

**United States Election Assistance Commission  
Board of Advisors Meeting**

Held at

The Crowne Plaza Chicago Metro  
733 West Madison  
Chicago, Illinois 60661

Thursday, May 5, 2016

VERBATIM TRANSCRIPT

The following is the verbatim transcript of the United States Election Assistance Commission (EAC) Board of Advisors meeting that was held on Thursday, May 5, 2016. The meeting convened at 8:18 a.m., CDT and adjourned at 11:12 a.m., CDT.

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CHAIRMAN HICKS:

Good morning everyone. So as some folks have early flights, we're going to try to keep this moving as efficiently as possible, so I want to start as of now.

So we had a very productive meeting yesterday and I think that we are going to have more production today. But before we get started I want to swear in our new Executive Board members who were voted in yesterday unanimously without any opposition. So if the three new members could stand, that would be Neal Kelley, Sarah Ball Johnson and Michael Winn. And I will try to do this correctly today, so if you can raise your right hand.

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[DFO/Chairman Thomas Hicks administered the oath of office to the new slate of Executive Board members.]

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[Applause]

CHAIRMAN HICKS:

I don't know if you guys want to say something quickly? All right, so we're already ahead of schedule.

So with that if Justin is ready I think that he's on the screen.

He can see us. There he is. Yes Jim?

MR. DICKSON:

There was a motion on the floor last night. Aren't we going to deal with that now?

CHAIRMAN HICKS:

I thought we would deal with that -- well if you guys want to -- it's your meeting so if you want to deal with it. I don't want to keep Justin on the line too long, so how long do you consider that you would need for the motion?

MR. DICKSON:

I -- there's not a lot of people here.

CHAIRMAN HICKS:

How about we do it immediately after Justin gives his presentation?

MR. DICKSON:

Okay, that's fine.

CHAIRMAN HICKS:

Okay, Justin Levitt.

MR. LEVITT:

Thank you Mr. Chair, can you hear me all right?

CHAIRMAN HICKS:

A little bit of feedback.

MR. LEVITT:

And what happens if I actually do this the old fashioned way of

picking up the phone?

CHAIRMAN HICKS:

Can folks hear okay? So Justin is the Deputy Assistant Attorney General for the Civil Rights Division. And I wanted to thank him for all his efforts on being able to make some time for us to give us a presentation. I know that it was difficult to get out to Chicago, but we arranged for -- with Henry to do this videoconference. And if you want to take it away, go right on.

MR. LEVITT:

Thanks very much Chairman Hicks. Can you all hear me all right and see me all right?

CHAIRMAN HICKS:

Yes.

MR. LEVITT:

Excellent, well I will trust in the technology and with all that Henry and our folks here have done on our end. And if at any point you can't hear me or can't see me or it becomes troublesome, I'll also trust in you Mr. Chairman to tell me that things have gone awry.

CHAIRMAN HICKS:

Okay.

MR. LEVITT:

Excellent, good morning to you all, thank you very much. I want to thank the Executive Board for the invitation to speak with you today

and obviously for the Chair for facilitating that invitation and for allowing my virtual presence here. I'm sorry I can't join you in person. I also want to thank Executive Director Newby for the logistical support. I understand that's part of how we're able to talk to each other long distance, so thank you very much for that.

You know as somebody with a career devoted to practicing and teaching and studying election law and now in a slightly different role as a Deputy Assistant Attorney General in the Civil Rights Division of Justice supporting our voting work I consider myself pretty firmly in the tribe of the people Doug Chapin likes to refer to as election geeks, the folks who are driven by data and devotion to the rule of law and those who are really devoted to a fair and equitable process that people understand and respect despite their political preferences. And I am certain that you all share that allegiance to the tribe of election geeks, and so it's wonderful to be among you at least virtually. I'm enormously grateful for the mission of the Election Assistance Commission and I appreciate the profound significance of the work that you all do. I am very sorry that I can't be with you in Chicago today, but I really appreciate the opportunity to join the session regardless. Thank you for making the time.

I know that you've got a very full session this week and I heard the Chair's admonishment to make sure that everybody

catches their plane this afternoon, so I don't want to take up a tremendous amount of time for a short presentation. I understood that there was primary interest in two main topics of our work; a summary of our enforcement work generally, and then before that a more detailed review of our work with respect to the enforcement of the rights of persons with disabilities in the voting process. So I've planned about 25 minutes or so and then more than happy to take what questions you have, some of which I may be able to answer and some of which I may have to defer. So I hope that's all right and I hope that fits the schedule that you've laid out.

Well let me dive on in. I'm assuming that you can still hear me or at least I'll take the silence as permission to forge ahead.

CHAIRMAN HICKS:

Go right ahead.

MR. LEVITT:

Excellent, so let me start in with our disability work and I know that you've also been working to lift up disability access as well, including a hearing in Boston last week, or at least the Commission has had the opportunity to be engaging people with disabilities. It's really a pleasure to join that conversation in progress.

As you know well, 30 years ago now this year the National Council on Disability recommended the enactment of a pretty wide ranging civil rights statute serving people with disabilities. It was

neither the first nor the last of its kind but it's become among the most prominent and it's gotten a lot of attention in various walks of life and in various ways in which people with disabilities engage in society. That said, 30 years later it's still unfortunately true that in communities across the country too many people with disabilities strive to exercise the franchise in ways that others simply take for granted and, instead, find themselves turned away by unnecessary barriers to a private and independent vote.

We, at Justice, have some tools to confront these difficulties. The Americans with Disabilities Act, the primary one and the statute that I mentioned before, but also the Voting Accessibility for the Elderly and Handicapped Act, portions of the National Voter Registration Act, portions of the Voting Rights Act, portions of the Help America Vote Act they all work in concert in our view to ensure that voting procedures and systems and locations remain accessible to people with disabilities. From registration to early voting to Election Day voting and beyond officials must ensure equitable access for and effective communication with people with disabilities. And that's a firm legal mandate and the one that we enforce quite seriously.

I'd like to walk through just an overview of what these statutes provide and what we seek to ensure with some of our more recent enforcement work highlighted along the way. The ADA is

probably the statute with which you're most familiar in this space or with which at least members of the public are most familiar and it contains perhaps the broadest mandate. Title II of the ADA requires state and local governments to ensure that people with disabilities have a full and equal opportunity to vote. The ADA's provisions apply to all aspects of that voting process whether it's voter registration, site selection, casting of ballots, whether on Election Day or during an early voting process. What Title II requires are affirmative steps to engage people with disabilities, reasonable modifications to what are otherwise standard policies, procedures and practices when those modifications are necessary to avoid the deprivation of an equal process on the basis of somebody's disability. And the only exception is when those modifications would fundamentally alter the nature of the program. That's a strong mandate and it doesn't just pertain to the mechanics of registering or casting a ballot or access to the locations where that occurs. The ADA also applies and has special provisions that apply to communications, including election related communications. Public entities have to take appropriate steps to make sure that communications with people with disabilities are just as effective as communications with others, and that includes an obligation to provide auxiliary aides and services when necessary to make sure that there's an equal opportunity to participate. These

auxiliary aides have to be provided in a way to protect the privacy and the independence of the voter with the disability just as the privacy and independence of voters without disabilities are protected by the election process.

The Voting Accessibility for the Elderly and Handicapped Act has a slightly narrower focus. It mostly has to do with polling places. Polling places in federal elections have to be accessible for elderly individuals and for individuals with disabilities. Where there's no accessible location available to serve as a polling place, the Act also requires that voters be provided an alternate means of voting on Election Day.

The NVRA, as you all know well perhaps better than anyone else, is designed, among other ends, to facilitate registration for persons with disabilities. It generally requires offices that provide public assistance or offices that provide state-funded programs that primarily serve people with disabilities to also provide the opportunity to register to vote in federal elections along with assistance in completing applications to register to vote to the same extent as offices that offer other services provide assistance with their own forms and requires those same offices to transfer voters' registrations when they do apply to local registrars.

The Voting Rights Act also contains provisions relevant to voting rights of people with disabilities. In addition to the overall

nationwide ban on prerequisite tests which serves large swabs of the population including people with disabilities the Voting Rights Act also requires election officials to allow a voter with a disability to receive assistance in voting from any person of the voter's choice other than an agent of the voter's employer or union.

And the Help America Vote Act also speaks to disabilities as well. That's one of our final statutes that speaks to the disability process. For example it requires jurisdictions to provide, as you know, at least one accessible voting system for persons with disabilities at every polling place at federal elections. And hereto there's an emphasis on equality, privacy and independence; making sure that the accessible voting system has to provide the same opportunity for access and the same opportunity for participation including the same, or at least as similar as possible, means of establishing privacy and independence that any other voter receives.

And we at the Civil Rights Division actively enforce all of those laws to make sure that persons with disabilities have equitable access throughout the election ecosystem. So for example the registration process, the start of how most people engage with the system, I mentioned that the NVRA requires offices that provide public assistance or state-funded programs that primarily serve people with disabilities to provide opportunities to

register to vote. You all know that. That includes not only making forms available and includes not only assisting voters in completing the forms and transmitting complete forms to the appropriate election official but it includes those processes however the transactions are completed at the office, and that's probably most familiar, but also online, also by the phone, also at home. When individuals engage in transactions with these offices, however those transactions occur, there is the equal obligation of the offices to serve individuals with disabilities and to make sure they are provided not only the opportunity to register but also the opportunity to get the same sort of assistance that anybody would receive in asking for the same services that office provides that are its primary mandate.

So, for example, if an office provides services to a person with a disability at the person's home, the statute provides these voter registration services have to be provided at the home as well. And communications about voter registration also have to be effective to persons with disabilities no matter whether this is an office that primarily serves the disability community or an office that serves the general public. So that means not just voter registration forms but information about voter registration online and offline have to be accessible. It also means that entities providing online registration systems themselves, something that I know an

increasing number of states and local jurisdictions are developing and implementing, those online registration systems have to be accessible and provide equal opportunity for voters with disabilities.

Now I know perhaps of greatest interest and also something that I can speak least about, I can't speak about current investigations and I can't speak at any significant length about pending litigation but among our pending cases right at the moment is litigation seeking to ensure that all of the states' disability services and all the states' disability service providers offer voter registration opportunities to the full extent the law requires.

I just want to pause for a second to make sure that...

CHAIRMAN HICKS:

I don't know if you know but there's a gentleman behind you.

MR. LEVITT:

...you all can hear and see as Mikey sneaks in to get me relogged in, everything smooth on your end?

CHAIRMAN HICKS:

Yep can still hear you fine.

MR. LEVITT:

Excellent, great, thank you. So that's an overview of the registration process and I think some of those requirements are widely known and fortunately widely followed. I think others are less widely known and we are seeking to make sure that are much

more widely followed, particularly the general online materials that jurisdictions offer we know that some of them have quite a way to go. And I think those of you that have quite a way to go will be hearing from us shortly.

[Laughter]

Beyond registration federal law establishes requirements for state and local election offices to ensure that individuals with disabilities can also access information about the voting process and about the tabulation process. And that means that when you provide information about the content of the ballot, when local jurisdictions provide information about the means of voting early or absentee or the means of casting a ballot at the polls, information about the voting system itself, when jurisdictions provide information about provisional balloting including how to find out whether your particular provisional ballot was cast and counted and all of the other basic information that we know that election officials provide when that's communicated, including online, that's got to be communicated effectively to persons with disabilities just as it is communicated to others both online and offline.

Then individuals have to cast the ballots they learn about. We are well aware that people cast their ballots in a variety of facilities that temporarily serve as polling places such as libraries or schools or fire stations or private buildings like churches and stores.

The ADA requires that the public entity that is running elections ensure that people with disabilities can access and use the voting facilities that are provided whether they are full-time public buildings or not. ADA regulations and the ADA standards for accessible design, all of which are available on our website at [ada.gov](http://ada.gov), set out what makes a facility accessible and can and should be used to determine the level of accessibility at any facility being considered for use as a polling place. We've produced a checklist that tries to make that a little easier with guidance to election officials for trying to figure out whether a polling place already has the basic accessibility features that most voters with disabilities need or whether a polling place can be made accessible with temporary solutions. We've also produced a separate guide suggesting walking people through step-by-step those temporary solutions for -- at least for some of the more common problems found at polling places that stand in the way of people with disabilities.

The solutions are sometimes quite simple but, as you know well, they require forethought and bringing them to people's attention in the months and weeks before an Election Day. I don't say "the" Election Day. As you all know better than anyone, elections are constantly happening. But bringing people -- bringing the steps that people have to take in order to make sure that facilities are accessible to people's attention can often stave off

problems down the road. I have enormous appreciation for the substantial list of functions and tasks required for performing a successful election. And I have enormous appreciation for the devotion to detail that's required to pull off elections well.

Among these many, many, many, many requirements, among these many steps that people take a little bit of attention devoted to site accessibility before Election Day can head off big problems down the road for eligible voters, not to mention violations of federal law, on Election Day itself. And even before that a little of attention to ensuring that sites are selected based in part on their accessibility, and I know that's a challenge for local jurisdictions site selection in general, but when undertaking site selection making sure that you pick places that are already accessible can save further time and attention that you might otherwise have to devote to temporary fixes and with the jurisdictions with which you work might otherwise have to devote to temporary fixes.

I will say that the Civil Rights Division, particularly in partnership with the offices of the U.S. attorneys across the country, has expanded the scope of our Election Day monitoring in cycles past to include assessments of accessibility, the physical accessibility in particular of polling places. We've been out already in this primary season. We'll be out again in elections as they occur throughout the remainder of the year making sure that where

people go to vote, people with disabilities have the access that the law requires.

In some circumstances it may be that a public entity is unable to identify or create an accessible polling place. We understand that happens for particular precincts or wards. And in those areas election administrators may instead use an alternative method of voting at the polling place. I want to stress that's only true when an accessible site can't be found or created. And I also want to stress that while absentee balloting as one alternative means can be offered to voters with disabilities it can't take the place of in-person voting to the extent that in-person voting is offered to others without disabilities who may prefer to vote at the polls on Election Day. The mandate in the law is equal treatment and if absentee balloting is the only means by which people with disabilities can access the franchise when others have the opportunity to vote in person that is not equal treatment.

Any alternative method of voting that jurisdictions do implement has to offer voters with disabilities an equally effective opportunity to cast their votes. For example, we understand that it may be that the only suitable polling place in a precinct might be in an inaccessible building. And in that rare circumstance when the only suitable polling site is inaccessible election administrators may provide something like curbside voting to allow persons with

disabilities the opportunity to vote outside their polling place, for example, or in their cars for example. But in order to be equally effective, as the law requires, something like a curbside experience or curbside voting system has to provide equal access to the elements of the voting process that are provided to others. That's going to include things like appropriate signage. That's going to include a method to announce arrival at the curbside. Folks can't just be waiting at a curbside for somebody to recognize they're there. That's got to include timely response by officials who are engaged in helping folks at the curbside vote. That's got to include delivery of the same information and assistance that's provided to voters who are inside the polling place. And that has to include a portable voting system that's accessible and that allows the voter to cast their ballot privately and independently. Those are all things that voters inside the polling place have access to and if there is a curbside voting experience offered the same, or equivalent, experience has to be offered to individuals with disabilities as well.

The ADA also requires public entities to reasonably modify other policies, practices and procedures when those modifications are necessary to avoid discrimination on the basis of the voter's disability. That requirement is only relaxed if election administrators can show that the proposed modification would fundamentally alter the nature of the voting program. And there's

not a lot of a modifications that fundamentally alter the nature of an election program. So another example, I know that long lines at the polls have been in the news again this year. Voters who use crutches, for example, may have difficulty waiting in a long line to vote. The ADA doesn't require that those voters be moved to the front of the line, but the public entity may have to provide a chair for individuals with disabilities while they wait. A voter with multiple sclerosis may be unable to tolerate extreme temperatures, hot or cold. And so if you're in a climate, the jurisdictions with which you work are in a climate where it's predictable that there will be extreme temperatures and people exposed to them through long lines at the polls on Election Day, then it may be appropriate to provide a chair inside the polling place for someone to wait. That may be a reasonable modification that is, if possible, required by the law. And similarly we understand that some polling sites have strict no animals policies, but the ADA requires those policies be modified if necessary to allow voters with disabilities to be accompanied by service animals in all areas of the polling place where the public is allowed to go or where voters are allowed to go who don't have disabilities.

That's just the site infrastructure and beyond that we know that federal law, not just the ADA, but HAVA as well requires jurisdictions conducting federal elections to have a voting system

like the actual voting machines that are accessible including the citizens who are blind or visually impaired at each polling place. The accessible voting system has to provide, and this is a familiar refrain by now, the same opportunity for access and participation including privacy and independence that other voters enjoy. So imagine, for example, that the jurisdiction is conducting an election using a paper ballot system. A blind voter would have to have access to that through an accessible ballot but a Braille ballot would have to be counted separately, would be readily identifiable and so wouldn't constitute a secret ballot, a private and independent ballot the same way that other ballots would be. So instead of a ballot that sets the voter apart, that provides a fundamentally different experience, it may be necessary for the jurisdiction to offer other auxiliary aides and services to allow voters who are blind the opportunity to vote privately and independently and secretly just like other voters can. That can include things -- technology I know you're familiar with -- things like ballot overlays or templates or electronic information and information technology that's accessible like ballot marking and reading devices either independently or through assistive technology like screen readers. And that's true as we've been emphasizing in the absentee process as well. This is unfamiliar to a lot of election officials but I think it's becoming more familiar.

Last year we filed an amicus brief in the Federal Circuit Court arguing that a state violated its statutory obligation when it denied voters with disabilities the opportunity to use an aide that a Court found reliably and securely helped them mark and cast an absentee ballot privately and independently just as voters without disabilities could do. We recognize that new technology made those opportunities possible, if not perfect. And while we also recognize that every system like that has to inevitably be evaluated in context and on its own individual merits we were concerned that denying persons with disabilities the reliable aides they need to participate equitably would violate federal statutes and in a way impairing the integrity of the process. The Court of Appeals, as some of you know, shared our concern and affirmed the District Court's ruling writing, "That our conclusions simply flow from the basic promise of equality in public services that animates the ADA." I know that following that litigation there's been similar litigation pending elsewhere and that is something certainly that election officials will have to keep their eye on.

Just having the system isn't enough. It's necessary to make sure that any accessible voting systems are actually maintained and function properly in each election and that they're, and I know this can be a challenge as well, set up and working properly at the polls. And that means poll workers who have been adequately

trained in order to operate them effectively. Poll workers also have to be trained not only to ensure that individuals with disabilities can vote privately and independently, if they wish, but also to make sure that people with the need for assistance who choose to use that assistance can do so. The Voting Rights Act, as you know, allows any voter whose disability or inability to read or write poses a hardship in the voting process to receive help from a trusted person of her choice, other than the agent of an employer or union, to the extent that a lapse in privacy is unavoidable or is desired by the voter, this right gives the voter the control to open that door and that in turn we think serves a really important function in preserving trust in the process.

In all of this work, in the work that I've just described, we have happily reached agreements to ensure compliance in several counties and municipalities over the last few years. We are in discussions with others including state jurisdictions. Frankly we much prefer it when we have no need to enter these agreements in the first place which is why we've also published technical assistance documents with some details and some practical sort of step-by-step guides to not only how federal laws protect people with disabilities but also ways to remove common barriers, as I mentioned, both physically at the polls and beyond. And I am more than happy to provide further details about what we've made

available and what we can make available if you wish.

So that, I know that I've droned on for awhile, that in a nutshell is our work with respect to disability access in voting. We enforce every part of all of those statutes, and I will tell you that we are actively engaged in making sure that we have compliance. We understand that is sometimes logistically difficult but nevertheless it's what the federal law requires and that's our job to enforce that federal law.

I'd like to shift now, assuming that you are all adequately caffeinated in the morning, to a brief overview of the rest of our work, and I promise you there is plenty of it, if that's acceptable to you all.

CHAIRMAN HICKS:

Yep that's fine.

MR. LEVITT:

I'll just review some of the other statutes that I know you know we enforce and some of the work that we're doing in that regard as the election season continues.

Every day, I can promise you, the Department of Justice works vigorously to protect and to safeguard and to enforce the right of all eligible voters to cast meaningful and reliable ballots and to have equitable opportunities to elect the candidates of their choice. And I know that many of you do the same. And we thank

you for your partnership in that respect and certainly appreciate the service that you're able to provide to the voters who are wanting to come to the polls or wanting to engage in the process knowing that their federal rights have been met.

As you know, the Department engages in a wide range of enforcement efforts to protect the integrity of the process. Much of our work is long simmering. I would say most of our work is long simmering, the product of observation and investigation of concerns over months and years, but we are also alert to violations of federal law that arise within the election cycle and we are prepared to respond accordingly. Some of that work involves the work of my colleagues and I would defer questions about that work to them. So for example, the Election Crimes Branch of the Public Integrity Section here at the Department of Justice, the Federal Bureau of Investigation and U.S. attorney's offices across the country work to deter and prosecute fraud and coercion and official misconduct in federal elections. Likewise my colleagues in the criminal section of the Civil Rights Division prosecute discriminatory conduct that rises to the level of violations of the federal criminal law when it's related to the electoral process. Most of what I personally work on is most of the work that I think you all may be more familiar with, it's enforcement beyond the prosecution zone. For example we strive to protect access and reliability and security of elections by making

sure that jurisdictions build and maintain voter registration lists with appropriate care.

The NVRA, as you know full well, includes carefully calibrated provisions designed to keep the federal rolls clean when people move or otherwise lose their eligibility. It also provides, among other avenues, opportunities for eligible voters to make it onto the rolls cleanly or to change their current addresses when they engage in other secure transactions with the government. And, as you know, we think the latter does just as much work as the former to keep registration lists complete and accurate and up-to-date.

And some of our recent enforcement work provides what we think is a prime example. We recently reached a comprehensive agreement with a state in order to achieve the compliance that's required by the Motor Voter provision of the NVRA. Under the agreement the state will fully integrate voter registration opportunities into all applications and renewals of driver's licenses and other ID issued by the state's motor vehicle agency whether those applications take place in person or online. The state had not been doing so as was required and so under this agreement it will also contact the eligible voters who previously applied for a license or an ID but never received the appropriate opportunity to register to vote. And now, going forward, when voters change the address

on their driver's license or their other ID they'll have the chance to update their voter registration address as well. By making sure that this access is provided to eligible citizens in a secure and reliable environment when citizens are otherwise engaging with the motor vehicle agency we think our agreement helps maintain the integrity and the accuracy of a more complete list of eligible electors and, by the way not for nothing, helps maintain with more consistency and over a more fluid timeframe than registration applications bunching up toward the end of an election cycle.

The division also recognizes both the challenges and the possibilities that come with the evolution of 21<sup>st</sup> Century technology in voting. I know you're grappling with that as well. Technological innovation creates opportunity, as you know, but also can create risk. HAVA speaks to that in our view with an eye to the potential and the limits of technology in furthering reliable elections. HAVA obviously attempts to harness the power of registration databases with a safety net for database features when they fail. As you know very well indeed, HAVA attempts an upgrade in voting systems with a similar balance requiring that voting systems allow voters to privately and independently verify their selections with an opportunity to correct the errors that they may make and also maximum tolerance for those errors addressed by an audit capacity to make sure that the systems stay within guideline. HAVA

establishes a guarantee that on the chance that there are lapses, technological and otherwise in any of this process, lapses that may otherwise jeopardize the participation of eligible voters, that provisional ballots are available to afford at least an opportunity to correct for those lapses. We think each of those provisions attempts to make the electoral process more secure and more reliable with elements to ensure that eligible voters can fully and fairly participate in their democracy. With enforcement responsibility for HAVA, we've got our eye on those issues as well, again both in long simmering months and years' long investigations but also new developments within any election cycle.

And we join you in an ample range of responsibilities. Our responsibilities don't stop there either. Our statutes demand in a lot of different ways that we attempt to ensure the voting process justly earns the public's say for every American in every community regardless of what they look like, where they come from, where they live. In the Civil Rights Division we consider this integrity as well.

I've already our discussed our work at greater length on behalf of people with disabilities, but as you know our statutes protect the needs of other communities as well. We are, for example, working under Section 203 of the Voting Rights Act to help ensure access to language assistance and to thereby promote

the reliability of the election process for people whose first language may not be English. In addition to pending investigations and in addition to recent litigation, we've been following up on older cases and private settlements in order to make sure that jurisdictions are still meeting their responsibilities under Section 203. Some of those cases and some of those matters have involved Native American communities who may encounter particular challenges not only in bridging language gaps but also in bridging enormous and extraordinary physical distances in order to vote. We have -- in addition to our own enforcement work we've filed several statements of interest and amicus briefs to support voting rights in Indian country when current law doesn't do enough in that regard. We have also sent Congress draft legislation in order to improve access for voting -- access to voting for Native Americans on tribal lands and we hope that Congress will take up that legislation because we hope it will fill in some of the gaps that our current statutes actually don't address quite as effectively.

We are also considering -- not considering -- we are continuing our steadfast efforts on behalf of other far flung citizens. So, for example, working to ensure that service members can elect the candidates of their choice wherever they may be. As you all know well, UOCAVA requires that states and territories provide service members and their family members living away from home,

other U.S. citizens outside of the country reliable opportunities to register and vote absentee in federal elections. And it may be in that mode most particularly that we are engaged with you cooperatively. We understand the concern that many election officials have over last minute skirmishes over the content or the design of the ballot and we share those concerns, particularly as we work to make sure that the collateral consequences of those skirmishes don't impair the ability of our men and women overseas to timely and securely express their preferences. Hereto, just as in the Native American realm, we have proposed legislation to Congress in order to enhance protections for voters that are covered by UOCAVA and thereto we remain hopeful that Congress will take up the charge.

We greatly appreciate the productive communication and conversation we've had with many jurisdictions in which you work in staying on top of breaking developments in the election cycle and tracking UOCAVA ballots as deadlines draw ever nearer. We recognize that maintaining service members' access to the electoral process with as much privacy and independence and security as possible given the press of time and conditions in the field, which are often enormously challenging and varied, we recognize that maintaining that access requires both a commitment to principle and relentless, relentless, relentless pragmatism. When

unexpected issues have arisen and continue to arise, we've tried to remain amenable to creative solutions that focus on getting service members the ballots they need by the deadlines the law provides. And we greatly appreciate the partnership of many of the jurisdictions in which you work in that endeavor. We recognize that that's a continuing challenge.

And, of course, I can't talk about our efforts to make sure that the voting process justly earns the public faith without noting what we do to combat discrimination on the basis of race and language minority status in the voting process. It's significant to both the integrity of the election process and voters' perception of that integrity. It is, in this respect, absolutely no secret that we believe that the Supreme Court Shelby County decision represented a serious setback to our work. That decision dealt a pretty powerful blow to a significant part of the Voting Rights Act and makes it harder for us now to protect eligible voters from discriminatory laws and practices. It takes much more effort, much more time and, as you know better than anybody, elections don't stop in the meantime. The voters feel it and we feel it. And the Department continues to believe that Congress should -- can and should respond to the Shelby County decision by restoring the protections of the Voting Rights Act to their full and proper strengths. And in the meantime we have pledged to use every tool

that remains at our disposal to protect eligible voters wherever and whenever we can. And that is exactly what we're doing. Those efforts are most prominent I think in a few big statewide cases under Section II of the Voting Rights Act which Shelby County left untouched. But it's not just the big prominent statewide cases. We understand full well that practices can lead to unlawful discrimination in smaller jurisdictions as well in ways that are bigger and smaller -- or that appear bigger and smaller. We think that it still certainly behooves administrators to heed the consequences of decisions in election preparation. When you're getting ready for the election process it still makes sense, even after Shelby 5, to look at the consequences of the decisions that administrators are making in order to avoid undue impacts on the basis of race or language minority status from those decisions.

We understand that federal law provides a bit for election administrators to be watching. And we understand that in addition to all of that administrators have state and local law to worry about as well, not to mention budgets, the vendors and disgruntled personalities, private and public. We are also keenly aware that it is not possible to address every perceived failure in the electoral process. I believe that research demonstrates that voters tend to have less faith and trust in the process when they lose and I am not aware of a system that lets every voter win every election. That

one hasn't been developed yet. But also, make no mistake, we also understand that failures exist in the system and that some of those failures will end up violating federal law and we are pledged to use every tool at our disposal to confront those failures. We enforce the laws that we are given. You have, in addition to that, at the EAC the power to collect and study and report on meaningful data. You have the power of technological and policy innovation. You have the power of leading through best practices also at your disposal. And I think that is a powerful mix to rise to the challenge.

I thank you very much for the opportunity to speak with you this morning. That is the overview that I have prepared not only of the disability work that we do but a more general context of the work in which we're engaged. It is a lot. I know that you all have a great conversation ahead on many, if not all, of those topics. And I really look forward to all that that conversation will bring. To the extent that I can answer any questions about our work, and there may be some questions I can't answer but there may be some that I can, I'm more than happy to engage for the time that you have remaining. And I want to thank you again for the opportunity to join you.

CHAIRMAN HICKS:

Justin thank you so much for all that information. If anyone...

MR. LEVITT:

I know that's a lot of stuff.

CHAIRMAN HICKS:

Oh, it's great, it's great. If anyone has any questions I ask that you walk to the computer because there's a microphone there and a camera that Justin can also see you and so he can also hear you.

So that we'll open it up for a few questions. And if you can, just identify yourself as well.

MS. BARTOLETTI:

Justin, Barbara Bartoletti. I'm a member of the Advisory Board here at the EAC. My question for you would be could you give us, and maybe you can't, but if you could give us a short description of why and whether the Justice Department will or will not defend the EAC against the Court case.

MR. LEVITT:

I'm sorry I could barely hear you, or at least I can hear you cutting in and out. I know I heard...

MS. BARTOLETTI:

Okay is this better?

MR. LEVITT:

... If you can tell us why and when something" and then I'm afraid I didn't catch the rest of the question.

MS. BARTOLETTI:

Okay my question is can you or can you not, and if not why, the

Justice Department will or will not be defending the EAC against the lawsuit being brought by the Plaintiffs, League of Women Voters, et al?

MR. LEVITT:

Got it. Thank you. So as you know that's pending litigation and therefore I'm quite limited in what I can say. The Department has and takes seriously its statutory responsibility to defend federal agencies when what federal agencies do is defensible. We are obviously the attorneys for the Election Assistance Commission in that litigation. The litigation is mostly being handled by my colleagues in the Civil Division. Their responsibility is to undertake exactly that sort of representation. And that's about all I can say about the litigation at this point. I really can't answer further questions about litigation strategy or about the details of the alleged violations or about our response to that. All of that is I believe right now before a District Court and so it would not be appropriate for me to talk about the specifics of that.

CHAIRMAN HICKS:

Any other questions?

MR. TATUM:

Hi Mr. Levitt, can you hear me okay? Mr. Levitt can you hear me okay? Hello can you hear me okay?

MR. LEVITT:

I can hear you, sorry, I hadn't realized you were talking to me, yes, my apologies.

[Laughter]

MR. TATUM:

Good morning, Cliff Tatum with the EAC. You mentioned the legal action with the -- over the accessible absentee ballot.

MR. LEVITT:

Yes.

MR. TATUM:

That's rather interesting and I'm hoping that you can share a case cite with us so that we can take a look at that because that obviously will have an impact on a number of election -- of jurisdictions across the nation. And then as you talked about providing at some -- during some occasions legislative suggestions to Congress, has there been any discussion about any legislative updates to NVRA specifically as it relates to jurisdictions that are starting to do this automatic voter registration and what impact that has on NVRA and the mechanics of that? And last, but not least, as you're looking at seeking legal solutions to providing accessible voting to either disabled voters or to our military and overseas voters, when we talk about the delivery of the ballot through an online process and that delivery -- and the receipt coming back whether your resolutions take into consideration the technology

arguments that are going on now regarding the security of the transmissions to and fro and how that factors into how you resolve matters with some of these jurisdictions. Thank you.

MR. LEVITT:

So let me see if I can repeat the questions to make sure I got a handle on them. One had to do with particularly in the absentee context the litigation over accessible absentee ballot systems and procedures that I had referred to; the second talked about legislation that might be transmitted to or pending before Congress particularly to deal with some more novel election issues in the automatic registration zone; and the third, if I recall correctly, have to do with technology and the means to transmit UOCAVA ballots securely and efficiently.

MR. TATUM:

Yes.

MR. LEVITT:

Have I captured that correctly? I want to make sure that...

MR. TATUM:

Yes, that is correct.

MR. LEVITT:

...I'm hearing you because it's a little difficult so I want to make sure that I got you.

MR. TATUM:

Yes that is correct, yes.

MR. LEVITT:

Okay. So first the absentee balloting case, the case that I mentioned we engaged as an amicus party, a friend of the Court at the appellate level, we had not engaged at the District Court level in that case, and so, the District Court findings played I would say a fairly significant role in how that litigation proceeded as they do in any litigation. We really stepped in in order to emphasize that given a baseline of a reliable and secure system, and that's what the District Court found existed in this case, that the ADA required the use of that system; that that was in fact a reasonable modification and that using that system would not fundamentally alter the nature of the election process. And given those things, that use of this system was required to provide the equal opportunity, the equivalent opportunity for persons with disabilities, particularly individuals with visual impairments, to use the absentee process, the absentee process that's available for persons without disabilities. And given the District Court findings that there was an available system that was reliable and secure and that provided similar opportunities for people with disabilities to vote privately and independently that it's required to use such a system.

As in most circumstances, the particular facts on the ground vary tremendously and I don't know that it's possible to say that as

a general matter across the board “X” or “Y” system is always required or always available or always providing a similar experience. The general principle though is what we fought to defend and the reason that we engaged in the amicus process at all and that is when those systems do exist it’s incumbent on election authorities to provide access to them, to provide as equivalent a system for voters with disabilities as for those without. And moving forward I think it’s incumbent on election officials to look for those systems and those modifications where they reasonably exist to proactively meet the needs of individuals with disabilities and not rely on lawsuits or other enforcement efforts. So that’s really both why and how we engaged in that process. That litigation is now complete which lets me talk about it a lot more than some others.

The second question you asked about pending legislation. So the two legislative packages that we have promoted with Congress that have to do with voting, one of them is the UOCAVA adjustments, making our enforcement a little bit -- promoting our ability to enforce UOCAVA and also I think simplifying the process for election officials. Sort of -- it makes some changes that have to do with the election calendar and makes some changes acknowledging the very pragmatic realities that election officials face. We think it’s an improvement -- the proposed legislation is an

improvement for both jurisdictions conducting elections and for our responsibility to make sure that those elections are conducted to get service members ballots in a timely, secure and effective fashion at least as much as possible given the conditions in the field.

The Native American legislation is the other major piece of legislation that we have proposed to Congress. It tries to confront some of the real inequities in polling place access, particularly for reservations that are quite physically distant from towns where polling places access might otherwise be and tries to make sure that there's a mandate to serve people where they are. We recognize there's a general impetus for election officials to do that all over the place, but particularly in some of the more remote Native American reservations, particularly where citizens live in higher degrees of poverty with perhaps lower degrees of vehicular access or even road quality that it's really important to have accessible polling places where the voters are.

And so that's legislation that we've proposed to Congress. We remain optimistic that there will be activity although we have no illusions about the speed with which legislation is passed. We have not weighed in on other particular legislation. Other than to ask for restoration of the Voting Rights Act we have not taken a position on other particular legislation either currently pending or sort of in draft

or idea form. We're really focused on enforcing the statutes that do exist. And as you heard from my presentation, there's an awful long list of those.

And so I know that various advocates are considering amendments to the NVRA. I know that various advocates are considering state based amendments to registration processes all the time. And the Department hasn't taken a position on any of them. And I don't anticipate that we're likely to take a position on the vast majority of those bills working their way through the process. That's really for the legislative process to work out and we'll pick up when they become law to the extent they give us enforcement authority.

As to your third question on UOCAVA, there is -- I don't know that I'll say we've learned this because we kind of already knew it -- there is absolutely no general rule for the means by which people deliver ballots to the field. The most secure procedures are those that have been in place for a very long time. The military mail system we know has been extremely highly developed and extremely effective at getting materials to service members in the field under an enormous array of very challenging conditions. We are very grateful for our partners in the Department of Defense for facilitating that access. But that relies on jurisdictions having enough time before an election to be able to prepare ballots and

use that system. We know that events happen along the way, sometimes through private litigation, sometimes through unexpected campaign changes. Things happen in order to delay processing of the ballots. We hope that they're not caused by the election administrators themselves and we recognize that there are a lot of external things along the way. And sometimes there are mistakes in the printing of the ballots that require reprinting or other last-minute changes that delay transmission. And when that happens in order to meet the statutory deadlines, it's part of why I focused on relentless pragmatism, that we obviously prefer the means that most reliably and most securely provide access to the ballot for service members with the time that the statute requires. And when all else fails and there is a violation pending we are attempting to be extremely creative and we recognize and applaud jurisdictions' creativity in this regard in dealing with the unexpected. And those are -- those circumstances are so particularly nuanced and dependent on the facts and circumstances around every passing day or hour that I don't know that it's possible to talk in general terms about "X" or "Y" process or "X" or "Y" transmission method. What I will say generally is that we have and do and always will welcome the communication that we've had with election administrators in letting us know that there may be a coming issue and in trying to work with us in order to resolve that

coming issue in a way that works best for our service members overseas. And that communication has been I think I'm -- we are grateful for it when it happens and we think it leads to a much smoother process for the voters as a result.

CHAIRMAN HICKS:

Any other questions? Is that a no, no more?

MS. SIMONS:

Hi good morning, I'm Barbara Simons. I'm on the Board of Advisors. And I want to expand on the third question...

MR. LEVITT:

Good morning.

MS. SIMONS:

...that Cliff asked about the security of voting for UOCA voters. As you know a number of states allow the return of voted ballots over the Internet and we've seen large numbers, almost daily stories, about successful hacks into corporations and government agencies. We know that voters' computers are frequently infected with viruses that can, for example, steal money from online bank accounts. And there is a general consensus in the computer security community that the return of voted ballots, not blank ballots, but voted ballots sent back over the Internet is insecure. Given that security is a requirement of HAVA, has the DOJ looked into security issues of the return over the Internet of voted ballots?

Thank you.

MR. LEVITT:

So thank you very much for the question. I can tell you hereto I'm limited in what I can say mostly because we don't comment on whether we do or don't have pending investigations either in general or with respect to any individual jurisdiction. We are certainly -- it is not the first time we have heard these concerns. We're certainly aware of those concerns. And as I mentioned, there are on occasion circumstances that require more flexibility in order to get the ballots that have been voted back in the hands of election officials in time to have them counted. But we understand that various means of transmission may cause very different concerns and occasionally may amount to a violation of federal law. I can tell you that we understand and are aware of the issue, yes, and I'm afraid I can't say much more than that.

CHAIRMAN HICKS:

Okay. We have time for one more question.

MR. THOMAS:

Hi Justin, it's Chris Thomas, nice to see you again.

MR. LEVITT:

Hello Chris.

MR. THOMAS:

A couple of...

MR. LEVITT:

Nice to see you virtually.

MR. THOMAS:

Yes, one issue, which you did touch on, which is voter registration under the NVRA through Motor Voter.

MR. LEVITT:

Yes sir.

MR. THOMAS:

I would really encourage DOJ to send one of your not so veiled threatening letters to the governors and DMVs around the country about their role in the NVRA, particularly in a presidential year. It is one of the highest volume opportunities to get people registered and to keep lists up-to-date. And when lists are out of date it translates directly into lines on Election Day. And I know the agency has taken some efforts to enforce the Motor Voter end. The Presidential Commission did find that this law has really not been complied with across the board and there's much room for improvement. So I'd really encourage, I know within the time period between now and November you're not going to start a lot of new cases, but you can remind governors in particular who are responsible in most states for DMVs to make sure they are following the law.

And then finally I want to extend an invitation to you to join

us at NASED when we are in Washington next February. We've missed DOJ for the last few years and think it's a great opportunity to keep a good communication open. So it's good seeing you again, thanks.

MR. LEVITT:

It's nice to see you too and thank you very much for those thoughts.

So, yes, we share your concern with the proper enforcement of the NVRA -- of all parts of the NVRA. We know in particular that some jurisdictions have a lot bigger head start than others, that some jurisdictions are thrumming along with compliance in the various portions of the NVRA and some are not. We understand that among those registration at motor vehicle agencies and registration at offices that provide public assistance or those that provide state funded programs for persons with disabilities is not always what it should be or must be under the law. I think we have been active in that zone recently, including the settlement that I mentioned last September that was I think fairly prominent. And we are -- again I can't say much more about specifics but that, too, is certainly an issue that we understand could use some attention. And it's not -- there are some jurisdictions that are doing quite well but there are many others that may not be. And part of the -- I will say, particularly in speaking to this group, part of the value of the data that you all collect and provide is in helping assess where

jurisdictions are living up to their legal responsibilities and where they're not, that is it is tremendously useful in figuring out where the more severe problems may be. I can't say much about our particular enforcement action or our reminders in this respect, but I can promise you that I too hear this concern. And I should say for much of what I've talked about I understand there are political and administrative constraints, just as much of what I've talked about beyond just the NVRA, there are political and administrative constraints that election administrators are dealing with that don't come from their offices that can stand in the way sometimes quite severely. And so it's not a function of blame but we share your concern with wanting to make sure that the law is complied with.

As for February I don't know whether you're extending the invitation to me or my successor because I don't know who will be sitting in this chair talking to you via webcam in February or who would show up.

[Laughter]

But I greatly appreciate the invitation. I actually think one of the reasons I'm delighted to be speaking with you is I think there needs to be even more communication well outside of an enforcement capacity -- well outside of an enforcement posture, rather, between the Department of Justice, between the Civil Rights Division and the other components here and election administrators. And so

one of the things that I've personally been trying to do in my time here is keep those lines of communication open.

I should also say that to the extent we can be of assistance if you see problems -- and this is an offer that I have made far and wide to members of the public and elsewhere -- but it's a version of the basic, if you see something, say something. And I know that sometimes you all are grappling with external constraints and would appreciate what the DOJ can provide in terms of enforcement when there are actual violations of federal law. And so I want to make sure that the lines of communication are open.

I greatly appreciate the invitation. I'll consider it an invitation to the office rather than to me personally, but I will hope that I or my successor is able to attend that and similar gatherings. I think it's really valuable to be in contact like this.

CHAIRMAN HICKS:

That would be great. That would be really, really wonderful. Justin if you could indulge for us one more question because Wendy...

MR. LEVITT:

Surely.

CHAIRMAN HICKS:

...has been asking and she's promised to make it very quick. So...

MR. LEVITT:

And I will try -- I want to ask -- the light on the webcam has just

gone out and I want to make sure that you all can still see and hear me.

CHAIRMAN HICKS:

We can still see you.

MS. NOREN:

Okay -- oh he's gone.

CHAIRMAN HICKS:

Can you still hear?

MS. NOREN:

See whenever I get up...

MR. LEVITT:

I can still hear. I don't know whether you can see.

MS. NOREN:

...technology fails. It's designed.

[Laughter]

CHAIRMAN HICKS:

He can still hear you.

MS. NOREN:

Okay. Actually I think you covered it when you answered Chris but I do want to say I've had multiple complaints -- personally I filed multiple complaints against our DMV...

MR. LEVITT:

Now you -- I heard "I think you covered when you answered Chris"

but then I lost you.

MS. NOREN:

I filed multiple complaints against our DMV for not forwarding address changes with your agency, both written and with Chris Herren. I've been blown off, I'm tired of it. So you know every day- - I'm a local election official. I'm tired of taking calls on Election Day finding out they've done a change at DMV, it's never been forwarded. So, you know, maybe get on some of these investigations or some of these complaints that are already on file.

MR. LEVITT:

Yeah I appreciate that. I'm not sure if I heard all of the question but the tail end that I did hear is -- relates to the jurisdictions that should be forwarding registrations that aren't and how our enforcement work can actually help you in serving voters on Election Day who show up and fully expect, as the law requires, to find themselves registered in the right place and don't. And so if there was a portion of the question beyond that I apologize but I didn't hear it.

But as to that, I completely understand your frustration. And just along with Chris' earlier question we understand that the NVRA provides ways to smooth out the registration process in a lot of ways and when there is not adequate compliance with the NVRA that creates hassles for everybody. It creates hassles for voters and it creates hassles for administrators and we understand that

you hear about it from all sides. And so yes it is -- it has been something that we are very concerned about. And you know I can't obviously speak to pending investigations but I can tell you we're active in litigation in a few states at the moment on either motor vehicle registrations or at public assistance office registrations. And I hear the concern loud and clear.

CHAIRMAN HICKS:

Well Justin we want to thank you for taking so much time to give us a great presentation and to answer so many questions. And with that we want to say goodbye and thank you again.

MR. LEVITT:

Well of course. Thank you very much Mr. Hicks.

[Applause]

MR. LEVITT:

And thanks to everybody there for all of your work. I really -- I wish you a great rest of the conference.

CHAIRMAN HICKS:

Thank you. With that I would turn the meeting over to Neal, the new President of the Executive Board.

MR. KELLEY:

Thank you Mr. Chairman, I appreciate that. So just a few business items before we move forward. I wanted to publicly recognize our outgoing Chair Linda Lamone for all of the work that she's done

throughout the year. And -- well she's being -- you're being shy about it Linda but the reality is there's quite a bit that's done in between the meetings and throughout the year and so we very much appreciate what you've done. Thank you.

[Applause]

MR. KELLEY:

And I'll turn it to our Vice-Chair for a brief attendance report. And we have two new proxies as well.

MS. JOHNSON:

Okay, so I just wanted to let you know that we -- I just counted. I can do the roll call if you would like. However, we've been a day together. I know who you are. So we have the same attendance numbers as we did yesterday so that it's 22. We have two additional proxies but those individuals are actually still here, so those proxies will go into effect when they actually leave. But thank you for still being here. So we have 22 present.

MR. KELLEY:

Great, thank you Sarah. And at this time I'd like to call on Mr. Dickson.

MR. DICKSON:

Thank you and congratulations and much appreciation for you and your fellow officers willing to serve. I know you all are very busy back in your day jobs and I think all of us are grateful for your

willingness to step forward.

I proposed a motion last evening and Linda has the wording of it and I wonder if she could read that before we discuss it.

MS. LAMONE:

With your permission, can you hear me?

MR. KELLEY:

Um-hum.

MS. LAMONE:

Thank you. Mr. Dickson's motion, as best I could write it down as he was speaking, was that the Board of Advisors go on record stating explicitly that the policy of the Commission is made by the Commissioners, not the Executive Director. Furthermore, adding a statement to that effect into the job descriptions for all future election directors of the EAC.

MR. KELLEY:

Mr. Dickson is that your motion?

MR. DICKSON:

Yes.

MR. KELLEY:

So there's a motion on the floor. Is there a second?

MS. BARTOLETTI:

Second.

MR. KELLEY:

Second by Barbara. Discussion? So we'll call for the vote, all those in favor, any opposed?

[The motion carried. Matt Boehmer voted in opposition to the motion.]

MR. KELLEY:

That motion passes. Mr. Dickson, do you have anything else you'd like to add?

MR. DICKSON:

No, thank you very much.

MR. KELLEY:

Great, thank you.

MR. TATUM:

Mr. Chair, could you -- a point of clarification for the second, by last name, the person who made the second.

MR. KELLEY:

Barbara Bartoletti, I apologize. And the second was by -- or the no vote was by Matt Boehmer. Linda can we also get the motion from you as well in writing?

MS. LAMONE:

Sure.

MR. KELLEY:

Great, thank you very much. Mr. Thomas?

MR. THOMAS:

I'd like to do a motion on the same topic. I was not in favor of

getting into the personnel issues. So I just personally was not in favor of getting into personnel issues and drafting of position descriptions, so this will overlap Mr. Dickson's motion a little bit but it does add some additional details.

So I move that the Board of Advisors recommend that the U.S. Election Assistance Commission adopt clear lines of authority within the agency so as to vest all policymaking with the Commissioners. And that specifically all decisions regarding the National Voter Registration Act, voter registration form and any alterations, additions or deletions to state instructions be made by a vote of the Commissioners.

MR. KELLEY:

So there's a motion on the floor. Is there a second?

MS. NOREN:

I second.

MR. KELLEY:

Seconded by Wendy Noren, any discussion? Yes Ricky?

MR. HATCH:

Ricky Hatch, my only concern with this motion is almost feels like the age-old term that all legislation is anecdotal and I'm concerned that we might be putting so much detail into the directives given to -- or the advice that we will give to the Commission that we're digging too much into the weeds whereas the previous motion that

was adopted I think does essentially the same thing, it's just a broader umbrella. And so I'm not sure how relevant -- or how helpful this additional motion would be.

MR. KELLEY:

Yes Matt?

MR. BOEHMER:

Matt Boehmer, I also agree it seems awfully in the weeds in terms of detail. Again using a specific litigation to almost write in a resolution, I certainly would oppose that.

The other thing I just wanted to mention as well is the option to, you know let's let this lawsuit play out. It's out of everyone's hands. Let's let the EAC continue to do the good work that they're doing. I also would like to give the Commissioners, when they can, in the appropriate time to speak about this and to let them tell us their direction, what they think about this policy and what they want to do with policy in the future.

So I don't want this lawsuit to be the one note. We need to remember all the great work that the EAC is doing. I mean look where they've come with the VVSG, the TGDC, all the work that they're doing with election mail and disabilities, their whole BeReady16 campaign, the work that they're doing on EAVS, you know. You heard DOJ talk about their role with best practices. Those are the things that the EAC is responsible for. My

recommendation would be to delay any sort of resolution until our next meeting and let the Commissioners give us the opportunity to hear what they have to say after the lawsuit is over. Thanks for the opportunity.

MR. KELLEY:

Thank you, Matt. Mr. Thomas?

MR. THOMAS:

I don't want to beat a dead horse. The NVRA does direct the Commission to promulgate the form and to deal with these matters, so it's not as if it's a new responsibility. It is something that is not delegated to staff by law. It's specifically given from NVRA through HAVA to the Commissioners. So it's really not getting down into the weeds, it's addressing the issue that's at hand.

MR. KELLEY:

Sarah, I'm sorry.

MS. JOHNSON:

Well while I do always respect Mr. Thomas and follow his lead in all the election years, I do disagree that this resolution is needed. The first resolution, which I obviously voted for, was broad in nature and it just dealt with just policy decisions should be done with the EAC. While we are a very diverse group coming from all our different appointees I think that's purposefully done so that we can all talk about issues and not let certain political aspects, this is a very --

this particular issue is very political and I'd like to keep the Board of Advisors out of that realm and keep us in a more broad policy. So I was fine with the generic or general but yet specific EAC Commissioners do policy. I just cannot support down into the weeds like this and going into an area that as, you know, Matt pointed out is being litigated right now. And I don't feel the Board of Advisors needs to be entering into any stance one way or the other on any kind of litigation or concept and just the first resolution covered it.

MR. KELLEY:

Barbara? It's Barbara Bartoletti.

MS. BARTOLETTI:

Although I tend to agree with much of what has been said today, I think the -- and Matt I think you eloquently described all of the accomplishments, my only concern is with what has happened we have been drawn into this by the action that was taken and all of the good things that you delineated and that all of us -- I mean I am amazed at what this Commission has been able to accomplish and does accomplish. And my fear is that unless we are very specific about how we feel about this, this may all go away. As Jim Dickson very accurately stated yesterday this could be the death knell of this Commission if indeed we don't make it very clear that the Commissioners are responsible maybe in the weeds, the

Commissioners are responsible for policy, not the Executive Director. He is an administrator. He is not a policymaker. And I think that has to be made extremely clear so that the people that Jim Dickson talked about, the members on the Hill and anybody else that would like to attack and get rid of this Commission, doesn't have that ammunition.

MR. KELLEY:

Anybody else have any comments? So I'm going to call for the vote. Yes Senator?

SENATOR BLOUNT:

One question, could we have the motion restated before the vote?

MR. KELLEY:

Yes, Mr. Thomas would you mind?

MR. THOMAS:

Okay, I move that the Board of Advisors recommend that the U.S. Election Assistance Commission adopt clear lines of authority within the agency so as to vest all policymaking with the Commissioners. And that specifically all decisions regarding the National Voter Registration Act, voter registration form and any alterations, additions or deletions to state instructions be made by a vote of the Commissioners.

MR. KELLEY:

Thank you. And we had a question here sir?

MR. MOORE:

It was to have the motion restated and maybe a delineation between the first and the second sentence of that motion whether or not that was the point of disagreement. The second sentence sounds like that's where most of the opposition in the room that was stated may be coming from. I was asked to reread it so that we can see that there was actually two parts of that resolution. That's -- one consideration is to possibly delete that, but I think it takes the teeth out of what the first sentence might be.

MR. KELLEY:

The maker of the motion do you have any other comments?

MR. THOMAS:

Well, you know, I don't really want to litigate this thing right here but I mean it's -- the issue of what's policy, I'm not trying to tell generally what's policy. I mean the Commissioners made that decision and apparently they've made a decision that this is not a policy issue because they basically allowed the Executive Director to make the decision. So, you know, that's why I put the second sentence in because I think the second sentence is the heart of the matter. The NVRA form should be handled by the Commissioners. That's a policy, it's an obligation that's given to them by law and it should not be delegated to the Executive Director.

MR. KELLEY:

So we have a motion on the floor and a second, any further discussion? I'm going to call for a hand vote if we could please. All those in favor?

MS. JOHNSON:

Hold on, we're still counting. It's a test on your arm strength.

CHAIRMAN HICKS:

I have ten.

MS. JOHNSON:

I have ten.

MR. KELLEY:

Mr. Tatum do you agree?

MR. TATUM:

I have 11. How many do you have?

MS. JOHNSON:

Ten.

MR. KELLEY:

We have 10. Yes Secretary?

MS. JOHNSON:

Okay.

MR. KELLEY:

So we have 12 is that correct? We have 13. All right, all those opposed. Seven opposed, the motion passes.

[The motion passed with a vote of 13 members in favor, 7 members opposed.]

MR. KELLEY:

The motion passes, thank you Mr. Thomas. Okay we are going to move on the agenda.

On the Executive Committee reports we'd like to get a brief update from each of the committees on the discussion yesterday. And my goal for this coming year is to reconstitute some of these committees and to really engage the Commission with the work of the committees. And I think the committees can do good work to bring forward suggestions to the Commission and be the advisory board that we are. So I hope you don't get angry at my e-mails throughout the year, but I'm going to be very proactive in that regard.

So first I'm going to call on -- and by the way thank you Mr. Thomas for your service as chair of the committee -- the Voting System Standards Committee. We appreciate what you've done.

[Applause]

And now Chris has generously passed the baton to our new Chair Wendy Noren. Wendy?

MS. NOREN:

She hasn't accepted.

[Laughter]

MR. KELLEY:

I thought you did last night. With that, who would like to give the

update from yesterday?

MS. NOREN:

Okay. We had a really good meeting yesterday with staff and other members. There's a couple of things. One I think that the staff has requested -- the TGDC and the Board of Standards adopted evidently resolutions. We have not seen exactly the wording on them. But I think they would like us to adopt a resolution that supports the design concept presented yesterday where the next iteration of the VVSG would be a set of principles and guidelines. And then the subsequent requirements and test scripts would not be included in the guidelines and this would allow for a little bit more flexibility where the requirements and test scripts would not have to go through the federal regulatory system.

So I do have a proposed resolution on that if I can find it here and just state that, "Be it resolved, the Board of Advisors supports the proposed format of the next iteration of the Voluntary Voting System Guidelines to adopt broad principles and guidelines, subsequent system requirements and test scripts developed for these guidelines would not be subject to the mandatory federal regulatory review but would be submitted to the Board of Advisors for review and recommendation."

MR. KELLEY:

Thank you, Wendy. There's a motion on the floor, is there a

second?

MS. LAMONE:

I'll second it. Linda Lamone.

MR. KELLEY:

Thank you, Linda. Motion on the floor and a second, all those in favor, any opposed?

[The motion carried unanimously.]

MS. NOREN:

The second thing is scoping, and I'm not quite sure how to do this, but I think -- I have some concerns and I think there's been some other concerns expressed about what the scope of the next VVSG would be. I don't think any of us wants to see all of this incorporated into the VVGS; online voter registration, e-poll books, those kinds of things, without some further review.

And I do have another resolution just for discussion; That the Board of Advisors recommends against expanding the scope of the Voluntary Voting System Guidelines until after the next iteration has been adopted. It's taken us ten years to-date to get to this point where we're close to a next iteration of these and I really don't want to expand that to cover online voter registration, e-poll books. Some of our states would require us to submit these and I kind of want to keep the scope to where the current voting system guidelines are and then take up these other issues as we go along

later.

MR. KELLEY:

Thank you, Wendy. So there's a motion on the floor for that resolution. Is there a second?

MS. LAMONE:

I second. Linda Lamone.

MR. KELLEY:

Thank you, Linda. All those -- yes discussion, Barbara?

MS. SIMONS:

So in the voter registration database group which I went to yesterday we talked about the fact that there are no overall standards for these -- for the databases and for just generally how -- the poll books and so on. And I understand what you're saying, but could we somehow -- would it be possible perhaps to add a friendly amendment that would encourage such standards at least after this next iteration, because I think they're pretty critical, and I don't want it to sound as if we are minimizing their importance?

MS. NOREN:

Well I think -- in answer to that my concern is if we put e-poll books, online voter registration into the guidelines and those of us in states that would require us to follow those there would be no e-poll books in this country, there would be no online voter registration in this country. We'd be ten years behind where we are today in

development of these. I have no problem with developing best practices or some type of thing or the -- you know I'm a big advocate of common data format, all of these things. I don't want them incorporated into guidelines that some states would be required to follow. We have some things the Justice Department did recommend on the state databases back when it is, so there are some broad principles that have to be followed on those state databases. And I just don't want us getting into developing guidelines for these things. We've seen how they restrict innovation and I don't want to restrict innovation on the registration side.

MR. KELLEY:

Commissioner Masterson.

COMMISSIONER MASTERSON:

Thank you for indulging me in this discussion. I just wanted to provide a little background that I hope will inform the resolution a little bit.

The first is that both the TGDC at their meeting and then the Standards Board at their meeting, and I apologize for not having the exact wording from the Standards Board, but it was a consensus vote of the Standards Board and so once we get the transcript we'll share the exact wording, but they reaffirmed the idea that the scope of the standards, the scope of the VVSG should

essentially remain the same as it is now. And that scope is focused on ballot creation and then tabulation. So, for instance, we don't test e-poll books right now but we do test that if the e-poll book activates the ballot on the voting system we test that functionality only. So that would be an example of "ballot creation." And so they reaffirmed that and said, hey, stay focused on that area for the purposes of the standards. So that's what the other two advisory boards to the EAC did just as a point of information.

The other I hope informative point is that those models over on that wall were never intended to present a scope of the standard. They were simply created to outline the entire election process so that then we could delve into where the appropriate box can be drawn around the election process. And so part of what Mary talked about with the use cases yesterday is we will send the use cases to both the Board of Advisors and Standards Board and have you all weigh in on where's the line get drawn within this use case whether it's a ballot marking device or a ballot-on-demand printer, whatever you all should weigh in and say, "No, no, stay out of that business, we don't want you there."

And so I guess the point of information is that we're not looking to expand it. That's not the point of those maps at all. We will take whatever advice you have for us on that scope and so I guess an affirmative recognition of "stay in your box of where

you've been" is a really helpful resolution to us because it helps us begin to scope it and then the devil will be in the details of what does that mean exactly in this new world of technology. Because the way we scoped it in 2005 is very -- the world looks different now than it did in 2005 so that scoping discussion is really going to have to focus on all these other technologies that now exist that didn't exist in 2005, and so the devil will be in those details and you all will be intimately involved, particularly you Wendy as the chair of that committee as we get that advice.

So I hope that's helpful. I'm happy to add more detail to that scope but I just wanted you to know what the other advisory boards to the EAC did.

MR. KELLEY:

Thank you Commissioner, that's helpful.

MS. NOREN:

We do want to -- I do want to reiterate I agree with that. I also don't want to limit these times of activity by the Commission. I consider this type of thing a clearinghouse activity and absolutely essential to all of us being able to do our jobs. I don't consider this guidelines. I consider it clearinghouse and being able to help us do our job better by using, you know, the power of the researchability of the Federal Government to develop these kinds of things.

COMMISSIONER MASTERSON:

And just to real quickly weigh in on that, that was the other point is even if we never write guidelines to any of these things we can begin to look at best practices, technical suggestions and, in fact, have already done that. So we've posted e-poll book testing requirements from the states. Even though we don't test e-poll books we now share that on the website so that if other states are interested in evaluating e-poll books we now can share that information. So that was the other purpose of this Wendy. Thank you for bringing that up.

MR. KELLEY:

Great thank you. Helen Purcell and then Barbara Simons.

MS. PURCELL:

Thank you. I just want to add to what Matt has said or agree with him on what he said. We have done -- the EAC has done an excellent job in the past of doing best practices, putting that not only on their website but in the various pamphlets that they've put out, and I would hope that voter registration and e-poll books would stay in that category.

CHAIR KELLEY:

Thank you. Barbara?

MS. SIMONS:

So I don't have a problem with the resolution so long as we also talk about the fact that this is just for the next iteration, number one,

and number two, that e-poll books and voter registration databases need to have some sort of, if not standards, at a minimum best practices that are strongly encouraged.

And just to reiterate why this is important, there was an article on April 22<sup>nd</sup> talking about how 55 million voter registration -- in the Philippines there was a hack on the voter registration database. 55 million voters' information was exposed. And this is not only an issue in terms -- all the data for the voters was exposed, 55 million. And this is not just in terms of voting but this is also a problem of identity theft. And because we have these databases which contain a lot of information about our voters it's really important that they be as secure as possible and that we have some means of judging that.

And I sympathize, you know, with what you're saying Wendy about the issues of over-regulating and making things difficult to accomplish but on the other hand if we have something like this happen in one of our states it's going to be a major problem. So I think it behooves all of us to make sure that we have the best security, the best usability, the best reliability and so forth of these databases as well as the poll books. And quite frankly I think a lot of times the decisions of what systems to buy and so on are made without having standards. You have the risk of getting something which doesn't provide the needed security.

MR. KELLEY:

Great, thank you Barbara. Any further discussion? Wendy would you mind restating the motion please?

MS. NOREN:

Be it resolved that the Board of Advisors recommends expanding the scope of the Voluntary Voting System Guidelines until after the next iteration has been adopted.

MR. KELLEY:

Thank you, so there was a motion and a second. All those in favor? Any opposed?

[The motion carried unanimously.]

MR. KELLEY:

Thank you. Any further updates Wendy?

MS. NOREN:

I do -- for those of you who aren't aware and maybe we'll send something else out, there are working groups, many working groups going on and I think it's important that the Board of Advisors participate in those. We heard some updates on that. I know I've been on the -- working on the common data format one. I think it's important you jump in and get working on this so you'll be up to speed when we get to the voting system guidelines review.

CHAIR KELLEY:

Great thank you. And Chris and Wendy both, would like your

motions in writing if that would be...

MS. NOREN:

I got it.

CHAIR KELLEY:

Oh great, thank you. Mr. Dickson?

MR. DICKSON:

We have a brief report from our colleague from Louisiana about...

MS. NOREN:

That was an excellent one, yes thank you Jim. Yes, yeah he had some meetings with IBM and Apple that I found -- I think a lot of us found really interesting.

SECRETARY SCHEDLER:

Yesterday at the standards meeting I disclosed that we had had some very preliminary meetings with IBM and Apple together in Baton Rouge, Louisiana. Some of you may not know they're really joining together as a -- well I don't want to call it a joint venture but they are very much interested in entering the election field. And, to be quite honest, we're like most states are looking at new technology. We currently use a Dominion product we've been with for years. We looked at several competitors and will continue to do that. And quite frankly before I was Secretary of State I was in the state Senate and I had helped with the bringing IBM to Baton Rouge and Monroe with a huge presence. And the gentleman that

-- one of the gentleman I dealt with out of courtesy asked me if I'd meet with him, and quite frankly I and my election group and IT people went there with that intent just to be a courtesy meeting. And before we got to the parking lot after our meeting and we all kind of looked at one another and said "wow" because we were intrigued by the possibilities that could be developed with these two groups, especially the Apple component of that.

So we're going to have a follow-up meeting with them breaking up into various committees to explore that. And I think it's exciting and I'll give you just one example that was very intriguing. Just the issue of long lines where literally Apple can be "hot sources," so to speak, tell how many iPhones are in a line that you could alert. We're very fortunate in Louisiana we have that GeauxVote.com phone app. We were the first -- that's G-e-a-u-x, not g-o as you'd suspect in Louisiana.

But think of the possibility of an app where we already -- you put your name and your ZIP Code in it gives you exactly how you registered to vote, it indicates if you have any maintenance required work from the registrar of voter, maybe you're in the inactive list or return mail being received. We have a GPS map directly to your precinct just like you would do on your iPhone or in your automobile. You get instant results at night on your phone as quick as you get them at the Secretary of State's office. We have an e-

mail alert capability to remind you of an upcoming election the coming weekend. And you also have a mock ballot on your phone that you can take into the precinct and use as a guideline. And I often tell folks that, you know, you may know who you're voting for for President or U.S. Senate but you probably don't know how you're voting on those ten constitutional amendments that you read three times and you look like a deer in a headlight, so what do they mean. It gives you an opportunity to study those with groups and to minimize your time in the voting booth. But we also hope one day with new technology to be able to take that mock vote, pass that onto an iPad, populate the screen, check that ballot and then press "cast ballot" if you want to go in an express line. And then of course as an ancillary possibility, depending on cost, to be able to then produce a paper description of that vote. Now you have a trifecta of what was on your phone, what was on the screen, what's on the paper, put it in a secure box.

So we're very excited about the possibilities. What I like about the component is that you can basically smorgasbord a lot of the concepts. And again, it's a development type issue and Apple doesn't charge for most of this. This would be a non-cost. So we're very excited about it. We're certainly not committed because we would be the guinea pig so to speak. Nobody likes to be that guinea pig, but quite frankly since we're a top down state the

obvious for IBM and Apple would be to be able to come in to one whole state, use us as a showcase window, so to speak, if we agree to allow folks to come in and examine the program. So we may be able to cut quite a deal on a financial end. So we're going to weigh all avenues. But I'm very excited about it, very, very much so.

MR. KELLEY:

Thank you Secretary for that update.

SECRETARY SCHEDLER:

Yes and I'll be glad to answer any questions but, I mean, that's pretty much all I know at this point.

MR. KELLEY:

Great, thank you sir.

SECRETARY SCHEDLER:

Thank you.

MR. KELLEY:

So we're going to move onto the next update, Ms. Harper, this is for the Election Certification Committee.

MS. HARPER:

This is for the State Voter Registration Databases.

MR. KELLEY:

That's what I meant to say.

[Laughter]

MS. HARPER:

We met yesterday and we are combining with the NVRA Committee, Mr. Moore and I, and this is a new idea, a new committee that was created by Linda last year. And one of the things that we are doing is trying to gather the state of the statewide voter registration databases across the U.S. and get a feel for them. Many of them were developed ten years ago. Some states have done a great job of keeping up with technology and functionality and security whereas others may not have. And so we have talked about doing a study that we would take on ourselves, maybe a survey of eight or nine states and talk to their election directors and then get that data back and then next year hopefully do a more formal study to incorporate the other states.

And then we also discussed the NVRA and how that would -- how the list maintenance would incorporate into that.

MR. KELLEY:

Great, thank you very much. Any questions for Ms. Harper? Our Acting Parliamentarian Mr. Tatum is there any update or report you'd like to provide?

MR. TATUM:

None sir.

MR. KELLEY:

Thank you very much. Our Bylaws Committee, Sarah? We have

that later on the agenda as well.

TGDC Linda or Helen would you like to provide an update?

MS. LAMONE:

Can we defer to Matt to do that for us please?

MR. KELLEY:

Sure Commissioner.

COMMISSIONER MASTERSON:

Sure, thank you. The TGDC met earlier this year, and as I mentioned before, agreed on three fundamental aspects of the next version of the VVSG. The first was that the guiding principles behind the VVSG which were taken from NASED principles around focusing on a higher level standard that's understandable and adaptable and that doesn't inhibit innovation, so it's technologically neutral. So in response to I think some of Wendy's fair criticism about limiting innovation, our hope and goal would be that this next set of standards would in fact allow and in some areas encourage innovation so that we're no longer -- so that ten years from now we're talking about the amount of innovation that came about because of our new approach. And so we're focused on that.

The next recommendation from the TDGC was the one around scope that I've already mentioned, and then the one around the structure, adopting the approach to the structure using the higher level guidelines. And for those that don't know, the purpose

of that structure is to allow for easier adaption and allow for that innovation.

So the TGDC supported each one of those. As you saw yesterday from Mary, work is ongoing on actual standards. What you saw yesterday was a draft of a portion of the new standard that we will get out to you as we go, so each one of the sections and ideas is being worked on now. The TGD we hope will meet either later this summer virtually, so not in person. We're exploring the best way to do that because we know the election officials in particular on the TGDC would have a hard time traveling to a meeting, but we want to keep the work going. And then the work of the public working groups is continuing. If you were to go to any one of the public working group sites and look, information is being submitted that's being taken by Ben Long and the EAC staff and worked into both the use cases for the scope that we're working on and the new standards that are being developed. So our goal is to get you, both your Committee and the Board as a whole, chunks of the standards as we go in draft form as we post them publicly so that you can digest them in pieces instead of in one large chunk. And so I would anticipate that you'll start to receive those soon and you can begin to parse through them, you know, in your off hours, you know, that whole one hour in the evening when you're really looking to fall asleep.

So that's an update from the TGDC. I think they'll meet again in person after the election either December or January to continue the work. And again as Mary said late next year, early 2018 we want to have the standard done. So that's the goal.

MR. KELLEY:

Thanks Commissioner. And I don't mean to pin you down, but you're saying soon. Do you have a timeline on...

COMMISSIONER MASTERSON:

I don't only because Mary is not here to throw something me if I did. I mean you saw yesterday a big chunk but not all of the usability, accessibility concepts are done. And that's the first chapter you'd receive -- or first standards that you'd receive, but I don't want to pin her down yet only because there's probably more than I know that has to be done. But I would anticipate you know soon.

MR. KELLEY:

Great, thank you.

COMMISSIONER MASTERSON:

And I know that's not specific but...

MR. KELLEY:

Thanks Commissioner. Any questions for the Commissioner?

Great, thank you. We're going to move onto the EAVS Committee and Mr. Winn.

MR. WINN:

All right thank you Mr. Chair. I'd just like to say thank you to Ms. Dyson for leading us through a very detailed description of what the Commission is doing.

And the update from the EAVS Committee is that we're pledged to work with the Commission through the local election officials looking at ways to update the data on the EAVS survey through dashboards, also recommending to local election officials to look at their different elections, putting something up on their screens why they -- when they conduct elections making sure that they update information and being able to get that information back on the EAVS data. And so we're committed through professional organizations to try to do that and work with the Commission on making sure that that information is readily available.

MR. KELLEY:

Great, thank you Mr. Winn. Any questions for Mr. Winn?

Clearinghouse Development Committee did that meet yesterday?

Oh great, thank you Shane.

MR. SCHOELLER:

We met yesterday and one of the first things we decided is that we're going to try to probably have a conference call in a couple of weeks with the Standards Board's Clearinghouse Committee to make sure we're, you know, working together and not independent of one another. And then we also talked about, you know, some of

the ideas we had for that is want the search engine to be created so that based upon the terminology used for your elections as you go to search the different areas of the clearinghouse portion of the website that you'll be able to easily find it even though your terminology in your region may be different than another election officials in another part of the country so that it's user friendly as possible.

Also trying -- you know we have some think tanks like Pew Research that are doing some incredible things in terms of just voter apps that help voters find information in terms of their polling location, in terms of the issues on the ballot. And we want to make sure that folks have links to that because they're basically offering those free to election officials being able to use and some other things that were put in there. Also maybe breaking it up by the size of your voting jurisdiction in terms of, you know, the needs that you have in a big voting jurisdiction are going to be very different if you have a smaller voting jurisdiction. And so we want to make sure that we have something that is helpful to you based upon where you're at and the needs that you have.

And so I'm trying to think if there's anything else that I've left out here. I don't know if Bryan has anything but that was kind of the few things we discussed and we look forward to getting together with the Standards Board on that in the future.

MR. KELLEY:

Great, thank you Mr. Schoeller. Any questions for Mr. Schoeller?

Thank you. There are two -- yes sir?

MR. SCHOELLER:

The other thing we -- sorry about that, thank you Bryan -- the other thing that we talked about was getting together with the companies where the voting equipment has been certified by the EAC and have them produce videos that local election officials can use for their poll workers or election judges on the day of the election, because even though you do your election training things can be forgotten. It would be nice, especially now that we have poll pads, you know tablets that they could actually just pull that up and be able to see an instruction video of how to set that equipment up.

MR. KELLEY:

That's great. Great, thank you. There are two other committees that I will be seeking members for in the coming weeks and that is the NVRA Committee as well as the Postal Committee. So I'll be reaching out to many of you for that.

And our agenda had us on break until 10:45 but I would propose that we come back at 10:30 so we can advance it just a bit. So we'll be on break until 10:30, thank you.

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[The Board recessed from 10:15 a.m. until 10:30 a.m.]

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MR. KELLEY:

Okay, we're going to start up again, and next on our agenda is and update to the changes to the website for the EAC and I'll turn it over to Mr. Bryan Whitener.

MR. WHITENER:

Thank you. Welcome everyone again, it's great to see you back. It's been almost a year, or a little over a year since we last met in Williamsburg and we've made a great deal of improvements to the website since that time, and a lot of it has been because it's reflective of the great work at EAC with our new leadership in 2015 and all the progress that we made with our new Commissioners and Executive team since that time. And so today what we want to talk about are basically two things; number one, of course, is that we do have a new website rollout that we anticipate to go out I believe sometime over the summer, late summer, and also about the improvements and enhancements that we have made to the existing website based on the great feedback that you have provided and many of the other stakeholders in terms of what you find most valuable in preparation for 2016 and beyond.

And I do have to say that in communications at EAC, you know, we're a small staff at EAC and communications being just myself, I am very fortunate that we have been able to leverage -- I

have been able to leverage the knowledge, skills and talents of many wonderful people that work for our agency. And I'm going to start in reverse chronological order because it sort of makes sense, but Robin Sargent in our office that many of you know has been phenomenal over the past several years in terms of updating the content to our website particularly with regard to the testing and certification program and many of the items that Brian Hancock mentioned yesterday. And that's just a fraction of some of the work that she's done in the heavy lift on updating our website whether it's test reports, test plans, correspondence, the toolkits, election management tools, procurement options for those of you many election officials that are considering new voting systems, and also in the comparison of state procedures in terms of the testing and certification, procurements, Robin has been phenomenal in that regard with our existing website and she has been instrumental in preparing us for our new website rollout as well.

Obviously Jessica Myers in our office has helped out tremendously in terms of the use of social medial and how that connects and works in tandem with the updates to our website. And she's done so at election speed. Almost every week, of course, we go out with the voting system testing and certification blog and the election updates weekly during the primary season. That's all posted to the website. And Jessica of course has drawn

on her experience in actually running elections in the State of Pennsylvania, so we've put out an election calendar that gives all the deadlines, registration deadlines, upcoming elections and important information to our stakeholders and the voters about the primary season and then also we've been able to address frequently asked questions that the voters or other stakeholders have about the election process and all the changes that have transpired in 2016.

Our Facebook page has increased phenomenally over the past year, and especially the past few months, thanks in no small part to Jessica. And our Commissioners have been blogging as well, which I'm sure you've read many of their blog posts and this has in turn prompted many questions of your own and we've been able to address some of the material in terms of what we've added to the website. The Commissioners have traveled extensively around the U.S. over the past year. They've listened to election officials and learned and they've written about their experiences and some of the questions and concerns that you have and they've been able to post that on our website in their blog posts.

I cannot go without mentioning someone in our audience today, Henry Botchway in our IT division who's been fantastic, phenomenal in terms of being able to put together our webisodes that we've gone out with. We've gone out with initially the postal

webisode. Even since the Standards Board meeting in April we've added two more to the list and there are many more to come. So Henry in addition to being able to put on these meetings for the advisory boards and the technical aspect of making sure that's all webcast and put on our website he's also been instrumental and valuable in terms of these webisodes that you're going to be seeing more of.

The first one of course that we put out was on the USPS issues and we were fortunate to team up with the U.S. Postal Service and the Federal Voting Assistance Program and Matt Boehmer to be able to put that webisode together. We have a joint project with them of course. And this all ties back -- there's many more -- there's much more to come but it all ties back to what we've put out with this BeReady16 series where we've highlighted the issues that election officials are concerned about so that they can learn from each other on what tools and resources that they have among the various different states and localities so that the election officials and you can learn from each other by simply going to our website and not only learning that material but also being able to contribute to it and being part of the conversation to end up serving as a true national clearinghouse on election administration. And that's where EAC is able to serve not as a regulatory agency but as a true national clearinghouse on election administration where we

are here to serve the voters, the stakeholders and election officials because by serving you it enabled you to connect with each other. You are in turn truly able to serve the voters of the United States.

But going back to the focus of our website and that's really the heart of what we do is our stakeholders. We have many different stakeholders; election officials, voters, the media, researchers and academicians. But primarily our stakeholders are election officials, state and local, because if they don't have the tools and we're not able to help them provide them to each other then we're not able to serve you and you're not able to serve your voters. So we serve the voting public by being of service to election officials. And our goal with the website is to where when you go to the website it is intuitive and it is stakeholder driven from the bottom up, meaning that it is driven by you, the state and local election officials across the United States.

Number two, we want to emphasize that -- to the visitors to our website we want to emphasize and educate them on how elections operate in the United States. Many of the best and the brightest don't understand this and if you don't get that then that's going to affect adversely whatever products you come up with whether it's research, whether it's a news article or what have you the fact that they're run by thousands of election officials across the United States. And EAC and the Federal Government -- EAC does

not run elections, the Federal Government does not run elections, and unless the viewers and the visitors to our website understand that, then the news stories that come out are not going to make any sense when the press writes them, the product of researchers is not going to make any sense and the voters are not going to be served because they're not getting accurate information about how to make sure their votes cast are counted on Election Day. So that's our overriding goal with the website is to educate, to serve you as a clearinghouse and to educate voters and the advocates and the researchers and the media.

So I guess we probably ought to start the PowerPoint, death by PowerPoint. So starting with the updates to the existing website, we've gone out with the BeReady16 series which many of you are already aware and we've also added more in terms of the interactive maps. We have the webisodes series. If you look -- if you connect to the BeReady16 page you have the contingency plans, UPS issues, managing election technology, voting technology procurement, accessibility, e-poll book requirements and there are more to come. We're going to be going out with an election toolkit as well, e-tools that Brian Newby mentioned yesterday. We also mapped to the states so that if someone is able to pick their state, they can go to the state website. They can -- if there is a link they can determine, figure out how to become an

election worker at the polls on Election Day. If there's an option for online voter registration in the state, we have a direct link to that. And you're also able to determine election primary dates, registration deadlines, et cetera. And we're going to be adding more to that. And we also have a voter information project which is on our website to where people can put their information into the website get their voter information whether it's their polling place, where to register, et cetera. And -- it's actually towards the bottom of that page.

And let's get to the new website which is only the beginning of what it's going to offer you because much of this, again, is going to be driven by our stakeholders and the election officials. So we were able to get your feedback. We put a prominent feature button on our website so that the Board of Advisors, the Standards Board and our other election stakeholders could weigh in on what was important to them in terms of the new website. We heard about design principles. We'll have -- be able to show you demos of key pages, timeline and then we'll get to questions and feedback.

In terms of your feedback we learned of course that content is king in terms of the testing and certification, data research and election management resources; optimizing your search, making it easy to find what you're looking for. And as Shane mentioned earlier, new information that we've heard that is going to be

important the terminology, you know. You have different terminology for even poll workers, election workers whether it's election judges, election -- what was another one we heard yesterday, was it inspectors? Inspectors. So you know if you're in an individual state the terminology is important, the nomenclature. And we also feel that -- we found out that it's also obviously important to be in terms of making sure that it's mobile driven as well, make sure that we can access everything from our phones.

Your feedback continued. Show us something interesting; videos, multi-media graphics, GIS. So we're going to tie all this in as well and we've been starting obviously with our webisodes and our trailers to add to those webisodes. People can go and get this information concisely, information that's useful to them by bringing in the election officials and stakeholders who are experts in this area and have something to share for other election officials in other jurisdictions that are comparable whether it's the postal issues, whether it's election workers, whether it's accessibility. Those are just some of the examples. Get social, we want to share and make sure that you share too. We want to make sure that the new website ties into social media platforms and we want to make sure that, you know that the navigation is intuitive in terms of the audience obviously.

So in terms of design principles, number one, mobile first.

Make sure that all the frames are responsive on all size screens. Be user centric, know who uses the website, what they're looking for, keep it simple, intuitive and elegant.

So the new website preview -- and these are just some examples that we'll get to with some of the screenshots -- so we have a new homepage. It's user centric. The secondary page, mobile, new social media FAQs tab, special topics pages. As you well know you always have new issues with each election whether it's long lines at the polls, hanging chads. Who knows what this election season is going to bring. Maybe we're coming full circle, we shall see.

And then we had a little fun at the last meeting. Mark Abbot in our office who I neglected to mention earlier who's been instrumental in the rollout of this new website Mark has been assisting EAC in terms of the Grants Management Office. He spoke to the Standards Board meeting. He's worked with Monica Evans who you heard from yesterday, but he's also worked on our website rollout. And so he had a little fun and he mentioned that we can have our -- a lot of pages that are devoted to the Board of Advisors and the Standards Board and he put their pictures on there and had a little fun with that, had movie stars in place of the Standards Board members. But it just goes to show you that we can build this page according to what you want it to be because,

you know, our advisory boards are critical in advising us as to what our mission and what our priorities should be so we want to make sure that you're given the opportunity to weigh in and include the information on your pages that you feel is important. The Standards Board, for example, they've had their own newsletter. We've been posting those over the last few months, providing updates about what they're doing, about what their subcommittees are doing and the progress that are being made. Fortunately, as Shane mentioned, the Clearinghouse Committee met yesterday and they're discussing teaming up with the Standards Board clearinghouse subcommittee so that they can maybe arrive at a consensus on what they want to see to come out of the clearinghouse and the new website for example.

The timeline, we finalized pages for the design and the special requirements in April. We're completing the mapping of all of the data stored on the old website to a new content management system. It's an enormous amount of material. Testing and refinement in June and July and then in August we'll have public launch.

And we can switch over to questions and feedback but I do want to show you just some screenshots of examples of the website and some of the photos are just stock images but they're just sort of an example just to give you an idea. And I may need

our IT assistants to shift over. When I tell you that I benefit from the talent in our office, I really mean it.

[Laughter]

So for example you know there's always tweaking, you know. Initially we had voters and election administrators but obviously voters can't be served unless we serve election administrators, so we made sure that they're listed first. You also have -- I don't know if you can see this on the big screen, but you have our sections for map, social media, preparing for Election Day, GIS, poll workers, voters -- let me just shift over -- connecting with EAC. It's all about connection, communication, making sure that it's -- you know that you're able to connect with each other however -- in whichever way is going to serve you best.

So we have examples. For example up in the right-hand corner we have our first webisode on postal issues that Commissioner McCormick moderated. In the middle I think that's an example of the TED talks that we saw that we were able to use during the election data summit last year. So we'll be utilizing more of these ways to connect and provide the resources that you need whether it's webisode, TED talks, social media, et cetera.

An example of the map where you are able to connect with local election offices get the information you need that is geographically specific to the state or the local election jurisdictions.

And there we have our examples of the Advisory Board pages and your pictures and bios and so forth. There's Brad King, he's the outgoing chair. And they all liked it.

[Laughter]

So let me at this point open it up to questions or comments or suggestions and some of them I want to -- I may have to check on the information and get back with you, but let's go from here. Yes sir?

MR. HATCH:

Ricky Hatch from Utah, this looks super helpful and I'm excited to share it with my state association and also with our national organization.

My concern is that with the immense amount of data available and information available that it might be time consuming to sift through and find what we're looking for. And in particular I'm concerned because probably two-thirds of the counties in the country are one or two-man shops as far as election officials go. And so I don't have a solution or maybe even a question other than we have to figure out some way to make it simple enough that they can drill down, and then I'd sure like the ability to provide contact information of the submitter so that they can identify easily and contact the person or group that submitted the documents to make it easier for the election officials to not have to sift so much.

MR. WHITENER:

Certainly and, you know, one of the things about even our existing website, and Commissioner Masterson has mentioned this before, you know, we have all these great resources and great material that we developed and accumulated over the years but if you don't know it's there then, you know, what good is it? The tree falling in the forest, you know, did it really happen if you didn't hear it? So that's a major challenge and that's what we want to make sure is that, you know, if you go to our website that it's intuitive, that you can get what you're looking for or perhaps if you don't know what you're looking for but, you know, you have a need or you have concerns, you're looking for resources, that you're able to get that without trying. And that's a major challenge but, gosh, that's what it's here for. That's what we're trying to do. And so we want to keep the conversation going with that and any suggestions that you have, of course, we are all ears. And Commissioner Masterson may want to weigh in.

COMMISSIONER MASTERSON:

Yeah just to speak for that a minute, and I think Bryan and Mark probably get tired of me talking about this, but one of our goals, the Commission's goal, all three of us, in working on the website is to be able to reach those folks you're talking about. The example I always use is Cheryl Browning in Jackson County, Ohio. Cheryl

down in Jackson she runs one of those two-woman shops in Ohio and if we're reaching the Cheryl's we're doing our job. That's when the EAC is at its most effective, right, reaching the folks that can come to this or Pew meetings, or whatever, those folks are already probably getting the information they need and frankly probably giving us best practices to share. It's reaching the Cheryl's that's our goal. And so the approach with the website, one is to make sure that what's up front and center is timely so that when Cheryl is looking for something on UOCAVA voting it's in the timeframe that she'd be looking. So we highlight the UOCAVA stuff when it's most relevant when we need it the most or the voting system stuff or, you know whatever the case may be. And then the other thing is creating tags and searchable databases within the information we provide to go exactly to your point to say, you know, I just really just need some information on procuring an e-poll book and you could put it in and it pulls up everything we have on procuring an e-poll book right there for you.

And part of the goal is that the EAC may be this place you start but not the place you stop. And so the contact information becomes important so that you could call five of the users of the e-poll book you're looking at and say, "Hey, what did you think" instead of relying on the vendor references for that e-poll book, right? And so that's all within the goals that all of us share to be

able to do that so that Cheryl down in Jackson has what she needs right away and can leverage that.

And so that's the vision and so as you all look at it, as you share with your members and you get feedback get it to us because that's our goal for what this website needs to be is exactly what you just described so that it's easy to find, you start with us even if you end up somewhere else you could get the information you needed to get started because so often those election officials without resources don't even know where to start. They don't even know where to begin. So if we can give them the starting point, they'll get where they need to go if we do it well.

MR. WHITENER:

Absolutely. Helen?

MS. PURCELL:

Another thing I might bring up Matt along those lines if you're looking to procure something keep in mind, and I would be remiss since I represent NACo that I not mention NACo and their U.S. Communities contacts that they have which really allow counties to buy equipment and so forth at a much reduced price. So be sure that maybe there's a link on the website to NACo U.S. Communities or something of that nature.

COMMISSIONER MASTERSON:

We'll add that and actually we've been talking with them and NASS.

Actually NASS had a panel on that very topic about writing some skeleton RFP's working with U.S. Communities to be able to leverage that expertise that they have on procurement. So that's one of our goals and we'll absolutely link to that.

MR. WHITENER:

Barbara?

MS. SIMONS:

Helen's comment made me think that perhaps another useful item for the website, I don't know if this would be appropriate or not so I'm just throwing the idea out, would be to maintain a list of various contracts that people have that states and counties have so that others can see what has been done and perhaps put in a better negotiating position.

UNIDENTIFIED SPEAKER:

We have that.

MS. SIMONS:

Okay sorry.

COMMISSIONER MASTERSON:

We have that.

MS. SIMONS:

Well great.

COMMISSIONER MASTERSON:

It's a great suggestion, we agree.

[Laughter]

MR. WHITENER:

Yeah and again but we want to make sure you know it's there, right, because -- it's there but you didn't know it and we want to make sure that you, you know, you get the information if you didn't know it was there.

MS. SIMONS:

I have to confess that I didn't look, so it's probably my fault.

MR. WHITENER:

All good. Chris?

MR. THOMAS:

I just want to commend you and your staff and the Commissioners for this advancement in your website. This is really your public face and you guys have come a really long way in a year. It's really fantastic to see this.

MR. WHITENER:

Thank you certainly with your help, all of you.

MR. KELLEY:

Bryan quick question, for the areas on the website, particularly for voters that might be seeking information or assistance, do you have translations or how are you doing with the language issues?

MR. WHITENER:

One of the challenges that we've had with the website has been

things like orphan documents. Some documents on the website, you know, whether it's a form for a program area, you know, it may be what it is. But other documents that are sort of what we call orphan documents that are just sitting out there like PDFs that we can convert over to HTML will be conducive to making the translations needed that we have in mind. So that will be a big part of what we're going to do. So, you know, like in the past we've had HTML information for different topic areas whether it's accessibility, UOCAVA, election resources and so forth but we've also had these PDF documents. And what we want to do now is to give people the option they can either view it HTML, which I understand is much more accessible or, you know, can print the PDF. But the HTML portion of it, if we have that option, it's going to be a lot easier for us to make those translations.

MR. KELLEY:

Any other questions for Bryan? Thank you Bryan very much.

MR. WHITENER:

Thank you. And...

[Applause]

MR. WHITENER:

...and don't stop now. Just keep the conversation going definitely, thank you.

MR. KELLEY:

Great, thank you. Next up on the agenda -- or actually before I get to that a quick announcement. Please do not forget to sign the attendance books outside. There are attendance books for both days, so just a reminder to sign those on your way out.

And next up on the agenda we had three bylaws proposed changes and I'm going to turn it over to Sarah to describe how we got to this point.

MS. JOHNSON:

So in page -- or in section five of your binders are the proposed bylaw amendments. There's the letter from the Election Assistance Commission, Cliff, explaining just a general overview of the bylaws. The front section is the original bylaws. After the green sheet is the lined version where you can see the possible additions to the bylaw that have been suggested. And these were suggested by the Executive Board and the Committee, the Bylaws Committee.

So basically what we are doing is just to make some clarifications on the officer selection portion to actually put in the bylaws some clearer timelines on when solicitations would go out to the membership for the offices and just processes to let it be a little more transparent in that respect and to put it in the bylaws in that one.

And then the other change that we are making to the meeting section in Section VI, which is kind of in the middle of the

proposed lined version, is to take out the section where it states -- the current bylaws state that the annual meeting must be in May or June. And so one of the problems that we had this year in trying to set a meeting was really in a presidential election year it's really tough to find a good time to get everyone together and so we would have liked to have had a little flexibility on when to call that meeting. The most important thing is it's going to be yearly, that we have to at least meet yearly. But we did put in some language that basically says that we wouldn't have to necessarily meet in May or June but that we would have to meet a set number of days prior to the end of the fiscal year. And that was a great suggestion by our DFO and the General Counsel of the EAC to make sure because we all really want to get our reimbursements but sometimes we get wrapped up in things back home and we don't turn those in and the bills don't get paid for the hotels and those kind of things that come from the vendors. So the EAC needs times to properly process all of those and to work out any problems if there are.

So those are in a really broad nutshell what the proposal is from your Executive Committee and your Bylaws Committee to make changes to the bylaws.

MR. KELLEY:

Yes Chris?

MR. THOMAS:

If it's appropriate I was going to move adoption.

MR. KELLEY:

Is there a second?

MS. PURCELL:

Second.

CHAIRMAN HICKS:

Well I think Barbara wanted to discuss.

MR. KELLEY:

I think she's shaking her head. Did you want to have a question  
Barbara? Go ahead.

MS. SIMONS:

Yeah the nomination -- the first set of changes it looks like it  
eliminates the option of nominating from the floor unless there have  
been no other nominations made. Is that correct?

MS. JOHNSON:

Yes it does do that.

MS. SIMONS:

Why has that option been eliminated?

MS. BALL JOHNSON:

The option was eliminated because this time we're putting in the  
proposal -- I should say is to put in the bylaws a set timeline for  
solicitations out to the membership a clear deadline because it  
wasn't there before. So we've put in set deadlines that this far out

we will send out the call for nominations and clearly communicate with the membership what those deadlines are and then receive those nominations back. That was our intent is to make it very clear on the deadlines so that we would know coming into -- everyone would know coming into the meeting who the nominees are in general and could spend some time communicating with those individuals if they didn't know them or they had questions or anything like that as to why they want to run.

MS. SIMONS:

I have a little concern about that. We know that sometimes people get appointed late to the Board of Advisors, maybe even past the deadlines, and by having such deadlines you exclude such people from running for office. So I mean I realize we're unlikely to have some new appointee running for office but I still think given that there can be unanticipated changes I would like to see -- I mean I think the changes are good, the suggested changes, except that -- except for eliminating the option of nominating from the floor. So I wondered if -- I don't know how one goes about making a suggestion that that be not excluded.

MR. KELLEY:

And just real quickly as a point of order, we had a motion by Chris Thomas. Is there a second for that motion?

MS. PURCELL:

Second.

MR. KELLEY:

Helen, thank you. So let's continue the discussion.

MS. SIMONS:

Oh sorry, I didn't mean to be out of order.

MR. KELLEY:

No that's okay.

MS. JOHNSON:

She's proposing an amendment to the main motion.

MR. KELLEY:

So the maker of the motion, Mr. Thomas, would you entertain that?

MR. THOMAS:

No.

MR. KELLEY:

So there's a motion and a second. Any further discussion? So just to reiterate just for the record, we would be voting on Article IV officers; Article IV, Section C nominations; and Article VI meetings. All those in favor signify by saying aye. Any opposed? We have one opposed. Motion passes, thank you.

[The motion carried. Barbara Simons voted in opposition to the motion.]

MR. KELLEY:

The next portion of the agenda is the open mic session and I will turn the meeting back over to Chairman Hicks.

CHAIRMAN HICKS:

Well I know that folks are really tired and looking to gather their things for their planes and so forth. And I think that we've done a lot of discussion already in the last two days on comments and suggestions to the Commissioners, but we want to open it up for further discussion for any other comments that folks may have or suggestions that people may have. This is your opportunity to speak directly to the Commissioners, so Barbara?

MS. SIMONS:

Well I'd actually like to speak to the new officers about a couple of things. This is a request. I personally would appreciate it if it were possible to send out a draft agenda or solicit input to an agenda enough in advance. I know we had deadlines by which the agenda has to be finalized by law, but prior to that if we could just request -- if you guys would send out an e-mail to everybody saying, "Do you have any topics you would like to have added to the agenda," I personally would appreciate that. So that's one thing.

CHAIRMAN HICKS:

We can do that right now because we -- everyone knows that we probably won't have a meeting until next year. So if there's items that folks want to have on the agenda think about it now and send them to the Executive Board.

MS. SIMONS:

Right but sometimes things happen later that we don't know about right now that we might want to add in.

CHAIRMAN HICKS:

No, no that's fine. I'm saying as we go along to just send us items.

MS. SIMONS:

Right but I would also just appreciate an active solicitation, just a reminder.

And the same thing goes for bylaw changes, proposals for bylaw changes. Again if some number of days in advance of the deadline -- the legal deadline if we could -- if you guys would just send us a reminder saying, "Do you have any recommended changes" I just think that would be a nice gesture.

The third thing is I don't know if it's possible to have a mailing list where we can communicate with each other. I don't know if that's possible under law. If it is, I think that would be useful so that the members of this Board of Advisors could communicate with one another.

And then finally is there some way we can decide who is going to the airport around the same time so we can share taxis?

MR. KELLEY:

Thank you Barbara for those suggestions, I think they're all valid and we'll definitely do that.

And...

MS. SIMONS:

Thank you.

MR. KELLEY:

...just a quick question for Cliff, there is no prohibition on the LISTSERVE and being able to communicate?

MR. TATUM:

So I did understand the question earlier in this week and I need to look into that as it relates to what type of record retention the Board would have to establish, what the LISTSERVE would look like. So there's some parameters I need to determine before saying yes or no to that.

MR. KELLEY:

Great, okay thank you. We'll follow up with you. Appreciate it.

CHAIRMAN HICKS:

So if there's any other discussion or comments. If not, I'm going to look to close the meeting.

Ricky?

MR. HATCH:

I just appreciate being here. I'm the newbie in the room and am impressed with the discussion and the candor that everyone has participated.

Also I want to thank Bert and the staff for being so accommodating and facilitating so much.

[Applause]

CHAIRMAN HICKS:

Is there anything else you wanted to...

COMMISSIONER MASTERSON:

Tom, Mr. Chairman, can we have the staff come in and just thank them for doing that?

CHAIRMAN HICKS:

Yeah.

MS. JOHNSON:

They're not in here. That's true they weren't here to hear us thank them. They weren't here for their applause.

CHAIRMAN HICKS:

So as I spoke a little bit earlier yesterday I just wanted to go on as well to thank the staff for all their hard work. And Shirley you can smile. You don't have to look like this is the firing squad.

[Laughter]

CHAIRMAN HICKS:

So Shirley Hines, Bert and Henry and then the other folks who are here as well, Bryan, Karen Lynn-Dyson, Monica Evans, Brian Hancock and then our two newest hires Cliff Tatum and Brian Newby. And we're still -- I was still waiting for Deanna to come in.

[Applause]

CHAIRMAN HICKS:

So Deanna did all the hard lifting on finding the hotel. It was a very difficult process in terms of finding this hotel. It came down to one week before the meeting started before we actually were able to finalize everything. So under her leadership and hard work we were able to get such a great facility which I'm sure that everyone loved. And so when she does walk in we should just give her a round of applause as well.

So but as we wait for her to come I just to thank everyone for being here, you know. Your hard work this is not the end of it. This is just the beginning. And I'm looking forward to hearing from each of you through Neal and I know that this is going to be a difficult year for most of you in terms of, you know, running these elections and getting things done but I know that you all are more than capable of getting this stuff done. And for the advocates in the room, keep up the hard work in getting us honest and on our toes. So, you know, without your guidance I don't think that we would still be here. So continue the hard fight. And also I want to thank the new Executive Board who I'm looking really forward to working with over the next year. And Bert has something to say to me.

MS. BENAVIDES:

I do. While we're waiting for Deanna I just want to let you all know that for reimbursements on tab 12 you'll have a form that will show you what we will reimburse you for, so you can just follow that. It's

kind of a quick guide for you to submit to me. If you have your receipts, that's always helpful. If not, just write down and say "I lost it Bert," okay? So do you have any questions? But on tab 12 it will sort of guide you. You don't have to worry about the meals. That's under per diem, so we will deduct the breakfast and lunch yesterday and the breakfast today so you don't have to bother with that. But any taxi, baggage, parking, mileage to and from the airport, okay? If you have any questions, just e-mail me. All the information is down at the bottom. And thank you very much.

CHAIRMAN HICKS:

I also want to thank our transcribers as well for making sure that we all were able to see this and the visual -- audiovisual folks as well...

[Applause]

CHAIRMAN HICKS:

...for all your hard work and help with us, and Deanna.

[Applause]

CHAIRMAN HICKS:

And with that, I want to close out the Board of Advisors meeting for May 2016.

[Applause]

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[The May 4-5, 2016, meeting of the Board of Advisors adjourned at 11:13 a.m.

CDT.]