Dated: June 23, 2005.

Jeannette Owings-Ballard,

OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 05–12771 Filed 6–28–05; 8:45 am]

BILLING CODE 5001–06–C

DEPARTMENT OF EDUCATION

[CFDA No. 84.357]

Reading First

AGENCY: Office of Elementary and Secondary Education, Department of Education.

ACTION: Notice announcing application deadline.

SUMMARY: Under the Reading First program, we award Targeted Assistance Grants to State educational agencies (SEAs) that demonstrate an increase in student achievement in schools and districts participating in the Reading First program.

As discussed elsewhere in this notice, the data that States must submit to demonstrate an increase in student achievement are the same data that States must submit in their annual performance reports for their Reading First State grants. We are therefore permitting States to apply for Targeted Assistance Grants by submitting their annual Reading First performance report. No separate application is required. This notice establishes July 30, 2005, as the deadline date for submitting the annual performance report to apply for a Targeted Assistance Grant.

DATES: *Application Deadline:* July 30, 2005.

SUPPLEMENTARY INFORMATION:

Which SEAs Are Eligible for a Targeted Assistance Grant?

An SEA is eligible for a Targeted Assistance Grant if it can show an increase in student achievement over two consecutive years. Therefore, an SEA's eligibility for this grant begins when the State has three years of student achievement data. This may include either—

(a) Student data representing three years of school-level implementation of the Reading First program; or

(b) Student data representing two years of school-level implementation of the Reading First program, along with baseline data from the year preceding implementation.

Specifically, the SEA's application must demonstrate that an increasing percentage of third-grade students in the schools served by the LEAs that receive Reading First funds are reaching the proficient level in reading for each of two consecutive years in the following categories—

(a) Economically disadvantaged students;

(b) Students from each major racial and ethnic group;

(c) Students with disabilities; and

(d) Students with limited English proficiency.

The SEA must also demonstrate in its application that for each of those two consecutive years, the schools receiving Reading First funds are improving the reading skills of students in grades 1, 2, and 3 based on instructional reading assessments, and that increasing percentages of students in the State are reading at grade level or above.

Who Will Review State Applications for Targeted Assistance Grants?

The expert review panel convened to evaluate State applications for Reading First State Grants will also review applications for Targeted Assistance Grants to determine whether the data the SEA submits demonstrate an increase in student achievement in schools and districts participating in the Reading First program.

How Is the Targeted Assistance Grant Application Submitted?

The data that States must submit to demonstrate an increase in student achievement are the same data States must submit in their annual performance reports. Accordingly, the annual performance report will serve as the Targeted Assistance Grant application and States may apply for a Targeted Assistance Grant by submitting their annual performance report. The annual performance report is available and submitted electronically at: *https://www.readingfirstapr.org.* States should indicate that they want their data reviewed in consideration for a Targeted Assistance Grant by checking the appropriate box on the annual performance report and providing the assurances and information requested. In order to be considered for a Targeted Assistance Grant, the annual performance report must be submitted by July 30, 2005. Only those States that want to be considered for a Targeted Assistance Grant this year must submit their annual performance report by this date. All other States must submit their reports no later than November 30, 2005.

How Will Targeted Assistance Grants Be Awarded to Eligible States?

The Department will award the grants to eligible SEAs based on the information provided in the annual performance report and a statutory formula for determining award amounts. The statutory formula is calculated based on the proportion of children aged 5 to 17 who reside within the State and are from families with incomes below the poverty line, compared to the number of children aged 5 to 17 from families with incomes below the poverty line who reside in all States with approved Targeted Assistance Grant applications for that year. Poverty data are drawn from the most recent fiscal year for which satisfactory data are available.

FOR FURTHER INFORMATION CONTACT: Sandi Jacobs, telephone: (202) 401–4877 or by e-mail: *sandi.jacobs@ed.gov.*

If you use a telecommunications device for the deaf (TDD), you may call the Federal Relay Service (FRS) at 1–800–877–8339.

Individuals with disabilities may obtain this notice in an alternative format (*e.g.*, Braille, large print, audiotape, or computer diskette) on request to the contact person listed under **FOR FURTHER INFORMATION CONTACT.** *Electronic Access To This Document:* You may view this document, as well as other Department of Education documents published in the **Federal Register**, in text or Adobe Portable Document Format (PDF) on the Internet at the following site: *http://www.ed.gov/news/fedregister.*

To use PDF you must have Adobe Acrobat Reader, which is available free at this site. If you have questions about using PDF, call the U.S. Government Printing Office (GPO), toll-free, at 1–888–293–6498; or in the Washington DC, area at (202) 512–1530.

Note: The official version of this document is the document published in the **Federal Register**. Free Internet access to the official version of the **Federal Register** and the Code of Federal Regulations is available on GPO Access at: *http://www.gpoaccess.gov/nara/index.html.*

Program Authority: 20 U.S.C. 6364.

Dated: June 23, 2005.

Raymond Simon,

Assistant Secretary for Elementary and Secondary Education.

[FR Doc. 05–12855 Filed 6–28–05; 8:45 am]

BILLING CODE 4001–01–P

ELECTION ASSISTANCE COMMISSION

Publication of State Plans Pursuant to the Help America Vote Act

AGENCY: U.S. Election Assistance Commission (EAC).

ACTION: Notice.

SUMMARY: Pursuant to sections 254(a)(11)(A) and 255(b) of the Help America Vote Act (HAVA), Public Law 107–252, the U.S. Election Assistance Commission (EAC) hereby causes to be published in the **Federal Register** material changes to the HAVA State plans previously submitted by Iowa, Mississippi, and North Carolina.

DATES: This notice is effective upon publication in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Bryan Whitener, telephone 202–566–3100 or 1–866–747–1471 (toll-free).

Submit Comments: Any comments regarding the plans published herewith should be made in writing to the chief election official of the individual States at the address listed below.

SUPPLEMENTARY INFORMATION: On March 24, 2004, the U.S. Election Assistance Commission published in the **Federal Register** the original HAVA State plans filed by the 50 States, the District of Columbia and the Territories of American Samoa, Guam, Puerto Rico, and the U.S. Virgin Islands. 69 FR 14002. HAVA anticipated that States, Territories and the District of Columbia would change or update their plans from time to time pursuant to HAVA section 254 (a)(11) through (13). HAVA sections 254(a)(11)(A) and 255 require EAC to publish such updates.

The submissions from Iowa, Mississippi, and North Carolina address material changes to their original State plans. Iowa provides additional detail regarding various aspects of HAVA implementation. Mississippi addresses a change in the State's approach to procuring new voting equipment and provides an updated timeline for the implementation of the required statewide voter registration database. North Carolina provides a revised budget for the use of HAVA funds received. In accordance with HAVA section 254(a)(12), the documents also provide information on how the States succeeded in carrying out their previous State plan. Upon the expiration of 30 days from June 29, 2005, Mississippi and North Carolina will be eligible to implement any material changes addressed in the State plan published herein, in accordance with HAVA section 254(a)(11)(C).

EAC notes that the plans published herein have already met the notice and comment requirements of HAVA section 256, as required by HAVA section 254(a)(11)(B). EAC wishes to acknowledge the effort that went into the revising the State plan and encourages further public comment, in writing, to the chief election officials of Mississippi and North Carolina.

Thank you for your interest in improving the voting process in America.

Chief State Election Officials

Iowa

The Honorable Chester J. Culver, Secretary of State, First Floor, Lucas Building, 321 E. 12th St., Des Moines, IA 50319, phone: 515–281–0145, Fax: 515–281–7142, e-mail: *sos@sos.state.ia.us*.

Mississippi

The Honorable Eric Clark, Secretary of State, P.O. Box 136, Jackson, MS 39205–0136, phone: 601–359–1350, Fax: 601–359–1499, e-mail: *administrator@sos.state.ms.us.*

North Carolina

Mr. Gary O. Bartlett, State Board of Elections, 6400 Mail Service Center, Raleigh, NC 27699–6400, phone: 919–733–7173, Fax: 919–715–0135, e-mail: *elections.sboe@ncmail.net*.

Dated: June 22, 2005.

Gracia M. Hillman,

Chair, U.S. Election Assistance Commission.

BILLING CODE 6820–KF–P

CHESTER J. CULVER
IOWA SECRETARY OF STATE
STATEHOUSE
DES MOINES, IA 50319

TEL (515) 281-8993
FAX (515) 242-5952

www.sos.state.ia.us
sos@sos.state.ia.us

June 9, 2005

U.S. Election Assistance Commission
%Peggy Sims, Research Specialist
1225 New York Avenue N.W., Suite 1100
Washington, D.C. 20005

Dear Ms. Sims,

I am pleased to file for publication in the *Federal Register* with the Election Assistance Commission (EAC), the up-dated Section 12 of the State of Iowa Help America Vote Act (HAVA) Advisory Committee State Plan in accordance with Section 255 of the Help America Vote Act of 2002. This updated section combined with the State of Iowa HAVA Advisory Committee State Plan submitted in 2003, is our complete plan for the 2004/2005 fiscal year.

As required by section 245 (a) (12), the amendment describes material changes Iowa has made since the State Plan was filed in 2003. Specifically, Section 12 contains descriptions of the amended versions of Sections 1,2,3,4,5,6,7,8,9,10,11, and 13 and lists the progress that Iowa has made toward full implementation of HAVA. The full State of Iowa HAVA Advisory Committee State Plan can be accessed at http://www.sos.state.ia.us/elections/hava/PlanReports/index.html.

The 2004/2005 amendments to the State of Iowa HAVA Advisory Committee State Plan were developed in accordance with HAVA Section 255 and the requirements for public notice and comment prescribed by HAVA Section 256.

I thank the commission for its assistance and look forward to our collaboration in improving the administration of elections in Iowa.

Sincerely,

Chet Culver

Chet Culver
Secretary of State

CC/jb
Enclosure

State of IOWA Help America Vote Act Advisory Committee Preliminary State Plan

As required by Public Law 107-25, Help America Vote Act 2002, section 253 (b).

As recommended on May 16, 2003.

Chester J. Culver
Iowa Secretary of State
and Chief State Election Official
Statehouse
Des Moines, IA 50319

SECTION 12: CHANGES TO STATE PLAN FROM PREVIOUS FISCAL YEAR

> **ELEMENT 12.** In the case of a state plan in effect under this subtitle during the previous fiscal year, a description of how the plan reflects changes from the state plan for the previous fiscal year and of how the state succeeded in carrying out the state plan for such previous year. HAVA section 254 (a)(12)

The FY 2003 state plan is the preliminary state plan required under the Help America Vote Act of 2002. This section will be updated in the next fiscal year, reflecting changes to the state plan, as well as a summary of the 2003 successes.

The following represents activity covering the period from October 2003 through April 2005, Federal Fiscal Year (FFY) 04 and the first half of FFY 05.

Section 1: State Plan Required Elements

301. Voting System Standards

As of April 2005, Iowa has four types of voting systems in place in its 99 counties. While some upgrades were made since the preliminary state plan was filed, most of the activity to place compliant equipment in counties will occur during calendar year 2005.

Iowa's Current Voting Systems – November 2004

Lever	1	21
Paper Ballot	0	0
Central Count Optical Scan	53	804
Precinct Count Optical Scan	31	906
DRE	14	249
Total	**99**	**1,980**

Evaluate Voting Systems

The State Election Office conducted a survey of all voting systems in place. The six lever counties will be replacing all equipment before January 1, 2006, as will the single paper ballot county. Central count optical scan machines will need to be replaced to allow voters to correct an incorrectly-marked ballot. It is unlikely that many, if any, existing precinct count optical scan or DRE systems will be compliant with HAVA requirements and with Iowa's certification requirements.

Replace Lever County Machines with HAVA Title I Funds

Precinct count optical scan election systems were provided to participating lever/paper ballot counties under a state-negotiated lease-purchase agreement. HAVA funds were used to pay the costs for the 2004 lease agreement, a total of $173,081.41. The one remaining lever county will upgrade equipment as part of the 2005 statewide purchase.

Meeting Accessibility Requirements
Funds for voting systems meeting HAVA accessibility requirements were included in the funding allocation amounts. However, no accessible equipment has passed the testing process; consequently, none has been submitted for Iowa's certification process. Additionally, the previous guidance on the type of equipment that will be considered accessible is undergoing review at the national level. DREs and ballot marking devices might ultimately be determined accessible, in which case both would be considered eligible for reimbursement under Iowa's criteria.

Voting Equipment Technical Support Services
No change to this section.

302. Provisional Voting and Voting Information Requirements
Iowa law largely met the provisional ballot requirements. During the 2004 session of the Iowa General Assembly, state law was modified to meet the requirements. Administrative Rules have also been modified accordingly. Training on provisional ballots was held on several levels including: county election officials and poll workers prior to the 2004 General Election.

303. Computerized Statewide Voter Registration List Requirements and Requirements for Voters Who Register by Mail
The State Election Office has completed the plan for studying Iowa's current voter registration system and for administering and implementing the plan. A contract was awarded in early December 2004 to Saber Consulting for total replacement of the voter registration systems in all counties with a single, uniform, official centralized, interactive computerized statewide voter registration system as required by HAVA. The bid and additional expected purchases of hardware remain within the budgeted amount. The contractor began working on-site in January 2005 and has remained on schedule for implementation.

The contractor has worked with a representative group of county auditors to develop the standards for the statewide application. Demonstrations of the system have occurred in each region. Twelve pilot counties are on schedule to be converted to the new system by July 2005.

The timeline for implementation of the voter registration system follows:

- **December 2004**-Issued intent to award to Saber Consulting, Salem, Oregon
- **January & February 2005**-Saber Project Manager/Application Manager/Technical Manager established project control center at the State Elections Office in Des Moines
- **February 2005**-Six regional application demonstrations to county auditors and county election staff
- **March & April 2005**
  - Production/dual site Data Center hardware
  - Pilot County Data migration from current county systems
  - Gaps/enhancements to "off the shelf" VR application (making it Iowa specific)
- **June 2005-** Pilot Counties will test the voter registration application with Iowa enhancements
- **July 2005-** Pilot Counties will switch to the voter registration application.
- **July-December 2005-** All other counties will be migrated to the voter registration application in three phases

304. Minimum Requirements
No change to this section.

305. Methods of Implementation Left to Discretion of State
No change to this section.

312. Adoption of Voluntary Guidance by Commission
No change to this section.

251(b)(2). Other Activities
No change to this section.

Section 2: Distribution of Requirements Payments

A maximum allocation of funds for each of Iowa's 99 counties has been predetermined and approved by the HAVA Advisory Committee and the Chief State Election Official. (See the Secretary of State website to review the funding allocations by county.) The amount indicated is the maximum amount reimbursable to the county for voting systems. The formula sets a minimum amount for county size ranges, takes into account the number of registered voters, and limits the allocation to a maximum of $12,000 per precinct. A county seeking to further reduce compliance costs may wish to consider consolidating precincts, as the formula amount is fixed.

Purchasing voting systems is the responsibility of county supervisors, per Iowa Code section 52.2. For the purposes of this program, the Chief State Election Official, in conjunction with the Department of Administrative Services, will obtain pricing under a state Master Contract for several types of voting systems and allow counties to purchase off the state Master Contract. Counties may also choose to purchase directly from vendors. In any case, the price under the state Master Contract will be the maximum price eligible for use of HAVA funds.

The process for applying and receiving allocation funds includes the following steps:

1. Complete and submit to the Chief State Election Official a county voting system compliance plan by April 30, 2005.
2. Complete and file with the Chief State Election Office a Voting System Allocation Application. The State Election Office will review and, upon approval, provide an award letter and Allocation Agreement to the county.
3. After a county has negotiated a contract, the county shall file a copy of the contract with a request to draw down funds in an amount not to exceed the total county allocation. The contract must include an itemized list of items to be purchased and the total cost.
4. Once the county receives the equipment, the county shall submit a copy of the detailed invoice and a final report of HAVA voting system compliance. The report shall be filed with the State Election Office no later than December 30, 2005.

Section 3: Voter Education, Election Official Education and Training, and Poll Worker Training

Voter Education

Voter education requirements of HAVA were met through a variety of activities to reach all voters. The following table lists the 2003 Iowa HAVA State Plan activities and materials, the implementation of the plan in the past 18 months, and the planned activities in FFY 2005 – 2006.

2003 HAVA State Plan: Outreach Program Components/Objectives	2003 HAVA State Plan: Implementation	2003 HAVA State Plan: Future Implementation/Goals
As federally mandated and adopted on July 17, 2003	**2004**	**2005-2006**
Non-visual presentations using Braille and audio tapes and other media	▪ Voter information posting in Braille sent to every precinct ▪ Voter guide available on audio tape	▪ Continue to update audio tape of voter guide ▪ Presentation/instructions on how to use new accessible voting equipment
Telecommunications devices for the deaf in state and county election offices	▪ Deaf Action Open House – update on HAVA for the deaf community ▪ TDD number for voter hotline to convert audio into visual script for the deaf	▪ TDD number for voter hotline to convert audio into visual script for the deaf
Voter Bill of Rights	▪ *Bill of Rights/Top 10 Reasons To Get Involved* distributed to various groups. ▪ Example: Newly naturalized citizens and state employees paycheck stuffer	▪ Continued distribution of Voter Bill of Rights ▪ Inclusion as part of New Iowa Citizens curriculum (see also Voter's pamphlets)
Voter registration cards and instructions	▪ Available on Web site and in Iowa Voter Guide (in multiple languages)	▪ Continued availability of forms and expansion of languages
Absentee forms and voting instructions	▪ Available on Web site and in Iowa Voter Guide (in multiple languages)	▪ Continued availability of forms and expansion of languages
Languages other than English	▪ Voter registration and absentee ballot request forms translated to Spanish, Laotian, and Vietnamese ▪ Translation of voter information postings to Spanish and Russian	▪ Voter registration and absentee ballot request forms translated to languages where requested ▪ Encourage county posting of translation of voter information postings in multiple languages

2003 HAVA State Plan: Outreach Program Components/Objectives	2003 HAVA State Plan: Implementation	2003 HAVA State Plan: Future Implementation/Goals
As federally mandated and adopted on July 17, 2003	**2004**	**2005-2006**
Voter's pamphlets – Voter Guide, Candidate Guide	▪ Direct mailing of voter guides to every Iowa household ▪ Reminder postcard mailed to voters who were required to show ID at the polls ▪ Voting equipment instruction postcard mailed to six counties with new voting equipment	▪ 2006 direct mailing of voter guide ▪ Reminder postcard mailed to voters who will be required to show ID at the polls ▪ New voting equipment instructional pamphlets
Training focused on first-time voters	▪ ISPAC activities including: Capitol Project, Mock Caucus and Mock Election *(51,598 participants statewide)* ▪ Iowa Collegiate Empowerment Coalition – group of young minority leaders whose goal is to engage other young adults in the political process	▪ ISPAC activities including: Capitol Project, Mock Caucus and Mock Election ▪ Iowa Collegiate Empowerment Coalition – group of young minority leaders whose goal is to engage other young adults in the political process ▪ New Citizens Curriculum: instructions on how voting works in Iowa and the importance of voting
Iowa Voter Registration Day	▪ Voter Registration Week *(25 colleges participated and nearly 2,900 citizens registered to vote)*	▪ Voter Registration Week
Instructions for provisional voting **Posters at polling place to advise voters on new voting equipment and procedural changes**	▪ Iowa Voter Information poster placed in every precinct	▪ Iowa Voter Information poster placed in every precinct ▪ Instructions for new voting equipment
Voter education display at county courthouses	▪ Voting equipment demonstrations and voter education programs in courthouses and other locations in six counties with new voting equipment ▪ ISU voter registration drive	▪ Voting equipment demonstrations and voter education programs in courthouses and other locations in counties with new voting equipment
State and County fair booths to distribute information	▪ Iowa State Fair booth with new voting equipment demonstration	▪ Iowa State Fair booth with new voting equipment demonstration

2003 HAVA State Plan: Outreach Program Components/Objectives	2003 HAVA State Plan: Implementation	2003 HAVA State Plan: Future Implementation/Goals
As federally mandated and adopted on July 17, 2003	2004	2005-2006
Internet Web site maintained by the Chief State Election Official	▪ www.iowavotes.us site for election information including online voter guide, Voter Registration Form (multiple languages) and Absentee Ballot Request Form (multiple languages)	▪ www.iowavotes.us site for election information including online voter guide, Voter Registration Form (multiple languages) and Absentee Ballot Request Form (multiple languages)
Celebration of Voting Rights		▪ Engage participation and representation of Iowa's diverse cultural groups a celebration centering on the 40th Anniversary of the Voting Rights Act, the 85th Anniversary of the 19th Amendment, and the 15th Anniversary of the ADA. The celebration will includes events across Iowa, a curriculum on voting rights for use in schools, and extensive education on voting.
PSAs	▪ Radio PSAs during Iowa Hawkeye football games to remind voters to register/update registration and where to find voting information	▪ PSAs informing voters of new equipment and deadlines for voter registration

Election Official Education and Training

Election officials were able to take advantage of opportunities for training and education throughout the year. In addition to the SEAT training effort, intense work to develop uniform poll worker training materials and conduct a train-the-trainer session for election officials dominated the months preceding the November 2004 elections. The following table lists the election official training outlined in the original plan, implementation activities for 2004, and anticipated efforts in 2005-2006.

2003 HAVA State Plan: Outreach Program Components/Objectives	2003 HAVA State Plan: Implementation	2003 HAVA State Plan: Future Implementation/Goals
As federally mandated and adopted on July 17, 2003	2004	2005-2006
Election Official Training ▪ New requirements by federal/state law, or administrative rule changes ▪ Interpretation of the laws ▪ New voter registration software: forms, fields, requirements ▪ Motor voter registration ▪ SEAT curriculum content made universal ▪ Absentee balloting ▪ Early voting, satellite voting, voting by mail ▪ New accessibility requirements ▪ Cultural and alternative language accessibility ▪ Disability and other populations; diverse cultures; etiquette in relation to voting ▪ First-time voters ▪ Benefits of new system ▪ Selection of poll workers	▪ State Election Administrator Training (SEAT)-certification program for election administrators ▪ Successful cooperative effort with Iowa State Association of County Auditors (ISACA); Iowa Secretary of State; Iowa Ethics and Finance Disclosure Board; facilitated by Iowa State University State (ISU) and Local Government Programs ▪ Purpose: to enhance public confidence in the election process ▪ Iowa is a leader in this election education process ▪ Each graduate has taken 50 hours of classes: specific election laws and professional administration courses ▪ HAVA paid registration fees for those attending SEAT ***Statistics:*** *167 participated (including):* *> 73 Auditors* *> 89 Counties* *> 3 State Elections Office staff.* *127 certified (including):* *> 59 Auditors*	▪ SEAT will provide continuing education requirements to maintain certification. The first continuing education will be devoted to HAVA ▪ HAVA funds will pay for continuing education registration ▪ HAVA funds will pay for SEAT certification registration ▪ Provide additional accessibility and cultural education ▪ Provide standard curriculum for SEAT trainers ▪ Provide "Train the Trainer" workshops ▪ Establish an ongoing training entity jointly between Iowa Association of County Auditors (ISACA) and the Chief State Election Official to focus on training of county election officials and poll workers. The delivery methods will include web-based training programs

2003 HAVA State Plan: Outreach Program Components/Objectives	2003 HAVA State Plan: Implementation	2003 HAVA State Plan: Future Implementation/Goals
As federally mandated and adopted on July 17, 2003	2004	2005-2006
County Supervisor Training	▪ Updated supervisors as HAVA legislation progressed ▪ Included supervisors from six counties with new voting systems ▪ Two supervisors traveled to Washington, DC with the Chief State Election Official to discuss federal funding for HAVA with Iowa Senators and Iowa Representatives ▪ Involved supervisors to encourage Iowa legislators to provide HAVA matching funds at the state level	▪ Continue to involve supervisors as they are the local policy and financial decision makers ▪ Supervisors as members on the HAVA State Advisory Board ▪ In March and April 2005, the Chief State Election Official will hold 12 regional meetings with County Supervisors and County Auditors to continue educating local election officials about HAVA and to gain feedback on HAVA implementation

Poll Worker Training

For the first time in Iowa, poll workers received consistent and uniform training from county election officials using materials developed by the State Election Office in cooperation with county election officials and persons with disabilities. This effort could not have been undertaken or disseminated to every county without the resources available through HAVA.

2003 HAVA State Plan: Outreach Program Components/Objectives	2003 HAVA State Plan: Implementation	2003 HAVA State Plan: Future Implementation/Goals
As federally mandated and adopted on July 17, 2003	2004	2005-2006
Poll Worker Training Material ▪ Video ▪ PowerPoint presentation ▪ Role playing ▪ Handouts ▪ Internet and /or computer-based ▪ ICN-Iowa Communication Network ▪ Job-specific ▪ Training manual in print, large type, Braille, and audiotape	▪ Training manual: Statewide uniform curriculum for county auditors/commissioner of elections to use as a poll worker training tool provided for each county ▪ "Train the Trainer": Instruction was presented at training held for auditors and election staff. The focus was on education methods for adult learners (poll workers) Each county received: • Teaching manual • CD with all documents • PowerPoint presentation • Interactive activities • Poll worker handouts • Poll Worker Guidebook (1/precinct - 1980 precincts) • VHS/DVD of polling place scenarios that include correct voting procedures, provisional ballots, and voters in need of assistance	▪ The Auditor Training Manual will be updated to comply with any legislative changes ▪ Additional training materials will be provided for specific elections (School, City, Specials) ▪ Provide additional role-playing scenarios ▪ Continue to develop interactive training material for poll workers to use on a computer ▪ Poll worker certification program • One certified poll worker per precinct • Four to six hours of training • Beginning in spring 2006

Section 4: Voting System Guidelines and Processes

Uniform Definition of What Constitutes a Vote – Iowa Code Section 52.5 has been revised to provide that the State Commissioner of Elections shall adopt rules as to what constitutes a vote for all voting systems in use in Iowa. The Commissioner has adopted rules defining what constitutes a vote in 721 Iowa Administrative Code Chapter 26.

Voting System Defined – Iowa Code Section 52.5 provides the authority for the State Commissioner of Elections to adopt rules relating to the certification of electronic voting systems. The section also adopts the 2002 Voting System Standards.

Effective Date – Iowa Code Section 52.5 provides the authority for the State Commissioner of Elections to adopt rules for the decertification of election equipment that does meet state standards. Prior to December 31, 2005, the Commissioner intends to adopt rules for the decertification of election equipment that does not meet HAVA requirements and/or the 2002 Voting System Standards.

Section 5: HAVA Fund Management

The HAVA Advisory Committee periodically reviews and approves a detailed budget. The Financial Oversight Subcommittee of the Advisory Committee reviews expenditures quarterly. In addition, the Chief State Election Official has reported to the Legislative Oversight Committee in July 2004 and February 2005. The Chief State Election Official will continue regular reports to the Legislative Oversight Committee regarding HAVA spending.

Section 6: Budget

The HAVA budget has been developed and reviewed by the Financial Oversight Committee and the State Plan Advisory Committee at the quarterly meetings of each body. Adjustments to the budget based on actual funds received by the state as well as updated information on the costs for each element have been reflected in the following budget, effective January 2005.

HAVA Revenue (Current and Estimated)

Received From	Funds	Clarification
HAVA Title I	$5,000,000	Minimum amount of planning funds for every state
State Funds – 2003	$423,000	Intergovernmental transfer for FY 2003 5% match
State Funds – 2004	$765,000	State appropriation for FY 2004 5% state match
HAVA Title II – 2003 & 2004	$23,739,383	Federal funds for two years
EAID Grants - 2005 & 2006	$222,161	
GDDC – 2005	$10,000	
Interest – 2003-2006	$572,504	Projected
Revenue Total	$31,307,665	

HAVA Projected Expenditures

Expenditure Category	Funds	Clarification
Voter Registration System – Title III Requirement	$6,575,000	An RFP was issued for the provision of a statewide voter registration system using specifications compiled from county registration system surveys. Eleven letters of intent were received, yielding four bids. Using a detailed scoring process, a bid from Saber Consulting was accepted and a contract was signed in January 2005. The budgeted amount includes additional funds for the purchase of data center hardware and county equipment upgrades (computers and scanners) to ensure compatibility.
Voting Systems – Title III Requirement	$17,500,000	Only equipment qualified by national standards and certified by the state of Iowa will be eligible to receive HAVA reimbursement. To ensure an equitable distribution and encourage efficiency, funds for equipment purchases will be allocated to counties based on a formula combining number of registered voters and number of precincts. This amount includes the cost of the lever/paper counties' leased equipment.
Provisional Voting – Title III Requirement	$5,000	To keep current with provisional voting practices across the country and ensure HAVA-compliance, State Elections Office staff has attended national meetings on this subject.
ADA Accessible Polling Places – Other Election Reform Activities	$241,224	The State Elections Office coordinated funding from a variety of sources to make Polling Place Accessibility grants to reimburse counties for the costs of making improvements to increase accessibility. Currently, 37 precincts in 16 counties have received the grants. The program will continue through 2005.
Training and Education – Other Election Reform Activities	$3,325,000	Iowa provided one of the first consistent statewide poll worker training curricula for the November 2004 election. Additional funding was spent to support SEAT training, to produce a public voter guide and to target voters needing to show ID, those using new equipment, and those from traditionally low turnout groups.
Administration – Other Election Reform Activities	$855,000	Administrative funds will be used to ensure all HAVA requirements and other specific activities to improve Iowa's election system are thoroughly and adequately completed.
Contingency	$2,806,441	Dollars in the contingency fund will be used to pay for unforeseen expenses and to supplement the other categories, excluding administration.
Total	$31,307,665	

Section 7: Maintenance of Effort

Iowa has maintained its expenditures at the level funded in the fiscal year ending prior to November 2000.

Section 8: Performance Goals and Measures

Performance Goal 1: Elimination of lever voting machines

Six Iowa counties used lever voting machines in 2002. In May of 2004, the state issued a bid request for equipment to replace lever machines. Five of the lever counties participated in the program and have upgraded to precinct count optical scan systems. In addition, Iowa's single paper ballot county upgraded to a precinct optical scan system. The last lever county intends to upgrade during 2005.

Performance Goal 2: HAVA Required DRE in Each Polling Place

While the plan used the term DRE, the Advisory Committee has interpreted to be more generic and mean accessible equipment. The state has issued a draft voting system program, dated March 16, 2005. The program requires counties to submit a compliance plan, to submit a grant application for funds related to the purchase of the equipment, and establishes a maximum allocation amount per county. The final version of the 2005 HAVA Voting System Equipment Plan will be adopted during April 2005.

Performance Goal 3: Accessibility for All Voters

In August 2004, the Chief State Election Official in conjunction with Iowa Developmental Disabilities Council and Iowa Protection and Advocacy established a grant program to assist counties in making polling places accessible. For the 2004 Primary Election, 250 polling places sought accessibility waivers. Through the grant program 37 precincts improved accessibility. A second polling place accessibility grant program was introduced in March 2005.

Performance Goal 4: Centralized Statewide Voter Registration System

In December 2004 Iowa awarded a contract to Saber Consulting, Inc. to develop a statewide voter registration system. The development of the system is well underway with the system to be tested in pilot counties in April 2005. Counties have provided leadership in the development of the voter registration system. Counties have participated in the following ways: identifying requirements for the system, evaluating and recommending proposals, and setting standards for the system. The voter registration system contract is on schedule for full implementation by December 31, 2005.

Performance Goal 5: Administrative Complaint Procedure

On December 17, 2003, the Chief State Election Official adopted an administrative complaint procedure as required by HAVA. In addition, Iowa Code Section 47.1(5) was amended to expressly require the Chief State Election Official to adopt an administrative complaint procedure.

Performance Goal 6: Provisional Ballots

Iowa law largely met the provisional ballot requirements. During the 2004 session of the Iowa General Assembly, state law was modified to meet the requirements. Administrative Rules have also been modified accordingly. Training on provisional ballots was held on several levels including: county election officials and poll workers prior to the 2004 General Election.

Performance Goal 7: Voter Education

Iowa voters were provided with active and passive voter education activities. Recognizing the critical role of local election officials and the reliance of voters on their county auditors, the Chief State Election Official used a strategy of providing current and consistent information to local officials via the *HAVA Weekly News*, distributed by email beginning early in 2004. In the late summer and early fall 2004, state office staff assisted local election officials in the unveiling of the new election systems in the six lever/paper counties and in providing opportunities for those voters to try out the systems. Iowans were able to learn about HAVA and try different voting machines at the Iowa State Fair. Prior to the 2004 elections, a voter guide that included changes in procedures was mailed to each household in Iowa. Voter information was posted on the Chief State Election Official's website. On election day, staff provided telephone support for more than 900 voters.

Performance Goal 8: Poll Worker Training

A uniform system of poll worker training was developed and completed in September 2004. In an effort to improve consistency of poll worker performance across the state, a train-the-trainer session was held on October 8, 2004. Each county auditor was provided a full set of curricula: trainer manual, poll worker guidebook, VHS/DVD with nine polling place scenarios and how to handle common situations, and a comprehensive power point presentation covering the content needed for qualified poll workers. In January 2005, the Training and Education Committee as well as the HAVA Advisory Committee recommended the State Election Office proceed with additional poll worker training opportunities.

Performance Goal 9: Election Official Training

HAVA funds were used for costs for county election officials to attend the SEAT training. In addition, State Election Office staff provided briefings and trainings at various meetings of local election officials that included regional meetings and ISACA conferences. An October 8, 2004 Train-the-Trainer session reached more than 110 election officials from 86 counties.

Performance Goal 10: County Board of Supervisor Training

With a role of budgeting for elections and election systems, County Boards of Supervisors are critical to supporting the local elections process. Information was provided on a regular basis regarding the progress of the legislation to secure the 5% match funds. The Chief State Election Official provided current information to Supervisors via the *HAVA Weekly News*, presentations and discussions at ISAC meetings, inclusion of Supervisors on the various HAVA committees, and by providing ongoing information regarding federal guidelines and options for HAVA funds to partially cover costs of upgraded election systems and the full coverage of the voter registration system.

Section 9: State-Based Administrative Complaint Procedure

Iowa Code Section 49.1(5) was revised during the 2004 Session of the Iowa General Assembly to require the Chief State Election Official to adopt an administrative complaint procedure.

The Chief State Election Official adopted the required administrative complaint procedure in 721 Iowa Administrative Code Chapter 25.

Section 10: Effect of Title I Payment

Title I payments have been used as described in the plan and remaining funds will be used consistent with the plan.

Section 11: HAVA State Plan Management

The HAVA State Plan Advisory Committee meets a minimum of quarterly to review implementation progress and plans. The Committee has provided advice as to implementation and has reviewed and approved detailed project plans. Furthermore, the Committee has adopted the information contained herein.

Section 13: State Plan Development and Committee

The HAVA State Plan Advisory Committee has consistently met at least quarterly since its development in February 2003. Particular emphasis was given in 2004 to expand representation on the Advisory Committee to include geographical, gender, political, and cultural/ethnic/disability balance. As of January 2005, the following individuals serve on the Committee:

Chief Election Officials from the Two Most Populous Jurisdictions

Linda Langenberg - Linn County Auditor
Michael Mauro - Polk County Auditor

Representatives of Groups of Individuals with Disabilities

Jill Avery – Iowa Department of Human Rights, Division of Persons with Disabilities
Peggy Elliott – City Council Member, Grinnell; National Federation of the Blind of Iowa
Mike Hoenig – IDEAS Program, Center for Disabilities & Development, University of Iowa
Joey Lewis – Student, Iowa School for the Deaf
Jennifer Martindale – Iowa Central Deaf Association; Pastor
Sylvia Piper – Iowa Protection & Advocacy
Rik Shannon – Governor's Developmental Disabilities Council

Other Elected Officials

Chet Culver – Iowa Secretary of State
Michael L. Fitzgerald – Treasurer, State of Iowa
Mary Gaskill – State Representative, Wapello County
Patrick Gill – Auditor, Woodbury County; Past President ISACA
Michael Gronstal – State Senator, Pottawattamie County; Democratic Floor Leader
Judy Howrey – Auditor, Calhoun County; President, ISACA
Libby Jacobs – State Representative, Polk County; Majority Whip
Mike King – Supervisor, Union County; Past President, Iowa State Association of County Supervisors
Lannie Miller – Supervisor, Palo Alto County
Pat Murphy – State Representative, Dubuque County; Minority Leader
Marjorie Pitts – Auditor, Clay County
Mark Zieman – State Senator, Allamakee County; Republican Assistant Leader

Representatives of State-wide Non-Partisan Organizations

Adam Kaduce – State of Iowa Youth Action Committee (SIYAC)
Bruce Koeppel – Iowa Director, AARP
Jan McNelly – Past President, League of Women Voters of Iowa

Other Citizens

Kimberly Baxter – Iowa Department of Human Rights, Division on the Status of African-Americans
Elaine Baxter – former Iowa Secretary of State
Francis Boggus – Council Bluffs attorney
John-Paul Chaisson-Cardenas – Iowa Department of Human Rights, Division of Latino Affairs
Cyndi Chen – Statistical Researcher, Division of Vocational Rehabilitation
Bob Cink – former Supervisor, Kossuth County
Vernon Johnson – PACE
Skywalker Payne – ICLU Community Programs Coordinator

Technical Advisors

Dave Beary – Iowa Department of Transportation
Dennis Cowen – Iowa Department of Administrative Services, Information Technology Enterprise
Holmes Foster – former Banking Superintendent, State of Iowa
Shashi Goel – Iowa Department of Management
Ken Paulsen – Senior Purchasing Agent, Iowa Department of Administrative Services, General Services Enterprise
Surasee Rodari – Bankers Trust
Dawn Williams – Elections Director, Marshall County Auditor's Office

State Public Policy Group (SPPG) facilitated the open and public meetings in compliance with Iowa's open meetings laws. Meetings were held on November 14, 2003; February 25, 2004; May 20, 2004; September 16, 2004; December 8, 2004; January 26, 2005; and April 28, 2005. During this 18-month period SPPG also facilitated the following work groups as they focused on essential elements of HAVA implementation: Financial Oversight, Voter Education & Awareness, Election Official & Poll Worker Training, Voting Equipment, Voter Registration Users, Voter Registration State Agencies, and Voter Registration List Purchasers.

STATE OF MISSISSIPPI
SECRETARY OF STATE
ERIC CLARK

401 MISSISSIPPI STREET
POST OFFICE BOX 136
JACKSON, MISSISSIPPI 39205-0136

TELEPHONE (601) 359-1350
FACSIMILE (601) 359-1499

May 16, 2005

Ms. Gracia Hillman, Chair
U.S. Election Assistance Commission
1225 New York Ave, NW-Ste 1100
Washington, DC 20005

RE: Revised State Plan for Mississippi

Dear Ms. Hillman:

The State of Mississippi has revised its state plan for the implementation of the Help America Vote Act of 2002. In accordance with Section 254, Mississippi published the revised state plan for public comment from stakeholders and the general public, as follows:

A draft of the revised plan was released on March 3, 2005. Notice was provided to the Circuit Clerks (82), Elections Commissioners (410), County Supervisors (410), Members of the Mississippi Legislature (174), citizens, and interested parties who sought HAVA updates from our office. A press release was issued to all media in the state, directing reporters to a copy of the plan available on the Secretary of State's web site.

Comments were received in the Secretary of State's Office until 5:00 pm on April 8, 2005. All comments were received and considered in the finalization of Mississippi's Plan for HAVA Compliance. The state plan has four major changes:

1. Changing the purchasing of voting machines from a statewide direct recording electronic device system to the option of a statewide combination of a dual voting technology system with precinct optical mark scanners and disability accessible devices.

2. Reducing the Elections Division staffing level by two full-time equivalent staff members as a result of state budgetary conditions.

3. Appendix A has been updated to reflect the procurement of voting technologies during the calendar year 2005 with adequate time for delivery and training of new voting systems.

4. Appendix B has been updated to reflect implementation timelines for the development of the Statewide Elections System (SEMS) that incorporates the statewide voter registry system and other elements as identified under Section 1.C and 1.H of this plan.

Attached please find a copy of the 2005 Mississippi HAVA Plan for your review and publication in the Federal Register. If you have any questions, please contact Jay Eads, Assistant Secretary of State for Elections, at (601) 359-9372.

Sincerely,

ERIC CLARK
Secretary of State

Enclosures (2)
JE:ce

Summary of Changes made to State of Mississippi's HAVA Compliance Plan

1. Changing the purchasing of voting machines from a statewide direct recording electronic device system to the option of a dual voting technology system of precinct optical mark scanners and disability accessible devices.

2. Reducing Elections Division staffing level by one full-time equivalent staff members as a result of state budgetary conditions.

3. Appendix A has been updated to reflect the procurement of voting technologies during calendar year 2005 with adequate time for delivery and training of new voting systems.

4. Appendix B has been updated to reflect implementation timelines for the development of the Statewide Elections Management System (SEMS) that incorporates the statewide voter registry system and other elements as identified under Section 1.C and 1.H of this plan.

5. On March 15, 2004 and July 12, 2004, the Secretary of State implemented administrative rules to conform Mississippi's affidavit balloting process to the HAVA provisional balloting process as specified under HAVA §402(a)(2). On April 14, 2004 and August 10, 2004, the Secretary adopted the final administrative rules after the thirty-day public comment period, respectively.

6. On July 12, 2004, the U.S. Department of Justice pre-cleared Mississippi Senate Bill 2857 (2004), Mississippi's Help America Vote Act Compliance Law. This state law provides authority to the Secretary of State (acting as the Chief Elections Official) to comply with the mandates of the Help America Vote Act of 2002 (P.L. 107-252).

7. On July 12, 2004, the Secretary of State adopted an emergency administrative rule to require all unverified voters as defined under HAVA §303(b) to present a valid form of identification prior to casting a regular election day ballot. On August 10, 2004, the Secretary of State adopted the final administrative rule after the thirty-day public comment period.

8. On October 10, 2004, the Secretary of State adopted an emergency administrative rule to require all absentee ballots cast by unverified voters as provisional ballots under HAVA §303(b) . On November 10, 2004, the Secretary of State adopted the final administrative rule after the thirty-day public comment period.

STATE OF MISSISSIPPI
PLAN FOR COMPLIANCE WITH THE HELP AMERICA VOTE ACT OF 2002

ERIC CLARK
SECRETARY OF STATE

ERIC CLARK

REVISED FEBRUARY 2005

Mississippi State Plan for HAVA Compliance

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PUBLIC COMMENT ON DRAFT STATE PLAN

A draft of the Mississippi State Plan for HAVA Compliance was released on June 25, 2003. A hard copy of the document was distributed to the following:

- Members of the Mississippi HAVA Advisory Committee
- Members of the Mississippi Statewide Voter Registry Advisory Committee
- Mississippi Circuit Clerks (82)
- Mississippi Election Commissioners (410)
- Mississippi County Supervisors (410)
- Members of the Mississippi Legislature (174)
- Citizens and interested parties who had signed up for HAVA updates

A press release was issued to all media in the state, directing reporters to a copy of the Plan available on the web site of the Secretary of State's Office. That site was included in media reports to the public about the posting.

Comments were received in the Secretary of State's Office until 5:00 p.m., Monday, July 28. Comments came by mail and e-mail. All comments were reviewed and considered in the finalization of Mississippi's Plan for HAVA Compliance.

A meeting of the Mississippi HAVA Advisory Committee took place on Friday, July 11. Members of the Committee discussed the various points of the Plan and ultimately supported the broad goals expressed therein.

The Secretary of State wishes to express his gratitude to the members of the Mississippi HAVA Advisory committee (listed on page 26 of this Plan) for their contributions to the construction of these ideas and their commitment to the continuing improvement of elections. He also wishes to thank those Mississippian who took the time to review and comment on the Plan.

STATE PLAN APPROACH

The Mississippi Secretary of State is the state's chief elections official. In that capacity, he is responsible for National Voter Registration Act coordination among state registrar agencies and distribution of NVRA registration forms. Under state law, the Secretary of State's Office certifies the annual training and qualifications of local election officials and party executive committee chairs to conduct primary and general elections. In addition, the Secretary of State is the candidate qualifying office for certain judicial offices and all independent candidates for state, state district and legislative district offices. The Secretary of State is a member of a three (3) person State Board of Election Commissioners which meets to certify certain candidates' eligibility for placement on general election ballots and to adopt an official sample ballot. Finally, the Secretary of State compiles certified local election returns and certifies election results for statewide, state district and legislative district offices.

Within the Secretary of State's Office, there is a permanent elections staff of thirteen (13) including an Assistant Secretary of State for Elections who can legally act for the Secretary.

Under state law, elections in Mississippi are very decentralized. In each county and municipality, local election commissioners conduct special and general elections and local party executive committees conduct primaries. Local governments are responsible financially for the full cost of these elections. Collaboration between the Secretary of State's Office and local election officials is essential to the conduct of successful elections. The State's elections community works cooperatively to serve local governments and Mississippi's approximately one million, eight hundred and two thousand (1,802,000) registered voters.

Since 2001, Mississippi has taken significant steps toward election reform through new programs that encourage voter participation, education, a centralized voter registration system, better reporting of election results such as residual vote counts and other legislative changes. Implementing these state legislative reforms and the Help America Vote Act of 2002 (HAVA) will require considerable effort and resources from both the Secretary of State's Office and the local election officials.

In developing the State Plan, the Secretary of State's Office formed a State Plan Committee, pursuant to HAVA §255. In bringing this group together, the Secretary of State relied on the cooperative effort of a variety of election officials and stakeholders to guide the themes and intent of the Plan. Particular attention was paid to accessibility issues, specifically for individuals with disabilities and alternative language groups. More general themes of authority, accountability, uniformity, and centralization emerged with additional discussion and feedback.

This State Plan is organized as specified in HAVA §254. Each section of this document corresponds to a subsection of §254 and addresses a State Plan requirement specified in HAVA. The Plan outlines program milestones to address large-scale system or procedural changes.

STATE PLAN REQUIRED ELEMENTS (HAVA §254)

1. Title III Requirements and Other Activities

How the State will use the requirements payment to meet the requirements of Title III, and, if applicable under section 251(b)(2), to carry out other activities to improve the administration of elections. -- HAVA §254 (a)(1)

1.A §301(a), Voting Systems Standards Requirements

Deadline for Compliance: January 1, 2006; no waiver permitted.

The State currently uses seven different polling place voting systems in its eighty-two (82) jurisdictions, including eight (8) lever systems, ten (10) punch card systems, one Opscan (combination OMR and punch card) system, eight (8) precinct optical mark reader systems, fifty-one (51) central optical mark reader systems, two (2) direct recording electronic (DRE) device systems and two (2) Shouptronic systems. Absentee balloting is done either by paper ballot or by the system in place for election day voting in the jurisdiction in question.

Assuming full federal funding of HAVA, Mississippi plans to use some fifteen ($15) million of its federally authorized thirty-four ($34) million to create a uniform voting device system throughout the state. This system will include the usage of direct recording election (DRE) voting devices for disabled voters and precinct optical mark readers (OMR) systems.

The advantages of a uniform statewide voting system are numerous and include the following:

- Training for and by election officials and voters will be easier and simpler due to devotion of resources to uniform technologies.
- The minimizing of voter confusion when moving from one local jurisdiction within the state to another as little or no change in voting technology will be encountered. Affidavit/Provisional and absentee balloting procedures, complicated by the use of different technologies across the state, will be simplified and consistent.
- Procurement at a state level of uniform technologies will allow the state to maximize the federal dollars it receives by ensuring bulk purchase discounts.
- Precinct optical mark readers systems will meet the HAVA requirements of second-chance voting and minimize confusion among all voters by minimizing the leap in technologies.

The State will adopt a funding formula to determine an equitable distribution of voting devices to each county. The formula will take into consideration factors including, but not limited to, the following:

- county population
- county voting age population (VAP)
- number of registered voters per county
- number of precincts per county
- geographic size of the county, in square miles
- voter turnout per county in the previous two (2) statewide (Gubernatorial) elections and the previous two (2) federal (Presidential) elections

The formula will result in the state's providing a sufficient number of voting devices to adequately serve each county's voters, regardless of the number of precincts in the county. The county will be charged with deciding how best to distribute the devices among its present or reduced number of precincts, as appropriate. If a county wishes to retain a number of precincts higher than suggested by the formula, the county may purchase additional voting devices at its own expense.

The state procurement of voting devices will be preceded by a Memorandum of Understanding (MOU) between the local governing authority and the Secretary of State. This MOU will specify that acceptance of the devices will constitute a commitment by the local governing authority to utilize the voting devices in all elections in the county; that changes in the technology (hardware or software) will require advance approval by the Secretary of State and any violation of these terms will result in repayment by the local government to the Secretary of State the cost of the devices. In this way, Mississippi will receive the best possible assurance that local governments will participate in creation of a uniform statewide voting system.

The state will embark on its procurement of a uniform statewide system of voting devices after a very thorough process of specification development, including extensive local government and stakeholder input, and a Request for Proposals (RFP) process. Specifications will include the following key components:

- All voting devices to be purchased will meet HAVA's §301(a)'s requirements.
- Voter verification of ballot changes will be required for the state's procurement.
- The voting system will be required to produce a record of each vote cast.
- Voting records will be available for any court ordered election recount under state law.
- The voting system to be purchased will be technologically sophisticated to provide maximum disability access, including the same opportunities for privacy and independence in voting provided to non-disabled voters.
- The voting system will be required to allow for multiple language ballots as presently required for nine Mississippi local jurisdictions under §203 of the Voting Rights Act of 1965.
- The ability to integrate future election reforms such as non-geographic voting that may come in the future.

- The DRE equipment to be purchased will be "fully loaded" and include all required disability accessibility technology, multi-language capabilities, installation, training and computation software and hardware required to give Mississippi counties a "turnkey" operation.

A scoring committee will review all voting device proposals and recommend a top choice to the Secretary of State and he will award a contract. Following the contract award, the state will begin implementation in 2005 (a municipal and not a state or federal election year) for roll out to the voters in the 2006 federal primary election. (A project procurement plan for the statewide uniform voting device system is attached hereto as Exhibit "A".)

Mississippi law does not now provide a standard for defining what constitutes a vote and what will be counted as a vote for DRE technology. At present, Mississippi has only two jurisdictions using DRE voting devices. In the 2005 session of the Mississippi Legislature the Secretary of State will seek successful passage of a law setting forth this required standard for DRE devices.

1.B §302, Provisional (or Affidavit) Voting and Voting Information Requirements
Deadline for Compliance: January 1, 2004; no waiver permitted.

HAVA addresses the process of provisional or affidavit voting to ensure that no individual who goes to the polls intending to cast a ballot is turned away without having the opportunity to do so. Long before passage of HAVA, Mississippi had enacted a system of affidavit balloting that complies with most of HAVA's requirements. In developing the State Plan, the State of Mississippi assessed its present affidavit ballot statute to determine those elements needing modification in order to fully comply with HAVA.

Currently, the State's affidavit voting laws allow a voter whose name does not appear on the precinct pollbook to cast an affidavit ballot, provided the voter completes a certification in which he or she affirms that he or she is entitled to vote or has been legally denied registration. In any election conducted under Mississippi state law, election officials must provide such voters with affidavit ballots.

The intent of the State's existing affidavit voting law - to reduce the number of individuals unable to participate on election day - is similar to the intent of HAVA §302. However, the new HAVA requirements differ in some respects from the State's procedure, so the Secretary of State has adopted rules conforming Mississippi's affidavit voting law to be consistent with HAVA's provisional voting and voting information requirements. At the same time, the State implemented the new federal affidavit ballot requirements for its 2004 federal election.[1] Through these modifications, the State provided a private "free

[1] Changes to the affidavit/provisional balloting procedure were adopted by administrative rule on March 15, 2004 (Affidavit/Provisional Ballot Envelope) and July 12, 2004 (Instructions for Affidavit/Provisional Voters). The U.S. Department of Justice pre-cleared the passage of the state HAVA compliance law (Senate

access" system for affidavit voters to learn about the status of their affidavit/provisional ballot and an informational sheet to affidavit voters about how to vote by affidavit and how to contact the free access system. Finally, the State complied for all state elections, with HAVA's §302 (b) requirements for the posting of information at each polling place on election day.[2]

HAVA §302 further requires that voters who vote under a court or other order during extended hours, after the normal close of a polling place, cast affidavit ballots. These ballots must be kept separate from other affidavit ballots. The State complied with this federal requirement in its 2004 federal election.

1.C §303, Computerized Statewide Voter Registration System Requirements and Requirements for Voters Who Register by Mail
Deadline for Compliance: January 1,2004; State can submit a certification stating "good cause" that will move the deadline for §303(a) compliance to January 1, 2006.

Currently, official State voter registration records are created and maintained at the local jurisdiction level. Local election officials update and separately maintain voter registration records for their jurisdiction, with all eighty-two (82) jurisdictions using customized systems.

As explained above, the State does not have a "single, uniform, official, centralized, interactive, computerized statewide voter registration list" required by HAVA. Moreover, information gathered and maintained on State voters does not uniformly include driver's license numbers or partial social security numbers, as required by HAVA.

However, in 2002, Mississippi anticipated the federal mandate in this regard and passed legislation authorizing creation of a HAVA-compliant statewide voter registry system. The implementation of the system has awaited receipt of federal funds. This legislation creates an advisory committee of interested stakeholders that has been appointed and is working with the Secretary of State on implementation (the project plan for procurement of the statewide voter registration system is attached hereto as Exhibit B).

As outlined in the project plan, the State has already begun the steps to procure a centralized voter registration system through an RFP process. The development of specifications is proceeding with the input of both local government officials and other stakeholders. A scoring committee will review all responses to the RFP and will identify the top scoring vendors based on their technical responses and costs. These vendors will be required to participate in a presentation/interview process that will also be scored and

Bill No. 2857 passed during the 2004 Legislative Session. The compliance law grants administrative rule making authority for the Secretary of State to promulgate rules and regulations necessary to effectuate the provisions of the Help America Vote Act of 2002 in this state.

[2] On July 12, 2004, the Secretary of State adopted by administrative rule the "Mississippi Voter Information Poster." This poster includes all of the HAVA required information as listed under Section 302(b).

added to their proposal score. A recommendation will then be made to the Secretary of State as to the highest scorer and he will award a contract. Following the contract award, the state will begin implementation in 2005. Mississippi is on track in meeting project plan deadlines and if HAVA is fully funded, will be in a position to procure and implement the system on time.

Mississippi's current state mail-in voter registration process differs from HAVA requirements. The mail-in voter registration form requires redesign to accommodate information required by HAVA. These revisions to the NVRA and state mail-in voter registration applications have been made, along with the minor changes needed on the state's non-mail in application to capture driver's license or social security numbers.[3] Also, the voter registration and polling place voter qualification processes will be modified to allow for the verification of identification provided by first-time voters who register by mail.

At present, local voter registrars have begun to identify post January 1, 2003, mail-in, first-time voters and are providing the information to the Secretary of State. Prior to the federal primary election in March, 2004, the Secretary of State's Office has will have in place an electronic link to the state Department of Public Safety (Mississippi's driver's license bureau) for record matching purposes. Those first-time voting, mail-in registrants whose identifying information does not match the state DPS record will be required to provide one of the HAVA-specified forms of identification when they vote in the 2004 federal election.

1.D §304, Minimum Requirements

The State understands that the requirements laid out in HAVA Title III are minimum requirements, and that the State may establish election technology and administration requirements that are more stringent. Any more stringent requirements that the State imposes will comply with all Title III requirements, as well as the laws described in HAVA §906.

[3] The Secretary of State has adopted by administrative rule on July 12, 2004, voter registration forms that meet HAVA requirements. Currently, the state is awaiting approval from the Department of Justice as required under Section 5 of the Voting Rights Act of 1965.

1.E §305, Methods of Implementation Left to Discretion of State

The State chose various means to comply with the requirements of HAVA Title III. Specific details on the implementation methodology chosen can be found in Sections 1.A through 1.C of this State Plan.

1.F §311, Adoption of Voluntary Guidance by Commission

Once the federal Election Assistance Commission (EAC) has issued its voluntary recommendations with respect to Title III, the State will consider that guidance in updating the State Plan. The State will incorporate those recommendations deemed appropriate into subsequent amended versions of the State Plan.

1.G §312, Process for Adoption

The State will stay aware of the progress of the EAC on developing the Title III recommendations. If appropriate, the State will provide feedback during the public comment period after the recommendations are published in the Federal Register and participate in public hearings regarding the recommendations.

1.H §251(b) (2), Other Activities

The State currently does not have the personnel and technical capacity required to fully achieve HAVA compliance. Ongoing operations and maintenance of the new capabilities required by HAVA cannot be supported with the current state and local elections technical infrastructure and resources. The State proposes to establish a solid foundation to build and sustain the people, processes, and technology necessary to maintain the new capabilities. The following activities are thus proposed to improve the election system:

- Conduct an assessment of the current technical infrastructure and establish a strategy to standardize technical infrastructure;
- Conduct process redesign;
- Research the possibility of integration of key election management systems;
- Continue expanding polling place accessibility; and
- Document job descriptions and staff positions with resources qualified to conduct election reform activities.

2. Mississippi's Distribution of Requirements Payment

How the State will distribute and monitor the distribution of the requirements payment to units of local government or other entities in the State for carrying out the activities described in paragraph (1), including a description of --

(A) the criteria to be used to determine the eligibility of such units or entities for receiving the payment; and

(B) the methods to be used by the State to monitor the performance of the units or entities to whom the payment is distributed, consistent with the performance goals and measures adopted under paragraph (8). -- HAVA §254 (a)(2)

2.A, Eligibility of local units to receive the payment

The State of Mississippi, through its state chief elections official, the Secretary of State, will centrally manage initiatives funded by requirements payments. The funding formula to be developed for voting device distribution is described in section 1.A above. Distribution of State (centrally) purchased statewide voter registration hardware and software will be nearly identical in each registrar office in all eighty-two counties. Difference in current technology in those offices may necessitate some difference in installation, but the end product will be identical in each office.

The Secretary of State will be responsible to account for all expenditures, funding levels, program controls, and outcomes.

2.B, Performance measures for local units

Funds will be centrally managed as described in Section 2.A, and the Secretary of State will monitor the initiatives for which those funds are authorized.

The Secretary of State will monitor the performance of each initiative that is funded by requirements payments in three areas: financial controls, compliance with standards and program results.

Financial Controls: The Secretary of State will develop and use standard financial reporting for all initiatives funded by requirements payments.

Compliance with Standards: The Secretary of State will develop and use standard program management reporting for all initiatives that are funded by requirements payments.

Program Results: The Secretary of State will develop key performance indicators (KPI) for each initiative funded by requirements payments. See Section 8 of this document for specific performance goals and measures.

3. Voter Education, Election Official Education and Training, and Poll Worker Training

How the State will provide for programs for voter education, election official education and training, and poll worker training which will assist the State in meeting the requirements of Title III. -- HAVA §254 (a)(3)

3.1, Voter Education

State-level voter education in Mississippi is limited and not standardized. Information is made available by request, or voters may get information on elections from the Secretary of State's Office's web site (www.sos.state.ms.us). Most voter education is developed and takes place on the local level, through county and municipal clerks and election commissioners, political parties, and local media outlets.

The Secretary of State's Office, with the assistance of local election officials and representatives of advocacy and interest groups, will develop a comprehensive, statewide voter outreach program. The primary goal of the program will be to increase voter turnout. Voter turnout in Mississippi has stayed below fifty percent (50%) of registered voters for several elections. The Secretary of State's Office will measure turnout as a long-term indicator of the success of voter education programs it develops and implements.

The issues that should be covered in the comprehensive voter education program include the following:

- Rights of voters (including an emphasis on voters with disabilities)
- Second-chance voting
- Federal voter identification requirements
- Military and Overseas voters programs
- Dates of elections and applicable qualification deadlines
- Voter registration deadlines
- Change of address/name requirements for voters
- Use of voting technology
- Absentee voting procedures
- Affidavit balloting procedures
- Uses and availability of sample ballots
- Primary elections vs. general elections
- How to locate your polling place

The voter outreach program will reach the largest number of potential voters through the use of multiple channels, including mass media. Dissemination of voter information will take place by the following methods:

- Print media
  i. wider distribution of the "Voter Information Guide."

ii. development of standard voter information posters for polling places.
iii. development of voter education materials in alternative languages, including Braille.
iv. development of standard advertisements for local print outlets.
v. cooperation with local print media to highlight voter education prior to election day.

- TV and Radio
  i. development of PSA's to be run on local channels.
  ii. development of a statewide "speaker's bureau" for appearances on local shows.
- Internet
  i. ongoing development of resources on the Secretary of State's Office's web site.
  ii. development of voter information content and specifications to be used as guides for county and municipal level web sites.
  iii. use of the Internet to disseminate voter information through list serves.
- Personal Contact
  i. development of a statewide speaker's bureau on election issues.
  ii. coordination with state civic organizations, to include voter education in annual conferences.
- Telephone
  i. use of the Secretary of State's Office's "Elections Hotline" (1-800 number) as an ongoing source of election information.
  ii. installation and use of toll-free numbers on the county-level as a new source of election information, including affidavit balloting results.

While the intent of the voter outreach program will be to educate all Mississippians, certain demographic groups will be targeted because of special needs and/or traditionally low turnout. Those groups would include:

- Persons with disabilities
- Alternative language populations
- 18-30 year olds
- Persons new to Mississippi

All agencies charged with any election duties, including NVRA registration agencies, will be required to participate in voter outreach programs.

3.1 Election Official Education and Training

The Secretary of State's Office will enhance the current election officials training program to include all HAVA-related activities. Moreover, the current training requirement will be expanded to make certification a more formal process.

The training materials and programs will include (but not be limited to) the following topics:

- Federal and state law and rule changes
- Reporting requirements
- Overseas and military voting
- Recruiting and training of poll workers
- Working with voting technology
- Working with voter registration technology
- Election day procedures
- Absentee balloting; affidavit/provisional balloting
- Working with persons with disabilities (including accessibility requirements)
- Working with alternative language populations
- Identification requirements for first-time, mail-in registrants
- Other items as deemed useful by the Secretary of State's Office and assisting local officials.

First-time, newly-elected county Election Commissioners will be required to attend ten (10) hours of training in the calendar year immediately following their election. Training will be developed by the Secretary of State's Office, in conjunction with local election officials. An official will be certified only after attending the ten (10) hours of training and successfully completing a skills assessment inventory. After meeting the first year's requirements, Election Commissioners will be required to attend five (5) hours of training per calendar year and successfully complete a skills assessment inventory to maintain their certification.

First-time, newly-elected county Circuit Clerks will be encouraged to attend a ten (10) hour training session following their election. All clerks will be encouraged to attend Election Commissioner training to stay abreast of federal and state election law changes.

Executives with each of the state party organizations will be invited to attend the same training as county Election Commissioners and Circuit Clerks. The Secretary of State's Office will work with the parties to ensure that training materials are available for their use in training their executive committee members.

Municipal Clerks and Municipal Election Commissioners will be required to attend a special five (5) hour training session offered within six (6) months prior to the municipal political primaries.

The Secretary of State's Office will produce a quarterly "Eye on Elections" newsletter for all of the officials mentioned above, to keep them aware of changes in federal and state election law and rules.

3.2 Poll Worker Training

Currently, poll worker training is handled on the local level, primarily using locally developed training materials. The Secretary of State's Office will work with local election officials to develop a single, comprehensive poll worker training program. Training materials and methods of instruction will be made available to municipal and county clerks and party executive committees. All poll workers will be required to attend training and successfully complete a skills assessment inventory prior to their being certified to work the election for which they have been hired. Certification results from each jurisdiction will be submitted to the Secretary of State's Office.

The training materials and programs will include (but not be limited to) the following topics:

- Working with voting technology
- Questions/issues of tabulation
- Second-chance voting
- Voter identification requirements for first-time, mail-in registrants
- Handling affidavit ballots
- Poll watching
- Working with persons with disabilities
- Working with alternative language populations
- Other items as deemed useful by the Secretary of State's Office and assisting local officials.

The Secretary of State's Office will supervise poll worker training and monitor its conduct to be certain that consistent poll worker training occurs statewide.

A "Mississippi Poll Manager Guide" will be developed to serve as an on-site resource for poll workers on election day. Additionally, the State developed a poll manager worker training video and other training presentations for use by local election officials.

Through functionality included in the statewide voter registration system, the Secretary of State's Office will maintain a list of poll workers, through the input of local election officials and party executive committees. The poll workers will also receive the "Eye on Elections" newsletter mentioned above, to stay informed of changes in federal and state election law.

The Secretary of State's Office will work with municipal and county election officials, civic groups, secondary schools, colleges and universities, and media outlets to recruit poll workers.

4. Voting System Guidelines and Processes

How the State will adopt voting system guidelines and processes that are consistent with the requirements of section 301. -- HAVA §254 (a)(4)

As outlined in our response to section 301(a), the State is moving ahead with plans to procure a uniform voting system by January 1, 2006. The Request For Proposals that will be written and released to procure this system will be consistent with HAVA's §301 requirements and the Secretary of State will seek passage of a law to set forth required voting system standards for DRE devices.

Ongoing with the implementation of a uniform voting system, the State will publicize the rights and responsibilities of voters regarding their votes (i.e., casting multiple votes for a single-vote election). The State will also continue to work with local election officials to document their accounting of all ballots and votes, and their treatment of affidavit/provisional ballots and ballots with possible errors (resolution board ballots).

Persons with disabilities and alternative language populations will be educated (informed) of their rights, and to keep state and local election officials mindful of those groups in planning elections.

The Secretary of State's Office will continue to collect data from local election officials regarding residual votes to determine error rates per county and for the entire State. This data will be collected for every federal and state election, in anticipation of the minimum acceptable error rate to be established by the FEC.

5. Mississippi's HAVA Fund Management

How the State will establish a fund described in subsection (b) for purposes of administering the State's activities under this part, including information on fund management. -- HAVA §254 (a)(5)

Working with the State Department of Finance and Administration, the Secretary of State has established a HAVA Election Fund, #3115, which is separate and distinct from all other programs and funds within the agency. This fund will contain both federal and matching state general funds. The federal fund portion will be used to maintain federal fund receipts and to expend federal funds. The general fund portion will be used to budget and expend general funds representing the five percent (5%) match required under HAVA. The Secretary of State has requested and received approval for state matching funds from the State legislature for state fiscal year 2004 and 2005 that will meet the five percent (5%) match requirement. The Secretary of State has requested and anticipates approval for state matching funds from the state legislature for state fiscal year 2006, assuming the full funding of HAVA by Congress.

The Secretary of State and Department of Finance and Administration will work with the State Department of Audit and the State Treasurer to follow and enforce all mandated fiscal controls and policies.

6. Mississippi's HAVA Budget

The State's proposed budget for activities under this part, based on the State's best estimates of the costs of such activities and the amount of funds to be made available.

A) the costs of the activities required to be carried out to meet the requirements of title III;

B) the portion of the requirements payment which will be used to carry out activities to meet such requirements; and

C) the portion of the requirements payment which will be used to carry out other activities.

-- HAVA §254 (a)(6)

At the time of the writing of this Plan, HAVA appropriations were significantly less than amounts authorized. The state's budget assumes full funding of HAVA by Congress according to amounts authorized for appropriation. If full funding is not forthcoming, Mississippi will amend its plan in subsequent years as necessary to accommodate these changes.

Based on these funding levels, the State HAVA budget is representative of the activities required to implement and conduct operations and maintenance through calendar year 2005 for the HAVA Title III requirements and other activities. The budget will be revised over time based on the most current information available regarding federal funding.

Federal Funding Assumptions for Mississippi

Description	Federal Authorized Payment	State Match Payment (actual and anticipated	Total Authorized Amounts (all sources)
Early Payments	$5.460 Million		$5.460 Million
Title III Payment 2003	$13.283 Million	$750,000	$14.033 Million
Title III Payment 2004	$9.488 Million	$500,000	$9.988 Million
Title III Payment 2005	$5.693 Million	$300,000	$5.993 Million
TOTALS	**$33.924 Million**	**$1.550 Million**	**$35.474 Million**

Based on Mississippi percent of national VAP of .009488%

The State of Mississippi estimates it will spend:

- approximately ten ($10) million on the SWVR system/election management system.
- approximately fifteen ($15) million on the procurement of a statewide uniform DRE voting system
- approximately nine point two ($9.2) million on other federal compliance efforts, including, but not limited to, voter, poll worker and local elections official training and state administrative costs of HAVA implementation.

The duration for the State's budget is based on HAVA deadlines and funding. The State is concerned, however, that beyond the three years of federal funding, the ongoing costs of operating and maintaining the new voting systems and statewide voter registration system will be considerably higher than the State's maintenance of effort level (see Section 7 of the State Plan). The operation and maintenance of the new systems will be the financial burden of the State when HAVA funding is no longer available.

7. Maintenance of Effort

How the State, in using the requirements payment, will maintain the expenditures of the State for activities funded by the payment at a level that is not less than the level of such expenditures maintained by the State for the fiscal year ending prior to November 2000. -- HAVA §254 (a)(7)

The largest single appropriation for elections in Mississippi is the funding of the Secretary of State's Office. That appropriation for fiscal year 2000 (ending June 30, 2000) was $8,093,200. Of that amount, $789,952 was directed to elections activities. The Mississippi Legislature is aware of the expenditure maintenance requirement of HAVA, and the Secretary of State's Office anticipates full funding on a yearly basis.

The larger portion of the funds appropriated on a yearly basis in Mississippi are on the county level. Mississippi's eighty-two (82) local election office budgets typically support year-round staff and operating expenses for continuous functions such as voter registration, information services, and information technology support. In addition, local governments bear the largest cost increases associated with each specific election – poll workers, temporary office staff, mass mailings, election material production and procurement, polling place rental, and election day support (including personnel, equipment, and supplies). While county funds may be allocated within the budget specifically for elections, many costs may be "in-kind" assistance from other county agencies.

All local governments that receive the benefit of HAVA funding, through equipment, services, or grants, as a part of the Memorandum of Understanding will agree to maintain local funding at the level determined. Exceptions will be made for expenditures that are replaced by materials provided by the State (ex. – a county should not be expected to appropriate money for a voter registration system lease, when a new system will be provided by the State).

8. HAVA Performance Goals and Measures

How the State will adopt performance goals and measures that will be used by the State to determine its success and the success of units of local government in the State in carrying out the plan, including timetables for meeting each of the elements of the plan, descriptions of the criteria the State will use to measure performance and the process used to develop such criteria, and a description of which official is to be held responsible for ensuring that each performance goal is met. -- HAVA §254 (a)(8)

The basic elements of HAVA that require performance monitoring are listed below, along with the official(s) responsible and the timeline.

GOAL	OFFICIAL RESPONSIBLE	TIMETABLE
Voting System Standards, §301	Chief Election Official and staff County Supervisors Local Election Officials	To be implemented by January 1, 2006 (with waiver)
Provisional (or Affidavit) Voting, §302	Chief Election Official and staff Local Election Officials	Implemented by administrative rules (March 15, 2004 and July 12, 2004)
Voter Registration System, §303(a)	Chief Election Official and staff SWVR Advisory Committee County Supervisors Local Election Officials Dept. of Public Safety Dept. of Health Admin. Office of Courts	To be implemented by January 1, 2006 (with waiver)
Voter Registration System, §303 (b)	Chief Election Official and staff Local Election Officials Dept. of Public Safety	To be implemented by January 1, 2004
Education and Training, §254 (a)(3)	Chief Election Official and staff Local Election Officials	Ongoing
Budget and Fiscal Controls, §254 (a)(2, 6, 7, 10)	Chief Election Official and staff Department of Audit Treasurer's Office County Supervisors	Ongoing
Complaint Procedure, §254 (a)(9), and 402	Chief Election Official and staff	Ongoing
Expansion of polling place accessibility, §261	Chief Election Official and staff County Supervisors Disability Advocacy Groups	Ongoing

Military and Overseas Voting, Title 7	Chief Election Official and staff Voting Assistance Officers Local Election Officials	Ongoing
Maintenance of Effort, §253 (a)(7)	Chief Election Official and staff Legislative Budget Office County Supervisors	Ongoing
Alternative Language Accessibility, §301 (a)(4)	Chief Election Official and staff Designated Alternative Language Groups Local Election Officials	Ongoing

Criteria to determine the success of implementation will focus on timeliness of completion and ease of installation of the product or program. More specific criteria will be developed for each particular project. The Secretary of State will work with the official(s) responsible for implementation and other stakeholders will develop criteria for success.

Each entity or official involved in the implementation of HAVA elements will have individual performance goals to meet. The ability of participants to successfully meet those goals will be reported annually to the state chief election official, the Mississippi Legislature, county supervisors, local election officials, the public, and the media.

9. State-Based Administrative Complaint Procedures

A description of the uniform, nondiscriminatory State-based administrative complaint procedures in effect under section 402. -- HAVA §254 (a)(9) Deadline for Compliance: Prior to certification of State Plan, but no later than January 1, 2004; no waiver permitted.

The Secretary of State has developed and proposed an administrative rule creating an administrative complaint procedure that meets HAVA requirements. Before the adoption of the procedures, State election laws contained no provision for the processing of election complaints at the administrative level. Informal complaint handling by state and local authorities by telephone or e-mail has existed for many years, with state law providing for judicial remedies where parties were dissatisfied with results. Formal complaints will now follow the procedures to be adopted by the Secretary of State and codified as Mississippi administrative rules and regulations.

Mississippi's administrative complaints procedure will be uniform and nondiscriminatory.[4] It will allow any person who believes there is a HAVA Title III violation (including a violation which has occurred, is occurring or is about to occur) to file a written complaint with the Secretary of State's Office. The complaint must be

[4] The Secretary of State adopted a HAVA-compliant administrative compliant procedure on May 14, 2004.

notarized, signed and sworn to by the complainant. The Secretary of State may consolidate complaints filed under the state's administrative complaint procedure.

At the complainant's request, there will be a hearing on the record regarding the complaint. The Secretary of State will provide an appropriate remedy if he finds any Title III violation exists. If the Secretary of State finds no such violation exists, the complaint will be dismissed and notification will be sent to the complainant accordingly.

The Secretary of State will make a final determination regarding each complainant prior to ninety (90) days after receipt of the complaint unless the complainant agrees to an extension of the ninety-day period. If the Secretary fails to meet the ninety-day deadline, the complaint will be referred for alternative dispute resolution to an arbitrator. Any record compiled by the Secretary of State during his review of the complaint will be provided to the arbitrator.

10. Effect of Title I Payments

If the State received any payment under Title I, a description of how such payment will affect the activities proposed to be carried out under the plan, including the amount of funds available for such activities. -- HAVA §254 (a)(10)

The State of Mississippi received $5.4 Million dollars in Title I payments. These funds will be spent pursuant to Sections 101 and 102, as a part of the State's centralized procurement of a statewide voting system. As a part of this procurement, the State will replace all of its punch card and lever voting machines and replace them with HAVA-compliant voting devices. This process will be completed by January 1, 2006, with the HAVA waiver of the January 1, 2004, deadline.

11. Mississippi's HAVA State Plan Management

How the State will conduct ongoing management of the plan, except that the State may not make any material change in the administration of the plan unless the change.

(A) is developed and published in the Federal Register in accordance with section 255 in the same manner as the State Plan;

(B) *is subject to public notice and comment in accordance with section 256 in the same manner as the State Plan; and*

(C) *takes effect only after the expiration of the 30-day period which begins on the date the change is published in the Federal Register in accordance with subparagraph (A).*

-- HAVA §254 (a)(11)

The State intends to use the State Plan as the foundation for its future strategic direction. Consequently, sound and responsible management of the State Plan will be an essential component of the State election community's future success.

Due to the complexity of HAVA and the potential variety of projects it encompasses, the Secretary of State's Office reorganized duties among existing staff and engaged in extensive training. The Elections Division will conduct ongoing management of the State Plan, including project planning (for all HAVA-related and other election reform projects) and establishing and implementing program management standards (i.e. performance measures, review and approval processes, issue/risk management, etc.). The Elections Division will also be responsible for other election functions, including: budget and fiscal, personnel, and office support functions. These include Americans with Disabilities Act, National Voter Registration Act, and Voting Rights Act oversight as they relate to the state's compliance responsibilities.

The State understands and agrees to comply with HAVA requirements related to ongoing management of the State Plan. More specifically, the State agrees that it may not make any material change in the administration of the State Plan unless the change:

(A) is developed and published in the Federal Register in accordance with HAVA §255 in the same manner as the State Plan;

(B) is subject to public notice and comment in accordance with HAVA §256 in the same manner as the State Plan; and

(C) takes effect only after the expiration of the thirty (30) day period which begins on the date the change is published in the Federal Register in accordance with subparagraph (A).

12. Changes to State Plan from Previous Fiscal Year

In the case of a State with a State Plan in effect under this subtitle during the previous fiscal year, a description of how the plan reflects changes from the State Plan for the previous fiscal year and of how the State succeeded in carrying out the State Plan for such previous fiscal year. -- HAVA §254 (a) (12)

This FY 2003 Plan is the State's inaugural Plan under HAVA. This section will be updated in the FY 2004 Plan, reflecting changes to the Plan, as well as a summary of 2003 successes.

No changes were made to the state's plan in FY 2004 in anticipation of Congressional appropriations for the full funding of second year authorization; however, a number of significant changes were made in FY 2005, including:

1. Changing the purchasing of voting machines from a statewide direct recording electronic (DRE) devices system to a dual voting technology system.

2. Reducing Elections Division staffing level by one full-time equivalent staff members as a result of state budgetary conditions.

3. Appendix A has been updated to reflect the procurement of voting technologies during calendar year 2005 with adequate time for delivery and training of new voting systems.

4. Appendix B has been updated to reflect implementation timelines for the development of the Statewide Elections Management System (SEMS) with incorporates the statewide voter registry system and other elements as identified under Section 1.C and 1.H of this plan.

13. State Plan Development and Committee

A description of the committee which participated in the development of the State Plan in accordance with section 255 and the procedures followed by the committee under such section 255 and section 256.

-- HAVA §254 (a)(13)

The State's committee consists of individuals representing a cross-section of election stakeholders. The State Plan Committee was selected by the state chief election official, Eric Clark, Secretary of State.

Members of the State Plan Committee, and the primary qualification of each for being a committee member, are as follows:

Eric Clark, Secretary of State, Mississippi's chief election official;
Dora Blakeney, Smith County Election Commissioner;
Michael Boyd, Policy and Planning Director, Office of the Governor;
Senator Hob Bryan, State Senator;
Eugene Bryant, President, Mississippi NAACP;
Bill Chandler, Mississippi Immigrants Rights Alliance;
Gary Dearman, Greene County Supervisor;
Barbara Dunn, Circuit Clerk, Hinds County (chief election official of largest local jurisdiction);
James Dunn, Tunica County Supervisor;
Johnny Dupree, Mayor, City of Hattiesburg;
Rebecca Floyd, Mississippi Protection and Advocacy Systems;
Senator Hillman Frazier, State Senator;
Jim Fraiser, Legal Counsel, Mississippi Band of Choctaw Indians;
Earline Hart, President, Mississippi Circuit Clerks Association;
Representative Roger Ishee, State House of Representatives;
Fran Leber, League of Women Voters;
Dora McKenzie, Clarke County Election Commissioner;
Arlelia Moreland, Washington County Election Commissioner;
Larry Otis, Mayor, City of Tupelo;
Gayle Parker, Circuit Clerk, Harrison County (chief election official of second largest local jurisdiction);
Marsha Peters, City of Lucedale, Municipal Election Commissioner;
Representative Tommy Reynolds, State House of Representatives;
Jimmy Smith, Lauderdale County Supervisor;
Larry Swales, Rankin County Supervisor;
Dale Thompson, Circuit Clerk, Desoto County;
Mary Troupe, Council on Citizens with Disability; and
Tommy Walman, Mayor, City of McComb.

In creating the State Plan, the State Plan Committee worked with the Stennis Institute of Government at Mississippi State University, which assisted the Secretary of State in conducting four public meetings concerning plan development. Documents from those meetings may be found in Appendix C.

Mississippi State Plan for HAVA Compliance

APPENDIX A

Appendix A

EXHIBIT A
Mississippi Secretary of State's Office
Voting Systems Procurement Project

Over the past two years, SOS has been in contact with multiple voting machine vendors, held voting machine vendor fairs for local elections officials and created a voting machine vendor database. Of course, a lot has changed in the past year with the release of reports that questioned the security of electronic voting machine and modifications that have been made by vendors to address the shortcomings that were uncovered in those reports.

Over the past several months, SOS staff has been compiling and reviewing RFPs from other states, reviewing current voting machine standards and researching groups like the Voting System Performance Rating, in an effort to develop a RFP document to meet the voting machine requirements for Mississippi. The RFP will include the voting systems, installation, training, support and interfacing with the Statewide Elections Management System (SEMS).

The following timeline was established in order to provide additional information on the procurement process and installation of voting machine in Mississippi.

Date	Description	Participants
On-going	Research information on voting machines	SOS Staff
1/21 - 2/15	Develop draft RFP	SOS Staff
2/1	Submit CP-28 to ITS	SOS Staff
2/15 - 2/25	Review and edit draft	SOS Staff
3/1	Release draft to ITS and VM Focus Group	SOS Staff
3/1-3/25	Work on final RFP	ITS/SOS Staff
3/7 - 3/11	Vendor demos	SOS Staff
3/28	Release RFP to vendors	ITS Staff
4/29	Proposals due from vendors	Vendors
5/2 - 5/13	Review and scoring of proposals	SOS/ITS Staff
5/16 - 5/20	Oral Presentations from finalists	Vendors SOS/ITS Staff VM Focus Group
5/31	Announcement of winning vendor	SOS/ITS Staff
6/1 - 6/30	Contract negotiations and signing	SOS/ITS Staff and winning vendor
7/1	Order equipment	Project Team
7/6	Project Kick-Off	Project Team

Mississippi State Plan for HAVA Compliance

APPENDIX B

EXHIBIT B
Mississippi Secretary of State's Office
Statewide Voter Registry System Procurement Project

Project Milestone	Due Dates
Phase 1 – Stage 1: Planning, Prototyping, and Design Establish detailed project management plan and work plan, including a detailed Microsoft Project 2000 schedule for all phases of the project. A copy of the project plan must be made available for MSOS's Office to monitor. Prepare detailed business and technical requirements Prepare data conversion and migration plan Prepare system prototypes Prepare internal test plan Prepare network design documentation Prepare detailed software design documentation Prepare detailed GAP analysis for voter registration and election management systems Document proposed MSOS Help Desk procedures and processes Prepare complete State and County hardware configuration with pricing Design data matching with DPS and other agencies Design integration with NVRA agencies	Dec 04 - Feb 05
PHASE 2: Stage 2: Software Modification, Development, and Pilot Selection Install Data Center Hardware, Software Install pilot County Hardware, Software Modify software to meet Mississippi's detailed business and technical requirements as documented and approved in Phase 1. Carry out internal testing and deliver test documentation results Configuration and testing of Network with the State Data conversion and migration Plans Complete trial data exchanges with DPS, Mississippi Department of Health, and Administrative Office of the Courts Completed testing of interfaces with NVRA agencies. Select and provide orientation for 10 – 15 pilot counties for "standalone" operation Develop a user acceptance test plan	Mar - May 05
Stage 3: User Acceptance Testing Install remaining County Hardware, Software Administer User Acceptance Testing	May - July 05

Develop and Deliver User Training Plan Implement Help Desk software for utilization during UAT and train SOS staff	
Stage 4: Conversions and Implementations in Pilot Counties Install hardware and establish data network connectivity among pilot counties and MSOS Implement systems in 10 – 15 pilot counties; provide training and full support Carry out database conversions and migration in pilot counties Provide Initial System Documentation for the Pilot Counties Record results; modify software; prepare final version for acceptance testing Provide support for local elections Perform Final User Acceptance Testing	July - Sep 05
Stage 5: Final Rollout and Implementation Establish data network connectivity among remaining counties and MSOS Provide user Training (for the rest of the State) Deliver System Documentation Configure MSOS Help Desk and train Users Implement systems in remaining counties; provide training and full support Carry out database conversions and migration in remaining counties Establish full network connections and identity verification with DPS Establish comparison checking with MSDH and AOC	Sep 05 - Mar 06
Stage 6: Final Documentation and Transition to Maintenance and Support Deliver final, revised sets of System and Technical Documentation Deliver final, revised sets of User Manuals and Documentation, including updated context-sensitive help menus and screens resident on Mississippi's servers and client workstations. Assist in final configuration of MSOS Help Desk Environment Provide support to local election officials for June and November 2006 elections.	Dec 05 - Mar 06

Mississippi State Plan for HAVA Compliance

APPENDIX C

Appendix C

Public Meetings on the "Help America Vote Act"

Purpose

In generating Mississippi's response to the recently enacted federal Ney-Dodd-Hoyer-McConnell "Help America Vote Act of 2002" (HAVA), the Secretary of State, as the state's chief election official, is actively seeking public input on election-related issues. Sponsored by the HAVA State Plan Advisory Committee and moderated by the John C. Stennis Institute of Government, these meetings are designed to educate the public on the specific requirements of HAVA and to receive input on how these requirements may be implemented best at the state and local levels.

Agenda

Overview of HAVA Legislation
Overview of Required State Plan Elements
Moderated Discussion of Local Issues Relating to HAVA Implementation

Meeting Dates and Locations*

Tuesday, April 15, 2003 ..... **Congressional District 1**
4 p.m. – 6 p.m.
Yerby Center Auditorium
University of Mississippi, Oxford

Thursday, April 17, 2003 ..... **Congressional District 2**
4 p.m. – 6 p.m.
Fine Arts Building
Holmes Community College – Goodman Campus, Goodman

Tuesday, April 22, 2003 ..... **Congressional District 4**
4 p.m. – 6 p.m.
Polymer Science Building Auditorium
University of Southern Mississippi, Hattiesburg

Thursday, April 24, 2003 ..... **Congressional District 3**
4 p.m. – 6 p.m.
George Wynne Building, Lecture Hall
Hinds Community College – Rankin County Campus, Pearl

Accommodations will be provided for the sight- and hearing-impaired.

Information on meeting dates, locations, and times will be made available through a wide range of formats to the public, county and municipal election personnel, and local leaders. To be added to a public, moderated e-mail list for HAVA-related announcements, please send a short e-mail to hava@sig.msstate.edu with your name and e-mail address.

SUMMARY OF "THE HELP AMERICA VOTE ACT" OF 2002

In response to the controversial 2000 Presidential Election, Congress passed "The Help America Vote Act of 2002," known as HAVA. This significant piece of national election reform affects nearly every facet of elections in the United States. Congress also recommended appropriating more than $3.6 billion dollars to fund the reforms mandated in HAVA.

This document contains a section-by-section summary of HAVA, with notes in some areas about the status of those items in Mississippi. The second section contains additional information about some of the more significant elements of HAVA.

Section-By-Section Summary

TITLE I – Payments to States Election Administration Improvement and Replacement of Punch Card and Lever Voting Machines.

- $325 million dollars is authorized nationally to buy-out punch card and lever machines. States that apply for this program must complete the device replacement by the 2004 General Election, or apply for a waiver. The waiver gives states until January 1, 2006 to complete the replacement. The State may receive approximately $4000 per qualifying precinct under this program (the amount of the appropriation, and the number of states electing to participate in the program, may change this amount)

  Mississippi has approximately 550 precincts that used punch card or lever machines during the 2000 Presidential Election, which would qualify for this program.
- $325 million dollars is authorized nationally for states to improve the administration of elections.

  Mississippi may use its share of these funds to improve elections in the state, so long as those activities are not inconsistent with HAVA or other relevant Federal laws.

TITLE II – Election Assistance Commission

- A new Federal Commission is established, consisting of 2 Republican and 2 Democratic appointees.
- The Commission has no rulemaking authority, but will issue voluntary guidelines for voting systems and other HAVA requirements.
- The Commission will provide for the certification and testing of voting systems, will study election issues, and will administer grant programs in the following areas: Requirements Payments, Disability Access grants, Voting Technology Research grants, Pilot Program grants, Protection and Advocacy Systems Payments, and the National Student/Parent Mock Election.
- Each state must be represented by a state election official and a local election official, of different political parties, on the Election Assistance Commission Standards Board, which will be involved with review of voting systems and the establishment of voluntary guidelines.

  Mississippi's representatives on the EAC Standards Board are Secretary of State Eric Clark (D) and Hinds County Election Commissioner Marilyn Avery (R).
- Apart from the funds authorized under Title I, the following funds have been authorized for distribution to the states by the EAC
  - Fiscal Year 2003 -- $1.4 billion
  - Fiscal Year 2004 -- $1 billion
  - Fiscal Year 2005 -- $600 million

The amount authorized and the amount appropriated may not be the same. For FY 2003, the amount authorized was $1.4 billion, but Congress only appropriated $800 million. It is unclear if the difference will be made up in supplemental appropriations.

- States may be eligible for the Requirements Payment only after submitting a State Plan, which must include the following:
  1. How the requirements payment will be used.
  2. How the state will distribute the benefits of the funding to other entities within the state.
  3. How the state will provide for voter education and election official/poll worker training.
  4. How the state will adopt voting system guidelines that are consistent with federal requirements.
  5. How the state will establish a fund to accept Federal dollars.
  6. What the state's budget for required HAVA activities is.
  7. How the state will maintain its expenditure level so that it is not less than the expenditure level for the fiscal year ending prior to November, 2000.
  8. How the state will measure performance to determine success for the state and for local government in carrying out elements of HAVA and the Plan.
  9. A description of the uniform, non-discriminatory state-based administrative complaint procedure.
  10. If the state accepted any Title I money, how it was used and the impact on the Plan.
  11. How the state will conduct ongoing management of the Plan.
  12. If applicable, changes from the previous FY State Plan and a report on the previous FY State Plan success (for State Plans submitted in later fiscal years)
  13. A description of the committee that advised in the development of the State Plan.

TITLE III – Requirements

Each state must:

- Provide voters an opportunity to check for and correct ballot errors in a private and independent manner.

  This is also called "second chance voting." If a voter mistakenly over votes, or forgets to cast a vote in an election, the device will notify him/her in a private manner and allow for ballot correction.
- Have a voting system with manual audit capacity.
- Provide at least 1 voting device per precinct that is accessible to the disabled.

  All voters, including individuals with disabilities, must be able to cast their votes unassisted and in private. Curb-side voting and voter assistance will not meet the requirements set in this section of HAVA.
- Provide alternative language accessibility pursuant to the Voting Rights Act.

  Mississippi currently has 9 counties that have been identified by the U.S. Justice Department as requiring this type of action.
- Have a voting system whose error rate does not exceed the existing rate established by the FEC Office of Election Administration.

No such rate has been established. The EAC must issue guidance by January 1, 2004.

****NOTE*** All states must meet Voting System Requirements by January 1, 2006. Any equipment purchased with funds received or appropriated under HAVA, and purchased after January 1, 2007, must meet ALL Voting System Standards requirements.*

- Define what constitutes a legal vote for each type of voting machine used in the state.

  With the exception of the new touch-screen DRE voting devices, this has been done in Mississippi.
- Provide provisional ballots to ensure no individual is turned away at the polls. Counties must also provide a "free access system" by which voters who cast provisional ballots may find ou

if their vote counted.

Provisional balloting is done in Mississippi, and is known as "affidavit balloting." There is no uniform method of free-access to affidavit balloting information currently prescribed in Mississippi.

- Implement a single, uniform, official, centralized, interactive computerized statewide voter registration list defined, maintained, and administered at the State level that contains the name and registration information of every legally registered voter in the state. This database will be used to ensure accurate voter registration lists for use at all elections. This list must be in place by January 1, 2004, unless the state applies for and receives a waiver to January 1, 2006.

  Mississippi passed enabling legislation in 2002 to begin work on such a system. The specifications for such a system prescribed by Mississippi's Select Task Force on Election Procedures and Technology predated HAVA, but were nearly identical.

Ensuring system integrity:

- When registering to vote, individuals must provide a driver's license number or, if the voter does not have a driver's license, the last 4 digits of the Social Security number. If an individual does not have either number, he or she will be assigned a unique identifier. This must be in place by January 1, 2004.
- First-time voters who register to vote by mail are required to provide identification when they cast their ballots. Jurisdictions must comply with this by January 1, 2004.

  This requirement is for Federal elections only.
- States are obligated to maintain clean and accurate voter registration lists.

  HAVA requires that the state office that maintains the state list must enter into agreements with other state agencies that provide information relevant to keeping voter information accurate. Data-sharing must take place among these agencies. In addition, the Mississippi Department of Public Safety will have to enter into an agreement with the Social Security Administration to share data that is relevant to the maintenance of accurate voter records.

TITLE IV – Enforcement

- The U.S. Department of Justice may seek injunctive or declaratory relief for violations of HAVA.
- Each state receiving funds under HAVA must establish a state-based Administrative Grievance Procedure for hearing complaints. Citizens who feel that there has been a violation of the standards set under Title III of HAVA may file a complaint. The State will have to conduct hearings and, where appropriate, provide remedy.

TITLE V – Help America Vote College Program

$5 million dollars authorized to encourage college students to participate in the political process by volunteering as poll workers.

TITLE VI – Help America Vote Foundation

$5 million dollars authorized to encourage high school students to participate in the political process by volunteering as poll workers.

Mississippi law was changed in 2002 to allow jurisdictions to create a Poll Worker Intern program, where 16-, 17-, and 18-year-old students may be selected to serve as assistants at the polls on election day. No jurisdiction is required to participate in this program, and each jurisdiction may set up the program according to its own priorities.

TITLE VII – Military

Provisions to improve ballot access for military and overseas voters.

TITLE VIII – Transition Provisions

Transfer of responsibilities and oversight of particular activities to new entities.

TITLE IX – Miscellaneous

- The Commission is authorized to conduct audits, including special audits, of all entities receiving funds.
- Criminal penalties are established for conspiracy to deprive voters of a fair election, and for providing false information in registering and voting.

Significant Elements

Enhancing Voting for Persons with Disabilities

By building on provisions found in the Americans with Disabilities Act (ADA) and the Voting Accessibility for the Elderly and Handicapped Act (VAEHA), HAVA makes it easier for persons with disabilities to vote independently and privately. This legislation ensures that persons with disabilities have the same access to voting as other citizens. The "Help America Vote Act":

- Requires that every precinct across the nation have at least one voting machine or system that is accessible to individuals with disabilities by January 1, 2006.
- Authorizes $100 million in grants to improve polling place access for disabled voters.
- Authorizes an additional $40 million to improve State Protection and Advocacy systems. Beginning in 2003, the Secretary of Health and Human Services will award this money in four allotments of $10 million per year. The grants will be presented to entities in each state that represent persons with disabilities, and will be used to provide services that enable these individuals to participate fully in the electoral process.

Voter Rights

- Second-Chance Voting – Each voter will be given an opportunity to check for and correct ballot errors in a private and independent manner.
- Provisional Ballots – An individual whose name does not appear on the official voter registration list will be given the opportunity to cast a provisional ballot, thereby ensuring that no individual is turned away at the polls.
- Access for Individuals with Disabilities – Each precinct will be required to provide at least 1 voting machine that allows individuals with disabilities to vote in a private and independent manner.

Voting System Standards

- Audit Capacity – Each voting system must produce a permanent paper record with a manual audit capacity.
- Error Rates – Each voting system must comply with the existing error rate established by the FEC Office of Election Administration.
- Uniform Standard of What Constitutes a Vote – Each state must define what constitutes a legal vote for each type of voting machine used in the state.
- Multilingual Accessibility – Each voting system must provide alternative language accessibility pursuant to the Voting Rights Act.

Computerized Statewide Voter Registration List

Each state must implement a single, uniform, official, centralized, interactive computerized statewide voter registration list to ensure accurate lists.

Voting Information Requirements

By January 1, 2004, election officials must publicly post the following information at each polling place on election day:

- A sample ballot.
- The hours during which the polling place will be open.
- Instructions on how to cast a ballot or provisional ballot.
- Instructions for mail-in registrants who are first-time voters.
- General information on voting rights under federal and state laws.
- General information on prohibitions on fraud and misrepresentation.

Assistance for Military and Overseas Voters

"The Help America Vote Act" contains provisions to improve ballot access for military and overseas voters. Both the Department of Defense (DOD) and states have requirements under these provisions.

Requirements for the DOD

- Military Voting Assistance Officers must be guaranteed the time and resources they need to help military personnel vote.
- The DOD must make certain that all military ballots have postmarks (or other official proof of mailing date) to ensure that no ballots are disqualified for this reason.
- The DOD must provide military personnel with applicable deadlines and other timely information on registration and voting.
- New military enlistees must be given a voter registration form.

Requirements for States

- States must establish a single state office mandated to provide information on registration and absentee voting, to make it easier for military personnel to access such information.
- States must report the number of military and overseas applications and ballot received to the Federal government.
- States must provide overseas absentee ballots for two Federal general elections to voters who request them. The current Mississippi absentee ballot application is good for only 1 year.
- States must accept a standard oath for verifying election materials.
- States may not refuse ballots for being submitted too early. Many military personnel are isolated for long periods of time (ex., submariners). This must be in place by January 1, 2004.
- States must notify overseas and military voters whose applications have been rejected. This requirement applies to both voter registration and absentee ballot applications.
- All items above are effective immediately, unless another effective date is listed.

FREQUENTLY ASKED QUESTIONS REGARDING
"The Help America Vote Act of 2002"

What is the "Help America Vote Act"?

The Help America Vote Act is the common title for a federal act signed into law by the President on October 29, 2002. Officially, it is Public Law 107-252, or codified as U.S.C. 15301-15545. Sometimes, it is also referred to as "The Help America Vote Act" for its principle authors, or as H. R. 3295, which was its designation as Congress finally enacted it.

What is the purpose of the Act?

After the problems seen in some other states during the 2000 Presidential Election, Congress recognized a need to standardize some elements of federal elections, and appropriated federal funds to help states make those reforms. The Act is the result of the negotiation between the House and Senate on exactly how those reforms should occur.

The Act refers specifically to federal elections, but because state and federal elections are usually conducted simultaneously, it will impact almost all Mississippi elections. The Act applies to all states and territories, and all of these areas must submit a plan that explains how the Act will be implemented locally.

The Act does not shift the control of elections to the federal level. Instead, it shifts responsibility for complying with federal election reform laws from the local to the state level, and sets a number of ground rules that states should follow to provide some uniformity in elections. For instance, one of the provisions of the Act specifies that each state must determine exactly what constitutes a legal vote on a ballot.

Will the Act dramatically change the way local elections are conducted?

The Act contains a number of provisions that are designed to make elections easier to understand, easier to access for people with disabilities, and easier to audit after the votes have been counted. One recent report noted that no single state in the nation met all the provisions of the Act, but some states will have more difficulty than others in complying, depending on their individual election systems.

Mississippi, for instance, already has state level enabling legislation for a statewide, centralized voter registry, which is one of the key components of the Act. Because the Legislature passed that in the 2002 session, Mississippi is ahead of many other states in planning how that provision of the Act can be implemented.

What exactly does the Act do?

Essentially, the Act sets up a system where every state and territory generates a roadmap – the statewide plan – that will be used to bring the state in conformity with the provisions of the Act. The provisions of the Act are generally designed to ensure that voters are capable of voting easily, privately, and independently, and sets up mechanisms where they can be sure their votes are counted, if there is any doubt.

First, the Act sets standard requirements for actual voting devices that are designed to make them easier to use: (a) voters must be able to review their ballot before it is cast to ensure they correctly voted for the right candidate, (b) voters must be able to change their selections on a race before the ballot is cast, and (c) the voting machine must provide some mechanism to notify voters when they accidentally vote for more than one candidate in a single race (and allow them to correct the error).

Additionally, voting systems must be able to produce a manual audit trail of those ballots that are processed, and this audit trail must be able to help local election officials determine error rates in processing ballots. The total error rate for a system should not exceed the Election Assistance Commission's specifications for the machine.

Secondly, the Act mandates statewide, centralized voter registration systems, that can be used at the local level to make sure that voter rolls are accurate and valid. As local election personnel enter registration information, that information automatically is double-checked against other registration entries (to determine if the applicant is registered in another jurisdiction), and is checked against other state databases (to ensure that the voter has not been convicted of a disenfranchising crime, and that the driver's license or social security number provided matches records for him). Further, the system will have the capability to interface with records at the Department of Health and other systems to determine if a particular entry is for a deceased person (and should be removed).

Third, the Act ensures that all people who believe they are eligible to vote in a jurisdiction but whose names do not appear on the poll books, can vote there by way of an affidavit ballot. The eligibility of the voter will be determined before the votes are finally totaled. Finally, the Act mandates that each person who votes an affidavit ballot be provided a free access system for determining if his or her vote was counted (and if not, why).

These elements constitute the major mandates of the bill. Details about how these requirements are to be implemented are largely left to the discretion of the state's chief election official, who must submit a statewide plan of action to the federal government.

Will my county have to replace its voting equipment?

In general, if a county has voting equipment that does not meet the requirements of the Act, those voting devices must be replaced or upgraded to meet the requirements of the Act by January 1, 2006. Specific funds are authorized in the Act to assist with the replacement of punch card and lever-based systems. States that receive those specific funds must replace their punch card and lever devices by the 2004 General Election, or by the 2006 General Election, if the state receives a waiver of the first deadline. Other funds may, at the discretion of the state's Chief Election Official, help defray costs of voting device purchases by local governments.

If my county has already replaced its systems with compliant voting machines, will we be reimbursed by funds from the Act?

The Act provides funds earmarked for defraying costs associated with replacing punch card and lever machines with compliant voting equipment. That program includes jurisdictions that used punch card and lever machines during the November 2000, election

and replaced those devices after that date. Until the entire plan is finalized and the state determines how much new equipment Mississippi needs to comply with HAVA, it is impossible to say if, or how much, each county may be reimbursed for equipment.

How will I know if the machines my county purchases are compliant with the Act?

One of the things the Act does is establish the Elections Assistance Commission, which will issue non-binding guidelines about how different machines conform to the requirements of the Act. Unfortunately, the Commission is not yet fully constituted, so there is no definitive source of information in the meantime, except for the Act itself. However, the Secretary of State's Office, national organizations, and many other resources are available to help a county make an educated decision about what types of voting equipment to purchase.

Will all the counties purchase equipment separately, or will the state do it in bulk?

It is not known at present exactly how much money is required to bring Mississippi counties into full compliance with HAVA Voting System Standards and the Statewide Voter Registry mandate. Until the state plan process is complete, no decision on how to allocate funds among the federal mandates will be made.

Because the current fiscal year appropriation from the federal government is less that the money authorized under HAVA, and because there is no guarantee that future authorized appropriations will be met, great care should be taken with the funds the state does receive. As a part of the plan process, all opportunities to "stretch" these dollars will be considered, including centralized purchasing.

Will the statewide voter database mean that election rolls are maintained centrally from Jackson?

The HAVA Act and the accompanying state legislation mandate that there will be a centralized voter registry, but that it will be designed so that local election officials have access to it to make additions, changes and deletions, as allowed by law. The purpose of the centralized registry is to better inform local election commissioners and circuit clerks about potential problems, duplicate entries, or other issues that should be acted on at the local level. The decision about whether a particular person should or should not be added to a jurisdiction's election roll is up to local election officials; the database will just be an added tool that will help ensure the rolls are accurate and up to date.

Will the centralized system replace my current local voter registry?

The centralized system has yet to be fully developed, but as a centralized system, data that is currently in your local system will be converted over to the new system, and the new system will then become the primary tool for managing election rolls at the local level.

How much money is being made available through the Act?

Although Congress passed and the President signed the Act, money must be separately appropriated to fund its provisions. Some $1.5 billion dollars was appropriated in the FY03 budget, much of it designated for specific programs. Since this bill was a high priority for

Congress, it is possible that additional monies will be made available in subsequent funding cycles, as states face compliance with the Act's expensive mandates. It is important to realize, though, that this is essentially one-time money – after the timetables specified by the Act expire, there are no additional funds that will be available under the Act. Moreover, the actual appropriation of funds has no bearing on a state's obligation to meet the requirements of the Act – little or no money does not mean that Mississippi can pick and choose which elements of HAVA it wishes to implement.

Most initial estimates predict that Mississippi will receive a total amount of approximately $34 million dollars, over a three-year period, and assuming that Congress fully funds HAVA. This provides a significant window of opportunity for state and local officials to work together to make improvements in elections-related infrastructure, while federal funding is available.

Are there provisions in the Act that will require a voter to show a picture ID at the polling place?

The issue of voter ID has been one that has captured a great deal of press within Mississippi, as the Mississippi Legislature debated the issue as one element of an overall, comprehensive HAVA compliance bill. HAVA is very specific in its ID requirements: voters who register by mail (and do not include copies of one of several different kinds of identification with their registration), and who are voting for the first time in a jurisdiction (or state, once the state implements a centralized registry), must show one of a number of different types of ID when they go to the polling place. That ID could include a photo ID driver's license, a paycheck, a utility bill, or other government document that includes a name and address. There is an exception for voters whose driver's license or social security number match a state record containing this verifying information.

Is HAVA only going to be used in years that there are candidates for federal office?

HAVA requirements only apply to elections for federal offices, but most states, including Mississippi, will likely pass state statutes or promulgate administrative rules, or both, that make HAVA requirements applicable to all elections. Without a single set of rules for federal, state, and local elections, Mississippi would have different rules in non-federal election years only. This type of dual system is confusing to voters and election officials alike.

What is the timetable for submitting the statewide plan?

Public hearings are being held during the month of April to receive input from people at the local level. In addition, the entire plan is being developed with the input from the HAVA Advisory Committee, which has many representatives from the local level.

After a draft version of the plan is produced with the aid of the advisory group, it will be advertised and made available for public comment for thirty days. At the end of that time, it may be revised to accommodate the public comments that were received, and must eventually be published in the *Federal Register*.

The preliminary plan will be published in Mississippi for comment on or around July 1, 2003, and the final plan will be submitted to the federal government in early August.

Appendix C

How can I continue to be a part of the plan formulation process?

A number of methods are available:

- Stay in touch with your representatives on the HAVA Advisory Committee.
- Communicate with the staff at the Elections Division of the Office of the Secretary of State by email to elections@sos.state.ms.us or by toll-free phone at (800) 829-6786).

STATE BOARD OF ELECTIONS

6400 Mail Service Center • Raleigh, North Carolina 27699-6400

GARY O. BARTLETT
Executive Director

MAILING ADDRESS:
P.O. BOX 27255
RALEIGH, NC 27611-7255

June 2, 2005

U.S. Election Assistance Commission
1225 New York Ave. NW-Suite 1100
Washington, D.C. 20005

Re: Change in North Carolina State HAVA Plan

Dear Members of the Commission:

In accordance with section 255 of the Help America Vote Act of 2002 (HAVA), the North Carolina State Board of Elections offers to the Election Assistance Commission (EAC), for publication in the *Federal Register*, this letter and the following amendments that supplants outdated information with new pages that will comprise new Sections 6, 7, and 12 of the State HAVA Plan of North Carolina for 2005 and future years unless further amended. These new sections were required because the fiscal data in Sections 6 and 7 were estimated when written in 2003. The financial data in the new Sections 6 and 7 are based upon the actual HAVA funds received by our state.

As required by section 254(a)(12) of HAVA, Section 12 of the plan, as amended, describes the material changes that North Carolina has made to the State Plan since it first filed in 2003. Specifically, Section 12 contains descriptions of the amended versions of Sections 6 and 7 and lists the progress that North Carolina has made with regard to the State Plan that was submitted to the Federal Election Commission on June 24, 2003.

We have available to the EAC and members of the public the North Carolina State Board of Election's website (www.sboe.state.nc.us) to view and copy the complete amended North Carolina State HAVA Plan. This 2005 Amendment to the North Carolina State HAVA Plan was developed in accordance with section 255 of HAVA and the requirements for public notice and comment prescribed by section 256 of HAVA.

On behalf of North Carolina, I thank the Commission for its assistance. I look forward to our continued collaboration to improve the administration of elections in North Carolina.

Very truly yours,

Gary O. Bartlett

Gary O. Bartlett, Executive Director

LOCATION: 506 NORTH HARRINGTON STREET • RALEIGH, NORTH CAROLINA 27603 • (919) 733-7173

6. § 254(a)(6) North Carolina's HAVA Budget

The State's proposed budget for activities under this part, based on the State's best estimates of the costs of such activities and the amount of funds to be made available, including specific information on—

(A) the costs of the activities required to be carried out to meet the requirements of title III;

(B) the portion of the requirements payment which will be used to carry out activities to meet such requirements; and

(C) *the portion of the requirements payment, which will be used to carry out other activities. -- HAVA §254 (a)(6)*

The following table is based on actual receipts for FY03 and FY04 and assumptions for FY05 regarding federal funding that the State has used in creating its budget for HAVA activities. This is a revised Section 6 from the original State HAVA Plan that used estimates as to HAVA budget matters, not the actual receipts.

ACTUAL HAVA RECEIPTS

	Federal Funds*				State Matching Funds**	State Maintenance of Effort Funds
	HAVA 101	HAVA 102	HAVA 252	TOTAL FEDERAL FUNDS		
2003 Based on Appropriated Federal Funds	$7,877,740	$893,822	$23,431,708	$32,203,270	$1,232,508	$1,791,936
2004 Appropriated			$42,046,100	$42,046,100	$2,211,625	$1,791,936
2005 Estimated			$0	$0	$0	$1,791,936
Total	$7,877,740	$893,822	$65,477,808	$74,249,370	$3,444,133	$5,375,808
***Difference	-$22,260	+$17,324	+$14,989,808	+$14,984,872	+$919,733	+$3

* Funding has no fiscal year limit. ** The North Carolina General Assembly has appropriated the required Title II five percent matching funds.

***The difference in the estimated funds to be received shown on the original State HAVA Plan and actual receipts are noted above at the bottom of the chart.

Interest. All interest earned from HAVA and state HAVA related funds shall be allocated in the discretion of the State Board between the funding of voting systems set forth in Section 301 and the statewide voter registration database (SEIMS) as set forth in Section 303 of the above chart.

Assumptions. Funding from Title I early payments to the states is divided into Section 101 and Section 102 payments. Section 101 funds will be distributed as grants without the need for matching funds, have no fiscal year limitations on expenditures, and will be used to improve election administration. North Carolina received $7,877,740 in Section 101, Title I funds.

Section 102 funds must be used for the replacement of punch card and lever voting systems. The State Board found that 241 precincts used punch card systems and 46 precincts used lever-voting systems in November 2000 in North Carolina. North Carolina received $893,822 in Section 102, Title I funds.

Title II of HAVA allows for requirements payments to be made to the States for those election activities set out in Title III of HAVA. These funds require a matching 5.26% State expenditure and maintenance of effort upon the part of the State that requires at least the level of 2000 State spending for any items that receive Title II grants in the current State budget. There is no fiscal year limitation on the expenditure of these funds.

North Carolina received $23,431,708 in Title II HAVA funds for federal FY03. North Carolina received $42,046,100 in Title II HAVA funds for federal FY04. It does not appear that Congress will appropriate any HAVA funds to distribute to the states in federal FY05 and there is no provision in HAVA for Title II HAVA appropriations beyond federal FY05.

North Carolina must match funds granted under Title II of HAVA at a rate of 5.26%. Based on the Title II HAVA funding received, North Carolina appropriated matching State funds of $1,232,508 in the 2003-04 state budget and $ 2,211,625 in the 2004-05 state budget. In addition, HAVA mandates that the State must maintain expenditures equal to its budget that expired prior to the November 2000 election (the N.C. State Budget of 1999-2000) as to election administration items. This maintenance of effort requirement in the amount of $1,791,936 for each year Title II funds are used was provided for in the 2003-04 and 2004-05 state budget, and is included in the proposed 2005-06 state budget.

HAVA increases the responsibilities and workload of the State Board. As part of the budgeting and planning process the State Board is anticipating an additional staffing requirement to implement and manage these new responsibilities and workload. The necessary staffing is estimated to be:

- 3 Programmers

NORTH CAROLINA HAVA BUDGET AS REVISED APRIL 2005

HAVA Requirements Budget Based on Funding Source	Allocation	Funding Source										
		HAVA 101	HAVA 102	HAVA 252			State Match			Maint. Of Effort		
				2003	2004	Interest from 252 fund**	2003	2004	Interest from Matching Fund**	2003	2004	2005*
Title III Requirements												
Appropriated Funding		$7,877,740	$893,822	$23,431,708	$42,046,100		$1,232,508	$2,211,625		$1,791,936	$1,791,936	$1,791,936
Sect 301 Voting System***												
Accessible Equipment	$11,000,000			$11,000,000								
Voting Equipment	$26,231,222		$893,822		$24,463,404	See Footnote **		$873,996	See Footnote **			
Sub Total	$37,231,222		$893,822	$11,000,000	$24,463,404			$873,996				
Sect 302 Provisional Voting & Voting Information Requirements												
Informational Signs	$300,000			$300,000								
1-800 Help Desk	$100,000			$25,000	$75,000							
Videos/TV/Teleconference/Public TV Access Channels	$150,000			$150,000								
WEB Site	$100,000			$100,000								
PSAs & Voter Outreach	$1,000,000			$1,000,000								
Sub Total	$1,650,000			$1,575,000	$75,000							
Sec 303 Statewide Computer system & requirements for voters registering by mail ***												
SEIMS	$5,000,000	$4,977,740										
Verification Confirmation and List maintenance mailings	$2,000,000				$2,000,000							
Subtotal	$7,000,000	$4,977,740			$2,000,000	See Footnote **			See Footnote **			
Subtotal	$45,863,898	$4,977,740		$12,575,000	$12,594,404							

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- 1 Business Analyst
- 2 Help Desk
- 1 Certification Program/Outreach Coordinator
- 1 Certification Program/Outreach Coordinator Assistant
- 2 Election Technicians
- 2 Office Support

Funding will also be required for support of HAVA-related activities including travel, subsistence, office equipment and supplies.

The North Carolina State Board of Election amended the original State HAVA Plan by unanimous vote on April 7, 2005. Prior to their decision, the State HAVA Advisory Committee met on March 8, 2005 and recommended the changes that were adopted by the State Board. The amendment designated unappropriated funds and interest to fund budget items listed in Sections 301 and 303 of the HAVA budget set forth in Sections 6 and 7 of the original State HAVA Plan.

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7. § 254(a)(7) Maintenance of Effort

How the State, in using the requirements payment, will maintain the expenditures of the State for activities funded by the payment at a level that is not less than the level of such expenditures maintained by the State for the fiscal year ending prior to November 2000. -- HAVA §254 (a)(7)

In using any requirements payment, North Carolina will maintain expenditures of the State for activities funded by the payment at a level equal to or greater than the level of such expenditures in the State FY 1999 -2000 budget. This requires an additional yearly appropriation of $1,791,936 in the area of election administration. North Carolina appropriated these funds in the amount of $1,791,936 for each of the state 2003-04 and 2004-05 budget years.

The North Carolina General Assembly is currently in the 2005-06 budget approval process and legislation is moving forward to appropriate the maintenance of effort funds for that budget year in the amount of $1,791.936.

HAVA Requirements Budget Based on Funding Source	Allocation	Funding Source										
		HAVA 101	HAVA 102	HAVA 252			State Match			Maint. Of Effort		
				2003	2004	Interest from 252 fund**	2003	2004	Interest from Matching Fund**	2003	2004	2005*
Other Election Reform Activities												
Funding to make polls accessible	$1,000,000	$1,000,000										
Focus group studies	$50,000	$25,000		$25,000								
Polling place registry/Sample Ballot/Request for Service	$75,000	$75,000										
Additional one stop absentee voting sites	$1,000,000				$1,000,000							
Certification programs for election officials, support materials & media and non-partisan voter education programs	$1,500,000	$1,500,000										
Public computer terminals	$300,000	$300,000										
Electronic Records Access at Polling Place	$10,000,000			$10,000,000								
County Technology Improvements	$2,000,000				$349,596		$1,130,000	$520,404				
State Board of elections personnel for HAVA Activities	$5,375,805									$1,791,935	$1,791,935	$1,791,935
Subtotal	$21,300,805	$2,900,000		$10,025,000	$1,349,596		$1,130,000	$520,404		$1,791,935	$1,791,935	$1,791,935
Total of Allocated Budgeted Items	$67,164,703	$7,877,740	$893,822	$22,600,000	$27,963,000	**	$1,130,000	$1,394,400	**	$1,791,935	$1,791,935	$1,791,935
				$831,708***	$14,083,100***		$102,508***	$817,225***				

Footnotes

* Expected funding by 2005 North Carolina General Assembly

** All interest generated by HAVA related federal or state funds will be allocated by the N.C. State Board of Elections in the future to fund budget items either in § 301 and /or § 303 .

*** There is available an additional $15,834,541 in federal HAVA funds and state matching funds that are subject to being allocated by the State Board of Elections in the future to fund budget items either in § 301 and /or § 303.

12. § 254(a)(12) Changes to State Plan from Previous Fiscal Year

In the case of a State with a State plan in effect under this subtitle during the previous fiscal year, a description of how the plan reflects changes from the State plan for the previous fiscal year and of how the State succeeded in carrying out the State plan for such previous fiscal year. – HAVA §254 (a) (12)

The North Carolina State Board of Election amended the original State HAVA Plan by unanimous vote on April 7, 2005. Prior to their decision, the State HAVA Advisory Committee met on March 8, 2005 and recommended the changes that were adopted by the State Board. The amendment designated unappropriated funds and interest to fund budget items listed in Sections 301 and 303 of the HAVA budget set forth in Sections 6 and 7 of the original State HAVA Plan.

There were additional $15,834,541 in federal HAVA funds and state matching funds received beyond the 2003 State HAVA Plan estimates that were set out in the original Section 6. Also, there was a difference in the maintenance of effort funds that were estimated in Section 7 of the 2003 State HAVA Plan. These funds were received and placed in the State HAVA Fund and had to be allocated. As set out above, these additional funds and associated interest are being allocated to fund budget items listed in Section 301 and Section 303 of the HAVA budget set forth in the State HAVA Plan.

North Carolina has enjoyed success in carrying out parts of the State HAVA Plan prior to this recent amendment as follows:

TITLE ONE SECTION 102 FUNDS...To buy out punch-card and lever voting machines. All of the $894,000 Section 102 funds were distributed to 13 counties on June 30, 2003.

TITLE ONE SECTION 101 FUNDS...To improve election administration. The following funds were spent:

$1,528,000 for accessible polling places
$2,625,000 for SEIMS (the N.C. statewide voter registration database) compliance
$722,000 for One-Stop Absentee (early) voting additional sites
$68,500 for Student Election Assistants
$149,000 for Voter registration information as part of 4 million voter guides sent out.

TITLE TWO SECTION 252 FUNDS...Provides the states with funds to implement Title III HAVA requirements. The following funds were spent:

$1,269,000 for employment costs for persons improving SEIMS
$366,415 for electronic poll book pilot project in Guilford County
$1,384,000 for technology grants to counties
$218,701 (as of 2/28/05) for costs of HAVA time-limited positions at the State Board of Elections to implement HAVA
$40,000 for Voter Information Posters used in the 2004 election.

The successes in North Carolina implementing HAVA up to June of 2005 can be summarized as follows:

- Voter registration forms updated to be HAVA compliant
- Grants to 13 counties to buy out punch-card and lever voting machines
- Posting of voting information at all 2800 polling places for the 2004 elections using posters designed and provided by the State Board
- Upgrade server hardware and software in 96 counties
- SEIMS automatic drivers license validation with the N.C. Division of Motor Vehicles
- SEIMS ID requirement support
- Provisional voting support for the 2004 elections
- 12 time limited positions for the support of HAVA implementation
- 1-800 help desk number
- Funding to make polls accessible for the 2004 elections
- Polling place registry/sample ballot/request for service available on website
- Additional one-stop absentee voting sites funding for the 2004 elections
- County board of elections technology improvements
- Provided extensive training to election officials regarding the implementation of HAVA requirements
- Public computer terminals at county election offices
- Pilot program electronic records access at polling place in Guilford County
- Converted Mecklenburg, Forsyth and Guilford County to SEIMS on a real-time basis

[FR Doc. 05–12685 Filed 6–28–05; 8:45 am]
BILLING CODE 6820–KF–C

ELECTION ASSISTANCE COMMISSION

Proposed Guidance on Voluntary Voting System Guidelines

AGENCY: United States Election Assistance Commission (EAC).

ACTION: Notice of proposed voluntary Voting System Guidelines and request for comments.

SUMMARY: EAC is proposing Voluntary Voting System Guidelines pursuant to sections 221 and 222 of the Help America Vote Act of 2002 (HAVA) which was passed by Congress to modernize the administration of Federal elections. This marks the first time in our nation's history that the Federal Government has funded an election reform effort. HAVA provides Federal funding to help the States meet the law's uniform and non-discretionary administrative requirements, which include the following new programs and procedures: (1) Provisional voting, (2) voting information, (3) statewide voter registration lists and identification requirements for first-time registrants, (4) administrative complaint procedures, and (5) updated and upgraded voting equipment.

HAVA also established the U.S. Election Assistance Commission (EAC) to administer the Federal funding and to provide guidance to the States in their efforts to comply with the HAVA administrative requirements. Section 202 directs the EAC to adopt voluntary voting system guidelines, and to provide for the testing, certification, decertification, and recertification of voting system hardware and software. The purpose of the guidelines is to provide a set of specifications and requirements against which voting systems can be tested to determine if they provide all the basic functionality, accessibility, and security capabilities required of voting systems.

This document, the Voluntary Voting System Guidelines, is the third iteration of national level voting system standards. The Federal Election Commission published the Performance and Test Standards for Punchcard, Marksense and Direct Recording Electronic Voting Systems in 1990. This was followed by the Voting Systems Standards in 2002.

As required by HAVA, EAC formed the Technical Guidelines Development Committee (TGDC) to develop an initial set of recommendations for the Guidelines. This committee of 15 experts began their work in July 2004 and submitted their recommendations to the EAC in the 9-month timeline prescribed by HAVA. The TGDC was provided with technical support by the National Institute for Standards and Technology (NIST), who was given nearly $3 million dollars by the EAC to complete this work. This funding represents the first time the Federal Government has spent a significant amount of money on setting guidelines for voting systems. These latest Guidelines update and augment the 2002 Voting Systems Standards to address increasingly complex voting system technology. Specifically, the 2005 Guidelines address the critical topics of accessibility, usability, and security. These Guidelines are voluntary. States may adopt them in whole, in part, or not at all. States may also choose to enact stricter performance requirements for certifying their voting systems.

The Guidelines consist of two volumes. Volume I, entitled ''Voting System Performance Guidelines,'' includes new requirements for accessibility, voting system software distribution, system setup validation, and the use of wireless communications. This volume also includes a set of optional requirements for a Voter Verified Paper Audit Trail component for Direct Recording Electronic voting systems for use by those States that have decided to require this feature for their voting systems. In addition, it contains an updated glossary and a conformance clause. Volume II, entitled ''Voting System National Certification Guidelines,'' has been revised to reflect the new EAC process for national certification of voting systems. This process will go into effect in 2005 and will replace the voting system qualification process that has been conducted by the National Association of State Election Directors since 1994. Volume II also includes an updated appendix on procedures for testing system error rates. Terminology in both volumes has been revised to reflect new terminology introduced by HAVA. The following provides a summary of the contents of each volume.

Volume I Summary: Volume I, the Voting System Performance Guidelines, describes the requirements for the electronic components of voting systems. It is intended for use by the broadest audience, including voting system developers, manufacturers and suppliers; voting system testing labs; state organizations that certify systems prior to procurement; state and local election officials who procure and deploy voting systems; and public interest organizations that have an interest in voting systems and voting system standards. It contains the following sections:

- Section 1 presents the objectives and usage of the Guidelines, definitions of types of voting systems, and a discussion of how the guidelines and testing specifications are applied. It also contains a conformance clause.
- Section 2 describes the functional capabilities required of voting systems.
- Sections 3 through 5 describe specific performance standards for election system hardware, software and telecommunications.
- Section 6 is a significantly expanded section on security requirements for voting systems. It includes new material for the secure distribution of voting system software and for verifying that voting systems are operating with the correct software. There are also new requirements for the use of wireless communications. Since some States have decided to require a voter verified paper audit trail component for their direct recording electronic (DRE) voting systems, requirements are included to support appropriate testing of these components. These requirements are optional because there are other currently available technologies besides paper audit trails that can be employed to provide a second method, in addition to the DRE summary screen, for voters to verify their ballot choices. There was insufficient time to develop requirements for these other technologies for the present Guidelines, but these technologies, including audio, video, and cryptographic means, will be addressed in the near future.
- Sections 7 and 8 describe requirements for vendor quality assurance and configuration management practices and the documentation required about these practices for the certification process.
- Appendix A contains a glossary of terms.
- Appendix B provides a list of documents incorporated into the Guidelines by reference, as well as documents used in preparation of the Guidelines.
- Appendix C contains best practices for election officials regarding accessibility, paper audit trails, and wireless.
- Appendix D presents an informational discussion of independent dual verification which is a concept being examined for potential future application to voting systems. In essence, this is a methodology to produce multiple independent records