

Meeting Minutes
United States Election Assistance Commission
STANDARDS BOARD MEETING
April 11-12, 2019

149 Union Avenue
Continental Ballroom (Mezzanine Level)
Memphis, Tennessee 38103

The following are the Minutes of the United States Election Assistance Commission (EAC) Standards Board held April 11-12, 2019. The meeting convened at 9:05 a.m. on Thursday, April 11, 2019, in Memphis, Tennessee, at The Peabody Memphis and adjourned on Friday, April 12, 2019, at 1:15 p.m.

Thursday, April 11

Call to Order

Greg Riddlemoser, Chairman of the Standards Board, called the meeting to order at 9:05 a.m.

Welcome to Memphis!

Commissioner Donald Palmer welcomed the Standards Board members to Memphis and detailed some of Memphis' historical importance to the Nation, as well as expressed his appreciation to the EAC, the Standards Board Executive Committee and staff, and Cliff Tatum for their dedication and hard work, and outlined the important topics to be addressed in the agenda such as an intelligence briefing on the potential threat to elections, an update on the voting system certification program, information on election data improvements, civil rights and voting rights issues, election security, disaster management and recovery when elections are disrupted, and the ongoing process to develop VVSG 2.0.

Welcome Video from Tennessee Secretary of State Tre Hargett to the Standards Board of the United States Elections Assistance Commission

Welcome Video from Tennessee Senator Marsha Blackburn to the Standards Board of the United States Elections Assistance Commission

Pledge of Allegiance

Commissioner Donald Palmer, Designated Federal Officer of the EAC Standards Board, led all present in the recitation of the Pledge of Allegiance.

Report of the Proxy Committee

Elaine Manlove reported that proxies by the members for the 2019 Standards Board meeting were reviewed and approved by the Proxy Committee.

Roll Call

Reynaldo Valenzuela, Secretary of the Standards Board, called roll and found present:

Alabama: John Merrill and James Tatum
Alaska: Gail Fenumiai and Carol Thompson
American Samoa: Uiagalelei Lealofi and Fiti Tavai (by proxy, Greg Riddlemoser)
Arizona: Janine Petty and Reynaldo Valenzuela, Jr.
Arkansas: Leslie Bellamy and Melanie Clark
California: Susan Lapsley and Neal Kelley
Colorado: Dwight K. Shellman, III, and Rene Loy
Connecticut: Peggy Reeves and Lisbeth Becker
Delaware: Elaine Manlove and Howard G. Sholl, Jr.
District of Columbia: Alice P. Miller and Michael D. Gill (proxy pending)
Florida: Maria Matthews and Paul Lux
Georgia: Bradford Raffensperger and Nancy Boren
Guam: Maria I.D. Pangelinan and Joseph P. Iseke
Hawaii: Kristen Uyeda and Shirley Magarifuji
Idaho: Tim Hurst and Patty Weeks
Illinois: Bernadette Matthews (by proxy, Lance Gough) and Lance Gough
Indiana: J. Bradley King and Myla Eldridge
Iowa: Christy Wilson (by proxy, Bob Giles) and Dennis Parrott
Kansas: Bryan A. Caskey and Lori Augustine (by proxy, Bryan A. Caskey)
Kentucky: Erica Galyon and Kenny Barger
Louisiana: H. Lynn Jones (proxy pending)
Maine: Julie L. Flynn and Katherine L. Jones
Maryland: Nikki Baines Charlson and Guy Mickley (by proxy, Nikki Baines Charlson)
Massachusetts: Michelle K. Tassinari and Andrew Dowd
Michigan: Jocelyn Benson (by proxy, Justin Roebuck) and Justin Roebuck
Minnesota: David Maeda and Debby Erickson
Mississippi: Hawley Robertson and Baretta Mosley
Missouri: Jay Ashcroft and Batina Dodge
Montana: Dana Corson and Rina Fontana Moore
Nebraska: Heather Doxon and David Shively
Nevada: Justus Wendland and Joseph P. Gloria
New Hampshire: Anthony Stevens and Robert Dezmelyk

New Jersey: Robert Giles and Linda Von Nessi
New Mexico: Mandy Vigil and Dave Kunko
New York: Douglas A. Kellner and Rachel L. Bledi
North Carolina: Veronica Degraffenreid and Michael Dickerson
North Dakota: John Arnold and DeAnn Buckhouse
Ohio: Amanda Grandjean and Steve Harsman
Oklahoma: Carol Morris and Jana Maddux
Oregon: Stephen N. Trout and Derrin "Dag" Robinson
Pennsylvania: Jessica Myers and Randall O. Wenger (by proxy, Jessica Myers)
Puerto Rico: Ramón Allende Santos and Water Vélez Martínez
Rhode Island: Rob Rock and Louise Phaneuf
South Carolina: Marci Andino and David Alford
South Dakota: Rachel Soulek and Carri Crum
Tennessee: Mark Goins and Carolyn Peebles
Texas: Keith Ingram and Dana Debeauvoir
Utah: Justin Lee and Sherrie Swensen
Vermont: William Senning and Sandra "Sandy" Pinsonault
Virgin Islands: Lisa Harris Moorhead and Kevermay Douglas (by proxy, Reynaldo Valenzuela)
Virginia: Christopher E. "Chris" Piper and Greg S. Riddlemoser
Washington: Stuart Holmes and Jerry Pettit
West Virginia: Brittany Westfall and Brian Wood
Wisconsin: Meagan Wolfe and Barbara K.D. Goeckner
Wyoming: Kai Schon and Jackie R. Gonzales

Determination of Quorum

Chairman Riddlemoser reported that the roll call shows a quorum is present.

Oath of Office

Commissioner Donald Palmer led all present in the recitation of the Oath of Office.

Welcome Remarks from the Commissioners

Chairwoman Christy McCormick introduced herself to the Standards Board and sent greetings from Vice Chair Ben Hovland, who had a family obligation and was unable to be present for the meeting. Chair McCormick expressed her appreciation to Secretary of State Tre Hargett, Director Mark Goins, Director Brian Newby, the EAC staff, and Commissioner Donald Palmer for taking over as Designated Federal Officer. Chair McCormick stressed the importance of the role of the EAC in producing the Voluntary Voting System Guidelines (VVSG), outlined

some history of our Founding Fathers and Declaration of Independence, and ended by thanking the Standards Board for all their hard work.

Commissioner Thomas Hicks addressed the Standards Board by first thanking his fellow Commissioners and reiterating the importance of the Standards Board and ended by thanking staff for their tireless efforts in organizing the meeting.

Approval of Minutes

Commissioner Palmer called for a motion to approve the minutes from the April 19-20, 2018, meeting of the Standards Board as submitted. Barbara Goeckner made the motion and Marci Andino seconded the motion. Commissioner Palmer called for a vote. The motion carried unanimously.

Nominating Committee Certification of Executive Committee Members

Commissioner Palmer inquired of the Nominating Committee whether they recommend certifying the slate of members to serve on the Executive Committee next calendar year, to which they answered yes.

Adoption of Agenda

Commissioner Palmer called for a motion to approve the agenda as submitted. Dwight Shellman made the motion and Paul Lux seconded the motion. Commissioner Palmer called for a vote. The motion carried unanimously.

Balloting

Clifford D. Tatum, EAC General Counsel, explained the procedure for how the members of the Executive Committee created the ballot, the length of terms, and the location of the ballot box for the members to cast their votes.

Executive Committee Evening Agenda

Commissioner Palmer outlined the agenda for the evening's Executive Committee meeting.

FACA Responsibilities and Role of Board under HAVA

Clifford D. Tatum, EAC General Counsel, presented slides explaining that the Federal Advisory Committee Act (FACA) is the framework by which the Advisory Boards operate. The EAC Advisory Boards were created by the Help America Vote Act (HAVA) to assist the EAC in developing the

Voluntary Voting Assistance Guidelines (VVSG), reviewing and participating in creating best practices recommendations for the EAC, and to review the absentee voting processes and procedures for overseas and uniformed voters.

Mr. Tatum explained that the three EAC Advisory Boards are the Standards Boards, the Board of Advisors, and the Technical Guidelines Development Committee (TGDC), and they are established by statute. He further explained the operating terms and the duties of board members, including that there is a Federal law that prohibits members from being a lobbyist.

Mr. Tatum stated that the act requires a Designated Federal Officer be assigned and currently, Commissioner Donald Palmer is the Designated Federal Officer (DFO) for the Standards Board. Commissioner Hicks is the Designated Federal Officer for the Board of Advisors, and Vice Chair Benjamin Hovland is the Designated Federal Officer for the Technical Guidelines Development Committee.

Mr. Tatum stated the presentation slides are available for download from the website.

ODNI Unclassified Intel Briefing for Election Officials

Commissioner Palmer introduced and welcomed Joe Morosco, Assistant Director, Office of the Director of National Intelligence (ODNI), and Manager for Counterintelligence, National Counterintelligence and Security Center (NCSC); Spencer Fisher, Chief Counsel, National Counterintelligence and Security Center, ODNI; and Christopher Wright, Mission Manager and Director, Department of Homeland Security (DHS) Cyber Mission Center.

Joe Morosco addressed the Commission to provide testimony regarding the importance of election security to the U.S. intelligence community and the ODNI's strategic view of the threat landscape. Mr. Morosco provided a counterintelligence perspective on the challenges the Nation faces and how ODNI aims to work with the Standards Board and the EAC to better strengthen the Nation's overall posture going forward as ODNI helps the States in this very important mission.

Mr. Morosco detailed specific threats from Russia, China, and Iran, as well as foreign nonstate actors, such as ideologically motivated entities, cyber criminals, "hacktivists," and "leaktivists" who now possess sophisticated cyber and surveillance capabilities that previously were only available to countries.

Mr. Morosco warned the Standards Board members to know who has access to key systems and networks and information in their States, know who vendors and sub-vendors are, and know the indicators of potential threat activity.

Mr. Morosco outlined the general indicators of threat activity, and they are: attempts to access, alter, or destroy systems used to qualify candidates; produce and deliver ballots; procure, manage, and prepare voting equipment process requests for absentee ballots; and store and manage election administration process and procedure documentation; any unauthorized entry of centralized vote counting, tallying, locations, or electronic systems or networks used by States and localities to count absentee, military, and Election Day voting ballots; disinformation efforts to alter or shut down government websites to foment social unrest or reduce voter turnout to include social media or other electronic means; any attempts to hack, spearfish, or compromise personal or professional email accounts and social media accounts of election officials, staff, and volunteers.

Spencer Fisher addressed the Commission to provide testimony regarding election security and that the government, the IEC, and the counterintelligence community takes this threat extremely seriously and views national security and election security as deeply intertwined, and that the intelligence community is increasing their levels of collection and analysis on foreign threats to our elections.

Mr. Fisher explained ODNI's responsibility under Executive Order 13848, which is to work in consultation with other agencies to provide a report to the President concerning foreign interference in elections, a mechanism to potentially interpose discretionary sanctions on bad actors. In December 2018, the DNI mentioned that Russia, China, and Iran sought to conduct influence activities during the 2018 election to serve their interests.

Christopher Wright addressed the Commission to provide testimony regarding the Cybersecurity and Infrastructure Security Agency's (CISA) role as the lead Federal agency responsible for securing our elections. In August of 2018 DHS hosted a Tabletop the Vote exercise designed to assist stakeholders in identifying best practices and improving preparedness response and recovery. Goals for 2020 include achieving 100 percent auditability by 2020, improving the efficiency and effectiveness of those audits, incentivizing the patching of election systems, and networking with States to develop current and target cybersecurity profiles using the NIST framework.

Questions and Answers

Dwight Shellman of Colorado questioned the panel on development of election security event response plans, to which Mr. Wright responded that reporting to the Information Sharing and Analysis Center (ISAC) would be the best way to reach the greatest number of government agencies, but that on Election Day, the National Cybersecurity and Communications Integration Center (NCCIC) was the central agency responsible for information flow, and that locally, fusion centers are a way for States to participate in the process. Mr. Fisher added that the intelligence community would be most concerned with foreign threats rather than domestic, which would be the purview of the FBI. Paul Lux of Florida inquired whether, if information were provided to the FBI that was related to foreign threats, that the FBI would forward that information on to DHS, Mr. Fisher responded that the FBI's information would get to the intelligence community and the reporting would be provided. Mr. Morosco added that if the ODNI can shine a national-level spotlight on threat activity, it allows the FBI and other intel organizations to prioritize certain activities to make sure that that information is getting to the top of the queue as quickly as possible.

The Board recessed at 10:36 a.m. and reconvened at 11:06 a.m.

EAC Update

Brian Newby, EAC Executive Director, gave a presentation on the annual report, including the mission statement, as well as the support the EAC has recently received from Senator Amy Klobuchar and Senator Roy Blunt, among others. Mr. Newby thanked EAC staff for their hard work and particularly recognized Shirley Hines.

Mr. Newby then reviewed some budget numbers and noted the differences over the years, as well as how much of the budget goes to particular agencies.

Chris Thomas, Director of Elections in Michigan, advised Mr. Newby to stay within the constraints of HAVA.

Mr. Newby gave an overview of the structure of the Government Coordinating Council (GCC) and its membership. He then stated the presentation slides will be posted to the EAC website.

Mr. Newby explained how the grant of \$380 million was allocated, and that two case studies in the annual report detailed the spending by Iowa and Rhode Island.

The annual report also details the testing and certification done by manufacturers and what their accomplishments and goals are in this regard.

Testing and Certification Director Brian Hancock retired and received the NASS Medallion Award.

Mr. Newby then gave a brief background of the development of VVSG 2.0, after which he outlined the benefits of the Election Administration & Voting Survey (EAVS), a tool that, if used and made more robust, can help States and locals with their budgets. Also, accessibility, including language accessibility, will be a big focus coming up this year.

Mr. Newby explained the purpose of the Clearinghouse Awards, the "Clearies," is to share best practices and be a clearinghouse under HAVA, and that the categories of awards may be expanded in the future.

Mr. Newby closed by reiterating the importance of the voter and that he hopes that the Standards Board members, in the meetings of their committees, will think about how they might be able to guide and advise the EAC on the aspects of the "wheel," and that would help define plans that can then be taken to the Commissioners.

Closing Remarks before Lunch Break

Chairman Greg Riddlemoser reminded members to cast their ballot for the Executive Committee.

The Board recessed for lunch at 11:57 a.m.

Luncheon Keynote

Commissioner Donald Palmer introduced the luncheon keynote speaker Eric Dreiband, Assistant Attorney General for the Civil Rights Division at the U.S. Department of Justice (DOJ).

Mr. Dreiband outlined briefly the role of the Civil Rights Division, which is one of the litigating divisions at the Department of Justice, and this enforcement work is divided amongst 11 subject matters ranging from employment discrimination to housing discrimination and public accommodations, conditions in institutions, voting, disability rights, and others. The goal of the Civil Rights Division is to protect both the statutory civil rights and constitutional rights of all Americans by enforcing various Federal statutes such as the Voting Rights Act; the Civil Rights Acts of 1957, 1960, and 1964; the Uniformed and Overseas Citizens Absentee

Voting Act; the National Voter Registration Act; and the Help America Vote Act, among others.

Mr. Dreiband explained that the Disability Rights Section of the Civil Rights Division seeks to work with communities across the country regarding voter accessibility to make sure that everyone has access to polling places for elections and also employment discrimination against disabled individuals. The Criminal Section in the Civil Rights Division investigates and, when appropriate, prosecutes certain crimes that usually involve race, color, national origin, or religion, and there are other protected categories as well, including sexual orientation discrimination and gender identity discrimination. The Justice Department's Criminal Division investigates and, when appropriate, prosecutes election crimes across a wide spectrum of the Federal criminal laws such as election fraud, double voting, vote buying, noncitizen voting, and campaign-finance violations, among others.

During nonelection years, the Civil Rights Division tries to identify and work with States on structural issues that may impede absentee voters and their right to vote either in special elections or regular primary and general elections. Mr. Dreiband explained that the Civil Rights Division's goal is not simply to bring the hammer of enforcement down upon local jurisdictions but rather to work in a cooperative fashion to protect the right to vote.

Mr. Dreiband wrapped up his comments to the Standards Board with a brief history of what has led us to where we are as a country.

Questions and Answers

Bob Giles of New Jersey inquired of Mr. Dreiband about automatic voter registration and the possibility of expanding it to social service agencies, to which Mr. Dreiband responded he was unsure.

Clifford Tatum inquired about the Civil Rights Division's right to go into certain jurisdictions and observe their elections, to which Mr. Dreiband responded with an explanation about Section 5 of the Voting Rights Act and that they have offensive enforcement authority, but that they work collaboratively with various state and local jurisdictions to monitor through data and otherwise whether there is a potential violation of the Voting Rights Act.

Lunch Panel - Disaster Management and Recovery

Commissioner Donald Palmer began the presentation of the EAC Disaster Preparedness and Recovery Working Group with an overview of various

recent natural and manmade disasters that have affected elections. Commissioner Palmer explained that election officials understand that when a community experiences a disaster, successfully administering the election goes a long way toward restoring life in that devastated community.

Commissioner Palmer introduced and welcomed the panel, which included Candace Grubbs, Butte County, California, Clerk/Recorder and Registrar of Voters; Roberto Benitez, Chief Information Officer at the Puerto Rico Elections Commission; and Maria Matthews, Division Director of Elections at the Florida Department of State.

Candace Grubbs provided testimony to the Standards Board regarding the devastating impacts of the wildfires in California in 2017 and 2018 and particularly the Camp Fire, the deadliest and most destructive wildfire in California's history, taking 85 lives, and started just two days after the November 6th general election. Ms. Grubbs played three videos during her presentation to emphasize the devastation.

Roberto Benitez provided testimony to the Standards Board regarding the devastating impacts of Hurricanes Irma and Maria to the island of Puerto Rico and his role in converting CEE satellite offices into places where citizens displaced by the category-five storm could receive food, aid, and communication services. Mr. Benitez is currently working with CEE staff to recover the island's election system and implement a comprehensive IT infrastructure upgrade and integration of security capabilities.

Maria Matthews provided testimony to the Standards Board regarding Florida's experience in the 2018 elections with Hurricane Michael.

The Board recessed at 1:45 p.m. and reconvened at 2:04 p.m.

VVSG & Requirements; Consideration of Resolution

Chairman Riddlemoser reconvened with a request that the Standards Board commend to the four Commissioners the VVSG 2.0 Principles and Guidelines as they are and that there ought to be a formal motion to encourage the Commission, as it's now constituted, to continue down the road that both the Board of Advisors and the Standards Board has already laid out in front of them. The VVSG panel included Ryan Macias, Acting Director of Testing and Certification, EAC; Mary Brady, Manager, National Institute of Standards and Technology (NIST); Sharon Laskowski, Human Factors Expert, National Institute of Standards and Technology; Gema Howell, IT Security Engineer; and Brian Newby, Executive Director, EAC.

Ryan Macias provided testimony to the Standards Board regarding the history of the VVSG 2.0, the process for getting the VVSG 2.0 to where it is today inside of the public comment period, and explain the next steps for getting it adopted. Mr. Macias also laid out potential time frames for implementing the voting system certification requirements and test assertions so that testing voting systems to the certification requirements may begin.

Mary Brady provided testimony to the Standards Board regarding background on VVSG versions, actions that led to a new structure for the VVSG, and the formation of public working groups to develop the necessary artifacts for VVSG 2.0. Ms. Brady ran through the principles and guidelines in specificity, many of which are agreed upon, but some remain open issues. The 15 principles are as follows: high-quality design; high-quality implementation; transparency; interoperability; equivalent and consistent voter access; voter privacy; marked, verified, and cast as intended; robust, safe, usable and accessible; auditability; ballot secrecy; access control; physical security; data protection; system integrity; and detection and monitoring. The open issues are as follows: the four common data formats (election definition and results reporting, event logging, cast vote records, and voter record interchanges); and casting a paper ballot privately and independently without manually handling the ballot. Ms. Brady updated the Board on the test assertions.

Dr. Sharon Laskowski provided testimony regarding human factors, the scope of which falls under principles 5 through 8, which pertains to accessibility and usability. She explained that the assumption in VVSG 2.0 is that all electronic voter interfaces meet all the applicable accessibility and usability requirements. Dr. Laskowski expressed her appreciation to the Human Factors Public Working Group for their help to complete the draft requirements.

Gema Howell provided testimony regarding principles 9 through 15, the draft security requirements, the history of their development through the Cybersecurity Working Group, and also the incorporation of security innovations since the previous VVSG. The open issues are as follows: indirect voter associations, internet connectivity, cryptographic end-to-end systems, wireless technology, and barcode and encoding schemes. To resolve the open issues requires feedback from various stakeholders to compile and present to the TGDC, after which NIST could add, remove, or modify requirements based on that feedback received from the TGDC.

Questions and Answers

Robert Dezmelyk inquired of the panel whether the Board should be voting on both the guidelines and the requirements, to which Chairman

Riddlemoser explained that the Commissioners are bound by statute and that the VVSG itself is principles and guidelines. Mr. Macias echoed Chair Riddlemoser's comments and added that there will be a TGDC meeting to go over in detail the requirements as-is. Mr. Dezmelyk commented that to the extent that these kind of procedural aspects of that draft are going to end up being part of the requirements, that seems to cut against the structure and intent of the guidelines.

Dwight Shellman questioned Ms. Howell about the communication protocols and why there is a consideration of specifying requirements in those areas rather than a requirement that an absolute air gap be maintained, to which Ms. Howell responded that they are unsure how to address these concerns properly within the requirements and how to word them correctly. Ms. Brady added that it is unclear yet what the necessity is for internet connectivity and are waiting for feedback but that auditing on the backend may solve the problem.

Robert Giles of New Jersey questioned the panel about the recommendation that the Standards Board adopt a provision providing for the ability of VVSG 2.0 requirements and test assertions to be updated in the absence of a quorum of EAC Commissioners, to which Mr. Macias and Mr. Newby both explained that the issue is already before the Commissioners but that no action has been taken on it. Mr. Giles responded that he doesn't believe that the Board should adopt standards without policies in place to adopt standards, to which Mr. Newby agreed. Chair Riddlemoser explained that the EAC has a number of items to tackle, but as a quorum has only been in existence since January, there will have to be legal research and efforts put into figuring out just how the EAC can structure itself so that it can function when it doesn't have a quorum.

Jess Myers from Pennsylvania echoed Mr. Giles' concern about a lack of quorum and also asked about the policies presented last year to the Standards Board, to which Mr. Macias explained that those policies are in draft form on the EAC's website under the Standards Board link.

Chair Riddlemoser pointed out that the day's presentations are posted on the EAC website.

Doug Kellner expressed that he believes the thrust of the day's meeting should have been to focus on the five open issues that the panel members had identified, to which Mr. Macias and Chair Riddlemoser agreed. Mr. Kellner then expressed some ideas on the internet connectivity issue, to which Ms. Howell responded that it's not just internet connectivity but also cellular modems and public telecom that is at issue.

Mr. Dezmelyk recommended that the members take a look at reporting device consolidation, which has an absolute requirement that a precinct reporting device needs to be able to consolidate in no more than five minutes per scanner.

Various members made additional incidental comments.

Miscellaneous Announcements and Business

Chairman Riddlemoser encouraged all board members to come to the meeting tomorrow to find out which subcommittee they will be serving on, and then members will break up into working groups to then come back and make recommendations to the entire body of the direction that the subgroups want to go in next year.

Executive Board Election Results

Chairman Riddlemoser announced the Executive Committee's election winners: Greg Riddlemoser, Reynaldo Valenzuela, Brad King, Debby Erickson, Joe Gloria, Barbara Goeckner, Rob Rock, and Steve Trout.

The meeting recessed at 4:17 p.m.

Friday, April 12

Chairman Greg Riddlemoser called the meeting to order at 8:09 a.m.

Chairman Riddlemoser reconvened the meeting of the United States Elections Assistance Commission Standards Board and reported a quorum was present.

Announcement of Officers

Chair Riddlemoser announced and congratulated the Executive Committee selections for the following year: Brad King, Chair; Reynaldo Valenzuela for Vice Chair; and Stephen Trout for Secretary.

Disaster Preparedness and Recovery Working Group

Chairman Riddlemoser called for a motion to approve the formation of a Disaster Preparedness and Recovery Working Group. Rob Rock made the motion and Stephen Trout seconded the motion. Chair Riddlemoser then asked Mr. Rock to give some background on the need for such a group. Mr. Rock explained that the impact of disasters such as Hurricane Maria in Puerto Rico, Hurricane Katrina in Louisiana, the 2017 and 2018 wildfire season in California, and the D.C. sniper attacks in the D.C. Metro

area have laid bare the need for the EAC to focus additional resources on helping State and local election officials recover from disaster and prepare for future events, which can be accomplished with the formation of the Disaster Preparedness and Recovery Working Group.

Chairman Riddlemoser called for a vote, and the motion carried unanimously. Chair Riddlemoser informed the members that they will be given a chance to sign up for the newly formed Disaster Preparedness and Recovery Working Group even though members had already been assigned to their committees.

Committee Assignments

Reynaldo Valenzuela of Arizona, Chair of the Nominating Committee, announced the membership as follows: DeAnn Buckhouse of North Dakota, Amanda Grandjean of Ohio, Christopher Piper of Virginia, and Brad Raffensperger of Georgia.

Reynaldo Valenzuela of Arizona, Chair of the Proxy Committee, announced the membership as follows: Marci Andino of South Carolina, John Arnold of North Dakota, Amanda Grandjean of Ohio, and James Tatum of Alabama.

Brad King of Indiana, Chair of the Bylaws Committee, announced the membership as follows: Maria Pangelinan of Guam, Dennis Parrott of Iowa, Lisa Moorhead of Virgin Islands, Hawley Robertson of Mississippi, Howard Sholl of Delaware, and Barbara Goeckner of Wisconsin.

Chairman Riddlemoser announced the representatives for the Technical Guidelines Development Committee as follows: Robert Giles of New Jersey and Paul Lux of Florida.

Brad King of Indiana, Chair of the Resolution Committee, announced the membership as follows: Lisa Moorhead of Virgin Islands, Douglas Kellner of New York, Jerry Pettit of Washington State, and Louise Phaneuf of Rhode Island.

Debby Erickson of Minnesota, Chair of the Election Administration & Voting Survey (EAVS) Committee, announced the membership as follows: Nikki Charlson of Maryland, Mark Goins of Tennessee, Lance Gough of Illinois, Keith Ingram of Texas, Howard Sholl of Delaware, Michelle Tassinari of Massachusetts, Carol Thompson of Alaska, Justin Lee of Utah, Bryan Caskey of Kansas, Veronica Degraffenreid of North Carolina, Neal Kelley of California, Maria Matthews of Florida, Sandra Pinsonault of Vermont, and Brittany Westfall of Virginia.

Stephen Trout, Chair of the Voluntary Voting System Guidelines (VVSG) Committee, announced the membership as follows: Veronica Degraffenreid of North Carolina, Robert Dezmelyk of New Hampshire, Heather Doxon of Nebraska, Robert Giles of New Jersey, Lance Gough of Illinois, Tim Hurst of Idaho, Keith Ingram of Texas, Dwight Shellman of Colorado, Brian Wood of West Virginia, Nancy Boren of Georgia, Dana Corson of Montana, Dana Debeauvoir of Texas, Batina Dodge of Missouri, Gail Fenumiai of Alaska, Susan Lapsley of California, Rene Loy of Colorado, David Maeda of Minnesota, Guy Mickley of Maryland, Barretta Mosley of Mississippi, Jessica Myers of Pennsylvania, Justin Roebuck of Michigan, Kai Schon of Wyoming, Kristen Uyeda of Hawaii, Mandy Vigil of New Mexico, Justus Wendland of Nevada, Randall Wenger of Pennsylvania, Brittany Westfall of West Virginia, and Meagan Wolfe of Wisconsin.

Barbara Goeckner of Wisconsin, Chair of the United States Postal Service (USPS) Committee, announced the membership as follows: Jackie Gonzales of Wyoming, Maria Pangelinan of Guam, Derrin Robinson of Oregon, Justus Wendland of Nevada, Gail Fenumiai of Alaska, David Kunko of New Mexico, Justin Lee of Utah, Jana Maddux of Oklahoma, Jerry Pettit of Washington State, Chris Piper of Virginia, Will Senning of Vermont, and David Shively of Nebraska.

Joe Gloria of Nevada, Chair of the Clearinghouse Committee, announced the membership as follows: Dave Kunko of New Mexico, Bernadette Matthews of Illinois, Patty Weeks of Idaho, Brittany Westfall of West Virginia, John Arnold of North Dakota, Nancy Boren of Georgia, Michael Dickerson of North Carolina, Katherine Jones of Maine, David Maeda of Minnesota, and Guy Mickley of Maryland.

Rob Rock of Rhode Island, Chair of the Executive Director Search Committee, announced the membership as follows: Carri Crum of South Dakota, Mark Goins of Tennessee, Michelle Tassinari of Massachusetts, Justin Roebuck of Michigan, Dana Corson of Montana, Joe Gloria of Nevada, and Brad King of Indiana as ex officio.

Mark Goins of Tennessee, Chair of the Cyber Committee, announced the membership as follows: Marci Andino of South Carolina, Robert Giles of New Jersey, Neal Kelley of California, Brad King of Indiana, Reynaldo Valenzuela of Arizona, Rob Rock of Rhode Island, Joe Gloria of Nevada, Barbara Goeckner of Wisconsin, Debby Erickson of Minnesota, Greg Riddlemoser of Virginia, Stephen Trout of Oregon, and Justus Wendland of Nevada.

Chairman Riddlemoser announced the representatives for the Government Coordinating Council (GCC) as follows: Mark Goins of Tennessee and Neal Kelley of California.

EAVS

Designated Federal Officer and Commissioner Donald Palmer introduced and welcomed Nichelle Williams, Director of Research, EAC; David Kuennen, Senior Research Program Specialist, EAC; and Michelle Shafer, Senior Research Advisor on Elections Technology to the Overseas Voting Initiative, and CEO of Magenta Sage Strategies, LLC.

Nichelle Williams discussed the history and importance of EAVS, outlined what's new for the 2018 EAVS, and also discussed the release plan, some things to look forward to, and also a research project that was EAVS-related. Ms. Williams explained that EAVS data provides a detailed snapshot of how general elections are administered in the United States every two years, that EAVS targets more than 6,400 jurisdictions, and is the foremost source for State and local jurisdiction-level election administration data.

David Kuennen discussed the importance of the EAVS, some findings over time, and the changes that have been made to the survey this year and some of the efforts going forward. Mr. Kuennen expressed his desire for feedback. He went on to explain that EAVS is used by an incredibly diverse range of stakeholders for analytical purposes, strategic planning, training, and public information. Three interrelated goals for the EAVS are: easier to complete, better data quality and completeness, and make the data more accessible on the backend.

Mr. Kuennen then introduced Doug Chapin, head of the Elections Research Team at the Fors Marsh Group, who is an EAVS implementing partner with EAC. He explained that another big change to the EAVS this year was a switch from the Statutory Overview Survey to the Policy Survey, and in 2018 improvements were made to the data collection process, technical assistance, and the voting equipment section, and also, the survey now has an option for respondents to fill out the survey online as opposed to using an Excel template.

Michelle Shafer with the Democracy Fund discussed her research project and how it relates to the EAVS, securing the voter, fax security, email security, and election portal security. Ms. Shafer explained that she and her team are tasked by the Democracy Fund to look at what States and territories were doing with regard to electronic ballot return. Ms. Shafer and her team, separately and together, have worked on EAVS-related

efforts and specifically EAVS Section B efforts for many years and have complementary expertise.

Ms. Shafer discussed risks identified in EAVS and that these systems should undergo a rigorous cybersecurity development process. Additionally, two-factor authentication should be used if possible, as should digital certificates. Most importantly, bring in additional expertise. Ms. Shafer requested of the panel members that they read the report and share it with their technical teams back home.

Questions and Answers

Keith Ingram questioned Mr. Kuennen on the distinction between absentee ballots and voting by mail in EAVS, to which Mr. Kuennen explained that the vote-by-mail category is for jurisdictions that do all vote-by-mail.

Mr. Kuennen then questioned Ms. Shafer about the electronic return ballot environment and wondered how her election offices reacted to this, to which Ms. Shafer explained that they worded the questions in the survey carefully and also told the participants that the Democracy Fund wouldn't publish the data.

Department of Justice - Election Offenses

Commissioner Palmer allowed Mark Goins of Tennessee to introduce United States Attorney for the Western District of Tennessee Michael Dunavant.

Mr. Dunavant welcomed the board members to Memphis and went on to give background on his position as U.S. Attorney. The Department of Justice published a manual on the prosecution of election offenses, to which Mr. Dunavant highly recommended everyone read and use as a reference. He explained that his job as U.S. Attorney is strictly apolitical, and his allegiance is only to the U.S. Constitution and his only client, the United States of America, and while his office spends most of their time and resources focused on the priorities of violent crime reduction, public corruption, election fraud, and civil rights violations are also still a very high priority.

Mr. Dunavant believes that every citizen must be able to vote without interference or discrimination and to have their vote counted without it being stolen because of fraud and that his office works promptly and aggressively to protect the integrity of the election process through investigation and criminal prosecution of those offenses.

Mr. Dunavant explained that his office's role is not necessarily preventative but rather focused on the investigation and prosecution after an election cycle so as not to improperly intervene or interfere with any ongoing election.

Mr. Dunavant discussed the four different types of Federal election crimes, which are: election fraud, patronage crimes, campaign-finance crimes, and civil rights crimes and then told some anecdotes about his time as a District Attorney prosecuting corrupt public officials and illegal voting by convicted felons.

Questions and Answers

Dwight Shellman of Colorado asked for Mr. Dunavant's advice when suspicious incidents are reported to a District Attorney and they are not taken seriously, to which Mr. Dunavant advised that State election officials should continue to report the suspicious activity and to also report to all relevant law enforcement bureaus available.

Mr. Trout asked Mr. Dunavant to advise whether ballots cast by the same person in multiple States would be a State/local issue or a U.S. Attorney issue. Mr. Dunavant replied that it could be either and that the challenge is proving intent.

Ms. Grandjean asked Mr. Dunavant's advice on communicating with the public about voter fraud and breaking it down into the actual criminal offenses rather than the broad label of voter fraud, and Mr. Dunavant suggested again the manual on the prosecution of election offenses, which breaks down each statutory regulation and prohibition on different types of conduct and that the Department of Justice has statistical data about prosecutions and convictions in a certain area.

John Merrill inquired if Mr. Dunavant had a suggestion on identify illegal aliens that may be on voter rolls, to which Mr. Dunavant explained that immigration and citizenship status are not public information and so that would be a difficult task.

The Board recessed for the Committee Breakout Session at 9:46 a.m. and reconvened at 11:08 a.m.

Committee Reports

Brad King, Chairman of the Bylaws Committee, reported that their committee conducted a review of the bylaws as they currently exist and gained an understanding of their structure within the broader framework of the Help America Vote Act and the role that EAC staff, particularly legal

counsel plays, in the amendment process to the bylaws. Of particular interest and concern to the committee was continuity of operation.

Barbara Goeckner, Chair of the USPS Committee, reported that their committee mainly works on election mail issues and getting the word out and that communication with the USPS is key and getting the messages to them of problems that people are encountering.

Debby Erickson, Chair of the EAVS Committee, received some updates from the working groups working on the Section A and Section B enhancements, and also, the committee discussed potentially changing some of the timelines for reporting voting system information as part of the policy survey.

Joe Gloria, Chair of the Clearinghouse Committee, reported that Nichelle Williams provided clarity on the expectations of the committee, and she also requested assistance in reviewing white papers and requested members to volunteer to assist with the Clearies. Mr. Gloria also reported that the committee hopes to receive informal feedback as far as information on the website, maybe hot topics, those subjects that are being searched more frequently.

Chairman Riddlemoser explained what the members can do if they find themselves not assigned to a committee, and he then reported on what the VVSG Committee discussed, which was a work plan for the next year, a review of the requirements document as it currently exists, and get input from the TGDC.

Any Remaining Announcements or Business

Robert Giles made a motion that the Standards Board recommend that the EAC Commissioners adopt a policy that acknowledges the VVSG as a standalone document required by HAVA and that the requirements and test assertions are documents that are established by policy, and that the VVSG 2.0 requirements and test assertions be updated in the absence of a quorum of EAC Commissioners. Keith Ingram seconded the motion. Chairman Riddlemoser called for a vote, and the motion carried unanimously.

Michelle Tassinari explained that she is part of the Executive Director Search Committee and was wondering if there is a process or plan for convening the Search Committee or what to do in case of a vacancy, to which Commissioner Palmer said there is no vacancy, but if there were, the Commission would put out an announcement for that position.

Keith Ingram followed up with an inquiry as to whether the Commission was planning on a vote, to which Commissioner Palmer responded that he anticipates that.

Brad King made a motion to express the Standards Board's gratitude for the extraordinary work that the Election Assistance Commission staff has done in preparing and carrying off this meeting under very trying circumstances. The motion was seconded by Mark Goins.

Motion to Adjourn

A motion to adjourn was made by Secretary Jay Ashcroft and was seconded by Tim Hurst.

The Voting Rights Act: Optional Training at the National Civil Rights Museum at the Lorraine Motel

Brenda Bowser Soder kicked off the training with some friendly reminders and a brief overview of the museum.

Eric Dreiband, Assistant Attorney General for the Civil Rights Division at the U.S. Department of Justice, provided some context for the location of their disability rights training by explaining that disability rights are civil rights, and it is critically important that individuals with disabilities enjoy the privileges and freedoms available to all Americans.

Mr. Dreiband proceeded to give a brief history of the importance and significance of the Americans with Disabilities Act, signed into law by President George H.W. Bush, and enacted by Congress in 1990.

Mr. Dreiband explained that the Civil Rights Division at the Justice Department, in partnership with United States Attorneys across the country, seeks to protect the right to vote through the ADA Voting Initiative. This initiative ensures that people with disabilities have an equal opportunity to participate in the voting process, including in next year's presidential and other elections. The ADA Voting Initiative covers all aspects of voting from voter registration to casting ballots at neighborhood polling places. Mr. Dreiband reported that, through this initiative, the Civil Rights Division has surveyed more than 1,300 polling places to identify barriers to access.

Commissioner Donald Palmer, the Designated Federal Officer, ended the day's meeting with the disability rights training in which he discussed local State election officials needing to understand the requirements of the ADA, HAVA, and the Voting Rights Act to establish a program that

assigned personnel will then monitor the compliance. Commissioner Palmer also suggested election officials should hire a subject matter expert monitor the program to ensure the requirements are met.

Commissioner Palmer discussed Section 301 of HAVA and how important it is to voters with disabilities because it is more than just an election reform statute; it is a civil rights law and really gives individuals with disabilities certain rights that they never had in the past to cast a private and independent ballot.

Section 208 of the Voting Rights Act is an assistance provision that allows voters to have assistance under Section 208, and Commissioner Palmer explained that most lawsuits come about when there's either a lack of assistance or nobody's there to help a voter.

Commissioner Palmer asserted that election officials should document everything, train their poll workers, have a checklist, maintain accessibility, have good practices, establish a program, and seek help from your county and State because they're going to have resources that the election officials don't have on the ADA side.

The Standards Board meeting of the United States Election Assistance Commission adjourned at 1:15 p.m. on April 12, 2019.