From:

on behalf of Ronald L. Rivest

Sent:

Thursday, September 14, 2017 3:55 PM

To: Cc: William Gardner Anthony Stevens

Subject:

Re: Meeting of Pence/Kobach commission vesterday (9/12/17)

Hi Bill --

Thanks!

Cheers,

Ron

On Thu, Sep 14, 2017 at 12:00 PM, William Gardner < William Gardner @sos.nh.gov > wrote: Ron,

Thank you once again for participating on Tuesday. Your panel was very well received and several members of the audience and some commission members told me later it had the most significance and was the most important information they received all day.

I am keenly sensitive to your position and will be sure that no endorsement or related support on your part would ever appear as part of the Commission's findings and recommendations, without some written acknowledgement from you. I will be very careful about this.

My kind regards always,

Bill

From:

on behalf of Ronald L. Rivest

Sent: Wednesday, September 13, 2017 2:27 PM

To: William Gardner Cc: Anthony Stevens

Subject: Meeting of Pence/Kobach commission yesterday (9/12/17)

Hi Bill --

(I hope this email address is correct for you; I found it on the web. I've also cc'd Anthony Stevens here in case it is not; perhaps he can forward the email to you if necessary...)

Thanks again for inviting me to participate in the panel discussions yesterday. I must say that I really enjoyed hearing Harri Hursti talk!

And I appreciate your firmness about sticking to the facts (and getting the facts right!).

You asked as to whether I might be available for further consultation or collaboration. I said "yes", but I just want to clarify exactly what I mean.

I am happy to participate in events such as yesterday's, giving testimony.

Or to participate in some informal discussions about auditing and the like.

However, I do (naturally) have some concern about the sort of recommendations this committee might make in the end in its report, and I do not want to be in the position of appearing to endorse or approve of certain recommendations, particularly if they are likely to disenfranchise many otherwise eligible voters.

Thus, you are welcome to contact me any time for further discussions, but any use of my name in the final report, other than stating that I testifying at yesterday's meeting, should be subject to my prior approval. For example, saving that I am a consultant or that I was consulted or the like might possibly be problematic for me, and we should discuss such language possibilities if they might appear in the final report before we get into further discussions, please. I'm sure you understand.

Back to the substance of the meeting and the committee's work: at a high level, I am concerned that the committee may (to use an analogy I cooked up) risk irrelevance by obsessing about a few people trying to jump on the freight train when there are folks up ahead trying to blow up the tracks! (Feel free to pass this analogy around...) We need to have our priorities right.

The committee's work takes up much valuable time from many people for whom time is a precious commodity. The committee should therefore be working on the important and real problems, not problems that are of fairly small magnitude or even rather too speculative in their impact.

The issue of the security of electronic pollbooks may be a good one for the committee to emphasize. These are poorly studied and, it appears, poorly secured. I understand

from Anthony that NH has excellent procedures in place to switch over to paper backups
on election day quickly if needed. Perhaps NH could play a leadership role in getting the
committee to focus on this very real and important issue.
Thanks again!

Ronald L. Rivest Room 32-G692, Stata Center, MIT, Cambridge MA 02139 . Email http://people.csail.mit.edu/rivest

Cheers. Ron

Ronald L. Rivest
Room 32-G692, Stata Center, MIT, Cambridge MA 02139
Tel Email
http://people.csail.mit.edu/rivest

From:

on behalf of Ronald L. Rivest

Sent:

Wednesday, September 13, 2017 2:27 PM

To: Cc: William Gardner Anthony Stevens

Subject:

Meeting of Pence/Kobach commission yesterday (9/12/17)

Hi Bill --

(I hope this email address is correct for you; I found it on the web. I've also cc'd Anthony Stevens here in case it is not; perhaps he can forward the email to you if necessary...)

Thanks again for inviting me to participate in the panel discussions yesterday. I must say that I really enjoyed hearing Harri Hursti talk!

And I appreciate your firmness about sticking to the facts (and getting the facts right!).

You asked as to whether I might be available for further consultation or collaboration. I said "yes", but I just want to clarify exactly what I mean.

I am happy to participate in events such as yesterday's, giving testimony. Or to participate in some informal discussions about auditing and the like.

However, I do (naturally) have some concern about the sort of recommendations this committee might make in the end in its report, and I do not want to be in the position of appearing to endorse or approve of certain recommendations, particularly if they are likely to disenfranchise many otherwise eligible voters.

Thus, you are welcome to contact me any time for further discussions, but any use of my name in the final report, other than stating that I testifying at yesterday's meeting, should be subject to my prior approval. For example, saying that I am a consultant or that I was consulted or the like might possibly be problematic for me, and we should discuss such language possibilities if they might appear in the final report before we get into further discussions, please. I'm sure you understand.

Back to the substance of the meeting and the committee's work: at a high level, I am concerned that the committee may (to use an analogy I cooked up) risk irrelevance by obsessing about a few people trying to jump on the freight train when there are folks up ahead trying to blow up the tracks! (Feel free to pass this analogy around...) We need to have our priorities right.

The committee's work takes up much valuable time from many people for whom time is a precious commodity. The committee should therefore be working on the important and real problems, not problems that are of fairly small magnitude or even rather too speculative in their impact.

The issue of the security of electronic pollbooks may be a good one for the committee to emphasize. These are poorly studied and, it appears, poorly secured. I understand from Anthony that NH has excellent procedures in place to switch over to paper backups on election day quickly if needed. Perhaps NH could play a leadership role in getting the committee to focus on this very real and important issue.

		. ,	
	hanka	s again!	
1 1	LIGHTER	3 (UZ(UIII.	
		<u></u>	

Cheers, Ron

Ronald L. Rivest

Room 32-G692, Stata Center, MIT, Cambridge MA 02139

Tel Email

http://people.csail.mit.edu/rivest

From:

ricia mcmahon

Sent:

Friday, September 01, 2017 6:14 PM ElectionIntegrityStaff@ovp.eop.gov

To: Cc:

William Gardner

Subject:

Commission on Election Integrity

Mr. Ron Williams Office of the Vice President Executive Office of President EOB

I wish to attend the September 12, 2017 Commission on Election Integrity to be held in New Hampshire.

My name is Patricia McMahon

email phone

I am a New Hampshire resident and voter for almost 50 years (in 2018). Currently I serve on the New Hampshire Canada Trade Council Served three terms in the NH leguslature

Served as Chair of Select Board

Thank you for considering my request to attend the Commission proceedings.

Sent from Yahoo Mail on Android

From:

Olivia Zink

Sent:

Friday, September 01, 2017 7:32 PM

To:

William Gardner

Subject:

Take a Stand Against the Pence-Kobach Commission



Bill ---

Calling all friends, voters and voting rights advocates who believe in modern and secure elections! The Trump Adracross the country to turn over their statewide voter lists.

Join us on Tuesday, September 12 to protest the Pence-Kobach Commission on Election Integrity at St. Anselm Co The ACLU-NH and the NH Campaign for Voting Rights are coordinating actions in the field and online to build ec four actions you can take to challenge the Pence-Kobach Commission:

1. Join the protest! Stand against the Pence-Kobach Commission meeting on Tuesday morning.

Hands Off My Ballot! Protest the Pence-Kobach Commission Meeting. Info HERE.

Tuesday, September 12, 8 a.m. St. Anselm College New Hampshire Institute of Politics 100 Saint Anselm Drive Manchester, NH 03102

RSVP on Facebook

- 2. Attend the hearing! To reserve a spot at the committee hearing, email the Election Integrity Commission staff, a ticket please let Gibson at ACLU know. Mailto:
- 3. Make signs for the protest! Help us prepare for the protest at the America Votes office at 2 p.m. on Friday, Sep to:

 with your name, email and phone number.

4. Write a letter! Send a letter to the editors of state and local publications about the "sham" commission. Email g how to submit your piece.

Stand with us - do not allow the Pence-Kobach Commission to go unchallenged! Thank you and keep up the fight!

Olivia Zink http://www.nhrebellion.org/

NH Rebellion · 4 Park St, Suite 301, Concord, NH 03301, United States
This email was sent to wgardner@sos.state.nh.us. To stop receiving emails, click here.

Created with NationBuilder, software for leaders.

From:

Susan Covert

Sent:

Saturday, September 02, 2017 10:55 AM

To:

ElectionIntegrityStaff@ovp.eop.gov

Cc:

Elections

Subject:

Unable to Submit Written Comments to Election Integrity Commission

To: Ron Williams, Policy Advisor Commission on Election Integrity

Re: Submission of Written Comments

Dear Mr. Williams:

I received confirmation to attend the Commission's September 12th public meeting at St. Anselm's College in Manchester, NH. The email notice included the following information:

ATTENDENCE AT THE MEETING:

There will not be oral comments from the public at the meeting. Written comments pertaining to the meeting and any subsequent Commission meetings may be submitted at any time at the following link:https://www.regulations.gov/document?D=GSA-GSA-2017-0002-0104

This morning I went on line to submit my written comments to the Commission. I reached the <u>regulation.gov</u> page and was informed -

We're sorry, but we could not load document GSA-GSA-2017-0002-0104

I am concerned that the Commission on Election Integrity is holding a public meeting, but will not be taking public testimony and that citizens who care about this issue are unable to submit written public comments.

Can you please let me know how the Commission plans to get public input.

Sincerely,

Susan Covert

From:

Susan Covert

Sent:

Saturday, September 02, 2017 11:21 AM

To:

Elections

Subject:

Continued Problem in Submitting Written Comments to Election Integrity Commission

Dear Secretary of State Gardner,

I cc/d your office on my earlier September 2, 2017 email to FN-OVP Election Integrity Staff regarding problems with submitting written comments to the Commission. I received the automatic email reply below. This FN-OVP email now has a different link for submitting written comments. I once again attempted to submit comments to the Commission and was informed when I logged in on the regulations gov page:

We're sorry, but we could not load document GSA_FRDOC_0001-1301

As a member of this Commission, can you please let me know what you are planning to do to ensure that American citizens have an opportunity to provide public comment on this critical issue.

Sincerely,

Susan Covert

Begin forwarded message:

From: FN-OVP-Election Integrity Staff < ElectionIntegrityStaff@ovp.eop.gov>

Date: September 2, 2017 10:55:03 AM EDT

To: Susan Covert

Subject: Automatic reply: Unable to Submit Written Comments to Election Integrity Commission

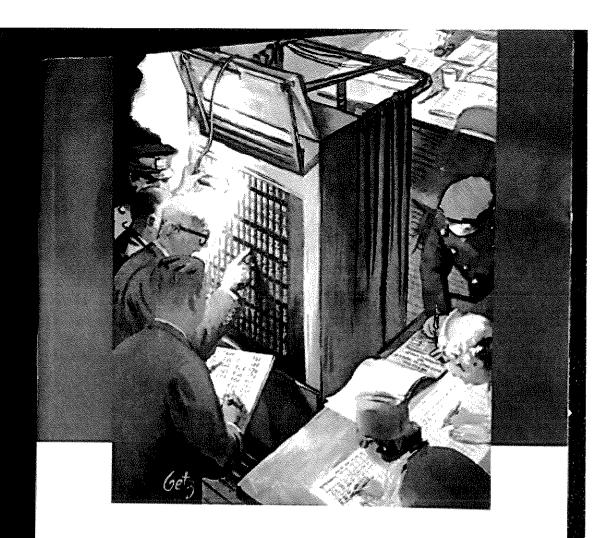
Thank you for contacting the Presidential Advisory Commission on Election Integrity. We have reached maximum capacity for the September 12, 2017 public meeting and are no longer accepting registrations. The meeting will be broadcast online through livestream. Instructions for accessing the livestream will be published soon onhttps://www.whitehouse.gov/blog/2017/07/13/presidential-advisory-commission-election-integrity.

If you wish to submit a public comment to the Commission, you may do so at www.Regulations.gov via the following link: https://www.regulations.gov/document?D=GSA_FRDOC_0001-1301. Please select the "Comment Now" button and follow the instructions on the screen. The Commission no longer accepts public comments through this email account.

Anthony Stevens	
Sent: Monda To: Anthon Cc:	s H Stewart y, August 14, 2017 2:06 PM y Stevens Barry Burden to Secretary Gardner
Hello Anthony,	
	-mail address, but I did want to drop him a quick note about our conversation last week nission meeting. Could you see that he gets the following?
Thanks,	
Charles	
Dear Bill,	
I've chatted with Paul Gronke and I it meets in Manchester in early Sep	Barry Burden about appearing before the Presidential Commission on Election Integrity when stember.
As we understand it, you would like voter confidence and its relationsh would like us to address are these:	e us to constitute a panel that would discuss the state of political science knowledge about ip to changing levels of turnout over the past several decades. The two major questions you
changes in state and fe	ter turnout changed over the past several decades, and how are those changes related to deral laws? The sers that the electoral system is fair and accurate, and what factors impact those attitudes?
testify. Having said that, we each h	Id like addressed, we'd be happy to consider an invitation from the Commission to nave prior commitments during the second week of September. Therefore, whether we ion will depend on the logistical details of the meeting.
	input would help you and your colleagues better understand the scientific state of the field ward to further communications with you about this opportunity.
Yours truly,	
Charles	
Charles Stewart III Kenan Sahin Distinguished Professo The Massachusetts Institute of Tecl	

1

Cambridge, Massachusetts 02139



The Measure of American Elections

 $Edited\ by$ Barry C. Burden and Charles Stewart III

The Measure of American Elections

Edited by

BARRY C. BURDEN

University of Wisconsin

CHARLES STEWART III

The Massachusetts Institute of Technolog

CAMBRIDGE UNIVERSITY PRESS

32 beside of the Americas New York 19 200132473, USA

Cambridge University Press is part of the University of Cambridge.

lt furthers the University's mission by Esseminating knowledge in the put echoconium, learning, and research at the highest international levels of ex-

Information on this title: www.cambridge.org/0781107066670

Combining Conversity Fress 2014

This publication is an copyright. Subject to statutory exception and to the provisions of relevant collective licensing agreements, no reproduction of any part may take place without the written permission of Cambridge University Press.

Entrophished and

Printed in the United States of America

A containing record for this publication is considered from the British Library.

Library of Congress Cataloging in Publication data

The measure of American elections / edited by Barry C. Burden and Cha

pages cm. - (Cambridge studies in election law and democracy) Includes bibliographical references and index.

ISBN 978-1-107-06667-0 (hardback) – ISBN 978-1-107-69991-5 (paperback)

L Elections - United States 2 Elections - United States - Managemen

Contents

List	of Figures	page 1X
List	of Tables	xiii
List	of Contributors	XV
Ack	nowledgments	xvii
1.	Introduction to the Measure of American Elections	
	BARRY C. BURDEN AND CHARLES STEWART III	
ang.	Registration and Voting: A View from the Top	40
	BARRY C. BURDEN	
*	Voter Registration: The Process and Quality of Lists STEPHEN ANSOLABEHERE AND EITAN HERSH	61
*	Provisional Ballots MICHAEL J. HANMER AND PAUL S. HERRNSON	91
5.	Mail Ballots in the United States: Policy Choice and	
,AP	Administrative Challenges CHRISTOPHER B. MANN	113
6.	Voting from Abroad: Evaluating UOCAVA Voting THAD E. HALL	141
a se	Polling Place Practices and the Voting Experience ROBERT M. STEIN AND GREGG VONNAHME	166
8.	Disability and Election Policies and Practices	188

viii Contents

9. The Performance of Election Machines and the Decline of Residual Votes in the United States CHARLES STEWART III

- 10. Voter Confidence as a Metric of Election Performance
 PAUL GRONKE
- 11. Election Data Transparency
 LONNA RAE ATKESON

Appendix References

Index