

### III.B. THE EAC'S RESPONSE TO THE MOST SERIOUS MANAGEMENT CHALLENGES FACING EAC ACCORDING TO THE INSPECTOR GENERAL



U.S. Election Assistance Commission  
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To: Roger La Rouché  
Deputy Inspector General

From: Alice Miller  
Chief Operating Officer and Acting Executive Director

Date: October 21, 2015

Subject: Election Assistance Commission Response to the Inspector General's  
Statement Summarizing the Major Management and Performance Challenges  
Facing the U.S. Election Assistance Commission

In the area of performance management and accountability, the Election Assistance Commission (EAC) would like to clarify that in February 2015, the Commissioners revised the Roles and Responsibilities document adopted in September 2008. The revision was made to ensure that future lapses in the functioning of the agency's advisory boards do not occur.

The EAC concurs with the statement that the Commissioners obtained a high-level review of the agency's organization and mission, and that the review included organization and mission. Other matters included staffing, restructuring, and work rules.

Regarding further action recommended for this challenge, the areas mentioned in the statement are in the purview of the Commissioners. It should be noted that the Commissioners have completed the interview processes for the hire of an Executive Director and General Counsel, and are in the process of making hiring decisions. Further, the Commissioners have spent a great deal of time meeting with the election community: EAC's Standards Board and Board of Advisors; state and local elections staff; national and international election associations; academics; computer scientists; electrical and electronics engineers; the Federal Voting Assistance Program; voting system manufacturers; and advocacy groups. The meetings have resulted in a broad range of information gathering that has provided for the development of setting goals tied to the mandates of the agency and assisting election officials.

The second outstanding major challenge is a records retention schedule for EAC. EAC’s assigned Archivist from the National Archives and Records Administration determined, based on her review, that the vast majority of the agency records are within the General Records Schedule (GRS). As such, Human Resources, Chief Financial Officer, Grants, Commissioners/Executive Office (which includes Chief Operating Officer and Executive Director), Chief Information Officer, General Counsel, Inspector General, and National Voter Registration Act records are completed. The EAC concurs with the status of the records for Communications, Research, and Testing and Certification, and with the statement on the plan for organizing and archiving EAC emails.

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### III.C. 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. For Fiscal Year 2015, the 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.

### III.D. SUMMARY OF FINANCIAL STATEMENT AUDIT AND MANAGEMENT ASSURANCES

<b>SUMMARY OF FISCAL YEAR 2015 FINANCIAL STATEMENT AUDIT</b>						
<b>Audit Opinion</b>		<b>Unmodified</b>				
<b>Material Weaknesses</b>		<b>Beginning Balance</b>	<b>New</b>	<b>Resolved</b>	<b>Consolidated</b>	<b>Ending Balance</b>
<b>Financial Accounting &amp; Reporting</b>		<b>1</b>		<b>1</b>	<b>0</b>	<b>0</b>
<b>Total Material Weaknesses</b>		<b>1</b>		<b>1</b>	<b>0</b>	<b>0</b>
<b>Summary of Management Assurances</b>						
<b>Statement of Assurance (FMFIA § 2)</b>		<b>Unmodified</b>				
<b>No.</b>	<b>Summary</b>	<b>Beginning Balance</b>	<b>New</b>	<b>Resolved</b>	<b>Consolidated</b>	<b>Ending Balance</b>
<b>1</b>	<b>Material Weaknesses (FMFIA § 2)</b>	<b>1</b>			<b>0</b>	<b>0</b>
	<b>Total</b>	<b>1</b>			<b>0</b>	<b>0</b>

Note: in FY 2014, the FMFIA § 2 referred to two non-financial operational audit recommendations and have been removed for FY 2015.