

**Transcript of the
United States Election Assistance Commission
Standards Board Meeting**

The Sheraton Carlsbad Hotel
5480 Grand Pacific Drive
Carlsbad, California 92008

Friday, April 15, 2016

VERBATIM TRANSCRIPT

The following is the verbatim transcript of the United States Election Assistance Commission (EAC) Standards Board meeting held on Friday, April 15, 2016. The meeting convened at 8:34 a.m. PTD and adjourned at 11:40 a.m. PTD.

CHAIR KING:

I want to begin on behalf of the Executive Board by thanking everyone for taking the time to indicate their areas of interest and service on committees and other bodies of the Standards Board. The response was remarkable and it put the Board in the unenviable position of having to make good choices based on factors such as state and local representation on committees, experienced veterans with newcomers and ideas, party affiliation, any number of other factors to try to come up with the most representative committees we could. And so, I regret that not everyone could receive some or all of the committee assignments they requested, but I want to encourage you to continue to remain involved in the areas of interest that prompted your responses to the survey.

The Executive Board met at 7:30 last night and, among other things, elected new officers for the coming year. I'm going to ask a couple of them to stand here in a moment. The Board elected as Chair Mark Goins of Tennessee.

[Applause]

CHAIR KING:

As Vice-Chair Edgardo Cortes of Virginia.

[Applause]

CHAIR KING:

And I myself will be serving as secretary.

[Applause]

CHAIR KING:

Now, we also took the opportunity to fill a vacancy amongst our offices. As you know, we do not currently have a vice-chair. Our terms expire on April 29th of each year, so this designation will be for a short-timer, but Mark has agreed and is now serving as the vice-chair of the Standards Board. So, thank you Mark for taking that on and he will have a role to play in the meeting later this morning.

The largest amount of the time that the Executive Board spent in its work was the designation of chairs and members of various committees. I'm going to introduce the chairs and ask them to identify their roster of members. So, we'll go through that and we will have material available later in more polished form to set forth the full composition of the committees. But, we will begin with the Nominating Committee and let me remind everyone today, as well, to please state your name for our transcriber.

Jerry?

MR. SCHWARTING:

Steve Harsman, Rob Rock, Lisa Kimmet and Lynn Bailey.

CHAIR KING:

Thank you, Jerry. I will serve as Chair of the Bylaws Committee. The members are Gary Poser, Howard Sholl, Grant Veeder, Maria Pangelinan, Mike Haas, Kris Swanson.

I will also serve as Chair of the Resolutions Committee. The members are Layna Valentine Brown, Justus Wendland, Douglas Kellner and Genevieve Whitaker.

And here's a committee we hope will have no activity to report, the Executive Director Search Committee. Having done it once, I would serve as Chair. The members are Steve Harsman, Edgardo Cortes, Carol Olson, Rob Rock, Maryellen Allen, Josie Bahnke and Jan Roncelli.

Then I turn to the largest single committee in terms of membership. Paul Lux will serve as Chair and I'll defer to him.

MR. LUX:

Good morning, so the members of the VVSG committee, we brought back all of the continuing members who wanted to, who apparently they enjoy punishment so they decided to come back. We have Robert Dezmelyk, Lance Gough, Katherine Jones, Angie Rogers, Marian Schneider, Reynaldo Valenzuela, Jim Silrum, Kari Fresquez, Keith Ingram, Sandra Pinsonault, Dwight Shellman, Linda Von Nessi and Tim Hurst.

CHAIR KING:

Thank you, Paul. The Proxy Committee will be chaired by Gary Poser.

MR. POSER:

And on our committee will be Patricia Wolfe, Maria Pangelinan, Justus Wendland and Marci Andino.

CHAIR KING:

Thank you. The Board also designates two representatives to serve on behalf of the Standards Board in participation on the TGDC. In that case the two current members were reappointed and those are Robert Giles and Greg Riddlemoser.

The EAVS Committee, the Chair is Edgardo Cortes.

Edgardo?

MR. CORTES:

Yes, and so, the members are Gary Poser, Lynn Bailey, Carol Thompson, Patricia Wolfe, Stuart Holmes, Nikki Charlson, Lisa Kimmet, Howard Sholl, Michelle Tasanari, Mark Thomas and Marci Andino.

CHAIR KING:

Thank you. The Clearinghouse Committee will be chaired by Genevieve Whitaker.

MS. WHITAKER:

The committee members are Brad King, Maria Matthews, Dave Kunko, Michael Haas, Veronica Degraffenreid, Joseph Gloria, Rudy Santos, Patty Weeks and Sally Williams.

CHAIR KING:

Our final committee is the USPS Committee, which will be chaired by Sally Williams.

MS. WILLIAMS:

Our members are Brad King, Barbara Goeckner, Justus Wendland, Edgardo Cortes, Derrin "Dag" Robinson, Carol Olson, Josie Bahnke, Jackie Gonzales, Charlotte Mills and David Shively.

CHAIR KING:

Thank you. I'd call your attention to the agenda in the binder showing the committee meeting breakouts at nine p.m. through ten -- or nine a.m. through ten a.m. The rooms are all within a reasonable distance of where we're sitting, some just across the hall. We do have one change and that's with regard to the VVSG. VVSG will be meeting in Carlsbad "B" and it is -- it has limited space. It will certainly have enough seating for all committee members if you attend, and you are all welcome to attend of any of the committee meetings. It may be standing room, so please take that into account and work with us on that.

The Bylaws Committee is seating the Carlsbad “B” room at the VVSG and will meet outside on the patio. It’s a little bit of recompense for work on bylaws.

[Laughter]

CHAIR KING:

And I’ll take a moment then to mention following on the agenda we have half an hour of what are called committee reports. What we envision coming from those are approximately five to ten-minute reports from the chairs, depending upon the complexity of the work of the committee. So, no term papers or anything like that, but a way for those who weren’t able to attend that committee’s meeting to understand more about its discussion and its work.

I have a couple of announcements, first regarding the sign-in sheets. I’ve been asked by the EAC staff to remind everyone, if you could please sign the sign-in sheets for today as well as yesterday. The EAC attempts to keep a complete log of who’s attended on each day of the meeting, so if you’ve not done that yet, at the break or at some other opportunity before we finish or after we finish on your way out, please remember to sign the particular sheet.

And then, also we have a project underway that Karen Lynn-Dyson talked with me about. It’s regard to one of those illusive creatures that you’re not always able to spot and even if you spot

them you can't always keep them. I refer, of course, to poll workers, and so, I'll ask Karen to please stand and speak a little bit about the project regarding poll workers that is coming to an end pretty quickly.

Karen?

MS. LYNN-DYSON:

I just wanted to make a general announcement. I think everyone in this room would have gotten an e-mail from me probably starting around five weeks ago and then a follow-up reminder e-mail. The project that Brad is referencing, we talked about at the beginning of the session, is our poll worker project. We will be unveiling that in a couple of weeks and along with the full webisode and the, new for 2016, election worker guidebook, we will have the compendium of poll worker requirements. This is a document that we originally created in 2007. We will have a new one to unveil the end of April, for 2016. One of our legal interns at EAC has been working with me on this project. To date she tells me we heard from about 35 states. If you can check with your folks back in your office, if you have not responded, if you've not responded to this query from me about updating your poll worker requirements document, let me know. Otherwise what will happen in the document is it will just say "Not Revised" and so the last information will be for 2007. It will be

on the website. It will be readily accessible for all folks out there who might have an interest in being a poll worker.

Again I'm klyndyson@eac.gov. So, let me know even if you need to say, "Karen, let me know if we responded to this inquiry." The vast majority of the states did have changes to their requirements from 2007. As I said to Brad, about five percent of you all did not have changes. I just wanted to make that announcement. Watch this space, it should be really exciting and fun when we reveal these new documents. Thank you, Brad.

CHAIR KING:

Thank you, Karen. At this point, we're prepared to begin our presentations today with information from the Federal Voting Assistance Program regarding military and overseas voters. And I'll ask Matt to come forward. It's my pleasure to welcome Matt Boehmer, the Director of FVAP.

MR. BOEHMER:

Good morning everybody, what a great week. I've had the opportunity this week to spend lots of time with election officials, and it just really reminds me of really why I love my job and being the Director of the Federal Voting Assistance Program, so thanks to the EAC and to the Standards Board for having me out today. It's been quite a learning week, and I'm so glad that it's really come to an end with this group of folks here. It's rare that we get a group

like this together. I mean, we've got, you know, a Secretary of State, we've got election directors, locals. And this group is an important group and I'm so glad that you guys found some time for me to spend a couple of minutes.

What I've been saying over the last couple of years has been about this whole idea about the voter experience, voter success and about all of us working together to do that. And my presentation today is going to be no different. I know some of you have seen a couple of the slides on here, but I wanted us, as a group, to talk about some of these things together and then share some new stuff with you, as well.

So, when we talk about this whole idea -- by the way this is not one of my strong suits here is -- so maybe the folks in the back can figure out why this isn't changing for me. This wouldn't happen with the other Matt, that's correct, right. He would know how to fix this.

[Laughter]

MR. BOEHMER:

I fixed that, thanks.

[Laughter]

MR. BOEHMER:

So, in that spirit of teamwork that we're talking about, you know I can never start a presentation without a little fun.

[Playback of video clip]

MR. BOEHMER:

So, as you can see, problems get solved when we all work together, and it's particularly important, and I think that you guys saw some of this, for those of you who were able to go to Camp Pendleton, really, because particularly where we're concerned with FVAP is making sure that our military members, their families and our citizens, who are living overseas, have every opportunity they can to partake in the voting process. And really, working together with all of you is really the main focus and really what I want to continue to do.

I think most of you guys have figured out that ever since I became the Director in 2013 I've really wanted to refocus this program, and certainly with your input and with your help I think that we've been able to do that. And again, when you try to refocus sometimes you just have to look and see what are the detractors and what are the things that you think you can do really well. So, as most of you are aware, our responsibility to conduct the electronic voting demonstration project was repealed by the 2015 National Defense Authorization Act and that really has enabled us to say hey, listen, what can we then focus on? And it doesn't mean that we have to stop being part of that conversation, it just means that the Department of Defense can stop being responsible for it.

So I wanted to make sure, particularly with this group, that you knew that although we no longer have the responsibility for this project, it doesn't mean that we're out of the conversation. So, thank you for continuing to allow us to be part of that.

So, what can we do, right? We can actually focus in on what I call our middle name, voting assistance, and that really is providing that assistance to our voters, to our voting assistance officers, and then, to you guys as election officials. What else can we do? We can shift from just presenting data and from what I call the tab volume data approach to actually analyzing data. How can we take data and tell a story, and really use it to help us solve some of these challenging problems? And I think what you guys would agree is the fact that we've made lots of progress over the last couple of years, particularly, obviously starting with the MOVE Act, and then, moving forward the uses of technology in order to get information out to our voters. But we know that our UOCAVA population continues to face challenges, and you guys see it with me every single day. And obviously, those challenges are the fact that our military members they move, right, deployed, permanent changes of station. And they do this at times that often voting isn't top of mind. I try to tell folks that hey, listen, FVAP has a campaign out there that we call "Voting is Easy." And it is and it should be. But the fact that our military members, their families and overseas

citizens have to navigate the 55 states and territories and the different rules often puts them at a disadvantage. And we've been giving them some information about this and in some ways making a little bit of fun of you guys along the way.

[Playback of video clip]

MR. BOEHMER:

So again, for our military members who live and work together, they often have to navigate, between each other, the differences between the state rules and regulations, in addition to the fact that they're disconnected from their voting communities, right? When we're back in our own states and localities, we're all talking about the same thing. There's signs. There's ads. So our military members, in particular, are often at a disadvantage. And this whole idea of communication, we just need to make sure that we're communicating our messages to our UOCAVA voters. And we know why this is incredibly important. It's because of the statistic that I've been showing you, that after the 2014 election, when we surveyed our active duty members, 67 percent of them said "I'm not confident that my ballot was counted," right? And we know that this is mainly a perception issue. If we look at election data there's absolutely no way that 67 percent of ballots were rejected, but this is the feeling that our military members have. And when we remember about, again, the primary audience in the military, half of

them under the age of 30, primarily male, we have to ask ourselves if the perception is that what I'm asked to do doesn't matter, or when you've got a large percent of them saying "I find this difficult and I don't understand the process," what's going to happen to that under age 30 group that are primarily male? They're just not going to do it, right? So, we're leaving with them those options.

So what we have to do is understand these challenges and then figure out ways to do it. And the three things that we're trying to do at FVAP are, reduce obstacles to the UOCAVA voting success, we're trying to increase awareness of the tools and resources that we have and that you have available to our UOCAVA voters, and then, we're trying to set up measures of effectiveness. How do we know that what we're doing is working? So, those are the challenges, right? And we're going to face these challenges and those three main things that I just mentioned in a very new and different way. We're going to take a look at data. We're going to end up doing this cooperatively, with you guys, right? It's not just going to be the Department of Defense coming out, but what we've really found that works is to include you guys in the process, let you know early, so that you guys can be part of the solution, as well. And you've seen this through our efforts with the Council of State Governments. And I think, primarily, what you'll end up seeing, too, is this really cool and neat relationship that we

have developed with the Election Assistance Commission. I mentioned here just our emphasis put on the United States Postal Service and the emphasis on the priority of mail delivery, but I think you're going to start seeing this in all aspects of the work that FVAP does, and it's one of these really cool and creative partnerships that I'm really excited about. And again, taking a look at new and different ways to reach what I'm particularly calling our younger first-time voter. I've got a theory that says, if we can take those 18 year olds that we've got so much of in the military, and we can make their first voting experience easy and have it count, the likelihood that they are going to continue to do that throughout their careers is going to increase. So, those are the things that we want to take a look at.

So, how do we take data and look at it differently? One of the things that we've done is we've created what we call personas, and I think a lot of you know these as use cases. And it's a very creative way to put data together, so that it's not just numbers, but it actually means something. And the word that we use most is called segmentation, right? You want to take a look at how people and how data are similar, and then, how they're different. And what we've been able to use – create, it's based on data that we found in our elections, from our surveys and from analytics that we have is what we call personas of our voters. And we've created six

personas, and I'm not going to run through all of them here with you, but I just wanted to give you an idea of how looking at data can actually help out.

So, we actually have George here. He's our overseas -- our older overseas citizen voter. And if you look at the challenges and his needs, they're going to be very different than the challenges and needs of Andrea, our younger overseas citizen's voter, who, one of her biggest challenges is going to be, she's unaware that she even has protections under UOCVA and that she can vote from overseas, right? We've got our younger active duty voter, who, if you can look here his likelihood to register is moderate, his ballot return likelihood is really low, right? Voting is not a priority for him. He has little motivation to seek out information independently. And so, look at his needs here, right? He needs step-by-step information about the process. He needs active engagement from our voting assistance officers and commander support, right? And we need to figure out for him some electronic registration options. So, you've got, you know, senior active duty. We've got a military officer, as well. We even do our military spouses. So just a new and different way to take a look at numbers, how can you group them differently so that we can actually create programs and outreach efforts that's individually tailored to these particular audiences?

Another way to take a look at data is to say hey, listen, we've got to stop just producing tab volumes, right? Means are incredibly important, knowing some numbers and statistics are really important, but analysis is super important, right? And so, those are the types of things that you're going to see from FVAP. And I just put up here on the screen a couple of them for you, you know, our research that shows that marital status contributes to voting behavior, particularly for those overseas. So taking -- you know, setting aside the idea that, you know, married people are going to be older than single folks, what we were able to determine through the use of the analysis is the fact that marital status matters, right? And you can kind of figure out some of what I call the "no duh" aspect of it. You've actually got another person in your household who's actually interested, right? You could have the nag effect, right, or what we'd like to call just gentle reminders, right? So you've got this important indicator. So what does that tell you? That tells you that spouses matter, and maybe some of our direct efforts at outreach and education should be aimed at our spouses. We might not have been able to find that out in the way that we have if we weren't able to do this analysis.

The other one that we just put out on our website, and you might have seen it, because I'm sure you're out there perusing all the time FVAP research on FVAP.gov is the fact that the redesign

of our website mattered, right? And it's not just the fact that hey, listen, we made it prettier, and that we know that people are using it. The research tells us because we didn't have a redesign in 2008 and we had it before 2012, we were able to do the analysis that said the redesign that we did made a difference; it impacted the way that people -- people's voting behavior. So, that's a really important thing, and it's something that I'm hoping that you guys can take a look at, too, to see how maybe analysis and looking at data for you guys can help, as well.

So, we talk -- excuse me -- I talk consistently about this whole idea about working together, which is so important, particularly working together with you guys. I mentioned our renewed partnership with the EAC and working really closely with them. As a matter of fact, we've been at conferences together, working on presentations together. We've been doing all sorts of different things. But one of the things that you'll see is just participation by all our partners. I'm really proud of the collaboration work that we're doing. The United States Postal Service is really saying hey, listen, let's partner with you too. We've got our other federal partner, NIST, right, helping us with some of the technology work that we're doing, data standardization. And then, I'm going to talk a lot about our partnership with the Council of State Governments. So, those are a whole bunch of people that

are working together, not only for FVAP, but they're working together for you guys, as well. We've got incredible partnerships with NASS and NASED, with the Bipartisan Policy Center. So, again, it's really embracing this idea that we can solve challenges better when we work together. And that's going to be something that you see.

As we start talking about some of this idea of working together, one of the things that I'm incredibly proud about is this cooperative agreement that we have with the Council of State Governments that has allowed many of you in this room, and thank you so much for all of your hard work, to help us out, right, and again, a partnership between the Council of State Governments and the Department of Defense, but also, very actively involving the EAC throughout all of our working groups. I know that you guys have seen these recommendations, and what I'm really hoping is the fact that people are talking about these, that we're talking about hey, listen, if you have online voter registration, please make sure that we can identify our military and overseas citizens in your online voter registration systems. Use plain language. Make effective uses of your website so that we're all talking about this. As I'm able to go out and talk to local election officials in particular, I realize all the challenges there are with the federal postcard application, you know, how everyone is interpreting things differently, you've got

state law, we've got federal law. So, making the federal postcard application and making that as a permanent registration, having that default validity period for one general election cycle will really help out. And these are recommendations and best practices that you guys, as election officials, came up with, right? Certainly, it could have been incredibly different if this was just something that we did off and just kind of came out to you guys, but these are your colleagues and these are your fellow election administrators saying, these are the things that we think could help, not only our military and overseas voters, but all of our voters.

And then, we've got the technology working group. And, again, these guys are working on some really, really cool things and I've learned a lot from this group. Technology has never been one of my strong suits, as you can tell. I couldn't even get the slideshow to work. But they're doing some really great things, particularly in the areas of ballot duplication. New Jersey is leading that effort for us. Data standardization, right, having things mean the same for all of us so that we can have better data, to make better decisions, for better elections, right? And then, the use of the common access card, I mean, this little card here, there's so much power in it, we just haven't been able to tap into it from the elections community. So, we've got a whole subgroup saying hey, listen, what could we do with this card, right? Two forms of

security, you've got -- I've got something I have, and then something I know, chip and pin, right? How could that help our military members with the registration process? How could this technology help get information to our military voters, right? And then, we've got a ballot tracking project that's going on with -- in conjunction with the military postal service, with the United States Postal Service. And some of you have volunteered to be jurisdictions that are going to help us out. Neal is involved in the very early pilot here, in terms of trying to figure out how we move forward with this, and we're already seeing some really, really interesting things. And again, our hope is with all of this work is to be able to present it to you guys so that we can all start talking about these things and having conversations about it.

And then our third working group, the EAVS Section B working group, which we had just this week, what a great day. I mean, it was so powerful to see election officials. Again, you guys are so good at just rolling up your sleeves and just getting into it. I mean, they were going over question by question of Section B, painfully, yet never complaining about it. Yet, the ideas that they generated in their small groups, and then, as we came together as a larger group, it really was eye opening for myself and the EAC to say, "Wow, this work is powerful. This idea of election officials working together to improve products is something that's really

powerful.” So, we simply talk about clarifying questions and language for the 2016, right? How do we look at this survey in the future, understanding that role. So, you’ve got another project and another working group, the data standardization, how does that play into what we want this to end up being for our EAVS survey? And then, looking into the future, how can transactional election data really help with our voter success metrics, right? Voter experience, voter success, how does all of this play? And, you guys are just doing a phenomenal job in this.

So, what are the things that we’re doing? What are the things that are going on at FVAP that are helping us BeReady16? We’re doing a lot of outreach and I’m not going to go through all of this, but for the very first time we’re going to have a microsite, right? Big brands who are trying to attract a younger audience, have these microsites, right. And they’re very non-data intensive, very activity focused that drives a user to a place where they feel comfortable, so that they then go to your main website, FVAP.gov, to actually get the information that they need. So, microsite, a very, fun interactive way to get engagement, and then, you pass them off to your information website to actually get that information that they need.

We’re going to be doing for the very first time, I’m going to talk about, real quick, this direct mail. Direct mail, we call it junk,

that's in your mailbox. But guess what? We know it works, right? Marketing companies wouldn't spend millions of dollars on direct mail if it didn't work. We've never tried this with our military members before and we've never tried it with our spouses before. This year, for the very first time, we're going to be spending -- sending out a direct mail piece to all 1.2 million members of the active duty armed forces to say hey, listen, make sure you've had the opportunity to register, act early, and make sure your vote counts, right? Our new thing this year is "Americans Can Vote - Wherever They Are." You'll remember our old tag, which was "Send your vote home." And we got some great feedback not only from our voters, but from election officials that the word "home" meant different things to different people, right? So, we wanted to make sure that we took that feedback and said hey, listen, how can we keep that same message about "Send your vote home" but do it in a different way, and we came up with "Americans Can Vote - Wherever They Are." So, we're going to be trying that out and I'll be really excited to come back and share with you, how did that effort work, right? One of the things I'm willing to do, I'm willing to fail at things, right? If direct marketing doesn't work and we don't see a huge jump in our website, right, you can create a unique URL that you put on a direct mail piece and you can see how many people from that direct mail piece get information from your

website, I can come back to you guys and say hey, listen, this effort really worked, this effort kind of worked. Or guess what? We're never going to do that again. It was a great try, right? But, in recognition of our spouses, we're also doing that, as well. We've reached out to our family readiness centers and they've giving information out to spouses. We realized that there are large companies who have employees overseas. So, for our overseas citizens, let's reach out to those human resource organizations and make sure that they have federal postcard applications onsite, and that they have equivalent to voting assistance officers.

The other thing is just to really rely on our digital and our social media to be able to say to our younger first-time voters "Hey, listen, we've created material particularly for you," right? It's got to be something that they find interesting, maybe a little bit humorous, and it's got to be short, right? So, an example of that that's out there right now on social media is something like this. And guys this might need a little volume.

[Playback of video clip]

MR. BOEHMER:

Right? So, again that's a 22-second video explaining this crazy thing called the Federal Write-in Absentee Ballot, done with a little bit of humor, but at the end of the day gets that information across

that says, if your state ballot doesn't arrive, there's a backup for you, right?

So, what can you guys do as a group, particularly as a body that impacts the work of the Election Assistance Commission? I just have a couple of little things. Set the bar high for the EAC. You guys are an incredible influence over their work and they actually want you guys to set the bar high. So, let's challenge them and let's continue to do that.

And then, let's also challenge the status quo and embrace change, right? We know that there are a lot of things that are working well and we want to keep them, but on the things that aren't working well for our voters, let's ask to change it. And then, let's, again, work together to figure out what the challenges are and then how we can bring about that change.

And then, continue to push the EAC and FVAP to develop technologies and programs for our UOCAVA voters, right? We understand that this group of voters are unique, they've got special circumstances, but let's continue to push ourselves to make sure that we continue to give them the best that the election community has to offer, because what we really want to do is we really want to be able to service all of our voters. We certainly know that from FVAP's standpoint, we're really concerned about our military members, their families and overseas citizens, but the things that

we can impact can affect all of our voters. Can we concentrate, again, on this whole idea of the voter experience and voter success, right, or in some cases their non-success? But how can we really embrace that and make sure that becomes a priority?

And then, concentrate on what I have been talking about as the “wow” philosophy, right, taking that from the CEO Tony Hsieh at Zappos, which is, you deliver excellent customer service to everyone, every time, right? He calls that the “wow” philosophy. We should be able to do that with our voters, as well.

And so, what can we all do? We just be in the business of being awesome, right? Continue the work that we, as an election official body and group, and you guys, as election administrators, do every single day. I didn't have to fly -- I actually flew out to Connecticut and spent some time this week with the registrars and the town clerks, and it's just so gratifying to see local election administrators. They're so passionate about what they do. They love to jump down rabbit holes, get in the weeds, and they're so excited about their work. And they're particularly excited about helping out their military members, and I know that you guys do as well.

So, in the spirit of that and the spirit of leaving you guys to have a great rest of your day, I leave you with this.

[Playback of video clip]

MR. BOEHMER:

Thanks.

[Applause]

MR. BOEHMER:

It gives me lots of inspiration, because you see, just from the voice of a kid, you know, how can we be awesome? How can we continue to be “gooder”? And what will be our Space Jam? There are lots of opportunities for all of us to figure out what our Space Jam really is. And working with you guys, it’s so powerful for me, and I know I tell you guys this all the time, I am absolutely in awe of you. I am honored to have this job that I have because I get to work with you guys. And I honestly feel like we’re making a difference that we are ready for ‘16, that we’ve got a lot of work to do, but ultimately, at the end of the day, our military and overseas voters need us, they need our very best and, as you guys know and appreciate, they deserve our very best. So, I continue to challenge us to do that very best. Let’s us all work together. I know that you guys have lots of work to do today, but I hope I gave you guys some food for thought. I hope I’ve given us a chance to say hey, listen, FVAP is here. We’re doing some things. But, you’ll also notice, too, that one of the things that we’re really emphasizing, we’re almost trying to turn ourselves into a consultant agency, right, working with you guys. We’ve got some really great phone calls.

At the end, we don't always have to agree, right? But, it really is having that conversation, right, you guys understanding where we're coming from, what we think some interpretation of federal law is, you guys coming in and saying, "Nope, nope, this is how our state is interpreting it." But not having that conversation is just not what we want to have, right? We want to be able to have those really difficult conversations. So, we want to continue to discuss things with you. We want to continue to work out the challenges, continue to let myself and David Byrne (ph) and your state analysts know what are the issues that you and your election folks are seeing, so that we can make sure that we solve them early and often.

So, have a great rest of your day today. Thanks for your trip out to Camp Pendleton. I hope you guys enjoyed seeing those young men and women do what they do, because what they do, they do for us every single day. So, thank you guys very much, have a great day.

[Applause]

MR. BOEHMER:

So, Brad actually said that he's going to give me some time. If you guys have any questions for me, any thoughts, anything that you wanted to ask, I'm here for you.

CHAIR KING:

And just as a reminder for today, please state your name and representation when you begin to speak.

MR. SHELLMAN:

Hi, my name is Dwight Shellman from Colorado. The one statistic that you presented that always concerns me, and I've seen it before, is the 67 percent of overseas voters who, whatever the language is...

MR. BOEHMER:

Yeah, so it's 67 percent of active duty military tell us that they are not confident that their ballot was counted.

MR. SHELLMAN:

So, I'm wondering, is there anything that we can do, from the states, to work with you. We have that information? We can tell...

MR. BOEHMER:

Absolutely.

MR. SHELLMAN:

...all of those people, "Yes it did count" or hopefully, a very few of them "No it didn't." But is there anything we can do to provide that information to you so that percentage number goes down?

Because it's...

MR. BOEHMER:

Sure.

MR. SHELLMAN:

...really frustrating to see that.

MR. BOEHMER:

It is, and it's absolutely frustrating, particularly since we know it's a perception. But let me tell you why that perception exists. And it's not giving them more data or more statistics, right? That's, for us, as election officials, to kind of take a look at. What do our voters want? They want information and communication, right? So, how I've compared this, and most of you have heard this comparison before, but we need to treat our voters like online consumers, right? So, think about the Zappos. Think about Amazon.com. And I'll just – well, let's just do it, right? I fill out a federal postcard application. I send it in to my local election official. I never heard that that federal postcard application was accepted, right? How do I know that it was accepted? I get my ballot, right? I get my ballot, I fill it out, I sign it. I send that in. Let's just say I sent it in from Iraq or Afghanistan, right? I stick it into the military postal service agency, it goes to the United States Postal Service agency, it then makes its way over, it lands on your local election official's desk, they open it and they count it. I never hear that you got my ballot. So one of the things that we talk about, and it's in one of our CSG best practices, is this whole idea of notifying and creating communication loops with your voters. And a matter of fact, Colorado is doing some really great things with what I call closed

loop communication, right? Send in the federal postcard application to your local election official. Most of the time you have e-mail addresses for them, right, they're sending it in. So, listen, have your local election official e-mail that military member right back and say, "Listen, we got your federal postcard application," right? We know that you have to notify them when there's something wrong, but let's notify them when they've done something right, right? And you can also use that as a communication tool, "We've received your federal postcard application. And, oh by the way, you should be looking for your ballot" through this vehicle and give them a date, right, so that they have that expectation of when. When you get their ballot, "Hey there, I just wanted to let you know we received your ballot." That's how we can start making some of these perception changes. And those are the things that we have been touting to election officials to say hey, "Listen, I know this is more work for you, but for a lot of you who are already having some of these ballot delivery systems where you're getting e-mails from our voters could you take that opportunity to make those extra communications?" So, those are the things that we think will matter. And you guys in Colorado are already starting to work on all of that, so thanks for your work with that.

MR. HAAS:

Michael Haas, Wisconsin, thanks for being here today. We have a continuing conversation with our Legislature because we have a statute requiring all absentee ballots, including overseas ballots, to have the signature of a U.S. citizen as a witness on the return envelope. I'm just curious, do you know offhand roughly how many states have a requirement that there be a witness for the absentee ballot and that the witness be a U.S. citizen? It really does create problems, as you can imagine, for people who might be in remote areas.

MR. BOEHMER:

Yes, there are two states that require a witness on that absentee ballot, it's yourself and Alabama. And...

MR. HAAS:

So, we're in good company.

MR. BOEHMER:

You're in great company, a matter of fact. And I've had conversations with Secretary Merrill. He knows that this is something that we from the Federal Voting Assistance Program, again looking at how do you reduce obstacles, right? So, it's not saying hey, listen, I'm not judging Wisconsin or Alabama. It's saying hey, listen, we want to do everything possible to reduce obstacles to voting. Having somebody get a signature for a witness that doesn't seem from our standpoint to serve a necessary

purpose, right? That's an obstacle. We need to be able to get rid of that obstacle.

MR. HAAS:

Thank you.

MR. BOEHMER:

Absolutely.

MR. LUX:

Good morning Matt.

MR. BOEHMER:

Good morning.

MR. LUX:

In the spirit of continuing to push you for things I think are important, I will give you the same three words I give you virtually every time I see you, and that is electronic ballot return. The people that I deal with – oh, I'm sorry, I didn't say, Paul Lux from Florida, sorry.

CHAIR KING:

You're pardoned.

[Laughter]

MR. LUX:

Okay, let me start over, no. So, you know most of the military that I deal with that's the number one question. They know I've received their voting materials. They know when they get their ballots, when

we get them back. But the question continues to come up, how come I can have electronic access or e-mail to my ballot, but I can't get it back to you any way other than by finding a printer, which I may or may not have paper, ink, fax machines, all of these things that no longer exist in most of the four deployed areas where we have the most trouble. And, to me, that is the problem we're still not solving.

MR. BOEHMER:

Yes, and thank you for continuing to challenge us. You know, my answer to that continues to be you guys, as states, you run elections, you're in charge of certifying those elections, certifying ballots, accepting ballots. So, the administration of elections belongs to you. What I want to do, from the Federal Voting Assistance Program, is assist you in any way possible that you need our assistance, right? And even though, again, that we no longer have the responsibility at the Department of Defense to have an internet voting demonstration project, that doesn't mean that gives me a pass to be out of the conversation, right? So, we need to continue to have this conversation. We need to have it with the EAC. We need to have it with NIST. We need to have it with our partners about the future of this. And while we know that our population, our UOCAVA voters, particularly our military, they're ripe for something that's going to say hey, listen, how do we lead

the way in this, right? What we want to do is make sure it's done in a responsible way and that you guys take the lead on it. So just because we no longer have that responsibility doesn't mean that we are not having this conversation. So we will continue to be involved in your efforts, the efforts of Florida, we'll be involved in your task force. We'll be involved in anything states want us to be involved with with, continuing the conversation.

And again, we're not going to come alone, right? We bring our friends at the EAC and we bring our friends at NIST. We want to be able to say hey, listen, we know this is going on, right, so let's not turn a blind eye to it, right? For us to say that electronic return of marked ballots isn't happening is crazy. We've got the work from NCSL that shows us how many states are doing this. And guess what? They're doing it with our population. So, it would be silly for me just to say I no longer have this responsibility and step back, right? So, my responsibility is to make sure that we do whatever you guys are doing in the best way possible. And Paul, we'll continue to work with you guys, so -- and I appreciate the challenge.

MR. SILRUM:

Good morning.

MR. BOEHMER:

Good morning.

MR. SILRUM:

Jim Silrum from North Dakota. I was just last week at Minot Air Force Base with some members of your staff. Thank you very much for sending them there. It was a privilege to be there.

My question for you, and it's really an offer of assistance, can I work with you? Can some of us work with you in ways that would allow you to facilitate the use of the systems that some of us states have built to make the delivery of ballots and the return of ballots far more easy for the voters that you serve? I understand that you have to use things like the FWAB and the FPCA because you're dealing with such a diverse audience. But, where you can, if you can channel them to the utilities that we have built, there's no need for those antiquated means because of the electronic capabilities that we have. So, I just want to say, can we work together on that? I'd love to help you out in that way, whatever we can.

MR. BOEHMER:

Thank you for the question and we already do that. So, let me just say a couple of different things to that. So, if a voter goes onto fvap.gov and goes down to a state and wants to use one of our online tools, particularly the federal postcard application or the Federal Write-In Absentee Ballot, the very first thing that you will see if a state has something that's built, particularly for a delivery

system for our UOCAVA voters, that's the very first thing that they will see, right? So, it will be your tools and then our tools. So, if you have some sort of tool in place or mechanism in place for our military and overseas citizen voters to use, we want them to use that, right? And we actually know that they're using it. For the first time after the '14 election, when we surveyed our military members, they're actually telling us, for the very first time, the FPCA has always been the majority way that our military members have registered to vote, it's flip flopped. They are now using state forms. And by "forms," that's systems to register to vote. So, we actually know that they're out there using your tools and equipment. If we don't have that we need to, because I absolutely agree with you. And we will work with any state that wants us to work with them.

Again, our job is an assistance agency, right? We need to let our voters know the processes and procedures that you have in place in your state to help them out, right? If it's the ability to fax something back, you guys allow that, we'll let our voters know. If you have a system that you've built, and many of you have done that using the grants that we provided you, we will do that. So, some of you guys are doing some really cool things and they're impacting our voters. We want to be able to work with you guys to publicize that. So, if you're not seeing that, please let us know, because we'll work with you to do that.

MR. SPENCER:

Hey Matt, Eric Spencer from Arizona, I just want to offer a little bit of a contrarian point of view. I think the best thing that would help us is if FVAP continued to work with Secretary Carter. As a former deployed soldier, I know that the only thing you care about on deployment is food, sleep, the gym, talking to your family and staying alive. And in '06, from Southeast Baghdad, I was the battalion voting assistance officer. And I'm the most committed guy to democracy there is, but I don't think I got one person to vote in my battalion. When there are rounds coming in, and you've got a daily 24-hour OPTEMPO, voting is not in the top 20 of things that Soldiers, Sailors and Marines can think about. So the real thing that has to be focused on is the chain of command. I remember being forced to wear my seven Army values on my dog tag, getting cultural acclamation classes, changing out our body armor because somebody got shot and it fractured. There are numerous inflection points in military life where platoons and companies and battalions are brought together, but voting has never, ever been one of those mandatory items for discussion. I've been through numerous OERs, officer evaluation reports, and I was never judged on my performance based on how many people in my platoon had registered or who had voted. So it really needs to begin with a command climate, because if a commander issues an order or a

directive that voting registration participation is going to be important, believe me, it will happen. And military folks will accomplish that the same way they accomplish their other missions. But it has never been ingrained in the military culture. And that is how you solve participation, not improving websites. It's putting it through the chain of command, just my feedback.

MR. BOEHMER:

No, and if you'll give me the opportunity, let me see if I can get all of that in. So, you are absolutely correct with your experience, but let me just share with you a couple of things that we've done.

The -- absolutely the influence of commanders is incredibly important, but what we need to remember is unlike a lot of things in the military, participating in elections is voluntary, right? So what our job is to do is to make sure that everyone has the opportunity to vote. We are not a get-out-the vote organization and we know that our military members, they register at a higher rate than the general population. So, registration isn't the issue, right? I'm not looking -- success for me doesn't look like 100 percent registration, right? I want -- success for me is that anybody who wants to vote has the opportunity to vote, knows they have the tools and resources and can do it successfully. That's what voter success looks like to me from an assistance agency.

From the command climate, you are absolutely correct and we're actually working and we're finishing up a video that has commanders in it, senior enlisted, senior officers, and people just talking about their experiences of voting. What we have to realize is the climate in the Department of Defense. There's this balance between talking about voting and knowing the difference between talking about voting and talking about politics, right? You can get a commander who's incredibly shy about that and doesn't want to cross the line. So, what we're trying to make sure that we're educating our commanders is to say hey, listen, it's okay to talk about voting. You mentioned the op orders that we give, right? We actually have the Army and some of the other services issue op orders to our voting assistance officers that said "You must go to training." And guess what? Those voting assistance officers go to training. So we can use those op orders in different ways that will say hey, listen, getting information, presenting opportunities to people is really what this is all about. But I understand some of your perspective and I appreciate it.

MR. KELLEY:

Good morning Matt, thanks for the presentation, Neal Kelley Orange County, California. I don't want to take away from the gentlemen's comments because they were really valuable, and I just want to talk about those individuals that are engaged and are

voting. And you are humble about the interaction I think that FVAP is having and the work you're doing with Council of State Governments because I think you're doing a great service and a great job with what's happening with CSG.

And I just want to talk about the ballot tracking just to let my colleagues know of what's happening with that right now.

MR. BOEHMER:

That would be great, thank you, yep.

MR. KELLEY:

So, we've been involved in a pilot project to track the ballot from the creation in our office all the way through the military postal system. So, now when it leaves and it hits the U.S. postal system you can track it all the way until it hits the black hole of the military postal system. And we have worked with your team, the post office, military postal and now we have just tested two weeks ago, so that we can track a ballot all the way from Orange County through the military postal system onto a ship, on a plane, back through the U.S. postal system and in our office. So, now deploying this in July ahead of the November elections all of our 5,000 UOCAVA voters will be able to do this for the military. So, I think it's great work and I just want to thank you guys for the efforts.

MR. BOEHMER:

No, and thank you for that. And again, what our hope is and what Neal is talking about is a pilot project, right? And so, what we want to be able to do is take the information from this pilot project and then give it to all of us, right, so that we can take those learning lessons and start implementing some of this. One of the things that we talked about with mail, we all -- there's all these anecdotes in terms of what's really going on, yet we don't have really hard data. Is it the military postal service agency? Is it the United States Postal Service? Is it the fact that our voters are just waiting too long? You guys send them their materials in plenty of time, they get to them in plenty of time, yet at the very last minute they try to send it in? We don't know that and this pilot is really going to help us do that. So, thanks to Neal and his team, and thanks for all of the other folks who have volunteered to be part of the pilot to really help inform this effort. So, I appreciate it. Thanks Neal.

CHAIR KING:

I think we have time for one more question.

MR. VALENZUELA:

I'm taking up all the time just to turn on the mic, I apologize. Rey Valenzuela, Arizona. One of the things I question -- and Matt, I've seen you a couple of places and your presentations are well received, especially the videos -- but the one question is the default voting period, I don't know if anybody is experiencing it, I know we

pushed to say -- it used to be four years, and we had folks on the rolls that were inflated. But, at some point, we now -- Arizona has taken it upon themselves, and speaking a little bit out of turn for our state representative, but we have opted to allow our box Section 6, or a term up to a maximum of four years. Do you see -- I know you're doing a direct mailing to -- you know -- and most part they're going to say one year, but we know you're stationed for two or you're overseas indefinitely, you're there for four. What we see is attrition now, which is not good, meaning we are up to 2,000 during this cycle and then they're going to drop off in a year. So, I don't know if there's some consideration of looking at the form. And it was proposed many years ago instead of one year default, maybe put radial buttons. How long are you gone for? They know best. One year, two year, three year, four year up to a maximum there's a reasonable point. But I don't know if something like that is being considered with the FPCA form, taking a look at that, because we're experiencing that falloff and we're going to see that in 2016, they're going to expect to get a ballot. Because if you reach out to them, you're spending all that money, it would be nice to capture for that period that they say they need this.

MR. BOEHMER:

Absolutely, and again, what our big focus is on is we want to make sure that that period of eligibility is long enough to make sure that it

covers a voter for their, what we call, their expectations, right? We wouldn't want them to think that -- so what we're saying is make the validity period for one general election cycle, right? So you wouldn't want to just make it for one calendar year because what if you had a special election? And we've seen that in the past which is "Why didn't I get my ballot for the special election?" Well, the special election was in February. Their eligibility ran out in December 31st. We're asking them to fill out a federal postcard application. No one's expectation would have been, in order to get that ballot, I would have had to fill out a new federal postcard application. So what we're trying to say is our voters, their intent would be able to vote for one general election cycle. And that's our recommendation that came out, in addition to, listen, the FPCA should be used for permanent registration. I know there are states here that treat that very differently, but from our standpoint, to permanently register somebody using the federal postcard application is the way to go, and then, they go ahead and request their ballot every general election cycle.

But, to your point about the federal postcard application, another piece of our Council of State Governments is actually taking a look at the new FPCA. And my vision is because that form has to get reevaluated, is that you reevaluate it and deploy it during a midterm, and then, you keep the same thing during the

presidential and we'll keep that cycle up. So, the Council of State Governments, along with Tammy Patrick, are going to be looking at the federal postcard application. In the spirit of working together and doing this together, you guys will be asked your opinion, not only from this body and from this group, but also from the *Federal Register*, as well. So anything that you guys have to say about that form, you guys will be given the opportunity. But you bring up some really good points, thanks.

Thanks for the time guys. This has been great. Thanks for the conversation. Have a great day.

[Applause]

CHAIR KING:

Thank you very much Matt. At this time I'd like to have the committees begin a breakout session. As a reminder, there is some shifting on location with regard to what's set forth in the agenda. This room will be used for open mic with EAC Commissioners. VVSG will be meeting in Carlsbad "B" room and Bylaws, as I said, will tough it out on the patio. We have an hour set aside for this, and so, that would have us reconvening at 10:30. We have a break at that point, and so, my suggestion is that you all conduct the breakout sessions, then refresh yourself after that arduous work, and then, come back after the 15-minute break prepared to give brief substantive reports.

[The meeting of the Standards Board recessed at 9:41 a.m. and reconvened at 9:55 a.m. for an open mic session with EAC Commissioners.]

COMMISSIONER MASTERSON:

So we're going to get started with the open mic if you all want.

We're available for questions or comments.

MS. JACKIE NUTTING:

Jackie Nutting, Institute for Fair Elections. We recently completed a study of 15 states across the country, and we gave particular focus to California. What we do, by the way, as an organization is we're a 501(c)(3) and we offer EM, election management system support to registrars and to others who are involved in the voting process.

What we do in particular is that we audit voter registration lists. I said, we're a 501(c)(3), and we audit them and we work privately with the registrar or the Secretary of the State to show them what we found. And we don't take dirty laundry around, if you will.

And so, we've been doing this for about 10 years now. And we have some wonderful relationships with the registrars in California, and we're developing similar relationships with the Secretary of States in other places.

And if I might just take you very quickly to the books that I've given you. The introduction is basically what I just told you, but it gives you more of an insight as to how we do what we do, if you want to look at that. And then, going to item number 2 is our executive summary as far as what we found in the report. And of course, we found in Florida that it was very heavy on senior citizens. That was to be expected. And then, beyond that, in California we find that there's just there's a lot of -- there's more than the norm of persons who are -- registrations that are outdated, and by outdated I mean that they haven't voted for the last two federal general elections or any elections in between. And that they, to my knowledge, have not received -- you know, residency confirmation notice. That's changing this year. There's a lot more of them going out, because we feel that it's -- one of the reasons is because we've been producing audits for the registrars so that they can see more clearly what's going on. And so, as regards voter turnout, what we're finding is that the voter turnout numbers will improve in California, maybe by as much as 20 percent, this time around because of all of the residency confirmation cards that are going out. In fact, I spoke with Mr. Kelley over there who is speaking -- hi, there. With Orange County, and he tells me that they have another 110,000 voter residency cards going out in the next -- like I say, they just went out on Thursday of last week. So we're very hopeful of that. Then we

go to number three, and I didn't put yours in order like mine are, but the same states, but I took my back page and I put it on the front, and so, in California you can see right now that we have -- well, you can look if you open -- if you go to the back page, you can see that we have 17,200,000 registrants in California at this time, and out of those, 2,179,428 have not voted in the last two federal general elections, and are in need of residency confirmation cards. If -- you know, of course if they haven't been in touch with their registrar and updated things. Then we have ghost voters as part of our categories, and ghost voters are persons who didn't vote for an extended period of time, and then suddenly cast a vote in one election. In particular, the 2014 general election. And by extended time, I mean more than two years, more than -- possibly more than four, as much as 12 years they hadn't voted, and then they suddenly voted. What we call that is a ghost voter or it's suspicious voting activity. So we took, in San Bernardino county, we went to 200 households that hadn't voted in a long period of time and suddenly voted. Out of the 200 households we went to, 97 of the people who opened their doors did not know who the person was that had used their address and voted for them. So we're working on a mail program, a survey mail program. Because as you know, as commissioners, a registrar can send off a residency confirmation card at any time to anyone, basically, if they want to. So we're

working with our registrar in San Bernardino County, who is wonderful, by the way, Mike Scarpello. And he brought me in and actually he let me -- an employee of his, through a temp agency, for about three or four months, so that I could really understand the voting process from within. And then, on the state of Connecticut, they're pretty good, actually, they're 100 -- excuse me, 1,000,173 registrants, and of the expired registration there's only 281,885. So they've been doing a pretty good job. In Florida there was a big problem, not problem, but there was a big to-do in Florida recently, and you can see by the numbers here that they have almost 13 million voters, registrants, and of those there's only 285,000 that are expired. But there's 7,000,149 people that are ghost voters. So they didn't vote for a very long period of time, then they suddenly came out to vote. When I say ghost voters, I'm talking about they didn't even vote in 08 for the presidential at that time. Lastly, the State of Idaho you can see the numbers are -- it's 739 and then ghost voter registrations total just under 6,000. The State of Ohio where we just had a lot of issues again -- excuse me -- yeah, Ohio 7,500,000 of the registrants and then expired are only 327 and gross voters only 7,000. I'll just skip to the back of this, which is in the State of Washington we have been unable to obtain their voter registration

-- their history, voter history, but they do show 18,000,000 registrants. And one other thing that I wanted to point out to you in this study that we did is that those are -- the persons that are voting are 100 years plus. When we're looking at that we're not -- the heavy number is not like 102 or 101 like you would expect, but a heavy number could be 216 or 117 or whatever. And the reason is because I think you know the hereditary factor where they've registered to vote prior to having to give their birth date and then the registrar has to invent a birth date, basically, that indicates that. And -- but what we have found is that once we explain to the registrar that under the NVRA the birth date -- an accurate birth date is substantive information and that their registrants will have to vote by special ballot, the -- it starts with a "P," I can't think of it right now -- but anyway...

UNIDENTIFIED SPEAKER:

Provisional.

MS. NUTTING:

Thank you, thank you, by provisional ballot, should they not have an accurate birthday, then we tend to see that the registrar kind of peps up that effort to get that birth date.

And then, just lastly, I'll show you the report that we did on Sacramento County. This is just one of the county detailed reports that we do and that would be under tab number four. And you can

see -- across the page you can see that the way that we determine -- and by the way I had DeVry University professors preparing this data, and so, systems analysts, database managers, all of those things. So I have very credible IT professionals working on this for me. And so, that in Sacramento County you can see the "N's" in the yellow column you see the people that have not voted for a period of time that need to receive residency confirmation notices. And it goes on with the others where you can see the report on birth dates and all those things in that section. Finally, on number five you can -- we're giving you samples. Tab number five is the ghost voters detail report. That's the people that are -- didn't vote for a long time and in pink you can see where they didn't vote. But what's interesting on the page that you have, which is San Francisco -- and this is done by the way after the recent cleaning in California by the Secretary of State and by the registrars -- in San Francisco you see that in the pink area, and that's under -- again, tab number six -- yeah six -- the pink area is people that have not voted -- registrants that didn't vote 2010, 2012, 2014 and all the others, and then suddenly, every single one of them there voted in the 2014 election and they had a long history of not voting. So that -- we find that as suspect registrations or suspect votes. Also, then in tab number seven you see the registrants who are 100 and more and you can see a lot of people that are 116 years old there.

And we do have, and I know this is a touchy subject and I'll just close with this, we do have under section eight our illegal vote detail report. And if you look at that you can see in Los Angeles County where -- and it's not -- this is not unique to Los Angeles County at all. This is in all of the counties pretty much everywhere in California you'll see that there are multiple registrations. And for example I'll just -- I won't say any first names, but Mr. Kim here on top you have Kim, Kim, Kim, and if you look across in the -- to the date of birth, his birth dates and the three different registrations that he has here are only about three-and-a-half years apart from each other. And so, there's three registrations. And then, you go across and you see, for example, in PG12 this group of registrations, which we believe are all Mr. Kim, voted three times in that one election. So, anyway that's how you can compare the pink right there and you can see where people are voting more than once. And when we had a meeting with the District Attorney in Orange County related to this he told us that this type of activity is classic identification fraud activity because they basically-- when they are prosecuted for identity theft what they do is they change their birth date by like one year or one month or something so that they can say it was a typo and not their fault. So anyway, but these are people that are actually voting and the people that we're working to try and remove by working with the registrars to find duplications

and duplications in registrations as well as voting. And we are giving some of these reports to the District Attorneys as they ask for them.

Anyway that's -- I really do appreciate your time and patience with me this morning. And I wanted to let you know that we're privately funded and we keep all of our information and all of our work very private. It's just us and the registrar and, if necessary, the District Attorney. We don't go -- we don't make public comments. We don't do any of those things because we want to be there as a resource for registrars. And so, I have on my card that -- and it's in your book at the very front of the book in case you have any registrars that are in need of support, we offer non-profit support for election management systems. So we do a lot more than the cleanup. We're working -- I just got off the phone with Monica Evans and she's going to help me figure out -- to determine how to set up mock elections for students because I'm now the PTA president for a junior high in my area.

So, anyway, thank you again for your time.

COMMISSIONER MASTERSON:

Thank you very much for your time and the information and your contact info. Thank you so much.

MS. REEVES:

Hi.

COMMISSIONER MASTERSON:

Hi Peggy.

MS. REEVES:

My name is Peggy Reeves and I'm from the State of Connecticut. I just wanted to express that many of us have been speaking about the headlines that have been generated lately by the activities of the new Executive Director. And so, we just wanted to express to the Commissioners our concern about this situation and our concern that policy might have been changed by an Executive Director. I know you, perhaps, cannot comment because of the pending litigation from the League of Women Voters, but I know that I speak for many of us. Some of us started way back when, in fact, proof of citizenship was required and thankfully in 1993 when the Motor Voter Act came through that was no longer the case and it was no longer the situation. And we just wanted to be sure that things weren't changing and we weren't going back to a time that none of us want to go back to.

I appreciate, obviously, your listening. And again, many of us feel that we don't want this Board of Standards to turn into a partisan organization. I serve on NASED and one of the great things about NASED is that you really never know the political affiliation of anyone. We all work together to make elections better. And I know that sometimes with NASS that is not the case and

NASS can sometimes generate into sort of partisanship, well, cliques, I guess you could say. And so, I think it's great that, in fact, that's not the way we are here on the Board of Standards and certainly not in NASED, we're not like that, as well. And so, I don't want this to be partisan, I just want you to be aware of our feelings.

COMMISSIONER MASTERSON:

Thank you and I appreciate you expressing that. And please know that while we can't comment on that now, and we appreciate you respecting that, that we do remain focused on all the other things we're doing, as well, you know, while that gets sorted out. And so, we'll continue to work hard in all the other areas while we figure this issue out, too. And I appreciate your concerns, thank you.

COMMISSIONER McCORMICK:

I just ditto what Commissioner Masterson says, and I thank you for your comment.

COMMISSIONER MASTERSON:

Anyone else? Awesome, thank you all. Thank you all for your time and willingness to be here. We can all enjoy the sun I think, now. We'll take a little break, thank you.

[The meeting of the Standards Board recessed from 10:08 a.m. until 10:49 a.m.]

CHAIR KING:

I hope that all of your committee meeting breakouts were interesting and productive. We'll have brief committee reports. By special request we will hear from USPS first. So Sally, please provide a report.

MS. WILLIAMS:

Okay, I'm sorry I have a shuttle coming in about 15 minutes, so I've got to be quick, which we're supposed to be brief anyways, right?

So, we just finished our very first meeting of the new USPS Committee. I'm happy to report we have a wonderful group full of thoughts and ideas and issues. So, I took about four pages of notes already. And the way we are approaching this is, as I said as being brand new, you know, we've got everything in front of us, it's a big ball of clay, so we're outlining issues to start with and categorizing some issues, positive, negative, you know, areas where we want to dive in deeper, you know, recommendations, best practices, in the way of, you know, our interactions with the postal service, our support to election officials all the way up and down the chain, education for voters, some tools, you know, for all of us, election officials and voters, I think is where we'll go. So we really just kind of got things started but it was a very lively, interactive conversation already. And thank you to my group, you're wonderful.

CHAIR KING:

Thank you very much. Let me recognize Edgardo to give a committee report.

MR. CORTES:

Thank you Mr. Chairman, Edgardo Cortes from Virginia. I chair the EAVS Committee and so it's a great group. I think we had a really good initial discussion. We have chosen to focus kind of our short-term focus between now and the summer will be to take a look at Section "A" of the survey. We know the great work that's going on with CSG and FVAP looking at Section "B," so we, as a group, are turning our attention there, how to do a lot of similar things looking at the supplemental instructions for those questions, trying to get some better explanation for the states as to what the EAC is actually looking to get out of these questions, so that we can help improve the completion rates and the data quality on some of these questions. As part of that, we'll be getting from the EAC kind of what questions seem to pose the most difficulty for election officials, so we can focus on those and on having consistent language and, you know, things that will help in that regard. I think, long term, we are looking at, you know, towards the 2018 survey, we understand from EAC that next summer is really kind of a critical point to have information back to them. So we're going to focus long-term on things like getting the survey to a point where

it's perhaps asking filtering questions based on how states run their elections, vote-by-mail versus in-person, you know, vote center, all those sorts of things, to cut out questions that don't apply to certain states, right at the beginning of the survey. And then, again, longer term, we're looking forward to the EAC's work on the common data format to see if we can reach a point where most of the survey data we're providing transactional data to the EAC based on this common data format, so that the EAC can do analysis on all of it and really reduce the burden on election officials for answering these individualized questions.

So we'll be having a -- between now and the summer we'll be having monthly meetings via teleconference to kind of focus in and get the EAC some feedback before they start the training and webinars for election officials under their new EAVS contract this summer. So that's kind of an overview of where we are.

CHAIR KING:

Great, thank you very much. I'll give a very brief report from Bylaws, and then, I'll ask Paul Lux to address VVSG work.

The Bylaws Committee met, reviewed the three proposals again that are on the agenda for consideration today, and did a comprehensive review of the bylaws and identified some particular areas we may want to look at further amendments in the future, but got off to a great start, a good foundation.

Paul?

MR. LUX:

Thank you Mr. Chairman, and I apologize for my tardiness. I was in an involved discussion outside, as happens.

So, the VVSG Review Committee met. We had -- a little over half of our members were able to make our meeting. We talked about the overall goals, not only of the Standards Board, but then, our role in reviewing those standards as a precursor to the overall body eventually having a go at it. We talked briefly because we had such great presentations yesterday on the EAC and NASED development goals, how those have worked into the TGDC update that we got yesterday from NIST and from our TGDC members.

We – again, our group has broken itself down internally into working groups, and so, we discussed a little bit about all of those working groups and had the people who were present who were not already in a specific group put back into groups. We talked about the EAC and NIST working groups plus the constituency groups that we heard a lot about. And again, we'll be guiding people into a specific whichever one fits their skill set better, but making sure that we have coverage so that we're getting regular reports as a committee for the goings on of all the groups without all of us having to try to belong to all the groups and keep up with

everything. So, we'll be meeting for now probably about every other month by -- via conference call. And then, as things heat up as we start to see things to actually review, we'll be going through and probably start meeting more often than that.

We had a great talk from NIST, a little bit more in-depth look at the high level principles, down to guidelines, down to requirements, down to test assertions, and that was basically the gist of our time this morning.

CHAIR KING:

Thank you. Genevieve?

MS. WHITAKER:

We had quite an engaging meeting, apologies for coming in so late. So, our group is the Clearinghouse. A pretty -- it has a pretty large scope as to, you know, what we seek to accomplish in supporting the work of the EAC and it's essential communications agenda. What we -- we met as a group kind of to discuss and to even better understand what's the scope of the actual clearinghouse, which are defined under the Help America Vote Act, the six program areas. What we as a group are -- well, first off, we really had a really engaging conversation with Brian, in and around the development of the website, seeing the website as the key vehicle in which we will provide feedback as a committee, to better assist with even the delivery of the new website. So as a committee really coming

together with even a strategic plan, looking and setting goals ahead 2016 -- you know, ahead of the presidential election, setting up timelines in terms of, you know, kind of the key goals of, obviously, the website rollout, focusing, obviously, as it's already divided up into both voter education, voter outreach, and election administrators, election officials as an information site. We talked about connecting with identifying key stakeholders, entities, NASED National Association of Secretary of States, and other stakeholders in terms of information sharing. And so, as a group -- and we also are exploring use of survey tools to gather initial information from you all, and as we move forward in the endeavor in developing a concrete plan and approach to developing a strategy to assist the EAC and to overall really, you know, develop this clearinghouse plan. And, for some, even we all -- a lot of us may be familiar or aware of the clearinghouse but to even help to better develop our understanding of what the clearinghouse does and the purpose for the clearinghouse as legally established, and also, what we can do to just better information as it pertains to our voters, voter advocacy groups, and also, information that will help better our ability to conduct elections in our various states and territories.

CHAIR KING:

Great, thank you very much. Thanks to all of the committee chairs for their reports. Thanks to everyone who participated in the work of these committees. I think you deserve a round of applause.

[Applause]

CHAIR KING:

At this point, I will ask our Vice-Chair Mark to come forward. We'll move on to consideration of bylaws.

The three amendments that are in your binders have been previously reviewed by the Bylaws Committee and by the General Counsel of the EAC for compliance with federal laws and regulations. I'm going to be turning over the president's role to Mark so that I can present the individual amendments and will look forward to your consideration. Thank you.

ACTING CHAIR GOINS:

Thank you, Brad. As my first role as Chairman, acting Chairman, I suppose, roll tide will no longer be allowed to be mentioned at the EAC meetings, Secretary Merrill.

[Laughter]

ACTING CHAIR GOINS:

Anyway, as Brad said, we will be voting. In order to vote you do need to be a Standards Board member and you need to be present. It takes two-thirds vote to amend the bylaws. I realize the day is getting long and some people have flight arrangements, so

what we'll do we will take the amendments in order, there's three of them, and we'll do a voice vote. And if I can ascertain that it's got two-thirds, we will declare it passed and move on. If not, then we'll have the members stand to do the vote. So, we'll try to make this as expedient as possible.

So, for the first -- and this is Section IV, so Section IV, in your notebook, you will find the proposed bylaws. At this time, I will recognize Brad King as a proponent of amendment one to the bylaws.

MR. KING:

Thank you Mr. Chairman. I move adoption of amendment one of the bylaws -- to the bylaws. It concerns the updating of references to the charter of the Standards Board. The initial charter was issued in 2004, but was not renewed after it expired in 2012. The amendment to the bylaws in Article I would reference the current charter filed April 13th, 2015, and to be renewed every two years.

ACTING CHAIR GOINS:

Is there a second?

MR. LUX:

Paul Lux from Florida, second.

ACTING CHAIR GOINS:

Okay, there is a second. Did you state -- I did not hear your name and state. Did you say your name and state?

MR. LUX:

Well, I was going to say roll tide but we're not allowed to do that anymore.

[Laughter]

MR. LUX:

Yes I did, Paul Lux from Florida.

ACTING CHAIR GOINS:

Any discussion? Seeing no discussion, we'll move onto the vote. All those in favor say aye. All those opposed say no. Any abstentions?

[The motion carried unanimously.]

ACTING CHAIR GOINS:

We will now move to the proposed second amendment to the bylaws, and once again, I will turn it over to the proponent of the bylaws, Brad King.

MR. KING:

Thank you Mr. Chairman, members of the Board. I move adoption of amendment number two which concerns a number of issues related to vacancies and continued service on the Executive Board. There are some very technical changes proposed in this amendment, updating references in the section concerning the dates for maintaining our balance between state and local representatives on the Executive Board. There is no substantive

change there. It just reflects the new mathematics that we will be using after our Williamsburg meeting last year. There is a provision that provides that if officers have terms expire, which are one year in length, before the election of their successor can be conducted, those officers continue until that election can be held. This parallels an existing provision for members of the Executive Board. It's establishing the same policy for officers.

The greatest amount of language in the proposed amendment concerns the filling of vacancies. The bylaws currently contain two different procedures that, to some extent, overlap and conflict, and so, the amendment resolves the conflict by specifying which method is to be used when. The preferred method was the one that we've used at this meeting where the Nominating Committee solicits nominations, the candidates have information distributed to the entire membership, which then votes for those vacant seats to be filled at a meeting of the body. However, that procedure has certain deadlines built into the bylaws such as a 60-day deadline before the election for the start of that notice provision. All of those are preferable procedures to use in filling elections, but if we have a vacancy that occurs on day 45, we obviously cannot comply with the day 60 requirement in the timeline. The other procedure is for the appointment of interim members by the Executive Board itself to fill the vacancies. What

the amendment does is to specify that the preferred method, the nomination and election by the full membership, would be used in any case where a vacancy occurs more than 90 days before a member's term expires, which should cover the overwhelming majority of cases. The interim appointment process, if necessary, would be used if a vacancy occurs 90 days or less before the member's term expires, which might be necessary in some extraordinary cases, if there was a pressing matter of business. But, again, the clear preference in the amendment is for the full nomination and election process to fill vacancies.

I'll be happy to answer any questions.

ACTING CHAIR GOINS:

So, it has properly been moved. Is there a second?

MR. POSER:

Gary Poser, Minnesota, I'll second.

ACTING CHAIR GOINS:

It's opened up for discussion, any discussion? Seeing none, we're ready for the vote. All those in favor of amending the bylaws say aye, all those opposed say no, any abstentions? It passes.

[The motion carried unanimously.]

ACTING CHAIR GOINS:

At this point, I'll recognize Brad King for amendment number three.

MR. KING:

Thank you Mr. Chairman and members of the Board, amendment number three is very straightforward. It clarifies the role of the Parliamentarian with regard to the conduct of meetings. The current bylaws contain an internal conflict where the same section says "Both Parliamentarian and the Chair shall preside at the meeting." In fact, the Chair presides and the Parliamentarian provides advice. The amendment clarifies that and corrects a misspelling of Robert's Rules of Order. So, now that you know the correct spelling...

[Laughter]

MR. KING:

But I move the adoption of amendment number three, Mr. Chairman.

ACTING CHAIR GOINS:

Amendment number three has been properly moved. Is there a second?

MR. CORTES:

Edgardo Cortes Virginia, I'll second.

ACTING CHAIR GOINS:

There is a proper second. We are in the discussion phase, any discussion? Seeing no discussion, we'll take the vote. All those in favor say aye, all those opposed say no, any abstentions? Amendment three passes.

[The motion carried unanimously.]

ACTING CHAIR GOINS:

At this moment, before I turn it over to the Chair, I would like to take a moment of personal privilege to thank Brad King for his extraordinary work. I feel like the person that's going to play for the Denver Broncos at the position of quarterback following Peyton Manning. It's some big shoes to fill and I think you all know that. But at this point, I think it's very appropriate to give Brad King a hand for his great work that he's done on behalf as Chairman of this committee.

[Applause]

CHAIR KING:

Thank you, thank you very much, I deeply appreciate that. It's been a very worthwhile and meaningful experience for me to serve as your Chair. And I'll look forward to working with you in the years ahead on many of the exciting things we've started on here in Carlsbad.

At this point, we'll have a discussion regarding the TGDC recommendations, and so, if the representatives can come forward to the dais please, and Commissioner Masterson and Chair Lux. I'll ask, beginning on my left, for the panelists to introduce themselves for the transcriber and the members.

MR. LUX:

Paul Lux from Florida.

MR. GILES:

Bob Giles from New Jersey.

COMMISSIONER MASTERSON:

Matt Masterson, EAC Commissioner.

DR. LASKOWSKI:

Sharon Laskowski, NIST.

MR. RIDDLEMOSER:

Greg Riddlemoser, Virginia.

CHAIR KING:

Thank you. Why don't we begin with the TGDC representatives?

MR. GILES:

Actually, if you want to take the lead on this, Matt?

COMMISSIONER MASTERSON:

Sure, sure.

MR. GILES:

That's all the notes I prepared.

[Laughter]

COMMISSIONER MASTERSON:

Literally, his notes said "Matt will take the lead on this."

[Laughter]

COMMISSIONER MASTERSON:

Which should terrify all of you, by the way. At this point, typically what the Standards Board would consider, and you don't -- there's no action required -- is any type of resolution or guidance that the Standards Board feels is necessary to provide to the TGDC and the EAC and NIST moving forward. And so, items for consideration or discussion that I think were brought up in your VVSG Committee meeting would be items around supporting or not supporting the guiding principles that NASED and the TGDC had looked at at the last TGDC meeting, guidance or support around the scoping of the VVSG or advice on the scoping of the VVSG, as well as guidance, support or information around the proposed structure that Sharon walked through yesterday, which was the higher level guidelines down to the requirements down to the test assertions.

And so, I'm not sure how exactly you want to walk through this, but at this point, I think all of us up here would entertain a conversation around, if there's any guidance, advice, instructions that the Standards Board would like to consider resolutions regarding those items to help the TGDC, the public working groups, the EAC and NIST move forward with some information from you all, the Standards Board, as we push forward.

So, I don't know if you want to propose anything or lead a discussion on that. I guess we could start with, do you want to read the NASED principles again, and then, I guess solicit opinions or

thoughts on whether or not that is something the Standards Board wishes to support, not support, or weigh in on.

MR. GILES:

Now, these principles were adopted by the NASED organization, and there was a consensus at the TGDC meeting to use these as guiding principles as we move forward for the next set of VVSG.

So, basically the purpose of testing and certification of voting systems including the development of the corresponding requirement to be tested is as follows:

1. To assess the ability of the election systems to correctly execute secure usable and access elections in the jurisdictions in order to provide assurance to voters that the election is an accurate reflection of the voter's will.
2. To enable, not obstruct or impede innovation and needed response to changing statutes, rules or jurisdictional and voters' needs.
3. To provide deployable systems and system modifications in a timely manner based on generally recognized elections calendars and schedules.
4. To provide an open and transparent process that allows voters and election jurisdictions to assess the performance and capability of the election systems.

5. To provide a set of testable requirements that jurisdictions can understand and use to procure and evaluate the performance of election systems.

COMMISSIONER MASTERSON:

So, I wasn't in your – oh, I'm sorry, go ahead.

MR. SHELLMAN:

This is Dwight Shellman from Colorado. I, in general terms, agree with the principle and I think it's well drafted. My only concern, and this may go to the scoping issue, which still needs to be resolved, I am concerned about the use of the term "election systems." I don't know what that means. In Colorado, we encounter, in public hearings, from various groups a lot of demand for certification of our voter registration database, for example, which we have always regarded as being separate and apart from a voting system. So, that term kind of is ambiguous to me, and at least, I, personally, am more familiar with the concept of a voting system.

COMMISSIONER MASTERSON:

Sure, I'll share with you that term, but will you read the one principle that uses the term, or if there's more than one, election systems, and then, I'll offer what I think is an explanation.

MR. SHELLMAN:

Okay, "To provide an open and transparent process that allows voters and election jurisdictions to assess the performance and

capability of the election systems.” And it’s used in another. And then, the next one “To provide a set of testable requirements that jurisdictions can understand and use to procure and evaluate the performance of election systems,” I believe those are the two.

COMMISSIONER MASTERSON:

So, to your point, and this may or may not alleviate what your concern is, one is, yes, I think your concern speaks to the scoping issue which we have a general umbrella around, but haven’t defined yet. But two, the purpose of that, also, I think, and as a NASED rep, you could speak to this too, but from talking to the TGDC, is a recognition that, though the EAC, you know, is tasked with testing voting systems and that’s where our focus will be for the VVSG, that election officials at the state and local level are tasked with having to integrate election systems. So, that includes your VR system, Election Night reporting systems, ballot-on-demand systems. And so, it’s a recognition that the EAC’s process, while focused on the voting systems, and the standards are focused on the voting systems has to be able to integrate and provide information that help inform your decisions regarding other election systems, and, particularly, given this kind of new environment where you all are using more and more IT systems that feed into a larger election system ecosystem. And so, I think that was the intent not to expand the scope, per se, but instead a

recognition of the new election system ecosystem that you all exist in. You all don't just deploy voting systems anymore, right? You have so much more than that. And so, I think that was likely the intent behind that.

MR. LUX:

Well, and if I could just add into that, while, obviously, there are some -- there are certain things you need to conduct an election, the voting system itself, you know, is more, I think, generally defined as the method that we use to do ballot layout and design, to tabulate and to report the tabulation of those ballots. Do we have to have some version of a poll book? Absolutely, but those are really generated out of your VR system as a separate component. Now, can you do the election system part without the VR system part? No, you can't, because they're integral to each other. But, whether you're still using paper books, whether you're using electronic poll books, or some blend of those things, whether you're allowed to do early voting or not early voting doesn't impact the need for the equipment to perform what it's meant to do, which is have a ballot laid out, have people be able to vote using that ballot, and then, be able to tabulate those results. And so, to me, while the system is -- it's so intertwined that it's really hard, especially for those of at the local level to -- because they're just so together and work in concert with each other, it's difficult for us to envision how

you can drop a set of standards for “X” without talking about “Y” but at the same time, to avoid the ever present demon of scope creep, we have to be cautious as we’re going forward that we’re not spending a lot of time talking about subsystems that are not actually part of the election system itself.

COMMISSIONER MASTERSON:

Does that answer that?

MR. SHELLMAN:

Yep.

COMMISSIONER MASTERSON:

Anything else on that? Let me briefly explain what the TGDC, through consensus, agreed on these principles, and that was to take these principles and apply them into the project charter that’s being created so that the EAC and NIST are working with the TGDC members, Jeremy Gray from LA County, to create a project charter that will have -- use these principles to drive the development of the document -- or the guidelines, but also, to use it to drive timeframes, timelines, so that we reach our goal of finishing the guidelines by the end of next year, beginning of 2018, which is the timeframe that we’ve set to try to get these done. And so, these principles, the idea behind them, you know, a little bit like how Sharon talked about the higher level guidelines is as we look at writing guidelines, we ask ourselves, are we in line with these

concepts or are we missing the boat? Because those of us who were involved in the prior VVSG development can tell you that as the discussions would go on both in the working groups, and then, in the full TGDC body, we lost track of the overall focus because we each had our own areas, right? We were worried about human factors and security. And all of those had to play a role, and so, part of what these do is allow us to anchor ourselves somewhere, allow the project to anchor itself in these high level principles that election officials have weighed in on to say, "Okay, this is what we're trying to accomplish here." And so, that would be incorporated into the charter and drive the project in that way.

I hope that makes sense, but that's the idea behind these principles and what the TGDC wanted to do with it.

MR. LUX:

Well, and if I could mention, too, Matt, because the members of the VVSG Review Committee from last year, part of the discussions we had early on, the EAC also put out in addition to the NASED principles, a list of, was it 12, I think?

COMMISSIONER MASTERSON:

Yeah, yeah.

MR. LUX:

And so, you know, combined with those two things -- and maybe we need to send them out again just to emphasize for everybody,

because we saw the NASED principles again, because those EAC recommendations, as well, are integral into the direction that the TGDC and NIST need to go. Some of them were enhancements of the overall principles in NASED. Some of them were more specific and different from that system.

COMMISSIONER MASTERSON:

Yep.

MR. LUX:

So...

COMMISSIONER MASTERSON:

Yep, so I don't know if you want to propose anything or...

MR. GILES:

Well, yeah, so, I guess would somebody like to make a motion to adopt the NASED principles to be used as the guiding principles to develop the TGDC project charter?

MR. POSER:

Gary Poser Minnesota, I'll move.

CHAIR KING:

Motion has been made, is there a second?

MR. STEVENS:

Anthony Stevens, New Hampshire, I'll second it.

CHAIR KING:

Discussion by members, any discussion? Hearing none, all in favor signify by saying aye, opposed nay. The ayes have it, motion is adopted.

[The motion carried unanimously.]

MR. LUX:

Thank you, I think that will help Jeremy.

COMMISSIONER MASTERSON:

Yeah, that was very helpful, very helpful. The only other one, and I don't even know that this is appropriate for a resolution or a motion, but I'll just raise it, unless you all want to consider it, is feedback or support for the proposed -- the generally proposed structure that Sharon and Bob walked you through yesterday. Again, that's high-level guidelines to requirements to test assertions. And again, if this body doesn't feel it's prepared or want to weigh in, no problem, but that would be the other area that I would view as ripe, if you so chose to weigh in.

MR. LUX:

Mr. Chairman, I would like to make that motion that we, I don't know, adopt, approve, whatever terminology you want to use...

COMMISSIONER MASTERSON:

Support is good too.

MR. LUX:

Support that format. I think it really is the best way to organize it. It gives people at various levels of state and local jurisdictions the ability to look at what we're doing at the level, either the high end idea level or, you know, if you want to go all the way down into the weeds, to the test assertions, all the way down to that level, as a means of keeping track and following what's going on and I think it's a great organizational tool, going forward.

CHAIR KING:

Motion has been made, is there a second?

MR. INGRAM:

Keith Ingram from Texas, I'd second that motion.

CHAIR KING:

Made and seconded. Is there a discussion?

MR. LUX:

I think I just sort of discussed it in my motion but...

[Laughter]

COMMISSIONER MASTERSON:

Cliff didn't object.

MR. LUX:

I wasn't beaten down by the Parliamentarian.

CHAIR KING:

Hearing no discussion, all in favor of the motion signify by saying aye, opposed nay. The ayes have it, the motion is adopted.

[The motion carried unanimously.]

MR. GILES:

Thank you. And that's going to be really helpful for us...

COMMISSIONER MASTERSON:

That's huge.

MR. GILES:

...to really move forward on starting to develop this.

COMMISSIONER MASTERSON:

Yeah, and I just want to thank all of you on behalf of, I think, both NIST and the EAC, for your time in looking at this, the VVSG Committee for your commitment in breaking up into the groups and diving into the public working groups. As I indicated yesterday, and I mean it, absolutely, sincerely, there's no way for us to do this work without your involvement. It's not going to be done well and it's not going to serve you well if we don't have your involvement. So, I can't tell you how much I appreciate your commitment to this. We're committed to getting it right. We're committed to approaching this in a new way that serves you well, and the only way to do that is get your feedback. So, on behalf of, I think, both the EAC and NIST, I want to thank you all for that. And the work has only just begun. Those of you who have reviewed the requirements in the past know that the devil is in the details, as we send you sections -- Gary rolls his eyes -- as we send you sections

and you all work through it. But, I think you're going to find it more understandable. I mean, I genuinely think back to John Lindback back in 2006, 2007 just lecturing us on, election officials have to understand what these mean. And that's what this new structure allows us to do in part. So, thank you all.

MR. GILES:

One of the other issues that we discussed in the VVSG group -- or committee was the scoping issue and how we're going to move forward on that. I don't know if you want to -- and I guess the concern was, how do we communicate that out to the group and get their input before we make any decision.

COMMISSIONER MASTERSON:

Sure, so my thought on that is let the EAC and NIST get the use cases done. That will help kind of scope the scope; give you an idea of the scope. We'll send it out to your VVSG committees to weigh in, as well as the full Standards Board to understand. As I said yesterday, the current thought process from the TGDC, at the meeting, was to maintain a scope that looks very, very similar to the current one, where if it interacts with the ballot creation or tabulation, some form of testing would exist. But beyond that we're not -- we wouldn't go beyond that. But let us get the use cases that will outline that in more detail for you all, whether it's e-poll books, ballot marking, you know, what not, and then, you all will have

something more tangible to look at and say, "Yeah, we agree" or "No, you've gone too far" or "You haven't gone far enough." And so, that's -- let us get that out to you first, before, I think, you weigh in, specifically, on that scope. But the general concept behind the scope is to, basically, remain in the same frame of mind that we are now on that.

MR. LUX:

And I would also like to add, on behalf of the VVSG Review Committee, we had, I don't know, maybe a half dozen people who are not on the committee in our meeting this morning, and I passed around a sheet for people to sign up if they wanted to be notified when we were going to be having our calls. So, I would put that out to the wider organization, because I know some of you had other meetings you needed to be in. If you would like to be invited to our conference calls, my contact information is on your thumb drive, under the list of all of us. You can just send me an e-mail and ask to be added, and I will be happy to do so.

And again, just two things, when you start receiving this information and remember the VVSG Review Committee is sort of the first ditch for the review of these things, but it's eventually coming to all of you. You can't hide under the table and get missed, I'm afraid.

[Laughter]

MR. LUX:

So, just bear in mind when you're going over these things, because of the organization structure that we just approved, there are many levels at which you can look at it to review it. And what you're looking for are, is there stuff in here that doesn't need to be here? Are there gaps in here where we're not meeting a need that I see? And by "I" I mean you. So that's the kind of feedback that we need from you, not just a "Yeah, I kind of read it," you know, after three bottles of wine "and it looked good to me" or, in my case, two cases of beer. But...

[Laughter]

MR. LUX:

So just bear that in mind, and again, just a final appeal if you are not involved in any of the working groups or constituency groups, get involved, because helping the process at that end will be invaluable to the final product you're going to be reviewing later.

COMMISSIONER MASTERSON:

Here, here.

MR. GILES:

Robert does that -- I know you had raised the scoping issue in the meeting, if you just want to -- does that address your concern, or do you think there may be a different approach?

MR. DEZMELYK:

Well, I think it's -- of course...

CHAIR KING:

Robert, please state your name.

MR. DEZMELYK:

Robert Dezmelyk, New Hampshire, it's early to be trying to decide what the scope is, definitively, because that needs to be done after some thought has been given to the use cases and the overall model, the spec. I do think it's a good idea to stay close to where we are, because in any spec, if it gets larger, there's a lot more work, and in some cases here, it will grow exponentially.

That said, if there are other areas that people want to consider, we should look very carefully at a couple things in the spec. First is the idea of sort of border crossings. One way that specs become interoperable, or two technological domains become interoperable, is by specifying the border crossing. So, if you look at specs for hardware, it's often, you know, what's the plug end do, not what's on the other end of the cable. Or it's, how does the data interchange at a particular point, because that lets you know if you got it right at that crossing point, then you'll be okay. So that's one way to do it. And the other thing is to think about it in a modular fashion, that perhaps you don't want one giant spec that covers everything, but you divide it into sections, and then organizations can utilize the sections that are most important to them. So that's

another way to look at, you know, a boundary issue or what is the scope of a spec.

MR. GILES:

Yep, thanks.

COMMISSIONER MASTERSON:

Yeah, and I think as we get into the details, particularly with the common data format, that border crossing concept is going to become big, because even if we're not testing the systems on the other side of the border, we want to ensure that the data that's coming in on our side of the border is right, right? And so, that's where those details -- that's why it's so critical, it's so critical.

MR. LUX:

And in honor of Camp Pendleton, let's change border crossing to bridgehead.

[Laughter]

COMMISSIONER MASTERSON:

Anything else on the standards, the approach, concerns, anything like that I certainly welcome it.

MR. GILES:

We'll take the silence as, it's all good.

COMMISSIONER MASTERSON:

As acceptance?

MR. GILES:

Yep.

COMMISSIONER MASTERSON:

Well, you all have my information and number. You have Brian Hancock's. As you see stuff, as information becomes available to you, I very much mean it, contact us. Let us know, and then, let me reiterate what Brian told you about yesterday. If you all are working on RFPs or purchases beyond even voting systems, just election technology, we're here to help you. We love doing the work, and frankly, we learn a lot about our process as we look at those things. And I think we've been helpful to the jurisdictions we work with, so please contact us and let us know. Thank you guys.

CHAIR KING:

Thank you. Let's give a round of applause for our presenters.

[Applause]

CHAIR KING:

Commissioner McCormick and I were just having what those of you who remember the older cartoons on Saturday morning might call a Chip and Dale discussion.

[Laughter]

CHAIR KING:

"Please go first. No, no, you please go first." And, of course, someone has to go first, so here I am.

We're coming to the end of our agenda. I have some housekeeping items and certainly some thank yous. With regard to the Federal Advisory Committee Act, I have a couple of documentations to make. This meeting was properly noticed, opportunity for comment was provided, and public comment was available with the open mic session that we scheduled on the approved agenda for the Commissioners this morning. We did receive one written comment, which will be incorporated into the record of this meeting.

It's my pleasure at this time to thank some of the hardest working people that I've encountered in recent years, would be the EAC staff, if you all would join me in a round of applause for them.

[Applause]

CHAIR KING:

Thank you. And now, I will yield to Commissioner McCormick. I was about to call you Chair and I knew I wasn't right.

COMMISSIONER McCORMICK:

Thank you Chairman King. I also want to thank the EAC staff, in particular, Deanna Smith, who did a fantastic job putting this conference together. As you can imagine, in events like this, there's lots of details to deal with. So, she and her team, including Henry Botchway and Shirley Hines and Bert Benavides, who are out here and many more folks who are back in D.C. and our

Executive Director Brian Newby, and our General Counsel Cliff Tatum all had a hand in getting this meeting together. So I want to thank them on behalf of myself, on behalf of Chairman Hicks, who had to go to Utah for a clerks' meeting, so he couldn't be here today, and also Vice-Chair Masterson. We all want to support our staff and we think they did a fabulous job, I hope you agree.

And I would also like to thank Chair King for all of his work. I reiterate what Vice-Chair Goins said. It has been an amazing year. We've had two great conferences. It has been a chore to get this body up and running again, and I think it's been successful in no small part due to the efforts of Chairman King. So I want to thank you on behalf of Chairman Hicks, Vice-Chair Masterson and myself. And we're looking forward to working with the new Chair Mark Goins. You have, like you said, big shoes to fill and we look forward to you continuing on as secretary of this Board.

And we want to thank you all for coming. Your work here is invaluable to us. It is crucial to our work at the EAC and to do all the things that we need to do. We know there's a lot going on, there's a lot of news out there, and I will just caution you not to believe everything you read. We are solid and we're working to assist you in any way we can. And so, I want to thank you and I'm happy that you could all attend and I would hope that you found this

meeting to be, you know, very helpful. I did and I learned a lot. So, thank you all again for being here.

[Applause]

CHAIR KING:

Yes?

MS. DeBEAUVOIR:

Thank you Mr. Chair and Commissioners. I would like to raise a question before we all leave to return back to our homes, Dana DeBeauvoir, Texas.

On behalf of many of us in this group I'd like to raise the issue of the unilateral action that was taken by the Executive Director of the EAC regarding the proof of citizenship matter taken within the three states. Many of us do not feel comfortable remaining silent and returning home having said nothing about this issue. Our people back home are going to ask us and are going to want to know what was discussed here. We're concerned that the action undermines the collegial nature of this and the atmosphere of this body that we've all worked so hard to cultivate. And many of us want to make sure we communicate that we are very supportive of all three of our Commissioners, of the EAC in general, and especially of each other.

With all due respect, what message do you have for us?
And perhaps more to the point, what message would you want us
to carry home? Thank you.

COMMISSIONER MASTERSON:

Well, thank you, and this was raised, you should know, in the open
mic session by Peggy Reeves, as well. So, I think we appreciate
you raising it, recognize that it's an issue, and it's a very real one
for many of you. Because of the nature of the pending litigation, I
don't want -- I don't think either one of us can or want to speak on
the issue itself, but let me share with you what we shared with
Peggy, in the hopes that it at least answers a part of your concern,
and that is that the Commission, the three of us, and the staff
remain focused and committed to all of the work we have to do to
get done what you all need and to serve you. And so, the
Commission remains collegial, just as this body remains collegial.
The three of us work together extraordinarily well, disagree on very
little, agree on what our focus needs to be moving forward. And so,
that's what we're going to continue to do in order to get all of the
things done that need to get done, not just this year, but moving
forward.

And so, I appreciate you raising it. I know it needs to be
raised and appreciate that need. I hear you and I think we hear
you, and speaking for Commissioner Hicks, he certainly does, as

well, and so, we will take that and listen, and then move forward from there, and quite frankly, beyond that, wait to see what the litigation holds for us. So, thank you. Thank you for raising it and bringing it forward.

CHAIR KING:

Thank you. We have concluded the business of the agenda of the Carlsbad meeting of the Standards Board. Is there a motion to adjourn?

MS. WHITAKER:

I move to adjourn.

CHAIR KING:

And for the record?

MS. WHITAKER:

Genevieve Whitaker Virgin Islands.

CHAIR KING:

Thank you. Is there a second?

MR. CORTES:

Edgardo Cortes, Virginia, second.

CHAIR KING:

Motion to adjourn has been made and seconded. All in favor signify by saying aye, opposed no. The ayes have it. The meeting is adjourned.

[The motion carried unanimously.]

[The meeting of the Standards Board adjourned at 11:40 a.m.]