in this specification. Additional capabilities beyond those stated here are acceptable, provided that the minimum requirements are satisfied.

4.2.1. A form is defined as: (a) 1–40 characters describing the form, (b) Delivery address (i.e., e-mail or other network identifier), (c) Form number as defined by NMFS to uniquely identify the form, (d) Form version number (numeric with one decimal place; i.e., 1.2), and (e) a collection of 1–30 fields and associated logic rules.

4.2.2. Each field (within a form) is defined by the following elements. Except where noted, all elements of the field definition are mandatory: (a) Label (0 to 40 characters, alpha numeric), (b) Context Help Text (0 to 200 characters, alpha numeric), (c)Type (Either; enumeration, numeric, alpha, alphanumeric or Boolean), (d) Default Value, (e) Optional/Mandatory/Hidden/ Logic indicator, (f) Min/Max values (for numeric fields only) in range 0.000 to 999,999, (g) Decimal places (for numeric fields only) 0–3, and (h) Min/Max characters (for alpha/alphanumeric fields only).

4.2.3. Up to 100 code/value/help text pairs (enumerations only) must be provided, where codes are defined as 1–20 alphanumeric characters, values are 1–80 alphanumeric characters and help text is 0–200 characters. Such fields are typically used to permit a user to select from a range of options (i.e., geographic areas, gear types, fish species). Codes are used to compress the form data for efficient transmission. Help text would typically be displayed only when the user selects a specific value from the enumeration.

4.2.4. Form Validation: Each field must be defined as; Optional, Mandatory or Logic Driven. Mandatory fields must be entered by the user before the form is complete, optional fields that do not require data entry, and logic driven fields have their attributes determined by earlier form selections. Specifically; it must be possible for selection of an enumeration to change the optional/mandatory setting, min/ max values, or the permitted enumeration values on a later field within the same form.

4.2.5. State Information: The capability to populate a form based on the last values used must be available. This provides the user with an easy mechanism to 'modify' or 'update' a prior submission - without unnecessary re-entry of data. The user must be able to review a minimum of 20 past form submissions and ascertain for each form when the form was transmitted and whether delivery was successfully completed to the vendor's processing center. In the case of a transmission failure, the user must be provided with details of the cause and have the opportunity to retry the form submission.

4.2.6. Inclusion of VMS Position Report: In addition to the manually entered fields, the forms package must permit the inclusion of VMS position report fields such as latitude, longitude, date and time. Such fields must be obtained from the GPS function of the MTU and transmitted along with the manually entered form data within the same transaction.

4.2.7. Delivery Format for Form Data: It is preferred that form data be transferred from the terminal to NMFS using the same transport as for either text messages or VMS position reports (the selected option to be at the election of the E-MTU vendor). Currently supported protocols for transfer are; FTP, SMTP, XML and HTTP Post. The field coding within the data must follow either CSV or XML formatting rules. For CSV format the form must contain an identifier and the version number, and then the fields in the order defined on the form. In the CSV format strings that may contain '','' (comma) characters must be quoted. XML representations must use the field label to define the XML element that contains each field value.

Section 5. Customer Service

The MTU supplier or its designated entities shall provide customer service that is professional, courteous, and responsive. It should provide MTU diagnostic and troubleshooting support to OLE and the fishermen. No services shall be billed to any NOAA or OLE office without being specifically contracted for in writing by an authorized entity. Services shall include:

5.1. Service level, warranty, and maintenance agreements. Clarify constraints, if any, on the geographic territory, personnel availability, and escalation procedures for problem resolution covered by such services.

5.2. Facilities and procedures in place to assist the fisherman in maintaining and repairing their MTU, including response and general system turn around time.

5.3. Help in the determination and isolation of the cause of communications anomalies.

5.4. Assist in the resolution of communications anomalies that are traced to the MTU.

5.5. All services will be considered to be free of charge unless specifically listed in service or purchase agreements.

Section 6. Other Information

6.1. The MTU must have the durability and reliability necessary to provide acceptable service in a marine environment where the unit may be subjected to saltwater (spray) in smaller vessels, and in larger vessels where the unit may be maintained in a wheelhouse. The unit, cabling and antenna must be resistant to moisture and shock associate with the marine environments.

6.2. The MTU must comply with any additional requirements specified in the regulations for the VMS implementation for which application is made. The requestor must review the applicable NMFS rules requiring the use of VMS and respond here to any specific requirements listed therein.

6.3. All personally identifying information provided by vessels owners or other authorized personnel for the purchase or activation of MTU or E-MTU, or for the participation in any NMFS VMS-approved fishery must be protected from unauthorized disclosure. Personally identifying information includes, but is not limited to, names, addresses, telephone numbers, social security account numbers, credit card numbers, vessel names, federal, state, and local documentation numbers, e-mail addresses, and crew lists. Any information sent electronically to the OLE must be transmitted by a secure means that prevents interception, spoofing, or viewing by unauthorized individuals. Any release of such information must be requested and approved in writing by the vessel owner or authorized personnel, or the OLE. Inadvertent or intentional unauthorized release of personally identifying information will be grounds for reconsideration and possible revocation of the type approval for any MTU or E-MTU supplied by the offending provider.

Dated: October 24, 2005.

William T. Hogarth,

Assistant Administrator for Fisheries, National Marine Fisheries Service.

[FR Doc. 05–21486 Filed 10–26–05; 8:45 am]

BILLING CODE 3510–22–S

ELECTION ASSISTANCE COMMISSION

Publication of State Plan 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 plan previously submitted by Delaware.

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 plan 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.

The submission from Delaware addresses material changes in the administration of the previously submitted State plan and, in accordance with HAVA section 254(a)(12), provides information on how the State succeeded in carrying out the previous State plan. The current submission from Delaware addresses a material change to the budget of the previously submitted State plan to address how the State will utilize the fiscal year 2004 requirements payments made in accordance with HAVA section 251.

Upon the expiration of thirty days from October 27, 2005, Delaware 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). At that time, in accordance with HAVA section 253(d), Delaware may file a statement of certification to obtain a fiscal year 2004 requirements payment. This statement of certification must confirm that the State is in compliance with all of the requirements referred to in HAVA section 253(b) and must be provided to the Election Assistance Commission in order for the State to receive a requirements payment under HAVA Title II, Subtitle D.

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 revising the State plan and encourages further public comment, in writing, to the State election official listed below.

Chief State Election Officials

Delaware

Mr. Frank Calio, State Election Commissioner, 111 S. West Street, Suite 10, Dover, DE 19904, Phone: 302–739–4277, Fax: 302–739–6794, e-mail: *coe_vote@state.de.us.*

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

Dated: October 21, 2005.

Gracia M. Hillman,

Chair, Election Assistance Commission.

BILLING CODE 6820–KF–P

STATE OF DELAWARE

STATE PLAN
Help America Vote Act

Required by Public Law 107-252

Revised 09/21/2005

Frank B. Calio
Commissioner of Elections
111 S. West Street, Suite 10
Dover DE 19904

TABLE OF CONTENTS

LETTER 3
INTRODUCTION 4
SEC. 254 (1) TITLE III REQUIREMENTS AND 2512(A)(2). 5
A. SEC. 301 (a) REQUIREMENTS VOTING SYSTEM STANDARDS 5
B. SEC. 302 PROVISIONAL VOTING AND VOTING INFORMATION 7
C. SEC. 303 COMPUTERIZED STATEWIDE VOTER REGISTRATION REQUIREMENTS AND REQUIREMENTS FOR VOTERS WHO REGISTER BY MAIL 8
SEC. 254 (2) DISTRIBUTION OF REQUIREMENTS PAYMENTS 9
(2)(A) ELIGIBILITY CRITERIA - LOCAL GOVERNMENT UNITS AND OTHER ENTITIES 9
SEC. 254 (3) EDUCATIONAL PROGRAMS FOR VOTERS, ELECTION OFFICIALS AND POLL WORKERS 10
SEC. 254 (4) VOTING SYSTEM GUIDELINES 11
SEC. 254 (5) STATE ELECTION FUND 12
SEC. 254 (6) DELAWARE'S PROPOSED BUDGET 13
SEC. 254 (7) MAINTENANCE LEVEL OF STATE FUNDING 14
SEC. 254 (8) STATE PERFORMANCE MEASURES AND GOALS 15
SEC. 254 (9) ADMINISTRATIVE COMPLAINT PROCEDURES 16
SEC. 254 (10) EFFECT OF TITLE I PAYMENTS 16
SEC. 254 (11) STATE PLAN MANAGEMENT 16
SEC. 254 (12) STATE PLAN EFFECTS FROM PREVIOUS FISCAL YEAR 17
SEC 254. (13) DESCRIPTION OF HAVA COMMITTEE 18
APPENDIX A: COMPARISON OF DELAWARE'S EXISTING ELECTION SYSTEM WITH THE REQUIREMENTS OF HAVA AS OF JUNE 1, 2005. 20
APPENDIX B: HAVA LEGISLATION 35
APPENDIX C: CONSOLIDATED BUDGET 44

The Help America Vote Act of 2002 (HAVA) is federal election reform legislation, which directs the states to make changes in how they approach elections. This legislation establishes voting systems standards that address standards for voting machines, voter registration and polling place accessibility, among other voting issues. The federal election legislation reform authorizes funds to assist the states in complying with the new mandates. To date Delaware is eligible to receive over $16 million dollars to change or upgrade Delaware's election infrastructure.

Delaware is one of six states in the nation that replaced punch card or lever machines. Delaware purchased Direct Recording Electronic (DRE) machines in 1996 as replacements for the state's fleet of aging lever machines that had been used since the mid-1950s. We have had a statewide election management system since the early 1990s using standard procedures ranging from collection voter information from the Departments of Election in each county to maintaining a single statewide database by the Commissioner of Elections.

HAVA requires that all states implement the mandates in the act. To be eligible to receive federal grant dollars to accomplish these mandates, to obtain the final grant funding Delaware must amend its State Plan and present a revised expenditure budget which includes the additional $7,200,000.00. The existing task force which was appointed from various government and private sector stakeholders will continue to provide comments in the writing of the revised State Plan.

Although this process has been difficult, we in elections consider HAVA another step in the continuing process to achieve excellence. We have come a long way in improving physical accessibility, voter education programs, access to the voting process, election administration, technology standards, and election staff training.

I look forward to the challenges HAVA brings to Delaware.

Frank B. Calio,
Delaware Commissioner of Elections

INTRODUCTION

The Help America Vote Act of 1992 (HAVA) requires that states change key elements of their election management systems to create a uniform and non-discriminatory election administration. Delaware has already made a substantial investment in the State's election system. The Department replaced lever voting machines in 1996 and created a unified statewide election management system in the early 1990's. The State already complies with many HAVA mandates with DRE voting equipment and a computerized statewide voter file which is accessible to county election officials. Delaware welcomes the opportunity make our election management system better.

The administration of elections in Delaware is a state responsibility accomplished by the Department of Elections. The Department consists of the Commissioner of Elections and the Departments of Elections in each of Delaware's three counties. The Commissioner of Elections is appointed by the Governor and confirmed by the State Senate. The Commissioner is responsible for establishing and assuring election management standards incorporating uniformity in the conduct of elections, the application of election standards, voting equipment among other duties. The Departments of Elections for each county report to respective Boards of Election that are appointed by the Governor. The Commissioner is a member of each board. The Departments conduct elections in accordance with the Delaware Code and with standards and operating procedures established by the Commissioner.

To plan the implementation of the Help America Vote Act (HAVA), the Commissioner appointed the HAVA Task Force, whose membership is listed in Section 13 of this report, and established a state HAVA website to receive comments as the plan evolved. At the beginning of the process, the Commissioner's Office analyzed HAVA requirements noting where the State was already in compliance and where changes were needed. That analysis is included as Appendix A to this report and reflects the changes to date. Implementation of HAVA requires several changes to state law which have been passed by Delaware's General Assembly. The statute is included in Appendix B.

Because Delaware is a small state, the Commissioner's Office and the Departments of Elections in each county have a uniform application of law, standards, and procedures affecting the essential elements of the electoral process while recognizing the differing histories and needs of each regional office. The goal is that election management will be uniform throughout the State.

We have been working hard to accomplish our current goals and those of HAVA; the State has come a long way in assuring the completion of the HAVA requirements by 2006. Cost effectiveness and continuing maintenance administration are integral parts of the planning process. Many plans have now been formalized by the elections community. Where several opportunities existed before in the scope of our planning to reach compliance, we have now made our decisions. This amended State Plan addresses those changes.

STATE PLAN REQUIRED ELEMENTS

TITLE III REQUIREMENTS AND OTHER ACTIVITIES

SEC. 254 (1) TITLE III REQUIREMENTS AND 2512(A)(2).

(a) IN GENERAL - The state plan shall contain a description of each of the following:

(1) How the State will use the requirements payment to meet the requirements of title III (equipment and administration), and, if applicable under section 251 (a)(2), to carry out other activities to improve the administration of elections

We began addressing the required changes by selecting elements of the requirements that had to be implemented first. Since Title I monies were all the funding we had at that time, we proceeded to make the necessary changes to the Delaware voting system anticipating that Title II funding would arrive before the deadline for implementation of the more expensive voting machines and polling place accessibility actions. Whenever possible, we incorporated requirements changes into our standard programs and operating systems. Since elections for federal office occur every two years, operating dual systems is not feasible or cost effective.

To date the State has purchased 37 Danaher ELECT*ronic* 1242 for training and additional polling place coverage with Title I funding. Although these machines are newer than our current machines, the older machines' operating systems are scheduled to be upgraded to an equal status as the new machines. Since that purchase the Department has ordered 550 new Danaher ELECT*ronic* 1242 complete with the audio modules for individuals with visual impairments. At the same time we are retrofitting our upgraded machines with audio modules so that all of the voting machines meet the requirements. This work is scheduled to be completed in the summer of 2005.

A. SEC. 301 (a) REQUIREMENTS VOTING SYSTEM STANDARDS

All primary, general and special elections are conducted in accordance with Delaware Code, Title 15, using Danaher Controls *ELECT*ronic 1242 (model 6T) full-face ballot Direct Recording Electronic (DRE) voting machines. The machines are stored, maintained, ballots programmed by the Departments of Elections in each county following standards produced by the Commissioner of Elections. The Departments and their boards of elections also certify and secure the machines for each election. These voting machines now meet the requirements of Section 301 concerning accessibility for individuals with disabilities.

The Department had identified three options for meeting the Section 301 mandates: (1) upgrade some or all of the existing equipment to meet the accessibility requirement; (2) purchase one new and fully accessible DRE system for each polling place; and (3) purchase all new voting equipment.

With the receipt of Title II funding the State decided to upgrade all of the existing equipment to meet the accessibility requirement and to purchase 550 additional machines with Title II monies spending the entire $ 4,150,000.00 award on our Election Management System. Previously, the State purchased 37 new voting machines with Title I funds.

Delaware uses paper ballots for absentee voting. To comply with section 301, the State created an education program and provided instructions as required by section 301(a)(1)(B). Under existing provisions of the Delaware Code, the Commissioner prepares the instructions based upon shared practices in the Departments of Elections in each county.

The Delaware Legislature passed legislation defining what is to constitute a vote for each voting system in use. The legislation is included in Appendix B. Changes have been made to training manuals and programs accommodating the new standards.

Our intent is to use the requirements payments to:

- Upgrade, supplement, and/or replace voting machines;
- Train poll workers on new or modified voting equipment;
- Hire additional poll workers to manage the audio module and the provisional voting process:
- Purchase additional voting machines, to make sure that there are sufficient voting machines for hands-on training of poll workers and demonstrations;
- Create as much accessibility as possible in each polling place including technology assistance devices.
- Purchase or rent additional storage space for voting machines;
- Retain a portion of funding to provide election improvements for future years.

B. SEC. 302 PROVISIONAL VOTING AND VOTING INFORMATION

Enacted legislation authorizes provisional voting in state law. Poll workers are trained using the statewide standard in each county to offer provisional ballots under the conditions set forth in Section 302 of HAVA. As a transition measure, the state intends to hire additional poll workers so that provisional voters will not be discouraged by long waits to cast their ballots. The ballots will be cast on paper and sealed using a double envelope system similar to that used for absentee ballots. Each completed ballot will be assigned a tracking number. The Departments of Elections for each of the counties will meet the day following the election to determine the eligibility of provisional voters in accordance with Delaware law. The Commissioner of Elections has created a "free access" system so that provisional voters can determine whether their ballots were counted and, if not, the reason why. This system is similar to the existing polling place locator access program.

The Department of Elections in each county posted voting information on Election Day at each polling place as follows:

- A sample of the Election Day ballot;
- The election date and polling place hours;
- Instructions on how to vote and how to vote by provisional ballot;
- Instructions about mail-in registrants and information for first- time voters;
- General information on voting rights under applicable federal and state laws, including information on the right of an individual to cast a provisional ballot and instructions on how to contact the appropriate officials if these rights are alleged to have been violated;
- General information on federal and state laws regarding prohibitions on acts of fraud and misrepresentation.

The Commissioner of Elections in collaboration with the Departments of Elections in each county has agreed to use the adopted standards to produce statewide uniformity of information and practice.

The following items have been adopted and are currently in use throughout the elections community:

- Printing instructions and ballots for Provisional Voting;
- Preparing and printing HAVA-unique training materials for poll workers;
- Hiring additional poll workers to handle Provisional Voting;
- Creating a web- and telephone-based free access system;
- Programming to integrate provisional votes into the Vote Tally system;
- Preparing and printing information required by HAVA for posting on Election Day.

C. SEC. 303 COMPUTERIZED STATEWIDE VOTER REGISTRATION REQUIREMENTS AND REQUIREMENTS FOR VOTERS WHO REGISTER BY MAIL

Delaware currently has a statewide, computerized voter registration database administered, maintained, and evaluated by the Commissioner of Elections. The Departments of Elections in each county register voters in each county using standard application. Those applications are forwarded to the Commissioner along with applications executed at the Division of Motor Vehicles, other state agencies as required by the National Voter Registration Act, or Organized Voter Registration Drives which are administered by the Commissioner of Elections. Since voters register on paper forms, the Departments of Elections in each county verify informational elements when registering applicants and before entering their names into the statewide system. All election officials have immediate access to the data once it is entered at the county level.

Delaware has made several changes in voter registration in order to implement HAVA. Voter registration forms have been revised to ask for the individual's driver's license number, the last 4 digits if a Social Security Number or the State assigns a unique identifier to individuals who do not provide a either. The State has an on-going file maintenance program which checks various data elements with other databases form Vital Statistics and the Delaware Justice Department. Legislation has been enacted to comply with the mandates regarding identification for persons who register by mail after January 1, 2003. The Commissioner of Elections has signed and agreement with the Division of Motor vehicles to share data file information in July of 2005. The State's Division of Motor Vehicles has to complete an agreement with the Social Security Administration to match information as required by section 303(a)(5)(B).

Implementing these changes required:

- Programming to enhance the computerized statewide database;
- The redesign and reprinting of registration forms;
- Training for agency and election office personnel who take and process registration applications;
- Training for poll workers to know when to ask for voter identification and what forms of identification are acceptable;
- General education for voters, election officials, poll workers and the public.

SEC. 254 (2) DISTRIBUTION OF REQUIREMENTS PAYMENTS

(2) How the State will distribute and monitor the distribution of the requirements payment to units of local government and 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).

(2)(A) ELIGIBILITY CRITERIA - LOCAL GOVERNMENT UNITS AND OTHER ENTITIES

There are no local government units involved since the Departments of Elections in each county are a state agency, each with its own budget appropriated by the General Assembly. They do, however, serve counties and they will receive resources to carry out HAVA mandates as a statewide effort.

Supplies and equipment are requisitioned by the Departments of Election in each county and purchased by Commissioner of Elections for distribution. Any RFPs that are necessary will be developed by the elections community and offered by the Commissioner.

B. MONITORING PERFORMANCE OF LOCAL UNITS

The State has decided to use a single audit procedure to tack expenditures by the Departments of Elections in each county by maintaining all HAVA expenditures on a State level in the Commissioner's Office. The State will audit HAVA expenditures through its normal audit procedures. The three county Departments of Elections will report to the Commissioner of Elections on how the expenditures contribute to the appropriate performance measures that were adopted as described in section 8.

SEC. 254 (3) EDUCATIONAL PROGRAMS FOR VOTERS, ELECTION OFFICIALS AND POLL WORKERS

(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.

The Commissioner of Elections maintains the standards for training and educational programs utilizing a staff employee who is an Educator/Trainer. This individual presents training programs to state agencies, like the Department of Motor Vehicles, and registrars for Organized Voter Registration programs. Since the implementation of HAVA, the Commissioner, with the Departments of Elections in each county, have trained the poll workers, election officials, produced informational and educational materials and programs in a manner consistent with the statewide standards in consultation with the Department's Trainer/Educator.

- Developed statewide standards for training Election Officers and Poll Workers;
- Held monthly meetings for elections planning for training elections officials;
- Created programs to educate the public, candidates, elected officials and other stakeholders in the electoral process and methods of voting;
- Disseminated instructions on voter identification requirements and provided other training as appropriate to organized groups involved in mail registration campaigns;
- Researched innovative models and technologies for training delivery.
- Began development of educational curriculum to be used in Delaware schools as part of the social studies curriculum to be integrated into the Student/Parent Mock Election project.

SEC. 254 (4) VOTING SYSTEM GUIDELINES

(4) How the State will adopt voting system guidelines and processes which are consistent with the requirements of section 301.

The State through the Commissioner of Elections purchases voting equipment in Delaware. Legislation enacted in July 2003 requires that all voting systems purchased in the future be certified by the National Association of State Election Directors and/or the Election Assistance Commission. The DRE equipment now in use throughout the State is HAVA compliant including persons with visual disabilities. The State has purchased audio units that will be integrated into the current voting machines for persons with visual disabilities by August of 2005.

SEC. 254 (5) STATE ELECTION FUND

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

The State has established an election fund with the Mellon Financial Corporation (State of Delaware-General Collection Account). The Commissioner of Elections, as the chief state election official, is the single managing authority for receipt of election funds. After complying with the Single Point of Contact procedure established by the Office of Management and Budget, which is the submission of an expenditure budget for the State Clearinghouse, the funds are transferred to the Commissioner of Election's appropriations.

The management of the election fund is consistent with current Delaware Financial Management System. The Department understands that it must provide periodic reports on the use of the Election Fund to the Election Assistance Commission and that the Election Fund is subject to audit by various federal and state entities. The Commissioner of Elections will report the status of the fund at least annually to the State Plan Task Force Committee.

SEC. 254 (6) DELAWARE'S PROPOSED BUDGET

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

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

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

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

To date, Delaware has purchased 550 voting machines from Title II funds and 37 form Title I funds. The current inventory of 990 machines has been upgraded with an audio module making all the voting machines in Delaware accessible. The Department spent the FY '04 payment of $4,150,000.00 plus the State Match on an Election Management Voting System. Instead of purchasing one new DRE for every poling place, Delaware purchased additional DREs and upgraded our existing machines.

Appendix C is a total of all payments from Title I and Title II plus the State Match.

The revised budget is attached as APENDIX C is found on page 44.

The cost of Title III Requirements = $9,410,772.50
The portion of the requirements payment used to carry out these activities – 56%
The portion of the requirements payment used to carry out other activities – 44%.

SEC. 254 (7) MAINTENANCE LEVEL OF STATE FUNDING

(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.

The State will fund the Commissioner's Office and the Departments of Elections for the counties for expenditures at or above 2000 levels for activities consistent with HAVA. The total appropriation prior to 2000 was $3,264,102.73. Currently the State exceeds this expenditure level. The State currently holds HAVA funds in an interest bearing account. The Department expects to realize some interest to use for additional election improvements. It is clear that the new programs and equipment will added to the Election Management System will create future costs for the State.

SEC. 254 (8) STATE PERFORMANCE MEASURES AND GOALS

(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.

Implementation requires two types of measures: 1. "Milestones" are steps toward the achievement of a definite goal, such as the implementation of the voter identification requirement, together with an assignment of responsibilities and timelines; 2. Delaware uses the term, "performance measure," for indicators of how well a system is working. For example, the percentage of first-time mail registrants who fail to provide the required identification either when they register or at the polling place is an indicator of how effective the voter information component of the mail registration system is.

SEC. 254 (9) ADMINISTRATIVE COMPLAINT PROCEDURES

A description of the uniform, nondiscriminatory State-based administrative complaint procedures in effect under section 402.

The process is described in the legislation that was enacted in July, 2003. A copy is of the Act is in Appendix B.

SEC. 254 (10) EFFECT OF TITLE I PAYMENTS

(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.

The effect of Title I payments will be to strengthen Delaware's Election Management System. Since it is not feasible for the State to manage dual voting systems, one federal and one state, we have integrated the changes into one Election Management System. Delaware planed to spend $185,000.00 from Title I plus $4,150,000.00 from Title II on new voting systems. . However, this equipment must still be maintained over time. Thus, the effect of the Title I expenditures is to create a stable infrastructure to conduct Delaware elections and to plan for the future needs of our voters.

SEC. 254 (11) STATE PLAN MANAGEMENT

(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).

The Commissioner of Elections manages the plan in collaboration with the Departments of Elections in each county and members of the HAVA Task Force. Each member of the Department maintains essential functions in the Election Management System. Standards and procedures for essential elements of HAVA administration are written in a state manual to ensure uniformity of application.

The Commissioner of Elections will conduct annual meetings with the HAVA Task Force to review reports from the Departments of Elections in each county and the Commissioner's Office on the implementation of HAVA requirements and any changes in expected costs or federal appropriations. The Task Force may recommend changes to the plan. If the Commissioner of Elections determines the State Plan requires material change, he will conduct public hearings and resubmit those changes according to procedures in the original State Plan.

SEC. 254 (12) STATE PLAN EFFECTS FROM PREVIOUS FISCAL YEAR

(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 of how the State succeeded in carrying out the State plan for such previous fiscal year.

This State Plan is the amended State Plan required under the Help America Vote Act of 2002 (HAVA). There was a plan in effect during the fiscal year, 2005.

Changes that have been made to the State Plan which was in effect in previous years involve future planning. With the passage of time, we now know the total amount of Delaware's appropriation and knowing that enables the State choose the option to purchase new machines and to upgrade our fleet of voting machines producing a standard, compliant Election Voting System instead of just placing one compliant machine in each polling place.

We decided to spend more than we planned on Educational Programs in social studies in Delaware schools which are available to all public, private and parochial schools in the state. In 2004 we reached 54,000 school children throughout the state with a civics curriculum which is available on-line at:
http://www.state.de.us/election/information/mockelection/mockelection.shtml.

We have expanded training programs to include more people using portable technology like DVDs, CDs and audio files. Also, staff training and educational programs are under development to improve performance.

SEC 254. (13) DESCRIPTION OF HAVA COMMITTEE

(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.

Pursuant to Section 255, the Chief State Election Official, Frank B. Calio, Commissioner of Elections, appointed an advisory committee composed of citizens, elections officials, the Governor's Office, state officials and interested persons or organizations creating a HAVA Task Force. The composition of that committee has changed over time and is reflected in the list of members. These members are contacted to provide comment to the Revised State Plan for 2005.

The task force met for the first time on March 13, 2003, in Dover, Delaware. The membership formed subject matter committees during the April 3, 2003 meeting at the Silver Lake Conference Center. These groups scheduled meetings to draft sections of the State Plan. The draft sections were consolidated into one state plan.

The first plan was published on May 16, 2003 and is on the State's HAVA website (http://www.state.de.us/hava). The website was established to provide public information and notice. It also served as an on-line work area for committee members to make suggestions and share information electronically. It enables the public to transmit comments electronically, as well as, to view or download information about the State Plan for Delaware. The Task Force met again on June 16 to review comments and approve a plan. Dr. Robert Montjoy, of Auburn University, participated in the meeting. The committee agreed to make a number of changes, especially in the language describing the roles of the different elections offices, the budget for meeting Title III requirements, and the manner in which sections of the plan covered by pending legislation are presented.

The revised state plan was composed via e-mail correspondence.

This plan was amended in September of 2005, posted for public hearing in Delaware for 30 days and forwarded to the Election Assistance Commission for inclusion in the federal register.

STATE HAVA TASK FORCE		
MEMBER NAME		**REPRESENTING**
Bob	Goodhart	Division for the Visually Impaired
Randy	Reynolds	Delaware Technology and Information
Virginia	Lane	Office of the Commissioner
Deborah	Grier	Office of the Commissioner
Elaine	Manlove	Department of Elections for New Castle County
Howard	Sholl	Department of Elections for New Castle County
Joyce	Wright	Department of Elections for Kent County
Diana	Robertson	Department of Elections for Kent County

Ken	McDowell	Department of Elections for Sussex County
Jean	Turner	Department of Elections for Sussex County
Frank	Calio	Commissioner of Elections
Nancy	Bastidas	Governor's Council on Hispanic Affairs
Andrew	DalNogare	State House of Representatives
Lefty	Diswood	League of Women Voters
Charles	Brittingham	NAACP- State Conference
Robert	Scoglietti	Office of the Budget
	Representative	Office of the Governor
Jack	Markell	Office of the Treasurer
Dick	Carter	State Senate
John	Frazer	Controller General's Office
Kyle	Hodges	State Council for Persons with Disabilities
Laura	Waterland	Delaware Disabilities Law Program

Article I. **APPENDIX A:** A COMPARISON OF DELAWARE'S EXISTING ELECTION SYSTEM WITH THE REQUIREMENTS OF HAVA AS OF JUNE 1, 2003.

GAP ANALYSIS		
VOTING SYSTEM STANDARDS	REQUIREMENT STATUS	ACTION REQUIRED
SEC. 301. VOTING SYSTEMS STANDARDS.		
(a) Requirements.--Each voting system used in an election for Federal office shall meet the following requirements:		
(1) In general.-- (A) Except as provided in subparagraph (B), the voting system (including any lever voting system, optical scanning voting system, or direct recording electronic system) shall--		
(i) permit the voter to verify (in a private and independent manner) the votes selected by the voter on the ballot before the ballot is cast and counted;	MEETS	NONE
(ii) provide the voter with the opportunity (in a private and independent manner) to change the ballot or correct any error before the ballot is cast and counted (including the opportunity to correct the error through the issuance of a replacement ballot if the voter was otherwise unable to change the ballot or correct any error); and	MEETS	NONE
(iii) if the voter selects votes for more than one candidate for a single office--		
(I) notify the voter that the voter has selected more than one candidate for a single office on the ballot;	MEETS	NONE
(II) notify the voter before the ballot is cast and counted of the effect of casting multiple votes for the office; and	MEETS	NONE
GAP ANALYSIS		

HELP AMERICA VOTE ACT - DELAWARE STATE PLAN

VOTING SYSTEM STANDARDS	REQUIREMENT STATUS	ACTION REQUIRED
(III) provide the voter with the opportunity to correct the ballot before the ballot is cast and counted.	MEETS	NONE
(B) A State or jurisdiction that uses a paper ballot voting system, a punch card voting system, or a central count voting system (including mail-in absentee ballots and mail-in ballots), may meet the requirements of subparagraph (A)(iii) by-- (i) establishing a voter education program specific to that voting system that notifies each voter of the effect of casting multiple votes for an office; and (ii) providing the voter with instructions on how to correct the ballot before it is cast and counted (including instructions on how to correct the error through the issuance of a replacement ballot if the voter was otherwise unable to change the ballot or correct any error).	MEETS	NONE
(C) The voting system shall ensure that any notification required under this paragraph preserves the privacy of the voter and the confidentiality of the ballot.	MEETS	NONE
(2) **Audit capacity.--**		
(A) In general.--The voting system shall produce a record with an audit capacity for such system.	MEETS	NONE
(B) Manual audit capacity.--		
(I) The voting system shall produce a permanent paper record with a manual audit capacity for such system.	MEETS	NONE

21

COMMISSIONER OF ELECTIONS 32 W. LOOCKERMAN STREET M101 DOVER DE 19904

HELP AMERICA VOTE ACT - DELAWARE STATE PLAN

GAP ANALYSIS		
VOTING SYSTEM STANDARDS	REQUIREMENT STATUS	ACTION REQUIRED
(ii) The voting system shall provide the voter with an opportunity to change the ballot or correct any error before the permanent paper record is record is produced.	MEETS	NONE
(iii) The paper record produced under subparagraph (A) shall be available as an official record for any recount conducted with respect to any election in which the system is used.	MEETS	NONE
(3) Accessibility for individuals with disabilities.-- The voting system shall--		
(A) be accessible for individuals with disabilities, including nonvisual accessibility for the blind and visually impaired, in a manner that provides the same opportunity for access and participation (including privacy and independence) as for other voters;	MEETS	The State will meet this element by modifying existing equipment or purchasing new equipment.
(B) satisfy the requirement of subparagraph (A) through the use of at least one direct recording electronic voting system or other voting system equipped for individuals with disabilities at each polling place; and	MEETS	The State will meet this element by modifying existing equipment or purchasing new equipment.
(C) if purchased with funds made available under title II on or after January 1, 2007, meet the voting system standards for disability access (as outlined in this paragraph).	NA	NONE
(4) Alternative language accessibility. — **The voting system** shall provide alternative language accessibility pursuant to the requirements of section 203 of the Voting Rights Act of 1965 (42 U.S.C. 1973aa-1a).	NA	NONE

22

COMMISSIONER OF ELECTIONS 32 W. LOOCKERMAN STREET M101 DOVER DE 19904

HELP AMERICA VOTE ACT - DELAWARE STATE PLAN

GAP ANALYSIS		
VOTING SYSTEM STANDARDS	REQUIREMENT STATUS	ACTION REQUIRED
(5) Error rates. — The error rate of the voting system in counting ballots (determined by taking into account only those errors which are attributable to the voting system and not attributable to an act of the voter) shall comply with the error rate standards established under section 3.2.1 of the voting systems standards issued by the Federal Election Commission which are in effect on the date of the enactment of this Act.	MEETS	NONE
(6) Uniform definition of what constitutes a vote. — Each State shall adopt uniform and nondiscriminatory standards that define what constitutes a vote and what will be counted as a vote for each category of voting system used in the State.	MEETS	NONE
(d) Effective Date.--Each State and jurisdiction shall be required to comply with the requirements of this section on and after January 1, 2006.	MEETS	NONE
(a) Provisional Voting Requirements.--If an individual declares that such individual is a registered voter in the jurisdiction in which the individual desires to vote and that the individual is eligible to vote in an election for Federal office, but the name of the individual does not appear on the official list of eligible voters for the polling place or an election official asserts that the individual is not eligible to vote, such individual shall be permitted to cast a provisional ballot as follows:		
(1) An election official at the polling place shall notify the individual that the individual may cast a provisional ballot in that election.	MEETS	NONE
(2) The individual shall be permitted to cast a provisional ballot at that polling place upon the execution of a written affirmation by the individual before an election official at the polling place stating that the individual is–	MEETS	NONE
(A) a registered voter in the jurisdiction in which the individual desires to vote; and	MEETS	NONE
(B) Eligible to vote in that election.	MEETS	NONE

23

COMMISSIONER OF ELECTIONS 32 W. LOOCKERMAN STREET M101 DOVER DE 19904

HELP AMERICA VOTE ACT - DELAWARE STATE PLAN

GAP ANALYSIS		
PROVISIONAL VOTING	CURRENT STATE STATUS	ACTION REQUIRED
SEC. 302. PROVISIONAL VOTING AND VOTING INFORMATION REQUIREMENTS.		
(3) An election official at the polling place shall transmit the ballot cast by the individual or the voter information contained in the written affirmation executed by the individual under paragraph (2) to an appropriate State or local election official for prompt verification under paragraph (4).	MEETS	NONE
(4) If the appropriate State or local election official to whom the ballot or voter information is transmitted under Paragraph (3) determines that the individual is eligible under State law to vote, the individual's provisional ballot shall be counted as a vote in that election in accordance with State law.	MEETS	NONE
(5)(A) At the time that an individual casts a provisional ballot, the appropriate State or local election official shall give the individual written information that states that any individual who casts a provisional ballot will be able to ascertain under the system established under subparagraph (B) whether the vote was counted, and, if the vote was not counted the reason that the vote was not counted.	MEETS	NONE
(B) The appropriate State or local election official shall establish a free access system (such as a toll-free telephone number or an internet website) that any individual who casts a provisional ballot may access to discover whether the vote of that individual was counted, and, if the vote was not counted, the reason that the vote was not counted.	MEETS	NONE

24

COMMISSIONER OF ELECTIONS 32 W. LOOCKERMAN STREET M101 DOVER DE 19904

HELP AMERICA VOTE ACT - DELAWARE STATE PLAN

GAP ANALYSIS		
PROVISIONAL VOTING	CURRENT STATE STATUS	ACTION REQUIRED
States described in section 4(b) of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg-2(b)) may meet the requirements of this subsection using voter registration procedures established under applicable State law. The appropriate State or local official shall establish and maintain reasonable procedures necessary to protect the security, confidentiality, and integrity of personal information collected, stored, or otherwise used by the free access system established under paragraph (5)(B). Access to information about an individual provisional ballot shall be restricted to the individual who cast the ballot.	NA	Delaware is not described in this section.
(b) Voting Information Requirements.--		
(1) Public posting on election day.--The appropriate State or local election official shall cause voting information to be publicly posted at each polling place on the day of each election for Federal office.	MEETS	NONE
(2) Voting information defined.--In this section, the term ``voting information" means--		
(A) a sample version of the ballot that will be used for that election;	MEETS	NONE
(B) information regarding the date of the election and the hours during which polling places will be open;	MEETS	NONE.
(C) instructions on how to vote, including how to cast a vote and how to cast a provisional ballot;	MEETS	NONE
(D) instructions for mail-in registrants and first- time voters Under section 303(b);	MEETS	NONE
(E) general information on voting rights under applicable Federal and State laws, including information on the right of an individual to cast a provisional ballot and instructions on how to contact the appropriate officials if these rights are alleged to have been violated; and	MEETS	NONE

25

COMMISSIONER OF ELECTIONS 32 W. LOOCKERMAN STREET M101 DOVER DE 19904

HELP AMERICA VOTE ACT - DELAWARE STATE PLAN

GAP ANALYSIS		
PROVISIONAL VOTING	CURRENT STATE STATUS	ACTION REQUIRED
(F) general information on Federal and State laws Regarding prohibitions on acts of fraud and misrepresentation.	MEETS	NONE
(c) Voters Who Vote After the Polls Close.--Any individual who votes in an election for Federal office as a result of a Federal or State court order or any other order extending the time established for closing the polls by a State law in effect 10 days before the date of that election may only vote in that election by casting a provisional ballot under subsection (a). Any such ballot cast under the preceding sentence shall be separated and held apart from other provisional ballots cast by those not affected by the order.	MEETS	NONE

26

COMMISSIONER OF ELECTIONS 32 W. LOOCKERMAN STREET M101 DOVER DE 19904

HELP AMERICA VOTE ACT - DELAWARE STATE PLAN

GAP ANALYSIS		
COMPUTERIZED VOTER REGISTRATION	CURRENT STATE STATUS	ACTION REQUIRED
(a) Computerized Statewide Voter Registration List Requirements.--		
(1) Implementation.--		
(A) In general.--Except as provided in subparagraph (B), each State, acting through the chief State election official, shall implement, in a uniform and nondiscriminatory manner, a single, uniform, official, centralized, interactive computerized statewide voter registration list defined, maintained, and administered at the State level that contains the name and registration information of every legally registered voter in the State and assigns a unique identifier to each legally registered voter in the State (in this subsection referred to as the ``computerized list''), and includes the following:	MEETS	NONE
(I)The computerized list shall serve as the single system for storing and managing the official list of registered voters throughout the State.	MEETS	NONE
(ii) The computerized list contains the name and registration information of every legally registered voter in the State.	MEETS	NONE
(iii) Under the computerized list, a unique identifier is assigned to each legally registered voter in the State.	MEETS	NONE
(iv) The computerized list shall be coordinated with other agency databases within the State.	MEETS	The State will make enhancements to the system and pursue automating interaction with agencies that now have a manual interface.
(v) Any election official in the State, including any local election official, may obtain immediate electronic access to the information contained in the computerized list.	MEETS	NONE

27

COMMISSIONER OF ELECTIONS 32 W. LOOCKERMAN STREET M101 DOVER DE 19904

HELP AMERICA VOTE ACT - DELAWARE STATE PLAN

GAP ANALYSIS		
COMPUTERIZED VOTER REGISTRATION	CURRENT STATE STATUS	ACTION REQUIRED
(vi) All voter registration information obtained by any local election official in the State shall be electronically entered into the computerized list on an expedited basis at the time the information is provided to the local official.	MEETS	NONE
(vii) The chief State election official shall provide such support as may be required so that local election officials are able to enter information as described in clause (vi).	MEETS	NONE
(viii) The computerized list shall serve as the official voter registration list for the conduct of all elections for Federal office in the State.	MEETS	NONE
(B) Exception.--The requirement under subparagraph (A) shall not apply to a State in which, under a State law in effect continuously on and after the date of the enactment of this Act, there is no voter registration requirement for individuals in the State with respect to elections for Federal office.	NA	NA
(2) Computerized list maintenance.--		
(A) In general.--The appropriate State or local election official shall perform list maintenance with respect to the computerized list on a regular basis as follows:		
(i) If an individual is to be removed from the computerized list, such individual shall be removed in accordance with the provisions of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg et seq.), including subsections (a)(4), (c)(2), (d), and (e) of section 8 of such Act (42 U.S.C. 1973gg-6).	MEETS	NONE

28

COMMISSIONER OF ELECTIONS 32 W. LOOCKERMAN STREET M101 DOVER DE 19904

HELP AMERICA VOTE ACT - DELAWARE STATE PLAN

GAP ANALYSIS		
COMPUTERIZED VOTER REGISTRATION	CURRENT STATE STATUS	ACTION REQUIRED
(ii) For purposes of removing names of ineligible voters from the official list of eligible voters--(I) under section 8(a)(3)(B) of such Act (42 U.S.C. 1973gg-6(a)(3)(B)), the State shall coordinate the computerized list with State agency records on felony status; and (II) by reason of the death of the registrant under section 8(a)(4)(A) of such Act (42 U.S.C. 1973gg-6(a)(4)(A)), the State shall coordinate the computerized list with State agency records on death.	MEETS	NONE
(iii) Notwithstanding the preceding provisions of this subparagraph, if a State is described in section 4(b) of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg-2(b)), that State shall remove the names of ineligible voters from the computerized list in accordance with State law.	MEETS	NONE
(B) Conduct.--The list maintenance performed under subparagraph (A) shall be conducted in a manner that ensures that--		
(i) the name of each registered voter appears in the computerized list;	MEETS	NONE
(ii) only voters who are not registered or who are not eligible to vote are removed from the computerized list; and	MEETS	NONE
(iii) duplicate names are eliminated from the computerized list.	MEETS	NONE
(3) Technological security of computerized list.--The appropriate State or local official shall provide adequate technological security measures to prevent the unauthorized access to the computerized list established under this section.	MEETS	NONE

29

COMMISSIONER OF ELECTIONS 32 W. LOOCKERMAN STREET M101 DOVER DE 19904

HELP AMERICA VOTE ACT - DELAWARE STATE PLAN

GAP ANALYSIS		
COMPUTERIZED VOTER REGISTRATION	CURRENT STATE STATUS	ACTION REQUIRED
(4) Minimum standard for accuracy of state voter registration records.--The State election system shall include provisions to ensure that voter registration records in the State are accurate and are updated regularly, including the following:	MEETS	NONE
(A) A system of file maintenance that makes a reasonable effort to remove registrants who are ineligible to vote from the official list of registered voters. Under such a system, consistent with the National Voter Registration Act of 1993 (42 U.S.C. 1973gg et seq.), registrants who have not responded to a notice and who have not voted in 2 consecutive general elections for Federal office shall be removed from the official list of registered voters, except that no registrant may be removed solely by reason of failure to vote.	MEETS	NONE
(B) Safeguards to ensure that eligible voters are not removed in error from the official list of eligible voters.	MEETS	NONE
(5) Verification of voter registration information.-- (A) Requiring provision of certain information by applicants.--		
(i) In general.--Except as provided in clause (ii), withstanding any other provision of law, an application for voter registration for an election for Federal office may not be accepted or processed by a State unless the application includes—in the case of an applicant who has been issued a current and valid driver's license, the applicant's driver's license number; or in the case of any other applicant (other than an applicant to whom this clause (ii) applies), the last 4 digits of the applicant's social security number.	MEETS	NONE

30

COMMISSIONER OF ELECTIONS 32 W. LOOCKERMAN STREET M101 DOVER DE 19904

HELP AMERICA VOTE ACT - DELAWARE STATE PLAN

GAP ANALYSIS		
COMPUTERIZED VOTER REGISTRATION	CURRENT STATE STATUS	ACTION REQUIRED
(ii) Special rule for applicants without driver's license or social security number.--If an applicant for voter registration for an election for Federal office has not been issued a current and valid driver's license or a social security number, the State shall assign the applicant a number which will serve to identify the applicant for voter registration purposes. To the extent that the State has a computerized list in effect under this subsection and the list assigns unique identifying numbers to registrants, the number assigned under this clause shall be the unique identifying number assigned under the list.	MEETS	NONE
(iii) Determination of validity of numbers provided.--The State shall determine whether the information provided by an individual is sufficient to meet the requirements of this subparagraph, in accordance with State law.	MEETS	NONE
(B) Requirements for state officials.--		
(i) Sharing information in databases.--The chief State election official and the official responsible for the State motor vehicle authority of a State shall enter into an agreement to match information in the database of the statewide voter registration system with information in the database of the motor vehicle authority to the extent required to enable each such official to verify the accuracy of the information provided on applications for voter registration.	PARTIALLY MEETS	The State will meet this requirement
(ii) Agreements with commissioner of social security.--The official responsible for the State motor vehicle authority shall enter into an agreement with the Commissioner of Social Security under section 205(r)(8) of the Social Security Act (as added by subparagraph (C)).	DOES NOT MEET	The DMV is awaiting a response from the Social Security Administration.

31 COMMISSIONER OF ELECTIONS 32 W. LOOCKERMAN STREET M101 DOVER DE 19904

HELP AMERICA VOTE ACT - DELAWARE STATE PLAN

GAP ANALYSIS		
COMPUTERIZED VOTER REGISTRATION	CURRENT STATE STATUS	ACTION REQUIRED
(b) Requirements for Voters Who Register by Mail.-- (1) In general.--Notwithstanding section 6(c) of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg-4(c)) and subject to paragraph (3), a State shall, in a uniform and nondiscriminatory manner, require an individual to meet the requirements of paragraph (2) if--		
(A) the individual registered to vote in a jurisdiction by mail; and		
(B)(i) the individual has not previously voted in an election for Federal office in the State; or		
(ii) the individual has not previously voted in such an election in the jurisdiction and the jurisdiction is located in a State that does not have a computerized list that complies with the requirements of subsection (a).		
(2) Requirements.-- (A) In general.--An individual meets the requirements of this paragraph if the individual--		
(i) in the case of an individual who votes in person— (I) presents to the appropriate State or local election official a current and valid photo identification; or (II) presents to the appropriate State or local election official a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the voter; or	MEETS	NONE
(ii) in the case of an individual who votes by mail, submits with the ballot--(I) a copy of a current and valid photo identification; or (II) a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the voter.	MEETS	NONE
(B) Provisional Voting.--		
(i) In person.--An individual who desires to vote in person, but who does not meet the requirements of subparagraph (A)(i), may cast a provisional ballot under section 302(a).	MEETS	NONE

32 COMMISSIONER OF ELECTIONS 32 W. LOOCKERMAN STREET M101 DOVER DE 19904

HELP AMERICA VOTE ACT - DELAWARE STATE PLAN

GAP ANALYSIS		
COMPUTERIZED VOTER REGISTRATION	CURRENT STATE STATUS	ACTION REQUIRED
(ii) By mail.--An individual who desires to vote by mail but who does not meet the requirements of subparagraph (A)(ii) may cast such a ballot by mail and the ballot shall be counted as a provisional ballot in accordance with section 302(a).	MEETS	NONE
(3) Inapplicability.--Paragraph (1) shall not apply in the case of a person--		
(A) who registers to vote by mail under section 6 of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg-4) and submits as part of such registration either--		
(i) a copy of a current and valid photo identification; or	MEETS	NONE
(B)(i) who registers to vote by mail under section 6 of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg-4) and submits with such registration either--(I) a driver's license number; or (II) at least the last 4 digits of the individual's social security number; and	MEETS	NONE
(ii) a copy of a current utility bill, bank statement, government check, paycheck, or government document that shows the name and address of the voter;	MEETS	NONE.
(iii) with respect to whom a State or local election official matches the information submitted under clause (i) with an existing State identification record bearing the same number, name and date of birth as provided in such registration; or	MEETS	NONE
(C) who is--		
(i) entitled to vote by absentee ballot under the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff-1 et seq.);	MEETS	NONE
(ii) provided the right to vote otherwise than in person under section 3(b)(2)(B)(ii) of the Voting Accessibility for the Elderly and Handicapped Act (42 U.S.C. 1973ee-(b)(2)(B)(ii)); or	MEETS	NONE
(iii) entitled to vote otherwise than in person under any other Federal law.	MEETS	NONE

33

COMMISSIONER OF ELECTIONS 32 W. LOOCKERMAN STREET M101 DOVER DE 19904

HELP AMERICA VOTE ACT - DELAWARE STATE PLAN

GAP ANALYSIS		
COMPUTERIZED VOTER REGISTRATION	CURRENT STATE STATUS	ACTION REQUIRED
(4) Contents of mail registration form.-- (A) In general.--The mail voter registration form developed under section 6 of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg-4) shall include the following:		
(i) The question ``Are you a citizen of the United States of America?" and boxes for the applicant to check to indicate whether the applicant is or is not a citizen of the United States.	NA	
(ii) The question ``Will you be 18 years of age on or before election day?" and boxes for the applicant to check to indicate whether or not the applicant will be 18 years of age or older on election day.	NA	
(ii) The statement ``If you checked `no' in response to either of these questions, do not complete this form.".	NA	
(iv) A statement informing the individual that the form is submitted by mail and the individual is registering for the first time, the appropriate information required under this section must be submitted with the mail-in registration form in order to avoid the additional identification requirements upon voting for the first time.	NA	
(B) Incomplete forms.--If an applicant for voter registration fails to answer the question included on the voter registration form pursuant to subparagraph (A)(i), the registrar shall notify the applicant of the failure and provide the applicant with an opportunity to complete the form in a timely manner to allow for the completion of the registration form prior to the next election for Federal office (subject to State law).	MEETS	NONE

34

COMMISSIONER OF ELECTIONS 32 W. LOOCKERMAN STREET M101 DOVER DE 19904

Article II. **APPENDIX B** – HAVA LEGISLATION

STATE SENATE

142nd GENERAL ASSEMBLY

SENATE BILL NO. 153

AN ACT TO AMEND TITLE 15 OF THE DELAWARE CODE RELATING TO ELECTIONS.

WHEREAS, the Help America Vote Act of 2002 imposes several mandates upon the state; and

WHEREAS, it is necessary to implement the Help America Vote Act of 2002;

NOW, THEREFORE BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend Delaware Code, Title 15, § 1302 by striking the aforesaid section in its entirety and substituting in lieu thereof:

§ 1302 Voter registration application.
The Commissioner of Elections, in consultation with the Departments of Elections for the counties, shall promulgate the voter registration application and shall set the effective date of each new version. The application shall be updated as necessary to comply with state and federal law and/or to facilitate administration of the State's voter registration program. The application shall be uniform throughout the state and shall be used for all voter registration transactions within the state.

The application shall be in two parts. The Departments of Elections for the counties shall send the original part of each application that was accepted and processed to the Commissioner of Elections office. The Departments of Elections for the counties shall maintain the second copy in the County Master Record. The records contained in the County Master Record shall remain in the office of each department and not be removed for any reason except as provided by law.
The voter registration application shall include a question asking whether or not the applicant is a citizen of the United States. The Departments of Elections for the counties shall reject the applications of new registrants who indicate that they are not citizens of the United States or who fail to answer the question. The departments shall notify such persons by first-class mail that their application has been rejected and the reason(so) thereto. Persons already registered to vote who indicate that they are not citizens of the United States shall be notified by first-class mail that their voter registration shall be cancelled at the expiration of 15 days if they do not affirm in writing that they are citizens of the United States. The departments shall cancel the voter registration of any person who fails to affirm in writing that they are United States citizens after the expiration of the aforesaid 15-day period. Persons who subsequently affirm in writing to a department that they are United States citizens shall be reinstated by the department as a registered voter.

The voter registration application shall include a place for the applicant's home telephone number; provided, however, that the provision of a telephone number shall be annotated on the form as being optional, and no application shall be rejected for lack thereof. Any registered voter may have his/her telephone number removed from the electronic voter registration files by making a request of the department of elections for the county in which they are registered either by telephone or in writing.

The applicant's signature may be a digitized signature obtained by a state agency as part of a process that includes registering a person to vote or updating his/her voter registration information.

The Commissioner of Elections, in collaboration with the Departments of Elections for the counties, may examine methods to streamline the voter registration process through the application of technology. The Commissioner of Elections, in consultation with the Departments of Elections for the counties, may adopt and implement such technology. In the event that the process adopted conflicts with subsection "(b)" above, that subsection shall be considered null and void. These innovations may include adoption of a paperless or semi-paperless registration process.

The Commissioner of Elections shall make the State's Voter Registration Application available on the internet by January 1, 2006.

Section 2. Amend Delaware Code, Title 15 by inserting as § 2015 the following:

§ 2015. Late registration procedures for military and overseas citizens.
An individual who has been discharged or separated from the Uniformed Services, the merchant marine, or from employment outside of the territorial limits of the United States too late to register to vote for a primary or general election but within 60 days of the date of a primary or general election, shall be entitled to register to vote for the purpose of voting in that and ensuing primary or general elections after presenting documentation of his/her discharge, separation, or termination of employment to the Department of Elections for the county in which he/she resides. This exception includes any accompanying family members who are otherwise eligible to register to vote.

Section 3. Amend Delaware Code, Title 15 by inserting as § 2016 the following:

§ 2016. Enfranchisement of citizens who have never resided in the United States.
If a United States citizen outside of the United States who has never lived in the United States has a parent who is a qualified elector of the State, then that person is eligible to register and vote where his/her parent is a qualified elector.

Section 4. Amend Delaware Code, Title 15 by inserting as § 2033 the following:

§ 2033. Special procedures for persons who register to vote by mail and have not voted in the State in an election for federal office.

A person who registers to vote by mail on or after January 1, 2003 shall submit with his/her application a copy of current and valid photo identification or a copy of a current utility bill, bank

statement, government check, paycheck or other government document that shows the name and address of the voter. Should the person not include a copy of the required identification with the voter registration application, the voter shall provide a valid photo identification or a copy of a current utility bill, bank statement, government check, paycheck or other government document that shows the name and address of the voter prior to voting for the first time at a polling place in the State. If the person fails to show required identification at the polling place, he/she shall be permitted to vote by Provisional Ballot. The poll lists and signature cards for each polling place shall identify those persons who must show proper identification before being permitted to vote.

A registrant may satisfy the requirement to submit identification by subsequently submitting a voter registration application through a source not subject to the provisions of this section (e.g. through the Division of Motor Vehicles).

A person who votes by absentee ballot and who registered to vote for the first time by mail and did not submit a copy of any of the required identification documents shall submit a copy of one or more of the documents listed in subsection "a" above showing the person's name and address with the Absentee Ballot. The Absentee Ballot from a person who is required to submit identification, and who does not, shall not be counted.

This section does not apply to persons listed in § 5502 (1) and § 5502 (2) of this title or to persons identified in subsection "a" above who submitted their driver's license number (includes State ID card number) or Social Security Number that the Department of Elections for a county is able to use to verify an existing State Identification record bearing the same number, the name and date of birth as provided by the applicant.

Section 5. Amend Delaware Code, Title 15, Chapter 49, by inserting as subchapter IV the following:

Subchapter IV. Administrative Complaint Procedure

§ 4990. Applicability.
The Administrative Complaint Process shall only apply to alleged violations of Title III of the Help America Vote Act of 2002 to include an alleged violation that has occurred, is occurring or is about to occur.

§ 4991. Process.
The person making a complaint shall submit the complaint to the Commissioner of Elections or any of the Departments of Elections for the counties. The complaint shall be in writing, notarized, and signed and sworn to by the person making the complaint.

If one of the Departments for the counties receives such a complaint, the Department shall forward it to the Commissioner of Elections on the same business day that it is received.

The Commissioner of Elections shall notify the complainant(s) of receipt of the complaint and

provide the complainant(s) a description of the complaint resolution process.

The Commissioner of Elections may consolidate similar complaints.

If requested by the complainant(s), there shall be a hearing for the record.

The Commissioner of Elections shall appoint a person or persons to examine the complaint, gather information about the circumstances and then determine whether or not there was a violation of Title III.

If the person handling the complaint determines that a violation has occurred, he/she shall recommend a suitable remedy to the Commissioner of Elections. The Commissioner may accept, reject or modify any proposed remedy.

If the person handling the complaint determines that a violation did not occur, the complaint shall be dismissed.

The Commissioner of Elections shall publish the results of the resolution of each complaint as he/she sees fit.

A final determination shall be made on each complaint as quickly as possible, but no later than 90 days following the date that the complaint was filed unless the complainant consents to a longer period for resolving the complaint.

If the complaint is not resolved within 90 days and the complainant has not agreed to a longer period, the Commissioner of Elections shall take such steps as necessary to resolve the complaint within the next 60 days. The original complaint and all information developed in the previous attempt(s) to resolve the issue(s) shall be made available to the person(s) subsequently charged with resolving the complaint.

The Commissioner of Elections shall develop a system for tracking complaints alleging Title III violations.

Section 6. Amend Delaware Code, Title 15, § 4910 (a) by striking said subsection in its entirety and substituting in lieu thereof:

The Commissioner of Elections, in collaboration with the Departments of Elections for the counties, shall design poster(s) that will be uniform throughout the State. The poster(s) shall be publicly displayed in each polling place on the day of the election. The poster(s) shall contain the following information:

- Information stating the date and hours during which the polling place will be open;
- Instructions on how to vote, including how to cast a vote and how to cast a Provisional Ballot;
- Instructions for mail-in registrants who are first-time voters under Section 303(b) of the Help America Vote Act of 2002;
- General information on voting rights under applicable Federal and State laws, including information on the right of an individual to cast a provisional ballot and
- instructions on how to contact the appropriate officials if these rights are alleged to have been violated; and

- General information on Federal and State laws regarding prohibitions on acts of fraud and misrepresentation.

Section 7. Amend Subchapter II, Chapter 49, Title 15 of the Delaware Code by inserting as § 4948 the following:

§ 4948. Provisional Ballots.
Provisional ballots shall be used in primary and general elections conducted under the provisions of this title. Provisional ballots shall not be used in public school elections or municipal elections unless specifically authorized in Title 14, Title 15 and/or the respective town or city charter.

A person claiming to be properly registered in an Election District, but whose eligibility to vote at that Election District cannot be determined, shall be entitled to vote a Provisional Ballot. Election officers shall inform a person who is not being permitted to vote for whatever reason that he/she may cast a provisional ballot in that election. The Inspector shall return all voted Provisional Ballots to the Department of Elections for the county responsible for the Election District on the night of the election.

Persons voting a Provisional Ballot shall present proof of identity and address to the Election Officers. The type of ID shown by the voter shall be annotated on the Provisional Ballot Envelope. If the person does not show proof of identity or address, the person shall be permitted to vote by Provisional Ballot and the fact that he/she did not show proof of identity and/or address shall be annotated on the Provisional Ballot Envelope.

If Superior Court or another court of competent jurisdiction orders that some or all polling places in a county of the state be kept open beyond the normal time for closing, all persons who arrive to vote at the polling place(s) ordered to be kept open after the normal time for closing shall vote by Provisional Ballot. The Election Officers shall keep such ballots separate and return them to the Department of Elections for the county responsible for the Election District on the night of the election.

Provisional Ballots shall be as much as possible in the same form as Absentee Ballots except that only federal offices shall be listed and they shall be labeled as Provisional Ballots. The Departments of Elections for the counties shall provide to each Election District Provisional Ballots for 6% of the registered voters in the Election District as of 45 days prior to the date of the election. Regardless of the number of ballots required by this subsection, the Departments of Elections for the counties shall provide a minimum of 15 Provisional Ballots to each Election District. Each Department of Elections for the counties shall deliver additional Provisional Ballots, envelopes, instructions or voter information sheets to the polling place for an Election District when notified by an Election Officer from the district that the supply of some or all of the Provisional Ballot materials is very low.

Election Officers shall give whatever assistance is requested by a voter who is voting by Provisional Ballot. When that assistance includes marking or assisting in marking the person's ballot, two Election Officers with different political party affiliations shall provide that assistance.
A voter who spoils his or her ballot shall, upon request, be given a replacement ballot after surrendering the spoiled ballot.

Tallying Provisional Ballots.
At 12 noon the day following an election in which Provisional Ballots were used, the Department of Elections for each county shall meet to examine the Provisional Ballots, determine which of the ballots should be tallied in accordance with the rules stated below, and then tally those ballots.

The Attorney General shall appoint a Deputy Attorney General to advise each of the Departments of Elections for the counties as requested during the Provisional Ballot tallying process.

The county chairperson of each political party with a candidate on a Provisional Ballot within the county may appoint in writing one observer to be in the room where Provisional Ballots are being reviewed and tallied.

The Departments of Elections for each county shall sit until the disposition of every Provisional Ballot has been determined. Each county Department of Elections shall establish an appropriate schedule of breaks, meals and rest periods.

Where the Provisional Ballot affidavit is incomplete, the ballot shall be set aside, not opened and the votes not tallied. An incomplete affidavit shall be defined as one that does not include all of the following information: full name, complete address, political party affiliation (Primary Elections only), and date of birth.
Where the person who voted by Provisional Ballot did not show suitable identification at the polling place, the ballot shall be set aside, not opened and the votes not tallied.
Provisional Ballots cast by persons who are not registered to vote in the state or who are not registered to vote in the Election District in which they were cast shall be set aside, not opened and the votes not tallied.

A Provisional Ballot cast by a person who is registered to vote and who has moved into the Election District shall be counted if the person voted at the correct polling place for his/her new address.

Each Department of Elections for a county shall tally the Provisional Ballots that meet the above criteria. After all of the Provisional Ballots determined as meeting the above criteria have been tallied, the Department of Elections for the county shall deliver one copy of the Provisional Ballot Tally Sheet for each Election District, all the Provisional Ballots cast in the election, and all affidavits, envelopes and supporting documentation to the Prothonotary.

Post election processing and notification.
As soon as practical, but not later than 30 days following an election in which Provisional Ballots were used, the Department of Elections for each county shall enter the appropriate data into a free access system so that a person who voted by Provisional Ballot may determine whether or not his/her ballot was counted, and if it was not counted, the reason(s) for which it was not counted.

The respective Department of Elections for a county shall use the Provisional Ballot affidavit as authority to register a person to vote who voted by Provisional Ballot in an election and who is not already registered to vote providing that the minimum information required to register a

person to vote is provided. The Provisional Ballot envelope shall be used to transfer a registered voter's address and/or update his/her name when the address and/or name is different than the information on the person's voter registration record.

Section 8. Amend Delaware Code, Title 15, § 4972, by striking the aforesaid section in its entirety and substituting in lieu thereof the following.

§ 4972. Rules regarding what constitutes a legal vote.

Votes cast on a direct recording electronic voting machine shall be considered legal votes once the voter has taken the necessary action(s) to cast his/her ballot. A voter who has cast his/her ballot on a direct recording electronic voting machine shall not be permitted to cast a second ballot under any circumstances.

Votes cast at any election on paper ballots shall be counted for whom they are intended as far as can be ascertained by the marks on the ballot. The following rules shall be observed in determining those votes on paper ballots that shall be counted:
The voter shall mark the ballot for his/her selections by placing a distinct mark in the box at the right of the name of the candidate and or response to a question for which he/she wants to vote;
Where a voter indicates his/her selections in a manner not in accordance with paragraph "1" above, the Election Officers shall attempt to determine from the marks on the ballot the candidate or response that the voter intended to select;
If it is not possible to determine a voter's choice for an office or response to a question, the ballot shall not be counted for that office or question but shall be counted for all other offices and questions on the ballot where the voter's intention can be determined;
A voter may only vote for two or more choices for any office or question when specifically instructed on the ballot that it is allowable;
Where a voter is permitted to make more than one choice for candidates and or responses to a question, he/she may make fewer than the allowable number of choices;
If a ballot is marked for more names or responses than are permitted, it shall not be counted for that office or question, but it shall be counted for all other offices or questions on the ballot in accordance with these rules; and
If a ballot has been defaced or torn so that it is impossible to determine the voter's choice for one or more offices or questions, it shall not be counted for such offices or questions but shall be counted for all other offices and questions where the voter's choice(s) can be determined.

Section 9. Amend Delaware Code, Title 15, § 5001A (a) by inserting as subsections (12) and (13) the following:

(12) It shall permit the voter to verify (in a private and independent manner) the votes selected by the voter on the ballot before the ballot is cast and counted.

It shall provide the voter the opportunity (in a private and independent manner) to change the ballot or correct any error before the ballot is cast and corrected (including the opportunity to correct the error through the issuance of a replacement ballot before the voter has cast his/her ballot if the voter was otherwise unable to change the ballot or correct any error).

Section 10. Amend Delaware Code, Title 15, § 5001A (b) by striking the second sentence in its entirety and substituting in lieu thereof the following:

All voting devices used in any election shall provide the voter the opportunity to make his/her selections and cast his/her ballot in secrecy through placement of the devices in the polling place or through the use of curtains or other devices.

Section 11. Amend Delaware Code, Title 15, § 5001A by adding the following as subsection (d):
Any voting device, machine or system purchased by the State shall be certified by the National Association of State Election Directors or the Election Assistance Commission as meeting or exceeding the Voluntary Voting Systems Standards or Guidelines as promulgated by the Federal Election Commission or the Election Assistance Commission prior to delivery to and acceptance by the State.

Section 12. Amend Delaware Code, Title 15, § 5004A by inserting the following at the end of the section:

The Commissioner of Elections, in collaboration with the Departments of Elections for the counties, shall gather information from other jurisdictions using the same or similar systems and then establish an appropriate registered voter to voting device ratio for voting systems purchased after July 1, 2003.

Section 13. Amend Delaware Code, Title 15, § 5005A by adding the following as subsection (d):
(d) Nothing in this section shall preclude the use of an electronic device where the ballot is electronically generated and displayed or which has the capability to generate and display multiple ballots.

Section 14. Amend Delaware Code, Title 15, § 5503 (d) by adding the following as the second sentence:

Additionally, the Departments of Elections for the counties shall accept facsimile transmissions of affidavits for absentee ballots.

Section 15. Amend Delaware Code, Title 15, § 5523 by inserting the following as subsection (d):
An FPCA submitted by a person who qualifies under any of the reasons set forth in § 5502(1) or §5502(2) of this chapter shall be valid for the next two general elections.

Section 16. Amend Delaware Code, Title 15, by inserting as § 5526 the following:

§ 5526. Emergency Authority for the Commissioner of Elections.
In the event that a national or local emergency makes substantial compliance with the provisions of this title and/or the Uniformed and Overseas Citizens Absentee Voting Act impossible or unreasonable for some of all of the citizens covered under § 5502(1) or § 5502(2) of this title, the Commissioner of Elections may direct the use of special procedures to facilitate absentee voting for those citizens directly affected who are eligible to vote in the State. Such an

emergency may be a natural and/or humanitarian disaster; and/or armed conflict involving United States Armed Forces to include mobilized State National Guard and/or Reserve components.

The Commissioner of Elections shall consult with the Governor and the Federal Voting Assistance Program or its successor prior to directing the use of the special procedures cited in subsection "a" above.

The Commissioner of Elections, in collaboration with the Departments of Elections for the counties, shall promulgate special procedures to be followed in the event that such a national or local emergency occurs.

SYNOPSIS

This legislation if enacted will implement the Help America Vote Act of 2002 (HAVA), implement some recommendations regarding voting and registration of military and overseas and make other changes. Specifically, it provides that the Commissioner of Elections shall promulgate the voter registration application and deletes the list of items required in order to provide flexibility in quickly dealing with changes in federal law. It directs that a question dealing with citizenship be added and that a digitized signature obtained by a state agency in a process that includes voter registration be acceptable as an applicant's signature. It authorizes the Departments of Elections for the counties to accept facsimile transmissions of Affidavits for Absentee Ballots from all citizens. It adds the following provisions to comply with HAVA: establishes procedures for dealing with persons who registered by mail and have not voted in an election for federal office, establishes an Administrative Complaints Procedure for handling violations of HAVA's Title III mandate, provides for posting additional information in the polling place, authorizes Provisional Voting, defines what constitutes a legal vote, and modifies the standards for electronic voting systems, devices and/or machines. It, also, provides that military and overseas citizens who return to the United States within 60 days of an election and establish residence in Delaware can register to vote after the normal deadline, that citizens born abroad who have never lived in the State can register and vote if one of their parents is a qualified elector, and gives the Commissioner of Elections authority to direct the use of special procedures in handling the delivery and transmission of ballots to military and overseas citizens in the event of a national or local emergency.

APPENDIX C: 2005 CONSOLIDATED BUDGET

ITEM		TITLE I	YR 04	YR 05	YR 06	YR 07	UNIT COST	TIME UNIT	Expenditure	Title I	Title II	Title II	EXTENDED DESCRIPTION
										$3,630,324.00	$220,000.00	$392,000.00	
										$1,369,676.00	$4,150,000.00	$7,446,830.00	
										$5,000,000.00	**$4,370,000.00**	**$7,446,830.00**	
TITLE I	**$5,000,000.00**												
Voting Systems	Standards	Voting Machines	x				$5,026.76 $5,026.76	37	$185,990.12 $185,990.12	$4,814,009.88			• New Voting Machines
Voting Systems	Changes		x				$13,933.26 $13,933.26	1	$13,933.26 $13,933.26	$4,800,076.62			• Training Poll Workers
Voting Systems	Training		x				$35,073.35 $35,073.35	1	$35,073.35 $35,073.35	$4,765,003.27			• Training Election Officials, Poll Workers and Volunteers
Provisional Voting	State		x				$303,277.41 $303,277.41	1	$303,277.41 $303,277.41	$4,461,725.86			• Ballot Lock-up System
Computerized Voter List	State		x				$250,117.29 $250,117.29	1	$250,117.29 $250,117.29	$4,211,608.57			• Statewide Voter Database
Election Improvement							$251,986.59 $251,986.59	1	$251,986.59 $251,986.59	$3,959,621.98			• Registration Forms, Materials, Services

HELP AMERICA VOTE ACT - DELAWARE STATE PLAN

Educating	State Voters		x			$33,421.23	1	$33,421.23	$3,926,200.75	• Statewide Voter Database
						$33,421.23		$33,421.23		
State Plan			x			$2,400.00	1	$2,400.00	$3,923,800.75	• Consultant services
						$2,400.00		$2,400.00		
Accessibility	State Polling Places		x			$3,000.00	1	$3,000.00	$3,920,800.75	• Consultant services
						$3,000.00		$3,000.00		
Toll Free Line	Complaints		x			$30,113.00	1	$30,113.00	$3,890,687.75	• Hotline for Voters
						$30,113.00		$30,113.00		
Advertising	Commissioner	Newspaper		x	x	x	$6,000.00	6	$36,000.00	$3,884,800.75	• Consistent Effort to Inform the • Public about HAVA and Voting
		Radio		x	x	x	$2,000.00	6	$12,000.00	$3,872,800.75	
		Television		x	x	x	$0.00	0	$0.00	$3,872,800.75	
		Printed Materials		x	x	x	$5,000.00	2	$10,000.00	$3,874,800.75	• Publish Notices of Election Dates and HAVA Rights
		Cable/TV		x	x	x	$8,000.00	2	$16,000.00	$3,858,800.75	• Publish Notices of Election Dates and HAVA Rights
		Direct Mail			x		$150,000.00	1	$150,000.00	$3,708,800.75	• Publish Notices of Election Dates and HAVA Rights
	New Castle County	Newspaper		x	x	x	$10,000.00	2	$20,000.00	$3,688,800.75	• Specific Local Information to Advertise
	Kent County	Newspaper		x	x	x	$10,000.00	2	$20,000.00	$3,668,800.75	• Specific Local Information to Advertise
	Sussex County	Newspaper		x	x	x	$10,000.00	2	$20,000.00	$3,648,800.75	• Specific Local Information to Advertise
							$30,000.00		$60,000.00		
Casual/Seasonal	Commissioner	Training Staff		x	x	x	$1,000.00	100	$100,000.00	$3,548,800.75	• Training, Education and Agency Based Activities for Public Instruction for Voter Registration Events
		OEC		x	x	x	$51.56	100	$5,156.00	$3,543,644.75	• Election Certification
							$1,051.56		$105,156.00		

HELP AMERICA VOTE ACT - DELAWARE STATE PLAN

										Programs
Education	Commissioner	Election Officers		x	x	x	$10,000.00	3	$30,000.00	$3,513,644.75	• Onsite Educational Opportunities for Election Officers
				x	x	x	$15,000.00	3	$45,000.00	$3,468,644.75	• Onsite Educational and Training for Various Groups
				x	x	x	$10,000.00	3	$30,000.00	$3,438,644.75	• Local Education Colleges and Universities: UD • Public Administration Courses
							$35,000.00		$105,000.00		
Education	Commissioner	All Others		x	x	x	$250,000.00	2	$500,000.00	$2,938,644.75	• Training & Educational Materials for Various Groups • Mixed Media Presentations for Public Use
							$250,000.00		$500,000.00		
Education	Commissioner	Mock Election	x		x		$30,000.00	3	$90,000.00	$2,848,644.75	• Continued Support for Delaware's Mock Election Program
							$30,000.00		$90,000.00		
Staffing	Elections	Programmer 1 - DTI	x	x	x		$40,000.00	3	$120,000.00	$2,728,644.75	• Election's Contractor located at DTI
		Programmer 2 - DTI	x	x	x		$50,000.00	3	$150,000.00	$2,578,644.75	• Election's Contractor located at DTI
		Administrator - DTI	x	x	x		$90,000.00	3	$270,000.00	$2,308,644.75	• Cost recovery, DTI Admin. for Election's Programmers
		Programmer 3-DTI			x		$25,000.00	0.7	$17,500.00	$2,291,144.75	• Temporary Programmer for Central Absentee System
		Programmer4-DTI			x		$25,000.00	0.7	$17,500.00	$2,273,644.75	• Temporary Programmer for Central Absentee System
							$205,000.00		$540,000.00		
Staffing	Commissioner	Accounting Specialist		x	x	x	$25,117.00	3	$75,351.00	$2,198,293.75	• Election Improvement
		Telecom/Network Tec		x	x	x	$30,769.00	3	$92,307.00	$2,105,986.75	• Election Improvement
		OEC		x	x	x	$12,294.92	3	$36,884.76	$2,069,101.99	• Other Employment Costs
							$68,180.92		$204,542.76		

HELP AMERICA VOTE ACT - DELAWARE STATE PLAN

Systems Furniture	Commissioner	Grant Employees	x			$35,000.00 $35,000.00	2	$70,000.00 $70,000.00	$1,999,101.99	● Work Space/Equipment
Telephone System	Commissioner			x		$5,000.00	1	$5,000.00	$1,994,101.99	● Updates to Existing Call Answer System
	New Castle County		x			$145,000.00	1	$145,000.00	$1,849,101.99	● Automated Info Telephone System for New Castle
	Kent County		x			$0.00	1	$0.00	$1,849,101.99	● New Telephone System for Kent
	Sussex County		x			$15,000.00 $165,000.00	1	$15,000.00 $165,000.00	$1,834,101.99	● New/Upgrades Telephone System for Sussex
Programming, Other	Commissioner		x	x	x	$80,000.00 $80,000.00	3	$240,000.00 $240,000.00	$1,594,101.99	● Web, Information, Campaign Finance Database
Projects	State	Central Absentee Count Database Update	x			$700,000.00	1	$700,000.00	$894,101.99	● Central Absentee Ballot Count in Each County
					x	$350,000.00 $1,050,000.00	1	$350,000.00 $1,050,000.00	$544,101.99	● Any need to purchase servers, software, etc
Supplies	Department		x	x		$20,000.00 $20,000.00	3	$60,000.00 $60,000.00	$484,101.99	● Supplies for Unexpected Operational Needs
Materials	Department		x	x		$32,000.00 $32,000.00	3	$96,000.00 $96,000.00	$388,101.99	● Materials for Unexpected Operational Needs
Equipment	Department		x	x	x	$12,000.00 $12,000.00	9	$108,000.00 $108,000.00	$280,101.99	● Unscheduled Parts, Systems Expansions
Warehouse Space	New Castle County	Warehouse Lease OT	x			$38,000.00 $38,000.00	2	$76,000.00 $76,000.00	$204,101.99	● Expanded Warehouse Space Voting Machines - Airport Location

HELP AMERICA VOTE ACT - DELAWARE STATE PLAN

Web Hosting	Commissioner	Campaign Finance	x			$5,000.00 $5,000.00	12	$60,000.00 $60,000.00	$144,101.99	● Off Site Hosting Pending Available State Space
Travel	Commissioner	Conferences	x	x	x	$20,000.00 $20,000.00	1	$20,000.00 $20,000.00	$124,101.99	● National Conferences and Training Events
Misc	Department		x	x	x	$14,550.95 $11,416.75	2	$29,101.90 $29,101.90	$95,000.09	
Title II $4,368,290.00										
Voting Machines Retrofits			x			$1,100.00 $1,100.00	1000	$1,100,000.00 $1,100,000.00	**$3,270,000.00**	● Retrofit Current Inventory with Audio Modules
New Voting Machines			x			$5,000.00 $5,000.00	500	$2,500,000.00 $2,500,000.00	$770,000.00	● New Machines
Shipping Charges			x			$27.00 $27.00	500	$13,500.00 $13,500.00	$756,500.00	● Delivery Charges
Delivery Acceptance			x			$20,000.00 $20,000.00	1	$20,000.00 $20,000.00	$736,500.00	● Testing Contract Specifications
Machine Supplies			x			$250,000.00 $250,000.00	1	$250,000.00 $250,000.00	$486,500.00	● Paper Tapes, Printers, Electronic Poll Lists

HELP AMERICA VOTE ACT - DELAWARE STATE PLAN

Transportation to Polls			$30,000.00 $30,000.00	1	$30,000.00 $30,000.00	$456,500.00		● Two Year Costs of Moving Additional Machines
Testing Programs	x		$40,000.00 $40,000.00	1	$40,000.00 $40,000.00	$416,500.00		● Testing Machine Format Compatibility
Testing Vendor Software	x		$45,000.00 $45,000.00	1	$45,000.00 $45,000.00	$371,500.00		● Remote Testing Guardian Software
Training	x		$40,000.00 $40,000.00	1	$40,000.00 $40,000.00	$331,500.00		● Staff Training
Temporary Warehouse Staff	x		170,000.00 170,000.00	1.00	170,000.00 170,000.00	$161,500.00		● Additional Workers to Complete Testing
Supplemental Poll Workers	x		$150,000.00 $150,000.00	1	$150,000.00 $150,000.00	$11,500.00		● One Worker per Extra Machine
Misc	x		$9,790.84 $9,790.84	1	$9,790.84 $9,790.84	$1,709.16		● Unexpected Costs
Title II $7,446,830.00							**$7,446,830.00**	
Architectural Accessibility	x	x	$1,250,000.00 $1,250,000.00	1	$1,250,000.00 $1,250,000.00		$6,196,830.00	● Make Improvements to Polls
Voter File Improvements	x	x	$1,000,000.00 $1,000,000.00	1	$1,000,000.00 $1,000,000.00		$5,196,830.00	● Digital Database Capabilities

HELP AMERICA VOTE ACT - DELAWARE STATE PLAN

Future Election Expenditures Above State Maintenance Level	x	x	$5,196,830.00 $5,196,830.00	1	$5,196,830.00 $5,196,830.00		$0.00	●Future Election Improvements

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