

Secretary of State Public Hearing Question Responses

Co-chairs Golden and Smith, members of the committee,

Thank you for taking the time to hear our budget presentation for the 2021-23 biennium and thank you for the thoughtful discussion and questions posed. Through our presentations, there were four questions posed to the agency and we greatly appreciate the opportunity to respond to them in writing in addition to the responses we provided in the hearing.

First, Representative Hayden's question regarding the positions in the Secretary's Executive Office. As this is one of our top priorities this biennium, we appreciate the opportunity to elaborate on this further in writing.

Following careful assessment (employee climate surveys indicating bandwidth, former Director Trout's memorandum, and investigation), considering the significant agency transitions and disruptions (5 secretaries in 6 years, shifting to a predominantly remote work model, etc.) it was evident one of the top priorities must be to stabilize the agency.

After reviewing these needs and currently available resources, a new model of support from the Executive Office was envisioned; rather than the Exec Office primarily supporting the Secretary, this is a model designed to address the urgent need to support and stabilize staff on an agencywide basis. With the available resources to implement this model, we moved ahead, understanding these positions were temporary and legislative approval would be needed for permanency. The unbudgeted positions were hired as full-time employees through the end of the current biennium, appointed as Executive Service to serve at the pleasure of the Secretary, therefore employment could be ended at anytime, including for budget restraints. Each new hire recognizes their positions' permanence is being requested in this current budget request.

As stated in our hearing, through implementing a hiring freeze in early 2020 due to the negative revenue impacts of the pandemic and being required to take a \$1.7 million dollar reduction, and not knowing if more reductions were coming, we implemented a hiring freeze and only expended funds on essential needs of the agency. Also, not knowing if we were going to receive the Salary Pot distribution, these cost avoidances went through December of 2020. Upon receiving the \$3.4 million dollars of Salary Pot in January of 2021 and through the measures taken in 2020 to keep our budget whole, we were able to provide adequate budget to help Secretary Fagan transition in and bring the staffing resources needed. We were also able to ensure each of the public serving divisions were adequately funded for any needs through the remainder of the 2019-21 biennium.

Information on the Executive Office staffing package regarding position classifications, position titles and position costs is in the attached document. You will see that we are requesting nine of these positions to be permanently funded in the Executive Office and one LD position.

We're pleased to share the staff response to this new staffing model and request has been overwhelmingly positive and as you heard throughout our presentation and in public testimony.

Second, Senator Golden’s question regarding if there is a national entity broadly recognized that assesses or grade states’ voting systems for integrity. Because we were not able to hear the full question and out of respect to the time for public testimony we did not answer this in committee but in relistening to the question, the short answer is the [US Election Assistance Commission \(EAC\)](#). The EAC test and certifies voting equipment used throughout the country. We have an administrative rule that provides that before a system can be examined and approved by the Secretary the voting system must have already met or exceeded the Voluntary Voting System Guidelines promulgated by the US Election Assistance Commission. That rule is 165-007-0350. Additionally, the [Department of Homeland Security \(DHS\)](#) and [Cybersecurity and Infrastructure Security Agency \(CISA\)](#) are responsible for monitoring and sending security updates and alerts as needed. We also think it is important to note that one key security strategy is to decentralize voting equipment because it makes it more difficult to infiltrate when everything is not centralized.

Third, Senator Golden’s question regarding phone calls and emails received from Oregonians during the 2020 Election compared to previous elections is complicated to fully answer at this time and if the committee is interested, we are happy to keep you updated as more data becomes available.

The emails and calls fielded by the Elections Division during 2020 was different than prior years for two reasons. Like many other workplaces, we had to transition to working remotely and find creative ways to use existing resources to ensure we provided timely responses to the public. In speaking with our Elections Division staff, who were on the receiving end of these calls and emails, they said “The more difficult aspect of 2020 was the nature of the calls and emails we were responding to. One of the core functions of the division is to educate voters about elections process and available resources. Typically, these calls aren’t controversial and are grounded in a common understanding that elections are safe, secure, and transparent. However, in 2020 the division’s task was much more complex because many people did not believe us when we tried to explain that there are safeguards in place to ensure secure elections.”

We put in a request to our phone vendor for specific information about the number of phone calls received by the division from 2016 to present. We do not have an estimated time of arrival from the vendor at the time of compiling these answers but will update the committee when we receive the information. It’s also important to note that this phone call data does not include the phone calls fielded by the Department of Justice’s Election Hotline they stood up in the final weeks of the 2020 election. The Secretary shared in the hearing, this happened because there was not capacity at the Secretary of State to meet the need, with our staffing request we would have the capacity to provide these critical services to Oregonians. Based on the information we received in preparation for our budget hearings, below is the call data from 2020.

Month (2020)	Number of Calls Received
January	1,219
February	1,792
March	2,415
April	2,289

May	3,763
June	1,472
July	1,796
August	4,159
September	7,404
October	14,959
November (NOV 1-3)	3,085 (1,611)
December	707

Regarding emails, the Elections Division has two email boxes that receive hundreds of emails per month. Leading up to an election, the email boxes receive hundreds of emails per day. For questions about MyVote or the ORESTAR application, the public is directed to email the division at orestar-support.sos@oregon.gov. Because the vast majority of the correspondence in that email box is direct communication with the public, the figure in our budget presentation was obtained from that email box. The numbers below reflect the volume of emails that have been archived in our records management system. Please note that once emails have been moved over, it becomes difficult to distinguish between internal correspondence and correspondence in which division staff was helping the public. Many emails from 2019 and 2020 are still in the process of being moved into the records management system and these numbers will certainly increase once that process has been completed.

Year	Number of Emails Archived (as of 4/8/20)
2016	77,318
2017	40,255
2018	44,142
2019	15,537
2020	29,131

Lastly, Senator Golden’s question regarding POP 103, establishing the HRA 1 position, will allow the Human Resources Division (HRD) to more efficiently provide fundamental HR services allowing the rest of the Divisions to deliver their services. As we shared in our presentation, the industry HR core service standards for an organization of our size is 6.8 FTE, our current 4.0 FTE have been considerably stretched to meet only the most urgent agency needs and unable to proactively and thoughtfully address emerging demands. Specifically, this position will support recruitment activities for the Divisions, onboarding activities, protected leave support, employee health and safety and will assist in supporting long-term impacts from the pandemic such as supporting permanent remote work assignments, a new reimagined work environment and a variety of requirements related to providing a healthy and safe work environment. In addition to the much-needed core services support, it would add a critical layer of knowledge and skill in HR systems currently lacking which leaves the Agency vulnerable to interruption of services to Agency Divisions, which in turn would impact their ability to serve Oregonians. Creating this role would allow higher-level HRD staff to refocus their expertise and be redeployed to more strategic core support activities like succession planning and intentional equity efforts with and for staff across the Agency.

If there is any additional information the committee desires or additional questions the agency can answer for you, please let us know.

Sincerely,

Tony Lapid (he/him)
Legislative Director
Oregon Secretary of State