Department minimize the burden of this collection on the respondents, including through the use of information technology.

Dated: February 17, 2006.

Angela C. Arrington,

IC Clearance Official, Regulatory Information Management Services, Office of the Chief Information Officer.

Office of Safe and Drug Free Schools

Type of Review: Extension.

Title: Unsafe School Choice Option.

Frequency: Annually.

Affected Public:

State, local, or tribal gov't, SEAs or LEAs.

Reporting and Recordkeeping Hour Burden:

Responses: 56.

Burden Hours: 1,120.

Abstract: Regulation will establish an implementation deadline for states for the Unsafe School Choice Option, Section 9532 of the No Child Left Behind Act of 2001.

Requests for copies of the proposed information collection request may be accessed from *http://edicsweb.ed.gov,* by selecting the ''Browse Pending Collections'' link and by clicking on link number 2993. When you access the information collection, click on ''Download Attachments'' to view. Written requests for information should be addressed to U.S. Department of Education, 400 Maryland Avenue, SW., Potomac Center, 9th Floor, Washington, DC 20202–4700. Requests may also be electronically mailed to IC *DocketMgr@ed.gov* or faxed to 202–245–6623. Please specify the complete title of the information collection when making your request.

Comments regarding burden and/or the collection activity requirements should be electronically mailed to the e-mail address IC *DocketMgr@ed.gov.* Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1–800–877–8339.

[FR Doc. E6–2689 Filed 2–24–06; 8:45 am]

BILLING CODE 4000–01–P

ELECTION ASSISTANCE COMMISSION

Publication of State Plan 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 Maryland and Puerto Rico.

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 State 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 fifty 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. EAC published the first update to Puerto Rico's State plan in the **Federal Register** on January 24, 2005. 70 FR 3464. EAC has not previously published an update to the Maryland State plan.

The submissions from Maryland and Puerto Rico address material changes in the State budgets and State plan committees of their previously submitted State plans and, in accordance with HAVA section 254(a)(12), provide information on how the States succeeded in carrying out their previous State plans. The current submission from Maryland addresses a material change to its budget to account for funds that were appropriated instead of funds that were authorized. The amendment also includes an estimate of how much Maryland's recently implemented statewide HAVA compliant voting system will cost to maintain through 2014. The current submission from Puerto Rico addresses material changes to the budget and timelines for the procurement and testing of new voting systems. The revised plan addresses the differences between the funding that was authorized for Puerto Rico and used for initial planning and the amount that was actually received. Puerto Rico also emphasizes its work in meeting accessibility requirements for polling places and voting systems.

Upon the expiration of thirty days from February 27, 2006, Maryland and Puerto Rico will be eligible to implement the material changes addressed in the plans that are 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 revising these State plans and encourages further public comment, in writing, to the State election officials listed below.

Chief State Election Officials

Maryland

Ms. Linda Lamone, Administrator, State Board of Elections, 151 West Street, Suite 200, Annapolis, MD 21401–0486, Phone: (800) 222–8683, Fax: (410) 974–2019, E-mail: *ntrella@elections.state.md.us.*

Puerto Rico

Lcdo. Aurelio Gracia Morales, Presidente, State Elections Commission, P.O. Box 195552, San Juan, PR 00919–5552, Phone: 787–777–8675, Fax: 787–296–0173, E-mail: *comentarios@cee.gobierno.pr.*

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

Dated: February 17, 2006.

Paul S. DeGregorio,

Chairman, U.S. Election Assistance Commission.

BILLING CODE 6820–KF–P

MARYLAND

STATE BOARD OF ELECTIONS

P.O. BOX 6486, ANNAPOLIS, MD 21401-0486 PHONE (410) 269-2840

Gilles W. Burger, Chairman
Thomas Fleckenstein, Vice Chairman
Joan Beck
Bobbie S. Mack
A. Susan Widerman

Linda H. Lamone
Administrator

Ross Goldstein
Deputy Administrator

January 26, 2006

The Honorable Paul DeGregorio, Chairman
U.S. Election Assistance Commission
1225 New York Ave, N.W., Suite 1100
Washington, DC 20005

Dear Chairman DeGregorio:

In accordance with section 255 of the Help America Vote Act of 2002, I am pleased to file with the U.S. Election Assistance Commission this letter and the recently revised Sections 6, 10, and 12 –13 of the Maryland State Plan. These revised sections and the remaining unchanged sections constitute the Maryland State Plan.

As required by section 254(a)(12) of the Act, the revised sections include a description of how Maryland succeeded in carrying out the State Plan and the material changes that were made to the State Plan filed with the Federal Election Commission on May 13, 2003. Specifically, Section 12 describes the State's successes in complying with the State Plan and the Act, and Section 13 includes a description of the material changes made during this revision process.

Pursuant to sections 255 and 256 of the Act, these revisions to the Maryland State Plan were developed by the HAVA State Planning Committee and notice of the revisions were published in the *Maryland Register* on December 9, 2005. The public comment period ended on January 9, 2006, and after reviewing the public comments received, the HAVA State Planning Committee determined that no changes to the revised sections were necessary.

Thank you for accepting these revisions and for facilitating the publication of the revised sections of the Maryland State Plan. I look forward to our continued collaboration to improve the administration of elections in Maryland.

Sincerely,

Linda H. Lamone
State Administrator

Enclosures

LHL/nbt

FAX (410) 974- 2019
MD Relay Service (800) 735-2258

Toll Free Phone Number (800) 222-8683
http://www.elections.state.md.us

151 West Street Suite 200
Annapolis, Maryland 21401

6. Maryland'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 outlines the federal funds received by the State for HAVA activities. These figures are the basis for the HAVA budget.

Table 6.1: Federal Funding Received by Maryland

in millions

Federal Fiscal Year	Total Federal Funds	Maryland Share	5% State Match Requirement*
Early Payments	$650	$7.25	n/a
2003	$830	$15.20	$0.8
2004	$1,489	$27.27	$1.44
2005	$0	$0	$0
Total	**$2,969**	**$49.75**	**$2.24**

*5% State Match Requirement is calculated as 5% of the total of the State Match portion plus the federal requirements payment portion of cost. To determine the 5% State Match based on federal requirements payment amount, use .0526 as the multiplier (i.e., 5/95 ~ 0.0526). Example from Maryland FY 2003: $15.20M x 0.0526 = $0.8M

Based on the amount of federal funds received, the State HAVA budget represents the activities to implement and conduct operations and maintenance for the HAVA Title III requirements and other activities to improve the administration of elections in Maryland. The budget will continue to be monitored and revised, when necessary, to reflect any material changes.

The State is concerned that the ongoing costs of operating and maintaining the new voting system and statewide voter registration list are considerably higher than the State's maintenance of effort level (see Section 7 of the State Plan). With respect to the voting system, the increased scrutiny about voting system security and the need to upgrade the system to reflect the latest security measures has resulted in costs higher than anticipated in the previous budget in the State Plan. The operation and maintenance of both systems will be the financial burden of the State when HAVA funding is no longer available.

The State's budget to carry out activities to meet HAVA requirements is provided in table 6.2.

Table 6.2: Maryland's Budget for HAVA Activities

HAVA Requirements	Funding Source (note 1)					Estimated Costs (note 3)
	HAVA § 101	HAVA § 102	HAVA § 252 & § 257	State 5% Match	Unfunded (note 2)	
TITLE III Requirements						
§ 301 Voting Systems (note 4)	$1,000,000	$1,637,609	$29,000,000	$2,152,206	$78,047,152	$111,835,626
§ 302 Provisional Voting & Voting Info Req'ments	$0	-	$120,000	$83,500	-	$203,500
§ 303 Statewide Voter Registration List	$0	-	$13,358,430	$0	$2,000,000	$15,358,430
Other Election Reform Activities						
§ 254(3) Education: Voter, Election Officials, Pollworkers	$800,000	-	$0	$0	$0	$800,000
§ 402 Administrative Complaint Procedures	$5,000	-	$0	$0	$0	$5,000
Election Reform Program	$3,831,731	-	$0	$0	$0	$3,831,731
GRAND TOTAL HAVA	**$5,636,731**	**$1,637,609**	**$42,478,430**	**$2,235,706**	**$80,047,152**	**$132,034,287**

Notes:

1. Based on the amount of federal funding received. The distribution of federal funds received by fiscal year is provided in table 6.1.
2. Funding source options: State funding other than 5% match and/or local jurisdiction funding.
3. Voting system costs are estimated through State fiscal year 2014 , and voter registration system costs are estimated through State fiscal year 2011.
4. In 2001, Maryland implemented a HAVA-compliant statewide voting system in four counties. Included in the cost of the voting systems is $13.8 M that the State already expended in those four counties for implementation and operation of the compliant voting system.

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)

To date, the State of Maryland has received $7,274,340 of Title I funds.

§101. Payments to States for activities to improve administration of elections.

Maryland received $5,636,731 under §101. These funds will be used for activities to meet the following requirements:

§301 Voting systems	$1,000,000
§254 (3) Education	$ 800,000
HAVA program management	$3,831,731
Administrative complaint process	$ 5,000
Total	$5,636,731

§102. Replacement of punch card or lever voting machines.

Maryland received $1,637,609 under §102.

Locality	Number of Precincts	Maximum Payment Amount ($3,192.22 per precinct)
Allegany County	37	$118,112
Dorchester County	38	$121,304
Montgomery County	234	$746,979
Prince George's County	204	$651,213
Total	**513**	**$1,637,609**

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 inaugural State Plan was amended in 2005 to reflect the actual amount of funds received to implement the requirements of HAVA and the actual costs of major contracts to comply with the Act. Amendments to the State Plan were made in Sections 6, 10, 12, and 13.

Since the submission of the inaugural State Plan, the State of Maryland has:

1. Implemented a HAVA-compliant voting system in 19 of its 24 jurisdictions for the 2004 elections. Four jurisdictions implemented the system in 2002, and the remaining jurisdiction - Baltimore City - will have implemented the compliant voting system by January 1, 2006.

2. Adopted State regulations that define what constitutes a vote and what will be counted as a vote for each voting system used in Maryland. *See* Code of Maryland Regulations 33.08.02.

3. Implemented provisional voting based on the standards required by HAVA and provided a "free access system" for each statewide election. In the 2004 General Election, almost 49,000 individuals voted by provisional ballot, and over 31,800 voters had their provisional ballots counted.

4. Designed, distributed, and mandated posting of voting information in every precinct in Maryland. This information included instructions on how to vote, identification requirements for certain voters, and general information about voting rights and federal and State laws prohibiting acts of fraud and misrepresentation.

5. Completed testing and will have completed by January 1, 2006, the statewide implementation of the single, uniform, official, centralized, interactive computerized statewide voter registration list defined, maintained, and administered at the State level.

6. Adopted regulations requiring first-time voters who registered to vote by mail to satisfy the identification requirement established by HAVA. *See* Code of Maryland Regulations 33.07.06.

7. Using a professional graphic design firm, redesigned the State's pollworkers' manual. The redesigned manual incorporates graphic design principles that foster learning by adults. The new manual will be used in the 2006 elections. Other forms will also be redesigned, using the same principles.

8. Begun developing a statewide pollworkers' training curriculum and instructor's guide for use in all jurisdictions for the 2006 elections. The State will be conducting train-the-trainer sessions for the individuals who conduct pollworkers' training for the local boards of elections.

9. Adopted regulations establishing a State-based administrative complaint procedure. *See* Code of Maryland Regulations 33.01.05. In 2004, the State conducted 4 hearings and received two additional complaints, one of which was resolved without a hearing and one that was not timely.

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 chief State election official, Linda Lamone, State Administrator for SBE.

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

- Linda Lamone, State Administrator, State Board of Elections;
- William E. Anderson, Department of Aging ADA Coordinator, Anne Arundel County;
- Jacqueline McDaniel, Baltimore County Election Director;
- Margaret Jurgensen, Montgomery County Election Director;
- Robin Downs Colbert, Prince George's County Election Director;
- Linda Pierson, League of Women Voters;
- Michael Sanderson, representative of Maryland Association of Counties (MACo);
- James McCarthy, representative of National Federation of the Blind; and
- Kibbe Turner, Registered Voter.

In creating the State Plan, the State Plan Committee worked with Accenture, a project management vendor. The vendor was contracted to facilitate working sessions and to offer a fair and balanced assessment regarding the impact of HAVA requirements and proposed compliance steps. Based on an objective analysis of the State's current status, this State Plan highlights necessary adjustments and potential next steps in Maryland's election reform process.

The State Plan Committee will comply with the requirements of §255 and §256 of HAVA.

The Preliminary State Plan was published on the Maryland State Board of Elections' website, following a public notice in the Maryland Register. The Preliminary Plan was available for 30 days of public comment, as required by HAVA. The State Plan submitted to the Election Assistance Commission for publication in the Federal Register incorporated the feedback from the 30-day period. The State Plan was published in the Federal Register on March 24, 2004, for a 45-day public comment period.

The State Plan Committee reconvened in October 2005 to review the State's HAVA activities and revise the HAVA budget to reflect the federal funds received and the known costs of implementing HAVA activities.

COMISION ESTATAL DE ELECCIONES
ESTADO LIBRE ASOCIADO DE PUERTO RICO

February 6, 2006

Paul DeGregorio, Chairman
U.S. Election Assistance Commission
1225 New York Avenue N.W., Suite - 1100
Washington, DC 20005

Dear Chairman DeGregorio:

Enclosed please find a copy of the Puerto Rico Elections Commission's most recent changes to the "State Plan." We hope the EAC will publish the new changes in the Federal Register as soon as possible.

These changes were made available for public inspection and comment December 9, 2005, and notice of the preliminary plan changes was published at that time. The only comments received in response were supportive in nature and required no additional changes to the preliminary version.

Thank you for your prompt assistance in getting this published.

Sincerest regards,

Néstor Colón Berlingeri
First Vice President

COMISION ESTATAL DE ELECCIONES
ESTADO LIBRE ASOCIADO DE PUERTO RICO

Help America Vote Act of 2002

2005 Revisions to the 2003 Implementation Plan & 2005-2006 Planned Activities

December 2005

Dear Puerto Rico Voters:

The Comisión Estatal Electoral de Puerto Rico (Commission) issued an initial implementation plan on August 14, 2003 (2003 Implementation Plan) as required under the Help America Vote Act of 2002 (HAVA). In December 2004, the Commission issued revisions to that initial plan (2004 Revisions), as required by HAVA. Most of the changes in the 2004 Revisions were changes in the amounts being spent for different improvements to elections, and updates on elections improvements contemplated, but not yet enacted at the time of the 2003 Implementation Plan.

Most of the changes in the 2005 Revisions are, again, changes in the amounts being spent for different improvements to elections. As actual costs were spent, in many cases the Commission found that its estimates were different than actual costs turned out to be. Moreover, the Commission exceeded its originally ambitious plans for a number of improvements of accessibility for disabled voters. Additionally, more federal funds were made available to the Commission in 2005, so this revised state plan directs where those additional funds will be spent. The 2005 Revisions also review the improvements for disabled voters that the Commission has implemented. These 2005 proposed revisions will be available for thirty days to solicit public review and commentary on the Commission disseminated copies of the plan.

Puerto Rico continues to have one very significant challenge in complying with the HAVA mandates: unlike every other state and territory, Puerto Rico was specifically negatively impacted during the federal appropriations process by language that had the sole effect of reducing dramatically the funding available to Puerto Rico, specifically, to implement HAVA mandates. Though Puerto Rico is still required to fulfill the HAVA mandates, including the very expensive voting equipment mandates, Puerto Rico did not get the money originally promised, nor sufficient money necessary to meet the federal mandates.

The Commission appreciates the time and suggestions given by the members of the Puerto Rico HAVA Advisory Committee. This diverse group represents the diverse constituencies that are a part of Puerto Rico's electorate.

We are fortunate that our farsighted government officials, elected, appointed, and hardworking staff, have already put in place many of the requirements of HAVA prior to HAVA's enactment. As a result, Puerto Rico has proven to be far ahead many states of the American Union in meeting the requirements under HAVA. Yet, there are still improvements to be made. The 2005 Revisions set out the plan the Commission follow to continue working assiduously to improve and make elections accessible to each voter in Puerto Rico.

Sincerely,

Aurelio Gracia Morales
President

Comisión Estatal de Elecciones
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Background on Elections in Puerto Rico

Puerto Rico is in a unique situation. According to the 2000 census, Puerto Rico's voting age population is 3.8 million, a population larger than in 25 states. Moreover, Puerto Rico's turnout for elections is significantly higher than virtually all of the 50 states. Turnout for the 2004 elections was 82%, of over 2.4 million voters.

Yet, after establishing authorized amounts in the Help America Vote Act (HAVA), an artificially set cap that was specific only to Puerto Rico was imposed in the federal budget. Puerto Rico will receive just $ 2,319,361 in Title II federal funds! This means Puerto Rico will receive only approximately 6% of the estimated amount needed to minimally meet the federally mandated requirements!

According to a calculation by the Congressional Research Service using the formula based on voting age population established in HAVA, Puerto Rico was authorized to receive approximately $37,362, 313 in Title II funds under the Help America Vote Act (HAVA)! While there has been some reduction between the originally authorized funds and those received by the states, the two states nearest in size, Oklahoma and South Carolina, have received over $27.5 million and $32.4 million, respectively. The smallest 12 states and the District of Columbia, which range in size from approximately a half million voters to approximately 1.3 million voters are all receiving a guaranteed minimum that so far is over $11.5 million dollars. These jurisdictions will get five times the money, with, at best, half the population.

Puerto Rico is receiving less than $1 per voter. By comparison, DC, which also has non-voting representation in Congress will receive approximately $20.5 per voter, and the other territories are receiving something over $14 per voter! In fact, the smallest state will receive approximately $23 per voter to help pay for the HAVA mandates. The largest state is still to receive approximately $7.5 per voter.

The challenge for Puerto Rico, then, is to meet the mandatory requirements without even receiving a fraction of the congressionally estimated amount needed to make the mandatory changes. The options available are accordingly severely restricted. The loser will be the voters, particularly the disabled voters, of Puerto Rico, as the only significant cost item needed in Puerto Rico is a voting system that will allow the disabled to vote privately and independently. With electronic voting machines serving approximately 750 voters in a day, and over 2.4 million voters in Puerto Rico, and an average cost in excess of $5000 per voting machine, Puerto Rico is being expected to spend almost $16 million, just on voting equipment, while being reimbursed less than $2.5 million!!!

This funding issue continues to be the biggest challenge for the Commission.

CHANGES TO STATE PLAN:

SECTION I - §301 Voting Systems Standards

While the deadline set by HAVA for meeting voting system requirements is 2006, Puerto Rico will not be conducting a federal election in that year (the term for Puerto Rico's Resident Commissioner to the US Congress is for four years coinciding with the US Presidential elections), which effectively means that Puerto Rico will first be using a compliant system in place in 2008. With the funding challenge unique to Puerto Rico, and given the fact that the Commission believes that its voting system, is in strict technical & legal compliance, already, with the HAVA requirements, Puerto Rico decided to tackle an improved voting system to better address the needs of all voters after the November 2004 elections. It intends to have an improved system in place prior to the primary elections for Resident Commissioner, its only federal office. The primary elections will probably be in early 2008, but will be no earlier than late 2007.

In addition to funding constraints, Puerto Rico has some political challenges to changing the voting system. Currently, the island's political consensus is to preserve the paper ballot system. The Commission must, therefore, either make sure they choose a uniform, paper ballot system that affords voters with disabilities the right to vote privately and independently, or get political agreement to change.

For the 2004 election, consistent with HAVA §301(a)(1), the Commission revised its instructions to voters. Instructions included specific instructions directing voters to review their ballot choices, as well as instructions about the effect of voting for more than one candidate. Also, as has been true for many years, the Commission provided tactile ballot sleeves for blind voters to vote independently and unassisted, if they choose. New in 2004 was Braille instructional voting material for blind voters, along with graphic voting instructions, and an instruction voting poster for the deaf that used sign language explaining how to vote. The training and education department made special presentations for disabled voters over the fall, so they could be prepared for their special voting needs. Also new in 2004, the Commission initiated absentee voting in hospitals and for those who are bedridden at home. In addition, the Commission conducted a special multi-media education outreach on the voting process. In 2004 all voter information advertisements included closed captioning; in one case, the ad done made closed captioning the focus of the ad and voiceover was provided for the blind. In all training and education efforts on behalf of disabled voters, disabled activists and their advocates were involved in preparing the materials.

With the changes in 2004, the Commission believes its paper ballot system is allowed and compliant under HAVA. The Commission also believes, however, that though in legal compliance, the current system could be improved, particularly to address the needs of disabled voters using more current technology. Therefore, Puerto Rico remains committed to finding a way to improve the current voting system prior to the 2008 Primary and General Elections by adding voting equipment that would address even better the needs of disabled voters.

§303 Computerized Statewide Voter Registration List Requirements and Requirements for Voters Who Register by Mail

Puerto Rico's Current Voter Registration System
The Commission believes that upon the finalization of the paperwork and procedures, which are imminently anticipated, and will result in agreements between the Commission and the Department of Transportation and Public Works (DTOP), and between DTOP and the US Social Security Administration, that Puerto Rico is in compliance with the §303 requirement for a centralized, statewide computerized voter registration list, and all the list maintenance requirements of this section of HAVA. One additional improvement to the system, which will be finished in mid-February, will build upon and improve the list maintenance and registration procedures. Estimated costs for this improvement, which are being shifted from uncommitted funds, are $750,000.

Planned Activities for Achieving Compliance with Title III and Election Administration Improvements

Activities to meet the requirements of title III (§252 funds)

Pilot project for new voting system
The Commission did not have an appropriate opportunity to do a pilot project since the November 2004 elections. The Commission has since determined that its paper ballot system, in conjunction with the voter education and voter instructions it has put in place, is compliant with the Title III requirements for voting systems. The Commission still intends to use this money for a pilot project on voting equipment, but it will also partially use the funds to move directly ahead to the purchase of one more accessible piece of voting equipment per *unidad* (polling place), which may be a direct record electronic machine. The Commission's intent is to provide an investment with the purchase of this equipment to ensure persons with disabilities cast their vote privately and independently in each polling place in the federal election in 2008. Estimated total available funds to put toward this pilot project and purchase are $1 million. The Commission hopes to identify additional funding for this, as the projected cost for merely one unit per polling place is in excess of $7,000,000, a sum significantly in excess of the $2.3 million provided in Title III requirements payments.

Verification of Data Assignments ("Mapificatión")
Estimated costs for this project were reduced in 2004 to $1 million. The Commission still expects this to be the total cost of this project.

Mobile Units for Voter Registration
Due to costs, only three mobile units could be added this year, and one unit renovated, for a total of $ 112,000. The Commission still desires within the next two years to purchase four additional units for an additional $138,000, if additional funds can be made available. Total estimated cost is $ 245,000.

Projects to improve election administration (§101 funds)

Transferring paper files to microfilm

Estimated costs for this project were reduced in 2004 to $ 200,000. The Commission still expects this to be the total cost of this project.

Mechanized distribution controls
Estimated costs for this project have been reduced by $15,000. Total cost to implement for general elections was $106,000. The Commission hopes that before the 2008 primaries that it will be able to find additional funding of $ 100,000 to extend this mechanized distribution process to the primaries.

Equipment upgrade for local election offices
Estimated costs for this project were reduced to $ 200,000 in the 2004 Revisions. Since 2004, the Commission has decided that it would be a better used of the funding to substitute upgraded computer machinery for the originally specified fax/printer/copiers/scanners in order to best upgrade the local office technology.

HAVA administration and planning
As the Commission determined in 2004, it intends to use some §251 funding for education and training of Commission officials in the requirements of HAVA. In addition, the Commission will invest in a planning process to facilitate effective implementation of the new law in a way that both complies with the law and is appropriate to Puerto Rico. (New estimated total cost: $872,000)

Planned Activities to Improve Accessibility (§261 funds)

Puerto Rico has a long history of working to make the electoral process accessible to voters with disabilities, including ballot templates for the blind and other efforts at accessibility that even pre-date the passage of the Americans with Disabilities Act. These efforts are ongoing and improving. HAVA provided two different funding streams for addressing these problems; the requirements payments under §257, and the Department of Health and Human Services (HHS) grants under §261 of HAVA. Puerto Rico received $151,345 in 2003 from HHS, $104,364 in 2004, and an additional $102,963 in 2005.

The Commission has continued its efforts to make polling stations – and the voting process as a whole – more accessible, continuing regular meetings of the HAVA committee, which includes significant participation by the disabled advocates and representatives, to advise the Commission on its continued activities in this area. While the HHS grants were for a number of discrete projects, generally, the Commissions efforts have focused on three key areas, described below.

Eliminating barriers to polling stations
The Commission used some of the funding to conduct an extensive survey of all existing and alternative polling stations to determine what barriers still existed and how barriers might be eliminated. The Commission then built or purchased ramps, purchased temporary ramps, and made other improvements to remove physical barriers, and to make any temporary polling places accessible. For the November 2004 elections, the Commission's goal was to make accessible in each polling place at least the "fácil acceso colegio" (that is, the room in each polling place to which disabled voters are assigned), either by permanent or temporary fixes to the polling places.

Training and accessibility manuals for Election Officials and Pollworkers

The Commission believes better education and training of local election officials and polling place workers is an important component in eliminating barriers. The Commission used a portion of the funds to produce special training and manuals for local election officials and polling place workers on accessibility, and how to accommodate the needs of all voters with disabilities. The materials produced were done with active involvement of members of the disability community.

Opening up the voting process, and voter education

In addition to purchasing aids for voters with disabilities for Election Day, such as magnifiers, the Commission made a number of other improvements, including improvements in 2004 to the Commission library, for disabled voters, including a Braille printer and special software that translates information into Braille and audio, along with audio headphones and keyboards in order to allow disabled voters to have access to the same library information as non-disabled voters. The Commission also deployed in 2004 four mobile units to bring the Commission to voters for whom getting to the local offices is difficult. The Commission improved its Braille ballot templates for Election Day, and added Braille instructions material for blind voters. There were new posters for Election Day 2004, including one for deaf voters that describes the voting process visually, and using sign language. And all television advertisement included sign language as a secondary medium within the screen, with one exception: one advertisement used sign language as the primary method of communication and voiceover as the secondary method of communication in the advertisement! The materials produced were done with active involvement of members of the disability community. In addition, the Commission developed a voice-activated telephone system, which will include TTY, and was the first in Puerto Rico's government to have a website that complied with new Puerto Rico law making government websites accessible for the disabled. The Commission continues to work with the HAVA committee and other disabled advocates to further improve in voting accessibility.

SECTION 6 – Budget for Title III Requirements

Funding Assumptions

HAVA Title I (101) Funds: $3,151,144 (all in FY 2003)

HAVA Title II (252) Funds: $830,000 (in FY 2003)
$1,489,361 (in FY 2004)

HAVA Title II (261) Funds: $151,345 (in FY 2003)
$104,364 (in FY 2004)
$102,963 (in FY 2005)

Puerto Rico Matching Funds: $43,658 (in FY 2003)
$78,340 (in FY 2004)

No assumptions are made for additional funding, as the current status is so unclear.

Please note that the following charts, taken together show spending based on expected receipts.

Estimated Expenditures on Title III Requirements (FY2003 – FY2005)					
	HAVA 101	HAVA 252	HAVA 261	5%match	other costs
Sec. 301 – Voting System Requirements					
Pilot projects and purchases related to HAVA compliant voting system	$421,144	$1,139,361	$46,463		
Voting aids and commodities for voters with disabilities			$ 80,000		
Sec. 302 – Provisional Voting and Voter Information					
Voice activated information and other available and/or posted voter information		$90,000	$87,709		
Sec. 303 – Computerized voter registration and verification requirements					
Upgrade of identification system					$3,000,000*
Reengineering of the voter registration system	$750,000			$121,998	$750,000*
Verification of data assignments		$1,000,000			
Computers for mobile units		$90,000			
DTOP/SSA VR project	$70,000				
HAVA administration					
Implementation planning, training & execution, and oversight and management	$ $1065,000				
Fund for Warranties, Repairs and other needs for HAVA projects	$250,000				
Subtotal for Title III	$2,556,144	$2,319,361	$214,172	$121,998	

Some figures are rounded.

*This expenditure is noted for information purposes only.

Expenditures for Improving Election Administration (FY 03 – FY 05)					
	HAVA 101	**HAVA 252**	**HAVA 261**	**5% match**	**Other costs**
Voter Education and Training					
Outreach to voters with disabilities			$33,000		
Training of election officials			15,000		
Improving Accessibility					
Accessibility study and manual & improvements to polling places			$28,000		
Voter Registration					
Mobile units for voter registration	$90,000		$68,500		
Election Administration					
Transfer of files to microfilm	$200,000				
Mechanized controls for election materials	$105,000				
Upgrade and multi-functional equipment for JIPs	$200,000				
Subtotal this chart	$595,000		$144,500		
Subtotals from previous chart on Title III	$2,556,144	$2,319,361	$214,172	$121,998	
Remaining Funds expected to be spent in 2006 or later	$0	$ 0	$ 0	$ 0	Undetermined millions**
Total	$3,151,144	$2,319,361	$358,672	$121,998	

** In order to comply with HAVA, Puerto Rico, uniquely, is being expected to come up with substantial additional funding not being required by any other state or territory to meet the same requirements. CEE has not yet determined how to meet requirements and costs, given the circumstances.

SECTION 12 – Changes from Previous Year's Plan

Only changes are described in this "State Plan" revision document for 2005, as suggested by the Election Assistance Commission, in order to save federal funds needed to print "State Plans" in the Federal Register, therefore they are not repeated in this section. Most changes are funding related, or describe accessibility revisions.

SECTION 13 – *Changes to HAVA Committee*

Puerto Rico's HAVA Advisory Committee is a diverse group of citizens including members of the Commission, representatives from the three political parties, disabled representation, student groups, and representation of various constituency groups. The First Vice President of the Commission chairs the committee.

As required by HAVA, the Committee included representatives from the Commission's local offices serving the two largest jurisdictions in Puerto Rico. In the past this included San Juan and Toa Baja; based on new population estimates Toa Baja is being replaced by a representative from Caguas. In addition, a new local elections office representative, from Cidra, is being added to represent smaller jurisdictions. This is the only significant change in membership of the HAVA Committee this year. All other members from 2003 are the same. In addition, the Committee includes a representative from the Office of the Ombudsman for Persons with Disabilities.

The committee has met regularly since last year, focusing on the accessibility requirements.

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