

**Meeting Minutes**  
**United States Election Assistance Commission**  
**STANDARDS BOARD**  
**BOARD OF ADVISORS**  
**April 28-29, 2015**  
The Woodlands Hotel  
Williamsburg, Virginia

The following are the minutes of the United States Election Assistance Commission (“EAC”) joint Standards Board and Board of Advisors Meeting held April 28-29, 2015. The meeting convened at 8:33 a.m. EDT on Tuesday, April 28, 2015, in Williamsburg, Virginia, at The Woodlands Hotel and adjourned on Wednesday, April 29, 2015, at 12:08 p.m. EDT.

**Tuesday, April 28**

**Welcome/Pledge of Allegiance**

Christy McCormick, Chairwoman, EAC, welcomed participants to Williamsburg. Participants stood for the Color Guard and recitation of the Pledge of Allegiance.

Commissioner McCormick introduced Clyde Haulman, Mayor of Williamsburg. Mayor Haulman welcomed participants to Williamsburg and provided some historical facts about Williamsburg relevant to the work of the EAC. Mayor Haulman thanked participants for the service they do for their communities and for the American people.

**Passing of the Gavels**

Commissioner Christy McCormick, Chairwoman, introduced newly elected Chairs of the Standards Board and the Board of Advisors, J. Bradley King and Linda Lamone, respectively. Commissioner McCormick and Commissioner Thomas Hicks, Vice-Chair, passed the gavels to Chairman King and Chairwoman Lamone.

**Call to Order**

Chairman King called the Standards Board meeting to order and Chairwoman Lamone called the Board of Advisors meeting to order at 8:33 a.m. EDT.

**Roll Call**

Commissioner McCormick called roll for the Standards Board and found present: Julie Allen, Maryellen Allen, Ramon Allende-Santos, Sharon Anderson, Marci Andino, Lynn Bailey, Shirley Black-Oliver, Rachel Bledi, Casey Bradley, Katie Brown, Bryan Caskey, Nikki Charlson, Edgardo Cortes, Dana DeBeauvoir, Robert Dezmelyk, Michael Dickerson, L. Neal Erickson, Caroline Fawkes, Gail Fenumiai, Julie Flynn, Kari Fresquez, Amanda Frusha, Robert Giles, Becky

Glazier, Joseph Gloria, Mark Goins, Jackie Gonzales, Lance Gough, Steve Harsman, Stuart Holmes, Tim Hurst, Keith Ingram, Joseph Iseke, Brandon Johnson, Katherine Jones, Brian Kemp, Lisa Kimmet, Douglas Kellner, J. Bradley King, Dave Kunko, Pauline Lee, Paul Lux, Ryan Macias, Shirley Magarifuji, Elaine Manlove, Maria Matthews, John McGarry, John Merrill, Charlotte Mills, Carol Morris, Baretta Mosley, Peggy Nighswonger, Carol Olson, Maria Pangelinan, Chad Pekron, Gary Poser, Peggy Reeves, Greg Riddlemoser, Rob Rock, Jan Roncelli, Ramon Allende Santos, Rudy Santos, Jerry Schwarting, Dwight Shellman, David Shively, Howard Sholl, Jim Silrum, Eric Spencer, A.J. Starling, Anthony Stevens, Kim Strach, Kris Swanson, Michelle Tassinari, Aulii Tenn, Mark Thomas, Layna Valentine-Brown, Reynaldo Valenzuela, Jr., Water Valez-Martinez, Grant Veeder, Linda Von Nessi, Patty Weeks, Justus Wendland, Sandra Wesolowski, Genevieve Whitaker, James Williams, Sally Williams, and Patricia Wolfe.

Chairman King reported that 87 members of the Standards Board were present and he declared a quorum present.

Commissioner Hicks called roll for the Board of Advisors and found present: David Blount, Matt Boehmer, Jon Cox, Jim Dickson, Marc Guthrie, Kathyrene Harper, Chris Herren, Doug Jones, Linda Lamone, Denise Merrill, Gregory Moore, Wendy Noren, Richard Pilger, Helen Purcell, Shane Schoeller, Barbara Simons, Christopher Thomas, Patricia Timmons-Goodson, Linda Von Nessi, Michael Winn, and Michael Yaki.

Commissioner Hicks reported that 21 members of the Board of Advisors were present and he affirmed a quorum present.

### **Welcoming Remarks from the Commissioners**

Commissioner McCormick welcomed participants to Williamsburg and expressed her pleasure that the EAC is back in business with a quorum of Commissioners. She reported the Commissioners took office in January and have since accomplished several things including taking action to ensure the Boards do not terminate again if there is not a quorum of Commissioners, and activating the Standards Board and Board of Advisors.

Commissioner Hicks thanked everyone for their appointments to the Board of Advisors and Standards Board, and said he is looking forward to working with them to improve elections in the United States. He thanked the EAC staff for their hard work in putting this meeting together. Commissioner Hicks emphasized that the Commissioners have acted to ensure that there will never be a hiatus of the Boards again.

Commissioner Matthew Masterson echoed the other Commissioners thanks to all the participants for making the effort and taking the time to attend this meeting. He also emphasized that the Boards will now continue to function regardless of the status of the EAC and the Commissioners; the Boards are a function of HAVA, not of the EAC. Commissioner Masterson reported that the EAC has

recently accomplished the following: adopted and passed an update to the Voluntary Voting Systems Guidelines, VVSG 1.1; updated the program and policy manuals to allow for more innovation in the testing process and voting system process, and for greater efficiencies within the testing and certification processes; got the two Boards together quickly at this meeting to hear and address the Boards' concerns and priorities for the EAC; and, adopted and got money out to the states in the form of advisory opinions and approval of funding opinions.

## **Standards Board Business**

### **Approval of Minutes**

Gary Poser (MN) made a motion to approve the minutes from the February 24-25, 2011, Standards Board as submitted. Howard Sholl (DE) seconded the motion. The motion carried unanimously.

### **Committee Designations**

Chairman King designated Dana DeBeauvoir, Robert Giles, Neal Kelley and Michelle Tassinari as the members of the Election Certification Committee and the Proxy Committee. There was no discussion or objection.

### **Approval of Agenda**

Chairman King called for a motion to approve the agenda as submitted. Grant Veeder (IA) made the motion and Barbara Bartoletti (NY) seconded the motion. An addition to the agenda, that a presentation by Doug Lewis and Chris Thomas concerning the Election Assistance Commission's Transition Plan, be added to the agenda, was proposed. Sally Williams (MI) moved to amend the agenda and Steve Harsman (OH) seconded the motion. The motion to amend carried unanimously. The motion to approve the agenda as amended carried unanimously.

### **Nomination and Election Process**

The Nomination Committee introduced themselves as Bob Giles, Director of the New Jersey Division of Elections; Michelle Tarrinari, State Election Director and Legal Counsel for Massachusetts; and, Dana DeBeauvoir, Travis County Clerk from Austin, Texas. Nomination Committee member Neal Kelley was not present.

Mr. Giles explained the procedures for electing the Executive Board. Nominations had to be received by April 20, 2015. No nominations from the floor will be accepted and no proxy voting is allowed. Voting will take place today from 10:45 a.m. until 4:00 p.m.

Neal Kelley joined the meeting at 9:06 a.m.

Mr. Giles invited Steve Pearson of ES&S to explain the voting process. Mr. Pearson explained participants' voting options.

## **Board of Advisors Business**

### **Adoption of By-Laws**

Chairwoman Lamone called for a motion to approve the By-Laws that the Board of Advisors approved on June 18, 2008. Michael Winn made the motion and it was seconded by Christopher Thomas. The motion carried unanimously.

### **Approval of Minutes**

Chairwoman Lamone called for a motion to approve the Minutes of the June 6-7, 2011, Board of Advisors meeting. Helen Purcell (AZ) made the motion and Donald Jones seconded the motion. The motion carried unanimously.

### **Nomination Process**

Chairwoman Lamone explained the nomination process for the officers of the Board of Advisors and reported that the Nominating Committee received three nominations. She asked for a voice vote approving those three nominees, Linda Lamone as Chair, Neal Kelley as Vice-Chair, and Sarah Johnson as Secretary. The nominees were approved unanimously.

### **Committee Designations**

Chairwoman Lamone announced the members of the Proxy Committee as Wendy Noren, David Blount, and Jan Kralovec. There was no objection to the appointments.

### **Approval of Agenda**

Chairwoman Lamone called for a motion to approve the agenda as presented. Linda Von Nessi made the motion and Jim Dickson seconded the motion. The motion carried unanimously.

Chairwoman Lamone made a motion to amend the agenda to include a report from Doug Lewis and Chris Thomas at the end of the day. Jim Dickson seconded the motion and it carried unanimously.

## **Presentation of FACA Responsibilities and Role of Boards under HAVA**

Matthew Masterson, Commissioner, EAC, began a presentation on FACA responsibilities and the role of the Boards under HAVA.

**The Boards took a short break from approximately 9:20 a.m. until 9:33 a.m. due to an equipment malfunction**

## **Presentation of FACA Responsibilities and Role of Boards under HAVA, continued**

Commissioner Masterson introduced the election officers who will run the Standards Board election. They are: Win Sowder, Director of Elections, Williamsburg; Walt Latham, Registrar and Election Director, York County; Tammi Pinkney, Registrar, Poquoson; and, Cameron Quinn, Registrar and Election Director, Fairfax County.

Commissioner Masterson explained that FACA, the Federal Advisory Committee Act, is the overarching federal statute that lays out the rules for advisory committees like the Standards Board and the Board of Advisors. FACA was enacted in 1972 as a way to manage and provide guidance for advisory committees, and many government agencies have advisory committees that they formed on their own. He added that it is somewhat atypical for a statute to create an advisory committee like HAVA did with the Standards Board and the Board of Advisors. FACA applies to all executive branch departments, agencies, and offices based throughout the federal government.

Commissioner Masterson went into some detail concerning Board membership, ethics, and conduct. He particularly stressed that participants cannot lobby in their official capacity as a Board member. Commissioner Masterson also addressed general committee management and guidance, advisory committee member selections, and the role of designated federal officers (DFOs),

## **Overview of Agency Operations Presentation**

Alice Miller, Chief Operating Officer and Acting Executive Director, EAC, provided an overview of what EAC has been doing since the Boards were shut down in 2011. Some activities EAC engaged in are listed here, but this is not a complete list. The Testing and Certification Division certified 16 systems; conducted two laboratory audits of approved or recommended voting system test laboratories; held a teleconference meeting and two in-person meetings with the future voting system working group; conducted a laboratory renewal of an audit of an approved VSTL in 2012 and another in 2013; and, completed manuals, among other things. Concerning financial interests, Ms. Miller went over money distributed by the Grants Division; audits that were conducted; the closing of the College Poll Worker grants; processing amendments to state plans; annual financial statement audits; responding to the Congressional Budget Office on Bill eliminations; preparing annual operating plans; undergoing a procurement audit; doing a Financial Information Management Security Act (FIMSA) audit; and, physically moving the office from downtown D.C. to Silver Spring, MD. Ms. Miller then moved on to the research, policies and program area which administers the EAVS report, the Election Administration and Voting Survey report to Congress and the general public. She went over some information from the 2010 and 2012 EAVS reports for the benefit of the audience. Many guides were developed

including the 2012 Guide Voting Tips to Enhance Your Voting Experience, a nine part webinar series on best practices in election administration was conducted in 2013, and quick tips were developed and posted to the website.

Ms. Miller directed the group's attention to a form for listing individual state conferences if participants are interested in having information from EAC for their conferences.

Ms. Miller discussed resources for election officials, voters, academicians and stakeholders at [www.eac.gov](http://www.eac.gov). She also mentioned that there is an events finder on the website, that EAC maintains a twitter account, and that EAC maintains an emails list of election officials used for informing thousands of people about program activities. EAC conducted several roundtables in 2012, 2013 and 2014.

**The Boards recessed at 10:19 a.m. and reconvened at 11:00 a.m.**

### **Grants Briefing Presentation**

Monica Evans, Grants Director, EAC, provided an overview of the funding picture at EAC. She addressed three funding streams where states received funding for various programs; six competitive grant programs; and, OIG grant recipient audits. EAC currently has six open OIG audits, U.S. Virgin Islands, Idaho, Maine, Oklahoma, District of Columbia and Delaware. Ms. Evans described some current audit findings that recur quite frequently. These include maintenance of expenditure, employee salaries, time records, property inventory, HAVA Election Fund deposits, timely transfer of funds to local governments and municipalities, lack of supporting documentation for expenditures, improper financial reporting, procurement problems, using HAVA funds improperly for voter registration, marketing and promotional expenses, and failure to have capital expenditures approved ahead of time.

Ms. Evans said the next steps for a 2015 grant competition involve determining the goals for the competition and the scope of fundable activities that will be supported by the grants. She said they want to hear from jurisdictions regarding the best way to use grant funds before they issue the Notice of Funding Availability (NOFA). She reported that past NOFAs are on the EAC website.

Ms. Evans reported that the Grants Office is working on the 2014 grand expenditure report and they are working on cleaning up a backlog of audits. The office also continues to develop webinars.

### **EAC Transition Plan Presentation**

The EAC Commissioners asked two experienced and nationally recognized election administration experts to serve as a Transition Team whose purpose was to advise them on immediate and intermediate courses of action that will give the Commissioners policy guidance in structuring the EAC to be useful to election administration and to the voters in America. The Transition Team

consisted of Christopher Thomas and Doug Lewis. Mr. Thomas and Mr. Lewis addressed the group, reporting on their findings.

Mr. Lewis talked about having a functioning and useful research division that creates reports that are succinct enough and clear enough that they are quickly and easily accessible to election officials, about improving the EAC's clearinghouse function; about accessible voting being a core mission of the EAC; and, he mentioned standards and development.

Mr. Thomas added information about the importance of expanding and improving the clearinghouse function at EAC.

Mr. Lewis discussed, in some detail, voting systems development and voting systems qualification. He addressed his concern about the need to look at systems that are not necessarily hardware based, but that are software based. He said the EAC has responded appropriately, looking at things a little differently to serve the customer base.

Mr. Thomas addressed his belief in the need for independence of the Boards and also for the Boards acting as ambassadors for the EAC with the states and local jurisdictions.

Mr. Lewis advocated participants being in communication with their legislative delegation to Congress to let them know they feel the EAC can and does deliver services that are useful to elections. He is concerned about future funding and appropriations.

In his conclusion, Mr. Thomas encouraged participants to discuss what the respective Boards believe the mission of the EAC should be.

Mr. Lewis addressed accessibility, saying he believes it should be a core mission of the EAC. He said the Help America Vote Act (HAVA) was the first Act truly addressing the promise of independent and private voting for those with accessibility needs.

Greg Riddlemoser (VA) asked the Transition Team about the fact that there is a vacancy on the EAC. He particularly was interested if the Team had information on why the Houses of Congress didn't nominate a fourth person to fill the vacant Commissioner position. Mr. Lewis responded at some length, concluding that the reason boiled down to raw politics.

Brian Kemp (GA) said the Transition Team used the word "expanding" during their presentation and he wanted to know what they were referring to. Mr. Thomas responded that he was particularly looking at expanding the breadth of the clearinghouse. Mr. Lewis added that conducting studies that are truly useful, such as studies about how to make voting systems better, would also be beneficial. Robert Dezmelyk (NH) cautioned on being side-tracked into trying to solve problems that can't be solved.

John Merrill (AL) advocated for the EAC to not only act as a repository of information, but to rate that information like Consumer Reports does. Mr. Lewis explained that he does not believe that can be done because states' laws and needs are different and systems are different. He said that what might be good in one jurisdiction would not be good in another. Mr. Thomas added that there is some technology, such as poll books, for which reports might be beneficial.

Denise Merrill (CT) supported the idea of a technological clearinghouse.

Joseph Gloria (NV) advocated being able to have access to data embedded in voting machine logs.

**The Boards recessed for lunch at 12:05 p.m. and reconvened at 1:37 p.m.**

### **Briefing on Testing and Certification/VVSG 1.1**

Jessica Myers, EAC; Brian Hancock, Testing and Certification Director, EAC; Robert Giles, NASED; and, Mary Brady, NIST, briefed the group on VVSG 1.1

Ms. Myers provided background on VVSG, from the 2002 Voting System Standards (VSS), going through several iterations, to the present VVSG 1.1. Ms. Myers described the processes involved in updating and improving the VVSG including testing, practical experience, RFIs, working with other groups such as NIST, and public comment periods. She reported that VVSG 1.1 was presented to the Commissioners on March 31, 2015, at a Public Meeting, along with a proposed Implementation Plan. The Commissioners approved the plan and now manufacturers can request to be tested to 1.1. A timeline still has to be identified for transitioning fully from the 2005 VVSG to VVSG 1.1.

Mr. Hancock discussed the future; what is after VVSG 1.1? He described a June 2014 roundtable that included PCEA, NIST, NASED, a voting system test lab, and state and local election officials. They talked about goals for a future VVSG document; not what the standards would be, but what the overarching goals should be. The group is still active, having met twice in-person. The working group developed 11 points as future goals and is now working on a white paper that fleshes out these 11 points. Mr. Hancock went over some of the 11 points including, but not limited to: that the purpose of the VVSG be clearly defined and confirmed at the beginning of the document; that the VVSG should accurately reflect the bottom-up reality of election administration; that the VVSG should accommodate the inner operability of election systems; and, that the VVSG should not impose unanticipated costs onto organizations. Mr. Hancock reported that the 11 points will be forwarded to the TGDC.

Mr. Hancock then provided a brief update on the new Testing and Certification Program Manual and Laboratory Accreditation Program Manual. The Manuals were being worked on since about 2009 and were presented to the Commissioners on March 31, 2015, and the Commissioners voted to adopt them. He provided some highlights of the Manuals including, but not limited to: a Test Readiness Review that is a mechanism to ensure that test and evaluation

resources aren't committed to a voting system not ready for testing; a summary of COTS components; acceptance of prior testing; the Deficiency Criteria Item that will be crucial to move systems through faster; and, requiring that any Technical Bulletin or Product Advisories issued on EAC certified voting systems, be submitted to EAC at the same time they are submitted to the voting system manufacturers customers.

Mr. Giles reported on the work of the NASED Voting System Certification Subcommittee. He provided a history of the committee, talking about why NASED felt it was important to take a larger role in the voting system certification arena. The Committee focused on two areas. The first was how to move forward with the development of standards and certification of voting systems if the EAC gets shut down, the EAC continues with no Commissioners, and the EAC continues with a quorum of Commissioners. The Committee had three contingency plans and when the Commissioners were confirmed, the Committee sent them a letter with three short-term recommendations it felt were important for EAC to address quickly. These including adopting within the first six months the VVSG 1.1, the Voting System Testing Certification Program Manual version 2.0, and the Voting System Test Laboratory Program Manual version 2.0. All were accomplished within three months. The second area the Committee focused on was the future of the Voluntary Voting System Guidelines. Their original goal was to reduce the size of the VVSG. Mr. Giles described in detail the work that went into analyzing the VVSG. He reported that in the end, the NASED Sub-Committee is endorsing a VVSG that has three components including: plain language principles that everyone can understand; based on those plain language principles, a set of standards would be developed; and, based on those principles and standards, a set of test assertions could be developed. He acknowledged that the committee may have enlarged the VVSG, but asserts it will be a more user-friendly version.

Ms. Brady provided some explanation about how NIST and TGDC interacted to produce VVSGs. She said that while the process was a bit difficult, it did work to some degree. She talked in detail about testing laboratories, certifications, and cost of certification. Ms. Brady described how the principles, standards, and test assertions discussed by Mr. Giles will be used in testing.

Ms. Brady reported on a project the NIST and the Center for Civic Design worked on looking at the entire voter process from the usability and accessibility perspective. She also discussed the Elections Results Reporting standard.

Chairman King invited questions for the panelists.

Jim Williams, Elections Director, Oregon, commented that the certification process, as it exists now, really does not take into account a vote-by-mail state. He encouraged consideration of that voting system in developing future certification processes.

Barbara Simons (CA) questioned that only one percent of source code was being reviewed. Mr. Hancock clarified that one percent is reviewed in the test

readiness review and that the remainder of the code will be looked at during the testing process. Ms. Simons suggested the EAC facilitate having small jurisdictions work together to get better prices for equipment. She also suggested having an ongoing discussion about possibly endorsing the President's Commission's recommendations.

Jim Dickson asked if there was a timetable for when NIST will be convening the TGDC and for the next iteration of the VVSG. Ms. Brady responded that work has already begun.

Douglas Kellner (NY) asked about the procedures for determining what should be the overriding principles that lead to the development of standards. Particularly, he noted there was nothing relating to accurately counting ballots or to auditability of the system when the principles with respect to voter protection were presented. Ms. Brady responded that what she presented was just from the usability and accessibility perspective and some of those principles will be covered as they go through the entire VVSG. Mr. Giles added that what NASED has been working on is more conceptual in nature. Mr. Hancock added that Mr. Kellner's point should absolutely be a high-level requirement of any VVSG document and, in this presentation, he was talking more about how to go about developing that document.

Robert Dezmelyk (NH) suggested developing principles from the top down rather than by extracting them from the existing document. In other words, base them on the Statute, on capturing voter intent, and so on. Mr. Giles agreed they need principles that are developed by election officials and advocates and voters.

Sally Williams (MI) asked for more detail on how the panel sees VVSG 1.1 moving forward. She asked if test labs are ready. Mr. Hancock said they are getting a lot of inquiries from manufacturers, but none have yet applied for 1.1. Ms. Myers added that a number of manufacturers have asked to be tested to 1.1 when they requested modifications and tested to 2005. Ms. Williams also asked if this will be a major change for digital optical scan. Mr. Hancock said he believes it is going to depend on the manufacturer. He believes some have been looking at 1.1 for a while.

## **Report on Decertification of the WinVote Voting Machines**

Edgardo Cortes, Commissioner of Elections in Virginia, reported on the recent decertification of a voting system in Virginia. He shared information he felt important for everyone. The first item he shared was to encourage people, as they go through thinking about kinds of certification programs and processes, to also think about decertification processes – what to do if a jurisdiction finds something in a system that makes it unsuitable for use. The second issue he addressed was using his State's IT agency to conduct penetration testing and vulnerability testing on the WINVote system. He said this was the first time they had leveraged another State resource and he is now looking at how to incorporate the IT agency in moving forward.

He thanked the EAC for all its help during the process.

## **Research Programs Briefing**

Karen Lynn-Dyson, Research Policy Programs Director, EAC, provided information on research studies from 2004 to 2011 and noted they are on the EAC website. She reported that the work being done presently focuses on the EAVS, the Election Administration and Voting Survey. EAVS is the only census of election data gathered from all 55 states and territories. She reported that EAVS will not be tampered with at this time and has remained quite consistent since 2008. In this last go around, 2014, some local election official survey questions were added. They are also moving toward a web-based survey rather than using spreadsheets.

Ms. Lynn-Dyson directed the groups' attention to the statutory overview, saying there is a lot of good information about changes to statutes and regulations that have occurred in the two-year cycle. She is looking to find a way to better categorize and create a cross tab of indexing of the information.

Ms. Lynn-Dyson reported that they are collapsing three reports, the NVRA report which is due to Congress by every June 30<sup>th</sup>, the UOCAVA report in the fall, and then the overall Election Day Survey report, into one report. The single report will be delivered to Congress by June 30<sup>th</sup>.

Concerning the EAVS, Ms. Lynn-Dyson reported she is trying to find better ways to show everyone why all this data helps, why it matters, and how it can be used. She is talking about doing an Election Data Summit to help with this project.

Ms. Lynn-Dyson asked if there were questions so far before she move into talking about programs.

Reynaldo Valenzuela, Jr. (AZ) supported the face that there will be few changes to EAVS in 2016. He also addressed how it was easier to complete the survey now that their IT people created a program to assist with compiling the data. He added that he would like to be kept informed as a stakeholder when changes are being considered so he can make changes in the state's program. Mr. Valenzuela and Ms. Lynn-Dyson discussed the relevancy of some of the questions.

Maria Matthews (FL) supported the conversion to a web-based survey. She also echoed Mr. Valenzuela's comment about having advance notice about what questions will be asked and if any are going to change.

Paul Lux (FL) said he likes the web-based concept, but wonders how it will work with the compartmentalized nature of his state. He also wondered if some of the questions on the survey could not be asked in a much simpler way.

Ms. Lynn-Dyson noted the nine webinars that were done starting about a year and a half ago, resulting in 11 Quick Starts and two Voter Guides. She

addressed creating a Quick Start Ambassador program where participants would be willing to promote EAC's materials at their state association meetings and state conventions.

Sally Williams (MI) asked if the Data Summit is going to focus on EAVS data and how to use the EAVS data. Ms. Lynn-Dyson replied that the concept is to have a group of academics and practitioners work together and hopefully have election officials enhance their performance in very specific ways.

Gregory Moore (MD) questioned the funding situation in light of all the research Ms. Lynn-Dyson described. He said the next challenge, now that the EAC is back functioning, is to make Congress understand the importance of supporting this research. Commissioner McCormick said that EAC has no control over funding. Ms. Lynn-Dyson said that realistically, she is in a triage situation. Jim Dickson raised the issue of budget preparation and Commissioner McCormick responded that a budget has already been submitted to Congress and they are in conversations with folks on the Hill.

**The Boards recessed at 3:53 p.m. and reconvened at 4:16 p.m.**

### **Status Report on State Testing and Certification Consortium**

Merle King, The Center for Election Systems, Kennesaw State University, and Brian Hancock, Testing and Certification Director, EAC, addressed the meeting.

The State Conference on Voting System Testing and Certification has been going on since 2011, and has grown each year. Attributes of the Conference include: it is national in scope; it is a state-centric conference in that it covers issues that states deal with in testing and certification, which overlap many issues of federal certification, but then folds in unique attributes and challenges of testing at the state level; it recognizes that for the most part states have moved beyond just testing voting systems and are testing election systems; mentoring is a big part of the Conference; the Conference helps re-boot the relationship between election officials and the academic community; there is no Conference related cost to attend; everyone who attends must contribute; and, all research and presentations are published by the Indiana VSTOP on their website.

Mr. Hancock talked about the origins and history of the Conference, including the growth each year. The Conference is going to be in Seattle, Washington, this year on May 19<sup>th</sup> and 20<sup>th</sup>. Mr. King discussed relationships that have developed out of the Conference and how they can help election officials through state-to-state relationships and through relationships between state election officials and federal participants such as EAC and NIST. VSTLs, and organizations that are preparing to become VSTLs also attend the Conference.

They discussed the impact they feel the Conference has had including fostering a network of individuals and state offices and federal offices that provide support and advice related to the certification of voting systems. It has also created a space for e-poll book certification discussions, for interaction between voting

system test laboratories and people actually doing testing and certification work at the jurisdictional level and with universities, and for discussion between VSTLs, jurisdictions and researchers.

Richard Pilger, Department of Justice, Criminal Division, asked if there is room at the Conference for law enforcement. He was interested in cyber threats, both domestic and foreign. Mr. King and Mr. Hancock welcomed his attendance at the Conference.

### **Accessibility Grant Briefing**

Monica Evans, Grants Director, EAC, discussed the Accessible Voting Technology Initiative Grant program. Congress provided funding in FY 2009 and FY 2010 to EAC to develop an accessible voting technology research program to continue to support accessible voting technology. Ms. Evans described how the \$8 million was used and she gave several examples of tangible results of the grants such as a free-standing magnifier for poll use and training videos. She said the final reports are on the EAC website. Jim Dickson added that several pieces of research have already saved money for local and state election officials and provided examples.

### **Voting Results Announcement**

Dana DeBeauvoir (TX) announced the members of the Executive Board governing the Standards Board as follows: Paul Lux, one term; Gary Poser, two terms; Sandra Wesolowski, one term; Reynaldo Valenzuela, Jr., one term; J. Bradley King, two terms; Mark Goins, three terms; Peggy Nighswonger, three terms; Edgardo Cortes, two terms; and, Jerry Schwarting, three terms. Terms were assigned through a drawing.

**The meeting recessed at 5:07 p.m.**

**Wednesday, April 29, 2015**

**Commissioner McCormick called the meeting to order at 8:30 a.m.**

### **Federal Voting Assistance Program Briefing**

Matt Boehmer, Director, FVAP, provided an update on the Federal Voting Assistance Program. The role and mission of FVAP is to make sure that service members, their families and citizens living overseas are aware of their right to vote and to have the tools and resources they need to do so. The law behind FVAP is the Uniform and Overseas Citizens Absentee Voting Act (UOCAVA). Mr. Boehmer discussed the unique challenges facing these voters and described some of the research efforts being undertaken. He described unique barriers to voting for people overseas and efforts to overcome those barriers. Mr. Boehmer emphasized the production of, and use of, new and different outreach materials.

Neal Kelley (CA) and Mr. Boehmer discussed ways to improve being able to contact military personnel who often move frequently and have changing email addresses.

Paul Lux (FL) suggested working with the Navy and Air Force so military personnel can keep the same email address. Mr. Boehmer said that is being worked on.

Kris Swanson (WA) raised the issue of whether DOD supports the transmission and return of ballots via email or fax. Mr. Boehmer responded that it is the position of FVAP and DOD that they are neither for nor against electronic transmission of a marked ballot. States run elections and are in charge of elections.

**The Standards Board and the Board of Advisors had separate breakout meetings beginning at 9:13 a.m. The joint meeting reconvened at 11:20 a.m.**

### **Open Mic Session with EAC Commissioners**

Maria Pangelinan (GU) asked if the Commonwealth of the Northern Mariana Islands will be able to participate in HAVA. Commissioner Hicks responded that until HAVA is amended to include the Mariana Islands, they are not able to participate and receive funding. Commissioner McCormick suggested that folks get in touch with members of the House Administration Committee and the Senate Rule Committee to support such a measure.

Sharon Anderson (MN) suggested scheduling an evening roundtable at future meetings for local representatives so they can meet each other and share information. Commissioner Masterson and Commissioner McCormick both thought that was a good idea and Commissioner McCormick said she would let the Standards Board Chair know about the suggestion.

Brian Kemp (GA) raised the issue of state specific instructions on the federal voter registration form. Commissioner McCormick and Commissioner Hicks said they would not publically address that issue because it's in current litigation. Both said they would talk privately.

David Blount (MS) asked if the Commissioners had any indication about the appointment of a fourth Commissioner. Commissioner Masterson said "no." Commissioner Masterson and Commissioner McCormick discussed the issue, including how the three current Commissioners are able to work in a very bi-partisan way almost all the time.

Commissioner Masterson asked how the Commission can reach local level election officials that don't have the opportunity to attend meetings such as this. Sharon Anderson (MN), Baretta Mosley (MS), Charlotte Mills (MT), Steven Reed (AL), Grant Veeder (IA), and Shane Schoeller (MO) provided suggestions and asked questions. That the Commissioners will come and speak at state meetings and association meetings was discussed at some length.

Jan Roncelli (MI) asked if anything is being done by the Commission to seek more HAVA funds for the 10 year turnover of equipment. Commissioner McCormick replied that there is no appetite on the federal level for more HAVA funds. Commissioner Masterson and Commissioner Hicks agreed. They discussed innovative ways to get funding, sharing best practices, and looking at cost saving measures.

Carol Olson (IA) asked if election systems include the voter registration systems are part of election systems. She raised the issue that voter registration systems are becoming legacy systems. Commission Masterson discussed the issue of maintaining and upgrading data bases.

Dwight Shellman (CO) asked if there is any thought among the Commissioners to re-visit, refine, clarify what a voting system is. Commissioner Masterson replied that that is a topic of constant conversation and he discussed is at some length.

**The group took a brief break and reconvened at 12:05 p.m.**

#### **Recommendation of the Standards Board By-Laws Committee**

Sandra Wesolowski reported that the By-Laws Committee approved the recommendation that the Standards Board adopt, or re-adopt, the By-Laws and that the Standards Board membership be solicited for any proposed amendments and that they be forwarded to the DFO no later than June 1, 2015. And further, the By-Laws Committee requests the DFO request the General Counsel, when hired, to review the By-Laws for consistency and compliance with federal laws and/or rules. Ms. Wesolowski so moved the recommendation and Lynn Bailey (GA) seconded. The motion carried unanimously.

#### **Report of the Standards Board Executive Director Search Committee**

The Committee worked on a timeline and procedures for its process.

#### **Report of the Standards Board VVSG Committee**

The Committee met with Paul Lux as Chair. Detailed recommendations will be received at the Executive Board meeting following this meeting.

#### **Adjournment**

With there being no further business to come before the Standards Board, Chairman King asked for a motion to adjourn the Standards Board meeting. Howard Sholl (DE) made a motion to adjourn and Tim Hurst (ID) seconded. The motion carried unanimously.

With there being no further business to come before the Board of Advisors, Chairwoman Lamone asked for a motion to adjourn the Board of Advisors

meeting. Helen Purcell (AZ) made a motion to adjourn and Barbara Bartoletti (NY) seconded. The motion carried unanimously.

**The joint meeting of the Standards Board and the Board of Advisors adjourned at 12:08 p.m.**

I, J. Bradley King, Chair of the U. S. Election Assistance Commission (EAC) Standards Board, do hereby certify that the foregoing constitutes a true and accurate copy of the unapproved minutes\* of the EAC Standards Board meeting duly called and held on the twenty-eighth through twenty-ninth day of April, 2015.

\*Final approval of the minutes will occur at the next meeting of the Standards Board.

J. Bradley King, Chair  
Standards Board  
U. S. Election Assistance Commission

\_\_\_\_\_  
Date

I, Linda Lamone, Chair of the U. S. Election Assistance Commission (EAC) Board of Advisors, do hereby certify that the foregoing constitutes a true and accurate copy of the unapproved minutes\* of the EAC Board of Advisors meeting duly called and held on the twenty-eighth through twenty-ninth day of April, 2015.

\*Final approval of the minutes will occur at the next meeting of the Board of Advisors.

Linda Lamone, Chair  
Board of Advisors  
U. S. Election Assistance Commission

\_\_\_\_\_  
Date