



**U.S. ELECTION ASSISTANCE COMMISSION
1335 East West Highway – Suite 4300
Silver Spring, MD 20910**

MEMORANDUM

TO: Commissioners Hicks, Masterson and McCormick

FROM: Alice P. Miller
Chief Operating Officer & Acting Executive Director

DATE: August 13, 2015

RE: Guidance on the Use of Help America Vote Act (HAVA) Funds

The State of Iowa is using funds for a criminal investigator. The Iowa Secretary of State (SOS) and the Iowa Department of Public Safety entered into a memorandum of understanding on June 21, 2012.

According to the SOS, the types of services being provided by the investigator were not being provided to the SOS prior to the passage of HAVA. This is a new service as of June 21, 2012.

The activity was not identified in the Iowa state plan or any amendments. The SOS indicated that they did not view the two-year contract for \$240,000 as a material change requiring an amendment to Iowa's state plan.

QUESTION:

Are the services being provided by the Iowa Department of Public Safety to the Iowa Secretary of State allowable charges to HAVA funds provided to the State of Iowa by the Election Assistance Commission?

DISCUSSION:

According to HAVA, the State election system shall include provisions to ensure that voter registration records in the State are accurate and updated regularly. The State shall remove the names of ineligible voters from the computerized list in accordance with State law. Additionally, HAVA states that the specific choices on the methods of complying with the requirements of Title III shall be left to the discretion of the State.

Iowa certified compliance with Title III of HAVA on March 15, 2010, allowing them to use a requirements payment to carry out other activities to improve the administration of elections for Federal office. Prior to certification, a State receiving a requirements

payment shall use the payment only to meet the requirements of Title III. (Note: the proper administration of a voter registration records is in furtherance of Title III compliance.)

Office of Management and Budget (OMB) Circular A-87, Cost Principles for State, Local, and Indian Tribal Governments applies to all requested expenditures and requires expenditures to be (1) allowable; (2) allocable; and (3) reasonable.

RECOMMENDATION:

The Commission should approve the services provided by the Iowa Department of Public Safety to the Iowa Secretary of State as allowable charges to HAVA funds. These funds are allowable, allocable and reasonable.

TALLY VOTE:

The Commissioners submitted a certified tally vote on August 13, 2015. The vote approved these expenditures by the Iowa Department of Public Safety as allowable.