THE U.S. ELECTION ASSISTANCE COMMISSION

FISCAL YEAR 2011

INTERIM ANNUAL PERFORMANCE REPORT

February 13, 2012

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Overview

In November 2011, the U.S. Election Assistance Commission (EAC) presented a fiscal year (FY) 2011 Agency Financial Report (AFR). The report described EAC's financial results over the past year as it pursued its mission to assist the effective administration of Federal elections. The report highlights efforts to strengthen internal controls and financial management activities. EAC presented summarized performance data in the AFR, and provides as much detailed data as possible in the following Interim Annual Performance Report for FY 2011 in conjunction with the FY 2013 Interim Congressional Justification. This is the fourth year EAC has undergone a financial statement audit pursuant to the Accountability of Tax Dollar Act of 2002, and the third year that EAC is participating in the pilot performance reporting project, as described in OMB Circular A-136 on Financial Reporting Requirements, in place of the Performance and Accountability Report.

Managing for results and producing an Annual Performance Report requires valid, reliable and high-quality performance measures and data. EAC is committed to the continuous improvement of its performance and financial management data. To this end, EAC is working on recommendations for a data validation system, mandatory source documentation, and documentation of calculation methodology for estimates. An independent reviewer evaluated EAC business processes related to implementation of the four programmatic goals in the Strategic Plan. The reviewer made recommendations on procedures EAC can implement to provide reasonable assurance that the reported performance data is relevant and reliable.

In the program areas during FY 2011, EAC made a great deal of progress in achieving the goals described in its Strategic Plan, which is based on the mandates of the Help America Vote Act (HAVA) of 2002:

Communications & Clearinghouse

In Fiscal Year 2011, EAC 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:

- Established The Election Official Exchange to help local election officials connect and leverage their collective knowledge by sharing best practices and information;
- Re-vamped the eac.gov search tool based on usability studies and user feedback;
- Added Events Finder to the website for a more comprehensive presentation of all EAC public events;
- Made On-Demand webcasts of public meetings and roundtables available within 24 hours;
- Provided Customized program updates so the public can customize the kind of information and the frequency that it is delivered via EAC's newsletter and automatic program updates;

- Initiated The EAC Blog to provide periodic election updates and highlight program activities; @EACgov on Twitter to rapidly deliver information and updates about the voting system certification program, communicate with election officials, and build a community of expertise; and #BReady2012, the Twitter hashtag where election officials and the public can gather and discuss preparation for the next Federal election;

- Delivered communications presentations to election officials and the Public, including the Electronic Verification Network, the Ohio Association of Election Officials and the National Conference of State Legislatures; and

- Offered a series of public roundtable discussions with election officials and subject experts in preparation for 2012 federal election cycle, webcast live and featuring a live Twitterfall on Design Counts in Elections, and Voting Goes Viral: Using New Media to Manage an Election and Communicate with Voters. Questions and comments were taken from the public throughout the webcasts.

Grants Management

In FY 2011, EAC:

- Awarded two grants totaling $7 million for the Accessible Voting Technology Initiative to support research and development activities to increase the accessibility of new, existing, and emerging technological solutions;

- Awarded $1,463,074 to 12 grantees for the Voting System Pre-Election Logic and Accuracy (L&A) Testing and Post-Election Audit Initiative for development, documentation and best practices in L&A and post-election audits.

- Paid $30,032,324 from the FY 2008 appropriation, $38,299,071 from the FY 2009 appropriation and $26,888,473 from the FY 2010 appropriation to the States for Section 251 Requirements Payments which are used for meeting Title III voting system and other requirements, and to improve the administration of Federal elections;

- Reported to Congress on how the States have spent HAVA funds; and

- Coordinated a series of teleconferences for ongoing College Poll Worker and Mock Election Programs focused on *Teacher and School Administration Involvement*, *Sustainability Post Grant* and *Outreach Efforts for Community Involvement;*

Research, Policy and Programs

In FY 2011, EAC:

- Administered the 2010 Election Administration & Voting Survey to 50 States, the District of Columbia, and four territories;

- Reported to Congress on the findings of the 2009-2010 Impact of the National Voter Registration Act of 1993 (released in June 2011);

- Completed the 2010 Statutory Overview report, which is a recitation of States' election laws and procedures (released in May 2011);

- Drafted the initial mandated Recounts and Contests study;

- Selected a contractor to collect and analyze data for the mandated Election Administration in Urban and Rural Settings study;
- Completed the final public hearing on a Notice of Proposed Rulemaking to revise the National Voter Registration Act of 1993 regulations and collected input from 34 public commenters;
- Received and processed State requests for modifications to the state-specific instructions on the National Mail Voter Registration Form;
- Revised *A Voter's Guide to Federal Elections* in anticipation of the 2012 election and translated it into nine languages: Chinese, Cherokee, Dakota, Japanese, Korean, Spanish, Tagalog, Vietnamese, and Yu'Pik;
- Developed a searchable online version of the *Glossaries of Election Terminology* at www.eac.gov/glossary/default.aspx; and
- Solicited feedback from EAC College Poll Worker and Mock Election grantees via teleconferences for updating the *Guidebook for Recruiting College Poll Workers*.

Research and development work begun during FY 2011 continues on:

- Mandated voluntary guidance for provisional voting in FY 2011;
- The HAVA-mandated study on Use of Social Security Numbers for the Purpose of Voter Registration; and
- The 2010 Uniformed and Overseas Citizens Absentee Voting Act Report.

Voting Systems Testing and Certification

In FY 2011, EAC:

- Certified one full system, ES&S Unity 3.2.1.0, and one modification, Unisyn 1.01;
- Performed testing for eleven voting systems or system modifications;
- Completed the *Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) Registration and Voting Process* white paper;
- Published *A Survey of Internet Voting*;
- Performed ongoing work with the National Institute of Standards and Technology to complete revision to Voluntary Voting System Guidelines (VVSG) 1.1 Draft;
- Participated in the SLI Global National Voluntary Laboratory Accreditation Program audit January 31-February 2, 2011;
- Held roundtable discussions regarding the 2010 elections and preparations for 2012; Commercially-available Off-the-Shelf (COTS) software; and Life Cycle of a Voting System; and
- Participated in meetings on State voting system certification, options for a competition run by Federal Voting Assistance Program to solicit system architecture for a UOCAVA internet voting demonstration project, VVSG requirements, test suites, Internet Voting and USENIX/EVoting, current testing for the State of Oklahoma, and voting system sustainability.

Funding

Enacted Appropriations by Fiscal Year										
(dollars in thousands)										
	2003	2004	2005	2006	2007	2008	2009	2010	2011	Total
EAC (FY 2003–2011)										
EAC Salaries & Expenses										
Operations	$2,000	$1,674 [1]	$11,110	$10,986	$11,313	$12,330	$12,909	$13,409	$13,024	**$88,755**
Mock Election Grants						200	300	300		**800**
Poll Worker Grants				300		750	750	750		**2,550**
Transfer to NIST			2,778	2,772	4,950	3,250	4,000	3,500	3,243	**24,493**
Election Reform Grants										
Requirements Payments	830,000	1,491,150				115,000	100,000	70,000		**2,606,150**
Poll Worker Grants	1,500									**1,500**
Foundation	1,500									**1,500**
Voting Tech. Research							5,000	3,000		**8,000**
Testing & Verification							1,000	2,000		**3,000**
Election Data Collection						10,000				**10,000**
TOTAL EAC	**835,000**	**1,492,824**	**13,888**	**14,058**	**16,263**	**141,530**	**123,959**	**92,959**	**16,267**	**2,746,748**
GSA (FY 2003)										
Section 101 and 102	649,500									**649,500**
Administrative Expenses	500									**500**
TOTAL GSA	**650,000**									**650,000**
TOTAL EAC & GSA										**$3,396,748**

1/ Includes $481,092 transferred from the Federal Election Commission

Operations

EAC reports its results of operations within four programs: Communications; Fund and Oversee; Research, Policy and Programs; and Testing and Certification. Costs specifically identified with each of these programs such as assigned personnel costs and specific program contract costs are allocated to the program directly. Other general agency overhead costs such as rent, information technology costs and financial management services are allocated on a percent of overall costs method. The Fund and Oversee program reports the expenditures for EAC's grants. This methodology is outlined in EAC's Cost Allocation Model and is reviewed each year by staff and financial statement auditors to ensure the accurate allocation of expenses to each program.

Total Net Cost of Operations for EAC was $108.6 million for Fiscal Year 2011, with general salaries and other expenses totaling $12.8 million, and grant disbursements of $95.8 million. The following table presents FY 2011 expenditures of direct and indirect costs by the four programs:

Results of FY 2011 Operations by Program

Program	Expenditures
Communications	$ 2,011,063
Fund and Oversee	100,376,323
Research, Policy and Programs	2,971,090
Testing and Certification	3,255,161
	$108,613,637

Performance Goals

EAC adopted its first-five year Strategic Plan 2009-2014 in March 2009. The plan was reviewed by the Office of Management and Budget, and presented to EAC's Board of Advisors and Standards Board for comment.

EAC's five strategic goals are:

Goal 1. Communicate -- Communicate timely and accurate information on the effective administration of elections for Federal office and on the operations and services offered by EAC.

Goal 2. Fund and Oversee -- Deliver and manage Federal funds effectively.

Goal 3. 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.

Goal 4. Test and Certify -- Build public confidence in elections by testing and certifying voting systems to improve system security, operation, and accessibility.

Goal 5. Manage -- Achieve organizational and management excellence.

EAC Strategic Plan objectives in the following sections describe the results needed to accomplish the five Strategic Goals. Outcomes measure the effect program outputs have on their stakeholders. Outputs are quantifiable targets that directly measure the results of a program. A program may have multiple outputs but each output is associated with one program. Performance measures are quantifiable and documentable representations of a capacity, process or outcome that is relevant to the assessment of performance.

Strategic Goal One -- Communicate

Strategic Plan Goal 1 is to communicate timely and accurate information on the effective administration of elections for Federal office and on the operations and services offered by EAC. The outcome for the goal is to provide Congress, Federal agencies, State and local election officials and the Public with reliable, accurate, and non-partisan information about administering, conducting and participating in Federal elections and how, where, and when Americans vote.

FY 2011 Communications and Clearinghouse Division Enacted Budget
$730,103

Goal 1's aim of communicating timely and accurate information is the responsibility of the Office of Communications and Clearinghouse. The goal will be achieved via three strategic objectives. The results of the measures associated with the objectives appear in the next table of this report.

The Communications and Clearinghouse division is primarily responsible for external communications, as well as the tools used to provide information to the Public. Areas of responsibility include:

- EAC website and Clearinghouse
- Media inquiries
- External communications
- Congressional relations
- The Freedom of Information Act
- National Archives and Records Act
- Press releases, speeches, and Congressional testimony

The agency's website, www.EAC.gov, is the primary communications tool. EAC.gov contains thousands of documents with information about voting system test plans, agency correspondence, testimony from EAC Public Meetings, roundtables and hearings, and external and internal communications such as press releases, informational videotapes, research, data and program-related information. EAC's website features a user-driven notification system, allowing visitors to customize how they receive information. Users can customize their online experience by signing up for automatic e-mail alerts on a variety of election topics and events, including Public Meetings, advisory board meetings, reports, policies and agency news. Users can opt to receive alerts in either real-time or on a daily or weekly basis.

Goal 1 FY 2011 Accomplishments

In Fiscal Year 2011, the Communications and Clearinghouse division focused its efforts on providing information and best practices to election officials and voters in preparation for the 2012 Federal election cycle. The goal was to build a community of knowledge and expertise that

would save election officials time and money as they faced the challenge of providing more services to voters with fewer resources. EAC embraced the tenets of Government 2.0 and established a robust network of information-sharing for election officials and professionals.

EAC.gov Initiatives

- Election Official Exchange: an online resource built by EAC to help local election officials connect and leverage their collective knowledge by sharing best practices and knowledge. By participating in the Exchange, any U.S. election official can call on a colleague for advice about virtually any administrative task, from testing voting equipment and training poll workers to creating an audit trail and conducting a recount.
- Enhanced and improved search tool: based on usability studies and user feedback, EAC revamped its search tool enabling a more intuitive and user-friendly way for the public to find information.
- Events Finder: a comprehensive presentation of all EAC public events, including meetings, hearings and roundtable discussions.
- Improved webcasts: public events are offered live. On-demand webcasts are available within 24 hours. The meeting agenda accompanies the webcast, and the viewer can select topics of interest. All meeting materials are also available to the Public.
- Customized program updates: the Public can customize the type of information and the frequency that it is delivered by signing up for EAC's newsletter or automatic program updates. Users are notified daily or weekly based on their preferences when new documents are posted.

Social Media Initiatives

- EAC Blog: a tool allowing EAC to provide periodic election updates and highlight program activities. The comment feature provides the Public a tool to provide feedback to EAC.
- @EACgov on Twitter: in addition to the Election official Exchange, this is another tool to communicate with election officials and build a community of expertise. EAC has already established a public list of election officials and has used the platform to inform thousands of people about program activities. It has been an especially useful tool to rapidly deliver updates about the voting system certification program.
- #BReady2012: the Twitter hashtag hosted and created by EAC so election officials and the Public can get together online and discuss preparation for the 2012 Federal election.
- Outreach & Training: in FY 2011, EAC Communications and Clearinghouse staff delivered presentations on the subject of communications to election officials and the Public, including the Electronic Verification Network, the Ohio Association of Election Officials and the National Conference of State Legislatures.

Preparing for the 2012 Elections: The Roundtable Series of Public Discussions

In FY 2011, EAC hosted a series of public roundtable discussions about topics and initiatives in preparation for the 2012 Federal election cycle. The roundtable discussions were webcast live and featured a live Twitterfall. Questions and comments were taken from the Public throughout

the webcasts. Participants included election officials and subject experts who provided real world solutions to the issues facing election officials and voters in preparation for the 2012 elections. Topics included:

- The Life Cycle of Voting Machines (May 5, 2011): In the years 2002-2005, there was an unprecedented surge in the acquisition and deployment of voting systems. States are facing the challenge of managing aging systems, and the discussion focused on the sustainability of the nation's voting systems. Participants included election officials and voting system manufacturers.

- Voting Goes Viral: Using New Media to Manage an Election and Communicate with Voters (June 17, 2011): Participants discussed the basic premise of social media outlets, including an overview about demographics, trends and the overall culture. Journalists offered their perspective about how they use social media as a reporting tool, and election officials discussed their experiences. Participants included journalists, election officials and social media experts.

- Design Counts in Elections (August 11, 2011): Participants discussed best practices in ballot and polling place design. Simple design principles discussed at the roundtable can be used cost-effectively to contribute to positive experiences for voters, and help ensure that the process is accessible and convenient to the widest possible audience.

- Contingency Planning in Elections (Sept. 20, 2011): In conjunction with National Preparedness Month, EAC hosted a discussion about contingency planning solutions and strategies to prevent or minimize interruptions in voting during an emergency. Participants included the Federal Emergency Management Agency, the American Red Cross and election officials.

Strategic Goal One FYs 2009 - 2011 Performance Measures

Performance Indicator	Type of Indicator	Planned	FY 2009 Actual	FY 2010 Actual	FY 2011 Actual
Strategic Objectives					
Operate the EAC Clearinghouse effectively.					
Issue Clearinghouse policy within 6 months [from March 2009].	Output	Final policy	Final expected next FY	Final expected next FY	In Final Draft (quorum required for approval)
Post applicable information on the website within 24 hours of receipt. 1/	Output	100% of data posted within 24 hours	100% of data posted within 24 hours	100% of data posted within 24 hours	100% of data posted within 24 hours
Distribute at least one email update per month to stakeholders about the web-based Clearinghouse.	Output	12 updates distributed	51 news-letters; 6 updates; 5 Public Meeting reports	51 news-letters; 8 Public Meeting reports	50 newsletters; 13 updates
Respond to outside requests about the EAC timely and accurately.					
Issue policies and procedures to process requests from outside the agency by September 2009.	Output	Final policies and procedures	Final expected next FY	Final expected next FY	In Final Draft (quorum required for approval)
Distribute media and Congressional inquiry and response log to EAC staff on a daily basis.	Output	Distribute inquiry and response data on a daily basis	Inquiries distributed on receipt, logs sent daily	Inquiries distributed on receipt, logs sent daily	Inquiries distributed on receipt, logs sent daily
Respond to FOIA requests in accordance with requirements.	Output	Respond in 20 business days	Median processing time 12 days; average 25 days	Median processing time 16 days; average 14.8 days	Response in 20 business days
Respond to 75 percent of non-FOIA requests within 72 [business] hours. [Excludes requests with Congressional deadlines.]	Output	75% response rate in 72 hours	100% response rate in 72 hours	100% response rate in 72 hours	100% response rate in 72 hours
Convey the results of EAC operations and accomplishments.					
Provide weekly updates about EAC activities and election administration issues to EAC employees.	Output	52 updates/100%	50 updates/96%	52 updates/100%	52 updates/100%
Produce an annual FOIA report to chronicle requests and responses.	Output	Final report by January 31 of each FY	Final report on 1/31/09	Final report on 1/31/10	Final report on 1/31/11
Issue quarterly press releases summarizing EAC activities.	Output	4 press releases	26 press releases	25 press releases	28 press releases; launched EAC blog & Twitter accounts
Provide regular briefings regarding EAC activities to Congressional staffers.	Output	2 formal briefings	2 formal briefings; inquiries completed & chronicled	4 formal briefings; inquiries completed & chronicled	2 formal briefings; inquiries completed & chronicled
Produce the annual report of EAC activities to Congress by January 31 of each year for the preceding year ending September 30.	Output	Report dis-seminated by 1/31 each FY	Report disseminated 1/31/09	Report disseminated 1/31/10	Report disseminated 1/31/11
Issue at least 12 EAC newsletters per year.	Output	12 newsletters	51 newsletters	54 newsletters	50 newsletters

1/ Note: This is a change to the Strategic Plan, replacing "web-based Clearinghouse" with "website." This excludes Commissioner approval of tally votes or voting system reports from States that are posted within 48 hours.

Goal Two – Fund and Oversee

Strategic Plan Goal 2 is to deliver and manage Federal funds effectively. The outcome of the goal is for States and other recipients to promptly and accurately receive Federal funds administered by EAC and use the funds appropriately to improve the administration of elections for Federal office.

FY 2011 Grants Management Division and Office of the Inspector General Enacted Budgets	
Grants Management	$ 799,405
OIG	1,873,979
Total	**$ 2,673,384**

Goal 2's aim of delivering and managing Federal funds effectively is the responsibility of the Grants Management division and the Office of the Inspector General (OIG). The goal will be achieved via three strategic objectives described in the performance measure chart at the end of this section.

The Grants Management division:
- Awards and monitors discretionary grants programs including: Help America Vote College Program, Help America Vote Mock Election Program, Military Heroes Initiative, Voting Systems Pre-Election Logic and Accuracy Testing and Post-Election Audit Initiative, and Accessible Voting Technology Initiative;
- Provides technical assistance to States on administering Federal funds;
- Processes and disburses payments to States and discretionary grant recipients;
- Conducts trainings on the administration and use of HAVA funds;
- Tracks the submission of and reviews the content of financial and performance reports submitted by States and discretionary grant recipients;
- Reviews audit reports and resolves findings applicable to EAC programs;
- Reviews amended State Plans; and
- Drafts advisory opinions for Commission approval and issuance.

Goal 2 FY 2011 Accomplishments

Requirements Payments:

Congress appropriated $115 million in HAVA Section 251 Requirements Payments in FY 2008, $100 million in FY 2009, and $70 million in FY 2010. In FY 2011, EAC disbursed $30 million from the FY 2008 appropriation, $38.3 million from the FY 2009 appropriation and $28.2 million from the FY 2010 appropriation. This represents all funds requested by the States as of September 30, 2011. The funds are distributed according to a formula based on the voting age population of the State per the last Census and the total voting age population of all States. In

order to draw the funds, the States certify that they are in compliance with applicable laws and requirements per HAVA Section 253(b).

A State may use requirements payments to carry out activities to improve the administration of elections for Federal office outside of the activities listed under HAVA Title III *Uniform and Nondiscriminatory Election Technology and Administration Requirements* if the State certifies that it has implemented the requirements of Title III, or the amount it will spend on other activities will not exceed an amount equal to the minimum payment amount applicable to the State under Section 252 on Allocation of Funds. Title III includes voting system standards, voting information requirements, provisional voting, statewide voter registration lists, and identification requirements for voters who register by mail. States may also use requirements payments to improve the administration of Federal elections. Each year, EAC reports to Congress on how the States have spent HAVA funds.

Accessible Voting Technology Grants:

The Accessible Voting Technology 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.

The funding notice for the initiative announced the availability of $7 million. Although the notice anticipated that one award would be made, the Staff Review Team, comprised of members from EAC, the U.S. Department of Commerce National Institute of Standards and Technology (NIST), and the United States Access Board, recommended splitting the funding to issue two awards at reduced levels. EAC awarded $4,500,000 to Clemson University in Clemson, SC and $2,500,000 to the Information Technology and Innovation Foundation in Washington, DC. With EAC, the two organizations are working together, leveraging each other's strengths.

Voting System Pre-Election Logic & Accuracy Testing and Post-Election Audit Grants:

The purpose of the Voting System Pre-Election Logic and Accuracy Testing (L&A) and Post-Election Audit 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. In FY 2011, EAC awarded $1,463,074 to 12 award recipients.

FY 2011 Pre-Election Logic and Accuracy Testing & Post-Election Audit Initiative Grant Recipients
California Secretary of State; Sacramento, CA (Audit)
Orange County Registrar of Voters; Santa Ana, CA (Audit)
County of Humboldt; Eureka, CA (Audit)
County of Santa Cruz, CA; Santa Cruz, CA (Blended L&A and Audit)
Colorado Department of State; Denver, CO (Audit)
State of Connecticut, Secretary of the State; Hartford, CT (Blended L&A and Audit)
Office of Cook County Clerk; Chicago, IL (Blended L&A and Audit)
State of Indiana, Secretary of State; Indianapolis, IN (Blended L&A and Audit)
City of Takoma Park; Takoma Park, MD (Audit)
County of Boone; Columbia, MO (L&A)
New York State Board of Elections; Albany, NY (Blended L&A and Audit)
Cuyahoga County Board of Elections; Cleveland, OH (Blended L&A and Audit)

College Poll Worker Grants:

College Poll Worker grants are authorized under HAVA Section 501. To date, EAC has awarded 89 grants totaling $3.1 million to recruit and train college poll workers since the College Program was established in 2004.

EAC awarded no new College Poll Worker grants in FY 2011, but continued to monitor and work with the FYs 2009 and 2010 grantees to help them carry out successful programs. The period of performance for the FY 2009 College Poll Worker grants are two-year awards. The FY 2010 College Poll Worker grants are three-year awards.

Part of EAC's efforts to assist grantees in FY 2011 included coordinating a series of teleconferences based on areas of interest found during the review of grant narrative progress reports. The series recognized that developing a College Poll Worker Program that meets its objectives can be a challenge without the support of many different factions including schools, administrators, students and the community. The three teleconferences focused on *Teacher and School Administration Involvement*, *Sustainability Post-Grant*, and *Outreach Efforts for Community Involvement*. Further, the teleconferences were held separately for the Mock Election Program.

Mock Election Grants:

Mock Election Program grants are authorized under HAVA Section 295. EAC has awarded over 25 grants totaling $998,820 to organizations under this program since the Mock Election program was established in 2004. The grants allow students to become familiar with voting processes and technologies so that when they become eligible to vote, they will be more comfortable with their civic duties.

EAC awarded no new Mock Election Program grants in FY 2011, but continued to monitor and provide technical assistance to the FYs 2009 and 2010 grantees to help them succeed.   As is the

case with the College Poll Worker grants, the FY 2009 Mock Election Program grants are two-year awards and the FY 2010 Mock Election Program grants are three-year awards.

Strategic Goal Two: Fund and Oversee FYs 2009 - 2011 Performance Measures

Performance Indicator	Type of Indicator	Planned	FY 2009 Actual	FY 2010 Actual	FY 2011 Actual
Strategic Objectives					
Accurately and timely disburse Federal financial assistance administered by EAC.					
Publish program handbook in FY 2009	Output	Final handbook	Completed 9/30/2009		
Award grants within established timeframes.	Output	100%	100%	100% of requirements payments (RPs) & 1year grants, 33% of no year discretionary grants	100% of RPs & no year discretionary grants (Disability and 1st round L&A grants)
Submit State plans for publication in the *Federal Register* within 30 days of receipt of the plan.	Output	100%	100%	100%	100%
Submit payment requests to GSA within 10 days of receipt of acceptable requests/certifications.	Output	100%	98%	100%	100%
Effectively monitor Federal financial assistance administered by EAC.					
Review financial and performance reports and notify recipients of reporting anomalies or failures to file within 30 days of knowledge of such conditions, in writing in all cases, and by telephone as time permits, to offer assistance and answer questions.	Output	State reports due 12/31/09	Met goal	Met goal by deadline	Met goal by deadline
Resolve 100 percent of audit findings within established time frames.	Output	100% audit resolution	TBD% resolution	50% audit resolution; no overdue mgt. decisions as of 9/30/2010	No overdue management decisions as of 9/30/2011
Conduct site visits to at least three high priority grantees each year.	Output	3 site visits	1 site visit during Strategic Plan period	3 site visits	2 site visits
Negotiate indirect cost rates within 30 days of receipt of acceptable indirect cost proposals.	Output	30 days	Negotiations on hold pending MOU w/HHS	Signed MOU w/HHS July 2010 for negotiation services	Requests submitted to HHS upon receipt
Issue the annual report to Congress on the expenditure of HAVA funds by July 15 of each year [with the Annual Performance Report]. 1/	Output	Report issued 7/15/09	Format revised, attached to Cong'l Budget Justification (CBJ) as Appendix C	Report issued with CBJ/Annual Performance Report Appendix C	Report will be issued by 7/15/12
Provide technical assistance and guidance on the management of Federal financial assistance administered by EAC to reduce the risk of inappropriate use of funds and accounting errors.					
Submit to the Commissioners all recommended policy and guidance concerning the administration of Federal financial assistance administered by EAC within established time frames.	Output	100%	Count will begin in FY 2010	50% of advisory opinions (AOs)	Submitted one AO before quorum was lost
Offer at least one workshop per year.	Output	1 workshop	2 webinars	3 presentations	1 webinar, 2 presentations
Respond to all inquiries by recipients about the use and administration of funds in accordance with EAC requirements in a timely manner.	Output	24 hour turn-around for phone & email response time	To be measured beginning in FY 2010	24 hour turn-around for phone & email response time 90%	24 hour turn-around for phone & email response time 90%

1/ Represents a change to the Strategic Plan, from June 30 of each year to with the Annual Performance Report in FYs 09 and 10.
2/ Based on best available information

Goal Three – Study, Guide and Assist

Strategic Plan Goal 3 is to 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 (NVRA). The outcome of the goal is to provide the election community and other key stakeholders pertinent, impartial, timely, and high-quality information, recommendations, guides, and other tools on election and voting issues. Further, eligible citizens use the National Mail Voter Registration form to register to vote, register with a political party, or report a change of name, address, or other information.

FY 2011 Research, Policy and Programs Division Enacted Budget
$1,069,728

Goal 3 is administered by the Research, Policy and Programs (RPP) division. The goal will be achieved through the use of four strategic objectives. The results of the measures associated with the objectives appear in the next table of this report.

The Research, Policy and Programs division:

- Administers the Election Management Guidelines Program to help election officials promote secure, accurate, and accessible elections by providing information on topics such as Ballot Design, Contingency Planning, Managing Change in an Election Office, Media and Public Relations, and Developing an Audit Trail for the verification of votes;
- Manages the Language Accessibility Program to provide informational materials on the Federal election process and election terminology in languages other than English, translate the National Mail Voter Registration Form, and gather information from working groups to address the election needs of voters with limited or no English proficiency;
- Provides materials to voters to facilitate successful participation in Federal elections such as registering to vote;
- Conducts election research on mandated topics.

HAVA mandates that EAC issue studies on the impact of free absentee ballot return postage on voter participation, electronic voting and Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) voters, the feasibility of alternative voting methods, the voting experiences of first-time voters who register to vote by mail, and the feasibility and advisability of identifying voters by Social Security Numbers.

Goal 3 FY 2011 Accomplishments

Research:

In FY 2010, RPP developed a listing of potential research projects, policy and program initiatives including timelines, to guide staff work through 2012. Progress was made in FY 2011 toward completing several projects noted in the research schedule, many of which are mandated by HAVA or authorized by Congress. The list will continue to be revised in accordance with EAC and/or Congressional priorities.

Research efforts continued in FY 2011 on the HAVA-mandated study on the Use of Social Security Numbers for the Purpose of Voter Registration. A contractor was selected to begin work on another mandated study, Election Administration in Urban and Rural Settings. Work also continued on the 2010 Uniformed and Overseas Citizens Absentee Voting Act Report.

Research work completed in FY 2011 includes:

- Administering the 2010 Election Administration and Voting Survey to 50 States, the District of Columbia, and 4 territories (results are scheduled for release in FY 2012).
- Reporting to Congress on the findings of the 2009-2010 Impact of the National Voter Registration Act of 1993 (released in June 2011).
- The 2010 Statutory Overview report, which is a recitation of States' election laws and procedures (released in May 2011).
- A first draft of the mandated Recounts and Contests study.

Policy:

EAC, in accordance with HAVA, is responsible for issuing regulations to implement portions of the National Voter Registration Act (NVRA) of 1993 regarding the form and content of the National Mail Voter Registration Form, and to submit a biennial report to Congress on the impact of the NVRA. During FY 2011, RPP staff received and processed State requests for modifications to the state-specific instructions on the National Mail Voter Registration Form.

EAC issued a Notice of Proposed Rulemaking (NPRM) to revise the NVRA regulations on August 9, 2010 and, in effort to reach out to as many stakeholders as possible, provided a public comment period of over 100 days ending on November 23, 2010. EAC held three public hearings on the NPRM from August through October, 2010.

EAC commenced mandated work on voluntary guidance for provisional voting in FY 2011. EAC will conduct a survey of election officials in FY 2012 and consult with state election directors before issuing new guidance. EAC requires a quorum to move forward on policy decisions such as this.

Programs:

EAC program staff has begun the process of selecting Election Management Guidelines and Quick Start Guides to update. It is anticipated that three Election Management Guideline chapters and three Quick Start Guides will be updated and released in FY 2012 including one on military voters and citizens living overseas. Staff also has begun to prepare material for a new Quick Start Guide on "Military Heroes" based on the early findings of an FY 2011 grant administered by the EAC.

EAC program staff conducted three teleconferences with EAC College Poll Worker and Mock Election grantees to solicit feedback for updating the *Guidebook for Recruiting College Poll Workers*. An update to EAC's poll worker guidebook will be completed before the 2012 presidential election.

In FY 2011, RPP completed a revision of *A Voter's Guide to Federal Elections* in anticipation of the 2012 election. The updated Voter's Guide was translated into nine languages in addition to English: Chinese, Cherokee, Dakota, Japanese, Korean, Spanish, Tagalog, Vietnamese, and Yu'Pik. The Office of Citizenship of the U.S. Citizenship and Immigration Services complemented EAC's distribution of *A Voter's Guide* by providing over 700,000 copies to new citizens.

The Language Accessibility Program worked to meet its strategic goal of assisting election officials in meeting the needs of language minority voters by providing a searchable online version of the *Glossaries of Election Terminology* on EAC's website. The searchable database format can be accessed by the general public, including a voter or election official, at www.eac.gov/glossary/default.aspx.

Strategic Goal Three: Study, Guide, and Assist FYs 2009 - 2011 Performance Measures

Performance Indicator	Type of Indicator	Planned	FY 2009 Actual	FY 2010 Actual	FY 2011 Actual
Strategic Objectives					
Complete research on relevant issues that improve the administration of elections for Federal office and expeditiously report on critical election administration subjects and data.					
Start 100 percent of planned and funded projects each year.	Output	100%	100%	100%	100%
Meet milestones for the completion of research projects in accordance with schedules and deliverables each year.	Output	100%	67%	100%	80%
Disseminate all completed research project reports to stakeholders.	Output	100%	100%	100%	100%
Establish, in Fiscal Year 2010, a baseline for measuring stakeholder use of EAC research and educational products to improve the administration of elections for Federal office. In subsequent years, increase the percentage of stakeholder use of EAC research products.	Output		NA	Baseline 50%	65%

Performance Indicator	Type	Planned	FY 2009 Actual	FY 2010 Actual	FY 2011 Actual
Identify and collect required and useful data on election administration practices, voting methods, and demographics; and make recommendations for improving the quality of practices, methods, and data.					
Establish a baseline in Fiscal Year 2009 on the accuracy and completeness of data reported by States in response to EAC surveys. Increase the accuracy and completeness of reported data in each of the succeeding years.	Output	Baseline 93% EDS 2004	100% response to EDS 2008	NA	97% response to EAVS 2010
Include recommendations to improve election data collection and data provided to Congress in the biennial report on the Election Day Survey (EDS).	Output		Report submitted June 2009	NA	Report submitted June 2011
Issue required reports [UOCAVA, NVRA, Vote Count/Recount FY 2011, Urban/Rural late FY 2012] to Congress by statutory deadlines.	Output	# varies by statute	2	1	2
Issue guidance and administer programs that provide timely and useful information to election officials and voters.					
Complete the "Voters Guide to Federal Elections" in languages currently covered under the minority language provisions of the Voting Rights Act by 9/2009	Output	Complete translations	Completed 10/2008		
Complete guidance regarding HAVA Section 301 by January 2012.	Output		NA	NA	Complete pending a quorum
Complete guidance regarding HAVA Section 302 by August 2010.	Output		NA	20%	35%
Complete guidance regarding HAVA Section 303 by June 2011.	Output		NA	NA	Complete pending a quorum
Translate the *Voter's Guide to Federal Elections* in languages currently covered under the minority language provisions of the Voting Rights Act on the basis of the 2010 Census.	Output		NA	NA	Updated and completed additional translations
Complete initial materials for addressing the needs of Native Americans and Alaska Natives by October 2010.	Output		NA	Planned for completion in FY 2012	Completed glossaries of election terms
Complete interactive glossaries by March 2010.	Output		NA	Contracted for glossaries	Completed
Establish a baseline for measuring stakeholder use of EAC teaching materials by the end of Fiscal Year 2010. In subsequent years, increase the percentage of stakeholder use of EAC teaching materials.	Output		NA	Baseline 50%	TBD
Enact regulations governing the national mail voter registration application, collection of voter registration and related data, and reporting to the Congress as required by NVRA.					
Begin NVRA rulemaking process and adopt interim procedures by January 2010.	Output		NA		Completed comment process 2/2011. Complete pending quorum
Complete NVRA rulemaking process and issue guidance by October 2012 and make new regulations effective immediately following the Federal general election of 2012.	Output		NA	60% -- Completed comment analysis June 2011	Issue final regulations and guidance pending a quorum
Issue the biennial report on the impact of NVRA by June 30 of each odd-numbered year.	Output		Completed on time 6/30/09	NA	Completed on time 6/30/11
Complete feasibility study of making the national mail voter registration application available in all languages covered by the Voting Rights Act by June 2010.	Output		NA	Analysis completed 10/2009	

Goal 4 – Test and Certify

Strategic Plan Goal 4 is to build public confidence in elections by testing and certifying voting systems to improve system security, operation, and accessibility. The outcome of the goal is to help ensure that voting equipment operates more reliably and securely and is more accessible to voters with disabilities. States use the EAC Testing and Certification Program to ensure voting systems meet Voluntary Voting System Guidelines (VVSG) standards. The standards are developed by EAC's Technical Guidelines Development Committee (TGDC) and the National Institute of Standards and Technology (NIST), and adopted by EAC.

FY 2011 Testing and Certification Division Enacted Budget
$1,325,481

Goal 4 is administered by the Testing and Certification division. The goal will be achieved through the use of two strategic objectives. The results of the measures associated with the objectives appear in the next table of this report.

Under the Help America Vote Act, EAC accredits voting system test laboratories and certifies voting equipment. Participation by the States in the program is voluntary. Staff works with NIST to evaluate and accredit voting system test laboratories and manage the voting system certification process.

The Testing and Certification (T&C) division:

- Assists States with voluntary certification of their voting systems;
- Supports local elections officials in the areas of acceptance testing and pre-election system verification;
- Promotes quality control in voting system manufacturing; and
- Provides procedures to the voting system manufacturers for the testing and certification of voting systems to specified Federal standards consistent with the requirements of HAVA Section 231.

EAC's voting system certification program establishes accountability through its Quality Monitoring Program which ensures, through various check points, that the voting systems used in the field are the same systems EAC has certified. For instance, under the program, EAC has the ability to conduct site visits to production facilities to determine whether systems produced are consistent with those that have received EAC certification. In addition, EAC collects reports from election officials regarding voting system anomalies. After reviewing the reports, EAC disseminates the information to election officials. Furthermore, upon invitation or with permission from election officials, the EAC conducts reviews of systems that are in use in the field.

Goal 4 FY 2011 Accomplishments

*Voting System Certification***:**

- Certified one full system, ES&S Unity 3.2.1.0, and one modification, Unisyn 1.01.
- Conducted ongoing testing during FY 2011 for eleven voting systems or system modifications.
- Held a meeting with Dominion Voting Systems and Wyle Labs to familiarize all parties with the Dominion ICE system being tested at Wyle.
- Developed timelines for ES&S Unity 5.0 and Dominion test campaigns.
- Issued requests for information regarding the Unity 3.2.0.0 investigation to Wyle Labs, Cuyahoga County, iBeta Quality Assurance and ES&S.
- Met with SLI and Hart InterCivic in Denver in May regarding current testing for the State of Oklahoma and the ability for this testing to be used in an upcoming Federal testing campaign for Hart.

Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA):

- Published *A Survey of Internet Voting*.
- Completed the *UOCAVA Registration and Voting Process* white paper.
- Developed and forwarded the UOCAVA Pilot Program Testable Requirements document to NIST and EAC's Technical Guidelines Development Committee (TGDC).
- Attended the Federal Voting Assistance Program (FVAP) meeting on Internet Voting and USENIX/EVoting in San Francisco in August.
- Met with NIST and FVAP in September to discuss options for an FVAP-run competition to solicit system architecture for a UOCAVA internet voting demonstration project.

*Voluntary Voting System Guidelines (VVSG) and Test Suites***:**

- Performed ongoing work with the National Institute of Standards and Technology (NIST) to complete revision to VVSG 1.1 Draft.
- Held a two-hour session immediately prior to opening of the National Association of State Election Directors (NASED) meeting on the subject, "Are All VVSG Requirements Created Equal?"
- Held a Test Suite meeting with Wyle, SLI and NIST's National Voluntary Laboratory Accreditation Program (NVLAP) at Wyle Labs in Huntsville, AL in June.
- Participated in the TGDC meeting at NIST in July.

Laboratory Accreditation: EAC participated in the SLI Global NVLAP audit January 31-Febuary 2, 2011.

Meetings and Site Visits:

- Observed the use of the ES&S DS200s in New York City during the November 2nd General Election and the use of DS200s in Cuyahoga County, OH during the November

2nd General Election.

- Held roundtable discussions regarding: 2010 election and preparations for 2012; Commercially available Off-the-Shelf (COTS) software; and Life Cycle of a Voting System.
- Presented an overview of the EAC Pre-Election Logic & Accuracy and Post Election Audit Grant and the 2010 Accessible Technology Initiative Grant at the Council on Governmental Ethics Laws (COGEL) meeting in December in Washington, DC.
- Reviewed installation of Cuyahoga County, Ohio system fixes by ES&S in June.
- Moderated a break-out session on voting system sustainability at the Election Center Conference in San Antonio in August.
- Participated in the State Certification meeting at the Center for Elections, Kennesaw, GA in September.

Strategic Goal Four: Test and Certify FYs 2009-2011   Performance Measures

Performance Indicator	Type of Indicator	Planned	FY 2009 Actual	FY 2010 Actual	FY 2011 Actual
Strategic Objectives					
Develop and update the VVSG.					
Produce updates to the VVSG in Fiscal Years 2010 and 2013.	Output			Revised; Commissioners need to adopt	VVSG updated 1/
Provide for the accreditation and revocation of accreditation of independent, non-Federal laboratories qualified to test voting systems to Federal standards.					
Complete accreditation reviews for all laboratories recommended to EAC by NIST and for all emergency actions within 90 days.	Output	100% complete in 90 days	66% complete in 90 days	66% complete in 90 days	75% complete in 90 days
Test and document the results of the review of compliance with procedures by 100 percent of accredited laboratories every 2 years.	Output	100%	100%	100%	100%
Administer the testing, certification, decertification, and recertification of voting system hardware and software by accredited laboratories.					
Conduct at least one review of a manufacturing facility of a registered manufacturer at least once every 4 years.	Output			2 reviews	
Plan to conduct field reviews for at least 50 percent of jurisdictions that volunteer for reviews.	Output			Reviewed 50% of jurisdictions	Reviewed 100% of jurisdictions requesting reviews
Respond to requests for interpretations of voting system standards within 45 days (measures may be modified after EAC determines average number of requests).	Output	45 days	52.4 days (40% on target)	52.4 days	48 days

1/ Currently referred to as VVSG Version 1.1.
Note: does not include the measure, "Test 100% of systems qualifying for testing each year." The content of the measure will be clarified with Commissioners after a quorum is established.

Goal 5 Manage

Strategic Plan Goal 5 is to achieve organizational and management excellence. The outcome is that EAC Commissioners and staff carry out EAC's strategic objectives.

Goal 5 is administered by the Commissioners, the Standards Board, the Board of Advisors, the Technical Guidelines Development Committee, Executive Director, General Counsel, Chief Operating Officer, and Chief Financial Officer. In order to achieve the goal, EAC will focus on continuing to achieve a clean audit opinion, providing accurate timely information, and improving integration of budget and performance as prescribed by the President's Management Agenda.

Goal 5 Accomplishments

Each month, EAC reports to the Chair and Ranking Member of the House Subcommittee on Elections, Committee on House Administration on the status of 82 OIG audit recommendations made as of March 2008. To date, only three of the 82 recommendations remain open. Two of the open recommendations, on the National Voter Registration Act and Communications/ Clearinghouse policy require a quorum of the Commission for final resolution. The third, on records management, should be resolved in FY 2012.

Regarding meeting annual performance measures, management works continuously to foster a culture of accountability among staff. The agency was successful in improving staff satisfaction ratings on the 2010 annual employee survey. Agency directors responsible for implementation of the EAC Strategic Plan goals report on their division metrics in the Agency Financial Report in November, the Annual Performance Report along with the Congressional Budget Justification in February, and on planned metrics in the OMB Budget Justification each September. Bi-weekly Commissioner Staff briefings were held in FY 2011, where Commissioners were informed of staff issues.

EAC financial staff directors complete assessable unit risk assessment questionnaires and individual letters of assurance. The directors' letters of assurance are rolled into the CFO's Annual Statement of Assurance.

EAC will continue to focus on resolution of issues identified in audits, setting up sound systems and policies and procedures, working with managers on the relationship between budget and performance, maximizing use of staff and financial resources, and training EAC staff on financial management processes and their responsibilities.

Strategic Goal Five Manage FYs 2009 - 2011 Performance Measures

Performance Indicator	Type of Indicator	Planned	FY 2009 Actual	FY 2010 Actual	FY 2011 Actual
<u>Strategic Objective</u> *Implement a high performance organization*					
Obtain a clean opinion on agency financial statements by FY 2010	Outcome		Unqualified opinion received	Unqualified opinion received	Unqualified opinion received
Institute an internal integrated budget and financial management system in FY 2010			Established CFO department 2/2010		
Implement 90 percent of the OIG audit recommendations within agreed upon timeframes.	Outcome	90%	77% of outstanding operational recs. were resolved	100% of FY 2010 operational recs. implemented on time; 97.6% of operational audit recs. made prior to FY 2010 resolved (2 of 82 outstanding)	No overdue grants management decisions as of 9/30/2011; 2 of 82 operational audit recs outstanding