



# **THE U.S. ELECTION ASSISTANCE COMMISSION**

## **FISCAL YEAR 2015 INTERIM CONGRESSIONAL BUDGET JUSTIFICATION**

March 10, 2014

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## VISION AND MISSION

### Vision

*Lead election reform that reaffirms the right to vote and to have all eligible votes counted accurately.*

### Mission

*Assist the effective administration of Federal elections.*

<b>Salaries and Expenses Resources Available for Obligation</b>					
<b>FY 2013 Enacted</b>		<b>FY 2014 Enacted</b>		<b>FY 2015 President's Budget</b>	
FTE	Dollars	FTE	Dollars	FTE	Dollars
26	\$10,898,481	29	\$10,000,000	31	\$10,000,000

### FY 2015 Priority Goals

--Ensure that voting systems and modifications of already certified systems submitted to Election Assistance Commission's (EAC) Voting System and Certifications program are successfully and efficiently tested to Federal standards.

--Serve as a Clearinghouse and provide election officials and voters with necessary information regarding the elections process.

--Provide election officials with information to support effective and efficient election administration, and provide information to voters about the voting process.

-- Update the National Voter Registration form, pursuant to State's requests, on an ongoing basis.

--Administer the 2014 Election Administration and Voting Survey, the EAC instrument used to collect state-by-state data on the administration of federal elections.

## **Appropriations Language**

*For necessary expenses to carry out the Help America Vote Act of 2002 (Public Law 107-252), \$10,000,000, of which \$1,900,000 shall be transferred to the National Institute of Standards and Technology for election reform administration activities authorized under the Help America Vote Act of 2002. (Consolidated Appropriations Act, 2014.)*

## **Legislative proposals**

No legislative proposals are being submitted at this time due to lack of a quorum of Commissioners.<sup>1/</sup>

## **EAC Background and Mission**

The U.S. Election Assistance Commission (EAC) was established by the Help America Vote Act of 2002 (HAVA). EAC is an independent, bipartisan commission charged with:

- accrediting voting system testing laboratories and certifying voting systems,
- adopting voluntary voting system guidelines for the States,
- developing guidance for State and local election officials to meet HAVA requirements,
- serving as a national Clearinghouse of information on election administration including tools and best practices,
- maintaining the national mail voter registration form developed in accordance with the National Voter Registration Act (NVRA) of 1993,
- providing grantees with technical assistance on use of grant funds, and
- auditing the use of HAVA funds.

HAVA established the Standards Board and the Board of Advisors to advise EAC. The law also established the Technical Guidelines Development Committee (TGDC) to assist EAC in the development of voluntary voting system guidelines. Because EAC lacks a quorum and Commissioners to appoint board and committee members whose terms have lapses, the boards and committee are not currently active.

EAC is required to testify periodically about HAVA progress and related issues. The Commission also holds Public Meetings and hearings to inform the public about its progress and activities. While EAC is without Commissioners, roundtables and webinars take the place of Public Meetings and hearings to gather information from election officials and other election experts on topics such as a review of issues in the 2012 presidential election. EAC is headed by four Commissioners appointed by the President and confirmed by the U.S. Senate. As of this writing, there are no commissioners.

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<sup>1/</sup> At this time, there are two Commissioner position nominees who have had hearings with Senate confirmation members. Their nominations are pending Senate confirmation.

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Among EAC's key stakeholders are election officials. Leading up to an election, State and local election officials are faced with the enormous responsibility of informing voters about where, when and how to vote; training Election Day poll workers; and conducting fair, accessible, accurate and secure elections. Federal elections are administered in about 11,000 jurisdictions. Election practices, policies and laws vary from State to State and jurisdiction to jurisdiction.

Election officials are looking at new technology and practices in voting such as remote access voting for Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) voters, vote by phone or tablet, internet voting, and accessible technology for disabled voters. To assist the States, EAC has produced reports *A Survey of Internet Voting*, the *Uniformed and Overseas Citizens Absentee Voting Act Registration and Voting Process* and *UOCAVA Pilot Program Testable Requirements*; awarded two grants totaling \$7 million for the Accessible Voting Technology initiative to support research and development activities to increase the accessibility of new, existing, and emerging technological solutions. Further, EAC discusses the new technologies and practices with its advisory boards. Due to a lack of commissioners, the boards' activities are currently suspended.

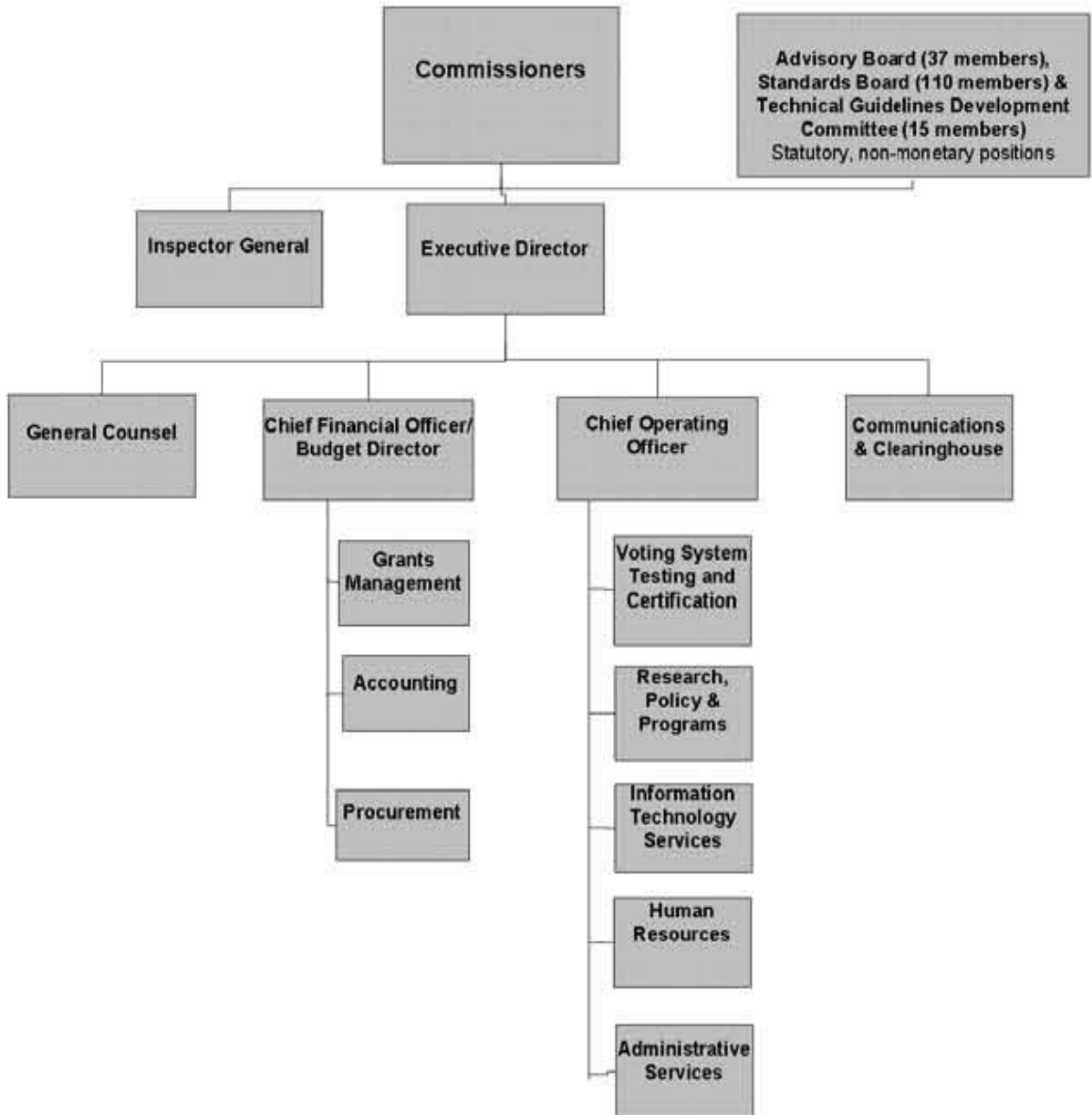
### **EAC's Goals and Structure**

EAC's offices are aligned to address the goals in the Strategic Plan: Goal 1, *Communicate* is administered by the Office of Communications and Clearinghouse. Goal 2, *Fund and Oversee* is administered by the Grants Management and Inspector General Offices. Goal 3, *Study, Guide, and Assist*, is administered by the Research, Program and Policy unit. Goal 4, *Test and Certify* is administered by the Voting System Testing and Certification unit. Goal 5, *Manage* is administered by the Boards, Commissioners, Executive Director, Chief Operating Officer, Chief Financial Officer and General Counsel.

A cost allocation model distributing administrative costs to the four program goals is part of the annual Agency Financial Report. The model is reviewed by EAC's independent financial statement auditors and is used to present the FY 2015 agency budget request. Budgets correspond with the goals.

The current EAC strategic plan covers the period FY 2009 through FY 2014. A new plan requires a quorum of Commissioners. In order to comply with guidance, EAC presents an interim FY 2015 plan and performance measures which serve as a draft annual performance plan. Management improvement efforts are described in Goal 5.

**ELECTION ASSISTANCE COMMISSION  
ORGANIZATION CHART**





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**Operating Plan Summary**

<b>Salaries and Expenses</b>	<b>FY 13 Enacted</b>	<b>FY 14 Request</b>	<b>FY 15 Request</b>
<b>Full-Time Equivalent Staff (FTE)</b>	<b>26</b>	<b>29</b>	<b>31</b>
Full-Time Staff	28	30	30
Other than Full-Time Staff	3	6	2

<b>Category</b>	<b>FY 13 Enacted</b>	<b>FY 14 Request</b>	<b>FY 15 Request</b>
Payroll Full-time Personnel	3,075,524	2,777,268	3,242,990
Payroll Other than Full-time Personnel	295,633	326,251	194,085
<i>Subtotal Personnel Compensation</i>	<i>3,371,157</i>	<i>3,103,519</i>	<i>3,437,075</i>
Personnel Benefits	808,896	823,514	853,871
Transit and Parking Benefits	54,780	33,682	47,528
<i>Subtotal Benefits</i>	<i>863,676</i>	<i>857,196</i>	<i>901,399</i>
<i>Subtotal PC&amp;B</i>	<i>4,234,834</i>	<i>3,960,715</i>	<i>4,338,475</i>
Travel	339,247	360,003	383,798
Rent	907,665	250,925	257,708
Communications, Equipment Rentals	141,025	132,150	141,265
Printing, Reproduction	69,396	19,796	93,175
Other Services	2,007,587	3,264,532	2,772,491
NIST	2,606,159	1,900,000	1,900,000
Supplies and Subscriptions	79,709	80,379	81,089
Equipment	41,115	31,500	32,000
Leasehold Improvements	471,745	-	-
<i>Subtotal, Non-personnel</i>	<i>6,801,988</i>	<i>6,039,285</i>	<i>5,661,526</i>
<b>Total</b>	<b>10,898,481</b>	<b>10,000,000</b>	<b>10,000,000</b>

Note: These amounts are updated from the amounts reflected in the President's 2015 Budget

**Budgetary Changes FY 2014 Enacted to FY 2015 Request**  
(in whole dollars)

**Personnel Compensation and Benefits** **\$377,759**

Reflects full funding in FY 2015 for statutory positions (four Commissioners, Executive Director and General Counsel) that were not filled to date in FY 2014 \$336,390; one percent cost of living adjustment \$41,369

**Other Services** **(\$492,040)**

Reflects assumption that the eac.gov website contract recompetition in FY 2014 will result in a lower cost after the base year (\$300,588 estimated), decrease for one-time CFO initiatives related to resolution of financial statement audit findings (\$276,447), decrease in contractual legal support (\$70,000); increase in the number of public meetings with a quorum \$128,432, additional contractual grants management support \$25,000; and other small increases and decreases \$1,563

**Miscellaneous** **\$114,282**

Increases for travel \$23,795, annual increase for rent \$6,783, communications and rentals \$9,115, printing \$73,379, supplies \$710, equipment \$500

**Budget Requests and Performance Measures by Strategic Plan Goal**

**COMMUNICATE**

**Strategic Plan Goal 1: Communicate timely and accurate information on the effective administration of elections for Federal office and on the operations and services offered by EAC.** The anticipated outcome of the goal is to provide Congress, Federal agencies, State and local election officials, and the public with reliable, accurate, and non-partisan information about the administration of Federal elections.

	<b>FY 2013 Enacted</b>	<b>FY 2014 Enacted</b>	<b>FY 2015 Request</b>
Direct Costs	\$366,095	\$677,274	\$483,939
Indirect Costs	345,730	295,668	736,684
<b>Total, Communicate</b>	<b>\$711,825</b>	<b>\$972,942</b>	<b>\$1,220,623</b>

Goal 1's aim of communication of timely and accurate information is the responsibility of the Office of Communications and Clearinghouse. The goal will be achieved via three strategic objectives:

- 1) operate the EAC Clearinghouse effectively;
- 2) respond to outside requests about EAC timely and accurately; and
- 3) convey the results of EAC operations and accomplishments.

EAC's Communications Division is responsible for communicating with the media and stakeholders, including election officials, academics, policy-makers, advocacy groups and the public. The Communications division is responsible for administration of the agency's website, [www.eac.gov](http://www.eac.gov), which contains thousands of documents with information about voting system test plans, agency correspondence, and testimony from EAC Public Meetings, roundtable discussions, and hearings; and external and internal communications such as press releases, news articles and speeches, informational videotapes on the programs, Twitter account @EACgov, the Election Official Exchange of information, a blog, a monthly newsletter about EAC activities and events that goes to approximately 1,200 subscribers, and a monthly email on internal operations. The unit coordinates with EAC staff to communicate policies, guidance, research, and other agency initiatives to the public.

### **Open Government and Public Participation Activities**

EAC's Open Government activities are available at [www.eac.gov/open](http://www.eac.gov/open) and general comments can be submitted to [www.eac.gov/contact](http://www.eac.gov/contact). Throughout EAC's website, the agency has applied the concept of open government and implemented tools to facilitate a conversation with the public about voting and election administration. There are several mechanisms through which the public can provide direct feedback to EAC on agency activities and operations. For example, the public can rate and comment on nearly 200 EAC reports, policies, manuals and Election Management Guidelines in the Election Resource Library. In addition, EAC's Public Comment section makes it easier for the public to keep track of draft EAC policies on which the agency is seeking Public input.

Users can also customize their online experience by signing up for automatic e-mail alerts on a variety of election topics and events, including Public Meetings, advisory board meetings, reports, policies and agency news. Other features include a multimedia center that provides training and educational videos on polling place management, election contingency planning, voting accessibility, and voting system testing and certification.

### **EAC Elections Clearinghouse**

The Elections Clearinghouse is required under the Help America Vote Act (HAVA) of 2002 and provides a public portal for information about elections. EAC's website serves as a national Clearinghouse of election administration information. Among its thousands of pages of content are test plans and reports of voting system manufacturers seeking Federal certification, datasets containing detailed information by State on voter registration and turnout statistics in recent Federal elections, and information for voters on how to register to vote and contact their State elections offices.

The primary purposes of the Clearinghouse are to:

- Disseminate election information to the public.
- Supplement States' efforts to provide information to assist voters.

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- Provide a central location for best practices, shared practices, innovations and creative solutions in election administration.
- Share research findings and data about elections.
- Provide information about EAC’s voluntary voting system certification and testing program including information regarding voting system experiences and anomalies submitted by State and local election jurisdictions.
- Notify the public about EAC’s funding grants opportunities.
- Report on the expenditure of HAVA funds.

**The FY 2015 Request**

Efforts will continue in FY 2015 to post and disseminate additional information on election administration topics to achieve the goal of serving as the trusted source for information about elections and election administration.

*The FY 2015 request includes funds for a staff of two. Estimated cost for the website contract in FY 2015 is \$175,637 with optional time and materials task orders and/or funds for video production. The request also includes \$7,000 for staff travel, \$2,500 for printing, and \$31,000 for subscriptions.*

**FUND AND OVERSEE**

**Strategic Plan Goal 2: Deliver and manage Federal funds effectively.** The anticipated outcome of the goal is for States and other recipients to promptly and accurately receive Federal funds administered by EAC and use the funds appropriately to improve the administration of elections for Federal office in accordance with HAVA.

	<b>FY 2013 Enacted</b>	<b>FY 2014 Enacted</b>	<b>FY 2015 Request</b>
Grants Management Direct Costs	\$415,831	\$414,091	\$229,324
OIG Direct Costs	1,184,617	1,157,241	1,157,241
Indirect Costs	1,382,920	1,256,590	736,684
<b>Total, Fund and Oversee</b>	<b>\$2,983,368</b>	<b>\$2,827,922</b>	<b>\$2,123,249</b>

Goal 2 consists of three strategic objectives: 1) accurately and timely disburse Federal financial assistance administered by EAC; 2) effectively monitor Federal financial assistance administered by EAC; and 3) provide technical assistance and guidance on the management of Federal financial assistance administered by EAC to reduce the risk of inappropriate use of funds and accounting errors. Goal 2 is administered by the Grants Management unit and the Office of the Inspector General (OIG).

**Grants Management**

EAC’s Grants Management unit is responsible for distributing grants funds, monitoring grantee performance, providing technical assistance to States and grantees on the use of funds, and reporting on requirements payments and discretionary grants to improve administration of elections for Federal office. The office recommends actions to resolve audit findings on the use

of HAVA funds. Via a Memorandum of Understanding with the U.S. Department of Health and Human Services, the unit sets indirect cost rates with grantees.

### **The FY 2015 Request**

For FY 2015, goals include achieving the performance targets for timeliness in EAC's Strategic Plan (see chart below), including resolving 100 percent of audit findings within established timeframes, awarding grants in established timeframes, and submitting State Plans to the Federal Register within 30 days of receipt.

*The request includes funds for staff, an estimated \$800 for grant site visit travel, \$650 for webinar services which reduce travel costs, \$1,945 to print references to State Plan and grant notices in the Federal Register, \$50,000 for a Memorandum of Understanding with the U.S. Department of Health and Human Services for indirect cost rate negotiation and audit resolution services, \$2,000 for peer reviewers for Logic and Accuracy grants, and \$50 for supplies.*

### **Office of Inspector General**

## **BACKGROUND**

The United States Election Assistance Commission (EAC) is a bipartisan Commission created and authorized by the Help America Vote Act of 2002 (HAVA). The Office of Inspector General (OIG) was established by HAVA and the Inspector General Act of 1978 (IG Act), as amended, to provide independent and objective reporting to EAC and Congress through its audit and investigative activities.

Charged with the identification and prevention of waste, fraud, and abuse of Federal resources, the OIG strives to promote economy, efficiency and effectiveness in EAC programs and operations. To accomplish this goal, OIG conducts regular audits of recipients of grant funds distributed by the EAC, annual audits of EAC's operations, and periodic reviews and audits of EAC program operations and transactions. In addition, the OIG conducts investigations in response to allegations against EAC, its grant recipients, or other third parties involved in EAC programs.

## **THE BUDGET IN SUMMARY**

*For fiscal year (FY) 2015, OIG is requesting \$939,891 for contract audits. The request includes \$3,600 as a transfer to the Council of Inspectors General for Integrity and Efficiency (CIGIE) in keeping with the provisions of the Inspector General Reform Act of 2008. The request also includes \$5,000 for costs associated with training and professional development for OIG's full-time employee, \$10,000 for travel, \$3,000 for printing, \$4,000 for supplies, and \$5,000 for equipment.*

## **OIG ACTIVITIES AND PROJECTS**

OIG primarily engages in three activities or projects: auditing grant programs, conducting investigations of grant recipients or other third parties related to EAC programs, and conducting audits and investigations of EAC programs and operations.

### **Auditing Grant Programs**

Section 902 of HAVA gives EAC and other agencies making a grant or payment the authority to conduct audits of any recipients of funds. EAC is further authorized to conduct regular audits of funds distributed under HAVA. OIG conducts those audits on behalf of EAC.

Over the past several years, OIG has focused on auditing the large grants distributed to states under Title II of HAVA. These grants represent the vast majority of grant funds distributed by the EAC. The objectives of the state audits are to determine whether the state: (1) expended HAVA payments in accordance with the HAVA and related administrative requirements; and (2) complied with the HAVA requirements for replacing punch card or lever voting machines, establishing an election fund, appropriating five percent matching funds, and maintaining state expenditures for elections at a level not less than expended in the state's base fiscal year.

OIG's program to ensure economy, efficiency and integrity in the use of funds is not limited to audits. OIG has also worked with the EAC to help educate states on the requirements that are associated with federal funding.

In the coming fiscal years, OIG will continue to work to protect the federal investment in the electoral process and to promote economy, efficiency, and integrity in EAC grant programs through its audit and education programs.

### **Investigations**

When allegations are made concerning the misappropriation of HAVA funds, the OIG is responsible for investigating those allegations. OIG has instituted a number of new activities to improve and increase information available to EAC employees and the general public about how and when to make complaints of fraud, waste, abuse and mismanagement. OIG operates a web site that includes the ability to file an on-line complaint.

OIG does not currently employ an investigator. When issues arise that require investigation, OIG contracts with other government agencies for investigative services.

### **Internal Audits**

OIG is also responsible for conducting reviews, audits, and investigations of EAC's internal policies, procedures, and actions. Over the past several fiscal years, OIG has conducted a number of internal reviews. OIG has issued at total of 19 reports regarding EAC's operations. These reports assess the efficiency of EAC's operation and its compliance with governing

statutes and regulations, including compliance with the Federal Information Security Management Act (FISMA) and compliance with the Federal Travel Regulations.

### **OIG GOALS AND OBJECTIVES**

In FY 2015, OIG will continue its programs of auditing EAC grant recipients, conducting external investigations, and auditing and investigating EAC programs and operations. OIG is currently staffed by one full-time employee: the Inspector General. The attorney position is currently vacant. OIG will continue to use contract auditors in FY 2015 to conduct audits.

**GOAL 1:** *Protect the Federal investment in our electoral system.*

The Federal government has made a sizable investment in the American electoral system. Congress has appropriated \$3.25 billion in grant funds to the states for improvement of election infrastructure and processes.

OIG relies primarily on contract auditors to conduct audits of these grants to states. Budgetary restrictions will require that we continue to rely on contractors to conduct the majority of the audits of grant recipients. OIG will continue to focus its efforts on the \$3.25 billion in grants appropriated to the states. If resources allow, OIG will begin auditing other EAC grant programs, including the Mock Election, College Poll Worker, Election Data Collection, Military Heroes Initiative, and other grant programs administered by the EAC.

**GOAL 2:** *Promote economy, efficiency and integrity in EAC programs and operations.*

A critical portion of the OIG mission is to promote economy and efficiency in government programs and operations and to detect and prevent fraud, waste, abuse, and mismanagement in government programs and involving government resources. OIG fulfills this portion of its mission by conducting audits and evaluations of EAC operations, including contracting for an annual audit of financial statements and a review of compliance with the Federal Information Security Management Act (FISMA). While these two reviews cover a large portion of EAC's operations on an annual basis, OIG also conducts audits and evaluations of programs or specific EAC transactions.

OIG is also charged with indentifying and investigating waste, fraud and abuse in EAC programs and operations. To meet this requirement, OIG operates a hotline that allows people to make complaints via telephone, fax, email, mail, and on-line. Using the web site the OIG reaches out to those persons involved with EAC and its programs, as well as those impacted by those programs to ensure they know how and where to make complaints of fraud, waste, abuse, or mismanagement.

OIG can help ensure integrity in EAC programs and operations by investigating alleged waste, fraud or abuse. Complaints from the hotline as well as information from audits and evaluations can identify potential civil or criminal wrongdoing. When OIG identifies potential wrongdoing, it can institute an investigation. OIG will continue to rely upon interagency agreements with

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other offices of Inspector General to conduct investigations of fraud, waste, abuse and mismanagement.

**GOAL 3:** *Effectively communicate successes and opportunities for improvement.*

OIG uses various tools to communicate with the EAC, the Congress, and the general public concerning the status of EAC’s programs and operations as well as OIG’s activities in conducting audits, evaluations, inspections, and investigations. OIG issues reports following each formal engagement, regardless of type. Reports are disbursed to the entity that is subject of the audit or evaluation, as well as the EAC and oversight and appropriations committees of Congress.

OIG also produces two semi-annual reports to Congress in each fiscal year. That report summarizes the audit, evaluation, inspection and investigation reports issued by OIG during the relevant six months. The document also reports on OIG activities by including statistics such as the number of findings that are outstanding, the amount of costs that were questioned, as well as how much in federal funding could be put to better use.

OIG also uses technology to communicate with its stakeholders and the public. OIG operates a web site where it makes information available concerning its operations, issued reports, rights and protections for whistleblowers, as well as an on-line form for making complaints of fraud, waste, abuse and mismanagement.

In FY 2015, OIG will continue its outreach efforts to keep EAC, Congress and the public informed of OIG’s activities as well as its reviews of EAC programs and operations.

**GOAL 4:** *Effective and efficient OIG operations.*

As OIG evaluates the effectiveness and efficiency of EAC programs and operations, it is important for the OIG to ensure that its operations are effective and efficient, including having the needed policies, procedures and practices to underpin its operations. OIG will focus on providing a supportive working environment including providing professional education and training for its employees. All OIG employees will be required to meet the continuing education requirements applicable under the Generally Accepted Government Auditing Standards.

<b>OIG BUDGET REQUEST BY OBJECT CLASS</b>				
		<b>FY 2013 Enacted</b>	<b>FY 2014 Enacted</b>	<b>FY 2015 Request</b>
	<b>Personal Compensation and Benefits</b>			
11.1	Full-time permanent	\$275,000	\$147,250	\$147,250
12.1	Civilian personnel benefits	62,100	39,500	39,500
	<b>Contractual Services and Supplies</b>			
21	Travel and transportation of persons	10,000	10,000	10,000
24	Printing and reproduction	3,000	3,000	3,000
25.2	Other services	666,917	789,891	789,891



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	Training	5,000	5,000	5,000
25.3	Other purchases of goods and services from Government accounts	150,000	150,000	150,000
26	Supplies and materials	4,000	4,000	4,000
	<b>Acquisition of Assets</b>			
31	Equipment	5,000	5,000	5,000
94	Financial Transfers	3,600	3,600	3,600
	<b>Total Program</b>	<b>\$1,184,617</b>	<b>\$1,157,241</b>	<b>\$1,157,241</b>

**STUDY, GUIDE AND ASSIST**

**Strategic Plan Goal 3: Identify and develop information on areas regarding the administration of elections for Federal office and issue guidance, translations, best practices and recommended improvements as required by HAVA, and carry out responsibilities under the National Voter Registration Act (NVRA).** The anticipated outcome of this goal is for: 1) the election community and other key stakeholders to improve the administration of elections for Federal office on the bases of pertinent, impartial, and high-quality information, recommendations, guides and other tools on election and voting issues, and 2) the national mail voter registration form to be available to citizens to register to vote, register with a political party, or report a change of name, address, or other information.

	<b>FY 2013 Enacted</b>	<b>FY 2014 Enacted</b>	<b>FY 2015 Request</b>
Direct Costs	\$548,178	\$969,894	\$1,075,709
Indirect Costs	819,479	770,527	942,130
<b>Total, Study, Guide, and Assist</b>	<b>\$1,367,657</b>	<b>\$1,740,421</b>	<b>\$2,017,839</b>

Goal 3 consists of four strategic objectives: 1) complete research on issues that improve the administration of elections for Federal office and expeditiously report on those subjects and election data as deemed relevant by the Commission; 2) identify and collect required and useful data on election administration practices and on voting methods and demographics, and make recommendations for improving the quality of practices, methods, and data; 3) issue guides, translations and other tools that are timely and useful; and 4) update and maintain a national mail voter registration application and submit a report on the impact of the NVRA to the Congress as required by the NVRA.

The Research, Policy and Programs division administers and oversees:

- 1) The biennial Election Administration and Voting Survey (EAVS) to 55 states and territories;
- 2) Mandatory reports to Congress on the National Voter Registration Act (NVRA) and Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) that are based on the survey;
- 3) The national mail voter registration form under NVRA;
- 4) The Election Management Guidelines and Quick Start Guides program, which provide guidelines and information to State and local election officials and voters on various topics such as polling place

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management, contingency planning, voter registration, educating voters, poll worker training and recruitment;

- 5) The Language Accessibility Program, which provides informational materials on the Federal election process and election terminology in languages other than English; and
- 6) Provisions of HAVA requiring voluntary guidance to the State on provisional voting and statewide voter registration databases.

**The FY 2015 Request**

Beginning in June 2015 EAC will release the findings from its 2014 Election Administration and Voting Survey. By June 30, 2015 EAC will provide Congress with its mandatory report on The Impact of the National Voter Registration Act (NVRA) on the administration of Elections for Federal Office. In 2015 EAC will collaborate with the Federal Voting Assistance Program to report on the 2014 election data collected from the 55 states and territories related the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA). The 2014 Election Administration and Voting Survey and the Statutory Overview (a review of certain state election laws) will be released in mid-2014.

*The FY 2015 request includes funds for three full-time staff; \$575,000 for studies; \$51,000 for printing; \$15,000 for publication design and layout services for new or updated Election Management Guidelines, Quick Starts, and Voter’s Guide; \$10,000 for webinar and online meeting services; \$7,000 for translation services for publications and forms; \$4,000 for travel; \$500 for conferences and staff training; and \$1,000 for supplies.*

**TEST AND CERTIFY**

**Strategic Plan Goal 4: Build public confidence in elections by testing and certifying voting systems to improve system security, operation and accessibility.** The anticipated outcome of the goal is that voting equipment operates more reliably and securely and is more accessible to the disabled. States participate in EAC’s testing and certification program to ensure that their voting systems meet the voluntary voting system guideline standards (VVSG).

	<b>FY 2013 Enacted</b>	<b>FY 2014 Enacted</b>	<b>FY 2015 Request</b>
Direct Costs	\$982,228	\$1,006,457	\$896,580
Indirect Costs	2,247,244	1,552,258	1,841,709
<b>Total, Test and Certify</b>	<b>\$3,229,472</b>	<b>\$2,558,715</b>	<b>\$2,738,289</b>

Goal 4 consists of three strategic objectives: 1) develop and update the voluntary voting system guidelines (VVSG); 2) provide for the accreditation of independent laboratories qualified to test voting systems to Federal standards and for the revocation of accreditation as appropriate; and 3) administer the testing, certification, decertification, and recertification of voting system hardware and software by accredited laboratories.

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Under HAVA, EAC is responsible for assisting States with improvements to voting systems through the distribution of Federal funds and by providing a voluntary Federal certification program. The Federal government's first voluntary Voting System Testing and Certification Program for the States also provides transparency to the testing process including the publication of all test plans, test reports and related information as well as reports on anomalies in the found during use in an election.

EAC works continuously to reduce the cost of voting system testing without compromising system quality and conformance through efforts to implement the use of automated source code review tools by EAC accredited VSTLs and similar innovative uses of technology.

Comprehensive procedures for the program are detailed in EAC's Voting System Testing and Certification Program Manual. The program also:

- supports local election officials in the areas of engineering changer order (ECO) updates, acceptance testing and pre-election system verification for EAC-certified systems,
- increases quality control in voting system manufacturing by means of periodic manufacturing facility audits of EAC-registered manufacturers, and
- provides procedures to manufacturers for the testing and certification of voting systems to specified Federal standards as required by HAVA Section 231(a)(1).

In addition to its certification duties, the unit works in a cooperative and coordinated manner with the National Institute of Standards and Technology (NIST) to evaluate and accredit voting system test laboratories (VSTLs). As a condition of accreditation, all VSTLs must hold a valid accreditation from NIST's National Voluntary Laboratory Accreditation Program (NVLAP). NVLAP accreditation is the primary means by which EAC helps ensure that each VSTL meets and continues to meet the technical requirements of EAC's program. NVLAP uses international standards (ISO 17025) to review each VSTL's technical, physical and personnel resources, as well as its testing, management, and quality assurance policies and protocols. EAC monitors VSTLs through a comprehensive compliance management program. Further, EAC performs on-site reviews to ensure that VSTLs meet all program requirements.

In addition to voting system certification and laboratory accreditation, EAC along with its Standards Board, Board of Advisors, and Technical Guidelines Development Committee (TGDC) (chaired by the director of NIST and comprised of 14 other members) work together to update and implement voluntary testing guidelines for voting systems. (Please note that the boards and TGDC are on hold pending a quorum of commissioners to appoint new members for terms that have lapsed and to conduct meetings to develop policy.)

Efforts continue into research and development of alternative guidelines for the next iteration VVSG document. These areas include Software Independence and related alternatives; Common Data Format; improving voting system accessibility; EPollBooks; and Penetration Testing.

### **The FY 2015 Request**

The next iteration VVSG document is out for public comment. Comments will be collected and reviewed. Commissioners will modify the document as appropriate. Subsequently, the new version will be adopted and published pending a quorum of EAC commissioners.

The *Testing and Certification Program Manual* and the *Laboratory Accreditation Program Manual* are being revised and updated to implement new mechanisms for decreasing time and cost factors related to the Federal certification process. As with the VVSG, these revised documents will be reviewed adopted and published pending a quorum of EAC commissioners.

*The FY 2015 request includes payroll and benefits for four full-time staff and two part-time technical reviewers; \$77,500 for travel; printing at \$2,000; \$15,000 for the purchase of voting system equipment for use in on-site testing to reduce travel to election officials who report voting system anomalies; \$15,500 for webinar services to reduce travel costs and travel time; \$122,746 for contractual services of a technical reviewer, training and conference registration fees; \$15,000 for printing; and \$300 for supplies.*

*In 2015, EAC requests a non-expenditure transfer of \$1,900,000 to NIST via interagency agreement for activities required under HAVA Sections 221 Technical Guidelines Development Committee (TGDC), 231 Certification and Testing of Voting Systems, and 245 Study and Report on Electronic Voting and the Electoral Process. EAC and NIST continue to work in cooperation with the FVAP on the development of testable guidelines for remote electronic voting systems to assist absentee voters covered under the Uniformed and Overseas Citizens Absentee Voting Act as required by the National Defense Authorization Act for Fiscal Year 2010.*

## **MANAGE**

**Strategic Plan Goal 5 consists of one clear-cut objective: Implement a high performance organization.** The anticipated outcome of the goal is that EAC Commissioners and staff proficiently carry out EAC's strategic objectives.

Goal 5 consists of three strategic objectives: improve performance; strengthen internal controls; and maximize efficiencies. As mentioned previously, EAC has four programs administered by five offices aligned with the agency's Strategic Plan: Communications, Grants Management and Inspector General; Research, Policy and Programs; and Testing and Certification.

It would not be feasible for EAC to eliminate any of its Strategic Plan programs, which are based on Help America Vote Act (HAVA) mandates. Consequently, EAC anticipates required reductions through decreasing staff and improving efficiencies.

### **Performance Improvement**

The performance measure to implement 90 percent of OIG audit recommendations with agreed upon timeframes is tracked in EAC's reports to Congress on the status of 82 OIG audit recommendations made as of March 2008. To date, only two recommendations requiring a quorum of the Commission for resolution are open. The open recommendations are related to National Voter Registration Act regulations, and communications and clearinghouse policy.

On the measure, meeting annual performance measures, management works to foster a culture of accountability among staff. The agency is seeking to improve staff satisfaction ratings and

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achieve management excellence through continuous improvement of internal controls. Agency directors responsible for implementation of the EAC Strategic Plan goals report on their division metrics for: 1) the Agency Financial Report each November, 2) the Annual Performance Report, along with the Congressional Budget Justification, usually in February every year, and 3) actual and planned metrics in the OMB Budget Justification each September.

EAC will continue to focus on working with managers on the relationship between budget and performance, maximizing efficient use of staff and financial resources, and training EAC staff on financial management processes and their responsibilities.

### **Internal Controls**

EAC's Goal 5 performance measure, "Obtain a clean audit opinion on agency financial Statements within two years of the initial Statement preparation" was achieved in FY 2009, about eight months after the new CFO department was established. A clean opinion was also obtained in FYs 2010 and 2011. A disclaimer was issued for FY 2012 after transition to a different financial services provider, necessitated by the need for procurement services, and use of a part-time staff accountant instead of a full-time EAC accountant. EAC received a disclaimer in FY 2013, and is working on resolving audit findings.

For the FY 2013 audit, EAC established a shared drive repository of internal control testing and other back-up materials. The repository idea was recommended in the 2013 procurement audit to make record retrieval easier with any changes in personnel.

### **Efficiency Measures**

#### *Minimize utilization of office and storage space*

Following the General Services Administration's (GSA's) lead, and due to a March 2014 lease expiration without the option of renewal, EAC moved to the open space "hoteling" or "touchdown" concept in October 2013 in federal space at the Silver Spring metro station. The smaller touchdown space allows for huge savings on rent. Further, hoteling provides flexibility for accommodating changes in staffing levels with staggered telecommuting schedules.

Further, in order to comply with records management requirements and to fit into a smaller footprint, EAC continues to make progress in moving to a paperless office environment, with files stored electronically or inexpensively stored hard copies at the National Archives and Records Administration (NARA) Federal Records Center in Suitland, Maryland according to their retention schedules. NARA can provide file retrieval within 20 minutes of agency requests for specific files. It is EAC's understanding that many agencies are storing records at NARA in lieu of housing files in higher cost leased space.

#### *Telecommuting*

Pursuant to the Telework Enhancement Act of 2010, and with the move to hoteling space, the majority of staff work in the office three days each week, and telecommute two days. Staff will generally save on commuting time.

*Acquisition Improvements*

On July 1, 2012, EAC automated its procurement function by implementing the Bureau of Public Debt's (BPD's) PRISM system, replacing use of hard copy procurement forms. Further, purchase-card orders have been automated with CitiDirect Services through the MOU with BPD.

EAC has transitioned over 90 percent of its procurements to the utilization of General Services Administration (GSA) Schedule negotiated rate contracts and to Memoranda of Understanding with or transfers of funds to other Federal agencies. This provides low risk procurements at substantial cost savings in terms of lower prices, strategic sourcing, award time, and internal operational efficiencies. EAC has eliminated the vast majority of contracts awarded noncompetitively, procurements where only one bid is received, and cost-reimbursement and time-and-materials contracts in favor of performance work statements.

*e-Travel*

On July 1, 2012, EAC implemented BPD's GovTrip e-travel system. Travel authorizations and vouchers are fully automated, replacing hard copy authorization and voucher forms.

*Information Technology (IT) Infrastructure*

The Office of the Chief Information Officer (OCIO) continues to explore new innovations to update and improve network services for security, availability, efficiency and productivity. For example, EAC is working with GSA to leverage GSA's private cloud computing strategy to host the EAC continuity of operations plan (COOP) site. EAC operates its own infrastructure, using GSA's backbone for security purposes. The IT staff of two maintains personal computers, smart phones, and servers; provides software requested by EAC staff, remote access services, Voice over Internet Protocol (VoIP) which allows transfer of landline voice messages to email format and placing calls from personal computers, and the Interactive Voice Response (IVR) menu-driven telephone system which removes the need for a full-time receptionist position and allows EAC to provide recordings of updates in the field of elections to callers; and performs vulnerability scans in addition to GSA's backbone infrastructure scans and remediates and updates security patches. EAC is in the process of establishing an intranet where policies and procedures can be posted in place of use of a shared drive to improve usability and communications.

For security purposes, EAC uses GSA's network backbone for its infrastructure, and GSA manages a firewall, external intrusion detection, T1 lines and routers and switches for Federal Information Security Management Act compliance on EAC's behalf. EAC's cyber security management needs are covered by GSA through an annual Memorandum of Understanding for IT services and equipment at approximately \$49,000 for FY 2015. The agreement funds the tools that enable GSA to continuously monitor EAC's IT systems security as described in OMB M-10-15, *FY 2010 Reporting Instructions for the FISMA and Agency Privacy Management* dated April 21, 2010.

**Improper Payments**

The Improper Payments Act requires each Federal agency to assess all programs and identify which, if any, may be subject to high risk with respect to improper payments. EAC does not

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believe that it has any programs where the erroneous payments could exceed 2.5 percent of program payments or \$10.0 million threshold (set in OMB Guidance) to trigger further agency action.

**Mandated Reports to Congress**

Annual report of EAC activities to Congress by January 31 of each year for the preceding year ending September 30.

Biennial report on the impact of NVRA by June 30 of each odd-numbered year.

Recommendations to improve election data collection and data provided to Congress in the biennial report on the Election Administration and Voting.

