



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

## **FISCAL YEAR 2019 CONGRESSIONAL BUDGET JUSTIFICATION**

February 12, 2018

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**TABLE OF CONTENTS**

Vision and Mission .....5

FY 2019 Agency Priority Goals.....5

Appropriations Language.....5

FY 2017 Accomplishment Highlights.....6

Agency Background.....8

Goals and Structure.....9

Organization Chart.....9

Operating Plan Summary.....10

FY 2019 Budget Request Highlights.....10

Budgetary Changes.....12

Budget Requests and Performance Measures by Goal.....13

Information Technology .....20

Status of Management Challenges.....21

Improper Payments .....21

Mandated Reports to Congress.....21

Attachment A – OIG Budget Request in Detail.....23

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**VISION AND MISSION**

**Vision**

*A trusted, proactive, and responsive federal agency that helps election officials administer and voters participate in elections.*

**Mission**

*The U.S. Election Assistance Commission (EAC) helps election officials improve the administration of elections and helps Americans participate in the voting process.*

**Salaries and Expenses Resources Available for Obligation**

FY 2017 Enacted		FY 2017 Annualized Continuing Resolution Amount		FY 2019 President's Budget	
FTE	Dollars	FTE	Dollars	FTE	Dollars
26	\$9,600,000	30	\$9,534,806	31	\$9,200,000

**FY 2019 Agency Priority Goals**

1. Contribute to the cyber-resilience of the American election administration system.
2. Assist voters with disabilities as they participate in the 2018 midterms.
3. Adopt a new version of the EAC's Voluntary Voting System Guidelines and educate EAC stakeholders on the implementation of the new version.
4. Actively engage with stakeholders and the stakeholder groups that represent them.

**Appropriations Language**

*For necessary expenses to carry out the Help America Vote Act of 2002 (Public Law 107-252), [\$9,600,000] \$9,200,000, of which [ \$1,400,000] \$1,500,000 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, 2017)*

## **Fiscal Year (FY) 2017 Accomplishment Highlights**

The U.S. Election Assistance Commission (EAC) is a trusted, proactive, and responsive bipartisan federal commission that helps election officials administer and voters participate in elections. Established by the Help America Vote Act of 2002 (HAVA), EAC serves as the nation's clearinghouse for information on election administration, conducts the Election Administration and Voting survey, develops and manages the Voluntary Voting System Guidelines, accredits testing laboratories and certifies voting systems, administers and audits HAVA funds, and administers the national mail voter registration form in accordance with the National Voter Registration Act of 1993. From coast to coast, EAC is providing services for state and local election officials and the voters they serve. Among EAC's most notable accomplishments during Fiscal Year 2017 are the following:

### ***Election Security***

During FY 2017, EAC took lessons gleaned from the 2016 Federal Election and turned its attention to strengthening resources and best practices in key areas such as cybersecurity, accessibility, and election administration efficiency. We spoke to groups of election officials throughout the nation, provided training seminars, launched new resources, and advised Congress and other lawmakers. We also worked to connect election administrators with assistance from sources such as private industry experts and academics.

In addition, EAC played a leading role in discussing election administration with the U.S. Department of Homeland Security (DHS) and coordinating DHS interactions with stakeholders impacted by DHS's January 2017 decision to designate election systems as part of the nation's critical infrastructure.

### ***Research***

In June, EAC released the 2016 Election Administration and Voting Survey (EAVS), the most comprehensive nationwide survey about election administration in the United States. EAVS is a "deep dive" into a wealth of election and voting data and includes findings such as:

- an increase in registered voters since 2012,
- a growing number of Americans voting early, before Election Day, and
- a larger number of jurisdictions using technologies such as e-poll books.

The 2016 EAVS included responses from all 50 states, the District of Columbia, American Samoa, Guam, Puerto Rico and the Virgin Islands. Data is collected at the state and local level from each county or county equivalent.

Throughout the remainder of the year, we focused on making the data more useful and accessible to election officials through a series of new resources, including "Data Deep Dive" white papers that explored specific data sets and provided more contexts for the survey's findings. EAC plans to continue using EAVS data to drive new resources, such as state-by-state fact sheets, its data interactive tool that permits election officials to compare their jurisdictions with locations of like size and resources across the country.

## ***Election Technology***

Throughout FY 2017, EAC and the National Institute of Standards and Technology (NIST) worked with EAC's Technical Guidelines Development Committee (TGDC) to develop and finalize the next generation of voting system testing guidelines and standards, best known as the Voluntary Voting System Guidelines (VVSG). TGDC is a HAVA-mandated committee charged with assisting EAC's VVSG development efforts and is composed of 14 other members appointed jointly by EAC and the Director of NIST, who is the chairperson of TGDC.

In September, the TGDC adopted the VVSG 2.0. The structure of the new VVSG reflects modifications proposed by the election community, EAC, NIST and the TGDC, which is comprised of election officials, voting system manufacturers, disability experts, cybersecurity experts, technology experts, and other key election stakeholders.

*The new guidelines are a nimble, high-level set of principles that will be supplemented by accompanying documents that detail specific requirements for how systems can meet the new guidelines and obtain certification.*

Supplemental documents will also detail assertions for how the accredited test laboratories will test voting systems for compliance with the guidelines. The next step is to share the guidelines with members of EAC's Board of Advisors and Standards Board, who will review and provide comments on the approved guidelines. Following the board reviews, there will be a 90-day period for public comment on the guidelines. Then the commission will vote on whether or not to adopt the new guidelines.

## ***Election Accessibility***

### Language Accessibility

EAC convened its second Language Access for Voters Summit on June 6, 2017. The summit was co-sponsored by Democracy Fund Voice, a nonpartisan not-for-profit organization dedicated to helping America build a stronger, healthier democracy. Citizens for whom English is a second language may need language assistance when voting, such as having ballots and voting materials translated into their native languages. Federal law requires over 250 jurisdictions nationwide, to provide language assistance based on Census results. The EAC held this summit to convene experts from the field and share best practices for election officials who must navigate this crucial responsibility.

### Physical Accessibility

EAC also continued its work of assisting voters with disabilities. To coincide with the anniversary of the Americans with Disabilities Act (ADA), we hosted a roundtable discussion entitled, "Election Innovations: Helping Veterans with Disabilities in the Voting Process," on July 18, 2017. The livestream discussion examined initiatives that improve voting accessibility for veterans with disabilities. That same month, we focused much our public outreach on serving voters with disabilities and issued a series of guest blogs from election leaders who have found innovative ways to ensure all Americans have the ability to vote privately and independently pursuant to HAVA.

### ***Election Efficiency***

Beyond the topics mentioned above, the core duties of election administrators also include activities such as:

- maintaining accurate voter registration lists,
- recruiting and training poll workers,
- procuring new election equipment,
- providing Americans with access to voter registration, and
- contingency planning.

Throughout FY 2017, EAC launched a variety of new resources, provided best practices guidance, hosted roundtables, conducted social media campaigns, and undertook a variety of other efforts to ensure that election officials have access to the tools they need to carry out these responsibilities successfully.

As the nation's largest and most trusted clearinghouse of election administration information, we sought to highlight the most innovative and cost-effective approaches to these challenges. All of this information is housed on EAC's new user-friendly and dynamic website, [www.eac.gov](http://www.eac.gov), which launched in March 2017.

As we look ahead, we will build on the successes of FY 2017 and continue to be the federal agency that election officials and the voters they serve can count on for the latest resources and information about election administration. Our talented team and our broad spectrum of partners remain committed to helping America vote through secure, accessible, and efficient elections. The justification that follows details how we plan to carry out that work in FY 2019, building on the strategic foundation established by EAC in FY 2017.

Detailed information on extensive FY 2017 accomplishments can be found in the EAC Annual Report at [https://www.eac.gov/assets/1/6/EACannualreport\\_011918.pdf](https://www.eac.gov/assets/1/6/EACannualreport_011918.pdf).

### **Agency Background:**

Congress established the U.S. Election Assistance Commission with the passage of the Help America Vote Act of 2002 (HAVA). The Commission was created to help election officials and administrators improve elections around the country. Statutorily, EAC is headed by four bipartisan Commissioners appointed by the President and confirmed by the U.S. Senate. Currently, there are three Commissioners, constituting a quorum.

HAVA also created the Board of Advisors, the Standards Board, and the Technical Guidelines Development Committee (TGDC) to advise EAC. The three groups advise the agency and help it achieve its mission, including but not limited to the development of the Voluntary Voting System Guidelines.

HAVA dictates the membership of the three statutory groups. The Standards Board is a 110-member board consisting of 55 state election officials (the 50 states, the District of Columbia, American Samoa,



Guam, Puerto Rico, and the Virgin Islands) selected by their respective chief state election official, and 55 local election officials selected through a process supervised by the chief state election officials.

The Board of Advisors is comprised of representatives from groups representing governors; mayors; state legislatures; secretaries of state; state election directors; county recorders; election officials; county clerks; voter advocacy groups; federal agencies; and professionals in the fields of science and technology.

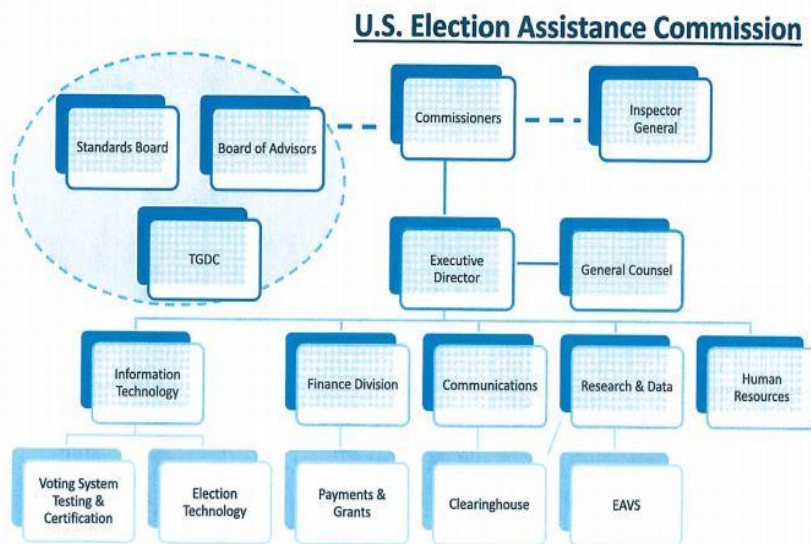
TGDC helps EAC develop its Voluntary Voting System Guidelines. It is composed of 14 members appointed jointly by EAC and the Director of the U.S. Department of Commerce’s National Institute of Standards and Technology (NIST), who is the chairperson of TGDC.

**Goals and Structure:**

EAC’s offices are aligned to address the mandates of the Help America Vote Act to: serve as a clearinghouse of information on voting; test and certify voting systems; administer and maintain the National Voter Registration Act (NVRA) voter registration form; assist States with administration of HAVA funds; and report to Congress on NVRA and Uniformed and Overseas Citizens Absentee Voting Act voting activity.

EAC has created a new Strategic Plan for Fiscal Years 2018 through 2022, available at [https://www.eac.gov/assets/1/6/strategicplan18\\_22.pdf](https://www.eac.gov/assets/1/6/strategicplan18_22.pdf). The strategic goals have changed from the five goals in the FY 2018 Congressional Budget Justification, from Learn and Communicate, Test and Certify, Help Americans Access and Engage in the Voting Process, Fund and Oversee, and Operate Effectively, to four strategic goals for 2018 to 2022: Analyze, Build, Distribute and Operate.

**Organization Chart**



### Operating Plan Summary

		<b>FY 17 Annualized Continuing Resolution Amount</b>	<b>FY 19 President's Budget Request</b>
<b>Salaries and Expenses</b>	<b>FY 17 Enacted</b>		
<b>Full-Time Equivalent Staff (FTE)</b>	<b>26</b>	<b>30</b>	<b>31</b>
Full-Time Staff	<b>24</b>	<b>28</b>	<b>29</b>
Other than Full-Time Staff	<b>5</b>	<b>5</b>	<b>3</b>
Payroll Full-time Personnel	\$3,286,053	\$ 3,286,053	\$ 3,441,839
Payroll Other than Full-time Personnel	301,128	301,128	79,111
<i>Subtotal Personnel Compensation</i>	<i>3,587,181</i>	<i>3,587,181</i>	<i>3,520,950</i>
Personnel Benefits	995,554	995,554	1,065,128
<i>Subtotal PC&amp;B</i>	<i>4,544,467</i>	<i>4,544,467</i>	<i>4,586,078</i>
Travel	411,085	411,085	537,177
Rent, Communications, Equipment Rentals	387,815	387,815	335,242
Printing, Reproduction	30,560	30,560	10,882
Other Services	2,642,318	2,538,856	2,126,750
NIST	1,500,000	1,500,000	1,500,000
Supplies and Subscriptions	72,255	72,255	85,480
Equipment	11,500	11,500	18,391
<i>Subtotal, Non-personnel</i>	<i>5,055,533</i>	<i>4,862,661</i>	<i>4,613,922</i>
<b>Total Salaries and Expenses</b>	<b>\$9,600,000</b>	<b>\$ 9,534,806</b>	<b>\$ 9,200,000</b>

Note: FY 2019 assumes no Cost of Living Adjustment, and no non-pay inflationary increase.

### FY 2019 Budget Request Highlights

Election officials face cybersecurity threats, our nation's voting machinery is aging, and there are accusations of foreign interference in U.S. Elections. Each day, EAC staff hears from state and local election officials requesting assistance with the many challenges and tight deadlines they face with limited resources. These challenges are even greater in today's time of heightened cyber threats and increased public attention.

EAC's 2019 budget justification highlights plans to continue to help election officials efficiently and effectively administer secure elections that inspire public confidence. EAC plans to do this by helping election officials secure their elections, interact with and use federally-provided cybersecurity resources, develop and share best practices, test and certify voting machines, and research and report election administration data.

***Cybersecurity: Helping Election Officials Secure U.S. Elections by Helping Them Secure the Elections They Conduct***

The Department of Homeland Security (DHS) has designated the nation’s election administration infrastructure as part of the Nation’s Critical Infrastructure, and federal resources for protecting this infrastructure are being developed in accordance with the National Infrastructure Protection Plan. This designation means changes to U.S. election administration and an opportunity for EAC to provide even more robust cybersecurity resources to states and election administrators. EAC has taken on a continually expanding workload in the form of helping election officials navigate key conversations with the federal government and understand best practices in light of the designation. To this end, EAC is working with the Department of Homeland Security to share information and provide technical assistance as requested by election officials and their professional associations. EAC is a member of the Government Coordinating Council (GCC), a crucial component of DHS’s critical infrastructure operational framework, and the GCC’s Executive Committee. As such, EAC meets regularly with DHS on this front. Understanding how critical the cybersecurity of the nation’s elections systems are, all groups will continue to work together to identify vulnerabilities in the election infrastructure and prevent cybersecurity breaches.

DHS’s critical infrastructure designation is only part of the EAC’s increased cybersecurity role following the 2016 election. Election officials are operators of complex IT systems that face current, persistent, and adaptive threats from new types of actors, such as nation states. The role of IT manager is not new to election officials, but the sophistication and volume of the threats they face is. So they need more resources, such as best practices in cybersecurity, than ever before. As such and in pursuit of its charge to be the nation’s clearinghouse on best election administration practices, EAC is directing increased resources to understanding these cyber threats and helping election officials prepare to defend their systems against them. This effort involves more than the resources provided under the critical infrastructure designation. It involves taking a global perspective on cyber-threat prevention and ensuring that election officials have access to all of the resources and information they need to protect their systems.

There are thousands of election administration systems in the U.S., and each has the potential to be a target of a cyber-attack. The EAC plans to help election officials prepare and defend these systems under its HAVA charge.

***EAC and the National Institute of Standards and Testing***

EAC will work with the National Institute of Standards and Testing (NIST) on developing the cybersecurity framework as it relates to elections as critical infrastructure and on disseminating Voluntary Voting System Guidelines (VVSG) version 2.0 in FY 2019. EAC manages and maintains the only national standard and testing program for voting systems, including voting machines, and the agency plans to continue to develop and maintain this standard to further increase the cyber-defenses of the country’s election systems. EAC plans to present a new version of the VVSG to the commission for a vote on their adoption in 2018, but in order to test voting systems to the highest quality, new test assertions and scenarios need to be developed to accompany these standards. This work as well as

general standard-setting and voting machine testing will be critical in FY 2019 as the nation prepares for the General election in 2020.

***Voter Registration List Maintenance***

Another vital resource that EAC provides to election officials and plans to continue to provide in FY 2019 is information about best practices for voter registration list maintenance, including data matching criteria, efficient data sharing procedures and ways to best incorporate online voter registration, a growing trend in election administration. Voter registration list maintenance is critical to public confidence in elections. Voter registration lists contain voters’ personal information and security breaches of this information can affect voter confidence and therefore decrease voter turnout. Also, voter list maintenance is essential to ensuring the integrity of an election because voter lists are the mechanism which allows election officials to check to be sure that only voters who are allowed to vote in a particular election are voting in that election. During FY 2019 and FY 2020, countless voter registration drives leading up to the 2020 presidential election will result in the changing of registration statuses of a large number of U.S. citizens. During this time, list maintenance practices will be absolutely essential. As such, EAC plans to focus efforts on list maintenance in FY 2019.

When voter registration lists are well maintained, voters have increased confidence in elections, and EAC will continue work to help ensure this.

***Studying Election Administration: The Election Administration and Voting Survey (EAVS) and Other Research***

Federal law mandates that EAC collect, study, and distribute information on particular aspects of election administration and voting. This survey, EAVS, is the most comprehensive survey of election administration practices and data in the country, and many election jurisdictions, federal entities, and academics rely on this information. EAVS 2018 will be distributed to Congress June 30, 2019, and work will then begin on the 2020 survey. EAC plans to continue to produce EAVS and improve how it is produced. This is a critical resource, and EAC will work to ensure that it is high quality, accurate, and useful.

**Budgetary Changes FY 2017 Annualized Continuing Resolution Amount to  
FY 2019 President’s Budget Request**

(in whole dollars)

<b>Personnel Compensation and Benefits</b> .....	<b>+\$3,343</b>
Reflects an increase of one full-time employee and decrease of 2 intermittent employees; no cost of living adjustment	
<b>Travel</b> .....	<b>+\$126,092</b>
Increase outreach efforts	
<b>Other Services</b> .....	<b>(-\$412,106)</b>
Reduce contracts -- services to be provided by staff or postponed	
<b>Miscellaneous</b> .....	<b>+\$2,347</b>
Telecommunications and equipment rentals (-\$52,573 with a new phone system), printing (-\$19,678), supplies and subscriptions (+\$13,225), equipment (+\$6,891)	

## Budget Requests and Performance Measures by Strategic Plan Goal

EAC's request is presented in terms of four goals: 1. Analyze, 2. Build, 3. Distribute, and 4. Operate:

### ANALYZE

#### **Strategic Goal 1: Expand the nation's comprehensive understanding of American election administration. \$1,814,308**

Goal 1 is led by EAC's Research & Data Division, with input from the Communications and Information Technology (IT) Divisions. Objectives and success indicators for the goal are as follows:

#### **OBJECTIVES**

Objectives of the goal include continuing to expand the EAC's existing in-depth understanding of the administration of American elections; helping others contribute to the nation's understanding of American election administration; and leveraging the EAC's research to guide agency decision-making.

#### **SUCCESS INDICATORS**

The anticipated success indicators of the goal are: analysis of Election Administration and Voting Survey (EAVS) data that produces insights into U.S. Election Administration; successfully creating tools to make both responding to the EAVS and analyzing EAVS data easier; increases in the number of entities providing information, research, and data related to American election administration; improvement in the quality of data collected related to American election administration; and the ability to better use EAC research to better design EAC assistance.

#### *The Election Administration and Voting Survey (EAVS)*

EAC administers and oversees the biennial Election Administration and Voting Survey (EAVS) of the 50 States, the District of Columbia, American Samoa, Guam, Puerto Rico and the U.S. Virgin Islands. EAVS is a comprehensive collection and report of data on election administration and voting systems in the United States. The survey, performed in conjunction with the U.S. Department of Defense's Federal Voting Assistance Program, collects over one million data points of information about voter registration, number of ballots cast, military and overseas voting, absentee ballots, polling places, poll workers, and provisional ballots from state election officials. The survey data is used by election officials, academics, and others to improve their methods, metrics, and tactics in serving voters and maintaining voter registration lists.

Collection of much of the data is Congressionally-mandated: EAC uses the survey to help inform Congress on the Impact of the National Voter Registration Act (NVRA) on the Administration of Elections for Federal Office, and on the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA).

*Best Practices in Election Administration Research*

In addition to administering EAVS, EAC also conducts regular research on election administration, best practices, and stakeholder needs. One way that EAC conducts this research is by holding an annual competition for best practices in election administration called *The Clearies*. EAC uses *The Clearies* to source best practices from successful stakeholders across the country and then communicate these best practices to our broader stakeholder base. Additionally, EAC convenes experts, facilitates conversations, and connects researchers to analyze and understand the current best practices in election administration so that the agency can pass on this knowledge under its charge to be the nation's clearinghouse of election administration. This work helps the nation's thousands of semi-autonomous election jurisdictions from having to "re-create the wheel" when they are designing and implementing their own practices, policies, and procedures.

**The FY 2019 Request**

In June 2018, EAC will release the Comprehensive Report on the 2016 Election Administration and Voting Survey. The survey report will include the 2018 Statutory Overview, a review of certain State election laws. Work will then begin on the 2018 Election Administration and Voting Survey, which will be released by June 30, 2020.

Further, the FY 2019 request includes funds for forums to bring together election officials, technology innovators, individuals with disabilities, accessibility equipment and voting system manufacturers, academics, computer programmers and security experts, voting system standards developers, and website developers and designers. Information from the forums will be used to develop a wide range of best practices for posting on the EAC website. Examples include creating suggested best practices on subjects such as reaching voters with disabilities, vote centers, electronic pollbook use and early voting.

*The FY 2019 request includes funds for staff; \$20,096 for staff and invitational travel for discussion groups, panels and summits (accessibility, language, data); \$954 for printing Federal Register notices; and \$28,459 for supplies and media subscriptions.*

**Build**

**Strategic Goal 2: Proactively and responsively create products that help election officials improve the administration of elections and help voters more easily participate in elections. \$2,132,052**

Goal 2 is led by EAC's Research & Data Division and Testing and Certification Program, with input from the Communications, Finance, and IT Divisions. Objectives and success indicators for the goal are as follows:

## **OBJECTIVES**

The objectives of the goal are to continually create resources that help election officials improve the administration of elections and help voters participate in elections and to responsively create resources that respond to newly arising needs of election officials and voters.

## **SUCCESS INDICATORS**

The anticipated success indicators of the goal are that designed assistance products created to fulfill a specific need of EAC stakeholders; feedback from stakeholders indicating ease of use and implementation; and rates of use for products by the stakeholder group that the product was intended to serve.

### *Voting System Testing and Certification*

Under HAVA, EAC is responsible for assisting States with improvements to voting systems through the distribution of Federal funds and by creating and administering a voluntary voting machine testing and certification program. The testing program creates standards against which voting machines can be tested, works with EAC-accredited labs to test vendor-submitted machines against these standards, and certifies machines that successfully pass these tests. The program is transparent. It publishes all test plans, test reports and related information as well as reports on voting system anomalies in the field during use in an election. Use of the program by the states is voluntary, but 47 states use it in some way when deciding which voting systems to use in their elections.

EAC works continuously to reduce the cost of voting system testing without compromising voting system quality and conformance through use of automated source code review tools by EAC-accredited Voting System Test Laboratories (VSTLs) and similar innovative uses of technology. Comprehensive procedures for the program are detailed in EAC's Voting System Testing and Certification Program Manual, which is available online.

The program also:

- supports local election officials in the areas of engineering change order (ECO) updates, acceptance testing, and pre-election system verification for EAC-certified systems, issuance of Requests for Procurement (RFPs) and information on how to maintain aging voting technology;
- 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 division works in a cooperative and coordinated manner with the National Institute of Standards and Technology (NIST) to evaluate and accredit 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 the EAC program. NVLAP uses international standard 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 and on-site reviews to ensure that VSTLs meet all program requirements.

In addition to voting system certification and laboratory accreditation, EAC along with its 110-member Standards Board, 37-member Board of Advisors, and 15-member Technical Guidelines Development Committee (TGDC) work together to update and implement voluntary testing guidelines for voting systems.

### **The FY 2019 Request**

The Voting System Testing and Certification Program will work on providing information on voting system sustainability. The division will also continue ongoing efforts to educate and train users on revisions to the VVSG. After the release of VVSG 2.0, the TGDC, the Commissioners and EAC staff will start work on the next VVSG.

*The FY 2019 request includes payroll and benefits for staff; \$55,927 for travel including educational meetings on the next iteration of the VVSG and on cybersecurity; \$8,715 for webinar services to reduce travel costs and travel time; \$159 for Federal Register notices; \$4,000 for training and conference registration fees; and \$245 for software.*

### *Annual Non-Expenditure Transfer to NIST*

EAC will work with NIST to set priorities for FY 2019. The focus in FY 2019 will be finalization of VVSG 2.0 and cybersecurity. We plan to work with NIST on finishing test requirements and scripts that apply to the VVSG, and developing the cybersecurity framework as it relates to elections as critical infrastructure. The EAC-NIST Public Working Group on Cybersecurity is one of three groups aimed at collecting requirements from processes and functions conducted by election officials during pre-election, election, and post-election. Four constituency groups have been created to identify the corresponding technical requirements in human factors (usability & accessibility), cybersecurity, interoperability, and testing. The cybersecurity group will hold meetings to discuss and develop guidance for voting system cybersecurity-related issues, including security controls and auditing capabilities. The guidance will be used in the ongoing development of the VVSG. We anticipate the Working Group on Cybersecurity will also research and discuss threats and security technologies to assist election officials in the performance of their duties.

### **The FY 2019 Request**

In 2019, EAC includes a request for the annual non-expenditure transfer to NIST at \$1,500,000 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*.

### *National Mail Voter Registration Form*

EAC administers the National Mail Voter Registration Form prescribed by the National Voter Registration Act of 1993 (NVRA), known as “Motor Voter”. The form is updated when the States



request changes to their instructions, and translated for required languages. Each state, the District of Columbia, American Samoa, Guam, Puerto Rico and the U.S. Virgin Islands has its own instructions on how to complete the form, which include voter registration rules and regulations.

The form is available on [www.eac.gov](http://www.eac.gov) in English, Spanish, Chinese, Japanese, Korean, Tagalog, and Vietnamese. The Election Management Program, including user-friendly Quick Start Guide educational materials, provides information to State and local election officials and voters on topics such as voter registration, and Uniformed and Overseas voters. EAC provides informational materials on the Federal election process and election terminology in languages other than English.

#### **The FY 2019 Request**

*The FY 2019 request includes funds for staff and \$4,880 for translations of educational materials and the voter registration form.*

### **DISTRIBUTE**

#### **Strategic Goal 3: Help election officials improve the administration of American elections through the distribution of EAC assistance and products. \$3,753,640**

Goal 3 is led by the Communications Division with input from the Research & Data, IT, and Finance Divisions. Objectives and success indicators for the goal are as follows:

##### **OBJECTIVES**

The objectives of the goal are to effectively and efficiently distribute federal resources to EAC stakeholders; serve as an expert on the administration of American elections; regularly distribute EAC products on timelines that align with stakeholders' needs; and distribute EAC assistance through methods designed to facilitate stakeholder use.

##### **SUCCESS INDICATORS**

The anticipated success indicators for the goal are usage of EAC assistance identifiable through feedback from EAC stakeholders; ability to design and distribute EAC products identifiable through feedback from EAC staff and self-surveying metrics; ability of the Communications Division to provide front-end guidance regarding the design of EAC products in Strategic Goal 2 programs identifiable through feedback and self-surveying metrics; and increased rates of reception of EAC products through designed distribution mediums.

##### *EAC Elections Clearinghouse*

The Division is responsible for communicating with the media and stakeholders, including election officials, academics, policy-makers, advocacy groups and the public. The Communications Division manages the agency's clearinghouse of information, housed on its website, [www.eac.gov](http://www.eac.gov).

The website provides a central location for best practices, shared practices, innovation and creative solutions in election administration. The website also contains external and internal communications produced by the Division such as press releases, news articles and speeches, informational videotapes about the programs, Twitter feeds, blog posts, a monthly newsletter about EAC’s activities and events.

**The FY 2019 Request**

*The FY 2019 request includes funds for staff, \$2,138 for travel, the EAC website contract at \$177,549, and \$28,459 for media subscription services.*

*Payments and Grants*

EAC’s Payments and Grants program is responsible for distributing payment and grant funds; monitoring grantee performance; providing technical assistance to States and grantees on the use of funds; and reporting on requirements payments and other funds 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 office provides technical assistance on use of funds not yet reported as spent by the States on the annual Federal Financial Reports (balance of payments and grants plus interest), and on the use of an estimated \$1,003,984,519 in Federal HAVA funds for voting and voting-related equipment (see chart below). The following chart estimates initial value of voting and voting-related equipment purchased by the states using Federal HAVA funds for FYs 2012 through 2016. Amounts are aggregate and reported in the fiscal year proceeding the year the expense was incurred. (Note that the chart does not reflect equipment that has been sold or otherwise disposed of as it reaches the end of its useful life.)

	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
<b>Section 102 Funds</b>	\$90,122	\$137,401	\$ (267,813)	\$ (10,769)	\$ 0
<b>Section 251 Funds</b>	40,410,437	43,417,090	168,169,476	75,586,153	110,248,566
<b>Total</b>	<b>\$40,500,559</b>	<b>\$43,554,491</b>	<b>\$167,901,663</b>	<b>\$75,575,384</b>	<b>\$110,248,566</b>

Source: States, as part of annual financial and narrative reports

**The FY 2019 Request**

For FY 2019, goals include achieving the performance targets for timeliness, including resolving 100 percent of audit findings within established timeframes, awarding grants in established timeframes, and submitting references to State Plans to the *Federal Register* within 30 days of receipt.

*The request includes funds for staff; an estimated \$3,291 for site visit travel; \$100,000 for a financial management support contract, including pre- and post-audit technical assistance to the States; and \$5,000 for the Memorandum of Understanding with the U.S. Department of Health and Human Services for indirect cost rate negotiation services.*

NOTE: The detailed OIG direct request of \$1,052,730 appears as an attachment to this document.

**OPERATE**

**Strategic Goal 4: Ensure continued effective operation of the EAC in order to achieve its goals while acting as good stewards of public funds.**

Goal 4 is administered by the Executive Director with contributions from all EAC divisions. Objectives and success indicators for the goal are as follows:

**OBJECTIVES**

The objectives of the goal are to contribute positively and effectively to the federal government through active contribution and compliance; continue to build a skilled, diverse, and effective workforce that ensures that the EAC has the human capital needed to achieve its mission; develop and continue to manage internal structures and tools that produce a culture of innovation and a driven workforce; and institutionalize an increased level of strategic and cross-agency thinking.

**SUCCESS INDICATORS**

The anticipated success indicators of the goal are that new inter-agency programs that provide unique value or generate efficiencies; continuing compliance with federal regulations and mandates; and internal strategic planning capacity development at the division and programmatic level.

**Performance Improvement**

Management works to foster a culture of accountability among staff to meet annual performance measures. The agency is seeking to achieve management excellence through continuous improvement of internal controls. Agency directors responsible for implementation of the EAC Strategic Plan goals report on their division activities throughout the year.

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 specific, individual responsibilities.

**Internal Controls**

EAC obtained a clean audit opinion on agency financial statements in FY 2017. For the annual financial statement audits, EAC has a shared drive repository of internal control testing and other back-up materials and uses the Office of Management and Budget MAX platform to receive deliverables from BFS, produce deliverables, and upload them for the auditors.

**Effectiveness and Efficiency Measures**

EAC strives to improve effectiveness, particularly as it relates to customer service to citizens, and efficiency as it relates to productivity and cost savings:

*Transfer to one of the four Federal Shared Services providers*

In line with guidance in the President's Management Agenda, and the performance government cross-agency priority goal, EAC switched financial and procurement services to Treasury. Treasury is one of

the four agencies, in addition to Agriculture, Transportation, and Interior, chosen for the effort to eliminate duplication and enable agencies to direct more resources from administrative expenses to programs.

#### *Streamlining Acquisitions*

In February 2012, EAC outsourced the contracting officer function to Treasury's Bureau of the Fiscal Service (BFS). EAC fully-automated its procurement function on July 1, 2012 by implementing the BFS PRISM system, replacing use of hard-copy procurement forms. Commercial invoices are processed through the Internet Payment Platform. Further, purchase-card order payments have been automated with CitiDirect Services through the MOU with BFS. BFS is in the process of implementing g-invoicing for interagency invoices and payments.

EAC relies heavily on GSA schedule procurements for negotiated-rate contracts and on Memoranda of Understanding with, or transfers of funds to, other Federal agencies. Both options provide low-risk procurements at substantial cost savings in terms of lower prices, strategic sourcing, award time and internal operational efficiencies. Further, EAC uses BFS-required performance work statements in lieu of cost-reimbursement and time-and-materials contracts to improve the quality of proposals and performance from vendors.

#### *e-Travel*

On July 1, 2012, EAC implemented BFS's e-travel system. Travel authorizations and vouchers are fully automated, replacing hard copy authorization and voucher forms. Outstanding balances are removed from authorizations when vouchers are processed.

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

EAC moved to open office space in October 2013 in a federal building at the Silver Spring, Maryland metro station. EAC reduced the amount of leased space from 17,548 square feet to 6,900 in the replacement lease. In order to fit into a smaller footprint and comply with records management requirements, EAC has completed the majority of the work needed for a paperless office environment, with files stored electronically or inexpensively at the National Archives and Records Administration (NARA) Federal Records Center according to their retention schedules. NARA can return boxes to the agency as needed so staff can update or refer to materials in the stored files. EAC stores records at NARA in lieu of housing files in higher cost leased office space.

#### *Telecommuting*

Pursuant to the Telework Enhancement Act of 2010, some EAC staff participate in telecommuting. A majority of staff participate in the subsidized public transit program further reducing emissions, commuting time and transit costs are generally decreased, and work-life balance is improved because individuals are better able to balance work and personal obligations. EAC is equipped to deal with continuity of operations disruptions by operating off-site.

### **Information Technology (IT) Infrastructure**

The Office of the Information Technology continues to explore new innovations to update and improve network services for security, availability, efficiency and productivity. 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, and an interactive voice response telephone system; performs vulnerability scans (in addition to GSA's backbone infrastructure scans); and remediates and updates security patches so that staff are equipped to perform work both on- and off-site in a secure environment.

GSA manages a firewall, external intrusion detection, T1 lines and routers and switches for Federal Information Security Management Act (FISMA) 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 \$70,000 for FY 2019. 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. In FY 2017, EAC received a clean opinion on its FISMA audit.

### **Status of Management Challenges**

EAC's Inspector General reported on three categories of management challenges in October 2017: performance management and accountability, records management, and the effect on EAC of the election systems as critical infrastructure designation. The new Strategic Plan closes the performance management and accountability challenge recommendations. Regarding records management, records retention schedules for the Research & Data Division and Testing and Certification Program have been developed. EAC is planning a system to organize and archive emails.

### **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 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**

EAC continues to provide an annual report of EAC activities to Congress by January 31 of each year for the preceding year ending September 30. The current report was released January 31, 2017.

EAC continues to provide a biennial report on the impact of the NVRA by June 30 of each odd-numbered year. The latest report was released on June 29, 2017.

EAC provides recommendations to improve election data collection and data provided to Congress in the biennial report on the Election Administration and Voting released in the fall of the year subsequent to the Federal election. The current report was released on June 29, 2017.

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## **Attachment A**

### **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**

OIG's fiscal year (FY) 2019 request of \$1,052,730 includes \$3,000 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 employees.

#### **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 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 a total of 37 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), the Digital Accountability and Transparency (DATA) Act, and compliance with the Federal Travel Regulations.

## **OIG GOALS AND OBJECTIVES**

In FY 2019, OIG will continue to monitor spending by EAC grant recipients, conducting external investigations, and auditing and investigating EAC programs and operations as needed. OIG is currently staffed by one full-time employee, the Inspector General. OIG will continue to use contract auditors in FY 2019 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 efforts on monitoring spending of the \$3.25 billion in grants appropriated to the states.

**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 identifying 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 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 the subject of the audit or evaluation, as well as the EAC and, when appropriate, oversight and appropriations committees of Congress.

OIG also produces two semi-annual reports to Congress in each fiscal year. Those reports summarize the audit, evaluation, inspection and investigation reports issued by OIG during the relevant six months. The documents also report 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. The 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 2019, 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 2017 Enacted</b>	<b>FY 2017 Annualized Continuing Resolution Amount</b>	<b>FY 2019 Request</b>
	<b>Personal Compensation and Benefits</b>			
11.1	Full-time permanent	\$ 151,262	\$ 153,200	\$ 153,200
11.9	Total personal compensation	151,262	153,200	153,200
12.1	Civilian personnel benefits	55,337	55,540	55,730
	<b>Contractual Services and Supplies</b>			
21	Travel, training and oversight	10,000	10,000	10,000
24	Printing and reproduction	1,000	1,000	1,000
25.2	Other services	802,245	792,460	786,700
25.3	Other purchases of goods and services from Government accounts	35,000	35,000	35,000
26	Supplies and materials	3,600	3,600	3,600
	Acquisition of Assets			
31	Equipment	4,500	4,500	4,500
94	Financial Transfers	2,355	3,000	3,000
	<b>Total Program</b>	<b>\$ 1,065,299</b>	<b>\$ 1,058,300</b>	<b>\$ 1,052,730</b>



