and Democrat Parties or if he/she does not want to serve a person is elected in his/her stead and a third member picked by the party with the most constitutional officers. Practically that has meant that the Democrats have controlled election commissions in Arkansas since the end of Reconstruction. This is why I want to know the situation in Texas.

--- psims@eac.gov wrote:

> As you may recall, the Commissioners directed me to find a nonpartisan local election official to serve on the Working Group. The three of us discussed the desirability of having a Hispanic. I proposed that I find someone from Texas because of that State's colorful history of voting fraud and their innovative approaches to combat it. In those Texas counties that hire Election Administrators to run elections, rather than having elected officials do so (Tax Assessor for voter registration; County Clerk for balloting), the Election Administrator is hired by the County Election Commission and is supposed to perform his or her duties in a nonpartisan manner. (See attached excerpts from Texas Election Code regarding election administrator hiring and restrictions on partisan activity.) Any experienced Texas election official will be familiar with voting fraud.
Mr. Perez has over 13 years experience as a county Election Administrator in Texas. You won't find many news articles mentioning him because he has kept his nose clean. (The Texas press, as in many other parts of the country, prefers to report bad news.) Mr. Perez is plugged into the association of Texas election officials and the two largest organizations of election officials in this country: the International Association of Clerks, Recorders, Election Officials and Treasurers (IACREOT); and The Election Center. He is a past President and past Chairman of the Legislative Committee for the Texas Association of Election Administrators. He currently serves on IACREOT's Election Officials Committee, which plans the educational sessions for election officials that are conducted at that organization's conferences. His peers in IACREOT and The Election Center have selected his submissions on web presentations (IACREOT) and his professional practices papers (Election Center) for awards.

Mr. Perez also has access to information from other States through his membership in IACREOT and The Election Center. He also has a sense of humor, which you will note if you access the staff web page on the Guadalupe County Elections web site and hear the Mission Impossible theme .. something that might be useful in the upcoming meeting.

Guadalupe County is small but growing. In 2004, the county had over 65 thousand registered voters (a number more than doubled the number of registered voters in 1988). A third of the county's population claims Hispanic or Latino origin, according to the U.S. Census Bureau. The county is in south central Texas and is bordered by Comal, Hays, Cladwell,
Gonzales, Wilson, and Bexar counties. In the 1980s, the county was predominately a farming community; but in recent years, many people have moved from San Antonio (Bexar County) to Guadalupe County, preferring to live in Guadalupe County and work in Bexar County.

--- Peggy

To psims@eac.gov
cc
Subject Re: Working Group

Peggy:

What political party is Perez with? How political is he? Is the position in Texas neutral or political? Who appointed Perez?

As to Pat I will contact him but I can't promise anything. If Pat can't come, who is getting knocked off Tova's list?

Job

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM ---

"Job Serebrov" 05/04/2006 11:17 AM
I will have a better idea about my uncle's condition today after surgery.

See:
500 Fourth Street NW
P.O. Box 2168
Albuquerque, NM 87103-2168

--- psims@eac.gov wrote:

> Job:
> Secretary Rokita is available May 18. I'm going to
> talk with the Chairman
> today about substituting Rogers for Norcross. Do
> you have contact
> information for Rogers? --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:26 PM ---

"Job Serebrov"
05/03/2006 01:46 PM
To psims@eac.gov
cc
Subject Re: Working Group Meeting

Monday afternoon I have a commission meeting.

--- psims@eac.gov wrote:

> Job and Tova:
> As of now, the afternoon of Thursday, May 18 appears
> to be the best
> possible date for the meeting. Norcross is not
> available to attend in
> person that day (he is available only 2 days during
> the first three weeks
> of May). We won't have confirmation of the
> availability of Secretary
> Rokita until tomorrow --- but I am hopeful.
> I'll give you an update tomorrow. Maybe we can
> schedule a teleconference
> on Monday afternoon. --- Peggy
I did send you the Brennan piece, but not the other one.

-----Original Message-----
From: Tova Wang
Sent: Thursday, May 11, 2006 12:31 PM
To: psims@eac.gov; dromig@eac.gov
Subject: research summaries

I have the feeling we didn't include these in the original batch I sent you. Could you double check and if not, would you please include them in the existing research materials? Sorry and thanks. I'm kind of doing all of this on my own in case you couldn't tell. List is coming...

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021

Click here to receive our weekly e-mail updates.

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM ----
Margaret Sims/EAC/GOV
05/09/2006 11:23 AM
To: Devon E. Romig/EAC/GOV
cc
Subject: Re: Fw: May 18th Meeting at EAC

Devon:

Send an email to Perez to remind him to contact Adventure Travel ASAP. We don't have confirmation of Rogers participation yet, though we have had a number of voice mails flying back and forth, so we cannot yet notify him to make travel arrangements immediately. --- Peggy

Devon E. Romig/EAC/GOV
Hi Devon:
We have heard from Mark Hearne and Todd Rokita. They are both flying in and out on the 18th and will not need hotel rooms. We're kind of waiting to see if Perez and Rogers need rooms before booking any hotel. As soon as we get approval of Hearne and Rokita air schedules and get them booked, we'll forward their itineraries to you.

Kind Regards,

Marvin

-----Original Message-----
From: dromig@eac.gov [mailto:dromig@eac.gov]
Sent: Tuesday, May 09, 2006 8:31 AM
To: marvin.brokaw@adtrav.com
Cc: psims@eac.gov
Subject: May 18th Meeting at EAC

Hello Marvin,

I just wanted to follow up with the voicemail message that I left for you yesterday. We will be holding a meeting at our offices in Washington DC on May 18, 2006. I have informed the out of state attendees to contact you for their travel arrangements.

We have been authorized to pay for the attendees airfare and hotel arrangements. Please note that all of the participants are authorized for a two night hotel room stay, as long as the dates are May 17th and 18th.

I attached the list of the meeting participants that will be contacting you about their travel arrangements for the May 18th meeting in Washington DC.
Let me know if you have any questions for me or if you need any more information from me.

Thanks for your help!

Devon Romig  
United States Election Assistance Commission  
1225 New York Ave. NW, Suite 1100  
Washington, DC 20005  
202.566.2377 phone  
202.566.3128 fax  
www.eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----

"Tova Wang"  
05/02/2006 05:06 PM  
To: dromig@eac.gov  
cc: psims@eac.gov  
Subject: RE: Voting Fraud/Voter Intimidation Project Working Group

Can you please give me an idea where we are at with all this? I'd like to be able to figure out my schedule. Thanks -- and thanks for all your assistance on this. Tova

-----Original Message-----
From: dromig@eac.gov  
Sent: Tuesday, May 02, 2006 3:54 PM  
To: lily  
Subject: RE: Voting Fraud/Voter Intimidation Project Working Group

Yes, I have spoken to her assistant several times but today has been the first time that I have ever spoken to her assistant. We did get the information that we needed. Thanks for your help!

Devon Romig  
U.S. Election Assistance Commission  
1225 New York Ave. NW - Suite #1100  
Washington, D.C. 20005  
(202)566-2377

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----

Margaret Sims/EAC/GOV  
05/02/2006 05:41 PM  
To: "Tova Wang" <EAC/GOV EXTERNAL>  
cc:  
Subject: RE: Voting Fraud/Voter Intimidation Project Working Group

I hope to have a better idea tomorrow, if Rokita's office responds. If not, we'd better have a teleconference to discuss our options. --- Peggy
Can you please give me an idea where we are at with all this? I'd like to be able to figure out my schedule. Thanks -- and thanks for all your assistance on this. Tova

Original Message:

From: dromig@eac.gov
Sent: Tuesday, May 02, 2006 3:54 PM
To: 
Subject: RE: Voting Fraud/Voter Intimidation Project Working Group

Yes, I have spoken to her assistant several times but today has been the first time that I have ever spoken to her assistant. We did get the information that we needed. Thanks for your help!

Devon Romig
U.S. Election Assistance Commission
1225 New York Ave. NW - Suite #1100
Washington, D.C. 20005
(202)566-2377

Sounds good. I'm available any time on Monday. Tova

Original Message:

From: psims@eac.gov
To:  
Cc: dromig@eac.gov
Sent: Wednesday, May 03, 2006 1:44 PM
Subject: Working Group Meeting

Job and Tova:
As of now, the afternoon of Thursday, May 18 appears to be the best possible date for the meeting. Norcross is not available to attend in person that day (he is available only 2 days during the first three weeks of May). We won't have confirmation of the availability of Secretary Rokita until tomorrow --- but I am hopeful.

I'll give you an update tomorrow. Maybe we can schedule a teleconference on Monday afternoon. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----
"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
05/11/2006 03:36 PM
To: psims@eac.gov
cc: "Mitchell, Cynthia" <Cynthia.Mitchell@usdoj.gov>
Subject: RE: Voting Fraud-Voter Intimidation Working Group

Peg --

I plan to be here tomorrow, although I may have to go to the main building during the day. If you are here and I am out, just leave the packet with the receptionist. Thank you.

---
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 11, 2006 3:34 PM
To: Donsanto, Craig
Subject: RE: Voting Fraud-Voter Intimidation Working Group

Craig:

I would love to have an updated list for our research files. For purposes of getting this information out to our participants, I will note that the consultants' summary is based upon information provided as of January 2006. Thanks.

Do you expect to be at your office tomorrow afternoon? I can walk over with the information packet we will have put together for the Working Group. --- Peggy

---
"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
05/11/2006 02:55 PM
To: psims@eac.gov
cc: "Mitchell, Cynthia" <Cynthia.Mitchell@usdoj.gov>
Subject: RE: Voting Fraud-Voter Intimidation Working Group
I have Cynthia Mitchell in here with me now.

She says that the figures you listed in your attachment are your analysis of our product, and that therefore we cannot re-evaluate them.

I do not see anything in these raw numbers that impacts adversely any privacy or privilege issues.

We can update the public list and send that to you, if you’d prefer. That would allow you to represent that the numbers are current up through now. But if you would prefer, you can use what you have as long as it is represented as complete only through January, 2006.

Let us know your desires - - -

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 11, 2006 2:35 PM
To: Donsanto, Craig
Subject: Voting Fraud-Voter Intimidation Working Group
Importance: High

Craig:

I think we have resolved the issue of Barbara Arnwine’s absence from the upcoming meeting by having one of her staff represent her (and her organization). Please review the attached rough summary of DOJ Cases ASAP and let me know if I need to delete reference to the open investigations. Hopefully, we won’t have to remove this information as it does not specify the defendants or States involved. --- Peg

Rough Summary of Department of Justice, Public Integrity Section Activities, October 2002-January 2006

Prosecutions and Convictions-- Individuals
Noncitizen voting: 20
Vote buying: 49
Double voting: 12
Registration fraud: 13
Civil Rights: 4
Voter Intimidation: 2
Unclear: 1
A new email you may want to add to the collection.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
e-mail: psims@eac.gov

--- Forwarded by Margaret Sims/EAC/GOV on 04/26/2007 05:22 PM ---

Do we know who received her letter? I haven't seen it. --- Peggy

See her press release (third item).
All,

Please see Dan Seligson’s questions and request. Exactly what are we going to provide to the House subcommittee and when? Once they receive it, can the subcommittee or its members then release it to anyone they choose? Do we plan to release it to everyone once we’ve provided it to the subcommittee?

---- Forwarded by Bryan Whitener/EAC/GOV on 03/09/2007 02:29 PM ----

"Dan Seligson"

To “Bryan Whitener” <bwhitener@eac.gov>

cc

03/09/2007 02:26 PM

Subject info request re: House Appropriations subcommittee hearing

Bryan -

As I mentioned on the phone, I am seeking information as a follow up to the House Appropriations Subcommittee on Financial Services. At the hearing, Rep. Maurice Hinchey, D-N.Y., requested that the EAC submit the original version of a report written by Tova Wang and Job Serebrov. Chairwoman Davidson said she would provide the original report (I believe) within three days. Is that still the case? Will the subcommittee have the original report, as submitted by the consultants, on Monday? And if so, may we have a copy as well?

Thanks,

Dan

Daniel Seligson
editor

1025 F St. NW Suite 900
Washington, DC 20004

---- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 04:22 PM ----

Margaret Sims/EAC/GOV

To Jeannie Layson/EAC/GOV

03/13/2007 02:31 PM

Subject info request re: House Appropriations subcommittee hearing
Looks fine to me. Of course, she is probably referring to our decision not to release the consultants’ draft final report. --- Peggy

Jeannie Layson/EAC/GOV

Hello all,
A columnist from the WaPo has asked for info about both the voter ID and the fraud and intimidation reports. This was prompted by the accusation that the president was concerned that the fired prosecutors were not aggressively pursuing voter fraud cases. She had heard that we were refusing to release this information, so I am trying to demonstrate otherwise, as well as show that we have discussed these projects numerous times in public meetings. Please take a look at my draft email to her and let me know if you have any suggestions. She needs to hear back from me by 4 p.m. Thanks for your help with this.

Ms. Cocco,
Per your questions, go here to view the testimony regarding voter ID from our Feb. 2 public meeting. As I mentioned, at this meeting EAC Chair Donetta Davidson requested that staff review the initial research provided by Eagleton and produce a final report, which would include recommendations for further study on this subject. Currently, staff is working to finalize the voter ID report.

Regarding the voter fraud and intimidation research, at a May 2006 public meeting of our Standards Board and Board of Advisors, the EAC project manager for this research presented a staff update on the project. Go here to view the agenda, page 3. The document you referred to was the update the project manager gave at this public meeting, and it has been made available to anyone who asked for it. The final culmination of this project can be found here, and links to the attachments provided by the consultants are available by going to page 24 of this report. The commissioners adopted this report at a public meeting in Dec. 2006.

As a small agency of 23 employees, including the four commissioners, it is necessary for the agency to contract with consultants to gather the initial data for these projects. After EAC receives the initial data, the agency reviews the data for accuracy and then releases a final report.

Jeannie Layson
U.S. Election Assistance Commission
1225 New York Ave., NW
Suite 1100
Washington, DC 20005
Phone: 202-566-3100
Karen Lynn-Dyson

Peg-

This week Heather Moss, a research intern will be starting with us. Heather is presently in law school and worked for DOJ in the Voting Rights Division for four years. Heather's primary responsibility (for the next month or so) will be helping us develop the follow-on research project for the Election Crimes study.

Also as an FYI- Commissioner Hunter and her Special Assistant, Stephanie Wolson have expressed an interest in working closely with staff on this project.

I would like to schedule a call/meeting for later on this week so that everyone can be brought up to speed on this work.

In preparation for this meeting I would like to give Heather the project materials which Job and Tova worked on and any relevant material you may have.

Could you direct me to these files so that Heather may begin her work on this project? Could you also let me know dates and times this week that might work for you?

Thanks

Karen Lynn-Dyson
Research Director
U.S. Election Assistance Commission
1225 New York Avenue, NW Suite 1100
Washington, DC 20005
tel:202-566-3123
Julie has already raised the point that most concerned me: I don’t think it is accurate to say the consultant’s recommendations were their findings. The recommendations were a combination of consultant recommendations and working group recommendations for future EAC action. We did not ask the consultants to provide “findings” because this research was never supposed to be the definitive study on the subject. Instead, it was supposed to be an initial effort to see what relevant information is available, to define voting fraud and voter intimidation, and to make recommendations to EAC regarding how to pursue the subject (next steps). --- Peggy

Jeannie Layson/EAC/GOV

This are questions from a “freelance” reporter who is very hot about the “Tova Wang report.” Please let me know if my answers are accurate, and I welcome any suggestions you may have. I need to get your input by COB tomorrow. I am also looking for more clarification on what didn’t make it into the fraud report. She is asking if we included all of their “findings” and their “research.”

Thanks.

1) You said that the Wang/Serebrov report has not been released because it was predecisional. Was the Moritz/Eagleton report released because it was not predecisional? The Moritz/Eagleton report was a predecisional document. The commissioners took an action not to adopt a final report based upon the Moritz/Eagleton report, but to release all the predecisional information (the draft report).

2) I understood you to say that the December EAC report includes all of the Wang/Serebrov recommendations but not all of the Wang/Serebrov findings. Is that correct? The report does include all of their recommendations, which were their findings, and all of the research they conducted.

3) I understood you to say that EAC staff added results of their own research to the December EAC report. Is that correct? What I said was EAC staff reviewed the report for accuracy, for grammar and added language that reflected the commission’s decision to adopt the final version based upon the initial research provided by the consultants.

4) If I’m correct on questions 2 and 3, would it be accurate to say that
readers of the December report cannot tell how much of that report does and
does not reflect the original Wang/Serebrov findings? The consultants'
recommendations are their findings. All of the recommendations are included in
the final report, so readers can make the determination regarding the
recommendations.

5) I called earlier today requesting the Wang/Serebrov report, and you sent me
the December EAC report. I am concerned that if I had not already been
researching this closely, I would have thought that you'd sent me the
Wang/Serebrov report and would have reported incorrectly that you had. Does
the EAC have any comment on this manner of responding to press inquiries? (I
contacted you to request the report after I read in the Statesman Journal of
Salem, Oregon, an article by Marie Cocco that says: "The bipartisan commission
didn't widely release the consultants' review, but makes it available on
request." Did the EAC indeed give Ms. Cocco a copy of the "consultants' review"? Or has she misunderstood you in the way I'm concerned about?) I sent
you a link to the "EAC report" because it is what was adopted by the
commission based upon the research conducted by the consultants. The final
report clearly states how it was compiled and includes bios for both of the
consultants. Regarding Ms. Cocco, I explained the entire process to her. I
provided the staff update on the project which was presented at a public
meeting in May 2006 and the final report, which is posted on the EAC website.
Regarding "this manner of responding to press inquiries," I have forwarded
your comments to my supervisor so he can review my performance regarding the
handling of your inquiry.

6) I understood you to say that the EAC did not release the Wang/Serebrov
report in its original form because the EAC has to do due diligence and its
staff is small. Do I understand you correctly? As a small agency of 23
employees, including the four commissioners, it is necessary for the agency to
contract with consultants to gather the initial data for research projects.
After EAC receives the initial data, the agency reviews the data for accuracy.
What form of due diligence does the EAC's staff routinely conduct on research
that is contracted out to experts before that research is released? You
mentioned "vetting" the research. What does that vetting entail? It depends on
the project. For instance, if it is information directly related to a mandate
within the Help America Vote Act (HAVA), staff will make sure that the
information is consistent with the law. In addition, we often ask for input
from our Standards Board and Board of Advisors, which combined consist of more
than 147 members. If we are using research that will eventually become
guidance, we are required by HAVA to seek the input of these boards. Go here
for more information about these boards and its members. If the board members
have feedback, then we must make the determination whether to incorporate it,
and, if so, how to incorporate their changes. If the research is focused on
election laws throughout the country, we make sure the laws are cited
correctly and that state legislatures haven't changed or amended these laws
since the research was conducted. (As you probably know, there have been many
new election laws introduced at the state level since 2004.) Throughout the
process, we review for grammar as well as make sure the document flows and is
arranged logically -- the basic tenets of editing.

Jeannie Layson
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www.eac.gov
Most of the working files for this project are in a red folder sitting on my window sill; but I have some individual files in manila folders for Job and Tova propped upright on my desk next to the computer. Isn't this something that can wait until Monday? --- Peggy

Where are your working files maintained?
Margaret Sims

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

From: Margaret Sims
Sent: 04/13/2007 04:27 PM EDT
To: Edgardo Cortes
Subject: Re: Working group meeting transcript

I don't maintain "official" contract files, just working copies (and I am missing a copy of one of Tova's contracts). The official files should be with the other official EAC contract files. There were 4 personal services contracts between Tova and Job. --- Peggy

Peggy,
They are also requesting copies of the signed contracts. Where are your official contract files for that contract? Let me know where they are and I will pull them to give Gavin the copies so he can review for releasability. Thanks!

Edgardo Cortés
Election Research Specialist
There is only one transcript. In addition to the electronic copy, I have a hard copy in the file. Job Serebrov submitted one correction related to the information reported on his background, not the study. Otherwise, the transcript has NOT been reviewed for accuracy and we have not released copies to anyone but our consultants. --- Peggy
believe you can find it at the following link:

[attachment "20070411voters_draft_report.url" deleted by Gavin S. Gilmour/EAC/GOV]

I will need to get back with you regarding the Contract Employees scope of work.

Gavin S. Gilmour  
Deputy General Counsel  
United States Election Assistance Commission  
1225 New York Ave., NW, Ste 1100  
Washington, DC 20005  
(202) 566-3100

THIS MESSAGE IS FOR ITS INTENDED RECIPIENT ONLY. IT IS A PRIVILEGED DOCUMENT AND SHALL NOT BE RELEASED TO A THIRD PARTY WITHOUT THE CONSENT OF THE SENDER.

--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 04:21 PM ---

Margaret Sims/EAC/GOV  
04/17/2007 01:27 PM  
To: Jeannie Layson/EAC/GOV  
cc: Juliet E. Hodgkins/EAC/GOV@EAC  
Subject: Re: Vote fraud report

As far as I know, you are absolutely correct! Julie did the bulk of the rewrite and used my analyses of the preliminary info submitted by our contractors. I know that I had no contact with the administration regarding this study. --- Peggy

Jeannie Layson/EAC/GOV  
04/17/2007 01:16 PM  
To: psims@eac.gov, Thomas R. Wilkey/EAC/GOV@EAC, jthompson@eac.gov  
cc:  
Subject: Vote fraud report

The St. Louis Post Dispatch wrote an editorial that said the administration edited our report. I am almost absolutely sure that is not true, but I wanted to confirm that with you before I request a correction. Thanks.

Jeannie Layson
Julie:
The attached appears to be the Job Serebrov email, a portion of which was quoted in the NY Times. He was responding to my email advising him that recent press reports were referring to the status report on the vote fraud-voter intimidation project, and that we had not released the final report. (A copy of my email is attached.) There are no follow-up emails on this topic. --- Peggy

Peg:

We saw both the USA Today article and a similar thing was reported on Rush Limbaugh's show naming both of us. I had a talk this morning with folks at the EAC. I told them at this point there needs to be a press release sent out by the Chairman saying just what you stated. This is the only way to rehabilitate the work we did, the Chairman's credibility, and our reputations. I also fear that if this is not done the EAC will begin to receive calls from Congressman and Senators regarding the "report" and its effect on voter ID requirements.

Peg, up to now Tova and I have refused to speak with the press at all out of respect for the EAC and its mission. We both stand by our work and its conclusions. We both also feel that if a statement (as well phrased as you did in this e-mail clarifying the issue) is not forthcoming from the Chairman then I will have to correct this error with the Press. I explained this in my conversation this morning with the EAC.

Tova and I worked hard to produce a correct, accurate and truthful report. I could care less that the results are not what the more conservative members of my Party wanted. Neither one of us
was willing to conform results for political expediency. I think it's important for me to note that I was very impressed with Tova's members of the Working Group and I can't say enough about Tova's partnership effort in this endeavor. While neither one of us really care about outside opinions, we do care that the Chairman was quoted or misquoted in a way that would disparage our year-long effort and all of the tax payer money that went into it. For this reason, we believe that a press release clarifying the situation is necessary from either the Chairman or from me.

Regards,

Job

psims@eac.gov wrote:

Tova and Job:

I am home recuperating, but see that in my absence, a USA Today article has gotten everyone stirred up. The report to which the article refers is only the status report on the voting fraud-voter intimidation research project that was delivered to our Standards Board and Board of Advisors last spring. I provided a copy of this document to both of you, but have attached another copy for your information. This document is subject to public release because it was presented at a public meeting.

Due to internal resource allocation problems, your final report has not yet been reviewed by the Commissioners. It is considered a working document (not subject to public release) until it has completed the review process and the Commissioners have agreed to release it. There has been no attempt by the Commission to hold up the report. I bear responsibility for any delays in moving it along. Please be reassured that we would not release your report without letting you know.

Peggy Sims
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Fax: 202-566-3127
email: psims@eac.gov

Juliet E. Hodgkins/EAC/GOV

Peggy,

Can you pull out the emails between you and Job that were quoted in the NYT? I need anything that has to do with the subject that was referred to in the quoted email as well as any follow up to that email. We
need it to be able to respond to the letter from Sen. Feinstein, and I figured you could identify those easier than me searching through the reams of paper in Jeannie's office.

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

--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 04:21 PM ---
Margaret Sims/EAC/GOV  
04/18/2007 05:40 PM  
To: Jeannie Layson/EAC/GOV@EAC  
cc: Juliet E. Hodgkins/EAC/GOV@EAC, Thomas R. Wilkey/EAC/GOV@EAC  
Subject: Re: Need your help ASAP

Jeannie:

I did not receive your request in time to type responses on my blackberry by 2 PM, given the information needed. Here are the answers to your questions:

1. Why did we only contact DOJ officials regarding the accuracy of their interviews?

As far as I know, we didn't contact DOJ officials about this except in response to concerns they had previously expressed to us. Also, I don't believe we ever allowed DOJ to edit the summaries. (I certainly didn't.) I believe the consultants and I discussed the idea of having all the interviewees review their respective interview summaries, but the consultants objected to the idea and there were concerns that the all of the money remaining available was needed to complete the final report.

Craig Donsanto, Election Crimes Branch, saw the summary of his interview among the documents provided to the Working Group (prior to the meeting of that group), and pointed out an important factual error. The summary, as originally written, portrayed DOJ as switching from the prosecution of conspiracies to the prosecution of individuals. I was present at this interview and this was not what Craig had said, nor is it supported by the information available on the election crimes pursued by that branch. DOJ continues to pursue conspiracies and, in addition, has begun to pursue individuals (specifically, double voting, felon voting and alien voting) in an effort to deter others from election crime.

To my knowledge, John Tanner, Voting Section, Civil Rights Division, had not seen the consultants' full summary of his interview; but he expressed concern to Tova Wang and EAC about the consultants' characterization of the interviews with Donsanto and him that had been included in the May 2006 status report. This report was provided to the members of the EAC Standards and Advisory Boards. Per HAVA requirements, the Voting Section is represented on the Advisory Board. Tanner pointed to the following errors:

- First, the consultants stated that DOJ was not pursuing voter suppression cases. Tanner responded that "[t]he Department has brought two 11(b) cases, one of the two in this Administration. The focus of DOJ activity has shifted, in fact, to voter suppression as there are fewer cases over voter dilution (challenges to at-large election systems, etc.) being brought by anyone as the number of jurisdictions with at-large election systems has shrunk dramatically. This Administration has, in fact, brought far more voter-suppression cases ... than ever in the past, including a majority of all cases under Sections 203 and 208 of the Act, and such key recent Section 2 cases as US v. City of Boston and US
v. Long County, Georgia."

- Second, the consultants implied that DOJ is not pursuing instances of unequal implementation of ID rules. Tanner's response was that "challenges based on race and unequal implementation of ID rules are indeed actionable and we have brought lawsuits, such as in Boston and Long County; we have not identified instances of such discrimination in which we have not taken action."

Tanner also pointed to the consultants' refusal during the interview to define what they meant by "voter intimidation", which Tanner suspected did not jibe with the meaning of the term in federal prosecutions and probably contributed to misunderstandings. (Federal voter intimidation prosecutions require the threat of economic or physical harm.)

By the way, both of these officials are career attorneys, not political appointees. They have years of service at DOJ, working under a number of different administrations.

2. Exactly what did we change and why?

In the case of the Donsanto interview summary, I spoke with our consultants and asked them to make the correction. At first, they both refused. Later, they revised the summary to be a little less blatant, but the implication that there had been a complete change in approach remained. We revised the summary to clearly indicate that prosecution of conspiracies continues. The revised paragraph is on page 4 of the published summary. We also added an intro paragraph similar to other interview summaries submitted by the consultants to summarize the enforcement authority of the Election Crimes Branch and to distinguish it from the Voting Section, Civil Rights Division.

In the case of the actual John Tanner interview summary, we added an intro paragraph similar to other interview summaries submitted by the consultants to summarize the enforcement authority of the Voting Section and to distinguish it from the Election Crimes Branch. We also moved the consultants' note about the refusal to share certain internal working papers to the end of the summary because it seemed to distract from the main interview points if left as an introduction.

Making the distinction between the Election Crimes Branch and the Voting Section is important. The Voting Section brings cases involving "systemic" discrimination because federal voting statutes focus on discriminatory action by local governments. It is criminal statutes that involve malfeasance by individuals and that are enforced by the Election Crimes Branch through Us Attorneys' offices. The difference is key to understanding federal election law enforcement.

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e-mail: psims@eac.gov

Jeannie Layson/EAC/GOV

Jeannie Layson/EAC/GOV
04/18/2007 12:17 PM
To psims@eac.gov
cc Juliet E. Hodgkins/EAC/GOV@EAC, Thomas R. Wilkey/EAC/GOV@EAC
Subject Need your help ASAP
Peg,
If possible, I need answers for these questions in reference to the vote fraud/voter intimidation project by 2 p.m. today for an inquiry for Congressional Quarterly:

1. Why did we only contact DOJ officials regarding the accuracy of their interviews?
2. Exactly what did we change and why?

Jeannie Layson
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www.eac.gov

FYI - I noticed that some newscasts are saying we spent $100,000 on the Voting Fraud-Voter Intimidation project. Each of the consultants had two contracts totaling almost $75,000 (not including funds set aside for related travel), so the total between them would have been closer to $150,000. If anyone needs to know the added travel costs, Wang spent about $4,500 and Serebrov $1,200 over the course of the 2 contracts.

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e-mail: psims@eac.gov
Here are most of the emails from my active email files. A few did not hold the check mark, so I will send them separately. I'm trying to work out the best way to hand off copies of the emails from my archived files.

Peggy Sims
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--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:52 PM ---

"Tova Wang"
08/21/2006 12:16 PM

Hi Peg, I left you a voice message last week -- you might have been at NCSL. Anyway, would you give me a call when you have a moment? Thanks.

Tova Andrea Wang, Democracy Fellow
The Century Foundation
1333 H Street, NW, Washington, D.C. 20037


--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:52 PM ---

Juliet E. Hodgkins/EAC/GOV
11/03/2006 06:42 PM

I spoke to Job about the documents that I need. He will send me his summary of the articles/books that he read. However, he said that Tova also summarized some of those articles/books. I don't have a contact number/email for Tova. Could you contact her and ask her to provide us with any summary of the articles/books that she read as they are listed in Appendix 2?
Juliet Thompson Hodgkins
General Counsel
United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100

Subject: Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:52 PM

--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM ---

Margaret Sims/EAC/GOV
11/03/2006 07:11 PM
To: Juliet E. Hodgkins/EAC/GOV@EAC
cc
Subject: Re: Job and Tova

Juliet: 

All of the summaries received are in the shared drawer under T:\RESEARCH IN PROGRESS\VOTING FRAUD-VOTER INTIMIDATION\Research Summaries. There are too many of them to append to this message, or I would do it. The researchers did not propose to include these summaries in the report. Are you considering adding them?

If you want, I can cross reference each of these with the list of articles and ID any missing summaries. I could do that over the weekend. --- Peggy

Juliet E. Hodgkins/EAC/GOV

Juliet E. Hodgkins/EAC/GOV
11/03/2006 05:42 PM
To: Margaret Sims/EAC/GOV@EAC
cc
Subject: Job and Tova

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(202) 566-3100

--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM ---

Juliet E. Hodgkins/EAC/GOV
11/03/2006 07:14 PM
To: Margaret Sims/EAC/GOV@EAC
cc
Subject: Re: Job and Tova

I think we should use the content of those articles or some summary of them as a background of what we know about VF and VI. I just didn’t want to have to read all of those articles to be able to make some generalized statements about their contents.

Sent from my BlackBerry Wireless Handheld
Margaret Sims
----- Original Message -----

From: Margaret Sims
Sent: 11/03/2006 06:11 PM
To: Juliet Hodgkins
Subject: Re: Job and Tova

Julie:

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Juliet E. Hodgkins/EAC/GOV

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

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM -----
I appreciate it. I will send you a copy of the outline that I am working from. It is somewhat subject to change as I am still trying to gel in my mind what goes first, second ....

Sent from my BlackBerry Wireless Handheld
Margaret Sims

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

From: Margaret Sims
Sent: 11/03/2006 06:38 PM
To: Juliet Hodgkins
Subject: Re: Job and Tova

I can review them over the weekend and attempt to summarize what they tell us.--- Peggy

Sent from my BlackBerry Wireless Handheld
Juliet E. Hodgkins

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

From: Juliet E. Hodgkins
Sent: 11/03/2006 06:14 PM
To: Margaret Sims
Subject: Re: Job and Tova

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Sent from my BlackBerry Wireless Handheld
Margaret Sims

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

From: Margaret Sims
Sent: 11/03/2006 06:11 PM
To: Juliet Hodgkins
Subject: Re: Job and Tova

Julie:

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Juliet E. Hodgkins/EAC/GOV
Subject Job and Tova

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1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM -----
Margaret Sims/EAC/GOV  
11/06/2006 11:07 AM  
To Juliet E. Hodgkins/EAC/GOV@EAC  
cc  
Subject Re: VF VI Literature Review  

Julie:
I have not received the outline, but went ahead with reviewing the literature researched. Attached are my perspectives on what we learned and a listing of the literature with portions of the analysis for each. Both of these documents are on the shared drive under T:\RESEARCH IN PROGRESS\VOTING FRAUD-VOTER INTIMIDATION\Research Summaries. Hope these help. Let me know what else you need from me. --- Peggy

Juliet E. Hodgkins/EAC/GOV

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Sent from my BlackBerry Wireless Handheld
Margaret Sims

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

From: Margaret Sims
Sent: 11/03/2006 06:38 PM
To: Juliet Hodgkins
Subject: Re: Job and Tova

I can review them over the weekend and attempt to summarize what they tell us. --- Peggy

Sent from my BlackBerry Wireless Handheld

Juliet E. Hodgkins

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

From: Juliet E. Hodgkins
Sent: 11/03/2006 06:14 PM
To: Margaret Sims
Subject: Re: Job and Tova

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Sent from my BlackBerry Wireless Handheld

Margaret Sims

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

From: Margaret Sims
Sent: 11/03/2006 06:11 PM
To: Juliet Hodgkins
Subject: Re: Job and Tova

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Juliet E. Hodgkins/EAC/GOV

Juliet E. Hodgkins/EAC/GOV
11/03/2006 05:42 PM

To Margaret Sims/EAC/GOV@EAC

cc

Subject Job and Tova

I spoke to Job about the documents that I need. He will send me his summary of the articles/books that he read. However, he said that Tova also summarized some of those articles/books. I don't have a contact number/email for Tova. Could you contact her and ask her to provide us with any summary of the articles/books that she read as they are listed in Appendix 2?
I. BACKGROUND/INTRODUCTION

A. WHAT WE KNOW ABOUT FRAUD
B. PURPOSE OF THE EAC STUDY
C. METHODOLOGY OF THE EAC STUDY

II. DEFINITION OF ELECTION CRIMES
A. VOTER FRAUD IS TOO LIMITED
B. COLLOQUIAL DEFINITION IS TOO BROAD
C. ELECTION CRIMES
D. WHAT IS NOT AN ELECTION CRIME FOR PURPOSES OF THIS STUDY

III. RECOMMENDATIONS ON HOW TO STUDY ELECTION CRIMES
A. ACCEPTED RECOMMENDATIONS
   i. SURVEY LAW ENFORCEMENT, INVESTIGATORY AGENCIES, AND PROSECUTORS
   ii. REVIEW ADMINISTRATIVE COMPLAINTS FILED WITH STATES
   iii. REVIEW DOJ/USA ACTIONS
B. REJECTED RECOMMENDATIONS
   i. REASONS WHY REJECTED
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Juliet E. Hodgkins/EAC/GOV

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Margaret Sims
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Juliet E. Hodgkins
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To: Margaret Sims 
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Juliet E. Hodgkins/EAC/GOV

Juliet E. Hodgkins/EAC/GOV 
11/03/2006 05:42 PM 
To Margaret Sims/EAC/GOV@EAC 
cc Job and Tova

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

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM ----- 
Margaret Sims/EAC/GOV 
11/06/2006 12:21 PM 
To Juliet E. Hodgkins/EAC/GOV 
cc
Is this an outline of an EAC staff report to accompany the consultants' report, or has there been a decision not to publish the consultants' report at all? (Just curious, as I have been a little out of the loop.) --- Peg

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM -----

Juliet E. Hodgkins/EAC/GOV
11/06/2006 12:30 PM
To Margaret Sims/EAC/GOV@EAC
cc
Subject Re: VF_VI Literature Review

The consultant's report is a draft of an EAC report. We will take the consultant's report and finalize it into OUR report.
Juliet Thompson Hodgkins
General Counsel
United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100
Margaret Sims/EAC/GOV

Margaret Sims/EAC/GOV
11/06/2006 12:21 PM
To Juliet E. Hodgkins/EAC/GOV@EAC
cc
Subject Re: VF_VI Literature Review

Peggy,

I wanted to let you know that I had a chance to review your summaries today. I think that these are some excellent conclusions that we can definitely use in our report. Thank you for doing such a detailed and thorough job. If tomorrow goes quietly, hopefully I will have some time to write.

Juliet Thompson Hodgkins
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EAC-Learned from Lit Review 11-6-06.doc  EAC Lit Review Notes 11-5-06.doc

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Sent from my BlackBerry Wireless Handheld
Margaret Sims

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

From: Margaret Sims 
Sent: 11/03/2006 06:11 PM  
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11/03/2006 05:42 PM  
To Margaret Sims/EAC/GOV@EAC

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

Happy to help, especially as I have to assume the blame for the report turned in by the consultants. I think you were aware that I was disappointed that it was not a more professional product. As I was not clear what the Commission's position is on editing such reports after receipt of the final, and as the consultants insisted that their work not be changed, I felt a bit stymied. Let me know what else I can do.

In the meantime, I'm revisiting some drafts received on the Vote Count-Recount best practices to see if I can encourage more improvements before submission of the final. We're still waiting for the state-by-state summary of practices, originally delayed by the subcontractor's nonperformance, which could affect goes into the best practices. I think some of the emphasis I see in the drafts on post election audits and proper recordkeeping will help respond to some of the issues raised in the literature review for the voting fraud-voter intimidation study.

--- Peggy

Juliet E. Hodgkins/EAC/GOV

Peggy,

I wanted to let you know that I had a chance to review your summaries today. I think that these are some excellent conclusions that we can definitely use in our report. Thank you for doing such a detailed and thorough job. If tomorrow goes quietly, hopefully I will have some time to write.

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United States Election Assistance Commission
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EAC-Learned from Lit Review 11-6-06.doc  EAC Lit Review Notes 11-5-06.doc

Juliet E. Hodgkins/EAC/GOV

Juliet E. Hodgkins/EAC/GOV To Margaret Sims/EAC/GOV@EAC
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11/03/2006 05:42 PM  
To Margaret Sims/EAC/GOV@EAC  
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Juliet Thompson Hodgkins  
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United States Election Assistance Commission  
1225 New York Ave., NW, Ste 1100  
Washington, DC  20005  
(202) 566-3100

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM -----  
Karen Lynn-Dyson/EAC/GOV  
11/07/2006 07:05 AM  
To Juliet E. Hodgkins/EAC/GOV@EAC  
cc Margaret Sims/EAC/GOV@EAC  
Subject Fw: please investigate

Hi-

Is this the kind of thing I should be passing on to you or Gavin?
Please investigate this incident or pass it on to the proper authority.

This morning, I received a recorded message saying that my polling place was "St. Francis" something or other. Later in the day, I wondered why I was informed of this change via a phone number with an out of state area code. I just check the Mahoning County Board of Elections site and the polling location is still listed as "Frank Ohl School" which is where I've voted since moving here. Since I received another call about the same time, I'll give you information on both numbers.

For the first call (which I believe is the culprit) the information on my caller ID was "Unknown Name 320-230-0961". They claimed they were from American for Reform Now or something like that. When I dialed that number, I received this message: "Mailbox for Rob Olsen is full." While writing this email, I just received another call from this number. Now the recorded message was from Ohio for Fair Minimum Wage.

For the other call (from this morning) the information on my caller ID was "Amer Voice Retr 206-706-2650". When I dialed that number I got a recording which identified them as "People for Washington State Democrats... authorized by Kl 2006."

Thank you for your time and attention to this matter.

Cheryl Bollinger
Austintown, OH
Did Tova and Job provide us with summaries or notes of their interviews?

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

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM -----

Margaret Sims/EAC/GOV
11/07/2006 09:45 AM
To Juliet E. Hodgkins/EAC/GOV
cc
Subject Re: VF and VI study

Yes (at T:\RESEARCH IN PROGRESS\VOTING FRAUD-VOTER INTIMIDATION\Interviews\Interview Summaries). Do you want me to do the same with those as I did with the literature summaries? --- Peggy

Juliet E. Hodgkins/EAC/GOV

Juliet E. Hodgkins/EAC/GOV
11/07/2006 09:33 AM
To Margaret Sims/EAC/GOV@EAC
cc
Subject VF and VI study

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----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM -----

Juliet E. Hodgkins/EAC/GOV
11/07/2006 09:47 AM
To Margaret Sims/EAC/GOV@EAC
cc
Subject Re: VF and VI study

that would be great. I am also interested in identifying the points of contention between DOJ and the
consultants.

Juliet Thompson Hodgkins
General Counsel
United States Election Assistance Commission
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Washington, DC 20005
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11/07/2006 09:45 AM
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To Margaret Sims/EAC/GOV@EAC
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----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM -----
Margaret Sims/EAC/GOV
11/07/2006 11:29 AM
To Juliet E. Hodgkins/EAC/GOV@EAC
cc
Subject Re: VF and VI study

OK, I will get started on the interview summaries today.

DOJ (Donsanto and Tanner) raised objections to the consultants' description of their interviews, which
state that DOJ officials agreed they were bringing fewer intimidation and suppression cases. An advocacy group is going after DOJ, accusing the agency of doing just that for political reasons, so this is something DOJ wants corrected.

Apart from the consultants pre-existing bias that "the feds aren't doing enough", a big part of the problem appears to have been a misunderstanding over terminology. When our consultants used the term "intimidation", they included all sorts of suppression activities. When Craig Donsanto used the term "intimidation", he was using the definition under federal criminal vote fraud statutes, which requires the action be accompanied by threat of physical or economic harm. (He told me he has had only one such case in 30 years.) His office is actively pursuing voter suppression activities under statutes other than federal voter intimidation laws (e.g., the recent case in NH where a campaign operative conspired to block election day GOTV telephone lines of the opposing party). A copy of Tanner's comments on the interview summary in the status report for the Standards and Advisory Boards meetings is attached.

I had many long discussions with Tova and Job about this. I was able to get them to soften their description (see 4th bullet on page 7 of the draft report), but not entirely to my satisfaction. Also, at the Working Group meeting, it was agreed that the consultants would add a note to their definition to clarify that the working definition for purposes of the research includes activities that do not meet the federal definition of voter intimidation. The resulting note on page 5 of the draft report is too vague.

DOJ has not seen everything the consultants put in the draft final report, so they may have additional concerns. For example, the consultants' recommendations include the following:

Attend the Department of Justice's Ballot Access and Voting Integrity Symposium. The consultants also believe it would be useful for any further activity in this area to include attendance at the next Ballot Access and Voting Integrity Symposium. According to the Department, DEOs are required to attend annual training conferences centered on combating election fraud and voting rights abuses. These conferences sponsored by the Voting Section of the Civil Rights Division and the Public Integrity Section of the Criminal Division, feature presentations by civil rights officials and senior prosecutors from the Public Integrity Section and the U.S. Attorneys' Offices. According to the Department, DEOs are required to attend annual training conferences centered on combating election fraud and voting rights abuses. These conferences sponsored by the Voting Section of the Civil Rights Division and the Public Integrity Section of the Criminal Division, feature presentations by civil rights officials and senior prosecutors from the Public Integrity Section and the U.S. Attorneys' Offices.

Footnote:
By attending the symposium researchers could learn more about the following:
How DEOs are trained, e.g. what they are taught to focus their resources on; How they are instructed to respond to various types of complaints; How information about previous elections and voting issues is presented; and, How the Voting Rights Act, the criminal laws governing election fraud and intimidation, the National Voter Registration Act, and the Help America Vote Act are described and explained to participants.

DOJ has stated that this is an internal meeting, involving only DOJ officials, US Attorneys and FBI. EAC researchers cannot be admitted without opening the meeting to other outsiders. DOJ does not want to do this, probably for two reasons: (1) confidential information on current enforcement cases may be discussed; and (2) making enforcement strategies public could give unscrupulous individuals a virtual "how to" manual for circumventing such strategies when committing election crimes.

We may also have a hard time gaining access to the DOE reports and the Voting Section records of complaints, as they probably aren't considered public documents.

--- Peggy
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Juliet Thompson Hodgkins
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United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
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Margaret Sims/EAC/GOV

Margaret Sims/EAC/GOV
11/07/2006 09:45 AM
To Juliet E. Hodgkins/EAC/GOV@EAC
cc
Subject Re: VF and VI study

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11/07/2006 09:33 AM
To Margaret Sims/EAC/GOV@EAC
cc
Subject VF and VI study

Did Tova and Job provide us with summaries or notes of their interviews?

Juliet Thompson Hodgkins
General Counsel
United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100
I am getting close to having a first cut at a report, minus a few key sections. Just wondering how those summaries are coming along.

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

Almost finished sorting through the interview summaries. I don’t find them as helpful as the literature summaries, but hope to have something to you by the end of the day. (I was at the clinic yesterday, and could only work a half day.) --- Peggy

Juliet E. Hodgkins/EAC/GOV  
11/09/2006 11:41 AM  
To Margaret Sims/EAC/GOV@EAC  
cc  
Subject How are the summaries of the interviews coming?
Thanks. Currently, on the phone with Job. Ugh!!!!

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

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United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100
Sorry this is later than expected. I was missing the notes of one interview and had several computer crashes when I tried to retrieve archived email to determine if I had failed to file it after one of the consultants sent it. I finally gave up looking for it in favor of summarizing what I had.

Attached is a summary of points raised in the interviews. I found it more difficult to extract lessons learned from the interview notes, so I used a summary format. (The interview notes make it appear that the focus of the interviews differed from one person to another, perhaps because consultants were seeking different information from interviewees). I've also attached a list of interviewees with pertinent interview notes. (Some of the interview notes dealt with irregularities other than voting fraud and voter intimidation.) --- Peggy
Peggy,

I have attached a rough draft of the report that I think that we should propose to the Commissioners. I was hoping that you could give it a read and give me your comments by Friday morning, as I have to deliver a draft to the Commissioners on Friday. I also have a couple of questions. You will notice that I have noted that several items will be attached as appendixes. First question: Should we attach these things? Second question: In cases where you have provided summaries of the summaries, should we attach yours or theirs?

--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:51 PM ---
Thomas R. Wilkey/EAC/GOV
11/15/2006 12:23 PM
To Margaret Sims/EAC/GOV@EAC
cc
Subject Thor Hearn

Do you have contact information for this guy?

--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM ---
Margaret Sims/EAC/GOV
11/15/2006 01:52 PM
To Thomas R. Wilkey/EAC/GOV
cc
Subject Re: Thor Hearn

Mark (Thor) Hearne II
Partner-Member
Thomas R. Wilkey/EAC/GOV

Thomas R. Wilkey/EAC/GOV
11/15/2006 12:23 PM

To Margaret Sims/EAC/GOV@EAC

cc

Subject Thor Hearn

Do you have contact information for this guy?

--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM ---

Margaret Sims/EAC/GOV
11/15/2006 04:02 PM

To Juliet E. Hodgkins/EAC/GOV

cc

Subject Re: Draft Voter Fraud/Voter Intimidation

Got it, and will get back to you by Friday AM. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM -----

Juliet E. Hodgkins/EAC/GOV
11/15/2006 04:10 PM

To Margaret Sims/EAC/GOV@EAC

cc

Subject Re: Draft Voter Fraud/Voter Intimidation

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

Margaret Sims/EAC/GOV  
11/15/2006 04:02 PM  
To: Juliet E. Hodgkins/EAC/GOV@EAC  
cc  
Subject: Re: Draft Voter Fraud/Voter Intimidation

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----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM -----

Margaret Sims/EAC/GOV  
11/17/2006 09:28 AM  
To: Juliet E. Hodgkins/EAC/GOV@EAC  
cc  
Subject: Draft Voter Fraud/Voter Intimidation Report

Juliet:

I really like the tone, focus, and organization of the paper. I also liked the way you interspersed the lists of Working Group members, interviewees, and reports reviewed with the text (drawing the reader's attention to the info, cutting down on the # of appendices, and giving the eye a break from regular text). Attached is your document with my comments, questions, and suggested changes. I did not do much to it.

Regarding your questions about the appendices:
I really did not prepare my summaries with an eye toward publication, but the consultants' summaries probably include incendiary info (particularly re DOJ interviews). As for the case law, we have multiple, voluminous charts, but no list. We can create a list from the charts, but that will take time. The Commissioners may want to see the consultants' or my summaries and the case law charts, but do we need to publish them?

Do we need to put short bios for Tova and Job in an appendix? --- Peggy

EAC_VF-VI Report: rev 11-17-06.doc  
----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM -----

Juliet E. Hodgkins/EAC/GOV  
11/17/2006 09:44 AM  
To: Margaret Sims/EAC/GOV@EAC  
cc  
Subject: Re: Draft Voter Fraud/Voter Intimidation Report
Thanks for your comments.

Last night, I took the case charts and assembled into one 200-page document. So, that is compiled. I have also amended to include Job and Tova’s bios as appendix “1”. I have established both your summaries and theirs into alternative appendixes and will talk to the commissioners about that. One question that I have is whether we would need to go through and “clean up” their summaries? I have compiled them into a single document (that is one for interviews and one for literature). Other than the DOJ issue, are there any other "problems" that you recall?

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

--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM ---

Margaret Sims/EAC/GOV
11/17/2006 02:54 PM
To Juliet E. Hodgkins/EAC/GOV
cc
Subject Re: Draft Voter Fraud/Voter Intimidation Report

I’ll need to refresh my memory. I’ll take a look at them one more time and get back to you. Hope you enjoy your time out of the office, and have a happy turkey day. --- Peggy

Juliet E. Hodgkins/EAC/GOV

Juliet E. Hodgkins/EAC/GOV
11/17/2006 09:44 AM
To Margaret Sims/EAC/GOV@EAC
cc
Subject Re: Draft Voter Fraud/Voter Intimidation Report

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Juliet Thompson Hodgkins
General Counsel
United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100
Thanks so much for all of your help. Have a very Happy Thanksgiving.

Sent from my BlackBerry Wireless Handheld
Margaret Sims

----- Original Message ----- 
From: Margaret Sims
Sent: 11/17/2006 02:54 PM
To: Juliet Hodgkins
Subject: Re: Draft Voter Fraud/Voter Intimidation Report

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Juliet Thompson Hodgkins
General Counsel
United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100
Juliet:
I reviewed our materials and refreshed my memory. The DOJ issues appear to be the only potential
pitfalls in the consultants' interview summaries. The only other issue that arose during the course of the
work was Secretary Rokita's objection to EAC doing the research. I think you have taken care of that in
your paper. --- Peggy

Juliet E. Hodgkins/EAC/GOV

Juliet E. Hodgkins/EAC/GOV

Thanks so much for all of your help. Have a very Happy Thanksgiving.

Sent from my BlackBerry Wireless Handheld
Margaret Sims
----- Original Message -----

From: Margaret Sims
Sent: 11/17/2006 02:54 PM
To: Juliet Hodgkins
Subject: Re: Draft Voter Fraud/Voter Intimidation Report

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

--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM ---

Gavin S. Gilmour/EAC/GOV
11/27/2006 10:58 AM
To Margaret Sims/EAC/GOV@EAC
cc
Subject Re: My Thoughts --PRIVILEGED COMMUNICATION

Peggy,

Just to clarify... you only attended (by teleconference or otherwise) one of the interviews? I thought it was more than that?

Gavin S. Gilmour
Deputy General Counsel
United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100

THIS MESSAGE IS FOR ITS INTENDED RECIPIENT ONLY. IT IS A PRIVILEGED DOCUMENT AND SHALL NOT BE RELEASED TO A THIRD PARTY WITHOUT THE CONSENT OF THE SENDER.

Margaret Sims/EAC/GOV

Margaret Sims/EAC/GOV
11/17/2006 02:48 PM
To Gavin S. Gilmour/EAC/GOV@EAC
cc Juliet E. Hodgkins/EAC/GOV@EAC, Jeannie Layson/EAC/GOV@EAC
Subject Re: My Thoughts --PRIVILEGED COMMUNICATION

Gavin:

This looks good to me. I just have a few questions/clarifications, both involving the second paragraph:

1. First sentence - Do you mean "intra-agency", rather than interagency?
2. Second sentence - If we plan to release an EAC report based on the material provided by the consultants, then can we avoid implying that we are ever going to release a report written by the consultants?
3. Sixth sentence - I was present at only one interview, not all of them; but I did facilitate and help schedule the interviews.

--- Peggy

Gavin S. Gilmour/EAC/GOV

--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM ---

Margaret Sims/EAC/GOV
11/27/2006 11:30 AM

To: Gavin S. Gilmour/EAC/GOV
cc

Subject: Re: My Thoughts --PRIVILEGED COMMUNICATION

I attended only the interview with Craig Donsanto. --- Peggy

Gavin S. Gilmour/EAC/GOV

--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM ---

Margaret Sims/EAC/GOV
11/27/2006 10:58 AM

To: Margaret Sims/EAC/GOV@EAC
cc

Subject: Re: My Thoughts --PRIVILEGED COMMUNICATION
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Deputy General Counsel  
United States Election Assistance Commission  
1225 New York Ave., NW, Ste 1100  
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Margaret Sims/EAC/GOV

Margaret Sims/EAC/GOV  
11/17/2006 02:48 PM

To Gavin S. Gilmour/EAC/GOV@EAC  
cc Juliet E. Hodgkins/EAC/GOV@EAC, Jeannie Layson/EAC/GOV@EAC  
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--- Peggy

Gavin S. Gilmour/EAC/GOV

Gavin S. Gilmour/EAC/GOV  
11/17/2006 01:39 PM

To Juliet E. Hodgkins/EAC/GOV@EAC, Jeannie Layson/EAC/GOV, Margaret Sims/EAC/GOV@EAC  
cc  
Subject My Thoughts –PRIVILEGED COMMUNICATION

Do Not Release
Attached is a revised version of the Voting Fraud/Voter Intimidation Draft Report. The changes that Commissioner Hillman suggested have been made and highlighted in yellow. See pages 10-11.

Peggy and I are working on the revision of the Donsanto and Tanner interview summaries and will forward that to you under a separate email.
Juliet Thompson Hodgkins
General Counsel
United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100

Margaret Sims/EAC/GOV
11/30/2006 04:37 PM
To Juliet E. Hodgkins/EAC/GOV@EAC
cc
Subject Donsanto-Tanner Interviews

Julie:

I made some suggested edits in the attached excerpts of the Donsanto and Tanner interview summaries. You may be able to better phrase them. The most important edits are:

- I noticed that the consultants had listed Donsanto's and Tanner's titles incorrectly (which we may also need to correct in our report where we list the interviewees). Donsanto and Tanner might be amused that our consultants "promoted" them, but their bosses may not.
- I redacted two sentences that I thought we should not publicize and one that I thought was in error from the Donsanto description. I also tried to correct the paragraph that discusses DOJ's pursuit of individual offenders.
- I moved the note about Tanner's failure to provide data and information to the end of the description (the highlighted paragraph) so that it isn't so "in your face". I also tried to edit it, but am still a bit concerned about including it at all.

If you have any questions, or want to talk about this, give me a call (703-323-9277). Also, I may be in the office tomorrow, if my insides cooperate. --- Peggy

I made the correction on the titles in the report. There was one that was not correct.

There are a couple of things I may suggest that we leave in, as I don't think that DOJ would have a problem with it, (e.g. the fact that they won't release information on pending cases).

I will forward to the Cs for their review.
Julie:

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[Email attachment: Summaries of Interviews with Donsanto-Tanner redacted-revised.doc]

---- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM ----

Julie:

I assume you mean the note associated with the Tanner interview when you mentioned the pending cases. That's fine by me. I was just a little concerned that the note as a whole was a little adversarial and whiny. If any questions arise as to why certain items should be deleted from the Donsanto interview summary, I have answers. --- Peggy
I made the correction on the titles in the report. There was one that was not correct.

There are a couple of things I may suggest that we leave in, as I don't think that DOJ would have a problem with it, (e.g. the fact that they won't release information on pending cases).

I will forward to the Cs for their review.

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

Juliet E. Hodgkins/EAC/GOV

Margaret Sims/EAC/GOV

Margaret Sims/EAC/GOV
11/30/2006 04:37 PM
To Juliet E. Hodgkins/EAC/GOV@EAC
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Summaries of Interviews with Donsanto-Tanner redacted-revised.doc
Dear Peter:

I apologize for the delayed response. The paper that the media touted as an EAC statement on vote fraud was actually just a report on the status of preliminary research into voting fraud and voter intimidation conducted by EAC consultants. The document does not represent a consensus statement on the subject by EAC. The status report was presented to the EAC Board of Advisors and the EAC Standards Board last spring. As these meetings were open to the public, the status report is available to the public. (See attached.)

EAC plans to consider a draft of its own report, which is based on the preliminary research of our consultants, at this Thursday's public meeting. (See agenda published at http://www.eac.gov/docs/Public%20Meeting,%202012-07-06,%20Wash.,%20Revised,%20Final%20Agenda.pdf.) If the report is approved, EAC will publish it on our web page.

Regards,

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

Then I need to get commishes to okay.
Brian,

Please find attached the draft fraud report press release for review. The other documents will follow in a separate email.

Jennifer

-------------------
NEW E-MAIL: jennifer.roseutley@bm.com

Jennifer Rose-Utley
Manager, Public Affairs
Burson-Marsteller
202.530.4505
jennifer.roseutley@bm.com

------------
We've Moved!

Please visit us at our new location:

Burson-Marsteller
1110 Vermont Avenue, NW, Suite 1100
Washington, DC 20005

[Attachment: Fraud Press Release - DRAFT v2.doc]

Bryan:

The two consultants were:

- Tova Wang
- Job Serebrov
The contact information for the Project Working Group, including technical advisor, Craig Donsanto, is in the attached spreadsheet.

You should also send notice to John Tanner, Chief, Voting Section, Civil Rights Division, DOJ (john.k.tanner@usdoj.gov). --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM ----

U.S. ELECTION ASSISTANCE COMMISSION
1225 New York Ave. NW – Suite 1100
Washington, DC 20005

For Immediate Release
December 7, 2006

Contact:
Jeannie Layson
Bryan Whitener
(202) 566-3100

EAC Releases Findings of Voting Fraud and Voter Intimidation Study

No consensus on the regularity of voting fraud and voting intimidation found
Agency accepts recommendations to conduct a comprehensive study on elections crimes

WASHINGTON - The United States Election Assistance Commission (EAC) today voted on the findings of the "Voting Fraud and Voter Intimidation Study" and accepted recommendations to conduct
a comprehensive assessment of all claims, charges and prosecutions of voting crimes.

The study represents the first phase of the information gathering process and includes a working definition of election crimes. EAC will now proceed with the second phase, a more comprehensive data-driven survey and study of elections crimes and voter intimidation. The new phase will offer consistency to the study and will identify a common definition of the issue for dialogue among elections officials, civil rights and voter advocacy groups, law enforcement officials, attorneys and the public.

The recommendations accepted by EAC today include:

**Survey Chief Elections Officers to Review and Assess Administrative Complaints:** EAC will survey the states' chief election officers regarding complaints that have been filed, investigated and resolved since January 1, 2004.

**Survey State Election Crime Investigation Units Regarding Complaints Filed and Referred:** EAC will gather information on the numbers and types of complaints that have been received by, investigated, and ultimately referred to local or state law enforcement by election crime investigation units since January 1, 2004.

**Survey Law Enforcement and Prosecutorial Agencies Regarding Complaints and Charge of Voting Crimes:** EAC will survey law enforcement and prosecutorial agencies at the local, state and federal level to determine the number and types of complaints, charges, or indictments, and pleas or convictions of election crimes since January 1, 2004.

**Analyze Survey Data in Light of State Laws and Procedures:** EAC will use the reliable data gathered from each survey group to analyze the effectiveness of fraud prevention and reporting measures.

In order to arrive at the findings, EAC consultants reviewed existing studies, articles, reports and case law on voting fraud and intimidation and conducted interviews with experts in the field regarding their experiences and research. According to the findings, while there is currently no consensus on the frequency of voting fraud and voter intimidation, most participants agreed that absentee balloting is subject to the greatest proportion of fraudulent acts, followed by vote buying and voter registration fraud.

Following today's vote to approve the survey recommendations, EAC will begin a comprehensive survey and subsequent study on voting fraud and voter intimidation based on hard data. Section 241 of the Help America Vote Act of 2002 (HAVA) mandates that EAC research and study various issues related to the administration of elections. During Fiscal Year 2006, EAC in consultation with the Standards Board and Board of Advisors selected voting fraud and voter intimidation from a list of potential research topics that serve to improve the administration of elections for federal office.

For the EAC's full report on the Voting Fraud and Voter Intimidation Study or to view testimony from today's hearing, visit www.eac.gov.
EAC is an independent bipartisan commission created by HAVA. It is charged with administering payments to states and developing guidance to meet HAVA requirements, implementing election administration improvements, adopting voluntary voting system guidelines, accrediting voting system test laboratories and certifying voting equipment and serving as a national clearinghouse and resource of information regarding election administration. The three EAC commissioners are Paul DeGregorio, chairman; Donetta Davidson and Gracia Hillman. One vacancy currently exists.

Commissioners,
I want to respond to Rick Hasen's post regarding EAC and the fraud report. My suggested response is below, and his original post follows. Please let me know if you agree that I should attempt to correct the misinformation he posted. If so, please let me know if you approve of my suggested response. Thank you.

Mr. Hason,
I write to point out incorrect information you posted on your website on December 11, 2006. You wrote: "Note what's missing compared to the earlier version leaked to the USA Today Newspaper." No one at the EAC leaked anything to USA Today. The reporter asked for a copy of the staff report about the fraud research that was presented at a public meeting in May to our Board of Advisors and the Standards Board, and the EAC provided it to him. This information was presented and discussed at a meeting that was open to the public, so we provided materials distributed at the meeting to anyone who requested it. The staff report about the fraud project was also distributed to every member of both advisory boards. Go here to view the Federal Register notice about the public meeting at which this project and many others were discussed.

The statement you attribute to one of the consultants is absolutely correct. As stated by their contract, these consultants were hired so that the EAC could "...obtain consulting services from an individual who can provide advice drawn from broad professional and technical experience in the area of voter fraud and intimidation."

As for your reference to what's "missing compared to the earlier version," the report contains the complete summaries of every interview conducted by the consultants as well as every book, article, report or case that was reviewed. It does not contain the synopsis of those interviews, which were written by the consultants. EAC provided the individual summaries so readers could reach their own conclusions about the substance of the interviews.
EAC's interpretation of HAVA and its determination of what it will study and how it will use its resources to study it are matters of agency policy and decision. These are not, nor should they be, determinations or decisions made by consultants. The EAC has the ultimate responsibility for the reports it issues, and it is incumbent upon the agency to conduct due diligence to ensure reports, data or any other information is complete and accurate before it is adopted by the Commission.

As someone with a public platform who informs the public about matters regarding election administration, I would appreciate it if you would extend the same professional courtesy most journalists do and contact the agency in the future if you have questions or concerns about EAC policy or actions. You may reach me directly at 202-566-3103. I appreciate your consideration in this matter.

Sincerely,
Jeannie Layson
Director of Communications
US Election Assistance Commission

More on FL-13, and a Role for the EAC?
When I saw this headline on the Sarasota Herald Tribune web page, I thought it must have been about the FL-13 race. Over on the election law listserv, Doug Johnson, responding to my commentary calling for the House to investigate the problems and declare a revote in the FL-13 race, suggested that perhaps the EAC is better situated to conduct an investigation than the House of the problems in the FL-13.
I'm afraid we might not be able to count on the EAC to conduct an investigation that is well-funded, tough, and fair. Politics appears to be creeping into decisions of the EAC's advisory board, and there's real concern about the EAC's vote fraud report. Note what's missing compared to the earlier version leaked to the USA Today newspaper. Tova Wang, who authored the draft report for the EAC, issued the following statement to me: "My co-consultant and I provided the EAC with a tremendous amount of research and analysis for this project. The EAC released what is their report yesterday."
The EAC has also lost two commissioners, one Republican and one Democrat, who appeared to be tough-minded and fair. I am very worried about the fairness and non-partisanship of the new rumored nominees.
In short, the EAC has to prove it is up to the task of fair and serious inquiry before it could be trusted with something like an investigation of the FL-13.
I agree that Jeannie should send the response.

Sent from my BlackBerry Wireless Handheld

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM -----  

Gracia Hillman/EAC/GOV  
12/14/2006 12:07 PM  

To "Paul DeGregorio" <pdegregorio@eac.gov>, "Donetta Davidson" <d davidson@eac.gov>, Thomas R. Wilkey/EAC/GOV@EAC, Juliet E. Thompson/EAC/GOV@EAC, Margaret Sims/EAC/GOV@EAC, "Jeannie Layson" <jlayson@eac.gov>, "Karen Lynn-Dyson" <klynn-dyson@eac.gov>  
cc "Sheila Banks" <sbanks@eac.gov>  
Subject People For

I know that People For the American Way delivered petitions to EAC about release of the Fraud report but I need to know what other communications EAC has had with People For about the study.

Was it represented on the study's working group? If so, by whom? Did they write to us and did we answer? Did anybody from there talk with anybody at EAC about the study and our work? Thanks.

Sent from my BlackBerry Wireless Handheld

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM -----  

Margaret Sims/EAC/GOV  
12/14/2006 12:40 PM  

To Gracia Hillman/EAC/GOV@EAC  
cc "Donetta Davidson" <d davidson@eac.gov>, "Jeannie Layson" <jlayson@eac.gov>, Juliet E. Thompson/EAC/GOV@EAC, "Karen Lynn-Dyson" <klynn-dyson@eac.gov>, "Paul DeGregorio" <pdegregorio@eac.gov>, "Sheila Banks" <sbanks@eac.gov>, Thomas R. Wilkey/EAC/GOV@EAC  
Subject Re: People For

Commissioner Hillman:

PFAW was not represented on the Working Group for the Voting Fraud-Voter Intimidation research project. Also, I have had no communications with the organization about the study. I did work with
Jeannie and Gavin on a response to PFAW's FOIA request for the study. Jeannie should have the final copy of that reply.

Peggy Sims
Election Research Specialist

Gracia Hillman/EAC/GOV

To "Paul DeGregorio" <pdegregorio@eac.gov>, "Donetta Davidson" <Ddavidson@eac.gov>, Thomas R. Wilkey/EAC/GOV@EAC, Juliet E. Thompson/EAC/GOV@EAC, Margaret Sims/EAC/GOV@EAC, "Jeannie Layson" <jlayson@eac.gov>, "Karen Lynn-Dyson" <klynn-dyson@eac.gov>
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Margaret Sims/EAC/GOV
12/14/2006 12:55 PM
To Juliet E. Hodgkins/EAC/GOV, Jeannie Layson/EAC/GOV
cc
Subject PFAW Response to EAC Vote Fraud Report

Are there any plans to rebut the PFAW response? If so, may I help? --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM -----
Jeannie Layson/EAC/GOV
12/14/2006 01:08 PM
To Margaret Sims/EAC/GOV@EAC
cc Juliet E. Hodgkins/EAC/GOV@EAC
Subject Re: PFAW Response to EAC Vote Fraud Report

I didn't get any comments from you regarding yesterday's response to Rick Hasen. Any thoughts on that?

Jeannie Layson
U.S. Election Assistance Commission
1225 New York Ave., NW
Are there any plans to rebut the PFAW response? If so, may I help? --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM -----
Margaret Sims/EAC/GOV
12/14/2006 01:19 PM
To Jeannie Layson/EAC/GOV@EAC
cc
Subject Re: PFAW Response to EAC Vote Fraud Report

Sorry. I saw a message addressed to the Commissioners. I did not realize the fact that I was cc'd meant that you wanted my comments as well. Will do better next time. In the case of PFAW, I think we may need to address other points, as well. I can put some comments in bullet form, and you can take them or leave them. --- Peggy

Jeannie Layson/EAC/GOV

12/14/2006 01:08 PM
To Margaret Sims/EAC/GOV@EAC
cc Juliet E. Hodgkins/EAC/GOV@EAC
Subject Re: PFAW Response to EAC Vote Fraud Report

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Subject Re: People For

Peg, et.al-
I did not have any interaction with this group.

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

Margaret Sims/EAC/GOV

Margaret Sims/EAC/GOV
12/14/2006 12:40 PM
To Gracia Hillman/EAC/GOV@EAC
cc "Donetta Davidson" <Ddavidson@eac.gov>, "Jeannie Layson" <jlayson@eac.gov>, Juliet E. Thompson/EAC/GOV@EAC, "Karen Lynn-Dyson" <klynn-dyson@eac.gov>, "Paul DeGregorio" <pdegregorio@eac.gov>, "Sheila Banks" <sbanks@eac.gov>, Thomas R. Wilkey/EAC/GOV@EAC
Subject Re: People For

Commissioner Hillman:
PFAW was not represented on the Working Group for the Voting Fraud-Voter Intimidation research project. Also, I have had no communications with the organization about the study. I did work with Jeannie and Gavin on a response to PFAW’s FOIA request for the study. Jeannie should have the final copy of that reply.

Peggy Sims
Election Research Specialist

I know that People For the American Way delivered petitions to EAC about release of the Fraud report but I need to know what other communications EAC has had with People For about the study.

Was it represented on the study's working group? If so, by whom? Did they write to us and did we answer? Did anybody from there talk with anybody at EAC about the study and our work? Thanks.

Sent from my BlackBerry Wireless Handheld

Attached is the suggested timeline that I offered for the Election Crimes Study.

It is an excel spreadsheet, which, if printed, should be done with Landscape layout. If printed on 8 1/2 x 11 paper, it will print as two pages.
Was the report that was drafted after the working group meeting or the interviews done with EAC participant reviewed after the draft was completed. Need this right away

Sent from my BlackBerry Wireless Handheld

----- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM -----

Karen Lynn-Dyson/EAC/GOV
01/26/2007 11:49 AM
To: Eileen L. Kuala/EAC/GOV@EAC
Cc: Margaret Sims/EAC/GOV@EAC
Subject: Re: 

Peg-

Could you get Elle and answer on this, if she hasn't already gotten one?

Thanks

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

Eileen L. Kuala/EAC/GOV

Hey Karen,

Did Barbara Arnwine ever attend ANY of the voter fraud working group meetings?

Thanks,
I already got one, thanks!

Elle L.K. Kuala
Special Assistant to the Chair
U.S. Election Assistance Commission
office: (202) 566-2256
blackberry: (202) 294-9251

Karen Lynn-Dyson/EAC/GOV

Peg-

Could you get Elle and answer on this, if she hasn't already gotten one?

Thanks

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

Did Barbara Arnwine ever attend ANY of the voter fraud working group meetings?

Thanks,
Elle
Elle Collver
U.S. Election Assistance Commission
1225 New York Avenue, Suite 1100
Washington, D.C. 20005
(202) 566-2256
www.eac.gov

Sent from my BlackBerry Wireless Handheld

--- Forwarded by Margaret Sims/EAC/GOV on 04/24/2007 02:50 PM ---

Juliet E. Hodgkins/EAC/GOV
02/09/2007 05:45 PM
To Margaret Sims/EAC/GOV@EAC
cc
Subject Fw: 1099

Juliet Thompson Hodgkins
General Counsel
United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100
--- Forwarded by Juliet E. Hodgkins/EAC/GOV on 02/09/2007 05:44 PM ---

"Job Serebrov"
02/09/2007 05:33 PM
To "Julie Thompson-Hodgkins" <jhodgkins@eac.gov>
cc
Subject 1099
Curtis:

I believe that the only items I have in hard copy, and not in electronic format, are my working copies of the contracts (official copies would be in the agency contract files), the monthly pay invoices and travel reimbursement requests submitted by the consultants, and some DOJ training documentation that was given to us on condition that we keep it confidential.

Other than emails, the documentation that is in electronic form is housed in EAC’s shared drawer at T:\RESEARCH IN PROGRESS\VOTING FRAUD-VOTER INTIMIDATION. Do you have read access to that?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

Curtis Crider/EAC/GOV

All:

The Office of Inspector General has initiated an evaluation of the contracting process used by the EAC for the voter fraud and voter intimidation projects. In order for us to complete our evaluation, we need copies of all e-mails or other documents that you have regarding either project. Electronic documents can be sent to an e-mail account that we have set up- eaccon@eac.gov. If you have any hard copy documents, please let me know.

If you do not have any documents or e-mails, please send me an e-mail to that effect.

Thank you,

Curtis Crider
Office of Inspector General, Election Assistance Commission
Phone - (202) 566-3125
Fax - (202) 566-0957

Important: This electronic transmission is intended for the use of the individual or entity to which it is
Fifth batch attached. More to come. --- Peggy Sims

Please do ask him. Thanks

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, April 03, 2006 4:14 PM
To: [REDACTED]
Subject: Fw: DOJ Training Materials

Devon's response is attached. Guess I'll add this to the list of questions going to Donsanto.
---Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/03/2006 05:12 PM -----

Peggy,

The sections that you listed below are also empty in our copy. I have attached a copy of the complete table of contents with all of the section that are empty in our copy of the 2004 DOJ training binder.

Thanks,

Devon
Hi Peg,

I will call J.R. on Thursday to run it by him and let you know what he says. As for my availability on Wednesday, April 12, the answer is "yes". Morning is best for me, although I could be available in the afternoon. You choose a time and I will be here.

Thanks,

Tony

----- Original Message -----
Intimidation Working Group

Tony:

Which one do you think would be best? J.R. Perez, as Election Administrator, should have knowledge of voting fraud and voter intimidation in both voter registration and voting. I assume that, though Patricia is the voter registration supervisor, she also would have knowledge of voting fraud and voter intimidation in balloting. Would they be available in May for a meeting of the project working group? Who could best stand up to the DNC and RNC counsels?

On a related matter, would you be available for our consultants to interview you by telephone next Wednesday? If so, let me know a convenient time. I'll confirm the time with the two consultants, Job Serebrov and Tova Wang. Then, I'll get back to you with the toll-free line and pass code you will need to use for the teleconference.

Thanks!

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

Good Afternoon Peg,

How about J. R. Perez, Elections Administrator, Guadalupe County or Patricia Benavides, Voting Registration Supervisor, Tarrant County, Texas?

Tony
Dear Tony,
Unfortunately both Javier and myself have to decline in being members of the working group from Texas. It is a bad time of the year where we have so many elections and would not be able to contribute enough time to doing research of any kind. Please keep us in mind for future meetings.

Helen Jamison

Helen, Javier,

Attached is the information from the EAC requesting your services as a member of the working group from Texas. Please let me know in a couple of days if one of you will be able to participate. If you need more information, call me and I will conference in with Peggy Sims, who can give you more details.

Thanks,

Tony

Tony:

Thanks for being willing to help me identify a qualified, nonpartisan local election official to serve on our Project Working Group for the preliminary research being conducted on voting fraud and voter intimidation.

Background
Section 241 of the Help America Vote Act of 2002 requires EAC to conduct research on election administration issues. Among the issues listed in the statute are the development of:

1. nationwide statistics and methods of identifying, deterring, and investigating voting fraud in elections for Federal office [section 241(b)(6)]; and
2. methods of identifying, deterring, and investigating methods of voter intimidation [section 241(b)(7)].

EAC's Board of Advisors recommended that EAC make research on these topics a high priority.

Preliminary EAC Research

Subsequently, the Commission contracted with two consultants (Tova Wang and Job Serebrov) to:

1. develop a comprehensive description of what constitutes voting fraud and voter intimidation in the context of Federal elections;
2. perform preliminary research on these topics (including Federal and State administrative and case law review), identify related activities of key government agencies and civic and advocacy organizations, and deliver a summary of this research and all source documentation;
3. convene a meeting of a project working group composed of key individuals and representatives of organizations knowledgeable about the topics of voting fraud and voter intimidation, provide the results of the preliminary research to the working group, and record the working group's deliberations; and
4. produce a report to EAC summarizing the findings of the preliminary research effort and working group deliberations that includes recommendations for future EAC action, if any.

The Project Working Group will probably meet only once during this preliminary research effort (probably in late April) to review the consultants research and provide input. Other members of the Working Group are lawyers from advocacy groups and major political parties, two State election officials, and Barry Weinberg, former Deputy Chief of DOJ's Voting Section, Civil Rights Division. Craig Donsanto, Director of DOJ's Election Crimes Branch will serve as a technical advisor to the group.

I really appreciate any help you can offer in identifying a qualified individual to fill the slot on the Working Group that has been reserved for an experienced, nonpartisan local election official.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

"Tony J. Sirvello III" -

04/04/2006 02:17 PM  To "Peggy Sims" <psims@eac.gov>
cc
Subje Fw: Nonpartisan Local Election Official Needed for Voting Fraud/Voter Intimidation
ct Working Group
Good Afternoon Peg,

How about J. R. Perez, Elections Administrator, Guadalupe County or Patricia Benavides, Voting Registration Supervisor, Tarrant County, Texas?

Tony

----- Original Message ----- 
From: Helen Jamison
To: Tony J. Sirvello III
Sent: Tuesday, April 04, 2006 11:46 AM
Subject: RE: Nonpartisan Local Election Official Needed for Voting Fraud/Voter Intimidation Working Group

Dear Tony,
Unfortunately both Javier and myself have to decline in being members of the working group from Texas. It is a bad time of the year where we have so many elections and would not be able to contribute enough time to doing research of any kind. Please keep us in mind for future meetings.

Helen Jamison

-----Original Message-----
From: Tony J. Sirvello III [mailto:tjthree@msn.com]
Sent: Monday, April 03, 2006 1:19 PM
To: Helen Jamison; Javier Chacon
Subject: Fw: Nonpartisan Local Election Official Needed for Voting Fraud/Voter Intimidation Working Group

Helen, Javier,

Attached is the information from the EAC requesting your services as a member of the working group from Texas. Please let me know in a couple of days if one of you will be able to participate. If you need more information, call me and I will conference in with Peggy Sims, who can give you more details.

Thanks,

Tony

----- Original Message ----- 
From: psims@eac.gov
To: m
Sent: Thursday, March 16, 2006 10:29 AM
Subject: Nonpartisan Local Election Official Needed for Voting Fraud/Voter Intimidation Working Group

Tony:

Thanks for being willing to help me identify a qualified, nonpartisan local election official to serve on our Project Working Group for the preliminary research being conducted on voting fraud and voter intimidation.

Background

Section 241 of the Help America Vote Act of 2002 requires EAC to conduct research on election administration issues. Among the issues listed in the statute are the development of:

1. nationwide statistics and methods of identifying, deterring, and investigating voting fraud in elections for Federal office (section 241(b)(6)); and
2. methods of identifying, deterring, and investigating methods of voter intimidation (section 241(b)(7)).

EAC's Board of Advisors recommended that EAC make research on these topics a high priority.

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Subsequently, the Commission contracted with two consultants (Tova Wang and Job Serebrov) to:

1. develop a comprehensive description of what constitutes voting fraud and voter intimidation in the context of Federal elections;
2. perform preliminary research on these topics (including Federal and State administrative and case law review), identify related activities of key government agencies and civic and advocacy organizations, and deliver a summary of this research and all source documentation;
3. convene a meeting of a project working group composed of key individuals and representatives of organizations knowledgeable about the topics of voting fraud and voter intimidation, provide the results of the preliminary research to the working group, and record the working group's deliberations; and
4. produce a report to EAC summarizing the findings of the preliminary research effort and working group deliberations that includes recommendations for future EAC action, if any.

The Project Working Group will probably meet only once during this preliminary research effort (probably in late April) to review the consultants research and provide input. Other members of the Working Group are lawyers from advocacy groups and major political parties, two State election officials, and Barry Weinberg, former Deputy Chief of DOJ's Voting Section, Civil Rights Division. Craig Donsanto, Director of DOJ's Election Crimes Branch will serve as a technical advisor to the group.

I really appreciate any help you can offer in identifying a qualified individual to fill the slot on the Working Group that has been reserved for an experienced, nonpartisan local election official.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Tony:

How about scheduling the teleconference with our consultants for 10 AM CST/11 AM EST on Wednesday, April 12? — Peggy

No, except it means pushing everything back, ie the final report. I suppose we could, as we discussed, take a week or two off in May and tack it on to June. There's no way we could write a final report in ten days, obviously. That would be fine with me.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, April 04, 2006 8:46 AM
To: Tova Andrea Wang; Job Serebrov
Subject: Project Working Group Meeting

The Chairman and Vice Chairman are interested in attending the meeting. Due to schedule conflicts, they are asking us to look at the week of May 15. Does that pose a problem for either of you peggy

--------------------------
Sent from my BlackBerry Wireless Handheld
That's fine, just asking.

-----Original Message-----
From: Job Serebrov [mailto:s Callback.net]
Sent: Wednesday, April 12, 2006 11:26 AM
To: Tova Wang; psims@eac.gov
Cc: 'Job Serebrov'; 'Nicole Mortellito'
Subject: Re: working group meeting

It was my understanding that the meeting would be on the 15th or later.

Tova, Peggy is out of the office this week.

--- Tova Wang <Callback.net> wrote:

> I cannot do it on May 5 now. Any update on a date?
> I will be in DC for other meetings May 4 - May 7 if that makes any
difference (EAC would not have to pay my transportation if it was on, for example, Monday May 8 or possibly even the 9th) Thanks.
>
> Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021
>
> Visit our Web site, for the latest news,
analysis, opinions, and events.
>
> Click here to receive our weekly e-mail updates.
>

--- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM ---

"Tova Wang"

04/11/2006 11:42 AM

To psims@eac.gov, "Job Serebrov" cc "Nicole Mortellito" <nmortellito@eac.gov>

Subject RE: Kennedy Interview
As I have alerted Nicole, the call is not working. Someone ought to get in touch with Kevin -- I do not have his contact information.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, April 10, 2006 8:45 PM
To: Tova Andrea Wang; Job Serebrov
Subject: Kennedy Interview

It appears that the teleconference with Kevin Kennedy is set for tomorrow, April 11, at 10:30 AM CST/11:30 AM EST. Use the usual phone number (866-222-9044) and passcode (62209).

If you have trouble connecting, contact Nicole.

Peg

Sent from my BlackBerry Wireless Handheld

the call is up and running!! you may dial in

Regards,

Nicole K. Mortellito
Research Assistant
U.S. Election Assistance Commission
1225 New York Avenue - Suite 1100
Washington, DC
202.566.2209 phone
202.566.3128 fax

"Tova Wang"
"Nicole Mortellito" <nmortellito@eac.gov>
Subject RE: Kennedy Interview

As I have alerted Nicole, the call is not working. Someone ought to get in touch with Kevin -- I do not have his contact information.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, April 10, 2006 8:45 PM
To: Tova Andrea Wang; Job Serebrov
Subject: Kennedy Interview

It appears that the teleconference with Kevin Kennedy is set for tomorrow, April 11, at 10:30 AM CST/11:30 AM EST. Use the usual phone number (866-222-9044) and passcode (62209).

If you have trouble connecting, contact Nicole.

Peg

--------------------------
Sent from my BlackBerry Wireless Handheld

----- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM -----

Nicole Mortellito/CONTRACTOR/EA C/GOV
04/10/2006 10:05 AM

To Margaret Sims/EAC/GOV@EAC cc
Subject Re: Teleconference set up

You are set for the 12th at 11am 866-222-9044 pass code 62209

Regards,

Nicole K. Mortellito
Research Assistant
U.S. Election Assistance Commission
1225 New York Avenue - Suite 1100
Washington, DC
202.566.2209 phone
202.566.3128 fax
Margaret Sims/EAC/GOV
Nicole:
Could you please help me set up a teleconference for Wednesday, April 12 at 11 AM EST (for 1 hour)?
Please send me confirmation.
Peg

Sent from my BlackBerry Wireless Handheld

----- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM -----
"Weinberg and Utrecht"
04/04/2006 08:14 AM
to psims@eac.gov
cc
Subject Re: Voting Fraud-Voter Intimidation Project

Peggy:
May looks pretty good right now. I will not be available May 1, or in the morning (before 12:30) on May
4 or May 11, or in the afternoon on May 10.
Barry

----- Original Message ----- 
From: psims@eac.gov 
To: 
Sent: Monday, April 03, 2006 3:15 PM 
Subject: Voting Fraud-Voter Intimidation Project

Hi, Barry:

I'm trying to arrange a meeting of the Working Group for EAC's Voting Fraud-Voter Intimidation project. 
Would you please look at your schedule and let me know if there are any days during the first 2 weeks of
May that you would NOT be available?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov
I didn't have anything specific in mind yet, especially as I have not finished going through the voluminous documentation, but I will let you know

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, April 03, 2006 2:41 PM
To: stuff@doe.com; george@johnson.com
Subject: Mentioning DOJ Training Guidance

Tova and Job:

Craig Donsanto responds that it is not possible for him to assess the level of public attribution that would be appropriate without seeing the substantive stuff in context. He does not foresee a problem; but recommends that I provide him with the draft text. He will review it to ensure we are not disclosing things we shouldn't disclose.

Therefore, please provide the draft text to me ASAP, so that I can forward it to him for review. I suspect he will provide me with a prompt response, which I will forward to you.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
e-mail: psims@eac.gov

That time is fine. A half hour earlier would be better. I also have a 12 CDT meeting.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Friday, April 07, 2006 12:27 PM
To: Kevin Kennedy  
Subject: Interview

Kevin:
I’m just following up on my request for your availability to be interviewed by our consultants for our voting fraud/voter intimidation project. Are you available Tuesday, April 11 at 11 AM CST?  
Peggy Sims

--------------------------
Sent from my BlackBerry Wireless Handheld

----- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM -----  
Margaret Sims/EAC/GOV  
04/03/2006 05:11 PM  
To "Job Serebrov"  
cc  
Subject Re: Working Group Contact Info

Thanks, Job! --- Peggy

"Job Serebrov" <[personal_email]>

"Job Serebrov"  
04/03/2006 04:57 PM  
To psims@eac.gov  
cc  
Subject Re: Working Group Contact Info

Norcros's assistant is Maria Rivers:  
Rivers@BlankRome.com

Rokita's assistant is:

Amy Miller  
Executive Assistant  
Indiana Secretary of State Todd Rokita

--- psims@eac.gov wrote:

> Please review the attached and let me know of any corrections that should be made. Thanks! --- Peggy
>
>
Lets discuss this in 10 minutes.

--- psims@eac.gov wrote:

> Tova and Job:
> 
> Craig Donsanto responds that it is not possible for
> him to assess the
> level of public attribution that would be
> appropriate without seeing the
> substantive stuff in context. He does not foresee a
> problem; but
> recommends that I provide him with the draft text.
> He will review it to
> ensure we are not disclosing things we shouldn’t
disclose.
> 
> Therefore, please provide the draft text to me ASAP,
> so that I can forward
> it to him for review. I suspect he will provide me
> with a prompt
> response, which I will forward to you.
> 
> Peggy Sims
> Election Research Specialist
> U.S. Election Assistance Commission
> 1225 New York Ave, NW - Ste 1100
> Washington, DC 20005
> Phone: 866-747-1471 (toll free) or 202-566-3120
> (direct)
> Fax: 202-566-3127
> email: psims@eac.gov
>

--- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM ---

"Tova Wang"
04/04/2006 01:30 PM

To psims@eac.gov
cc "Job Serebrov" "Tova Wang"

Subject working group agenda
Hi Peg,

Attached is a draft of an agenda for the working group. Let us know what you think. Thanks. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021

Visit our Web site, for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.

--- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM ---

"Job Serebrov"
04/04/2006 12:35 PM
To psims@eac.gov, "Tova Andrea Wang"
cc
Subject Re: Project Working Group Meeting

Peggy:

Here is my situation. I am to go to work full time for the Governor at some time in June. I just don't know when and because we are having a special session right now, no one can give me any indications as to the date. The special session will last for at least two weeks. However, I had to arrange a job because the contract ends at the end of May. So---all of this said---if, for instance, I go to work for the Governor the first week of June, I will only be able to work on EAC matters after hours at night.

Job

--- psims@eac.gov wrote:

> The Chairman and Vice Chairman are interested in
> attending the meeting. Due
> to schedule conflicts, they are asking us to look at
> the week of May 15.
> Does that pose a problem for either of you peggy
> "
> --------------------------
> Sent from my BlackBerry Wireless Handheld
> >
> >
> >
Sorry, you mean it's today. OK, thanks. Tova

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, April 10, 2006 8:45 PM
To: Tova Andrea Wang; Job Serebrov
Subject: Kennedy Interview

It appears that the teleconference with Kevin Kennedy is set for tomorrow, April 11, at 10:30 AM CST/11:30 AM EST. Use the usual phone number (866-222-9044) and passcode (62209).

If you have trouble connecting, contact Nicole.
Peg

--------------------------
Sent from my BlackBerry Wireless Handheld

Kevin:

Following up on yesterday's conversation, would you be available next Tuesday (4/11) to be interviewed by phone by our consultants on the Voting Fraud-Voter Intimidation research project? The interview is likely to take less than an hour. You pick the time and I'll confirm it with our consultants, Tova Wang and Job Serebrov. Then, I'll send you an email with the toll-free number and pass code that you will need for the teleconference.

EAC is conducting this preliminary research to determine how best to meet HAVA requirements. Section 241 of the Help America Vote Act of 2002 requires EAC to conduct research on election administration issues. Among the issues listed in the statute are the development of:
• nationwide statistics and methods of identifying, deterring, and investigating voting fraud in elections for Federal office [section 241(b)(6)]; and
• methods of identifying, deterring, and investigating methods of voter intimidation [section 241(b)(7)].

Please let me know if you have any questions. Thanks.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM -----

Margaret Sims/EAC/GOV
04/03/2006 04:33 PM
To: Tova Andrea Wang, Job Serebrov
cc
Subject: Working Group Contact Info

Please review the attached and let me know of any corrections that should be made. Thanks! --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM -----

Margaret Sims/EAC/GOV
04/03/2006 03:41 PM
To: "Donsanto, Craig" <Craig.Donsanto@usdoj.gov>@GSAEXTERNAL
cc
Subject: RE: Voting Fraud-Voter Intimidation Project

Thanks, Craig! --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

----- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM -----

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

04/03/2006 03:16 PM
To: psims@eac.gov
cc
Subject: RE: Voting Fraud-Voter Intimidation Project

Hello Peg!

God willing, I will be here the first two weeks of May.
As for your second question, it is not possible for me to assess the level of public attribution that would be appropriate without seeing the substantive stuff in context. I do not foresee a problem. So, I recommend that you get me a draft text and I will review it to ensure we are not disclosing things we shouldn't disclose.

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, April 03, 2006 3:13 PM
To: Donsanto, Craig
Subject: Re: Voting Fraud-Voter Intimidation Project

Craig:

I have 2 issues for you today.

First, I am trying to schedule a meeting of the project working group for EAC's Voting Fraud-Voter Intimidation research project. As a technical advisor on this project, your attendance is particularly important to me. Would you please look at your schedule and let me know if there are any days during the first 2 weeks of May that you would NOT be available?

Second, is it OK for our consultants to refer in their report to guidance provided in the DOJ training materials? I ask this because I understood that some materials in the materials are considered confidential and we do not want to violate your confidentiality provisions. If there is a compromis position, such as having you review that portion of the consultants' report, then let me know.

Thanks!

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
e-mail: psims@eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM ----
"Tova Wang"
04/10/2006 11:04 AM
To psims@eac.gov
cc "Job Serebro" serebro@alcglobal.net
Subject small question for Donsanto

Could you please also ask him what the training materials are referring to when they discuss "ballot box stuffing?" Does this mean elections workers add extra votes? Thanks so much. Tova

Tova Andrea Wang
Craig is on the list because the Commission requested he serve as a technical advisory to the project. Although not a member of the project working group, I do need to check his availability for the meeting.

I tried to tell you on the phone that we still are trying to confirm the El Paso County, TX election official for the working group. (Several attempts have been made to contact the Election Director, but she has been out of town.) If we can’t get her, we will try for her deputy (also Hispanic). Once I have a response that one of them is willing to serve, I’ll update the contact info table and see if I can’t get a bio for you two to review. --- Peggy

"Tova Wang"

Why is Craig Donsanto on the list? And what happened about the local election official? Thanks. Tova

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, April 03, 2006 3:33 PM
To: wang@tcf.org; serebrov@sbcglobal.net
Subject: Working Group Contact Info

Please review the attached and let me know of any corrections that should be made. Thanks! --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM -----
"Tova Wang"
That gives us no time between interviews though, right? We've never been able to really limit it to 30 minutes.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, April 10, 2006 8:45 PM
To: Tova Andrea Wang; Job Serebrov
Subject: Kennedy Interview

It appears that the teleconference with Kevin Kennedy is set for tomorrow, April 11, at 10:30 AM CST/11:30 AM EST. Use the usual phone number (866-222-9044) and passcode (62209).

If you have trouble connecting, contact Nicole.

Peg

--------------------------
Sent from my BlackBerry Wireless Handheld

Peggy:
The interviews are ok with me.

Tova:
I think I should write the review on the IFES white paper instead of the red book.

Job

--- psims@eac.gov wrote:

> Hi, Job and Tova:
Tony Sirvello (former election director for Harris County, TX and current Executive Director of the International Association of Clerks, Recorders, Election Officials and Treasurers) can make himself available for an interview next Wednesday morning (4/12). He is on CST. Is there a time that works well for the two of you? How about 10 AM CST/11 AM EST? I saw Kevin Kennedy at a meeting in our office this past Tuesday. We are trying to set up an interview with him next Tuesday (4/11).

I asked Donsanto about an updated version of his Prosecution of Election Offenses. He responded that it is at the printers and will not be available for a couple of months. In the interim, he referred me to the white paper he did for IFES, which I have attached. He said that the white paper includes the same information on the prosecution of election fraud that will be in the book. --- Peggy

Hi Peg,

I've just made it through the 2004 binder of materials and have two questions. First, I understand that these materials are confidential, but may we refer to guidance provided in them in our report? Otherwise they are of not much use to us. There's not that much in it that would add to what Donsanto and Tanner told us, but there are a few issues raised that I believe might be germane.

Second, there are several sections evidently missing from the 2004 binder and I'm not sure if thats because of what Donsanto sent over or a problem in the photocopying. From what I can see, some of the table of contents is missing and tabs 14, 15, 16, 17, 21, 23 and 26 are all empty. Can you please look into this?

Thanks and I look forward to speaking to you tomorrow. Tova

--- Forwarded by Margaret Sims/EAC/OV on 05/01/2007 08:46 PM ---

Margaret Sims/EAC/OV
Tony:

Which one do you think would be best? J.R. Perez, as Election Administrator, should have knowledge of voting fraud and voter intimidation in both voter registration and voting. I assume that, though Patricia is the voter registration supervisor, she also would have knowledge of voting fraud and voter intimidation in balloting. Would they be available in May for a meeting of the project working group? Who could best stand up to the DNC and RNC counsels?

On a related matter, would you be available for our consultants to interview you by telephone next Wednesday? If so, let me know a convenient time. I'll confirm the time with the two consultants, Job Serebrov and Tova Wang. Then, I'll get back to you with the toll-free line and pass code you will need to use for the teleconference.

Thanks!

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
e-mail: psims@eac.gov

Good Afternoon Peg,

How about J. R. Perez, Elections Administrator, Guadalupe County or Patricia Benavides, Voting Registration Supervisor, Tarrant County, Texas?

Tony

----- Original Message -----
Dear Tony,

Unfortunately both Javier and myself have to decline in being members of the working group from Texas. It is a bad time of the year where we have so many elections and would not be able to contribute enough time to doing research of any kind. Please keep us in mind for future meetings.

Helen Jamison

-----Original Message-----
From: Tony J. Sirvello III
Sent: Monday, April 03, 2006 1:19 PM
To: Helen Jamison; Javier Chacon
Subject: Fw: Nonpartisan Local Election Official Needed for Voting Fraud/Voter Intimidation Working Group

Helen, Javier,

Attached is the information from the EAC requesting your services as a member of the working group from Texas. Please let me know in a couple of days if one of you will be able to participate. If you need more information, call me and I will conference in with Peggy Sims, who can give you more details.

Thanks,

Tony

----- Original Message ----- 
From: psims@eac.gov
To: 
Sent: Thursday, March 16, 2006 10:29 AM
Subject: Nonpartisan Local Election Official Needed for Voting Fraud/Voter Intimidation Working Group

Tony:

Thanks for being willing to help me identify a qualified, nonpartisan local election official to serve on our Project Working Group for the preliminary research being conducted on voting fraud and voter intimidation.

Background

Section 241 of the Help America Vote Act of 2002 requires EAC to conduct research on election administration issues. Among the issues listed in the statute are the development of:
1. nationwide statistics and methods of identifying, deterring, and investigating voting fraud in elections for Federal office [section 241(b)(6)]; and
2. methods of identifying, deterring, and investigating methods of voter intimidation [section 241(b)(7)].

EAC's Board of Advisors recommended that EAC make research on these topics a high priority.

Preliminary EAC Research

Subsequently, the Commission contracted with two consultants (Tova Wang and Job Serebrov) to:

1. develop a comprehensive description of what constitutes voting fraud and voter intimidation in the context of Federal elections;
2. perform preliminary research on these topics (including Federal and State administrative and case law review), identify related activities of key government agencies and civic and advocacy organizations, and deliver a summary of this research and all source documentation;
3. convene a meeting of a project working group composed of key individuals and representatives of organizations knowledgeable about the topics of voting fraud and voter intimidation, provide the results of the preliminary research to the working group, and record the working group's deliberations; and
4. produce a report to EAC summarizing the findings of the preliminary research effort and working group deliberations that includes recommendations for future EAC action, if any.

The Project Working Group will probably meet only once during this preliminary research effort (probably in late April) to review the consultants research and provide input. Other members of the Working Group are lawyers from advocacy groups and major political parties, two State election officials, and Barry Weinberg, former Deputy Chief of DOJ's Voting Section, Civil Rights Division. Craig Donsanto, Director of DOJ's Election Crimes Branch will serve as a technical advisor to the group.

I really appreciate any help you can offer in identifying a qualified individual to fill the slot on the Working Group that has been reserved for an experienced, nonpartisan local election official.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

"Tony J. Sirvello III" <tjsthree@msn.com>
Good Afternoon Peg,

How about J. R. Perez, Elections Administrator, Guadalupe County or Patricia Benavides, Voting Registration Supervisor, Tarrant County, Texas?

Tony

----- Original Message -----  
From: Helen Jamison  
To: Tony J. Sirvello III  
Sent: Tuesday, April 04, 2006 11:46 AM  
Subject: RE: Nonpartisan Local Election Official Needed for Voting Fraud/Voter Intimidation Working Group

Dear Tony, 
Unfortunately both Javier and myself have to decline in being members of the working group from Texas. It is a bad time of the year where we have so many elections and would not be able to contribute enough time to doing research of any kind. Please keep us in mind for future meetings.
Helen Jamison

-----Original Message-----
From: Tony J. Sirvello III [mailto:tjthree@msn.com]
Sent: Monday, April 03, 2006 1:19 PM
To: Helen Jamison; Javier Chacon
Subject: Fw: Nonpartisan Local Election Official Needed for Voting Fraud/Voter Intimidation Working Group

Helen, Javier,

Attached is the information from the EAC requesting your services as a member of the working group from Texas. Please let me know in a couple of days if one of you will be able to participate. If you need more information, call me and I will conference in with Peggy Sims, who can give you more details.

Thanks,

Tony

----- Original Message ----- 
From: psims@eac.gov  
To:  
Sent: Thursday, March 16, 2006 10:29 AM
Subject: Nonpartisan Local Election Official Needed for Voting Fraud/Voter Intimidation Working Group

Tony:

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2. perform preliminary research on these topics (including Federal and State administrative and case law review), identify related activities of key government agencies and civic and advocacy organizations, and deliver a summary of this research and all source documentation;
3. convene a meeting of a project working group composed of key individuals and representatives of organizations knowledgeable about the topics of voting fraud and voter intimidation, provide the results of the preliminary research to the working group, and record the working group’s deliberations; and
4. produce a report to EAC summarizing the findings of the preliminary research effort and working group deliberations that includes recommendations for future EAC action, if any.

The Project Working Group will probably meet only once during this preliminary research effort (probably in late April) to review the consultants research and provide input. Other members of the Working Group are lawyers from advocacy groups and major political parties, two State election officials, and Barry Weinberg, former Deputy Chief of DOJ’s Voting Section, Civil Rights Division. Craig Donsanto, Director of DOJ’s Election Crimes Branch will serve as a technical advisor to the group.

I really appreciate any help you can offer in identifying a qualified individual to fill the slot on the Working Group that has been reserved for an experienced, nonpartisan local election official.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
The fraud chapter has been published by IFES as part of their Money and Politics Program. It's on their website. I tweaked the text a bit and presented it in Abjua. The rest of it is regretably not public at present.

--------------------------
Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed Apr 05 17:26:12 2006
Subject: Re: Voting Fraud-Voter Intimidation Project

Is there any way to get an advance copy? Our consultants will need to review it before you receive your printed versions. --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
To
psims@eac.gov

cc

Subject
Re: Voting Fraud-Voter Intimidation Project

The 7th edition is done and on its way to the printer. It is my hope to get it our in a couple months.
--------------------------
Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed Apr 05 13:05:15 2006
Subject: Voting Fraud-Voter Intimidation Project

Craig:

In reviewing the great materials you gave our consultants, we have not found an updated draft of your famous Prosecution of Election Offenses. Is that available for review? If you have a pdf version, I could pass that on to our consultants (noting any restrictions you may have on use).

Also, we noticed some gaps in the 2004 DOJ training binder. It appears that we are missing the Chris Herren information from Panel 3 and something titled "July 21, 2004" from Panel 4. If these were removed because we should not see them, just let me know.

I also have to check your availability the week of May15. I'm still trying to find a date that everyone will be available for the working group meeting.

Sorry to bug you. Hope all is going well.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
e-mail: psims@eac.gov
Hi, Barry:

I'm trying to arrange a meeting of the Working Group for EAC's Voting Fraud-Voter Intimidation project. Would you please look at your schedule and let me know if there are any days during the first 2 weeks of May that you would NOT be available?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

I've been trying to schedule an interview (by teleconference) among our two consultants, Tova Wang and Job Serebrov, and an election attorney, Colleen McAndrews (310/458-1405). I had to leave your name with her assistant, today, just in case she calls back when I am out of the office.

The EAC consultants are available for interviews next week before 4:30 AM EST on Monday (4/10) and in the afternoon on Wednesday (4/12). Email info on any teleconferences scheduled to Job (serebrov@sbcglobal.net) and Tova (wang@tcf.org). Job operates on CST; Tova on EST.

Thanks! --- Peggy

That time is fine for me. Thanks.

----- Original Message -----
From: psims@eac.gov
To: [Redacted]
Sent: Thursday, April 06, 2006 9:35 AM
Subject: Upcoming Interviews-DOJ Info

Hi, Job and Tova:

Tony Sirvello (former election director for Harris County, TX and current Executive Director of the International Association of Clerks, Recorders, Election Officials and Treasurers) can make himself available for an interview next Wednesday morning (4/12). He is on CST. Is there a time that works well for the two of you? How about 10 AM CST/11 AM EST? I saw Kevin Kennedy at a meeting in our office this past Tuesday. We are trying to set up an interview with him next Tuesday (4/11).

I asked Donsanto about an updated version of his *Prosecution of Election Offenses*. He responded that it is at the printers and will not be available for a couple of months. In the interim, he referred me to the white paper he did for IFES, which I have attached. He said that the white paper includes the same information on the prosecution of election fraud that will be in the book. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM -----

"Kennedy, Kevin"
To "psims@eac.gov"
cc
04/10/2006 02:35 PM
Subject RE: Interview

Thank you.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, April 10, 2006 11:02 AM
To: Kevin Kennedy
Subject: Re: Interview

I am trying to arrange the teleconference for 10:30 AM CST tomorrow, April 11. Will get back to you once confirmed.
Peggy

--------------------------
Sent from my BlackBerry Wireless Handheld

----- Original Message -----  
From: "Kennedy, Kevin" [Kevin.Kennedy@seb.state.wi.us]
Sent: 04/09/2006 11:13 AM
To: "psims@eac.gov" <psims@eac.gov>
Subject: RE: Interview

That time is fine. A half hour earlier would be better. I also have a 12 CDT
meeting.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Friday, April 07, 2006 12:27 PM
To: Kevin Kennedy
Subject: Interview

Kevin:
I'm just following up on my request for your availability to be interviewed by our consultants for our voting fraud/voter intimidation project. Are you available Tuesday, April 11 at 11 AM CST?
Peggy Sims

--------------------------
Sent from my BlackBerry Wireless Handheld

----- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM -----
Nicole Mortellito/CONTRACTOR/EA C/GOV
04/11/2006 11:45 AM
To "Tova Wang" psims@eac.gov
cc psims@eac.gov
Subject conf call is up and running

all dial in info is the same!

Regards,

Nicole K. Mortellito
Research Assistant
U.S. Election Assistance Commission
1225 New York Avenue - Suite 1100
Washington, DC
202.566.2209 phone
202.566.3128 fax

----- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM -----
Margaret Sims/EAC/GOV
04/03/2006 03:18 PM
To serebrov@sbcglobal.net
cc serebrov@sbcglobal.net
Subject Re: doj training materials

Tova:
I'm checking with Craig regarding reference in our report to the DOJ training materials. The 2004 DOJ training materials did not have a table of contents. I think Devon added that to help you find your way
Hi Peg,

I've just made it through the 2004 binder of materials and have two questions. First, I understand that these materials are confidential, but may we refer to guidance provided in them in our report? Otherwise they are of not much use to us. There's not that much in it that would add to what Donsanto and Tanner told us, but there are a few issues raised that I believe might be germane.

Second, there are several sections evidently missing from the 2004 binder and I'm not sure if that's because of what Donsanto sent over or a problem in the photocopying. From what I can see, some of the table of contents is missing and tabs 14, 15, 16, 17, 21, 23 and 26 are all empty. Can you please look into this?

Thanks and I look forward to speaking to you tomorrow. Tova

--- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM ---

Devon E. Romig/EAC/GOV
04/07/2006 11:12 AM

To
cc Margaret Sims/EAC/GOV@EAC, Edgardo Cortes/EAC/GOV@EAC
Subject Travel voucher

Ms. Wang,

My name is Devon Romig and I am working with Peggy and Edgardo at the EAC. I have completed a travel voucher for you and I need your signature in order to submit the voucher.

If you could please respond with a fax number, I will send you a copy of the voucher.

Let me know if you have any other questions.

Sincerely,

Devon Romig
United States Election Assistance Commission
I just saw what you did. I should be out of hours at the end of May. I believe I will be working for the state in June which will make it difficult to find time to finish and could slow things down but I am not yet sure of that.

--- psims@eac.gov wrote:

> Attached is an updated invoice schedule for the FY 06 contracts for the Voting Fraud/Voter Intimidation project. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM ----

Margaret Sims/EAC/GOV
04/17/2006 11:48 AM
To Tova Andrea Wang
cc
Subject Interviews

I know you preferred Friday, but Job is not available then. He also said he is not available next week. Do you have any time available this Wednesday? --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/17/2006 11:45 AM ----

"Job Serebrov"
04/17/2006 11:06 AM
To psims@eac.gov
cc
Subject Re: Follow up Donsanto and KY Interviews

I can't do it Friday but Wednesday is ok.

--- psims@eac.gov wrote:

> Tova and Job:
I've passed Tova's request on to Craig.

Also, Sarah Ball Johnson, KY, finally called back to say she would be available Wednesday through Friday this week and next week for the interview. Which day and time is best for you and Job?

--- Peggy

04/16/2006 11:39 AM

To
psims@eac.gov
cc
"Tova Wang" Subject
donstanto again

Hi Peg,

Happy Easter!

Would it be possible to talk to Mr. Donsanto about this latest initiative, or somehow get more information? Thanks. Tova

http://www.fbi.gov/page2/april06/electioncrime041406.htm

---- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM ----

Margaret Sims/EAC/GOV
04/17/2006 10:48 AM

To Job Serebrov, Tova Andrea Wang
cc

Subject Invoice Schedule

Attached is an updated invoice schedule for the FY 06 contracts for the Voting Fraud/Voter Intimidation project. --- Peggy

FY06 Contracts Invoice Schedule.xls
That's what I am concerned about. I think we need to end all interviews with Sarah Ball Johnson. With the literature reviews I am finishing, the case write up and the Tova's Nexis research that I need to read, I will have about 45 hours left for the Working Group meeting and final write up.

--- psims@eac.gov wrote:

> I have to check with Conny McCormack to see if things have settled down for her enough so that she would be available. I have had no response to my overtures to Colleen McAndrews' office. I can try again, but I have to be out of town again, from Wednesday through Friday this week, on another research contract and for EAC's public meeting in Seattle. Were you able to get through to Mike McCarthy?
>
> Please remember to watch your time. We'll need to reserve some of your time for the working group meeting and the subsequent reports. --- Peggy

> "Job Serebrov" 04/17/2006 10:17 AM
>
> To
> psims@eac.gov, wang@tcf.org
> cc
>
> Subject
> Re: Follow up Donsanto and KY Interviews

> Next week is out for me. I need to check my schedule this week. Is this the last interview that you were able to arrange?

>
--- psims@eac.gov wrote:

Tova and Job:

I've passed Tova's request on to Craig.

Also, Sarah Ball Johnson, KY, finally called back to say she would be available Wednesday through Friday this week and next week for the interview. Which day and time is best for you and Job?

--- Peggy

04/16/2006 11:39 AM

To psims@eac.gov

cc "Tova Wang"

Subject donsanto again

Hi Peg,

Happy Easter!

Would it be possible to talk to Mr. Donsanto about this latest initiative, or somehow get more information? Thanks. Tova

http://www.fbi.gov/page2/april06/electioncrime041406.htm

--- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM ---

"Tova Wang"

04/17/2006 10:21 AM

To "Job Serebrov"

cc

Subject RE: Announcement of FBI Election Crimes Initiative
We could skim it

-----Original Message-----
From: Job Serebrov [mailto:]
Sent: Monday, April 17, 2006 9:13 AM
To: Tova Wang; psims@eac.gov
Subject: RE: Announcement of FBI Election Crimes Initiative,

Tova-Do we have time to review this?

--- Tova Wang

> Is it possible to get the materials they are using
> for the trainings?
> Thanks Peg.
> 
> -----Original Message-----
> From: psims@eac.gov [mailto:psims@eac.gov]
> Sent: Monday, April 17, 2006 9:08 AM
> To: wang@tcf.org; serebrov@sbcglobal.net
> Subject: Fw: Announcement of FBI Election Crimes
> Initiative
> 
> 
> See Donsanto response below.--- Peggy
> 
> ----- Forwarded by Margaret Sims/EAC/GOV on
> 04/17/2006 10:07 AM ------
> 
> "Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
> 
> 04/17/2006 09:56 AM
> 
> 
> To
> psims@eac.gov
> 
> cc
> 
> Subject
> RE: Announcement of FBI Election Crimes Initiative
> 
> 
> 
> 
> Peg --
> 
> This is essentially FBI's equivalent of the
> Department's Ballot Access and
> Integrity Initiative. The news conference on
> Thursday announced that FBI
> was enhancing its prioritization of campaign
> financing offenses. The main
The feature of this initiative, aside from enhancing the priority these cases will get in the Bureau, is that each of the Bureau's 57 Field Divisions will have at least one "Election Coordinator Agent" who will be the equivalent of the District Election Officer AUSAs. We have been training these new FBI-types: the week before last we had roughly 75 of them in Denver in a very well received two-day session in election law enforcement at which several FEC people spoke. On Wednesday, I head out to Portland, Oregon for more of the same.

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, April 17, 2006 9:00 AM
To: Donsanto, Craig
Subject: Fw: Announcement of FBI Election Crimes Initiative

Hi, Craig:

Tova noticed an article about an FBI initiative against election crimes (see attached email). Is this something new, or is it more of the same initiative that you addressed in your interview? If it is new, would you have time for a teleconference with Job and Tova to answer any questions they may have on the initiative?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/17/2006 08:56 AM -----
Hi Peg,

Happy Easter!

Would it be possible to talk to Mr. Donsanto about this latest initiative, or somehow get more information? Thanks. Tova

<http://www.fbi.gov/page2/april06/electioncrime041406.htm>

http://www.fbi.gov/page2/april06/electioncrime041406.htm

Peggy:

This is incorrect. Our project ends May 31. This month's invoice is due on April 21 and is invoice number 3. Invoice number 4 is due at the end of May.

--- psims@eac.gov wrote:
> Attached is an updated invoice schedule for the FY 06 contracts for the Voting Fraud/Voter Intimidation project. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM ---

"Tova Wang"
04/17/2006 09:20 AM

To psims@eac.gov, text@text.com
cc

Subject RE: Follow up Donsanto and KY Interviews

Any time Friday is fine for me. Thanks

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, April 17, 2006 8:05 AM
To: text@text.com, text@text.com
Subject: Re: Follow up Donsanto and KY Interviews

Tova and Job:

I've passed Tova's request on to Craig.

Also, Sarah Ball Johnson, KY, finally called back to say she would be available Wednesday through Friday this week and next week for the interview. Which day and time is best for you and Job?

--- Peggy

04/16/2006 11:39 AM

psims@eac.gov
"Tova Wang" text@text.com
donsanto again

Subject
Hi Peg,

Happy Easter!

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http://www.fbi.gov/page2/april06/electioncrime041406.htm

----- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM -----

"Job Serebrov"  
To psims@eac.gov
cc
04/17/2006 10:17 AM
Subject Re: Follow up Donsanto and KY Interviews

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--- psims@eac.gov wrote:

> Tova and Job:
> I've passed Tova's request on to Craig.
> Also, Sarah Ball Johnson, KY, finally called back to say she would be available Wednesday through Friday this week and next week for the interview. Which day and time is best for you and Job?
> --- Peggy
>
Hi Peg,

Happy Easter!

Would it be possible to talk to Mr. Donsanto about this latest initiative, or somehow get more information? Thanks. Tova

http://www.fbi.gov/page2/april06/electioncrime041406.htm

----- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM -----

"Tony J. Sirvello III"
04/07/2006 08:52 AM

To: psims@eac.gov
cc

Subject: Re: Fw: Nonpartisan Local Election Official Needed for Voting Fraud/Voter Intimidation Working Group

Good Morning Peg,

That works for me...I will stay off the phone and wait on the call.

Have A Great Weekend,

Tony

----- Original Message ----- 
From: psims@eac.gov
To: peg@msn.com
Sent: Thursday, April 06, 2006 2:27 PM
Subject: Re: Fw: Nonpartisan Local Election Official Needed for Voting Fraud/Voter Intimidation Working Group

Tony:

How about scheduling the teleconference with our consultants for 10 AM CST/11 AM EST on Wednesday, April 12? --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 05/01/2007 08:46 PM ----- 

Margaret Sims/EAC/GOV
04/17/2006 08:59 AM
To: Craig Donsanto
cc
Subject: Fw: Announcement of FBI Election Crimes Initiative

00287.
Hi, Craig:

Tova noticed an article about an FBI initiative against election crimes (see attached email). Is this something new, or is it more of the same initiative that you addressed in your interview? If it is new, would you have time for a teleconference with Job and Tova to answer any questions they may have on the initiative?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
e-mail: psims@eac.gov

Hi Peg,

Happy Easter!

Would it be possible to talk to Mr. Donsanto about this latest initiative, or somehow get more information? Thanks. Tova

[Embedded hyperlink]

Good Afternoon Peg,

I will make the call as scheduled. I am still in shock about Ray.

Tony
----- Original Message ----- 
From: psims@eac.gov
To: Tony Sirvello
Sent: Monday, April 10, 2006 6:04 PM
Subject: Re: Fw: Nonpartisan Local Election Official Needed for Voting Fraud/Voter Intimidation Working Group

Tony:
We have set up your telephone interview with our 2 consultants (Job Serebrov and Tova Wang) as a teleconference. Please call 1-866-222-9044 (toll free) at around 10 AM CST on Wed 4/12. At the prompt for the passcode, enter 62209. Tova and Job will join you on the line. This works best if you use a land line, rather than a cell phone.

If you have trouble connecting, please call Nicole Mortellito at our office (866-747-7421. Thanks!

Peggy

--------------------------
Sent from my BlackBerry Wireless Handheld

----- Original Message ----- 
From: "Tony J. Sirvello III"
Sent: 04/07/2006 08:52 AM
To: Margaret Sims
Subject: Re: Fw: Nonpartisan Local Election Official Needed for Voting Fraud/Voter Intimidation Working Group

Good Morning Peg,

That works for me....I will stay off the phone and wait on the call.

Have A Great Weekend,

Tony

----- Original Message ----- 
From: psims@eac.gov
To: 
Sent: Thursday, April 06, 2006 2:27 PM
Subject: Re: Fw: Nonpartisan Local Election Official Needed for Voting Fraud/Voter Intimidation Working Group

Tony:

How about scheduling the teleconference with our consultants for 10 AM CST/11 AM EST on Wednesday, April 12? --- Peggy
The 4th batch. More to come tomorrow.
Peg Sims

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM ----
Margaret Sims/EAC/GOV
05/09/2006 11:44 AM
To "Job Serebrov"
cc
Subject Re: Working Group-Perez

OK, I get it. The text in the attachment follows:

EXCERPTS FROM TEXAS ELECTION CODE

SUBCHAPTER B. COUNTY ELECTIONS ADMINISTRATOR

***

§ 31.032. APPOINTMENT OF ADMINISTRATOR; COUNTY ELECTION COMMISSION.

(a) The position of county elections administrator is filled by appointment of the county election commission, which consists of:

(1) the county judge, as chair;
(2) the county clerk, as vice chair;
(3) the county tax assessor-collector, as secretary; and
(4) the county chair of each political party that made nominations by primary election for the last general election for state and county officers preceding the date of the meeting at which the appointment is made.

(b) The affirmative vote of a majority of the commission's membership is necessary for the appointment of an administrator.

(c) Each appointment must be evidenced by a written resolution or order signed by the number of commission members necessary to make the appointment. Not later than the third day after the date an administrator is appointed, the officer who presided at the meeting shall file a signed copy of the resolution or order with the county clerk. Not later than the third day after the date the copy is filed, the county clerk shall deliver a certified copy of the resolution or order to the secretary of state.

(d) The initial appointment may be made at any time after the adoption of the order creating the position.
§ 31.035. RESTRICTIONS ON POLITICAL ACTIVITIES.

(a) A county elections administrator may not be a candidate for a public office or an office of a political party, hold a public office, or hold an office or position in a political party. At the time an administrator becomes a candidate or accepts an office or position in violation of this subsection, the administrator vacates the position of administrator.

(b) A county elections administrator commits an offense if the administrator makes a political contribution or political expenditure, as defined by the law regulating political funds and campaigns, or publicly supports or opposes a candidate for public office or a measure to be voted on at an election. An offense under this subsection is a Class A misdemeanor. On a final conviction, the administrator's employment is terminated, and the person convicted is ineligible for future appointment as county elections administrator.

The code attachment did not work that is what I meant by it did not come through.

--- psims@eac.gov wrote:

> Did you look at the attached excerpts from Texas Code?    --- Peggy
> 
> --- "Job Serebrov" <serebrov@sbcglobal.net> wrote:
> 
> "Job Serebrov" <serebrov@sbcglobal.net> To psims@eac.gov
> 05/09/2006 11:38 AM
> Subject Re: Working Group-Perez
> 
> The code attachment did not work that is what I meant by it did not come through.
> 
> --- psims@eac.gov wrote:
> 
> > Did you look at the attached excerpts from Texas Code?    --- Peggy
> > 
> > --- "Job Serebrov" <serebrov@sbcglobal.net> wrote:
> > 
> > "Job Serebrov" <serebrov@sbcglobal.net> To psims@eac.gov
> > 05/09/2006 11:23 AM
> > Subject Re: Working Group-Perez
> > 
> > The code attachment did not work that is what I meant by it did not come through.
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> > --- psims@eac.gov wrote:
> > 
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> > > 
> > > --- "Job Serebrov" <serebrov@sbcglobal.net> wrote:
> > > 
> > > "Job Serebrov" <serebrov@sbcglobal.net> To psims@eac.gov
> > > 05/09/2006 11:23 AM
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> > > > 05/09/2006 11:23 AM
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> > > > > 05/09/2006 11:23 AM
> > > > > Subject Re: Working Group-Perez
> > > > > 
> > > > > The code attachment did not work that is what I meant by it did not come through.
We have the same set-up here in Arkansas. We hired a person just like Perez. However, given this, I would still like to know if he has a party affiliation and this brings up another issue. How is the county election commission chosen. In Arkansas it is the Chairmen of the Republican and Democrat Parties or if he/she does not want to serve a person is elected in his/her stead and a third member picked by the party with the most constitutional officers. Practically that has meant that the Democrats have controlled election commissions in Arkansas since the end of Reconstruction. This is why I want to know the situation in Texas.

--- psims@eac.gov wrote:

As you may recall, the Commissioners directed me to find a nonpartisan local election official to serve on the Working Group. The three of us discussed the desirability of having a Hispanic. I proposed that I find someone from Texas because of that State's colorful history of voting fraud and their innovative approaches to combat it. In those Texas counties that hire Election Administrators to run elections, rather than having elected officials do so (Tax Assessor for voter registration; County Clerk forballoting), the Election Administrator is hired by the County Election Commission and is supposed to perform his or her duties in a nonpartisan manner. (See attached excerpts from Texas Election Code regarding election administrator hiring and restrictions on partisan activity.) Any experienced Texas election official will be familiar with voting fraud and voter intimidation schemes used in that State.

Mr. Perez has over 13 years experience as a county Election Administrator in Texas. You won't find many news articles mentioning him because he has kept his nose clean. (The Texas press, as in many other parts of the country, prefers to report bad news.) Mr. Perez is plugged into the...
association of Texas

election officials and the two largest
organizations
of election officials
in this country: the International Association of
Clerks, Recorders,
Election Officials and Treasurers (IACREOT); and
The
Election Center. He
is a past President and past Chairman of the
Legislative Committee for the
Texas Association of Election Administrators. He
currently serves on
IACREOT's Election Officials Committee, which
plans
the educational
sessions for election officials that are conducted
at that organization's
conferences. His peers in IACREOT and The
Election Center have selected
his submissions on web presentations (IACREOT) and
his professional
practices papers (Election Center) for awards.

Mr. Perez also has access
to information from other States through his
membership in IACREOT and The
Election Center. He also has a sense of humor,
which you will note if you
access the staff web page on the Guadalupe County
Elections web site and
hear the Mission Impossible theme .. something
that
might be useful in the
upcoming meeting.

Guadalupe County is small but growing. In 2004,
the county had over 65
thousand registered voters (a number more than
doubled the number of
registered voters in 1988). A third of the
county's
population claims
Hispanic or Latino origin, according to the U.S.
Census Bureau. The county
is in south central Texas and is bordered by
Comal,
Hays, Cladwell,
Gonzales, Wilson, and Bexar counties. In the
1980s,
the county was
predominately a farming community; but in recent
years, many people have
moved from San Antonio (Bexar County) to Guadalupe
County, preferring to
live in Guadalupe County and work in Bexar County.

--- Peggy
Job Serebrov
05/08/2006 11:30 PM

To
psims@eac.gov
cc

Subject
Re: Working Group

Peggy:

What political party is Perez with? How political is he? Is the position in Texas neutral or political? Who appointed Perez?

As to Pat I will contact him but I can't promise anything. If Pat can't come, who is getting knocked off Tova's list?

Job

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM ---

"Job Serebrov"
05/11/2006 03:17 PM

To psims@eac.gov

cc

Subject Re: Literature Summary

Fed Crime Election Fraud.doc

002879
--- psims@eac.gov wrote:

> Tova just sent me the summary you prepared of The Federal Crime of Election Fraud by Craig Donsanto. There is something wrong in the fourth paragraph (odd characters and missing text). Can you please send a replacement fourth paragraph? You can send it in an email and I will place it in the document. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM ---

Margaret Sims/EAC/GOV
05/12/2006 10:19 AM
To Tova Andrea Wang, Job Serebrov
cc
Subject Fraud Definition

Would you please take a look at the attached? I combined both of your definitions, reformatted the list, removed a reference to the fraud having to have an actual impact on the election results (because fraud can be prosecuted without proving that it actually changed the results of the election), and taken out a couple of vague examples (e.g.: reference to failing to enforce state laws -- because there may be legitimate reasons for not doing so).

I have made contact with Ben Ginsberg's office and am waiting to hear if he accepts our invitation to join the working group. --- Peggy

Fraud Project Definition rev 5-12-06.doc

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM ---

Margaret Sims/EAC/GOV
04/27/2006 09:24 AM
To "Weinberg and Utrecht"
cc
Subject Re: Voting Fraud-Voter Intimidation Project

Thanks! I'll get back to you. --- Peggy

"Weinberg and Utrecht"

"Weinberg and Utrecht"
04/27/2006 07:56 AM
To psims@eac.gov
cc
Subject Re: Voting Fraud-Voter Intimidation Project
Peggy:

You've hit the jackpot! I'm available, with 2 exceptions, every hour of every day from May 15 through May 19. I am not available Thursday morning, May 18, or Friday afternoon, May 19.

Barry

----- Original Message ----- 
From: psims@eac.gov 
To: Barry Weinberg
Sent: Wednesday, April 26, 2006 8:28 PM
Subject: Re: Voting Fraud-Voter Intimidation Project

Barry:
Are you available any days in the third week of May?

Peggy

--------------------------
Sent from my BlackBerry Wireless Handheld

----- Original Message ----- 
From: "Weinberg and Utrecht"
Sent: 04/04/2006 08:14 AM
To: Margaret Sims
Subject: Re: Voting Fraud-Voter Intimidation Project

Peggy:
May looks pretty good right now. I will not be available May 1, or in the morning (before 12:30) on May 4 or May 11, or in the afternoon on May 10.

Barry

----- Original Message ----- 
From: psims@eac.gov 
To: Barry Weinberg
Sent: Monday, April 03, 2006 3:15 PM
Subject: Voting Fraud-Voter Intimidation Project

Hi, Barry:

I'm trying to arrange a meeting of the Working Group for EAC's Voting Fraud-Voter Intimidation project. Would you please look at your schedule and let me know if there are any days during the first 2 weeks of May that you would NOT be available?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov
Your response suggests that you do not care what the Commissioners may think about the effort. --- Peggy

"Job Serebrov"  
To psims@eac.gov  
05/11/2006 04:35 PM  
Subject Re: new working group representative

Peggy:

Braden is ok also with me but please don't tell me not to "stir up" things. I assure you nothing will come back to bite me. I know these people well enough to say they will also want a balanced group. In fact, one of them was very unhappy with Tova's folks.

Job

--- psims@eac.gov wrote:

> According to the Commissioners, you and Tova each
> got to pick three
> members of the Working Group. The Commission
> guidance regarding this
> particular member follows:
> > 4 people from the Academic, Legal and Advocacy
> > sectors - 2 to be chosen by
> > Tova and 2 to be chosen by Job.
> > > This issue of allowing a designee relates to Tova's
> > pick.
> > > As I understand it, we are working on a replacement
> > for Norcross. If
> > > Ginsberg is not viable, how about Mark Braden, who
> > includes public
> > > integrity in his areas of specialization. I would
> > not try and stir up
> > > other members of the Working Group, if I were you.
> > The effort is likely
> > to come back and bite you.
I really don't care if he represents the organization or not. What mixed race? The entire discussion was because Arnwine was African-American. If you are going to invite him without first having a replacement for my side, I may have to call Thor and Todd and discuss all of this.

--- psims@eac.gov wrote:

> Greenbaum is representing Arnwine, not replacing her. He works for her organization and is of mixed race. --- Peggy

> I have an objection to Greenbaum. While I realize he comes from an advocacy group, he is not a minority attorney and we already have a rep who worked with DOJ. If it is to be Greenbaum, I would rather not fill that position since I am one down.
--- Tova Wang <wang@tcf.org> wrote:

is Jon Greenbaum

Here's his info in full:

---

He is the Director of the Voting Rights Project for the Lawyers Committee for Civil Rights. He will be representing Barbara Arnwine, the Executive Director of the Lawyers Committee.

His contact and mailing info is:

1401 New York Avenue, NW
Suite 400
Washington, DC 20005

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021

Visit our Web site, for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.
Do you have text to replace the corrupted text in paragraph 4?  --- Peggy

"Job Serebrov" <serebrov@sbcglobal.net>

--- psims@eac.gov wrote:

> Tova just sent me the summary you prepared of The Federal Crime of Election Fraud by Craig Donsanto. There is something wrong in the fourth paragraph (odd characters and missing text). Can you please send a replacement fourth paragraph? You can send it in an email and I will place it in the document. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM ---

--- Forwarded by Devon E. Romig/EAC/GOV on 05/02/2006 09:45 AM ---

Dear Tova,

I am working with Peggy Sims in order to set a date for the Voting Fraud/Voter Intimidation Project Working Group. I have been trying to reach Barbara Arnwine in order to find out which days in May she is potentially available to attend this meeting but all of my attempts have been unsuccessful.

I would appreciate any help that you could provide in this matter.
As you may recall, the Commissioners directed me to find a nonpartisan local election official to serve on the Working Group. The three of us discussed the desirability of having a Hispanic. I proposed that I find someone from Texas because of that State's colorful history of voting fraud and their innovative approaches to combat it. In those Texas counties that hire Election Administrators to run elections, rather than having elected officials do so (Tax Assessor for voter registration; County Clerk for balloting), the Election Administrator is hired by the County Election Commission and is supposed to perform his or her duties in a nonpartisan manner. (See attached excerpts from Texas Election Code regarding election administrator hiring and restrictions on partisan activity.)

Any experienced Texas election official will be familiar with voting fraud and voter intimidation schemes used in that State. Mr. Perez has over 13 years experience as a county Election Administrator in Texas. You won't find many news articles mentioning him because he has kept his nose clean. (The Texas press, as in many other parts of the country, prefers to report bad news.) Mr. Perez is plugged into the association of Texas election officials and the two largest organizations of election officials in this country: the International Association of Clerks, Recorders, Election Officials and Treasurers (IACREOT); and The Election Center. He is a past President and past Chairman of the Legislative Committee for the Texas Association of Election Administrators. He currently serves on IACREOT's Election Officials Committee, which plans the educational sessions for election officials that are conducted at that organization's conferences. His peers in IACREOT and The Election Center have selected his submissions on web presentations (IACREOT) and his professional practices papers (Election Center) for awards. Mr. Perez also has access to information from other States through his membership in IACREOT and The Election Center. He also has a sense of humor, which you will note if you access the staff web page on the Guadalupe County Elections web site and hear the Mission Impossible theme ... something that might be useful in the upcoming meeting.

Guadalupe County is small but growing. In 2004, the county had over 65 thousand registered voters (a number more than doubled the number of registered voters in 1988). A third of the county's population claims Hispanic or Latino origin, according to the U.S. Census Bureau. The county is in south central Texas and is bordered by Comal, Hays, Cladwell, Gonzales, Wilson, and Bexar counties. In the 1980s, the county was predominately a farming community; but in recent years, many people have moved from San Antonio (Bexar County) to Guadalupe County, preferring to live in Guadalupe County and work in Bexar County.

--- Peggy
Peggy:

What political party is Perez with? How political is he? Is the position in Texas neutral or political? Who appointed Perez?

As to Pat I will contact him but I can't promise anything. If Pat can't come, who is getting knocked off Tova's list?

Job

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM -----
Devon E. Romig/EAC/GOV
04/24/2006 04:41 PM
To Margaret Sims/EAC/GOV@EAC
cc
Subject Updated scheduling list and Contact info

Peggy,

Here is the most updated version of the list that I have available.

Work Group Contact-Availability Info.xls

Thanks,

Devon Romig
U.S. Election Assistance Commission
1225 New York Ave. NW - Suite #1100
Washington, D.C. 20005
(202)566-2377

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM -----
"Donsanto, Craig"
<Craig.Donsanto@usdoj.gov>
05/16/2006 01:41 PM
To psims@eac.gov
cc
Subject RE: Your Materials
Sure. But where is the resistance coming from? The notes were not accurate. As you know, I have to be very concerned about that.

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 16, 2006 12:34 PM
To: Donsanto, Craig
Subject: RE: Your Materials

Craig:

I am getting some resistance from my consultants to correcting the summary of the interview prior to the meeting. Would you mind noting the corrections at the meeting? --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/16/2006 12:06 PM

Thank you, Peg. This stuff is very interesting.

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 16, 2006 11:27 AM
To: Donsanto, Craig
Subject: Re: Your Materials

I have forwarded your message to our consultants and have requested a corrected version for distribution at the WG meeting. --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
Peg --

I have read over the materials you sent to me and viewed the pieces on the CD.

I have only one correction:

I did not say that offenders who receive target letters routinely request - - or routinely receive - - audiences here at DOJHQ. That is very rare. Instead, what usually happens is that once a subject for an election fraud investigation is advised that he or she is going to be charged that person usually enters into plea negotiations and ultimately pleads guilty. Very few federal election fraud cases go to trial. When a subject does request a HQ interview or a HW hearing, it would be held in the first instance by myself. But again, Peg, that is rare.

Also, while the occurrences of prosecutions of isolated instances of felons and alien voters and double voters has increased, we still aggressively and I believe quite successfully pursue systematic schemes to corrupt the electoral process, as the cases we brought recently out of Knott and Pike Counties in Kentucky, those we brought out of Lincoln and Logan Counties in West Virginia, and those we brought in New Hampshire growing out of the jamming of get0-out-the-vote phone bank lines attest.
What about my question on gas receipts?

Job

--- psims@eac.gov wrote:

> I can email this out to our participants after I get
> back to the office, and we can have copies available
> at the meeting.
> Peggy
> -----------------------------
> Sent from my BlackBerry Wireless Handheld
> >
> > ----- Original Message ----- 
> > From: wang
> > Sent: 05/13/2006 10:54 AM
> > To: psims@eac.gov
> > Cc: "Job Serebrov"
> > Subject: Fw: research summary
> > 
> > Job found it. I'm assuming its too late to include
> > so as I said I'll just
> > present it if thats OK. Thanks again Job. T
> > ----- Original Message ----- 
> > From: "Job Serebrov"
> > To: <
> > Sent: Saturday, May 13, 2006 10:12 AM
> > Subject: Re: research summary
> >
> > T~
> >
> > Are you talking about this?
> > J~
> >
> > --- wang@tcf.org wrote:
> >
> > In the middle of the night I got the feeling that
> > you may be right, that I did do a summary of the
> > existing literature review (that Job, you
> > approved)
> > . I'll have to look for it on Monday (unless I go
> > into the office over the weekend, which is
> > possible). I may be hallucinating, but if not,
> > I'll
> > just present it at the meeting rather than try to
> > get it to them ahead of time. Tova
> >
> Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM ----

"Tova Wang"

05/22/2006 06:07 PM

To psims@eac.gov

cc
Subject RE: PowerPoint Presentation to EAC Boards

I don't know if it's too late, but in the interview summary we actually said there is widespread but not unanimous agreement that there is little polling place fraud. That's quite different than saying, as you do here, that there is disagreement.

-----Original Message-----
From: psims@eac.gov
Sent: Monday, May 22, 2006 3:56 PM
To: wang@tcf.org; serebrov@sbcglobal.net
Subject: PowerPoint Presentation to EAC Boards

FYI - Attached is a copy of the PowerPoint presentation on the voting fraud-voter intimidation research project for tomorrow's meetings of the EAC Standards Board (110 state and local election officials) and the EAC Advisory Board (37 representatives from national associations and government agencies who play a role in HAVA implementation and from science and technology-related professions appointed by Congressional members). I used your summaries as the primary source of information for the presentation. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM -----
Devon E. Romig/EAC/GOV
05/25/2006 02:37 PM
To Margaret Sims/EAC/GOV@EAC
cc
Subject Summary for VFVI working group meeting

Peggy,

Here is the summary that you requested. Let me know if this works.

Thanks!

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov

VFVI Meeting Summary.doc

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:22 PM -----
Margaret Sims/EAC/GOV
05/16/2006 02:47 PM
To "Donsanto, Craig"
<Craig.Donsanto@usdoj.gov>@GSAEXTERNAL
cc
I think they are panicking because they are preparing to travel tomorrow and may not have time to submit a revised version. They also are resisting changes to their interview summaries because the summaries represent what they think they heard. I was there at the interview and I heard what you said. I'm not sure that either of them heard everything (including the nuances) because so much of the information was new to them and it was one of their earlier interviews. I'm sorry I did not catch the defects before the summary went out.

My first concern is ensuring that the Working Group has the correct information. Then, we can deal with what version, if any, goes in the final report. Do you want me to excerpt the corrections from your email and submit them to the Working Group? --- Peggy

Sure. But where is the resistance coming from? The notes were not accurate. As you know, I have to be very concerned about that.

Craig:

I am getting some resistance from my consultants to correcting the summary of the interview prior to the meeting. Would you mind noting the corrections at the meeting? --- Peggy
Thank you, Peg. This stuff is very interesting.

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I have only one correction:

I did not say that offenders who receive target letters routinely request or routinely receive audiences here at DOJHQ. That is very rare. Instead, what usually happens is that once a subject for an
election fraud investigation is advised that he or she is going to be charged that person usually enters into plea negotiations and ultimately pleads guilty. Very few federal election fraud cases go to trial. When a subject does request a HQ interview or a HW hearing, it would be held in the first instance by myself. But again, Peg, that is rare.

Also, while the occurrences of prosecutions of isolated instances of felons and alien voters and double voters has increased, we still aggressively and I believe quite successfully pursue systematic schemes to corrupt the electoral process, as the cases we brought recently out of Knott and Pike Counties in Kentucky, those we brought out of Lincoln and Logan Counties in West Virginia, and those we brought in New Hampshire growing out of the jamming of get-out-the-vote phone bank lines attest.

How about specifying Section 2 and 203 of the VRA?

Lets raise this issue at the meeting. (I'll add "DRAFT" to the current document.) My concern is that there are a number of requirements in the Voting Rights Act. Not all of them are considered election fraud, when violated. For example, failure to preclear changes in election procedures is not treated as election fraud, though it is actionable. --- Peggy
Would you please take a look at the attached? I combined both of your definitions, reformatted the list, removed a reference to the fraud having to have an actual impact on the election results (because fraud can be prosecuted without proving that it actually changed the results of the election), and taken out a couple of vague examples (e.g.; reference to failing to enforce state laws --- because there may be legitimate reasons for not doing so).

I have made contact with Ben Ginsberg's office and am waiting to hear if he accepts our invitation to join the working group. --- Peggy

The first item is not as big a deal as the second one: the processes under which subjects of investigations come to Jesus is not as important as the overall assessment of our law enforcement achievements. But stressing the isolated test cases we brought - - and will continue to being - - to deter things like felon voting, alien voting and double voting, which not mentioning such significant achievements as the five case PROJECTS mentioned in my last e-mail - - misrepresents what we are doing and the deterrent message we are trying to communicate.

I appreciate that these two young people may have found themselves in a Brave New World when they came over here. It showed in their questioning. But the fact that criminal law enforcement is not at all similar to preventative legal relief (as under the Voting Rights Act) or civil relief (as election contest litigation) is I guess more of a problem than I at first foresaw. My real concerns is that the civil rights groups - - with whom we over here have an amazing amount of common grounds - - will take the singling out of the felon and alien voter cases as evincing a malevolent aggression on their constituencies. That is not the case. We are only enforcing the law.

I think they are panicking because they are preparing to travel tomorrow and may not have time to submit a revised version. They also are resisting changes to their interview summaries because the summaries represent what they think they heard. I was there at the interview and I heard what you said. I'm not sure that either of them heard everything (including the nuances) because so much of the information was new to them and it was one of their earlier interviews. I'm sorry I did not catch the defects before the summary
went out.

My first concern is ensuring that the Working Group has the correct information. Then, we can deal with what version, if any, goes in the final report. Do you want me to excerpt the corrections from your email and submit them to the Working Group? --- Peggy

“Donsanto, Craig” <Craig.Donsanto@usdoj.gov>

05/16/2006 01:41 PM

Sure. But where is the resistance coming from? The notes were not accurate. As you know, I have to be very concerned about that.

From: psims@eac.gov
Sent: Tuesday, May 16, 2006 12:34 PM
To: Donsanto, Craig
Subject: RE: Your Materials

Craig:

I am getting some resistance from my consultants to correcting the summary of the interview prior to the meeting. Would you mind noting the corrections at the meeting? --- Peggy

“Donsanto, Craig” <Craig.Donsanto@usdoj.gov>

05/16/2006 12:06 PM

00289c
Thank you, Peg. This stuff is very interesting.

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 16, 2006 11:27 AM
To: Donsanto, Craig
Subject: Re: Your Materials

I have forwarded your message to our consultants and have requested a corrected version for distribution at the WG meeting. --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/16/2006 10:46 AM
Peg - -

I have read over the materials you sent to me and viewed the pieces on the CD.

I have only one correction:

I did not say that offenders who receive target letters routinely request or routinely receive audiences here at DOJHQ. That is very rare. Instead, what usually happens is that once a subject for an election fraud investigation is advised that he or she is going to be charged that person usually enters into plea negotiations and ultimately pleads guilty. Very few federal election fraud cases go to trial. When a subject does request a HQ interview or a HW hearing, it would be held in the first instance by myself. But again, Peg, that is rare.

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--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:21 PM -----

Oops! I hit send prematurely. Here is the attachment. --- Peggy

Working Group Attendees 5-18-06.doc

Elieen L. Coliver/EAC/GOV

Please forward list...there was no attachment. thanks!

Elle L.K Coliver
Attached is a list of folks who will be attending the Voting Fraud-Voter Intimidation Working Group meeting. I have asterisked the names that will require tent cards. I am working on a seating chart so that we can be sure the Ds and the Rs aren't all seated together in a "them vs. us" pattern. --- Peggy

Peg --

At the Advisory Board meeting we had last week, your two contractors asked to interview the over-100 AUSAs who are serving as District Election Officers in connection with the Fraud study.

This request needs to be addressed to Natalie Voris of EOUSA per the message from here that follows.

If the contractors require additional information in connection with the Fraud Study, and should EOUSA not be able to satisfy their needs n they can communicate with me on criminal issues and Cameron Quinn on Civil Rights issues.

I will be here when you arrive later today at the Board of Advisors meeting when you arrive to talk to us at 4:30.

Ms. Voris' message follows:

Per the USAM, all requests for interviews/surveys/research projects that involve USAOs must be approved by EOUSA. I am pasting the provision
below - the contact name needs to be updated. Requests should come to me, as the Acting Counsel to the Director.

Thanks,
Natalie
--------------------
Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:21 PM -----
Margaret Sims/EAC/GOV
05/24/2006 03:17 PM
To "Tova Wang" <Tova.Wang@etMuonetAL>
cc Jeannie Layson/EAC/GOV@EAC, bwhitener@eac.gov
Subject Re: press interview

Thanks for the "heads up". --- Peggy

"Tova Wang" <Tova.Wang@etMuonetAL>
05/24/2006 02:52 PM
To psims@eac.gov
cc
Subject press interview

Hi Peg,

Just wanted to give you the heads up that I did an interview with a reporter from The Hill today on fraud. As far as I know he is simply referring to me as a fellow at TCF and I did not discuss the project in any way.

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021

Visit our Web site, for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:21 PM -----
Thank you for this, Peg.

The third bullet point is one I embrace fully. We lack the statutory tool to do the job. Hopefully, that can be remedied through legislation. But as things stand today large loopholes in the federal legal matrix addressing electoral abuse and fraud exist - particularly when such abuses occur in elections where there were no federal candidates on the ballot.

Existing Research Analysis

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

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

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

Other items of note:
• There is as much evidence, and as much concern, about structural forms of disenfranchisement as about intentional abuse of the system. These include felon disenfranchisement, poor maintenance of databases and identification requirements.

• There is tremendous disagreement about the extent to which polling place fraud, e.g. double voting, intentional felon voting, noncitizen voting, is a serious problem. On balance, more researchers find it to be less of a problem than is commonly described in the political debate, but some reports say it is a major problem, albeit hard to identify.

• There is substantial concern across the board about absentee balloting and the opportunity it presents for fraud.

• Federal law governing election fraud and intimidation is varied and complex and yet may nonetheless be insufficient or subject to too many limitations to be as effective as it might be.

• Deceptive practices, e.g. targeted flyers and phone calls providing misinformation, were a major problem in 2004.

• Voter intimidation continues to be focused on minority communities, although the American Center for Voting Rights uniquely alleges it is focused on Republicans.

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/15/2006 04:53 PM
topsims@eac.gov

cc

Subject: Re: Voting Fraud-Voter Intimidation Working Group

Peggy --

I am currently on train in transit back from a day in Newark. I tried to recover your attachment on Blackberry but got a message telling me the "file is empty."

Can you paste it to an e-mail perhaps?
-----------------------------
Sent from Dr. D's Fabulous BlackBerry Wireless Handheld
Dear Working Group Members and Participants:

You should receive a packet of information today, either by Federal Express or hand delivery, concerning Thursday's meeting of the project Working Group for EAC's Voting Fraud-Voter Intimidation research project. Attached is an analysis of the consultants' research into relevant literature and reports. This summary was not available when we prepared the information packets last Friday, but may be of interest to you. Our consultants and I look forward to having a productive discussion with you.

Regards,

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
e-mail: psims@eac.gov
Cases were from 2000 to the present.

--- psims@eac.gov wrote:

> Would you please refresh my memory about the date ranges used for the Nexis article research and the case law research?  
> I'm drawing a blank and I don't see it in the summaries. I need it for this mornings Commissioner briefing. Thanks! --- Peggy

Did you find out whether I can use the Chairman's parking spot?

--- psims@eac.gov wrote:

> You will need to submit hotel and parking receipts. You don't need to submit meal receipts. You don't need to submit gas receipts because use of a personally owned vehicle (POV) is reimbursed based on mileage. I think I emailed the mileage rate to you. If you need it again, I'll look it up when I am at the office (this afternoon).  
> Peg
> 
> --------------------------
> Sent from my BlackBerry Wireless Handheld
> 
> ----- Original Message ----- 
> From: "Job Serebrov" To: psims@eac.gov
> Sent: 05/12/2006 09:05 PM 
> To: psims@eac.gov 
> Subject: Question
> 
> 002904
Peg:

Since I am driving to DC, besides hotel receipts, do you want me to keep my gas receipts or how will my car use be compensated? Also, I assume I don't have to retain food receipts.

Job

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:21 PM ---
Margaret Sims/EAC/GOV
05/24/2006 04:57 PM
To "Tova Wang" cc
Subject RE: presentation

The Standards Board has the reputation of being crankier than the Board of Advisors. They beat up on the Commissioners last year.

"Tova Wang" cc
05/24/2006 04:50 PM
Subject RE: presentation

Is such a roasting usual? I mean, do they think we did a bad job???

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Wednesday, May 24, 2006 3:43 PM
To: Tova Wang
Subject: RE: presentation

You have most of the pieces of the report now. We absolutely need to put the statutory authority for the research up front. We need to add the definition. We also need to add a short piece addressing the approach for this preliminary research (including short statements on the pros and cons of information sources --- you began to address this in the literature review summary). I expect that the biggest project will be fleshing out the possible avenues for subsequent research in this area. It would be great if we could come up with cost estimates. If we can't, we need to at least identify what info we hope to get, what we are likely to miss, and any pitfalls.

Given today's roast, I will take another look at what we have now to highlight remarks that might
needlessly tick board members off. We can discuss whether or not editing or removing the remark would be detrimental to or have no real effect on the final report. (An example of such a remark is the reference to the number of articles out of Florida. A local official from that State objected on the grounds that the number of articles does not reliably indicate the number of problems.) I know we can expect a challenge from Board of Advisors member Craig Donsanto regarding the focus of the Election Crimes Branch prosecutions.

Yes, we can discuss the organization and "look" of the report after Job returns. Yes, the Commissioners will want to review it and submit their changes before the report goes to the boards.

It is too early to tell what EAC efforts may be mounted in FY 2007. I doubt that fire from the Standards Board will prevent Commissioners from doing what they think is needed. But, given that it is an election year, appropriations legislation may not be signed until December or later -- so we won't know how much money we have for awhile. --- Peggy

"Tova Wang" 05/24/2006 03:27 PM

Yikes. It sounds like a lot of work after all. Should we talk over what the report should look like again, I guess when Job gets back? Will you help us write it in a way you think will satisfy? I guess it goes to the commissioners first anyway. Does this portend anything for phase 2?

Thanks Peg. Tova

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Wednesday, May 24, 2006 2:16 PM
To: ri
Subject: Re: presentation

I'm glad it is over --- for now. One audience was a lot tougher than the other. The Standards Board was much more critical of the research than the Board of Advisors.

Of course, the Board of Advisors is the body that wanted EAC to place a high priority on the research. Its members were interested in sharing personal experiences (including problems with getting anyone to prosecute) and observations (that we need to expand the research to give Congress and political parties a better picture of how rare or prevalent are voting fraud and intimidation, that the HAVA-mandated statewide voter registration lists should help to prevent fraud, etc.). They also asked if EAC will look at specific opportunities for fraud (using cell phones
in vote buying schemes to photograph the ballot being cast at the poll) and how the agency will research voter intimidation/suppression involving voters with disabilities (advocates want to pass on complaints received).

The members of the Standards Board focused much more on the scope of the research and the completeness and accuracy of the information gleaned. Some wanted to include campaign finance crimes in the mix; others understood why we did not. Several did not like the use of newspaper articles, or were defensive about references to the large number of articles about their State. They made the point that, given the vagaries of the press, EAC should not use the number of articles about a specific State or particular vote fraud/intimidation activity as a basis for determining the likelihood that problems will occur in a given State or the frequency with which certain activities occur. (I never said that we did, but some members thought it was at least implied.) Some members want more research on the topic (into prosecutions and/or unsuccessful referrals made by election officials to law enforcement agencies); others want us to “quit throwing away tax dollars” and to stop the research altogether. Although my first slide noted our statutory authority to conduct this study, several members challenged EAC’s right to do so — saying that DOJ, not EAC, should conduct such research.

The dueling approaches of these boards may give us heartburn when the time comes for them to review and comment on the draft. We will have to make a strong statement at the beginning, perhaps repeated at the end, that this is preliminary research. We also may need to thoroughly explain how choices were made regarding what to look at, who to interview, etc. We may need to clearly acknowledge both the strengths and weaknesses of the various sources of information used in the preliminary research. Finally, when reviewing ideas for subsequent research, we may need to discuss the pros and cons of each approach, what additional information we expect to retrieve, and, perhaps, the estimated cost.

By the way, I did clarify the polling place fraud bullet. --- Peg

How did it go? Were you able to verbally correct that discrepancy we talked about the other day? Thanks. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation
Peggy,

In preparation for the logistics of this week's working group, I need to know how many people to expect for the meeting. Also, if you still need me to make name tags, I will need a list of attendees and the avery label size.

Also, I will need help from Laiza on the table tents, or we can see if she has the time to help with that.

Thanks!

Elle

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:21 PM ---

To Peggy

cc Laiza N. Otero/EAC/GOV@EAC, dromig@eac.gov@EAC

Subject working group

I have attached the list of the working groups participants. Peggy, you may want to double check this list incase I have left anyone out.

In place of name tags we just used the tent cards for the APIA working group. This seemed to be effective because it was easier to identify the person who was speaking but we could use both.
Peggy,

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Elle

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:21 PM ----- 

I have arranged for a transcriptionist to be at the meeting but I am not sure about the snacks for the break.

Devon Romig
Sounds great. It did seem to work just fine for our Asian Language group. Is there going to be a transcriptionist? If so, has anyone taken care of that?

Did you still want to provide the cookies or snacks, or shall I get that from Cafe Mozart (where I am planning to get the coffee). I can just buy a few boxes of cookies for the break.

Elle

Elle L.K Colver
U.S. Election Assistance Commission
1225 New York Avenue, Suite 1100
Washington, D.C. 20005
office: (202) 566-2256
blackberry: (202) 294-9251
www.eac.gov

Elle: I think our number will be about 21 (with the Working Group members, consultants, possible EAC Commissioners and staff, and the court reporter). I'll have a better idea of the final list after I brief Commissioners tomorrow morning. Devon noted that they used only tent cards for the Asian Language Working Group. That might be sufficient for this group and would cut back on some of the work we have
to do in preparation. --- Peggy

Eileen L. Collier/EAC/GOV

05/15/2006 12:19 PM

To: Margaret Sims/EAC/GOV@EAC
cc: Laiza N. Otero/EAC/GOV@EAC, dromig@eac.gov@EAC
Subject: working group

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----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:21 PM -----

"Donsanto, Craig"
Craig.Donsanto@usdoj.gov
To: psims@eac.gov
cc: eac.gov
Subject: RE: Report on Voting Fraud-Voter Intimidation Research

05/17/2006 10:59 AM

Peg --
This is a complicated issue largely because of two things: 1) there is a lot of ambiguity out there as to what constitutes "intimidation." To the civil rights community, "intimidation" means anything that makes voting uncomfortable or less than automatic. To us in the criminal law enforcement "intimidation" means threats of economic or physical nature made to force or prevent voting. Only the latter involve aggravating factors that warrant putting offenders in jail, and the statutes that address "intimidation" from a criminal perspective are thus limited. We have never had many "intimidation" criminal cases. For one thing, in this modern post voting rights era, there is not a lot of physical/economic duress out there in the voting context - - at least not that I have seen. For another, where it does occur it is very hard to investigate and detect as victims who have been physically or economically intimidated are not likely to come to the FBI.

The bottom line is that we take matters that do present predication for physical or economically based "intimidation" very seriously, AND that we are being extremely proactive in trying to find ways to prosecute matters involving voter suppression as in the Tobin cases in New Hampshire where the local GOP tried to jam telephone lines for a GOTV effort run by the Dems. But even there - - the usual "suppression" matter involves flyers that are passed around giving out misleading information about an election, and we have investigated every one of those that came to our attention last election cycle. We were not able to identify the person(s) responsible for printing the misleading flyers in any of these. But we sure as heck tried.

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Wednesday, May 17, 2006 9:57 AM
To: Donsanto, Craig
Subject: Report on Voting Fraud-Voter Intimidation Research

Craig:

I'm putting the finishing touches on a status report to the EAC Standards Board and EAC Board of Advisors on our Voting Fraud-Voter Intimidation research project. For the most part, I am using our consultants summaries for the report, but one bullet under the interview summaries is giving me heartburn. It is the bullet that references the decrease in DOJ voter intimidation actions. It is one of the places in which our consultants had indicated that your office is focussing on prosecuting individuals. I have reworded it and would like your feedback on the revision:

Several people indicate - including representatives from DOJ -- that for various reasons, the Department of Justice is bringing fewer voter intimidation and suppression cases now, and has increased its focus on matters such as noncitizen voting, double voting, and felon voting. While the Voting Section of the Civil Rights Division focuses on systemic patterns of malfeasance, the Election Crimes Branch of the Public Integrity Section has increased prosecutions of individual instances of felon, alien, and double voting while also maintaining an aggressive pursuit of systematic schemes to corrupt the electoral process.

Please suggest any changes that you think would further clarify the current approach. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:21 PM -----

Eileen L. Collier/EAC/GOV
05/15/2006 03:35 PM

To Devon E. Romig/EAC/GOV@EAC, gvogel@eac.gov@EAC
cc Margaret Sims/EAC/GOV@EAC

Subject Re: working group

I am working on the snacks. I just ordered the coffee (reg/decaf). Cafe Mozart is faxing over an invoice and we can pick up a few boxes of cookies from there too.

GAYLIN-Adam said that you had looked into the way of getting reimbursed for paying for the break

002912
foods/coffees that are provided at these meetings? Any ideas?

Thanks,
Elle

Elle L.K Collver
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1225 New York Avenue, Suite 1100
Washington, D.C. 20005
office: (202) 566-2256
blackberry: (202) 294-9251
www.eac.gov
Devon E. Romig/EAC/GOV

Devon E. Romig/EAC/GOV
05/15/2006 03:28 PM
To Eileen L. Collver/EAC/GOV@EAC
cc Margaret Sims/EAC/GOV@EAC
Subject Re: working group

I have arranged for a transcriptionist to be at the meeting but I am not sure about the snacks for the break.

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov
Eileen L. Collver/EAC/GOV

Eileen L. Collver/EAC/GOV
05/15/2006 03:19 PM
To Margaret Sims/EAC/GOV@EAC
cc dromig@eac.gov
Subject Re: working group

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Did you still want to provide the cookies or snacks, or shall I get that from Cafe Mozart (where I am planning to get the coffee). I can just buy a few boxes of cookies for the break.

Elle
Elle:
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office: (202) 566-2256
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----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:21 PM -----
Margaret Sims/EAC/GOV
05/22/2006 05:01 PM
To Cortes, Romig, Collver, Tamar Nedzar/EAC/GOV, Laiza N. Otero
cc
Subject Voting Fraud-Voter Intimidation Working Group Meeting

If any of you took notes of the discussion during the Voting Fraud-Voter Intimidation Working Group meeting, would you please provide a copy to Devon. Devon, would you please use the meeting agenda to organize and consolidate any notes by topic, and send the consolidated notes to me? Thanks. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:21 PM -----
Margaret Sims/EAC/GOV
05/15/2006 04:37 PM
To Voting Fraud-Voter Intimidation Working Group
cc jgreenbaum@lawyerscommittee.org, vjohnson@lawyerscommittee.org, dlovecchio@perkinscoie.com, bschuler@lathropgage.com, Craig.Donsanto@usdoj.gov
Subject Voting Fraud-Voter Intimidation Working Group

Dear Working Group Members and Participants:

You should receive a packet of information today, either by Federal Express or hand delivery, concerning Thursday's meeting of the project Working Group for EAC's Voting Fraud-Voter Intimidation research project. Attached is an analysis of the consultants' research into relevant literature and reports. This summary was not available when we prepared the information packets last Friday, but may be of interest to you. Our consultants and I look forward to having a productive discussion with you.

Regards,

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
I haven't really looked into it. I know that contractors and grantees can order food and have the government pay for it if the meeting is to disseminate information. Logic dictates that we can do the same, but I am not sure of the process. I have been here when we ordered lunch for meetings. Diana would be the one to ask. Perhaps the contractor can pay for it and put it on their next invoice but the COTR for the contract would have to be in the loop on this call.

Gaylin Vogel
Law Clerk
U.S. Election Assistance Commission
1225 New York Avenue, NW Suite 1100
Washington, DC 20005
tel: 202-566-3116
http://www.eac.gov
GVogel@eac.gov

Elieen L. Colver/EAC/GOV

I am working on the snacks. I just ordered the coffee (reg/decaf). Cafe Mozart is faxing over an invoice and we can pick up a few boxes of cookies from there too.

GAYLIN-Adam said that you had looked into the way of getting reimbursed for paying for the break foods/ coffees that are provided at these meetings? Any ideas?

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202.566.3128 fax  
www.eac.gov  
Devon E. Romig/EAC/GOV

Elleen L. Collver/EAC/GOV  
05/15/2006 03:19 PM  
To Margaret Sims/EAC/GOV@EAC  
cc dromig@eac.gov  
Subject Re: working group

Sounds great. It did seem to work just fine for our Asian Language group. Is there going to be a transcriptionist? If so, has anyone taken care of that?

Did you still want to provide the cookies or snacks, or shall I get that from Cafe Mozart (where I am planning to get the coffee). I can just buy a few boxes of cookies for the break.

Elle  
Elle L.K Collver  
U.S. Election Assistance Commission  
1225 New York Avenue, Suite 1100  
Washington, D.C. 20005  
office: (202) 566-2256  
blackberry: (202) 294-9251  
www.eac.gov
Elle:
I think our number will be about 21 (with the Working Group members, consultants, possible EAC Commissioners and staff, and the court reporter). I'll have a better idea of the final list after I brief Commissioners tomorrow morning. Devon noted that they used only tent cards for the Asian Language Working Group. That might be sufficient for this group and would cut back on some of the work we have to do in preparation. --- Peggy

Eileen L. Collver/EAC/GOV

Peggy,

In preparation for the logistics of this week's working group, I need to know how many people to expect for the meeting. Also, if you still need me to make name tags, I will need a list of attendees and the Avery label size.

Also, I will need help from Laiza on the table tents, or we can see if she has the time to help with that.

Thanks!

Elle

Elle L.K Collver
U.S. Election Assistance Commission
The contracts for the two consultants on this project do not cover such costs. --- Peggy

Recommendations for Future Research

- Bipartisan observers/poll watchers
  - To collect data
  - To deter fraud/intimidation

- Surveys
  - State laws
  - State election offices
  - Specific states
  - Local election officials
  - Voters (this suggestion was rejected by the panel)
  - State implementation of administrative complaint procedures (applies only to HAVA Title III violations) to ID examples of procedures for other than HAVA Title III complaints

- Follow up on initial reports of fraud/intimidation from the Nexis search of news articles and literature review

- Research absentee balloting process issues
  - Methodology of “for cause” absentee voting

- Risk-analysis for voting fraud
- Who?
- What part of process?
- Ease of committing the fraud
- Which elections?

- Analyze
  - Phone logs from toll-free lines for election concerns
  - Federal observer reports
  - Local newspapers

- Academic statistical research

- Search and match procedures for voter registration list maintenance (subject to confirmation) to identify potential avenues for vote fraud

- Research State district court actions

- Broaden scope of interviews to local officials and district attorneys

- Explore the concept of election courts

- Model statutes

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:21 PM ---

Devon E. Romig/EAC/GOV
05/19/2006 10:15 AM
to Margaret Sims/EAC/GOV@EAC
cc
subject Summary of notes for VFVI meeting

Peggy,

Here are the notes from the meeting.

Summary of VFVI Meeting.doc

Thanks!

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:21 PM ---

"Job Serebrov"
05/23/2006 09:17 AM
to psims@eac.gov
cc
subject Re: Payment Vouchers
How did you deal with the issue of mileage v. airline costs for my travel?

--- psims@eac.gov wrote:

> I signed and submitted your personal services
> payment vouchers this
> morning. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:21 PM ---
Margaret Sims/EAC/GOV
05/23/2006 11:11 AM
To "Job Serebrov"
cc
Subject Re: Payment Vouchers

I have to have a little time to focus on these issues and to check with our Finance Officer. Today and tomorrow, most of my time is scheduled for the EAC Standards Board and Board of Advisors meetings. --- Peggy

"Job Serebrov" <job.serebrov@eac.gov>
05/23/2006 09:17 AM
To psims@eac.gov
cc
Subject Re: Payment Vouchers

How did you deal with the issue of mileage v. airline costs for my travel?

--- psims@eac.gov wrote:

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> morning. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:21 PM ---
Margaret Sims/EAC/GOV
05/23/2006 09:16 AM
To Job Serebrov, Tova Andrea Wang
cc
Subject Payment Vouchers
I signed and submitted your personal services payment vouchers this morning. --- Peggy

"Tova Wang"

05/22/2006 09:24 AM

To psims@eac.gov

cc

Subject voucher

Hi Peg, I have this all filled out -- would you quickly check before I fax? And I have all my travel receipts which I will mail to you. Thanks. T

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021

Visit our Web site, [link for the latest news, analysis, opinions, and events.]

Click here to receive our weekly e-mail updates.

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:21 PM ---

Margaret Sims/EAC/GOV
05/22/2006 03:30 PM

To "Tova Wang"

cc

Subject Re: voucher

Tova:
Here is your voucher with the pay period dates and signature date updated, and a check mark added for the travel costs. I've been thinking that it might be better to make a separate submission for the travel costs. That way, if there are any delays in receiving your receipts, or there are any corrections or clarifications needed on the travel costs, we won't have to hold up the voucher for payment of personal services. If you agree, you should delete the check mark, dollar amount and travel dates from this voucher. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:21 PM ---

"Tova Wang"

05/16/2006 09:14 AM

To psims@eac.gov

cc
Subject: RE: Date Ranges for Research

January 1, 2001 - January 1, 2006

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

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 16, 2006 7:41 AM
To: [Redacted]
Subject: Date Ranges for Research

Would you please refresh my memory about the date ranges used for the Nexis article research and the case law research? I'm drawing a blank and I don't see it in the summaries. I need it for this mornings Commissioner briefing. Thanks! --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:21 PM -----

Margaret Sims/EAC/GOV
05/15/2006 02:48 PM
To: Elieen L. Colver/EAC/GOV
CC: dromig@eac.gov
Subject: Re: working group

Elle:
I think our number will be about 21 (with the Working Group members, consultants, possible EAC Commissioners and staff, and the court reporter). I'll have a better idea of the final list after I brief Commissioners tomorrow morning. Devon noted that they used only tent cards for the Asian Language Working Group. That might be sufficient for this group and would cut back on some of the work we have to do in preparation. --- Peggy

Elieen L. Colver/EAC/GOV
05/15/2006 12:19 PM
To: Margaret Sims/EAC/GOV@EAC
CC: Laiza N. Otero/EAC/GOV@EAC, dromig@eac.gov@EAC
Subject: working group

Peggy,

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Elle

Elle L.K Collver
U.S. Election Assistance Commission
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Thanks!

Elle

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:21 PM ---
Margaret Sims/EAC/GOV
05/15/2006 06:41 PM
To "Craig Donsanto" <Craig.Donsanto@usdoj.gov>
cc
Subject Re: Voting Fraud-Voter Intimidation Working Group

It could be a Berry problem. (I occasionally have that problem with attachments I try to retrieve through my Blackberry.)

The attachment is a pdf file, but I have access to a Word version that I can use to insert text in an email tomorrow. I don't have access to the attachment from my Berry.

Peggy

Sent from my BlackBerry Wireless Handheld

----- Original Message -----
From: "Donsanto, Craig" [Craig.Donsanto@usdoj.gov]
Sent: 05/15/2006 04:53 PM
To: psims@eac.gov
Subject: Re: Voting Fraud-Voter Intimidation Working Group

Peggy --

I am currently on train in transit back from a day in Newark. I tried to recover your attachment on Blackberry but got a message telling me the "file is empty."

Can you paste it to an e-mail perhaps?
--------------------------
Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: barnwine@lawyerscommittee.org <barnwine@lawyerscommittee.org>; Rbauer@perkinscoie.com <Rbauer@perkinscoie.com>; bginsberg@pattonboggs.com <bginsberg@pattonboggs.com>; mhearn@lathropgage.com <mhearn@lathropgage.com>; jrperez50@sbcglobal.net <jrperez50@sbcglobal.net>; krogers@sos.state.ga.us <krogers@sos.state.ga.us>; assistant@sos.in.gov <assistant@sos.in.gov>; weinutr@verizon.net <weinutr@verizon.net>
CC: jgreenbaum@lawyerscommittee.org <jgreenbaum@lawyerscommittee.org>; vjohnson@lawyerscommittee.org <vjohnson@lawyerscommittee.org>; dlovechio@perkinscoie.com <dlovechio@perkinscoie.com>; bschuler@lathropgage.com <bschuler@lathropgage.com>; Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Mon May 15 16:37:48 2006
Subject: Voting Fraud-Voter Intimidation Working Group

Dear Working Group Members and Participants:

You should receive a packet of information today, either by Federal Express or hand delivery, concerning Thursday's meeting of the project Working Group for EAC's Voting Fraud-Voter Intimidation research project. Attached is an analysis of the consultants' research into relevant literature and reports. This summary was not available when we prepared the information packets last Friday, but may be of interest to you. Our consultants and I look forward to having a productive discussion with you.

Regards,

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
e-mail: psims@eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:21 PM ------
Margaret Sims/EAC/GOV
05/17/2006 03:02 PM
To: Amie J. Sherrill/EAC/GOV, Adam Ambrogi/EAC/GOV

002926
Subject Replacement Handout for EAC Board

I found some typos in the Status Report. Please replace the one I gave you with the attached. Thanks. --- Peggy

EAC Boards VF-VI Status Report.doc

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:21 PM -----

Margaret Sims/EAC/GOV
05/23/2006 08:45 AM
To "Tova Wang"
cc
Subject RE: PowerPoint Presentation to EAC Boards

I know --- I'll have to cover that in my oral presentation, along with some other points. The audience will have a copy of the paper I put together using Job's and your summaries and findings. The paper provides a lot more detail. We did not plan to provide a copy of the PowerPoint presentation, which is just meant to keep me on track and them interested in the presentation. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM -----

"Tova Wang"
05/26/2006 10:41 AM
To psims@eac.gov, "Job Serebrov"
cc
Subject RE: Request to interview AUSAs

I still think we should include the recommendations in the report

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Friday, May 26, 2006 9:30 AM
To: Tova Andrea Wang; Job Serebrov
Subject: Fw: Request to interview AUSAs

Below is Craig's response to the request to interview AUSAs. It does not appear that this avenue is likely because the AUSAs are so busy...

Also, he asked about permission for other folks to attend the election crimes training session, and the answer was "no". (I can't even get in, and I'm a federal employee.). I understand that a good part of the reason is practical -- they are having enough trouble accommodating the folks that are required to come.

Peggy

-----------------------

002927
----- Original Message ----- 
From: "Donsanto, Craig" [Craig.Donsanto@usdoj.gov] 
Sent: 05/23/2006 02:49 PM 
To: psims@eac.gov; "Voris, Natalie (USAEO)" <Natalie.Voris@usdoj.gov>; 
"Hillman, Noel" <Noel.Hillman@usdoj.gov>; "Simmons, Nancy" <Nancy.Simmons@usdoj.gov> 
Subject: Request to interview AUSAs 

Peg --

At the Advisory Board meeting we had last week, your two contractors asked 
to interview the over-100 AUSAs who are serving as District Election 
Officers in connection with the Fraud study.

This request needs to be addressed to Natalie Voris of EOUSA per the message 
from here that follows.

If the contractors require additional information in connection with the 
Fraud Study, and should EOUSA not be able to satisfy their needs n they can 
communicate with me on criminal issues and Cameron Quinn on Civil Rights 
issues.

I will be here when you arrive later today at the Board of Advisors meeting 
when you arrive to talk to us at 4:30.

Ms. Voris' message follows:

Per the USAM, all requests for interviews/surveys/research projects that 
involve USAOs must be approved by EOUSA. I am pasting the provision below - 
the contact name needs to be updated. Requests should come to me, as the 
Acting Counsel to the Director.

Thanks,
Natalie
-------------------------- 
Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM ----- 
Margaret Sims/EAC/GOV 05/16/2006 03:50 PM 
To "Tova Wang" 
cc
Subject Re: board of advisers presentation

I haven't sent it yet. If you need to leave early, you can look at what I have so far, which does not have the 
intro or the text regarding the final report. --- Peggy
Hi Peg. Have you tried to send me the presentation? I haven't gotten it, but I think we may be having email problems. Let me know. I'd need to look at it today since I'll be tied up tomorrow. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021

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Click here to receive our weekly e-mail updates.

Thank you, Peg. This is at least more accurate than what I read this morning. Thank you for taking the time to discuss this with me. I shall see you tomorrow.

Craig:

This is what I was working on for the upcoming meetings of the EAC Board of Advisors and EAC
Peggy -- can you call me about this in about an hour?
202-514-1421.

--------------------------
Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Subject: Report on Voting Fraud-Voter Intimidation Research

Craig:

I'm putting the finishing touches on a status report to the EAC Standards Board and EAC Board of Advisors on our Voting Fraud-Voter Intimidation research project. For the most part, I am using our consultants summaries for the report, but one bullet under the interview summaries is giving me heartburn. It is the bullet that references the decrease in DOJ voter intimidation actions. It is one of the places in which our consultants had indicated that your office is focusing on prosecuting individuals. I have reworded it and would like your feedback on the revision:

Several people indicate - including representatives from DOJ -- that for various reasons, the Department of Justice is bringing fewer voter intimidation and suppression cases now, and has increased its focus on matters such as noncitizen voting, double voting, and felon voting. While the Voting Section of the Civil Rights Division focuses on systemic patterns of malfeasance, the Election Crimes Branch of the Public Integrity Section has increased prosecutions of individual instances of felon, alien, and double voting while also maintaining an aggressive pursuit of systematic schemes to corrupt the electoral process.

Please suggest any changes that you think would further clarify the current approach. --- Peggy
Shall I call you at about 2:30 PM? -- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM -----

Margaret Sims/EAC/GOV
05/15/2006 05:09 PM
To: Job Serebrov
cc:
Subject: Mileage Rate for POV

Job:
The federal mileage rate for POVs is $.445 per mile (see http://www.gsa.gov/Portal/gsa/ep/contentView.do?programId=9299&channelId=-13224&oid=10359&contentId=9646&pageTypeId=8203&contentTypeId=GSA_BASIC&programPage=%2Fep%2Fprogram%2FgsaBasic.jsp&P=MTT). Write down the number on your odometer at the beginning (starting at home) and end of the trip (when you arrive back home). The difference should be your total mileage, unless you make any side trips for personal convenience. The mileage for side trips should be deleted from the total. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM -----

Margaret Sims/EAC/GOV
05/24/2006 03:16 PM
To: "Tova Wang"
cc:
Subject: Re: presentation

I'm glad it is over --- for now. One audience was a lot tougher than the other. The Standards Board was much more critical of the research than the Board of Advisors.

Of course, the Board of Advisors is the body that wanted EAC to place a high priority on the research. Its members were interested in sharing personal experiences (including problems with getting anyone to prosecute) and observations (that we need to expand the research to give Congress and political parties a better picture of how rare or prevalent are voting fraud and intimidation, that the HAVA-mandated statewide voter registration lists should help to prevent fraud, etc.). They also asked if EAC will look at specific opportunities for fraud (using cell phones in vote buying schemes to photograph the ballot being cast at the poll) and how the agency will research voter intimidation/suppression involving voters with disabilities (advocates want to pass on complaints received).

The members of the Standards Board focused much more on the scope of the research and the completeness and accuracy of the information gleaned. Some wanted to include campaign finance crimes in the mix; others understood why we did not. Several did not like the use of newspaper articles, or were defensive about references to the large number of articles about their State. They made the point that, given the vagaries of the press, EAC should not use the number of articles about a specific State or particular vote fraud/intimidation activity as a basis for determining the likelihood that problems will occur in a given State or the frequency with which certain activities occur. (I never said that we did, but some members thought it was at least implied.) Some members want more research on the topic (into prosecutions and/or unsuccessful referrals made by election officials to law enforcement agencies); others want us to "quit throwing away tax dollars" and to stop the research altogether. Although my first slide noted our statutory authority to conduct this study, several members challenged EAC's right to do so --- saying that DOJ, not EAC, should conduct such research.

The dueling approaches of these boards may give us heartburn when the time comes for them to review
and comment on the draft. We will have to make a strong statement at the beginning, perhaps repeated at
the end, that this is preliminary research. We also may need to thoroughly explain how choices were
made regarding what to look at, who to interview, etc. We may need to clearly acknowledge both the
strengths and weaknesses of the various sources of information used in the preliminary research. Finally,
when reviewing ideas for subsequent research, we may need to discuss the pros and cons of each
approach, what additional information we expect to retrieve, and, perhaps, the estimated cost.

By the way, I did clarify the polling place fraud bullet. --- Peg

"Tova Wang"

05/24/2006 09:14 AM
To psims@eac.gov
Subject presentation

How did it go? Were you able to verbally correct that discrepancy we talked about the other day?
Thanks. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021

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---- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM ----

"Tova Wang"

05/24/2006 03:27 PM
To psims@eac.gov
Subject RE: presentation

Yikes. It sounds like a lot of work after all. Should we talk over what the report should look like again, I
guess when Job gets back? Will you help us write it in a way you think will satisfy? I guess it goes to the
commissioners first anyway. Does this portend anything for phase 2? Thanks Peg. Tova

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Wednesday, May 24, 2006 2:16 PM
To:*
Subject: Re: presentation
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--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM ---
"Tova Wang"
05/16/2006 05:08 PM
To psims@eac.gov
cc
Subject RE: board of advisers presentation

This looks fine otherwise, but I'm not sure I understand why you included the attachments you did. They are not really representative of what we did for the project as a whole. The summaries are just meant to supplement the nexis excel charts.

-----Original Message-----
From: psims@eac.gov
Sent: Tuesday, May 16, 2006 2:51 PM
To: Tova Wang
Subject: Re: board of advisers presentation

I haven't sent it yet. If you need to leave early, you can look at what I have so far, which does not have the intro or the text regarding the final report. --- Peggy

"Tova Wang"
05/16/2006 03:47 PM
To psims@eac.gov
cc
Subject board of advisers presentation
Hi Peg. Have you tried to send me the presentation? I haven’t gotten it, but I think we may be having email problems. Let me know. I’d need to look at it today since I’ll be tied up tomorrow.

Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021


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----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM -----

"Donsanto, Craig"
Craig.Donsanto@usdoj.gov

To: psims@eac.gov
Subject: RE: Your Materials

05/16/2006 12:06 PM

Thank you, Peg. This stuff is very interesting.

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 16, 2006 11:27 AM
To: Donsanto, Craig
Subject: Re: Your Materials

I have forwarded your message to our consultants and have requested a corrected version for distribution at the WG meeting. --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/16/2006 10:46 AM

Topsims@eac.gov
Subject: Your Materials
Peg -

I have read over the materials you sent to me and viewed the pieces on the CD.

I have only one correction:

I did not say that offenders who receive target letters routinely request or routinely receive audiences here at DOJHQ. That is very rare. Instead, what usually happens is that once a subject for an election fraud investigation is advised that he or she is going to be charged that person usually enters into plea negotiations and ultimately pleads guilty. Very few federal election fraud cases go to trial. When a subject does request a HQ interview or a HW hearing, it would be held in the first instance by myself. But again, Peg, that is rare.

Also, while the occurrences of prosecutions of isolated instances of felons and alien voters and double voters has increased, we still aggressively and I believe quite successfully pursue systematic schemes to corrupt the electoral process, as the cases we brought recently out of Knott and Pike Counties in Kentucky, those we brought out of Lincoln and Logan Counties in West Virginia, and those we brought in New Hampshire growing out of the jamming of get-out-the-vote phone bank lines attest.

I don't think anyone should be given the opportunity to correct mistakes.

Should we send all of the interview summaries to the people we interviewed for review then?

-----Original Message-----
From: psims@eac.gov
Sent: Tuesday, May 16, 2006 10:30 AM
To: -

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM -----

"Job Serebrov"  
05/16/2006 11:13 AM
To "Tova Wang" @eac.gov
Subject Corrections

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM -----

"Tova Wang"  
05/16/2006 11:34 AM
To psims@eac.gov,  
Subject RE: Corrections
It wasn't his mistake. I was there at the interview. I just did not have time to review all of the interview summaries. --- Peggy

I don't think anyone should be given the opportunity to correct mistakes.

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM ---
Margaret Sims/EAC/GOV
05/16/2006 11:30 AM
To "Job Serebrov"
cc
Subject Re: Corrections

It wasn't his mistake. I was there at the interview. I just did not have time to review all of the interview summaries. --- Peggy

I don't think anyone should be given the opportunity to correct mistakes.
OK. Weather is not going to be great in DC Thursday. I hope that does not delay me.

--- psims@eac.gov wrote:

> We don't need a castle key, but we have to wait
> until the Chairman returns
> to the office tomorrow to confirm availability of
> the parking pass. I
> expect you will be on the road, then. Try calling
> me our toll-free line
> (1-866-747-1471) tomorrow afternoon, say after 2 PM
> EST, so that we can
> talk about this. --- Peg

> "Job Serebrov"  
> 05/15/2006 09:56 AM
> 
> To
> psims@eac.gov
> cc
> 
> Subject: Re: Question
> 
> Did you find out whether I can use the Chairman's
> parking spot?
> 
> --- psims@eac.gov wrote:
> 
> > You will need to submit hotel and parking
> > receipts.
> > You don't need to submit meal receipts. You don't
> > need to submit gas receipts because use of a
> > personally owned vehicle (POV) is reimbursed based
> > on mileage. I think I emailed the mileage rate to
> > you. If you need it again, I'll look it up when I
> > am
> > at the office (this afternoon).
Peg

Sent from my BlackBerry Wireless Handheld

----- Original Message ----- 
From: "Job Serebrov"
Sent: 05/12/2006 09:05 PM
To: psims@eac.gov
Subject: Question

Peg:

Since I am driving to DC, besides hotel receipts, do you want me to keep my gas receipts or how will my car use be compensated? Also, I assume I don't have to retain food receipts.

Job

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM ----- 

"Tova Wang"
05/15/2006 09:07 AM
To psims@eac.gov
cc dromig@eac.gov
Subject I'm sorry

I don't think I sent this to you either. Can we hand it out at the meeting as an addendum? Its another summary that would have gone in the news article section. I'm usually so organized, I'm very embarrassed. Too many things! Thanks

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021

Visit our Web site for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.
What is the information you need when you say:
The consultants jointly selected experts from ???

We chose the interviewees by first coming up with a list of the categories of types of people we wanted to interview. Then we each filled those categories with a certain number of people, equally. The ultimate categories were academics, advocates, elections officials, lawyers and judges.

Is that what you need?

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 16, 2006 2:51 PM
To: [redacted]
Subject: Re: board of advisers presentation

I haven't sent it yet. If you need to leave early, you can look at what I have so far, which does not have the intro or the text regarding the final report. --- Peggy

Hi Peg, Have you tried to send me the presentation? I haven't gotten it, but I think we may be
having email problems. Let me know. I'd need to look at it today since I'll be tied up tomorrow.

Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021

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Click here to receive our weekly e-mail updates.

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM -----

"Job Serebrov"
05/15/2006 09:28 AM To psims@eac.gov
cc
Subject Re: Fw: New Working Group Member

Excellent!

--- psims@eac.gov wrote:

> Just thought you would like to see the Chairman's
> reaction to the Ginsberg choice, attached.
> Peggy
> 
> --------------------------
> > Sent from my BlackBerry Wireless Handheld
> >
> > ----- Original Message ------
> > From: Paul DeGregorio
> > Sent: 05/14/2006 12:01 PM
> > To: CN=Margaret Sims/OU=EAC/O=GOV@EAC
> > Cc: CN=Amie J. Sherrill/OU=EAC/O=GOV
> > Subject: Re: New Working Group Member
> >
> > Ben Ginsberg is one of the most respected election
> > law attorneys in the country. Great choice.
> >
> > --------------------------
> > > Sent from my BlackBerry Wireless Handheld
> > >
> > > ----- Original Message ------
> > > From: Margaret Sims
> > > Sent: 05/12/2006 04:04 PM
> > > To: pdeggregorio@eac.gov
> > > Cc: CN=Amie J. Sherrill/OU=EAC/O=GOV@EAC
> > > Subject: New Working Group Member
> >
> >
Hello to all,

I would love to help, but I will not be in the office from today (Monday, May 15th) thru Wednesday, May 17th ---- I'll be back on Thursday morning. When is your meeting taking place? I had e-mailed Adam a draft of the table tents I did for the APIA working group; perhaps he still has it archived in his Lotus notes and could forward it to you. All you would have to do then is erase the APIA names and insert the ones for the new working group. In case he does not have the document I sent him and you need them prior to me returning to the office ---- in Microsoft Word, open a new document, go under Tools, then labels and envelopes, choose Labels and then Options -- then choose the correct Avery product number for your tent cards and click New document -- this will bring a blank template where you can begin to insert the names. I hope this helps. I can be reached by phone at (610) 780-8551 in case you need my help. Also, the tent card box usually brings an instruction sheet, it’s not the most clear though.

Laiza N. Otero  
Research Associate  
U.S. Election Assistance Commission  
1225 New York Avenue, Suite 1100  
Washington, DC 20005  
Tel. (202) 566-1707  
Fax (202) 566-3128
Also, I will need help from Laiza on the table tents, or we can see if she has the time to help with that.

Thanks!

Elle

Elle L.K Collver
U.S. Election Assistance Commission
1225 New York Avenue, Suite 1100
Washington, D.C. 20005
office: (202) 566-2256
blackberry: (202) 294-9251
www.eac.gov

FYI - Attached is a copy of the PowerPoint presentation on the voting fraud-voter intimidation research project for tomorrow's meetings of the EAC Standards Board (110 state and local election officials) and the EAC Advisory Board (37 representatives from national associations and government agencies who play a role in HAVA implementation and from science and technology-related professions appointed by Congressional members). I used your summaries as the primary source of information for the presentation. --- Peggy
Kind Regards,

Tamar Nedzar
Law Clerk
U.S. Election Assistance Commission
1225 New York Avenue, NW Suite 1100
Washington, DC 20005
(202) 566-2377
http://www.eac.gov
TNedzar@eac.gov

House Conference Report.doc

Senate Conference Report.doc

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM ---

"Tova Wang"
05/23/2006 09:23 AM
To psims@eac.gov
cc
Subject RE: PowerPoint Presentation to EAC Boards

OK, thanks

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 23, 2006 7:46 AM
To: [Redacted]
Subject: RE: PowerPoint Presentation to EAC Boards

I know --- I'll have to cover that in my oral presentation, along with some other points. The audience will have a copy of the paper I put together using Job's and your summaries and findings. The paper provides a lot more detail. We did not plan to provide a copy of the PowerPoint presentation, which is just meant to keep me on track and them interested in the presentation.

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM -----

"Tova Wang"
05/22/2006 03:43 PM
To psims@eac.gov
cc
Subject RE: voucher

Is there something separate I should fill out for the travel, or should I just submit a letter? Thanks.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, May 22, 2006 2:30 PM
To: 
Subject: Re: voucher

Tova:
Here is your voucher with the pay period dates and signature date updated, and a check mark added for the travel costs. I've been thinking that it might be better to make a separate submission for the travel costs. That way, if there are any delays in receiving your receipts, or there are any corrections or clarifications needed on the travel costs, we won't have to hold up the voucher for payment of personal services. If you agree, you should delete the check mark, dollar amount and travel dates from this voucher. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM -----
Margaret Sims/EAC/GOV
05/22/2006 03:58 PM
To “Tova Wang”
cc
Subject RE: voucher

A letter detailing the costs, noting the total reimbursement expected, and attaching your travel receipts is fine. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM -----
"Tova Wang"
05/19/2006 04:34 PM
To psims@eac.gov
cc:
Subject Re: Monday Teleconference

That's fine for me. Thanks so much for doing such a great job running the show yesterday. Did you think it went well?

Also, is there any reason why we cannot talk about our findings with people now? Please let me know. Thanks. Have a great weekend. Tova

-----Original Message-----
From: psims@eac.gov
To: 
Date: Fri, 19 May 2006 15:30:59 -0400
Subject: Monday Teleconference

This is just to confirm our Monday, May 22, teleconference at 4:30 PM EST/3:30 PM CST. Attached is a list of follow-up activities discussed at the working group meeting and recorded on the flip chart. We will need to flesh these out a bit, perhaps once we have access to the transcript. --- Peggy

Recommendations for Future Research
Bipartisan observers/poll watchers
- To collect data
- To deter fraud/intimidation

Surveys
- State laws
- State election offices
- Specific states
- Local election officials
- Voters (this suggestion was rejected by the panel)
- State implementation of administrative complaint procedures (applies only to HAVA Title III violations) to ID examples of procedures for other than HAVA Title III complaints

Follow up on initial reports of fraud/intimidation from the Nexis search of news articles and literature review

Research absentee balloting process issues
- Methodology of “for cause” absentee voting

Risk-analysis for voting fraud
- Who?
- What part of process?
- Ease of committing the fraud
- Which elections?

Analyze
- Phone logs from toll-free lines for election concerns
- Federal observer reports
- Local newspapers

Academic statistical research

Search and match procedures for voter registration list maintenance (subject to confirmation) to identify potential avenues for vote fraud

Research State district court actions

Broaden scope of interviews to local officials and district attorneys

Explore the concept of election courts

Model statutes

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM ---

"Weinberg and Utrecht"

05/15/2006 01:53 PM
To psims@eac.gov
cc
Peggy:
The package came today. Thanks. See you Thursday.
Barry

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM ---

Margaret Sims/EAC/GOV
05/15/2006 01:56 PM
To: "Weinberg and Utrecht"
To: "Weinberg and Utrecht"
cc
Subject: Re: Voting Fraud-Voter Intimidation
Subject: Re: Voting Fraud-Voter Intimidation

Barry:

Would you please take a moment to review the draft definition of election fraud? One of our consultants is concerned that it does not sufficiently cover violations of the Voting Rights Act that would qualify. Thanks!
--- Peggy

"Weinberg and Utrecht"

"Weinberg and Utrecht"

05/15/2006 01:53 PM
To: psims@eac.gov
cc
Subject: Re: Voting Fraud-Voter Intimidation

Peggy:
The package came today. Thanks. See you Thursday.
Barry

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM ---

Margaret Sims/EAC/GOV
05/16/2006 11:27 AM
To: "Donsanto, Craig"
<Craig.Donsanto@usdoj.gov>@GSAEXTERNAL
cc
Subject: Re: Your Materials

I have forwarded your message to our consultants and have requested a corrected version for distribution at the WG meeting. --- Peggy
Peg - -

I have read over the materials you sent to me and viewed the pieces on the CD.

I have only one correction:

I did not say that offenders who receive target letters routinely request or routinely receive audiences here at DOJHQ. That is very rare. Instead, what usually happens is that once a subject for an election fraud investigation is advised that he or she is going to be charged that person usually enters into plea negotiations and ultimately pleads guilty. Very few federal election fraud cases go to trial. When a subject does request a HQ interview or a HW hearing, it would be held in the first instance by myself. But again, Peg, that is rare.

Also, while the occurrences of prosecutions of isolated instances of felons and alien voters and double voters has increased, we still aggressively and I believe quite successfully pursue systematic schemes to corrupt the electoral process, as the cases we brought recently out of Knott and Pike Counties in Kentucky, those we brought out of Lincoln and Logan Counties in West Virginia, and those we brought in New Hampshire growing out of the jamming of get-out-the-vote phone bank lines attest.

I'll be here for a while, I just wanted to make sure. If you send it to me anytime before 5 I can look at it in time. If not, I'll try my best to look at it en route tomorrow.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 16, 2006 2:51 PM
To:
Subject: Re: board of advisers presentation

I haven't sent it yet. If you need to leave early, you can look at what I have so far, which does not have the intro or the text regarding the final report. --- Peggy
Hi Peg, Have you tried to send me the presentation? I haven't gotten it, but I think we may be having email problems. Let me know. I'd need to look at it today since I'll be tied up tomorrow.

Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021


--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM ---

I agree!

--- Tova Wang wrote:

> I still think it's sufficient for him to raise the points verbally. All of the interview summaries reflect what Job and I both understood the interviewees to say. This really opens the door to people making, as Job says, "corrections".

> -----Original Message-----
> From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 16, 2006 10:47 AM
To: [Email Address]
Cc: [Email Address]
Subject: RE: Corrections

Might not be a bad idea before the final report is prepared, but I would not worry about it for Thursday's meeting. I'm only concerned with the Donsanto interview summary because he will be attending the meeting. --- Peggy

-----
Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:20 PM ----
"Job Serebrov"
To psims@eac.gov
cc
Subject Re: Question

Ok

--- psims@eac.gov wrote:

You will need to submit hotel and parking receipts.
You don't need to submit meal receipts. You don't need to submit gas receipts because use of a personally owned vehicle (POV) is reimbursed based on mileage. I think I emailed the mileage rate to you. If you need it again, I'll look it up when I am at the office (this afternoon).

---
Sent from my BlackBerry Wireless Handheld

----- Original Message ----- From: "Job Serebrov"
Sent: 05/12/2006 09:05 PM
To: psims@eac.gov
Subject: Question

Peg:

Since I am driving to DC, besides hotel receipts, do you want me to keep my gas receipts or how will my car use be compensated? Also, I assume I don't have to retain food receipts.
Great -- thanks so much and apologies for the false alarm.

-----Original Message-----
From: dromig@eac.gov [mailto:dromig@eac.gov]
Sent: Monday, May 15, 2006 8:51 AM.
To: wang@tcf.org
Cc: psims@eac.gov
Subject: RE: I'm sorry

This article is on the CD, it is located in the "Nexis Article Charts" folder.

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov

Thats good. I'm probably just getting crazy, trying to make sure everything is perfect. Devon, maybe you can check? Otherwise I'll check it when it comes. Thanks. And be well Peg.
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, May 15, 2006 8:23 AM
To: Tova Andrea Wang
Subject: Re: I'm sorry

Tova:
I think you did send this --- or is this a revised version of one you sent earlier? It should be on the CD in the packet you should receive today.. (Can't check that right now as I am at the clinic.) If I put anything on the CD that you want to highlight at the meeting, let me know and we'll make copies for those attending.

Peggy

Sent from my BlackBerry Wireless Handheld

----- Original Message ----- 
From: "Tova Wang" [mailto:Tova.Wang@Century.org]
Sent: 05/15/2006 09:07 AM
To: Margaret Sims
Cc: Devon Romig
Subject: I'm sorry

I don't think I sent this to you either. Can we hand it out at the meeting as an addendum? Its another summary that would have gone in the news article section. I'm usually so organized, I'm very embarrassed. Too many things! Thanks

Tova Andrea Wang
Democracy Fellow
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----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM -----
"Donsanto, Craig"
<Craig.Donsanto@usdoj.gov>
To psims@eac.gov
cc

05/15/2006 04:53 PM
Subject Re: Voting Fraud-Voter Intimidation Working Group

Peggy --
I am currently on train in trasit back from a day in Newark. I tried to recover your attachment on Blackberry but got a message telling me the "file
is empty."

Can you paste it to an e-mail perhaps?

Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: barnwine@lawyerscommittee.org <barnwine@lawyerscommittee.org>; Rbauer@perkinscoie.com <Rbauer@perkinscoie.com>; bginsberg@pattonboggs.com <bginsberg@pattonboggs.com>; mhearnelathropgage.com <mhearnelathropgage.com>; jrperez50@sbcglobal.net <jrperez50@sbcglobal.net>; krogers@sos.state.ga.us <krogers@sos.state.ga.us>; assistant@sos.in.gov <assistant@sos.in.gov>; weinutr@verizon.net <weinutr@verizon.net>
CC: jgreenbaum@lawyerscommittee.org <jgreenbaum@lawyerscommittee.org>; vjohnson@lawyerscommittee.org <vjohnson@lawyerscommittee.org>; dlovechio@perkinscoie.com <dlovechio@perkinscoie.com>; bschuler@lathropgage.com <bschuler@lathropgage.com>; Donsanto, Craig <Craig.Donsanto@usdoj.gov>
Sent: Mon May 15 16:37:48 2006
Subject: Voting Fraud-Voter Intimidation Working Group

Dear Working Group Members and Participants:

You should receive a packet of information today, either by Federal Express or hand delivery, concerning Thursday's meeting of the project Working Group for EAC's Voting Fraud-Voter Intimidation research project. Attached is an analysis of the consultants' research into relevant literature and reports. This summary was not available when we prepared the information packets last Friday, but may be of interest to you. Our consultants and I look forward to having a productive discussion with you.

Regards,

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM -----

Margaret Sims/EAC/GOV
05/16/2006 08:43 AM
To "Donsanto, Craig"
<Craig.Donsanto@usdoj.gov>@GSAEXTERNAL
cc
Subject Re: Voting Fraud-Voter Intimidation Working Group

Here is the content of the email attachment:

00295
Existing Research Analysis

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

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

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

Other items of note:

• There is as much evidence, and as much concern, about structural forms of disenfranchisement as about intentional abuse of the system. These include felon disenfranchisement, poor maintenance of databases and identification requirements.

• There is tremendous disagreement about the extent to which polling place fraud, e.g. double voting, intentional felon voting, noncitizen voting, is a serious problem. On balance, more researchers find it to be less of a problem than is commonly described in the political debate, but some reports say it is a major problem, albeit hard to identify.

• There is substantial concern across the board about absentee balloting and the opportunity it presents for fraud.

• Federal law governing election fraud and intimidation is varied and complex and yet may nonetheless be insufficient or subject to too many limitations to be as effective as it might be.
Deceptive practices, e.g. targeted flyers and phone calls providing misinformation, were a major problem in 2004.

Voter intimidation continues to be focused on minority communities, although the American Center for Voting Rights uniquely alleges it is focused on Republicans.

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

To psims@eac.gov
cc
Subject Re: Voting Fraud-Voter Intimidation Working Group

Peggy --

I am currently on train in transit back from a day in Newark. I tried to recover your attachment on Blackberry but got a message telling me the "file is empty."

Can you paste it to an e-mail perhaps?

Sent from Dr. D's Fabulous Blackberry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: barnwine@lawyerscommittee.org <barnwine@lawyerscommittee.org>; Rbauer@perkinscoie.com <Rbauer@perkinscoie.com>; bginsberg@pattonboggs.com <bginsberg@pattonboggs.com>; mhearn@lathropgage.com <mhearn@lathropgage.com>; jrberg50@sbcglobal.net <jrberg50@sbcglobal.net>; krogers@sos.state.ga.us <krogers@sos.state.ga.us>; assistant@sos.in.gov <assistant@sos.in.gov>; weinutr@verizon.net <weinutr@verizon.net>
CC: jgreenbaum@lawyerscommittee.org <jgreenbaum@lawyerscommittee.org>; vjohnson@lawyerscommittee.org <vjohnson@lawyerscommittee.org>; dlovecchio@perkinscoie.com <dlovecchio@perkinscoie.com>; bschuler@lathropgage.com <bschuler@lathropgage.com>; Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Mon May 15 16:37:48 2006
Subject: Voting Fraud-Voter Intimidation Working Group

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Regards,
Craig;

You asked about the Nexis search terms used by our consultants. The list follows. --- Peggy.

Election and fraud
Voter and fraud
Vote and fraud
Voter and challenge
Vote and challenge
Election and challenge
Election and irregularity
Election and irregularities
Election and violation
Election and stealing
Ballot box and tampering
Ballot box and theft
Ballot box and stealing
Election and officers
Election and Sheriff
Miscount and votes
Election and crime
Election and criminal
Vote and crime
Vote and criminal
Double voting
Multiple voting
Dead and voting
Election and counting and violation
Election and counting and error
Vote and counting and violation
Vote and counting and error
Voter and intimidation
Voter and intimidating
Vote and intimidation
Denial and voter and registration
Voter identification
Vote and identification
Voter and racial profiling
Vote and racial profiling
Voter and racial
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Voter and Asian American and challenge
Election and Asian American and challenge
Voter and deny and Indian
Vote and deny and Indian
Voter and Indian and challenge
Vote and Indian and challenge
Election and Indian and challenge
Poll tax
Voting and test
Absentee ballot and deny
Absentee ballot and reject
Absentee ballot and challenge
Vote and challenge
Voter and challenge
Election and challenge
Vote and police
Voter and police
Poll and police
Vote and law enforcement
Voter and law enforcement
Poll and law enforcement
Vote and deceptive practices
Voter and deceptive practices
Election and deceptive practices
Voter and deceive
Voter and false information
Dirty tricks
Vote and felon
Vote and ex-felon
Disenfranchisement
Disenfranchise
Law and election and manipulation
Vote and purging
Voter and purge
Registration and removal
Registration and purging
Registration and purge
Vote buying
Vote and noncitizen
Voter and noncitizen
Vote and selective enforcement
Identification and selective
Election and misinformation
Registration and restrictions
Election and administrator and fraud
Election and official and fraud
Provisional ballot and deny
Provisional ballot and denial
Affidavit ballot and deny
Affidavit ballot and denial
Absentee ballot and coerce
Absentee ballot and coercion
Registration and destruction
Voter and deter
Vote and deterrence
Voter and deterrence
Ballot integrity
Ballot security
Ballot security and minority
Ballot security and black
Ballot security and African American
Ballot security and Latino
Ballot security and Hispanic
Ballot security and Native American
Ballot security and Indian
Vote and suppression
Minority and vote and suppression
Black and vote and suppression
African American and vote and suppression
Latino and vote and suppression
Hispanic and vote and suppression
Native American and vote and suppression
Vote and suppress
Minority and vote and suppress
African American and vote and suppress
Latino and vote and suppress
Native American and vote and suppress
Vote and depress
Jim Crow
Literacy test
Voter and harass
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Poll and guards
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Vote and barrier
Voting and barrier
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002961
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OK. --- Peg

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

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05/16/2006 10:46 AM
Peg - -

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— Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM —

Margaret Sims/EAC/GOV
05/15/2006 03:51 PM

To  Paul DeGregorio, Ray Martinez, Donetta Davidson, Gracia Hillman
cc  twilkey@eac.gov, jthompson@eac.gov, Gavin S. Gilmour/EAC/GOV@EAC, ecortes@eac.gov, Amie J. Sherrill/EAC/GOV@EAC, Adam Ambrogi/EAC/GOV@EAC, Eileen L. Coliver/EAC/GOV@EAC, Sheila A. Banks/EAC/GOV@EAC

Subject  Voting Fraud-Voter Intimidation Project Briefing
Dear Commissioners:

Attached is our consultants' analysis of the literature reviewed for the Voting Fraud-Voter Intimidation preliminary research project. It was not included in the information packets delivered to you on Friday, May 12, because we did not receive it until today. I thought you might be interested in having it prior to tomorrow's briefing.

Peggy Sims
Election Research Specialist

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Peggy --

I was just thinking of you!

Great session yesterday. I really enjoyed it. Robust discussion.

On another subject, Nancy Simmons needs the e-mail address of NASED. Can you give her both that and the website address for them? Her e-mail is nancy.simmons@usdoj.gov.

Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@usdoj.gov>
Sent: Fri May 19 14:51:21 2006
Subject: Voting Fraud-Voter Intimidation Project-Nexis Word Search

Craig:

You asked about the Nexis search terms used by our consultants. The list follows. --- Peggy.

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Vote and fraud
Voter and challenge
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Election and challenge
Election and irregularity
Election and irregularities
Election and violation
Election and stealing
Ballot box and tampering
Ballot box and theft
Ballot box and stealing
Election and officers
Election and Sheriff
Miscount and votes
Election and crime
Election and criminal
Vote and crime
Vote and criminal
Double voting
Multiple voting
Dead and voting
Election and counting and violation
Election and counting and error
Vote and counting and violation
Vote and counting and error
Voter and intimidation
Voter and intimidating
Vote and intimidation
Denial and voter and registration
Voter identification
Vote and identification
Voter and racial profiling
Vote and racial profiling
Voter and racial
Vote and racial
Voter and racial and challenge
Vote and racial and challenge
Voter and deny and racial
Vote and deny and racial
Voter and deny and challenge
Voter and deny and challenge
Voter and deny and black
Vote and deny and black
Voter and black and challenge
Vote and black and challenge
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Voter and deny and Asian American
Voter and Asian American and challenge
Vote and Asian American and challenge
Voter and Asian American and challenge
Election and Asian American and challenge
Voter and deny and Indian
Voter and Indian and challenge
Vote and Indian and challenge
Election and Indian and challenge
Poll tax
Voting and test
Absentee ballot and deny
Absentee ballot and reject
Absentee ballot and challenge
Vote and challenge
Voter and challenge
Election and challenge
Vote and police
Voter and police
Poll and police
Vote and law enforcement
Voter and law enforcement
Poll and law enforcement
Vote and deceptive practices
Voter and deceptive practices
Election and deceptive practices
Voter and deceive
Voter and false information
Dirty tricks
Vote and felon
Vote and ex-felon
Disenfranchisement
Disenfranchise
Law and election and manipulation
Vote and purging
Vote and purge
Registration and removal
Registration and purging
Registration and purge
Vote buying
Vote and noncitizen
Voter and noncitizen
Vote and selective enforcement
Identification and selective
Election and misinformation
Registration and restrictions
Election and administrator and fraud
Election and official and fraud
Provisional ballot and deny
Provisional ballot and denial
Affidavit ballot and deny
Affidavit ballot and denial
Absentee ballot and coercion
Absentee ballot and coercion
Registration and destruction
Voter and deter
Vote and deterrence
Voter and deterrence
Ballot integrity
Ballot security
Ballot security and minority
Ballot security and black
Ballot security and African American
Ballot security and Latino
Ballot security and Hispanic
Ballot security and Native American
Ballot security and Indian
Vote and suppression
Minority and vote and suppression
Black and vote and suppression
African American and vote and suppression
Latino and vote and suppression
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Election observer and challenge
Election observer and intimidate
Election observer and intimidating
Election observer and intimidation
Election observer and abusive
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Sounds good. Thanks.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, May 15, 2006 4:03 PM
To: [REDACTED]
Subject: Re: Fraud Definition
Election and stealing
Ballot box and tampering
Ballot box and theft
Ballot box and stealing
Election and officers
Election and Sheriff
Miscount and votes
Election and crime
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----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM -----
Margaret Sims/EAC/GOV
05/16/2006 03:37 PM
To "Donsanto, Craig"
<Craig.Donsanto@usdoj.gov>@GSAEXTERNAL
cc
Subject RE: Your Materials

OK. --- Peg

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

"Donsanto, Craig"
<Craig.Donsanto@usdoj.gov>
> 05/16/2006 03:17 PM
To psims@eac.gov
cc
Subject RE: Your Materials

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I fully understand. Do you want me to prepare a correction sheet for the Working Group, placing your second and more important point first, or do you want to handle this verbally at the meeting? --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/16/2006 02:55 PM

cc

Subject: RE: Your Materials

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"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/16/2006 01:41 PM

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From: psims@eac.gov
Sent: Tuesday, May 16, 2006 12:34 PM
To: Donsanto, Craig
Subject: RE: Your Materials

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Election Research Specialist

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----- Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 16, 2006 9:59 AM
To: "qt
Subject: Fw: Your Materials

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"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

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Vote and ex-felon
Disenfranchisement
Disenfranchise
Law and election and manipulation
Vote and purging
Vote and purge
Registration and removal
Registration and purging
Registration and purge
Vote buying
Vote and noncitizen
Voter and noncitizen
Vote and selective enforcement
Identification and selective
Election and misinformation
Registration and restrictions
Election and administrator and fraud
Poll watcher and intimidation
Poll watcher and abusive
Poll watcher and threatening
Poll inspector and challenge
Poll inspector and intimidate
Poll inspector and intimidating
Poll inspector and intimidation
Poll inspector and abusive
Poll inspector and threatening
Poll judge and challenge
Poll judge and intimidate
Poll judge and intimidating
Poll judge and intimidation
Poll judge and abusive
Poll judge and threatening
Poll monitor and challenge
Poll monitor and intimidate
Poll monitor and intimidating
Poll monitor and intimidation
Poll monitor and abusive
Poll monitor and threatening
Election judge and challenge
Election judge and intimidate
Election judge and intimidating
Election judge and intimidation
Election judge and abusive
Election judge and threatening
Election monitor and challenge
Election monitor and intimidate
Election monitor and intimidating
Election monitor and intimidation
Election monitor and abusive
Election monitor and threatening
Election observer and challenge
Election observer and intimidate
Election observer and intimidating
Election observer and intimidation
Election observer and abusive
Election observer and threatening

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM ---

"Tova Wang"

05/15/2006 05:05 PM

To psims@eac.gov

Subject: RE: Fraud Definition

Sounds good. Thanks.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, May 15, 2006 4:03 PM
To: Tova Wang
Subject: Re: Fraud Definition
Election and stealing
Election and official and fraud
Provisional ballot and deny
Provisional ballot and denial
Affidavit ballot and deny
Affidavit ballot and denial
Absentee ballot and coerce
Absentee ballot and coercion
Registration and destruction
Voter and deter
Vote and deterrence
Voter and deterrence
Ballot integrity
Ballot security
Ballot security and minority
Ballot security and black
Ballot security and African American
Ballot security and Latino
Ballot security and Hispanic
Ballot security and Native American
Ballot security and Indian
Vote and suppression
Minority and vote and suppression
Black and vote and suppression
African American and vote and suppression
Latino and vote and suppression
Hispanic and vote and suppression
Native American and vote and suppression
Vote and suppress
Minority and vote and suppress
African American and vote and suppress
Latino and vote and suppress
Native American and vote and suppress
Vote and depress
Jim Crow
Literacy test
Voter and harass
Voter and harassment
Vote and mail and fraud
Poll and guards
Election and consent decree
Vote and barrier
Voting and barrier
Voter and barrier
Election and long line
Voter and long line
Poll worker and challenge
Poll worker and intimidate
Poll worker and intimidation
Poll worker and intimidating
Poll worker and threatening
Poll worker and abusive
Election official and challenge
Election official and intimidate
Election official and intimidation
Election official and intimidating
Election official and threatening
Election official and abusive
Poll watcher and challenge
Poll watcher and intimidate
Poll watcher and intimidating
Poll watcher and intimidating
Ballot box and tampering
Ballot box and theft
Ballot box and stealing
Election and officers
Election and Sheriff
Miscount and votes
Election and crime
Election and criminal
Vote and crime
Vote and criminal
Double voting
Multiple voting
Dead and voting
Election and counting and violation
Election and counting and error
Vote and counting and violation
Vote and counting and error
Voter and intimidation
Voter and intimidating
Vote and intimidation
Denial and voter and registration
Voter identification
Vote and identification
Voter and racial profiling
Vote and racial profiling
Voter and racial
Vote and racial
Voter and racial and challenge
Vote and racial and challenge
Voter and deny and racial
Vote and deny and racial
Voter and deny and challenge
Vote and deny and challenge
Voter and deny and black
Vote and deny and black
Voter and black and challenge
Vote and black and challenge
Voter and deny and African American
Vote and deny and African American
Voter and African American and challenge
Vote and African American and challenge
Election and black and challenge
Election and African American and challenge
Voter and deny and Hispanic
Voter and deny and Latino
Vote and deny and Hispanic
Vote and deny and Latino
Voter and Hispanic and challenge
Voter and Latino and challenge
Vote and Hispanic and challenge
Vote and Latino and challenge
Election and Hispanic and challenge
Election and Latino and challenge
Voter and deny and Native American
Vote and deny and Native American
Voter and Native American and challenge
Vote and Native American and challenge
Election and Native American and challenge
Voter and deny and Asian American
Vote and deny and Asian American
Voter and Asian American and challenge
Vote and Asian American and challenge
Voter and Asian American and challenge
Election and Asian American and challenge
Voter and deny and Indian
Vote and deny and Indian
Voter and Indian and challenge
Vote and Indian and challenge
Election and Indian and challenge
Poll tax
Voting and test
Absentee ballot and deny
Absentee ballot and reject
Absentee ballot and challenge
Vote and challenge
Voter and challenge
Election and challenge
Vote and police
Voter and police
Poll and police
Vote and law enforcement
Voter and law enforcement
Poll and law enforcement
Vote and deceptive practices
Voter and deceptive practices
Election and deceptive practices
Voter and deceive
Voter and false information
Dirty tricks
Vote and felon
Vote and ex-felon
Disenfranchisement
Disenfranchise
Law and election and manipulation
Vote and purging
Vote and purge
Registration and removal
Registration and purging
Registration and purge
Vote buying
Vote and noncitizen
Voter and noncitizen
Vote and selective enforcement
Identification and selective
Election and misinformation
Registration and restrictions
Election and administrator and fraud
Election and official and fraud
Provisional ballot and deny
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Affidavit ballot and deny
Affidavit ballot and denial
Absentee ballot and coerce
Absentee ballot and coercion
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Voter and deter
Vote and deterrence
Voter and deterrence
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Ballot security
Ballot security and minority
Ballot security and black
Ballot security and African American
Ballot security and Latino
Ballot security and Hispanic
Ballot security and Native American
Ballot security and Indian
Vote and suppression
Minority and vote and suppression
Black and vote and suppression
African American and vote and suppression
Latino and vote and suppression
Hispanic and vote and suppression
Native American and vote and suppression
Vote and suppress
Minority and vote and suppress
African American and vote and suppress
Latino and vote and suppress
Native American and vote and suppress
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Jim Crow
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Voter and harassment
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Poll and guards
Election and consent decree
Vote and barrier
Voting and barrier
Voter and barrier
Election and long line
Voter and long line

Poll worker and challenge
Poll worker and intimidate
Poll worker and intimidation
Poll worker and intimidating
Poll worker and threatening
Poll worker and abusive
Election official and challenge
Election official and intimidate
Election official and intimidation
Election official and intimidating
Election official and threatening
Election official and abusive
Poll watcher and challenge
Poll watcher and intimidate
Poll watcher and intimidating
Poll watcher and intimidation
Poll watcher and abusive
Poll watcher and threatening
Poll inspector and challenge
Poll inspector and intimidate
Poll inspector and intimidating
Poll inspector and intimidation
Poll inspector and abusive
Poll inspector and threatening
Poll judge and challenge
Poll judge and intimidate
Poll judge and intimidating
Sounds good. Thanks.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, May 15, 2006 4:03 PM
To: 
Subject: Re: Fraud Definition

Tova:

We can certainly discuss this at the Working Group meeting. (The draft definition had already been sent out by the time I read your message.) There may be other VRA provisions that should be considered as well, such as the prohibition on removing the names of certain registrants, who were registered by federal examiners, without obtaining prior approval of the Justice Department.

After I received your email, I asked Barry Weinberg to review the draft definition and consider if we have left off examples of Voting Rights Act violations that would qualify as election fraud. Barry, during his 25 years with DOJ, led aggressive action against attempts to place police at the polls to intimidate voters, challenges targeting minorities, failure to provide election materials and assistance in languages other than English (in covered jurisdictions), etc. His input should prove helpful. --- Peggy

How about specifying Section 2 and 203 of the VRA?

----- Original Message ----- 
From: psims@eac.gov
To: 
Sent: Friday, May 12, 2006 1:34 PM
Subject: RE: Fraud Definition

Lets raise this issue at the meeting. (I'll add "DRAFT" to the current document.) My concern is that there are a number of requirements in the Voting Rights Act. Not all of them are considered election fraud, when violated. For example, failure to preclear changes in election procedures
is not treated as election fraud, though it is actionable. --- Peggy

"Tova Wang"

05/12/2006 12:45 PM

psims@eac.gov, cc

Subject RE: Fraud Definition

Upon first reading, my only comment would be that I would like to restore "failing to follow the requirements of the Voting Rights Act" ----Original Message------
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Friday, May 12, 2006 9:20 AM
To: Margaret Sims
Subject: Fraud Definition

Would you please take a look at the attached? I combined both of your definitions, reformatted the list, removed a reference to the fraud having to have an actual impact on the election results (because fraud can be prosecuted without proving that it actually changed the results of the election), and taken out a couple of vague examples (e.g.; reference to failing to enforce state laws --- because there may be legitimate reasons for not doing so).

I have made contact with Ben Ginsberg's office and am waiting to hear if he accepts our invitation to join the working group. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM ----
Margaret Sims/EAC/GOV
05/17/2006 09:56 AM

To Craig Donsanto
cc

Subject Report on Voting Fraud-Voter Intimidation Research
Craig:

I'm putting the finishing touches on a status report to the EAC Standards Board and EAC Board of Advisors on our Voting Fraud-Voter Intimidation research project. For the most part, I am using our consultants summaries for the report, but one bullet under the interview summaries is giving me heartburn. It is the bullet that references the decrease in DOJ voter intimidation actions. It is one of the places in which our consultants had indicated that your office is focussing on prosecuting individuals. I have reworded it and would like your feedback on the revision:

Several people indicate - including representatives from DOJ -- that for various reasons, the Department of Justice is bringing fewer voter intimidation and suppression cases now, and has increased its focus on matters such as noncitizen voting, double voting, and felon voting. While the Voting Section of the Civil Rights Division focuses on systemic patterns of malfeasance, the Election Crimes Branch of the Public Integrity Section has increased prosecutions of individual instances of felon, alien, and double voting while also maintaining an aggressive pursuit of systematic schemes to corrupt the electoral process.

Please suggest any changes that you think would further clarify the current approach. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM ---

Margaret Sims/EAC/GOV
05/15/2006 01:09 PM
To   "Tova Wang" psims@eac.gov
cc
Subject  Re: Thursday

No problem. I've got the conference room reserved from Noon to 6 PM, so you can come earlier. --- Peggy

"Tova Wang"

"Tova Wang"

05/15/2006 11:36 AM
To   psims@eac.gov
cc
Subject  thursday

Is it OK if I come around 12:30 or so to make sure I have all my materials arranged properly for presentation? Thanks.

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021

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Click here to receive our weekly e-mail updates.
I did not realize that I had to itemize the per diem, so yes, that was an oversight. There was a $5 service charge. I will forward you the documentation on that. Thanks so much. Tova

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, June 01, 2006 1:50 PM
To: To: psims@eac.gov
Subject: Travel Reimbursement

Tova:
In reviewing your travel reimbursement request that arrived in my In box this week, I noticed that you did not include per diem in your request for payment. Was that an oversight? I calculate that you would be eligible for a total of $160 in per diem for the trip ($48 for Wednesday 5/17, $64 for Thursday 5/18, and $48 for Friday 5/19). Also, the airfare receipt shows a total charge of $288.60, but the amount you requested for airfare was $293.60. Perhaps there was a service fee that does not show on the receipt. Can you clarify? --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM -----
"Tova Wang"
05/01/2006 03:04 PM
To psims@eac.gov
cc
Subject RE: Travel Reimbursement

--- "Craig C. Donsanto" <cdonsanto@yahoo.com> wrote:

> Date: Tue, 30 May 2006 19:57:36 -0700 (PDT)
> From: "Craig C. Donsanto" <cdonsanto@yahoo.com>
> Subject: Re: Article to your secondary e-mail address
> To: "Elliott, Michael (LA) (IC)"
> <Michael.Elliott@ic.fbi.gov>
> 
> Mike --
> 
> As we say back where I come from: this article is
> "wicked pissah"!
> 
> The woman mentioned in this piece towards the end
> has
been contracted with the Election Assistance Commission to do a study of electoral fraud in the US. She is my problem, and she doesn't have a clue -- despite the fact that she has had the rare opportunity to interview me and get stats from me and my colleagues on our electoral fraud cases.

You should be most proud of this article as it accurately captures the soul of what you and I are trying to do in this very important area of federal law enforcement.

And greetings from Hilton Head, South Carolina --

--- "Elliott, Michael (LA) (IC)"

<Michael.Elliott@ic.fbi.gov> wrote:

Craig,

As requested, please find below The Hill article on the CF&BF Initiative:


Michael

SSA Michael B. Elliott

Public Corruption/Governmental Fraud Unit

FBIHQ, Room 3975

Craig C. Donsanto
Thanks. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021
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--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM -----

"Tova Wang"
05/31/2006 01:50 PM
To psims@eac.gov
cc twang@eacfoundation.org
Subject RE: Working Group Notes

Peg, I'm sorry, but this is really not helpful. Its another outline. I guess we have to wait for the transcript. I wish now I had taken notes myself! Thanks anyway. Tova

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Wednesday, May 31, 2006 12:31 PM
To: Peg
Cc: Devon
Subject: Re: Working Group Notes

Sorry. We have had so much going on, I did not have time to send the attached to you last week. This is Devon's compilation of notes taken by EAC staff at the working group meeting. --- Peggy

"Tova Wang"
05/31/2006 11:26 AM
To psims@eac.gov
cc twang@eacfoundation.org
Subject notes
Hi Peg,

How are you? I was wondering, whatever happened to getting the collective notes of the EAC staff? Thanks. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021

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--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM ---

"Tova Wang"
06/02/2006 04:50 PM
To psims@eac.gov
cc
Subject transcript

Hi Peg,

Do you have an ETA for the transcript? Seems like it should be around now. Thanks and have a great weekend. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021

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--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM ---

06/08/2006 09:15 AM
To psims@eac.gov
cc "Job Serebrov"
Subject

002997
Hi, What's going on? I have not received responses from either one of you in a week. I'd like to wrap this up in the next two weeks if we can. Did you get my recommendations? Thanks.

Tova

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM ---

Margaret Sims/EAC/GOV
06/08/2006 09:35 AM
To
cc
Subject Re:

Sorry. We have been swamped with other program activities and preparations for today's testimony before House Admin. We have not yet received the transcript of the Working Group session. Devon checked with the court reporter, who said it will be delivered today. --- Peggy

06/08/2006 09:15 AM
To psims@eac.gov
cc "Job Serebrov"
Subject

Hi, What's going on? I have not received responses from either one of you in a week. I'd like to wrap this up in the next two weeks if we can. Did you get my recommendations? Thanks.

Tova

---- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM ----

Devon E. Romig/EAC/GOV
06/07/2006 10:08 AM
To Margaret Sims/EAC/GOV@EAC
cc jwilson@eac.gov
Subject Re: Transcript of 5-18-06 Working Group Meeting

Tim at Carol reporting said the transcript will be here today or tomorrow.

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
Have we had any word about the transcript for the 5-18-06 Voting Fraud-Voter Intimidation Working Group meeting? Our consultants each need a copy so that they can draft the final report? If we have it in electronic form, so much the better. --- Peggy

Hi Peg,

How do you recommend dealing with this? I have this feeling like he's trying to create a situation where I will have to write it myself. Thanks. Tova

Peggy:

I can't predict when I get home but it is between 5:30 and 6:30 my time. I know that is generally too late to have a teleconference.

I plan to review Tova's recommendations this weekend and work on my own as well as expanding the explanation of the case section.

Please see what your financial officer did with regards to my travel.
Thank you,

Job

--- psims@eac.gov wrote:

> What time do you arrive home from work? Perhaps we could talk then?
> Re your question on the mileage, I have approached our Financial Officer with a request that you receive full reimbursement on the grounds that your actual total travel costs are less than the estimated total travel costs if you had flown to DC, stayed in our more expensive hotels, and received the higher per diem for 3 days (instead of 1). I have not yet received a response from her and she has been out of the office much of this week, so I don't know what she decided to do.

--- Peggy


"Job Serebrov" <Job Serebrov>
06/08/2006 01:10 PM

To psims@eac.gov,
cc
Subject Re: Transcript & Teleconference

Peg:

I just arrived home for lunch. I can no longer take time during the work day for telephone conferences. As I told you I will need to finish this project after daily working hours. I am still getting things done from being out for ten days. I will review Tova's recommendations and expand on mine this weekend.

Also, I sent you an e-mail asking how you handled the mileage portion of my travel voucher?

Job

--- psims@eac.gov wrote:
Can we make it 4 EST? I have another meeting at 3.

----- Original Message ----- 
From: <psims@eac.gov>
To: [REDACTED] 
Cc: <REDACTED>
Sent: Thursday, June 08, 2006 9:55 AM
Subject: Re: Transcript & Teleconference

I'll see how it comes in. I hope we receive an electronic copy. If we only receive a hard copy, we can pdf it and email it to the two of you.

How about Monday afternoon at 3 PM EST for a brief teleconference? I really can't do it before then because of other commitments. --- Peggy

06/08/2006 09:42 To
psims@eac.gov
cc
Subject
Re: Re:
How will you be getting it to us? Will it be something you can email?

And

can we set up a call for some time in the next few days? Thanks.

----- Original Message ----- 
From: <psims@eac.gov>
To: 
Cc: 
Sent: Thursday, June 08, 2006 9:35 AM
Subject: Re:

Sorry. We have been swamped with other program activities and preparations for today's testimony before House Admin. We have not yet received the transcript of the Working Group session. Devon checked with the court reporter, who said it will be delivered today.

--- Peggy

06/08/2006 09:15 To
psims@eac.gov
cc
"Job Serebrov"

Subject

Hi, What's going on? I have not received
> responses from either one of
> you
> >> in a week. I'd like to wrap this up in the next
two weeks if we can.
> Did
> >> you get my recommendations? Thanks.
> >> Tova
> >>
> >
> > Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM ----

---- Original Message ----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Friday, June 09, 2006 3:03 PM
To: [REDACTED]
Subject: Re: travel

Send it now. Let me know how much it is, so that I can include it in the total for reimbursement. ---
Peggy

"Tova Wang"
06/09/2006 01:56 PM
To: psims@eac.gov
cc
Subject: travel
Hi again,

I just got the bill from our car service from the trip last month. Can I still send it to you? Do I need a cover note? Thanks. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021

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--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM ---

"Tova Wang"
06/09/2006 12:49 PM
To psims@eac.gov
cc
Subject more gao

Sorry, its 500 pages -- it also includes data on absentee fraud and voter intimidation

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021

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----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM -----

Margaret Sims/EAC/GOV
06/12/2006 05:09 PM
To "Tova Wang" cc
Subject RE: Will Call Later
How about 9:30 AM EST, Wednesday morning (6/14/06)?

"Tova Wang"

"Tova Wang"
06/12/2006 04:46 PM
To psims@eac.gov
cc
Subject RE: Will Call Later

Either between 9 and 10 or between 12 and 1:30 would be ideal, but I should be around most of the afternoon. Thanks Peg. Tova

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, June 12, 2006 2:39 PM
To: 
Subject: Will Call Later

I'll try to call you Wednesday. Is there a time that is best for you? Today has been too hectic. Tomorrow is primary election day in VA. Still no transcript. I have taken a look at the recommendations that you sent me, but have not yet heard from Job. --- Peg

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM -----
Devon E. Romig/EAC/GOV
06/07/2006 10:01 AM
To Margaret Sims/EAC/GOV@EAC
cc jwilson@eac.gov
Subject Re: Transcript of 5-18-06 Working Group Meeting

I will call the transcript company and ask them about it.

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov
Margaret Sims/EAC/GOV

Margaret Sims/EAC/GOV
06/07/2006 09:47 AM
To dromig@eac.gov, jwilson@eac.gov
cc
Subject Transcript of 5-18-06 Working Group Meeting
Have we had any word about the transcript for the 5-18-06 Voting Fraud-Voter Intimidation Working Group meeting? Our consultants each need a copy so that they can draft the final report? If we have it in electronic form, so much the better. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM ----- 
Diana Scott/EAC/GOV 
06/09/2006 01:02 PM 
To Margaret Sims/EAC/GOV@EAC 
cc 
Subject Travel Reimbursement for Job Serebrov

Peggy,

Regarding his travel for the EAC's May 18 meeting, I would concur with you that we should reimburse Mr. Serebrov in the amount of $1200.03 for travel related expenses (hotel/mileage/per diem). Since there is a $577.95 dollar difference in cost (travel via air vs travel via POV), I believe the $1200.03 is more economically advantageous to the Agency. Attached is your drafted memo.

Diana M. Scott
Administrative Officer
U.S. Election Assistance Commission
(202) 566-3100 (office)
(202) 566-3127 (fax)
dscott@eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM ----- 
Margaret Sims/EAC/GOV 
06/09/2006 04:45 PM 
To "Tova Wang" <@gif@eac.gov> 
cc 
Subject RE: travel

Got it! You should receive a total travel reimbursement of $1,533.02 for that trip. (I could not include the internet service fee the hotel charged, but everything else counted.) --- Peggy

"Tova Wang"

"Tova Wang"
Hi again,

I just got the bill from our car service from the trip last month. Can I still send it to you? Do I need a cover note? Thanks. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021


Click here to receive our weekly e-mail updates.
Perfect. Thanks.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, June 12, 2006 4:09 PM
To: Tova Wang
Subject: RE: Will Call Later

How about 9:30 AM EST, Wednesday morning (6/14/06)?

Either between 9 and 10 or between 12 and 1:30 would be ideal, but I should be around most of the afternoon. Thanks Peg. Tova

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, June 12, 2006 2:39 PM
To: Tova Wang
Subject: Will Call Later

I'll try to call you Wednesday. Is there a time that is best for you? Today has been too hectic. Tomorrow is primary election day in VA. Still no transcript. I have taken a look at the recommendations that you sent me, but have not yet heard from Job. --- Peg

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM -----
Here are my recommendations with the last one now included. Please let me know about the transcript and when you all want to talk about getting the final report done. Thanks. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021

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future suggestions.doc

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM ---

"Job Serebrov"
06/13/2006 09:10 AM
To psims@eac.gov, cc
Subject Transcripts, Etc.

Peggy:

Any sign of the transcript? Will the other members of the working group get a copy? I have had questions from several about it.

If you want to talk I can do so this Friday at 6 pm your time.

Job

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM ---

Margaret Sims/EAC/GOV
06/08/2006 11:07 AM
To
cc
Subject Re: Transcript & Teleconference

4 PM EST is fine with me, if it works for Job. --- Peggy
Can we make it 4 EST? I have another meeting at 3.

----- Original Message ----- 
From: <psims@eac.gov>
To: 
Cc: 
Sent: Thursday, June 08, 2006 9:55 AM
Subject: Re: Transcript & Teleconference

> I'll see how it comes in. I hope we receive an electronic copy. If we only receive a hard copy, we can pdf it and email it to the two of you.
> How about Monday afternoon at 3 PM EST for a brief teleconference? I really can't do it before then because of other commitments. --- Peggy

> How will you be getting it to us? Will it be something you can email?
> And
> can we set up a call for some time in the next few days? Thanks.

----- Original Message ----- 
From: <psims@eac.gov>
To: 
Cc: 
Sent: Thursday, June 08, 2006 9:35 AM
Subject: Re: Transcript & Teleconference
>> Sorry. We have been swamped with other program activities and
>> preparations
>> for today's testimony before House Admin. We have not yet received the
>> transcript of the Working Group session. Devon checked with the court
>> reporter, who said it will be delivered today. --- Peggy
>>
>>
>>
>>
>> 06/08/2006 09:15 AM psims@sac.gov To
>>
>>
>>
>>
>> Hi, What's going on? I have not received responses from either one of
>> you
>> in a week. I'd like to wrap this up in the next two weeks if we can. Did
>> you get my recommendations? Thanks.
>>
>>
>> Tova
>>
>>
>>
>>
>> I can't do that time, I'll be at an event in DC.

----- Original Message -----
From: Job Serebrov
Sent: Tuesday, June 13, 2006 8:10 AM
To: psims@eac.gov; Subject: Transcripts, Etc.

Peggy:

Any sign of the transcript? Will the other members of the working group get a copy? I have had questions from several about it.

If you want to talk I can do so this Friday at 6 pm your time.

Job

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM -----

"Tova Wang"

06/09/2006 12:09 PM

To psims@eac.gov, "Job Serebrov"

cc

Subject gao report

This has information on many of our topics, but they also surveyed jurisdictions on voter reg fraud coming up with a rate of 5%

http://www.gao.gov/cgi-bin/getrpt?GAO-06-450

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021
Phone: 212-832-7000

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----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM -----

Joyce Wilson/EAC/GOV
06/07/2006 09:58 AM

To Margaret Sims/EAC/GOV@EAC

cc

Subject Re: Transcript of 5-18-06 Working Group Meeting

003012
Not that I know of. Would it have gone to Bryan possibly? Our public meeting transcripts go to him.

Joyce H. Wilson  
Staff Assistant  
US Election Assistance Commission  
202-566-3100 (office)  
202-566-3128 (fax)  

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:18 PM ---  
Margaret Sims/EAC/GOV  
06/09/2006 04:50 PM  
To "Job Serebrov"  
cc  
Subject Re: Travel & Transcripts

Our Financial Officer accepted my arguments. You should receive a travel reimbursement totalling $1,200.03. GSA will reimburse through electronic funds transfer. I don't usually receive notification when our consultants are reimbursed.

I still have no transcripts. --- Peggy

"Job Serebrov"  
06/08/2006 10:42 PM  
To psims@eac.gov  
cc  
Subject Re: Transcript & Teleconference

Peggy:

I can't predict when I get home but it is between 5:30 and 6:30 my time. I know that is generally too late to have a teleconference.

I plan to review Tova's recommendations this weekend and work on my own as well as expanding the explanation of the case section.

Please see what your financial officer did with regards to my travel.

Thank you,

Job

--- psims@eac.gov wrote:

> What time do you arrive home from work? Perhaps we
> could talk then?
>
> Re your question on the mileage, I have approached
> our Financial Officer
> with a request that you receive full reimbursement
> on the grounds that
> your actual total travel costs are less than the
> estimated total travel
> costs if you had flown to DC, stayed in our more
> expensive hotels, and
> received the higher per diem for 3 days (instead of
> 1). I have not yet
> received a response from her and she has been out of
> the office much of
> this week, so I don't know what she decided to do.
> --- Peggy
>
>
>
> "Job Serebrov" 06/08/2006 01:10 PM
> 06/08/2006 01:10 PM
> To psims@eac.gov,  
> cc  
> Subject Re: Transcript & Teleconference
>
>
>
> Peg:
>
> I just arrived home for lunch. I can no longer take
> time during the work day for telephone conferences.
> As
> I told you I will need to finish this project after
> daily working hours. I am still getting things done
> from being out for ten days. I will review Tova's
> recommendations and expand on mine this weekend.
> Also, I sent you an e-mail asking how you handled
> the
> mileage portion of my travel voucher?
> Job
>
>
> --- psims@eac.gov wrote:
> > 4 PM EST is fine with me, if it works for Job.
> ---
> > Peggy
> >
> >
Can we make it 4 est? I have another meeting at 3.

----- Original Message ----- 
From: <psims@eac.gov>
To: 
Cc: 
Sent: Thursday, June 08, 2006 9:55 AM
Subject: Re: Transcript & Teleconference

Can we make it 4 est? I have another meeting at 3.

I'll see how it comes in. I hope we receive an electronic copy. If we only receive a hard copy, we can pdf it and email it to the two of you.

How about Monday afternoon at 3 PM EST for a brief teleconference? I really can't do it before them because of other commitments. --- Peggy

06/08/2006 09:42 To AM
psims@eac.gov
cc

Subject Re: Re:
How will you be getting it to us? Will it be something you can email? And can we set up a call for some time in the next few days? Thanks.

----- Original Message ----- 
From: <psims@eac.gov> 
To: 
Cc: 
Sent: Thursday, June 08, 2006 9:35 AM 
Subject: Re:

Sorry. We have been swamped with other program activities and preparations for today's testimony before House Admin. We have not yet received the transcript of the Working Group session. Devon checked with the court reporter, who said it will be delivered today. --- Peggy

Hi, What's going on? I have not received responses from either one of you in a week. I'd like to wrap this up in the next two weeks if we can. Did you get my recommendations? Thanks.
Could you do Friday in the morning?

----- Original Message ----- 
From: "Job Serebrov" <psims@eac.gov>
To: Tova Wang <psims@eac.gov>
Sent: Wednesday, June 14, 2006 10:17 PM
Subject: Re: teleconference

> Tova:
> 5 pm EST is 4 pm Central. Peg would have to call at 7 pm EST to be 6 pm Central.
> Job
> ---
> wrote:
> >> Let's try to do that. Peg, you will call us 5 pm EST?
> ---- Original Message ----- 
> From: "Job Serebrov" <psims@eac.gov>
> To: "Tova Wang" <psims@eac.gov>
> Sent: Wednesday, June 14, 2006 6:29 PM
> Subject: Re: teleconference
>
> > Wednesday next week? It would have to be 6 pm.
> >>
> >> --- Tova Wang wrote:
> >> Hi Job,
> >>
> >> Peg tells me that we should now be getting the
transcript early next week. Regardless, we should talk about the organization and distribution of work on the final report and try to finally get it done.

Would it be possible for you to do a call before you leave for work in the morning, say 8 am your time, on Wednesday? If not, could you do 6 pm your time on Wednesday?

Thanks.

Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021
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Peg:
I just arrived home for lunch. I can no longer take time during the work day for telephone conferences. As I told you I will need to finish this project after daily working hours. I am still getting things done from being out for ten days. I will review Tova's
recommendations and expand on mine this weekend.

Also, I sent you an e-mail asking how you handled the mileage portion of my travel voucher?

Job

--- psims@eac.gov wrote:

> 4 PM EST is fine with me, if it works for Job. ---
> Peggy
>

> 06/08/2006 10:10 AM
>
> To
> psims@eac.gov
>
> Can we make it 4 est? I have another meeting at 3.
> ----- Original Message ----- 
> From: <psims@eac.gov>
> To: 
> Cc: 
> Sent: Thursday, June 08, 2006 9:55 AM
> Subject: Re: Transcript & Teleconference
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> I'll see how it comes in. I hope we receive an
electronic copy. If we
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Sorry. We have been swamped with other program activities and preparations for today's testimony before House Admin. We have not yet received the transcript of the Working Group session. Devon checked with the court reporter, who said it will be delivered today.

--- Peggy

06/08/2006 09:15 To AM
psims@eac.gov
cc
"Job Serebrov"

Subject
Hi, What's going on? I have not received responses from either one of you in a week. I'd like to wrap this up in the next two weeks if we can. Did you get my recommendations? Thanks.

Tova

Hi again,

I just got the bill from our car service from the trip last month. Can I still send it to you? Do I need a cover note? Thanks. Tova

Tova Andrea Wang
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Poll judge and intimidation
Poll judge and abusive
Poll judge and threatening
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Election monitor and abusive
Election monitor and threatening
Election observer and challenge
Election observer and intimidate
Election observer and intimidating
Election observer and intimidation
Election observer and abusive
Election observer and threatening

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM ---

Margaret Sims/EAC/GOV
05/16/2006 03:37 PM
To "Donsanto, Craig"
Craig.Donsanto@usdoj.gov@GSAEXTERNAL
cc
Subject RE: Your Materials

OK. --- Peg

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

"Donsanto, Craig"
Craig.Donsanto@usdoj.gov
05/16/2006 03:17 PM
To psims@eac.gov
cc
Subject RE: Your Materials
Let me try to do it, Peg. Again what I do not want to see occur is for the LCCR to start attacking us. We have more in common with them than I had originally assumed, thanks to the write-ups of their interviews. We need to promote what we have in common not try to score political points. But I will try to correct the records as long as you will agree you heard what I said the way I know I said it!

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 16, 2006 3:14 PM
To: Donsanto, Craig
Subject: RE: Your Materials

I fully understand. Do you want me to prepare a correction sheet for the Working Group, placing your second and more important point first, or do you want to handle this verbally at the meeting? --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
05/16/2006 02:55 PM

topsims@eac.gov
cc
Subject: RE: Your Materials

The first item is not as big a deal as the second one: the processes under which subjects of investigations come to Jesus is not as important as the overall assessment of our law enforcement achievements. But stressing the isolated test cases we brought - - and will continue to being - - to deter things like felon voting, alien voting and double voting, which not mentioning such significant achievements as the five case PROJECTS mentioned in my last e-mail - - misrepresents what we are doing and the deterrent message we are trying to communicate.

I appreciate that these two young people may have found themselves in a Brave New World when they came over here. It showed in their questioning. But the fact that criminal law enforcement is not at all similar to preventative legal relief (as under the Voting Rights Act) or civil relief (as election contest litigation) is I guess more of a problem than I at first foresaw. My real concerns is that the civil rights groups - - with whom we over here have an amazing amount of common grounds - - will take the singling out of the felon and alien voter cases as evincing a malevolent aggression on their constituencies. That is not the case. We are only enforcing the law.

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 16, 2006 2:47 PM
To: Donsanto, Craig  
Subject: RE: Your Materials  

I think they are panicking because they are preparing to travel tomorrow and may not have time to submit a revised version. They also are resisting changes to their interview summaries because the summaries represent what they think they heard. I was there at the interview and I heard what you said. I'm not sure that either of them heard everything (including the nuances) because so much of the information was new to them and it was one of their earlier interviews. I'm sorry I did not catch the defects before the summary went out.

My first concern is ensuring that the Working Group has the correct information. Then, we can deal with what version, if any, goes in the final report. Do you want me to excerpt the corrections from your email and submit them to the Working Group? --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>  
05/16/2006 01:41 PM  

Sure. But where is the resistance coming from? The notes were not accurate. As you know, I have to be very concerned about that.
Craig:

I am getting some resistance from my consultants to correcting the summary of the interview prior to the meeting. Would you mind noting the corrections at the meeting? --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/16/2006 12:06 PM

Thank you, Peg. This stuff is very interesting.

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 16, 2006 11:27 AM
To: Donsanto, Craig
Subject: Re: Your Materials

I have forwarded your message to our consultants and have requested a corrected version for distribution
at the WG meeting. --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/16/2006 10:46 AM

Peg - -

I have read over the materials you sent to me and viewed the pieces on the CD.

I have only one correction:

I did not say that offenders who receive target letters routinely request - - or routinely receive - - audiences here at DOJHQ. That is very rare. Instead, what usually happens is that once a subject for an election fraud investigation is advised that he or she is going to be charged that person usually enters into plea negotiations and ultimately pleads guilty. Very few federal election fraud cases go to trial. When a subject does request a HQ interview or a HW hearing, it would be held in the first instance by myself. But again, Peg, that is rare.

Also, while the occurrences of prosecutions of isolated instances of felons and alien voters and double voters has increased, we still aggressively and I believe quite successfully pursue systematic schemes to corrupt the electoral process, as the cases we brought recently out of Knott and Pike Counties in Kentucky, those we brought out of Lincoln and Logan Counties in West Virginia, and those we brought in

003026
New Hampshire growing out of the jamming of get-out-the-vote phone bank lines attest.

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM ---
Margaret Sims/EAC/GOV
05/15/2006 03:51 PM
To Paul DeGregorio, Ray Martinez, Donetta Davidson, Gracia
Hillman
cc twilkey@eac.gov, jthompson@eac.gov, Gavin S.
Gilmour/EAC/GOV@EAC, ecortes@eac.gov, Amie J.
Sherrill/EAC/GOV@EAC, Adam Ambrogi/EAC/GOV@EAC,
Elleen L. Collver/EAC/GOV@EAC, Sheila A.
Banks/EAC/GOV@EAC
Subject Voting Fraud-Voter Intimidation Project Briefing

Dear Commissioners:

Attached is our consultants' analysis of the literature reviewed for the Voting Fraud-Voter Intimidation preliminary research project. It was not included in the information packets delivered to you on Friday, May 12, because we did not receive it until today. I thought you might be interested in having it prior to tomorrow's briefing.

Peggy Sims
Election Research Specialist

--- Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Tuesday, May 16, 2006 9:59 AM
To: 
Subject: Fw: Your Materials

See corrections from Donsanto at DOJ. We should probably provide corrected versions to the Working Group. --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 05/16/2006 10:58 AM ---
Peg -

I have read over the materials you sent to me and viewed the pieces on the CD.

I have only one correction:

I did not say that offenders who receive target letters routinely request - - or routinely receive - - audiences here at DOJHQ. That is very rare. Instead, what usually happens is that once a subject for an election fraud investigation is advised that he or she is going to be charged that person usually enters into plea negotiations and ultimately pleads guilty. Very few federal election fraud cases go to trial. When a subject does request a HQ interview or a HW hearing, it would be held in the first instance by myself. But again, Peg, that is rare.

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Peggy --

I was just thinking of you!

Great session yesterday. I really enjoyed it. Robust discussion.

On another subject, Nancy Simmons needs the e-mail address of NASED. Can you give her both that and the website address for them? Her e-mail is nancy.simmons@usdoj.gov.

Sent from Dr. D's Fabulous BlackBerry Wireless Handheld
Craig;

You asked about the Nexis search terms used by our consultants. The list follows. --- Peggy.

Election and fraud
Voter and fraud
Vote and fraud
Voter and challenge
Vote and challenge
Election and challenge
Election and irregularity
Election and irregularities
Election and violation
Election and stealing
Ballot box and tampering
Ballot box and theft
Ballot box and stealing
Election and officers
Election and Sheriff
Miscount and votes
Election and crime
Election and criminal
Vote and crime
Vote and criminal
Double voting
Multiple voting
Dead and voting
Election and counting and violation
Election and counting and error
Vote and counting and violation
Vote and counting and error
Voter and intimidation
Voter and intimidating
Vote and intimidation
Denial and voter and registration
Voter identification
Vote and identification
Voter and racial profiling
Vote and racial profiling
Voter and racial
Vote and racial
Voter and racial and challenge
Vote and racial and challenge
Voter and deny and racial
Vote and deny and racial
Voter and deny and challenge
Vote and deny and challenge
Voter and deny and black
Vote and deny and black
Voter and black and challenge
Vote and black and challenge
Voter and deny and African American
Vote and deny and African American
Voter and African American and challenge
Vote and African American and challenge
Election and black and challenge
Election and African American and challenge
Voter and deny and Hispanic
Voter and deny and Latino
Vote and deny and Hispanic
Vote and deny and Latino
Voter and Hispanic and challenge
Voter and Latino and challenge
Vote and Hispanic and challenge
Vote and Latino and challenge
Election and Hispanic and challenge
Election and Latino and challenge
Voter and deny and Native American
Vote and deny and Native American
Voter and Native American and challenge
Vote and Native American and challenge
Election and Native American and challenge
Voter and deny and Asian American
Vote and deny and Asian American
Voter and Asian American and challenge
Vote and Asian American and challenge
Voter and Asian American and challenge
Election and Asian American and challenge
Voter and deny and Indian
Vote and deny and Indian
Voter and Indian and challenge
Vote and Indian and challenge
Election and Indian and challenge
Poll tax
Voting and test
Absentee ballot and deny
Absentee ballot and reject
Absentee ballot and challenge
Vote and challenge
Voter and challenge
Election and challenge
Vote and police
Voter and police
Poll and police
Vote and law enforcement
Voter and law enforcement
Poll and law enforcement
Vote and deceptive practices
Voter and deceptive practices
Election and deceptive practices
Voter and deceive
Voter and false information
Dirty tricks
Vote and felon
Vote and ex-felon
Disenfranchisement
Disenfranchise
Law and election and manipulation
Vote and purging
Vote and purge
Registration and removal
Registration and purging
Registration and purge
Vote buying
Vote and noncitizen
Voter and noncitizen
Vote and selective enforcement
Identification and selective
Election and misinformation
Registration and restrictions
Election and administrator and fraud
Election and official and fraud
Provisional ballot and deny
Provisional ballot and denial
Affidavit ballot and deny
Affidavit ballot and denial
Absentee ballot and coerce
Absentee ballot and coercion
Registration and destruction
Voter and deter
Vote and deterrence
Voter and deterrence
Ballot integrity
Ballot security
Ballot security and minority
Ballot security and black
Ballot security and African American
Ballot security and Latino
Ballot security and Hispanic
Ballot security and Native American
Ballot security and Indian
Vote and suppression
Minority and vote and suppression
Black and vote and suppression
African American and vote and suppression
Latino and vote and suppression
Hispanic and vote and suppression
Native American and vote and suppression
Vote and suppress
Minority and vote and suppress
African American and vote and suppress
Latino and vote and suppress
Native American and vote and suppress
Vote and depress
Jim Crow
Literacy test
Voter and harass
Voter and harassment
Vote and mail and fraud
Poll and guards
Election and consent decree
Vote and barrier
Voting and barrier
Voter and barrier
Election and long line
Voter and long line

Poll worker and challenge
Poll worker and intimidate
Poll worker and intimidation
Poll worker and intimidating
Poll worker and threatening
Poll worker and abusive
Election official and challenge
Election official and intimidate
Election official and intimidation
Election official and intimidating
Election official and threatening
Election official and abusive
Poll watcher and challenge
Poll watcher and intimidate
Poll watcher and intimidating
Poll watcher and intimidation
Poll watcher and abusive
Poll watcher and threatening
Poll inspector and challenge
Poll inspector and intimidate
Poll inspector and intimidating
Poll inspector and intimidation
Poll inspector and abusive
Poll inspector and threatening
Poll judge and challenge
Poll judge and intimidate
Poll judge and intimidating
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--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:19 PM ---

"Tova Wang"

05/15/2006 05:05 PM

To psims@eac.gov
cc
Subject RE: Fraud Definition
Hi Peg,

Attached please find drafts of the sections for the final report. Job, please double check I'm not missing anything or sent the wrong version of anything. I'm very concerned I may have. Is there a summary of the case review that I should have? Also, as we discussed, the attached does not include all of the individual summaries and charts which we already gave you for the working group and which have not changed. Peg, we'll want to see the complete set of the materials you plan to give to the commissioners, et al., before you do so. If you could both let me know if all the formatting is OK, that would be great too. Thanks so much and look forward to talking to you at 7 EST.

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021

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Click here to receive our weekly e-mail updates.
Here is the list of Working Group members with some information highlighted about each individual. Yes, you can email me later in the day to let me know if I should call you at home or at work. --- Peggy

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, July 17, 2006 11:26 AM
To: 'Job Serebrov';
Cc: 'Job Serebrov';
Subject: RE: final report

Yes, I have the list of Working Group members. --- Peggy

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
00303
appendices attached, except Peg I think you put together the list of the working group members? In any case, I can't find one at the moment, but it would be easy enough to put together. Perhaps even Devon or someone could do that, especially since I don't think I have any hours left, and probably shouldn't even be writing this email. I don't remember the conversation about adding to the list of interviewees, but we can talk about that later.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Thanks. I probably won't be able to start getting into this until tomorrow AM. I noticed that the appendices weren't attached. I think we discussed earlier that the list of interviewees needed to have more information for the final report, and the list of books and documents should be presented in the same manner as a bibliography for the final report. We can talk more about this tonight during our teleconference at 7 PM EST. --- Peggy

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Tova Andrea Wang  
Democracy Fellow  
The Century Foundation  
41 East 70th Street - New York, NY 10021

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[Click here](#) to receive our weekly e-mail updates.
Speaking of which, does this look ok to you?

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, July 17, 2006 9:13 AM
To: [redacted]
Cc: 'Job Serebrov'; wang@tcf.org
Subject: Re: final report

Thanks. I probably won't be able to start getting into this until tomorrow AM. I noticed that the appendices weren't attached. I think we discussed earlier that the list of interviewees needed to have more information for the final report, and the list of books and documents should be presented in the same manner as a bibliography for the final report. We can talk more about this tonight during our teleconference at 7 PM EST. --- Peggy

Hi Peg,

Attached please find drafts of the sections for the final report. Job, please double check I'm not missing anything or sent the wrong version of anything. I'm very concerned I may have. Is there a summary of the case review that I should have? Also, as we discussed, the attached does not include all of the individual summaries and charts which we already gave you for the working group and which have not changed. Peg, we'll want to see the complete set of the materials you
plan to give to the commissioners, et. al., before you do so. If you could both let me know if all the formatting is OK, that would be great too. Thanks so much and look forward to talking to you at 7 EST.

Tova Andrea Wang  
Democracy Fellow  
The Century Foundation  
41 East 70th Street - New York, NY 10021  

Visit our Web site, www.tcf.org, for the latest news, analysis, opinions, and events.  

Click here to receive our weekly e-mail updates.  

He asks that you call him on his cell, 501-626-0440  

Tova Andrea Wang  
Democracy Fellow  
The Century Foundation  
41 East 70th Street - New York, NY 10021  

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I received your faxed voucher this morning, signed it, and submitted it to Finance.  

Peggy  

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:16 PM -----  
Margaret Sims/EAC/GOV  
07/19/2006 11:23 AM  
To: Job Serebrov  
cc:  
Subject: Voucher  

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:16 PM -----  
"Tova Wang"  
07/17/2006 05:36 PM  
To: psims@eac.gov  
cc:  

That's good.
Juliet Thompson Hodgkins
General Counsel
United States Election Assistance Commission
1225 New York Ave., NW, Ste 1100
Washington, DC 20005
(202) 566-3100
Margaret Sims/EAC/GOV

Margaret Sims/EAC/GOV
07/17/2006 10:15 AM
To jthompson@eac.gov
cc twilkey@eac.gov, Karen Lynn-Dyson/EAC/GOV@EAC
Subject Voting Fraud-Voter Intimidation Draft Report

Julie:

I received pieces of the draft final report on voting fraud-voter intimidation this morning. If it is OK with you, I'll hold it until all I have all of the pieces, so that you can review it as a whole document. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:16 PM -----
I'm sorry I did not get back to you on this yesterday. I reviewed the voucher this morning and found that only two corrections are needed (coverage dates and # of days worked during the first two weeks). I've made the corrections in red on the attached copy of your voucher. --- Peggy

"Tova Wang"

Speaking of which, does this look ok to you?

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Monday, July 17, 2006 9:13 AM
To: 'Job Serebrov',
Cc: 'Job Serebrov',
Subject: Re: final report

Thanks. I probably won't be able to start getting into this until tomorrow AM. I noticed that the appendices weren't attached. I think we discussed earlier that the list of interviewees needed to have more information for the final report, and the list of books and documents should be presented in the same manner as a bibliography for the final report. We can talk more about this tonight during our teleconference at 7 PM EST. --- Peggy
Hi Peg,

Attached please find drafts of the sections for the final report. Job, please double check I'm not missing anything or sent the wrong version of anything. I'm very concerned I may have. Is there a summary of the case review that I should have? Also, as we discussed, the attached does not include all of the individual summaries and charts which we already gave you for the working group and which have not changed. Peg, we'll want to see the complete set of the materials you plan to give to the commissioners, et.al., before you do so. If you could both let me know if all the formatting is OK, that would be great too. Thanks so much and look forward to talking to you at 7 EST.

Tova Andrea Wang  
Democracy Fellow  
The Century Foundation  
41 East 70th Street - New York, NY 10021  

Visit our Web site for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.
Please find attached an invitation to attend the Election Fraud Conference co-sponsored by the Center for Public Policy and Administration at the University of Utah and the Caltech/MIT Voting Technology Project, September 29-30, 2006 in Salt Lake City, UT.

Regards,
Melissa Slemin

California Institute of Technology
Voting Technology Project
MC 228-77
1200 E California Blvd
Pasadena, CA 91125

http://votingtechnologyproject.org

There was no telephone conference scheduled yesterday. If you all remember, due to my current job and grandchildren situation we were unable to arrange a teleconference.

--- w^ wrote:
> What's going on? Where are we at? Thanks. Tova
> ----- Original Message -----
Dear friends and colleagues,

As some of you know, I have decided to voluntarily give up many of my voting rights and become a resident of the District of Columbia. As I will be simply transferring to The Century Foundation's DC office, my email will remain the same (wang@tcf.org). My new work contact information as of August 8 is as follows:

The Century Foundation
1333 H Street, NW
10th Floor
Washington, DC 20005

I look forward to speaking with you and seeing you soon.

Tova Wang
Democracy Fellow
The Century Foundation
Okay -- you are on for May 18th! Can we do it over here at 10?

Say "Hi" to Cameron for me.
Hi Peg. I am sitting here with Cameron Quinn putting together this year’s ballt conference for AUSAs. She send her best!

I am available on 5/18. But I am also going to the Board of Advisors Meeting the following week. I would rather do this then.

Sent from Dr. D’s Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 11:39:50 2006
Subject: Voting Fraud-Voter Intimidation

Craig:

We are continuing our efforts to hone in on a date for the Working Group meeting. Are you available the afternoon of Thursday, May 18?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM ---
Margaret Sims/EAC/GOV
05/03/2006 04:59 PM
To “Donsanto, Craig” <Craig.Donsanto@usdoj.gov>@GSAEXTERNAL
cc
Subject Re: Voting Fraud-Voter Intimidation

I am looking at the afternoon of 5/18 for the meeting, due to scheduling conflicts of Working Group members. There remain two members from whom we have not yet received confirmations of their schedule (with some, it is like pulling teeth), but right now 5/18 still looks like the best day. We may have to hold the meeting over here to make it easier for Commissioners to drop in. --- Peg

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/03/2006 12:53 PM
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--------------------------
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From: psims@eac.gov <psims@eac.gov>
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Sent: Wed May 03 12:40:19 2006
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Say "Hi" to Cameron for me.

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
05/03/2006 11:56 AM
To
cc
Subject

Hi Peg. I am sitting here with Cameron Quinn putting together this year's ballot conference for AUSAs. She send her best!

I am available on 5/18. But I am also going to the Board of Advisors Meeting the following week. I would rather do this then.

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Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission

---

Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM — 05/05/2006 06:06 PM

To psims@eac.gov
cc
Subject Re: Working Group

Tuesday at 4 is OK for me.

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

From: psims@eac.gov
To: dromig@eac.gov
Cc: dromig@eac.gov
Sent: Friday, May 05, 2006 2:32 PM
Subject: Working Group

Hi, Folks:

Teleconference
Are both of you available for a teleconference next Tuesday afternoon at about 4 PM EST? If this does not work for you, please suggest another date and/or time. I would like to discuss our preparations for the Working Group meeting.

Working Group Members
We have a very good person to fill the slot for the nonpartisan local election official: J.R. Perez, Elections Administrator for Guadalupe County, TX. Attached is his bio. Hope you have no objections to him. He is available on May 18. I have placed 2 calls to Pat Rogers office, but have not yet received a reply. Job, if you have any pull with him, you may want to contact him, too.

Travel Arrangements
You should make your own travel arrangements, including hotel. Travel time cannot be billed to the contract, except for hours actually worked on the contract (i.e.; reviewing materials in preparation for the meeting, and the like). Current Federal rates follow:

Maximum Lodging = $180 per day- does not include hotel taxes (if you cannot get this rate, we have covered reasonable rates that are a little higher)
Meals & Incidentals = $64 per day (except that it is $48 on the first and last day of travel)
Mileage for Personally Owned Vehicle = $ .445 per mile

Under the new contract, I do not have to fill out a travel authorization for you. I can approve your trip via email. Afterwords, when you turn in your next pay voucher, you can attach the airline receipt (or mileage documentation), hotel receipt(s), and ground transportation receipts and a copy of any printed itineraries. Calculate the total travel expenses due you, including applicable per diem. I do not need meal receipts.

Job, under Federal travel regulations, deviations for personal reasons are not normally accommodated. What you can do, however, is to give me a comparison of the cost of roundtrip mileage, hotel, and per diem of doing it your way against the cost of a roundtrip flight, ground transportation, hotel, and per diem. If your way costs less, it should be no problem to cover the full cost. If your way is more expensive, we may only pay up to the amount of traditional travel. (The same rules apply to me when I travel.) If you can tell me where, other than DC, you will spend the night, I can check on applicable per diem rates.

Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM ----
Margaret Sims/EAC/GOV
05/04/2006 03:13 PM
To "Donsanto, Craig"
<Craig.Donsanto@usdoj.gov>@GSAEXTERNAL
cc
Subject RE: Voting Fraud-Voter Intimidation

Craig:

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After our consultants review the results of their preliminary research (interviews, literature review, case law), we will ask the Working Group to brainstorm possible next steps for EAC. Our consultants will write a report summarizing the proposals that come out of this meeting. The report will go to the Commissioners, who will decide what they want to do, funds available, and what priority to assigned to the effort(s).

Your participation in this part of the process is extremely important, so I am very happy that you can find time for us that afternoon. I'll get an agenda and other information to you next week. --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

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<Craig.Donsanto@usdoj.gov>
05/04/2006 02:32 PM
To psims@eac.gov
cc
Subject RE: Voting Fraud-Voter Intimidation
Okay, Peg - - I will mark off the entire afternoon and try to be there. What is the agenda? I was not aware that this was anything beyond having your contractors spend another session with me. Also, if they will be needing stats and stuff like that I need to know as I will bring my state-people with me.

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 04, 2006 2:28 PM
To: Donsanto, Craig
Subject: Re: Voting Fraud-Voter Intimidation

Right now, we are planning to meet in EAC's large conference room between 1 PM and 5 PM. If you cannot be there for the whole afternoon, we will appreciate whatever time you can spare. I'll get back to you with more information (agenda, list of Working Group members, etc.). --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
05/03/2006 05:59 PM
Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

Afternoon of May 18 -- 2:30 okay? How long will they need??
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-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 16:59:09 2006
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Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----
Margaret Sims/EAC/GOV
05/09/2006 11:33 AM
To: "Job Serebrov"
cc:
Subject: Re: Working Group-Perez

Did you look at the attached excerpts from Texas Code? --- Peggy

"Job Serebrov"
05/09/2006 11:23 AM
To: psims@eac.gov
cc:
Subject: Re: Working Group-Perez

We have the same set-up here in Arkansas. We hired a person just like Perez. However, given this, I would still like to know if he has a party affiliation and this brings up another issue. How is the county election commission chosen. In Arkansas it is the
Chairmen of the Republican and Democrat Parties or if he/she does not want to serve a person is elected in his/her stead and a third member picked by the party with the most constitutional officers. Practically that has meant that the Democrats have controlled election commissions in Arkansas since the end of Reconstruction. This is why I want to know the situation in Texas.

--- psims@eac.gov wrote:

> As you may recall, the Commissioners directed me to find a nonpartisan local election official to serve on the Working Group. The three of us discussed the desirability of having a Hispanic. I proposed that I find someone from Texas because of that State's colorful history of voting fraud and their innovative approaches to combat it. In those Texas counties that hire Election Administrators to run elections, rather than having elected officials do so (Tax Assessor for voter registration; County Clerk for balloting), the Election Administrator is hired by the County Election Commission and is supposed to perform his or her duties in a nonpartisan manner. (See attached excerpts from Texas Election Code regarding election administrator hiring and restrictions on partisan activity.) Any experienced Texas election official will be familiar with voting fraud and voter intimidation schemes used in that State. Mr. Perez has over 13 years experience as a county Election Administrator in Texas. You won't find many news articles mentioning him because he has kept his nose clean. (The Texas press, as in many other parts of the country, prefers to report bad news.) Mr. Perez is plugged into the association of Texas election officials and the two largest organizations of election officials in this country: the International Association of Clerks, Recorders, Election Officials and Treasurers (IACREOT); and The Election Center. He is a past President and past Chairman of the Legislative Committee for the Texas Association of Election Administrators. He currently serves on IACREOT's Election Officials Committee, which plans the educational sessions for election officials that are conducted
at that organization's conferences. His peers in IACREOT and The Election Center have selected his submissions on web presentations (IACREOT) and his professional practices papers (Election Center) for awards. Mr. Perez also has access to information from other States through his membership in IACREOT and The Election Center. He also has a sense of humor, which you will note if you access the staff web page on the Guadalupe County Elections web site and hear the Mission Impossible theme .. something that might be useful in the upcoming meeting.

Guadalupe County is small but growing. In 2004, the county had over 65 thousand registered voters (a number more than doubled the number of registered voters in 1988). A third of the county's population claims Hispanic or Latino origin, according to the U.S. Census Bureau. The county is in south central Texas and is bordered by Comal, Hays, Cladwell, Gonzales, Wilson, and Bexar counties. In the 1980s, the county was predominately a farming community; but in recent years, many people have moved from San Antonio (Bexar County) to Guadalupe County, preferring to live in Guadalupe County and work in Bexar County.

--- Peggy

"Job Serebrov" 05/08/2006 11:30 PM

To
psims@eac.gov
cc

Subject
Re: Working Group

Peggy:

What political party is Perez with? How political is he? Is the position in Texas neutral or political?
Who appointed Perez?
> As to Pat I will contact him but I can't promise anything. If Pat can't come, who is getting knocked off Tova's list?

> Job

Diana:
The following members of the Working Group for our Voting Fraud/Voter Intimidation research project will need to make travel arrangements in order to attend an afternoon meeting of the group on May 18 in Washington, DC:

Mark "Thor" Hearne - St Louis, MO
J.R. Perez - Seguin, TX
The Honorable Todd Rokita - Indianapolis, IN
Kathy Rogers - Atlanta, GA

I may have one additional member from Albuquerque, NM confirmed early next week.

May these people use Adventure Travel to make these arrangements in the same manner as the Asian Language Working Group? I understand the members of that group made hotel and flight arrangements through Adventure Travel and that these costs were billed directly to EAC. We did plan for EAC to pay for the travel of the Voting Fraud/Voter Intimidation Working Group (budgeted under Research). Devon will prepare their travel authorizations.

Peggy Sims
Election Research Specialist

This seems OK, I guess its a less detailed version of what I sent you. I hope you will advise us as to what
we are supposed to talk about/go over since we have provided the group with everything we've done ahead of time. I also hope that you will have an answer for me on Wade. It utterly essential that we have a leader from the civil rights community at the table.

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 11, 2006 9:07 AM
To: 
Subject: Today's Teleconference

I assume that we are still on for today's teleconference at 11 AM EST. I will call you. I have attached a draft agenda for your review and comment. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----
"Job Serebro" To "Tova Wang" psims@eac.gov
05/11/2006 03:36 PM cc
Subject Re: new working group representative

I have an objection to Greenbaum. While I realize he comes from an advocacy group, he is not a minority attorney and we already have a rep who worked with DOJ. If it is to be Greenbaum, I would rather not fill that position since I am one down.

--- Tova Wang wrote:

> is Jon Greenbaum
> > Here's his info in full:
> > http://www.lawyerscommittee.org/2005website/aboutus/staff/staffgreenbaum.htm
> >
> > He is the Director of the Voting Rights Project for
> > the Lawyers Committee
> > for Civil Rights. He will be representing Barbara
> > Arnwine, the Executive
> > Director of the Lawyers Committee.
> >
> > His contact and mailing info is:
> >
> > 1401 New York Avenue, NW
> > Suite 400
> > Washington, DC 20005
> >
> >
> > Tova Andrea Wang
> > Democracy Fellow
> > The Century Foundation
It might be an Apple issue

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 11, 2006 1:09 PM
To: 
Cc: 
Subject: Literature Summary

Tova just sent me the summary you prepared of The Federal Crime of Election Fraud by Craig Donsanto. There is something wrong in the fourth paragraph (odd characters and missing text). Can you please send a replacement fourth paragraph? You can send it in an email and I will place it in the document. --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----
suspect as the cause of the sudden bone problems. If it is a tumor, the working group session could get complicated.

Job

--- psims@eac.gov wrote:

> Job:
> > Hope your uncle's surgery goes well.
> > I have the Chairman's OK to follow your recommendation and replace Norcross with Rogers. Do you have contact information for Rogers? --- Peggy
> >
> "Job Serebrov" <Job.Serebrov@eim.net>
> 05/04/2006 11:17 AM
> To
> psims@eac.gov
> cc
> Subject
> Re: Good News
> I will have a better idea about my uncle's condition today after surgery.
>
> See:
> 500 Fourth Street NW
> P.O. Box 2168
> Albuquerque, NM 87103-2168
> Fax: (505) 340-553
> s
> --- psims@eac.gov wrote:
> > Job:
> > Secretary Rokita is available May 18. I'm going to talk with the Chairman today about substituting Rogers for Norcross. Do you have contact information for Rogers? --- Peggy
Okay, Peg - - thank you. I will be there.

The non-election officials on the Working Group currently include:

- Barry Weinberg, whom you know
- Barbara Arnwine, Lawyers Committee for Civil Rights Under Law (organization associated with the Voting Rights Project and Election Protection)
- Bob Bauer, Perkins Coie, DC (Democrat attorney)
- Mark "Thor" Hearne, Lathrop & Gage, St Louis, MO (Republican attorney)

I am trying to recruit one other Republican attorney, Patrick Rogers, Modrall, Sperling, Roehl, Harris and Sisk, NM, who was recommended by our Republican consultant. He would replace an original member who is no longer available.

I know that Barbara has associated at conferences and in legislative efforts with Wade Henderson, Leadership Conference on Civil Rights. Also, the Lawyers Committee for Civil Rights is listed as on of many members of the Executive Committee for the Leadership Conference on Civil Rights (see http://www.civilrights.org/about/lccr/executive_comittee.html).

Does this information help? --- Peggy
Peggy -- they don't have anything to do with the Leadership Conference on Civil Rights do they?

I ask only because the Justice Department is currently engaged in a very acrimonious FOIA litigation with LCCR that focuses precisely on our efforts to combat voter "intimidationm"

Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Thu May 04 17:20:39 2006
Subject: RE: Voting Fraud-Voter Intimidation

It is just the Working Group for the Voting Fraud-Voter Intimidation Project. I am asking you to attend as Technical Advisor for the project. --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>
05/04/2006 03:26 PM
To
psims@eac.gov
cc
Subject
RE: Voting Fraud-Voter Intimidation

Peg -- what is the name of the group?

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 04, 2006 3:13 PM
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Subject: RE: Voting Fraud-Voter Intimidation
Craig:

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05/03/2006 05:59 PM

To

cc

Subject

Re: Voting Fraud-Voter Intimidation

Afternoon of May 18 -- 2:30 okay? How long will they need??

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To psims@eac.gov
cc
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To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 12:40:19 2006
Subject: Re: Voting Fraud-Voter Intimidation

My problem is that agency staff is booked most of the week of 5/21. Monday through Wednesday are taken up with meetings of the Standards Board Executive Committee, the full Standards Board, and the Board of Advisors. Thursday, we have EAC's public meeting. Also, I will lose one of my two consultants in June, so I'm trying to wrap up this project (and get the final report from the consultants) by the end of May.

Say "Hi" to Cameron for me.

"Donsanto, Craig” <Craig.Donsanto@usdoj.gov>

05/03/2006 11:56 AM
To psims@eac.gov
cc
Subject Re: Voting Fraud-Voter Intimidation

Hi Peg. I am sitting here with Cameron Quinn putting together this year's ballt conference for AUSAs. She send her best!

I am available on 5/18. But I am also going to the Board of Advisors Meeting the following week. I would rather do this then.

Sent from Dr. D's Fabulous BlackBerry Wireless Handheld
-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 11:39:50 2006
Subject: Voting Fraud-Voter Intimidation

Craig:

We are continuing our efforts to hone in on a date for the Working Group meeting. Are you available the afternoon of Thursday, May 18?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM -----
Devon E. Romig/EAC/GOV
05/09/2006 11:34 AM
To: Margaret Sims/EAC/GOV@EAC
cc
Subject: Re: May 18 Meeting

No, but I have left a message for her assistant and I am waiting for her to return my call. I will let you know as soon as I hear anything.

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov
Margaret Sims/EAC/GOV

Margaret Sims/EAC/GOV
05/09/2006 11:19 AM
To: dromig@eac.gov
cc
Subject: May 18 Meeting
Did Barbara Arnwine's office indicate who they propose to send in her place? --- Peggy

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM ---

"Job Serebrov"
05/08/2006 11:30 PM
To psims@eac.gov
cc
Subject Re: Working Group

Peggy:

What political party is Perez with? How political is he? Is the position in Texas neutral or political? Who appointed Perez?

As to Pat I will contact him but I can't promise anything. If Pat can't come, who is getting knocked off Tova's list?

Job

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:25 PM ---

Diana Scott/EAC/GOV
05/08/2006 10:22 AM
To Margaret Sims/EAC/GOV@EAC
cc dromig@eac.gov, Karen Lynn-Dyson/EAC/GOV@EAC
Subject Re: Working Group Travel

Peggy,

I will send these names to Adventure Travel (AT) authorizing AT to place the airfare and hotel charges on our credit card. That is all I do on my end. BUT Devon has to follow up to make all the arrangements with Marvin Brokaw at AT and whatever else is required as far as support servs. for the meeting is concerned.

I assume this is a separate meeting from the 2 Karen & Brian are having?

Diana M. Scott
Administrative Officer
U.S. Election Assistance Commission
(202) 566-3100 (office)
(202) 566-3127 (fax)
dscott@eac.gov

Margaret Sims/EAC/GOV
Diana:

The following members of the Working Group for our Voting Fraud/Voter Intimidation research project will need to make travel arrangements in order to attend an afternoon meeting of the group on May 18 in Washington, DC:

Mark "Thor" Hearne - St Louis, MO
J.R. Perez - Seguin, TX
The Honorable Todd Rokita - Indianapolis, IN
Kathy Rogers - Atlanta, GA

I may have one additional member from Albuquerque, NM confirmed early next week.

May these people use Adventure Travel to make these arrangements in the same manner as the Asian Language Working Group? I understand the members of that group made hotel and flight arrangements through Adventure Travel and that these costs were billed directly to EAC. We did plan for EAC to pay for the travel of the Voting Fraud/Voter Intimidation Working Group (budgeted under Research). Devon will prepare their travel authorizations.

Peggy Sims
Election Research Specialist

Peggy:

Please tell the folks there that I am not worried about a perceived breach of contract. This is a completely ridiculous statement considering the contractual requirement that the consultants convene the Working Group and not the Commission and it never specifies where or when this is to take place. All this to say that while the contract does specify a Working Group meeting it does not specify that it must
take place on any particular date or in a particular city. With that said, I have never heard of any federal travel requirements that would result in a loss of money because I decided to drive and not fly. In fact, that is why there is a an amount paid per mile. So I would like to see the federal regulation that forces me to take the least expensive transport and restricts all other ground transport costs to that figure.

As to hotels, based on Tova's research there are no rooms for under the $350 range per night. If you can find hotels that are less expensive but still carry the kind of bed I need for my back (either pillow top or a number bed) please do.

The issue of my uncle---today I have not had an update on his condition. But, as I previously stated, if he were to die or have an event while I was in DC, I would have to go to NYC meeting or no meeting.

Finally, neither Tova nor I have been satisfied about Mr. Perez and I have not been told whether Pat Rogers will be coming or one of Tova's people will not be.

In the end, I need to see the travel regulation that I requested above, I would like you to look into hotels for Tova and me that have the kind of bed I need and I would like to know about Perez and Rogers. In the mean time, I should have an update on my uncle by morning. I would also be happy to talk to Julie about the issues involved. I will take you up on your offer to process my travel expenses faster and I do not and never did expect you to get me a travel advance. I worked in international development and know what a headache those are to apply for on the state level.

Job

--- psims@eac.gov wrote:

> Job:
> 
> Folks here are concerned that your failure to show up in person to help conduct the meeting would be a breach of contract. I also am concerned about the impression that your absence will leave with the Commissioners and with the VIPs coming to this meeting.
> 
> If you are concerned about delays in reimbursement caused by including the travel expenses in the personal services voucher, I can always process your request (with receipts) separately and earlier. I can have staff here check to see if we can find hotel rooms at a more reasonable rate for you and Tova. (We recognize that you may not be
able to obtain Federal
government rate.) What I cannot do is offer a
tavel advance, which is
not permitted for nonfederal employees, or offer to
pay the difference
between normal travel expenses and those incurred
for personal
convenience, when the latter is the higher amount.

I urge you to make your travel arrangements ASAP.

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120
(direct)
Fax: 202-566-3127
email: psims@eac.gov

"Job Serebrov" 05/08/2006 01:41 PM

To
psims@eac.gov
cc

Subject
Re: Working Group


Given the information I have Peggy, that is not
going
to be financially possible. First, given Tova's info
about the hotels, it is too much for me to front.
Two
to three days in DC would run around $1000 for the
hotel alone. That does not count the two days on the
road to get there and two days back. Second, if I
can't charge the federal per mile allowance for the
entire trip to DC and back and can only get the
equivalent of plane fare, I will actually loose
money.

I simply do not see how we can do this in person
given
the financial restrictions.

--- psims@eac.gov wrote:
Job:

I don't think we can put you on teleconference for 41/2 hours. We really need to have you here in person if you are to help conduct the Working Group meeting. You should make your travel arrangements ASAP. --- Peggy

"Job Serebrov" 05/08/2006 10:14 AM

To psims@eac.gov, cc Subject Re: Working Group

Peggy:

4:00 eastern on Tuesday is fine however, given the financial restrictions that you indicated would be in place for use of my car (I would actually loose money coming to DC) and given the cost of hotels at this time (I can't afford to front these costs and wait for months to be repaid), etc, it would take a miracle for this working group meeting to take place in person. It is looking like the only way it will get done is by teleconference. I also share Tova's concern about the unknown nature of Mr. Perez.

Job

--- psims@eac.gov wrote:

> Hi, Folks:
> > Teleconference
> > Are both of you available for a teleconference next
> > Tuesday afternoon at
about 4 PM EST? If this does not work for you, please suggest another
date and/or time. I would like to discuss our preparations for the
Working Group meeting.

Working Group Members
We have a very good person to fill the slot for the nonpartisan local
election official: J.R. Perez, Elections Administrator for Guadalupe County, TX. Attached is his bio. Hope you have no objections to him. He is available on May 18. I have place 2 calls to Pat Rogers office, but have not yet received a reply. Job, if you have any pull with him, you may want to contact him, too.

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Maximum Lodging = $180 per day- does not include hotel taxes (if you cannot get this rate, we have covered reasonable rates that are a little higher)
Meals & Incidentals = $64 per day (except that it is $48 on the first and last day of travel)
Mileage for Personally Owned Vehicle = $.445 per mile

Under the new contract, I do not have to fill out a travel authorization for you. I can approve your trip via email. Afterwords, when you turn in your next pay voucher, you can attach the airline receipt (or mileage documentation), hotel receipt(s), and ground transportation receipts and a copy of any printed itineraries. Calculate the total travel expenses due
Peggy:

At this point and unless my uncle dies before May 18, the only way I will go to DC is to drive my car. I will need it in case my uncle dies while I am there. You will need to get approval for the use of my car and the two days it will take me to get there and two days back.

Job

The Commissioners made this an equal bi-partisan issue. I am seen as representing the Republican Party. I now have a responsibility to assure that this ends up bi-partisan. I have been placed in a position of dual obligations---both to the contract and to the Party. I in fact see myself as carrying out what the Commission wanted to the letter---equal bi-partisan representation.

--- psims@eac.gov wrote:

> Your response suggests that you do not care what the Commissioners may think about the effort. --- Peggy
>
>
Subject
Re: new working group representative

Peggy:

Braden is ok also with me but please don't tell me not
to "stir up" things. I assure you nothing will come back to bite me. I know these people well enough to say they will also want a balanced group. In fact, one of them was very unhappy with Tova's folks.

Job

--- psims@eac.gov wrote:

> According to the Commissioners, you and Tova each got to pick three members of the Working Group. The Commission guidance regarding this particular member follows:
> 4 people from the Academic, Legal and Advocacy sectors - 2 to be chosen by Tova and 2 to be chosen by Job.
> This issue of allowing a designee relates to Tova's pick.
> As I understand it, we are working on a replacement for Norcross. If Ginsberg is not viable, how about Mark Braden, who includes public integrity in his areas of specialization. I would not try and stir up other members of the Working Group, if I were you.
> The effort is likely to come back and bite you.

"Job Serebrov"
05/11/2006 03:53 PM
To
psims@eac.gov
cc
Subject
Re: new working group representative

I really don't care if he represents the organization or not. What mixed race? The entire discussion was because Arnwine was African-American. If you are going to invite him without first having a replacement for my side, I may have to call Thor and Todd and discuss all of this.

--- psims@eac.gov wrote:

Greenbaum is representing Arnwine, not replacing her. He works for her organization and is of mixed race. --- Peggy

"Job Serebrov" 05/11/2006 03:36 PM

To "Tova Wang" te@justice.gov, psims@eac.gov
cc Subject

Re: new working group representative

I have an objection to Greenbaum. While I realize he comes from an advocacy group, he is not a minority attorney and we already have a rep who worked with DOJ. If it is to be Greenbaum, I would rather not fill that position since I am one down.

--- Tova Wang "is Jon Greenbaum

Here's his info in full:
He is the Director of the Voting Rights Project for the Lawyers Committee for Civil Rights. He will be representing Barbara Arnwine, the Executive Director of the Lawyers Committee.

His contact and mailing info is:

1401 New York Avenue, NW
Suite 400
Washington, DC 20005

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021


Click here to receive our weekly e-mail updates.
Afternoon of May 18 -- 2:30 okay? How long will they need??

Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 16:59:09 2006
Subject: Re: Voting Fraud-Voter Intimidation

I am looking at the afternoon of 5/18 for the meeting, due to scheduling conflicts of Working Group members. There remain two members from whom we have not yet received confirmations of their schedule (with some, it is like pulling teeth), but right now 5/18 still looks like the best day. We may have to hold the meeting over here to make it easier for Commissioners to drop in.

--- Peg

Okay -- you are on for May 18th! Can we do it over here at 10?

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Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
Right now, we are planning to meet in EAC's large conference room between 1 PM and 5 PM. If you cannot be there for the whole afternoon, we will appreciate whatever time you can spare. I'll get back to you with more information (agenda, list of Working Group members, etc.). --- Peggy

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05/12/2006 01:41 PM
To "Job Serebrov"
cc
Subject Re: Fraud Definition

I will add "DRAFT" to the definition and, yes, the WG will have suggestions. I do plan to send packets to you and Tova containing the same materials being provided to the WG. I haven't sent anything yet because I was hoping to finalize the WG list for inclusion. (Still waiting for a response from Ginsberg.)

Regarding Tova's response, we may want to have a very short meeting after the WG disperses, followed by a teleconference the following Monday afternoon. Tuesday is bad for me because I'll be out of the office attending a series of EAC meetings that begin that day. --- Peggy

"Job Serebrov" <jose.godio@eagles.com>

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05/12/2006 12:52 PM
To psims@eac.gov
cc
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This is ok, given the fact that the WG may have suggestions. Will you be sending us the same packets that you are sending the WG? Also, I figure with Tova's response we will need to have a teleconference on the report once I return to Little Rock. We will need to do it that following Monday or Tuesday.
--- psims@eac.gov wrote:

> Would you please take a look at the attached? I combined both of your definitions, reformatted the list, removed a reference to the fraud having to have an actual impact on the election results (because fraud can be prosecuted without proving that it actually changed the results of the election), and taken out a couple of vague examples (e.g.: reference to failing to enforce state laws --- because there may be legitimate reasons for not doing so).
>
> I have made contact with Ben Ginsberg's office and am waiting to hear if he accepts our invitation to join the working group.

--- Peggy

---

Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM ---

Margaret Sims/EAC/GOV

05/05/2006 02:32 PM  To Tova Andrea Wang, Job Serebrov

cc dromig@eac.gov

Subject Working Group

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Under the new contract, I do not have to fill out a travel authorization for you. I can approve your trip via email. Afterwards, when you turn in your next pay voucher, you can attach the airline receipt (or mileage documentation), hotel receipt(s), and ground transportation receipts and a copy of any printed itineraries. Calculate the total travel expenses due you, including applicable per diem. I do not need meal receipts.

Job, under Federal travel regulations, deviations for personal reasons are not normally accommodated. What you can do, however, is to give me a comparison of the cost of roundtrip mileage, hotel, and per diem of doing it your way against the cost of a roundtrip flight, ground transportation, hotel, and per diem. If your way costs less, it should be no problem to cover the full cost. If your way is more expensive, we may only pay up to the amount of traditional travel. (The same rules apply to me when I travel.) If you can tell me where, other than DC, you will spend the night, I can check on applicable per diem rates.

Peggy

---

I have placed another call to his office (after one previous call to his assistant and an email to him). I, too, am concerned about our dwindling chances. --- Peggy

---

Given the short time period, you may want to give Ginsberg a deadline. The longer we wait, the poorer our chances are of getting Braden.

--- psims@eac.gov wrote:

> I am reluctant to invite Braden until after I have received a "No" from Ginsberg. --- Peg
> >
> >
> >
Sounds good to me. If not Ginsburg try Braden.

--- psims@eac.gov wrote:

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I have made contact with Ben Ginsberg's office and am waiting to hear if he accepts our invitation to join the working group.

--- Peggy

Thanks. We are still trying to get through to Bauer and Arnwine. They have not responded, so their availability is not yet reflected on our spreadsheet. --- Peggy
Hi Peg,

Attached, to add to the collection, is a summary overview of the interviews. Do you have that spreadsheet you were telling me about reflecting the times WG participants are available? If so, maybe we can talk soon? Thanks. Tova

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021
Visit our Web site, www.tcf.org, for the latest news, analysis, opinions, and events.

The bio for JR Perez tells us very little about him and there is pretty much nothing about him on the web. Can you tell us more about him and how you decided on him? Thanks. Tova

----- Original Message ----- 
From: psims@eac.gov
To: psims@eac.gov,
dromig@eac.gov
Cc: dromig@eac.gov
Sent: Friday, May 05, 2006 2:32 PM
Subject: Working Group

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Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM ----
Margaret Sims/EAC/GOV
05/10/2006 10:27 AM
To: Devon E. Romig/EAC/GOV
cc
Subject: Re: Court reporter

Thanks for checking this out for me, Devon. I've asked Tom if there are funds available for this service. Our consultants were very enthusiastic about the idea. --- Peg

Devon E. Romig/EAC/GOV
Peggy,

I spoke to the people who usually handle the EAC court reporting. They charge $9.00 per page with an average of 40 pages per hour. This service would cost about $1800.00.

The turn around time for the transcript is 10 to 15 days. The transcripts comes in a bound paper copy and an electronic copy.

I can also check around for different prices.

Devon Romig
United States Election Assistance Commission
1225 New York Ave. NW, Suite 1100
Washington, DC 20005
202.566.2377 phone
202.566.3128 fax
www.eac.gov

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM ---

Yes. Thanks. Depending on when Commissioner Davidson can spare you, we may need your help putting materials together for the Working Group (probably next week). We also will have to print name tags and place cards. If you are a good note-taker, we also will need people to take turns taking notes at the meeting. --- Peggy

Eileen L. Collver/EAC/GOV
Can I help on this working group?

Elle

Elle L.K Collver
U.S. Election Assistance Commission
1225 New York Avenue, Suite 1100
Washington, D.C. 20005
office: (202) 566-2256
blackberry: (202) 294-9251
www.eac.gov
Margaret Sims/EAC/GOV

Margaret Sims/EAC/GOV
05/04/2006 02:07 PM
To: pdegregorio@eac.gov, rmartinez@eac.gov,
ddavidson@eac.gov, ghillman@eac.gov
cc: twilkey@eac.gov, jthompson@eac.gov, Gavin S.
Gilmour/EAC/GOV@EAC, Amie J. Sherrill/EAC/GOV@EAC,
Adam Ambrogi/EAC/GOV@EAC, Elleen L.
Collier/EAC/GOV@EAC, Sheila A. Banks/EAC/GOV@EAC,
bbenavides@eac.gov, Karen Lynn-Dyson/EAC/GOV@EAC
Subject: Voting Fraud-Voter Intimidation Working Group Meeting

Dear Commissioners:

This is to let you know that the Working Group for our Voting Fraud and Voter Intimidation preliminary research project is scheduled to meet in EAC's large conference room the afternoon of Thursday, May 18. I will provide more information about this meeting to you later.

Peggy Sims
Election Research Specialist

Job:
Secretary Rokita is available May 18. I'm going to talk with the Chairman today about substituting Rogers for Norcross. Do you have contact information for Rogers? --- Peggy

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM -----
Margaret Sims/EAC/GOV
05/04/2006 10:33 AM
To: Job Serebrov
cc
Subject: Good News

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM -----
Margaret Sims/EAC/GOV
05/04/2006 05:20 PM
To: "Donsanto, Craig"
<Craig.Donsanto@usdoj.gov>@GSAEXTERNAL
cc
Subject:
It is just the Working Group for the Voting Fraud-Voter Intimidation Project. I am asking you to attend as Technical Advisor for the project. --- Peggy

Peg--- what is the name of the group?

Craig:

This meeting is being held to obtain input from our eight-member Working Group for the project. The group is composed of election lawyers, election officials, and a representative of an advocacy group, all of whom have an interest and some expertise in the identification and/or prosecution of voting fraud and voter intimidation. The group was chosen so that we would have an equal number of folks on each side of the political spectrum, plus some nonpartisan members.

After our consultants review the results of their preliminary research (interviews, literature review, case law), we will ask the Working Group to brainstorm possible next steps for EAC. Our consultants will write a report summarizing the proposals that come out of this meeting. The report will go to the Commissioners, who will decide what they want to do, funds available, and what priority to assigned to the effort(s).

Your participation in this part of the process is extremely important, so I am very happy that you can find time for us that afternoon. I'll get an agenda and other information to you next week. --- Peggy
Okay, Peg - I will mark off the entire afternoon and try to be there. What is the agenda? I was not aware that this was anything beyond having your contractors spend another session with me. Also, if they will be needing stats and stuff like that I need to know as I will bring my state-people with me.

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Thursday, May 04, 2006 2:28 PM
To: Donsanto, Craig
Subject: Re: Voting Fraud-Voter Intimidation

Right now, we are planning to meet in EAC's large conference room between 1 PM and 5 PM. If you cannot be there for the whole afternoon, we will appreciate whatever time you can spare. I'll get back to you with more information (agenda, list of Working Group members, etc.). --- Peggy

"Donsanto, Craig" <Craig.Donsanto@usdoj.gov>

05/03/2006 05:59 PM

To: psims@eac.gov
cc
Subject: Re: Voting Fraud-Voter Intimidation

Afternoon of May 18 -- 2:30 okay? How long will they need??

--------------------------
I am looking at the afternoon of 5/18 for the meeting, due to scheduling conflicts of Working Group members. There remain two members from whom we have not yet received confirmations of their schedule (with some, it is like pulling teeth), but right now 5/18 still looks like the best day. We may have to hold the meeting over here to make it easier for Commissioners to drop in. --- Peg

Okay -- you are on for May 18th! Can we do it over here at 10?

My problem is that agency staff is booked most of the week of 5/21. Monday through Wednesday are taken up with meetings of the Standards Board Executive Committee, the full Standards Board, and the Board of Advisors. Thursday, we have EAC’s public meeting. Also, I will lose one of my two consultants in June, so I’m trying to wrap up this project (and get the final report from the consultants) by the end of May.

Say "Hi" to Cameron for me.
Hi Peg. I am sitting here with Cameron Quinn putting together this year's ballit conference for AUSAs. She send her best!

I am available on 5/18. But I am also going to the Board of Advisors Meeting the following week. I would rather do this then.

Sent from Dr. D's Fabulous BlackBerry Wireless Handheld

-----Original Message-----
From: psims@eac.gov <psims@eac.gov>
To: Donsanto, Craig <Craig.Donsanto@crm.usdoj.gov>
Sent: Wed May 03 11:39:50 2006
Subject: Voting Fraud-Voter Intimidation

Craig:

We are continuing our efforts to hone in on a date for the Working Group meeting. Are you available the afternoon of Thursday, May 18?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission

-------- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM --------
Margaret Sims/EAC/GOV
05/12/2006 01:34 PM
To: "Tova Wang"<tova.wang@eac.gov>
cc
Subject: RE: Fraud Definition

Lets raise this issue at the meeting. (I'll add "DRAFT" to the current document.) My concern is that there
are a number of requirements in the Voting Rights Act. Not all of them are considered election fraud, when violated. For example, failure to preclear changes in election procedures is not treated as election fraud, though it is actionable. --- Peggy

"Tova Wang"

05/12/2006 12:45 PM

To psims@eac.gov.

Subject RE: Fraud Definition

Upon first reading, my only comment would be that I would like to restore "failing to follow the requirements of the Voting Rights Act"

-----Original Message-----
From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Friday, May 12, 2006 9:20 AM
To: 
Subject: Fraud Definition

Would you please take a look at the attached? I combined both of your definitions, reformatted the list, removed a reference to the fraud having to have an actual impact on the election results (because fraud can be prosecuted without proving that it actually changed the results of the election), and taken out a couple of vague examples (e.g.; reference to failing to enforce state laws --- because there may be legitimate reasons for not doing so).

I have made contact with Ben Ginsberg's office and am waiting to hear if he accepts our invitation to join the working group. --- Peggy

----- Forwadted by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM -----
Margaret Sims/EAC/GOV
04/24/2006 12:13 PM

To "Tova Wang" 

cc

Subject Re: invoice

Tova:

The draft voucher looks fine except for two things (one of them is our fault):

(1) it appears that you worked 11 days, rather than 10, during the first two weeks; and
(2) you need to put the total dollar amount owed you ($9,102) somewhere on the form. (Last time you put it in the box with the total hours worked this period.)

Don't forget to sign and date the voucher. Thanks.

Peggy Sims
Hi Peg,

Can you please check this before I fax it? Thanks! And can we talk sometime today?

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021
Visit our Web site, for the latest news, analysis, opinions, and events.

Click here to receive our weekly e-mail updates.

--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM ---
Margaret Sims/EAC/GOV
05/04/2006 02:10 PM
To Devon Romig
cc ecortes@eac.gov
Subject Voting Fraud-Voter Intimidation Working Group Meeting

Barry Weinberg has confirmed he can attend the afternoon of May 18. He lives in the DC area, so we won’t have to worry about travel. I have contacted Pat Rogers office and left a voice mail for his assistant. Hopefully, I will hear from them this afternoon. --- Peggy
--- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM ---
Margaret Sims/EAC/GOV
04/27/2006 09:23 AM
To Tova Andrea Wang
cc
Subject Bob Bauer

We have heard from Bob Bauer regarding his availability, so we don't need to have you pursue the matter. Thanks for the offer, though. --- Peggy

---- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM ----

"Tova Wang" To psims@eac.gov
05/09/2006 05:17 PM cc
Subject perez

I talked to Adam, and I am OK with JR Perez. I'm working on the Barbra situation.

Tova Andrea Wang
Democracy Fellow
The Century Foundation
41 East 70th Street - New York, NY 10021

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Click here to receive our weekly e-mail updates.

---- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM ----

"Job Serebrov" To psims@eac.gov
05/10/2006 12:25 PM cc
Subject Travel

Peggy:

If I am calculating it right and I believe I am, it would cost around $450 plus my meal allowance in Virginia and Tennessee (coming and going).

All of this said, I am still a person down and there is the bed problem.

Job

---- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM ----

05/06/2006 08:28 AM To psims@eac.gov
cc
Thats great news. What happens with respect to hotels? Should I make my own arrangements? I expect Job and I will want to stay the nights of the 17th and 18th. Thanks Pegs. And congratulations.

----- Original Message -----
From: <psims@eac.gov>
To: 
Sent: Thursday, May 04, 2006 5:47 PM
Subject: Re: wg

> Tova:
> Rokita is available --- so the afternoon of May 18 it is. I will not
disinvite anyone. I am trying to get Job's next choice (Pat Rogers) as a
replacement for Norcross.
> Monday appears to be out for a teleconference because Job will be
unavailable that afternoon and I am scheduled for something else that
morning. I'll check my schedule tomorrow and send a message to you and
Job
> regarding other possible days and times. --- Peggy
Hi Peg,

Just wondering if you had any word from Rokita. Also, I wanted to let you know that I think disinviting members of the working group would be a very unwise and frankly embarrassing way of dealing with the problem of getting 100% attendance. I'm sure we'll talk before any decisions are made. As I said, I'm free on Monday. Thanks.

Tova

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM -----
Devon E. Romig/EAC/GOV
05/02/2006 01:11 PM
To Margaret Sims/EAC/GOV@EAC
cc
Subject Re: Barbara Arnwine

Peggy,

I just received an update about Ms. Arnwine's schedule. She is not available on May 9th.

Thanks,

Devon

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM -----
Margaret Sims/EAC/GOV
05/05/2006 10:56 AM
To "Weinberg and Utrecht"
cc
Subject Re: Voting Fraud-Voter Intimidation

Barry:

Would you please provide an address to which we can Federal Express materials before the meeting?
that would be fine

----- Original Message ----- 
From: psims@eac.gov
To: barry
Sent: Thursday, May 04, 2006 1:08 PM
Subject: Voting Fraud-Voter Intimidation

Barry:

It appears that the afternoon of Thursday, May 18 is best for a meeting of the working group. I know you said you would not be available in the morning that day. If we started at 1 PM, would that be too soon for you?

Peggy Sims
Election Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
e-mail: psims@eac.gov

----- Forwarded by Margaret Sims/EAC/GOV on 04/30/2007 04:24 PM ----- 
"priceline.com Customer Service" <hotel@trans.priceline.com>
05/05/2006 09:20 PM
To psims@eac.gov
cc
Subject Travel Plans for Tova Wang