

Minutes of the Workshop United States Election Assistance Commission

Held at
1225 New York Avenue, NW
Suite 150
Washington, DC 20005

The following are the minutes of the workshop of the United States Election Assistance Commission ("EAC") held on Tuesday, August 5, 2008. The workshop convened at 1:23 p.m., EDT. The workshop was adjourned at 3:03 p.m., EDT.

Workshop: Preparing for Election day 2008: Statewide Voter Registration Databases

Call to Order:

Chair Rosemary Rodriguez called the workshop to order at 1:23 p.m.

EAC Commissioners:

Chair Rosemary Rodriguez, Vice-Chair Donetta Davidson, Commissioner Gracia Hillman.

Senior Staff:

Executive Director Thomas Wilkey, General Counsel Julie Hodgkins

Panelists:

Dr. Herbert Lin, Chief Scientist, Computer Science and Telecommunication Board, National Research Council of the National Academies; Mark Ritchie, Secretary of State, Minnesota

Welcoming Remarks:

Chair Rodriguez was pleased to introduce and welcome panelists Dr. Herbert Lin and Mark Ritchie, Secretary of State, Minnesota

Chair Rodriguez noted that while the Department of Justice declined to participate in the workshop, a representative from the agency was present who would be reporting back with any questions that the Commission may have.

Presenter:

Dr. Herbert Lin, Chief Scientist, Computer Science and Telecommunications Board, National Research Council of the National Academies

Dr. Lin was pleased to present the Commission with the recommendations contained in the State Voter Registration Databases: Immediate Actions and Future Improvements Interim Report. Copies of the report were available to the public at the Academy and on EAC's Web site.

Dr. Lin pointed out that the two fundamental tasks for voter registration databases (VRD) are to add new individuals to the VRD and to maintain the VRD, stressing that both of these tasks require high-quality data and good matching procedures.

The Interim Report set forth the following two non-technical changes that were identified to help improve the voter registration process for Election Day 2008:

1. Public education and dissemination of information. Election officials can increase public awareness about the importance of legibility and completeness of information on the voter registration card by taking some or all of the following steps:

Including a notation on the form "Please print all responses. If your answers are illegible, your application may be mis-entered, rejected, or returned to you," conduct media campaigns that emphasize the importance of legibility and completeness, and coordinating with third-party voter registration groups and public service agencies to emphasize the need for their field volunteers to pay attention to legibility and completeness as they distribute and/or collect registration materials.

2. Improvements in administrative processes and procedures by:

Resubmitting match queries if the response is returned from the Social Security Administration or Department of Motor Vehicles as a nonmatch, implementing a human review of all computer-indicated removal decisions from the voter registration rolls, improving the transparency of procedures for adding voters and for list maintenance, utilize fill-in online registration forms that will contain typed/legible information, perform empirical testing on the adequacy of processes for adding to and the maintenance of lists, take steps to minimize errors during data entry, allow selected individuals, i.e., law enforcement officials, victims of domestic abuse, to suppress address information on

public disclosures of voter registration status, and encourage entities sponsoring voter registration drives to submit forms in a timely manner to reduce massive influxes at the registration deadline.

Dr. Lin concluded his presentation by briefly pointing out some of the long-term actions that were identified to improve the voter registration process and will be expounded on more fully in the final report that will be released at the end of 2009.

Presenter:

Mark Ritchie, Secretary of State, Minnesota

Secretary Ritchie expressed his appreciation for the opportunity to speak to the Commission on Minnesota's statewide voter registration system (SVRS) database.

Secretary Ritchie's testimony included an overview of the history that led to the introduction of both the database and same-day/Election day registration in Minnesota, which benefits the State in the following respects:

1. The system boosts voter turnout because the system is portable, automatic and universal.
2. The system is secure, accurate and complete for candidates.
3. The system is user friendly for local election officials.
4. The system is tightly interoperable with other election databases, i.e., poll finder and election night reports.
5. The system allows for the having the cleanest voter registration list in the country.
6. The system exempts Minnesota from the National Voter Registration Act (NVRA).
7. The system eliminates registration as a barrier to voting.

Secretary Ritchie concluded his testimony by pointing out that Minnesota will have an 80 percent voter turnout on Election Day 2008 because of its successful statewide voter registration system that is the result of the thoughtful and visionary individuals that made it happen.

At the request of Chair Rodriguez, Secretary Ritchie outlined the steps that Minnesota has taken to improve the return of absentee ballots by military and overseas voters.

Questions and Answers:

In response to questions by Commissioner Hillman:

Dr. Lin reported that to the best of his knowledge the Social Security Administration does not send back close probable matches in the case of nonmatches due to the fact that it is a technical design issue.

Secretary Ritchie reported that the turnout of voters on Election Day will be 80 percent based on the number of eligible voters. He also addressed the importance that third-party organizations have in voter registration, i.e., registering new voters, informing individuals who are off probation and parole regarding their eligibility to register, identifying areas in the State where registration and voter turnout rates are below average and what can be done to increase turnout. Secretary Ritchie reported that although there are some complaints about the State's VRS, i.e., that it's required and how things are interpreted, voters have a generally positive attitude about the system. Secretary Ritchie confirmed that same-day registration negates the need for provisional voting and that the most recent problem encountered with the database involves budgetary constraints, in addition to whether the system can become an opt-out system. Secretary Ritchie provided an overview of how the system is interactive within the State, how it is set up to evolve the next generation of technology, such as the use of electronic poll books, and what is required of voters who are already registered at the polls.

In response to questions by Vice-Chair Davidson:

Dr. Lin pointed out that from his experience, working groups limited to 14-16 participants are both manageable and provide the needed diversity. Dr. Lin reported that although the Interim Report sets forth a reasonably detailed discussion of matching algorithms, it will not be possible to perform empirical testing during the upcoming election to see how well the matching criteria set out in the report will work out.

Secretary Ritchie pointed out that Minnesota is able to maintain a clean voter registration roll and eliminate duplications both through the Help America Vote Act (HAVA) and good practices. Secretary Ritchie addressed how Minnesota handles voters who want to change from an absentee ballot to voting at the polls. Secretary Ritchie further stressed the importance of the sharing of information and overviews from both the

Commission and vendors which will be valuable not only in terms of how to vote but also how one thinks about voting.

Chair Rodriguez and Secretary Ritchie briefly engaged in a discussion concerning the concept of one vote center serving two States.

Chair Rodriguez acknowledged the receipt of correspondence from the Advancement Project that raised concerns with respect to voter registration databases, which she noted would be posted on EAC's Web site, in addition to correspondence from the Brennan Center commenting on the Interim Report prepared by Dr. Lin, which will also be posted on EAC's Web site.

Chair Rodriguez outlined the following questions that the Commission would like the Department of Justice to respond to: What types of enforcement actions, if any, does the Department have planned in 2008? Is the Department doing any education about compliance and deadlines? What is the compliance date? Additionally, several questions about acceptance of the National Voter Registration Act were also forwarded to the Department.

In response to an additional question from Commissioner Hillman:

Secretary Ritchie pointed out in his opinion there should be nothing with respect to States' operations of elections to preclude them from utilizing same day/Election Day registration.

In response to an additional question from Vice-Chair Davidson:

Secretary Ritchie explained how Minnesota deals with both the number and types of ballot styles that are utilized at both polling places and precincts, pointing out that Minnesota uses optical scan exclusively and election officials feel confident in their ability to predict with great accuracy the number of ballots they will need.

Executive Director Tom Wilkey stressed the important task that the election community can have in tackling literacy and readability.

Chair Rodriguez was pleased to report she was informed by General Counsel Hodgkins that Mr. Chris Coates from the Department of Justice was in contact via a telephone call earlier in the day regarding the Federal form acceptance referrals, pointing out that this matter would be followed through and would be reported on at a future date.

Chair Rodriguez asked for a motion to adjourn the workshop. Vice-Chair Davidson moved to adjourn the meeting. Commissioner Hillman seconded the motion. The motion carried unanimously.

The workshop adjourned at 3:03 p.m.