



U.S. ELECTION ASSISTANCE COMMISSION
1335 EAST-WEST HIGHWAY, SUITE 4300
SILVER SPRING, MD 20910
OFFICE OF THE INSPECTOR GENERAL

Via Electronic Transmission

March 13, 2020

The Honorable Charles E. Schumer
Democratic Leader, U. S. Senate
HSOB- Hart Senate Office Building Room 322
Washington, DC 20510-3203

Dear Senator Schumer:

This letter responds to your letter dated February 10, 2020, requesting information regarding retaliation against whistleblowers in the U.S. Election Assistance Commission (EAC) and the EAC Office of Inspector General (OIG).

You requested that we "...take immediate action to investigate any and all instances of retaliation against anyone who has made, or in the future makes, protected disclosures of presidential misconduct to Congress or Inspectors General." Although we have not received any such disclosures, my office would certainly take immediate actions if we were to receive such complaints.

Secondly, you requested that we "...inform [your] office and the public regarding the date when personnel at [our] agency or department were last notified of their legal rights to make protected disclosures anonymously and free from reprisals." The EAC conducted such training for all agency staff on December 9, 2019. In addition, on February 5, 2020, the EAC distributed self-study training materials, which included training in whistleblower protection requirements, to all of the Agency's supervisory personnel. The Agency required all participants to certify completion of the training by February 28, 2020.

Finally, you requested "...written certification from [our] agency or department's general counsel that he or she has not and will not permit retaliation or reprisals against anyone who has, or in the future makes, protected disclosures of presidential misconduct to Congress or the Inspector General." Although I do not have the authority to direct the agency to provide such certification, I requested that EAC respond to your request. EAC does not currently have a general counsel on staff but is in the process of recruiting one. The Acting Executive Director

provided the Agency's response to this request, which I have included it as an attachment to this letter.

Please be assured that the EAC OIG endorses the sentiments expressed in a letter to you from the Chair and Vice Chair of the Council of the Inspectors General on Integrity and Efficiency dated March 5, 2020. We take our responsibilities toward whistleblowers very seriously and we understand the importance whistleblowers have throughout the community of accountability professionals. I am also encouraged to inform you that I have heard only the strongest support for whistleblower protections from the Commissioners, management, and staff of the EAC.

Please don't hesitate to contact me if you have any additional questions or comments on this matter. As you requested, we are informing the public by including this letter and attachment, in its entirety, on the EAC OIG website:

<https://www.eac.gov/inspector-general/congressional-reports>).

Sincerely yours,

A handwritten signature in blue ink that reads "Patricia L. Layfield". The signature is written in a cursive, flowing style.

Patricia L. Layfield, CPA, CIA, CISA
Inspector General
U.S. Election Assistance Commission

cc: The Honorable Mitch McConnell, Senate Majority Leader



U.S. Election Assistance Commission
1335 East West Highway, Suite 4300
Silver Spring, MD 20910

March 9, 2020

The Honorable Charles E. Schumer
Democratic Leader, U. S. Senate
HSOB - Hart Senate Office Building Room 322
Washington, DC 20510-3203

Dear Senator Schumer:

This letter is in response to your request for written certification from our agency that the agency will not permit retaliation or reprisals against anyone who has, or in the future makes, protected disclosures of presidential misconduct to Congress or the Inspector General. Please see the certification below.

The U.S. Election Assistance Commission is committed to protecting those who disclose presidential misconduct to Congress or the Inspector General as well as all whistleblowers within the federal government. To that end, the EAC regularly conducts trainings and publishes instructive materials on federal whistleblower protections. The EAC does not, and will not permit retaliation or reprisals against anyone who has or in the future makes protected disclosures.

Sincerely,

Mona Harrington
Mona Harrington
Acting Executive Director
U.S. Election Assistance Commission
(202) 641-1346
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