

Minutes of the Public Meeting United States Election Assistance Commission

1225 New York Avenue, NW
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The following are the Minutes of the Public Meeting of the United States Election Assistance Commission ("EAC") held on June 14, 2007. The meeting convened at 10:00 a.m. EDT. The meeting was adjourned at 12:10 p.m. EDT.

PUBLIC MEETING

Call to Order:

Chairwoman Donetta Davidson called the meeting to order at 10:00 a.m.

Pledge of Allegiance:

Chairwoman Davidson led all present in the recitation of the Pledge of Allegiance.

Roll Call

EAC Commissioners

EAC General Counsel Juliet Hodgkins called roll of the members of the Commission and found present: Chairwoman Donetta Davidson, Vice Chair Rosemary Rodriguez, Commissioner Caroline Hunter, and Commissioner Gracia Hillman. Four members were present for a quorum.

Senior Staff

Executive Director Thomas Wilkey and General Counsel Juliet Hodgkins

Adoption of the Agenda

Commissioner Hunter moved to adopt the agenda. Commissioner Hillman seconded the motion. The motion carried unanimously.

Welcoming remarks

Approval of the minutes from the May 1, 2007 meeting

The Chair opened up the floor for any corrections to the minutes. Commissioner Hillman asked for the clarifications to the advisory which were referenced. Ms. Hodgkins said she would work with staff to get the correction made. Upon doing that the minutes would be considered completed.

Original motion moved to adopt the advisory as written. Motion was amended to include the request for clarification. Vice Chair Rodriguez presented the motion to adopt the minutes with Commissioner Hillman's amendments in addition to the text of the advisory pasted to the minutes. A second was offered by Commissioner Hillman. Motion carried unanimously.

Report from the Executive Director

The audits by the Office of the Inspector General are underway in Rhode Island, Wyoming, Kentucky, New Mexico, and Missouri. Also, audit findings for Maryland were issued last week.

Recently, the EAC has received several Congressional requests. Therefore, the EAC provided over 40,000 docs to Senators Feinstein and Durbin and Congresswoman Lofgren. The Commission voted to make all of this information available to the public. We are still working on how to disseminate the information. You can contact us at our toll free number and request a copy.

We have been reviewing the CIBER application. The Commission voted to reject their application as an interim lab as we had learned from a third party that they had key staff changes and disclosure of those changes are program requirements. Interim labs are only allowed to test to the 2002 standards. CIBER has applied to get full accreditation from the NIST/NVLAP program. We currently have 9 labs in the cue for testing. Systest and iBETA are through. Infoguard has also been recommended for accreditation. All of our stakeholders were notified yesterday.

Election Management Guidelines (EMG) has 3 new sections coming out. The three first chapters have been completed and distributed. This multi year project will be treated as a living document with new chapters being published this fall.

Our Spanish language glossary of election terms has been very well received and is proving to be a valuable resource. This is the first time this has been updated since 1979. Hard copies are available and it can also be downloaded from www.eac.gov

The testing lab Infogard is almost ready and the General Counsel and staff need to review the materials which are in place. He recommends that the Commission takes a tally vote early next week.

Best Practices for Effective Designs in Election Administration: Design for Democracy Project

Panelists:

Karen Lynn Dyson, Research Director, EAC; Elizabeth Hare, Project Manager, AIGA; Michael Konetzka, Design Manager, AIGA; Adam J. Carbullido, CBT Manager, Election Systems & Software; John W. Lindback, Election Divisions Director, Oregon Secretary of State

Karen Lynn-Dyson:

The AIGA/Design for Democracy project team has worked for more than 18 months to create and assemble best practices for ballot design and polling site signs. They also received the input of hundreds of users including voters, vendors, and election officials. The best practices manual can be used as a reference tool for the election community. It is user friendly and highly accessible. Materials are HAVA compliant and can be responsive to voters needs. Ms. Lynn Dyson would like to recommend that the Commission accept the final report which has been submitted by the American Institute of Graphic Art and its nonprofit affiliate Design for Democracy.

Elizabeth Hare:

Ms. Hare noted that she was pleased to be a part of establishing the first set of national best practice examples for ballot and election day voter material designs. The common goal was to make the choice of candidates and issues easier to understand and to assure voters that their vote was cast in accordance with their intent. This manual was created to provide successful solutions and to address challenges that election officials and workers face.

The report includes research summaries and design specifications for HAVA required voter information materials and three ballot formats. Those included optical scan, full face DREs, and rolling DREs. The research team also observed elections in New Jersey and Nebraska while conducting interviews with the election officials, pollworkers and subject matter experts. Comments were also solicited from the EAC Standards Board and the public. The design templates support the 2005 VVSG. Additionally, some of the materials and templates can be customized by Election officials to fit their needs.

Michael Konetzka:

The report is comprised of 8 sections with tables and pictures. It totals 359 pages with 227 supporting digital files. This gives a rich set of samples but also gives usability testing data and production planning tables. Many of the voter information items can be printed out using the templates on the EAC website. That can be done simply by using Adobe Acrobat PDF files. Other materials can be edited for their particular site. Some files would need to be repopulated with the appropriate content. Some of the jargon may look confusing, but to design

professionals it is very common and a part of their vocabulary needed to make the appropriate edits.

If the design is effective but the instructions are bad the voter suffers. Well written instructional language is very important. Hopefully resources will be made available to help election officials with that part.

Adam Carbudillo:

Through working with Design for Democracy, the staff at ES&S has learned a lot about ballot design and elements which are necessary for effective voter experiences. Potential recommendations were identified for future enhancement. However, some of those cost prohibitive elements may act as barriers to implementing some of those elements as best practices. Something such as increasing font size or adding a color can significantly increase the cost of a ballot.

Another barrier is timeline. Ballots need to be available at a certain time and ADA requirements are a factor. The first priorities are the accuracy of the ballot and getting them to the election officials on time are factors that can affect cost. Another thing to consider is that what might be a best practice for one state may not work for another state. Every state will vary and must be customized accordingly.

John Lindback:

Not too long after the 2000 presidential election Mr. Lindback attended a presentation at a NASS conference where Design for Democracy was giving a presentation. They showed slides of the notorious butterfly ballots from Palm County, FL and Chicago, IL and demonstrated how their design was so confusing. The goal became figuring out how to make ballots easy to navigate. In Oregon they vote by mail. A redesign proposal was given to Oregon from a professor and his students at the University of Chicago. A design fellow was sent to Oregon every year to help with keeping these designs up to date. This fellowship program has proved to be a very useful resource.

The question was presented regarding how the EAC implement this manual so it doesn't end up on the shelf. Mr. Lindback recommended that NIST and TGDC get copies of this so the design principles recommended in this study can be considered for the next iteration of the VVSG. Another recommendation he offered was regarding signage and how it should be reviewed and considered for incorporation into the EAC's Management Guidelines.

The Chair announced a 10 minute break and they shortly reconvened.

There was a question and answer period where the Commissioner had a chance to discuss the manual with the panelists.

Commissioner Hunter offered a **motion to adopt the Best Practices on Ballot Design**. Vice Chair Rodriguez seconded the motion. The Vote was offered and the motion to adopt was passed with a unanimous vote.

Executive Director Wilkey also made the announcement that the White House released a statement citing that the President intended to re-nominate Commissioner Gracia Hillman for a four year term.

The Chair asked for a motion to adjourn the meeting. Commissioner Hunter moved that the Commission adjourn the meeting. Vice Chair Rodriguez seconded the motion. **The motion passed unanimously. The meeting was adjourned at 12:10 p.m.**