through grade 12 schools). Second, we want to make it clear that under this priority, grantees must implement *both* school-level strategies to enhance reading achievement and intensive, targeted interventions, and these strategies and interventions must be directed at students in grades 6 and above only. Finally, we want to clarify when grantees must begin to provide these services.

The school-level strategies must focus on improving literacy for the entire grade span/student population in the grades 6 through 12 that are included in the school and be implemented in each of these grades no later than the start of the 2006–2007 school year. In a kindergarten through grade 12 school, for example, the school-level strategies must be designed to enhance the literacy skills of all students in grades 6 through 12. In a high school with grades 9 through 12, the school-level strategies must encompass all of the grades in the school. Further, the school-level strategies must be provided in all of the covered grade levels (*i.e.*, grades 6 through 12) during each year of the project, beginning no later than the start of the 2006–2007 school year.

The targeted interventions must be for some or all students in grades 6 through 12 who are reading at least two years below grade level. In schools that include grades kindergarten through 8, for example, the targeted intervention must be targeted at struggling readers in one or more grades 6 through 8. However, the grantee would not have to provide targeted interventions to all struggling readers in grades 6 through 8. In this example, the targeted intervention must focus on all or some struggling readers either in a given grade level or in more than one grade in grades 6 through 8. Furthermore, the grantee must provide intensive, targeted intervention strategies during each year of the project beginning no later than the start of the 2006–2007 school year.

Statement of Priority Two—Comprehensive Reading Initiative Components

The applicant, if awarded a grant under this program, will use the funds to support a comprehensive reading initiative that includes the following components:

1. School-level strategies designed to increase reading achievement for students by integrating enhanced literacy instruction throughout the curriculum and the entire school. These strategies must include, at a minimum, a needs assessment, professional development, and a process for monitoring student performance. The school-level strategies must focus on improving literacy for the entire grade span/student population in the grades 6 through 12 that are included in the school and be implemented in each of these grades during each year of the project period beginning no later than the start of the 2006–2007 school year.

2. An intensive, targeted intervention for struggling readers (*i.e.*, students who read at least two years below grade level, including limited English proficient students and students with disabilities). The intervention must include, at a minimum, assessments to identify struggling readers, a supplementary literacy intervention designed to accelerate the development of literacy skills for these readers, professional development for their teachers, and a process for monitoring student progress that includes the administration of student assessments. The intensive, targeted interventions must be for some or all struggling readers in one or more grades 6 through 12. The grantee must provide intensive, targeted intervention strategies during each year of the project period beginning no later than the start of the 2006–2007 school year.

3. A project evaluation that includes—

(a) A rigorous experimental research evaluation of the intensive, targeted intervention for struggling readers. The evaluation of the intensive, targeted intervention must be conducted by an independent evaluator and must include a randomized control trial; *and*

(b) A rigorous evaluation of the school-level strategies designed to increase reading achievement for students by integrating enhanced literacy instruction throughout the curriculum and the school. The evaluation of the school-level strategies must be conducted by an independent evaluator and may, but need not, include a randomized control trial.

To meet this priority, applicants must demonstrate that they have allocated sufficient program and other funds to carry out a high-quality evaluation of the proposed Striving Readers project. Applicants also will need to include a sufficient number of schools and students to support an experimental evaluation design of the targeted intervention in one or more grades in grades 6 through 12.

Waiver of Proposed Rulemaking: Under the Administrative Procedure Act (APA) (5 U.S.C. 553), the Department generally offers interested parties the opportunity to comment on eligibility requirements and priorities. Section 437(d)(1) of the General Education Provisions Act (20 U.S.C. 1232(d)(1)), however, allows the Secretary to exempt from rulemaking requirements, regulations governing the first grant competition under a new or substantially revised program authority. This is the first grant competition for this program under section 1502 of the Elementary and Secondary Education Act of 1965, as amended, and therefore qualifies for this exemption. In order to ensure timely grant awards, the Secretary has decided to forgo public comment on the modified eligibility requirements and priority in this notice under section 437(d)(1). These modified eligibility requirements and priority will apply to the FY 2005 grant competition and any subsequent awards we make based on the list of unfunded applications from this competition.

Electronic Access to This Document: You may view this document, as well as all other documents of this Department published in the **Federal Register**, in text or Adobe Portable Document Format (PDF) on the Internet at the following site: *http://www.ed.gov/news/fedregister*.

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

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

Program Authority: 20 U.S.C. 6492.

Dated: September 27, 2005.

Henry Johnson,

Assistant Secretary for Elementary and Secondary Education.

[FR Doc. 05–19618 Filed 9–29–05; 8:45 am]

BILLING CODE 4000–01–P

ELECTION ASSISTANCE COMMISSION

Publication of State Plans Pursuant to the Help America Vote Act

AGENCY: Election Assistance Commission (EAC).

ACTION: Notice.

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

plans previously submitted by Pennsylvania.

DATES: This notice is effective upon September 30, 2005.

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

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

SUPPLEMENTARY INFORMATION:

On March 24, 2004, the U.S. Election Assistance Commission published in the **Federal Register** the original HAVA State plans filed by the fifty States, the District of Columbia and the Territories of American Samoa, Guam, Puerto Rico, and the U.S. Virgin Islands. 69 FR 14002. HAVA anticipated that States, Territories and the District of Columbia would change or update their plans from time to time pursuant to HAVA section 254 (a)(11) through (13). HAVA sections 254(a)(11)(A) and 255 require EAC to publish such updates. EAC published Pennsylvania's first update to its State plan in the **Federal Register** on September 30, 2004. 69 FR 58630.

The current submission from Pennsylvania addresses three material changes to the administration of their previously submitted State plans. The document updates information on the State's approach to voter verified paper ballots and voter verified paper audit trails, accounts for the distribution of interest earned on federal funds, and clarifies funding available to counties that must replace their voting systems. The document also provides information on how the State succeeded in carrying out the previous State plan, in accordance with HAVA section 254(a)(12).

Upon the expiration of thirty days from September 30, 2005, Pennsylvania will be eligible to implement the material changes addressed in the plan that is published herein, in accordance with HAVA section 254(a)(11)(C).

EAC notes that the plan published herein has already met the notice and comment requirements of HAVA section 256, as required by HAVA section 254(a)(11)(B). EAC wishes to acknowledge the effort that went into the revising the State plans and encourages further public comment, in writing, to the State election official of the individual States listed below.

Chief State Election Officials

Pennsylvania

The Honorable Pedro A. Cortés, Secretary of the Commonwealth, Department of State, 302 North Office Building, Harrisburg, PA 17120, Phone: 717–787–6458, Fax: 717–787–1734, E-mail: *patriwili@state.pa.us.*

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

Dated: September 23, 2005.

Gracia M. Hillman,

Chair, U.S. Election Assistance Commission.

BILLING CODE 6820–KF–P

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
302 North Office Building
Harrisburg, PA 17120

PEDRO A. CORTÉS
Secretary of the Commonwealth

Telephone: (717) 787-8727
Fax: (717) 787-1734
Website: www.dos.state.pa.us

September 15, 2005

Dear Members of the Commission:

In accordance with section 255 of the Help America Vote Act of 2002 (HAVA), I am pleased to file with the Election Assistance Commission (EAC), for publication in the *Federal Register*, this letter and the following new pages that will comprise Elements 6, 10 and 12 of the State Plan of Commonwealth of Pennsylvania for the 2006 Fiscal Year. These new pages, together with non-substantive changes that we have made, will constitute the Commonwealth of Pennsylvania's HAVA State Plan for Fiscal Year 2005.

As required by section 254(a)(12) of HAVA, Element 12, as amended, describes the material changes that Pennsylvania has made to the State Plan filed in 2003. Specifically, Element 12 contains descriptions of the amended versions of Elements 6 and 10 and lists the progress that the Commonwealth has made with regard to the State Plan that the Commonwealth filed with the Federal Election Commission on July 31, 2003.

Please note that non-substantive changes to the Pennsylvania State Plan can be found throughout every element of the Pennsylvania State Plan (non-substantive changes include corrections to spelling, punctuation, etc.). After consulting with EAC staff, the Commonwealth has elected not to include those changes for publication in the *Federal Register* as unnecessary under HAVA. Instead, we would direct the EAC and members of the public to the Pennsylvania Department of State's HAVA website (www.hava.state.pa.us) to view and copy the complete Pennsylvania State Plan as the Commonwealth has amended it.

The 2005 Amendments to the State Plan of Commonwealth of Pennsylvania were developed in accordance with section 255 of HAVA and the requirements for public notice and comment prescribed by section 256 of HAVA.

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

Very truly yours,

Pedro A. Cortés

Pedro A. Cortés

Commonwealth of Pennsylvania

State Plan

AS AMENDED

As Required by Public Law 107-252,
The Help America Vote Act of 2002

September 15, 2005

Edward G. Rendell, Governor

Pedro A. Cortés, Secretary of the Commonwealth

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STATE PLAN ELEMENT 6

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

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

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

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

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

2005 -- All previous information contained in this Chapter is deleted and superseded by the following:

Section 254(a)(6) of HAVA requires the Commonwealth to describe in its State Plan a budget for its proposed activities and anticipated expenditures for those activities.

The reform effort that HAVA represents is extensive and far-reaching. But its success is dependent on Federal funding. Pennsylvania's State Plan presumes full funding according to the timetable contained in section 257(a) of HAVA. While Congress has funded the program for Federal Fiscal Year (FFY) 2003 and 2004 at a level authorized by HAVA, it did not do so for FFY 2005. It is essential that Congress and the President fund the amounts authorized by HAVA. If full funding is not forthcoming according to the funding amounts authorized by HAVA, the success of this plan will be jeopardized.

The General Services Administration has released funds authorized by Title I of HAVA that, combined under sections 101 and 102, amount to $34,240,120.00. In addition, Pennsylvania received funds from the EAC known as Title II requirements payments in the amount of $100,578,829.00. ($35,992,863.00 for FFY 2003 and $64,585,966.00 for FFY 2004.) If fully funded for FFY 2005, Pennsylvania would have received an additional $25,000,000.00 (estimated).

Consistent with section 253(b)(5) of HAVA, the funds appropriated by the General Assembly and expended by the Commonwealth for the SURE system enacted in January 2002 satisfy the 5% State match required by HAVA. The 5% match requirement is calculated as 5% of the combined State and Federal expenditure for HAVA activities. This calculation requires a multiplier of 0.0526 of the actual and projected Federal funds and is estimated to be $8,445,606.00 – well under the amount already appropriated by the Commonwealth.

Distribution of Federal Funds

The Commonwealth plans to distribute Federal dollars using a 72/28 split of Federal monies and earned interest. Counties would receive 72% of the funding; the Commonwealth government would receive 28%.

Section 101 Funds: Section 101 funds and corresponding earned interest will be split between the counties and the Commonwealth. Twenty-six percent (26%) will be distributed to the counties and 74% for the State government. See Element 10 for more information.

Section 102 Funds: Qualifying counties would receive 100% of the Federal funds provided and corresponding earned interest under section 102 of HAVA. These funds would be distributed to the 26 counties using lever voting machines in 6,143 precincts at the November 2000 election and to the 11 counties using punch card systems (1,030 precincts) to purchase HAVA compliant DREs or other HAVA compliant systems. Funds received: $22,916,952.00.

Title II Funds: Of the Federal funds received as requirements payments under Title II of HAVA and corresponding earned interest, 70.8% would be set aside for the counties; and 29.2% would be reserved for the Commonwealth government.

County Grant Funds: Title II monies will be distributed via county grants and will be targeted for three major functions: (1) polling place accessibility; (2) voting system procurement; and (3) other Title III requirements.

Funds for polling place accessibility will be distributed on an as needed basis upon application by a county.

Regarding voting system procurement, the Commonwealth has structured its funding programs to encourage county authorities to purchase the same type of a single HAVA compliant precinct count electronic voting system that can be used by all voters, including individuals with disabilities. The Commonwealth will make Title II Federal funds available to counties that purchase a single HAVA compliant precinct count electronic voting system, and will provide up to 100% of the cost of purchasing such systems, but it will fund no more than $8,000.00 per precinct.

This reimbursement also applies to counties that have incurred costs on or after January 1, 2001, to replace punch card or lever voting systems in qualifying precincts. If a county purchasing the HAVA compliant system has received or will receive Title I funds provided by section 102 of HAVA, the amount of the Title II reimbursement for voting system purchases would be reduced by the dollar amount received under section 102. Counties that purchase a single HAVA compliant precinct count electronic voting system may use up to 10% of the total dollars received for voting system procurement for other Title III requirements provided that all such expenditures must be substantiated.

Counties that choose not to purchase a single HAVA compliant precinct count electronic voting system would receive up to 50% of the cost of purchasing a new voting system, but not more than $4,000.00 per precinct. If a county does not purchase the system for individuals with

disabilities as it does for all voters, and has received Title I funds under section 102 of HAVA, the amount of the Title II reimbursement for the voting system purchase would be reduced by the dollar amount received under section 102. The Commonwealth encourages the procurement of a single HAVA complaint precinct count electronic voting system for all voters because it would be the most efficient use of Federal, State and local funds.

Counties that used DRE's in the November 2000 General Election and those that purchased a DRE voting system after the November 2000 General Election must upgrade their DRE's to comply with the requirements of HAVA. To assist those counties, the Commonwealth will provide100% reimbursement for such upgrades necessary to make the DRE HAVA compliant but no more than $3,000.00 per precinct. In order to receive the federal funds, the DRE used must be deemed to be HAVA compliant by the Secretary of the Commonwealth in accordance with the Election Code. Counties that used lever voting machines in 2000 but have since implemented a DRE voting system will, if such DRE is deemed HAVA compliant, qualify for the reimbursement under Section 102. All money not used by the counties for the procurement of voting systems will be combined with the funds to be used for other Title III requirements and distributed accordingly. See Element I for additional information on voting systems.

The remaining portion of the county Title II monies appropriated for FFY 2003 and FFY 2004 will be apportioned to each county based on the counties proportion of the Commonwealth's voting age population provided that no county will receive less than $20,000. Counties whose proportionate share would fall under the minimum would not qualify for additional funds under Title II for funds already appropriated to the Commonwealth but will qualify for additional Title II dollars further appropriated by Congress using the voting age population formula. This portion of the funds can be used to fulfill Title III requirements, including the purchase of voting systems, voter education, poll worker training, and polling place accessibility.

The available funds for voting system procurement and other Title III requirements will be distributed to counties based on the filing of a County Plan and Agreement.

Funds to be Used by the Commonwealth Government: The Commonwealth will receive 29.2% of the Title II monies (requirements payments) and corresponding interest. These monies would be put into a separate account and used to implement HAVA requirements, including the statewide voter registration database, voter education programs, poll-worker training and administrative expenses.

The chart on page 39 lists activities and costs of HAVA to be implemented in Pennsylvania using Title II monies for each activity outlined in this plan. The data provided in the chart reflects Federal dollars actually received as of the date of this State Plan update.

A. ACTIVITY	B. ALLOTMENTS OF DOLLARS APPROPRIATED 2003/2004*	C. PER CENT OF TITLE II DOLLARS	D. PURPOSE
COUNTY			
County Grant Fund: Voting Systems	$53,179,205.94	N/A 52.87%	For the purchase of new voting equipment.
Polling Place Accessibility	$2,344,140.00	2.33%	To bring polling places standards up to meet the Federal law.
County Grant Fund for Other Title II Requirements	$15,720,414.06	15.63%	To be used for Title III requirements of HAVA in compliance thereof.
COMMONWEALTH			
Voter Registration Database	$13,127,185.00	13.05%	Development of statewide voter registration list
Voter Education/Voter Outreach	$5,339,207.00	5.31%	To educate voters re: election procedure, increase voter participation, and make available additional voter registration applications
Poll Worker Training	$1,953,450.00	1.94%	To train all poll workers in the uniform procedures to be used at the polling places on Election Day.
Election Officer Training	$ 312,552.00	.31%	Train State and county officials in all Federal and State procedures related to elections
Alternative Language Accessibility	$2,734,830.00	2.72%	To make election materials and information available to jurisdictions having alternative language minorities
Administrative Expenses/Implementation Costs	$3,125,520.00	3.11%	For Commonwealth personnel to administer HAVA and other costs for implementation
Provisional Voter Hotline/Website	$ 195,345.00	.19%	To establish the HAVA required Website and toll free line
Miscellaneous/State Plan Expenses	$ 2,546,979.00	2.53%	For grants to independent groups ($500,000); unforeseen costs in implementing HAVA; and development of the State Plan

*Dollar amounts do not include interest.

The efficient allocation and expenditure of Title I and Title II funds is vitally important to the overall success of providing both the counties and the Commonwealth with the maximum resources available both to implement the requirements of HAVA and to continue to improve the administration of elections for Commonwealth voters.

STATE PLAN ELEMENT 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.

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

Section 254(a)(8) of HAVA requires the Commonwealth to state in its State Plan how it plans to adopt performance goals and measures to be used by the Commonwealth to determine Pennsylvania's success in carrying out the Commonwealth's State Plan.

One of the biggest threats to the success of an initiative is the failure to follow through on progress and to be able to adjust plans as projects move forward and challenges are faced. The Commonwealth has taken a two-pronged approach to ensure that all involved are committed to improving the administration of elections for Pennsylvania citizens. The first prong involves monitoring the county agreements, and the second prong focuses upon the Commonwealth's continued self-assessment of its progress at the State level.

THE HAVA ADMINISTRATOR

The Commonwealth has assigned an employee of the Department of State the responsibility to oversee the HAVA project. This employee, the HAVA Administrator, is responsible for monitoring the progress of the counties, overseeing the county agreements, and keeping account of the status of the requirements payment fund. The HAVA Administrator has met regularly with the Secretary of the Commonwealth and the Commissioner of the Bureau of Commissions, Elections & Legislation as to the status of the Commonwealth's compliance with HAVA and the various projects established by the counties. In addition, the State Plan as amended, serves as an annual report from the HAVA Administrator to the public.

MONITORING THE COUNTY AGREEMENTS

Through the reporting requirements included in the proposed county agreements, the Department of State should be able to monitor the progress of the county projects and the usage of the funding. The Commonwealth plans to hold the counties responsible for their expenditures of the funding. The Department of State will assist the counties to the extent possible to ensure project success.

MONITORING OF DEPARTMENT ACTIVITIES

While monitoring the county use of the funds is important, the Department of State also plans constantly to review its progress from two perspectives: the disbursement of funding and its own efforts in meeting the requirements of HAVA.

Throughout the implementation stage of HAVA, the Department has informed all interested parties of the Commonwealth's progress and attempted to address any concerns expressed by members of the advisory committees. Beginning at the end of calendar year 2004, the Department will issue an annual report of the Commonwealth's progress with respect to HAVA and address any concerns that might require action by the Governor or the General Assembly. Through this report, the Secretary of the Commonwealth will be able to detail potential changes to the Commonwealth's State Plan in advance of beginning the formal process for modifying the State plan under HAVA.

PERFORMANCE GOALS AND MEASURES

The Department of State has established performance goals and measurement processes to monitor the progress under the State Plan. This will better enable the HAVA Administrator to measure progress in achieving the goals. The Department of State will continuously monitor and review the performance of each initiative that is funded by requirements payment to determine progress.

The planned performance goals listed below are intended to apply to elections that occur during the year identified. The planned performance goals include:

a. Elimination of lever voting machines and punch card electronic voting systems

Timetable: January 1, 2006

Criteria: Replacement of lever voting machines and punch card electronic voting equipment in compliance with Title III requirements for the 24 counties that utilized lever voting machines in the November 2000 Election that still use them and the 11 counties that used punch card electronic systems in the 2000 election.

Responsible Official: The county boards of elections, with the cooperation and assistance of the Secretary of the Commonwealth.

Update: For an update of the Commonwealth's progress, see page 55.

b. Implementation of the Statewide Uniform Registry of Electors

Timetable: January 1, 2006

Criteria: Implementation of a single, uniform, official, centralized, interactive, computerized statewide voter registration list and database.

Responsible Official: The Secretary of Commonwealth, with the cooperation of each county voter registration office.

Update: For an update of the Commonwealth's progress, see page 59.

c. Polling place accessibility

Timetable: January 1, 2004

Criteria: Survey all polling places in the Commonwealth to determine accessibility under the Federal Voting Accessibility for the Elderly and Handicapped Act (42 U.S.C. 1973gg *et seq.*) and work to increase the number of accessible polling places in Pennsylvania.

Responsible Official: The county boards of elections, with the cooperation and assistance of the Secretary of the Commonwealth.

Update: For an update of the Commonwealth's progress, see page 56.

d. Voter education program

Timetable: January 1, 2004

Criteria: Establishment and implementation of a voter education program providing voters with information relative to voting procedures, voting identification, complaint procedures, provisional ballots and voting information specific to each type of voting system that clearly explains to the voter how to correctly cast a ballot; how to correct an error; how to obtain a replacement ballot; and the effect of casting multiple votes for an office.

Responsible Official: The Secretary of Commonwealth, with the cooperation of each county board of elections.

Update: For an update of the Commonwealth's progress, see page 60.

e. Poll Worker/Election Officer Training

Timetable: January 1, 2006

Criteria: Establishment and implementation of a training program for district election and county election officials to insure that procedures used in polling places are standardized across the Commonwealth to the greatest extent possible.

Responsible Official: The Secretary of Commonwealth, with the cooperation of each county board of elections.

Update: For an update of the Commonwealth's progress, see page 62.

f. Accessibility for individuals with disabilities

Timetable: January 1, 2006

Criteria: Purchase at least one voting system that is usable by individuals with a disability in each polling place in the State and adequate placement of this equipment throughout the 67 counties.

Responsible Official: The Secretary of Commonwealth, with the cooperation of each county board of elections.

g. Alternative Language Accessibility

Timetable: January 1, 2004

Criteria: Initiate an outreach program to alternative language communities to apprise them of their voting rights and the correct voting procedures and offer alternative language services to the counties requesting them.

Responsible Official: The Secretary of the Commonwealth, with the cooperation of each county board of elections.

Update: For an update of the Commonwealth's progress, see page 56.

h. Provisional Voting

Timetable: January 1, 2004

Criteria: Implementation of a free access system in the Department so that the voters can determine if their provisional ballot was counted.

Responsible Official: Secretary of the Commonwealth, with the cooperation of each county board of elections.

Update: For an update of the Commonwealth's progress, see page 57.

The Department plans to issue periodic progress reports on the status of implementing the performance goals. After January 1, 2006, when all of the deadlines have passed, the Department plans to produce a report on how the performance goals have been met.

STATE PLAN ELEMENT 10

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

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

2005 -- All previous information contained in this Chapter is deleted and superceded by the following:

Section 254(a)(10) of HAVA requires the Commonwealth to describe in its State Plan how funds that it has received under sections 101 or 102 of HAVA (relating to payments to States for activities to improve administration of elections and replacement of punch card and lever voting machines) will affect the activities that the Commonwealth plans to carry out under the State Plan. Section 254(a)(10) also requires the Commonwealth to state in its State Plan the amount of funds available for its proposed activities.

Pennsylvania received $34,240,120.00 in Title I funding -- $11,323,168.00 under to Section 101 and $22,916,952.00 under section 102. Because counties have not yet been able to purchase a HAVA compliant voting system no dollars have been distributed to the counties under section 102. However, using section 101 dollars, Pennsylvania continues to make progress in implementing other HAVA requirements, including voter education, polling place accessibility, alternative language accessibility, provisional balloting, voter identification, and the statewide voter registration database. In particular, Pennsylvania has made progress in implementing a statewide voter registration database known as the Statewide Uniform Registry of Electors, or SURE. To date, 56 of 67 counties have been connected to the SURE system.

The chart below represents the expenditures made from Section 101 funds as of the close of State Fiscal Year 2004-2005.

Section 101 Funding	***Actual Expenditures (as of June 30, 2005)***
Polling Place Accessibility	$ 0.00
County Grant Fund	$ 0.00
Statewide Voter Registration Database	$ 4,011,964.53
Voter Education	$ 1,235,906.77
Poll worker Training	$ 21,370.92
County Election Official Training	$ 27,819.46
Alternative Language Assistance	$ 8,250.95
Provisional Voter Hotline/Website	$ 224,424.82
Administrative Expenses/Complaint Line	$ 814,966.25
Miscellaneous/State Plan Expenses	$ 250,052.08
TOTAL:	$ 6,509,460.04

There is $4,813,707.96 remaining in section 101 funds, $3,000,000.00 of which is earmarked for counties. Of this, $1,000,000.00 is earmarked for Polling Place Accessibility and $2,000,000.00 is to be made available to the County Grant Fund. The balance of the section 101 money will be used to fund the requirements of Title II as indicated in the State Plan filed August 1, 2003 and advertised in the *Federal Register* on March 24, 2004.

The chart of expenditures appearing above differs somewhat from expenditures contained on page 51 of the amended State Plan filed in August 2004. The dollar amounts more closely align with those originally allotted. The original allotments were established using Section 101 funds in order to provide State and county governments the means to begin implementing HAVA. It was planned that Title II funding would be used to increase the amount of dollars available to meet Title III requirements. However, when Title II dollars were not forthcoming in a timely manner, commitments came due and had to be paid from existing Federal dollars (Section 101 funds).

Please see the corresponding chart in the amended State Plan (2004). However, since last year the Department has made adjustments between Section 101 expenditures and the Title II expenditures to reflect those authorized by the State Plan. This chart reflects these adjustments. The total dollars that the State Plan originally allocated for each requirement are not affected by this adjustment.

STATE PLAN ELEMENT 12

In the case of a State with a State plan in effect under Subtitle D (relating to election assistance) of Title II of HAVA during the previous fiscal year, a description of how the plan reflects changes from the State plan for the previous fiscal year and of how the State succeeded in carrying out the State plan for the previous fiscal year.

HAVA Section 254(a)(12) (42 U.S.C. § 15404(a)(12)).

All previous information contained in this Element is superseded by the following, which constitutes a cumulative update of the Commonwealth's progress as it pertains to the "Commonwealth's Planned Actions" found throughout this State Plan. In addition, this Amendment contains three material changes to the State Plan as follows:

1. *Provides an update on the usage of voter verified paper ballots and voter verified paper audit trails (VVPAT)*
2. *Clarifies the distribution of interest earned on federal funds.*
3. *Clarifies funding available to counties who must replace their voting systems.*

The Pennsylvania Department of State's HAVA staff drafted this Element. The amended language of this chapter will be sent to the U.S. Election Assistance Commission (EAC) as an update required by section 254(a)(12) of HAVA.

STATE PLAN ADVISORY BOARD

After consultation with the State Plan Advisory Board, (Board) the Department amended the Pennsylvania State Plan and submitted the amendments to the EAC on August 13, 2004. The amendments were published in the *Federal Register* on September 30, 2004.

The Department convened the Board again on June 27, 2005, in Harrisburg, to discuss the goals, objectives, and accomplishments of the last calendar year and to approve the 2005 amendments to the State Plan. Leonard C. Piazza III of Luzerne County (representing 3rd Class Counties), Joyce E. McKinley of Centre County (representing 5th Class Counties), and Darlis Dyer of Montour County (representing 8th Class Counties) were also welcomed as newly appointed members of the Board filling vacancies that had occurred within the previous year. The first order of business for the Board was the nomination and election of the new chairperson, Robert Lee of Philadelphia County. John Neeves, Adjutant of the Disabled American Veterans of Pennsylvania was also appointed to the Board due to a vacancy although this appointment was made after the June 27, 2005 meeting.

The current list of Board members is as follows:

- Gladys M. Brown, Public At Large Member
- V. Rev. Neal Carrigan, Blind & Visually Impaired Pennsylvanians

- Vice-Chair Deena K. Dean, Director of Elections, Bucks County (county of the second class A)
- Darlis Dyer, Assistant Director of Elections, Montour County (county of the eighth class)
- Denise W. Jones, Chief Clerk/Director of Elections, Venango County (county of the sixth class)
- Lee E. Knepp, Chief Clerk, Snyder County (county of the seventh class)
- Chair Robert Lee, Jr., Voter Registration Administrator, Philadelphia County (county of the first class)
- Joyce E. McKinley, Director of Elections, Centre County (county of the fifth class)
- John Neeves, Adjutant, Disabled American Veterans of PA
- Eileen Melvin, Chairwoman, Republican State Committee of PA
- Leonard C. Piazza, III, Director of Elections, Luzerne County (county of the third class)
- Representative T.J. Rooney, Chair, Democratic State Committee of PA
- Larry Spahr, Director of Elections, Washington County (county of the fourth class)
- Josh Wilson, Public At Large Member
- Mark Wolosik, Division Manager for Elections, Allegheny County (county of the second class)

In addition to the Board meeting, the Department posted the proposed amendments to the State Plan on the Department's HAVA website (www.hava.state.pa.us) for a 30-day public comment period, and held a public hearing on August 1, 2005. The following five individuals submitted public comments and/or testified at the public hearing on behalf of their organization:

1. Lora Lavin – League of Women Voters of Pennsylvania
2. Robert Lee – Philadelphia County Board of Elections
3. Paul O'Hanlon – Disabilities Law Project
4. Marybeth Kuznik – VotePA
5. Barry Kauffman – Common Cause - Pennsylvania

LEGISLATION ENACTED

The General Assembly passed two pieces of legislation affecting election procedures in the Commonwealth. Act 2004-97 amended several aspects of the Pennsylvania Election Code including requirements for poll watchers, extends the time for examination of provisional ballots, specifies the reasons for not counting provisional ballots, and includes new requirements for the return of election materials to county boards of elections after the polls close. In addition, Act 2004-97 included automatic recount procedures for statewide elections when the margin of victory is less than one half of 1%.

Act 2004-98 provided that the standards adopted by the Voting Standards Development Board, known as "What Constitutes a Vote" would have the full force and effect of law for the November 2, 2004 General Election. The passage of Act 2004-98 became necessary after the

Commonwealth Court of Pennsylvania ruled that the standards are advisory and not binding on the courts. *See In Re Pennsylvania General Election for Snyder County Commissioner,* 841 A.2d 593 (Pa. Commw. Ct. 2003), *aff'd sub nom., Shambach v. Bickhart,* 577Pa.384, 845 A.2d 793 (2004).

It is important to note that Act 2004-98 only applied to the November 2, 2004 General Election as a special rule. Although Act 2004-98 corrected the matter, permanent statutory language has not yet been enacted.

VOTER VERIFIABLE PAPER AUDIT TRAIL

As indicated in the State Plan, the Department continues to monitor the national debate on the use of electronic voting systems and voter verifiable ballots. Over the last two years two concepts have evolved that affect the meaning of the paragraph at the bottom of page 12. Often during the debate the terms "voter verifiable paper ballot" and "voter verifiable paper audit trail (VVPAT)" have been used interchangeably although they are defined differently. Voter verifiable paper ballot is not used in the State Plan in the context the term is now used. While the analysis presented in the State Plan was accurate at the time the Plan was issued, (i.e, a DRE could not produce a voter verified paper ballot that would have the effect of superseding the votes contained on the DRE), it must now be revised. Therefore, the following will serve to update the Commonwealth's position on this issue.

A voter verifiable ballot is understood to be a paper ballot that can be used separately from an electronic voting system. It is not necessarily produced by a computer or DRE but could be used as part of an electronic voting system, i.e., be tabulated by automatic tabulating equipment. An optical scan electronic voting system is a voter verified paper ballot system. The voter verified paper ballot contains the official record of votes cast. Used in this context, Pennsylvania already uses the voter verified paper ballot, i.e., on optical scan, punch card, and other paper based voting systems.

On the other hand, a voter verified paper audit trail (VVPAT) is produced by a DRE or electronic voting system to enable the voter to verify that his/her selections on the VVPAT match the selections he/she has made on the electronic voting system. In some systems, the VVPAT containing an image of the ballot produced by the DRE would be deposited by the voter into a ballot box upon registering a vote on the DRE. In other systems the VVPAT is not touched by the voter but viewed through a window and retained within the DRE or a compartment attached to the DRE.

The Election Code provides that an electronic voting system must produce a permanent physical record of each vote cast. DREs currently in use in Pennsylvania meet this requirement through electronic ballot image retention (BIR) of each vote cast and the ability to print the contents of the BIR on paper for use in conducting audits. The voter verified paper audit trail would also meet this test. However, the audit trail is a record, but not the official record of the votes cast. While it is not specified in the statute what the function of the paper audit trail would be in the case of a recount or discrepancy, an electronic voting system producing a VVPAT is not required or prohibited by statute and can be used in Pennsylvania subject to regulation by the Department of State and/or the General Assembly.

Although the EAC has not yet made a final decision regarding the definitions of "accessible" and "manual audit capacity," the EAC has received initial recommendations for improving the existing 2002 Voting System Standards (VSS) from the Technical Guidelines Development Committee (TGDC) as required by HAVA. These initial revisions to the VSS state that a VVPAT is not mandatory, yet include Standards for systems with VVPATs for those States that choose to require or allow usage of a system that includes VVPAT.

The initial VVSG recommendations also include information on Independent Dual Verification (IDV) voting systems, which would allow the industry to design, develop and market voting systems with various means of independent verification of system accuracy and audit capabilities to meet future requirements of the VVSG.

VVPAT is a national topic of discussion among election officials at all levels of government, advocates for voters and advocates for people with disabilities. Proponents of the VVPAT argue that it allows a voter to read a printed record of their voted ballot prior to casting such ballot on an electronic voting system. Opponents of the VVPAT argue that mandatory use of the VVPAT requires Election Day use of a mechanical printer in an electronic voting device which could malfunction and adds a paper-based process that is unproven.

If the EAC were to interpret HAVA to require VVPAT, or issue Standards for States that require or allow use of a system with VVPAT, after systems have been purchased to comply with the unavoidable January 1, 2006 HAVA deadline for complying with the existing 2002 Voting System Standards, significant time and funding would be necessary to meet the requirement.

The Department of State will work with the General Assembly to identify options available to the counties to use electronic voting systems with a VVPAT and define the role of the VVPAT during a recount.

COMMONWEALTH'S PROGRESS ON THE IMPLEMENTATION OF HAVA

Pennsylvania's Voting Systems and Actions Planned by the Commonwealth to Comply with Section 301 of HAVA:

2004:

- The Commonwealth requested a waiver authorized by section 102(a)(3)(B) of HAVA[i] to postpone replacement of lever machines and punch card systems. The waiver request was sent to the U.S. General Services Administration in December of 2003, and the General Services Administration approved the Department's request by letter dated February 25, 2004. The effect of the waiver is to postpone the required replacement of the voting systems no later than the Federal elections held after January 1, 2006, instead of by January 1, 2004. The waiver was necessary because the Commonwealth has been waiting for a determination by the EAC or other authority regarding the requirements for a HAVA compliant voting system. In addition, each HAVA compliant voting system will have to be reviewed and examined to determine compliance with Pennsylvania law.

The Commonwealth plans to work aggressively to expedite the purchase of the new voting systems by the counties before January 1, 2006, but did not believe that it would be physically possible or prudent for counties to procure new voting systems for over 9,000 precincts, train elections officials to operate them and expect voters to use them properly at the November 2, 2004 General Election.

2005:

- On February 15, 2005 a reexamination of the electronic voting system used in Beaver, Greene, and Mercer Counties was conducted. The reexamination was scheduled as a result of a petition filed by 19 registered electors of Beaver County in accordance with section 1105-A(a) of the Election Code, 25 P.S. § 3031.5(a). The result of the reexamination was the decertification of the voting system on April 7, 2005 and a subsequent prohibition of its use in Pennsylvania. The three affected counties contracted with an optical scan vendor to conduct the May 17, 2005 Municipal Primary.

- The Commonwealth began the process of examining HAVA compliant electronic voting systems for compliance with the Election Code in February 2005, and additional examinations will be conducted throughout the summer. As referenced in State Plan Element 4, Act 2002-150 added a requirement to the Election Code that all electronic voting systems be examined by a federally qualified independent testing authority and meet Federal Voting Systems Performance and Test Standards. The Department's interpretation of the statute requires that electronic voting systems meet the Federal Voting Systems Performance and Test Standards released in 2002 and be found in compliance with the Election Code in order to be considered HAVA compliant.

- On May 31, 2005 the Pennsylvania Department of General Services, on behalf of the Department of State, released an Invitation for Bid (IFB) to allow vendors to submit quotes for the purchase of systems. To ensure compliance, the report issued by the Secretary of the Commonwealth granting or denying certification for use in Pennsylvania will not be released until the Department of State is confidant that the vendor has met all requirements.

Elimination of Lever Voting Machines and Punch Card Electronic Voting Systems

2005:

- The delayed organization of the U.S Election Assistance Commission (EAC), and subsequent lack of Federal guidance severely impeded the Department's ability to make progress towards voting system replacements or upgrades. Specifically, the Department has waited for the EAC to define the terms "accessible" and "manual audit capacity" as used in HAVA before the Department determines which systems should be considered for examination and certification in Pennsylvania. The EAC has not yet made those decisions.

Accessibility of Voting Systems for Electors with Disabilities:

2004:

- In an effort to improve polling place accessibility, the Secretary of the Commonwealth formed the Polling Place Accessibility Advisory Group composed of advocacy groups for individuals with disabilities and various county representatives to review and revise the Commonwealth's accessibility guidelines and develop procedures to assist counties in increasing the number of accessible polling places in each county. Please see www.hava.state.pa.us for Pennsylvania's guidelines for polling place accessibility.

- The Commonwealth asked counties to conduct a survey of all polling places in the Commonwealth to determine their accessibility under the guidelines issued by the Department of State under the Voter Accessibility for the Elderly and Handicapped Act (42 U.S.C. § 1973ee, *et seq.*). When it became available, the Department provided the ADA Checklist for Polling Places issued by the U.S. Department of Justice's Civil Rights Division to the counties. The Department is currently reviewing the surveys. Upon the completion of the survey review, the Commonwealth plans to make Federal funds (specifically funds provided by the Department of Health and Human Services under Title II of HAVA) available to counties to increase the accessibility of polling places.

2005:

- The survey results are providing the Department with a basic understanding of accessibility issues related to polling places. The Department plans to disburse funding in a manner that will allow for the largest number of inaccessible polling places to become accessible. In furtherance of this effort, the Department has held meetings with accessibility advocates, including a Polling Place Accessibility Advisory Group.

- To date, the Department has collected survey results from 66 counties. Of the 9,437 polling places across the Commonwealth, 7,054 have been found to be accessible, 2,244 are inaccessible, and 139 are undefined. Northumberland County has a total of 94 polling places, however they have not yet certified their results to the Department.

Alternative Language Accessibility:

2004:

- In an effort to improve alternative language accessibility, the Secretary of the Commonwealth formed the Alternative Language Accessibility Advisory Group composed of advocacy groups for individuals who speak alternative languages as a primary language and various county representatives to review the status of alternative language accessibility across the Commonwealth and provide information and advice on increasing the number of polling places accessible to individuals who speak alternative languages as a primary language. To date, the Advisory Group has met four times and

has approved various voter education initiatives including development of the PA Votes! website.

- All materials designed for use by voters regarding HAVA Title III Complaints, provisional voting and voter identification have been translated into Spanish and provided to the 67 county boards of elections.

- The Alternative Language Accessibility Advisory Group held combined meetings with the Voter Education Advisory Group to discuss methods to educate alternative language communities about the new election-related requirements and the electoral process in general.

- The Department procured maps of each county detailing U.S. Census Bureau data in order to assist the Department's identification of counties with significant Spanish-speaking populations for the purpose of coordinating State and county efforts to produce and properly distribute bilingual election-related materials including ballots.

2005:

- Throughout the Special Election held in Montgomery and Philadelphia Counties on March 9, 2004, the April 27, 2004 General Primary, and the November 2, 2004 General Election the Department provided the voter education materials and tools in Spanish. See section on voter education below for more information.

- To ensure that the Department is able to quickly and correctly translate necessary materials, and to reach out to Spanish-speaking communities, a bilingual coordinator was hired in August 2004. The bilingual coordinator was successful in conducting election official training, providing translations for election materials, and reaching out to the Spanish-speaking community for voter education efforts. This effort includes our website, toll-free telephone line and all voter education materials that are referenced in the provisional voting and voter education sections of this report.

Provisional Voting in Pennsylvania:

2004:

- In an effort to create standardized statewide procedures for provisional balloting, the Secretary of the Commonwealth, in consultation with representatives of the county boards of elections and advocacy groups, prescribed the format of the provisional ballot for all voting systems and prescribed the procedures to be followed in processing and tabulating such ballots. The procedures adopted by the Secretary of the Commonwealth include a required notice containing instructions on how to cast a provisional ballot. Instructions must be posted in accordance with the applicable provisions of HAVA.

- During the April 27, 2004 General Primary, 2,480 provisional ballots were cast in Pennsylvania. Of those, 37% of the provisional ballots were counted, 33% were partially counted, and 30% were not counted for various reasons.

- All materials provided to individuals who vote by provisional ballot have been provided to the county boards of elections in English and Spanish in a format that allows both languages to appear on the same form.

- The Commonwealth continues to explore methods to provide voter registration mail applications to individuals who vote by provisional ballot in order to allow those individuals to update their voter registration status, if necessary. Due to the amount of information required to be placed on provisional voting materials by legislative mandate, the Commonwealth was unable to print a voter registration mail application on provisional ballot materials, but it will be providing county boards of elections with the capability to generate a form letter and label automatically for the purpose of mailing a voter registration mail application to provisional voters to invite those individuals to register to vote or to update their voter registrations.

2005:

- The Department, in cooperation with its Bureau of Commissions, Elections and Legislation and Bureau of Management Information Systems, developed and implemented a reporting system that allows counties on the Statewide Uniform Registry of Electors (SURE) to efficiently research the registration status of provisional voters and to report the status of provisional ballots to the Department in a uniform manner. Effective use of this system allows the Department to quickly upload provisional ballot status information for public consumption as required by the *Election Code*. Counties that were not on the SURE system at the time of the General Election were provided with the program, and were offered alternative methods to provide provisional ballot information to the Department. The Department was required to provide for provisional ballots during a special election held in Columbia County in January 2004. The special election was helpful to the Department as a trial for the provisional ballot process prior to the April 27, 2004 General Primary.

- During the November 2, 2004 General Election, 54,363 provisional ballots were cast. Of those, 27.6% were counted, 21.7% were partially counted, 50.4% were not counted for various reasons, and 0.03% were not processed by county boards of elections. Voters were able to call a toll-free telephone number or access the Department's website to determine the status of their provisional ballot.

- The Commonwealth encouraged counties that did not plan to mail voter registration forms to provisional voters in order to allow them to update their registration status to provide the forms at polling places.

Voting Information Requirements:

2004:

- The Commonwealth, through the Department of State and in consultation with county representatives and community stakeholders, prescribed the contents of a bilingual notice for posting at each polling place that details the acceptable forms of identification required of voters who appear to vote in an election district for the first time, provisional voting information, and information regarding HAVA Title III complaints. The Department worked cooperatively with counties and stakeholders to develop the format of the notice, and to facilitate re-production and posting at each polling place for elections occurring after January 1, 2004. The information contained on the posting was provided to counties in two formats: (1) A format similar to the current cards of instructions and penalties to be printed by the county boards of elections; and (2) a large voter-friendly poster which the Commonwealth plans to provide through the November 2, 2004 General Election. Both formats must be posted in every polling place for any election held after January 1, 2004.

- The Commonwealth printed 15,000 voter-friendly posters, and provided at least one poster for every election district, and at least one additional poster to be posted in elections districts where county boards of elections provide election-related materials printed in Spanish.

- The Commonwealth reproduced 250,000 copies of the posting described above in flier form and provided them to state legislators, county boards of elections, municipalities, libraries and state agencies that provide voter registration services.

2005:

- Polling place postings are continually updated by the Department for compliance with HAVA and the Election Code as needed. Changes to all forms are made in both English and Spanish.

Computerized Statewide Voter Registration List:

2004:

- Act No. 2002-3 authorizes the establishment of a central uniform registry that is HAVA compliant. (*See Appendix C.*) However, because SURE could not be fully operational by the date specified by section 303(d)(1)(B) of HAVA – January 1, 2004 – the Commonwealth invoked the waiver authorized by HAVA to extend the deadline for full implementation until January 1, 2006. The Commonwealth plans to use part of its requirements payments to pay for the costs of the SURE system. By the April 27, 2004 General Primary, 56 counties were using the SURE System as their official record of voter registration. Pennsylvania's 11 remaining counties will be fully connected to the SURE System as soon as possible, but no later than the January 1, 2006 deadline imposed by HAVA.

2005:

- Act No. 2002-3 authorizes the establishment of a central uniform registry that is HAVA-compliant. *(See Appendix C.)* However, because SURE could not be fully operational by the date specified by section 303(d)(1)(B) of HAVA – January 1, 2004 – the Commonwealth invoked the waiver authorized by HAVA to extend the deadline for full implementation until January 1, 2006. The Commonwealth has used and plans to continue using part of its requirements payments to pay for the costs of the SURE system. As of June 2005, 56 counties are using the SURE system as their official record of voter registration. Pennsylvania's 11 remaining counties will be fully connected to the SURE system during the summer and fall of 2005. The SURE system will be fully deployed as the Commonwealth's official voter registration system prior to 2006.

- When SURE is fully deployed, it will be the primary mechanism counties will use to verify voters' driver's license and social security numbers though an interface to the state's Department of Motor Vehicles and the Social Security Administration as required by HAVA. SURE will also serve as the basis to implement other improvements to election administration in Pennsylvania, including: pubic access to one's own voter registration information on the Internet, reporting of statewide statistics, electronic registration at other state agencies, and other election and voter registration-related features.

Requirements for Voters Who Register by Mail:

2004:

- The Department of State has prescribed the content of two notices that will be posted at each polling place detailing the acceptable forms of identification required of voters who appear to vote in an election district for the first time. The Department worked cooperatively with counties and other stakeholders to develop the format of the notice and facilitate production.

- The Department is also continuing to work with the counties and stakeholders to educate voters regarding the voter identification requirements imposed upon first-time voters by Act 150 and the rights of such voters to cast a provisional ballot in the event that they are unable to produce identification required by sections 1210(a) or 1210(a.1) of the Election Code.

2005:

- The Department is working with the Pennsylvania Department of Transportation (PennDOT) to meet requirements of HAVA that mandate a process for verifying voter registration information through the Commonwealth's driver's license records or U.S. Social Security Administration records.

Voter Education:

2004:

- The Commonwealth, through the Department of State and in consultation with county representatives and community stakeholders, prescribed the contents of a bilingual notice for posting at each polling place that details the acceptable forms of identification required of voters who appear to vote in an election district for the first time, provisional voting information, and information regarding HAVA Title III Complaints. The Department worked cooperatively with counties and other stakeholders to develop the format of the notice, and to facilitate re-production and posting at each polling place for elections occurring after January 1, 2004. The information contained on the posting was provided to counties in two formats: (1) A format similar to the current cards of instructions and penalties to be printed by the county boards of elections; and (2) a large voter-friendly poster that the Commonwealth plans to provide through the November 2, 2004 General Election. Both formats were to be posted in every polling place for any election held after January 1, 2004.

- The Commonwealth printed 15,000 voter-friendly posters and provided at least one poster for every election district, with at least one additional poster to be posted in elections districts where county boards of elections provide election-related materials printed in Spanish for the April 27, 2004 General Primary.

- The Commonwealth reproduced 250,000 copies of the posting described above in the form of a flier and provided them to State legislators, county boards of elections, municipalities, libraries and State agencies who provide voter registration services.

- The Commonwealth launched the *PA Votes!* website on April 12, 2004, at www.pavotes.state.pa.us. *PA Votes!* is geared toward the voting public in general. The website includes information regarding voter registration, county specific voting instructions, Election Day information, alternative language interpretive services, and information regarding HAVA and SURE.

- Department staff recorded radio sound bites in English and Spanish for use as public service announcements to educate listeners about voter identification requirements, overvotes, provisional voting, and HAVA Title III complaints for the Special Elections held in January and March of 2004 for State legislative offices, as well as for the April 27, 2004 General Primary.

- As part of a combined voter education and voter outreach effort, the Department developed additional public service announcements for print and television media outlets to educate voters and encourage voter participation. PSAs were produced in alternative English and Spanish to further encourage voter participation by citizens whose primary language is not English.

- The Department also developed and produced a new *Pennsylvania Voter Guide,* which provides comprehensive information about registering and voting in Pennsylvania. The

Pennsylvania Voter Guide was printed in English and Spanish and distributed to the Department, county boards of elections, and state agencies that participate in voter registration.

- As part of the Department's voter outreach program, the Secretary produced additional HAVA compliant voter registration applications and distributed them to all registration agencies, the 67 county registration offices and civic organizations interested in voter registration.

- The Commonwealth provided voter education materials in alternative languages in those jurisdictions falling under section 203 of the Voting Rights Act, as well as those jurisdictions with responsibilities to adhere to the requirements of other provisions of the Act, including sections 2, 4(e) and 208; and it made available alternative language voter education materials to all other jurisdictions irrespective of their coverage under section 203 and to groups that request them.

- The Commonwealth provided voter registration mail applications to all senior high school students graduating from high school during the spring of 2004.

2005:

- Prior to the April 27, 2004 General Primary, the Department relied on public service announcements, required advertisements in newspapers, and polling place postings to inform voters of their rights and other important information necessary for participation on Election Day. After the 2004 General Primary, the Department contracted with an advertising agency to conduct a statewide voter education effort for the November 2, 2004 General Election. The agency integrated TV, radio and print advertisements, billboards, comprehensive voter guides, pamphlets, an instructional video, a new website, and various public events into the voter education program. According to the agency, our voter education message of "Ready.Set.Vote" reached over nine million Pennsylvanians prior to Election Day. This initiative was conducted both in English and Spanish. "Ready.Set.Vote" and other voter education initiatives received positive reviews from most county personnel, advocacy groups, and the public.

Education for State/County Officers:

2004:

- Department staff attended the Eastern and Western County Election Personnel Associations in February and March of 2004, respectively, to discuss provisional voting, voter identification, HAVA Title III complaints, and poll worker training in preparation for the April 27, 2004 General Primary.

- In addition, the Department conducted county training sessions July 13, 2004 through July 23, 2004 in five regional meetings across Pennsylvania to address the needs of the

November 2, 2004 General Election. Representatives from sixty-two of Pennsylvania's sixty-seven counties attended the training sessions.

2005:

- The Department conducted county training sessions from June 20, 2005 through June 24, 2005 in the form of five regional meetings across Pennsylvania. The goal of the seminars was to discuss election issues in small groups in an effort to promote uniformity in procedures and practices. Although the sessions were similar to the seminars held in July of 2004, additional topics were added to the agenda such as voting system procurement, county plans, and county grants.

Education of District Election Officials:

2004:

- The Commonwealth, through the Department of State, developed, implemented and conducted an extensive program to educate district election officials (*i.e.*, poll workers) regarding the changes to Federal and State election laws. All counties were given the opportunity to have Department of State personnel conduct these trainings. Of the 67 counties, 13 requested Department assistance with their district election official training. The Department participated in the training of the 13 counties that requested assistance by providing staff to conduct the training programs. The training involved an extensive Power Point presentation and a printout of the presentation for poll workers to use on Election Day.

2005:

- The Department, in consultation with county election representatives developed and is in the process of implementing a voluntary professional certification and poll worker training program that can be conducted by the county boards of elections.

- In addition, the Department of State and Deloitte Consulting, LLP conducted a comprehensive, statewide quality assurance assessment program focusing on the infrastructure and preparedness of the 67 counties for the 2004 General Election. Deloitte consultants visited all of the counties and assessed them on quality assurance and preparedness in regard to eight categories: 1) voting systems; 2) provisional ballots and voter identification; 3) absentee and alternative ballots; 4) reporting of results; 5) ballot review; 6) accessibility; 7) resources; and 8) training and education. As a result of the quality assurance assessment, each county received a specific post-assessment letter detailing its strengths and weaknesses as well as recommendations for improvement. The Department and Deloitte also wrote and distributed two global communiqués highlighting statewide trends and recommendations and an "Election Officials' Information Card." Several counties were provided with additional training resources, ranging from presentation materials and handouts to Department/Deloitte-conducted training sessions

for district election officials. Counties with unique challenges received additional consultation and guidance from the Department. The quality assurance assessment significantly raised the awareness and ensured the preparedness of both the Department and the counties for the 2004 General Election.

- The Commonwealth, through the Department of State, developed, implemented and conducted an extensive program to educate district election officials (*i.e.*, poll workers) regarding the changes to Federal and State election laws. All counties were given the opportunity to have Department of State personnel conduct these trainings. Of the 67 counties, 10 requested Department assistance with their district election official training for the November 2, 2004 General Election. The Department participated in the training of the 10 counties that requested assistance by providing staff to conduct the training programs. The training involved an extensive Power Point presentation and a printout of the presentation for poll workers to use on Election Day. Only two counties requested poll worker training assistance for the May 17, 2005 Municipal Primary.

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