



Approved 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.

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.

ERIC Board of Directors Meeting
Roll Call and Vote Tally Record
12/8/2023
Virtual Via Zoom

				Motion to approve 2023 Updates to ISMP etc.	UT's EBU Exemption Request			Vote to Retain MI - AG Unauthorized Disclosure of Data						
Called to Order at (ET): 12:01 pm ET		Adjourned at (ET): 3:34 pm ET		Attendance Roll Call	Other attendees from Member offices			Simple majority. Board vote. No proxies.			Simple majority. Board vote. No proxies.			
Member/Position	Name	Designated Proxy	Present? 1 = Present 0 = Absent		Yes	No	Abstain	Yes	No	Abstain	Yes	No	Abstain	
1	Alaska	Carol Beecher	1	Michaela Thompson	1			1			1			
2	Arizona	Colleen Connor	1		1			1			1			
3	Colorado	Judd Choate	1		1			1			1			
4	Connecticut	Kristin Sullivan	1		1			1			1			
5	Delaware	Anthony Albence	1		1			1			1			
6	District of Columbia	Monica Evans		S. Burrows							1			
7	Georgia	Blake Evans	1		1			1			1			
8	Illinois	Brenadette Matthews	1		1			1			1			
9	Kentucky	Karen Sellers	1	T. Brown, J. Scuthfield	1			1			1			
10	Maine	Melissa Packard	1		1			1			1			
11	Maryland	Jared DeMarinis	1	M. Dorsey	1			1			1			
12	Massachusetts	Michelle Tassinari	1		1			1			1			
13	Michigan	Jonathan Brater	1		1			1						
14	Minnesota	David Maeda	1		1			1			1			
15	Nevada	Mark Wlaschin	1		1			1			1			
16	New Jersey	Lauren Zyriek	1	B. Giampola	1			1			1			
17	New Mexico	Mandy Vigil	1		1			1			1			
18	Oregon	Molly Woon	1		1			1			1			
19	Pennsylvania	Jonathan Marks	1		1			1			1			
20	Rhode Island	Kathy Placencia	1	R. Rock	1			1			1			
21	South Carolina	Howard Knapp	1	B. Leach										
22	Utah	Ryan Cowley	1		1			Recused			1			
23	Vermont	Will Senning	1	T. Sink	1			1			1			
24	Washington	Stuart Holmes	1		1			1			1			
25	Wisconsin	Meagan Wolfe		Robert Kehoe										
			Board Attendance Total:	23	Vote Totals	22	0	0	21	0	0	22	0	0
	ERIC Executive Director Ex Officio Member (Nonvoting)	Shane Hamlin	1		Yes	No	Abstain	Yes	No	Abstain	Yes	No	Abstain	
	ERIC Systems Engineer & Technical Liaison	Ericka Haas	1											
	ERIC Systems & Data Specialist	Sarah Whitt	1											
	ERIC General Counsel	Sally Steffen	1											

Notes: Carol Beecher was able to attend. M. Thompson was her designated proxy, but did not serve in this role.