(ORTA), (301) 619–6664, both at telefax (301) 619–5034.

SUPPLEMENTARY INFORMATION: The invention relates to a model for providing a patient-specific diagnosis of disease using clinical data. More particularly, the invention relates to a fully unsupervised, machine-learned, cross-validated, and dynamic Bayesian Belief Network model that utilizes clinical parameters for determining a patient-specific probability of malignancy, transplant glomerulopathy, healing rate of an acute traumatic wound, and/or breast cancer risk.

Brenda S. Bowen

Army Federal Register Liaison Officer.

[FR Doc. 2010–30608 Filed 12–6–10; 8:45 am]

BILLING CODE 3710–08–P

DEPARTMENT OF EDUCATION

Notice of Submission for OMB Review

AGENCY: Department of Education.

ACTION: Comment request.

SUMMARY: The Acting Director, Information Collection Clearance Division, Regulatory Information Management Services, Office of Management invites comments on the submission for OMB review as required by the Paperwork Reduction Act of 1995 (Pub. L. 104–13).

DATES: Interested persons are invited to submit comments on or before January 6, 2011.

ADDRESSES: Written comments should be addressed to the Office of Information and Regulatory Affairs, Attention: Education Desk Officer, Office of Management and Budget, 725 17th Street, NW., Room 10222, New Executive Office Building, Washington, DC 20503, be faxed to (202) 395–5806 or e-mailed to *oira_submission@omb.eop.gov* with a cc: to *ICDocketMgr@ed.gov.* Please note that written comments received in response to this notice will be considered public records.

SUPPLEMENTARY INFORMATION: Section 3506 of the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 35) requires that the Office of Management and Budget (OMB) provide interested Federal agencies and the public an early opportunity to comment on information collection requests. The OMB is particularly interested in comments which: (1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (3) Enhance the quality, utility, and clarity of the information to be collected; and (4) Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

Dated: December 2, 2010.

James Hyler,

Acting Director, Information Collection Clearance Division, Regulatory Information Management Services, Office of Management.

Federal Student Aid

Type of Review: Revision.

Title of Collection: Notice Inviting Applications for Participation in the Quality Assurance Program.

OMB Control Number: 1845–0055.

Agency Form Number(s): N/A.

Frequency of Responses: One Time.

Affected Public: Business or other for-profit; Not-for-profit institutions, State, Local or Tribal Government; State Educational Agencies, Local Educational Agencies.

Total Estimated Number of Annual Responses: 125.

Total Estimated Annual Burden Hours: 125.

Abstract: The Secretary invites institutions of higher education to send a letter of application to participate in the Department of Education's Quality Assurance Program. This Program is intended to allow and encourage participating institutions to develop and implement their own comprehensive programs to verify student financial aid application data.

Requests for copies of the information collection submission for OMB review may be accessed from the *RegInfo.gov* Web site at *http://www.reginfo.gov/public/do/PRAMain* or from the Department's Web site at *http://edicsweb.ed.gov,* by selecting the "Browse Pending Collections" link and by clicking on link number 4384. 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., LBJ, Washington, DC 20202–4537. Requests may also be electronically mailed to the Internet address *ICDocketMgr@ed.gov* or faxed to 202–401–0920. Please specify the complete title of the information collection and OMB Control Number when making your request.

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. 2010–30657 Filed 12–6–10; 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** changes to the HAVA state plans previously submitted by Ohio and Louisiana.

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. This is the third revision to Ohio's state plan and the third revision to Louisiana's state plan.

The amendments to Ohio and Louisiana's state plans provide for compliance with the Military and Overseas Voter Empowerment Act (MOVE Act) and address changes in the respective budgets to account for the use of Fiscal Year 2009 and 2010 requirements payments. Ohio's amended state plan also presents an updated framework having implemented the requirements of Title III of HAVA. In accordance with HAVA Section 254(a)(12), all the state plans

submitted for publication provide information on how the respective state succeeded in carrying out its previous state plan. Ohio and Louisiana confirm that the amendments to their state plans were developed and submitted to public comment in accordance with HAVA Sections 254(a)(11), 255, and 256.

Upon the expiration of thirty days from December 7, 2010, the state is eligible to implement the changes addressed in the plan that is published herein, in accordance with HAVA Section 254(a)(11)(C). 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 Official

Secretary Jennifer Brunner, Secretary of State, 180 East Broad Street, Columbus, Ohio 43266, Phone: (614) 466–2655

Secretary Tom Schedler, Secretary of State, Twelve United Plaza, 8585 Archives Blvd., Baton Rouge, Louisiana 70809, Phone: (225) 342–4479, Fax: (225) 922–2003

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

Dated: December 1, 2010.

Thomas R. Wilkey,

Executive Director, U.S. Election Assistance Commission.

BILLING CODE 6820–KF–P

STATE OF OHIO 2010 AMENDMENTS TO THE STATE HAVA PLAN

Amending Ohio's State Plan
to Implement the Help America Vote Act of 2002,
As Revised January 12, 2005,
And Recorded in the Federal Register, Vol. 70, No. 66, April 7, 2005,
And as Amended April 29, 2009,
And Recorded in the Federal Register, Vol. 74, No. 101, May 28, 2009

Ohio Secretary of State

November 8, 2010

Donetta Davidson, Chair
United States Election Assistance Commission
1201 New York Ave., NW – Suite 300
Washington DC 20005

Dear Ms. Davidson:

I am pleased to submit to you the State of Ohio 2010 Amendments to the State HAVA Plan. Ohio's State Plan was initially adopted in May 2003, revised in January 2005, and amended in May 2009. Although Ohio has not materially changed its plan since that time, it is appropriate that these Amendments be filed in order to reflect the following:

1. The current membership of Ohio's State Plan Committee.
2. Ohio's plans for using HAVA requirements payments authorized by Congress in the FY 2009 and FY 2010 Appropriations Bills and any future appropriations.
3. Use of HAVA funds to implement and comply with the MOVE Act.

The 2010 Amendments have been developed in accordance with section 255 of HAVA, and the requirements for public notice and comments required by section 256 of HAVA.

It is my privilege to thank you, on behalf of all Ohio voters, for the accomplishments of the Elections Assistance Commission (EAC). I look forward to continued cooperation between Ohio and the EAC as we work together to fully implement Congressional intent in appropriating additional HAVA funds to further improve the administration of federal elections in Ohio.

Any public comments about the State of Ohio 2010 Amendments to the State HAVA Plan may be directed via e-mail at *info@sos.state.oh.us* or by mail to the office of the Ohio Secretary of State, Attn: General Counsel, 180 East Broad Street, 15th Floor, Columbus, OH 43215.

Sincerely,

Jennifer Brunner

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MEMBERS OF OHIO HAVA STATE PLAN COMMITTEE AND DEVELOPMENT OF 2010 AMENDMENTS TO THE STATE HAVA PLAN

In compliance with Section 255 and 256 of HAVA, Secretary of State Jennifer Brunner identified and appointed to the HAVA State Plan Committee individuals who agreed to serve as members. On August 5, 2010, Ohio Secretary of State Jennifer Brunner convened a meeting of the reconstituted Ohio State HAVA Plan Committee. The committee's task was to review the Ohio State Plan, as revised in January 2005 and as amended in May 2009, and to approve additional amendments to the plan for expending the FY 2009, FY 2010, and any future Requirements Payments allocated by Congress to Ohio.

The following Ohioans served as members of the Committee:

- Brian E. Shinn, Chair, General Counsel, Ohio Secretary of State
- William A. Anthony, Jr., Director, Franklin County (Ohio) Board of Elections (chief election official of second most populous jurisdiction)
- Brett Harbage, ADA Coordinator, Ohio Secretary of State
- Leslye Huff, Attorney and Civil Rights Activist; Ohio Voting Rights Institute Advisory Council member
- Scott Lissner, University ADA Coordinator, The Ohio State University
- The Honorable Cora Marshall, County Commissioner, Washington County, Ohio
- Jeanette Mullane, President, Ohio Association of Election Officials, Director, Stark County (Ohio) Board of Elections
- Jody O'Brien, Treasurer, Ohio Association of Election Officials, Deputy Director, Hancock County (Ohio) Board of Elections
- Jane Platten, Director, Cuyahoga County (Ohio) Board of Elections (chief election official of most populous jurisdiction)
- Debra Quivey, Director, Athens County (Ohio) Board of Elections
- Eleanor Speelman, Former General Counsel, Ohio Secretary of State
- Pierrette "Petee" Talley, Secretary-Treasurer, Ohio AFL-CIO; Ohio Voting Rights Institute Advisory Council

The Committee was supported by the following members of Secretary Brunner's staff:

- Ann L. Hosutt, Administrative Aide, Ohio Secretary of State
- Taylor Jacklin, Administrative Assistant, Ohio Secretary of State

The first committee meeting was called to order on August 5, 2010. The 2009 Amendments to the existing state plan were reviewed, and the application procedure for FY 2009 and FY 2010 Requirements Payments was discussed. Committee members were provided draft language to be considered for inclusion in the State Plan Amendments. Thereafter, committee members were provided an opportunity to provide additional input and comments.

On August 23, 2010, committee members were provided a draft of the State of Ohio 2010 Amendments to the State HAVA Plan. A vote was taken on the draft. The draft was approved by a vote of 10 – 0, with two committee members absent.

The Secretary thereafter issued notice through a public press release issued September 7, 2010, and posting on the Secretary's Web site, *www.sos.state.oh.us.* The notice advised that the Proposed 2010 Amendments to the State of Ohio HAVA Plan were available for review and submission of public comment either personally at the Secretary's office at 180 East Broad Street, 1st Floor, Columbus Ohio, 43215, by mail to the same address, and on the Secretary's Web site at *www.sos.state.oh.us.* The period for public comment was from September 8, 2010 to October 8, 2010, a period of over 30 days.

On October 13, 2010, the Ohio HAVA State Plan Committee voted to approve the 2010 Amendments to the State of Ohio HAVA Plan. The Plan is now submitted to the Elections Assistance Commission for its review and for publication in the Federal Register.

USE OF FY 2009, FY 2010, AND FUTURE REQUIREMENTS PAYMENTS TO AID IN THE ADMINISTRATION OF FEDERAL ELECTIONS

Ohio is pleased to report that it has met the requirements established in Title III of HAVA, 42 U.S.C Section 15301 et seq., as summarized below.

HAVA Section 301 requires that Ohio use "voting systems" (both hardware and software) that meet certain criteria, including:

- Voter verification before the ballot is cast.
- Notice of overvotes, and opportunity to correct.
- Audit capacity of voting systems.
- Accessibility for individuals with disabilities.
- Voting system must meet error rates within EAC standards.

All 88 Ohio counties have replaced older punch card and other non-HAVA compliant voting machines with voting systems that meet the criteria listed above. Ohio has therefore met the requirement established in Sec. 301 of HAVA Title III.

HAVA Section 302 requires that Ohio provide for provisional voting and posting of voting information at polling places. This requirement has been implemented statewide in Ohio. Ohio therefore has met the requirement established in Sec. 302 of HAVA Title III.

HAVA Section 303 requires that Ohio establish a computerized statewide voter registration database that meets certain criteria, including:

- Ongoing maintenance of the database, e.g., removal of names, while also providing safeguards to ensure that eligible voters are not removed in error.
- Ensuring "technological security" to prevent unauthorized access to the computerized database
- Ensuring that voter registrations include certain identifying information (driver's license number, last 4 SSN digits or other identifying number).
- Matching of voter database to motor vehicle database.
- Providing for voter registration by mail with certain documentation.

Ohio has established a computerized statewide voter registration database as described above. Ohio therefore has met the minimum requirements established in Sec. 303 of HAVA Title III.

On April 24, 2007, Ohio's chief election officer, Secretary of State Jennifer Brunner, filed the certification established in Section 251(b)(2) (B) of HAVA.

Ohio therefore is eligible to use the FY2009, FY 2010, and future Requirements Payments to carry out the purposes enumerated in Section 101 of HAVA and is not legally constrained to use those funds only for purposes required by Title III of HAVA. Thus, Ohio may use the FY 2009, FY 2010, and future Requirements payments for the following Section 101 purposes:

A. Further improving the systems implemented as a requirement of Title III of HAVA (including the statewide voter registration database);
B. General activities that will improve the administration of elections for federal office;
C. Educating voters concerning voting procedures, voting rights, and voting technology;
D. Training election officials, poll workers, and election volunteers;
E. Developing and amending the State Plan;
F. Improving, acquiring, leasing, modifying, or replacing voting systems, and technology and methods for casting and counting votes;
G. Improving the accessibility and quantity of polling places, including providing physical access for individuals with disabilities; and
H. Further improving the toll-free telephone hotline that voters may use to obtain general information concerning elections and to report possible voting fraud and voting rights violations.

The Military and Overseas Voter Empowerment ("MOVE") Act amended HAVA to permit the use of Requirements Payments to implement the MOVE Act and to require state plans to describe how the state will comply with the MOVE Act. Ohio intends to use existing Requirements Payments to implement and comply with the MOVE Act as further described herein.

Ohio intends to use the FY 2009, FY 2010, and any future Requirements Payments consistent with these Section 101 purposes as further described in this Plan Document.

Ohio anticipates a need for flexibility in determining specific uses and in the event of future Requirements Payments appropriations. It does, however, intend to use HAVA funds as described in the remainder of this Plan Document, as well as for new initiatives as needs arise that will, in combination with state funds, serve to improve the administration of federal elections in Ohio.

Further Improvement of Implemented Title III Requirements

The Secretary has established several HAVA-funded positions within her office to assure that the requirements of Title III, having now been implemented, continue to be fully maintained and improved, as follows:

ADA Compliance

The elimination of barriers to voting for persons with disabilities continues to be a priority in Ohio. HAVA requirements payments will fund two positions in the Secretary of State's office to administer ADA compliance throughout the Ohio elections system. The ADA Coordinator and ADA Specialist work to ensure access to voting for persons with disabilities, to educate persons with disabilities about voting, provide training for election officials and poll workers on how best to include individuals with disabilities in the election process, and to assess current and potential polling locations to support board implementation and compliance with state and federal accessibility laws. The individuals in these positions also administer the HAVA Section 261/Health and Human Services subgrant program for local election officials in Ohio.

Those positions are:

ADA Coordinator –Responsible for ensuring that people with disabilities have access to the voting process. This includes educating voters with disabilities about their rights, educating election officials and poll workers on how best to include people with disabilities, assessing whether polling locations are accessible, and administering the HAVA Section 261/Health and Human Services grant program.

ADA Specialist –Responsible for ensuring that people with disabilities have access to the voting process. This includes assisting the coordinator in outreach, voter education, poll worker training, and administering HAVA Section 261/Health and Human Services grant funds.

Ohio plans to use HAVA funds to continue funding these or similar positions on an ongoing basis. The Secretary of State will continue to train and educate election officials and poll workers to ensure full participation of individuals with disabilities in the election process.

In addition, to the extent that Ohio elects to use any FY 2009, FY 2010, or future Requirements Payments for the purchase of new voting systems, or components thereof, the voting system will meet the voting system standards for disability access as set forth in HAVA Section 301(a)(3).

Information Technology

Ohio utilizes information technology extensively in its ongoing efforts to comply with HAVA. HAVA requirements payments will supplement state funding of ongoing hardware and software maintenance licenses, a T-1 line connecting each of Ohio's 88 boards of elections with the Ohio Secretary of State's office, and other information technology hardware and software improvements. Additionally, HAVA requirements payments will fund an Information Technology Developer position in the Secretary of State's office to develop, maintain, and modify HAVA related applications software and data processing projects. This position is:

Information Technology Developer –Responsible for developing, maintaining, and modifying HAVA related application software and data processing projects.

Statewide Voter Registration Database

Ohio continues to maintain and improve its statewide voter registration database, including increasing the compatibility of county boards of elections databases with the statewide database. In 2010, the Ohio Secretary of State entered into a Memorandum of Understanding and Addendum with the Ohio Department of Public Safety, Bureau of Motor Vehicles, to enhance the process for verifying voter registration information in the Ohio statewide voter registration database (SWVRD).

HAVA requirements payments will continue to fund a Statewide Voter Registration Database Coordinator or a similar position within the Secretary of State's office. The individual in this position researches and monitors all applicable HAVA requirements for the statewide voter registration database and works with information technology staff in the Secretary of State's office to maintain and improve the database. This position is:

Statewide Voter Database Coordinator – Responsible for researching and monitoring all applicable HAVA requirements, policies, and laws in an effort to oversee the voter registration database, to advise the county boards of elections of their responsibilities in ensuring accuracy of the database and to make other recommendations where appropriate.

MOVE Act Implementation and Compliance

Funding required to assist Ohio county boards of elections in implementing and complying with MOVE Act requirements will be supported through current HAVA funds (through the FY 2008 Requirements Payments already received by the state). Those funds will be used to provide software and scanner functions for all Ohio county boards of elections that do not currently have that capability. Funds may also be used as needed to upgrade the current host computer at the Ohio county boards of elections to ensure compatibility with the scanners. In addition, HAVA funds are already allocated for the ongoing funding of the Ohio county board of elections' T-1 lines that will also be utilized for implementation of the MOVE Act.

General Activities That Will Improve the Administration of Elections for Federal Office

Availability of Supplemental and Back-up Voting Options for Ohio Voters

The implementation of electronic voting systems in Ohio has generated substantial media coverage and public interest. Experience has shown that, in emergency situations where equipment problems have materialized on Election Day and in elections with very high voter turnout, back-up voting options are critical to ensure that no Ohio voter is turned away at a polling location or must wait in line for an unreasonable amount of time to exercise the right to vote. Counties employing direct electronic recording system (DREs) as their primary voting system benefit from the availability of back-up paper ballots at all polling places. Consequently, under the terms of the settlement of the *League of Women Voters v. Brunner* case, all Ohio county boards of elections using DRE voting systems as their primary voting system must provide back-up paper ballots for use at every state general election in even-numbered years (through the 2014 general election) and for use at the 2012 presidential primary election.

HAVA requirements payments were used during 2008 and will continue to be used to offset the cost to counties of providing back-up paper ballots for federal elections. Additionally, HAVA funds will be used to assist the county boards of elections to defray the costs of compliance with the Voting Rights Act regarding providing multi-lingual voting materials.

DISTRIBUTION AND MONITORING OF REQUIREMENTS PAYMENT TO OHIO COUNTY BOARDS OF ELECTIONS

Ohio is pleased to describe its plans in regard to the possible distribution and monitoring of requirements payment to units of local government or other entities in the State for carrying out the activities described in its HAVA State Plan.

Criteria for determining eligibility of possible recipients. Ohio's State Plan authorizes the distribution of HAVA funds to one or more of Ohio's 88 county boards of elections, but to no other units of local government or any other state entity. Ohio's county boards of elections are responsible for conducting Ohio elections, including elections for federal office, and are therefore eligible recipients of HAVA funds. Ohio's boards of elections further play a crucial role in the maintenance of the computerized statewide voter registration database established during the administration of Secretary of State Brunner's predecessor and recently enhanced through a Memorandum of Understanding and Addendum between the Ohio Department of Public Safety, Bureau of Motor Vehicles, and the Ohio Secretary of State.

Monitoring of performance of grant recipients. Ohio distributes to county boards of elections HAVA Section 261 funds, which are administered through the U.S. Department of Health and Human Services rather than the Elections Assistance Commission. These subgrants are used by county boards of elections to accomplish accessibility for individuals with disabilities at the precinct level and provide pollworker training concerning ADA accessibility.

The Secretary of State's office has established a system by which counties seeking HAVA Section 261 subgrants must first submit an application describing the proposed use of the HAVA/HHS funds. Prior to approval of a subgrant, Secretary of State staff review the application to assure that the proposed use is compliant with HAVA. Should Ohio distribute FY2009, FY 2010, and any future Requirements Payments directly to county boards of elections, similar application procedures and review will be implemented and administered by the office of the Secretary of State to ensure that grant recipients use HAVA funds consistent with performance goals adopted in the State Plan.

In addition, the Secretary of State has established systems to assure that HAVA/HHS funds have been used in the manner stated on applications submitted by counties by requiring counties to choose between two methods of receiving those funds. Counties may chose a reimbursement method of payment, in which receipts demonstrate that expenses have been incurred consistent with the application. Alternatively, counties may choose a cash advance method in which the county must be prepared to spend the funds within 30 days of receipt. Use of the cash advance method requires the county to have fully planned an approved expenditure to minimize the amount of time HAVA/HHS funds remain at the county level prior to

expenditure. At the end of the 30-day advance, Secretary of State finance staff follow up with each county board of elections in order to obtain documentation e.g., receipts, that demonstrate that HAVA funds were used for HAVA purposes.

Moreover, the Secretary of State has employed 16 regional liaisons, three of whom concentrate on information technology at the county level. These employees, whose positions are funded currently through state funds rather than HAVA funds, are responsible for advising, assisting and monitoring county boards of elections in the performance of their duties. Secretary of State regional liaisons travel throughout their assigned counties regularly and will confirm that HAVA funds distributed to county boards of elections are used consistently with performance goals adopted in the State Plan.

USE OF REQUIREMENTS PAYMENTS TO PROVIDE EDUCATION TO VOTERS AND ELECTION OFFICIALS AND TO PROVIDE POLLWORKER TRAINING

Ohio is pleased to describe its plans in regard to voter education and election official and poll worker training.

Voter Education

Voter education continues to be a critical component of ensuring that all citizens who are eligible to vote are able to participate in the electoral process and that their votes are counted accurately. Additionally, election officials are experiencing growing demands from increased voter turnout at the polls, expanded absentee voting, complex election laws and procedures, and public and media scrutiny. These demands require elections officials to remain current in their knowledge and in their ability to perform their duties competently. Moreover, adequate training of poll workers in all counties in Ohio is essential to provide uniform standards for the efficient administration of elections at polling locations where most Ohio citizens will be exercising their right to vote. Ohio will continue to use HAVA requirements payments to supplement state funding for voter education initiatives and for training election officials and poll workers.

Secretary of State Jennifer Brunner created the Voting Rights Institute (VRI) as one means of implementing voter education programs in Ohio. VRI serves as a clearing house for voter questions and concerns, and works with community organizations to provide voter education. HAVA requirements payments fund all or part of six positions in VRI, including administrative staff, outreach/education staff and an NVRA Coordinator. HAVA requirements payments will also fund VRI programs and constituent inquiry tracking programs. Additionally, the Secretary of State will continue to provide public voter education materials through publications created by

the Communications Division, Elections Division, and VRI and through the office's Web site, maintained by the Communications Division, to Ohio's boards of elections.

VRI positions partially or fully funded by HAVA funds include the following:

- **Director, Voting Rights Institute** –Responsible for overseeing all aspects of VRI program delivery, staff direction and advising, and work to ensure Ohio's elections are free, fair, open and honest.
- **Program and Outreach Supervisor, Voting Rights Institute** –Responsible for all VRI program development and outreach efforts as they pertain to voter education, program delivery and working to ensure free, fair, open and honest elections.
- **Strategic Planning & Projects Coordinator, Voting Rights Institute** –Responsible for coordination and oversight for all VRI projects including Citizen Response Center activities, grants administration and research, and development & coordination of all VRI reporting tools.
- **NVRA Coordinator, Voting Rights Institute** – Responsible for coordination of Secretary of State efforts to support NVRA agency activities, development of NVRA-related training for agencies, all communications and reporting,
- **Executive Assistant, Voting Rights Institute** –Responsible for assisting fellow staff members in all functions of VRI program delivery, administrative oversight and director functions, as assigned. Manages files, data for division, and constituent services.
- **Education and Outreach Specialist** - Northern Region, Voting Rights Institute Responsible for implementation of division and agency voter education programs with focus on the northern region of the state. Assist Program and Outreach Supervisor in voter education projects and activities.

Election Official Training

Ongoing training of Ohio election officials, including the board members and staff at Ohio's 88 boards of elections, will continue to be funded in part by HAVA requirements payments. Dissemination of information to elections officials using current technology is an effective and efficient means of educating election officials. Therefore, the Secretary of State will utilize HAVA requirements payments to continue to provide each of the 88 Ohio county boards of elections with a T-1 line that allows rapid and secure communications between the Secretary of State's office and the boards of elections, including transmission of voter registration data for purposes of the HAVA-mandated statewide voter registration database, e-mails, directives, advisories and memoranda regarding the interpretation of election laws and other election administration matters.

Poll Worker Training

HAVA requirements payments have also been used to significantly enhance the Secretary of State's poll worker training initiatives and to augment the boards of elections' poll worker training programs through the employment of a staff member and the funding of training materials. The position of Elections Training and Curriculum Development Specialist was created within the Elections Division to develop and administer poll worker training programs, including an online poll worker training program that is available on the internet to all county boards of elections and to the public. The Elections Training and Curriculum Development Specialist has also developed a poll worker training manual for boards of elections and quick reference Election Day materials for poll workers. These resources allow for the establishment of uniform standards for poll worker training for all county boards of elections in Ohio and permit counties with limited resources the opportunity to provide their poll workers with professionally developed training that is specific to Ohio and its elections systems and administrative procedures. This position is fully funded using HAVA funds.

- **Elections Training and Curriculum Development Specialist** –Responsible for researching and developing elections-related curriculum and training materials for several different audiences (boards of elections, poll workers and volunteers), in a variety of formats (manuals, flip charts, posters, online, videos, etc.).

PROPOSED BUDGET FOR HAVA APPROPRIATIONS

Ohio is pleased to present the Ohio HAVA Grant Fund Budget annual plan. Because the requirements of Title III have been met in Ohio, all expenditures described in the budget will be used to carry out purposes described in Titles I and II of HAVA.

On July 1, 2010, the first day of Ohio's FY 2011, Ohio had a remaining balance of approximately $4.0 million of funds attributable to prior HAVA payments. Combined with the anticipated $3.9 million FY 2009 and $2.7 million FY 2010 Requirements Payments allocated to Ohio, Ohio anticipates a balance of approximately $10.6 million of HAVA funds (plus interest) to use in carrying out HAVA activities going forward.

Annual Estimated Ohio HAVA Plan Budget:

HAVA Activity/Purpose	Estimated Annual Amount
Positions – ADA Coordinator, ADA Specialist, IT Developer, Statewide Voter Database Coordinator, VRI/Voter Education Staff, Elections Training & Curriculum Development Specialist	$770,000
IT Hardware/Software Maintenance Licenses	$300,000
IT Hardware Replacement (approximately every 5 years)	$500,000
Misc – Travel, Audit, Provisional Ballot/Toll-Free Hotline, etc.	$60,000
County Board of Elections T-1 Lines	$450,000
Supplemental & Back-up Paper Ballots	$300,000
Educational Publications and Printing	$125,000
On-line Poll Worker Training Updates	$30,000
Poll Worker Training Manuals/Flip Charts	$50,000
Reimbursement to Counties for Poll Worker Training	$300,000
Maintaining MOVE Act Requirements	$25,000
Other Identified HAVA Compliant Uses	---
Total	**$2,910,000**

OHIO'S SATISFACTION OF MAINTENANCE OF EFFORT REQUIREMENT

Ohio will meet its MOE requirement to maintain its funding effort at the same level that it expended money for HAVA funded activities in the fiscal year preceding November 2000 through non-HAVA historical elections administration funding mechanisms (e.g., amounts distributed to the Secretary of State from the Ohio General Revenue Fund and revenues generated through the Business Services Division of the office of the Secretary of State). The primary source of operating funds for the Ohio Secretary of State is from revenues generated through the Business Services Division of the office. In addition, just under $2.5 million annually is provided from the state's General Revenue Fund for office operations. These sources continue to provide ongoing support for the Elections Division, Elections Field Staff and the Campaign Finance section of the office. These traditional and ongoing funding sources clearly demonstrate that Ohio will meet its MOE requirements.

Ohio Maintenance of Effort

State Fiscal Year	Total Expenses
2000-base year	$1,336,489
2001	$1,424,521
2002	$1,447,974
2003	$2,030,605
2004	$2,693,115
2005	$2,357,656
2006	$2,076,446
2007	$2,590,099
2008	$2,822,230
2009	$3,048,168
2010	$2,952,428

OHIO'S SATISFACTION OF STATE MATCH REQUIREMENT

The Election Assistance Commission has advised that state funds used exclusively for HAVA related purposes may be designated so as to satisfy the matching requirement of 42 USC §15403(b)(5) [HAVA 253 section]. A state may utilize previously allocated funds to satisfy the Requirements Payment matching obligation, so long as these funds were within the state's control and the funds were distinctly appropriated for HAVA specified activities.

Ohio's 5% state match requirements for the Requirements Payments are as follows:

FY 2009	$203,711
FY 2010	$134,242
Total	$337,953

Ohio supports elections with business services revenue and state-generated GRF funds in amounts far exceeding the 5% match requirement listed above, therefore satisfying the state match requirement. However, these amounts cannot be deposited into our HAVA fund due to state restrictions on comingling funds.

PERFORMANCE GOALS AND MEASURES

The vast majority (approximately 85%) of HAVA funds received by Ohio to date have been spent on providing new voting equipment to Ohio's 88 counties. Implementation of new voting equipment was completed throughout Ohio prior to 2007.

Going forward, the Secretary of State has tasked her staff and the boards of elections together to perform the mission of assuring free, fair, honest and open elections. Because Ohio has met requirements established by Title III HAVA, as described on page 5 of this Plan, the 2010 Amendments reflect Ohio's intent to use HAVA funds to continue to refine and improve the administration of elections using HAVA-compliant voting systems as described more fully throughout this document.

INTERPLAY OF HAVA TITLE I FUNDS WITH FY 2009, FY 2010, AND FUTURE REQUIREMENTS PAYMENTS

Ohio has no HAVA Title I, Section 101 funds remaining. Because Title I funds are no longer available, no new activities will be funded through Title I expenditures.

ONGOING HAVA STATE PLAN MANAGEMENT

The plan will be managed by the chief elections officer of the State of Ohio, Ohio Secretary of State Jennifer Brunner, with the assistance of her appointees and staff, including the following:

- **Assistant Secretary of State** – Michael Rankin
- **Deputy Assistant Secretary of State and Director of Elections** – David Farrell
- **Deputy Assistant Secretary of State and Director of Legislative Services**– Mike Stinziano
- **Chief of Staff** – Gretchen Green
- **Chief Financial Officer** – Veronica Sherman
- **Acting Chief Information Officer** – Terry Dick
- **General Counsel** – Brian E. Shinn

The Secretary of State and her staff will follow the laws and policies of the State of Ohio, as well as best management practices in conformance with generally accepted principles and the direction of the Secretary of State.

In Ohio, significant aspects of election administration occur at the county level through the work of county boards of elections and their staffs. Because of the interconnectedness between the office of the Secretary of State and the county boards of elections, HAVA State Plan Management also requires strong management skills at the board level. Two educational conferences occur in Ohio each year at which board members and staff meet with representative Secretary of State employees and other presenters. These conferences provide local elections officers opportunities for dialogue, training and education, both with each other and with the Secretary.

Ohio Revised Code 3501.05 charges the Secretary of State with identified duties, including the following:

- Appoint all members of boards of elections.
- Issue instructions by directives and advisories to members of the boards as to the proper methods of conducting elections.
- Prepare rules and instructions for the conduct of elections.
- Compel the observance by election officers in the several counties of the requirements of the elections laws.
- Investigate the administration of election laws, frauds, and irregularities in elections in any county; and referral of election law violations for prosecution.
- Adopt administrative rules for the removal by boards of elections of ineligible voters from the statewide voter registration database.

These and other tools provided the Secretary of State by the Ohio Revised Code foster appropriate management of HAVA in Ohio.

In addition, the Ohio Revised Code requires the Secretary of State to issue reports outlining data collected concerning elections. This data, collected over future elections, will provide objective documentation of Ohio's progress in implementing the goals.

COMPARISON OF OHIO STATE PLAN INCLUDING 2009 & 2010 AMENDMENTS TO OHIO STATE PLAN AS REVISED JANUARY, 2005

The most significant difference between the previous Ohio State Plan (as amended January 12, 2005) and the revised, amended Ohio State Plan is the fact that the original requirements of Title III have been implemented, as outlined below:

- Ohio has spent approximately $115 million to replace non-HAVA-compliant punch card and other voting systems in Ohio. Currently 53 Ohio counties employ direct electronic recording voting systems (DRE) as their primary voting system, and 35 counties use optical scan systems to tabulate votes cast on paper ballots as their primary voting system. In addition, every voting location in Ohio is equipped on Election Day with an electronic voting system that accommodates the needs of people with disabilities. Ohio intends to continue funding full-time positions within the office of the Ohio Secretary of State as described above to continue, in cooperation with other non-HAVA-funded Secretary of State Elections Division staff, to maintain and improve Ohio's computerized statewide voter registration database.

- Section 302 requirements concerning Provisional Voting and Voting Information have been implemented through legislation enacted by the Ohio General Assembly and directives issued by the Secretary of State, which carry the weight of law.
- Section 303 requirements concerning implementation and maintenance of a statewide voter registration list have been implemented. Although fully operational, additional HAVA funding is needed to implement improvements to the system. In addition, HAVA funding is needed to continue T-1 lines allowing electronic transmission of voter registration data from the 88 county boards of elections to the office of the Secretary, at a cost of approximately $450,000 annually. Hardware and software licenses and other expenses total approximately $300,000 annually.

Accordingly, the 2010 Amendments reflect Ohio's intent to use HAVA funds to continue to refine and improve the administration of elections using HAVA-compliant voting systems.

In addition, the 2010 Amendments to the Ohio HAVA State Plan reflect Ohio's intent to use HAVA funds for the procurement of back-up paper ballots by Ohio counties that use DRE voting systems. In Ohio, back-up paper ballots are required to be available for use by Ohio voters in the event of DRE system malfunctions, power outages or other emergencies and to alleviate long lines, should they occur, at polling places for the state general election in even-numbered years (through 2014) and for the 2012 presidential primary election.

OHIO'S COMPLIANCE WITH 30-DAY PUBLIC NOTICE AND COMMENT REQUIREMENTS (HAVA SECTION 256)

The State has followed the 30-day public notice and comment requirements of Section 256 prior to final adoption of the 2010 Amendments to the Ohio State HAVA Plan.

OHIO'S ADMINISTRATIVE COMPLAINT PROCEDURE (HAVA Section 402)

The State has filed with the EAC a plan for the implementation of the uniform, non-discriminatory administrative complaint procedures required under Section 402 (or has included such a plan in the State plan), and has such procedures in place.

The complaint mechanism required under Section 402 is established in the existing Ohio State Plan and is available to the public through the official Web site of the Ohio Secretary of State: http://www.sos.state.oh.us/SOS/Upload/elections/hava/AdminComplaintProcedure.pdf.

OHIO'S COMPLIANCE WITH FEDERAL LAWS

The State is in compliance with each of the following federal laws as they apply to the Act:

- The Voting Rights Act of 1965;
- The Voting Accessibility for the Elderly and Handicapped Act;
- The Uniformed and Overseas Citizens Absentee Voting Act;
- The National Voter Registration Act of 1993;
- The Americans with Disabilities Act of 1990;
- The Rehabilitation Act of 1973; and
- The Military and Overseas Voter Empowerment (MOVE) Act.

OHIO'S COMPLIANCE WITH TITLE II AND TITLE III PROVISIONS

Ohio's Amended State Plan reflects proposed HAVA expenditures consistent with the conclusion that, to the extent that any portion of the Title II requirements payment is used for activities other than meeting the requirements of Title III, the State's proposed uses of the requirements payment are not inconsistent with the requirements of Title III; and the use of the funds under this paragraph is consistent with the requirements of section 251(b). Ohio has already filed the certification established in Section 251(b)(2)(B) of HAVA (see Ohio's statement in response to Section 1(a) of this application). Ohio is therefore no longer limited to using FY 2009, FY 2010, and any future requirements payments for only Title III purposes. Nor are any of Ohio's proposed uses contained in this Amended Stated Plan inconsistent with the requirements of Title III.

STATE OF LOUISIANA

DEPARTMENT OF STATE

HELP AMERICA VOTE ACT OF 2002
As required by Public Law 107-252

AMENDED STATE PLAN AMENDMENT #3

PRESENTED TO: U.S. ELECTION ASSISTANCE COMMISSION

Tom Schedler
Secretary of State
November 23, 2010

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OVERVIEW OF THE LOUISIANA STATE PLAN

The original State Plan for Louisiana was developed jointly by the Department of State and the Department of Elections and Registration in conjunction with the Louisiana Help America Vote Advisory Committee and the Governor. It detailed the plans, budget, and goals that Louisiana sought to attain in its election and voter registration process using funds authorized by the Help America Vote Act of 2002 (HAVA) within the deadlines established in the Act. The State Plan for Louisiana was amended on November 10, 2006 and September 16, 2008.

The State of Louisiana will receive additional Title II federal funds in the amount of $1,496,386 for federal fiscal year 2009 and $1,047,470 for federal fiscal year 2010. The Louisiana State Plan is being amended again to reflect the additional funding and activities that will be conducted with the new federal allocations.

MEETING THE REQUIREMENTS OF HAVA

SECTION 1: How the State will use the requirements payment to meet the requirements of Title III, and, if applicable under Section 251(a)(2), to carry out other activities to improve the administration of elections. (Section 254(a)(1), 42 U.S.C. §15404(a)(1))

Section 1.6 Other activities to improve the administration of elections:

The State of Louisiana issued a certification pursuant to 42 U.S.C. §15401(b)(2)(B) on September 19, 2008, that the state will use requirements payments to carry out activities to improve the administration of elections for Federal office in an amount that will not exceed an amount equal to the minimum payment amount applicable to the State under 42 U.S.C. §15402(c). The current minimum payment amount applicable to the State is $13,021,803. This will also apply for future requirements payments that may be allocated to the State. These activities will include, but not be limited to, the following:

•Act 135 of the 2008 Regular Session of the Louisiana Legislature continued the program authorizing early voting at additional locations and if the program is expanded, the Department of State may need to procure additional voting systems and equipment.

•Complying with the requirements of the Military and Overseas Voter Empowerment Act of 2009 (MOVE Act) for military and overseas voters.

•Providing improvements and enhancements as required by the MOVE Act for military and overseas voters.

•Establishing and using an online educational training program for election officials and poll workers (commissioners) through the Department of State's website.

•Continuing the project to provide images of voter registration documents for disaster recovery, expediting the processing of absentee by mail applications and absentee by mail ballots, expediting the processing of provisional ballots and providing continuity of business in the offices of the Registrars of Voters.

•Improvements to the Elections Registration and Information Network (ERIN system) to support federal elections including:

Implementation of new technology to read the magnetic stripe on a Louisiana driver's license and capture electronic signatures during early voting in an effort to minimize processing time.

Upon authorization of the Louisiana legislature, expand online voter registration capabilities by allowing registered voters to request an absentee by mail ballot online.

Improve the application to support federally mandated reapportionment in 2011.

Implementation of additional GIS functionality to improve geocoding of addresses and precinct and district management.

Improve the ERIN system reporting capabilities by building a data warehouse that can be used to provide federally required statistical data and analysis.

Establish and implement a strategy for electronic data archiving to prevent future system failures due to excessive data storage requirements.

Implementation of an emergency process for securely uploading election results to the ERIN system on election night in the event the Clerk of Court's office experiences power or network outages.

Achieving Section 508 of the Rehabilitation Act of 1973, as amended, compliance on the Department of State's websites and all voter/elections applications in order to better meet the needs of the disability community.

•Analyzing the business processes involved in elections and automating the form submission and approval process of manual forms used by the Department of State during the election cycles.

Upon the issuance of a certification pursuant to 42 U.S.C. §15401(b)(2)(A) that the State has implemented the requirements of Title III of HAVA, the State will be allowed to use the Title II requirements payments to carry out other activities to improve the administration of elections for Federal office in an amount that exceeds the amount equal to the minimum payment amount applicable to the State under 42 U.S.C. §15402(c). This will also apply for future requirements payments that may be allocated to the State.

MANAGING DISBURSEMENT OF HAVA FUNDS

SECTION 2. 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). (Section 254(a)(2), 42 U.S.C. §15404(a)(2))

Louisiana's ERIN system is funded solely through Louisiana's annual state appropriations bill. In 2009, the Louisiana Secretary of State (LASOS) system (candidate qualifying, ballots, commissions, offices and races; election administration; and election results) was merged into the ERIN system. The network operates in all parishes without any expense to the parish governing authorities.

All HAVA and state general funds are expended through Louisiana's Integrated Statewide Information System (ISIS) and follow the criteria of eligibility contained in the Department of State's HAVA Financial Accounting and Administrative Policy for allowable expenses and the Louisiana Procurement Code.

In Louisiana, the procurement of voting systems is done by the Department of State on a state level rather than at a parish level. As a result, there are no distributions of HAVA requirements payments for the procurement of voting systems to parishes, units of local government or other entities.

All other HAVA requirements payments are paid through the Department of State; however, in the event that requirements payments are distributed to parishes, the

parishes will be required to provide all necessary documentation to substantiate expenses to be reimbursed to the parish.

All funds expended under HAVA are subject to financial and compliance audits through the following: federal auditors; the Louisiana Legislative Auditor; Louisiana Division of Administration auditors; Louisiana Inspector General's Office; and the Department of State's Internal Audit Division.

EDUCATIONAL PROGRAMS

Section 3. 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. (Section 254(a)(3), 42 U.S.C. §15404(a)(3))

Section 3.1 Election Official Education and Training:

The Department of State will continue to prepare training DVDs for the Clerks of Court and Registrars of Voters to use for elections for Federal office with specific information relating to the races that are on the ballot.

The Department of State will continue to use the LASOSNET/ROV and LASOSNET/COC/ERIN applications to provide training materials for the Clerks of Court and Registrars of Voters relating to the following: complying with the requirements of the MOVE Act, provisional voting, tabulation and counting of provisional ballots, absentee by mail instructions for federal elections and other relevant federal election information.

Section 3.2 Poll Worker Training:

The Informational Pamphlet for Election Day Voting that is used to train the election poll workers (commissioners) will continue to be revised to incorporate federal and state legislative changes relating to elections for Federal office.

The Department of State will continue work on the development of online training for poll workers (commissioners), including information on qualifying to serve as a poll worker (commissioner) and election procedures for existing poll workers (commissioners).

Section 3.3 Voter Education:

The Department of State will continue to implement a comprehensive voter education program to comply with the requirements of Act 286 of the 2003 Regular Session of the Louisiana Legislature and the following activities are included in the program:

•Expansion of website information on registration and voting, including a voter portal to provide access to voter specific election information relating to elections for Federal office.

•Instructional presentations on the Department of State's website relating to the use of the voting systems and information for voters with disabilities.

•Dissemination of public service announcements for voter education and registration information.

•Conducting seminars for voter education and registration, including voting rights seminars for the elderly and individuals with disabilities.

•Providing educational materials to military and overseas voters, including information required by the MOVE Act.

STATE BUDGET

SECTION 6. 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. (Section 254 (a)(6), 42 U.S.C. §15404(a)(6))

Title II Funds (Requirements Payments):

Louisiana has additional allocations of Title II federal funds in the amounts of $1,496,386 for federal fiscal year 2009 and $1,047,470 for federal fiscal year 2010. Pursuant to the provisions of Title II of HAVA, the State of Louisiana must provide a state match of five percent of the total of the requirements payments received which is $133,888 for the 2009 and 2010 federal funds. Louisiana's required state match for all Title II federal funds is $2,070,125. As of August 31, 2010, Louisiana has provided a total state match of $5,647,757.

Annually, federal funds, interest funds collected and state funds are allocated to HAVA in the Department of State's budget request and annual state appropriations bill. Any future allocations of requirements payments will be added to the federal funds budget allocations and will be utilized to improve the administration of elections for Federal office, including but not limited to, complying with the requirements of the MOVE Act, providing improvements and enhancements required by the MOVE Act, establishing on-line education training programs, imaging voter registration documents and providing enhancements to the ERIN system. These funds will continue to be requested and appropriated until all funds appropriated to HAVA have been expended.

Budget for Title II Federal Expenses Based Upon Amendment #2 to the Louisiana State Plan dated September 16, 2008

Budget Item	Amendment #2, Title II federal funds budget balance	Unencumbered Title II federal funds budget balance as of 8/31/10
1) Enhancement, improvement, upgrade and acquisition of equipment for voting systems for absentee by mail voting, early voting and election day voting; purchase of additional voting systems for early voting and election day voting, including installation, implementation and training; and security of voting systems and registration system for early voting at remote sites. 2) Statewide voter registration database, including software and hardware, and services to upgrade/replace obsolete software and hardware for Clerks of Court, Registrars of Voters and Secretary of State to provide access to ERIN and improve voter registration, ballot preparation and voting system programming. 3) Implementation of technology to significantly enhance and improve voter registration, absentee and election day voting and reporting of activities. These improvements will require significant investments in hardware, software and services both at the state and local level. Initiatives will be focused on reducing manual data entry and processing, insuring the integrity of the process through more automated records retention, development of more secure, direct, interactive and integrated connections between local, state and federal agencies to insure proper list maintenance, web enabling functions making it easier for the citizenry to update their records and providing stakeholders with significantly enhanced statistical and reporting capabilities. 4) Implementation of on-line election official education and training and poll worker training. 5) Activities to improve the administration of elections for Federal office.	$1,239,263	$0
Voter education and outreach, election official education and training, and poll worker training.	$500,000	$0
Development of state plan(s), production of reports, monitoring of performance goals, fiscal management and management of the state plan.	$1,000	$0
TOTAL TITLE II FEDERAL FUNDS (AMENDMENT #2)	**$1,740,263**	**$0**

Budget for Title II Federal Expenses Based Upon Amendment #3 to the Louisiana State Plan

The Department of State will apply for additional funding in the amount of $2,543,856 upon issuance of a certification to the U.S. Election Assistance Commission. These funds and all future interest collections will be utilized to improve the administration of elections for Federal office, including but not limited to, the activities listed below. As of June 30, 2010, Louisiana has received $3,531,008 in interest collections and all of the accumulated interest has been expended or encumbered.

Budget Item	Amendment #3, Title II federal funds budget balance
1) Enhancement, improvement, upgrade and acquisition of equipment for voting systems and tabulating and printing equipment for absentee by mail voting, early voting and election day voting; purchase of additional voting systems and tabulating and printing equipment for absentee by mail voting, early voting and election day voting, including installation, implementation and training; and security of voting systems and registration system for early voting at remote sites. 2) Statewide voter registration and elections database, including software, hardware and services to provide access to ERIN and improve voter registration, ballot preparation, voting system programming and elections processing. 3) Implementation of technology to significantly enhance and improve voter registration, absentee by mail voting, early voting and election day voting and reporting of activities. Initiatives will be focused on reducing manual data entry and processing, insuring the integrity of the process through more automated records retention, development of more secure, direct, interactive and integrated connections between local, state and federal agencies to insure proper list maintenance, web enabling functions making it easier for the citizenry to update their records and providing stakeholders with significantly enhanced statistical and reporting capabilities. 4) Implementation of on-line election official education and training and poll worker training. 5) Complying with the requirements of the MOVE Act. 6) Providing improvements and enhancements required by the MOVE Act. 7) Continuation of the scanning project for voter registration documents. 8) Activities to improve the administration of elections for Federal office.	$2,543,856
TOTAL TITLE II FEDERAL FUNDS BUDGET BALANCE (AMENDMENT #3)	**$2,543,856**

Any and all future requirements payment allocations received by the State of Louisiana and interest on those funds shall be utilized to improve the administration of elections for Federal office, including but not limited to, complying with the requirements of the MOVE Act, providing improvements and enhancements required by the MOVE Act, establishing on-line education training programs, imaging voter registration documents and providing enhancements to the ERIN system.

LOUISIANA'S MAINTENANCE OF EXPENDITURE

SECTION 7. 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. (Section 254(a)(7), 42 U.S.C. §15404(a)(7))

Louisiana has a state-driven election system and Louisiana has and will maintain the expenditures of the state for activities funded by the payment at a level equal to or greater than the level of such expenditures for Louisiana for expenditures consistent with the requirements of Title III of HAVA. Pursuant to the provisions of EAC Maintenance of Expenditure Policy effective June 28, 2010, the fiscal year to be used as the base shall be the fiscal year ending prior to November 2000 and the state fiscal year 1999-2000 ending June 30, 2000 is the base year.

PERFORMANCE GOALS AND MEASURES

SECTION 8. 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. (Section 254(a)(8), 42 U.S.C. §15404(a)(8))

Section 8.7 Integration of the existing LASOS system into the ERIN system:

1) Deadline: September 30, 2009.

2) Criteria: Previously, the LASOS system (candidate qualifying, ballots, commissions, offices and races; election administration; and election results) and the ERIN system (registration) were maintained in two separate systems requiring duplicate maintenance of essential elements for building elections. The mechanisms by which elections are conducted are migrated into the voter registration system to have a single system of data. This integration benefits all future federal elections.
3) How Criteria are Judged: Success of meeting this performance goal is based on the completion of the migration to one statewide system for all election matters. The State of Louisiana met its goal in 2009.

4) Responsible Official: Secretary of State in conjunction with the Clerks of Court and Registrars of Voters.

Section 8.9 Implementation of GIS system and other measures to improve redistricting and the reapportionment process:

1) Deadline: July, 2012.

2) Criteria: With the upcoming federal decennial census, the Department of State needs a more efficient way to manage the reapportionment process and concurrent redistricting of voters due to the current manual determination of correct precincts for voters.

3) How Criteria are Judged: The success of meeting this performance goal will be based on reducing the timeframe for completing the reapportionment process and increasing the accuracy of the process.

4) Responsible Official: Secretary of State in conjunction with the Registrars of Voters.

Section 8.10 Scanning deployment to remaining parishes:

1) Deadline: June 30, 2011.

2) Criteria: Continued implementation of scanning of registration documents to provide images of voter registration documents for protection of documents for disaster recovery; expedite processing of absentee by mail applications and absentee by mail ballots; expedite processing of provisional ballots; and provide business continuity in the offices of the Registrars of Voters, including entering registration data with a higher degree of accuracy.

3) How Criteria are Judged: The success of meeting this performance goal will be based on implementing the scanning project in the remaining parishes within the established timeframe, including providing training to the Registrars of Voters.

4) Responsible Official: Secretary of State in conjunction with the Registrars of Voters.

Section 8.11 Provisional voting tracking:

1) Deadline: Fall, 2010.

2) Criteria: Providing functionality in the ERIN system to track eligible voters who cast provisional ballots that are counted, including providing an automated

mechanism to track provisional ballots that are rejected. Implementing an enhanced website so that a voter can determine if his provisional ballot was counted, and if the ballot was not counted, the reason for the rejection of the ballot.

3) How Criteria are Judged. The success of meeting this performance goal is based on implementing the process within the established timeframe. The State of Louisiana met its goal in 2010.

4) Responsible Official: Secretary of State in conjunction with the Registrars of Voters.

Section 8.13 Complying with the requirements of the MOVE Act:

1) Deadline: 2010 federal general election and subsequent federal elections.

2) Criteria: Implementing the provisions of the MOVE Act to make the State of Louisiana compliant with the Act, including establishing procedures for military and overseas voters to electronically request and receive registration applications, absentee by mail applications and blank absentee by mail ballots.

3) How Criteria are Judged: The success of meeting this performance goal will be based on implementing the procedures required by the MOVE Act by the federal general election in 2010 and for subsequent federal elections.

4) Responsible Official: Secretary of State in conjunction with the Registrars of Voters.

USE OF TITLE I PAYMENT

SECTION 10. 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. (Section 254(a)(10), 42 U.S.C. §15404(a)(10))

Budget for Title I, Section 101 Federal Expenses Based Upon Amendment #2 to the Louisiana State Plan dated September 16, 2008

Budget Item	Amendment #2, Title I, Section 101 federal funds budget balance	Unencumbered Title I, Section 101 federal funds budget balance as of 8/31/10
1) Enhancement, improvement, upgrade and acquisition of equipment for voting systems for absentee by mail voting, early voting and election day voting; purchase of additional voting systems for early voting and election day voting, including installation, implementation and training; and security of voting systems and registration system for early voting at remote sites. 2) Statewide voter registration database, including software and hardware, and services to upgrade/replace obsolete software and hardware for Clerks of Court, Registrars of Voters and Secretary of State to provide access to ERIN and improve voter registration, ballot preparation and voting system programming. 3) Implementation of technology to significantly enhance and improve voter registration, absentee and election day voting and reporting of activities. These improvements will require significant investments in hardware, software and services both at the state and local level. Initiatives will be focused on reducing manual data entry and processing, insuring the integrity of the process through more automated records retention, development of more secure, direct, interactive and integrated connections between local, state and federal agencies to insure proper list maintenance, web enabling functions making it easier for the citizenry to update their records and providing stakeholders with significantly enhanced statistical and reporting capabilities. 4) Implementation of on-line election official education and training and poll worker training. 5) Purposes outlined in Section 101 of HAVA.	$3,099,289	$2,313,760
TOTAL TITLE I, SECTION 101 FEDERAL FUNDS (AMENDMENT #2)	**$3,099,289**	**$2,313,760**

Budget for Title I, Section 101 Federal Expenses Based Upon Amendment #3 to the Louisiana State Plan

All current and future interest collections will be distributed between the categories listed below as needed and for purposes outlined in Section 101 of HAVA, including improving the administration of elections for Federal office. As of June 30, 2010, Louisiana has received $913,341 in interest collections on Title 1, Section 101 funds and none of the accumulated interest has been expended or encumbered.

Budget Item	Amendment #3, Title I, Section 101 federal funds budget balance
1) Enhancement, improvement, upgrade and acquisition of equipment for voting systems and tabulating and printing equipment for absentee by mail voting, early voting and election day voting; purchase of additional voting systems and tabulating and printing equipment for absentee by mail voting, early voting and election day voting, including installation, implementation and training; and security of voting systems and registration system for early voting at remote sites. 2) Statewide voter registration and elections database, including software, hardware and services to provide access to ERIN and improve voter registration, ballot preparation, voting system programming and elections processing. 3) Implementation of technology to significantly enhance and improve voter registration, absentee by mail voting, early voting and election day voting and reporting of activities. Initiatives will be focused on reducing manual data entry and processing, insuring the integrity of the process through more automated records retention, development of more secure, direct, interactive and integrated connections between local, state and federal agencies to insure proper list maintenance, web enabling functions making it easier for the citizenry to update their records and providing stakeholders with significantly enhanced statistical and reporting capabilities. 4) Implementation of on-line election official education and training and poll worker training. 5) Complying with the requirements of the MOVE Act. 6) Providing improvements and enhancements required by the MOVE Act. 6) Continuation of the scanning project for voter registration documents. 7) Activities to improve the administration of elections for Federal office. 8) Purposes outlined in Section 101 of HAVA.	$2,313,760
TOTAL TITLE I, SECTION 101, FEDERAL FUNDS (AMENDMENT #3)	**$2,313,760**

STATE PLAN MANGAGEMENT

SECTION 11. 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). (Section 254(a)(11), 42 U.S.C. §15404(a)(11))

The Secretary of State as the "chief election officer of the state" will continue to be responsible for the ongoing management and implementation of Louisiana's plan with input from the Clerks of Court and Registrars of Voters to continue to comply with the requirements of HAVA.

The State of Louisiana agrees that it may not make any material change in the administration of the State plan unless the change:

1) Is developed and published in the Federal Register in accordance with Section 255 of HAVA in the same manner as the State Plan;

2) Is subject to public notice and comment in accordance with Section 256 of HAVA in the same manner as the State Plan; and

3) Takes effect only after the expiration of the 30-day period which begins on the date the change is published in the Federal Register.

CHANGES TO STATE PLAN FROM PREVIOUS FISCAL YEAR

SECTION 12. 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 how the State succeeded in carrying out the State plan for such previous fiscal year. (Section 254(a)(12), 42 U.S.C. §15404(a)(12))

Amendment #3 to the state plan dated November 23, 2010 contains changes to the state plan as follows:

1) Updates the activities to improve the administration of elections for Federal office.

2) Updates the activities relating to education programs for election officials, election poll workers (commissioners) and voters.

3) For Title II federal funds, updates the budget allocations and use of the federal funds, increases federal funding by $2,543,856 and updates the use of the future interest accumulations.

4) Provides that future allocations of Title II federal funds will be used to improve the administration of elections for Federal office.

5) Updates and provides additional performance goals and measures that will be used by the State of Louisiana to determine its success in carrying out the plan.

6) For Title I, Section 101 funds, updates the budget allocations and use of the federal funds and updates the use of the current and future interest accumulations.

7) Provides for complying with the requirements of the MOVE Act.

8) Provides for improvements and enhancements required by the MOVE Act.

State of Louisiana's Progress on the Implementation of HAVA:

Provisional Voting:

In the fall of 2010, the Department of State is implementing an additional free access system to allow a provisional voter to search the Department's website by the voter's name and confirm if his vote was counted, and, if his vote was not counted, the reason his vote was not counted.

Computerized Statewide Voter Registration List:

ERIN system upgrades:

The Department of State completed the following major enhancements and programs: candidate inquiry; sample ballots; election results; voter statistics, including registration, early voting and post election statistics; voter portal; provisional voter search; and electronic ballot retrieval for the military and overseas voters. In addition, the Department of State deployed online voter registration in April of 2010.

Records retention:

The project to insure the retention of voter registration records through imaging (scanning), indexing, storage and retrieval of paper documents is ongoing and 49 of the 64 parishes in the State of Louisiana have been completed as of August 31, 2010.

Election Official Education and Training:

In 2010, the Department of State developed and deployed the LASOSNET/ROV and LASOSNET/COC/ERIN applications to provide the Registrars of Voters and Clerks of Court internal training materials, including but not limited to, the following: procedures and instructions for complying with the requirements of the MOVE Act; provisional voting instructions; instructions for tabulation and counting of provisional ballots; absentee by mail instructions; and other relevant elections information for federal elections.

In 2010, the Department of State developed and distributed statewide an instructional DVD for the use of the audio voting keypad that included instructions for parish election officials and election poll workers (commissioners). The instructional DVD was also made available on the Department's website.

Voter Education:

The annual voter registration week authorized by Act 286 of the 2003 Regular Session of the Louisiana Legislature as amended by Act 136 of the 2008 Regular Session of the Louisiana legislature was held August 24 - 28, 2009 and May 10 - 14, 2010.

Informational pamphlets and brochures:

The following additional brochures and pamphlets were developed and distributed to the citizens of Louisiana and to elderly and disability consortiums:

Voting in Louisiana: A How-to-Guide: This brochure provides a concise explanation for potential voters including information on voter registration, the act of voting, voting procedures for military and overseas voting and voting procedures for the elderly and individuals with disabilities.

Voting 101: This brochure is a guide to registering and voting for students who are pursuing a higher education.

Vote and Be Heard: This brochure is designed for high school students with an emphasis on the students who are 17 years of age or older.

State of Louisiana, Voting Rights for the Elderly and Individuals With Disabilities: This brochure contains information on the entire voter registration and voting process for the elderly and individuals with disabilities.

Seminars:

In 2010, the Department of State held nine GEAUX Vote Disability Training Sessions for individuals with disabilities and the elderly and provided information on registration, voting and the congressional closed party primary elections.

HELP AMERICA VOTE ADVISORY COMMITTEE

SECTION 13. 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 and Section 256. (Section 254(a)(13), 42 U.S.C. §15404(a)(13))

In August of 2010, Jay Dardenne, Secretary of State, named the following members to serve on the Louisiana Help America Vote Advisory Committee:

Honorable Jay Dardenne (Chairman)
Secretary of State
Department of State
Post Office Box 94125
Baton Rouge, Louisiana 70804-9125
Secretary of State

Mr. William P. Bryan, III
Assistant Attorney General
Post Office Box 94005
Baton Rouge, Louisiana 70804-9005
Representative of the Office of the Attorney General

Mr. Cloyce Clark
Assistant Executive Counsel to the Governor
Post Office Box 94004
Baton Rouge, Louisiana 70804-9004
Representative of the Governor's Office

Mr. Jason Collier
9929 Mint Drive
Baton Rouge, LA 70809
Representative of the Disabilities Community

Honorable Richard "Rick" Gallot, Jr.
State Representative
Post Office Box 1117
Ruston, Louisiana 71273-1117
Chairman of the House & Governmental Affairs Committee of the Louisiana Legislature (Democrat)

Honorable Jon A. Gegenheimer
Clerk of Court, Jefferson Parish
Post Office Box 10
Gretna, Louisiana 70054
Chief Parish Election Official in the second largest jurisdiction
Designee: Brian Freese

Honorable Mark J. Graffeo
Clerk of Court, West Baton Rouge Parish
Post Office Box 107
Port Allen, Louisiana 70767
Chief Parish Election Official

Honorable David Heitmeier
State Senator
3501 Holiday Drive
Suite 225
New Orleans, Louisiana 70114
Representative of the Senate & Governmental Affairs Committee of the Louisiana Legislature (Democrat)

Honorable Robert W. "Bob" Kostelka
State Senator
Post Office Box 2122
Monroe, Louisiana 71207
Chairman of the Senate & Governmental Affairs Committee of the Louisiana Legislature (Republican)

Ms. Angie Rogers LaPlace
Commissioner of Elections
Post Office Box 94125
Baton Rouge, Louisiana 70804
Representative of the Louisiana Department of State

Honorable John Moreau
Registrar of Voters, St. Landry Parish
Post Office Box 818
Opelousas, Louisiana 70571-0818
Representative of the Registrars of Voters

Honorable Arthur Morrell
Clerk of the Criminal Court, Orleans Parish
2700 Tulane Avenue, Room 115
New Orleans, Louisiana 70119
Chief Parish Election Official in the largest jurisdiction

Honorable Karen Carter Peterson
State Senator
1215 Prytania Street, Suite 364
New Orleans, Louisiana 70130
Representative of the Louisiana Legislative Black Caucus

Honorable Linda Rodrigue
Registrar of Voters, Terrebonne Parish
Post Office Box 9189
Houma, Louisiana 70361
Representative of the Registrars of Voters

Honorable John Russell
Registrar of Voters, Tangipahoa Parish
Post Office Box 895
Amite, Louisiana 70422-0895
Representative of the Registrars of Voters

Ms. Lois V. Simpson, Executive Director
The Advocacy Center
1010 Common Street, Suite 2600
New Orleans, Louisiana 70112-2429
Representative of the Disabilities Community
Designee: Stephanie Patrick

Honorable M. J. "Mert" Smiley
State Representative
18590 Highway 16, Suite 5
Port Vincent, Louisiana 70726
Representative of the House & Governmental Affairs Committee of the Louisiana Legislature (Republican)

The Louisiana Help America Vote Advisory Committee met on September 27, 2010 to consider the draft of the Preliminary Amended State Plan Amendment #3 and adopted the preliminary amended state plan by a unanimous vote of the members present.

The Preliminary Amended State Plan Amendment #3 was made available on the Department of State's website for public inspection and comment for more than thirty days. In addition, the Department of State published notice in the Official State Journal on October 5, 2010 that the Preliminary Amended State Plan Amendment #3 was available at the office of the Department of State, Legal Division, for public inspection and comment. The Department of State did not receive any public comments as of the close of business on November 5, 2010 regarding the Preliminary Amended State Plan Amendment #3.

COMPLYING WITH THE REQUIREMENTS OF THE MILITARY AND OVERSEAS VOTER EMPOWERMENT ACT

SECTION 14. How the State will comply with the provisions and requirements of and amendments made by the Military and Overseas Voter Empowerment Act. (Section 254(a)(14), 42 U.S.C. §15404(a)(14))

Act 624 of the 2010 Regular Session of the Louisiana Legislature implements the provisions of the MOVE Act as follows:

•Authorizes a military or overseas applicant to mail or transmit electronically a written request to register to vote to the registrar of voters and authorizes the registrar of voters to mail or transmit electronically to the applicant the application form for registration.

•Provides that electronic mail addresses of registered voters shall not be disclosed by the Registrar of Voters or the Department of State and shall not be included on commercial registration lists.

•Requires the Secretary of State to prepare instructions for use of the special ranking ballots for military and overseas voters and provide instructions for voting by mail using an electronically transmitted ballot.

•Allows the special ranking ballots to be transmitted electronically for a federal general election to military and overseas voters.

•Sets forth procedures for the Registrars of Voters to electronically transmit federal general election ballots to military and overseas voters.

•Authorizes a military or overseas voter to transmit the voted ballot by mail and use the "Security Envelope" from the Federal Write-In Absentee Ballot.

•Requires the Secretary of State, at least 45 days before each congressional general election, to deliver to each Registrar of Voters special absentee by mail ballots, envelopes, certificates and instructions to be used by military and overseas voters.

•Provides the procedures for military and overseas voters to vote the federal general election ballots that were transmitted electronically and requires the voters to return the voted ballots by mail to the Registrars of Voters.

•Provides the procedures for the parish board of election supervisors to count ballots that were transmitted electronically to the military and overseas voters.

•Clarifies that a ballot shall not be rejected as containing a distinguishing mark if the ballot was transmitted electronically to a military or overseas voter.

•Allows a military or overseas voter who made a timely application to vote absentee by mail and who did not receive absentee by mail ballots to use the Federal Write-In Absentee Ballot to vote in presidential and congressional elections. (Effective December 31, 2010.)

ERIN System Changes To Comply With The MOVE Act:

The ERIN system was significantly enhanced to add the functionality necessary to send military and overseas voters federal ranking ballots electronically. The absentee by mail program needed complex changes to record each voter's request to receive his federal ranking ballot electronically. With the changes, upon entering a request for a ballot by electronic mail, the Registrar of Voters enters the ballot information in the ERIN system. If the voter is eligible to receive the federal ranking ballot items, a function allows the Registrar of Voters to send an electronic message to the voter. The electronic message provides the voter with a link to a uniquely identified secure website. Using the website link, the voter enters either his month and year of birth or his zip code and a captcha code (challenge response test). After successfully signing on to the site, ballots, certificates, waivers and instructions are available for the voter to download. The website also provides the voter information on the status of receipt of his ballot.

An additional report was created and changes were made to insure that the other absentee reports continued to function as necessary with the new request type of electronic mail allowed. Extensive documentation of the changes and new process for the Registrars of Voters were developed and distributed statewide.

All of the minimum required functionality to meet the requirements of the MOVE Act was deployed and the Registrars of Voters were authorized to send federal ranking ballots electronically on July 30, 2010.

Future Enhancements To The ERIN System For Military And Overseas Voters:

•Give the military and overseas voters the ability to mark their ballots online before printing and returning the ballots by mail.

•Provide electronic delivery of state and local ballots, if authorized by state law.

•Make the federal ballots available to the voters 45 days before the election for subsequent federal elections.

Future Enhancements To The ERIN System For Military And Overseas Voters:

- Give the military and overseas voters the ability to mark their ballots online before printing and returning the ballots by mail.
- Provide electronic delivery of state and local ballots, if authorized by state law.
- Make the federal ballots available to the voters 45 days before the election for subsequent federal elections.

[FR Doc. 2010–30569 Filed 12–6–10; 8:45 am]

BILLING CODE 6820–KF–C

DEPARTMENT OF ENERGY

[OE Docket No. EA–220–C]

Application To Export Electric Energy; NRG Power Marketing LLC

AGENCY: Office of Electricity Delivery and Energy Reliability, DOE.

ACTION: Notice of application.

SUMMARY: NRG Power Marketing LLC (NRGPML) has applied to renew its authority to transmit electric energy from the United States to Canada pursuant to section 202(e) of the Federal Power Act (FPA).

DATES: Comments, protests, or requests to intervene must be submitted on or before January 6, 2011.

ADDRESSES: Comments, protests or requests to intervene should be addressed to: Christopher Lawrence, Office of Electricity Delivery and Energy Reliability, Mail Code: OE–20, U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585–0350. Because of delays in handling conventional mail, it is recommended that documents be transmitted by overnight mail, by electronic mail to *Christopher.Lawrence@hq.doe.gov,* or by facsimile to 202–586–8008.

FOR FURTHER INFORMATION CONTACT: Christopher Lawrence (Program Office) 202–586–5260.

SUPPLEMENTARY INFORMATION: Exports of electricity from the United States to a foreign country are regulated by the Department of Energy (DOE) pursuant to sections 301(b) and 402(f) of the Department of Energy Organization Act (42 U.S.C. 7151(b), 7172(f)) and require authorization under section 202(e) of the FPA (16 U.S.C.824a(e)).

On May 3, 2000 the Department of Energy (DOE) issued Order No. EA–220, which authorized NRGPML to transmit electric energy from the United States to Canada as a power marketer using existing international transmission facilities for a two-year term. DOE renewed the NRGPML export authorization two additional times; in Order No. EA–220–A on September 24, 2002 and in Order No. EA–220–B on August 23, 2005. Order No. EA–220–B expired on August 23, 2010. On September 15, 2010, NRGPML filed an application with DOE for renewal of the export authority contained in Order No. EA–220–B for an additional five-year term.

The electric energy that NRGPML proposes to export to Canada would be surplus energy purchased from electric utilities, Federal power marketing agencies, and other entities within the United States. The existing international transmission facilities to be utilized by NRGPML have previously been authorized by Presidential permits issued pursuant to Executive Order 10485, as amended, and are appropriate for open access transmission by third parties.

Procedural Matters: Any person desiring to become a party to these proceedings or to be heard by filing comments or protests to this application should file a petition to intervene, comment, or protest at the address provided above in accordance with §§ 385.211 or 385.214 of the Federal Energy Regulatory Commission's Rules of Practice and Procedures (18 CFR 385.211, 385.214). Fifteen copies of each petition and protest should be filed with and received by DOE on or before the date listed above.

Comments on the NRGPML application to export electric energy to Canada should be clearly marked with Docket No. EA–220–C. An additional copy is to be filed directly with Alan Johnson, NRG Power Marketing LLC, 211 Carnegie Center, Princeton, NJ 08540. A final decision will be made on this application after the environmental impacts have been evaluated pursuant to DOE's National Environmental Policy Act Implementing Procedures (10 CFR part 1021) and after a determination is made by DOE that the proposed action will not adversely impact on the reliability of the U.S. electric power supply system.

Copies of this application will be made available, upon request, for public inspection and copying at the address provided above, by accessing the program Web site at *http://www.oe.energy.gov/permits_pending.htm,* or by e-mailing Odessa Hopkins at *Odessa.Hopkins@hq.doe.gov.*

Issued in Washington, DC, on December 2, 2010.

Anthony J. Como,

Director, Permitting and Siting, Office of Electricity Delivery and Energy Reliability.

[FR Doc. 2010–30624 Filed 12–6–10; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF ENERGY

[OE Docket No. EA–191–D]

Application To Export Electric Energy; Sempra Energy Trading LLC

AGENCY: Office of Electricity Delivery and Energy Reliability, DOE.

ACTION: Notice of application.

SUMMARY: Sempra Energy Trading LLC (SET) has applied to renew its authority to transmit electric energy from the United States to Canada pursuant to section 202(e) of the Federal Power Act (FPA).

DATES: Comments, protests, or requests to intervene must be filed and received by DOE on or before December 22, 2010.

ADDRESSES: Comments, protests or requests to intervene should be addressed to: Christopher Lawrence, Office of Electricity Delivery and Energy Reliability, Mail Code: OE–20, U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585–0350. Because of delays in handling conventional mail, it is recommended that documents be transmitted by overnight mail, by electronic mail to *Christopher.Lawrence@hq.doe.gov,* or by facsimile to 202–586–8008.

FOR FURTHER INFORMATION CONTACT: Christopher Lawrence (Program Office) 202–586–5260.

SUPPLEMENTARY INFORMATION: Exports of electricity from the United States to a foreign country are regulated by the Department of Energy (DOE) pursuant to sections 301(b) and 402(f) of the Department of Energy Organization Act (42 U.S.C. 7151(b), 7172(f)) and require authorization under section 202(e) of the FPA (16 U.S.C.824a(e)).

On November 10, 1998, the Department of Energy (DOE) issued Order No. EA–191 which authorized Sempra Energy Trading Corp. (SETC) to transmit electric energy from the United States to Canada for a two-year term as a power marketer using existing international transmission facilities. DOE renewed the SETC export authorization two additional times: on January 19, 2001 in Order No. EA–191–A and again on April 5, 2006 in Order No. EA–191–B. Order No. EA–191–B expired on November 5, 2010. On April