

FISCAL YEAR *2005*  
*Annual Report*



# Contents

- Introduction** .....1
  - The Commission .....2
  - The Commissioners .....2
  - Executive Director .....2
  - Inspector General .....3
  - EAC Federal Advisory Committees .....4
    - Board of Advisors .....4
    - Standards Board .....4
    - Technical Guidelines Development Committee .....4
  - EAC Operations .....5
  - Keeping the Public Informed and Involved .....10
- Guidance and Assistance to States** .....12
  - Interpreting HAVA .....12
  - Complying With Section 301(a) .....12
  - Statewide Voter Registration Lists .....13
  - Provisional Voting .....13
- HAVA Funds Management** .....15
  - The Proper Use of HAVA Funds .....16
  - Recordkeeping, Reporting, and Auditing HAVA Funds .....17
  - Audit Program .....17
- Improving Voting Systems** .....19
  - Voting System Certification .....21
- Clearinghouse Activities** .....22
  - Sharing Information and Offering Assistance .....22
  - 2004 Election Day Survey .....22
  - The Impact of the National Voter Registration Act of 1993 .....23
  - Research Projects Under Way in 2005 .....24
    - Election Management Guidelines .....24
    - Public Access Portal Design Conference .....24
    - Legal Resources Clearinghouse .....25
    - Best Practices for Recruiting, Training, and Retaining Poll Workers . .25
    - Best Practices for Recruiting, Training, and Retaining College
      - Poll Workers .....25
    - Vote Counts and Recounts .....26
    - Voting Fraud and Voter Intimidation .....27



Voter Identification .....27

Provisional Voting .....28

Effective Designs for the Administration of Federal Elections .....29

Hispanic Working Group .....29

**Goals for 2006** .....30

    Certifying Voting Systems .....30

    Improving Voting Systems .....30

    Assistance to States .....31

    Managing HAVA Funds .....31

**Appendix** .....32

    Commissioners’ Bios .....32

    Executive Director’s Bio .....37

    EAC Board of Advisors .....39

    EAC Standards Board .....41

    EAC Technical Guidelines Development Committee .....45



# Introduction

As election officials throughout the country worked to meet the 2006 deadlines of the Help America Vote Act (HAVA) of 2002, the U.S. Election Assistance Commission's (EAC's) top priority in fiscal year (FY) 2005 was to assist in their efforts by providing funding, guidance, and data to help them make informed decisions in preparation for the next election cycle.

EAC received inquiries from election officials and the public about how to implement statewide voter registration lists, as well as numerous questions about which voting systems would meet the requirements of Section 301(a) of HAVA. In response, EAC issued voluntary guidance about the implementation of the statewide lists and worked diligently to complete the HAVA-mandated Voluntary Voting System Guidelines (VVSG).

The VVSG is the third iteration of national voting system standards. EAC received the initial recommended guidelines from its Technical Guidelines Development Committee (TGDC) on May 9, which was within the 9-month deadline established by HAVA. After receiving the TGDC version, EAC sought widespread input in formulating these guidelines and subsequently held three public hearings dedicated solely to this important HAVA mandate in New York, NY, Pasadena, CA, and Denver, CO. During the public hearings, EAC received testimony from election officials, advocacy groups, academics, and the disability community. The

widespread input was extremely valuable as EAC sought to make sure the guidelines would be technically sound but to also provide assurance to voters that voting equipment would accurately record their votes.

Another important responsibility that HAVA assigned to EAC is to serve as a national clearinghouse by conducting research about election administration issues and making the information available to election officials and the general public. In FY 2005, EAC met that responsibility by issuing the 2004 Election Day Survey, the largest and most comprehensive survey on election administration ever conducted by the Federal Government. The survey produced critical statistics about the voting process, which provided valuable insights into election administration procedures that are working and those that need improvement.

EAC assisted States with the interpretation of HAVA by issuing advisories and guidance. The commission also met its obligation to assist election officials by identifying resources and providing information for election officials whose jurisdictions were impacted by Hurricane Katrina.

During FY 2005, EAC distributed \$927,241,903 in HAVA funds to the States and initiated its first special audit of a State's expenditure of HAVA funds. Furthermore, through an agreement with the U.S.



Department of the Interior, EAC secured the services of an acting inspector general to assist in audit activities to ensure the proper use of HAVA funds.

The material that follows in the 2005 Annual Report provides a detailed description of the commission's activities in FY 2005 and outlines EAC's goals for FY 2006. Throughout the past year, EAC substantially increased its efforts to assist States and inform the public thanks to the resources provided by the U.S. Congress. EAC is determined to continue its efforts to inform the public and assist election officials as we work together to make sure every vote is counted accurately.

### The Commission

The EAC is an independent, bipartisan agency created by HAVA. It assists and guides State and local election administrators in improving the administration of elections for Federal office.

EAC provides assistance by dispersing Federal funds to States to implement HAVA requirements, adopting the VVSG, and serving as a national clearinghouse and resource of information regarding election administration.

EAC is also responsible for the accreditation of testing laboratories and the certification, decertification, and recertification of voting systems.



### The Commissioners

The four EAC commissioners are Paul DeGregorio, chairman; Ray Martinez III, vice chairman; Donetta Davidson; and Gracia Hillman. Commissioners, who are nominated by the President and confirmed by the U.S. Senate, may serve only two consecutive terms. Commissioners serve staggered terms. No more than two commissioners may belong to the same political party.

Commissioner Davidson joined the EAC in August 2005, filling the remaining term of former Commissioner DeForest Soaries, who resigned in April. The 2005 EAC officers were Gracia Hillman, chair, and Paul DeGregorio, vice chairman.

### Executive Director

Thomas Wilkey was named executive director of EAC in May 2005 by a unanimous vote of the EAC commissioners. Mr. Wilkey has worked in election administration for 34 years and, immediately prior to joining EAC, chaired the Voting Systems Board of The National Association of State Election Directors (NASSED). He is also the former president of NASSED and one of its founding members. From 1992 to 2003, he was the executive director of the New York State Board of Elections.

EAC's executive director serves a 4-year term. The executive director's duties include managing EAC's daily operations, preparing program goals and long-term plans, managing the

development of the VVSG, reviewing all reports and studies, and overseeing the appointment of EAC staff members and consultants.

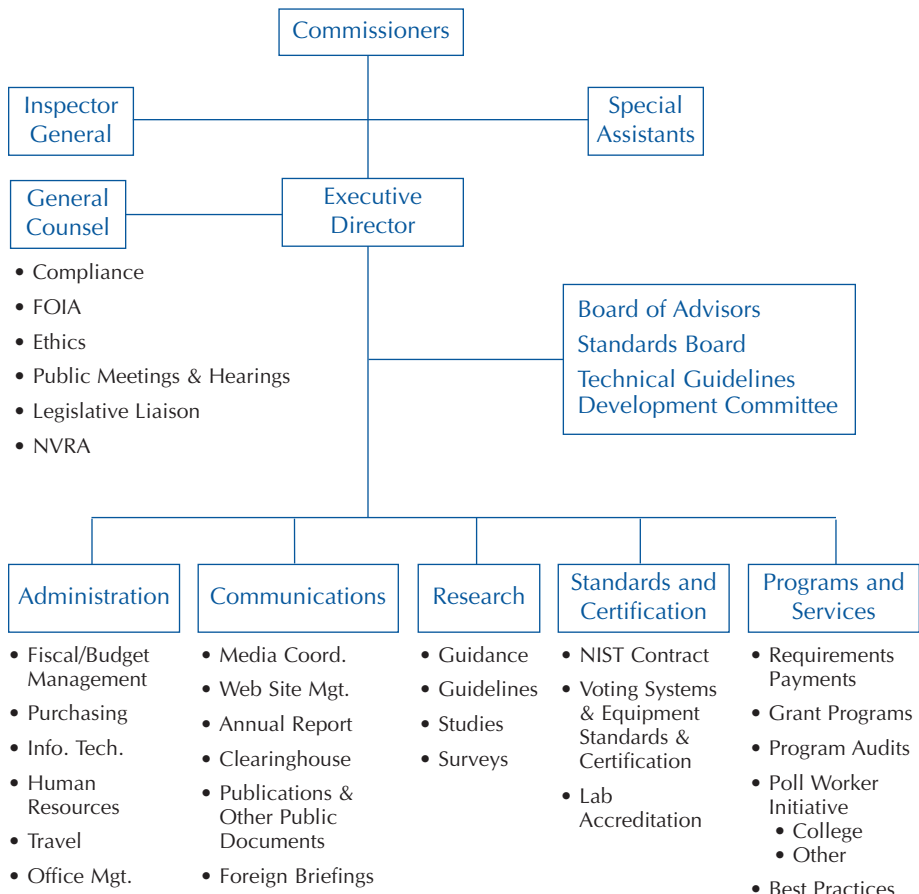
### Inspector General

In FY 2005, EAC obtained the services of an acting inspector general, Roger LaRouche, through an agreement with the U.S. Department of the Interior. Acting Inspector General LaRouche is the former assistant inspector general for audits at the U.S. Department of the Interior,

where he managed 150 staffers located in six field offices. He has more than 36 years of experience auditing Federal grants.

The inspector general is responsible for establishing an office of inspector general, conducting audits and investigations of the programs and operations of EAC, and examining the expenditure of HAVA funds by State and territorial governments. The inspector general keeps EAC and Congress fully informed about the findings and activities of the office.

## U.S. Election Assistance Commission Organizational Chart



FOIA = Freedom of Information Act.

NVRA = National Voter Registration Act.

NIST = National Institute of Standards and Technology.



## EAC Federal Advisory Committees

HAVA requires the formation of a 37-member Board of Advisors and a 110-member Standards Board to assist EAC in carrying out its mandates under the law. HAVA Section 221 calls for establishing a Technical Guidelines Development Committee to assist EAC in developing Voluntary Voting System Guidelines. All of these governing boards provide valuable input and expertise in the formation of guidance and policy.

### Board of Advisors

Membership on the Board of Advisors includes the following groups, as specified in HAVA (two members appointed by each): National Governors Association; National Conference of State Legislatures; National Association of Secretaries of State; The National Association of State Election Directors; National Association of Counties; The National Association of County Recorders, Election Officials and Clerks; The U.S. Conference of Mayors; Election Center; International Association of Clerks, Recorders, Election Officials, and Treasurers; U.S. Commission on Civil Rights; and Architectural and Transportation Barriers Compliance Board.

Other members include representatives from the U.S. Department of Justice, Office of Public Integrity, and the Civil Rights Division; the director of the U.S. Department of Defense Federal Voting Assistance Program; four professionals

from the field of science and technology, one each appointed by the Speaker and the Minority Leader of the U.S. House of Representatives, and the Majority and Minority leaders of the U.S. Senate; and eight members representing voter interests, with the chairs and the ranking minority members of the U.S. House of Representatives Committee on House Administration and the U.S. Senate Committee on Rules and Administration each appointing two members.

### Standards Board

The Standards Board consists of 110 members, 55 of whom are State election officials selected by their respective chief State election official. The other 55 members are local election officials selected through a process supervised by the chief State election official. HAVA prohibits any two members representing the same State to be members of the same political party.

The board selects nine members to serve as an executive board, of which not more than five are State election officials, not more than five are local election officials, and not more than five are members of the same political party.

### Technical Guidelines Development Committee

HAVA mandates that the Technical Guidelines Development Committee assist EAC in developing the Voluntary Voting System Guidelines, a task that was completed in May 2005. These



guidelines are voluntary and each State retains the prerogative to adopt these guidelines.

The chairperson of the TGDC is the director of the National Institute of Standards and Technology (NIST). The TGDC is composed of 14 other members appointed jointly by EAC and the director of NIST. Members include representatives from the EAC Standards Board, EAC Board of Advisors, Architectural and Transportation Barriers Compliance Board, American National Standards Institute, The Institute of Electrical and Electronics Engineers, The National Association of State Election Directors (two representatives), and other individuals with technical and scientific expertise related to voting systems and voting equipment.

### EAC Operations

In FY 2005, the EAC received significant and much needed funding to begin, in earnest, its work to assist the States with HAVA-mandated election reform efforts, including provisional voting and voter identification requirements, updated voting equipment, and implementation of statewide voter registration lists.

To assist the States in their efforts to comply with the law, in FY 2005 EAC aggressively moved forward to develop the VVSG, which were submitted for public comment on June 27. In addition, EAC issued voluntary guidance on the implementation of statewide voter registration lists and advisories on provisional voting and identification requirements. Most of

the remaining 2005 appropriation was focused on EAC programs that serve the States, such as distributing HAVA funds and monitoring the use of funding through reporting and auditing programs.

In FY 2005, EAC's appropriation was \$13.8 million. The largest portion—31 percent—was allocated to improving voting technology, which included \$2,777,600 for NIST to help create the VVSG and for establishing the national laboratory accreditation program. Other activities conducted to improve voting technology included developing election management guidelines and publishing Federal Register notices related to these activities.

Twenty-seven percent of the appropriation was dedicated to the internal operations of the agency, including rent, equipment, salaries and benefits, public meeting and hearing expenses, and other administrative costs.

To fulfill the mandates of HAVA to conduct research on election administration issues, 22 percent was used to study issues related to the National Voter Registration Form update, poll worker recruitment and retention, college poll worker recruitment and retention, voting fraud and voter intimidation, vote count and recount procedures, provisional voting, and voter identification. The results of these research projects will be provided to the States to assist in their efforts to improve election administration, to Congress, and to the public.





Clearinghouse activities, which include guidance and advisories for the States, represented 7 percent of EAC's budget. Related activities included conducting and distributing the 2004 Election Day Survey and establishing the Legal Resources Clearinghouse. Other activities included developing and issuing guidance for HAVA mandates, such as the implementation of the statewide voter registration list. This percentage also included costs for issuing related Federal Register notices.

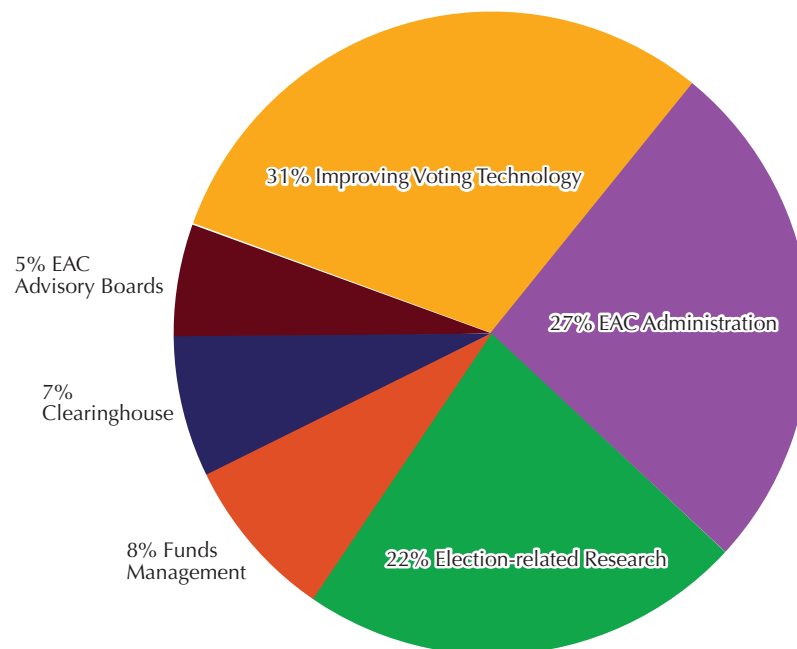
Eight percent of the budget was used to distribute and manage HAVA funds. This budget item included costs

related to establishing an audit program and procuring the services of an acting inspector general.

Activities related to EAC's Standards Board and Board of Advisors represented 5 percent of the budget, which funded meetings held to review EAC guidance, provide advice regarding research projects, and assist in developing the VVSG.

The four commissioners cast votes on a wide variety of issues, and all of them were passed unanimously. The commissioners cast several important votes during public meetings, such as the adoption of the voluntary

### EAC Funding Breakdown



guidance on statewide voter registration lists, the VVSG, and the election of officers. All votes are

recorded and available to the public. A summary of FY 2005 votes is shown below in the following tables.

## 2005 Consensus Votes

Title	Decided by Vote of	Certified Date
1. Recommendation of Anthony C. Reissig—EAC/NIST Consultant	4	3/24/05
2. Recommendation of Laiza Otero—Research Associate Consultant	4	3/24/05
3. Recommendation of Charlotte Cleary—EAC Consultant	3*	5/20/05
4. Consulting Contract To Assist With EAC System Certification Process Development	3	6/7/05
5. Accepting Travel Expenses From a Non-Federal Source	3	6/29/05
6. Resolution 2005-02 To Honor Chet Kalis	3	7/18/05
7. Scendis, LLC—Human Resource Policies and Procedures Development Contract	3	7/20/05
8. Resolution 2005-02 To Honor Walter Fox McKeithen, Secretary of State	3	7/21/05
9. Carol Paquette—Personal Services Contract	3	7/25/05
10. Daniel Murphy—Poll Worker Recruitment and Training Project Consultant	3	7/25/05
11. Modification to EAC 0524 Survey Analysis Support Contract	4*	8/30/05
12. Legal Resources Clearinghouse	4	9/2/05
13. Contract with NASED, Connie Schmidt and Brit Williams	4	9/2/05
14. Contract to assist EAC with identifying and promulgating best practices for poll worker recruitment, training, and retention	4	9/6/05
15. Contract to assist EAC with identifying and promulgating best practices for recruitment, training, and retention of college poll workers	4	9/6/05
16. Research assistance for the development of best practices on vote count and recount procedures	4	9/7/05
17. Consensus memorandum to commissioners on statewide voter registration database implementation and online forums for discussion of ongoing concerns	4	9/7/05
18. Modification to Election Data Services Contract—Distribution of Data to States	4	9/8/05
19. Consensus Memorandum to the Commissioners on the Improving Election Administration Data Collection Project	4	9/9/05
20. Vendor to assist the EAC with records management policy and procedures	4	9/9/05
21. Consensus memorandum to commissioners on voter hotline feasibility study	4	9/9/05
22. EAC Style Manual	4	9/19/05
23. Amendment Scendis, LLC—Human Resource Policies and Procedures Development Contract	4	9/27/05

\* From late April through mid-August, there was a vacancy on the commission.

## 2005 Tally Votes

Title	Decided by Vote of	Certified Date
1. Disbursement of HAVA Title II Requirements Payments to Rhode Island	4	1/11/05
2. Federal Register Publication of Charges to Puerto Rico's HAVA State Plan	4	1/11/05
3. Disbursement of HAVA Title II Requirements Payments of Two States	4	2/8/05
4. Disbursement of HAVA Title II Requirements Payments of Two States	4	2/16/05
5. Federal Register Publication of Changes to Three State Plans	4	3/3/05
6. Disbursement of HAVA Title II Requirements Payments to Puerto Rico	4	3/3/05
7. Disbursement of HAVA Title II Requirements Payments to Two States	4	3/7/05
8. Federal Register Publication of Changes to Two States Plans	4	3/30/05
9. Disbursement of HAVA Title II Requirements Payment to New Jersey	4	4/12/05
10. Federal Register Publication of Proposed Voluntary Guidance on Implementation of Statewide Voter Registration Lists	4	4/13/05
11. Disbursement of HAVA Title II Requirements Payment to South Dakota	4	4/18/05
12. Disbursement of HAVA Title II Requirements Payment to Maine	4	4/22/05
13. Disbursement of HAVA Title II Requirements Payments to Michigan and Texas	4	4/22/05
14. Appointment of David Karmol to the Technical Guidelines Development Committee as a Representative of the American National Standards Institute	4	5/1/05
15. Award of Contract for RFP-05-01, Request for Proposals for Research Assistance for the EAC to Support the Development of Voluntary Guidance on Provisional Voting and Voter Identification Procedures	3*	5/4/05
16. Disbursement of HAVA Title II Requirements Payment to North Dakota	3	5/5/05
17. MOU Between the Department of the Interior Office of Inspector General (DOI/OIG) and the Election Assistance Commission (EAC) for the Audit of HAVA Section 101 Funds Obligated or Spent by the State of California	3	5/5/05
18. Appointment of Designated Agency Ethics Official and an Alternate Agency Ethics Official	3	5/5/05
19. Resolution 2005-01—Continuing Authorization of the Technical Guidelines Development Committee (TGDC)	3	5/10/05
20. Disbursement of HAVA Title II Requirements Payment to Alaska	3	5/13/05
21. Appointment of Tom Wilkey—Executive Director	3	5/24/05
22. Disbursement of HAVA Title II Requirements Payment to California	3	5/21/05
23. Disbursement of HAVA Title II Requirements Payment to New York	3	6/3/05
24. Disbursement of HAVA Title II Requirements Payment to Guam	3	6/9/05
25. Award of Contract for Meeting Planning and Support Services	3	6/23/05
26. Federal Register Publications of Changes to Three States Plans	3	6/22/05
27. Disbursement of HAVA Title II Requirements Payment to Alaska	3	7/6/05
28. Disbursement of HAVA Title II Requirements Payment to Texas	3	7/6/05
29. Award of Contract for Technical Assistance to the EAC for the Collection, Management, Review, and Response to Public Comments Received on the Voluntary Voting Systems Guidelines	3	7/22/05
30. HAVA Grant to the National Student/Parent Mock Election	3	8/2/05
31. Appointment of Roger LaRouche—Acting Inspector General of the EAC for the Remainder FY2005 and FY2006 Fiscal Years	3	8/9/05

## 2005 Tally Votes (continued)

Title	Decided by Vote of	Certified Date
32. Delegation of Authority To Determine Which EAC Employees Must File Confidential Financial Disclosure Forms	3	8/18/05
33. Federal Register Publication of Changes to Three States Plans	3	8/17/05
34. Federal Register Publication of HAVA Administrative Complaint Procedures	4 *	8/22/05
35. Disbursement of HAVA Title II Requirements Payment to Oregon	4	8/31/05
36. Federal Register Publication of Changes to Virginia's HAVA State Plan	4	9/2/05
37. Appointment of John Gale to the Technical Guidelines Development Committee as a Representative of the Standards Board	4	9/8/05
38. Final Approval and Publication of EAC Advisory 2005-005	4	9/13/05
39. Award of Contract for Indirect Cost Negotiation Assistance	4	9/13/05
40. Final Approval and Publication EAC Advisory 2005-006	4	9/13/05
41. Revised Proposals for Effective Designs for the Administration of Federal Elections	4	
42. Award of Contract for Management Guidelines	4	9/20/05
43. Award of Contract of RFP 05-05, Assistance to the EAC To Identify and Promulgate Effective Strategies and Best Practices for Poll Worker Recruitment, Retention, and Training and RFP 05-06, Assistance to the EAC To Identify and Promulgate Effective Strategies and Best Practices for Recruitment, Retention, and Training of College Poll Workers	4	9/19/05
44. Revised Proposal for Voter Roundtables to Identify Barriers to Voter Participation and Requirements for Voter Education (Council for Excellence in Government)	4	9/19/05
45. Technical Support for Statewide Voter Registration Database Implementation With Online Forums for Discussion	4	9/19/05
46. Award of Contract for Consulting Assistance With Developing an EAC Voting Fraud and Voter Intimidation Project	4	
47. Award of Contract for Research Assistance to the EAC for the Development of a Legal Resources Clearinghouse	4	9/19/05
48. Award of Contract for Research Assistance to the EAC for the Development of Records Management Policies and Procedures	4	9/19/05
49. Award of Contract for Research Assistance to the EAC for the Development of Best Practices on Vote Count and Recount Procedures	4	9/19/05
50. Award of Contract for RFP-05-09, Request for Proposals for Research Assistance Commission To Study the Feasibility and Advisability of Establishing a Voter Hotline Pilot Project	4	9/20/05
51. Award of Contract for RFP-05-08, Request for Proposals for Research and Management Assistance to the Election Assistance Commission To Plan and Administer a Voter Information Public Access Portal Design Conference	4	9/20/05
52. EDS Contract Amendment	4	9/20/05
53. Federal Register Publication of Changes to Pennsylvania's HAVA State Plan	4	9/23/05
54. Election Day Survey and Executive Summary	4	10/3/05

\* From late April through mid-August, there was a vacancy on the commission.

## Keeping the Public Informed and Involved

In FY 2005, EAC aggressively moved forward to help States comply with HAVA. Along with those efforts came the responsibility to keep the public informed about EAC activities. In FY 2005, the commission held 17 public meetings and hearings, during which participants representing many different points of view testified and shared their expertise and opinions on topics such as voter identification, voting systems, voting system certification, and accessibility issues.

On Election Day 2004, EAC received calls from the public from 6:30 a.m. until 10:30 p.m. The vast majority of the calls involved questions regarding the location of a polling place, voting hours, and the status of voter registration.

EAC met its civic education responsibilities under HAVA Section 295(a) by issuing grants to the National Student/Parent Mock Election (NSPME) to carry out voter education activities for students and parents. According to the report filed by NSPME in 2005 regarding its FY 2004 grant of \$198,820, these HAVA funds were used to support and operate the national office, which had the responsibility of preparing a curriculum and procedural guides, preparing the ballots, coordinating the national data collection systems, and supporting State coordinators.

Congress earmarked \$200,000 from EAC's operating fund for the fiscal year grant to NSPME. A Federal

rescission reduced that amount to \$198,400. An interim report on the FY 2005 grant disclosed that the funds were used to (1) prepare for the 2006 mock election to be held in 50 States, the District of Columbia, and U.S. enclaves overseas; (2) sponsor awards for outstanding voter education projects; and (3) expand NSPME's unique Web-based voter education initiative, The Road to the Capitol. The final FY 2005 NSPME report is due March 31, 2006.

In FY 2005, EAC commissioners traveled to 21 States, providing briefings to and gathering input from election officials and the public as well as observing local elections. EAC commissioners and staff also attended conferences held by the National Association of Secretaries of State; The National Association of State Election Directors; the International Association of Clerks, Recorders, Election Officials and Treasurers; the National Conference of State Legislatures; and the National Association of Counties. The purpose of attending conferences held by professional organizations was to brief them on HAVA mandates and funding, discuss EAC guidance, and hear about innovative election reform efforts taking place throughout the country. EAC commissioners and staff also met with representatives from advocacy groups such as the League of Women Voters and the United States Access Board.

In FY 2005, the EAC added more information to its Web site, including all advisories and guidance and



materials presented at public meetings and hearings. The EAC also used the Web site as a primary communication vehicle for publicizing public meetings and hearings, letters, news releases, and clearinghouse documents.

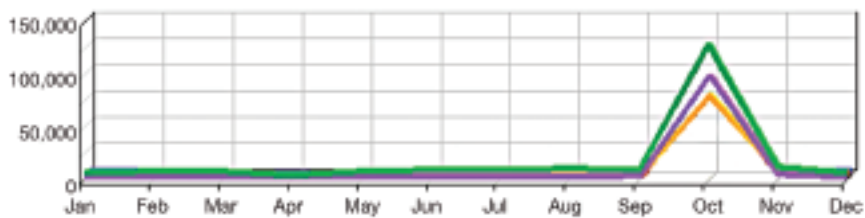
During the fiscal year, the EAC Web site received more than 14 million hits and 1.375 million page views. The most activity occurred in October 2004, the month preceding the November presidential election, when the site recorded more than 9 million hits and 600,000 page views. During October 2004, the site averaged 300,000 hits and 20,000 page views per day, while during the rest of the year the site recorded an average of 14,000 hits and 2,100 page views per day. The Web site encountered more

than 340,000 unique visitors, with a little less than half visiting during the peak month of October 2004 and the remainder distributed across the rest of the year. Top page destinations included Register to Vote, the Electoral College, the Best Practices Report on Voting by Uniformed and Overseas Citizens, Election Resources, News Releases, Voluntary Voting System Guidelines, Become a Poll Worker, EAC Publications, Frequently Asked Questions, Standards and Advisory Boards, Events/Hearings, and Programs.

Official meeting minutes and agendas are available for all FY 2005 public meetings and hearings on EAC's Web site at [www.eac.gov](http://www.eac.gov).

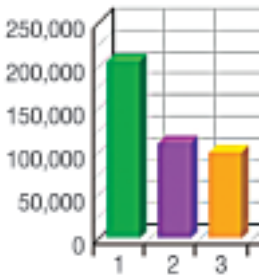
### Top Pages—FY 2005

Top Pages by Visits Trend



Top Pages by Visit

Pages	
1.	EAC Home Page <a href="http://www.eac.gov/">http://www.eac.gov/</a>
2.	Register To Vote <a href="http://www.eac.gov/register_vote.asp?format=none">http://www.eac.gov/register_vote.asp?format=none</a>
3.	National Mail Voter Registration Form <a href="http://www.eac.gov/register_vote_forms.asp">http://www.eac.gov/register_vote_forms.asp</a>



# Guidance and Assistance to States

As the Help America Vote Act (HAVA) ushered in election reform, States were faced with the dual challenge of interpreting the law's language and preparing to meet its deadlines. The law assigns the role of interpretation to the Election Assistance Commission (EAC) and, consequently, many election officials looked to the commission for guidance about the law and for assistance about how to make the mandates work in the polling place.

## Interpreting HAVA

In its first full year of operations, EAC made it a priority to not only distribute the remaining HAVA funds but also to provide interpretive assistance to election officials who were preparing to meet the January 1,

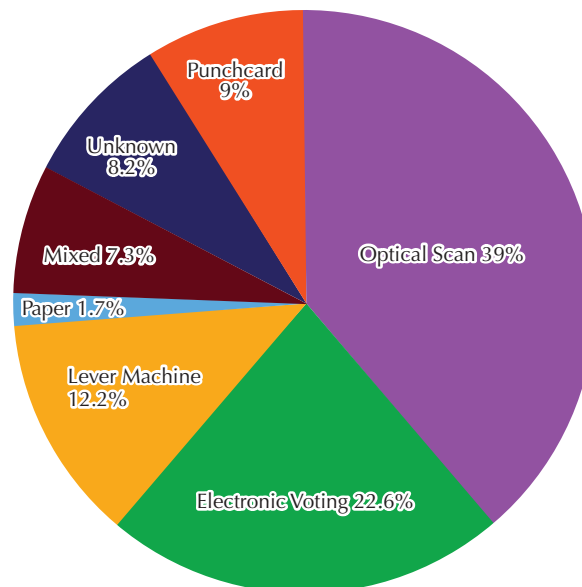
2006, deadlines for implementing a statewide voter registration list and for meeting the requirements of Section 301(a) of HAVA. The guidance that EAC issued in FY 2005 was directly related to these deadlines and reflects the requests for information made by election officials throughout the country. All advisories and guidance are available at [www.eac.gov](http://www.eac.gov).

## Complying With Section 301(a)

Many election officials had inquiries regarding how the requirements of Section 301(a) would impact the voting systems currently in use in their States. In response, EAC issued several advisories to help these election officials make decisions regarding compliance with Section 301(a).

## Percentage of Registered Voters Using Equipment

Source: EAC's 2004 Election Day Survey.



On July 20, the EAC issued Advisory 2005-004: How To Determine if a Voting System Is Compliant With 301(a). The intent of this advisory was to address gaps between the 2002 Voting System Standards adopted by the Federal Election Commission (FEC) and the requirements of Section 301(a). The advisory illustrated the steps that States using 2002-compliant voting systems would have to take to comply with HAVA. In response to the many inquiries regarding the accessibility requirements of the law, the advisory also included a detailed explanation of these requirements.

On September 8, in response to several inquiries from election officials, EAC issued Advisory 2005-005: Lever Voting Machines and HAVA Section 301(a). The advisory provided EAC's careful review of Section 301(a) and the commission's subsequent conclusion that lever machines have significant barriers that would make compliance with the law difficult and unlikely. The advisory cited four areas of concern regarding lever machines: audit capacity, error rate, alternative language accessibility, and accessibility for individuals with disabilities.

### Statewide Voter Registration Lists

HAVA requires States to develop, maintain, and administer a single, statewide list of registered voters. These lists must be in place by January 1, 2006. Implementing the statewide lists was a monumental task for many election officials. EAC began working to provide assistance to these election

officials and to share information from States that already had statewide voter registration lists in place.

In May, EAC issued draft guidance about implementing the voter lists and received more than 300 comments from election officials, public interest groups, and the general public. Each comment was considered and, as a result, the document was reorganized to improve readability; definitions were expanded; and guidance about security, registration, coordination, and list maintenance was expanded. In July, EAC issued voluntary guidance on the Implementation of Statewide Voter Registration Lists.

The final voluntary guidance included definitions of common terms and covered topics such as the types of databases that meet HAVA requirements, coordination with State and Federal agencies, voter verification, list maintenance, record retention, and security protocols.

### Provisional Voting

HAVA mandates that a ballot be provided to an individual seeking to vote in a Federal election whose name is not on the list of registered voters or whose eligibility or registration status is challenged or questioned when they present themselves to vote. Although some States already offered provisional voting, this method of voting was first required for all Federal elections in 2004. It quickly became apparent that there was a lack of clarity regarding the processing of provisional ballots. To address some of the questions

*EAC issued Advisory 2005-004 to help States comply with Section 301(a) of HAVA.*





surrounding provisional voting, EAC issued Resolution 2004-02 in October urging all States to have in place clear and written procedures regarding provisional voting; to train poll workers about administering provisional ballots; to use HAVA funds to educate voters about provisional voting; and, in States where provisional ballots can be cast only in the voter's assigned polling place or precinct, to make information available to poll workers that will allow them to determine the voter's assigned precinct or polling place.

In response to further inquiries from election officials regarding provisional

voting, EAC issued Advisory 2005-006: Provisional Voting and Identification Requirements. The advisory reviewed the plain language of HAVA, Section 302, examined the differences between traditional and provisional ballots, and analyzed the implementation of provisional voting. The advisory stated that an identification requirement may not be imposed that would limit a potential voter's access to and submission of a provisional ballot. It also concluded that a State, according to its laws, would make the final determination of whether the provisional ballot would be counted.



# HAVA Funds Management

Congress appropriated more than \$3 billion to be distributed to the States to implement the Help America Vote Act (HAVA). Most of that money goes toward requirements payments, also known as Title II payments. Of the \$2,261,094,736 in Title II payments that have been distributed, in FY 05 \$927,241,903 was disbursed to 25 States.<sup>1</sup> By the end of the fiscal year, every State and territory had received some amount of HAVA funding. Title

II funds are designed to assist States in meeting the uniform and non-discriminatory election technology and administration requirements of Title III of HAVA. These requirements include voting system standards, accessible voting equipment, provisional voting and voting information requirements, a computerized statewide voter registration list, and identification requirements for first-time voters who register by mail.

<sup>1</sup> All available requirements payments were distributed by December 2005.

## Requirements Payments Processed by EAC in Fiscal Year 2005

Date Approved	State	FY 2003 Funds*	FY 2004 Funds*	Total Payments to State*
10/20/04	Arizona	\$14,523,463.00	\$26,061,052.00	\$40,584,515.00
11/22/04	Hawaii	\$4,150,000.00	\$0.00	\$4,150,000.00
11/22/04	Kansas	\$0.00 **	\$13,748,141.00	\$13,748,141.00
11/22/04	Nevada	\$0.00 **	\$10,381,400.00	\$10,381,400.00
11/22/04	Tennessee	\$0.00 **	\$29,690,196.00	\$29,690,196.00
12/13/04	Florida	\$0.00 **	\$85,085,258.00	\$85,085,258.00
12/13/04	Utah	\$5,892,900.00	\$10,574,281.00	\$16,467,182.00
1/11/05	Rhode Island	\$0.00 **	\$7,446,803.00	\$7,446,803.00
2/8/05	Illinois	\$35,283,025.00	\$0.00	\$35,283,025.00
2/8/05	Virginia	\$0.00 **	\$36,916,377.00	\$36,916,377.00
2/16/05	Illinois	\$0.00 **	\$63,312,227.00	\$63,312,227.00
2/16/05	Oklahoma	\$9,898,202.00	\$17,761,436.00	\$27,659,637.00
3/3/05	Puerto Rico	\$830,000.00	\$1,489,361.00	\$2,319,361.00
3/7/05	Nebraska	\$0.00 **	\$8,829,173.00	\$8,829,173.00
3/7/05	U.S. Virgin Islands	\$830,000.00	\$1,489,361.00	\$2,319,361.00
4/12/05	New Jersey	\$0.00 **	\$43,709,107.00	\$43,709,107.00
4/15/05	South Dakota	\$4,150,000.00	\$7,446,803.00	\$11,596,803.00
4/22/05	Maine	\$0.00 **	\$7,446,803.00	\$7,446,803.00
4/22/05	Michigan	\$0.00 *	\$14,778,422.00	\$14,778,422.00
4/22/05	Texas	\$0.00 *	\$74,688,004.97	\$74,688,004.97
5/5/05	North Dakota	\$0.00 **	\$7,446,803.00	\$7,446,803.00

## Requirements Payments Processed by EAC in Fiscal Year 2005 (continued)

Date Approved	State	FY 2003 Funds*	FY 2004 Funds*	Total Payments to State*
5/13/05	Alaska	\$4,150,000.00	\$0.00	\$4,150,000.00
5/31/05	California	\$0.00 **	\$169,677,955.00	\$169,677,955.00
6/6/05	New York	\$54,900,465.00	\$98,513,965.00	\$153,414,430.00
6/9/05	Guam	\$830,000.00	\$1,489,361.00	\$2,319,361.00
7/6/05	Alaska	\$0.00 **	\$7,446,803.00	\$7,446,803.00
7/6/05	Texas	\$0.00 **	\$28,499,166.03	\$28,499,166.03
8/31/05	Oregon	\$0.00 **	\$17,875,589.00	\$17,875,589.00
<b>Total</b>		<b>\$135,438,055.00</b>	<b>\$791,803,848.00</b>	<b>\$927,241,903.00</b>

\* Figures are rounded to the nearest dollar.

\*\* State already has received its 2003 requirements payment.

### The Proper Use of HAVA Funds

On January 18, 2005, EAC offered guidance to States on the management of HAVA funds by issuing three funding advisories, which are available on the EAC Web site at [www.eac.gov](http://www.eac.gov). In Advisory 05-001, which dealt with the use of requirements payments under Title II of HAVA, EAC advised that a State may use funds that are set aside by county or local governments and maintained under the control of those governments as their matching funds for purposes of receiving requirements payments. EAC stipulated, however, that the State continued to have its own obligations regarding funding and adherence to other Federal election laws and that written agreements between the State and counties would be required regarding the use of those funds.

To address questions regarding the 5-percent match required by HAVA,

EAC issued Advisory 05-002, which explained that a State may receive a requirements payment in an amount less than the total amount authorized and appropriated to the State for a single fiscal year. The advisory permitted States that had not yet appropriated the full 5-percent match for their share of requirements payments to apply for a partial payment based on the amount awarded for the match.

EAC Advisory 05-003 stated that interest earned by a State on Title I, Section 101 funds did not have to be remitted to the Federal Government and that, while this interest earned may be used to further the State's efforts to meet the requirements of Title III and to improve the administration of Federal elections, the funds cannot be used as any part of the State's matching funds for purposes of receiving Title II requirements payments.



## Recordkeeping, Reporting, and Auditing HAVA Funds

In February, EAC issued guidance documents to assist States on the management and reporting of HAVA funds. The guidance material was featured at a workshop held at a joint Winter Conference of the National Association of Secretaries of State (NASS) and The National Association of State Election Directors (NASED). The HAVA Fund Reporting Calendar provided States with information on the types of reports required to be filed under HAVA as well as the information required, reporting periods, due dates, and the name and address of the agency to receive the reports.

To further assist States in their efforts to account for the use of HAVA funds, EAC also issued a document titled *Permissible Uses of HAVA Funds Made Available to States*, which contained information on the proper use of Title I, Section 101 (election administration improvement payments) and Section 102 (lever machine and/or punch card voting system replacement) funds. The document also covered the use of Title II, Section 251 funds, which are the requirements payments; Title II, Section 261 funds, which cover accessibility for individuals with physical disabilities and visual impairments; and Title II, Section 291 funds, used by State protection and advocacy systems. EAC staff also presented information on the use of HAVA funds at the 2005 NASS Summer Conference.

## Audit Program

In FY 2005, most of the remaining appropriated HAVA funds were distributed to the States. Reports on the use of Title I funds are due at the end of February of each year, and reports on the use of Title II funds are due at the end of March of each year. EAC developed a policy and protocol for reviewing these reports.

To augment these efforts, EAC executed an agreement in August 2005 with the U.S. Department of the Interior to obtain the services of an acting inspector general. The inspector general was instructed to create an independent and objective unit to conduct and supervise audits and investigations relating to EAC programs and operations and keep the agency and Congress fully informed about activities related to programs administered by EAC. Objectives included conducting activities and making recommendations designed to (1) promote economy, efficiency, and effectiveness in administering programs and operations of EAC, including States' use of HAVA payments and grants; (2) prevent and detect fraud, waste, and abuse in programs and operations of EAC, including States' use of HAVA payments and grants; and (3) keep the EAC chairperson and Congress fully informed about problems and deficiencies in EAC's programs and operations and the necessity for progress of corrective actions.

On January 27, 2005, EAC adopted a general policy for conducting special audits that applied to all States.



Special audits differ from regular audits in both timing and scope. The policy included the following components:

- Regularly review single audits and reports filed by States as well as other credible information on State HAVA spending.
- When a discrepancy or potential lack of compliance is revealed, analyze the risk to HAVA funds. The analysis should identify the source as well as the severity of the threat.
- Determine the need for additional review and information. If additional information is needed, consider voting to conduct a special audit. If the discrepancies are evident and the existing information sufficiently identifies them, EAC will act to refer the discrepancies to the appropriate enforcement agency, including the U.S. Department of Justice, the U.S. Comptroller General, and/or other appropriate State or Federal enforcement agencies.
- Define the scope and type of audit. The audit may be one or more of

the four types of audits: financial, performance, compliance, and agreed-upon procedures. The scope the audit should include the term of the audit and the funds that will be audited.

- Develop a scope of work for the inspector general, a contractor, or other Federal Government agency that will conduct the audit on behalf of EAC.

After adopting the audit policy, commissioners also unanimously voted to conduct a special audit of California's use of Federal funding for election reforms under HAVA. The commissioners scheduled the special audit on the basis of an internal audit, conducted by the California State auditor, which identified numerous deficiencies in the administration of HAVA funds by the California Office of Secretary of State. The special audit will focus on approximately \$27 million disbursed to the State under the Title I, Section 101 of HAVA. In May, EAC entered into an agreement with the U.S. Department of the Interior's Inspector General's office to conduct the California special audit.



## *Improving Voting Systems*

States have the freedom to choose voting systems as long as they meet the requirements of Section 301(a). In the past, many election officials relied on national standards to assist them in determining which voting systems provide the necessary functionality and security capabilities to maintain the integrity of the election process. The first set of national voting system standards was created in 1990 by the Federal Election Commission (FEC). In 2002, FEC updated the standards, and the Help America Vote Act (HAVA) mandated that the Election Assistance Commission (EAC) develop a new iteration of the standards—which would be known as the Voluntary Voting System Guidelines (VVSG)—to address advancements in information and computer technologies. The law also stated that EAC assumes responsibility for the certification of voting systems and the accreditation of testing laboratories approved by the National Institute of Standards and Technology (NIST).

HAVA mandated a 9-month period for the Technical Guidelines Development Committee (TGDC) to develop the initial set of VVSG. The TGDC, working with NIST, technology experts, accessibility experts, and election officials, completed the first draft and delivered it to EAC in May. In addition to providing technical support to the TGDC, NIST also reviewed the 2002 Voting System Standards (2002 VSS) to identify issues to be addressed in the 2005 guidelines, drafted core functional requirements, categorized requirements

into related groups of functionality, identified security gaps, provided recommendations for implementing a voter verifiable paper audit trail, and provided usability requirements. NIST also updated the VVSG's conformance clause and the glossary. Dr. Hratch Semerjian, acting director of NIST in 2005, served as chair of the TGDC.

After conducting an initial review, EAC released the two-volume proposed guidelines for a 90-day public comment period.

Volume I, the Voting System Performance Guidelines, included new requirements for accessibility, voting system software distribution, system setup validation, and the use of wireless communications. It also contained a set of requirements for a voter verifiable paper audit trail component for direct recording electronic voting systems for States that have decided to require this feature for their voting systems. An updated glossary of terms and a conformance clause were also included in Volume I.

Volume II, the Voting System National Certification Guidelines, provided an overview of the national certification testing process. It was revised to reflect the new EAC process for the national certification of voting systems.

EAC proposed a 24-month effective date for the VVSG but anticipated being prepared to test voting systems against the VVSG in 2006 if States chose to adopt the VVSG sooner than the effective date.



The guidelines greatly expanded accessibility requirements, with the number of requirements rising from 29 in the 2002 standards to approximately 120. New accessibility requirements included the following:

- Making buttons and controls easier to distinguish and use.
- Providing disabled voters access to the voting system regardless of whether they have their own personal assistive device. For instance, the proposed guidelines state that voting systems shall provide these voters with items such as headsets or other interface devices that assist voters with limited mobility.
- Making sure the audio presentation of information is readily comprehensible.
- Improving accessibility for voters with dexterity and mobility impairment.

New security requirements included requiring all voting system vendors to submit software to the National Software Reference Library, which will provide local election officials with a resource to make sure the software they purchased is the same as the software that has been certified by EAC. In addition, the VVSG included requirements for the use of wireless technology. EAC also included requirements for a voter verifiable paper audit trail (VVPAT) in recognition of the 25 States that passed laws requiring it for their voting systems. VVPAT is an increasingly used technology, and EAC considered it important to provide States with guidance to make sure this component is accurate and reliable and that it does not compromise a voter's right to privacy.

The VVSG included usability requirements for the first time. These requirements addressed voting system interaction as it relates to all voters. Some of the usability requirements indicated that (1) vendors should perform usability testing, (2) direct recording electronic (DRE) machines should provide navigation controls that enable the voter to advance to the next contest or go back to the previous contest before completing a vote, and (3) no key or control on a voting station should have a repetitive effect as a result of being held in its active position.

During the development of the latest iteration of the guidelines, EAC made it a priority to engage the public in the process. EAC worked to involve as many people as possible from diverse backgrounds by making it as easy as possible to view the voluntary guidelines and to also submit comments and view all of the comments submitted. During the 90-day public comment period, EAC held public hearings in New York City, Pasadena, and Denver to discuss the guidelines.

The guidelines were posted on EAC's Web site and could be viewed in its entirety or by section. The glossary was available for simultaneous viewing to assist the readers as they viewed the document. EAC received 6,599 comments, which could be submitted and viewed on the Web site. EAC also accepted comments by mail, e-mail, and fax. EAC and NIST reviewed the comments and many were incorporated, resulting in a more comprehensive document. Some comments were forwarded to the TGDC and EAC's management



guidelines working group for consideration in their work to develop future iterations of the VVSG.

### Voting System Certification

Prior to the passage of HAVA, a process for accrediting Independent Testing Authorities leading to the qualification of voting systems by the States was conducted by The National Association of State Election Directors (NASED). NASED is a nonpartisan membership association consisting of election directors from throughout the Nation. Voting systems were tested against either the 1990 or 2002 voting system standards. Even though participation in the national certification program is voluntary, approximately 39 States used some element of the national certification program.

HAVA mandated that EAC provide for the certification, decertification, and recertification of voting systems and the accreditation of testing laboratories, marking the first time the Federal Government will be responsible for these activities. HAVA describes a dual role for NIST and EAC: NIST will provide EAC with a recommended list of accredited voting system laboratories, and then EAC will decide whether to approve laboratories from the list provided by NIST.

To provide the list of recommended laboratories, NIST will rely on its National Voluntary Laboratory Accreditation Program (NVLAP). During FY 2005, EAC earmarked approximately \$250,000 in funds

transferred to NIST specifically for the laboratory accreditation program.

At an August public meeting in Denver, EAC adopted the initial procedures for the Nation's first voting system certification and laboratory accreditation programs, marking the initial step in transferring the programs from NASED. The initial framework included the following:

- Developing an interim accreditation program for testing laboratories currently accredited by NASED to ensure that the process is not interrupted for the election officials throughout the country who were working to meet the January 1, 2006, HAVA deadlines.
- Developing procedures for EAC accreditation of Voting System Test Laboratories.
- Creating procedures for EAC certification, decertification, and recertification of voting systems, which includes working with experts to review technical data packages, test plans, and reports from accredited testing laboratories; developing a process to provide interpretation of voting system standards and a certification appeal process; and providing more public access to the process.

The purpose of the national voting system certification program is to independently verify that voting systems conform to the functional capabilities, accessibility, and security requirements necessary to ensure the integrity and reliability of system operation.





# Clearinghouse Activities

One of the Election Assistance Commission's (EAC's) responsibilities under the Help America to Vote Act (HAVA) is to collect data about election administration issues and share it with election officials to help them make decisions at the local level. EAC also has an obligation to help these officials interpret the law and to provide guidance about meeting its mandates.

## Sharing Information and Offering Assistance

In August, one of the most deadly hurricanes ever to come ashore in the United States hit the States of Alabama, Mississippi, and Louisiana. Public officials spent weeks saving lives, clearing debris, and trying to help the thousands of residents who had lost their homes. As these efforts progressed, election officials realized that, in addition to the hardships of loss of life and property, they were not sure if they would have the resources or employees to conduct elections in the next cycle. In addition, they did not have a way to find the many residents who had relocated to notify them about potential changes in the election calendar.

As a national clearinghouse for election administration, EAC had a responsibility to step in and offer assistance to these election officials.

On September 21, EAC held a meeting in Washington, DC, that was attended by election officials in the impacted areas, Capitol Hill staffers, and representatives from Federal

agencies such as the U.S. Departments of Justice and Homeland Security. Also attending were representatives from the National Association of Secretaries of State, The National Association of State Election Directors, and the National Conference of State Legislatures. In addition, public officials who had faced natural disasters shared their challenges and solutions with the election officials from the Gulf Coast. Pat Owens, former mayor of Grand Forks, ND, discussed how her city was affected when it was hit by a devastating flood and the steps it took to rebuild the city and hold elections. David Leahy, former elections supervisor of Miami-Dade County, discussed the preparations his city took before Hurricane Andrew hit the area and the steps it took to ensure that elections would take place.

After the initial meeting, EAC designated a staffer to work with Gulf States election officials to help them identify resources and communicate with and coordinate requests with Federal agencies and to share information and solutions from their peers and professional organizations. EAC will continue to assist these officials as they work to make sure that elections will be held and that voters will continue to be able to exercise their right to vote.

## 2004 Election Day Survey

In September, EAC released the 2004 Election Day Survey, the largest and most comprehensive survey on



election administration ever conducted by a U.S. governmental organization. The purpose of the survey was to fulfill EAC's clearinghouse role under HAVA by compiling a set of national statistics on election practices and voting that would inform Congress and the Nation about the status of election administration.

The results provided data about voting and elections practices throughout the country, as well as critical statistics on voter registration and turnout, voting equipment, and other information about the voting process. Key findings included the following:

- 60.7 percent voter turnout rate (based on citizen voting age population).
- 96.9 percent of absentee ballots were counted.
- 64.5 percent of provisional ballots were counted.
- Lowest presidential drop-off rate since World War II at 1.02 percent.

The Election Day Survey was distributed to election administrators in all 50 States, the District of Columbia, Guam, Puerto Rico, American Samoa, and the U.S. Virgin Islands. The results were based on the information received from 6,568 election administration jurisdictions. The survey included 43 questions covering topics such as voter registration, election results, provisional and absentee ballots, overvotes and undervotes, polling places and workers, disability access, and types of voting equipment.

The survey was conducted by requesting data from all election jurisdictions, not by using a sampling method. The results were based on the information provided by the jurisdictions that participated.

The survey provided a great deal of information about voting and election practices throughout the country but also identified many issues that deserve closer examination, such as voting equipment and accessibility issues. EAC will work to gather more information about these issues in its next Election Day Survey.

### The Impact of the National Voter Registration Act of 1993

In June, EAC submitted its first report on the impact of the National Voter Registration Act (NVRA) on the administration of elections for Federal office during the 2-year period from November 2002 to November 2004. HAVA shifted the responsibility of submitting the NVRA report from the Federal Election Commission (FEC) to the EAC.

The report was based on survey results from 48 states, the District of Columbia, and three territories—American Samoa, Puerto Rico, and the U.S. Virgin Islands. Highlights include the following:

- States reported a total of 49.6 million voter registration applications processed nationwide.
- Some 26 million applications were valid new registrations.
- Nearly 3.5 million applications were duplicates of valid registrations.



- Some 15.2 million applications were requests for change of name, address, or political party affiliation.
- Nearly 12.6 million names were removed from voter lists under the list verification procedures of NVRA, while another 10.7 million names were transferred from active to inactive status.

### Research Projects Under Way in 2005

As States worked to meet the deadlines of HAVA and identify methods to improve election administration, the EAC worked to get research projects and studies under way to provide solid data that would assist election officials, legislators, and government officials in the decisionmaking process. These research projects were driven by the requirements in HAVA and also in response to research requests from election officials.

### Election Management Guidelines

On June 29, 2005, EAC published its proposed Voluntary Voting System Guidelines (VVSG) for public comment. These guidelines augmented and updated the 2002 Voting System Standards, which were issued by the FEC. The first set of standards was promulgated in 1990.

For many years, the Voting Systems Board of the National Association of State Election Directors (NASSED) has called for the development of a set of election management guidelines to complement the technical standards for voting equipment. The EAC

recognized the need to create election management procedures to accompany the 2005 guidelines and in FY 2005 issued a contract to develop election management guidelines.

Activities will begin by assembling a working group of experienced State and local election officials to provide subject matter expertise and to help the project managers develop the guidelines. The project will focus on developing procedures related to the use of voting equipment and procedures for all other aspects of the election administration process. The election management guidelines will be available to all election officials if they wish to incorporate these procedures at the State and local levels.

### Public Access Portal Design Conference

Section 245(a) of HAVA mandates that EAC conduct a thorough study of issues and challenges presented by incorporating communications and Internet technologies. Section 245(a)(2)(C) indicates that EAC may investigate the impact the new communications or Internet technology systems for use in the electoral process could have on voter participation rates, voter education, and public accessibility. In addition, HAVA allows EAC to periodically study election administration issues, including methods of educating voters on all aspects of participating in elections.

One emerging technology enabling voters to obtain information about voting that may affect participation



rates and public accessibility is the public access portal, which is a Web site that disseminates voter education information. EAC conducted research to determine what information was available to voters during the last election cycle, and staff discovered that the information was duplicative and sometimes erroneous. Therefore, EAC will perform additional research on dissemination of information to voters, and then conduct a conference with election officials and technology experts to discuss the elements of implementing effective public access portals. EAC will then share the findings with election officials throughout the country to help them create access portals that will serve their respective communities.

#### Legal Resources Clearinghouse

EAC issued a contract to develop a legal resources clearinghouse which will be a Web-based application that will house a database containing statutes, regulations, and rules, as well as State and Federal court decisions that impact the administration of elections for Federal office under HAVA and/or the NVRA. It will provide election officials, State legislators, government officials, and the general public with a central location to conduct election administration research.

#### Best Practices for Recruiting, Training, and Retaining Poll Workers

Sections 241(a) and 242(b) of HAVA direct EAC to periodically “conduct and make available to the public

studies regarding. . . methods of recruiting, training, and improving the performance of pollworkers.” In response to this mandate and to the many election officials who continue to have difficulty recruiting and retaining poll workers, the EAC issued a contract to identify strategies to address the shortage of poll workers.

The project will include conducting research about the State rules and procedures regarding poll workers and the kinds of resources available in the States to maintain adequate numbers of poll workers. EAC will then produce a tool kit encompassing a collection of best practices in poll worker recruitment, training, and retention; specific steps required to implement effective poll worker programs; and sample recruiting and training materials.

#### Best Practices for Recruiting, Training, and Retaining College Poll Workers

Section 501 of HAVA requires EAC to implement the Help America Vote College Program. HAVA Section 502 states that EAC shall “develop materials, sponsor seminars and workshops, engage in advertising targeted at students, make grants, and take such other actions as it considers appropriate” to implement this program.

In accordance with HAVA sections 501 and 502, EAC conducted a grant program in 2004 designed to (1) encourage students enrolled at institutions of higher education to assist State and local governments in the administration of elections by serving as nonpartisan poll workers or assistants;



and (2) encourage State and local governments to use the services of the students participating in the program.

The 2004 Help America Vote College Program was extremely well received overall, but several issues, most notably a short implementation timeline, may have hindered the program's success. Final reports on the use of the grants were filed in FY 2005 by 9 of the 15 grantees. As of December 31, 2004, six grantees had residual funds from the proposals for the use of the funds for the Help America Vote College Program through December 2005. Five grantees submitted proposals that were accepted by EAC.

Congress earmarked \$200,000 of EAC's operating funds for the Help America Vote College Program in FY 2005. EAC used all these funds in addition to EAC research to identify and build upon aspects of this program that were successful, to identify successful methods employed in the United States for similar programs, and to allow for replication in as many jurisdictions as possible. This project will examine the differences among community colleges, public institutions, and private universities. It will seek to determine if varying strategies for college poll worker recruitment are more effective at different types of educational institutions.

The overall objectives of the project are to (1) collect information on relevant State requirements; issues and options in college poll worker and poll assistant recruitment, training,

retention; and effective methods of recruiting, training, and retaining such election workers, including sample materials used in these efforts; (2) produce a user-friendly recruitment tool kit that includes marketing and training materials; (3) conduct a pilot program in conjunction with colleges or universities in a minimum of three election jurisdictions during the 2006 election cycle; and, (4) based on the pilot programs, provide recommendations for revisions to the tool kit and for future activities to benefit efforts to recruit, train, and retain college poll workers.

#### Vote Counts and Recounts

Section 341(b)(13) of HAVA allows EAC to study the laws and procedures used by each State that govern recounts of ballots cast in elections for Federal office, contests of determinations regarding whether votes are counted in such elections, and standards that define what will constitute a vote on each type of voting equipment used in the State to conduct elections for Federal office. Consequently, in FY 2005, EAC issued a contract to conduct research activities to develop best practices on vote count and recount procedures.

The major tasks associated with vote count research include (1) reviewing and analyzing data collected on definitions of what constitutes a vote for each State by voting system, (2) drafting a comprehensive report that includes the data analysis and State-by-State summary of definitions of what constitutes a vote for each voting



system, and (3) reviewing literature for methodologies used to establish best practices and developing definitions of what shall constitute a best practice with respect to vote counts.

The major tasks associated with recount research include (1) reviewing and analyzing States' recount procedures, (2) drafting a comprehensive report that includes the data analysis and the State-by-State summary of recount and contest procedures, and (3) developing definitions of what shall constitute a best practice with respect to recounts and contests of determinations.

After conducting the research, EAC will provide election officials throughout the country with a set of best practices for both vote counts and recounts.

### Voting Fraud and Voter Intimidation

Section 241 enumerates a number of periodic studies of election administration issues that the EAC may elect to conduct. "On such periodic basis as the Commission may determine, the Commission shall conduct and make available to the public studies regarding the election administration issues described in subsection (b)." Sections 241(b)(6) and (7) list the following election administration issues: nationwide statistics and methods of identifying, deterring, and investigating voting fraud in election for Federal office; and identifying, deterring, and investigating methods of voter intimidation.

Building on this reference to studies of voting fraud and voting intimidation, EAC contracted with two consultants to conduct preliminary research on these issues. The consultants are required to (1) identify what constitutes voting fraud and voter intimidation affecting Federal elections; (2) perform background research, including Federal and State-by-State administrative and case law review related to voting fraud and voter intimidation and a review of current voting fraud and voter intimidation activities taking place with key government agencies and civic and advocacy organizations; (3) identify, in consultation with EAC, and convene a working group of key individuals and representatives of organizations knowledgeable about the topics of voting fraud and voter intimidation; and (4) write a report summarizing the key findings, including suggestions for specific activities that EAC may undertake to address these topics.

### Voter Identification

HAVA Section 303(b) mandates that first-time voters who register by mail for a Federal election provide proof of identity before being allowed to cast a ballot. The law prescribes certain requirements concerning this section, but it also leaves considerable discretion to the States for its implementation. In 2005, some States enacted new voter identification requirements in addition to what is required for Federal elections, resulting in many inquiries to EAC regarding the implications of these



new State laws. To provide States with assistance when making decisions regarding voter identification laws, EAC issued a contract to research all the relevant State laws and procedures relating to voter identification, produce a related report, and will make the report available to election officials before the 2006 elections.

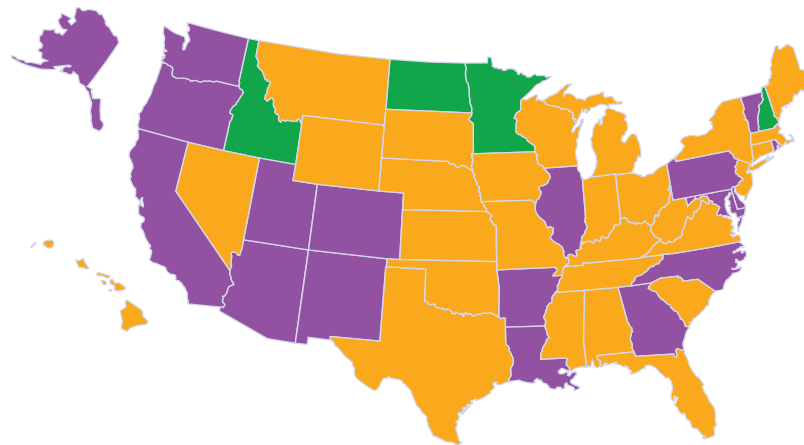
### Provisional Voting

Provisional voting in Federal elections was created as a response to people who believed that they were registered to vote in 2000 but were turned away from the polling places because their names did not appear on the poll lists.

HAVA Section 303(b) mandates that any eligible voter who appears at the polls must be given a provisional ballot if their name does not appear on the poll list. Provisional voting was not a new concept for all States, but in those jurisdictions enacting provisional voting for the first time, a lot of confusion surrounded the issue. Therefore, EAC issued a contract to research the provisional voting requirements in each State, U.S. territory, and the District of Columbia. EAC will then issue best practices for implementing this important HAVA mandate and make this information available to election officials before the 2006 elections.

## States' Acceptance of Provisional Ballots

Source: EAC's 2004 Election Day Survey.



- States where provisional ballots can be cast anywhere in the voter's home jurisdiction
- States where provisional ballots can be cast only in the voter's home precinct

Note (shown in green): North Dakota has no voter registration and is exempt from offering provisional ballots in Federal elections. Idaho, Minnesota, and New Hampshire have Election Day registration and are also exempt.



### Effective Designs for the Administration of Federal Elections

Section 302(b) of HAVA requires the appropriate State or local election official to publicly post voting information at each polling place on the day of each election for Federal office. Section 241(b) of HAVA describes ballot designs for elections for Federal office as one of the election administration issues to be periodically studied to promote effective administration of Federal elections. Therefore, EAC issued a contract to develop best practices regarding the design of ballots and voter information posted in the polling place on Election Day. This effort will also include assistance with the redesign of the National Mail Voter Registration Form required by the National Voter Registration Act to make it more accessible to all voters in terms of readability and usability.

### Hispanic Working Group

Section 241 of HAVA allows the EAC to carry out studies and other activities with the goal of promoting effective administration of Federal elections. Effective administration methods are

to be the most convenient, accessible, and easy to use for voters, including voters with limited proficiency with the English language. Sections 241(b) (5) and (14) directly refer to conducting studies to address issues faced by voters with limited proficiency in the English language. To meet these requirements, EAC convened its first Hispanic Working Group meeting in August to provide guidance to the commission as it focuses on research to address language barriers to voting as well as input on the readability and usability of the National Mail Voter Registration Form and the updated List of Translated Election Terms. After conducting an initial assessment of these issues, the Working Group will help the EAC develop a best practices document containing methods of effective administration of Federal elections affecting the Hispanic and Spanish-speaking communities.

Results and findings of all EAC research projects, best practices, and guidance will be available to the public at [www.eac.gov](http://www.eac.gov).





# Goals for 2006

The next year will be a pivotal one for election reform and for the Help America Vote Act (HAVA). The deadlines for voting systems to meet the HAVA Section 301(a) requirements and for implementing statewide voter registration lists expired on January 1, 2006. Some jurisdictions will need immediate assistance and guidance to make sure they are ready for the 2006 general elections.

It is estimated that as many as one in three voters may vote on a new voting system in 2006. Many will be voting in new precincts, and thousands of poll workers and volunteers will have to be recruited and trained. And, of course, we must continue the push to get more young people to vote.

Managing these challenges will require a major effort on the part of election officials. In fiscal year (FY) 2006, the Election Assistance Commission (EAC) will make it a priority to help these public servants successfully overcome these obstacles by sharing information, techniques, and best practices and by developing sound procedures.

In 2006, EAC will fulfill its HAVA research mandates by conducting research on Free Absentee Ballot Postage (Section 246) and Internet Voting (Section 245), as well as studying the feasibility and advisability of using Social Security information to verify voter registration for Federal elections. (Section 244).

## Certifying Voting Systems

In addition to making sure the Nation is prepared to vote in 2006, EAC will focus on establishing the Federal Government's first voting system certification program, which will provide States with a list of voting systems to choose from that have gone through rigorous and exhaustive testing.

The EAC recognizes the need for transparency for the laboratory accreditation process and activities related to future iterations of the Voluntary Voting System Guidelines (VVSG). The commission will continue to provide information to the public about the commission's progress in developing both of these programs.

The accreditation of testing laboratories and the certification of voting systems are very important responsibilities, and EAC will continue working with the National Institute of Standards and Technology (NIST) and election officials to ensure these programs are not interrupted and are conducted at the highest levels of proficiency.

## Improving Voting Systems

To ensure that the VVSG keeps pace with rapidly developing voting technology, EAC is already working with the Technical Guidelines Development Committee (TGDC) and NIST to develop future iterations of the guidelines. Research has begun on



wireless technology, software and hardware testing, identifying more forms of independent verification, computer security, usability benchmarks, and testing protocols for laboratories.

Voting system performance and security issues will also be a top priority in FY 2006. EAC will collect voting system malfunction data in the 2006 election cycle to assess issues regarding the certification and decertification of voting systems. NIST and EAC will continue research on threats to voting systems and how to prevent these threats. In addition, both agencies will work to encourage greater use of the National Software Reference Library by election officials to validate their voting system software. This library has been designated by EAC as the central repository for all EAC-certified voting system software.

### Assistance to States

EAC will issue the results of the election administration studies conducted in FY 2005 and conduct new studies about issues facing election officials throughout the country. The results of these studies will become part of EAC's clearinghouse and will be available on the EAC Web site to both election officials and the general public. Commissioners and EAC staff will

continue to conduct briefings for election officials about HAVA-related issues.

EAC will also expand its efforts to help election officials prepare for the 2006 elections by issuing guidance regarding election administration, which will address issues related to all aspects of conducting an election, including using new voting equipment. The 2006 elections will also be the first time many States use a statewide voter registration list, and EAC will be prepared to offer assistance during this transition. Another important initiative EAC will expand upon in 2006 will be sharing information among election officials regarding innovative and successful election administration procedures. EAC will also continue to provide regular updates to election officials and to issue guidance and best practices documents that reflect their concerns and inquiries.

### Managing HAVA Funds

In FY 2006, EAC's focus will shift from distributing HAVA funds to ensuring that these funds are being spent in accordance with the law. EAC's inspector general will assess State controls over HAVA funds, identify high-risk recipients, and contract for audits within available funding limits.



## Commissioners' Bios



### Paul DeGregorio, Chairman

Paul DeGregorio was nominated by President George W. Bush and confirmed by unanimous consent of the U.S. Senate on December 9, 2003, to serve an initial 2-year term on the U.S. Election Assistance Commission (EAC). Mr. DeGregorio was elected Chairman of the EAC for 2006, after serving as the commission's Vice Chairman in 2005.

Mr. DeGregorio is nationally renowned in the elections field. His areas of expertise include U.S. election administration, democracy building, and international elections. In 2004, he received the NASS Freedom Award from the National Association of Secretaries of State in recognition of his accomplishments.

As a commissioner, Mr. DeGregorio has focused his efforts on EAC's mandates to review State election reform plans and distribute \$2.3 billion to the States, establish new voluntary voting system guidelines, develop best practices in election administration, provide guidance and advisories to election officials, and conduct studies on election reform issues. All these efforts represented the first time in U.S. history that the Federal Government provided such significant assistance to the States to improve the conduct of elections and strengthen the American democracy.

Prior to his appointment with EAC, Mr. DeGregorio served as Executive Vice President and Chief Operating Officer of the International Foundation for Election Systems (IFES), a leading institution involved in the promotion of democracy worldwide. He was responsible for the organization's day-to-day operation, overseeing more than 400 employees in 23 countries. He has provided technical assistance in election administration in many countries, including Russia, Kazakhstan, Moldova, Ukraine, Romania, Albania, Macedonia, Bosnia-Herzegovina, China, Slovakia, Georgia, Cambodia, Thailand, Indonesia, Sierra Leone, the Democratic Republic of Congo, Nigeria, and Japan. At IFES, Mr. DeGregorio also provided leadership on U.S. election reform initiatives and led a team that supplied technical advice in Florida and Missouri during the November 2002 elections.

From 1985 to 1993, Mr. DeGregorio served as Director of Elections for St. Louis County, Missouri's largest jurisdiction. During his tenure, he instituted major improvements in voter registration, training, accessibility, counting, and management procedures. He was recognized for his efforts in prosecuting voter fraud and drafting legislation to improve the electoral process. He served as Co-chair of the Missouri Election Reform Commission in 2001.



A member of the International Association of Clerks, Recorders, Election Officials, and Treasurers (IACREOT) since 1986, during his tenure as Chairman of the Education and Training Committee, Mr. DeGregorio was credited with initiating the University of Missouri Chancellor's Certificate in Public Administration program for IACREOT members.

Mr. DeGregorio served for 8 years as Director of Outreach Development for the University of Missouri-St. Louis, where he initiated and had oversight for four offsite campuses that served nearly 4,000 students. He also served

as a Research Associate with the University's Center for International Studies. Mr. DeGregorio was a Special Assistant in President Ronald Reagan's administration and served as an assistant to John Ashcroft during his first term as Missouri Attorney General.

Mr. DeGregorio received his degree in political science from the University of Missouri-St. Louis. He is married to Kerry DeGregorio and has four daughters—Katie (Proffer), Annie, Debbie, and Emily—as well as son-in-law Chris Proffer and one granddaughter, Victoria Ruby Proffer.

### Ray Martinez III, Vice Chairman

Ray Martinez III was nominated by President George W. Bush and confirmed by unanimous consent of the U.S. Senate on December 9, 2003, to serve a 4-year term on the U.S. Election Assistance Commission (EAC). Mr. Martinez was elected Vice Chairman of the EAC for 2006. Prior to his appointment to the EAC, Mr. Martinez practiced law in Austin, TX, with a focus on legislative and regulatory matters and a client base consisting primarily of county governments and related public sector associations.

Mr. Martinez began his law practice after serving as Deputy Assistant to the President for Intergovernmental Affairs at the White House. In this position, he was responsible for

assisting former President Bill Clinton with various policy issues affecting State and local jurisdictions. In addition, while on the White House staff, Mr. Martinez assisted with the development of long-term strategies to stimulate economic growth along the United States-Mexico border region and the establishment of the U.S.-Mexico Border Health Commission.

Before serving as Deputy Assistant to the President, Mr. Martinez served as Regional Director for the U.S. Department of Health and Human Services in Dallas, where he focused agency resources on public health issues such as full implementation of the Children's Health Insurance Program. His Federal Government service began in 1993, when he was



appointed White House Liaison to the U.S. Department of Health and Human Services and later as Special Assistant to the President in the White House Office of Political Affairs. Prior to his service in the Federal Government, Mr. Martinez worked as a legislative liaison for the Texas Attorney General's office.

Recommended to his current position by former Senate Majority Leader Tom Daschle, Mr. Martinez has promoted transparency and access in the voting process during his term on the EAC. He has lectured at law schools, continuing legal education forums, and major universities and spoken at numerous election administration

conferences and symposiums throughout the country. Mr. Martinez places particular importance on building partnerships with State and local governments, public interest organizations, and other key stakeholders in striving to improve the process by which America votes.

A native of Alice, TX, Mr. Martinez received his law degree from the University of Houston Law Center and his bachelor's degree from Southwestern University. He is married to Beth Stanley Martinez, a clinical social worker, and they are the parents of two children—Sofia Grace and Lorenzo Elder. They currently reside in Arlington, VA.



### Donetta Davidson

Donetta Davidson was nominated by President George W. Bush and confirmed by unanimous consent of the U.S. Senate on July 28, 2005, to serve on the U.S. Election Assistance Commission (EAC). Her term of service extends through December 12, 2007. Ms. Davidson, formerly Colorado's Secretary of State, comes to EAC with experience in almost every area of election administration—everything from County Clerk to Secretary of State.

Ms. Davidson began her career in election administration when she was elected in 1978 as the Bent County clerk and recorder in Las Animas, CO, a position she held until 1986. Later

that year, she was appointed director of elections for the Colorado Department of State, where she supervised county clerks in all election matters and assisted with recall issues for municipal, special district, and school district elections.

In 1994, she was elected Arapahoe County Clerk and Recorder and was reelected to a second term in 1998. The next year, Colorado Governor Bill Owens appointed Ms. Davidson as the Colorado Secretary of State, and she was elected in 2000 and reelected in 2002 for a 4-year term.

She has served on the Federal Election Commission Advisory Panel and the



board of directors of the Help America Vote Foundation. In 2005, Ms. Davidson was elected President of the National Association of Secretaries of State, and she is the former President of the National Association of State Elections Directors (NASED). Prior to her EAC appointment, Ms. Davidson served on EAC's Technical Guidelines Development Committee (TGDC).

In 2005, *Government Technology* magazine named Ms. Davidson one of its "Top 25: Dreamers, Doers, and Drivers" in recognition of her innovative approach to improve government services. She was also the

1993 recipient of the Henry Toll Fellowship of Council of State Governments.

Ms. Davidson has devoted much of her professional life to election administration, but her first love is her family. Ms. Davidson was born into a military family in Liberal, KS, and became a Coloradoan shortly thereafter when her family moved first to Two Buttes then to Las Animas where they settled. Whenever possible Ms. Davidson spends time with her family, son Todd, daughter and son-in-law Trudie and Todd Berich, and granddaughters Brittany and Nicole.

## Gracia Hillman

Gracia Hillman was nominated by President George W. Bush and confirmed by unanimous consent of the U.S. Senate on December 9, 2003, to serve an initial 2-year term on the U.S. Election Assistance Commission (EAC). Ms. Hillman served as Chair of the EAC in 2005, after serving as the commission's first Vice Chair in 2004.

A Massachusetts native who first entered community service in 1970, Ms. Hillman has effectively handled both domestic and international issues throughout her career. Her areas of expertise include nonprofit management, public policy and program development, and the interests and rights of women and minorities, including voting rights. She has traveled extensively throughout the United States, meeting with national

and local groups and businesses. Through her international work, Ms. Hillman has traveled in Africa, Asia, the Caribbean, and Europe. She conducted nonpartisan political training in Haiti and Kenya and participated in United Nations-sponsored conferences in Vienna, Beijing, and New York City.

Prior to her appointment with EAC, Ms. Hillman served as President and Chief Executive Officer of WorldSpace Foundation, a nonprofit organization that uses digital satellite technology to deliver educational programming to Africa and Asia. She also served as the U.S. Department of State's first Senior Coordinator for International Women's Issues, developing agency-wide strategies to ensure U.S. foreign policy promoted and protected women's rights.



Her work experience includes having served as Executive Director of the League of Women Voters of the United States, the Congressional Black Caucus Foundation, and the National Coalition on Black Voter Participation. She also held positions as Executive Consultant to the Council on Foundations and Coordinator of the Voter Law Policy Project for the Joint Center for Political and Economic Studies.

Throughout the 1980s, Ms. Hillman championed nonpartisan and bipartisan efforts to ensure open

access to the voting process for all citizens and the continued voting rights of minority Americans, including work on the historic 25-year extension of the National Voting Rights Act. Her political experience includes paid and volunteer positions on numerous campaigns, including a role as Senior Advisor on Congressional and Constituent Relations for the 1988 Dukakis for President Campaign.

Ms. Hillman has one son and currently resides in Washington, DC.



## *Executive Director's Bio*

### Thomas Wilkey

Tom Wilkey thought he had successfully retired when he stepped down as the Executive Director of the New York State Board of Elections in 2003. After all, he had observed his 34th year in election administration, working on everything from counting ballots to developing voting system standards to working to craft the most sweeping election reform in our nation's history.

Mr. Wilkey was the perfect candidate to become the first Executive Director of the U.S. Election Commission (EAC), the new Federal entity created by the law he helped craft, the Help America Vote Act (HAVA) of 2002.

After his brief career as an elementary school teacher, Mr. Wilkey joined the Erie County Board of Elections (Buffalo, NY) in November 1968 as an elections clerk. He subsequently rose to the position of Senior Election Deputy prior to joining the New York State Board of Elections in 1979 as Public Information Officer.

In 1985, Mr. Wilkey was promoted to the newly created position of Director of Election Operations, which was formed to administer oversight of New York's 57 county boards. His new duties included personal visits to those county boards, thus enabling him to see first hand the dynamics of New York's network of diverse local election offices. Criss-crossing the State to

review jurisdictions serving the smallest constituency (4,400) and the largest (3.3 million), Mr. Wilkey shared his problem-resolution skills and expertise at each opportunity. His responsibilities soon grew to include the creation and supervision of New York's voting systems certification program.

Mr. Wilkey was appointed the second Executive Director of the New York State Board of Elections in June 1992, a position he held until August 2003.

Mr. Wilkey was associated with the Federal Election Commission (FEC) for many years. In 1983, he served on the Voting System Standards Committee, which drafted and reviewed the FEC's Voting System Standards, a voluntary testing, qualification, and certification process used for all voting systems in the United States.

In 1992, Mr. Wilkey was appointed to the FEC's Advisory Panel, which consisted of 20 State, county, and local election administrators. It advised the FEC on clearinghouse projects and allocation of funds for election administration projects.

During 1983, Mr. Wilkey and a small group of election administrators from throughout the country pushed for the creation of the International Center on Election Law. Today, the Center represents more than 1,000 foreign, State, county, and local election





officials. His involvement led to his appointment as Chair of the Center's Professional Development Committee, which now runs the first university-based professional development program for election officials. In 1995, Mr. Wilkey was recognized for his service by his appointment to the Board of Directors of the Center.

An early proponent of the creation of The National Association of State Election Directors (NASED), Mr. Wilkey has served as its Secretary, Treasurer, and Vice President and was elected President for 1996-97. In January 1997, Mr. Wilkey was named Chair of NASED's Independent Test authority Accreditation Board, which reviews and approves laboratories and technical groups for the testing of voting systems under NASED's national accreditation program. He was reappointed as Chair in February 2000.

An early and active promoter of the National Voter Registration Act (NVRA), Mr. Wilkey has served as Chair of the NVRA Committee of NASED and as a member of the FEC Ad Hoc Discussion Group for NVRA.

In 1998, the Office of the Secretary of Defense's Federal Voting Assistance Program named Mr. Wilkey to its State and Local Alliance Board. The board advises the Federal Voting Assistance Program about ongoing programs to support and facilitate absentee voting requirements for military and overseas voters.

Following the 2000 general election, Mr. Wilkey was named to several national commissions to study election reform, including those representing the National Association of Secretaries of State, National Association of Counties, Council of State Governments, and the election Center. Beginning in May 2001, Mr. Wilkey was asked by the FEC to help draft revised Federal Voting System Standards, due for completion in April 2002. In addition, Mr. Wilkey was actively involved with the development of the Help America Vote Act of 2002, which Congress passed and the President signed into law in October 2002.



## EAC Board of Advisors

Appointed by	First Name	Last Name	Title	City	State
National Conference of State Legislatures	Sheldon	Silver	Speaker, New York Assembly	Albany	NY
National Conference of State Legislatures	Christopher	Rants	Iowa Speaker of the House	Des Moines	IA
National Governors Association	Chris	Nelson	Secretary of State	Pierre	SD
National Governors Association	Mary E.	Herrera	County Clerk	Albuquerque	NM
National Association of Secretaries of State	Sam	Reed	Secretary of State	Olympia	WA
National Association of Secretaries of State	Rebecca	Vigil-Giron	Secretary of State	Santa Fe	NM
The National Association of State Election Directors	Christopher	Thomas	Director of Elections, State of Michigan	Lansing	MI
The National Association of State Election Directors	Linda H.	Lamone	Administrator of Elections	Annapolis	MD
National Association of Counties	Wendy	Noren	Boone County Clerk	Columbia	MO
National Association of Counties	Helen	Purcell	Maricopa County Recorder	Phoenix	AZ
National Association of County Recorders, Election Officials and Clerks	Beverly	Kaufman	Harris County Clerk	Houston	TX
National Association of County Recorders, Election Officials and Clerks	David	Orr	Cook County Clerk	Chicago	IL
U.S. Commission on Civil Rights	Abigail	Thernstrom	Vice Chair, U.S. Commission on Civil Rights	Lexington	MS
U.S. Commission on Civil Rights	Ashley	Taylor	Commissioner, U.S. Commission on Civil Rights	Richmond	VA
Election Center	Doug	Lewis	Executive Director, The Election Center	Houston	TX
Election Center	Ernie	Hawkins	Former Registrar of Voters, Sacramento County	Elk Grove	CA
United States Conference of Mayors	TBA				
United States Conference of Mayors	TBA				
International Association of Clerks, Recorders, Election Officials, and Treasurers	Tony J.	Sirvello, III	IACREOT Executive Director	Houston	TX
International Association of Clerks, Recorders, Election Officials, and Treasurers	Sharon Turner	Buie	Director of Elections, Kansas City (MO) Board of Election Commissioners	Kansas City	MO
Architectural and Transportation Barriers Compliance Board	James R.	Harding	U.S. Access Board Member	Tallahassee	FL
Architectural and Transportation Barriers Compliance Board	James	Elekes	U.S. Access Board Member	North Plainfield	NJ
Chief, Public Integrity Section, Criminal Division, U.S. Department of Justice	Noel	Hillman	Chief, Public Integrity Section, Criminal Division, U.S. Department of Justice	Washington	DC
Chief, Voting Section, Civil Rights Division, U.S. Department of Justice	VACANT				

## EAC Board of Advisors (continued)

Appointed By	First Name	Last Name	Title	City	State
Director, Federal Voting Assistance Program, U.S. Department of Defense	Polli	Brunelli	Director, Federal Voting Assistance Program, U.S. Department of Defense	Washington	DC
House Speaker	J.C.	Watts	Former Member of Congress from Oklahoma	Washington	DC
House Minority Leader	Douglas	Palmer	Mayor of Trenton, NJ	Trenton	NJ
Senate Majority Leader	Wesley R.	Kliner, Jr.	Tennessee State Election Commissioner	McDonald	TN
Senate Minority Leader	Thomas H.	Short Bull	President, Oglala Lakota College	Kyle	SD
House Administration—Chair	Jim	Carnes	Deputy Director, Ohio Department of Natural Resources	St. Clairsville	OH
House Administration—Chair	Keith	Cunningham	Director, Allen County Board of Elections	Lima	OH
House Administration—Ranking Minority Member	Joseph F.	Crangle	Attorney, Colucci & Gallaher, P.C.	Buffalo	NY
House Administration—Ranking Minority Member	Hilary O.	Shelton	Director, Washington Bureau, NAACP	Washington	DC
Senate Rules and Administration—Chair	Sue	Sautermeister	Ridgeland Municipal Election Commissioner and Madison County Election Commissioner	Ridgeland	MS
Senate Rules and Administration—Chair	Tamara	Somerville	Independent Consultant/Lobbyist	Washington	DC
Senate Rules and Administration—Ranking Minority Member	James C.	Dickson	V.P. for Governmental Affairs, American Association of People With Disabilities	Washington	DC
Senate Rules and Administration—Ranking Minority Member	Robin	Carnahan	Secretary of State	Jefferson City	MO

The following officials served in fiscal year 2005: Minnesota Secretary of State Mary Kiffmeyer; former Colorado Secretary of State and current EAC commissioner Donetta Davidson; former NASED member and current EAC Executive Director Tom Wilkey; former Speaker of the Missouri House of Representatives Catherine Hanaway; former Counsel to the Assistant Attorney General, U.S. Department of Justice Hans von Spakovsky; and U.S. Commission on Civil Rights Commissioners Francis Guess and Victoria Wilson.

## EAC Standards Board

State	Designee	First Name	Last Name	Title	City	State
Alabama	State	Nancy L.	Worley	Secretary of State	Montgomery	AL
Alabama	Local	Luke	Cooley	Probate Judge, Houston County	Dothan	AL
Alaska	State	Laura A.	Glaiser	Director, Division of Elections, State of Alaska	Juneau	AK
Alaska	Local	Shelly	Growden	Regional Supervisor (Region III), Division of Elections, State of Alaska	Fairbanks	AK
American Samoa	State	Solilai T.	Fuimaono	Chief Election Officer	Pago Pago	AS
American Samoa	Local	Filivaa M.	Mageo	Election Administrator	Pago Pago	AS
Arizona	State	Kevin	Tyne	Deputy Secretary of State	Phoenix	AZ
Arizona	Local	Mitch	Etter	Assistant Elections Director	Phoenix	AZ
Arkansas	State	Charlie	Daniels	Secretary of State	Little Rock	AR
Arkansas	Local	Mary Lou	Slinkard	Benton County Clerk	Bentonville	AR
California	State	Bradley J.	Clark	Assistant Secretary of State	Sacramento	CA
California	Local	Conny	McCormack	Los Angeles County Registrar of Voters	Los Angeles	CA
Colorado	State	VACANT				CO
Colorado	Local	Russ G.	Ragsdale	City and County of Broomfield Clerk and Recorder	Broomfield	CO
Connecticut	State	Michael	Kozik	Managing Attorney, Legislation and Elections Administration Division	Hartford	CT
Connecticut	Local	Sandra	Hutton	Municipal Town Clerk	Middletown	CT
Delaware	State	Frank B.	Calio	Commissioner of Elections	Dover	DE
Delaware	Local	Howard G.	Sholl, Jr.	Deputy Administrative Director, Dept. of Elections for New Castle County	Wilmington	DE
District of Columbia	State	Alice P.	Miller	Executive Director, DC Board of Elections and Ethics	Washington	DC
District of Columbia	Local	Jonda	McFarlane	Former Board Member, DC Board of Elections and Ethics	Washington	DC
Florida	State	Dawn K.	Roberts	Director, Division of Elections	Tallahassee	FL
Florida	Local	Bill	Cowles	Supervisor of Elections, Orange County	Orlando	FL
Georgia	State	Kathy	Rogers	Director of Election Administrations	Atlanta	GA
Georgia	Local	Lynn	Bailey	Executive Director, Richmond County Board of Elections	Augusta	GA
Guam	State	Gerald A.	Taitano	Executive Director, Guam Election Commission	Hagatna	GU
Guam	Local	VACANT				GU
Hawaii	State	Scott	Nago	Section Head, Counting Center Operations	Honolulu	HI
Hawaii	Local	Glen	Takahashi	Election Administrator, City and County of Honolulu	Honolulu	HI
Idaho	State	Timothy A.	Hurst	Chief Deputy, Secretary of State	Boise	ID
Idaho	Local	Dan	English	Kootenai County Clerk	Coeur d'Alene	ID

## EAC Standards Board (continued)

State	Designee	First Name	Last Name	Title	City	State
Illinois	State	Daniel W.	White	Executive Director, State Board of Elections	Springfield	IL
Illinois	Local	Richard	Cowen	Chicago Board of Election Commissioners	Chicago	IL
Indiana	State	Todd	Rokita	Secretary of State	Indianapolis	IN
Indiana	Local	Lynne	Spevak	LaPorte County Clerk	LaPorte	IN
Iowa	State	Chet	Culver	Iowa Secretary of State	Des Moines	IA
Iowa	Local	Renee	McClellan	Hardin County Auditor	Eldora	IA
Kansas	State	Ron	Thornburgh	Secretary of State	Topeka	KS
Kansas	Local	Donald	Merriman	Saline County Clerk	Salina	KS
Kentucky	State	Sarah Ball	Johnson	Executive Director, State Board of Elections	Frankfort	KY
Kentucky	Local	Don	Blevins	Fayette County Clerk	Lexington	KY
Louisiana	State	Merietta Spencer	Norton	General Counsel, Louisiana Department of State	Baton Rouge	LA
Louisiana	Local	Louie	Bernard	Clerk of Court, Natchitoches Parish	Natchitoches	LA
Maine	State	Julie L.	Flynn	Deputy Secretary of State	Augusta	ME
Maine	Local	VACANT				ME
Maryland	State	Linda H.	Lamone	Administrator of Elections	Annapolis	MD
Maryland	Local	Kim A.	Atkins	Voter Registration Manager, Harford County Board of Elections	Bel Air	MD
Massachusetts	State	William Francis	Galvin	Secretary of the Commonwealth	Boston	MA
Massachusetts	Local	William	Campbell	City Clerk, City of Woburn	Woburn	MA
Michigan	State	Susan	McRill	Manager, Election Liaison Division, Bureau of Elections, Department of State	Lansing	MI
Michigan	Local	Tonni	Bartholomew	Troy City Clerk	Troy	MI
Minnesota	State	Mary	Kiffmeyer	Secretary of State	St. Paul	MN
Minnesota	Local	Sharon K.	Anderson	Cass County Auditor-Treasurer	Walker	MN
Mississippi	State	Jay	Eads	Assistant Secretary of State	Jackson	MS
Mississippi	Local	Marilyn	Avery	Election Commissioner, Hinds County	Jackson	MS
Missouri	State	Leslye	Winslow	Deputy Secretary of State	Jefferson City	MO
Missouri	Local	Richard T.	Struckhoff	County Clerk, Greene County	Springfield	MO
Montana	State	Elaine	Gravely	Deputy Secretary of State for Elections	Helena	MT
Montana	Local	Vickie	Zeiler	Missoula County Clerk and Recorder / Treasurer	Missoula	MT
Nebraska	State	John	Gale	Secretary of State	Lincoln	NE
Nebraska	Local	Robert	Zoucha	Boone County Clerk	Albion	NE

## EAC Standards Board (continued)

State	Designee	First Name	Last Name	Title	City	State
Nevada	State	Dean	Heller	Secretary of State	Carson City	NV
Nevada	Local	Harvard L.	Lomax	Clark County Registrar of Voters	North Las Vegas	NV
New Hampshire	State	Anthony	Stevens	Assistant Secretary of State	Concord	NH
New Hampshire	Local	Carol	Johnson	Deputy City Clerk	Manchester	NH
New Jersey	State	Markus	Green	Deputy Chief of Staff, Office of the Attorney General	Trenton	NJ
New Jersey	Local	Joanne	Armbruster	Atlantic County Superintendent of Elections	Atlantic City	NJ
New Mexico	State	Rebecca	Vigil-Giron	Secretary of State	Santa Fe	NM
New Mexico	Local	David	Kunko	Chaves County Clerk	Roswell	NM
New York	State	John	Haggerty, Jr.	Deputy Executive Director, Task Force on Election Modernization	Forest Hills	NY
New York	Local	Edward J.	Szczesniak	Onondaga County Commissioner of Elections	Syracuse	NY
North Carolina	State	Johannie F.	McLean	Deputy Director	Raleigh	NC
North Carolina	Local	Kathie Chastain	Cooper	Director of Elections, Forsyth County	Winston-Salem	NC
North Dakota	State	I. James	Silrum	Deputy Secretary of State	Bismarck	ND
North Dakota	Local	Michael M.	Montplaisir	County Auditor	Fargo	ND
Ohio	State	J. Kenneth	Blackwell	Secretary of State	Columbus	OH
Ohio	Local	VACANT				OH
Oklahoma	State	VACANT				OK
Oklahoma	Local	Clint	Parr	Vice Chairman, Tulsa County Election Board	Tulsa	OK
Oregon	State	John	Lindback	Director, State of Oregon Elections Division	Salem	OR
Oregon	Local	John	Kauffman	Director, Multnomah County Elections	Portland	OR
Pennsylvania	State	Pedro A.	Cortes	Secretary of the Commonwealth	Harrisburg	PA
Pennsylvania	Local	Regis	Young	Butler County Election Director	Butler	PA
Puerto Rico	State	Nestor J.	Colón Berlingeri	First Vice President, State Elections Commission	San Juan	PR
Puerto Rico	Local	Juan M.	Toledo-Diaz	Second Vice President, State Elections Commission	San Juan	PR
Rhode Island	State	Jan	Ruggiero	Director of Elections	Providence	RI
Rhode Island	Local	Marian	Clarke	Chair, Town of Jamestown Board of Carvassers	Jamestown	RI
South Carolina	State	Marci	Andino	Executive Director, State Election Commission	Columbia	SC
South Carolina	Local	Marilyn	Bowers	Director, Pickens County Registration and Elections	Pickens	SC
South Dakota	State	Kea	Warne	State Election Supervisor	Pierre	SD
South Dakota	Local	Sue	Roust	Minnehaha County Auditor	Sioux Falls	SD

## EAC Standards Board (continued)

State	Designee	First Name	Last Name	Title	City	State
Tennessee	State	Brook	Thompson	State Coordinator of Elections	Nashville	TN
Tennessee	Local	Joe	Enoch	Dyer County Election Commissioner	Dyersburg	TN
Texas	State	Roger	Williams	Secretary of State	Austin	TX
Texas	Local	Dana	DeBeauvoir	Travis County Clerk	Austin	TX
Utah	State	Michael	Cragun	Director of Elections, Lt. Governors Office	Salt Lake City	UT
Utah	Local	Dennis	Ewing	Tooele County Clerk	Tooele	UT
Vermont	State	Deborah L.	Markowitz	Secretary of State	Montpelier	VT
Vermont	Local	Annette L.	Cappy	Town Clerk, Town of Brattleboro	Brattleboro	VT
Virginia	State	Jean R.	Jensen	Secretary, State Board of Elections	Richmond	VA
Virginia	Local	Allen	Harrison, Jr.	Vice Chair, Arlington County Electoral Board	Arlington	VA
U.S. Virgin Islands	State	Corinne Halyard	Plaskett	State Election Official	St. Croix	VI
U.S. Virgin Islands	Local	Natalie	Thomas	Local Election Official	St. Thomas	VI
Washington	State	Nick	Handy	Director of Elections	Olympia	WA
Washington	Local	Bob	Terwilliger	Snohomish County Auditor	Everett	WA
West Virginia	State	Benjamin R.	Beakes	Chief of Staff, Secretary of State's Office	Charleston	WV
West Virginia	Local	Gary W.	Williams	Clerk of the Boone County Commission	Buckhannon	WV
Wisconsin	State	Kevin J.	Kennedy	Executive Director, State Elections Board	Madison	WI
Wisconsin	Local	Sandi	Wesolowski	City of Franklin Clerk	Franklin	WI
Wyoming	State	Peggy	Nighswonger	State Elections Director	Cheyenne	WY
Wyoming	Local	Julie	Freese	Fremont County Clerk	Lander	WY

The following officials served in fiscal year 2005: Arizona Secretary of State Jan Brewer; former California Secretary of State Kevin Shelley; former Colorado Secretary of State and current EAC Commissioner Donetta Davidson; Connecticut Secretary of State Susan Bysiewicz; New Haven, CT, Registrar of Voters Rae Tramontano; Kennebunk, ME, Town Clerk Ethelyn S. Marthia; Michigan Secretary of State Terri Lynn Land; Anoka, MN, Elections and License Bureau Supervisor Gary Poser; Mississippi Secretary of State Eric Clark; General Counsel for the Missouri Secretary of State Terry M. Jarrett; DeKalb County, MO, County Clerk Mary Berry; former Montana Secretary of State Bob Brown; New Hampshire Secretary of State William Gardner; Town Moderator of Auburn, NH, C. Donald Stritch; former New Jersey Attorney General Peter C. Harvey; former Director of the Mahoning County, OH, Board of Elections Michael Sciortino; Darlington County, SC, Director of Registration and Elections Hoyt Campbell; former Texas Secretary of State Geoffrey S. Connor; former Utah Director of Elections Amy Naccarato; from the West Virginia Secretary of State's office, Cindy Smith; and Upshur County, WV, Clerk Debbie Wilfong.

## EAC Technical Guidelines Development Committee

Appointed by	First Name	Last Name	Title	City	State
Director of NIST <b>Committee Chair</b>	Dr. William A.	Jeffrey	Director of the National Institute of Standards and Technology	Gaithersburg	MD
Standards Board	John A.	Gale	Nebraska Secretary of State	Lincoln	NE
Standards Board	Alice	Miller	Director of Elections, District of Columbia	Washington	DC
Board of Advisors	Sharon	Turner-Buie	Director of Elections, Kansas City	Kansas City	MO
Board of Advisors	Helen	Purcell	Maricopa County, AZ Recorder	Phoenix	AZ
Access Board	James R.	Harding	Architectural and Transportation Barriers Compliance Board	Tallahassee	FL
Access Board	James	Elekes	Architectural and Transportation Barriers Compliance Board	North Plainfield	NJ
ANSI	David	Karmol	Vice President of Public Policy and Governmental Affairs, American National Standards Institute	Washington	DC
IEEE	H. Stephen	Berger	TEM Consulting, LP—Chair, IEEE SEC 38 (Voting Syst. Stds.), Institute of Electrical and Electronics Engineers	Georgetown	TX
NASED	Dr. Britain	Williams	Retired professor, Kennesaw State, University of Georgia	Tucker	GA
NASED	Paul	Craft	Florida Department of State, Voting Systems Division	Tallahassee	FL
EAC/NIST	Dr. Ronald	Rivest	Professor, MIT, Dept. of Electrical Engineering and Computer Science	Cambridge	MA
EAC/NIST	Dr. Daniel	Schutzer	Director and SVP, Enterprise Technology Office, Citigroup	New York	NY
EAC/NIST	Patrick	Gannon	President & CEO, OASIS	Billerica	MA
EAC/NIST	Whitney	Quesenbery	President, Usability Professionals' Association	High Bridge	NJ

The following officials served in fiscal year 2005: Committee Chair Arden L. Bennett, Jr., Director of NIST; Committee Chair Dr. Hrach Semerjian, former Acting Director of NIST; former Colorado Secretary of State and current EAC Commissioner Donetta Davidson; and Ann Caldas, ANSI Director of Procedures and Standards Administration.

ANSI = American National Standards Institute.

IEEE = Institute of Electrical and Electronics Engineers.

MIT = Massachusetts Institute of Technology.

NASED = The National Association of State Election Directors.

NIST = National Institute of Standards and Technology.



### EAC Commissioners

Chairman Paul DeGregorio  
Vice Chairman Ray Martinez III  
Commissioner Donetta Davidson  
Commissioner Gracia Hillman

### EAC Staff

Tom Wilkey, Executive Director  
Juliet Thompson, General Counsel



U.S. Election Assistance Commission  
1225 New York Avenue, NW  
Suite 1100  
Washington, DC 20005  
866-747-1471 (toll free)  
[HAVAinfo@eac.gov](mailto:HAVAinfo@eac.gov)  
[www.eac.gov](http://www.eac.gov)