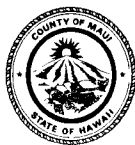


Council Chair  
Alice L. Lee

Vice-Chair  
Yuki Lei K. Sugimura

Presiding Officer Pro Tempore  
Tasha Kama

Councilmembers  
Tom Cook  
Gabe Johnson  
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Keani N.W. Rawlins-Fernandez  
Shane M. Sinenci  
Nohelani U'u-Hodgins



Director of Council Services  
David M. Raatz, Jr., Esq.

Deputy Director of Council Services  
Richelle K. Kawasaki, Esq.

**COUNTY COUNCIL**  
COUNTY OF MAUI  
200 S. HIGH STREET  
WAILUKU, MAUI, HAWAII 96793  
[www.MauCounty.us](http://www.MauCounty.us)

March 20, 2025

Ms. Moana Lutey, County Clerk  
Office of the County Clerk  
County of Maui  
Wailuku, Hawaii 96793

Dear Ms. Lutey:

SUBJECT: **FISCAL YEAR 2026 BUDGET** (BFED-1) (OC-01)

May I please request you submit your response to the following questions by **March 31, 2025**. This will enable the Committee to comprehensively review the FY 2026 Budget.

1. Please outline the major changes in your Department's budget from FY 2025 to FY 2026. If your budget will decrease, how will this impact your Department's operations and ability to serve the public?
2. How many vacant positions currently exist within your Department?
  - a. Please include the job titles for the vacancies and indicate how long the positions have been vacant.
  - b. What is the anticipated timeline for filling these vacancies?
  - c. What are the consequences, if any, for removing funding for these vacant positions from the FY 2026 Budget?
3. If your Department had expansion positions in the FY 2025 Budget, how many of those positions were filled? If they have not been filled, are they included in the FY 2026 Budget? How many months of funding are being requested?

Ms. Moana Lutey

March 20, 2025

Page 2

4. If your Department is proposing expansion positions in the FY 2026 Budget, how do you plan to fill those positions?
5. How many positions were filled in FY 2025 that were not expansion positions?
6. Describe your recruitment process.
  - a. How did your Department recruit to fill vacancies and what were the most effective methods for attracting candidates?
  - b. Does your Department take an active role in recruitment or is recruitment handled primarily by the Department of Personnel Services? Please explain.
7. The following questions are related to overtime payments:
  - a. How much in overtime has been paid to date in FY 2025 and what was the reason for the overtime?
  - b. Were any of these overtime costs attributed to the number of vacant positions in your Department?
  - c. Do you anticipate that overtime costs in FY 2026 will increase or decrease and what are the reasons for your assumption?
8. The following questions are related to your Department's program and activities for FY 2026:
  - a. Identify the programs and activities conducted by your Department because of a Federal or State mandate. Indicate for each program and activity the amount of Federal or State funding your Department anticipates receiving and the amount of County funding your Department is requesting.
  - b. Identify the programs and activities conducted solely because of a Maui County Code mandate and indicate the amount your Department is requesting.
9. If your Department had Capital Improvement Projects in FY 2025:

- a. Provide the current status of each CIP, if different from the information provided in the Fiscal Year 2025 2<sup>nd</sup> Quarter CIP Report.
  - b. Provide information on how much funding has been encumbered or expended to date for each project.
10. If your Department has proposed CIPs for FY 2026:
  - a. Rank your proposed CIPs, by priority.
  - b. Will CIP funding included in the FY 2026 Budget be encumbered by June 30, 2026? If not, how much do you anticipate will be encumbered by that date?
11. If your Department manages a revolving fund:
  - a. Explain whether the revolving fund is still needed and why.
  - b. Provide the current balance.
12. If your Department manages grants:
  - a. For each grant line-item not designated for a specific recipient (e.g., Small Business Promotion; Youth Programs), provide a breakdown of the grants that will be funded by the line item.
  - b. Provide a breakdown of all grants that will be funded by your Department under Sub-object Code 6317, County grant subsidy.
  - c. Did your Department apply for any grant funding in FY 2025? If yes, how much grant funding was received?
13. Provide details on your Department's Carryover/Savings that were included in the FY 2026 Budget.
14. What are your top three Department priorities for FY 2026 and how does your Department's budget reflect that?

15. How much has your Department spent on Professional Services in FY 2025, and what projects and consultants were funded under this line item?
16. How much of your Department's expenditures in FY 2025 will be reimbursed by the Federal Emergency Management Agency in relation to the wildfires? What amount of FY 2026 expenditures are expected to be reimbursed?
17. If your Department is receiving Federal grants, including pass-through grants:
  - a. What amount is your Department receiving for routine operations?
  - b. What amount is your Department receiving for August 2023 Maui Wildfires disaster recovery?
  - c. Explain any factors that could jeopardize your receipt of Federal grants, including Federal policy changes, compliance requirements, or expiration dates.
  - d. Explain how your Department will adjust if it does not receive the anticipated Federal grant funding.
18. If your Department received funding to repair or replace equipment, locations, and structures destroyed in the wildfires, provide the current status for each. If there are items still pending repair or replacement, provide the estimated cost and timeline for the repair or replacement.

The Department is scheduled to present on **April 16, 2025**. The schedule is subject to change and Committee staff will reach out if there are any changes to the schedule.

Please be prepared to provide a ten-minute presentation on the changes in your Department's budget from FY 2025 to FY 2026, addressing the following:

- Operations
- CIPs, if any
- Grants awarded by the Department, if any

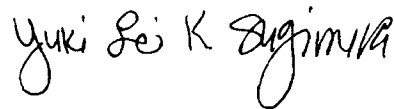
Ms. Moana Lutey  
March 20, 2025  
Page 5

- Grants received by the Department, if any
- Revolving funds, if any
- Rates and fees, including any estimated increase or decrease in revenue as a result of the changes

Please transmit your response to [bfed.committee@mauicounty.us](mailto:bfed.committee@mauicounty.us) by **March 31, 2025**. To ensure efficient processing, please include the Committee item number in the subject line. Please use a font size of at least 12 points for the response. This formatting allows Committee members and the community to clearly read the document once posted.

Should you have any questions, please contact me or the Committee staff (Kirsten Szabo at ext. 7662, James Krueger at ext. 7761, or Pauline Martins at ext. 8039).

Sincerely,



YUKI LEI K. SUGIMURA, Chair  
Budget, Finance, and Economic  
Development Committee

bfed:2026bgt:253019aoc01:kes

cc: Mayor Richard T. Bissen, Jr.  
Budget Director



**OFFICE OF THE COUNTY CLERK**  
KE KE`ENA O KE KĀKAU `ŌLELO KALANA  
COUNTY OF MAUI  
KALANA O MAUI  
200 S. HIGH STREET  
WAILUKU, MAUI, HAWAII 96793  
[www.mauicounty.gov/county/clerk](http://www.mauicounty.gov/county/clerk)  
[www.mauicountyvotes.gov](http://www.mauicountyvotes.gov)

April 3, 2025

Yuki Lei Sugimura, Chair  
Budget, Finance, and Economic Development Committee  
Maui County Council  
200 S. High Street  
Wailuku, Hawaii 96793

Via email: [bfed.committee@mauicounty.us](mailto:bfed.committee@mauicounty.us)

**SUBJECT: FISCAL YEAR 2026 BUDGET (BFED-1) (OCC-01)**

Dear Chair Sugimura and Members of the BFED Committee:

Thank you for the opportunity to respond to your March 20, 2025, correspondence. For ease of reference, the questions are included in italics below.

1. *Please outline the major changes in your Department's budget from FY 2025 to FY 2026. If your budget will decrease, how will this impact your Department's operations and ability to serve the public?*

The proposed OCC FY26 budget is fundamentally flat, with the exception of staff salaries and funding related to special elections. In conjunction with the State, we have reevaluated and, in our office's proposed FY26 budget, set a more realistic estimate of the cost to conduct an election, which would include all of the standard protocol on all three islands: voter service centers, deployment of dropboxes, staffing, equipment, and supplies.

2. *How many vacant positions currently exist within your Department?*

We presently have four (4) vacant permanent positions.

- a. *Please include the job titles for the vacancies and indicate how long the positions have been vacant.*

Office Operations Assistant II - vacant since 2/1/2019  
Senior Elections Clerk - vacant since 9/16/24  
Elections Clerk II - vacant since 12/1/2022  
Elections Clerk II - vacant since 4/1/23

- b. *What is the anticipated timeline for filling these vacancies?*

The two open Election Clerk II positions are in the process of being filled within approximately 30 days. One required qualification for this position is that an applicant must have one year of elections experience, which has made this position difficult to fill. Fortunately, two temporary clerks brought onboard to assist with the 2024 primary and general elections, now have the requisite experience, and will be filling those positions.

- c. *What are the consequences, if any, for removing funding for these vacant positions from the FY 2026 Budget?*

We are asking to leave our positions status quo. We are reallocating/re-describing not only these two remaining vacant positions, but also all of OCC's positions. The current position descriptions are outdated and do not reflect the actual job duties and responsibilities of our staff. This process should also result in salaries commensurate with the updated and accurate position descriptions. It is our hope that, once we have updated the position descriptions and the applicable pay, we will be able to fill these positions.

We believe that the vacant positions have not been filled due to the low pay. The consequence of removing funding for vacant positions will be that we will not be fully staffed.

3. *If your Department had expansion positions in the FY 2025 Budget, how many of those positions were filled? If they have not been filled, are they included in the FY 2026 Budget? How many months of funding are being requested?*

Not applicable.

4. *If your Department is proposing expansion positions in the FY 2026 Budget, how do you plan to fill those positions?*

Not applicable.

5. *How many positions were filled in FY 2025 that were not expansion positions?*

Two. As noted in the response to Question 2(b), two Elections Clerk II positions will be filled prior to the close of FY2025.

6. *Describe your recruitment process.*

- a. *How did your Department recruit to fill vacancies and what were the most effective methods for attracting candidates?*

OCC positions are Civil Service; therefore, primary recruitment is done by the County's Department of Personnel Services.

For election workers, OCC utilized our website, [www.MauiCountyVotes.gov](http://www.MauiCountyVotes.gov) and social media. Additionally, we shared job listings with the University of Hawaii, Maui College, and participated in job fairs and community events, such as Kaunoha bingo blast. The most effective means of attracting workers specific to elections was word-of-mouth.

Finally, we were also successful in expeditiously procuring temporary elections workers via two employment agencies.

- b. *Does your Department take an active role in recruitment or is recruitment handled primarily by the Department of Personnel Services? Please explain.*

Yes. While recruitment for permanent civil service employees is primarily DPS's purview, our office has proactively engaged all available means to fill our temporary and permanent positions.



7. *The following questions are related to overtime payments:*

a. *How much in overtime has been paid to date in FY 2025 and what was the reason for the overtime?*

The total overtime paid in FY 2025 was \$88,646.13, primarily due to work during the election.

b. *Were any of these overtime costs attributed to the number of vacant positions in your Department?*

No.

c. *Do you anticipate that overtime costs in FY 2026 will increase or decrease and what are the reasons for your assumption?*

Overtime should decrease, as 2025 is not an election year. However, we will begin ramping up for the 2026 elections in the first quarter of the year, but don't anticipate election-related overtime until FY27.

8. *The following questions are related to your Department's program and activities for FY 2026:*

a. *Identify the programs and activities conducted by your Department because of a Federal or State mandate. Indicate for each program and activity the amount of Federal or State funding your Department anticipates receiving and the amount of County funding your Department is requesting.*

We are not seeking additional funding related to State or Federal mandates; however, on April 1, 2025, our office received a copy of an Executive Order issued by President Donald Trump related to various aspects of federal election law (attached). At this time, we are unable to quantify the resources that may be involved in responding to the mandates contained in the order.

OCC has filed applications with Hawai'i's Congressional and Senate representatives in support of the office's federal law

mandates; however, typically federal funding is allocated to the State of Hawai'i, which then allocates funding to the counties.

Under the State's Sunshine Law, OCC is responsible for assisting the Council in publishing its meeting agendas and public hearing notices in compliance with the law and ensuring related deadlines are met.

Our office continues to respond to an increasing number of UIPA records requests, primarily related to election functions.

- b. *Identify the programs and activities conducted solely because of a Maui County Code mandate and indicate the amount your Department is requesting.*

OCC's proposed budget includes funding related to publication requirements of the MCC and Charter. We anticipate that publication expenses will rise if we seek to publish in the Star-Advertiser, which is approximately three-times more expensive than the Maui News. Additionally, we have included requested funding for publication of the 2025 Charter in both English and 'ōlelo Hawai'i.

The proposed budget also includes requested funding for Civic Plus Meeting and Agenda Management, which offers the added bonus of integrating with MuniCode, the Charter-required publication of the Maui County Code.

9. *If your Department had Capital Improvement Projects in FY 2025:*

- a. *Provide the current status of each CIP, if different from the information provided in the Fiscal Year 2025 2nd Quarter CIP Report.*

Not applicable.

- b. *Provide information on how much funding has been encumbered or expended to date for each project.*

Not applicable.

10. *If your Department has proposed CIPs for FY 2026:*

a. *Rank your proposed CIPs, by priority.*

Not applicable.

b. *Will CIP funding included in the FY 2026 Budget be encumbered by June 30, 2026? If not, how much do you anticipate will be encumbered by that date?*

Not applicable.

11. *If your Department manages a revolving fund:*

a. *Explain whether the revolving fund is still needed and why.*

Not applicable.

b. *Provide the current balance.*

Not applicable.

12. *If your Department manages grants:*

a. *For each grant line-item not designated for a specific recipient (e.g., Small Business Promotion; Youth Programs), provide a breakdown of the grants that will be funded by the line item.*

Not applicable.

b. *Provide a breakdown of all grants that will be funded by your Department under Sub-object Code 6317, County grant subsidy.*

Not applicable.

c. *Did your Department apply for any grant funding in FY 2025?*

No.

*If yes, how much grant funding was received?*

13. *Provide details on your Department's Carryover/Savings that were included in the FY 2026 Budget.*

None.

14. *What are your top three Department priorities for FY 2026 and how does your Department's budget reflect that?*

1. Redescribe/reallocate position descriptions of our employees. Once this has been completed, we anticipate having staff pay set at an appropriate amount commensurate with the work done by our staff.
2. Training. We have funding in our budget to provide training on Agilis and a certification course for our Elections Administrator.
3. Agenda and meeting management and legislative software. We have budgeted for this expense under Professional Services.

15. *How much has your Department spent on Professional Services in FY 2025, and what projects and consultants were funded under this line item?*

Legislative Division - \$29,364.75. This money was spent on Granicus.

Elections Division - \$203,145.67. This money was spent on security during the 2024 election cycle through Security Resources, Agilis, temp agency fees, and temporary employee wages.

16. *How much of your Department's expenditures in FY 2025 will be reimbursed by the Federal Emergency Management Agency in relation to the wildfires? What amount of FY 2026 expenditures are expected to be reimbursed?*

None.

17. *If your Department is receiving Federal grants, including pass-through grants:*

- a. *What amount is your Department receiving for routine operations?*

Not applicable.

- b. *What amount is your Department receiving for August 2023 Maui Wildfires disaster recovery?*

Not applicable.

- c. *Explain any factors that could jeopardize your receipt of Federal grants, including Federal policy changes, compliance requirements, or expiration dates.*

Not applicable.

- d. *Explain how your Department will adjust if it does not receive the anticipated Federal grant funding.*

Not applicable.

18. *If your Department received funding to repair or replace equipment, locations, and structures destroyed in the wildfires, provide the current status for each. If there are items still pending repair or replacement, provide the estimated cost and timeline for the repair or replacement.*

Not applicable.

Please let me know if you have any further questions.

Best regards,



MOANA M. LUTEY, Esq.  
County Clerk

EXECUTIVE ORDER

- - - - -

PRESERVING AND PROTECTING THE INTEGRITY OF AMERICAN ELECTIONS

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered:

Section 1. Purpose and Policy. Despite pioneering self-government, the United States now fails to enforce basic and necessary election protections employed by modern, developed nations, as well as those still developing. India and Brazil, for example, are tying voter identification to a biometric database, while the United States largely relies on self-attestation for citizenship. In tabulating votes, Germany and Canada require use of paper ballots, counted in public by local officials, which substantially reduces the number of disputes as compared to the American patchwork of voting methods that can lead to basic chain-of-custody problems. Further, while countries like Denmark and Sweden sensibly limit mail-in voting to those unable to vote in person and do not count late-arriving votes regardless of the date of postmark, many American elections now feature mass voting by mail, with many officials accepting ballots without postmarks or those received well after Election Day.

Free, fair, and honest elections unmarred by fraud, errors, or suspicion are fundamental to maintaining our constitutional Republic. The right of American citizens to have their votes properly counted and tabulated, without illegal dilution, is vital to determining the rightful winner of an election.

Under the Constitution, State governments must safeguard American elections in compliance with Federal laws that protect Americans' voting rights and guard against dilution by illegal

voting, discrimination, fraud, and other forms of malfeasance and error. Yet the United States has not adequately enforced Federal election requirements that, for example, prohibit States from counting ballots received after Election Day or prohibit non-citizens from registering to vote.

Federal law establishes a uniform Election Day across the Nation for Federal elections, 2 U.S.C. 7 and 3 U.S.C. 1. It is the policy of my Administration to enforce those statutes and require that votes be cast and received by the election date established in law. As the United States Court of Appeals for the Fifth Circuit recently held in *Republican National Committee v. Wetzel* (2024), those statutes set "the day by which ballots must be both cast by voters and received by state officials." Yet numerous States fail to comply with those laws by counting ballots received after Election Day. This is like allowing persons who arrive 3 days after Election Day, perhaps after a winner has been declared, to vote in person at a former voting precinct, which would be absurd.

Several Federal laws, including 18 U.S.C. 1015 and 611, prohibit foreign nationals from registering to vote or voting in Federal elections. Yet States fail adequately to vet voters' citizenship, and, in recent years, the Department of Justice has failed to prioritize and devote sufficient resources for enforcement of these provisions. Even worse, the prior administration actively prevented States from removing aliens from their voter lists.

Additionally, Federal laws, such as the National Voter Registration Act (Public Law 103-31) and the Help America Vote Act (Public Law 107-252), require States to maintain an accurate and current Statewide list of every legally registered voter in the State. And the Department of Homeland Security is required

to share database information with States upon request so they can fulfill this duty. See 8 U.S.C. 1373(c). Maintaining accurate voter registration lists is a fundamental requirement in protecting voters from having their ballots voided or diluted by fraudulent votes.

Federal law, 52 U.S.C. 30121, prohibits foreign nationals from participating in Federal, State, or local elections by making any contributions or expenditures. But foreign nationals and non-governmental organizations have taken advantage of loopholes in the law's interpretation, spending millions of dollars through conduit contributions and ballot-initiative-related expenditures. This type of foreign interference in our election process undermines the franchise and the right of American citizens to govern their Republic.

Above all, elections must be honest and worthy of the public trust. That requires voting methods that produce a voter-verifiable paper record allowing voters to efficiently check their votes to protect against fraud or mistake. Election-integrity standards must be modified accordingly.

It is the policy of my Administration to enforce Federal law and to protect the integrity of our election process.

Sec. 2. Enforcing the Citizenship Requirement for Federal Elections. To enforce the Federal prohibition on foreign nationals voting in Federal elections:

(a) (i) Within 30 days of the date of this order, the Election Assistance Commission shall take appropriate action to require, in its national mail voter registration form issued under 52 U.S.C. 20508:

(A) documentary proof of United States citizenship, consistent with 52 U.S.C. 20508 (b) (3); and



(B) a State or local official to record on the form the type of document that the applicant presented as documentary proof of United States citizenship, including the date of the document's issuance, the date of the document's expiration (if any), the office that issued the document, and any unique identification number associated with the document as required by the criteria in 52 U.S.C. 21083(a) (5) (A), while taking appropriate measures to ensure information security.

(ii) For purposes of subsection (a) of this section, "documentary proof of United States citizenship" shall include a copy of:

(A) a United States passport;

(B) an identification document compliant with the requirements of the REAL ID Act of 2005 (Public Law 109-13, Div. B) that indicates the applicant is a citizen of the United States;

(C) an official military identification card that indicates the applicant is a citizen of the United States; or

(D) a valid Federal or State government-issued photo identification if such identification indicates that the applicant is a United States citizen or if such identification is otherwise accompanied by proof of United States citizenship.

(b) To identify unqualified voters registered in the States:

(i) the Secretary of Homeland Security shall, consistent with applicable law, ensure that State and local officials have, without the requirement of the payment of a fee, access to appropriate systems for verifying the citizenship or immigration status of individuals registering to vote or who are already registered;

(ii) the Secretary of State shall take all lawful and appropriate action to make available information from relevant databases to State and local election officials engaged in verifying the citizenship of individuals registering to vote or who are already registered; and

(iii) the Department of Homeland Security, in coordination with the DOGE Administrator, shall review each State's publicly available voter registration list and available records concerning voter list maintenance activities as required by 52 U.S.C. 20507, alongside Federal immigration databases and State records requested, including through subpoena where necessary and authorized by law, for consistency with Federal requirements.

(c) Within 90 days of the date of this order, the Secretary of Homeland Security shall, consistent with applicable law, provide to the Attorney General complete information on all foreign nationals who have indicated on any immigration form that they have registered or voted in a Federal, State, or local election, and shall also take all appropriate action to submit to relevant State or local election officials such information.

(d) The head of each Federal voter registration executive department or agency (agency) under the National Voter

Registration Act, 52 U.S.C. 20506(a), shall assess citizenship prior to providing a Federal voter registration form to enrollees of public assistance programs.

(e) The Attorney General shall prioritize enforcement of 18 U.S.C. 611 and 1015(f) and similar laws that restrict non-citizens from registering to vote or voting, including through use of:

- (i) databases or information maintained by the Department of Homeland Security;
- (ii) State-issued identification records and driver license databases; and
- (iii) similar records relating to citizenship.

(f) The Attorney General shall, consistent with applicable laws, coordinate with State attorneys general to assist with State-level review and prosecution of aliens unlawfully registered to vote or casting votes.

Sec. 3. Providing Other Assistance to States Verifying Eligibility. To assist States in determining whether individuals are eligible to register and vote:

(a) The Commissioner of Social Security shall take all appropriate action to make available the Social Security Number Verification Service, the Death Master File, and any other Federal databases containing relevant information to all State and local election officials engaged in verifying the eligibility of individuals registering to vote or who are already registered. In determining and taking such action, the Commissioner of Social Security shall ensure compliance with applicable privacy and data security laws and regulations.

(b) The Attorney General shall ensure compliance with the requirements of 52 U.S.C. 20507(g).

(c) The Attorney General shall take appropriate action with respect to States that fail to comply with the list maintenance requirements of the National Voter Registration Act and the Help America Vote Act contained in 52 U.S.C. 20507 and 52 U.S.C. 21083.

(d) The Secretary of Defense shall update the Federal Post Card Application, pursuant to the Uniformed and Overseas Citizens Absentee Voting Act, 52 U.S.C. 20301, to require:

- (i) documentary proof of United States citizenship, as defined by section 2(a)(ii) of this order; and
- (ii) proof of eligibility to vote in elections in the State in which the voter is attempting to vote.

Sec. 4. Improving the Election Assistance Commission.

(a) The Election Assistance Commission shall, pursuant to 52 U.S.C. 21003(b)(3) and 21142(c) and consistent with applicable law, take all appropriate action to cease providing Federal funds to States that do not comply with the Federal laws set forth in 52 U.S.C. 21145, including the requirement in 52 U.S.C. 20505(a)(1) that States accept and use the national mail voter registration form issued pursuant to 52 U.S.C. 20508(a)(1), including any requirement for documentary proof of United States citizenship adopted pursuant to section 2(a)(ii) of this order.

(b)(i) The Election Assistance Commission shall initiate appropriate action to amend the Voluntary Voting System Guidelines 2.0 and issue other appropriate guidance establishing standards for voting systems to protect election integrity. The amended guidelines and other guidance shall provide that voting systems should not use a ballot in which a vote is contained within a barcode or quick-response code in the vote counting process except where necessary to accommodate individuals with

disabilities, and should provide a voter-verifiable paper record to prevent fraud or mistake.

(ii) Within 180 days of the date of this order, the Election Assistance Commission shall take appropriate action to review and, if appropriate, re-certify voting systems under the new standards established under subsection (b) (i) of this section, and to rescind all previous certifications of voting equipment based on prior standards.

(c) Following an audit of Help America Vote Act fund expenditures conducted pursuant to 52 U.S.C. 21142, the Election Assistance Commission shall report any discrepancies or issues with an audited State's certifications of compliance with Federal law to the Department of Justice for appropriate enforcement action.

(d) The Secretary of Homeland Security and the Administrator of the Federal Emergency Management Agency, consistent with applicable law, shall in considering the provision of funding for State or local election offices or administrators through the Homeland Security Grant Programs, 6 U.S.C. 603 *et seq.*, heavily prioritize compliance with the Voluntary Voting System Guidelines 2.0 developed by the Election Assistance Commission and completion of testing through the Voting System Test Labs accreditation process.

Sec. 5. Prosecuting Election Crimes. To protect the franchise of American citizens and their right to participate in fair and honest elections:

(a) The Attorney General shall take all appropriate action to enter into information-sharing agreements, to the maximum extent possible, with the chief State election official or multi-member agency of each State. These agreements shall aim

to provide the Department of Justice with detailed information on all suspected violations of State and Federal election laws discovered by State officials, including information on individuals who:

- (i) registered or voted despite being ineligible or who registered multiple times;
- (ii) committed election fraud;
- (iii) provided false information on voter registration or other election forms;
- (iv) intimidated or threatened voters or election officials; or
- (v) otherwise engaged in unlawful conduct to interfere in the election process.

(b) To the extent that any States are unwilling to enter into such an information sharing agreement or refuse to cooperate in investigations and prosecutions of election crimes, the Attorney General shall:

- (i) prioritize enforcement of Federal election integrity laws in such States to ensure election integrity given the State's demonstrated unwillingness to enter into an information-sharing agreement or to cooperate in investigations and prosecutions; and
- (ii) review for potential withholding of grants and other funds that the Department awards and distributes, in the Department's discretion, to State and local governments for law enforcement and other purposes, as consistent with applicable law.

(c) The Attorney General shall take all appropriate action to align the Department of Justice's litigation positions with the purpose and policy of this order.

Sec. 6. Improving Security of Voting Systems. To improve the security of all voting equipment and systems used to cast ballots, tabulate votes, and report results:

(a) The Attorney General and the Secretary of Homeland Security shall take all appropriate actions to the extent permitted by 42 U.S.C. 5195c and all other applicable law, so long as the Department of Homeland Security maintains the designation of election infrastructure as critical infrastructure, as defined by 42 U.S.C. 5195c(e), to prevent all non-citizens from being involved in the administration of any Federal election, including by accessing election equipment, ballots, or any other relevant materials used in the conduct of any Federal election.

(b) The Secretary of Homeland Security shall, in coordination with the Election Assistance Commission and to the maximum extent possible, review and report on the security of all electronic systems used in the voter registration and voting process. The Secretary of Homeland Security, as the head of the designated Sector Risk Management Agency under 6 U.S.C. 652a, in coordination with the Election Assistance Commission, shall assess the security of all such systems to the extent they are connected to, or integrated into, the Internet and report on the risk of such systems being compromised through malicious software and unauthorized intrusions into the system.

Sec. 7. Compliance with Federal Law Setting the National Election Day. To achieve full compliance with the Federal laws that set the uniform day for appointing Presidential electors and electing members of Congress:

(a) The Attorney General shall take all necessary action to enforce 2 U.S.C. 7 and 3 U.S.C. 1 against States that violate these provisions by including absentee or mail-in ballots

received after Election Day in the final tabulation of votes for the appointment of Presidential electors and the election of members of the United States Senate and House of Representatives.

(b) Consistent with 52 U.S.C. 21001(b) and other applicable law, the Election Assistance Commission shall condition any available funding to a State on that State's compliance with the requirement in 52 U.S.C. 21081(a)(6) that each State adopt uniform and nondiscriminatory standards within that State that define what constitutes a vote and what will be counted as a vote, including that, as prescribed in 2 U.S.C. 7 and 3 U.S.C. 1, there be a uniform and nondiscriminatory ballot receipt deadline of Election Day for all methods of voting, excluding ballots cast in accordance with 52 U.S.C. 20301 *et seq.*, after which no additional votes may be cast.

Sec. 8. Preventing Foreign Interference and Unlawful Use of Federal Funds. The Attorney General, in consultation with the Secretary of the Treasury, shall prioritize enforcement of 52 U.S.C. 30121 and other appropriate laws to prevent foreign nationals from contributing or donating in United States elections. The Attorney General shall likewise prioritize enforcement of 31 U.S.C. 1352, which prohibits lobbying by organizations or entities that have received any Federal funds.

Sec. 9. Federal Actions to Address Executive Order 14019. The heads of all agencies, and the Election Assistance Commission, shall cease all agency actions implementing Executive Order 14019 of March 7, 2021 (Promoting Access to Voting), which was revoked by Executive Order 14148 of on January 20, 2025 (Initial Rescissions of Harmful Executive Orders and Actions), and, within 90 days of the date of this order, submit to the President, through the Assistant to the



President for Domestic Policy, a report describing compliance with this order.

Sec. 10. Severability. If any provision of this order, or the application of any provision to any agency, person, or circumstance, is held to be invalid, the remainder of this order and the application of its provisions to any other agencies, persons, or circumstances shall not be affected thereby.

Sec. 11. General Provisions. (a) Nothing in this order shall be construed to impair or otherwise affect:

- (i) the authority granted by law to an executive department or agency, or the head thereof; or
- (ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

DONALD J. TRUMP

THE WHITE HOUSE,

March 25, 2025.

## **BFED Committee**

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**From:** County Clerk  
**Sent:** Thursday, April 3, 2025 4:28 PM  
**To:** BFED Committee  
**Subject:** FY2026 Budget (BFED-1) (OCC-01) response  
**Attachments:** FY 2026 Budget OCC-01 response.pdf

Please see attached.

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