



Testimony of Jeannie Layson
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U.S. Election Assistance Commission
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Good afternoon Commissioners, Executive Director Tom Wilkey and Associate General Counsel Tamar Nedzar. Thank you for facilitating a public discussion regarding staff's proposal for a draft Clearinghouse policy for consideration by the Commission.

Last month, my testimony about the Clearinghouse focused on the defining language in the Help America Vote Act, and research conducted about clearinghouses, Web site content, and information provided to the public. Pimjai Sudsawad, the Knowledge Translation Program Coordinator at the National Institute on Disability and Rehabilitation Research, will provide further information about the operation of a federal clearinghouse. She has been a valuable resource to the Election Assistance Commission, and I look forward to her testimony.

Today I will discuss staff's initial recommendations for the scope and content of the Clearinghouse, as well as the process to administer the policy. My goal is to receive your feedback, and incorporate it into a draft policy, including a 45-day public comment period, for your consideration.

Scope

I recommend implementing a pilot Clearinghouse policy limited in scope and duration, which would allow me to collect information about staff time and resources. For six months, I would track staffing hours and labor distribution by task, which would differentiate start-up activities from routine, ongoing activities. At the end of the pilot program, I would present a matrix consisting of two quarterly reports about time and resources used to operate the Clearinghouse, allowing you to make an informed decision regarding the scope of a final policy based upon available resources and level of effort required.

Content

The content of the pilot policy as proposed by staff would consist of information provided by local, state or federal government entities in five categories: voting system performance, poll worker information, contingency plans, pre-election activities and post-election day activities. Examples of pre-election activities would include logic and accuracy testing, voting system storage and security procedures, chain of custody procedures, polling place accessibility initiatives, polling place set-up plans and ballot distribution strategies. Regarding post-election

activities, we would collect information and procedures about canvassing activities, recount procedures and audits.

I recommend beginning with these five topics based upon information I have collected from Web site statistics, public inquiries and staff input. For example, election officials and the general public continue to seek information about voting system performance. EAC's Voting System Testing and Certification Division also use this information to further inform the testing process. EAC already has a policy in place to receive reports commissioned by federal, state and local units of government. I recommend incorporating the existing policy into the pilot and continue collecting, posting and distributing this information.

Poll worker recruitment, retention and training continue to be a top priority for election officials everywhere. According to our 2008 Election Administration and Voting Survey, available at www.eac.gov, nearly half of reporting jurisdictions had at least some difficulty getting enough poll workers. Not surprisingly, the poll worker section of our Web site always gets lots of traffic -- between January 1 and May 1, 2010, it was the tenth most visited page. In addition, one of EAC's most popular initiatives is the Help America Vote College Poll Worker grant program. For example, in 2009, 71 organizations requested over five times more funding than was available. Based upon the constant need for help at the polling place, I believe we must establish a central location that showcases innovations and creative recruitment strategies from states and local jurisdictions. This section would also include links to state-specific poll worker information sites so visitors could easily sign up to be a poll worker or get more information.

Contingency planning in elections will always be necessary -- it seems like there's a new unanticipated event every year. At past EAC public meetings, election officials presented innovative approaches dealing with everything from weather disruptions to traffic jams, and there was considerable interest last year when EAC asked election officials for flu season contingency plans. We should build upon our efforts to collect and share these innovative and creative approaches to prevent or mitigate disruptions during an election. This category would also include strategies and procedures that election officials use to communicate with the public during an emergency or rapidly changing situation. Examples would include outreach strategies using both social and traditional media outlets.

In addition, pre-election and post-election activities and plans are popular topics with not only election officials, but also voters. We've covered many of these topics in EAC's Election Management Guidelines program and related videos, including polling place set-up, making polling places accessible and pre-election testing. We would expand upon these resources by collecting information and procedures from states and local jurisdictions. I anticipate that this information would also inform the Research, Policy and Programs' Election Management Guidelines initiative, available in the Election Management Resources section at www.eac.gov.

Process

Regarding the operation of the pilot Clearinghouse, I recommend that all requests be submitted to the executive director for approval within 48 hours. If the executive director declines a request, the matter would be moved to the next public meeting for discussion, and the commissioners would serve as the appeal body if necessary.

Conclusion

In summary, I recommend a six-month pilot Clearinghouse policy, consisting of information submitted by federal, state or local government officials in five categories: voting system performance, poll worker information, contingency plans, pre-election activities and post-election day activities. I base my recommendation on EAC's mission to assist with the improvement of federal elections and our responsibility to provide resources and information about election administration to election officials and the public.

EAC's Clearinghouse policy is of great interest to the public, and I appreciate the opportunity to continue having public discussions with the Commission. I look forward to your questions.