



**U.S. ELECTION ASSISTANCE COMMISSION  
OFFICE OF INSPECTOR GENERAL**

**DATE:** May 3, 2024

**TO:** U.S. Election Assistance Commission, Finance Director, Paul Repak  
U.S. Election Assistance Commission, Grants Director, Risa Garza

**FROM:** U.S. Election Assistance Commission, Acting Inspector General, Sarah Dreyer

**SUBJECT:** Review of EAC's Compliance with the Payment Integrity Information Act for Fiscal Year 2023 (Report No. O24HQ0051-24-08)

The Payment Integrity Information Act of 2019 (PIIA) requires the Office of Inspector General (OIG) to annually review the agency's improper payment reporting made in the annual financial statement to determine compliance.<sup>1</sup> OIG performed this review to determine whether the U.S. Election Assistance Commission (EAC) complied with the Payment Integrity Information Act of 2019 reporting requirements for fiscal year (FY) 2023.

### Results

We determined that EAC was compliant with PIIA reporting requirements for FY 2023. EAC published improper payment information in the Annual Financial Report (AFR) for FY 2023, posted the AFR on the agency website, and included the required link to accompanying materials on [PaymentAccuracy.gov](https://www.paymentaccuracy.gov). EAC also conducted a risk assessment in FY 2023 to assess the likelihood of making improper and unknown payments.

Compliance with PIIA and Office of Management and Budget (OMB) guidance means that the agency complied with the six items in the table below.

<b>Requirement</b>	<b>EAC Compliant</b>
1. Published improper payment information with the AFR in accordance with OMB guidance and posted it on the agency website.	Yes
2. Conducted improper payment risk assessments for each program with annual outlays greater than \$10 million at least once in the last 3 years and adequately concluded whether the program is likely to make improper payments and unknown payments above or below the statutory threshold.	Yes
3. Published improper payment and unknown payment estimates for programs susceptible to significant improper payments.	Not applicable
4. Published corrective action plans.	Not applicable

<sup>1</sup> Payment Integrity Information Act of 2019, Pub. L. No. 116–117 (March 2, 2020).

5. Published reduction targets, demonstrated improvements to reach a tolerable rate, and developed a plan to meet target rate.	Not applicable
6. Reported an improper payment and unknown payment estimate of less than 10 percent for each estimate published.	Not applicable

### Published Improper Payment Information

EAC published its FY 2023 AFR on the budget and finance page of the EAC public website. The FY 2023 report included a link to PaymentAccuracy.gov.

The OMB Data Call Instructions state which requirements apply for reporting on PaymentAccuracy.gov. At a minimum, agencies are required to report actions to recover overpayments, compliance with PIIA, and fraud. For FY 2023, EAC responded to the OMB Annual Data Call with the required fields of information. We reviewed EAC's entries into PaymentAccuracy.gov and have documented them below.

### EAC Information Submitted to PaymentAccuracy.gov

#### Agency Level Executive Summary:

The U.S. Election Assistance Commission did not have any significant improper payments to report for FY 2023. The EAC is a Phase 1 agency with outlays over \$10M, but no programs that are likely to be susceptible to improper payments. The EAC was found to be fully compliant by its Office of the Inspector General (OIG) in its last PIIA compliance review. The EAC is also on a three-year risk assessment cycle and a formal risk assessment was completed in FY 2023 which was provided to the OIG.

Additionally, the EAC continues to implement various other mechanisms to prevent improper payments. For example, the OIG PIIA compliance review, risk assessments (done most recently by a third party), and a post-payment/recapture audit as part of the agency's services through the Bureau of Fiscal Service. The EAC also continues to ensure various payment transactions go through proper layers of review and approval.

The EAC is on a 3-year risk assessment cycle and conducted its risk assessment in FY 2023.

#### EAC FY 2021-2023 Agency Level Payment Integrity Results:

Fiscal Year	Overpayment Amount Identified for Recapture (\$M)	Overpayment Amt Recovered (\$M)
2021	0	0
2022	0	0
2023	0	0

## **EAC Information Submitted to PaymentAccuracy.gov (Continued)**

### Recovery Audits and Activities Program:

EAC does conduct regular reviews and audits of its grants program through FFR and Progress Report reviews and audit resolution during which if any unknown payments are identified, they would be further pursued for recapture as appropriate.

EAC did not conduct any recovery activities to identify and recover overpayments during this period.

The Bureau of Fiscal Services conducted a “Post Payment Audit” and did not identify any improper payments.

### Compliance with PIIA:

EAC was found compliant during the 2022 PIIA review.

### Confirmed Fraud:

The agency did not have any confirmed fraud in this reporting cycle.

We reviewed EAC’s entries via PaymentAccuracy.gov and confirmed the payment recapture audit results performed by the U.S. Treasury Bureau of Fiscal Service (BFS). We confirmed it is unlikely that EAC reached the significant improper payment threshold in FY 2023.<sup>2</sup>

## **Improper Payment Risk Assessment**

PIIA requires the agency to conduct an improper payment risk assessment, at least once every 3 years, for each program with annual outlays greater than \$10 million. This is done to determine whether the program is likely to make improper payments that would be, in total, above the statutory threshold.

EAC conducted a risk assessment in FY 2023. The risk assessment considered the required programs and assessed the risk that they would meet the statutory threshold for exceeding the total annual amount or percentage considered a significant improper payment. EAC did not identify any high risks in the assessment, and we concurred.

## **Scope and Methodology**

To perform the FY 2023 compliance review, we gained an understanding of the requirements in OMB Circular A-123, Appendix C, (M-21-19, March 5, 2021), OMB Circular A-136 (May 19, 2023), OMB Data Call Instructions, and the OMB Payment Integrity Question and Answer Platform. We performed this review using the Council of the Inspectors General on Integrity

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<sup>2</sup> A significant improper payment is defined as exceeding \$10 million of all reported program or activity payments of the executive agency made during that fiscal year and 1.5 percent of program outlays or \$100 million.

and Efficiency (CIGIE) Guidance for Payment Integrity Information Act Compliance Reviews, dated October 19, 2023.

To answer our objective, we reviewed the payment integrity information in EAC's financial statement and the accompanying materials to the financial statement posted on PaymentAccuracy.gov for FY 2023. We obtained and reviewed supporting data related to improper payments from the independent public accounting firm that conducted the 2023 Financial Statement Audit and the BFS 2023 payment recapture audit results for EAC. We reviewed EAC's 2023 grant allocations spreadsheet as part of our data reliability assessment. We compared EAC's grant allocations spreadsheet with data from BFS. We contacted EAC personnel in the finance and grants department to understand the process for compiling and reporting improper payment information and associated internal controls. We reviewed EAC's FY 2023 risk assessment to determine if EAC complied with OMB guidance for preventing and reducing improper payments and unknown payments.

### **Conclusion**

For FY 2023, we determined that EAC was compliant with the requirements outlined in the Payment Integrity Information Act of 2019. OIG made no recommendations.