

Minutes of the Public Meeting

United States Election Assistance Commission

1225 New York Avenue, NW

Suite 150

Washington, DC 20005

Held on Tuesday, August 5, 2008

VERBATIM TRANSCRIPT

The following is the verbatim transcript of the Public Meeting of the United States Election Assistance Commission ("EAC") held on Tuesday, August 5, 2008. The meeting convened at 12 p.m., EDT. The meeting was adjourned at 1:18 p.m., EDT.

PUBLIC MEETING

CHAIR RODRIGUEZ:

Good morning. Welcome to a special meeting of the United States Election Assistance Commission. Today is August 5, 2008.

Our first order of business today is the Pledge of Allegiance. And we have a guest in the audience today, Secretary of State Mark Ritchie. Secretary Ritchie, will you lead us in the Pledge of Allegiance.

SECRETARY RITCHIE:

Yes, please rise.

CHAIR RODRIGUEZ:

Thank you.

[Secretary of State Mark Ritchie led all present in reciting the Pledge of Allegiance.]

CHAIR RODRIGUEZ:

Thank you, Secretary Ritchie. Is there a motion to adopt the agenda?

VICE-CHAIR DAVIDSON:

So moved.

COMMISSIONER HILLMAN:

Second.

CHAIR RODRIGUEZ:

It's been moved and seconded to adopt today's agenda. Are there any comments? All those in favor of adopting the agenda indicate by saying aye. Any opposed?

[The motion carried unanimously.]

CHAIR RODRIGUEZ:

The agenda is adopted unanimously. Typically we have roll call but our General Counsel calls it and...

COMMISSIONER HILLMAN:

Perhaps Mr. Wilkey could call.

CHAIR RODRIGUEZ:

Yes, Mr. Wilkey will you?

EXECUTIVE DIRECTOR WILKEY:

I think I could do that, Madam Chair.

CHAIR RODRIGUEZ:

Thank you.

EXECUTIVE DIRECTOR WILKEY:

Commissioner Rodriguez.

CHAIR RODRIGUEZ:

Present.

EXECUTIVE DIRECTOR WILKEY:

Commissioner Davidson.

VICE-CHAIR DAVIDSON:

Present.

EXECUTIVE DIRECTOR WILKEY:

Commissioner Hillman.

COMMISSIONER HILLMAN:

Here.

EXECUTIVE DIRECTOR WILKEY:

Three are present and a quorum.

CHAIR RODRIGUEZ:

Thank you very much. In terms of welcoming remarks, I have a couple of things to offer today. First of all, we are three Commissioners, we're supposed to be four, and we have heard that Ms. Gineen Beach has been named to the Commission, subject to Senate confirmation, as of last Thursday, I believe, last week. So we very much look forward to working with Ms. Beach. She's someone who is familiar to all of us through her work at the House Administration Committee for the Minority. And -- oh, there she is. I'm talking about you. We look forward to working with her, and welcome her, and we're very pleased to see her in the audience today.

The other thing that I would like to mention this morning is that we've accepted the unfortunate resignation of our General Counsel. She has decided to move on. Having started the EAC, and I think she probably feels a little bit like a parent who started

something going and then pushed it out of the nest. She is going to, I believe, remain in the D.C. area. But we really have put a lot of demands on her time and she mentioned that she might find something a little less 24/7 type of position, which the EAC has actually become. She has done a number of projects that sort of exceeded her boundaries as GC necessarily. She helped with every single task that the Executive Director and the Commission ever gave her and with the thoroughness and a level of commitment that really is exemplary.

And at this time I would offer the opportunity from any Commissioner, Mr. Wilkey, or most especially, Ms. Hodgkins, if she'd like to make any comments.

COMMISSIONER HILLMAN:

Well let me just add to the complements to Ms. Hodgkins, she was actually Ms. Thompson when we hired her, so we've been through a number of evolutions, but in particular I want to point out that Julie agreed to come and work for the Election Assistance Commission when we didn't even know if we would have a budget. We were operating under a \$1.2 million budget at the time. Congress had not concluded appropriations for the 2005 fiscal year and she joined us having faith and in the belief that EAC would receive an appropriate budget and there would, in fact, be resources for us to use in the year, not only to do the important thing of paying salaries

but to also be able to hire staff and conduct our work. And so, for all the staff, and in particular to Julie for having joined us at a time when we really couldn't make promises about very many things, we appreciate it and we appreciate your having held tough with us. We've hit many bumps along the way and, you know, some blind spots and some curves and we appreciate that, you know, you've had the steady oar in the water for us, lest we would have capsized and tipped over on more than one occasion. So thank you very much.

CHAIR RODRIGUEZ:

Commissioner Davidson.

VICE-CHAIR DAVIDSON:

I too, want to extend my thanks and say the very same as the other Commissioners have said. And one thing that wasn't mentioned with Julie, really, last year, Cole came in to her home and her household and with her and her husband and I know you want to spend as much time with him as possible. And I do wish you the best. I mean there's nothing like being able to spend time with your children. And I do thank you and I wish you the very best. And I know whatever you seek to do you'll do well.

CHAIR RODRIGUEZ:

Mr. Wilkey.

EXECUTIVE DIRECTOR WILKEY:

I'm going to keep this brief because if I go on long there are no Kleenex boxes on the table and everybody knows I'm a softie. But I think Julie, or Jewels as I've come to call her, knows how much I appreciate everything that she's done for me since I arrived at the EAC. That first year, year-and-a-half that I was here, so many of the things that I had to face, I faced them with her help and her wisdom and her guidance, and I appreciate that so much. We've become good friends. I've relied on her for a lot of things and I think she knows how much I do appreciate that. Coming from two different regions and two different philosophies, we basically agreed on most everything. Every once in a while we would have a minor disagreement. I guess our major disagreement was when she named her son Cole instead of Tom, but I've since forgiven her for that. And I know that wherever she goes and whatever she does, it will be with excellence and with a great deal of energy. And I'll have more to say some other time. Thanks.

CHAIR RODRIGUEZ:

Ms. Hodgkins.

COUNSEL HODGKINS:

Well, thank you to all of the Commissioners and the staff at the EAC. Let me say it has been my great honor and privilege and pleasure to serve as the first General Counsel of the United States Election Assistance Commission. This is a tremendous

organization, it has a tremendous mission and I hope, and will keep you in my prayers, that you will continue your good work to help this country with the administration of its elections.

As many people have said, there have been a few changes in my life during the course of my time at EAC. I went from being a Thompson, to being a Hodgkins, to being a mother, and now it's time for me to focus some of my energy and my time on that family and on my young son. So I appreciate the acceptance of the Commission to allow me to go and take care of that. And just so that everybody will know, I'll be around here for a little while longer. I've offered, and the Commission has accepted my offer, to assist them during this time of transition until they find someone suitable to serve as their next General Counsel.

CHAIR RODRIGUEZ:

Thank you, Ms. Hodgkins. Actually, we begged her to stay around. Thank you all very much.

We now move to the old business portion of the agenda. Is there a motion regarding the June 19 minutes?

COMMISSIONER HILLMAN:

I move adoption.

VICE-CHAIR DAVIDSON:

Second it.

CHAIR RODRIGUEZ:

It's been moved and seconded to adopt the minutes from the June 19th meeting. I understand there's a correction. Does anyone have a correction to offer? No, none? Okay, then, are we ready to vote on the minutes?

COMMISSIONER HILLMAN:

Yes.

CHAIR RODRIGUEZ:

All those in favor of adopting the June 19, 2008, minutes indicate by saying aye. Any opposed?

[The motion carried unanimously.]

CHAIR RODRIGUEZ:

The minutes are adopted. Mr. Wilkey, your report please.

EXECUTIVE DIRECTOR WILKEY:

Thank you, Madam Chair. I want to welcome everyone to today's meeting. It's just three months out from election and we're busy on several fronts preparing for that big day in November.

Under election administration, this week we will be posting five new final advisory opinions, all of which were decided by a tally vote of three to zero. They include the purchase of replacement equipment for previously funded HAVA equipment, the application of indirect cost rates, the use of HAVA funds for voter registration activities, the application of the Maintenance of Effort requirement to States that installed a voter registration database prior to HAVA

and that subsequently met the requirements of HAVA, the waiver of State-matching requirements in accordance with Title 48 Section 1469(a)(d) of the United States Code. In addition to these tally votes, the Commission also voted unanimously to appoint Richie D. Vincent as the EAC contracting officer and to add new subject matter to today's public meeting. We also updated the NVRA form to reflect recent requests to update State instructions. The new form is posted on our site.

Under research, this week we are holding a virtual meeting of the Board of Advisors to solicit comments on the alternative voting methods report. Members of the public are invited to observe the meeting by visiting our Web site. We are preparing to send the near final paper version of the 2008 Election Day Survey, which will be mailed in mid August.

Under testing and certification, Unisyn Voting Solution submitted a system, the Uni-System Open Elect Voting System Version 1.0, for testing under our program. A complete list of voting systems applying for certification is on our Web site. The EAC has invited CIBER to apply for accreditation under the EAC's Voting System Test Laboratory Accreditation Program following NIST NVLAP's recent recommendation to us. The letter is posted on our site. We've also posted correspondence from EAC expressing

concerns to SysTest Labs regarding communication between SysTest Labs and election system and software.

Under Web site updates, we've included a section on our home page containing links for election officials that make it easy to find information, such as proposals and guidance up for comment, and existing policies and guidance issued by the EAC. Since our last meeting, Chair Rodriguez has issued two separate statements on poll worker recruitment and on overseas and military voting. Both of these statements are posted on the new section of our site. Commissioner Hillman's written testimony before the House Committee on Judiciary may be accessed in the archives of our news updates and in the Commissioner's section of the site.

We are currently accepting public comment on several items, including draft guidelines and material changes in the administration of HAVA State plans, which the comment period is over August the 11, notice to proposed rulemaking for Freedom of Information Act, Government and the Sunshine Act, and Privacy Act requirements and those comments end August the 29th.

I want to again point out to all those in attendance and those who may be viewing that we put an enormous amount of information on our Web site. In fact, some people say we put too much, but we don't think too much is enough. And we hope you will periodically go on www.eac.gov. and keep updated about what

we put on our Web site because we do put a tremendous amount of information up there.

Madam Chair, that is my report for this meeting.

CHAIR RODRIGUEZ:

Thank you. Are there any questions for Mr. Wilkey?

COMMISSIONER HILLMAN:

I do have a question and it's actually just a clarification. You referenced correspondence from EAC expressing concern to SysTest Labs regarding communication between the labs and ES&S. And I know it's posted and available to the public. Could you just remind me what the expression of concern is that we...

EXECUTIVE DIRECTOR WILKEY:

It had come to our knowledge that SysTest had shared some test plan information with the vendor, or back and forth between the vendor. I can certainly have Mr. Hancock brief you further on that, but it was a concern that we have. And, as you know, every item of information that we share now with our laboratories and our vendors goes up on our Web site for everyone to see. But it did -- it was information that we did not feel was within our certification manual process.

COMMISSIONER HILLMAN:

Thank you.

CHAIR RODRIGUEZ:

Commissioner Davidson, any questions?

VICE-CHAIR DAVIDSON:

No questions.

CHAIR RODRIGUEZ:

I would just add a comment or two about the conferences we've been at in the last month. Let's see, we had a public meeting at IACREOT, which is the International Association of Clerks, Election Officials and Treasurers. And then we went to the National Association of Secretaries of State with our friend, Secretary Ritchie. I think that's for meetings since our last meeting. But we definitely have been on the road and in August -- later on in August we're going to the Election Center meeting. We won't be having a public meeting there, but there will be a strong EAC presence in the classroom of coursework and of Commissioners.

Okay, now we go to the Maintenance of Effort issue, which has been on the agenda for the last five, I think, meetings. We had a proposal from former Commissioner Hunter which is now the Rodriguez proposal, and we had a proposal from Commissioner Hillman to revise a previously issued advisory opinion by the EAC. In July, I did a letter to the OMB asking for written opinion on a number of issues, and I'm not sure of when we're going to get that written opinion, but we have a conference phone call with the Office of Management and Budget tomorrow morning, which, I, in at least

two meetings said needed to have before I could make a final opinion between the two proposed advisory opinions or the status quo. So we will be having that conference tomorrow morning and at that time -- I think I've gotten a bit of a reprieve from Commissioner Hillman, who really, appropriately, wants the EAC to make a decision on this issue. I'll let her speak for herself, but we're almost -- we're almost finished with this work. I know it's taken forever, and we'll determine after the conference call after tomorrow how to proceed and make our decision public.

Commissioner Hillman, do you want to add anything?

COMMISSIONER HILLMAN:

Nothing to add except to say, yes, I did agree that since the conference call with the Office of Management and Budget staff is scheduled for tomorrow morning, it's too bad that it's the day after this meeting, but that we should certainly have the conversation with the Office of Management and Budget and then receive that information. Hopefully that will be the conclusion of the research and that we won't end up that conversation with more open-ended questions, so that by September we could move to bring this to a conclusion.

CHAIR RODRIGUEZ:

Commissioner Davidson, do you have anything you'd like to add?

VICE-CHAIR DAVIDSON:

Just that I had the very same hope, that we can draw this to a close and obviously making the right decision. I'm looking forward to the conference call. I think it will be very enlightening and am preparing questions.

CHAIR RODRIGUEZ:

Thank you. I meant to introduce another guest. Mr. Christopher Nance is here. He is the Assistant Secretary of State for the State of Ohio. And there's no State in the union or territory that is more important in the EAC's eyes, but Ohio certainly would be one of them if we had a preference. Thank you for coming.

MR. NANCE:

Thank you very much.

CHAIR RODRIGUEZ:

So we will table -- continue to keep on the table the Maintenance of Effort discussion and vote.

New business. Commissioner Hillman is going to offer a Draft Policy for Notice and Public Comment.

COMMISSIONER HILLMAN:

Okay, I'm going to ask Maisha Leek, who is, as you all know, my Special Assistant, to come to the table, as she has some information to be shared in this discussion.

And the way I'm going to approach this is, just to summarize what this proposed policy has been through and to also offer a

motion for adoption, explain what happens once we adopt the policy. And then, once the motion is on the table, we can talk about the changes that have been made since the public comment period and we can then consider whatever questions that you and Commissioner Davidson may have. And there seems to be a little exchange of paper going on here.

So let me just begin by summarizing the process from when this proposed policy was first introduced through to today. The first draft was proposed on June 3rd. We had a discussion at our June 19 public meeting. The proposed policy for Notice and Public Comment was posted on EAC's Web site for a 30-day public comment period beginning on June 20. Notice about this was distributed to our Listserve on or about the same day, June 20. The comment period ended July 21. Updates were provided at our July 21 meeting about the status of the proposed policy. And then the Commissioners received information about comments that had been submitted on July 31, and we received copies of those comments.

Maisha and I actually used the process for this policy as a test of the timelines that are imbedded in the policy to see the reality of what would need to be taken on and how long it would take. The one observation that I will make is that the policy provides for 14 days from the close of the public comment period

until when the public comments would be summarized with appropriate recommendations from the staff on action. And I will say that depending on the other activities that the responsible program director has and other deadlines that are going on, the 14 days may be too short a period of time. I know it's hard to hear that two weeks isn't enough time, but we had just two weeks to bring this to closure and because of the many other things that were going on, including my attendance at the Secretaries of State convention and some other briefings with members of Congress, the 14 days can be tight. However, our policy does provide that the Executive Director can extend the 14-day period. I mean, we very carefully prescribed the circumstances under which that can happen, but staff do have the opportunity to request an extension on that.

I would say that written procedures need to be developed, Mr. Wilkey, really soon, so that all staff would be clear as to how the policy is to be implemented. And certainly Maisha can add a lot to that since she was the one who agreed to go through this for the first time.

We do acknowledge that there is a probable conflict between this Notice and Comment to policy and our policy to issue Funding Advisory Opinions, which is numbered FAO-08-004. My recommendation is that we adopt this Notice and Comment period

now and that staff have the opportunity to make suggestions to us as to how to bring the FAO in line with this policy, and that for the time being the FAO policy be exempt from the Notice and Comment, but that hopefully by September we would have some recommendations from staff as to how to bring those two things in line.

So with that summary, I'm prepared to make a motion to adopt the policy. When the motion is on the floor, as I said earlier, I'll explain the changes and additions that have been made to the policy as a result of comments received from the public. Following our vote, assuming we vote to adopt the policy, the policy will be posted in the Federal Register and on our Web site for an additional 30-day comment period, this is required. After review and appropriate disposition of any comments received during the second 30-day period, EAC will make final publication of the policy, and that will include final notification in the Federal Register and on our Web site. In both instances we will do a Listserve notification to our stakeholders and the policy becomes effective at the time of final publication. So I'm going to guess that it could be any time between 30 and 45 days from today that the policy will become effective, depending upon how many public comments we receive.

So with that, I make a motion -- I move that we adopt the Notice and Public Comment policy that we have before us and that

the policy be sent to the Federal Register for a 30-day notice and comment period.

VICE-CHAIR DAVIDSON:

Second the motion.

CHAIR RODRIGUEZ:

It's been moved and seconded to adopt the proposed Notice and Comment Public policy -- Public Comment policy.

Commissioner Hillman.

COMMISSIONER HILLMAN:

Okay. You have before you just a little spreadsheet of the comments we received and the recommended action as proposed by the staff, and at this point I'd like to ask Maisha to just briefly summarize the information that you have before you. And when she finishes that, I'll actually point out where in the policy we've made changes as a result of these comments.

MS. LEEK:

Thank you. We received several comments, some about the policy in general, some about the implementation of the policy, and a few comments that spoke to specific sections.

Comments in general were the following: All communication between States and EAC be public, formal and published contemporaneously on the EAC Web site. This comment was considered but language was not added to the policy because

some of this comment is satisfied under the advisory opinion policy and posting every communication between EAC and the States may overextend our abilities to the Web site and staffing. Another comment, in general, there's a suggestion that the EAC "construct a Listserve of interested parties and organizations and regularly email notices of hearings, meetings, new information, or topics under discussion." This comment was considered but language was not added to the policy, as EAC currently operates a Listserve that does just that. Another comment, a request that we list all matters for which comment is open on the EAC's homepage, or at least provide a stable, easy-to-find link to all such matters. This comment was tabled for further consideration. EAC recognizes that our agency could make such subjects easier to locate and find on our Web site. Another comment, EAC add a Web content feed system. For example, really simple syndication, or RSS, to announce public comment periods. Such technologies allow individuals to use programs that automatically gather information from the EAC's Web site. This comment was tabled for future consideration. The Communication Department is examining a timeline for incorporation of this technology. Cost and budget has not yet been determined. Additional comment, the proposal should clarify that all comments from governmental entities be made available to the public as soon as practicable. This comment was

considered but language was not added to the policy as this policy treats all comments the same irrespective of their origin.

There are a few comments about the implementation of the policy and they're as follows: A proposal for public comment when substantial changes are to be made by the agency after previous notice and public comment on a particular subject. This comment was tabled for future consideration, as it may be best suited or addressed under the advisory opinion process. One commenter suggested that the policy places the General Counsel in a difficult position with the number of individuals giving that person direction because the General Counsel at the EAC "reports directly to the Executive Director." This comment was considered and language was not added because as the concern is appreciated, this policy is consistent with the role of the General Counsel. EAC should provide an appropriate summary and explanation or rationale for any proposed action, in addition to providing the text of the proposed action itself. This comment was tabled for future consideration as EAC will take this under advisement.

The following comments speak to specific sections. All of them speak to Section III, "Applicability." There was concern that the proposal excludes any particular matter involving a single party that addresses a specific case or controversy because such matters can easily have precedential value and can enunciate or

establish “a policy of general applicability.” This comment was tabled for future consideration, as EAC will take it under advisement. Another comment for Section III, “third parties” as triggering applicability, that this may be confusing and it is suggested that “outside parties” be the term of choice. This comment was accepted. A section was added to the policy, Section II “Definitions” to provide clarity. The last comment about Section III was about interpretations issued under the testing and certification program manual as the interpretations are not rules of general applicability. This comment was accepted and the section was added -- a section was added to the policy, Section II, “Definitions” to provide clarity about this concern.

A final additional comment, one commenter provided a copy of the “Final Bulletin for Agency Good Guidance Practices” as a suggested guide for policymaking. This document provided great insight into the process followed by departments that issue regulatory guidance. This comment and the document was considered. Language was not added to the policy because the document although helpful, is not -- does not fit the policy being considered by the EAC as the proposed Notice and Public Comment Policy is a policy of general applicability that sets forth what input the public will have related to EAC actions.

CHAIR RODRIGUEZ:

Very good.

COMMISSIONER HILLMAN:

Okay. So let me just point out to you, and you have before you the policy with track changes so you will be able to follow along. And these changes were posted to the public. Is that correct?

MS. LEEK:

Correct. The full text of the comment was posted to the public.

COMMISSIONER HILLMAN:

I'm sorry?

MS. LEEK:

The full text of all comments were posted to the public.

COMMISSIONER HILLMAN:

Okay, but I meant the changes to the proposed policy it has been made available to the public?

MS. LEEK:

Correct.

COMMISSIONER HILLMAN:

We added a section on "Definitions" defining what outside party means and making it clear that outside party does not include Federal government, Executive Branch or independent agencies as very often EAC has to consult with other Federal agencies as we develop our policies. And it also defines policy of general

applicability, so it will be clear as to exactly what purpose this policy serves.

We then identified in that definition of policy of general applicability what matters of general applicability are included. And we list program manuals adopted by EAC that impact outside parties, guidance and other regulations or policies concerning EAC administrative actions.

Under roles and responsibilities, we made it clear that the Responsible Program Director shall produce the written summary of all comments received within 14 days of the close of the comment period. And that's what I alluded to earlier that 14 days may be tight depending on what else is going on at EAC.

Under Section -- the new Section III(b), and we talked about the length of time that a policy would be posted for public comment and the standard is 30 days. However, we do make a provision that the Executive Director may approve a public comment period of between 15 and 29 days under limited circumstances and when good cause is demonstrated, and mostly we would expect that to happen when there's a time sensitive issue that requires expeditious consideration.

And then, in the rest of the document we did replace the term "third parties" with the term "outside parties" as is defined in Section II of the policy. We inserted the 15 days under the

Effective and Sufficient Notice section, which is now Section V, so that it does talk about the public comment period being no less than 15 days. And then on page four in the middle of the section where it describes the duties of the Responsible Program Director, it says that the Program Director not only prepares the notice of the proposed policy but includes a summary of the proposed action.

And those are the major changes. There were just other formatting changes to accommodate relocation of information to other sections to make it more clear what the policy was saying.

CHAIR RODRIGUEZ:

Thank you, Commissioner Hillman. Are there any questions for Commissioner Hillman or discussion items? In that case I will just ask you to expand just a tiny bit on the first comment that all communication between states and EAC be public, formal and published contemporaneously on the Web site. In deciding which action to recommend, did you look at what other agencies do? Is there an agency in the Federal government that posts on its Web site all communication between that agency and any one of the States?

COMMISSIONER HILLMAN:

Not to my knowledge, not that we could uncover. I would be very surprised if that happens.

CHAIR RODRIGUEZ:

And so, unless something is protected by an attorney/client privilege, everything we have is a public record and would be available to someone who wanted to request that type of extensive correspondence. Am I correct?

COUNSEL HODGKINS:

There are actually a couple of other privileges that might attach to certain information depending upon what that information is. Trade secrets, for instance, may be contained in the correspondence, particularly if the state is referencing a contract with a subcontractor or vendor. So...

CHAIR RODRIGUEZ:

So there's a couple of -- a propriety exception, attorney/client privilege, but other agencies just don't make every single thing available. I think that probably would be burdensome and so I thought we should maybe expand on that comment a little bit. But I agree it probably would -- the system couldn't bear the weight of that extensive correspondence.

I'm prepared to support this. I appreciate the heavy lifting involved from you and Ms. Leek and your willingness to test drive the whole process in your development of this policy. Thank you Commissioner Hillman.

Commissioner Davidson.

VICE-CHAIR DAVIDSON:

I too would like to say that I appreciate your willingness to work with me also on some of the issues and to clarify and move forward on some of the issues that I was suggesting. I think that it really shows that we are working together on our issues and I appreciate it, I really do. I want both of you to know how much I appreciated you answering my questions and getting back and in some areas explaining it to me where I didn't need to make a change and other areas where you did take the change that I had suggested. So thank you very much.

COMMISSIONER HILLMAN:

You're quite welcome. It's a workable process and I think particularly once the procedures are written down so everybody can see how this can follow through. I can't imagine we'll be doing a lot of policies. This is different than the advisory opinion because the advisory opinion reacts to questions from state and local jurisdictions, and what scares me about that is, theoretically we could have 7,000 jurisdictions asking us questions. But this is more how we will provide an opportunity for the public to view and comment on our proposed policies before we take action.

CHAIR RODRIGUEZ:

Thank you. It sounds like we're ready to vote. All those in favor of adopting the Notice and Public Comment Policy indicate by saying aye. Are there any opposed? The motion is carried unanimously.

[The motion carried unanimously.]

COMMISSIONER HILLMAN:

Thank you.

CHAIR RODRIGUEZ:

Okay, now the Joint Partnership Taskforce Consideration of a Draft Policy. Commissioner Hillman.

COMMISSIONER HILLMAN:

It was my hope to have before today a written draft of a policy on this, but unfortunately 24 hours a day and seven days a week still aren't enough time to get everything done. But I will report that we agree that, at the current time, it appears the type of joint partnership taskforce that would work best for EAC is one that would include representatives of many different segments of stakeholders and not just state election officials. One of the options before us was a Federal/State partnership taskforce and the other was a taskforce that would include other stakeholders.

And so then, based on that I will be moving forward now to come up with a draft and it will go through the procedures that are prescribed in the policy we just adopted. Even though that policy isn't effective yet, we will still follow the spirit of that with respect to notice and public comment.

CHAIR RODRIGUEZ:

Very good. Commissioner Davidson.

VICE-CHAIR DAVIDSON:

One question I have, do you have any idea what size this group will be?

COMMISSIONER HILLMAN:

No, I'm not so sure that size matters. Where EAC gets a little tripped up on the size of our working groups is if we're going to have a working group where we're going to pose the same series of questions to everybody in the working group, then it can't be more than nine people. But if it's a working group to just really sort of have a dialogue about issues, then I think size it's just what we deem is manageable in terms of convening the taskforce, as well as our budget concerns.

VICE-CHAIR DAVIDSON:

So you look at bringing the taskforce together in the meetings? Or are you wanting to do it over the phone?

COMMISSIONER HILLMAN:

Well, I think we should leave our options open. I think there will be occasions when it will be important for the taskforce to sit together in a room. It's easier to have a good exchange and dialogue when people are in the same room. But obviously, once the taskforce gets going, and particularly, if we are able to design a taskforce that would be able to have subgroups, then certainly conference calls would be a more efficient way for some things to be discussed. So

I don't see the policy limiting the options as to how the taskforce could conduct business. But we do not envision recommending that it be an advisory committee, so that it would not be subject to the Federal Advisory Committee Act but more of a working group.

VICE-CHAIR DAVIDSON:

And wasn't that one of the issues that if we had the State only it would be?

COMMISSIONER HILLMAN:

No. No, if it was state-only it would just be that outside stakeholders could not participate. It would be strictly a Federal/State representatives.

VICE-CHAIR DAVIDSON:

Okay, I guess I misunderstood that then.

COMMISSIONER HILLMAN:

Yes. No, one of the options we did propose was setting up an Advisory Committee that would be subject to the Federal Advisory Committee Act, and we agreed that was not necessarily the way that we wanted to go. But the General Counsel may have some more insight.

COUNSEL HODGKINS:

Well, the difference between the Federal Advisory Committee and this type of working group is, essentially, you would be seeking the individual opinions of the members as opposed to the collective

opinion of the group. With the Federal Advisory Committee what you're seeking is the collective or agreed upon opinion of the group as opposed to the individual opinions.

CHAIR RODRIGUEZ:

Thank you, Commissioner Hillman, again, for your leadership on this issue. Putting it off a bit may work also for our state partners because they're within 100 days of an election. They can see the whites of its eyes. So it may work better for a number of stakeholders if we put it off just a little bit, although the task is very timely.

Okay. Then moving on, Consideration of Proposed Administrative Regulations. Ms. Hodgkins.

COUNSEL HODGKINS:

Thank you, Madam Chair. Let me start by giving you an update. This is the second in a series of administrative regulations that we have proposed. The first one came to you at your June public meeting, which you agreed to propose and put in the Federal Register for public comment. That comment period is ongoing. On the first series of regulations, which included regulations on the Freedom of Information Act, the Government and Sunshine Act, and the Privacy Act, that comment period will extend until August 29, 2008. And we are taking comments via three different methods: One to the havainfo@eac.gov email address, one through

physical mail to our address here at 1225 New York Avenue, N.W., Suite 1100, Washington, D.C. 20005, or through the federalportal@regulations.gov. And I'm sorry there was actually a fourth method. Commenters can also fax their comments in to our telephone here at 202-566-3128. Again that comment period will end on August 29th. We will be resolving -- or proposing resolutions to those comments which we will present to you hopefully at your September meeting.

Now today I'm bringing to you the second in the series of administrative regulations. These proposed regulations include regulations on document and witness production in civil litigation, that is cases that do not involve United States government or the EAC, but third parties. So, if in third-party litigations, someone wants to have an expert witness from the EAC testify or wants documents that the EAC retains, they would follow these regulations in obtaining that testimony and that information. In addition, we have regulations governing the standards of conduct for EAC employees. Now primarily these make reference to other existing regulations, those promulgated by the Office of Government Ethics, those relating to the Hatch Act, et cetera. The last piece of regulations in this group is regulations regarding non-discrimination on the basis of handicap. These would govern EAC

programs and also the programs that are carried out by its contractors or grantees.

So, those are the three things that are being proposed here. While this series of regulations does not require public comment, based upon individual conversations with the Commissioners it is our understanding that the Commission would like to extend that opportunity for public comment. So, what we would propose to you today is that if you vote to adopt or actually to propose these regulations that we would post them on our Web site for -- to take comments for a period of 30 days.

Again, we would take comments via three different methods. One being the havainfo@eac.gov email box, one to our physical address and third to the fax number that I listed earlier. At the end of the comment period we would propose again resolutions to any comments that we have received and then upon that bring it back to you for a vote.

Both of the last -- the first set of regulations that we proposed as well as this set of regulations that were proposed are subject to the Congressional Review Act. They are not a major rule, but they would require, in addition to publishing the final regulation in the Federal Register, that we deliver a copy to Congress. So that action would be taken as well.

And just as a last tidbit and a foreshadow to the September meeting as well, we believe that we'll be ready to present to you the third set of administrative regulations at the September meeting. Those regulations would cover issues of non-discrimination in Federal financial assistance, primarily grant programs again, on the basis of age, race, color and national origin. Those regulations do require an information collection, so they will require us to go through the Paperwork Reduction Act process. So once you are ready to propose those regulations we will begin that process, in addition to taking comments via the Federal Register or our Web site. So just to foreshadow that.

But at this point I do recommend that the Commission adopt for proposal the second series of administrative regulations governing document of witness production in civil litigation, standards of conduct, and non-discrimination on the basis of handicap.

CHAIR RODRIGUEZ:

Thank you, Ms. Hodgkins. Are there any questions or is a Commissioner prepared to make a motion?

VICE-CHAIR DAVIDSON:

I think we need to make the motion first before we ask questions.

COMMISSIONER HILLMAN:

So moved.

VICE-CHAIR DAVIDSON:

Second.

CHAIR RODRIGUEZ:

It's been moved and seconded that we propose the regulations enumerated by Ms. Hodgkins in her presentation. Unless I have to restate it -- okay, thank you.

Commissioner Davidson.

VICE-CHAIR DAVIDSON:

The one question I have is, do you feel that with both of the regulations that you just spoke to, the one that is out for comments now that will be out until August 28th and then this one would be out until about September 4th, will they both be ready to vote on and present at our next meeting, which I believe is around September 17th or somewhere...

CHAIR RODRIGUEZ:

18th.

COUNSEL HODGKINS:

I will say to you this. Currently we have not received any comments on the original set of regulations that we have proposed. Assuming that we receive none or a small number of comments on both of those, I think that we would be prepared to move both of those forward. I can't commit, at this point, to the idea that we will

have the second series ready, just because I don't know exactly how many comments would be available.

VICE-CHAIR DAVIDSON:

And my second question is, is this some of the really things that we need to move forward and get into place to make our agency up to date, you know, being a new agency and bringing it into conformity of meeting all of the regulations and standards and everything that the Federal government has?

COUNSEL HODGKINS:

Absolutely. These -- each of these in the three series here are the basic regulations for the operation of any Federal government agency in their communication with the public or their grantees or contractors with regard to what their expectations are. So, it sets the groundwork for what the expectations of the agency are, in terms of a good number of things that Federal government agencies generally interact with the public on; Freedom of Information, Government and Sunshine, those sorts of things.

VICE-CHAIR DAVIDSON:

Right. And the last one that you spoke to that you felt like we would be ready but it also has to go out for the public -- for the Paperwork Reduction Act to be able to gather information and that one, because of the Paperwork Reduction Act, that will take us an additional, guessing, 90 days to be able to work through?

COUNSEL HODGKINS:

Probably closer to 120. There are two public comment periods. I believe one is a 30-day period and the other one is a 60-day period. So, you know, adding those two together plus resolution of comments you're looking at a little bit longer period of time. And we may run into some difficulty in terms of being able to even adopt this by the end of the year just based upon the regulatory agenda that's out there and the idea that when you get close to the end of the year and particularly close to the end of the Administration there's some hesitancy to adopt new regulations, even if they are administrative in nature. So we'll have to keep you posted on how that impacts us.

CHAIR RODRIGUEZ:

Commissioner Hillman?

COMMISSIONER HILLMAN:

No.

CHAIR RODRIGUEZ:

Thank you then. Again I want to comment on how much work is involved in preparing these and commend you and your staff for continuing this really huge project.

We will vote then, on proposing the draft regulations. All those in favor indicate by saying aye. Any opposed?

[The motion carried unanimously.]

CHAIR RODRIGUEZ:

The motion carries unanimously. And now I'll invite our Research Director, Ms. Karen Lynn-Dyson, to join us at the table and brief us on your proposed work plan. Thank you.

MS. LYNN-DYSON:

Thank you. Commissioners, Mr. Wilkey and General Counsel Hodgkins, I guess I won't be saying that too many more times, I come before the Commission today to present a portion of the Research Department Work Plan for fiscal year 2009. I will take you through the basic framework that I believe is necessary to successfully complete each of three HAVA-mandated research reports. The first two reports, Social Security and Free Return for Postage for Absentee Ballots, cover topics that the EAC has investigated before and on which EAC needs to move forward in order to fulfill our HAVA mandates, with respect to Sections 244 and 245. The third report about matters particularly relevant to voting and administering elections in rural and urban areas is another HAVA-mandated study that staff and EAC's Board of Advisors believes should be completed.

I won't present a detailed description of the research methodology or approach that will be used for developing these reports as it would be premature to do so before the Commission

has had an opportunity to discuss the topic in a public forum.

Instead, I'll describe a process that we'll use to study these topics.

Section 244(b) of HAVA requires "the Commission, in consultation with the Commissioner of Social Security, to study and report to Congress on the feasibility and advisability of using Social Security identification numbers to establish voter registration."

Research Department staff is working to craft basic guidelines for framing and conducting this research. Once staff has gained input from the Commissioners regarding the direction of the research, the Research Department would then convene a working group that will include Social Security and database experts. After briefing the Commissioners about the recommendations and findings from the working group, the staff would then write a report to be submitted to the Commissioners, as well as the Board of Advisors, for comment and for review. Finally, the Research Department would submit the report for consideration of adoption at a future EAC public meeting.

And then, our second report, Section 246 of HAVA requires "the Commission, in consultation with the Postal Service, to conduct a study on the feasibility and advisability of the establishment of a program under which the Postal Service shall waive or otherwise reduce the amount of postage applicable with respect to absentee ballots submitted by voters in general elections for Federal office." The Commission contracted for a study on this

topic that was completed by the Election Center and presented at an EAC meeting in February of 2008. As a next step, EAC Research Department staff will highlight the key findings in this report, and then solicit Commissioner input on how to best fulfill the HAVA mandate. Research staff will then convene a working group to discuss the report's key findings, as well as the issue of the feasibility and the advisability of free postage for the return of absentee ballots. After briefing the Commissioners about the recommendations of this working group, the research staff would then submit a draft policy memorandum to the Commissioners, as well as to the Board of Advisors, for their comment as well. Finally, the Research Department would submit the policy memorandum on the issue for consideration of adoption at a future public meeting.

The final research study under consideration for early fiscal year 2009 has not been discussed previously at the EAC. Section 241(b)(15) of HAVA requires a report about "matters particularly relevant to voting and administering elections in rural and urban areas." As this topic is a broad one, Research Department staff will solicit Commissioner input about possible approaches to studying this issue. The staff would then convene an informal working group or conduct a series of one-on-one interviews with local election officials to receive their input. From the results of these discussions and deliberations, research staff would then submit a draft research

proposal to the Commissioners for your consideration. Depending upon the breadth and scope of the proposed research study, the work would then -- may be conducted by EAC staff or by an outside contractor. Once a draft research report is written, it will be submitted to the Commissioners for consideration for final adoption at a future EAC public meeting.

As you can see, each of these reports requires several steps for planning and execution. In the coming weeks, Research Department staff will begin to do more in-depth background research on these three topics and begin to solicit suggestions and recommendations about various approaches to these issues and possible working group members.

I'm pleased to be able to present this portion of our work plan to the Commission and believe that it will be helpful for the Commissioners to know how the Research Department intends to fulfill our HAVA mandates. And of course I'm happy to answer any questions you might have.

CHAIR RODRIGUEZ:

Thank you, Ms. Lynn-Dyson. Are there any questions for Karen?
Commissioner Hillman.

COMMISSIONER HILLMAN:

Ms. Lynn-Dyson, I have a question about the postage for absentee ballots. When you talked about convening a working group, you

talked about discussing key findings, as well as the issue of the feasibility and advisability of free postage. If I recall correctly, when the Board of Advisors passed resolutions at its recent June meeting, it was suggesting that we consider a first-class stamp as the postage irrespective of the weight and size, and so that would be reduced postage. So could I just add to make sure that reduced postage stays as an issue of consideration for this?

MS. LYNN-DYSON:

Yes, absolutely. Absolutely, Commissioner.

COMMISSIONER HILLMAN:

And I do have another question, and it just would be the benefit to EAC and what we have learned from using working groups in previous research and study projects. I know that we have done that, and it might be interesting to hear that in the context of how working groups might be used for these activities.

MS. LYNN-DYSON:

Absolutely. I think that with few exceptions our research studies, and I know the work of my colleagues on some of their projects, have involved quite extensively working groups from all over the country. I can speak most particularly of the working group activity that took place to assemble, to create the guidebooks for poll workers. The Poll Worker Institute and IFES, who were the contractors on that project, really used the working groups to really

write those guide books, and those working groups consisted of local election officials, of key advocacy groups. Similarly, our effective designs for administering elections, better known as our ballot design project, also had benefit of an extensive national working group that was convened, I believe, three times in the course of that 18-month contract. And they were in frequent contact via email and conference calls around the assembly of ballot designs, prototypes, that in the considered judgment of design experts, of local election officials was the best way to proceed.

So, I think Commissioner Hillman very wisely points out that the more ownership and the more involvement that we get in our research studies, so much the better for this agency and for the end product that we end up creating. It is something that's been well vetted and well considered by our key stakeholders by the time we get to a final stage.

COMMISSIONER HILLMAN:

What were the size of the working groups? And was there any particular number that seemed to work better in terms of the size of the working group, the number of people on the working group?

MS. LYNN-DYSON:

My recollection is in those instances it was 20 persons or less. I do know that in the case of -- I smile a bit because I know in the case

of the effective designs report there was a lot of interest in doing things in a highly electronic fashion. They wanted to initially see if they could do few, if no meetings in person and see if they could do everything in a virtual meeting fashion, and it turned out that to really capture people's concentrated attention they did need to bring folks to New York at least a couple of times to really get the kind of feedback that they wanted. So I would say 20 -- in my experience here at the EAC, I would say 20 persons or less.

COMMISSIONER HILLMAN:

Thank you.

CHAIR RODRIGUEZ:

Thank you, Commissioner Hillman. Commissioner Davidson.

VICE-CHAIR DAVIDSON:

I have no questions.

CHAIR RODRIGUEZ:

I'm going to back up and talk about the way that we're handling this today reflects the new way that the EAC has decided to work in the future, and we think it will lead us to a more transparent, less contentious outcome. So this process by which Ms. Lynn-Dyson has agreed to be the -- and the research folks have agreed to be our guinea pig is that the Department within the EAC will come to the Commission with a broad project or proposal and after briefing us, if we want it to be briefed individually, and then we'll give

feedback or tacit approval, not formal approval, and then you'll proceed and come back intermittently throughout your process, involve us in work groups whenever appropriate, really work together on these projects and then -- so that when we get to the finish line it won't just be...

MS. LYNN-DYSON:

No surprises.

CHAIR RODRIGUEZ:

...the EAC and a contractor but the EAC Commission staff and where necessary a contractor. So it's really designed to be a threading together of everybody. Thank you for your leadership from the staff in agreeing to be the first on this one.

In my opinion, I told you after we were briefed, I don't see any reason for obstruction -- I have no objections to proceeding this way. Again I don't think we're going to vote today, but is this a good route, I guess is my question, for Ms. Lynn-Dyson to proceed by?

COMMISSIONER HILLMAN:

I believe it is. It certainly hits to a couple of the topics that the Board of Advisors recommended we seriously consider. It hits to, at least on the Social Security study, something that we are behind on, quite frankly because it's been a very, very difficult issue. And I think, you know, hindsight is 20/20 vision, but the notion of getting a

working group to help us think through what the study should be could sort of jumpstart that process and balance off any concerns that we had about the breadth and depth of the study and whether it would be overwhelming for our limited resources.

So thank you.

COMMISSIONER DAVIDSON:

And I agree. And I think the other with the postage that has been an issue for a number of years. I was on that committee and chaired that once. I'm very proud to say we got the logo which we felt like would really help in identifying the mail that goes out to election people or the election community as well as receiving it back in to the offices, and it was a benefit. And we were hoping that would also give us the ability to use some of what was in HAVA at the time, but obviously some of our dreams there has been turned down by the postal efforts.

But anyway this gives us the ability to move forward and I really do appreciate it. And they just handed me -- you got your ballot.

CHAIR RODRIGUEZ:

My absentee ballot.

VICE-CHAIR DAVIDSON:

Your absentee ballot, as you notice. It's a great emblem because that way when you're pulling mail from the post office, nearly all the

election officials go in at the very last and to pull mail at 7 o'clock, or whatever the last time that they can get the absentee ballots, they can be identified easily and get those ballots, so they can be counted. We do not want anybody to go with an uncounted ballot on an absentee or fail to get their information and realize that it is information coming from the local election official or the states. So it's very valuable. And we do not let candidates use it. So if you ever find a candidate using it, they're breaking the law. So just a little added piece of information.

CHAIR RODRIGUEZ:

What is the postage?

VICE-CHAIR DAVIDSON:

This was the non-profit. They did use the non-profit, so they got a lower rate to mail out the ballot. And there are certain requirements that go with that non-profit status. And so it -- but when it goes back I'm sure on your -- inside it tells you how much you need to be able to mail it back or tell you to weigh it. So that's the thing that we definitely want all of our people voting absentee to make sure they have enough postage on them to get them returned back to the election officials. So please be very careful, look how much postage you need, or have the post office weigh it when you get it.

That's just a...

MS. LYNN-DYSON:

Nice commercial.

VICE-CHAIR DAVIDSON:

Nice commercial wasn't it?

CHAIR RODRIGUEZ:

Looks like we have a volunteer for the taskforce here.

VICE-CHAIR DAVIDSON:

A little bit of old information up here.

CHAIR RODRIGUEZ:

Mr. Wilkey?

EXECUTIVE DIRECTOR WILKEY:

I just wanted to follow-up on Commissioner Hillman's point, and I'm glad she raised it, because every single one of those Quick Start guides, which we've become very proud of, as part of our Management Guideline series, we had a working group for every single one of them. And they brought such wonderful information to the table, such wonderful input. And so, we learned a long time ago that you can't do any kind of a project like this without reaching out to those whose background and information will guide you through this process. So every one of those, we had a working group. Every one of our Management Guideline chapters have utilized a working group and we have just learned so much from them.

I'm also glad that you're taking up the urban/rural election administration piece because coming from a State where you have your largest jurisdiction of 5 million voters and your smallest jurisdiction with 4,000, I can tell you that there is a great amount of difference on how elections, and anything, is administered by government in those two entities. And I hope that during the course of that research you will also explore how legislation can sometimes affect how things are done differently between urban and -- because it was always a struggle, sometimes getting the legislature to understand that. So I'm glad you're taking that up and thank you for the opportunity.

CHAIR RODRIGUEZ:

Thank you, Mr. Wilkey. All of these issues are ones that we care about deeply, and I can see Mr. Ritchie and Mr. Nance, they probably could add a lot to this discussion, so I'm very excited about the idea of involving outside groups.

Thank you very much.

MS. LYNN-DYSON:

Thank you.

CHAIR RODRIGUEZ:

All right, at this time we will adjourn this portion of -- oh...

COMMISSIONER HILLMAN:

One more item.

CHAIR RODRIGUEZ:

One more item.

COMMISSIONER HILLMAN:

September 18th.

CHAIR RODRIGUEZ:

The September 18th meeting. I'm so excited about our workshop today I was jumping ahead.

Are there items for the agenda on September 18th in addition to Maintenance of Effort advisory?

COMMISSIONER HILLMAN:

Well, I have, I think, four.

CHAIR RODRIGUEZ:

Okay.

COMMISSIONER HILLMAN:

Carrying water for somebody else here, these are not all mine. I believe that the Alternative Voting Method Study will be ready to present to the Commissioners for action, whether that's acceptance or adoption. The Alternative Voting Method Study is currently being commented on by the Board of Advisors on its virtual meeting room and staff believes they'll be ready to present that in September. And then the research staff has requested that we could put an item on the agenda, whether it's a workshop similar to what you've been doing at past meetings or not, to talk about Election Day

Survey data to include representatives of one of the five States that's gotten the grants as a pilot program and states that are not grantees just to get a sense at that stage where states are. And I know that September is a really busy month, but some states will be preparing for September primaries -- obviously will be too busy, but I'm sure that we could find somebody to come and talk about this. And so I would recommend that we consider doing that. And then we will have by that time an update on the Notice and Public Comment policy with respect to comments received after this next posting in the Federal Register. The 30 days will be over by then and we should at least have an update and we'll know the timing of our final publication. We'll know when we're ready to roll with that. And then we'll have a draft to discuss with respect to the Joint Partnership Taskforce Policy.

VICE-CHAIR DAVIDSON:

And I think our Counsel mentioned the two that possibly, I mean at least one.

COUNSEL HODGKINS:

Definitely two items.

VICE-CHAIR DAVIDSON:

Okay.

COUNSEL HODGKINS:

Actually, one would be the proposed Administrative Regulations on Discrimination and Financial Assistance Programs and then the consideration of Final Administrative Regulations on FOIA, Government and Sunshine and Privacy Act. Possibly we would have the set that we agreed to propose today ready for final adoption. I'm not ready to commit to that at this particular moment, but that's possible.

CHAIR RODRIGUEZ:

Okay. And I have a policy making the agenda available 21 days out, so the agenda may be -- proposed agenda may be a little bit longer than the actual agenda if we include all of these items.

I had planned a workshop for next month on voter registration from the voters' perspective because September is going to be proposed as National Voter Registration month. However, the Election Day Survey and the election data collection grants are certainly an area of election administration that we should be focusing on. So I'm looking to possibly add a second meeting in September if it works and if not -- October may be just too difficult for election officials, but I'll inquire with several of them because I do think we need to spend just a little bit of time on voters this year.

COMMISSIONER HILLMAN:

Madam Chair, if I might, it might be worth our considering having an all-day meeting in September. We could certainly have the morning portion devoted to our business and perhaps a discussion of the Election Day Survey and then use the afternoon for the voter registration.

VICE-CHAIR DAVIDSON:

I would prefer that.

CHAIR RODRIGUEZ:

An all-day meeting? Okay.

COMMISSIONER HILLMAN:

Yes.

CHAIR RODRIGUEZ:

All right.

COMMISSIONER HILLMAN:

I know the staff love it but, you know, one long day versus two -- two long days.

CHAIR RODRIGUEZ:

Okay, then, are there any concluding comments from the Commission for the business portion of the meeting?

VICE-CHAIR DAVIDSON:

I would like to make a comment, if I could. Talking about absentee ballots reminds me that there's one other issue that I think that we need to make our voters aware of. If you're applying for absentee

ballots and primaries are right next-door, some of them are just in a day or two, if you have not received your absentee ballot, contact your election official again because I had not received mine. And I contacted yesterday and I faxed it in and we had proof of it. So sometimes mistakes happen within an office. I don't think they were trying to keep me from voting. So I didn't receive my ballot. Now it's being sent, and I happened to send it overnight and I'll have to return it overnight, but at least I get to, you know, cast a ballot. So if you're not receiving your absentees and you think it's timely, call them and check on it or go to their Web site because many of them have it out on the Web site if they have sent you the absentee ballot. But don't let it get to the last day and possibly lose your right to cast your ballot in the primary or general election as you work through these processes. So obviously, it's just another little PSA to get the information out to our voters.

Thank you.

CHAIR RODRIGUEZ:

Thank you, it's a good reminder. Commissioner Hillman?

COMMISSIONER HILLMAN:

Yes. I think it's important that we note, and we don't have statistical data to back up how many people are following through, but communication staff has reported to us that we're getting a number of hits on our Web site on the poll worker section. And so, it

appears that people are seeking out information as to how they can volunteer to serve as poll workers. And so, you know, we're talking something 2,000 and more and I hope that it's panning out that people are really looking to find ways to volunteer as poll service. And EAC has been doing an awful lot to promote that this is a critical community service. Election administrators need temporary employees to work on Election Day. And I know we will continue pushing that, but I think our efforts are beginning to be effective.

VICE-CHAIR DAVIDSON:

Nationwide we feel like it's approximately 2 million, isn't it?

COMMISSIONER HILLMAN:

Yes. For fully staffed polling places at every precinct, yes.

CHAIR RODRIGUEZ:

Great. Thank you, then. We will adjourn the business portion of the meeting and come back and have a workshop on Statewide Voter Registration Databases. Thank you.

[The public meeting of the EAC adjourned at 1:18 p.m.]

add

