U.S. Election Assistance Commission

FY 2012 Summary of Performance and Financial Information

Assisting the effective administration of Federal elections

Purpose of the Report

This Fiscal Year (FY) 2012 Summary of Performance and Financial Information represents the U.S. Election Assistance Commission's (EAC's) effort to provide a summary of key agency goals, information on how appropriated funds are used, and plans to both build on successes and address challenges.

Background

Congress passed the Help America Vote Act (HAVA) of 2002 in response to issues raised in the 2000 Presidential election. The law recognizes the need for States to invest in their election infrastructure and sets out a comprehensive program of funding to the States, voluntary guidance, and ongoing research into the improvement of Federal elections. To foster those programs and to promote and enhance voting for United States citizens, HAVA established the EAC.

EAC is charged with, among other activities:

- Serving as a clearinghouse of information on the administration of Federal elections for election officials and voters,
- Certifying voting equipment to voluntary voting system standards adopted by the Commission,
- Providing voluntary guidance on computerized statewide voter registration databases and provisional voting to the states,
- Maintaining the National Voter Registration Act form,
- Making information available to the public on voting activity of individuals covered by the Uniformed and Overseas Citizens Absentee Voting Act, and
- Distributing HAVA funds to States for improvements to the administration of elections for Federal office.

Federal election improvements include support of poll worker training, education of the public on voting rights such as provisional voting, and helping provide voters with polling place access information such as when and where to vote.

In FY 2012, EAC, worked with NIST, Clemson University and the Information Technology and Innovation Foundation in Washington, DC on the Accessible Voting Technology Initiative grants. The initiative supports research and development activities to increase the accessibility of new, existing, and emerging technological solutions in areas such as assistive technologies, interoperability, and the design of voting systems. Funding supports research for: 1) promising technologies and practices; 2) technology testing and adoption; and 3) development of administrative processes and training improvements to increase accessibility of existing voting procedures and election systems.

In FY 2012, EAC worked with 12 grant recipients on the Voting System Pre-Election Logic and Accuracy Testing (L&A) and Post-Election Audit Initiative. The purpose of the initiative is to develop and document processes and best practices for coordinating quality and cost-effective voting system pre-election L&A testing, and post-election audits. Outcomes will include tool kits, guides, best practices, research findings and recommendations that can be disseminated widely within the election community.

Additionally, EAC monitors funds for the College Poll Worker and Mock Election grant programs. The College Poll Worker program seeks to attract a new generation of poll workers, critical to the administration of elections. The College Poll Workers are trained on setting up polling places, greeting voters, checking voter names on voting registers, checking voter identification where required, staffing information booths, demonstrating use of the machines to voters, answering voter questions, serving as election observers, assisting voters with disabilities, securing voting machines at the end of election day, counting votes, and transmitting election results.

The Mock Election grants promote voter participation in national elections through voter education activities for high school students and their parents. The students are provided with a "behind-the-scenes" look at the elections process, and learn about setting up polling places, registering to vote, and casting informed ballots. The grants help build community involvement in and awareness of the election process, and encourage future civic engagement and participation by the students involved in the program.

Strategic Goals

In March 2009, EAC adopted it first Strategic Plan for 2009 through 2014, with five strategic goals:

> **Communicate** -- Communicate timely and accurate information on the effective administration of elections for Federal office and on the operations and services offered by EAC.

> **Fund and Oversee** -- Deliver and manage Federal funds effectively.

> **Study, Guide and Assist** -- Identify and develop information on areas of pressing concern regarding the administration of elections for Federal office, issue recommended improvements, guidance, translations, and best practices as required by HAVA, and carry out responsibilities under the National Voter Registration Act.

> **Test and Certify** -- Build public confidence in elections by testing and certifying voting systems to improve system security, operation, and accessibility.

> **Manage** -- Achieve organizational and management excellence.

Performance Data and Key Performance Measures

During FY 2012, to accomplish the Communicate goal, the Communications & Clearinghouse office focused efforts on providing information and best practices to election officials and voters in preparation for the 2012 federal election cycle with the goal of building a community of knowledge and expertise that would save election officials time and money. EAC:

- Hosted a series of public roundtable discussions about topics and initiatives in preparation for 2012 federal election cycle. Questions and comments were taken from the public throughout the live webcasts. The subjects included:

- Cost-effective procedures and best practices for 2012 Voting System Preparation;
- EAC's role as a national clearinghouse and resource for election officials around the country;
- Getting ready for the November 2012 elections; and
- Ways to improve access to voting for veterans;
- Expanded The EAC Blog to provide periodic election updates and highlight program activities during each week: 1) Election Updates summarize information on upcoming primaries, special elections, and the general election in 2012; 2) Voting System Testing Updates track progress made on EAC voting system certification; and 3ongoing blog posts cover election related topics to answer frequently asked questions and provide critical or time sensitive information to stakeholders and the media;
- Managed @EACgov on Twitter to rapidly deliver information and updates to stakeholders and the public about the voting system certification program, EAC activities and election information, communicate with election officials, and build a community of expertise;
- Maintained #BReady2012, the Twitter hashtag where election officials and the public gathered to discuss preparation for the next Federal election. The number of EAC Twitter followers grew from 250 to over 900 from October 2011 through September 2012;
- Hosted online The Election Official Exchange, a platform to help local election officials connect and leverage their collective knowledge by sharing and exchanging best practices and information expertise; and
- Provided program updates where the public can customize the kind of information and the frequency that it is delivered via EAC's newsletter and automatic program updates.

Grants Management

In FY 2012, EAC:

- Disbursed requirements payment grants to States certifying compliance from the FY 2008 through FY 2011 awards;
- Closed the College Poll Worker and the Mock Election grants awarded in FY 2009;
- Continued to monitor and provide technical assistance to three-year award 2010 College Poll Worker grantees to help them carry out successful programs;
- Continued to monitor and work with the three-year award 2010 Mock Election Program grantees; and
- Monitored and provided technical assistance for the Voting System Pre-Election Logic and Accuracy Testing & Post-Election Audit Initiative grants, and the Accessible Voting Technology Initiative grants.   In FY 2012, the latter projects focused on making pre-election information accessible to voters and using a specialized system in the field for elections.

Research, Policy and Programs

Work completed in FY 2012 includes:

- Release of the results of the 2010 Election Administration and Voting Survey (EAVS) to Congress and the public;
- Final draft of a study on the use of Social Security numbers for the purpose of voter registration;

- Final draft of a study on Vote Recounts and Contests describing laws and procedures in each state;
- Award of contracts to perform research on administering elections in urban and rural areas, and to administer and analyze the data for the 2012 EAVS;
- Completion of the process for updating the 2012 Election Administration and Voting Survey;
- Research on new jurisdictions and languages covered by Section 203 of the Voting Rights Act as determined by the 2010 census and consideration of its application to various minority language election resources; and
- Responding to requests from state and local election officials, Congress, the media and the public-at large for copies of Voter's Guides to Elections and Glossaries of Election Terms in various foreign languages, and NVRA registration forms and accompanying state instructions for completing the form; clarification of data reported in the biennial EAVS; assistance on completing the Federal NVRA form; and requests to clarify certain technical aspects of election procedures and processes;
- Processing of State requests for modifications to the state-specific instructions on the National Mail Voter Registration Form. States include Delaware, Florida, Illinois, Maine, Louisiana, Virginia and Washington State;
- Conducting presentations and distributing material highlighting EAC educational resources on best practices and tips from EAC research on subjects such as poll worker recruitment and training, making contingency plans, voting accessibility, and communicating with the public; and
- Distributing 30,000 copies of EAC's "Voting Tips To Enhance Your Voting Experience" to the 55 State election offices.

Voting Systems Testing and Certification

In FY 2012, EAC:

- Certified four voting systems and published a certification timeline for a fifth system;
- Conducted testing campaigns for four systems;
- Drafted and published six Requests for Interpretation (RFIs) to the Voluntary Voting System Guidelines (VVSG);
- Drafted and published two Notices of Clarification to Testing & Certification Program Manuals;
- Published a Final Formal Investigation Report on a voting system;
- Developed and implemented major updates to EAC's Virtual Review Tool (VRT);
- Audited a voting system manufacturing facility;
- Received a revised version of VVSG 1.1 from NIST, incorporated NIST comments and new RFI's into the guidelines, and posted the second draft version for Public Comment;
- Performed two laboratory re-accreditation audits, and an EAC and NVLAP initial laboratory audit; and
- Published the Survey of Internet Voting (SIVAR) document on the EAC web site.

Agency Assessment of Performance

Since the Strategic Plan was adopted mid-year in FY 2009, EAC has been refining metrics, and developing systems to collect performance data and the internal controls needed to ensure that reported

performance is adequately supported. At this stage of development of agency performance measurement, we are reporting on outputs. The outputs establish the infrastructure required to begin the process of developing and improving program outcomes.

Key Management Challenges and Assurances

In FY 2012, the financial statement auditors were unable to opine on the FY 2012 financial statements. Accordingly, the Commission provides a qualified statement of assurance that internal control and financial management systems meet the objectives of the Federal Managers' Financial Integrity Act.

The disclaimer opinion was the result of several factors. The opinion was due primarily to transfer of financial services from one federal agency to another late in the fiscal year and running out of time to complete the conversion before end-of-year financial statements were due. Had the transfer of data between the providers been timely, the internal controls used by the providers been compatible, and the new provider not been upgrading its financial system at the time we transferred, we believe that the audit opinion for FY 2012 would have been unqualified.

During FY 2012, EAC was in a position where we had to take the risk of changing financial services to another federal agency as a condition for obtaining procurement services via memorandum of understanding with another federal agency. EAC's former procurement services provider was no longer able to provide support due to staffing constraints, and no other agency contacted was able to provide established procurement services for the same reason. The decisions to outsource procurement services and not hire a full-time staff accountant were made: 1) to increase efficiency by tapping into administrative services provided by other agencies; 2) in response to long-standing criticism that EAC has too many administrative staff at the expense of program staff; and 3) to potential elimination or dismantling of the agency and proposed large cuts to the agency's operations budget.

Efficiency increased in FY 2012 with automation of travel, procurement and purchase card systems for the first time, but it became apparent that even though EAC is a micro-agency, a full-time staff accountant with knowledge of agency programs and operations is critical to its success. EAC hired a full-time accountant and is implementing an action plan to address audit findings and restore internal controls to the level the agency operated under with a full-time staff accountant. The action plan includes detailed procedures and training related to advances, accruals, and accounts receivable; and a review of accounting treatment for FY 2012 financial entries. We expect that issues described in the auditors' report will be resolved soon.

Financial Results

In FY 2012, EAC's appropriations totaled $11.5 million for Salaries and Expenses. By the end of FY 2012, EAC had a balance of $2.2 million on hand in no-year Election Reform Program grant funds.

Since the passage of HAVA, Congress has appropriated nearly $3.3 billion to support States in improving the administration of Federal elections, primarily by purchasing and upgrading systems for casting votes and for registering voters in statewide voter registration systems. States have also used HAVA funds to:

1) implement provisional voting;
2) train election officials, poll workers, and voters;
3) improve polling place accessibility;
4) provide voter information at the polling places;
5) provide language assistance for citizens who are not proficient in English;
6) use toll free telephone lines; and
7) establish requirements for first-time voters who register to vote by mail.