2010 Activities

VOTE

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✪ Introduction

Since the passage of the Help America Vote Act (HAVA) in 2002, election administration has changed dramatically.

Early voting was rare 10 years ago. Absentee ballot tracking, vote centers and ballots on demand were unheard of. Live webcasts of the vote tabulation process were not available. Yet some of these innovations have become increasingly commonplace.

By providing funds to states to modernize their voting systems and voter registration databases, HAVA was a catalyst for many election reforms. For instance, the HAVA-mandated move to statewide voter registration databases facilitated the migration from paper poll books to digital poll books, which makes the voter check-in process faster and more accurate. Commissioners and staff of the U.S. Election Assistance Commission (EAC) have observed poll workers using the digital poll books and have heard poll workers comment about how much easier the voter check-in process has become.

Some of the biggest innovations have taken place on the Internet, where voters in most states can verify their voter registration, get directions to their polling place and download a sample ballot from the Web site of their elections office.

Jurisdictions are also electronically transmitting registration materials and blank ballots to military and overseas voters to help ensure they receive their ballots on time and to comply with the Military and Overseas Voter Empowerment (MOVE) Act, which Congress passed in 2009.

Some areas offer all voters, not just Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) voters the ability to track their absentee ballot. Through a barcode on the ballot envelope, the ballot is scanned before it enters the mail system and when it is returned to the elections office. Voters in some jurisdictions can also check the status of a provisional ballot on line.

Vote centers offer voters the flexibility to vote at a designated location that is convenient for them. Digital poll books made it possible for voter check-in information to be updated and shared countywide in real time.

Election offices are also opening their election-night operations to the public. For example, Orange County, California, which has 1.6 million registered voters, uses the Internet to increase transparency by providing a streaming video of election-night operations, including vote-by-mail ballot procedures and updates of election results every 30 minutes.

Numerous counties have embraced social media to communicate with voters and the news media about polling place hours, wait times and closures. Douglas County, Kansas, used Twitter during a local election in 2009 to inform voters of a polling place closure because of a fire. News outlets saw the Twitter feed and rebroadcast the news within minutes. Broward County, Florida, and Forsyth County, Georgia, posted early voting wait times on their Web site so people could avoid long lines. Counties also used text messaging to coordinate Election Day activities with poll workers.

Election officials who implemented these innovations, such as early voting processes, online customer service features for voters and digital poll books had to also create procedures to accompany the new systems. They have learned valuable lessons after launching these innovations during an election.

EAC has also facilitated the collection of election administration data on a national basis through its *Election Administration and Voting Survey* (EAVS). Election officials are now assembling and reporting on an array of election statistics, which helps inform a variety of stakeholders on the conduct of federal elections. The EAVS is the most comprehensive federal compilation of election data available to the public.

As tasked by HAVA to be the national clearinghouse for elections, EAC has taken the lead in collecting these innovative and modern solutions in elections and in providing this information to election officials and the general public in a central location at EAC.gov. EAC will also establish an online tool that will pair seasoned election officials with the profession's newest members, providing an online exchange of ideas and solutions. Helping election officials

at both the state and local levels connect with each other improves efficiency, avoids duplication of efforts, saves money and creates a network of experts who can support each other and their goal to provide customer service to voters.

Information, data, research and best practices that EAC program areas produced and collected all become part of the national clearinghouse for elections. The fiscal year (FY) 2010 program highlights described below demonstrate EAC's modern, inclusive approach to improving federal elections and providing excellent customer service to the public and election officials.

Voting Systems Testing and Certification

★ Certified a fourth voting system in 8 months at a cost of less than $1 million.

★ Issued a report to Congress on progress toward establishing guidelines for remote electronic voting systems for absentee voters.

★ Held a joint workshop with the Federal Voting Assistance Program (FVAP) and the Commerce Department's National Institute of Standards and Technology (NIST) on UOCAVA remote electronic absentee voting systems; jointly completed a UOCAVA Pilot Program Testable Requirements document.

★ Completed a draft revision of the 2005 *Voluntary Voting System Guidelines* (VVSG), Version 1.1 that addresses the comments received during the public comment period ending September 28, 2009. The revised version and policy decisions were presented to the EAC commissioners and discussed at a public meeting in September 2010.

Communications and Clearinghouse

★ Launched a new Web site, recently named as one of the top five government Web sites by Congress.org, with powerful search and improved navigation tools. Visitors may customize their experience by choosing automatic updates by program area and have the option to submit comments and rate EAC materials and products.

★ Before the 2010 general election, provided information to voters about early and absentee voting deadlines in each state and U.S. territory.

★ Created a map displaying the location of all EAC-certified voting systems, along with hyperlinks to

related test reports, correspondence and other information about the voting systems.

Grants

★ Awarded 15 Help America Vote College Program grants to recruit students to serve as poll workers; awarded 8 Mock Election grants that, in conjunction with the current grant portfolio, will help educate students about the electoral process; and awarded a $500,000 Military Heroes Initiative grant to improve voting accessibility for recently injured military personnel.

★ In coordination with the Voting Systems Testing and Certification division, conducted a roundtable discussion on research, development and implementation of technologies and other types of assistance to make voting more accessible.

Research, Policy and Programs

★ Developed a Notice of Proposed Rulemaking (NPRM) for modifying EAC's regulations for the National Voter Registration Act (NVRA) in accordance with HAVA and published the Notice in the *Federal Register*.

★ Issued *Election Management Guidelines* chapters and *Quick Start Management Guides* on Technology in Elections, Elections Office Administration, Accessibility, Building Community Partnerships, Canvassing and Certifying an Election, Communicating with the Public, Conducting a Recount and Provisional Ballots.

★ Released the Congressionally mandated report, *Free Postage for the Return of Voted Absentee Ballots*.

★ Translated the National Mail Voter Registration Form into five Asian languages. Expanded the translated versions of the *Voter's Guide to Federal Elections* to include four Native American languages.

★ Partnered with the Office of Citizenship within U.S. Citizenship and Immigration Services to make the *Voter's Guide to Federal Elections* available to new citizens in the U.S. naturalization ceremony packet.

EAC will continue to find new and efficient ways to improve federal election administration. One size does not fit all in elections, and EAC is uniquely positioned to gather and share solutions for the many aspects of the United States' very diverse and decentralized election administration landscape—everything from ballot on demand to voting centers and a wide variety of voting systems.

✪ Operations

The U.S. Election Assistance Commission

EAC is an independent, bipartisan agency created by HAVA. It assists and provides guidance to state and local election administrators in improving the administration of elections for federal office. EAC provides assistance by disbursing federal funds to states to implement HAVA requirements, auditing the use of HAVA funds, adopting the VVSG and serving as a national clearinghouse and resource of information regarding election administration. EAC also accredits voting system testing laboratories and certifies, decertifies and recertifies voting systems.

EAC has two commissioners currently serving, Gineen Bresso and Donetta Davidson, and two vacancies. 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. Former Commissioner Gracia Hillman resigned in December 2010 after serving in a holdover capacity pursuant to HAVA Section 203(b)(3)B.

Executive Director

Thomas Wilkey was named executive director of EAC in May 2005 by a unanimous vote of the commissioners and was unanimously reappointed to the post in June 2009 for another 4-year term. His duties include managing daily operations, preparing program goals and long-term plans, managing VVSG development, reviewing reports and studies and overseeing EAC staff appointments.

General Counsel

Appointed by the Commission in September, 2010, EAC General Counsel Mark A. Robbins has 20 years of experience in public policy, federal administrative law and executive management. He is the former executive director of the White House Privacy and Civil Liberties Oversight Board and the former general counsel for the U.S. Office of Personnel Management (OPM). In accordance with

HAVA, the general counsel is appointed to a 4-year term and may serve additional terms by a vote of EAC. As EAC's chief legal officer, Mr. Robbins provides advice to commissioners and senior leadership on legal issues affecting EAC's activities and operations.

The Office of Inspector General

EAC's Office of Inspector General (OIG) conducts audits, investigations and other reviews of EAC's programs and operations, which include internal reviews of how EAC conducts business and reviews of recipients of funds disbursed by EAC. The OIG's work is designed to enhance the economy, efficiency and effectiveness of EAC. The OIG also works to detect and prevent fraud, waste, abuse and mismanagement in EAC programs and operations. OIG reports educate and inform clients (EAC, Congress, Office of Management and Budget, Government Accountability Office, state governments, other federal entities and the public) of opportunities to improve the efficiency and effectiveness of EAC and its programs.

EAC Federal Advisory Committees

Board of Advisors

EAC's Board of Advisors includes members appointed by 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; National Association of County Recorders, Election Officials and Clerks; The United States Conference of Mayors; Election Center; International Association of Clerks, Recorders, Election Officials and Treasurers; the U.S. Commission on Civil Rights; and Architectural and Transportation Barriers Compliance Board.

Other members include representatives from the U.S. Department of Justice, Public Integrity Section of the Criminal Division and the Voting Section of 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 by the Majority Leader and Minority Leader 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.

The Board of Advisors elects a chair, vice chair and secretary from its members. Officers serve for a term of 1 year and may serve no more than two consecutive terms in any one office.

The Board of Advisors participated in two virtual public forums. During February 8–19, 2010, board members provided input about Phase II of the Election Operations Assessment, which contains threat trees for the seven types of voting types covered by the Election Operations Assessment. During April 26–30, 2010, board members commented on a draft version of the EAC Recounts and Contests study. The draft version contained information about the laws and procedures each state uses to govern recounts, contests and standards for what constitutes a valid vote. The study included best practices that states use with respect to recounts and contests.

The Board held its annual meeting June 16–18, 2010, in Washington, D.C. Agenda items included EAC program updates, a presentation from NIST regarding the UOCAVA Voting Systems Threat Analysis and other administrative matters. The Board passed the following motions during the June meeting:

★ Motion 2010-001: Recommendation that EAC begin a dialogue with voting system manufacturers, state and local election officials and other relevant parties about the maintenance and sustainability of voting systems.

★ Motion 2010-002: Recommendation that Board Chair Jim Dickson communicate to Congressman Dan Lungren's office that a discussion was held regarding the hiring of EAC's general counsel and that the sentiments of the Board were shared with EAC.

★ Motion 2010-003: Recommendation that EAC conduct a study of the performance of secondary school students as poll workers in the election process.

★ Motion 2010-004: Recommendation that EAC study the establishment of the Help America Vote Act Foundation created under Title VI of HAVA.

★ Motion 2010-005: Recommendation that the Board create a special committee to work with EAC to develop recommendations establishing future studies on the election administration profession.

★ Motion 2010-006: Recommendation that the chair appoint a committee to define sustainability issues that could be studied by EAC and provide advice to the Board regarding recommended studies.

★ Motion 2010-007: Recommendation that the Board recognize the contributions of Terri Hegarty, Craig Donsanto and other former Board members for their service.

The Board of Advisors' motions, meeting minutes and presentations are available at EAC.gov.

Standards Board

The Standards Board consists of 110 members; 55 are state election officials selected by their respective chief state election official and 55 are local election officials selected through a process supervised by the chief state election official. HAVA prohibits any 2 members representing the same state to be members of the same political party.

The Board elects 9 members to serve as an executive board, of which not more than 5 are state election officials, not more than 5 are local election officials and not more than 5 are members of the same political party.

The Standards Board participated in three virtual public forums in FY 2010 to review and comment on the draft EAC Recounts and Contests study, three draft chapters of the *Election Management Guidelines* and Phase II of the Election Operations Assessment. The Board held its annual meeting on July 27, 2010; the executive board met in person in Washington, D.C., and the other members participated virtually via WebEx. Agenda items included EAC program updates, commercial off-the-shelf products and UOCAVA projects. The following resolutions were passed at the July meeting:

★ 2010-01: Amended Article X, Section 2, of the bylaws of the Board, allowing proposed bylaw amendments to be submitted to the Designated Federal Officer at least 70 days before a Standards Board meeting.

★ 2010-02: Amended Article VIII, Section 2, of the bylaws of the Board, allowing proxy designations by electronic means and clarifying that proxies may vote for all matters outside of elections.

★ 2010-03: Amended bylaws to authorize executive board elections to be conducted by mail-in ballot.

★ 2010-04: Recommended that EAC coordinate the implementation of its UOCAVA Roadmap with its advisory boards and NIST to apply the NIST Risk Management Framework and other methods to identify security controls and technologies to mitigate security concerns.

★ 2010-05: Concluded that the Board provide recommendations to NIST and the Technical Guidelines Development Committee (TGDC) regarding the definition of auditability and the development of alternatives to software independence. Also established a Software Independence ad hoc committee.

Standards Board resolutions, meeting minutes and presentations are available at EAC.gov.

Technical Guidelines Development Committee

HAVA mandates that the TGDC help EAC develop the VVSG, a task that was completed in May 2005. The VVSG are not mandatory and each state retains the prerogative to adopt these guidelines.

By law, the chairperson of the TGDC is the director of 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, Institute of Electrical and Electronics Engineers, The National Association of State Election Directors (2 representatives) and other individuals with technical and scientific expertise related to voting systems and voting equipment.

TGDC meeting minutes, roster, resolutions and other related material are available at www.vote.nist.gov.

Public Meetings

In FY 2010, EAC held eight public meetings, which were also available to the public via webcast. Public meeting topics included military and overseas voters, the Military and Overseas Voter Empowerment (MOVE) Act and EAC's Quality Monitoring Program for certified voting systems. EAC also held two public hearings about proposed changes to NVRA regulations. Public meetings

and hearings are available to the public via archived webcasts and meeting agendas, minutes and testimony are posted at EAC.gov.

Freedom of Information Act Report

In FY 2010, EAC received 10 requests under the Freedom of Information Act (FOIA). Nine requests were processed and completed. One request was partially completed; EAC is awaiting clarification from the requestor to complete the request.

The median processing time was 16 days, and the average was 14.8 days. The range in number of days for response was from 3 to 22 days. Of the 10 requests completed in FY 2010, 7 were completed within 20 days, 2 were completed within 40 days and 1 partial response was provided within 20 days.

In no instances did EAC not comply with a request, no appeals were made, in no instances did a court review a decision to withhold, no administrative appeals were made and EAC received no expedited review requests.

Two EAC employees processed FOIA requests, but neither employee is solely dedicated to FOIA activities. EAC spent approximately $17,500 processing FOIA requests in FY 2010. EAC initiated fee waiver requests on all FOIA requests. No fee waiver adjudications were initiated.

EAC withheld documents in two instances; one instance under FOIA exemption 5, and one instance under FOIA exemption 6. The information withheld included internal memoranda, personnel files and confidential business information.

EAC's FOIA regulations instructions for submitting a request and the FOIA Reading Room are available to the public at EAC.gov.

EAC FOIA Policy

(a) The Commission will make the fullest possible disclosure of records to the public, consistent with the rights of individuals to privacy, the rights of individuals and other entities with respect to trade secrets and commercial or financial information entitled to privileged and confidential treatment and the need for the Commission to promote free internal policy deliberations and to pursue its official activities without undue disruption.

(b) All Commission records shall be available to the public unless they are specifically exempt under this part.

(c) In the interest of efficiency and economy, the Commission's preference is to furnish records to requesters in electronic format, when possible.

(d) To carry out this policy, the Commission has designated a Chief Freedom of Information Act Officer (Chief FOIA Officer).

Operating Budget

Since 2004, EAC has received funds in three appropriations: Salaries and Expenses, Election Reform Programs and for FY 2008 only, Election Data Collection Grants. The purpose of the Data Collection grants of $2.0 million each to five states was to measure the costs of improving the collection of election data at the precinct level during the 2008 federal election. In FY 2010, the Salaries and Expenses appropriation of $17,959,000 funded the $3.5 million transfer to NIST; $750,000 for College Poll Worker recruitment and training grants; $300,000 for Mock Elections for high school students; and general office expenses including salaries, travel, rent, and expenses incurred for telecommunications, printing, contracts, supplies, and equipment.

During FY 2010, EAC finalized policies and procedures in the areas of general administration, travel and information technology. Also during FY 2010, EAC made great progress in the program areas, achieving the goals described in the EAC Strategic Plan, which is based on the mandates of HAVA.

Internal Controls

EAC is subject to numerous legislative and regulatory requirements that promote and support effective internal controls. EAC believes that maintaining integrity and accountability in its programs and operations is critical for good government, demonstrates responsible stewardship over assets and resources, helps ensure high-quality and responsible leadership, allows for effective delivery of services to customers and maximizes desired program outcomes.

EAC has developed and implemented management, administrative and financial system controls to reasonably ensure that (1) programs and operations achieve intended results efficiently and effectively; (2) resources are used in accordance with the mission of the agency; (3) programs and resources are protected from waste, fraud and abuse; (4) program and operations activities comply with laws and regulations; and (5) reliable, complete and timely data are maintained and used for making decisions.

EAC used controls that ensure that transactions are executed in accordance with budgetary and financial laws and other requirements, consistent with the purposes authorized and are recorded in accordance with federal accounting standards. EAC ensures that assets are properly acquired and used and that they are safeguarded to deter theft, accidental loss or unauthorized disposition and fraud. EAC is still collecting programmatic performance data and ensuring that the data are adequately supported. To this end, EAC contracted for and received recommendations from an independent review of (1) its Strategic Plan performance measures and systems to collect the data and (2) risk levels associated with providing inaccurate information for making internal decisions. During FY 2011, each manager will become familiar with internal control requirements and responsibilities and be able to sign statements of assurance that controls are in place and functioning.

✪ Federal Financial Assistance To Improve Federal Elections

EAC's Grants Management Division distributes and monitors HAVA funds, provides technical assistance to states and grantees on the use of funds and reports on requirements payments and discretionary grants to improve the administration of elections for federal office. The division also negotiates indirect cost rates with grantees and resolves audit findings on the use of HAVA funds.

HAVA Funds

In FY 2010, Public Law 111-117 included $70 million for HAVA Section 251 payments. The funds are distributed according to a formula based on the voting age population of the state according to the most recent census and the

total voting age population of all states. To draw the funds, the states certify that they are in compliance with applicable laws and requirements per HAVA Section 253.

A state may use a requirements payment to carry out activities to improve the administration of elections for federal office outside of the activities listed under HAVA Title III if the state, per Section 251, certifies that it has implemented the requirements of Title III or that the amount it will spend on other activities will not exceed an amount equal to the minimum payment amount applicable under Section 252. Title III includes voting system standards, voting information requirements, provisional voting, statewide voter registration lists and identification

2009 Section 251 Funds Distributed in FY 2010

State	2010 Payment	Required State Match	Date Received
Alaska	$500,000	$26,316	3/29/10
Hawaii	$500,000	$26,316	3/10/10
Idaho	$500,000	$26,316	2/16/10
Illinois	$4,193,259	$220,698	8/13/10
Indiana	$2,068,525	$108,870	12/17/09
Kansas	$916,581	$48,241	9/13/10
Maryland	$1,810,987	$95,315	12/22/09
Michigan	$3,359,723	$176,828	*****
Minnesota	$1,670,911	$87,943	10/8/09
Nebraska	$591,388	$31,126	1/29/10
Nevada	$694,006	$36,527	6/9/10
New Mexico	$613,898	$32,310	2/4/10
North Carolina	$2,787,357	$146,703	1/15/10
Oklahoma	$1,181,900	$62,205	12/11/09
Pennsylvania	$4,277,466	$225,130	2/1/10
Puerto Rico	$1,240,015	$65,264	*****
Rhode Island	$500,000	$26,316	11/27/09
Texas	$6,829,389	$359,442	12/23/09
West Virginia	$657,360	$34,598	4/14/10
Wisconsin	$1,835,843	$96,623	2/4/10
Total	**$36,728,608**	**$1,933,085**	

*****Indicates funds have been requested and disbursement is being processed.*

2010 Section 251 Funds Distributed in FY 2010

State	2010 Payment	Required State Match	Date Received
Alaska	$350,000	$18,421	3/29/10
Arizona	$1,211,411	$63,759	8/16/10
Arkansas	$647,217	$34,064	5/17/10
California	$7,857,562	$413,560	*****
Idaho	$350,000	$18,421	4/8/10
Illinois	$2,935,281	$154,490	8/13/10
Indiana	$1,447,967	$76,210	9/13/10
Iowa	$710,834	$37,413	3/29/10
Kansas	$641,607	$33,769	9/13/10
Kentucky	$983,033	$51,739	3/19/10
Michigan	$2,351,806	$123,781	*****
Minnesota	$1,169,637	$61,560	6/23/10
Mississippi	$671,573	$35,346	7/22/10
Montana	$350,000	$18,421	5/3/10
Nevada	$485,804	$25,569	9/24/10
New York	$4,564,310	$240,229	3/12/10
North Carolina	$1,951,150	$102,693	8/13/10
North Dakota	$350,000	$18,421	4/8/10
Pennsylvania	$2,994,226	$157,592	9/24/10
Puerto Rico	$868,011	$45,685	*****
Rhode Island	$350,000	$18,421	6/15/10
South Carolina	$968,829	$50,991	5/25/10
South Dakota	$350,000	$18,421	9/13/10
Texas	$4,780,572	$251,612	9/13/10
Washington	$1,407,879	$74,100	9/13/10
Total	**$40,748,710**	**$2,144,690**	

*****Indicates funds have been requested and disbursement is being processed.*

requirements for voters who register by mail. A state may also use a requirements payment to improve the administration of federal elections. In November 2009, EAC provided training via a webinar to states on using the Standard Form 425 Federal Financial Report. The webinar is available at EAC.gov.

EAC paid $29.7 million of the $70.0 million awarded in FY 2010, which represents all funds requested by the states by September 30, 2010.

Each year, EAC prepares a report for Congress that describes how the states have spent HAVA funds. On February 1, 2010, the division released the *EAC Annual Report on Grant Programs* as of September 30, 2008. The report was released along with the *FY 2011 Congressional Budget Justification* and *FY 2009 Annual Performance Report*. A comprehensive chart detailing all HAVA funds provided to the states is available at EAC.gov.

To assist state and local governments regarding the proper use of HAVA funds, EAC established the Funding Advisory Opinion request process, through which any federal or state government official, any local election official (provided the local jurisdiction received or anticipates receiving HAVA funds), or any member of the EAC staff may request an advisory opinion concerning the use of HAVA funds. During FY 2010, EAC issued three Funding Advisory Opinions regarding the use of HAVA funds. All Funding Advisory Opinions are available at EAC.gov.

Help America Vote College Program

The Help America Vote College Program, established by HAVA Section 501, provides grants to encourage student participation as poll workers or assistants, to foster student interest in the electoral process and to encourage state and local governments to use students as poll workers.

In FY 2010, EAC awarded $750,000 in College Poll Worker grants to 14 institutions of higher education and one nonprofit organization to recruit students to serve as poll workers in the 2010 federal election. The 2010 grantees were as follows:

★ Alverno College, Milwaukee, Wisconsin: $40,800.

★ Benedictine University, Lisle, Illinois: $55,385.

★ Central Connecticut State University, Hartford, Connecticut: $32,107.

★ College of the Canyons, Santa Clarita, California: $59,200.

★ Harris-Stowe State University, St. Louis, Missouri: $43,433.

★ Keystone College, La Plume, Pennsylvania: $39,996.

★ Kids Voting of Central Ohio, Columbus, Ohio: $84,000.

★ Kutztown University, Kutztown, Pennsylvania: $58,868.

★ Lourdes College, Sylvania, Ohio: $34,783.

★ Marshall-Wythe Law School Foundation, Williamsburg, Virginia: $63,700.

★ Morehouse College, Atlanta, Georgia: $38,037.

★ Southern Utah University, Cedar City, Utah: $46,480.

★ Suffolk University, Boston, Massachusetts: $30,211.

★ University of Rochester, Rochester, New York: $62,000.

★ University of Tennessee, Knoxville, Tennessee: $61,000.

The 2010 grantees developed creative ways of engaging students in the electoral process, and many set up measures to ensure continuation of their programs. The University of Tennessee, for example, offered online training videos as an option for students to complete their poll worker training. They also plan to offer a 4-credit-hour class for students who participated in the program to review data and study advanced election issues and to hold a followup symposium to talk about the experience with students, election officials and the media. Professors at Southern Utah University created pre- and post-assessments to find out how students' understanding of the political process had changed.

The Help America Vote College Poll Worker grants help relieve poll worker shortages across the country and provide election officials with technically proficient poll workers. According to EAC's 2008 Election Administration and Voting Survey, nearly one-half of the jurisdictions reported experiencing difficulties recruiting poll workers. Thanks to these grants, many grantees reported having an adequate number of poll workers, some for the first time.

As of FY 2010, EAC had awarded 89 grants totaling $3.1 million to recruit and train college poll workers since 2004.

Mock Election Grant Program

The Mock Election Grant Program, authorized under HAVA Section 295, encourages youth participation and civic engagement by enabling students to participate in simulated elections with voting equipment, ballots and poll workers. The grants enable students to become familiar with voting processes and technologies so that when they become eligible to vote they will be more comfortable with their civic responsibilities.

In FY 2010, EAC awarded eight Mock Election Program grants totaling $300,000 to six government agencies, one civic group and one nonprofit organization. The grants were intended to be used for high school students to operate programs of simulated elections, complete with voting equipment, ballots and poll workers.

The 2010 winners, chosen from a highly competitive pool of 34 applicants, used a wide range of creative approaches to engage high school students, particularly those in rural areas, including American Indian reservations, and urban locations. The 2010 grantees include the following:

★ Seminole County Supervisor of Elections in Sanford, Florida. To partner with Crooms Academy of Information Technology to hold debates in which candidates, voters and community leaders discuss issues before the students and to train students to serve as poll workers on Election Day: $15,441.

★ Polk County Auditor's Office in Des Moines, Iowa. To educate students using computer simulations of common and lesser known aspects of the voting process, from establishing eligibility and operating voting equipment to casting a provisional ballot and assisting voters who have special needs: $49,293.

★ Office of the Secretary of State of the Commonwealth of Kentucky. To engage a large population of students—30,940 students in underserved counties throughout the state—in mock elections and related educational activities through partnerships with the Kentucky Department of Education and the NewCities Institute: $44,553.

★ Michigan Government Television in Lansing. To partner with Leland Public Schools to recruit 100,000 students in rural and urban areas to participate in educational election activities leading up to the National Student/Parent Mock Election: $42,000.

★ State of Montana Secretary of State. To partner with the School Administrators of Montana and the Office

of Public Instruction to educate students living on American Indian reservations about the election process through a customizable election curriculum that incorporates a variety of multimedia platforms: $30,000.

★ League of Women Voters of Oregon Education Fund. To partner with the Governor's Office, the secretary of state, the Oregon Department of Education, the Oregon School Board Association and the Oregon Association of Student Councils to reach 80,000 students in 350 schools to participate in a simulated election of the state's vote-by-mail system and election-related educational and leadership development activities: $41,413.

★ State of Rhode Island and Providence Plantations. To partner with the Rhode Island Board of Elections, Rhode Island Department of Elementary and Secondary Education and Roger Williams University to develop and implement a statewide voter education project that will reach at least one-half of the state's high school population of 46,000 and target urban and immigrant communities: $37,300.

★ Office of the Washington Secretary of State. To provide students in 100 schools with opportunities to participate in online voting, election-related educational activities and two televised segments cosponsored by TVW, Washington's public affairs broadcast network, on the mock election that will feature interviews with students and teachers and a forum in which student audience members engage with panelists on national and local issues: $40,000.

The Voting System Pre-Election Logic and Accuracy Testing and Post-Election Audit Initiative

This grant will award approximately $2 million to develop and document processes for coordinating high-quality and cost-effective voting system pre-election logic and accuracy (L&A) testing and post-election audits. During FY 2010, EAC developed the final notice of federal funds available, which included public comments gathered during FY 2009. This notice set forth funding parameters, including the scope of work, eligibility requirements and qualifications, selection criteria and other related details.

Through this initiative, EAC seeks to capture and test innovative, high-quality processes and tools, as well as practices that are cost effective and evidence based for

performing voting system pre-election L&A testing and post-election audits by jurisdictions of varying sizes, locations and equipment configurations. Congress funded this initiative under the Consolidated Appropriations Act for FY 2009/2010.

The Military Heroes Initiative

In FY 2010, EAC established and awarded the Military Heroes Initiative, a $500,000 2-year grant aimed at advancing voting technology and processes for recently injured military personnel. The grant seeks to improve voting technology and processes for military service members who have sustained disabling injuries in combat operations. According to the National Council on Disability, more than 30,800 U.S. service members in recent years have returned from a combat zone with a range of disabilities, including loss of limbs, loss of sight and traumatic brain injury. HAVA disability requirements (specifically Section 301) and the Military Oversees Voting Empowerment Act contain provisions aimed at significantly improving the voting process for people with disabilities and military personnel.

The winner of the grant competition was the Information Technology and Innovation Foundation (ITIF), which is partnering with the Georgia Institute of Technology Applied Research Corporation, a leading research institute with extensive experience working with military institutions and conducting accessibility research, and with Operation Bravo Foundation, a pioneer in developing voting alternatives for military and overseas citizens.

Funds will support research to better understand the needs of injured military personnel in major hospital, recovery and rehabilitation facilities related to election processes, including (1) documentation of current practices associated with voting activities at these facilities, (2) identification of barriers that may prevent this population from voting privately and independently and (3) reviews and assessments

of new and innovative technologies that assist military personnel with participating in the electoral process.

Through a study of all aspects of the voting process, ITIF and its partners will evaluate and offer recommendations to improve the voting needs of military personnel with disabilities. In addition to assessing current voting technologies, services and processes, ITIF will review alternative ballot delivery and return methods and perform user-focused studies to identify potential solutions. Their recommendations will be delivered by early 2012 for potential use in the 2012 federal election. Through the Military Heroes Initiative, EAC seeks to foster a better understanding of the voting needs of injured military personnel and enhance the military's processes for supporting the participation of this important constituency in elections. This initiative is funded under the Consolidated Appropriations Act for FY 2009/2010.

The Accessible Voting Technology Initiative

This grant will award $7 million to support research and development that advances voting accessibility technology to enable citizens with disabilities to vote privately and independently. During FY 2010, EAC developed the final notice of federal funds available, which included public comments gathered during FY 2009. This notice set forth funding parameters, including the scope of work, eligibility requirements and qualifications, selection criteria and other related details.

In designing the grant, EAC consulted with a variety of accessibility, technology and election administration experts during a series of public meetings and roundtable discussions during a period of several months. This initiative seeks to increase the accessibility of new, existing and emerging technological solutions in such areas as assistive technologies, interoperability and voting system design. This initiative is funded under the Consolidated Appropriations Act for FY 2009/2010.

✪ Voting System Testing and Certification

In FY 2010, EAC's Testing and Certification Program staff continued to operate a thorough, rigorous and transparent testing process. While maintaining a consistent level of scrutiny, they made internal changes to further streamline the process and reduce the time and cost of testing. As a result, in FY 2010, EAC certified three voting systems. Currently, four additional voting systems are in testing at EAC.

In addition, EAC worked with NIST and the Department of Defense Federal Voting Assistance Program to develop Pilot Program Testing Requirements and created a *Voting System Pilot Program Testing & Certification Manual* in FY 2010. EAC cosponsored a number of roundtable events and discussions with NIST and FVAP in the following areas: UOCAVA pilot program, UOCAVA remote voting systems and a review of the 2010 election.

In FY 2010, the division focused on development and structure of the Quality Monitoring Program outlined in the *Voting System Pilot Program Testing & Certification Manual.* The first EAC systems were certified in FY 2009, making FY 2010 the first year EAC could implement the Quality Monitoring Program. EAC continues to develop and update the procedures and policies for this program.

Voting System Test Laboratory Accreditation

HAVA Section 231 requires EAC and NIST to develop a program for accrediting voting system testing laboratories. The National Voluntary Laboratory Accreditation Program (NVLAP) of NIST evaluates test laboratories and performs periodic re-evaluations to verify that the laboratories continue to meet the accreditation criteria. When NIST determines a laboratory is technically competent to test systems, the NIST director recommends a laboratory to EAC for accreditation. EAC makes the final determination to accredit the laboratory. EAC issues the accreditation certificate to approved laboratories, maintains a register of accredited laboratories and posts this information on its Web site at EAC.gov.

Laboratories must adhere to the requirements of EAC's *Voting System Test Laboratory Program Manual* or face possible suspension or revocation of accreditation. These requirements include stringent conflict-of-interest and compliance-management programs.

Currently, two test laboratories are accredited by EAC: SLI Global Solutions (formerly SysTest Laboratories) and Wyle Laboratories. In FY 2010, EAC reaccredited Wyle Laboratories as a voting system test laboratory under EAC's program. The reaccreditation was issued after on-site inspections of Wyle Laboratories in accordance with EAC's *Voting System Test Laboratory Program Manual* requirements. CIBER, Inc., did not renew with NVLAP, which rendered them inactive as an accredited laboratory; their accreditation would have expired in 2010.

Information on Voting System Test Laboratory Accreditation, including the *Voting System Test Laboratory Program Manual*, is posted in the Testing and Certification section of the EAC Web site at EAC.gov.

Voting System Certification

HAVA instructs EAC to establish the federal government's first voluntary program to test and certify voting equipment. The certification program was established after the 2005 VVSG were adopted and the first recommendations regarding laboratories for federal accreditation were given to EAC by NIST in February 2007.

The first step in the certification process is manufacturer registration. Applicants are required to provide written policies regarding quality assurance and document retention and also provide a complete list of manufacturing facilities. Through registration with EAC, the manufacturer agrees to meet all program requirements.

A manufacturer that has a system ready for testing submits an application for testing to EAC and selects an EAC-accredited laboratory to conduct the testing. The laboratory submits a test plan to EAC for approval; tests

the voting system; and provides a test report, based on the findings from testing, to EAC for review and action. EAC technical reviewers and staff members review the test reports. If the testing and report of a system demonstrate conformance with all applicable voting system standards or guidelines, the program director will recommend the system for certification. EAC's executive director will consider the recommendation and provide a final decision

List of Registered Manufacturers

- Dominion Voting Systems Corporation
- Election Systems & Software
- Everyone Counts, Inc.
- Hart InterCivic
- MicroVote General Corp.
- N.V. Nederlansche Apparatenfabriek (Nedap)
- Precise Voting®
- Scytl
- TruVote® International
- Unisyn Voting Solutions®

How Does a Voting System Get Certified by EAC?

Step 1: Voting system manufacturers must register with EAC.

Step 2: Manufacturers must submit an application and select a federally accredited test laboratory to begin the testing process.

Step 3: Test laboratory submits draft test plan to EAC for approval.

Step 4: EAC approves test plan.

Step 5: Voting system is tested to the applicable standards.

Step 6: Testing concluded; draft test report submitted to EAC for approval.

Step 7: EAC approves test report and issues initial decision on certification.

Step 8: Test laboratory rebuilds voting system in a trusted environment, otherwise known as a "trusted build."

Step 9: Manufacturer provides software identification tools to EAC, which enables election officials to confirm use of EAC-certified systems.

Step 10: Manufacturer provides voting system software to EAC repository.

Step 11: Manufacturer agrees in writing to all EAC certification conditions and program requirements.

Step 12: EAC certifies voting system.

on the system. Commissioners serve as the appeal body. Upon certification, a system may bear an EAC mark of certification and may be marketed as EAC certified.

In FY 2010, EAC certified three voting systems: Election Systems & Software (ES&S) Unity 3.2.0.0, Rev 1; Micro-Vote EMS 4.0B Voting System; and Unisyn's OpenElect 1.0. An EAC certification means a voting system has met all applicable requirements of the VVSG by passing a series of comprehensive tests conducted by a federally accredited test laboratory. Manufacturers must also meet technical and ethical standards to ensure the integrity of the process and the system when it makes its way from the test laboratory to production and into the marketplace.

Currently, four voting systems are being tested at EAC: Dominion Democracy Suite 4.0, ES&S Unity 3.2.1.0, ES&S Unity 5.0.0.0 and Sequoia WinEDS 4.0.34.

Information regarding systems in testing, test plans, test reports and decisions on certification are posted in the Testing and Certification section of the EAC Web site at EAC.gov.

Quality Monitoring Program

EAC monitors all voting systems it certifies through its Quality Monitoring Program. The program requires manufacturers to submit reports whenever a federally certified system experiences an anomaly. This program requires manufacturers to notify EAC if a modification is made to a certified system's software, firmware or hardware. EAC conducts site visits of accredited laboratories and participating manufacturers' facilities.

In FY 2010, EAC received notification from ES&S regarding the Unity 3.2.0.0 system. EAC conducted an informal investigation and issued a system advisory notice on the DS200 scanner regarding a power down and freeze issue experienced during L&A testing and on Election Day.

A system advisory notice was issued for the MicroVote EMS 4.0B. The system advisory notice stated that memory cards larger than 32 megabytes do not operate properly with certain Infinity Voting Panels.

In addition, as part of the Quality Monitoring Program, EAC is required to conduct onsite manufacturing assessments. These onsite visits provide the opportunity for EAC to ascertain that the manufacturers of voting systems are following EAC's required procedures. In FY 2010, EAC conducted manufacturing site visits for ES&S and Unisyn Voting Solutions. For each visit, EAC creates a site visit report that is posted at EAC.gov.

Information generated by the Quality Monitoring Program, including anomaly reports, are posted in the Testing and Certification section of the EAC Web site at EAC.gov.

Communication and Clarification

In an effort to increase efficiency and streamline the certification process, EAC established the Requests for Interpretation (RFI) process. This process enables program participants to request interpretations of the VVSG. In addition, EAC established the Notice of Clarification (NOC) process, through which EAC issues clarifying language based on written requests from manufacturers or test laboratories seeking clarification about a program requirement, policy or guideline.

All RFIs and NOCs are available in the Testing and Certification section of the EAC Web site at EAC.gov.

EAC NOCs Issued in FY 2010

Notice of Clarification 09–004: Clarification of the Development and Submission of Test Reports

Notice of Clarification 09–005: Clarification of the Development and Submission of Test Plans for Modifications for EAC-Certified Systems

Voluntary Voting System Guidelines

The VVSG is the set of testable standards by which EAC evaluates all voting systems. EAC's accredited laboratories conduct a conformance assessment using the VVSG to evaluate the voting systems. A system submitted to EAC's program will receive certification only if it complies with the VVSG; nothing guarantees that a system will meet the VVSG requirements and ultimately receive an EAC certification.

EAC, the TGDC and NIST work together to develop voluntary testing standards. The 2005 VVSG are currently in place, while EAC and NIST are formulating future versions and updates.

EAC Decisions on RFIs Issued in FY 2010

EAC Decision on Request for Interpretation 2009–05
(T-Coil Requirements)
2002 Voting System Standards (VSS), Volume I,
    Sections 2.2.7.2 c & d
2005 VVSG, Volume I, Sections 3.2.2.2 c ii & iii

EAC Decision on Request for Interpretation 2010–01
(Voltage Levels and ESD Test)
2002 VSS, Volume I, Section 3.2.2.8
2005 VVSG, Volume I, Section 4.1.2.8

EAC Decision on Request for Interpretation 2009–06
(Temperature and Power Variation Tests)
2002 VSS, Volume I, Section 3.4.3
2002 VSS, Volume II, Sections 4.7.1, 4.7.2, Appendix Sec. C.4
2005 VVSG, Volume I, Section 4.3.3
2005 VVSG, Volume II, Sections 4.7.1, 4.7.3, Appendix Sec. C.4

EAC Decision on Request for Interpretation 2010–02
(Coding Conventions)
2005 VVSG, Volume I, Section 5.2.3 d
2005 VVSG, Volume I, Section 5.2.5
2005 VVSG, Volume I, Section 5.2.6
2005 VVSG, Volume I, Sections 5.2.7 b, c, d, & e
2005 VVSG, Volume II, Section 5.4.2

EAC Decision on Request for Interpretation 2010–03
(Database Coding Conventions)
2005 VVSG, Volume II, Section 5.4
2005 VVSG, Volume II, Sections 5.4.2.a–5.4.2.v

EAC Decision on Request for Interpretation 2010–06
(DRE Accessibility Requirements and Other Accessible Voting
    Stations)
2005 VVSG, v1.0, Volume I, Section 3, Usability and
    Accessibility Requirements

EAC Decision on Request for Interpretation 2010–04
(Functional Requirements With Respect to Security)
2002 VSS, Volume I, Section 2.2.1, Security
2005 VVSG, Volume I, Section 2.1.1, Security

EAC Decision on Request for Interpretation 2010–05
(Testing of Modification to a Certified System)
2005 VVSG, Volume I, Section 1.7
Voting System Pilot Program Testing & Certification Manual,
    Section 4.4.2.3

EAC Decision on Request for Interpretation 2010–07
(Module Length)
2002 VSS, Volume II, Section 5.4.2.i
2005 VVSG, Volume II, Section 5.4.2.i

Revisions to the 2005 VVSG

After reviewing comments and receiving input from a series of roundtable discussions about the next iteration, EAC determined the 2005 VVSG should be revised before the adoption of the next iteration, which may not occur for several years.

To implement updates to the 2005 VVSG, EAC followed the procedures in HAVA, which included providing a 120-day public comment period, longer than what is required by HAVA, and soliciting input from EAC advisory boards. EAC and NIST are currently reviewing the boards' input and will present an update to EAC for final adoption.

EAC held a roundtable discussion in FY 2010 to discuss accessibility issues and proposed updates to the VVSG. Also, EAC held a public meeting and hearing in Washington, D.C., to discuss the Quality Monitoring Program and the proposed updates to the VVSG.

UOCAVA and Pilot Program Testing Requirements

The MOVE Act requires that EAC work with NIST and FVAP to develop Pilot Program Testing Requirements. EAC cosponsored a number of roundtable events and discussions with NIST and FVAP in the following areas: Pilot Program Testing Requirements, Internet voting and UOCAVA remote voting systems. During FY 2010, EAC issued final Pilot Program Testing Requirements and created a proposed *Voting System Pilot Program Testing & Certification Manual*.

Information regarding the Pilot Program Testing Requirements and the *Voting System Pilot Program Testing & Certification Manual* is posted in the Testing and Certification section of the EAC Web site at EAC.gov.

✪ Research, Policy and Programs

The Research, Policy and Programs (RPP) division is responsible for HAVA-mandated research and studies, covering topics such as ballots cast and returned in accordance with UOCAVA, NVRA and the Language Accessibility Program. The RPP division produces educational materials for voters to facilitate successful participation in federal elections, such as registering to vote and voter guides that election officials throughout the nation can use to supplement state and local education materials.

The division also administers the *Election Management Guidelines* program to help election officials promote secure, accurate and accessible elections by providing information on topics such as ballot design, contingency planning, managing change in an election office, media and public relations and developing an audit trail.

In FY 2010, the division developed a list of potential research projects and policy and program initiatives, including timelines, many of which are mandated by HAVA and/or authorized by Congress, to guide staff initiatives and work schedules through 2012. Progress has been made toward completing several projects noted in the research schedule, and the list will continue to be revised in accordance with EAC and/or Congressional priorities.

Research

Under HAVA requirements, EAC collects information about election administration issues and shares that information with Congress, election officials and the public. EAC released to Congress the HAVA-mandated report, *Free Postage for the Return of Absentee Ballots*. Research efforts continued in FY 2010 on two HAVA-mandated studies: (1) Recounts and Contests and (2) Election Administration in Urban and Rural Settings. Highlights of the major surveys released in FY 2010 follow in the next section. EAC research and accompanying data sets are available at EAC.gov and www.data.gov. Data are provided in several formats to accommodate multiple audiences.

The 2008 *Election Administration and Voting Survey*

In FY 2010, EAC adopted the 2008 *Election Administration and Voting Survey*, the third iteration sponsored by EAC. Survey data provided by the states include 73 questions covering topics such as voter registration, provisional ballots, domestic civilian absentee ballots and election administration.
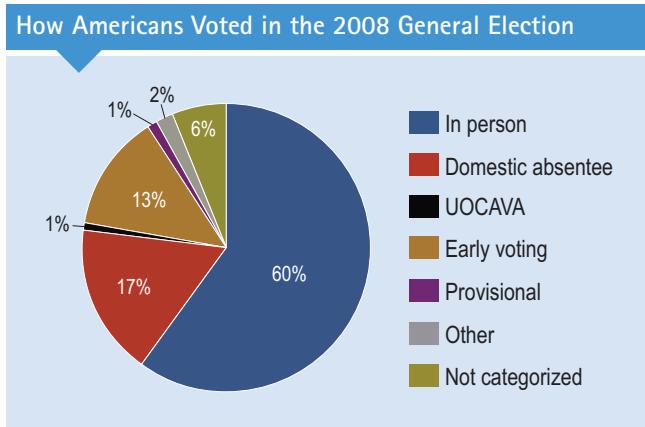
The 2008 EAC survey collected information on how 133,944,538 Americans participated in the election, and, although the completeness of state responses varied significantly, valuable voting data were collected from each of the 50 states, 4 territories and the District of Columbia. Survey highlights include the following:

★ More than 190 million people were reported as registered to vote in the 2008 Presidential election—an increase of more than 14 million since the last Presidential election.

★ Less than two-thirds of voters cast a traditional ballot in person at a polling place on Election Day because alternative means of casting a ballot increased.

★ Of voters, 13 percent cast their ballots early, which is more than double the number of early voters from 2006.

★ More than 26 million domestic absentee ballots were sent by states—91.1 percent of which were returned to the election office and submitted for counting.

★ Nearly 1 million ballots were sent to UOCAVA voters—69 percent of which were returned to the election office and submitted for counting. Of those ballots returned, 93.6 percent were counted (the others were rejected for various reasons, including missing deadlines).

In addition to collecting voting data, the 2008 survey collected information on a range of election administration topics, including the age of poll workers, polling places and types of voting technology used. Among the key findings were that states employed 878,360 poll workers in the 2008 election, staffing some 132,237 polling places (or roughly 7 poll workers per polling place). As expected,

poll workers tended to be older than the average U.S. citizen, with 60 percent of poll workers being between the ages of 41 and 70. Nearly one-half of reporting jurisdictions reported having at least some difficulty in obtaining a sufficient number of poll workers.

The types of voting technologies vary across and within states. The Virgin Islands, the District of Columbia and 21 states reported deploying 218,370 Direct Recording Electronic (DRE) machines. Another 16 states reported using 81,088 DREs that produced voter-verified paper audit trails. The most widely deployed technology was the optical or digital scanner that reads voter-marked ballots; 43 states reported using 107,519 such counters in at least some of their jurisdictions.

How Americans Voted in the 2008 General Election

Pie chart legend:
- In person — 60%
- Domestic absentee — 17%
- UOCAVA — 1%
- Early voting — 13%
- Provisional — 1%
- Other — 2%
- Not categorized — 6%

The 2010 *Election Administration and Voting Survey*

During FY 2010, EAC prepared the 2010 *Election Administration and Voting Survey* for release. The 2010 survey is divided into two parts. The first part captures quantitative data pertaining to the NVRA and UOCAVA and to other election administration issues, such as the counting of provisional ballots and poll worker recruitment. The second part, the Statutory Overview, contains information about states' election laws and procedures. This information will help EAC and the public understand the data provided in the first part of the survey, as well as the laws and procedures used to administer elections at the state and local levels. The proposed information collection for the survey was out for two 60-day public comment periods. The final 2010 EAVS was released in May 2010.

The data collected through the EAVS are the basis for three reports: the NVRA, UOCAVA and comprehensive EAVS. (The 2008 NVRA report was released in FY 2009.)

EAC also issued a guide to the EAVS, which is the data policy governing states' collection and submission of their data, as well as processes for verifying and correcting the data.

2008 Uniformed and Overseas Absentee Voting Act Study

The 2008 UOCAVA study is EAC's third report to Congress regarding UOCAVA voters. It is based on information gathered from a survey of 55 states and territories, asking for data at the county (or equivalent) level regarding the November 4, 2008 election and the previous 2-year period.
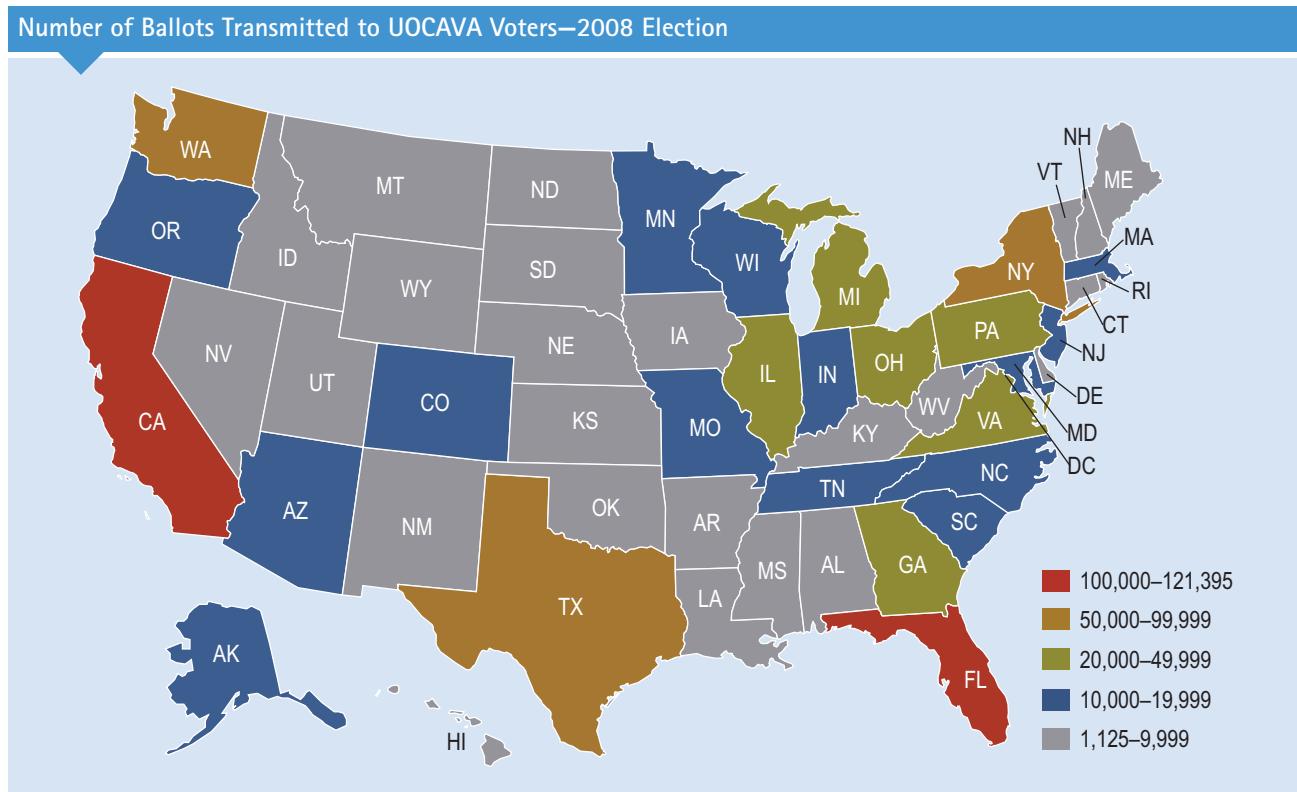
The 2008 edition of the survey was the result of discussions with state and local election officials, political scientists, researchers, members of election administration and advocacy groups and the general public. The 2008 survey requested states to report on their state laws, definitions and procedures for the first time.

Highlights of the 2008 survey include the following:

★ Nearly 1 million ballots were transmitted to UOCAVA voters for the 2008 election.

★ Of the ballots transmitted, 69 percent were returned and submitted for counting, and, of those returned, 93.6 percent were counted (the others were rejected for various reasons, including missing deadlines).

★ A total of 28,131 voters submitted a Federal Write-in Absentee Ballot (FWAB). Because of challenges in tracking FWABs, this number actually may have been higher.

★ Response rates to the 2008 survey were markedly better than response rates in 2006, but consistency across the states in the way terms are defined and the way data are collected remains uneven.

Policy

In FY 2010, the Policy Department of RPP completed research on state laws applicable to provisional voting and began work on the HAVA-mandated voluntary guidance that will be provided to the states. Another major area of activity was the reissuance of regulations pertaining to the NVRA of 1993. In accordance with HAVA and EAC's Strategic Plan, a Notice of Proposed Rulemaking (NPRM) related to NVRA was developed and published in the *Federal Register* on August 9, 2010.

Number of Ballots Transmitted to UOCAVA Voters—2008 Election

■	100,000–121,395
■	50,000–99,999
■	20,000–49,999
■	10,000–19,999
■	1,125–9,999

The Policy Department of RPP is charged with creating guidance for commissioner review about provisional voting and statewide voter registration databases. In FY 2010, EAC began to research state statutes and regulations and collected manuals about provisional voting and statewide voter registration databases.

Proposed Changes to the National Voter Registration Act Regulations

In FY 2010, EAC sought comments on the proposed changes to its regulations pertaining to the NVRA of 1993. Section 9(a) of the NVRA requires the responsible agency to issue regulations for developing a national mail voter registration form and for submitting a biennial report to Congress on the effect of the NVRA.

In the NPRM, EAC proposed to amend its NVRA regulations to ensure they are consistent with the 2002 HAVA and to make some technical amendments. EAC also asked for public comment on other issues related to the national mail voter registration form and administration of the NVRA. The public could comment on the NPRM via postal mail, e-mail, or www.regulations.gov. Comments received are posted at www.regulations.gov. EAC invited the public to comment on these changes until November 23, 2010.

EAC also held two public hearings, in August and September, on the proposed changes. The testimony presented was made available to the public on the EAC Web site at EAC.gov.

After all comments and testimony are received, EAC will issue one or more Final Notice(s) of Proposed Rulemaking. In addition, EAC will analyze the public input to determine whether the national mail voter registration form must be revised and the nature of guidance that EAC should provide to the states.

Programs

The primary focus of the Programs Department of RPP was to provide additional resources for both voters and election officials before the 2010 federal general election. Resources included everything from election management materials to registration deadlines to basic information about federal elections.

Resources for Voters

In FY 2010, RPP's Language Accessibility Program worked to reach the strategic goal of meeting the language needs of minority voters who participate in federal elections by translating the *Glossary of Election Terminology* into four

Native American languages and by broadly distributing the *Voter's Guide to Federal Elections*. The glossaries and the *Voter's Guide to Federal Elections* were translated into Navajo, Cherokee, Dakota and Yup'ik and were already available in English, Spanish and five Asian languages: Chinese, Japanese, Korean, Tagalog and Vietnamese. The Office of Citizenship of the U.S. Bureau of Citizenship and Immigration Services distributed more than 700,000 copies of the *Voter's Guide to Federal Elections* to new citizens.

After completing a technical study that analyzed translations of the national voter registration form into Asian languages, EAC released the NVRA Form in March 2010 in Chinese, Japanese, Korean, Tagalog and Vietnamese.

Resources for Election Officials

One of EAC's top priorities is providing assistance to election officials. The *Election Management Guidelines* and *Quick Start Management Guides* were created to assist state and local election officials with effectively managing and administering elections.

Working with 26 election officials from across the country and other election administration experts, the Programs Department released three new *Quick Start Management Guides* in 2010 on Technology in Elections, Elections Office Administration and Accessibility. In addition, the

department worked with more than 40 election administration experts and issued eight new chapters for the *Election Management Guidelines*. The new materials were sent to more than 5,000 election officials across the country.
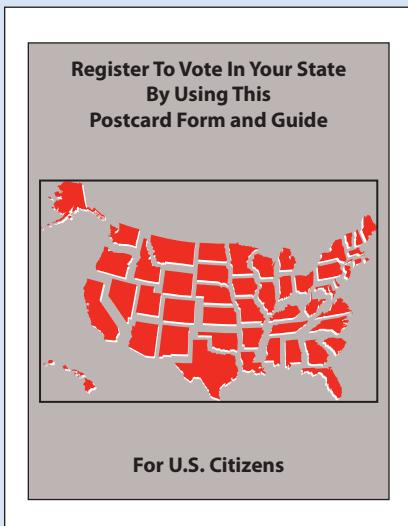
New Resources for Election Officials in FY 2010

8 New Election Management Guideline Chapters

★ Building Community Partnerships

★ Canvassing and Certifying an Election

★ Communicating With the Public

★ Conducting a Recount

★ Provisional Ballots

★ Technology in Elections

★ Elections Office Administration

★ Accessibility
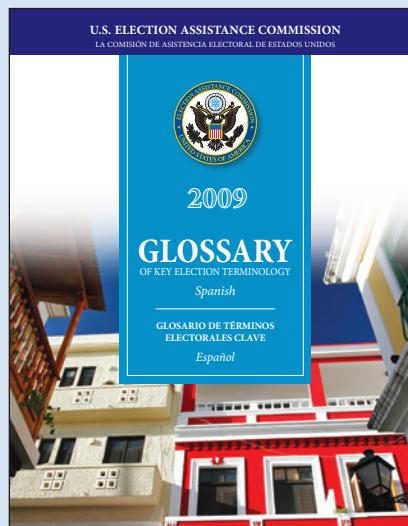
Resources for Voters Available in Several Languages

The National Mail Voter Registration Form is available in English, Spanish, Chinese, Japanese, Korean, Tagalog and Vietnamese.

A Voter's Guide to Federal Elections is available in English, Spanish, Chinese, Japanese, Korean, Tagalog, Vietnamese, Cherokee, Dakota, Navajo and Yup'ik.

The Glossary of Key Election Terminology is available in English, Spanish, Chinese, Japanese, Korean, Tagalog and Vietnamese.

✪ The Office of Inspector General Activities

In FY 2010, the EAC Office of Inspector General issued ten reports: five audits of states that received funding under the HAVA grant programs; one audit of a nonprofit organization that received EAC grant funds; and two audits, one evaluation and one investigation of EAC's operations. These audits identified more than $3.5 million in questioned costs or additional funds that should be dedicated to the respective grant programs. All reports are available on the OIG Web site, EAC.gov/inspector_general.

Grant Audits

Audits of states receiving funding from EAC under the HAVA grant programs continued to reveal weaknesses in the states' maintenance of inventory records for equipment purchased with federal funds, failure to appropriately document and support personnel costs and failure to account for interest earned on federal funds either at the state or county (subgrant) level. The five audits resulted in $3,139,543 in questioned costs related to the use of federal funds for noncompetitive procurements and for insufficiently documented personnel charges. An additional $403,820 in interest was owed to the states' election funds because the respective states' failure to deposit matching funds in a timely manner and to require counties to accrue interest on advances.

The OIG conducted an audit of Project Vote, a nonprofit organization that received funding from EAC under the Help America Vote College Program. Project Vote was unable to produce records supporting the grant charges totaling $33,750. As a result, the OIG questioned all $33,750.

Reviews of EAC Operations

The OIG provided oversight to the independent public accounting firm that performed the annual audits of EAC's financial statements and its compliance with the Federal Information Security Management Act (FISMA). EAC received an unqualified opinion of its financial statements.

The auditors identified one instance of material noncompliance with laws and regulations. The auditors noted EAC's violation of the Purpose Act and Antideficiency Act related to the use of FY 2004 funds dedicated for use as HAVA requirements payments to make grants under the Help America Vote College Program and Mock Election Program. EAC reported the violations in keeping with federal law and Office of Management and Budget requirements. Thus, the auditors made no recommendations related to the violations. The annual FISMA audit revealed that EAC was in substantial compliance with FISMA and made two recommendations to improve the agency's contingency planning and management of Privacy Act information.

The OIG also conducted an evaluation of EAC's settlement of a complaint of a prohibited personnel practice filed by an employment applicant. The OIG considered whether EAC had the authority to enter into the settlement, used appropriate fiscal year funds and followed appropriate protocols in entering into the settlement agreement. The review found that EAC had authority, used appropriate fiscal year funds and obtained advice from other government agencies in the absence of an established agency policy for these types of settlements.

An investigation into EAC's working environment was completed during FY 2010. The investigation was instituted after complaints that EAC employees feared retaliation for reporting wrongdoing or for speaking to the OIG. The investigation was conducted under an interagency agreement with the Department of Interior Office of Inspector General (DOI OIG). The DOI OIG considered whether any actionable retaliation had occurred or whether a hostile working environment existed at EAC. The investigation found no retaliation. Applying the federal statutes governing hostile working environments, the investigation found no such condition at EAC. The report did identify some significant issues related to human capital management at EAC. The same issues were echoed in EAC's employee survey published in early 2010. These issues were referred to EAC for appropriate action.

Management Challenges

In addition to conducting the audit and performing investigative work, the OIG annually issues a report to EAC outlining the most significant management challenges. In FY 2010, the OIG reported on five management challenges. Four of those had been issued in previous years: performance management and accountability, financial management and performance, information technology management and security and human capital management. One challenge was new in FY 2010 and is related to EAC's lack of an approved records management system. Based on agency-reported action, the OIG closed the challenge related to financial management and performance. The

OIG will continue to track EAC's progress on the other four challenges.

Improved Outreach

The OIG took steps in FY 2010 to improve its communication and outreach with its clients. The OIG issued two newsletters. The newsletters focused on helping OIG clients report waste, fraud, abuse and mismanagement in EAC programs and on helping EAC grant recipients understand and avoid the types of issues that were uncovered in the OIG grant audits. The OIG also revamped its Web site to provide more information to the public about its mission and work.

✪ Communications and Clearinghouse

In FY 2010, the Communications and Clearinghouse division unveiled a new Web site that enables EAC to receive more public input and feedback, increase transparency and add more information about voting in federal elections, effective election management and EAC programs and operations. The new Web site features leading-edge search, navigation and content-delivery tools that transformed the site into a more modern, dynamic and transparent source of information for the public and election officials. The new tools have greatly improved users' ability to find information more efficiently through a powerful search tool that provides more qualified, relevant results and sorting and filtering options. Site searches are also enhanced by the new streamlined mouse-over navigation bar, which enables users to quickly scan the contents of the site without clicking through to subsequent pages.

EAC's most commonly requested materials, such as the National Mail Voter Registration Form, voter guides, *Election Management Guidelines* and NVRA reports are just one click away. The new Election Resource Library now holds all these materials for easy searching, sorting and browsing.

The site also provides several mechanisms through which the public can provide direct feedback to EAC on agency activities and operations. For instance, the public can rate and comment on nearly 200 EAC reports, policies, manuals and election management guidelines in the Election Resource Library.

The new Web site played a major role in efforts to deliver information to voters to help them have a successful experience on Election Day during the 2010 federal election year. The Resources for Voters section provided information on poll worker requirements, registration, provisional voting requirements and other election administration topics, such as early and absentee voting deadlines.

In FY 2010, EAC contracted for new educational videos to provide further information to the public about the voting process. The division is currently producing four of these videos to inform the public about EAC, student voting procedures, pre-election and post-election activities and registering to vote.

Open Government Policy

Communications and Clearinghouse staff completed a draft Open Government Policy in accordance with federal requirements and created the companion EAC.gov/open site to notify the public about EAC's open government initiatives. In addition, EAC's new Public Comment section at EAC.gov makes it easier for the public to keep track of draft EAC policies on which the agency is seeking public input. The public may also submit general comments at EAC.gov/contact.

National Clearinghouse for Elections
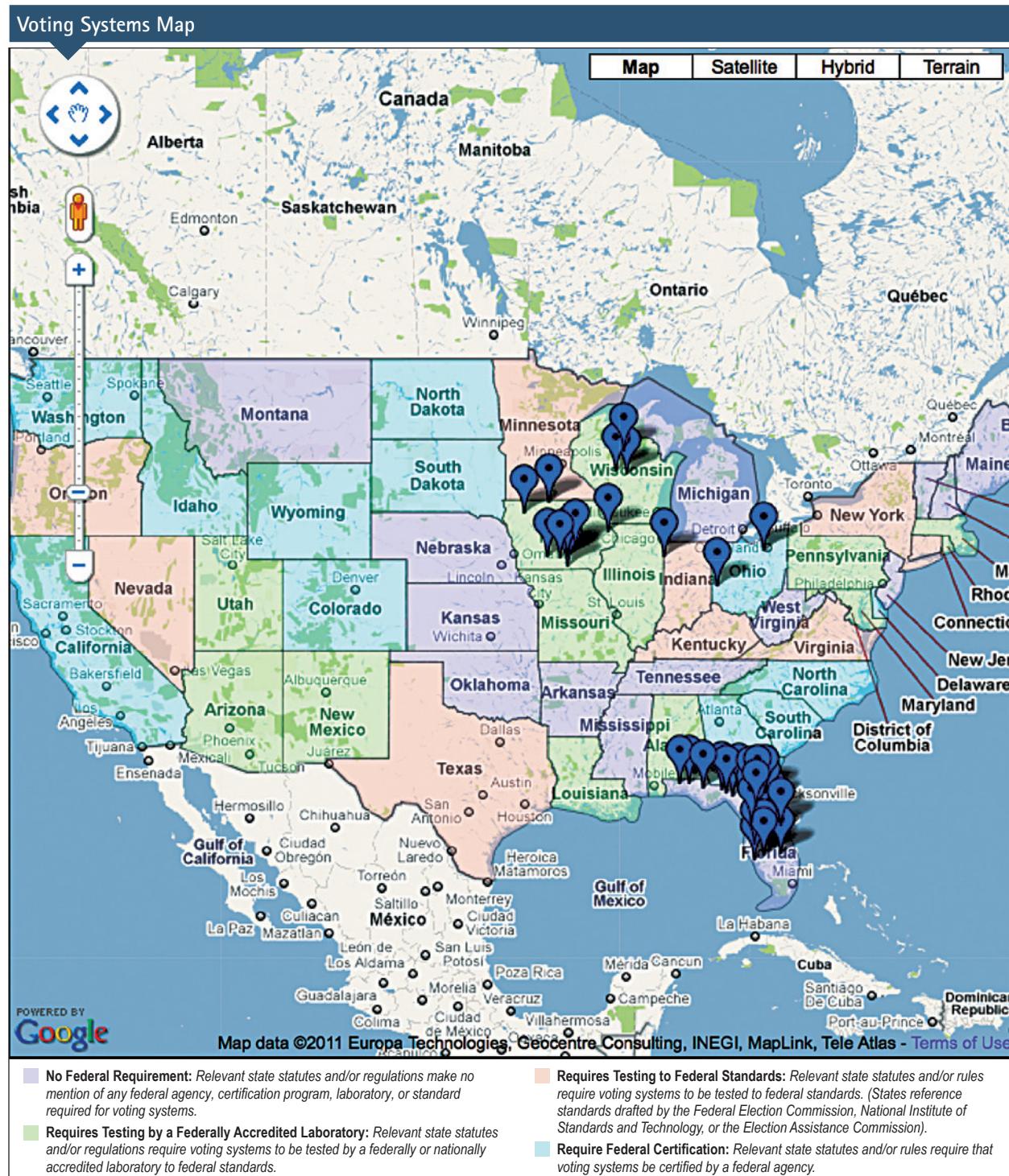
In FY 2010, Communications and Clearinghouse staff proposed a National Clearinghouse for Elections as the central location for information about elections pursuant to HAVA Section 202 on EAC duties, operations and initiatives. The pilot policy as proposed by staff would consist of information provided by local, state, or federal government entities in five categories: voting system performance, poll worker information, contingency plans, pre-election activities and post-Election Day activities. Examples of pre-election activities would include logic and accuracy testing, voting system storage and security procedures, chain-of-custody procedures, polling place accessibility initiatives, polling place setup plans and ballot distribution strategies. Regarding post-Election Day activities, EAC would collect information and procedures about canvassing activities, recount procedures and audits.

The proposal included a recommendation for an initial 6-month pilot program to be launched in FY 2011.

Sharing Information About EAC-Certified Voting Systems in the Field

To further educate the public about EAC's Voting System Testing and Certification Program, Communications and Clearinghouse staff developed, built and populated a

map that categorizes states based on their respective laws regarding voting system certifications and the location of EAC-certified systems. Users can click through for historical records about the voting system, including System Advisory Alerts, draft and final test plans, correspondence and basic information about the voting system manufacturer.

Voting Systems Map

■ **No Federal Requirement:** *Relevant state statutes and/or regulations make no mention of any federal agency, certification program, laboratory, or standard required for voting systems.*

■ **Requires Testing by a Federally Accredited Laboratory:** *Relevant state statutes and/or regulations require voting systems to be tested by a federally or nationally accredited laboratory to federal standards.*

■ **Requires Testing to Federal Standards:** *Relevant state statutes and/or rules require voting systems to be tested to federal standards. (States reference standards drafted by the Federal Election Commission, National Institute of Standards and Technology, or the Election Assistance Commission).*

■ **Require Federal Certification:** *Relevant state statutes and/or rules require that voting systems be certified by a federal agency.*

Focusing on Voters' Needs

The structure of the new Web site was developed based on the needs of EAC stakeholders, including voters, election officials, academics, advocacy organizations and policy experts. It is divided into six main sections: Resources for Voters, Voting System Testing and Certification, Election Management Resources, Payments and Grants, Research and Data and the National Voter Registration Act.
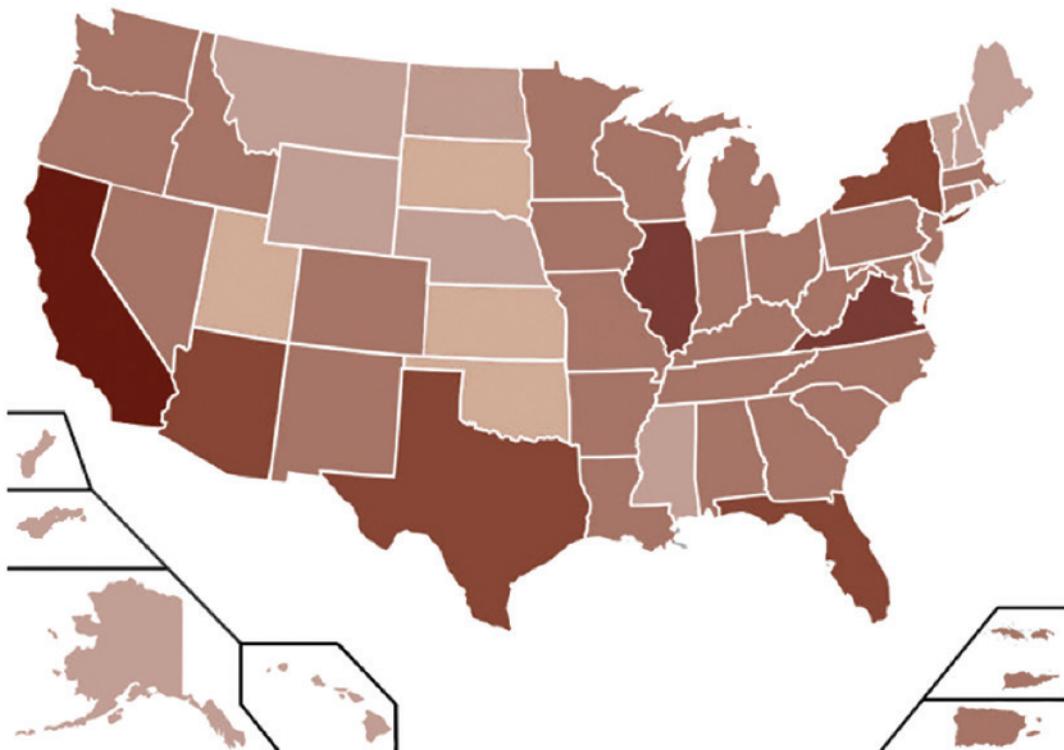
EAC will continue to collect feedback and input from its stakeholders through the online comment tools and rating system available in the Resource Library.

Interactive Map for Voters

Contact Your State

Click on a state to view its election Web site which include voter guides, registration information and deadlines, absentee and early voting dates, provisional voting information and polling place hours and locations. Many state and local election offices also have social media sites.

A-F	G-M	M-N	N-S	S-W
Alabama	Georgia	Maryland	New Mexico	South Dakota
Alaska	Guam	Massachusetts	New York	Tennessee
American Samoa	Hawaii	Michigan	North Carolina	Texas
Arizona	Idaho	Minnesota	North Dakota	Utah
Arkansas	Illinois	Mississippi	Ohio	Vermont
California	Indiana	Missouri	Oklahoma	U.S. Virgin Islands
Colorado	Iowa	Montana	Oregon	Virginia
Connecticut	Kansas	Nebraska	Pennsylvania	Washington
Delaware	Kentucky	Nevada	Puerto Rico	West Virginia
District of Columbia	Louisiana	New Hampshire	Rhode Island	Wisconsin
Florida	Maine	New Jersey	South Carolina	Wyoming

EAC provided the public with access to every state election office through an interactive map, which was featured prominently on EAC.gov in the months leading up to the 2010 federal general election. This map was consistently one of the most popular sections of the Web site.

✪ Moving Forward

In fiscal year 2011, the U.S. Election Assistance Commission will build upon its work in four main areas: testing and certifying voting systems; developing the nation's clearinghouse for elections; improving services for military and overseas voters; and collecting data about how, where and when Americans vote.

Also during FY 2011, EAC will release the results of its 2010 EAVS, the most comprehensive national survey of its kind about how, when and where Americans vote. This survey contains valuable information for the public, policymakers and officials at every level of government. The data collected about military and overseas voters will provide the first opportunity to consider what effect the Military and Overseas Voter Empowerment Act may have had during the 2010 federal election.

EAC will also continue its work to improve the voting process for uniformed and overseas voters through the Military Heroes Initiative and the UOCAVA Electronic Absentee Voting Pilot Project.

Voting System Testing and Certification

EAC's Voting System Testing and Certification Program will hold its manufacturers accountable through the Quality Monitoring Program, which was established to ensure that voting systems certified by EAC are the same systems sold by manufacturers. The quality monitoring process is a mandatory part of the Voting System Testing and Certification Program. It includes fielded voting system reviews, anomaly reporting and manufacturing site visits. EAC issues system advisory notices to inform jurisdictions and the public about anomalies or issues with an EAC-certified system.

Clearinghouse Activities

EAC's Voting System Reports Clearinghouse is the result of a policy that EAC adopted to post and distribute voting system reports and studies submitted by state and local governments. The policy also covers collecting and sharing information regarding the states' implementation of the Voluntary Voting System Guidelines.

In accordance with a new California law, EAC will begin receiving data from California regarding voting system anomalies. EAC will incorporate these reports into the Clearinghouse as part of a policy authorizing staff to post and distribute voting system reports and studies that have been conducted or commissioned by a state or local government. EAC anticipates other states and local governments will also provide data to the Clearinghouse to increase the public body of knowledge regarding voting systems.

In addition, EAC is examining the set-up of an election information exchange to enable state and local election officials across the country to find answers and share expertise about day-to-day issues they face. Also in progress is a proposed pilot Clearinghouse policy that would expand current contents to include resources about other areas of election administration, such as contingency planning, pre- and post-election activities and poll workers.

Improving Services for Military and Overseas Voters

In FY 2010, EAC awarded the Military Heroes Initiative Grant to a nonprofit organization to research accommodations and assistance needed for recently injured military personnel to participate in federal elections. In addition, EAC will continue to play a part in the Electronic Absentee Voting Pilot Project to test the ability of new or emerging technology to better serve uniformed and overseas citizens through the MOVE Act. In FY 2011, EAC and NIST will continue developing remote electronic absentee voting guidelines for support of the UOCAVA. Activities will include research on the extent and nature of UOCAVA disenfranchisement and analysis from potential pilot implementation. EAC, with assistance from the Federal Voting Assistance Program, also plans to review and evaluate the effectiveness of state initiatives undertaken for the 2010 federal election related to blank ballot distribution and delivery.

Research

In the coming months, EAC will compile and release the results of the 2010 EAVS, which will include the HAVA-mandated collection of data about UOCAVA voters and the effect of the National Voter Registration Act. These data will inform the public and policymakers and provide the basis for a more comprehensive report on a wider range of election issues, including voting technology, poll workers and digital poll books.

EAC will continue conducting research in preparation for its study on election administration in urban and rural areas, as well as continue researching and drafting guidance related to provisional voting and statewide voter registration databases. EAC intends to issue the voluntary guidance pursuant to the EAC Strategic Plan.

In addition, the Language Assistance Program staff will consider translating the *Voters Guide to Federal Elections* to any additional languages determined to be covered under minority language provisions of the Voting Rights Act on the basis of the 2010 Decennial Census. EAC also plans to complete interactive online election terminology glossaries.

✪ Appendix

2010 Tally Votes

	Fiscal Year 2010 Tally Votes			
	Title	**Decided by Vote of**	**Date Transmitted**	**Certified Date**
1	FY 2011 Budget Request	3	9/25/09	10/2/09
2	Advisory Opinion in Response to a Request From the New York State Board of Elections on Behalf of Suffolk County, New York, for Approval to Purchase Six Motor Vehicles for a Poll Worker Training, Voting Equipment Transport and Voter Education Program	3	10/7/09	10/14/09
3	Advisory Opinion in Response to Whitman County's Request to Use $360,000 of Help America Vote Act (HAVA) Funds to Finance a Portion of the Costs to Remodel Office Space to be Used as an Elections and Voter Registration Processing Center	3	10/7/09	10/14/09
4	Advisory Opinion in Response to a Request From the New York State Board of Elections on Behalf of Niagara County, New York, for Approval to Purchase a Motor Vehicle for a Voter Education Program	3	10/7/09	10/14/09
5	Designation of Alice Miller as Chief Information Officer	3	10/9/09	11/9/09
6	EAC Staff Recommendation to Adopt the 2008 UOCAVA and 2008 Election Administration and Voting Survey Reports	3	11/2/09	11/5/09
7	EAC Staff Recommendation to Adopt the Following *Election Management Guidelines* (EMG) Chapters: Building Community Parnerships; Canvassing and Certifying an Election; Communicating with the Public; Conducting a Recount; and Provisional Ballots	3	11/6/09	11/12/09
8	Approval of New Scientific and Technical Expert Members of the Technical Guidelines Development Committee (TGDC)	3	12/4/09	12/8/09
9	Adoption of Executive Order 13525 (December 23, 2009) Regarding Across the Board Pay Increase to Government Employees	3	1/4/10	1/6/10
10	EAC Staff Recommendation to Adopt the EAC's *A Guide to the Election Administration and Voting Survey* Policy Document		1/4/10	WITHDRAWN
11	Advisory Opinion in Response to a Request From Clearfield County, Pennsylvania, to Use Help America Vote Act (HAVA) Section 251 Funds to Pave the Handicap Access and Handicap Parking for a Polling Location		1/6/10	WITHDRAWN
12	Advisory Opinion in Response to a Request From the Virgin Islands to Use Help America Vote Act (HAVA) Section 251 Funds to Outfit Space in a Different Building to House the Office of the Supervisor of Elections		1/6/10	WITHDRAWN
13	Advisory Opinion in Response to Alaska's Request to Use Help America Vote Act (HAVA) Section 251 Funds to Modify Existing Office Space to Construct a Secure Storage Room at its Headquarters Location in Juneau, Alaska	3	1/6/10	1/8/10
14	EAC Annual Report on Grant Programs	3	1/6/10	1/8/10
15	Selection of EAC Chair for 2010	3	1/13/10	1/15/10
16	Recommendation to Adopt the *Fiscal Year 2009 EAC Annual Report*	3	1/15/10	1/20/10
17	FY 2011 Budget Request	3	1/27/10	1/29/10
18	2010 EAC Mock Election Program	3	1/29/10	2/2/10
19	Submission of Maintenance of Expenditure (MOE) Proposed Policy "A" by Chair Donetta Davidson for Public Comment	2-1	2/12/10	2/17/10
20	Submission of Maintenance of Expenditure (MOE) Proposed Policy "B" by Commissioner Gineen Bresso for Public Comment	2-1	2/12/10	2/17/10
21	2010 EAC College Poll Worker Program	3	2/12/10	2/18/10
22	Approval of U.S. Election Assistance Commission's (EAC) "Citizens' Report: The FY 2008 Summary of Performance and Financial Results" (Citizens' Report) for publication on the EAC Web site	3	2/12/10	2/18/10
23	Approval of U.S. Election Assistance Commission's (EAC) FY 2010 Operating Budget	3	2/12/10	2/25/10
24	Resolution of Wyoming Audit Appeal	3	2/23/10	2/26/10

Fiscal Year 2010 Tally Votes

	Title	Decided by Vote of	Date Transmitted	Certified Date
25	Advisory Opinion In Response to a Request From the Virgin Islands To Use Help America Vote Act (HAVA) Section 251 Funds To Outfit Space in a Different Building To House the Office of the Supervisor of Elections	3	2/23/10	2/26/10
26	Submission of Proposed Information Quality Guidelines for Public Comment	3	3/4/10	3/9/10
27	Advisory Opinion In Response to Oregon's Request To Use Help America Vote Act (HAVA) Section 251 Funds To Purchase and Install Closed Circuit Cameras in Thirty-Six County Election Offices Throughout the State		3/10/10	WITHDRAWN
28	Advisory Opinion In Response to a Request From Tennessee To Determine Whether HAVA Title II, 251 Funds May Be Used To Purchase Paper Ballots for Federal Elections		3/10/10	WITHDRAWN
29	Submission of Notice and Comment Policy and Voting by Circulation Policy for Public Notice and Comment	3	3/25/10	3/30/10
30	Submission of UOCAVA Pilot Program Testing Requirements for Public Notice and Comment	3	3/26/10	3/30/10
31	Recommendation To Re-Accredit Wyle Laboratories, Inc.		3/31/10	WITHDRAWN
32	Submission of *Voting System Pilot Program Testing and Certification Manual* for Public Notice and Comment	3	4/1/10	4/5/10
33	Update to Mississippi State Instructions on the National Mail Voter Registration Form	3	4/8/10	4/15/10
34	Update to Nevada State Instructions on the National Mail Voter Registration Form	3	4/8/10	4/15/10
35	Submission of Proposed Privacy Policy Statement for Public Notice and Comment	3	4/8/10	4/15/10
36	2010 Mock Election Program		4/20/10	WITHDRAWN
37	2010 Mock Election Program (Reissue)	3	4/21/10	4/23/10
38	Debarment and Suspension Regulations for Public Comment	3	4/21/10	4/26/10
39	Recommendation To Re-Accredit Wyle Laboratories, Inc. (Reissue)	3	4/23/10	4/27/10
40	Federal Register Notice for Change of Address	3	4/23/10	4/27/10
41	2010 Voting Technology and Accessibility Research—Military Heroes Initiative	3	4/26/10	4/27/10
42	Advisory Opinion in Response to a Request From Clearfield County, Pennsylvania, to Use Help America Vote Act (HAVA) Section 251 Funds to Pave the Handicap Access and Handicap Parking for a Polling Location—WITHDRAWN 5/6/10		5/5/10	WITHDRAWN
43	Advisory Opinion in Response to a Request From the New York State Board of Elections on Behalf of Tioga County, New York, for Approval To Purchase a Vehicle for a Voter Education Program and for Inspector Training of Optical Scan Voting Systems and Accessible Ballot Marking Devices	3	5/5/10	5/11/10
44	Advisory Opinion in Response to a Request From Montana To Use Help America Vote Act (HAVA) Section 101 Funds for Expenses Related to Post-Election Audits for Elections With Federal Races on the Ballot	3	5/5/10	5/11/10
45	Advisory Opinion in Response to a Request From Tennessee To Determine Whether HAVA Title II, Section 251 Funds May Be Used To Purchase Paper Ballots for Federal Elections	3	5/5/10	5/11/10
46	Advisory Opinion in Response to Oregon's Request To Use Help America Vote Act (HAVA) Section 251 Funds To Purchase and Install Closed Circuit Cameras in Thirty-Six County Election Offices Throughout the State	3	5/5/10	5/11/10
47	Adoption of Final Document Titled *A Guide to the Election Administration and Voting Survey*	3	5/5/10	5/11/10
48	2010 Help America Vote College Poll Worker Program	3	5/24/10	5/27/10
49	Information Quality Guidelines		6/1/10	WITHDRAWN
50	Appointment of Chief Information Officer	3	6/16/10	6/21/10
51	Information Quality Guidelines	3	6/28/10	7/2/10
52	Debarment and Suspension Regulations	3	6/28/10	7/2/10
53	Close the July 16, 2010 Meeting at Which the EAC Will Discuss the Appointment of a General Counsel	3	6/29/10	7/2/10
54	Privacy Policy Statement	3	7/13/10	7/16/10
55	EAC Staff Recommendation to Adopt the Notice of Proposed Rulemaking (NPRM) for NVRA Regulations	3	7/29/10	8/2/10
56	EAC Staff Recommendation to Adopt Three *Election Management Guidelines* (EMG) Chapters—Technology In Elections; Elections Office Administration; and Accessibility	3	8/9/10	8/11/10
57	Close the August 25, 2010 Meeting at Which the EAC Will Discuss the Appointment of a General Counsel	3	8/11/10	8/13/10
58	Close the September 1, 2010 Meeting at Which the EAC Will Discuss the Appointment of a General Counsel	3	8/23/10	8/25/10

Fiscal Year 2010 Tally Votes

	Title	Decided by Vote of	Date Transmitted	Certified Date
59	Approval of UOCAVA Pilot Program Testing Requirements		8/25/10	9/2/10
60	Approve the Renewal Charter for the Technical Guidelines Development Committee and Publish Notice of the Charter Renewal In the *Federal Register*	3	8/31/10	9/2/10
61	Approve the Appointment of Candidate B as the U.S. Election Assistance Commission's General Counsel for a Term of Four (4) Years	3	9/1/10	9/3/10
62	Approve the Cover Letter That Will Accompany the Report Free or Reduced Postage for the Return of Voted Absentee Ballots	3	9/3/10	9/8/10
63	Approve the Notice of Funding Availability for the 2010 Voting System Pre-Election Logic and Accuracy Testing & Post-Election Audit Initiative	3	9/7/10	9/9/10
64	Recipient for 2010 Voting Technology and Accessibility Research—Military Heroes Initiative	3	9/16/10	9/21/10
65	Approval of U.S. Election Assistance Commission's (EAC) FY 2012 Legislative Proposals	3	9/16/10	9/20/10
66	Approval of U.S. Election Assistance Commission's (EAC) FY 2012 Budget Justification	3	9/16/10	9/20/10

Board Rosters

Fiscal Year 2010 EAC Board of Advisors					
Appointed by	**First Name**	**Last Name**	**Title**	**City**	**State**
National Conference of State Legislatures	Thomas Upton	Reynolds	Mississippi State Representative	Charleston	MS
National Conference of State Legislatures	Sue	Landske	Senator – Asst. Pres. ProTem Indiana State Senate	Cedar Lake	IN
National Governors Association	Chris	Nelson	South Dakota Secretary of State	Pierre	SD
National Governors Association	Mary E.	Herrera	New Mexico Secretary of State	Albuquerque	NM
National Association of Secretaries of State	Trey	Grayson	Kentucky Secretary of State	Frankfort	KY
National Association of Secretaries of State	Matthew	Dunlap	Maine Secretary of State	Augusta	ME
National Association of State Election Directors	Christopher	Thomas	Director of Elections, State of Michigan	Lansing	MI
National Association of State Election Directors	Linda H.	Lamone	Maryland 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	Neal	Kelley	Registrar of Voters, Orange County, CA	Santa Ana	CA
National Association of County Recorders, Election Officials and Clerks	Jan	Kralovec	Director of Elections, Cook County	Chicago	IL
U.S. Commission on Civil Rights	Vacant				
U.S. Commission on Civil Rights	Vacant				
Election Center	Doug	Lewis	Executive Director, Election Center	Houston	TX
Election Center	Ernie	Hawkins	Former Registrar of Voters, Sacramento County	Elk Grove	CA
United States Conference of Mayors	Frank	Ortis	Mayor, City of Pembroke Pines	Pembroke Pines	FL
United States Conference of Mayors	Vacant				
International Association of Clerks, Recorders, Election Officials and Treasurers	Robert T.	Saar	Executive Director, DuPage County Election Commission	Wheaton	IL
International Association of Clerks, Recorders, Election Officials and Treasurers	Bill	Cowles	Supervisor of Elections, Orange County, FL	Orlando	FL
Architectural and Transportation Barriers Compliance Board	Ron	Gardner	Director of Field Services, National Federation of the Blind of Utah	Bountiful	UT
Architectural and Transportation Barriers Compliance Board	Phillip	Jenkins	Accessibility Consultant, Business Development Consultant and Senior Engineer, IBM Human Ability and Accessibility Center	Austin	TX
Chief, Public Integrity Section, Criminal Division, U.S. Department of Justice	Richard C.	Pilger	Director, Election Crimes Branch, U.S. Department of Justice	Washington	DC
Chief, Voting Section, Civil Rights Division, U.S. Department of Justice	Chris	Herren	Chief, Voting Section, Civil Rights Division, U.S. Department of Justice	Washington	DC
Director, Federal Voting Assistance Program, U.S. Department of Defense	Bob	Carey	Director, Federal Voting Assistance Program, U.S. Department of Defense	Washington	DC
House Speaker	Lillie	Coney	Associate Director, Electronic Privacy Information Center	Washington	DC
House Minority Leader	Tom	Fuentes	Senior Fellow, The Claremont Institute	Lake Forest	CA
Senate Majority Leader	Dr. Barbara	Simons	Researcher	Palo Alto	CA
Senate Minority Leader	Sarah Ball	Johnson	Executive Director, Kentucky State Board of Elections	Frankfort	KY
House Administration—Chair	Stewart L.	Cohen	Attorney, Cohen, Placitella and Roth	Philadelphia	PA
House Administration—Chair	Donald A.	Jones	Advocate	Willingboro	NJ
House Administration—Ranking Minority Member	Jill	LaVine	Registrar of Voters, Sacramento County	Sacramento	CA

Fiscal Year 2010 EAC Board of Advisors

Appointed by	First Name	Last Name	Title	City	State
House Administration—Ranking Minority Member	Keith	Cunningham	Director, Allen County Board of Elections	Lima	OH
Senate Rules and Administration—Chair	James C.	Dickson	V.P. for Governmental Affairs, American Association of People With Disabilities	Washington	DC
Senate Rules and Administration—Chair	Barbara	Bartoletti	Legislative Director, League of Women Voters of New York State	N. Greenbush	NY
Senate Rules and Administration—Ranking Minority Member	LuAnn	Adams	County Recorder/Clerk of Box Elder County	Brigham City	UT
Senate Rules and Administration—Ranking Minority Member	Greg	Bell	Lieutenant Governor of Utah	Salt Lake City	UT

The following former members of the EAC Board of Advisors served in fiscal year 2010: Missouri Secretary of State Robin Carnahan; Pennsylvania Secretary of the Commonwealth Pedro A. Cortès; Colucci & Gallaher, P.C. Attorney Joseph F. Crangle; U.S. Department of Justice Election Crimes Branch Director Craig Donsanto; Shawnee County, Kansas Election Commissioner Elizabeth Ensley; City of Grand Rapids, Michigan City Clerk Terri Hegarty; U.S. Commission on Civil Rights Commissioner Arlan D. Melendez; Cook County, Illinois Clerk David Orr; U.S. Commission on Civil Rights Vice Chair Abigail Thernstrom.

Fiscal Year 2010 Standards Board

State	Designee	First	Last	Title	City	State
Alabama	State	Beth	Chapman	Secretary of State	Montgomery	AL
Alabama	Local	Vacant				
Alaska	State	Gail	Fenumiai	Director, Division of Elections	Juneau	AK
Alaska	Local	Shelly	Growden	Election Supervisor Region III, Division of Elections	Fairbanks	AK
American Samoa	State	Soliai T.	Fuimaono	Chief Election Officer	Pago Pago	AS
American Samoa	Local	Taufete'e John	Faumuina	HAVA Manager	Pago Pago	AS
Arizona	State	Amy	Bjelland	Deputy Secretary of State	Phoenix	AZ
Arizona	Local	Reynaldo	Valenzuela	Assistant Director of Elections	Phoenix	AZ
Arkansas	State	Janet	Harris	Deputy Secretary of State	Little Rock	AR
Arkansas	Local	Crystal	Graddy	Boone County Clerk	Harrison	AR
California	State	Lowell	Finley	Deputy Secretary of State	Sacramento	CA
California	Local	Stephen	Weir	County Clerk, Contra Costa County	Martinez	CA
Colorado	State	Vacant				
Colorado	Local	Russ	Ragsdale	City Clerk and Recorder	Broomfield	CO
Connecticut	State	Ted	Bromley	Staff Attorney, Legislation and Elections Administration Division, Connecticut Secretary of State	Hartford	CT
Connecticut	Local	Anthony	Esposito	Hamden Republican Registrar of Voters	Hamden	CT
Delaware	State	Elaine	Manlove	Commissioner of Elections	Dover	DE
Delaware	Local	Howard G.	Sholl, Jr.	Deputy Administrative Director	Wilmington	DE
District of Columbia	State	Rokey	Suleman	Executive Director, DC Board of Elections & Ethics	Washington	DC
District of Columbia	Local	Vacant				
Florida	State	Donald	Palmer	Director, Division of Elections	Tallahassee	FL
Florida	Local	Lori	Edwards	Polk County Supervisor of Elections	Bartow	FL
Georgia	State	Wes	Tailor	Assistant Secretary of State	Atlanta	GA
Georgia	Local	Lynn	Bailey	Executive Director	Augusta	GA
Guam	State	Gerald A.	Taitano	Executive Director	Hagatna	GU
Guam	Local	Vacant				GU
Hawaii	State	Scott	Nago	Section Head	Honolulu	HI
Hawaii	Local	Lyndon	Yoshioka	Kaua'i County Election Administrator	Lihu'e	HI
Idaho	State	Timothy A.	Hurst	Chief Deputy	Coeur d'Alene	ID
Idaho	Local	Dan	English	Kootenai County Clerk	Boise	ID
Illinois	State	Daniel W.	White	Executive Director	Springfield	IL
Illinois	Local	Richard	Cowen	Chicago Board of Election Commissioners	Chicago	IL
Indiana	State	Brad	King	Co-Director, Indiana Election Division	Indianapolis	IN
Indiana	Local	Shelly	Parris	Sullivan County Circuit Court Clerk	Sullivan	IN
Iowa	State	Sarah	Reisetter	Director of Elections	Des Moines	IA
Iowa	Local	Janine	Sulzner	Jones County Auditor	Anamosa	IA
Kansas	State	Ron	Thornburgh	Kansas Secretary of State	Topeka	KS
Kansas	Local	Donald	Merriman	Saline County Clerk	Saline	KS
Kentucky	State	Sarah Ball	Johnson	Executive Director	Frankfort	KY
Kentucky	Local	Kevin	Mooney	Bullitt County Clerk	Shepherdsville	KY
Louisiana	State	Angie	LaPlace	Louisiana Commissioner of Elections	Baton Rouge	LA
Louisiana	Local	H. Lynn	Jones, II	Calcasieu Parish Clerk of Court	Lake Charles	LA
Maine	State	Julie L.	Flynn	Deputy Secretary of State	Augusta	ME
Maine	Local	Lucette	Pellerin	City Clerk	Saco	ME

Fiscal Year 2010 Standards Board

State	Designee	First	Last	Title	City	State
Maryland	State	Nikki Baines	Trella	Election Reform Director	Annapolis	MD
Maryland	Local	James	Massey, Jr.	Election Director, Harford County Board of Elections	Forest Hill	MD
Massachusetts	State	William F.	Gavin	Secretary of the Commonwealth	Boston	MA
Massachusetts	Local	John	McGarry	Executive Director, Election Commission	Brockton	MA
Michigan	State	Susan	McRill	Administrative Manager, QVF Help Desk & Field Services	Lansing	MI
Michigan	Local	Tonni	Bartholomew	Troy City Clerk	Troy	MI
Minnesota	State	Gary	Poser	Director of Elections	St. Paul	MN
Minnesota	Local	Sharon K.	Anderson	Cass County Auditor-Treasurer	Walker	MN
Mississippi	State	Heath	Hillman	Assistant Secretary of State – Elections	Jackson	MS
Mississippi	Local	Robert	Harrell	Circuit Clerk, Clay County	West Point	MS
Missouri	State	Leslye	Winslow	Senior Counsel to Secretary of State	Jefferson City	MO
Missouri	Local	Richard T.	Struckhoff	Greene County Clerk	Springfield	MO
Montana	State	Jorge	Quintana	Chief Legal Counsel	Helena	MT
Montana	Local	Charlotte	Mills	Gallatin County Clerk and Recorder	Bozeman	MT
Nebraska	State	John	Gale	Secretary of State	Lincoln	NE
Nebraska	Local	David	Dowling	Cedar County Clerk & Election Commissioner	Hartington	NE
Nevada	State	Matthew	Griffin	Deputy Secretary of State for Elections	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	Robert	Dezmelyk	Moderator, Town of Newton	Newton	NH
New Jersey	State	Robert	Giles	Director	Trenton	NJ
New Jersey	Local	Linda	Von Nessi	Clerk of the Board	Newark	NJ
New Mexico	State	Mary	Herrera	Secretary of State	Santa Fe	NM
New Mexico	Local	Bob	Bartelsmeyer	Dona Ana County Election Supervisor	Las Cruces	NM
New York	State	Jeffrey	Pearlman	Assistant Counsel to the Governor	Albany	NY
New York	Local	Vacant				
North Carolina	State	Gary	Bartlett	Executive Director, State Board of Elections	Raleigh	NC
North Carolina	Local	Deborah J.	Bedford	Director of Elections	Rutherford	NC
North Dakota	State	James	Silrum	Deputy Secretary of State	Bismarck	ND
North Dakota	Local	Michael M.	Montplaisir	Cass County Auditor	Fargo	ND
Ohio	State	Brandi	Seskes	Counsel to the Ohio Board of Voting Machine Examiners	Columbus	OH
Ohio	Local	Dale	Fellows	Member, Lake County Board of Elections	Willoughby Hills	OH
Oklahoma	State	Thomas	Prince	Chairman, State Election Board	Edmond	OK
Oklahoma	Local	Doug	Sanderson	Secretary, Oklahoma County Election Board	Oklahoma City	OK
Oregon	State	Steve	Trout	Director	Salem	OR
Oregon	Local	Tamara	Green	Baker County Clerk	Baker City	OR
Pennsylvania	State	Chet	Harhut	Commissioner, Bureau of Commissions, Elections & Legislation	Harrisburg	PA
Pennsylvania	Local	Regis	Young	Butler County Election Director	Butler	PA
Puerto Rico	State	María D.	Santiago Rodríguez	First Vice President	San Juan	PR
Puerto Rico	Local	Nestor J.	Colón Berlingeri	Second Vice President	San Juan	PR
Rhode Island	State	Robert	Kando	Executive Director, State Board of Elections	Providence	RI
Rhode Island	Local	Vacant				RI
South Carolina	State	Marci	Andino	Executive Director	Columbia	SC
South Carolina	Local	Marilyn	Bowers	Executive Director	Charleston	SC

Fiscal Year 2010 Standards Board

State	Designee	First	Last	Title	City	State
South Dakota	State	Kea	Warne	State Election Supervisor	Pierre	SD
South Dakota	Local	Patty	McGee	Sully County Auditor	Onida	SD
Tennessee	State	Mark	Goins	State Coordinator of Elections	Nashville	TN
Tennessee	Local	Marshall	McKamey	Campbell County Election Commissioner	LaFollette	TN
Texas	State	Ann	McGeehan	Director of Elections	Austin	TX
Texas	Local	Dana	DeBeauvoir	Travis County Clerk	Austin	TX
Utah	State	Mark J.	Thomas	Office Administrator	Salt Lake City	UT
Utah	Local	Robert	Pero	Carbon County Clerk	Price	UT
Vermont	State	Kathleen	DeWolfe	Director of Elections	Montpelier	VT
Vermont	Local	Melissa	Ross	Hinesburg Town Clerk	Hinesburg	VT
Virgin Islands	State	John	Abramson, Jr.	Supervisor of Elections	Kingshill, St. Croix	VI
Virgin Islands	Local	Corinne	Halyard Plaskett	Deputy Supervisor of Elections	Kingshill, St. Croix	VI
Virginia	State	James	Alcorn	Confidential Asst. Policy Analyst	Richmond	VA
Virginia	Local	Allen	Harrison, Jr.	Chair, Arlington County Electoral Board	Arlington	VA
Washington	State	Nixon	Handy	Director of Elections	Olympia	WA
Washington	Local	Kristina	Swanson	Cowlitz County Auditor	Kelso	WA
West Virginia	State	Layna	Valentine-Brown	HAVA Coordinator	Charleston	WV
West Virginia	Local	Jeff	Waybright	Jackson County Clerk	Ripley	WV
Wisconsin	State	Nathaniel	Robinson	Election Division Administrator	Madison	WI
Wisconsin	Local	Sandra L.	Wesolowski	Franklin County Clerk	Franklin	WI
Wyoming	State	Peggy	Nighswonger	State Election Director	Cheyenne	WY
Wyoming	Local	Julie	Freese	Fremont County Clerk	Lander	WY

The following former members of the EAC Standards Board served in fiscal year 2010: Colorado Voting Equipment Certification Program Manager Stephanie Cegielski; Deputy Chief of Staff to the Utah Lieutenant Governor Michael Cragen; Georgia Secretary of State Karen Handel; Mississippi Assistant Secretary of State – Elections John Helmert; Clay County, Alabama Judge of Probate George M. Ingram; Lincoln County, Oregon Clerk Dana Jenkins; Iowa Deputy Secretary of State – Elections Linda Langenberg; Oregon Elections Director John Lindback; District of Columbia Former Board Member Jonda McFarlane; West Virginia Elections Division Special Assistant Susan Silverman; Campbell County, Kentucky Clerk Jack Snodgrass; Westchester, New York Board of Elections Commissioner Carolee Sunderland; Boone County, West Virginia Clerk Gary Williams; Yellowstone County, Montana Election Administrator Duane Winslow; Texas Voting System Security & Certification Manager Juanita Woods.

Fiscal Year 2010 Technical Guidelines Development Committee

Appointed by	First Name	Last Name	Title	City	State
Director of NIST	Dr. Patrick D.	Gallagher	Committee Chair, Director of the National Institute of Standards and Technology	Gaithersburg	MD
Standards Board	Donald	Palmer	Director, Division of Elections, Florida Department of State	Tallahassee	FL
Standards Board	Russell G.	Ragsdale	Clerk and Recorder, City and County of Broomfield	Broomfield	CO
Board of Advisors	Linda	Lamone	Maryland Administrator of Elections	Annapolis	MD
Board of Advisors	Helen	Purcell	Recorder, Maricopa County Arizona	Phoenix	AZ
Access Board	Ron	Gardner	Director of Field Services, National Federation of the Blind of Utah	Bountiful	UT
Access Board	Phillip	Jenkins	Accessibility Consultant, Business Development Consultant and Senior Engineer, IBM Human Ability and Accessibility Center	Austin	TX
ANSI	Dr. David	Wagner	Professor, University of California-Berkeley	Berkeley	CA
IEEE	Patrick	McDaniel	Associate Professor of Computer Science and Engineering, Pennsylvania State University	University Park	PA
NASED	Ann	McGeehan	Director of the Elections Division, Office of the Texas Secretary of State	Austin	TX
NASED	Paul	Miller	Senior Technology Policy Advisor, Elections Division, State of Washington, Office of the Secretary of State	Olympia	WA
Other Tech/Sci	Dr. Steven	Bellovin	Professor of Computer Science, Columbia University	New York	NY
Other Tech/Sci	Dr. Diane Cordry	Golden	Program Coordinator, Association of Assistive Technology Act Programs	Grain Valley	MO
Other Tech/Sci	Dr. Douglas	Jones	Associate Professor, Department of Computer Science, University of Iowa	Iowa City	IA
Other Tech/Sci	Edwin	Smith, III	Vice President, Compliance and Certification, Dominion Voting Systems	Longmont	CO

All of the former members of the EAC Technical Guidelines Development Committee served prior to fiscal year 2010.

Access Board = Architectural and Transportation Barrier Compliance Board. ANSI = American National Standards Institute. IEEE = Institute of Electrical and Electronics Engineers. NASED = National Association of State Election Directors. NIST = National Institute of Standards and Technology.

Commissioners' Biographies

Commissioner **Gineen Bresso**

Ms. Gineen Bresso was nominated by President George W. Bush and confirmed by the U.S. Senate on October 2, 2008, to serve on the U.S. Election Assistance Commission (EAC). Ms. Bresso served as Chair of EAC in 2009. Her term of service extends through December 12, 2009.

Before her appointment with EAC, Commissioner Bresso was the minority elections counsel for the Committee on House Administration. She previously served as a policy advisor to former Maryland Governor Robert L. Ehrlich, Jr., a position in which her primary area of focus was on election law. She also served as an attorney-advisor for

the U.S. Patent and Trademark Office, where she reviewed and prosecuted applications for federal trademark registration. She also served as a judicial law clerk for the Honorable Arrie W. Davis in the Maryland Court of Special Appeals.

Ms. Bresso received her Juris Doctor from Western New England College School of Law (1999), where she was a member of the *Law Review*. In 1995, she received a Bachelor of Arts in political science from the University of Massachusetts at Amherst.

Commissioner Donetta Davidson

Ms. Donetta L. 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). She was reappointed to a second term on October 2, 2008. Ms. Davidson was elected Chair of EAC for 2010. She previously served as Chair in 2007 and Vice-Chair in 2008. Her term of service extends through December 12, 2011. Ms. Davidson, formerly Colorado's secretary of state, came to EAC with experience in nearly every area of election administration—everything from county clerk to secretary of state.

Commissioner Davidson began her career in election administration when she was elected in 1978 as the Bent County clerk and recorder in Las Animas, Colorado, 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 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 to the position 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. Before her EAC appointment, Ms. Davidson served on EAC's Technical Guidelines Development Committee.

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. Born into a military family in Liberal, Kansas, she 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.

Executive Director's Biography

Executive Director Thomas R. Wilkey

By unanimous vote of the Commissioners, Executive Director Thomas Wilkey was reappointed to serve another 4-year term beginning June 20, 2009. Mr. Wilkey has served in this position since 2005.

After his brief career as an elementary teacher, Mr. Wilkey joined the Erie County Board of Elections (Buffalo, New York) in November 1968 as an elections clerk. He subsequently rose to the position of senior election deputy before 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 elections operations, which was formed to administer oversight of New York's 57 county boards.

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.

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, 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 served as secretary, treasurer and vice-president and was elected president for the 1996–97 term. 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 more than 6 million 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. In May 2001, the FEC asked Mr. Wilkey 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 HAVA, which Congress passed and the President signed into law in October 2002.