

## Rob Rock

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**Subject:** [EXTERNAL]: ERIC Board of Directors Meeting  
**Location:** https://

**Start:** Fri 12/8/2023 12:00 PM  
**End:** Fri 12/8/2023 3:30 PM

**Recurrence:** (none)

**Meeting Status:** Accepted

**Organizer:** Hamlin, Shane

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Members,

The agenda for this meeting is still evolving, but we will for sure take up the following important annual topics:

1. Presentation of ERIC's Fiscal Year 2023 Financial Audit Report (informational)
2. Review ERIC's Fiscal Year 2023 IRS 990 Tax Filing (informational)
3. Review and Board Approval of 2023 updates to ERIC's Information Security Management Plan, Risk Assessment, and associated security policies (board vote)

There will likely be a couple of activity updates you won't want to miss. I will send out a final agenda when we get closer to the meeting.

Thank you,

Shane

Join Zoom Meeting

[ht](#)

Meeting ID

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## Rob Rock

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**Subject:** [EXTERNAL]: EBU Reports: Continuing the discussion we started in July 2023 (meeting # 4)  
**Location:** [REDACTED]  
**Start:** Wed 12/13/2023 1:00 PM  
**End:** Wed 12/13/2023 2:00 PM  
**Recurrence:** (none)  
**Meeting Status:** Accepted  
**Organizer:** Whitt, Sarah

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UPDATE: We are moving this meeting back a week to accommodate a conflicting meeting that many of you will be attending on the 6<sup>th</sup>.

**\*\*Sent to the ERIC Board of Directors and Secondary Points of Contact\*\***

Members,

ERIC is setting up several monthly meetings to continue the discussion regarding the Eligible but Unregistered reports that was started at the last Board meeting. Please plan to attend these meetings, or send someone else from your office, so we can have a robust discussion. Thanks!!

Join Zoom Meeting

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## Rob Rock

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**Subject:** [EXTERNAL]: ERIC: Review of our Information Security plan, policies and risks  
**Location:** http://www.eric.gov/

**Start:** Wed 11/15/2023 1:00 PM  
**End:** Wed 11/15/2023 2:00 PM

**Recurrence:** (none)

**Meeting Status:** Accepted

**Organizer:** Whitt, Sarah

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**\*\*Sent to the ERIC Board of Directors and Secondary Points of Contact\*\***

Members,

For this open mic, we are pausing our conversation on the EBU reports, and instead will take this opportunity to preview with you updates to our security risk matrix, plan and policies. Please see the email from Ericka on Thursday, 11/9 for more information. Feel free to forward this invite to others in your organization that would be interested in the security review!

Join Zoom Meeting

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- IS (New York)

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**Rob Rock**

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**Subject:** [EXTERNAL]: EBU Reports: Continuing the discussion we started in July 2023 (meeting # 2)  
**Location:** T09  
**Start:** Wed 10/11/2023 1:00 PM  
**End:** Wed 10/11/2023 2:00 PM  
**Recurrence:** (none)  
**Meeting Status:** Accepted  
**Organizer:** Whitt, Sarah

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**\*\*Sent to the ERIC Board of Directors and Secondary Points of Contact\*\***

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Join Zoom Meeting

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**Rob Rock**

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**Subject:** [EXTERNAL]: EBU Reports: Continuing the discussion we started in July 2023 (meeting # 1)  
**Location:** ---  
**Start:** Wed 9/13/2023 1:00 PM  
**End:** Wed 9/13/2023 2:00 PM  
**Recurrence:** (none)  
**Meeting Status:** Accepted  
**Organizer:** Whitt, Sarah

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**\*\*Sent to the ERIC Board of Directors and Secondary Points of Contact\*\***

Members,

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Join Zoom Meeting

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## Rob Rock

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**Subject:** [EXTERNAL]: EBU Reports: Continuing the discussion we started in July 2023 (meeting # 5)  
**Location:** ?  
**Start:** Wed 1/10/2024 1:00 PM  
**End:** Wed 1/10/2024 2:00 PM  
**Show Time As:** Tentative  
**Recurrence:** (none)  
**Meeting Status:** Not yet responded  
**Organizer:** Whitt, Sarah

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**\*\*Sent to the ERIC Board of Directors and Secondary Points of Contact\*\***

Members,

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Join Zoom Meeting

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AMERICAN OVERSIGHT

## Rob Rock

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**Subject:** [EXTERNAL]: EBU Reports: Continuing the discussion we started in July 2023 (meeting # 4)  
**Location:** .  
**Start:** Wed 12/6/2023 1:00 PM  
**End:** Wed 12/6/2023 2:00 PM  
**Show Time As:** Tentative  
**Recurrence:** (none)  
**Meeting Status:** Not yet responded  
**Organizer:** Whitt, Sarah

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**\*\*Sent to the ERIC Board of Directors and Secondary Points of Contact\*\***

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Join Zoom Meeting

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AMERICAN OVERSIGHT

## Rob Rock

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**Subject:** [EXTERNAL]: EBU Reports: Continuing the discussion we started in July 2023 (meeting # 3)  
**Location:**  
**Start:** Wed 11/15/2023 1:00 PM  
**End:** Wed 11/15/2023 2:00 PM  
**Show Time As:** Tentative  
**Recurrence:** (none)  
**Meeting Status:** Not yet responded  
**Organizer:** Whitt, Sarah

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**\*\*Sent to the ERIC Board of Directors and Secondary Points of Contact\*\***

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Join Zoom Meeting

Meeting ID:

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## Rob Rock

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**Subject:** [EXTERNAL]: EBU Reports: Continuing the discussion we started in July 2023 (meeting # 4)  
**Location:**  
**Start:** Thu 8/10/2023 4:00 PM  
**End:** Thu 8/10/2023 4:30 PM  
**Show Time As:** Tentative  
**Recurrence:** (none)  
**Meeting Status:** Not yet responded  
**Organizer:** Whitt, Sarah

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**\*\*Sent to the ERIC Board of Directors and Secondary Points of Contact\*\***

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Join Zoom Meeting

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## Rob Rock

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**Subject:** [EXTERNAL]: EBU Reports: Continuing the discussion we started in July 2023 (meeting # 2)  
**Location:**  
**Start:** Thu 8/10/2023 3:30 PM  
**End:** Thu 8/10/2023 4:00 PM  
**Show Time As:** Tentative  
**Recurrence:** (none)  
**Meeting Status:** Not yet responded  
**Organizer:** Whitt, Sarah

**CAUTION:** This email originated from outside of the RI Department of State. Do not click links or open attachments unless you recognize the sender and know the content is safe.

**\*\*Sent to the ERIC Board of Directors and Secondary Points of Contact\*\***

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Join Zoom Meeting

Meeting ID  
Passcode

One tap mobile

+1 (202) 848-7199 US  
+1 (202) 848-7199 US (Washington DC)

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- +1 (202) 848-7199 US
- +1 (202) 848-7199 (Washington DC)
- +1 (202) 848-7199 JS
- +1 (202) 848-7199 US
- +1 (202) 848-7199 US (Chicago)
- +1 (202) 848-7199 S (New York)

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## Rob Rock

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**From:** Hamlin, Shane <shane.hamlin@ericstates.org>  
**Sent:** Monday, January 8, 2024 11:16 AM  
**To:** Hamlin, Shane  
**Cc:** Haas, Ericka;Whitt, Sarah  
**Subject:** [EXTERNAL]: Tentative Agenda - Feb. 7 Annual Board of Directors Meeting (Also, please register.)  
**Attachments:** TENTATIVE AGENDA - February 7 2024 Annual ERIC Board of Directors Meeting.docx

**CAUTION:** This email originated from outside of the RI Department of State. Do not click links or open attachments unless you recognize the sender and know the content is safe.

**\*\*Sent to the Board of Directors and Secondary Points of Contact\*\***

Directors and staff –

To aid in your planning, please find attached the tentative agenda for our fast-approaching meeting.

Thank you to all of you who completed the meeting registration I sent out last week. I've heard from many of you, which has been so helpful. If you haven't submitted the registration form, here's the link:

[\[Link\]](#) Please complete it by Friday, Jan. 12.

Thanks,

Shane Hamlin  
Executive Director  
ERIC | Electronic Registration Information Center  
[www.ericstates.org](http://www.ericstates.org)





**Tentative Agenda**  
**ERIC Annual Board of Directors Meeting**  
February 7, 2023 | 12:30 - 4:30 pm ET  
Washington Grand Hyatt, Washington, D.C. | Zoom

1. Approval of minutes from prior ERIC meetings – Board Vote
2. Election of 2024 ERIC Officers and Committee Members – Discussion/Board Vote
3. Eligible but Unregistered Reports – Discussion/Possible Board Votes
4. Voter Participation Reports – Briefing/Discussion
5. ERIC Annual Reports – Briefing/Discussion
6. SOC 2, Type 1 Audit | Next Steps – Discussion/Board Guidance
7. 2024 ERIC Board/Membership Meeting Schedule

**Note:** Lunch will be available beginning at 11:30 am. The exact location of the meeting will be provided closer to the meeting.



## ERIC Eligible but Unregistered Report: Exemption Process

### **Background**

ERIC's mission is to help states improve the accuracy of America's voter rolls, increase access to voter registration for all eligible citizens, reduce election costs, and increase efficiencies in elections.

To effectuate the part of ERIC's mission aimed at increasing access to voter registration for all eligible citizens, ERIC provides its members with reports that identify potentially "eligible but unregistered" individuals (EBU Reports). EBU Reports include only individuals who have a driver's license or state identification card, but who do not appear to be registered to vote.

Section 4(a) of the ERIC Membership Agreement specifies the requirements for acting on an EBU Report.<sup>1</sup> This section also includes a process by which members may apply for an exemption from the EBU Report requirements, as follows:

"If a Member adopts legislation or policies that have the potential to accomplish the objectives of this section by alternative means, Member may apply to ERIC for an exemption from the requirements of this section of the Membership Agreement by sending a written request to the Executive Director of ERIC and the Chair of the Board. Such written application shall explain the basis for Member's assertion that the alternative means will effectively achieve the objectives of this section. If the Executive Director of ERIC and the Chair of the Board believe the request is reasonable, it shall be presented to the Board for a vote and, if granted, a determination on the timing of implementation of the exemption."

In 2016, Oregon became the first ERIC Member granted an exemption. Oregon's exemption remains active as of 2023. No other members have requested or received an exemption from the EBU Report requirements.

The ERIC Board of Directors has not engaged in extensive discussions about the EBU Report exemption process since granting Oregon's exemption. However, the bipartisan workgroup formed in 2022 to review various governance reform proposals did engage in extensive discussions about the exemption, including the request process, the merits of offering an exemption, and the merits of repealing the exemption process.<sup>2</sup> In addition, several members have indicated they may submit an exemption request.

### **EBU Exemption Request Framework and Process**

**Purpose:** The remainder of this document outlines the EBU exemption review process, which is intended to facilitate a fair determination process that complies with the letter and spirit of Section 4(a).

The focus is on the framework the Chair of the Board (Chair) and the Executive Director (ED) will use to assess whether an exemption request is "reasonable" and, therefore, should be presented to the Board for broader discussion and a vote. A request is "reasonable" if the Chair and ED can reasonably conclude the member's legislation or policies will "effectively achieve the objectives" of the EBU Report.

<sup>1</sup> Sec. 4(a) requirements, in part, are as follows: "When the Member receives ERIC Data regarding eligible or possibly eligible citizens who are not registered to vote, the Member shall, at a minimum, initiate contact with each and every eligible or possibly eligible citizen and inform them how to register to vote. Each Member shall have until October 1 or fifteen (15) days before the close of registration, whichever is earlier, of the next Federal General Election year to initiate contact with at least 95% of the eligible or potentially eligible citizens on whom data was provided and address validation was performed, as described above."

<sup>2</sup> This workgroup convened seven (7) times between September 2022 and February 2023.

**Process Initiation-Member Request:** As set forth in Sec. 4(a), to initiate the EBU exemption review process, the member must submit a written request to the ED and the Chair. Under Section 4(a), a member may only submit a written exemption request if it believes as a threshold matter it has adopted or implemented “legislation or policies that have the potential to accomplish the objectives” of the EBU Report by “alternative means.” The member must then explain in the exemption request how its “alternative means” (legislation, policies, or programs) will “effectively achieve the objectives” of the EBU Report.

#### **EBU Exemption Request Review-Procedural Steps:**

- 1. Review Request:** The Chair and ED will review the request in accordance with the “Reasonableness Review” Guidelines section below. They will make a determination in a reasonable timeframe, taking into account the impending deadline for acting on an EBU Report, the requesting member’s elections schedule, and other relevant factors. The Chair and ED may request additional information from the requesting member to inform their review.
- 2. Communicate Decision to Requesting Member:** The Chair and ED will communicate their decision to the requesting member in writing. If the request is not found reasonable, the Chair and ED may offer to meet with the requesting member. The requesting member may be given the option to amend or withdraw the request.
- 3. Communicate Decision to the Board of Directors:** The written request and decision, regardless of the outcome, will be shared with the Board of Directors. Additional supporting documentation may also be shared. Determining a request is reasonable is not a recommendation to vote “yes” when the board convenes to act on the request.
- 4. Board of Directors Meeting:** For each request deemed reasonable, the Chair and the ED will convene a meeting of the Board of Directors for a discussion and vote. The outcome of the board vote is final. This meeting will happen within a timeframe that respects the impending deadlines for acting on an EBU report, the requesting member’s elections schedule, and the challenges inherent in convening members for a board meeting.
- 5. Requesting Member Participation in Board Meeting:** The requesting member’s member representative may make a statement and should be prepared to answer questions about its EBU exemption request at the meeting of the Board of Directors. However, consistent with ERIC’s policy and practice of avoiding conflicts of interest in managing issues that may materially affect a state’s membership, the requesting member’s representative will then be recused from the discussion and the vote. After the Board concludes its discussion, the member representative will be invited back to hear the outcome and participate in the remainder of the meeting.

**Executive Director and Board Chair “Reasonableness Review” Guidelines:** The Chair and ED’s determination of whether a request is “reasonable”—that is, whether they can reasonably conclude the member’s legislation or policies will “effectively achieve the objectives” of the EBU Report—will be guided by the following “Policy Statements” and “Guiding Questions.” These statements and questions consider the language used in Section 4(a), the generally accepted intent of the EBU Report, and other factors related to voter registration programs.

#### **Policy Statements**

1. Minimally NVRA-compliant “motor-voter” programs have had a tremendous impact on expanding access to voter registration opportunities.<sup>3</sup> However, these programs are imperfect.
2. The EBU Report is intended to help mitigate the imperfections in these motor-voter programs.

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<sup>3</sup> As used in in this document and the process, “minimum NVRA-compliant motor-voter program” means the member’s Department of Motor Vehicles (or equivalent agency) operates a program that meets the minimum requirements for compliance with the NVRA. This would exclude, for example, “front-end” or “point of service” style Automated/Automatic Voter Registration programs.

3. In states that are exempt from the NVRA, the EBU Report can help reduce “Election-day Voter Registrations.” This can improve the new voter’s experience with the voting process and reduce administrative burdens on election officials.
4. By the nature of how the EBU Report is generated, it focuses on increasing voter registration opportunities to potentially eligible individuals who have a state issued ID or driver’s license.

#### **Guiding Questions**

1. Does the member’s legislation, policy, and/or program enhance voter registration opportunities beyond the minimally NVRA-compliant process during a transaction at the agency responsible for administering the motor-voter program?
2. Does the member’s legislation, policy, and/or program provide increased voter registration opportunities to individuals with state issued IDs or driver’s licenses at locations or through methods other than a transaction at the agency responsible for administering the motor-voter program?
3. Does the member’s legislation, policy, and/or program provide increased opportunities for voter registration to potentially eligible individuals, including those who may not have a state issued ID or driver’s license?
4. When considering all elements of the member’s legislation, policy, and/or program, is it reasonable to conclude the member’s efforts will “effectively achieve the objectives” of the EBU Report requirements?



THE STATE  
of **ALASKA**  
GOVERNOR MIKE DUNLEAVY

## Office of the Lieutenant Governor

DIVISION OF ELECTIONS  
Office of the Director

240 Main Street, Suite 400  
PO Box 110017  
Juneau, Alaska 99811-0017  
Main: 907.465.4611  
Fax: 907.465.3202  
elections@alaska.gov

December 4, 2023

RE: EBU Waiver Request

The Alaska Division of Elections submits the following as the request and justification for a waiver from the ERIC EBU requirements.

### **REGISTERED VOTERS:**

Alaska's total population is approximately 733,583. The 175,059 Children under the age of 18 represent 24.1% of the population leaving approximately 558,524 residents aged 18 and older. Currently, there are 601,218 registered voters in Alaska, which is 42,694 more than the listed population. These numbers are largely the result of the flexibility in Alaska statutes for residency requirements as they pertain to voter registrations and the length of time required to remove names from the voter rolls.

### **AUTOMATIC VOTER REGISTRATION FOR PFD:**

In 2016, Alaska passed a law to automatically register eligible applicants and update information for currently registered voters using information provided when they apply for the Alaska Permanent Fund Dividend (PFD) unless the applicant opts-out. This process is referred to as PFD Automatic Voter Registration (PFD-AVR).

### **PFD ELIGIBILITY:**

A person is eligible to apply for the PFD if:

- they were a resident during all the previous calendar year;
- on the date they apply they have the intent to remain an Alaska resident indefinitely;
- they have not claimed residency in any other state or country or obtained a benefit as a result of a claim of residency in another state or country; and,
- they were not sentenced as a result of a felony conviction during the previous year, incarcerated at any time during the previous year as a result of a felony conviction; or incarcerated at any time during the previous year as the result of a misdemeanor conviction in Alaska if convicted of a prior felony or two or more prior misdemeanors since January 1, 1997.

### **PFD APPLICANTS:**

The following shows the number of Alaskans who apply for the PFD by year. These numbers represent adults (18 years and up). Around 67.8% of adults apply for the PFD. Since eligibility for the PFD and voter registration is different, there are residents who don't qualify for the PFD but

who may be eligible to register to vote. Additionally, the division receives PFD applications that have all the required information for voter registration but may be rejected by the PFD division as not being a valid application for PFD purposes.

2017 490,840

2018 490,681

2019 494,458

2020 494,754

2021 497,675

The number of individuals who do not apply represents a mix of those who are not yet eligible, a small number who forgot to apply or those few who are not interested in receiving the PFD.

**AUTOMATIC VOTER REGISTRATION OPT-OUT PROCESS:**

Alaskans can apply for the previous year’s dividend starting on January 1 through March 31. After the March 31 application deadline, the Division of Elections sends a notice to all applicants who will either become a newly registered voter, or who will have their Alaska residence address updated with information provided on their PFD application. To opt-out, applicants must respond to the notice within 30 days. Once the 30-day deadline has passed, new applicants will be registered to vote and applicants with a change to their Alaska residence address will be updated. New voter cards are mailed, and any changes are updated in the Voter Registration System.

The below chart shows the PFD statistics for voter registration for 2017 through 2023. Please note that for 2017, since PFD-AVR went into effect in the middle of the PFD application cycle, only applications that were submitted after the effective date went through this process.

PFD Year	Valid Applications	Mailed Notices				Opt-outs			Registered		New Voters Who Voted
		Potential New Voters	Existing Voters <sup>1</sup>	Ambiguous Voters	Total	Potential New Voters	Existing Voters <sup>2</sup>	Total	New Voters <sup>4</sup>	Existing Voters <sup>3</sup>	
2023	394,872	11,097	68,161	282	79,540	2,023	5,529	7,552	9,171	375,934	
2022	395,109	10,406	71,090	199	81,695	1,973	5,696	7,669	8,491	374,000	1,444
2021	388,030	9,222	67,317	503	77,042	2,152	6,243	8,395	7,076	368,766	728
2020	395,314	16,611	80,113	452	97,176	3,011	7,061	10,072	13,608	368,516	4,698
2019	404,793	22,754	78,206	816	101,776	4,979	9,965	14,944	17,868	330,674	5,067
2018	359,461	35,690	101,652	2,454	139,796	5,322	9,641	14,963	31,027	309,902	9,188
2017	76,171	25,451	50,571	149	76,171	9,794	21,482	31,276	15,688	11,107	3,704

<sup>1</sup>This number reflects the number of opt-out notices sent to voters with a change of Alaska residence address.

<sup>2</sup>This number reflects the number of notices returned by voters requesting to opt-out of having their residence address changed.

<sup>3</sup>This number includes both substantive changes to voter’s names or addresses as well as “no change” records that are still updated with voter contact as mandated by NVRA.

<sup>4</sup>This number reflects the number of voters (in the set of newly registered voters from the related PFD Year) that have voted in any subsequent Primary or General election.

EBU Waiver Request

12-4-23

Page 3 of 3

The number of potential new voters began in 2018 at 25,451 individuals and has decreased to between 9,000 – 11,100 individuals for 2021 – 2023.

**OTHER VOTER REGISTRATION OPPORTUNITIES:**

In addition to PFD-AVR, the division has other avenues for voter registration. As required by federal law, individuals can register to vote when they have transactions with the Division of Motor Vehicles (DMV). This opportunity is available in-person and during online transactions.

The division also has online voter registration available which is quick and easy to use. Voters can complete the entire application online which includes submittal of the form.

**CONCLUSION:**

Due to the PFD-AVR and other registration options, the EBU notices are an unnecessary addition to other effective methods for contacting voters of registration opportunities. The remaining unregistered voters pool in Alaska is very small and does not warrant the additional activities and expenses of the EBU processes. For this reason, the Alaska Division of Elections respectfully requests a waiver of the ERIC EBU requirements.

Thank you for considering this request.

Sincerely,



Carol Beecher

Director

Alaska Division of Elections

907-465-4611



State of Vermont  
Office of the Secretary of State  
128 State Street  
Montpelier, VT 05633-1101  
(802) 828-2363

Sarah Copeland Hanzas, Secretary of State  
S. Lauren Hibbert, Deputy Secretary

Thursday, January 25, 2024

**Via Email**

Jonathan Brater, Chair  
Shane Hamlin, Executive Director  
Electronic Registration Information Center (ERIC)  
1201 Connecticut Avenue NW, Suite 600  
Washington, D.C. 20036  
[BraterJ@Michigan.gov](mailto:BraterJ@Michigan.gov)  
[shane.hamlin@ericstates.org](mailto:shane.hamlin@ericstates.org)

**Re: Request for exemption from ERIC Membership Agreement requirement for EBU mailing**

Dear Chair Brater and Director Hamlin:

First, I want to thank both of you for your commitment and service to ERIC and its member states. The Vermont Secretary of State's Office is a strong supporter of ERIC and its mission. We recognize the uniquely important and effective role ERIC has played since its inception in helping states maintain accurate voter registration rolls and identify eligible but unregistered voters. There is simply no substitute for the service ERIC provides to the member states and no question that it has contributed to the integrity of elections across the country.

I write today to respectfully request an exemption for the State of Vermont from the requirements of Section 5(a) of the ERIC Membership Agreement, commonly known as the eligible but unregistered voters mailing (EBU). Unless granted an exception, Section 5(a) requires an ERIC member to conduct an EBU mailing at least once during the two years before a General Election. The exemption provision states in part:

*If a Member adopts legislation or policies that have the potential to accomplish the objectives of this section by alternative means, Member may apply to ERIC for an exemption from the requirements of this section of the Membership Agreement by sending a written request to the Executive Director of ERIC and the Chair of the Board.*



Vermont has adopted legislation, policies, and implemented voter services that we believe meet and even exceed the objectives of Section 5(a). As a result, there is little to no barrier for an eligible Vermont resident to register and to participate in any election, regardless of when that election is occurring.

1. **Ongoing standard and alternative registration opportunities.** Vermont allows multiple avenues for eligible residents to register, including: in person at their town or city clerk's office, by mail, online, and while applying for services or benefits at various state agencies. The Secretary of State's Office offers guidance, registration forms, and other promotional materials to any groups requesting to run a registration drive. Additionally, the Secretary routinely attends naturalization ceremonies and offers registration to newly naturalized citizens.
  - a. *Online Registration.* Vermont has allowed online voter registration since 2016. Eligible residents may register or update their registration at <https://olvr.vermont.gov/>. This option provides an alternative for those who may have difficulty getting to the clerk's office during normal business hours and provides an easy mode of registration for our eligible military or overseas voters.
  - b. *Preregistration.* Vermont allows individuals to register if they are 17 years old and will be 18 on or before the date of the next General Election. These 17-year-olds can vote in the primary if they will be 18 on or before that General Election.
  - c. *Automatic Voter Registration.* Vermont implemented automatic voter registration at the Vermont Department of Motor Vehicles (DMV) in January of 2017. Vermont uses a "front-end" system by which an individual is registered to vote as a result of applying for or renewing a driver's license or non-driver ID card at the DMV unless that person consciously checks the box on the form declining to register. The Secretary of State's office receives, via electronic transmission into our election management system, a nightly file of new registrations and address changes as a result of transactions at the DMV. Given the longevity of this program in Vermont, all eligible residents who have sought a license or ID at the Vermont DMV have either had their information submitted for voter registration or have consciously declined to do so.
  - d. *Election Day Registration.* Vermont began allowing Election Day (or "same day") voter registration in January of 2017. Vermont has no "blackout

period” meaning that eligible residents may register on any day, including Election Day. This can occur at their town or city clerk’s office or online, and individuals can register at the polling place on Election Day. The process at the polling place was consciously designed to be no different than the registration process on any other day – the voter simply needs to complete the registration form and sign the form attesting to the truth of the information provided. After registration, the voter is given a standard ballot, not a “provisional ballot,” and may cast that ballot as if they had been registered before Election Day. This ability to register at the polls and cast a standard ballot that is commingled with all other ballots cast on Election Day provides the ultimate fail-safe, allowing any eligible voter who did not register by any of the means described above the ability to do so, and vote, on Election Day.

- 2. Civics Education and Voter Outreach.** When I took office in 2023, I established and committed significant resources to a new Civics Education Program in the office. This program includes activities designed to encourage Vermonters to register to vote and participate in elections. This includes: coordination with groups doing registration drives and voter outreach: coordination with schools across the state to promote civics education and voter registration: production of a civics education booklet titled “*Freedom and Unity*” which is distributed to schools and libraries across the state; and, development of a “Voter Guide” which will be available to all Vermonters before every general election containing information about the registration and voting process and the candidates that will appear on the ballot. The budget for this Civics program is approximately 250,000 dollars.

As a result of these laws, policies, programs, and services, Vermont has achieved one of the highest registration rates in the country. Vermont ranked #1 in the most recent MIT Elections Performance Index which is considered the gold standard in data-driven evaluation of election administration across the 50 states. As part of that ranking, VT was identified as having the [12<sup>th</sup> highest registration rate in the country, at 89.74%](#). More recent data confirms that we have sustained and even increased Vermonters' registration rate. As of July 1, 2023, [US Census data](#) reports the eligible voter Vermont population is 537,396. As of today, we are proud to say that we have 495,493 registered voters on our statewide checklist, resulting in a 92.2 % registration rate.

Our Office has a strong and ongoing commitment to ensure all eligible Vermont residents have robust opportunities to register to vote and participate in our elections. Our current laws, policies, and voter services show their success through the data and Vermont has achieved or exceeded the purpose and effect of the EBU requirement. Therefore, I request an exemption to Section 5(a) of the ERIC Membership Agreement on behalf of the State of Vermont.

Thank you for your service and commitment to ERIC. We look forward to continuing our membership, and to hearing from you soon.



Sarah Copeland Hanzas  
Vermont Secretary of State

STATE OF COLORADO  
Department of State  
1700 Broadway, Suite 550  
Denver, CO 80290



Jena M. Griswold  
Secretary of State  
Christopher P. Beall  
Deputy Secretary of State

Thursday, January 11, 2024

**Via Email**

Jonathan Brater  
Chair

Shane Hamlin  
Executive Director

Electronic Information Registration Center (ERIC)  
1201 Connecticut Avenue NW, Suite 600  
Washington, D.C. 20036

[BraterJ@Michigan.gov](mailto:BraterJ@Michigan.gov)  
[shane.hamlin@ericstates.org](mailto:shane.hamlin@ericstates.org)

Re: Request for exemption from ERIC Membership Agreement requirement for EBU mailing

Dear Mr. Brater & Mr. Hamlin:

This letter serves as a formal request that Colorado be exempted from the ERIC Membership Agreement Section 5(a) requirement that an ERIC member conduct an "eligible but unregistered" (EBU) mailing at least once during a two-year period prior to a General Election. Section 5(a) is required for all ERIC member states, except those who seek and are granted an "exemption." The exemption provision states in part:

If a Member adopts legislation or policies that have the potential to accomplish the objectives of this section by alternative means, Member may apply to ERIC for an exemption from the requirements of this section of the Membership Agreement by sending a written request to the Executive Director of ERIC and the Chair of the Board.

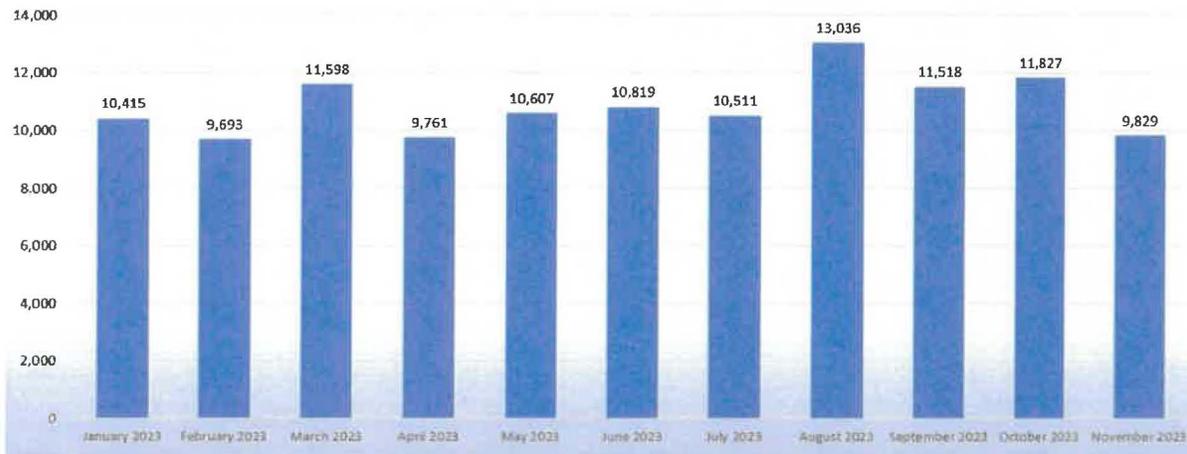
Colorado has adopted legislation and policies that substantially exceed the objectives of Section 5(a) by alternative means. Those laws and practices are discussed at length below.

**Colorado Laws Maximize Eligible Voter Registration**

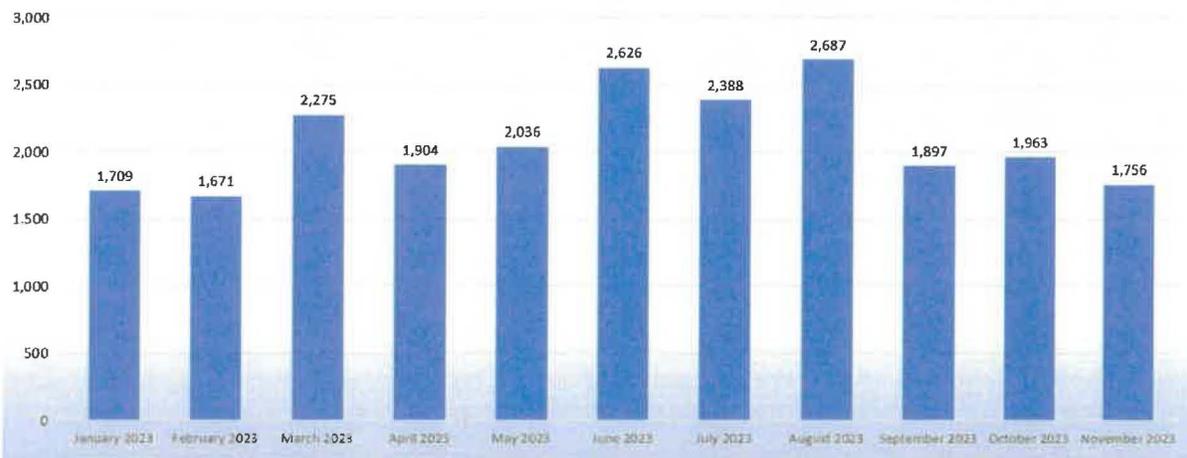
In 2019, Colorado passed and the Governor signed SB19-235. This bill authorized Colorado's Secretary of State to use rulemaking authority to create a program to routinely transfer records from the Colorado Department of Revenue and the Colorado Department of Health Care Policy and Financing to the Colorado Department of State for use in automatically registering or preregistering eligible Coloradans using the information they provided to acquire or update a driver's license or state ID. The Department conducted a rulemaking process in 2019 to implement a "backend" AVR process for Coloradans acquiring a driver's license or state ID.

Colorado's backend AVR process went live April 1, 2020. Since then, it has registered 478,184 new voters and preregistered 93,214 Colorado youth, with an overall total of AVR registrations since the start in 2020 at 571,398. During the last year, Colorado has added an average of 12,000 new registrations each month through backend AVR, approximately 10,000 for voters eighteen-years-of-age and older and 2,000 preregistrations. See below for eleven months of 2023 data for these categories.

## 2023 Automatic Voter Registration New Registrations (18 years old +)



## 2023 Automatic Voter Registration New Registrations (16-17 years old)

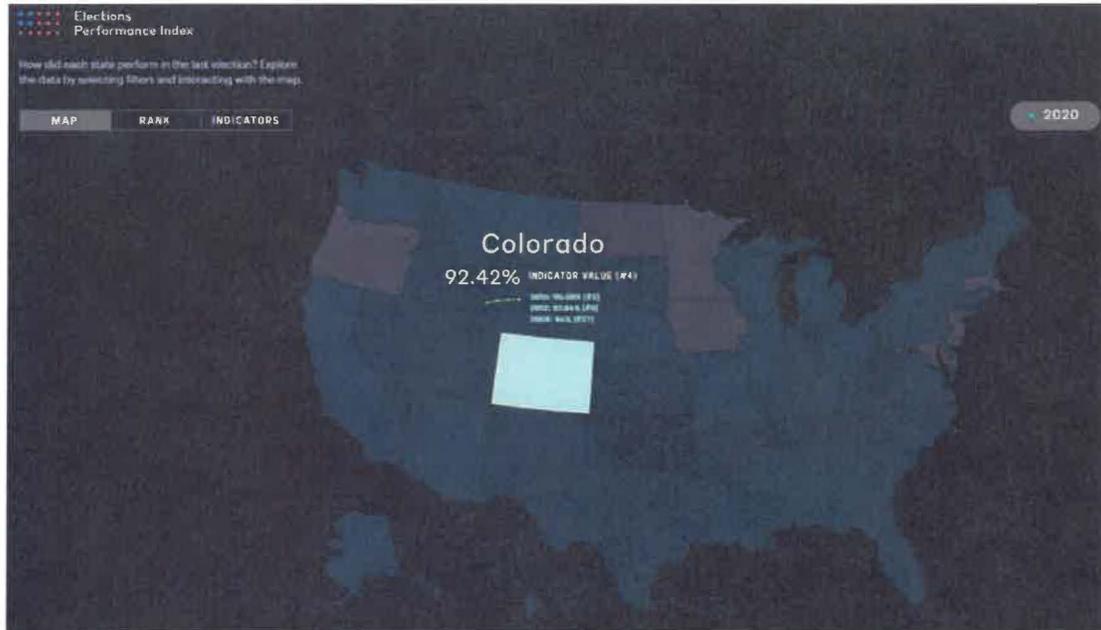


Colorado employs several other best practices to maximize eligible voter registration, including online voter registration, traditional paper registration in English and Spanish, same-day registration, and several voter outreach efforts over the past decade. In addition, over 50,000

Coloradans are preregistered at sixteen- and seventeen-years-of-age, and are therefore automatically scheduled to be registered to vote when they reach eighteen.

### Colorado Voter Registration Processes Are Highly Successful

The aforementioned efforts have been successful. The Massachusetts Institute of Technology (MIT) collects elections performance data to create the Elections Performance Index (EPI), published roughly a year after a General Election. The current data is from the 2020 General Election, indicate that at that time, Colorado had the nation's fourth highest rate of eligible voter registration at 92.4% of eligible Coloradans. See below.



Colorado's voter registration system currently (as of January 1, 2024) records a grand total of 4,360,405 registered voters, both active and inactive. The Census bureau's most recent estimate of the voting-age population in Colorado (<https://www.census.gov/quickfacts/CO>), which would necessarily include people ineligible to vote, is 4,655,067, meaning that Colorado's current registered voter count makes up 93.7% of the voting-age population.

Colorado's extraordinarily high eligible voter registration rate demonstrates the State's commitment to voter registration. Colorado makes every reasonable effort to provide prospective voters the opportunity to register and receive a mail ballot. These laws, policies, and efforts far exceed the purpose and reach of the EBU requirement.

In light of these facts, Colorado requests an exemption from the ERIC Membership Agreement Section 5(a) mailing to eligible but unregistered Coloradans.

Sincerely,



Christopher P. Beall  
Deputy Secretary of State

## Rob Rock

**From:** Haas, Ericka <ericka.haas@ericstates.org>  
**Sent:** Tuesday, December 12, 2023 6:28 PM  
**To:** Hamlin, Shane  
**Cc:** Whitt, Sarah  
**Subject:** [EXTERNAL]: ERIC: Voter Participation December Check-In and Data Collection

**CAUTION:** This email originated from outside of the RI Department of State. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello VP Participants!

We're coming up on our last planned Voter Participation check-in on Thursday, December 14...and the closeout of this project from the ERIC side of things. If you don't have the meeting invite, let me know and we'll forward it.

Here's a preview of what we'll talk about...

As a reminder, this year before we got into the actual reports, you all voted to amend the Membership Agreement and clarify some of the Voter Participation requirements, including adding a deadline to complete your investigations:

*A Member who requests a Voter Participation Report must refer all findings of credible cases of illegal voting to the appropriate law enforcement authorities, as designated by the Member's state law, no later than December 31 of the calendar year following the applicable Federal General Election or 180 days after the Member receives its final Voter Participation Report, whichever is later.*

This year, everyone got their final Cross State reports at the same time in June, so the December 31<sup>st</sup> deadline will apply for all!

We've also been working on streamlining our data collection from you by not pestering you once we got past the triage portion...until now! As we "wrap up" the 2022 effort, I'd like to collect the current status for all of the notices we sent you. (Those were air quotes – acknowledging that there will still be unknowns that are out of your control.) We'll use that information to write a summary report for the 2022 effort, as well as catching up on 2018 and 2020.

We'd like to collect the current outcome for each VH\_NOTICE\_ID, for all three flavors of sub-report (Deceased, In-State, and Cross-State) as one of the following statuses:

<b>Not a match</b>	Knowing this helps us force those false positives apart for the future.
<b>No further investigation</b>	Case is closed on your end without sending to the authorities, for whatever reason. I'm not planning to track more detail than that.
<b>Sent to authority</b>	Either your office or the local has passed the information to the appropriate law enforcement authority.
<b>(blank)</b>	Still investigating.

If you continued tracking cases after they were passed to the authority, we wouldn't turn down these additional statuses beyond the "Sent to authority":

***Charges brought***

***No charges filed by authority***

We'll talk through those on the call and as always, give you the chance to talk to each other.

## Rob Rock

---

**From:** Hamlin, Shane <shane.hamlin@ericstates.org>  
**Sent:** Thursday, December 7, 2023 5:09 PM  
**To:** Hamlin, Shane  
**Cc:** Haas, Ericka;Whitt, Sarah  
**Subject:** [EXTERNAL]: Additional Materials re: UT's Request - ERIC Board Meeting Materials | Dec. 8 2023 Meeting  
**Attachments:** UT EBU Exemption Request 09-2023.pdf  
**Importance:** High

**CAUTION:** This email originated from outside of the RI Department of State. Do not click links or open attachments unless you recognize the sender and know the content is safe.

**\*\*Sent to the ERIC Board of Directors and Secondary Points of Contact\*\***

Directors,

When I sent out Utah's request for an exemption, I inadvertently omitted supplemental materials they provided as separate documents when they submitted the formal request. The materials provide details of the "2022 Utah Campus Cup" program, which is referenced in the request. These materials are now attached to the formal request, included in this email.

"See" you all tomorrow.

Thank you,

Shane Hamlin  
Executive Director  
ERIC | Electronic Registration Information Center  
[www.ericstates.org](http://www.ericstates.org)



**From:** Hamlin, Shane <shane.hamlin@ericstates.org>  
**Sent:** Tuesday, December 5, 2023 6:26 AM  
**To:** Hamlin, Shane <shane.hamlin@ericstates.org>  
**Cc:** Haas, Ericka <ericka.haas@ericstates.org>; Whitt, Sarah <sarah.whitt@ericstates.org>  
**Subject:** ERIC Board Meeting Materials | Dec. 8 2023 Meeting

**\*\*Sent to the ERIC Board of Directors and Secondary Points of Contact\*\***

Directors,

Please find attached the materials for the upcoming board meeting, including an agenda, unofficial minutes from the July 28 board meeting, and the email/materials I sent on 11/28 notifying you of Utah's request.

Let me know if you have any questions, otherwise I look forward to gathering with you this Friday at 9 am PT / 12 pm ET

Thank you,

**Shane Hamlin**  
Executive Director  
ERIC | Electronic Registration Information Center  
[www.ericstates.org](http://www.ericstates.org)



5



# STATE OF UTAH

SPENCER J. COX  
GOVERNOR

OFFICE OF THE LIEUTENANT GOVERNOR  
SALT LAKE CITY, UTAH  
84114-2220

DEIDRE M. HENDERSON  
LIEUTENANT GOVERNOR

Dear Director Hamlin and Chair Brater,

First, I extend my thanks for your service to the Electronic Registration Information Center and its member states. ERIC is a unique tool in our elections toolbox that fights election fraud by keeping voter rolls clean and accurate.

I am sending this letter to respectfully request an exemption for the state of Utah from the requirements of Section 5(a) of the ERIC Membership Agreement, commonly known as the eligible but unregistered voters (EBU). In Utah, we meet and exceed the voter outreach standards for the EBU requirement.

An EBU report compares DLD data against data from Utah's registration system. In our case, every person on the EBU in Utah consciously chose not to register despite multiple opportunities and outreach efforts.

The state of Utah spends significant resources on voter outreach, including our Campus Cup program. The friendly competition between Utah's higher-ed institutions educates and engages young adults to participate in the bedrock of our republic. Utah encourages eligible voters through a number of other programs and systems, including:

- A. **Traditional registration.** Utah offers voter registration through paper forms at various locations around the state, including city and county buildings, and libraries. Registration forms are available in both Spanish and English. The state provides them to any group or organization planning a voter registration drive.
- B. **Online Registration.** Utah allows for online voter registration and updates at [www.vote.utah.gov](http://www.vote.utah.gov) (20A-2-206).
- C. **Opt Out DMV Registration.** Any eligible citizen must affirmatively opt out of sharing their information for voter registration purposes or with the county clerk (20A-2-204). This applies to all new driver's license applications, renewals, and address updates.
- D. **Preregistration.** Utah allows individuals to pre-register if they are 16-17 years old and otherwise eligible to vote (20A-2-101.1). Pre-registered voters are automatically activated and sent a ballot when they turn 18, or for any elections where they are 17, but will be 18 on or before

the date of the General Election. Seventeen year olds can vote in a primary as long as they will be 18 on or before the General Election.

E. **Campus Cup** is a statewide voter challenge sponsored by the Utah Lieutenant Governor to encourage voter registration and engagement in the election process (See attached materials).

F. **Voter Outreach.** Utah has traditionally spent about \$400,000 each federal election year on advertising key election events, including voter registration. This money is spent on outdoor billboards, digital marketing, streaming services, social media, etc.

G. **Same day registration.** As a failsafe for any eligible citizens that have not registered to vote, Utah allows same-day registration at the polls during early voting and on Election Day. Early voting is required to be held for at least four days and can be held for up to four weeks before each election (20A-2-207).

This demonstrates Utah's commitment to voter outreach to all eligible voters. We provide many opportunities to engage in the process and register to vote. These laws, policies, and efforts far exceed the purpose and reach of the EBU requirement. To that end, I hereby request an exemption to Section 5(a) of the ERIC Membership Agreement on behalf of the state of Utah.

As we continue our membership in ERIC, we thank you for your consideration. I look forward to hearing from you soon.

My regards,

A handwritten signature in black ink that reads "Deidre M. Henderson". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Deidre M. Henderson  
Utah Lieutenant Governor

# STATE OF UTAH

OFFICE OF THE LIEUTENANT GOVERNOR



DEIDRE M. HENDERSON  
LIEUTENANT GOVERNOR

Attention: Student Leaders of the 2022 Utah Campus Cup

## Official 2022 Utah Campus Cup Guidelines

\*Please be aware that these guidelines are subject to change.

### Important Dates

- The Campus Cup begins September 20, 2022 and concludes November 8, 2022.
- On National Voter Registration Day, September 20, 2022, all points earned will double in value.
- Expedition Vote must be held on a date chosen by your respective campus, you must let us know a week in advance.

### Point Distribution

- Voter Registration accounts for 50% of your point total.
- The County Clerk Visit accounts for 20% of your point total.
- Expedition Vote accounts for 20% of your point total.
- Campus Partnership accounts for 10% of your total.
- Scores are calculated using the total points you receive, weighted according to the point distribution, and dividing the respective sum by the population of your student body.
- Student body population is taken directly from your school's website. If you feel that number is inaccurate, please reach out to us and we can get a more accurate number for your school.
- You will need to update our team with any points you want awarded and we will track them for you. Please report all point updates either through the Google form provided or to [elections@utah.gov](mailto:elections@utah.gov).

### Scores

- We will update your scores every Monday afternoon on [voteinfo.utah.gov/campus-cup-2022](https://voteinfo.utah.gov/campus-cup-2022).
- Every Monday we will post weekly scores to our social media accounts detailing who is in the lead.

### **Voter Registration**

- Voter registrations will count from the beginning of the Fall 2022 semester all the way until the end of the competition.
  - Please keep in mind that in order to VOTE in Utah in the General Election, a person must:
    - Register online, in-person or have mailed in their registration form by/on October 28th.
  - If a student turns in a voter registration form after this deadline, make sure they know that they will ONLY be able to vote provisionally at the polls.
- Out of state students are welcome to participate in voter registration so long as they register to vote in their respective state and give you that confirmation. Again, it is your responsibility to give us these numbers, so please be honest in the counts that you give.
- Both paper registrations and online registrations will count towards the overall total. When reporting registrations, only report paper registrations on online registration not done through your school's unique URL. The unique registration URL automatically counts points for your school.

### **County Clerk Visit**

- Throughout the duration of Campus Cup, your college/university can visit your local County Clerk's Office to learn more about the election process and/or participate in one of their pre-election publicly noticed events.
- This visit can earn points towards the University's overall score. Schools will receive 10 points per university affiliate (from their respective school) who attends the event. Universities are limited to one (1) event/visit on one (1) day per school. Universities are not limited to the County Clerk's Office of the county in which the university is located.
- Earn more points by streaming the event/visit on Instagram or Facebook live (or another streaming platform). Screenshot the number of virtual attendees and email the photo to elections@utah.gov to receive points for virtual attendees.
- All university affiliates can participate in the event/visit. School affiliates include students, alumni, faculty, staff, and concurrent enrollment students.
- Events include Logic & Accuracy testing of election equipment, security open houses, or scheduling a time with the County Clerk to tour their office. Contact your County Clerk's Office to learn more about these events.
- If your County Clerk's Office is holding another election-related event not mentioned above, or you have any questions, please email Mallory Underwood at elections@utah.gov for approval.

### **Expedition Vote**

- Expedition Vote must be held on a date chosen by your respective campus. You must let us know a week in advance the date you plan to hold Expedition Vote. Please let us know what day your campus will be holding Expedition Vote ASAP so that we can distribute the challenges to each of you in a timely manner.
- Challenges will be sent to each school 48 hours prior to the beginning of the event. If you would like us to email each of your teams the list of challenges, please be sure to send us each team's emails if you want us to send it directly to them.
- Ultimately, it is your responsibility to distribute these challenges to each of your teams.
- The student leader at each campus will be responsible for tracking the points earned for each team at your campus.

- Teams must be constituted of students ONLY in numbers of 2-6. However, we encourage you to work together with your community to create service opportunities for students.
  - 2, both participants must be school affiliates
  - 3, 2 participants must be school affiliates
  - 4, 3 participants must be school affiliates
  - 5, 3 participants must be school affiliates
  - 6, 4 participants must be school affiliates
- At the end of the event, please submit the total amount of points earned by your school. It will also be your responsibility to give us the name of the winning team from your campus with their total amount of points.
- The Lieutenant Governor's Office will provide prizes for the top team from each school as well as a grand prize for the top team in the state. The top team in the state will also award their school an additional 500 points for winning.
  - Any other prizes distributed are your responsibility.

**Campus Partnership:**

- The National Voter Registration Act of 1993 increases the chance for citizens to vote by requiring state offices to have voter registration opportunities in their office.
- Create the same opportunities at your school by partnering with offices to keep voter registration forms out for students year-round. Keep a drop off box in your office year-round so offices can deliver completed registration forms.
- To earn these points email photo confirmation of an office keeping voter registration forms to [elections@utah.gov](mailto:elections@utah.gov)
- Here are some ways that offices can utilize these voter registration forms in their office:
  - Encourage them to hand out forms with information on their office.
  - Keep paper registration forms at the front desk.
  - Keep a QR code with your school's unique URL or link to register to vote online in lieu of paper registration forms.

**Materials**

- If you choose to use any of our logos for the purpose of designing your own graphics, send us a proof before you print. Feel free to text or email.

Lastly, as a matter of Utah Code, please remember that it is illegal to take a picture of anyone's ballot other than your own. Please also be cautious when spending public funds so as not to use them for political purposes. If you ever have any questions, feel free to contact our office.

Good luck!



Mallory Underwood  
 Office of the Utah Lieutenant Governor  
 801-538-1041  
[elections@utah.gov](mailto:elections@utah.gov)

# 2022 *OFFICIAL GUIDEBOOK* CAMPUS CUP



AMERICAN  
OVERSIGHT

RI-DOS-24-0152-A-000035

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# WELCOME

## WHAT IS CAMPUS CUP?

Campus Cup is a statewide voter challenge sponsored by the Utah Lieutenant Governor's Office. Universities and colleges compete for ownership of the Campus Cup Trophy, bragging rights, and a meeting with the Lieutenant Governor.

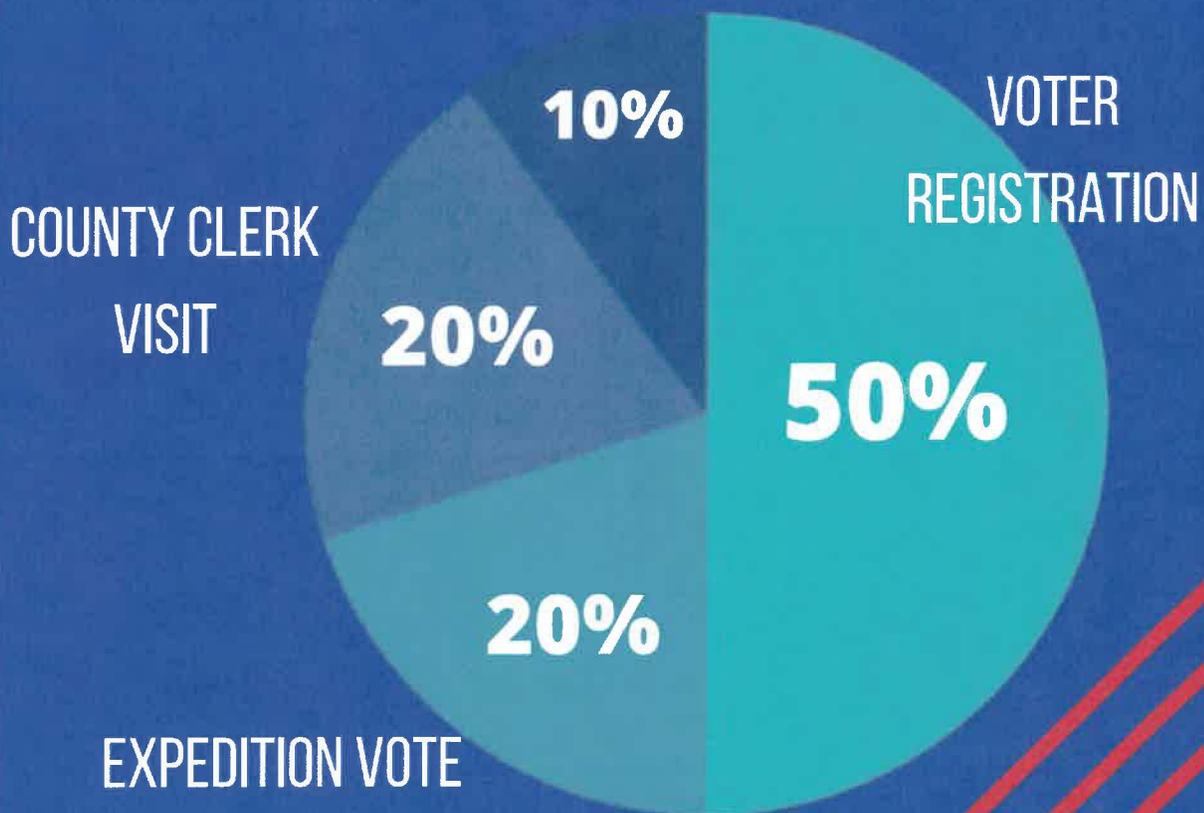
## HOW DOES MY SCHOOL PARTICIPATE?

1. Register new voters by using your school's unique registration URL or at the various registration drives around your campus.
2. Encourage new offices on campus to keep registration forms in their office to create more opportunities for students to vote.
3. Visit your local County Clerk's Office to learn more about the election process and participate in a pre-election publicly noticed event.
4. Compete in Expedition Vote! Create teams to participate in a scavenger hunt of epic proportions where voter registration, civic engagement, and Utah patriotism meet.
5. Submit points earned to [elections@utah.gov](mailto:elections@utah.gov).

# POINT BREAKDOWN

CAMPUS

PARTNERSHIP



# TIMELINE

Kick off the Campus Cup with a celebration on National Voter Registration Day!

SEPT 20

National Voter  
Registration Day

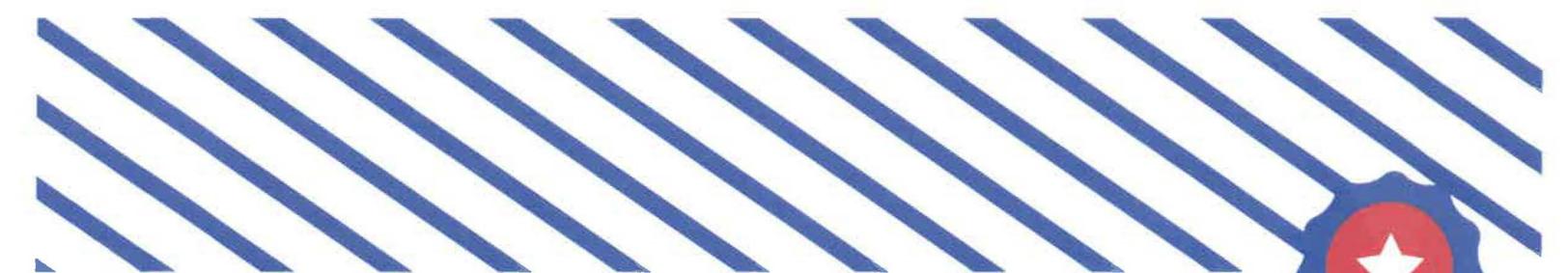
OCT 28

Last Day to  
Register to Vote

NOV 8

Election Day





# VOTER REGISTRATION DAY

**EARN DOUBLE POINTS FOR ALL PEOPLE REGISTERED ON  
VOTER REGISTRATION DAY ON SEPTEMBER 20TH!**

**Here are a few ideas on how to capitalize on the double points  
possibility:**

- **Host an event to encourage more students to register to vote.**
- **Include iPads or computers at the event check-in with your unique voter registration link to open.**
- **Create an Instagram/Facebook/Twitter live for the event and earn points for however many interactions the live videos get on social media.**
- **Screenshot the amount of people tuning in online and send it to [elections@utah.gov](mailto:elections@utah.gov) for point total.**

# VOTER REGISTRATION

Voter Registration is the main component of Campus Cup. The goal of the competition is to get more of Utah's college aged adults registered to vote and excited about receiving their ballots in November.

Printable voter registration forms can be found at <https://voteinfo.utah.gov/learn-about-registering-to-vote/> - there is a link to a "paper registration form".

Voter registration has important deadlines and processes to be aware of.\*

Once you begin collecting registration forms you can do 1 of 2 things:

1. Count the total number of registrations. Separate them out into their county of residence and mail them to their respective county clerks.
2. Mail the entire stack of registrations to the Lt Governor's Office to be counted and mailed to their clerks.
3. Registrations using your schools unique URL are automatically tracked. Reports any additional online registrations numbers to [elections@utah.gov](mailto:elections@utah.gov)

# VOTER REGISTRATION

\*The key thing to remember here is that the registration deadline is October 28, 2022. Meaning county clerk's will need these forms on or by then if possible. So Mailing them to the Lt Governor's Office will only work up until mid-October, at which point you will be responsible for separating them out and mailing them in a timely manner to their county of residence.

The addresses for county clerk's can be found on [vote.utah.gov](https://vote.utah.gov).

Any registrations received after October 28, 2022 can and should still be mailed to their county of residence.

# CAMPUS PARTNERSHIP

EARN POINTS FOR EVERY OFFICE ON CAMPUS THAT YOU CAN GET TO KEEP VOTER REGISTRATION FORMS IN THEIR OFFICE!

The National Voter Registration Act of 1993 increases the chance for citizens to vote by requiring state offices to have voter registration opportunities in their office.

Create the same opportunities at your school by partnering with offices to keep voter registration forms out for students year round. Keep a drop off box in your office year round so offices can deliver completed registration forms.

To earn these points email photo confirmation of an office keeping voter registration forms to [elections@utah.gov](mailto:elections@utah.gov)

Here are some ways that offices can utilize these voter registration forms in their office:

- Encourage them to hand out forms with information on their office
- Keep forms at the front desk
- Keep a QR code with your school's unique URL or link to register to vote online in lieu of paper registration forms.

# EXPEDITION

Expedition Vote is a 24-hour challenge. The list of challenges is released to the participating school approximately 48 hours before the challenge begins, but teams may not receive points for challenges completed before and after the 24-hour time frame. You choose the date for Expedition Vote.

Each team scoring the highest points at their school will receive a prize. The team in the state who scores the highest points will receive a GRAND PRIZE.

All participants must be at least 18 years of age and **MUST** sign the Expedition Vote waiver prior to participating in the challenge. All participants must adhere to applicable federal, state, or local laws or ordinances while performing the challenges.

Any team that falsifies a challenge or falsely attributes points to their team will be disqualified.

# EXPEDITION

Each Expedition Vote team can have between 2-6 people. Each team must complete the challenges as a team -- team members cannot separate at any time during the challenge.

Teams must contain a majority of school affiliates. This means that in teams of:

- 2, both participants must be school affiliates
- 3, 2 participants must be school affiliates
- 4, 3 participants must be school affiliates
- 5, 3 participants must be school affiliates
- 6, 4 participants must be school affiliates

School affiliates include students, alumni, staff, faculty, and concurrent enrollment students.

Teams receive points by performing challenges listed in the official challenge list. In order to get credit for performing the challenge, teams must submit their photos and videos to their student leader along with the challenge list. Work with your student leader to submit them.

Designates a photo



Designates a video



Designates an interaction on social media



# VOTE

# COUNTYCLERK VISIT

- Throughout the duration of Campus Cup, your college/university can visit your local County Clerk's Office to learn more about the election process and/or participate in one of their pre-election publicly noticed events.
- All university affiliates can participate in the visit. School affiliates include students, alumni, faculty, staff, and concurrent enrollment students.
- Events include Logic & Accuracy testing of election equipment, security open houses, or scheduling a tour with the County Clerk to tour their office. Contact you County Clerk's Office to learn more about these events.
- If your County Clerk's Office is holding another election-related event not mentioned above, please email [elections@utah.gov](mailto:elections@utah.gov) for approval.



# MATERIALS

We will email your school's Campus Cup team all of the social media and activity materials, as well as any other relevant information. If you have any questions regarding this don't hesitate to reach out.



# LT GOVERNOR'S OFFICE TEAM



MALLORY UNDERWOOD  
CHAIR & GENERAL QUESTIONS



YASMIN ALVARADO & JAYNE GUBLER  
SOCIAL MEDIA & UPDATES





WELCOME TO  
Vote.Utah.gov

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Campus Cup 2022

Give Feedback



Give Feedback

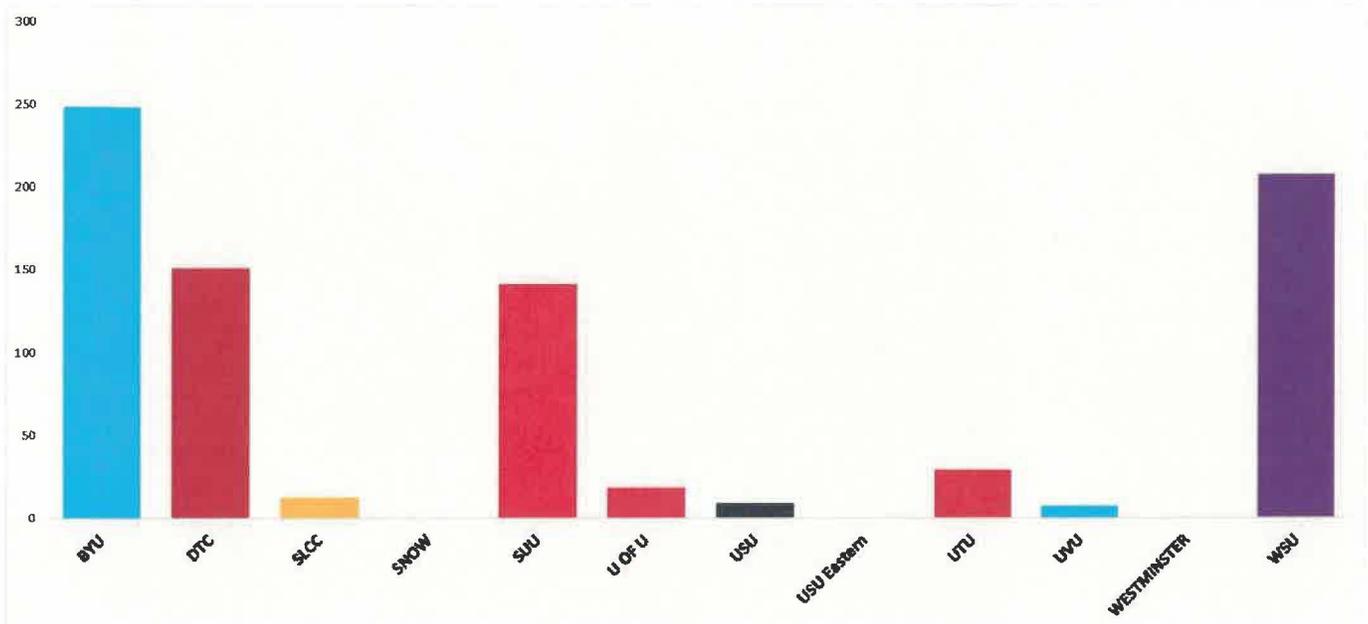
The Utah Campus Cup is a statewide voter registration challenge sponsored by the Utah Lieutenant Governor's Office. Universities and colleges compete for the ownership of the Campus Cup trophy, cool prizes, bragging rights, and a meeting with the Lieutenant Governor.

AMERICAN  
OVERSIGHT

RI-DOS-24-0152-A-000050

## 2022 School Stats

\*Competition ends November 8, 2022



Final Update for Campus Cup 2022 – November 10, 2022

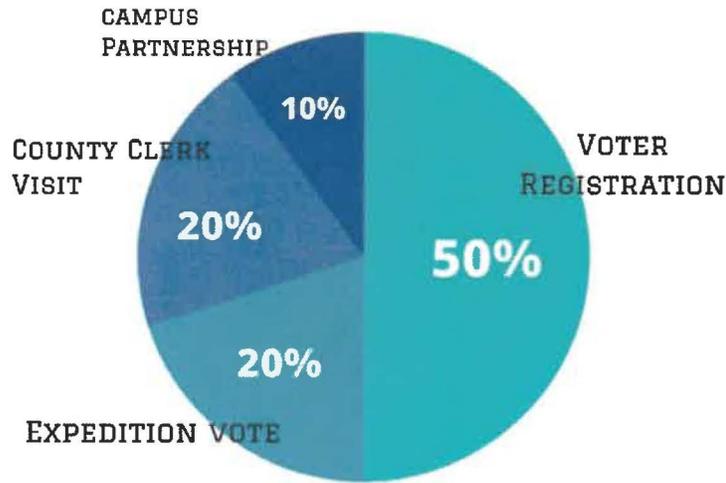
### How does my school participate?

1. Register new voters by using your school's unique registration URL or at the various registration drives around your campus.
2. Encourage new offices on campus to keep registration forms in their office to create more opportunities for students to register and receive their ballots this fall.
3. Visit your county clerk's office to participate in a pre-election event or learn more about the elections process.
4. Compete in Expedition Vote! Create teams to participate in a socially distant scavenger hunt of epic proportions where voter registration, civic engagement, and Utah patriotism meet.
5. Submit points earned to [elections@utah.gov](mailto:elections@utah.gov).

Give Feedback

### Here's how the Campus Cup works

# POINT BREAKDOWN



## Unique Registration URL's

### Important Dates

University/College	Registration Link	Hashtag
Brigham Young University	<a href="#">BYU Voter Registration</a>	#byuvotes
Davis Technical College	<a href="#">DTC Voter Registration</a>	#drcvotes
Salt Lake Community College	<a href="#">SLCC Voter Registration</a>	#slccvotes
Snow College	<a href="#">Snow Voter Registration</a>	#snowvotes
Southern Utah University	<a href="#">SUU Voter Registration</a>	#suuvotes
University of Utah	<a href="#">UofU Voter Registration</a>	#uvote
Utah State University	<a href="#">USU Voter Registration</a>	#usuvotes
Utah State University Eastern	<a href="#">USU Eastern Voter Registration</a>	#easternvotes
Utah Tech University	<a href="#">UTU Voter Registration</a>	#utuvotes
Utah Valley University	<a href="#">UVU Voter Registration</a>	#uvuvotes
Westminster College	<a href="#">Westminster Voter Registration</a>	#westminstervotes
Weber State University	<a href="#">Weber Voter Registration</a>	#wsuvotes

Give Feedback



Give Feedback

### **Why should I participate?**

Besides bragging rights, a cool trophy and a chance to meet the Lieutenant Governor, it is an awesome opportunity to get involved and be engaged in your community. Being civically engaged is so important and getting in the habit of staying registered and voting starts right as you are eligible. It's important to participate in your local and federal elections and make sure your voice is heard!

### **Questions? Contact us!**

Co-Chairs: Mallory Underwood and Yasmin Alvarado



**Staff Office Contact:**

Office: 801-538-1041

Email: [elections@utah.gov](mailto:elections@utah.gov)

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Give Feedback

## Rob Rock

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**From:** Haas, Ericka <ericka.haas@ericstates.org>  
**Sent:** Thursday, December 7, 2023 2:24 PM  
**To:** Whitt, Sarah; Hamlin, Shane  
**Subject:** [EXTERNAL]: ERIC EBU Reports Open Mic 4 - Prep!

**CAUTION:** This email originated from outside of the RI Department of State. Do not click links or open attachments unless you recognize the sender and know the content is safe.

**\*\*Sent to the Meeting Invitees plus ERIC Board of Directors & Secondary Points of Contact\*\***  
(apologies if older contacts are on the invite or you get it twice!)

Hello all,

Our next EBU Open Mic is set for next Wednesday, December 13, and we're hoping you'll be able to do a little preparation for a robust discussion. If you're wondering "what open mic" ...let us know and we'll forward the invite!

We'd like to focus on NCOA, Return Service and other products or tools you might use from your mailing vendor or the USPS to improve your mailing experience.

It's probably been a while since you prepared your last EBU mailing, so we'd love if you refresh your memory on those details. (And it's good prep for next year!) We have some information from our post-EBU surveys, which we'll summarize (on this and some other topics), but we're hoping for more engagement!

Some of the finer details we'd like to dig into...

- How did NCOA play into your mailing? (Just to get the mailing discount, or something more robust?)
- Did you pay for Return Service...how did it go, and what did you do with them?
- Did you coordinate or talk with your DMV before or after your mailing? For example, if you got undeliverables, was that information useful to them, since it's their addresses?
- Are there any other services or products that we're not thinking of that you found useful or are curious about?

Thanks,  
Ericka

Ericka Haas  
Systems Engineer & Technical Liaison  
Electronic Registration Information Center (ERIC), Inc.

[ericka.haas@ericstates.org](mailto:ericka.haas@ericstates.org)

## Rob Rock

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**From:** Hamlin, Shane <shane.hamlin@ericstates.org>  
**Sent:** Tuesday, December 5, 2023 9:26 AM  
**To:** Hamlin, Shane  
**Cc:** Haas, Ericka;Whitt, Sarah  
**Subject:** [EXTERNAL]: ERIC Board Meeting Materials | Dec. 8 2023 Meeting  
**Attachments:** Agenda Dec. 8 2023 ERIC Board of Directors Meeting.pdf; Unofficial Minutes Board Meeting July 28 2023.pdf; Notice of UT EBU Exemption Request, ERIC Response, and Next Steps

**CAUTION:** This email originated from outside of the RI Department of State. Do not click links or open attachments unless you recognize the sender and know the content is safe.

**\*\*Sent to the ERIC Board of Directors and Secondary Points of Contact\*\***

Directors,

Please find attached the materials for the upcoming board meeting, including an agenda, unofficial minutes from the July 28 board meeting, and the email/materials I sent on 11/28 notifying you of Utah's request.

Let me know if you have any questions, otherwise I look forward to gathering with you this Friday at 9 am PT / 12 pm ET

Thank you,

Shane Hamlin  
Executive Director  
ERIC | Electronic Registration Information Center  
[www.ericstates.org](http://www.ericstates.org)





## ERIC Board of Directors Meeting

December 8, 2023

12-3:30 pm ET

Zoom Video/Teleconference

### Call to Order and Roll Call

1. Approval of past board meeting minutes – *Board Vote (5 minutes)*
2. 2023 Updates to ERIC’s Information Security Management Plan, Risk Assessment, and Security Policies – *Informational/Discussion/Board Vote (75 minutes)*
  - a. Required Information and Data Security Reminders as per the National Technical Information Services – Limited Access Death Master File
3. EBU Exemption Request – *Discussion/Board Vote (40 minutes)*
4. Member and ERIC Activity Updates – *Informational/Discussion/Board Vote (40 minutes)*
5. ERIC Reports/Data: Requirements, requests, and other important updates – *Informational/Discussion (25 minutes)*
6. Report on Type 1, SOC II Audit – *Informational/Discussion (10 minutes)*

**Next meeting:** February 7, 2024, One day prior to the 2024 Winter NASED meeting.



## **ERIC Board of Directors Meeting**

July 28, 2023

8:30 – 1:00 ET

Francis Marion Hotel | Charleston, South Carolina  
Teleconference/Webinar

### **Unofficial Minutes**

#### **Call to Order/Roll Call**

Chair Brater called the meeting to order at 8:40 a.m. ET. He welcomed K. Sullivan to the board.

Chair Brater thanked the retiring L. Lamone for her contributions over the years, including being one of the founding members of ERIC. S. Hamlin, J. Choate, M. Evans, and A. Albence also praised Lamone’s advocacy of ERIC and leadership, and wished her well. L. Lamone thanked everyone for the kind words and urged members to work together to keep ERIC strong.

D. Maeda conducted the roll call. 23 Directors were present, 4 were absent. See attached roll call documentation.

#### **1. Approval of the June 23, 2023, Board of Directors Meeting minutes**

K. Sellers moved, and L. Lamone seconded, a motion to approve the June 23, 2023 meeting minutes. There was no discussion. The motion was approved unanimously on a voice vote.

#### **2. Review Executive Director FY 24 Goals**

Chair Brater explained the process for evaluating the executive director’s performance. As part of the process, the Executive Director develops goals for the coming fiscal year. His proposed goals were reviewed and approved by the executive committee.

S. Hamlin presented his goals: 1) Maintain the value of ERIC membership; 2) Mature ERIC’s financial policies and practices; and 3) More effectively tell ERIC’s story and continue to improve public access to information about ERIC. He gave examples of what these include.

Brief discussion followed, with members expressing support for the goals and offering assistance where needed.

### 3. **ERIC Membership and Activity Updates**

**MoveIt.** E. Haas provided an update on the MoveIt vulnerability disclosure. The data center vendor continues to work closely with E. Haas and S. Hamlin. She reiterated that this was not a security incident. There were no indicators of compromise or a data breach. No data was compromised. She expressed satisfaction with the vendor's response, communications, and mitigations. Board members thanked E. Haas for the way the situation is being handled. There was no further discussion.

**2022 Voter Participation Reports.** E. Haas provided an update on voter participation reports. She reminded the board that Ohio, Iowa, Virginia, and Texas requested the reports and submitted the required data. S. Hamlin said the close out letter to those resigning states asked them to continue to cooperate with members as each state/jurisdiction investigated possible cases of illegal voting in the 2022 election. Brief discussion followed.

**Texas Resignation.** S. Hamlin said the timing of Texas' resignation was unexpected and was not in line with what was communicated during the open microphone sessions convened throughout May and June. It was known that Texas would have to leave unless the EBU requirement is modified. He reminded the board that he made it clear in the open microphone sessions that, according to the bylaws, if a member resigns after the budget and dues were voted on, the member is still obligated to pay dues as assessed. Texas had not paid its dues yet. Even though Texas accounts for about 10 percent of budgeted revenue, there are no cash flow issues at this time. He would continue to work with Texas on their departure.

B. Evans said his expectation is that Texas will pay their dues. He asked if they had given any verbal indication about not paying. S. Hamlin said they had not, and further communication will be in writing. Brief discussion continued.

**ERIC Law Review Article.** S. Hamlin reminded the board that he shared with them a draft of an academic law review article written by Michael Morse. He encouraged members to read the latest paper. It was well documented and researched, and it provides useful historical information about list maintenance in general. There was no further discussion.

**New Member Engagement.** S. Hamlin reported he and Chair Brater attended and presented at a California County Clerks Conference. S. Hamlin said New York also remains a priority. He would continue to remain engaged with contacts in the state. Brief discussion followed.

**Legal Update.** S. Steffen provided a legal update. There was no further discussion.

**Driver's Privacy Protection Act (DPPA) - Permissive Uses.** S. Hamlin spoke about DMV data and the DPPA. He reminded the board that a work group was formed a few years ago to take a comprehensive look at the statutory protections and relevant case law regarding the use of DMV data. Ultimately, this led to the recently adopted operational enhancements to the membership agreement. He noted there are 14 permissive uses cited in the DPPA. ERIC qualifies under the agency use exception because ERIC exists to aid a government agency in carrying out its functions. The act also includes a permissive use for research activities and statistical reports but includes a prohibition on redisclosure of personal information. He reported internal work will continue to develop a recommended approach to managing research-related use of DMV data. He acknowledged that although DMV data may legally be

used for research purposes, there is some sensitivity around use of these data for research right now. Brief discussion followed.

**FY25 Dues Forecast.** S. Hamlin presented information about FY25 and potential dues rates given the current member composition. He is working to better sequence ERIC's budget development with state budget timelines and to raise awareness of potential dues, so members have this information for their own budget processes. Brief discussion followed.

**Non-ERIC Data Sharing Agreements.** S. Hamlin said he was aware of discussions occurring related to interstate or bilateral data sharing agreements. Several members reported participating in discussions but indicated no final decisions had been made yet. Brief discussion continued.

**Future ERIC Meetings.** S. Hamlin shared potential 2024 future meeting dates. He said the Executive Committee will finalize the schedule. Brief discussion followed.

**4. Preview minor Membership Agreement amendment ideas**

S. Hamlin said he's working to bring to the board a proposal for minor changes to the membership agreement regarding requesting list maintenance reports and the member resignation process. He will work with the Executive Committee on the package of these changes.

D. Maeda asked for background for the 90-day resignation period. S. Hamlin said when ERIC was formed, 90 days seemed reasonable to provide an orderly withdrawal. The founding members thought that if a state was leaving ERIC, it might be due to the loss of funding, or similar issues, while wanting to remain a member. It wasn't anticipated a state would leave due to a hyper partisan environment, like we have now. J. Choate said it wasn't anticipated that ERIC would become so politicized and that states would want to leave ERIC for political reasons.

**5. Kick-off Discussion on Eligible but Unregistered Reports**

Chair Brater said the idea of discussing ways to improve the EBUs has been on the table long before the reform proposals were put forth last summer and before the recent withdrawal of states. He noted states have adopted a variety of other outreach methods since ERIC was formed. These policies, as well as a close look at how well the EBUs work/how to improve them, should be helpful. He looks forward to a thorough discussion. He then asked S. Hamlin to walk through a short presentation to kick off the conversation.

S. Hamlin said that it was important to recognize that EBUs were always about ensuring ERIC's mission was balanced and appealed to election officials and stakeholders across the political spectrum. EBUs were not added at the last minute or after ERIC was formed. For years "red states" expressed no concerns about providing voter registration information to potentially eligible individuals.

He recognized discussions about EBUs over the last 6-7months focused on whether they should be required. These discussions were mostly a tug of war between the politics of conducting the EBU and ERIC's balanced, two-part mission. However, as Chair Brater noted, the ERIC team has been interested in evaluating the EBUs well before the reform proposals. The ERIC team would like to launch that initiative via a thorough, thoughtful series of discussions.

The EBUs had been around for 10 years – through six Federal General Elections. There has been significant policy changes and technology advancements since 2012 related to voter registration and, specifically, registering new voters and updating voter records. When ERIC was launched in 2012:

- Maybe 8 states offered OVR. Today, 39 states offer it.
- No one had AVR. Today, using NCSL’s definitions, 22 states have AVR.
- Maybe a dozen states offered EDR/SDR. Today, 22 states offer it.

He suggested gathering relevant data, evidence, and information and looking at current and past practices and sharing those practices. He suggested a deliberative and thorough review of the reports to consider what changes could be made. He said it was important to take time to make the most informed decision or decisions possible. This kind of approach has served members well over the last 11 years. It led to the successful:

- Creation of ERIC – nearly 3 years to build.
- Implementation of the Voter Participation Reports, which passed on a 20-2 vote – Nearly two years, including a pilot project.
- Vastly improved data and report protection provisions.

E. Haas summarized the current process for creating the EBU reports and a proposed process and timeline ending in 2026 to evaluate the effectiveness of EBUs, and determine if there were alternatives that resulted in a better response rate or other improvements.

S. Hamlin and Chair Brater then invited member input and broader discussion. A discussion ensued addressing multiple topics, including but not limited to:

- The history and proposal S. Hamlin and E. Haas detailed.
- Membership agreement report requirement reforms discussed and voted on early in 2023 and how these may or may not evolve going forward.
- EBU Report Exemption process and history.
- The polarized environment in which ERIC currently operates.
- Alternative methods of improving voter registration.

Chair Brater thanked the board for engaging in tough, but thorough discussion. He closed by saying the essential issue was finding a way to make ERIC work for all its members.

**There being no further business, the meeting was adjourned at 12:23 p.m. ET.**

**ERIC Board of Directors Meeting**  
**Roll Call and Vote Tally Record**  
**7/28/2023**  
**Charleston, SC & Virtual Via Zoom**

Called to Order at (ET):		Adjourned at (ET):		Attendance Roll Call	Other attendees from Member offices
Member/Position	Name	Designated Proxy	Present? 1 = Present 0 = Absent		
1	Alaska	Carol Beecher		0	
2	Arizona	Colleen Connor		1	
3	Colorado	Judd Choate		1	
4	Connecticut	Kristin Sullivan		1	
5	Delaware	Anthony Albence		1	
6	District of Columbia	Monica Evans		1	
7	Georgia	Blake Evans		1	
8	Illinois	Brenadette Matthews		1	
9	Kentucky	Karen Sellers		1	
10	Maine	Melissa Packard		1	
11	Maryland	Linda Lamone		1	Melissa, Brett
12	Massachusetts	Michelle Tassinari		1	
13	Michigan	Jonathan Brater		1	Shelley, Jenny
14	Minnesota	David Maeda		1	
15	Nevada	Mark Wlaschin		0	Deanna
16	New Jersey	Lauren Zyriek		1	Britney
17	New Mexico	Mandy Vigil		1	
18	Oregon	Molly Woon		1	
19	Pennsylvania	Jonathan Marks		1	
20	Rhode Island	Kathy Placencia		1	
21	South Carolina	Howard Knapp		1	Jenny
22	Texas	Christina Adkins		0	
23	Utah	Ryan Cowley		1	
24	Vermont	Will Senning		1	Tammy, Laurie
25	Virginia	Susan Beal		0	
26	Washington	Stuart Holmes		1	
27	Wisconsin	Meagan Wolfe		1	
			<b>Board Attendance Total:</b>	23	
	ERIC Executive Director	Shane Hamlin			
	Ex Officio Member (Nonvoting)			1	
	ERIC Systems Engineer & Technical Liaison	Ericka Haas		1	
	ERIC Systems & Data Specialist	Sarah Whitt		1	
	ERIC General Counsel	Sally Steffen		1	



## Rob Rock

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**From:** Haas, Ericka <ericka.haas@ericstates.org>  
**Sent:** Monday, December 4, 2023 2:14 PM  
**To:** Hamlin, Shane  
**Cc:** Whitt, Sarah  
**Subject:** [EXTERNAL]: ERIC: Preview of Information Security Management Plan Documents - 12/8 Board Meeting Prep

**CAUTION:** This email originated from outside of the RI Department of State. Do not click links or open attachments unless you recognize the sender and know the content is safe.

**\*\*Sent to the ERIC Board of Directors & Secondary Points of Contact\*\***

Hello ERIC Members,

We wanted to try something a little different this year in preparation for the Board Meeting this Friday, where we will be going over our annual review of ERIC's security documents. Some of you already got a taste of that if you attended the open mic last month – we're working to give you opportunities to join earlier in the process to help the meeting/vote be more efficient and meaningful.

We will go over a summary what's changed in the Board Meeting before you vote to approve them. If you're interested in pre-reading the edits we've made to the Risk Matrix, Security Plan, and our 18 policies, I've prepared a secure file share and can send you links *upon request*.

Here's some highlights so you can decide if you want to put in that effort:

1. 2023 Review Summary – this has more details on the actual changes!
2. Risk Matrix: We added a new one specifically for Mis-, Dis-, and Mal-information and changed the scoring on two others. Otherwise, we worked on updating and clarifying descriptions of current strategies and what we're aiming to adjust in the coming year.
3. Security Plan: There are only a few updates to this document from past years. If you're already familiar with it, it will be easy to skim.
4. Policies: We put most of our effort into the policies this year. We worked on aligning some of the terminology to fit how we operate better, and that sprinkled changes throughout. There are also five that had larger overhauls – the intent of them is unchanged, but we feel we are describing what we actually do better, and we expanded some to include details we thought were important.

Please let me know if you want me to send you the links!  
Ericka

## Rob Rock

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**From:** Haas, Ericka <ericka.haas@ericstates.org>  
**Sent:** Thursday, November 9, 2023 6:08 PM  
**To:** Hamlin, Shane  
**Cc:** Whitt, Sarah  
**Subject:** [EXTERNAL]: ERIC: Open Mic Topic Change

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**\*\*Sent to the ERIC Board of Directors & Secondary Points of Contact\*\***

Hello ERIC members,

We've got an upcoming "open mic" call on your calendars for Wednesday, November 15, and we wanted to make you aware that we're going to shift topics this month. We'll pause our conversation on the EBU Reports and how to make them better than ever in 2024 and pick this important conversation back up at the December call.

Instead, we're going to take this opportunity to preview updates to our security risk matrix, plan, and policies – collectively called the Information Security Management Plan (ISMP). Doesn't that sound fun???

But in all seriousness, this year we're trying to increase member awareness and participation in the annual ISMP review process. Usually, the ERIC team presents the work we've done in the background to review and make any updates to those documents, then the board votes to approve them – noting any possible changes for the next annual review. We will still follow that process, but we also wanted to give those that are interested more opportunity to see the proposed changes and give feedback *before* that board meeting. That way, we can make additional improvements ahead of the vote!

In addition, this year we invited technical and security staff from several states to join the ERIC team for our internal review, which we think is an important (and useful!) improvement. It was very helpful to get a fresh perspective on what can feel like a dry process. The changes we've drafted so far incorporate great points that came out of those conversations.

So, if you're interested in a deeper understanding of how ERIC approaches our security posture, please join us for this updated open mic next Wednesday!

Thanks!  
Ericka

*PS: If you do not have this meeting invite, let me know and we'll get that forwarded to you. It's currently titled "EBU Reports: Continuing the discussion we started in July 2023 (meeting #3)" on November 15 at 10 am PT / 1pm ET*

## Rob Rock

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**From:** Haas, Ericka <ericka.haas@ericstates.org>  
**Sent:** Wednesday, October 11, 2023 7:34 PM  
**To:** Hamlin, Shane  
**Cc:** Whitt, Sarah  
**Subject:** [EXTERNAL]: October ERIC Voter Participation Check-In - Reading Materials  
**Attachments:** ERIC Report Guide Voter Participation v1.pdf

**CAUTION:** This email originated from outside of the RI Department of State. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello all,

A quick reminder that we have our Voter Participation check-in tomorrow morning/afternoon! As always, it will be a place for you to check in with each other.

For those that like to read ahead...I'm also intending to have us look at the original Report Guide that we put together at the start of this year's cycle. There are some actions on the timeline that will be here before we know it! And I'd like to note any improvements we can make before we put this away for another year!

"See" you tomorrow!  
Ericka

## ERIC Report Guide – Voter Participation

The ERIC Voter Participation report focuses on voters who may have voted illegally. This report is based on a subset of the typical ERIC data - only the records that show voting history in a given election are evaluated. This report is generated every two years, after a Federal General Election. The Voter Participation report has three sub reports:

Voter Participation Deceased Report	Records show a vote being recorded after a voter’s date of death.
Voter Participation In-State Duplicates Report	Records show possible duplicate voter records within your state and both records show voting in the same election.
Voter Participation Cross State Report	Records show a possible match to a voter in a different state and both records show voting in the same election.

The Voter Participation Reports are optional. The requirements for requesting and acting on the Voter Participation Report are specified in Section 5 of the ERIC Membership Agreement. In summary, these include:

- Affirming the member can protect the confidentiality of the report, either by state law or administrative rule, until it completes an internal investigation of the records in the report and turns its findings over to law enforcement.
- Submitting the required data no later than 90 days from the date the Member certified the applicable Federal General Election.
- Completing the internal investigation of potential cases of illegal voting and referring all findings of credible cases to the appropriate law enforcement authorities by either December 31 of the year following the Federal General Election or 180 days after the last Voter Participation Report is received, whichever is later.

### KEY PREPARATIONS

- COORDINATE WITH LOCAL ELECTIONS OFFICIALS ON HOW BEST TO VERIFY VOTING ACTIVITY AND COLLECT EVIDENCE
- DETERMINE A SINGLE POINT OF CONTACT TO WORK WITH OTHER STATES TO INVESTIGATE CROSS STATE MATCHES.
- COMMUNICATE WITH LAW ENFORCEMENT EARLY SO THEY ARE PREPARED IF CASES ARE REFERRED

Overall Process Flow

The following chart describes the overall process for the Voter Participation Reports.

90 days after certification	<b>Member exports Voting History and sends to ERIC vis sFTP</b>		
As processed	<b>ERIC Produces Deceased and In-State Duplicates Report</b>	<b>ERIC waits for more members to send data</b>	
	<b>Member investigates Deceased and In-State Duplicates</b>	<b>ERIC produces First Round Cross-State Triage Report</b>	<b>ERIC waits for rest of members to send data</b>
<b>Member confirms voting history is correct and gathers materials</b>			
<b>ERIC produces Second Round Cross-State Triage with all participating states</b>			
<b>Member confirms voting history is correct and gathers materials</b>			
<b>Member sends ERIC updates on any Notice Ids that can be removed due to administrative or other error</b>			
<b>ERIC updates status of Cross-State Notices and produces Final Cross-State Report</b>			
<b>Members coordinate investigation with each other</b>			
<b>Members can turn credible cases in to law enforcement where they were unable to connect with other state</b>			
Mid-May			
May 31			
TBD			
December 31			
Mid-January	<b>Members share disposition of Notices with ERIC</b>		
January 30	<b>ERIC produces final summary of effort</b>		

## First Steps

The following items should be addressed first as you plan for the Voter Participation Reports process.

- **Prepare a voter participation file.** Each member participating in the Voter Participation Reports first submits to ERIC a file of all voter records in your voter registration database who are recorded as having voted in the election in question. This file is separate from your regular ERIC data files that you submit every 30 or 60 days. ERIC will use this data to identify which voter records to compare to produce the Voter Participation Reports.
- **Prepare for Triage:** The first round of the Voter Participation Reports process is used for triage, where members verify the voter records included in the report did in fact vote in the election in question. Many cases may be resolved during this initial triage process because of administrative errors. The triage period lasts a few weeks and new Cross-State reports will be generated following triage that exclude voters who were removed in triage. Think ahead about how you will determine if the voter voted, and if you will need to coordinate with local election officials during this stage.
- **Gathering evidence:** For the voters who did vote, you will need to collect evidence that can be shared with other states (to confirm if double voting occurred) and law enforcement (if referrals are made). Consult with your legal counsel to determine what evidence should be collected prior to referral. In general, evidence could include voter registration forms, vote by mail or absentee ballot requests, ballot envelopes, ballot certifications, poll lists, etc. Plan ahead for how this information will be collected, stored and shared, and what role the State election staff will have versus local election offices. Determine when it makes sense to collect these materials. If you need to refer to these materials during triage, it might be most efficient to collect them at that time.
- **Plan how to communicate with other states:** Plan ahead for how you will work with other states to compare evidence for cross-state matches. For example, will the state be a single point of contact, or will local election offices be involved?
- **Work with your local election officials:** Determine what role local election officials will have in this process. Do they have the materials needed to determine if double voting occurred? Do they have legal responsibilities for referring cases to law enforcement? Make sure to communicate clearly with local election officials what is expected of them, as early in the process as possible.
- **Coordinate with law enforcement:** Determine what law enforcement entity cases will be referred to. Is there a state entity or will it be local law enforcement? Can the state refer or does the local elections office need to? Begin communicating with the applicable law enforcement agencies at the beginning of the process so they know this is coming, and you know what they will need to pursue any cases that need further investigation.
- **Communications Plan:** Develop a communications plan for what you will do after you have completed the internal investigation and referred credible cases to law enforcement. It's important to inform the public that you're using the Voter Participation Report to diligently identify credible cases of illegal voting and refer those cases to law enforcement for further action. As a courtesy to your fellow members, notify ERIC's Executive Director prior to issuing press releases announcing your findings and the Executive Director will provide advance notice to the membership.

## Key Considerations

Take these points into consideration as you build your plan for handling the reports.

- Sensitive personally identifiable information about a voter should NEVER be shared via email. Plan ahead for how you will securely share or compare evidence that includes voter signatures, dates of birth or social security numbers. Make sure your local election officials know and follow the protocols you establish for sharing evidence. Remember, ERIC reports do not include sensitive personally identifying information, such as dates of birth or Social Security numbers. You will need to plan for gathering this information about the voters referenced in the Voter Participation Report.
- Make note of the Notice ID provided on the reports. You can use this when communicating with ERIC, your local and state election officials, and other states. The Notice ID is not personally identifiable and can be shared via email.
- Keeping track of all the potential cases is no small task. The Voter Participation Reports are available in multiple formats, depending on how they will be processed (for example, one format may work better for reviewing data in Excel versus a different format may be better if you are importing data into a database). Think ahead about what data you need and the format you want to use to efficiently keep track of this work.

## Communicating Disposition of Matches to ERIC

As the Voter Participation Report process is a collaborative effort between the members, there are two times during the process where ERIC will collection information about the disposition of the matches:

1. When you receive preliminary Cross-State reports you will have a few weeks to confirm the voting credit for the voters included on the report is accurate. When you find any administrative errors or where the voting history that has been credited in error, such as when the wrong line of the poll book was signed, that match can be omitted from the final report. This saves time and effort for the member with the corresponding voter in the match. Be prepared to communicate this information to ERIC using the Notice ID of the matches. This is only needed for the Cross-State reports.
2. At the end of the official process, which is either 180 days after the last Voter Participation Report is received or December 31, whichever is later, ERIC will collect a final disposition of the matches in order to document the effort. As these investigations can be complex and time-consuming, it is expected that some cases will be ongoing and will be marked as such. Be prepared to report the disposition of the match investigations at that time using the Notice ID for all three report types: Deceased, In-State Duplicates and Cross-State.

## Voter Participation: Deceased Report

The Voter Participation Deceased Report lists compares your list of records who voted in the election with Social Security Death Master List (SSDM).

**IMPORTANT:** review the information provided by from the National Technical Information Service, which publishes the Death Master File (DMF) for the Social Security Administration. Of special note:

"Note: you, as a DMF Subscriber, are reminded that you should not take any adverse action against any individual without further investigation to verify the death listed."

"You, as a subscriber/purchaser of SSA's Death Master File (DMF) are advised at the time of initial purchase that the DMF does have in accuracies and **SSA does not guarantee the accuracy of the DMF.**"

Review full statement and additional information: <https://dmf.ntis.gov/requirements.html>

The Voter Participation Deceased report will list any voters whose date of death appears to be earlier than when the vote was cast.

- Before you provide your Voter Participation data to ERIC, think about what date you would like to use to reflect the date the ballot was returned. This may be Election Day, but it could also be the date a vote by mail, absentee or early vote ballot was returned or cast. This is the date we will use to compare to the date of death.
- You can also provide a voting method to ERIC to help differentiate between polling place votes versus early/absentee/vote by mail votes so you know where to look for relevant documentation. Vote by mail and early votes could have been cast or returned by the voter before they died but didn't arrive until after. Local election officials may not have known the voter was deceased when accepting returned absentee or vote by mail ballots. Polling place votes may be more difficult to explain and may require further investigation.
- Pay special attention if there are parents and children with the same name. For example, if Senior died but Junior is the one who actually voted.

### Voter Participation: In-State Duplicates Report

The Voter Participation In-State Duplicates report lists voters that appear to be duplicated within the state voter rolls, and both records show voting activity in the given election. This can indicate possible double voting.

- If you have a "bottom up" voter registration system where local election jurisdictions maintain their own voter registration systems, it is important to export the voting history information from only the jurisdiction where the person voted during the relevant election. In some systems the voting history is copied between the local voter registration systems to provide historical context, which can create the appearance of double voting if the history is exported from both jurisdictions – and creates more work for you!
- In some cases, having voting history on two records could indicate a false positive match rather than illegal voting. This can result from typographical errors that make two different people look like the same record. This can also happen if one voter record is overwritten by another at some point. Make sure to verify that identifying information on both records is correct. Look at the transaction history on both records to see if data was changed or overwritten.

### Voter Participation: Cross State Report

The Voter Participation Cross State report compares records of those who voted in the election in your state with other states' voters who also voted in the election. If the voters appear to be the same person, they will be included in this report.

- The first step in processing this report is for both states to confirm that the voter did in fact vote. ERIC recommends that voters on the cross-state report be confirmed first, to keep the process moving for

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other states. If either state determines that the person did not vote, the case can be closed, saving both states valuable time. This initial triage must be done in a timely manner by all participating states.

- For cases where the voter is confirmed as having voted, you will need to work with the other state to confirm if the two voters are the same person. Identifying information such as signatures, dates of birth and social security numbers may be needed. Remember that this data should NEVER be shared via email. Plan for a way to compare these records in a secure fashion.
- Think ahead about how to collect evidence from your local election officials. Can they provide it at the time of the initial triage where they confirm if the voter voted? Can they provide it within the timelines provided for this process? Make sure they know ahead of time that they need to provide evidence (records, data, etc.) in a timely manner.
- Some states do not have access to the specific date a person voted if the voter took advantage of early voting. In these cases, the “Voted Date” is defaulted to Election Day. Having the “Voted Date” set to Election Day should not be assumed to mean that the voter voted in-person on Election Day. Further investigation may need to be done to determine if the voter in fact voted early in one of the states (particularly in cases where it’s geographically impossible to have voted in both states on the same day).

## Rob Rock

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**From:** Haas, Ericka <ericka.haas@ericstates.org>  
**Sent:** Tuesday, October 10, 2023 8:02 PM  
**To:** Hamlin, Shane  
**Cc:** Whitt, Sarah  
**Subject:** [EXTERNAL]: RE: 10/11 Open Mic - EBU Reports  
**Attachments:** ERIC EBU USPS Summary Guide\_1\_4\_18.pdf; ERIC Mailing Best Practices\_ResearchSummary.pdf; ERIC First Reports Guide Eligible but Unregistered - v3.0.pdf

**CAUTION:** This email originated from outside of the RI Department of State. Do not click links or open attachments unless you recognize the sender and know the content is safe.

**\*\*Sent to the Directors and Secondary Points of Contact\*\***

Hello all,

We wanted to send these along ahead of the open mic for those that like to read ahead. These are some of the documents that have been around for a while for the EBUs. We'll go over them to give you a refresh, and also to see if there are potential improvements or additions.

Thanks,  
Ericka

**From:** Hamlin, Shane <shane.hamlin@ericstates.org>  
**Sent:** Monday, October 9, 2023 10:43 AM  
**To:** Hamlin, Shane <shane.hamlin@ericstates.org>  
**Cc:** Haas, Ericka <ericka.haas@ericstates.org>; Whitt, Sarah <sarah.whitt@ericstates.org>  
**Subject:** 10/11 Open Mic - EBU Reports

**\*\*Sent to the Directors and Secondary Points of Contact\*\***

Directors,

Please be sure to join the open mic this Wednesday, Oct. 11, for a conversation about EBU reports and, specifically, preparing for the 2024 EBU Report cycle.

Here's the agenda:

1. Review EBU exemption process
2. Preparing for 2024 EBU Reports
  - a. Resources to help you
  - b. Alternate contact methods
  - c. Best use of NCOA data/other success stories
3. What can you do now (and should do) to prepare

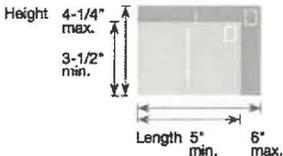
Looking forward to a good turnout and discussion.

## ERIC Eligible But Unregistered (EBU) Mailings

This guide can help you conduct the most cost-effective EBU mailings and navigate USPS regulations when preparing your mailings. When there are options, the one that is ***preferred*** is ***bolded and italicized*** to highlight the most cost-effective choice.

1. Determine:
  - a. Mailing format: ***postcard*** or letter?
  - b. Content and design of the mailing
  - c. Class of service: First Class or ***Marketing Mail/Standard?***
  - d. Quantity of mail pieces
  - e. Available capacity of vendor to sort mailing: by zip code or ***carrier route?***
  - f. Will it go through USPS automation equipment: i.e. does it have an ***intelligent mail barcode or IMb?***
2. Create draft design of mail piece.
  - a. Include any language requirements you may have under Section 203 of the Voting Rights Act.
  - b. Don't forget to use the official Election Mail Logo!
  - c. If online voter registration is available, direct applicant to your site.
3. Provide a USPS Design Mail Specialist with the design to review and confirm the class of service you intend to utilize.
4. Produce mailing
5. Notify your local USPS office when you will be dropping the shipment, particularly if it is large (such as the first EBU mailing) to coordinate optimal service. Depending on where you drop the mailing, you may qualify for additional discounts. You get the deepest discount if you take it to a Destination Sectional Center Facility (DSCF).  
 (<https://pe.usps.com/QSG Archive/PDF/QSG Archive 20060108/qsg300/q705f.pdf>)  
 There are 350 across the country. Contact your Postal representative for location details in your state.

### POSTCARD:

Quick Reference—Domestic			
Shape		Size	
<b>Postcards</b>		minimum	maximum
Height	4-1/4" max. 3-1/2" min.	length	5 inches 6 inches
		height	3-1/2 inches 4-1/4 inches
		thickness	0.007 inch 0.016 inch

## MARKETING MAIL/STANDARD:

Many states consider the EBU mailing as voter outreach rather than as an NVRA mailing because the individual is not yet a registered voter.

Standard mail has restrictions and requirements. As long as you follow these, you will get the best rates (see other state examples included in the appendix):

1. Mailing must have a solicitation, and only ONE solicitation. The EBU solicitation is to “register to vote”. You cannot also solicit them to work the polls, vote early, sign up for a permanent early voting list, etc. or your mailing will have to go First Class.
2. Mailing cannot contain personal information about the potential voter, just their name and mailing address.

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## USPS Marketing Mail Nonprofit

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### Commercial Letters

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#### Carrier Route & Automation

	Entry Discount	Carrier Route <sup>1,2</sup>				Automation <sup>3</sup>		
		Saturation	High Density Plus	High Density	Basic	5-Digit	AADC	Mixed AADC
Letters weighing 3.5 oz. or less	None	\$0.111	\$0.115	\$0.118	\$0.209	\$0.134	\$0.154	\$0.171
	DNDC	0.087	0.091	0.094	0.179	0.108	0.128	0.145
	DSCF	0.080	0.084	0.087	0.171	0.100	0.120	-
	DDU	-	-	-	-	-	-	-

You will see variation in discounts depending on the volume or saturation level of your mailing. Saturation level refers to the number of addresses within a mailing area that are being mailed to. Because you would never mail your EBU to every address you will not qualify for the Saturation discount, however an EBU mailing may qualify for one of the other three: a High Density Plus, High Density, or a Basic discount if put in Carrier Route order.

Total per-piece costs range from \$0.084 for a High-Density mailing dropped at a DSCF processing plant and put into carrier route order to \$0.171 for a mailing with a IMb, but in mixed zip code mode and not delivered to DSCF.

**Pro Tip:** Preparation of the mail (using an IMb, putting the mail in carrier route order, etc.) can cut as much as \$0.11 per piece, even more if you were planning to mail out at the first-class postcard rate of \$0.34.

## APPENDIX:

### Design/Content Elements:

ERIC members have been mailing out EBU postcards for a number of years to millions of potential voters. Here are some design elements that have proven successful:

1. The black bar to highlight information
2. Disclaimer that the voter may be already registered
3. Eligibility requirements
4. How to register (don't forget OVR!)
5. Official election mail logo
6. Ease of registration—"3 clicks", 1-2-3, etc.
7. Use of the "post-it-note" has demonstrated to get attention.

### POSTCARD SAMPLES:

**1** →  **2** → **3** → **4** → **5** →

**Office of the Secretary of State**  
Elections Division  
PO Box 40229  
Olympia, WA 98504-0229

**OFFICIAL ELECTION MAIL**  
Authorized by the U.S. Postal Service

NONPROFIT ORG.  
U.S. POSTAGE PAID  
OLYMPIA, WA  
PERMIT NO. 9

**— REGISTER TO VOTE —**

Our records show you are not registered to vote. To vote in the next election, you must register online or by mail by October 9, 2017. You can register in person at your County's Elections Department until October 30, 2017.

**Already registered?** You may have received this postcard in error. Please go to [vote.wa.gov/register](http://vote.wa.gov/register) or call (800) 448-4881 to confirm your voter registration.

**Eligibility**  
You are eligible to vote in Washington State if you are:

- at least 18 years old;
- a U.S. citizen;
- not under Department of Corrections supervision for a Washington felony conviction.

**Online**  
Register online. It's quick and easy. Go to [vote.wa.gov/register](http://vote.wa.gov/register).

**By mail**  
You can call (800) 448-4881 to request a paper registration form.

**In Person**  
Visit [vote.wa.gov](http://vote.wa.gov) to locate your County's Elections Department.



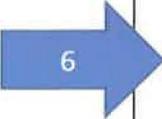
**Kate Brown**  
Oregon Secretary of State  
Salem, Oregon 97310-0722  
[www.sos.oregon.gov](http://www.sos.oregon.gov)



NON-PROFIT  
ORGANIZATION  
U.S. POSTAGE  
**PAID**  
PORTLAND, OR  
PERMIT NO. 815

**It appears you may not be registered to vote.**

*If you are a US citizen you may register at:*  
Register at (Registrase en):  
[oregonvotes.gov/go-vote](http://oregonvotes.gov/go-vote)



**3 minutes. Click. Done.**

*If you have questions or would like to request a paper registration form call (503) 986-1518.*

Deadline to register to vote  
in November is **October 14th.**

**JON HUSTED**  
Ohio Secretary of State



one  
vote  
matters

Our records indicate that you or a member of your household may be eligible to vote, but do not appear to be registered at your current address.

TO VOTE IN THE NOVEMBER 7, 2017 GENERAL ELECTION,  
YOU MUST REGISTER BY TUESDAY, OCTOBER 10, 2017.

TO VOTE, YOU MUST BE:  
18 YEARS OLD BY ELECTION DAY • A RESIDENT OF OHIO • A U.S. CITIZEN

TO REGISTER TO VOTE, GO TO [MYOHIOVOTE.COM](http://MYOHIOVOTE.COM)

# JON HUSTED

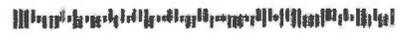
Ohio Secretary of State

180 E. Broad St., 16th Floor  
Columbus, Ohio 43215



NONPROFIT  
US POSTAGE PAID  
HEBRON OH  
PERMIT NO. 440

**TO REGISTER TO VOTE, GO TO  
[MYOHIOVOTE.COM](http://MYOHIOVOTE.COM)**



**Ohio Voter  
180 E. Broad St.  
Columbus, Ohio 43215**



7

**2 MINUTES**  
**1 CLICK**  
**GEAUX**  
**VOTE**

REGISTER TO VOTE | [WWW.GEAUXVOTE.COM](http://WWW.GEAUXVOTE.COM)



[vote.wa.gov](http://vote.wa.gov)

## Voter Registration Mailing Best Practices

To increase response rates and minimize waste in mailings

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The following are a series of best practices and lessons learned that have been identified through Pew-funded research from ERIC mailings to eligible but unregistered voters, as well as standard operating procedures and recommendations from direct mail consultants and outreach organizations.

### *Exterior Design*

The visual impression of a mailing will have a direct and immediate impact on whether a recipient opens and/or reads its contents. Past research has found that mail that appears personal, urgent and informative rather than persuasive will have the most positive effect on response rates. This type of design implies that the content is important process-oriented information specific to the individual, differentiating it from junk mail or political propaganda. Some mailings have conveyed this message through the use of a plain white background with a black band across the center of the card and possibly a government seal, resembling the exterior of a standard government form. Another effective design used a picture of a yellow post-it note reminder on a voter registration form, reminding recipients of an upcoming deadline. Some other best practices for the exterior design include:

- Urgent and formal language such as “Important Voter Registration Information” or “Important – Don’t forget to register” on the envelope or postcard
- Addressing to a person specifically, not “current resident” - Studies have shown that people are much more likely to open mail that is personally addressed to them and not a generic recipient. In addition, a recent study in [Washington](#) found no “spillover effect” – one person’s receipt of a voter registration mailing in a household did not influence the voter registration of the other unregistered household members who had not been addressed on the mailing.
- Using a local return address – Studies have shown that people are more likely to open a letter with a local return address as it can further distinguish the letter from generic or promotional mail

### *Messaging*

The way in which the voter registration ask is framed should complement the design component and can shape the degree to which recipients feel compelled to respond. Some states have tested a number of message treatments to determine what themes best drive response rates.

- Mailings should use softer language such as “It appears you may not be registered” or “Our records indicate that you may not be registered” as opposed to definitive statements such as “Our records indicate you are not registered.”
- In Delaware, postcards that served as official reminders or process-oriented mailings saw a slightly higher response rate than those that emphasized civic duty and evoked patriotism.
- In [Washington State](#), postcards highlighting the convenience of online voter registration (“3 minutes. Click. Done. Register to vote online.”) saw a small, but statistically significant increase in responses over a postcard that focused on peer pressure.

### **Contents**

The kinds of information and resources included in a mailing will influence whether and how a recipient actually follows through with the process being asked of them. The packaging and contents of a voter registration mailing should maximize the voter registration options for the citizen and minimize the burden for them to participate. However the type of contents included in the mailing – including whether postcards, a letter or enclosed form are used – will have a significant impact on mail costs. In particular:

- When directing voters to an online voter registration system, unique URLs can be used to track and quantify the effectiveness of the mailing.
- The inclusion of a pre-paid envelope can help facilitate the return of a voter registration form.
- The use of state voter registration forms (as opposed to the national form) often garners higher response rates.
- Including both a paper registration form as well as information about online registration can maximize a response rate.

### **Timing**

Ensuring citizens receive a mailing at a time that is relevant to them can have a large impact on whether they take the subsequent voter registration steps. Studies by direct mail groups have shown that catching citizens as close to a life change as possible to encourage them to vote or update their registration will have the biggest impact. In particular:

- Appealing to movers within 6 months of their move – when they are still going through the process of updating other important information – sees the highest response rate.
- Sending a 17 year old a voter registration form a month prior to their 18<sup>th</sup> birthday is most effective.
- Receptivity to voter registration appeals drops significantly after two months have passed an 18<sup>th</sup> birthday.
- If resources are available, multiple mailings, such as 2 to 3 a year, can also produce bump responses.

## ERIC: Your First Reports – Eligible but Unregistered

The Eligible but Unregistered report returns all active DMV records that do not have a corresponding voter record in your state. The intent is to provide a list of people who are not currently registered so they can be contacted with information on how to register.

ERIC Members must initiate contact with people identified in the EBU Report by October 1 or 15 days before the close of registration, whichever is earlier, of the next Federal General Election. By December 1, each Member must certify in writing it has met this requirement.

### Key Considerations

- Coordinate with local elections officials while preparing the mailing. They will play a big part in your success.
- Prepare your response for people who will turn out to be registered, deceased, or ineligible – it will happen.
- Prepare a communications and outreach plan.

### Preparations & Considerations

- Coordinate with your local election officials throughout the process. Even if the mailing does not include phone numbers or references to their offices, local elections officials will be affected. Some examples:
  - Localities will receive phone calls asking questions.
  - The outreach will flush out registration errors that will need to be corrected.
  - There will be an increase in registrations which can affect election planning. For example, more ballots may need to be printed.
- Consider a proactive communications plan. Preparing a media and outreach strategy in advance of the mailing provides an opportunity to educate key stakeholder groups, voters, and residents about the goals and purpose of the mailing. Consider using earned media and social media to share images of the mailing.
- Determine contact method. Most ERIC Members use a postcard mailing; however, the Membership Agreement does not require or limit contact methods. Email and text messages are options, if email addresses and cell phone numbers are available.
- Be ready to field questions from people who are registered but an error in their record kept the Voter and DMV records from matching. Other Members found this most commonly happened in the Date of Birth. If there is not state-level access to review or correct these records, local election officials will need to be prepared to resolve these.
- Determine your translation needs if you have Section 203 obligations.

- Determine how to handle the Possibly Deceased flag in the report data. This flag is marked when the person has a matching Social Security Death Master record.
- Determine if the mailing will go to individuals or households. ERIC Members have found addressing the mailing to a specific name or family produces better results than the generic "Residents Of."
- Determine if NCOA should be applied. ERIC recommends consulting with your mail vendor to determine if NCOA processing will add value to the process.
- Determine if there will be multiple styles of mailings. For example, is there a group of potential voters that should have additional instructions, like 17-year-olds that are eligible to register if they will be 18 before the General Election?
- Determine the wording of the mailing. Word choice is VERY important. Apply good information design principles. Samples from other Members and a summary of best practices for voter registration mailings are available upon request.
- Does your DMV data include people who may not be eligible, for example ex-felons or people with unconfirmed citizenship status? If so, your mailing should probably include the registration requirements and note that the person "may" be eligible if they meet the requirements.
- Should the list be pre-processed to see if there are obvious new registrations since data was sent to ERIC? For example, Washington State looks for specific combinations where a DMV record partially matches a voter record and has counties evaluate before sending. This may be especially important in states with some variety of automated voter registration.
- Are there other internal lists these records should be evaluated against before mailing? Examples include:
  - "Do Not Contact"
  - Felons
  - In-state death notices that may have not reached the Social Security Administration
  - Confidential voters who are not sent to ERIC and may not be marked as confidential in DMV files
- Are there any addresses found in the data that need special handling? Examples include:
  - College dormitories
  - Corrections facilities
  - Care facilities
  - Homeless shelters
- The report will include records where an older voter record was found in another ERIC Member jurisdiction (the DSRC\_CODE2, ETYPE\_CODE2, and ENT\_SRC\_KEY2 fields will be populated to indicate this relationship). Determine if these records should be handled differently.
- Be prepared to understand and document outcomes:
  - Tracking registrations resulting from mailing (if possible)
  - Undeliverable mail
  - How many people in household register (if household mailing)

What are other Members doing?

- **Most current Members perform this mailing in even numbered years, around Labor Day. Some states conduct the mailing annually.**
- **Minnesota performs the mailing monthly to try and reach the person closer to when the life event that made them eligible happens.**
- **Several states send a household mailing if there are more than three or four people listed on the report at the same address.**

## Rob Rock

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**From:** Hamlin, Shane <shane.hamlin@ericstates.org>  
**Sent:** Monday, October 9, 2023 1:43 PM  
**To:** Hamlin, Shane  
**Cc:** Haas, Ericka;Whitt, Sarah  
**Subject:** [EXTERNAL]: 10/11 Open Mic - EBU Reports

**CAUTION:** This email originated from outside of the RI Department of State. Do not click links or open attachments unless you recognize the sender and know the content is safe.

**\*\*Sent to the Directors and Secondary Points of Contact\*\***

Directors,

Please be sure to join the open mic this Wednesday, Oct. 11, for a conversation about EBU reports and, specifically, preparing for the 2024 EBU Report cycle.

Here's the agenda:

1. Review EBU exemption process
2. Preparing for 2024 EBU Reports
  - a. Resources to help you
  - b. Alternate contact methods
  - c. Best use of NCOA data/other success stories
3. What can you do now (and should do) to prepare

Looking forward to a good turnout and discussion.

Thank you,

**Shane Hamlin**  
Executive Director  
ERIC | Electronic Registration Information Center  
[www.ericstates.org](http://www.ericstates.org)

## Rob Rock

---

**From:** Hamlin, Shane <shane.hamlin@ericstates.org>  
**Sent:** Wednesday, October 4, 2023 2:42 PM  
**To:** Hamlin, Shane  
**Cc:** Haas, Ericka;Whitt, Sarah  
**Subject:** [EXTERNAL]: PowerPoint from 2023 Annual ERIC Membership Meeting  
**Attachments:** Sept 28 2023 Annual Membership Meeting Slides.pptx

**CAUTION:** This email originated from outside of the RI Department of State. Do not click links or open attachments unless you recognize the sender and know the content is safe.

**\*\*Sent to ERIC Board of Directors/Member Representatives and Secondary Points of Contact\*\***

Directors,

Thank you for participating in the virtual 2023 Annual ERIC Membership meeting last week. I really appreciated the level of engagement – the questions and comments from several members. I've received positive feedback on the presentation from several of you (thank you!) and requests for the PowerPoint. It's attached to this email. We'll also post a PDF version to ERIC's website in the coming week or so.

As always, let me know if you have any questions.

Shane Hamlin  
Executive Director  
ERIC | Electronic Registration Information Center  
[www.ericstates.org](http://www.ericstates.org)



**Annual ERIC Membership Meeting**  
**Sept. 28, 2023**  
**2 pm ET**

## Today's Agenda

1. ERIC Overview and Annual Activity Update: July 2022 – July 2023 (*Informational*)
2. Key ERIC Activities for July 2023 – June 2024 (*Informational*)

## ERIC 101 – Our Mission

Help state and local election officials improve the accuracy of their voter rolls, register eligible citizens, reduce costs, and improve efficiencies in the voting process.

*ERIC is the most effective tool available to help election officials maintain the integrity of their voter rolls.*

## ERIC 101 – The Basics

- Public charity non-profit membership organization **founded in 2012 by seven states** - four led by Republicans and three led by Democrats.
- **Participating states control ERIC.** Chief election official appoints a member representative to serve on the Board of Directors.
- **Funded by participating states.** New members pay a one-time fee. All members pay annual dues – set by the members. Start-up support from Pew, no other funding source.

## ERIC 101 – Why was ERIC created?

Keeping voter rolls up to date is a challenge because, every day, voters move or die. Voters don't always remember to update/cancel their registration.

- About 27.3 million people, or 8.6% of the population, moved in 2022 according to the U.S. Census Bureau.
- Nearly 3.27 million Americans died in 2022 according to Statista.

## ERIC 101 – Why was ERIC created?

Given these factors, ERIC was created to provide election officials with a more efficient and effective tool for updating voter records and removing ineligible voters.

Founding states insisted on a balanced approach – improve ability to maintain accurate voter rolls while also providing access to voter registration for all eligible citizens. *Essentially, balance accuracy and access.*

# ERIC 101 -- Reports

Eligible but  
Unregistered

Outreach



- In-state Movers/Updates
- Cross-state Movers
- Deceased
- In-state Duplicates

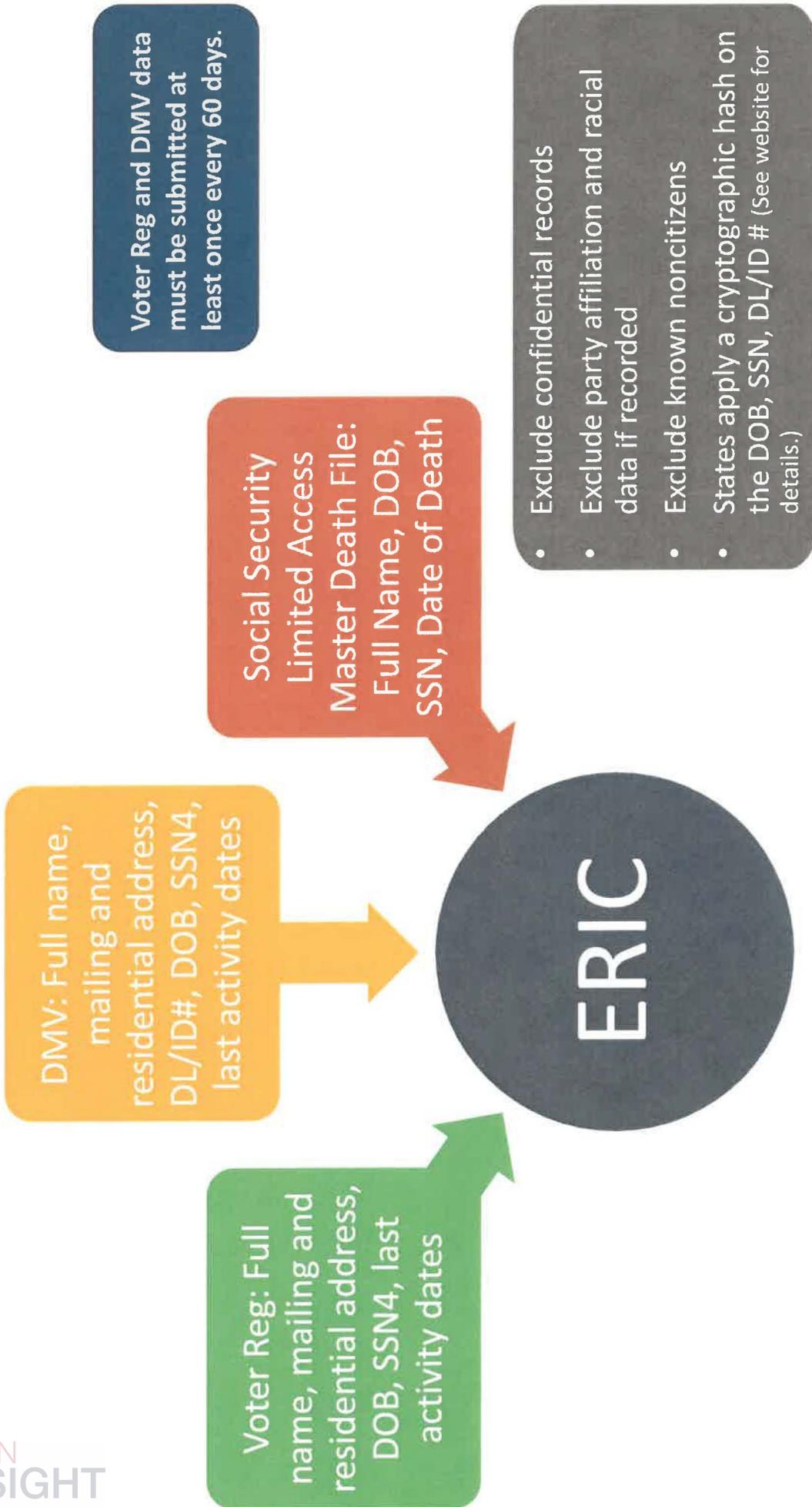
List  
Maintenance



- National Change of Address (NCOA)
- Voter Participation

Optional  
Reports





## ERIC 101 – List Maintenance Reports

Membership Agreement, page 21, Section 4(b):

“When the Member receives credible ERIC Data (meaning the state has validated the data) indicating that information in an existing voter’s record is deemed to be inaccurate or out-of-date, the Member shall, at a minimum, initiate contact with that voter in order to correct the inaccuracy or obtain information sufficient to inactivate or update the voter’s record. Each Member has ninety (90) days after the data was sent to initiate contact with at least 95% of the voters on whom data indicating a record was inaccurate or out-of-date, as described above, was provided.”

## ERIC 101 – Eligible but Unregistered Report

Detailed in the Membership Agreement, page 20, Section 5(a).

### Important points:

- ERIC generates these reports. No third-parties are involved.
- These reports contain individuals who have a driver's license/ID card but who are not registered to vote.
- The data in these reports comes from the DMV, protected by the Driver's Privacy Protection Act of 1994.
- ERIC does not have political party affiliation data for anyone. Therefore, there is no way to target the use of these along party lines.
- States filter out any individuals they know not to be eligible based on internal sources, for example due to age or felony status.
- Mailings clearly state the eligibility requirements – age, citizenship, residency, etc.

## Activity Highlights: July 2022 – July 2023

In July 2022, a subset of ERIC members asked the membership to consider several “reform” proposals to ERIC’s governing documents, including:

1. Repealing non-voting seats on the ERIC Board of Directors. (Bylaws)
2. Making the Eligible but Unregistered Report optional. (Membership Agreement)
3. Requiring all Members to submit voting history data for the Voter Participation Reports/request the reports. (Membership Agreement)
4. Strengthening list maintenance report requirements to more clearly align with the National Voter Registration Act. (Membership Agreement)
5. Clarifying and strengthening data privacy and protection provisions. (Membership Agreement)

## Activity Highlights

The ERIC Executive Committee formed a workgroup to evaluate the proposals and make recommendations to the board.

The workgroup met seven (7) times between September 2022 and February 2023, engaging in a deliberative and thoughtful process throughout this months-long effort.

### Workgroup Members

Executive Committee - Chair Mandy Grandjean (OH), Vice Chair Jonathan Brater (MI), Treasurer Heidi Burhans (IA), Secretary David Maeda (MN), and Committee Members Chrissy Peters (MO) and Jonathan Marks (PA).  
Member Representatives Clay Helms (AL), Judd Choate (CO), Blake Evans (GA), and Mandy Vigil (NM).

## Activity Highlights

### Workgroup Recommendations:

1. Repeal the non-voting seats on the Board of Directors.
2. Modify ERIC report requirements by creating an “a la carte” approach to using ERIC reports.
3. Update and clarify data privacy and protection provisions.
4. Repeal Sections 3 – Other Agency Data, Section 8 and Exhibit C – Performance Data, and other obsolete data-related references.

## Activity Highlights

Workgroup recommendations were briefed, discussed, and voted on across two meetings, on February 19 and March 17. Meeting minutes are available on ERIC's website.

### Approved ERIC Bylaws Amendments

- **Repealed non-voting board seats and related language.** The ERIC Board of Directors now consists exclusively of state election officials, as designated by each member's Chief Election Official, and the Executive Director of ERIC. The Executive Director has always served as a non-voting, ex-officio member, and is an officer of the board.

## Activity Highlights

### Approved ERIC Membership Agreement Amendments

- **Strengthened and clarified the data protection provisions.** New Section 3 defines key terms such as “ERIC Reports” and “Third-Party Data”; identifies the legal basis for protecting each ERIC report; and clarifies member obligations and ERIC’s obligations regarding the use and protection of ERIC reports, Member Data, Third Party Data, and ERIC Information.
- **Repealed obsolete data-related provisions.** Sections repealed referred to data members do NOT submit to ERIC and that ERIC does NOT have. These included, but were not limited to, data referred to as “State Agency Records” and “Performance Data.”

## Activity Highlights

### Approved ERIC Membership Agreement Amendments

- **Set deadlines to facilitate a more efficient process for acting on the Voter Participation Reports.** Members who request a Voter Participation Report must now submit the data used to generate the report by 90 days after the applicable Federal General Election is certified, and they must refer all credible cases of illegal voting to the appropriate law enforcement authorities by December 31 of the year following the applicable Federal General Election or 180 days after receipt of the final Voter Participation Report, whichever is later.

## Activity Highlights

### Membership Changes

Nine states chose to resign (Effective Dates)

- Louisiana – November 2022
- Alabama – April 2023
- Florida, Iowa, Missouri, Ohio, and West Virginia – June 2023
- Virginia – August 2023
- Texas – October 2023

Two states chose to join

- New Jersey
- Massachusetts

## Activity Highlights

- Launched new website in March 2023.
- Completed annual financial audit – no findings, clean outcome.
- Completed annual internal Information Security Management review and Risk Assessment – Board approved updates.
- Kicked-off 2022 General Election Voter Participation Reports.

## Activity Highlights

### Delivering on our mission July 2022 – July 2023:

- 662 List Maintenance Reports, including deceased voters, in-state movers, cross-state movers, and in-state duplicate registrations. Does not include NCOA reports.
- Reports identified about 9,508,713 likely out-of-date records and deceased voters for members to act on. Does not include NCOA reports.
- 2022 EBU reports identified 5,030,961 potentially eligible but unregistered individuals.

## Activity Highlights: July 2023 – June 2024

- Complete a Service Organization Controls (SOC) 2, Type 1 audit.
- Complete Death Master File Certification through a third-party assessment.
- Complete FY23 financial audit & FY23 IRS 990 Tax Filing.
- Complete annual internal Information Security Management review and Risk Assessment.
- Continue to support 2022 Voter Participation Report process where needed.

## Activity Highlights: July 2023 – June 2024

- Recruit new members.
- Support/encourage members to maximize use of ERIC reports to ensure voter rolls are up-to-date throughout the 2024 Election Cycle – utilizing opportunities to conduct lawfully permitted/required list maintenance.
- Support member use of EBUs throughout 2024 Election Cycle.
- Continue to push out factual information via ERIC’s website and other earned media opportunities. Publish a consolidated annual report.

# Adjournment

Thank you for tuning in and observing the 2023 Annual ERIC Membership meeting.

Visit [www.ericstates.org](http://www.ericstates.org) for more information, including:

- Governance documents
- Corporate transparency documents
- Extensive FAQs
- Security



Send questions to [info@ericstates.org](mailto:info@ericstates.org)



## 2023 Annual ERIC Membership Meeting

September 28, 2023

1:30 – 3:30 PM ET

*(Meeting may end before 3:30 ET)*

Zoom Webinar/Conference Call

1. ERIC Annual Activity Update: July 2022 – July 2023 *(Informational Presentation)*
2. Key ERIC Activities for July 2023 – July 2024 *(Informational Presentation)*

### **REMINDERS FOR ACCESSING THE MEETING:**

- Board Members: You must log into the meeting via the “Panelist” invitation you received from [no-reply@zoom.us](mailto:no-reply@zoom.us). Please contact Ericka if you did not receive in invitation.
- Member Staff: You must log into the meeting via the attendee sign-in info you received after you registered for the meeting. Please contact Ericka if you have any questions.

## Rob Rock

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**From:** Hamlin, Shane <shane.hamlin@ericstates.org>  
**Sent:** Tuesday, November 28, 2023 4:29 PM  
**To:** Hamlin, Shane  
**Cc:** Haas, Ericka;Whitt, Sarah  
**Subject:** [EXTERNAL]: Notice of UT EBU Exemption Request, ERIC Response, and Next Steps  
**Attachments:** UT EBU Exemption Request 09-2023.pdf; ERIC Response Letter - UT EBU Exemption Request 11-28-2023.pdf; EBU Exemption Process Guide V1.0 Nov 28 2023.pdf

**Importance:** High

**CAUTION:** This email originated from outside of the RI Department of State. Do not click links or open attachments unless you recognize the sender and know the content is safe.

### **\*Sent to the ERIC Board of Directors and Secondary Points of Contact\*\***

Directors,

On Sept. 8, 2023, Utah submitted a written request for an exemption from the EBU Report requirements. Section 4(a) of the ERIC Membership Agreement specifies the conditions and process for requesting an exemption. (You may recall during at least one of the EBU open mic discussions I mentioned I had received an exemption request. At the time I wasn't ready to disclose the identity of the requesting member because the Chair and I were still working through our determination.)

Consistent with the process laid out in Section 4(a), the Chair and I reviewed the request. Following the process described in the attached "EBU Exemption Process Guide", we concluded Utah's request is "reasonable." Our determination means that the request must be submitted to the board for vote. The agenda for the Dec. 8 meeting will include a discussion and vote on the request.

### **I've attached three documents for your review:**

1. Lt. Governor Henderson's request, as submitted in September.
2. The EBU Exemption Process document Jonathan and I put together to use in assessing the reasonableness of Utah's request. This document will be helpful to you, as well. I urge you to consider reading it first. ERIC will use the process/steps in this doc to evaluate all future exemption requests.
3. Response letter from me, also on behalf of the Chair, to Lt. Governor Henderson informing her that we found the request reasonable.

### **Action Items for you:**

1. Following your internal communication and briefing protocols, be sure to discuss the request and the attached materials with your principles prior to the Dec. 8 meeting.
2. Come to the meeting prepared to ask Director Cowley any questions you may have.
3. Come to the meeting prepared to vote on the request. The vote requires a simple majority to pass.

As always, please let me know if you have any questions.

I will send out the full agenda and other meeting materials for the Dec. 8 meeting no later than next Monday, Dec. 4.

Thank you,

AMERICAN  
OVERSIGHT



# STATE OF UTAH

SPENCER J. COX  
GOVERNOR

OFFICE OF THE LIEUTENANT GOVERNOR  
SALT LAKE CITY, UTAH  
84114-2220

DEIDRE M. HENDERSON  
LIEUTENANT GOVERNOR

Dear Director Hamlin and Chair Brater,

First, I extend my thanks for your service to the Electronic Registration Information Center and its member states. ERIC is a unique tool in our elections toolbox that fights election fraud by keeping voter rolls clean and accurate.

I am sending this letter to respectfully request an exemption for the state of Utah from the requirements of Section 5(a) of the ERIC Membership Agreement, commonly known as the eligible but unregistered voters (EBU). In Utah, we meet and exceed the voter outreach standards for the EBU requirement.

An EBU report compares DLD data against data from Utah's registration system. In our case, every person on the EBU in Utah consciously chose not to register despite multiple opportunities and outreach efforts.

The state of Utah spends significant resources on voter outreach, including our Campus Cup program. The friendly competition between Utah's higher-ed institutions educates and engages young adults to participate in the bedrock of our republic. Utah encourages eligible voters through a number of other programs and systems, including:

**A. Traditional registration.** Utah offers voter registration through paper forms at various locations around the state, including city and county buildings, and libraries. Registration forms are available in both Spanish and English. The state provides them to any group or organization planning a voter registration drive.

**B. Online Registration.** Utah allows for online voter registration and updates at [www.vote.utah.gov](http://www.vote.utah.gov) (20A-2-206).

**C. Opt Out DMV Registration.** Any eligible citizen must affirmatively opt out of sharing their information for voter registration purposes or with the county clerk (20A-2-204). This applies to all new driver's license applications, renewals, and address updates.

**D. Preregistration.** Utah allows individuals to pre-register if they are 16-17 years old and otherwise eligible to vote (20A-2-101.1). Pre-registered voters are automatically activated and sent a ballot when they turn 18, or for any elections where they are 17, but will be 18 on or before

the date of the General Election. Seventeen year olds can vote in a primary as long as they will be 18 on or before the General Election.

E. **Campus Cup** is a statewide voter challenge sponsored by the Utah Lieutenant Governor to encourage voter registration and engagement in the election process (See attached materials).

F. **Voter Outreach.** Utah has traditionally spent about \$400,000 each federal election year on advertising key election events, including voter registration. This money is spent on outdoor billboards, digital marketing, streaming services, social media, etc.

G. **Same day registration.** As a failsafe for any eligible citizens that have not registered to vote, Utah allows same-day registration at the polls during early voting and on Election Day. Early voting is required to be held for at least four days and can be held for up to four weeks before each election (20A-2-207).

This demonstrates Utah's commitment to voter outreach to all eligible voters. We provide many opportunities to engage in the process and register to vote. These laws, policies, and efforts far exceed the purpose and reach of the EBU requirement. To that end, I hereby request an exemption to Section 5(a) of the ERIC Membership Agreement on behalf of the state of Utah.

As we continue our membership in ERIC, we thank you for your consideration. I look forward to hearing from you soon.

My regards,

A handwritten signature in black ink that reads "Deidre M. Henderson". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Deidre M. Henderson  
Utah Lieutenant Governor

ERIC, Inc  
Electronic Registration Information Center  
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Washington DC 20036  
[www.ericstates.org](http://www.ericstates.org)



November 28, 2023

The Honorable Deidre M. Henderson  
Utah Lieutenant Governor  
350 North State Street, Suite 220  
Salt Lake City, Utah 84114-2325

RE: Request for an Exemption from the Eligible but Unregistered Report Requirements

Dear Lt. Governor Henderson:

On behalf of the 24 other members of the Electronic Registration Information Center, thank you for your stalwart support for the organization and its mission. As a founding member, Utah has effectively utilized ERIC to maintain accurate voter rolls and provide voter registration information to potentially eligible but unregistered citizens for over 10 years.

Sec. 4(a) of the ERIC Membership Agreement requires the Chair of the Board of Directors and Executive Director to review written requests for exemptions from the requirements associated with the Eligible but Unregistered (EBU) Report. If the Chair and Executive Director determine the request is “reasonable” it must be “presented to the Board for a vote and, if granted, a determination of the timing of implementation of the exemption.”

This letter serves to inform you that Jonathan Brater, Chair of the Board of Directors, and I completed our review of your request for an EBU Report exemption. **We conclude your request is reasonable.** It will be presented to the Board for a vote at the December 8, 2023, virtual Board of Directors meeting.

In making this determination, the Chair and I followed the process described in the enclosed document. In short, it is reasonable to conclude Utah’s policies and programs, as described in the exemption request and when taken together, will effectively accomplish the objectives of the EBU report.

As discussed in the enclosed EBU Exemption Process document, Director Cowley should be prepared to answer questions about the programs summarized in the request when the Board convenes on December 8. Consistent with ERIC’s practice to avoid conflicts of interest in managing issues that may materially affect a state’s membership, Director Cowley will be asked to recuse himself from the discussion and the vote after answering questions from the board. Of course, he will be invited back to hear the outcome and participate in the remainder of the meeting.

Thank you again for making excellent use of Utah's ERIC membership. Please let me or Chair Brater know if you have any questions or would like to discuss our determination.

Sincerely,

A handwritten signature in blue ink that reads "Shane Hamlin".

Shane Hamlin  
Executive Director

Cc:

Jonathan Brater, Chair of the ERIC Board of Directors

Ryan Cowley, Utah Director of Elections and member of the ERIC Board of Directors and Executive Committee

enclosures



## ERIC Eligible but Unregistered Report: Exemption Process

### **Background**

ERIC’s mission is to help states improve the accuracy of America’s voter rolls, increase access to voter registration for all eligible citizens, reduce election costs, and increase efficiencies in elections.

To effectuate the part of ERIC’s mission aimed at increasing access to voter registration for all eligible citizens, ERIC provides its members with reports that identify potentially “eligible but unregistered” individuals (EBU Reports). EBU Reports include only individuals who have a driver’s license or state identification card, but who do not appear to be registered to vote.

Section 4(a) of the ERIC Membership Agreement specifies the requirements for acting on an EBU Report.<sup>1</sup> This section also includes a process by which members may apply for an exemption from the EBU Report requirements, as follows:

“If a Member adopts legislation or policies that have the potential to accomplish the objectives of this section by alternative means, Member may apply to ERIC for an exemption from the requirements of this section of the Membership Agreement by sending a written request to the Executive Director of ERIC and the Chair of the Board. Such written application shall explain the basis for Member’s assertion that the alternative means will effectively achieve the objectives of this section. If the Executive Director of ERIC and the Chair of the Board believe the request is reasonable, it shall be presented to the Board for a vote and, if granted, a determination on the timing of implementation of the exemption.”

In 2016, Oregon became the first ERIC Member granted an exemption. Oregon’s exemption remains active as of 2023. No other members have requested or received an exemption from the EBU Report requirements.

The ERIC Board of Directors has not engaged in extensive discussions about the EBU Report exemption process since granting Oregon’s exemption. However, the bipartisan workgroup formed in 2022 to review various governance reform proposals did engage in extensive discussions about the exemption, including the request process, the merits of offering an exemption, and the merits of repealing the exemption process.<sup>2</sup> In addition, several members have indicated they may submit an exemption request.

### **EBU Exemption Request Framework and Process**

**Purpose:** The remainder of this document outlines the EBU exemption review process, which is intended to facilitate a fair determination process that complies with the letter and spirit of Section 4(a).

The focus is on the framework the Chair of the Board (Chair) and the Executive Director (ED) will use to assess whether an exemption request is “reasonable” and, therefore, should be presented to the Board for broader discussion and a vote. A request is “reasonable” if the Chair and ED can reasonably conclude the member’s legislation or policies will “effectively achieve the objectives” of the EBU Report.

<sup>1</sup> Sec. 4(a) requirements, in part, are as follows: “When the Member receives ERIC Data regarding eligible or possibly eligible citizens who are not registered to vote, the Member shall, at a minimum, initiate contact with each and every eligible or possibly eligible citizen and inform them how to register to vote. Each Member shall have until October 1 or fifteen (15) days before the close of registration, whichever is earlier, of the next Federal General Election year to initiate contact with at least 95% of the eligible or potentially eligible citizens on whom data was provided and address validation was performed, as described above.”

<sup>2</sup> This workgroup convened seven (7) times between September 2022 and February 2023.

**Process Initiation-Member Request:** As set forth in Sec. 4(a), to initiate the EBU exemption review process, the member must submit a written request to the ED and the Chair. Under Section 4(a), a member may only submit a written exemption request if it believes as a threshold matter it has adopted or implemented “legislation or policies that have the potential to accomplish the objectives” of the EBU Report by “alternative means.” The member must then explain in the exemption request how its “alternative means” (legislation, policies, or programs) will “effectively achieve the objectives” of the EBU Report.

**EBU Exemption Request Review-Procedural Steps:**

1. **Review Request:** The Chair and ED will review the request in accordance with the “Reasonableness Review” Guidelines section below. They will make a determination in a reasonable timeframe, taking into account the impending deadline for acting on an EBU Report, the requesting member’s elections schedule, and other relevant factors. The Chair and ED may request additional information from the requesting member to inform their review.
2. **Communicate Decision to Requesting Member:** The Chair and ED will communicate their decision to the requesting member in writing. If the request is not found reasonable, the Chair and ED may offer to meet with the requesting member. The requesting member may be given the option to amend or withdraw the request.
3. **Communicate Decision to the Board of Directors:** The written request and decision, regardless of the outcome, will be shared with the Board of Directors. Additional supporting documentation may also be shared. Determining a request is reasonable is not a recommendation to vote “yes” when the board convenes to act on the request.
4. **Board of Directors Meeting:** For each request deemed reasonable, the Chair and the ED will convene a meeting of the Board of Directors for a discussion and vote. The outcome of the board vote is final. This meeting will happen within a timeframe that respects the impending deadlines for acting on an EBU report, the requesting member’s elections schedule, and the challenges inherent in convening members for a board meeting.
5. **Requesting Member Participation in Board Meeting:** The requesting member’s member representative may make a statement and should be prepared to answer questions about its EBU exemption request at the meeting of the Board of Directors. However, consistent with ERIC’s policy and practice of avoiding conflicts of interest in managing issues that may materially affect a state’s membership, the requesting member’ representative will then be recused from the discussion and the vote. After the Board concludes its discussion, the member representative will be invited back to hear the outcome and participate in the remainder of the meeting.

**Executive Director and Board Chair “Reasonableness Review” Guidelines:** The Chair and ED’s determination of whether a request is “reasonable”—that is, whether they can reasonably conclude the member’s legislation or policies will “effectively achieve the objectives” of the EBU Report—will be guided by the following “Policy Statements” and “Guiding Questions.” These statements and questions consider the language used in Section 4(a), the generally accepted intent of the EBU Report, and other factors related to voter registration programs.

**Policy Statements**

1. Minimally NVRA-compliant “motor-voter” programs have had a tremendous impact on expanding access to voter registration opportunities.<sup>3</sup> However, these programs are imperfect.
2. The EBU Report is intended to help mitigate the imperfections in these motor-voter programs.

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<sup>3</sup> As used in in this document and the process, “minimum NVRA-compliant motor-voter program” means the member’s Department of Motor Vehicles (or equivalent agency) operates a program that meets the minimum requirements for compliance with the NVRA. This would exclude, for example, “front-end” or “point of service” style Automated/Automatic Voter Registration programs.

3. In states that are exempt from the NVRA, the EBU Report can help reduce “Election-day Voter Registrations.” This can improve the new voter’s experience with the voting process and reduce administrative burdens on election officials.
4. By the nature of how the EBU Report is generated, it focuses on increasing voter registration opportunities to potentially eligible individuals who have a state issued ID or driver’s license.

#### **Guiding Questions**

1. Does the member’s legislation, policy, and/or program enhance voter registration opportunities beyond the minimally NVRA-compliant process during a transaction at the agency responsible for administering the motor-voter program?
2. Does the member’s legislation, policy, and/or program provide increased voter registration opportunities to individuals with state issued IDs or driver’s licenses at locations or through methods other than a transaction at the agency responsible for administering the motor-voter program?
3. Does the member’s legislation, policy, and/or program provide increased opportunities for voter registration to potentially eligible individuals, including those who may not have a state issued ID or driver’s license?
4. When considering all elements of the member’s legislation, policy, and/or program, is it reasonable to conclude the member’s efforts will “effectively achieve the objectives” of the EBU Report requirements?

## Rob Rock

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**From:** Haas, Ericka <ericka.haas@ericstates.org>  
**Sent:** Tuesday, October 10, 2023 8:02 PM  
**To:** Hamlin, Shane  
**Cc:** Whitt, Sarah  
**Subject:** [EXTERNAL]: RE: 10/11 Open Mic - EBU Reports  
**Attachments:** ERIC EBU USPS Summary Guide\_1\_4\_18.pdf; ERIC Mailing Best Practices\_ResearchSummary.pdf; ERIC First Reports Guide Eligible but Unregistered - v3.0.pdf

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**\*\*Sent to the Directors and Secondary Points of Contact\*\***

Hello all,

We wanted to send these along ahead of the open mic for those that like to read ahead. These are some of the documents that have been around for a while for the EBUs. We'll go over them to give you a refresh, and also to see if there are potential improvements or additions.

Thanks,  
Ericka

**From:** Hamlin, Shane <shane.hamlin@ericstates.org>  
**Sent:** Monday, October 9, 2023 10:43 AM  
**To:** Hamlin, Shane <shane.hamlin@ericstates.org>  
**Cc:** Haas, Ericka <ericka.haas@ericstates.org>; Whitt, Sarah <sarah.whitt@ericstates.org>  
**Subject:** 10/11 Open Mic - EBU Reports

**\*\*Sent to the Directors and Secondary Points of Contact\*\***

Directors,

Please be sure to join the open mic this Wednesday, Oct. 11, for a conversation about EBU reports and, specifically, preparing for the 2024 EBU Report cycle.

Here's the agenda:

1. Review EBU exemption process
2. Preparing for 2024 EBU Reports
  - a. Resources to help you
  - b. Alternate contact methods
  - c. Best use of NCOA data/other success stories
3. What can you do now (and should do) to prepare

Looking forward to a good turnout and discussion.

## Rob Rock

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**From:** Hamlin, Shane <shane.hamlin@ericstates.org>  
**Sent:** Sunday, February 4, 2024 4:34 PM  
**To:** Hamlin, Shane  
**Cc:** Haas, Ericka;Whitt, Sarah  
**Subject:** [EXTERNAL]: Notes and Materials for Feb. 7 2024 Annual ERIC Board Meeting  
**Attachments:** February 7 2024 Agenda - Annual ERIC Board of Directors Meeting.docx; Unofficial Minutes - Sept 28 2023 ERIC Annual Membership Meeting.pdf; Dec 20 2022 - January 23 2024 Approved Ex Comm Minutes.pdf; Notice | EBU Exemption Requests - Feb 7 Board of Directors Meeting; Unofficial Minutes - Dec 8 ERIC Board Meeting.pdf; OFFICIAL 6-21-23 ERIC ExComm-Finance Meeting Minutes.pdf; July 28 2023 Approved Minutes - Board of Directors Meeting.docx; Unofficial Minutes - July 28 2023 Board of Directors Meeting.pdf

**Importance:** High

**CAUTION:** This email originated from outside of the RI Department of State. Do not click links or open attachments unless you recognize the sender and know the content is safe.

**\*\*Sent to ERIC Board of Directors and Secondary Points of Contact.\*\***

Directors,

We're looking forward to gathering with you in DC next Wednesday, Feb. 7, at the Washington Grand Hyatt. We'll be meeting in "Penn Quarter", located on the Declaration Level, 1B. This is one floor down from the main lobby. A lunch buffet service begins at 11:45 am ET. The meeting will start at 12:30. For those attending via Zoom, the calendar meeting invite includes the Zoom log-in details.

The following documents are attached (also, two requests):

1. Board Meeting Agenda. As usual, we have a lot to cover. There are also multiple board votes scheduled. As a reminder, designated proxies may not take votes reserved for Directors. (I have not received notice of any proxies at this point.)
2. Unofficial minutes from the Sept. 28, 2023, Annual Membership Meeting. Please review these, as you will be asked to vote to approve them.
3. Unofficial minutes from the Dec. 8, 2023, Board of Directors Meeting. Please review these, as you will be asked to vote to approve them.
4. Unofficial minutes from the July 28, 2023, Board of Directors Meeting. You've reviewed these before. There was a minor technical procedural error when you approved them in December. You need to approve them again.
5. For your convenience, the email I sent on 1/28/2024 containing the three EBU Exemption Requests that are up for a vote at the meeting.
6. Packet of past Executive Committee meeting minutes. Additionally, the official Ex Comm – Finance Committee Minutes for Executive Compensation Review are attached. All these are informational. I hope you take the time to review these at some point in the near future.

While not all of you are able to attend in person, I thank you for making time to participate in this important ERIC meeting regardless of how you're attending.

Safe and happy travels to those making their way to DC. Thank you!

Shane Hamlin  
Executive Director  
ERIC | Electronic Registration Information Center  
[www.ericstates.org](http://www.ericstates.org)





**Agenda**  
**2024 Annual ERIC Board of Directors Meeting**  
February 7, 2023 | 12:30 - 4:30 pm ET  
Washington Grand Hyatt, Washington, D.C. | Zoom  
Onsite Meeting Location: Penn Quarter – Declaration Level, 1B

1. Approval of minutes from prior ERIC meetings – Board Vote
2. Election of 2024 ERIC Officers and Committee Members – Discussion/Board Vote
3. Eligible but Unregistered Reports – Briefing/Discussion/Possible Board Votes
4. Voter Participation Reports – Briefing/Discussion
5. ERIC Annual Reports – Briefing/Discussion
6. Type 1, SOC 2 Audit | Next Steps – Briefing/Discussion/Board Guidance
7. ERIC Activity, Membership and Security Updates – Briefing/Discussion
8. 2024 ERIC Board/Membership Meeting Schedule – Discussion/Board Guidance

**Note:** Lunch will be available beginning at 11:45 am. Meeting room location above.



**ERIC Executive Committee**  
**Approved Minutes**  
Dec. 20, 2022 | 4 pm ET

**Attendees**

Present?	Position	Member	Present?	Position	Member
X	Chair	Mandi Grandjean	Absent	Immediate Past Chair	Meagan Wolfe
X	Vice Chair	Jonathan Brater	X	Elected Board Member	Chrissy Peters
X	Treasurer	Heidi Burhans	X	Elected Board Member	Jonathan Marks
X	Secretary	David Maeda	X	Executive Director	Shane Hamlin

**Guests:** Sally Steffen, General Counsel

**Called to Order at:** 4:01 ET

**Agenda**

**1. Membership Updates**

S. Hamlin reviewed recent events regarding Florida's noncompliance with the EBU contact requirement for the 2022 General Election. Discussion followed.

**2. ERIC Governance and Membership Workgroup**

S. Hamlin reviewed the status of the workgroup efforts to date, recommendations, bylaw requirements for when notice of amendments must be provided, and related matters. He recommended the workgroup meet again in January and February, as necessary. Discussion followed.

**3. Winter 2023 ERIC Board of Directors meeting**

S. Hamlin reviewed the tentative agenda and general logistics for the Annual Board of Directors meeting in light of the developments regarding Florida. Discussion followed.

Having no further business, the committee adjourned 4:54 pm ET.



## ERIC Executive Committee Approved Minutes

Feb. 2, 2023 | Immediately Following Workgroup Meeting

### Attendees

Present?	Position	Member	Present?	Position	Member
X	Chair	Mandi Grandjean	Absent	Immediate Past Chair	Meagan Wolfe
X	Vice Chair	Jonathan Brater	X	Elected Board Member	Chrissy Peters
X	Treasurer	Heidi Burhans	Absent	Elected Board Member	Jonathan Marks
X	Secretary	David Maeda	X	Executive Director	Shane Hamlin

**Guests:** Sally Steffen, General Counsel

**Called to Order at:** 1:45 ET

### Agenda

#### 1. 2023 Slate of Officers

S. Hamlin conducted a high-level summary of the process and history of building a proposed slate of officers. He emphasized the historical practice of ensuring the committee is bipartisan and that the Chair rotates each year; that this position is not held by a Director whose Chief Election Official is from the same party two years in a row. He will provide a more thorough overview, including relevant bylaws provisions and details on past slates/officers at the Feb. 9, 2023 Ex Comm meeting. He will also review the membership roster for potential candidates, and he asked the other members of the Ex Comm to do the same.

#### 2. Membership Updates

S. Hamlin briefed the committee on new/ongoing membership matters. Discussion followed.

#### 3. ERIC Board of Directors Meeting

S. Hamlin reported logistics and agenda items for the upcoming annual board of directors meeting. Discussion followed. The committee agreed with S. Hamlin's recommendation to set open mic meetings following distribution of the proposed bylaw and membership agreement amendments to brief members on the proposed amendments, for members of the workgroup to share their thoughts on the proposals, and for the broader membership to ask questions in advance of the board meeting.

**Having no further business, the committee adjourned 2:10 pm ET.**



**ERIC Executive Committee**  
**Approved Minutes**  
**Feb. 9, 2023 | 11 am ET**

**Attendees**

Present?	Position	Member	Present?	Position	Member
x	Chair	Mandi Grandjean	x	Immediate Past Chair	Meagan Wolfe
Absent	Vice Chair	Jonathan Brater	x	Elected Board Member	Chrissy Peters
x	Treasurer	Heidi Burhans	Absent	Elected Board Member	Jonathan Marks
x	Secretary	David Maeda	x	Executive Director	Shane Hamlin

**Guests:** Sally Steffen, General Counsel

**Called to Order at:** 11:01 am ET

**Agenda**

**1. 2023 Slate of Officers**

S. Hamlin reviewed in detail the history and process for building a proposed slate of officers for the board's consideration. He and members of the committee identified potential candidates, again emphasizing the importance of recommending a bipartisan slate. Brief discussion followed. S. Hamlin will reach out to the agreed upon potential candidates to determine if they would be willing to serve on the committee(s) and follow-up with the Ex Comm. The final slate will be settled at the next Ex Comm meeting.

**2. Membership Updates**

S. Hamlin briefed the committee on new and ongoing membership matters. Discussion followed.

**3. ERIC Board of Directors Meeting**

S. Hamlin and the committee discussed final logistics and agenda items for the upcoming annual board of directors meeting. Brief discussion followed.

**4. Miscellaneous Updates**

S. Hamlin reviewed logistics for the upcoming open mic calls, scheduled for Feb. 10, 2023. Discussion followed.

**Having no further business, the committee adjourned 12:10 pm ET.**



**ERIC Executive Committee**  
**Approved Minutes**  
**March 1, 2023 | 3 pm ET**

**Attendees**

<b>Present?</b>	<b>Position</b>	<b>Member</b>	<b>Present?</b>	<b>Position</b>	<b>Member</b>
x	Chair	Jonathan Brater	x	Immediate Past Chair	Mandi Grandjean
x	Vice Chair	Chrissy Peters	x	Elected Board Member	Jonathan Marks
x	Treasurer	Heidi Burhans	x	Elected Board Member	Blake Evans
x	Secretary	David Maeda	x	Executive Director	Shane Hamlin

**Guests:** Sally Steffen, General Counsel

**Called to Order at:** 3:02 pm ET

**Agenda**

**1. Debrief February 19, 2023 Board Meeting – Discussion**

The committee discussed the Feb. 19, 2023 annual board of directors meeting, including the overall flow/management of the meeting, and the outcomes of the various agenda items.

**2. March 17, 2023 Board of Directors Meeting – Planning Discussion**

S. Hamlin presented logistical decisions that needed to be made for the March meeting, and ideas for ensuring a more efficient meeting. Discussion followed; committee members shared lessons learned from their perspectives and suggestions for how to ensure the March meeting is more productive.

**3. Open Mic Meetings – Planning Discussion**

S. Hamlin presented a draft agenda and other logistics for open mic meetings that will be scheduled in advance of the March 17, 2023 meeting. Discussion followed.

**4. Membership Retention – Discussion**

In light of the discussions that occurred at the February 19, 2023 board meeting, the committee discussed ideas for retaining current members.

**5. Media/Social Media Updates – Briefing/Discussion**

S. Hamlin briefed the committee on various emergent media and social media developments following the February board meeting and public statements from various elected officials. He noted there has been an increase in disinformation/lies about ERIC spreading on social



media/blogs. S. Hamlin reported he will issue an open letter in response to the most recent round of erroneous statements about ERIC. It will be posted to ERIC's website. Discussion followed.

**6. ERIC Website – Briefing/Discussion**

S. Hamlin reported that he is reorganizing his workplan/priorities to focus on finalizing an updated, more modern ERIC website. He reminded the committee that this project has been underway for some time; that in working with a web development firm he has made incremental progress over time, but he will have the new site ready to launch by March 31, 2023. He will share a dev/beta site with the Ex Comm soon.

**7. Emergent Issues – Briefing/Discussion**

S. Hamlin reported he has been invited to speak at an EAC public work session/hearing on list maintenance. He briefed the committee on other emergent issues. Discussion followed.

Having no further business, the committee adjourned 4:10 pm ET.



**ERIC Executive Committee  
Approved Minutes  
March 9, 2023 | 11 am ET**

**Attendees**

<b>Present?</b>	<b>Position</b>	<b>Member</b>	<b>Present?</b>	<b>Position</b>	<b>Member</b>
X	Chair	Jonathan Brater	X	Immediate Past Chair	Mandi Grandjean
Absent	Vice Chair	Vacant	X	Elected Board Member	Jonathan Marks
X	Treasurer	Heidi Burhans	Absent	Elected Board Member	Blake Evans
X	Secretary	David Maeda	X	Executive Director	Shane Hamlin

**Guests:** Sally Steffen, General Counsel

**Called to Order at:** 11:02 am ET

**Agenda**

**1. March 17 Board of Directors Meeting – Planning Discussion**

S. Hamlin reviewed the agenda with the committee and a planning and governance discussion followed. S. Hamlin said it was critical that the proposed noncontroversial operational enhancements be approved. He recommended the board vote on the operational enhancements first and then the proposed reform amendments. The committee agreed.

**2. Membership Updates – Discussion**

S. Hamlin gave an update on ERIC-related legislation pending in other states.

**3. Media/Social Media Updates – Briefing/Discussion**

S. Hamlin said he thought generally what was being reported in the major media outlets about ERIC was fair and accurate. M. Grandjean noted Ohio was not considering leaving based on misinformation/disinformation. Her state's focus had been on the reform efforts.

**4. ERIC Website – Briefing**

S. Hamlin said the new website would be launched soon. Committee members would be given a chance to review the site before it was launched.

Having no further business, the committee adjourned 12:01 pm ET.



**ERIC Executive Committee**  
**Approved Minutes**  
**April 14, 2023 | 2 pm ET**

**Attendees**

Present?	Position	Member	Present?	Position	Member
x	Chair	Jonathan Brater	x	Immediate Past Chair	Mandi Grandjean
	Vice Chair	Vacant	x	Elected Board Member	Jonathan Marks
	Treasurer	Vacant	x	Elected Board Member	Blake Evans
x	Secretary	David Maeda	x	Executive Director	Shane Hamlin

**Guests:** Sally Steffen, General Counsel

**Called to Order at:** 2:03 pm ET

**Agenda**

**1. Filling vacancies on the Executive Committee**

S. Hamlin provided an update on conversations he had on behalf of the committee to identify candidates for the vacant committee positions. He reminded the committee that the vacancies could be filled using a unanimous written consent process, avoiding the need to convene a board meeting on short notice.

**2. Setting ERIC Summer Board of Directors Meeting**

The committee set the summer board meeting for July 28, 2023. S. Hamlin will move forward with providing notice to the members and other planning activities.

S. Hamlin reminded the committee that the budget meeting is usually held at the end of May, but would be postponed because of member resignations.

**3. Miscellaneous Updates**

Noting the committee had worked through the agenda quickly and they had a time left, S. Hamlin provided a short update on ERIC-related legislation and activities in other states, including California, North Carolina, and Texas.

Having no further business, the committee adjourned 2:21 pm ET.



**ERIC Executive Committee**  
**Approved Minutes**  
June 9, 2023 | 2 pm ET

**Attendees**

Present?	Position	Member	Present?	Position	Member
X	Chair	Jonathan Brater	X	Immediate Past Chair	Mandi Grandjean
X	Vice Chair	Blake Evans	X	Elected Board Member	Jonathan Marks
X	Treasurer	Stuart Holmes	X	Elected Board Member	Ryan Cowley
X	Secretary	David Maeda	X	Executive Director	Shane Hamlin

**Guests:** Sally Steffen, General Counsel

**Called to Order at:** 2:02 pm ET

**Agenda**

**1. Membership Updates**

S. Hamlin provided an update on ERIC-related legislation and activities in Texas, California, and New York. He also provided an update on member status issues in Alaska and Kentucky.

S. Hamlin reported Florida, Missouri, and West Virginia’s resignations were effective earlier in the week, on June 5, 2023. None of the states submitted data or requested reports during the resignation notice period. He sent closeout letters to all three states. Ohio and Iowa’s resignations will be effective on June 16, 2023. Both states will get a closeout letter next week. The closeout process will be a little more involved since both states continued to receive reports and submit data during the resignation period. Virginia’s resignation is effective on August 10, 2023.

**2. ERIC Activity Updates**

S. Hamlin provided an update on the Movelt vulnerability. E. Haas sent an email about the issue earlier in the week that provided information about the data center vendor’s mitigation steps.

S. Hamlin said voter participation reports identifying possible cases of in-state double voting and voting on behalf of a deceased person went out in May, except for Illinois who has some special processing steps. E. Haas was working on the reports identifying possible cases of cross-state double voting as the data comes in. She sent an email to explaining the timeline.

S. Hamlin said plans were finalized for the required independent assessment of the Social Security death data. It will cost around \$25,000. The ERIC team will also work with a certified entity to perform a SOC 2 Type 1 audit that will establish a baseline for data security and data controls. While funding is included in the FY24 budget for a SOC 2 Type 2 audit, a final decision on proceeding with a Type 2 will be made

later.

**3. Upcoming Board and Membership Meetings**

S. Hamlin reported he will be attending the NASS, California Clerk's, NASED, and Elections Center conferences. J. Brater will also attend the California Clerk's conference.

He provided the schedule of upcoming committee, board, and membership meetings.

With this being M. Grandjean's last executive committee meeting, J. Brater thanked her for her work as the chair of the executive committee the previous year and for her work on the executive committee and board. He said she made significant contributions to ERIC.

M. Grandjean thanked J. Brater for his kind words and said she wished the reform proposals had turned differently.

S. Hamlin said he appreciated working with M. Grandjean as the chair. He appreciated her commitment and that she jumped right in taking a leadership role.

Having no further business, the committee adjourned 2:37 pm ET.



**ERIC Executive Committee**  
**Approved Minutes**  
**June 20, 2023 | 1 pm ET**

**Attendees**

Present?	Position	Member	Present?	Position	Member
X	Chair	Jonathan Brater		Immediate Past Chair	Vacant
Absent	Vice Chair	Blake Evans	X	Elected Board Member	Jonathan Marks
X	Treasurer	Stuart Holmes	X	Elected Board Member	Ryan Cowley
X	Secretary	David Maeda	X	Executive Director	Shane Hamlin

**Guests:** Sally Steffen, General Counsel

**Called to Order at:** 2:03 pm ET

**Agenda**

**1. Review Proposed FY24 Dues and Budget**

S. Hamlin presented the draft proposed budget and dues. The draft proposed budget is \$1.7 million. He reminded the committee that ERIC restructured its budgeting process by no longer including projected revenues from likely but not official new members. This was implemented the previous fiscal year. He provided a refresher on how the dues formula works. He reported a projected positive net income for the current fiscal year, but invoices are? still coming in. Discussion followed.

S. Holmes moved to recommend the proposed FY24 budget and dues to the full board. J. Marks gave the second. The motion was approved unanimously by roll call vote.

**2. Emergent Issues/Activity Updates**

S. Steffen gave a legal update.

S. Hamlin provided information about the use of ERIC data and the Drivers Privacy Protection Act, including the permissible uses specified in the act. He advised a committee and board discussion is needed regarding how requests for data will be handled when submitted under a permissible use provision. He said similar past requests were addressed on a case-by-case basis, but the organization needed to discuss a policy on how to handle such future requests both to ERIC and to individual members.

S. Hamlin said in the next week the annual conflict of interest policy review and disclosure process would begin. It requires each member to review ERIC's conflict of interest policy, disclose any covered conflicts, and confirm compliance with the policy.

**3. Upcoming Ex Comm Meeting Schedule Needs & Future Board Meetings**

S. Hamlin recommended two executive committee meetings in July to cover a several topics in preparation for the summer board meeting.

Having no further business, the committee adjourned 2:09 pm ET.



**ERIC Executive Committee**  
**Approved Minutes**  
**July 20, 2023 | 1 pm ET**

**Attendees**

Present?	Position	Member	Present?	Position	Member
X	Chair	Jonathan Brater		Immediate Past Chair	Vacant
X	Vice Chair	Blake Evans	X	Elected Board Member	Jonathan Marks
X	Treasurer	Stuart Holmes	X	Elected Board Member	Ryan Cowley
X	Secretary	David Maeda	X	Executive Director	Shane Hamlin

**Guests:** Sally Steffen, General Counsel

**Called to Order at:** 1:04 ET

**Agenda**

**1. Approval of past Ex Comm meeting minutes (Vote)**

J. Marks moved approval of the July 15, 2022; September 7, 2022; October 12, 2022; and December 1, 2022 Executive Committee Meeting minutes. J. Brater gave the second. There was no discussion. Motion was approved unanimously on a voice vote.

**2. Review and approve Executive Director’s FY24 Goals (Discussion/Vote)**

Consistent with the “Evaluation Guidelines for Executive Director of the Electronic Registration Information Center”, S. Hamlin presented his Fiscal Year 2024 Goals. Brief discussion followed.

Secretary Maeda moved approval of the FY24 Goals. Vice Chair Evans gave the second. No discussion. Motion was approved unanimously on a voice vote.

**3. Review DRAFT Agenda for July 28, 2023, Board meeting (Discussion)**

S. Hamlin briefed the committee on the final draft of the agenda and other meeting logistics. Brief discussion followed.

**4. Emergent Issues/Activity Updates (Discussion)**

S. Hamlin briefed the committee on conferences and other events he has or will attend during the summer, a forthcoming law review article on voter list maintenance and ERIC, and the status of Texas’s withdrawal from ERIC. Discussion followed.

**5. Future Ex Comm & ERIC Meetings (Discussion)**

S. Hamlin presented a tentative meeting needs and schedule for the next six months, as follows:

- a. Monthly Ex Comm meetings
- b. 2023 Annual membership meeting (recommended September)
- c. Monthly open mic meetings
- d. December Board of Directors meeting (recommended first week of December)
- e. 2024 Winter meeting (recommended holding in conjunction with NASED)

Brief discussion followed. The committee agreed on the general timing of the annual membership meeting and board of directors' meetings.

There being no further business, the committee adjourned at 2:05 pm ET.



**ERIC Executive Committee  
Approved Minutes  
August 25, 2023 | 1 pm ET**

**Attendees**

Present?	Position	Member	Present?	Position	Member
X	Chair	Jonathan Brater		Immediate Past Chair	Vacant
X	Vice Chair	Blake Evans	X	Elected Board Member	Jonathan Marks
X	Treasurer	Stuart Holmes	X	Elected Board Member	Ryan Cowley
X	Secretary	David Maeda	X	Executive Director	Shane Hamlin

**Guests: Sally Steffen, General Counsel**

**Called to Order at: 1:03 P.M. ET**

**Agenda**

**1. 2023 Annual Review of ERIC’s Information Security Management Plan/SOC II project update/LADMF Security Assessment**

S. Hamlin provided an update on the various security assessments ERIC is in engaged in:

**Internal Review.** ERIC staff is preparing to kick off the internal review of ERIC’s Information Security Management Plan, Risk Assessment, and associated policies. Proposed updates will be brought to the board for review and approval in December. Given events of the past year and consistent with a continuous improvement mindset, he will invite information security staff from member states to participate in the internal review process. He asked if any committee member has staff recommendations. Brief discussion followed. J. Brater and J. Marks both said staff from their offices might be able to participate. S. Hamlin agreed to reach out to these staff and also to technical staff in South Carolina and Kentucky.

**SOC 2, Type 1 audit.** The SOC 2 audit process is underway. ERIC staff are making a significant time investment in gathering the required materials and information – about 260 different pieces of “evidence.” All evidence is due by the end of September, but there are collection milestones throughout month. Fieldwork also begins at the end of September. The draft report is due at the end of October, and the final report by early November. The board will discuss whether to proceed with the more extensive SOC 2 Type 2 at the first board meeting in 2024.

**LADMF Assessment.** This independent third-party assessment is running in parallel with the SOC 2 audit. This assessment is necessary in order to maintain ERIC’s certification to receive/use the Limited Access

Death Master File. ERIC must complete this assessment every three years.

**2. Updating signature authorities on ERIC's bank accounts (Vote)**

S. Hamlin asked the committee to adopt a motion authorizing an update to the signature authorities on ERIC's bank accounts - specifically, removing former Treasurer Heidi Burhans and adding new Treasurer Stuart Holmes.

J. Marks made the following motion:

Pursuant to Article IV of the Electronic Registration Information Center's (ERIC) Bylaws, the Executive Committee hereby authorizes adding Stuart Holmes, Treasurer, to ERIC's bank accounts and removing previous authorized Treasurers from the accounts.

R. Cowley gave the second. There was no discussion. The motion was approved unanimously on a voice vote.

**3. Setting the 2023 Annual Membership Meeting, December board meeting, and the winter 2024 board meeting**

S. Hamlin recommended the committee set the Annual ERIC Membership meeting, which is open to the public, for the week of September 25. He also recommended a virtual board meeting the week of December 4, 2023. At the December meeting, the board will review updates to the information security management plan, risk assessment, and associated policies. If the FY23 Financial Audit and 990 tax filing are complete, these will also be presented at the December meeting. Brief discussion followed and the committee agreed to these recommendations. S. Hamlin will take steps to schedule both meetings.

Citing past practice and the challenges many members face in staying an extra day after the NASED Conference, S. Hamlin recommended holding the winter 2024 Annual ERIC Board Meeting the day before the NASED winter Conference. Brief discussion followed and the committee agreed to these recommendations. S. Hamlin will take steps to schedule the meeting.

|

**4. Membership updates/new member recruitment**

S. Hamlin reported Texas was in the middle of their resignation period. They probably would not continue to submit data or request reports. They are aware dues are owed. Discussion followed.

S. Hamlin reported on the progress of onboarding the newest ERIC members - Massachusetts and New Jersey. The process for both states is moving slower than usual, but both are cooperating and face different challenges in completing the process. At this time, neither is certified to submit data or request reports. Discussion followed.

S. Hamlin reminded the committee that he implemented a more structured approach to managing compliance with the data upload requirements. In the past, he briefed the committee when there have been serious data upload compliance issues. He reported three members have recently been issued a 30-day grace period or an extension. One state is dealing with flooding issues as well as technical issues. Another state is in a 30-day grace period for technical issues with its DMV file. The third state was granted an extension due to implementing a new voter registration system.

He also reported on continued progress/efforts with New York and California.

**5. EBU Reports – debrief board discussion, workplan, and next steps**

The committee engaged in a discussion of the July 28 board meeting, with a focus on the EBU topic and ERIC staff’s recommendations regarding a proposed timeline to assess and improve the EBU reports, and data gathering efforts that could inform future decisions about the reports.

The committee also discussed various aspects of how members prepare the EBU reports for the mailings, the interplay between automatic voter registration programs and the EBU mailings, other efforts members make to provide voter registration information to potential new voters, and the EBU exemption process specified in the Membership Agreement.

**6. Misc. emergent issues/activity updates**

S. Hamlin reported he attended the recent NCSL annual conference. He wasn’t a panelist at any of the election sessions, but ERIC came up at nearly every session. There were a lot of positive comments from panelists and attendees about ERIC. He had good conversations with legislators and legislative staff.

He reported on various recent ERIC-related media stories and stated he’ll continue sharing ERIC-related media stories relevant to the wider membership or that cover important developments.

He closed by reporting the financial audit was in progress, and he noted around one third of the members have yet to pay their dues. However, no members are yet out of compliance with the Membership Agreement.

Having no further business, the committee adjourned at: 2:33 p.m. ET.



**ERIC Executive Committee  
Approved Minutes  
September 13, 2023 3:30 pm ET**

**Attendees**

Present	Position	Member	Present	Position	Member
X	Chair	Jonathan Brater		Immediate Past Chair	Vacant
	Vice Chair	Blake Evans	X	Elected Board Member	Jonathan Marks
	Treasurer	Stuart Holmes	X	Elected Board Member	Ryan Cowley
X	Secretary	David Maeda	X	Executive Director	Shane Hamlin

**Guests:** Sally Steffen, General Counsel

**Called to Order at: 3:34 p.m. ET**

**Agenda**

**1. Emergent issues/activity updates**

S. Steffen provided a legal update.

**2. Membership updates/new member recruitment**

S. Hamlin briefed the committee on an analysis Lisa Bryant, a member of the ERIC Research Advisory Board, and Professor Michael Hamner with the Center for Democracy and Civic Engagement at the University of Maryland plan to do using Pennsylvania and Nevada voter registration data from 2016. The two had done research on the effectiveness of the EBU mailings in Pennsylvania and Nevada using 2016 data provided by the states. In a footnote in the paper, they stated there didn't appear to be any benefit to one political party or the other with the EBU mailings. S. Hamlin said the two them plan to test this observation and publish a paper on their analysis. It wasn't clear if they were asking for new data so he planned to reach out to the two of them. If he determined it would be helpful, he would convene a meeting of the Research Advisory Board for further discussion.

S. Hamlin gave an update on legislation progressing in New York and California.

**3. Open mic re: EBU Reports**

The committee debriefed the Open Mic session held earlier in the afternoon.

Having no further business, the committee adjourned at 4:35 pm ET.



**ERIC Executive Committee  
Approved Minutes  
September 19, 2023 3:30 pm ET**

**Attendees**

Present	Position	Member	Present	Position	Member
X	Chair	Jonathan Brater		Immediate Past Chair	Vacant
X	Vice Chair	Blake Evans	X	Elected Board Member	Jonathan Marks
X	Treasurer	Stuart Holmes	X	Elected Board Member	Ryan Cowley
X	Secretary	David Maeda	X	Executive Director	Shane Hamlin

**Guests:** Sally Steffen, General Counsel

**Called to Order at:** 3:31 pm ET

**Agenda**

**1. Review and approval of meeting minutes**

J. Marks moved to approve the August 25, 2023 executive committee meeting minutes. R. Cowley seconded the motion. There was no discussion. The motion was approved unanimously on a voice vote.

**2. Annual ERIC Membership Meeting**

S. Hamlin provided information about the annual membership meeting set for the following week.

**3. Emergent issues/activity updates**

S. Hamlin outlined planning steps for the 2024 Annual Board of Directors meeting, including his efforts to avoid creating a meeting conflict for ERIC Board Members who also serve on the Government Coordinating Council.

S. Hamlin reported the SOC 2, Type 1 Audit process and LADMF Third Party Attestation (audit) projects are moving along well and on schedule.

S. Steffen provided a legal update.

**4. Membership updates/new member recruitment**

The committee discussed ongoing efforts by states to establish interstate agreements to share data. S. Hamlin said it would be helpful to know which member states enter into such agreements and he asked members to please let him know once they've made a decision to sign (if they do), noting the agreements would be public at that point.

Having no further business, the committee adjourned at 3:55 pm ET.



**ERIC Executive Committee**  
**Approved Minutes**  
**October 24, 2023 | 1 – 2:30 pm ET**

**Attendees**

Present	Position	Member	Present	Position	Member
X	Chair	Jonathan Brater		Immediate Past Chair	Vacant
X	Vice Chair	Blake Evans	X	Elected Board Member	Jonathan Marks
X	Treasurer	Stuart Holmes	X	Elected Board Member	Ryan Cowley
X	Secretary	David Maeda	X	Executive Director	Shane Hamlin

**Guests:** Sally Steffen, General Counsel

**Called to Order at:** 1:06 p.m. ET

**Agenda**

- 1. EBU Exemption Request (added at the beginning of the meeting)**  
While waiting for R. Cowley, S. Hamlin outlined the process that will be used to evaluate Utah’s EBU exemption request, noting he and Chair Brater are finalizing a document that will establish a standard process going forward.  
  
R. Cowley joined the meeting.
- 2. Legal Update**  
S. Steffen provided a legal update.  
  
D. Maeda provided information on litigation recently filed in Minnesota.
- 3. SOC II, Type 1 & LADMF Assessment Update**  
S. Hamlin said the SOC II, Type 1 & LADMF assessments were complete. The audit team is now preparing the SOC II, Type 1 report. He would explain what was involved with the audit, summarize findings, etc., at the December board meeting. He said they were a heavy lift, but will provide real value to the organization.
- 4. Preview next Ex Comm Meetings & December Board Meeting**  
S. Hamlin previewed the upcoming Ex Comm and board meetings. Brief discussion followed.
- 5. Membership & Miscellaneous Activity Updates**  
S. Hamlin said Texas was in the process of confirming in writing that they shredded the hashing application. His close out letter to Texas included a reminder they were obligated to pay their dues.

S. Hamlin said that Lisa Bryant, who serves on the Research Advisory Board, and Professor Michael Hamner, want to analyze publicly available voter registration data they already have from 2016, which includes registered voters previously identified on an EBU Report, to determine if the EBU mailing resulted in disparate voter registration rates for either major political party.

S. Hamlin said previous members are speaking in public about their view of what happened within ERIC over the last year. For example, two secretaries testified before a Pennsylvania Senate committee. He said he would continue to push out accurate information about ERIC's recent history.

S. Hamlin reported he is meeting with MN SOS Steve Simon to discuss strategies for recruiting new members, with an emphasis on states where ERIC enabling legislation was introduced last year.

S. Hamlin said he attended a meeting with the EAC research staff and contractors to learn more about the Commission's list maintenance pilot project that would partner Experion with local jurisdictions.

Having no further business, the committee adjourned at 2:20 p.m. ET



**ERIC Executive Committee**  
**Approved Minutes**  
**November 9, 2023 | 2 – 3:30 pm ET**

**Attendees**

Present	Position	Member	Present	Position	Member
X	Chair	Jonathan Brater		Immediate Past Chair	Vacant
Absent	Vice Chair	Blake Evans	X	Elected Board Member	Jonathan Marks
X	Treasurer	Stuart Holmes	X	Elected Board Member	Ryan Cowley
X	Secretary	David Maeda	X	Executive Director	Shane Hamlin

**Guests:** Sally Steffen, General Counsel

**Called to Order at:** 2:03 p.m.

**Agenda**

**1. Membership & Miscellaneous Activity Updates**

S. Hamlin reported Texas agreed to pay a prorated share of its FY24 dues.

S. Hamlin and E. Haas attended the Nevada State Elections Conference, where they presented on ERIC. The state has seen a large turnover in its county elections officials so it was a great to have an opportunity to explain what ERIC is and how it works. He reported the local election officials asked a lot of insightful questions.

S. Hamlin said he was going to California next week to participate in a legislative work group meeting about list maintenance. He said he reviewed the latest draft ERIC legislation in New York. He is in contact with NY legislative staff.

S. Steffen gave a legal update.

**2. Future meetings (scheduled, but subject to change)**

- a. Membership Open Mic – ISMP Updates Preview – Nov. 15, 2023 1-2 pm ET
- b. Ex Comm – Nov. 28, 2023 3-4:30 pm ET
- c. Membership Open Mic – EBU Reports – Dec. 6, 2023 1-2 pm ET
- d. Board of Directors, Virtual – Dec. 8, 2023 12-3:30 ET
- e. Ex Comm – Jan. 12, 2024 1-2:30 ET
- f. Ex Comm – Jan. 23, 2024 3-4:30 ET
- g. Ex Comm – Feb. 2, 2024 1-2:30 ET

h. Board of Directors, In-person – Feb. 7, 2024 (Start time TBD)

S. Hamlin provided an update on upcoming meetings.

Having no further business, the committee adjourned at 2:46 p.m.



**ERIC Executive Committee**  
**Approved Minutes**  
**November 28, 2023 | 3 pm ET**

**Attendees**

Present?	Position	Member	Present?	Position	Member
X	Chair	Jonathan Brater		Immediate Past Chair	Vacant
X	Vice Chair	Blake Evans	X	Elected Board Member	Jonathan Marks
X	Treasurer	Stuart Holmes	X	Elected Board Member	Ryan Cowley
X	Secretary	David Maeda	X	Executive Director	Shane Hamlin

**Guests:** Sally Steffen, General Counsel

**Called to Order at:** 3:03 p.m.

**Agenda**

**1. Review the Dec. 8, 2023 Board of Directors Meeting Agenda**

S. Hamlin went through the December 8, 2023 Board Meeting agenda. He noted the financial audit report and review of the 990 IRS tax filing will be pushed back to the spring Board Meeting. The timeline does not create any potential issues with meeting the May 15, 2024 filing deadline for the 990. The December 8, 2023 meeting will include a vote on Utah’s request for an EBU exemption. S. Hamlin said he and Chair Brater wrote up the process that was used to assess the “reasonableness” of Utah’s request. ERIC will use the same process to evaluate the reasonableness of future EBU exemption requests. Brief discussion followed.

**2. Member and ERIC Activity Updates**

S. Hamlin reported on various contract and media issues. Brief discussion followed.

Having no further business, the committee adjourned at 3:30 p.m.



**ERIC Executive Committee**  
**Approved Minutes**  
**January 12, 2024 | 1 pm ET**

**Attendees**

Present?	Position	Member	Present?	Position	Member
X	Chair	Jonathan Brater		Immediate Past Chair	Vacant
X	Vice Chair	Blake Evans	X	Elected Board Member	Jonathan Marks
X	Treasurer	Stuart Holmes	X	Elected Board Member	Ryan Cowley
X	Secretary	David Maeda	X	Executive Director	Shane Hamlin

**Guests:** Sally Steffen, General Counsel

**Called to Order at:** 1:03 p.m. ET

**Agenda:**

**1. Approval of minutes from previous Ex Comm meetings.**

J. Marks moved, R. Cowley seconded a motion to approve the Dec. 20, 2022, February 2, 2023, February 9, 2023, and March 1, 2023 Executive Committee meeting minutes. There was no discussion. Motion was approved unanimously on a voice vote.

**2. 2024 ERIC Officers**

S. Hamlin reviewed the relevant bylaw provisions and general process for building a proposed slate of officers. He emphasized ERIC's historical practice of ensuring that the committee is bipartisan; Chair rotates each year; Chair position is not held by a Director whose Chief Election Official is from the same party two years in a row whenever possible.

He presented a potential slate of officers and committee members for 2024, along with the historical information on past officers and committee members. The committee discussed the recommendations for open elected board member position on the Executive Committee and the open Finance Committee position designated for a board member. S. Hamlin will ask the selected candidates if they want to serve and report back to the committee. The committee agreed to set the final slate at its next meeting, January 23, 2024.

**3. Feb. 7, 2024 ERIC Board of Directors Meeting**

S. Hamlin presented the draft agenda for the Board Meeting. Brief discussion followed.

**4. Membership Updates**

S. Hamlin reported on the progress of onboarding New Jersey and Massachusetts. He focused on specific challenges New Jersey faces. The committee agreed S. Hamlin should continue to work with the state through the normal onboarding process and report progress at future committee meetings.

He also gave an update on states operating under grace periods and extensions for uploading data. These states are making progress in resolving the underlying issues and should be on track with data uploads soon. He also provided an update on ERIC-related legislative activities in California and New York.

#### **5. ERIC Report Updates**

S. Hamlin provided a status update on the Voter Participation Reports and related matters. He will brief the full board at the February 7, 2024 meeting.

S. Hamlin said he and Chair Brater met with Alaska to gather more information to aid in their assessment of the reasonableness of the state's EBU exemption request. Colorado also submitted an exemption request. S. Hamlin and Chair Brater will complete their assessment of Alaska's request soon and then turn to Colorado's request. S. Hamlin reported that two other states indicated they might submit requests.

#### **6. Media/External Affairs Updates**

S. Hamlin reported a German entity resolution company analyzed publicly available voter data from a variety of states and determined there were potentially a large number of duplicate registrations in the selected states, even including? among ERIC members. Based on reading the blog post, it was clear the company knew very little about U.S. elections. He and E. Haas met with officials from the company to give them more context, and to review and compare a small sample of matched records. The review revealed the company had identified a number false positives and the legitimate duplicate records were already included in past ERIC reports. The company is drafting a follow up article to share what they've learned and acknowledge the work ERIC does to help ensure accurate voter records.

He also informed the committee that the Washington Post published an op/ed piece in support of ERIC.

Having no further business, the committee adjourned at 2:39 p.m. ET



**ERIC Executive Committee**  
**Approved Minutes**  
**January 23, 2024 | 3 pm ET**

**Attendees**

<b>Present?</b>	<b>Position</b>	<b>Member</b>	<b>Present?</b>	<b>Position</b>	<b>Member</b>
X	Chair	Jonathan Brater		Immediate Past Chair	Vacant
X	Vice Chair	Blake Evans	X	Elected Board Member	Jonathan Marks
X	Treasurer	Stuart Holmes	X	Elected Board Member	Ryan Cowley
X	Secretary	David Maeda	X	Executive Director	Shane Hamlin

**Guests:** Sally Steffen, General Counsel

**Called to Order at:** 3:02 p.m.

**Agenda:**

**1. Finalize Slate - 2024 ERIC Officers**

S. Hamlin confirmed the committee’s preferred candidate for the Board Member position on the Executive Committee would be happy to serve. The committee agreed on a candidate for the Board Member position on the Finance Committee. S. Hamlin will reach out to the candidate prior to the February 2 Ex Comm meeting and report back to the Chair and Vice Chair.

**2. Feb. 7, 2024 ERIC Board Meeting Updates**

S. Hamlin summarized logistics for the upcoming board meeting. Chair Brater indicated he likely will need to participate remotely. S. Hamlin reported the cost to host the meeting will be higher than in the past because expenses across all aspects of hosting a meeting have increased. He noted there will be new board members (designated Member Representatives) from New Jersey, Kentucky, and perhaps Vermont at the meeting. Brief discussion followed.

**3. Membership Updates**

S. Hamlin provided brief updates on New Jersey, Massachusetts, Vermont, and Maryland.

He also provided brief updates on the legislative efforts in California, and New York. He noted ERIC-enabling legislation was introduced in New Hampshire.

**4. Misc. ERIC Updates**

S. Hamlin said he and Chair Brater met to discuss the EBU exemption requests from Alaska and Colorado. They determined Alaska's request was reasonable. They continue to evaluate Colorado's request. Chair Brater said that Alaska's automatic voter registration is unique due to its Permanent Fund Dividend program.

S. Hamlin said states are finalizing their voter participation reports. Georgia did a press release on its findings, which resulted in multiple positive stories for the GA SOS and ERIC.

**5. Media/External Affairs Updates**

S. Hamlin said the Missouri State Auditor issued a report that included a concern about Missouri not having a backup plan when it left ERIC. He said ERIC had provided aggregated data to the auditor.

S. Steffen provided a legal update.

Having no further business, the committee adjourned at 3:34 p.m. ET



## **Unofficial Minutes - ERIC Board of Directors Meeting**

December 8, 2023

12:00 – 3:30 pm ET

Zoom Webinar/Conference Call

Chair Brater called the meeting to order at 12:04 pm ET. Secretary Maeda conducted the roll call. See attached roll call sheet.

### **1. Approval of past board meeting minutes**

R. Cowley moved to approve the July 28, 2023, board of directors meeting minutes. R. Kehoe gave the second. There was no discussion. The motion was approved unanimously on a voice vote.

### **2. 2023 Updates to ERIC's Information Security Management Plan (ISMP), Risk Assessment, and Security Policies; and, required Information and Data Security Reminders as per the National Technical Information Services Limited Access Death Master File.**

S. Hamlin provided an overview of the process used to conduct the internal review and develop recommended updates. He highlighted three process improvements the ERIC team made this year:

- A. Information Security (IS) staff from member offices were invited to aid in the review. IS staff from Kentucky, Michigan, and South Carolina spent about six hours reviewing the ISMP, Risk Assessment, and all related policies with ERIC staff. They shared important insights and offered helpful suggestions. He thanked the member representatives and their staff for lending their time and expertise to this year's review.
- B. ERIC staff hosted an open microphone session on November 15, 2023, where E. Haas previewed the updates and answered questions; and,
- C. All members were offered an opportunity to review the materials individually through a limited, secure access process prior to today's meeting.

E. Haas gave an overview of the ISMP, Risk Assessment, and the policies, summarizing each change and offering board members the opportunity to ask questions and provide comments. Brief discussion/Q&A followed.

M. Wlaschin moved the attached motion. M. Vigil gave the second. There was no further discussion. Secretary Maeda conducted a roll call vote. With 22 yes votes and 0 no votes, the motion was adopted. See attached roll call information for details.

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### 3. EBU Exemption Request

Chair Brater thanked R. Cowley and other Utah staff for submitting a thoughtful EBU Exemption request. He explained the process that would be used today: S. Hamlin will summarize the request at a high level. R. Cowley will give a statement and take questions from the board. He will then excuse himself from the meeting while the board discusses and votes on the request. R. Cowley would then be invited back to the meeting.

S. Hamlin outlined Utah's request. He also presented the written procedures that were used to determine the reasonableness of a request.

R. Cowley asked members to keep ERIC's mission statement in mind while evaluating the request. He noted Utah was one of the founding members of ERIC and has fully embraced the mission. He highlighted the key provisions of their exemption request, providing additional details on some elements of the request.

R. Cowley responded to questions from board members and then excused himself from the discussion.

Board members discussed the request.

J. Marks moved, and J. Choate seconded, the following motion:

“Pursuant to Section 4(a) of the ERIC Membership Agreement, the Board of Directors hereby approves Utah's request for an exemption from the Eligible but Unregistered Report requirements.”

There was no further discussion. Secretary Maeda conducted a roll call vote. With 21 yes votes and 0 no votes, the motion was adopted. See attached roll call information for details.

Chair Brater called for a brief recess.

Chair Brater called the meeting back to order. R. Cowley rejoined the meeting.

S. Hamlin said Alaska submitted an exemption request earlier in the week. He anticipated there would be other requests. He reminded the board that the process for evaluating exemption requests takes time given the requirements to conduct a reasonableness assessment and to convene the full board for a vote on requests deemed reasonable. Considering this, he encouraged those thinking about asking for an exemption to do so sooner rather than later.

### 4. Member and ERIC Activity Updates



### Data Disclosure

Chair Brater turned the meeting over to Vice Chair Evans.

S. Hamlin reported there had been an unauthorized disclosure of protected deceased voter data by the Michigan Attorney General's Office (AG) to another party. He said ERIC and Michigan are following the process specified in the Membership Agreement for documenting and mitigating the disclosure. In compliance with the Membership Agreement, the AG's office submitted a letter explaining the disclosure, mitigation steps, and efforts to recover the disclosed data. As per the Membership Agreement, the board must vote on whether to retain Michigan as a member.

Chair Brater said the AG's office takes people's privacy very seriously and this was an inadvertent disclosure, but still serious.

Chair Brater excused himself from the meeting.

S. Hamlin summarized the nature of the disclosure in more detail, including steps taken to mitigate and prevent future disclosures. He outlined the mitigating factors and steps the AG will take to prevent future disclosures.

Discussion followed.

J. Choate moved, and R. Cowley seconded, the following motion:

"Pursuant to Section 3(g) of the ERIC Membership Agreement, the Board of Directors hereby votes to continue the Michigan Department of State's ERIC Membership."

There was no further discussion. Secretary Maeda conducted a roll call vote. With 22 yes votes and 0 no votes, the motion was adopted. See attached roll call information for details.

Chair Brater rejoined the meeting.

### EBU Reports

S. Hamlin summarized the extensive work done following the board's discussion at the July 28, 2023, board meeting to gather information and discuss/brief the membership on several EBU and voter registration related topics. He said part of the goal is that these efforts could inform best practices for processing and using EBU reports. He outlined next steps and potential outputs. Given the time and bandwidth constraints on ERIC staff, and the feedback received from the board in July, he said the staff will primarily focus on updating the EBU Report guides and other supporting materials. He said there will be at least one more board-level discussion on EBUs at the Annual Board of Directors meeting in February.



### Legal Update

S. Steffen provided a legal update.

## **5. ERIC Reports/Data: Requirements, requests, and other important updates**

### Voter Participation Reports

S. Hamlin reminded members that the deadline to complete internal investigations on the 2022 Voter Participation Reports is Dec. 31, 2023. He said ERIC staff will send out a reminder and instructions for how best to submit information on the final disposition of the potential matches identified in the reports. He also asked members to share any press releases or social media posts they issue when referring cases to law enforcement.

He also asked states to submit any data they may have on the final disposition of potential cases from the 2020 Voter Participation Reports.

### ERIC Report Usage

S. Hamlin shared high-level data on the frequency by which members request each the four list maintenance reports, encouraging those who are not on a routine schedule to establish one for 2024 that works within the Presidential Election year schedule and the National Voter Registration Act 90-day pre-election prohibition on systematic list maintenance. He noted that deceased voters and in-state duplicate registrations can be processed throughout the year. He encouraged members to “level-up” their report request schedule and, where possible, increase the frequency of their report requests.

Brief discussion followed.

## **6. Report on Type 1, SOC II Audit**

S. Hamlin provided an update on the Type 1, SOC 2 Audit. He reported ERIC successfully completed the process and received the final audit report in November. This is a significant accomplishment. He shared a summary of the steps ERIC can take to publicize this achievement. For security purposes, the report is confidential. However, members may request secure meetings to review the report;

He said the next major step is to make a decision on whether to proceed with the Type 2, SOC 2 Audit, which observes ERIC’s system of controls over a period of time. This discussion will occur at the February 2024 board meeting.

There being no further business, the meeting was adjourned at 3:34 pm ET.



## Approved Minutes - ERIC Board of Directors Meeting

July 28, 2023

8:30 – 1:00 ET

Francis Marion Hotel | Charleston, South Carolina

In-Person/Teleconference/Webinar

### Call to Order/Roll Call

Chair Brater called the meeting to order at 8:40 a.m. ET. He welcomed K. Sullivan to the board.

Chair Brater thanked the retiring L. Lamone for her contributions over the years, including being one of the founding members of ERIC. S. Hamlin, J. Choate, M. Evans, and A. Albence also praised Lamone's advocacy of ERIC and leadership, and wished her well. L. Lamone thanked everyone for the kind words and urged members to work together to keep ERIC strong.

D. Maeda conducted the roll call. 23 Directors were present, 4 were absent. See attached roll call documentation.

### 1. Approval of the June 23, 2023, Board of Directors Meeting minutes

K. Sellers moved, and L. Lamone seconded, a motion to approve the June 23, 2023 meeting minutes. There was no discussion. The motion was approved unanimously on a voice vote.

### 2. Review Executive Director FY 24 Goals

Chair Brater explained the process for evaluating the executive director's performance. As part of the process, the Executive Director develops goals for the coming fiscal year. His proposed goals were reviewed and approved by the executive committee.

S. Hamlin presented his goals: 1) Maintain the value of ERIC membership; 2) Mature ERIC's financial policies and practices; and 3) More effectively tell ERIC's story and continue to improve public access to information about ERIC. He gave examples of what these include.

Brief discussion followed, with members expressing support for the goals and offering assistance where needed.

### 3. ERIC Membership and Activity Updates

**MoveIt.** E. Haas provided an update on the MoveIt vulnerability disclosure. The data center vendor continues to work closely with E. Haas and S. Hamlin. She reiterated that this was

not a security incident. There were no indicators of compromise or a data breach. No data was compromised. She expressed satisfaction with the vendor's response, communications, and mitigations. Board members thanked E. Haas for the way the situation is being handled. There was no further discussion.

**2022 Voter Participation Reports.** E. Haas provided an update on voter participation reports. She reminded the board that Ohio, Iowa, Virginia, and Texas requested the reports and submitted the required data. S. Hamlin said the close out letter to those resigning states asked them to continue to cooperate with members as each state/jurisdiction investigated possible cases of illegal voting in the 2022 election. Brief discussion followed.

**Texas Resignation.** S. Hamlin said the timing of Texas' resignation was unexpected and was not in line with what was communicated during the open microphone sessions convened throughout May and June. It was known that Texas would have to leave unless the EBU requirement is modified. He reminded the board that he made it clear in the open microphone sessions that, according to the bylaws, if a member resigns after the budget and dues were voted on, the member is still obligated to pay dues as assessed. Texas had not paid its dues yet. Even though Texas accounts for about 10 percent of budgeted revenue, there are no cash flow issues at this time. He would continue to work with Texas on their departure.

B. Evans said his expectation is that Texas will pay their dues. He asked if they had given any verbal indication about not paying. S. Hamlin said they had not, and further communication will be in writing. Brief discussion continued.

**ERIC Law Review Article.** S. Hamlin reminded the board that he shared with them a draft of an academic law review article written by Michael Morse. He encouraged members to read the latest paper. It was well documented and researched, and it provides useful historical information about list maintenance in general. There was no further discussion.

**New Member Engagement.** S. Hamlin reported he and Chair Brater attended and presented at a California County Clerks Conference. S. Hamlin said New York also remains a priority. He would continue to remain engaged with contacts in the state. Brief discussion followed.

**Legal Update.** S. Steffen provided a legal update. There was no further discussion.

**Driver's Privacy Protection Act (DPPA) – Permissive Uses.** S. Hamlin spoke about DMV data and the DPPA. He reminded the board that a work group was formed a few years ago to take a comprehensive look at the statutory protections and relevant case law regarding the use of DMV data. Ultimately, this led to the recently adopted operational enhancements to the membership agreement. He noted there are 14 permissive uses cited in the DPPA. ERIC qualifies under the agency use exception because ERIC exists to aid a government agency in carrying out its functions. The act also includes a permissive use for research activities and statistical reports but includes a prohibition on redisclosure of personal information. He reported internal work will continue to develop a recommended approach to managing research-related use of DMV data. He acknowledged that although DMV data may legally be used for research purposes, there is some sensitivity around use of these data for research right now. Brief discussion followed.

**FY25 Dues Forecast.** S. Hamlin presented information about FY25 and potential dues rates given the current member composition. He is working to better sequence ERIC's budget development with state budget timelines and to raise awareness of potential dues, so members have this information for their own budget processes. Brief discussion followed.

**Non-ERIC Data Sharing Agreements.** S. Hamlin said he was aware of discussions occurring related to interstate or bilateral data sharing agreements. Several members reported participating in discussions but indicated no final decisions had been made yet. Brief discussion continued.

**Future ERIC Meetings.** S. Hamlin shared potential 2024 future meeting dates. He said the Executive Committee will finalize the schedule. Brief discussion followed.

**4. Preview minor Membership Agreement amendment ideas**

S. Hamlin said he's working to bring to the board a proposal for minor changes to the membership agreement regarding requesting list maintenance reports and the member resignation process. He will work with the Executive Committee on the package of these changes.

D. Maeda asked for background for the 90-day resignation period. S. Hamlin said when ERIC was formed, 90 days seemed reasonable to provide an orderly withdrawal. The founding members thought that if a state was leaving ERIC, it might be due to the loss of funding, or similar issues, while wanting to remain a member. It wasn't anticipated a state would leave due to a hyper partisan environment, like we have now. J. Choate said it wasn't anticipated that ERIC would become so politicized and that states would want to leave ERIC for political reasons.

**5. Kick-off Discussion on Eligible but Unregistered Reports**

Chair Brater said the idea of discussing ways to improve the EBUs has been on the table long before the reform proposals were put forth last summer and before the recent withdrawal of states. He noted states have adopted a variety of other outreach methods since ERIC was formed. These policies, as well as a close look at how well the EBUs work/how to improve them, should be helpful. He looks forward to a thorough discussion. He then asked S. Hamlin to walk through a short presentation to kick off the conversation.

S. Hamlin said that it was important to recognize that EBUs were always about ensuring ERIC's mission was balanced and appealed to election officials and stakeholders across the political spectrum. EBUs were not added at the last minute or after ERIC was formed. For years "red states" expressed no concerns about providing voter registration information to potentially eligible individuals.

He recognized discussions about EBUs over the last 6-7months focused on whether they should be required. These discussions were mostly a tug of war between the politics of conducting the EBU and ERIC's balanced, two-part mission. However, as Chair Brater noted, the ERIC team has been interested in evaluating the EBUs well before the reform proposals. The ERIC team would like to launch that initiative via a thorough, thoughtful series of discussions.

The EBUs had been around for 10 years – through six Federal General Elections. There has been significant policy changes and technology advancements since 2012 related to voter

registration and, specifically, registering new voters and updating voter records. When ERIC was launched in 2012:

- Maybe 8 states offered OVR. Today, 39 states offer it.
- No one had AVR. Today, using NCSL's definitions, 22 states have AVR.
- Maybe a dozen states offered EDR/SDR. Today, 22 states offer it.

He suggested gathering relevant data, evidence, and information and looking at current and past practices and sharing those practices. He suggested a deliberative and thorough review of the reports to consider what changes could be made. He said it was important to take time to make the most informed decision or decisions possible. This kind of approach has served members well over the last 11 years. It led to the successful:

- Creation of ERIC – nearly 3 years to build.
- Implementation of the Voter Participation Reports, which passed on a 20-2 vote – Nearly two years, including a pilot project.
- Vastly improved data and report protection provisions.

E. Haas summarized the current process for creating the EBU reports and a proposed process and timeline ending in 2026 to evaluate the effectiveness of EBUs, and determine if there were alternatives that resulted in a better response rate or other improvements.

S. Hamlin and Chair Brater then invited member input and broader discussion. A discussion ensued addressing multiple topics, including but not limited to:

- The history and proposal S. Hamlin and E. Haas detailed.
- Membership agreement report requirement reforms discussed and voted on early in 2023 and how these may or may not evolve going forward.
- EBU Report Exemption process and history.
- The polarized environment in which ERIC currently operates.
- Alternative methods of improving voter registration.

Chair Brater thanked the board for engaging in tough, but thorough discussion. He closed by saying the essential issue was finding a way to make ERIC work for all its members.

**There being no further business, the meeting was adjourned at 12:23 p.m. ET.**



## **Unofficial Minutes - 2023 Annual ERIC Membership Meeting**

September 28, 2023

1:30 – 3:30 p.m. ET

*(Meeting may end before 3:30 ET)*

Zoom Webinar/Conference Call

Chair Brater called the meeting to order at 1:33 p.m. ET. Secretary Maeda conducted the roll call. See attached roll call sheet.

Chair Brater acknowledged the members of the public, media, and member states who registered and are attending the meeting as observers. See attached attendee list.

After brief additional opening remarks, he asked S. Hamlin to proceed with the agenda items.

### **1. ERIC Annual Activity Update: July 2022 – July 2023 (Informational Presentation)**

S. Hamlin outlined ERIC's mission, its structure, its origin and its funding. He said keeping voter rolls accurate is challenging due to voter mobility and deaths. He then outlined the reports ERIC provides to its members and the security protocols in place to keep the shared data secure.

S. Hamlin noted that a working group was formed to review the membership agreement and bylaws, for potential recommended changes for board approval. The working group met seven times during 2022-2023 and presented its recommendations to the board. The board voted to repeal the nonvoting board seats, strengthen and clarifying data protection requirements, and remove of obsolete data-related provisions. A proposal to change the reports requirements was not adopted. Nine states have left or are in the process of leaving ERIC since 2022. Two states joined.

S. Hamlin said that from July 2022 to July 2023 662 list maintenance reports were sent to members, identifying about 9.5 million likely out of date records. There were more than 5 million eligible but unregistered voters identified. He also said ERIC's website had major updates and was moved to a dedicated, secure server.

*The complete PowerPoint is available on ERIC's website.*

### **2. Key ERIC Activities for July 2023 – July 2024 (Informational Presentation)**

S. Hamlin said a Type 1, SOC 2 audit was close to being completed. A death master file certification is also in progress. The financial audit will be presented to the board for review when it is complete.

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He will continue to recruit new states and push out factual information about ERIC via the website and media. A consolidated annual report will also be published in 2024.

M. Vigil and J. Marks agreed the information on ERIC's new website explaining ERIC's approach to protecting the data was helpful. S. Holmes noted that the 9.5 million records Hamlin mentioned did not include NCOA records, so the total number was much higher. He said for mail ballot states like Washington, the NCOA reports are critical.

There being no further business, the meeting was adjourned at 2:42 p.m. ET.



**ERIC Executive & Finance Committee Meeting**  
**Meeting Minutes**  
**June 21, 2023 | 4 pm ET**

**Attendees**

Present?	Position	Member	Present?	Position	Member
X	Chair	Jonathan Brater		Immediate Past Chair	Vacant
X	Vice Chair	Blake Evans	X	Elected Board Member	Jonathan Marks
X	Treasurer	Stuart Holmes	X	Elected Board Member	Ryan Cowley
X	Secretary	David Maeda		Executive Director	Shane Hamlin: <b>Recused</b>
X	Finance Committee Member	Mandy Vigil			

**Guest:** Sally Steffen, General Counsel

**Called to Order at:** 4:02 pm ET

**1. Overview of Executive Director Compensation and Performance Review Process (Informational)**

Chair Brater said the primary purpose of the meeting is to determine the compensation for Executive Director (ED) Shane Hamlin for FY 2024. He noted that S. Hamlin was recused from this meeting because of the topic. The Executive Committee’s (EC) decision will be included in the proposed budget for FY 2024, which the board will vote on at its meeting on June 23, 2023. Chair Brater asked S. Steffen to provide a brief overview of the ED compensation review process.

S. Steffen explained that under ERIC’s bylaws, the EC, in consultation with the Finance Committee (FC), is responsible for annually deciding on the ED’s compensation. The FC’s role is advisory. The process for making this determination is laid out in detail in the “Evaluation Guidelines for Executive Director of the Electronic Registration Information Center,” (Guidelines), which were adopted by the Board on March 18, 2022 and included in the packet for this meeting. Under the Guidelines, the EC and the FC committee must take into account benchmarking data that reflects compensation of leadership and other relevant positions in organizations similarly situated to ERIC, including in the non-profit, governmental, and for-profit sectors. As part of the process laid out in the Guidelines, the ED prepares a written self-

assessment, and the EC prepares a written performance evaluation. In addition, the Guidelines require that the ED engage in an annual goal setting process.

## **2. Performance Review Discussion (Action item)**

Chair Brater presented the performance evaluation he had prepared of the ED, summarizing his view that the ED had performed exceptionally in a year of unprecedented challenges. Discussion ensued. The EC and FC provided feedback and expressed strong agreement with the evaluation. Chair Brater noted that he would brief the full board on the evaluation at the budget meeting on June 23, 2023.

J. Marks moved to authorize Chair Brater to finalize the performance evaluation and deliver it to the ED on behalf of the EC. R. Cowley seconded. No discussion. The motion was approved unanimously on voice vote.

## **3. Compensation Discussion (Action Item)**

Chair Brater said that the next step was to determine the ED's compensation for FY 2024. He said that his recommendation was to increase the ED's base salary from \$137,533 to \$150,000, effective July 1, 2024. He noted that his recommendation was informed by his review of compensation benchmarking data from other organizations. Chair Brater further noted that the decision was also informed by the work of the Executive Director Performance & Compensation Working Group, created in April 2021, which undertook a comprehensive examination of the compensation of the ERIC ED position. This Working Group recommended that the ED's base salary be increased to \$150,000, effective July 1, 2022. Though last year's EC did not adopt the Working Group's recommendation, opting instead for a phased-in approach, it recommended that this year's EC increase the ED's base salary to \$150,000. Chair Brater commented he believed this increase was fair but conservative.

S. Steffen reminded the group that the meeting packet included last year's comp EC decision minutes. In addition to documenting last year's compensation decision, the minutes also summarized the work of the Working Group Chair Brater just mentioned. The packet also includes salary history of the ERIC ED position, comparability/benchmarking data, and the ED's Self-Assessment Memo.

A discussion ensued. The committees considered several factors including the benchmarking data, the Working Group's recommendation, the ED's self-assessment, their overall satisfaction with the ED's performance, and the growing demands of the position. Several members spoke in favor of increasing the ED's salary to \$150,000.

J. Marks moved to increase the ED's base salary to \$150,000, effective July 1, 2023. D. Maeda seconded. No discussion. The motion was approved unanimously on voice vote by the EC.

#### **4. ED Long-term Disability Policy Discussion (Action Item)**

Chair Brater said the EC next needed to consider whether to authorize ERIC to pay for the ED's individual long-term disability plan. He asked S. Steffen to provide the background. S. Steffen said that an individual disability plan has always been part of the ERIC ED benefit package. In 2022, ERIC began offering a group long-term disability plan, which has a different level of benefit than the individual plan. The ED may maintain both the group and the individual LTD plan. The ED paid the premium for the individual plan in November 2022 of \$1,861.64. The ED has requested that the EC consider authorizing ERIC to reimburse him for the 2022 premium and pay the upcoming 2023 premium, which will be no more than \$2,500, as part of his FY 2024 compensation. S. Steffen noted that the benchmarking information in the meeting packet contained information on benefits, that the ED does not take health benefits from ERIC, and that the benefits are reasonable. S. Steffen clarified that, going forward, the EC will be asked to make this assessment annually as a part of its compensation review. Discussion ensued, with several members speaking in favor of the reasonableness of ERIC making these payments as part of the ED's FY 2024 compensation.

S. Holmes moved to authorize ERIC to reimburse the ED for the 2022 annual premium for his individual long-term disability plan in the amount of \$1,861.64. R. Cowley seconded. No discussion. The motion was approved unanimously on voice vote by the EC.

R. Cowley moved to authorize ERIC to pay the 2023 annual premium for the ED's individual long-term disability plan in an amount of up to \$2,500. S. Holmes seconded. No discussion. The motion was approved unanimously on voice vote by the EC.

#### **5. FY 2024 ED Goal-Setting Process (Informational)**

Chair Brater noted that the ED will present his goals for Fiscal Year 2024 at the July 2023 in-person meeting of the board.

There being no further business, the meeting adjourned at 5:15 pm ET.



## Unofficial Minutes - ERIC Board of Directors Meeting

July 28, 2023

8:30 – 1:00 ET

Francis Marion Hotel | Charleston, South Carolina

In-Person/Teleconference/Webinar

### Call to Order/Roll Call

Chair Brater called the meeting to order at 8:40 a.m. ET. He welcomed K. Sullivan to the board.

Chair Brater thanked the retiring L. Lamone for her contributions over the years, including being one of the founding members of ERIC. S. Hamlin, J. Choate, M. Evans, and A. Albence also praised Lamone's advocacy of ERIC and leadership, and wished her well. L. Lamone thanked everyone for the kind words and urged members to work together to keep ERIC strong.

D. Maeda conducted the roll call. 23 Directors were present, 4 were absent. See attached roll call documentation.

### 1. Approval of the June 23, 2023, Board of Directors Meeting minutes

K. Sellers moved, and L. Lamone seconded, a motion to approve the June 23, 2023 meeting minutes. There was no discussion. The motion was approved unanimously on a voice vote.

### 2. Review Executive Director FY 24 Goals

Chair Brater explained the process for evaluating the executive director's performance. As part of the process, the Executive Director develops goals for the coming fiscal year. His proposed goals were reviewed and approved by the executive committee.

S. Hamlin presented his goals: 1) Maintain the value of ERIC membership; 2) Mature ERIC's financial policies and practices; and 3) More effectively tell ERIC's story and continue to improve public access to information about ERIC. He gave examples of what these include.

Brief discussion followed, with members expressing support for the goals and offering assistance where needed.

### 3. ERIC Membership and Activity Updates

**MoveIt.** E. Haas provided an update on the MoveIt vulnerability disclosure. The data center vendor continues to work closely with E. Haas and S. Hamlin. She reiterated that this was

not a security incident. There were no indicators of compromise or a data breach. No data was compromised. She expressed satisfaction with the vendor's response, communications, and mitigations. Board members thanked E. Haas for the way the situation is being handled. There was no further discussion.

**2022 Voter Participation Reports.** E. Haas provided an update on voter participation reports. She reminded the board that Ohio, Iowa, Virginia, and Texas requested the reports and submitted the required data. S. Hamlin said the close out letter to those resigning states asked them to continue to cooperate with members as each state/jurisdiction investigated possible cases of illegal voting in the 2022 election. Brief discussion followed.

**Texas Resignation.** S. Hamlin said the timing of Texas' resignation was unexpected and was not in line with what was communicated during the open microphone sessions convened throughout May and June. It was known that Texas would have to leave unless the EBU requirement is modified. He reminded the board that he made it clear in the open microphone sessions that, according to the bylaws, if a member resigns after the budget and dues were voted on, the member is still obligated to pay dues as assessed. Texas had not paid its dues yet. Even though Texas accounts for about 10 percent of budgeted revenue, there are no cash flow issues at this time. He would continue to work with Texas on their departure.

B. Evans said his expectation is that Texas will pay their dues. He asked if they had given any verbal indication about not paying. S. Hamlin said they had not, and further communication will be in writing. Brief discussion continued.

**ERIC Law Review Article.** S. Hamlin reminded the board that he shared with them a draft of an academic law review article written by Michael Morse. He encouraged members to read the latest paper. It was well documented and researched, and it provides useful historical information about list maintenance in general. There was no further discussion.

**New Member Engagement.** S. Hamlin reported he and Chair Brater attended and presented at a California County Clerks Conference. S. Hamlin said New York also remains a priority. He would continue to remain engaged with contacts in the state. Brief discussion followed.

**Legal Update.** S. Steffen provided a legal update. There was no further discussion.

**Driver's Privacy Protection Act (DPPA) – Permissive Uses.** S. Hamlin spoke about DMV data and the DPPA. He reminded the board that a work group was formed a few years ago to take a comprehensive look at the statutory protections and relevant case law regarding the use of DMV data. Ultimately, this led to the recently adopted operational enhancements to the membership agreement. He noted there are 14 permissive uses cited in the DPPA. ERIC qualifies under the agency use exception because ERIC exists to aid a government agency in carrying out its functions. The act also includes a permissive use for research activities and statistical reports but includes a prohibition on redisclosure of personal information. He reported internal work will continue to develop a recommended approach to managing research-related use of DMV data. He acknowledged that although DMV data may legally be used for research purposes, there is some sensitivity around use of these data for research right now. Brief discussion followed.

**FY25 Dues Forecast.** S. Hamlin presented information about FY25 and potential dues rates given the current member composition. He is working to better sequence ERIC's budget development with state budget timelines and to raise awareness of potential dues, so members have this information for their own budget processes. Brief discussion followed.

**Non-ERIC Data Sharing Agreements.** S. Hamlin said he was aware of discussions occurring related to interstate or bilateral data sharing agreements. Several members reported participating in discussions but indicated no final decisions had been made yet. Brief discussion continued.

**Future ERIC Meetings.** S. Hamlin shared potential 2024 future meeting dates. He said the Executive Committee will finalize the schedule. Brief discussion followed.

#### 4. **Preview minor Membership Agreement amendment ideas**

S. Hamlin said he's working to bring to the board a proposal for minor changes to the membership agreement regarding requesting list maintenance reports and the member resignation process. He will work with the Executive Committee on the package of these changes.

D. Maeda asked for background for the 90-day resignation period. S. Hamlin said when ERIC was formed, 90 days seemed reasonable to provide an orderly withdrawal. The founding members thought that if a state was leaving ERIC, it might be due to the loss of funding, or similar issues, while wanting to remain a member. It wasn't anticipated a state would leave due to a hyper partisan environment, like we have now. J. Choate said it wasn't anticipated that ERIC would become so politicized and that states would want to leave ERIC for political reasons.

#### 5. **Kick-off Discussion on Eligible but Unregistered Reports**

Chair Brater said the idea of discussing ways to improve the EBUs has been on the table long before the reform proposals were put forth last summer and before the recent withdrawal of states. He noted states have adopted a variety of other outreach methods since ERIC was formed. These policies, as well as a close look at how well the EBUs work/how to improve them, should be helpful. He looks forward to a thorough discussion. He then asked S. Hamlin to walk through a short presentation to kick off the conversation.

S. Hamlin said that it was important to recognize that EBUs were always about ensuring ERIC's mission was balanced and appealed to election officials and stakeholders across the political spectrum. EBUs were not added at the last minute or after ERIC was formed. For years "red states" expressed no concerns about providing voter registration information to potentially eligible individuals.

He recognized discussions about EBUs over the last 6-7 months focused on whether they should be required. These discussions were mostly a tug of war between the politics of conducting the EBU and ERIC's balanced, two-part mission. However, as Chair Brater noted, the ERIC team has been interested in evaluating the EBUs well before the reform proposals. The ERIC team would like to launch that initiative via a thorough, thoughtful series of discussions.

The EBUs had been around for 10 years – through six Federal General Elections. There has been significant policy changes and technology advancements since 2012 related to voter

registration and, specifically, registering new voters and updating voter records. When ERIC was launched in 2012:

- Maybe 8 states offered OVR. Today, 39 states offer it.
- No one had AVR. Today, using NCSL's definitions, 22 states have AVR.
- Maybe a dozen states offered EDR/SDR. Today, 22 states offer it.

He suggested gathering relevant data, evidence, and information and looking at current and past practices and sharing those practices. He suggested a deliberative and thorough review of the reports to consider what changes could be made. He said it was important to take time to make the most informed decision or decisions possible. This kind of approach has served members well over the last 11 years. It led to the successful:

- Creation of ERIC – nearly 3 years to build.
- Implementation of the Voter Participation Reports, which passed on a 20-2 vote – Nearly two years, including a pilot project.
- Vastly improved data and report protection provisions.

E. Haas summarized the current process for creating the EBU reports and a proposed process and timeline ending in 2026 to evaluate the effectiveness of EBUs, and determine if there were alternatives that resulted in a better response rate or other improvements.

S. Hamlin and Chair Brater then invited member input and broader discussion. A discussion ensued addressing multiple topics, including but not limited to:

- The history and proposal S. Hamlin and E. Haas detailed.
- Membership agreement report requirement reforms discussed and voted on early in 2023 and how these may or may not evolve going forward.
- EBU Report Exemption process and history.
- The polarized environment in which ERIC currently operates.
- Alternative methods of improving voter registration.

Chair Brater thanked the board for engaging in tough, but thorough discussion. He closed by saying the essential issue was finding a way to make ERIC work for all its members.

**There being no further business, the meeting was adjourned at 12:23 p.m. ET.**



State of Rhode Island

Department of State | Office of the Secretary of State

Gregg M. Amore, *Secretary of State*

March 14, 2024

Khahilia Shaw

Email: [records@americanoversight.org](mailto:records@americanoversight.org)

RE: Public Records Request received February 29, 2024

Dear Khahilia:

The Rhode Island Department of State (the Department) received on February 29, 2024, your emailed request for the below records.

**All records reflecting the contents of any meetings or calls held by the Electronic Registration Information Center (ERIC). This request includes any agendas, minutes, meeting notes, transcripts, lists of meeting attendees, or materials displayed or exchanged during the meetings.**

I have uploaded the responsive records to our public records portal.

If you have any questions or concerns, do not hesitate to contact me at 401-222-2357 or [rrock@sos.ri.gov](mailto:rrock@sos.ri.gov).

Sincerely,

Rob Rock  
Deputy Secretary of State

State House, Room 218, Providence, RI 02903

Phone: 401-222-2357 | Fax: 401-222-1356 | [secretaryamore@sos.ri.gov](mailto:secretaryamore@sos.ri.gov) | [www.sos.ri.gov](http://www.sos.ri.gov)

RI-DOS-24-0152-A-000165