

place. The HAVA Planning Committee estimates that these units will be purchased in the 2004-2005 fiscal year and that Section 252 HAVA funds will be used.

In addition, the HAVA Planning Committee recommends reimbursing counties who have already purchased voting systems that meet the HAVA accessibility for voters with disabilities requirements. The estimated cost for this reimbursement is \$17 million and it is anticipated that Section 252 HAVA funds will be used.

(G) Improving polling place accessibility for voters with disabilities or with limited English.

Under Section 261, HAVA states the Secretary of Health and Human Services shall make a payment to eligible States to be used for making polling places accessible to individuals with disabilities and providing information on this accessibility. The State of Florida has applied for available funds under this grant program. It is recommended that these funds be distributed to each county to ensure that individuals with disabilities are provided the same opportunity for access and participation as for other voters.

(H) Establishing toll-free telephone hotlines for voters to access voting information, report voting fraud, or report voting rights violations.

Currently, there are no plans to use HAVA funds for establishing a free voting information hotline. If this type of voting information system is desired, it will be the responsibility of each county and monitored by the Division of Elections.

The Division of Elections has already established and plans to expand a voter fraud hotline for individuals who believe they may have witnessed election fraud.

Section 102. How will payments to Florida be used for the replacement of punch card or lever voting machines?

Under Section 102, the State of Florida is eligible for approximately \$11.7 million which it will use as reimbursement to the State and eligible counties for funds previously spent to replace punch card and lever voting systems. Currently, 14 counties have replaced punch card and lever machines with machines that are fully compliant with HAVA.

Element 11. Help America Vote Act of 2002 (HAVA) State Plan Management

How the State will conduct ongoing management of the plan, except 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).

Introduction

This element of the HAVA State Plan requires Florida to explain how the State of Florida will manage the implementation of the HAVA State Plan and whether it will utilize the same public notice process if any "material change" is made to the administration of the HAVA State Plan.

Section 251(a)(11) How will Florida conduct ongoing management of the HAVA State Plan?

As explained in previous sections of this Plan, the administration of elections in Florida occurs at the State and local levels. The Secretary of State is the Chief Election Officer under Florida law. The Secretary of State as the Chief Election Officer is responsible for the coordination of the State's responsibilities under HAVA Section 253. The Director of the Division of Elections reports to the Secretary of State and will be responsible for the day-to-day monitoring and managing of Florida's HAVA State Plan. Through the approval and implementation of this HAVA State Plan, it is expected that the Director will have three new positions dedicated to HAVA program management. The scope of responsibilities will range from federal reporting and grant compliance to assistance with voter education, election official training and updating the HAVA State Plan.

Also at the State level, the Secretary of State will direct the HAVA Planning Committee to update the HAVA State Plan as required in Section 255. Under Florida's HAVA State Plan, the HAVA Planning Committee will be responsible for conducting its business in an open, public forum and for suggesting revisions and updates to the HAVA State Plan.

At the local level, Florida's 67 supervisors of elections will be encouraged to play an active role in the successful implementation of the HAVA State Plan. The Division of Elections will continue to work on a regular basis with local supervisors of elections to develop performance goals and measures, new voter registration improvements, new voting systems certification upgrades, statewide voter education programs, election official training, and other activities outlined in Florida's HAVA State Plan.

Section 254(a)(11) If Florida makes any material change in the administration of the HAVA State Plan, will the change—

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

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

(C) take 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 State of Florida understands and agrees to comply with the HAVA requirements related to ongoing management of the HAVA State Plan. No material changes in the administration of the plan will be made unless:

- the material change is developed and published in the Federal Register in accordance with Section 255 in the same manner as the HAVA State Plan;
- the material change is subject to public notice and comment in accordance with Section 256 in the same manner as the HAVA State Plan; and
- the material change 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).

Element 12. Changes to State Plan for Previous Fiscal Year

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

Introduction

This is the State of Florida's first Help America Vote Act of 2002 (HAVA) State Plan. There are no previous plans to describe changes or successes under the HAVA. The HAVA State Plan will be updated in the next fiscal year and the Secretary of State will utilize the HAVA Planning Committee to fulfill this element of the plan.

Section 254(a)(12) When Florida has a HAVA State Plan for the previous fiscal year, will the State of Florida provide a description of how the plan reflects changes from the HAVA State Plan for the previous fiscal year and how the State succeeded in carrying out the HAVA State Plan for such previous fiscal year?

Yes, and no further actions are required.

Element 13. State Plan Development and HAVA Planning Committee

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

Introduction

To comply with the requirements of the Help America Vote Act of 2002 (HAVA), the HAVA State Plan must be developed by the chief State election official through a committee of appropriate individuals. After a preliminary plan is developed, it must be published for public inspection and comment. State officials must take public comments into account in preparing the HAVA State Plan submitted to the Federal Elections Commission.

Section 255: Has Florida complied with the requirements of section 255(a) to have the chief State election official develop the HAVA State Plan through a committee of appropriate individuals?

Yes, and no further actions are required.

Florida's Chief State Election Official, Secretary of State Glenda Hood, has the responsibility under HAVA to develop the HAVA State Plan with the assistance of the statewide HAVA Planning Committee. Section 255(a) of HAVA requires that "The chief State election official shall develop the HAVA State Plan under this subtitle through a committee of appropriate individuals, including the chief election officials of the two most populous jurisdictions within the State, other local election officials, stakeholders (including representatives of groups of individuals with disabilities), and other citizens, appointed for such purpose by the chief State election official."

Members of the HAVA Planning Committee for the State of Florida, appointed by Secretary of State Hood, are as follows:

Chairman:

Jim Smith of Leon County, former Secretary of State and former Attorney General

Chief Election Officials of the Two Most Populous Jurisdictions Within the State:

Miriam Oliphant, Supervisor of Elections for Broward County

David Leahy, Supervisor of Elections for Miami-Dade County

Other Local Election Officials:

Kurt Browning, Supervisor of Elections for Pasco County
Susan Gill, Supervisor of Elections for Citrus County
Shirley Green Knight, Supervisor of Elections for Gadsden County

Stakeholders/Representatives of Groups of Individuals with Disabilities:

Dave Evans, State Board Member of the National Federation of the Blind
Jim Kracht, Assistant County Attorney for Miami-Dade County and member of the American Blind Lawyers Association, American Council of the Blind and the Florida Council of the Blind
Richard LaBelle, Secretary of the Florida Coalition on Disability Rights

Other Stakeholders and Citizens:

Joe Celestin, Mayor of the City of North Miami
Anna Cowin, State Senator from District 20
Jane Gross, President of the Florida League of Women Voters
Lindsay Harrington, State Representative from District 72
Arthur Hernandez, Vice Chairman of the Jacksonville Mayor's Hispanic American Advisory Board
Percy Luney, Dean and Professor of Law at Florida A&M University
Reggie McGill, Human Relations Director for the City of Orlando
Isis Segarra, private citizen from Hillsborough County
Lori Stelzer, President of the Florida Association of City Clerks and City Clerk for the City of Venice
Raiza Tamayo, Regional Director of the United States Hispanic Chamber of Commerce

This HAVA Planning Committee convened four times in public meetings to accomplish its work – Tallahassee on April 25, West Palm Beach on May 6, Ft. Myers on May 12 and Orlando on May 15. Press releases were sent to members of the press before each meeting and copies of the press releases were available for the audience at each meeting. In addition, all meetings were noticed in the *Florida Administrative Weekly*. Members of the public and press were welcomed at the meetings. The HAVA Planning Committee heard public comment at each meeting. It was assisted by a non-profit, non-partisan organization, the Collins Center for Public Policy, Inc., that was selected in a public bidding process to serve as staff for the HAVA Planning Committee in developing the HAVA State Plan, and by the Division of Elections of the Florida Department of State.

The HAVA Planning Committee operated in an open process with public deliberations, systematic procedures in accordance with *Robert's Rules of Order*, and majority vote of members who were present when votes were taken. Majority quorums were present at all meetings of the HAVA Planning Committee. The Collins Center, as staff, prepared written materials for the meetings, made presentations to focus the HAVA Planning Committee on

decisions that needed to be made, took notes of all meetings and reported them publicly on its website at www.collinscenter.org. A formal transcript of each meeting also was made and published on the website along with all agendas and other published materials for meetings of the HAVA Planning Committee. The website of the State Division of Elections also included much of this material.

All meetings were held in accessible facilities and were compliant with the Americans with Disabilities Act. Closed captioning service and signers were available at all meetings. Agendas were printed in Braille as well as Spanish and Creole.

Section 256: Will Florida comply with the requirement of Section 256 to have the HAVA State Plan meet the public notice and comment requirements of HAVA?

Yes, and no further actions are required.

Section 256 of HAVA requires that the HAVA State Plan meet the following public notice and comment requirements:

- (1) not later than 30 days prior to the submission of the plan, the State shall make a preliminary version of the plan available for public inspection and comment;
- (2) the State shall publish notice that the preliminary version of the plan is so available; and
- (3) the State shall take the public comments made regarding the preliminary version of the plan into account in preparing the plan which will be filed with the Federal Elections Commission.

After the final HAVA State Plan is submitted to the Federal Elections Commission, that Commission shall cause the HAVA State Plan to be published in the Federal Register in accordance with Section 255(b).

These tasks were performed the Division of Elections and not by the HAVA Planning Committee or its consultants. The work of the HAVA Planning Committee and its consultants was completed when a preliminary version of the HAVA State Plan was prepared, approved by the HAVA Planning Committee, and submitted to the Secretary of State.

After notice was given in the *Florida Administrative Weekly*, the preliminary version of the HAVA State Plan was posted on the Department of State's and the Governor's websites. A link was available on the Department's website so that public comment could be made electronically. Public comments were also received by U. S. mail. Public comments were received from June 13 through July 13 and those public comments were considered in preparing the final plan.



GLENDA E. HOOD
 SECRETARY OF STATE
 STATE OF FLORIDA

STATE OF FLORIDA
 PRELIMINARY DRAFT
 HAVA PLAN / 71

Help America Vote Act of 2002 (HAVA) State Plan Chart

Voting Systems--Section 301 Compliance January 1, 2006)	Meets	Partially Meets	Does Not Meet	Described in Plan
Verify Ballot	X			
Change or Correct Ballot	X			
Prevent Overvotes	X			
Absentee instructions		X		
Absentee privacy and confidentiality	X			
Paper record for audits	X			
Systems for voters with disabilities		X		
Future voting systems purchases comply with HAVA	X			
Alternative language accessibility	X			
Comply with FEC error rates	X			
Define what constitutes a vote	X			
Provisional Voting and Voter Information--Section 302 (Compliance January 1, 2004)	Meets	Partially Meets	Does Not Meet	Described in Plan
Laws require notification to cast provisional ballot	X			
Provisional ballots permitted with written affirmation of voter eligibility	X			
Provisional ballots given to election officials for determination	X			
Provisional ballots counted if voter is determined to be eligible	X			
Voters provided information to ascertain if provisional ballot counted	X			
"Free access system" provided to ascertain if provisional ballot counted			X	
Sample ballots are posted for election	X			
Date of election and polling place hours are posted	X			
Voting instructions and provisional voting instructions are posted on election day			X	
Voting instructions for mail-in registrants and first-time voters on election day			X	
Voting rights information and provisional ballot information posted	X			
Contact information posted for voters whose rights have been violated			X	
Information posted on prohibition of fraud and misrepresentation	X			
Provisional ballots segregated for those who vote after special extended poll hours	X			

021454



GLEND A. HOOD
 SECRETARY OF STATE
 STATE OF FLORIDA

STATE OF FLORIDA
 PRELIMINARY DRAFT
 HAVA PLAN / 72

Voter Registration List--Section 303 (Compliance January 1, 2004 or extension January 1, 2006)	Meets	Partially Meets	Does Not Meet	Described in Plan
Single, uniform, official centralized, interactive computer statewide, voter registration list			X	
Can Florida meet January 1, 2004 deadline? Need to apply for January 1, 2006 waiver			X	
HAVA's ID requirements for voters who register by mail and not previously voted	X			
HAVA's requirement for voter registration language in mail registration forms	X			
Local Government Payments and Activities [Section 254(a)(2)]	Meets	Partially Meets	Does Not Meet	Described in Plan
Describe criteria for funding				X
Describe methods to monitor performance				X
Voter Education [Section 254(a)(3)]	Meets	Partially Meets	Does Not Meet	Described in Plan
Describe voter education programs to support Title III				X
Describe election official education and training to support Title III				X
Describe poll worker training to support Title III				X
Voting System Guidelines and Processes [Section 254(a)(4)]	Meets	Partially Meets	Does Not Meet	Described in Plan
Describe Florida's voting system guidelines and processes consistent with Section 301				X
HAVA Election Fund [Section 254(a)(5)]	Meets	Partially Meets	Does Not Meet	Described in Plan
Describe how Florida will establish a HAVA fund				X
Describe how Florida will manage the HAVA fund				X
Florida's HAVA Budget [Section 254(a)(6)]	Meets	Partially Meets	Does Not Meet	Described in Plan
Describe costs of activities to meet Title III				X
Describe portion of requirements payment to carry out requirements activities				X
Describe portion of requirements payment to carry out other activities				X

021455



GLEND A E. HOOD
 SECRETARY OF STATE
 STATE OF FLORIDA

STATE OF FLORIDA
 PRELIMINARY DRAFT
 HAVA PLAN / 73

	Meets	Partially Meets	Does Not Meet	Described In Plan
Florida's Maintenance of Effort [Section 254(a)(7)]				
Describe how Florida will maintain election expenditures at the FY 1999-2000 level				X
Florida's Performance Goals and Measures [Section 254(a)(8)]				
Describe how Florida will adopt performance goals measures to determine HAVA success				X
Administrative complaint process [Section 254(a)(9)]				
Established a State-based administrative complaint process to remedy grievances	X			
Effect of Title I Payments [Section 254(a)(10)]				
Describe how Title I payments will affect activities of HAVA plan				X
HAVA State Plan Management [Section 254(a)(11)]				
Describe how Florida will manage plan and make material changes to plan				X
HAVA State Plan for Previous Fiscal Year [Section 254(a)(12)]				
Describe how this year's plan changed from the previous fiscal year				X
HAVA State Plan Development and Planning Committee [Section 254(a)(13)]				
Describe the committee and procedures used to develop the HAVA plan				X

021456

COMPLAINT
For Alleged Violation of the
Help America Vote Act of 2002
(42 U.S.C. §15512)

Florida Department of State, Division of Elections
Room 316, R.A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250
Telephone (850) 245-6200

Pursuant to section 97.028, Florida Statutes, the Department of State has sole jurisdiction to adjudicate alleged violations of Title III of the Help America Vote Act of 2002 (HAVA). Any person who believes that a violation of Title III of HAVA has occurred, is occurring or is about to occur may file a complaint. In order to initiate the complaint process, a sworn, written complaint must be filed with the Department of State. The complaint must specifically state the alleged violation and the person or entity responsible for the violation. A violation of Title III of HAVA is the failure to perform an act required by or the performance of an act prohibited by Title III of HAVA in a federal election.

PERSON BRINGING COMPLAINT

Name _____ Home Phone _____ Work Phone _____
Address _____ County _____
City _____ State _____ Zip Code _____

PERSON OR ENTITY AGAINST WHOM COMPLAINT IS BROUGHT (Name of person or entity perform)

Name _____ Home Phone _____ Work Phone _____
Address _____ County _____
City _____ State _____ Zip Code _____

VIOLATION

If you believe that a violation of Title III of the Help America Vote Act of 2002 has occurred, is occurring or is about to occur, please state the specific acts committed by the person or entity named in this complaint:

Check here if additional pages are attached _____

STATE OF FLORIDA,
COUNTY OF _____

I, the undersigned, under penalty of perjury, do swear or affirm that the information contained in this complaint is true and correct to the best of my knowledge.

Signature of Complainant

Sworn to and subscribed before me this _____ day of _____, 20_____.

Signature of Officer Authorized to Administer Oaths or Notary Public

(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally known _____ Or Produced Identification _____

Type of Identification Produced _____

NOTICE: This Complaint is not confidential and, once filed with the Department of State, will be treated as a public record.

COMPLAINT
For Alleged Violation of the
National Voter Registration Act of 1993
(42 U.S.C. 1973gg-1 et seq.)

Department of State for the State of Florida, Division of Elections
The Collins Building, Room 100, 107 West Gaines Street, Tallahassee, Florida 32399-0250
Telephone (850) 245-6200

Pursuant to section 97.023, Florida Statutes, the Department of State, Division of Elections has primary jurisdiction to mediate alleged violations of the National Voter Registration Act of 1993, and of voter registration and removal procedures. In order for a violation to exist, the Department of State, a voter registration agency, a county supervisor of elections, the Department of Highway Safety and Motor Vehicles or an Armed Forces Recruitment Center must have committed the violation.

PERSON BRINGING COMPLAINT

Name _____ Home Phone _____ Work Phone _____
Address _____ County _____
City _____ State _____ Zip Code _____

PERSON OR ENTITY AGAINST WHOM COMPLAINT IS BROUGHT (limit one person/entity per form)

Name _____ Work Phone _____
Address _____ County _____
City _____ State _____ Zip Code _____

VIOLATION

If you believe you have been denied the right to register to vote, to update your existing voting registration record, or have been unlawfully removed from the registration books in violation of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg-1 et seq.), please state the specific acts committed by the person or entity named in this complaint:

STATEMENT OF FACTS

State in your own words the detailed facts and circumstances that form the basis of your complaint, including any relevant person(s). In your narrative explanation, please include relevant dates and times and the names and addresses of other persons whom you believe have

021460



STATE OF FLORIDA
DEPARTMENT OF STATE

JEB BUSH
Governor

GLEND A. HOOD
Secretary of State

November 10, 2003

Ms. Penelope Bonsall, Director
Office of Election Administration
Federal Elections Commission
999 E. Street NW
Washington, D.C. 20463

RE: State of Florida request for waiver pursuant to Section 303(d) of the Help
America Vote Act of 2002

Dear Ms. Bonsall:

Section 303(a) of the Help America Vote Act of 2002 requires each state to implement a computerized statewide voter registration list by the January 1, 2004, date specified in Section 303(d)(1)(A) of the same statute. Section 303(d)(1)(B) provides for states to request an extension of the aforementioned deadline until January 1, 2006. The purpose of this correspondence is to certify that, for good cause as outlined below, the State of Florida is unable to meet the January 1, 2004, implementation date called for in Section 303(d)(1)(A), and respectfully requests an extension of the deadline as permitted by law until January 1, 2006.

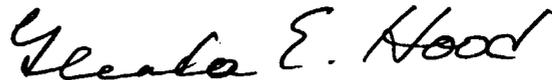
Florida has a tradition of administering voter registration at the county level jurisdiction. Each of Florida's sixty-seven counties has a constitutionally elected officer known as the supervisor of elections who is responsible for maintaining voter registration lists in their respective county. Each supervisor of elections is also responsible for determining the type of information technology appropriate for supporting voter registration activities in their jurisdiction and the manner in which registration records are maintained. The steps required to: (1) assess county-administered voter registration systems; (2) develop methods for consolidating a variety of voter registration lists with individual nuances into a single computerized statewide system; and (3) provide for future coordination of county voter registration activities with the statewide list will require more time than provided by the January 1, 2004, implementation date.

The Florida Department of State is working diligently to implement a statewide voter registration system that will meet all the requirements of Title III. Some of the steps already taken by the State of Florida in order to develop and implement a statewide voter registration system include: hiring a project director; executing agreements with our state Departments of Highway Safety

Ms. Penelope Bonsall, Director
November 10, 2003
Page 2

Motor Vehicles and Law Enforcement that outline data exchange procedures; and creating task groups comprised of county election officials and Department of State personnel in order to address technical and procedural issues relating to the creation of the centralized registration system. Given the steps already taken by the Florida Department of State and the other departments involved, and the scope of the work remaining to be done, I am confident that the State of Florida will be successful in having a statewide computerized voter registration system operational by the January 1, 2006, extended deadline requested herein.

Sincerely,



Glenda E. Hood
Secretary of State

GEH/eck/pt

021463



STATE OF FLORIDA
DEPARTMENT OF STATE
DIVISION OF ELECTIONS

Jeb Bush
Governor

Glenda E. Hood
Secretary of State

December 23, 2003

Ms. Penelope Bonsall, Director
Election Assistance Commission
c/o Office of Election Administration
999 E. Street, N.W.
Washington, D.C. 20463

**RE: State of Florida Request for waiver pursuant to Section 303(d) of the
Help America Vote Act of 2002**

Dear Ms. Bonsall:

Enclosed is a copy of the November 10, 2003 letter that was submitted by the State of Florida in order to request an extension of the January 1, 2004 deadline for implementing a computerized statewide voter registration list. The letter was sent to the Federal Elections Commission pending appointment of the Elections Assistance Commission.

Although members of the Elections Assistance Commission have been appointed and confirmed, they still don't have an address. We are resubmitting a copy of the State of Florida's original request to the new Elections Assistance Commission in care of your office in order to meet the January 1, 2004 deadline for requesting a waiver and extension for implementing the statewide voter registration list.

Sincerely,

Sarah Jane Beadshaw
for Edward C. Kast
Director, Division of Elections

EK/BL/aj

Enclosure

021464
021464



STATE OF FLORIDA
DEPARTMENT OF STATE
DIVISION OF ELECTIONS

Jeb Bush
Governor

Glenda E. Hood
Secretary of State

January 22, 2004

Ms. Deborah Schilling
Director of Budget
United States General Services Administration
1800 F Street, NW
Washington, D.C. 20405-0002

Dear Ms. Schilling:

Enclosed are Financial Status Reports regarding HAVA expenditures for the period ending December 31, 2003. A separate form has been prepared for Section 101 and Section 102 funds as requested. These documents were also faxed to your office on January 21, 2004.

If you have any questions or need additional information, please let us know.

Sincerely,

Edward C. Kast
Director, Division of Elections

EK/BL/aj

Enclosure

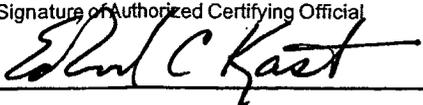
FEB 10 2004
BB rec'd

ORIGINAL

FINANCIAL STATUS REPORT

(Short Form)

(Follow instructions on the back)

1. Federal Agency and Organizational Element to Which Report is Submitted General Services Administration		2. Federal Grant or Other Identifying Number Assigned By Federal Agency 39.011 Section 101		OMB Approval No. 0348-0039	Page of pages
3. Recipient Organization (Name and complete address, including ZIP code) Florida Department of State Division of Elections 107 W. Gaines Street, Room 100 Tallahassee, FL 32399-0250					
4. Employer Identification Number F593466865		5. Recipient Account Number or Identifying Number 45-20-2-339097-00000000-00-000000-00		6. Final Report <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
7. Basis <input checked="" type="checkbox"/> Cash <input type="checkbox"/> Accrual					
8. Funding/Grant Period (See Instructions) From: (Month, Day, Year) 4-23-03		To: (Month, Day, Year) Open		9. Period Covered by this Report From: (Month, Day, Year) 4-23-03	
To: (Month, Day, Year) 12-31-03					
10. Transactions					
		I Previously Reported	II This Period	III Cumulative	
a. Total outlays				1,709,142.05	
b. Recipient share of outlays				—	
c. Federal share of outlays				1,709,142.05	
d. Total unliquidated obligations				—	
e. Recipient share of unliquidated obligations				—	
f. Federal share of unliquidated obligations				—	
g. Total Federal share (Sum of lines c and f)				1,709,142.05	
h. Total Federal funds authorized for this funding period				14,447,580.00	
i. Unobligated balance of Federal funds (Line h minus line g)				12,738,437.95	
11. Indirect Expense N/A					
a. Type of Rate (Place "X" in appropriate box) <input type="checkbox"/> Provisional <input type="checkbox"/> Predetermined <input type="checkbox"/> Final <input type="checkbox"/> Fixed					
b. Rate		c. Base	d. Total Amount	e. Federal Share	
12. Remarks: Attach any explanations deemed necessary or information required by Federal sponsoring agency in compliance with governing legislation.					
13. Certification: I certify to the best of my knowledge and belief that this report is correct and complete and that all outlays and unliquidated obligations are for the purposes set forth in the award documents.					
Typed or Printed Name and Title Edward C. Kast Director, Division of Elections			Telephone (Area code, number and extension) 850-245-6200		
Signature of Authorized Certifying Official 			Date Report Submitted 1-20-04		

021466

FAX



Department of State

Division of Elections

The Collins Building Room 100

107 West Gaines Street

Tallahassee, Florida 32399-0250

Date 01/21/04 10:01 AM

Number of pages including cover sheet 3

To: General Services Administration
Attn: Deborah Schilling
Director of Budget

Phone # _____
Fax # 202-501-1124

From: Edward C. Kast
Florida Div. of Elections

Phone # (850) 245-6200
Fax # (850) 245-6217

REMARKS:

Per Your Request For your review Reply ASAP Per Conversation

Attached are reports regarding expenditures through December 31, 2003 for HAVA funds. A separate form has been prepared for Section 101 and Section 102 categories as requested. If you have any questions or need additional information, please let us know.

021467

FILE COPY

FINANCIAL STATUS REPORT
(Short Form)
(Follow instructions on the back)

1. Federal Agency and Organizational Element to Which Report is Submitted General Services Administration		2. Federal Grant or Other Identifying Number Assigned By Federal Agency 39.011 Section 101		OMB Approval No. 0348-0039	Page of pages
3. Recipient Organization (Name and complete address, including ZIP code) Florida Department of State Division of Elections 107 W. Gaines Street, Room 100 Tallahassee, FL 32399-0250					
4. Employer Identification Number F593466865		5. Recipient Account Number or Identifying Number 45-20-2-339097-00000000-00-000000-00		6. Final Report <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
7. Basis <input checked="" type="checkbox"/> Cash <input type="checkbox"/> Accrual					
8. Funding/Grant Period (See Instructions) From: (Month, Day, Year) 4-23-03		To: (Month, Day, Year) Open		9. Period Covered by this Report From: (Month, Day, Year) 4-23-03 To: (Month, Day, Year) 12-31-03	
10. Transactions			I Previously Reported	II This Period	III Cumulative
a. Total outlays					1,709,142.05
b. Recipient share of outlays					—
c. Federal share of outlays					1,709,142.05
d. Total unliquidated obligations					—
e. Recipient share of unliquidated obligations					—
f. Federal share of unliquidated obligations					—
g. Total Federal share (Sum of lines c and f)					1,709,142.05
h. Total Federal funds authorized for this funding period					14,447,580.00
i. Unobligated balance of Federal funds (Line h minus line g)					12,738,437.95
11. Indirect Expense N/A					
a. Type of Rate (Place "X" in appropriate box) <input type="checkbox"/> Provisional <input type="checkbox"/> Predetermined <input type="checkbox"/> Final <input type="checkbox"/> Fixed					
b. Rate		c. Base		d. Total Amount	
e. Federal Share					
12. Remarks: Attach any explanations deemed necessary or information required by Federal sponsoring agency in compliance with governing legislation.					
13. Certification: I certify to the best of my knowledge and belief that this report is correct and complete and that all outlays and unliquidated obligations are for the purposes set forth in the award documents.					
Typed or Printed Name and Title Edward C. Kast Director, Division of Elections				Telephone (Area code, number and extension) 850-245-6200	
Signature of Authorized Certifying Official 				Date Report Submitted 1-20-04	

021468



FLORIDA DEPARTMENT OF STATE

Sue M. Cobb

Secretary of State

DIVISION OF ELECTIONS

REVISED

February 28, 2006

The Honorable Paul S. DeGregorio, Chairman
U.S. Election Assistance Commission
State HAVA Funding Reports
1225 New York Avenue, NW – Suite 1100
Washington, D.C. 20005

Dear Mr. DeGregorio:

Enclosed are Florida's narrative reports regarding HAVA, Title I, Section 101 and 102 funds for the period from January 1, 2005 through December 31, 2005. A separate SF 269 form is included for Section 101 and Section 102 funds.

Also enclosed is a an updated SF 269 covering Title I, Section 101 funds for the period from January 1, 2004 through December 31, 2004. The entry on Line "o - Total Federal funds authorized for this funding period" has been adjusted to include Florida's portion of Section 101 funds plus Interest accrued on those funds during 2003 and 2004.

If you have any questions or would like additional information, please let us know.

Sincerely,

Sarah Jane Bradshaw

for Dawn K. Roberts, Esq.
Director, Division of Elections

Enclosures

DKR/BL/aj

021469

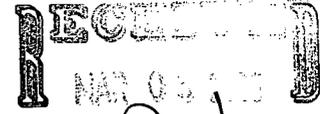
REVISED

**FINANCIAL STATUS REPORT
(Long Form)**

(Follow instructions on the back)

1. Federal Agency and Organizational Element to Which Report is Submitted U. S. Election Assistance Commission		2. Federal Grant or Other Identifying Number Assigned By Federal Agency 39.011 - Section 101		OMB Approval No. 0348-0039	Page of 1 / 1 pages
3. Recipient Organization (Name and complete address, including ZIP code) Florida Department of State 500 South Bronough Street Tallahassee, FL 32399-0250					
4. Employer Identification Number F593466865		5. Recipient Account Number or Identifying Number 45-20-2-339097-00000000-00-000000-00		6. Final Report <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
7. Basis <input checked="" type="checkbox"/> Cash <input type="checkbox"/> Accrual					
8. Funding/Grant Period (See instructions) From: (Month, Day, Year) 4/23/2003			9. Period Covered by this Report From: (Month, Day, Year) 1/1/2004		
To: (Month, Day, Year)			To: (Month, Day, Year) 12/31/2004		
10. Transactions:					
				I Previously Reported	II This Period
				III Cumulative	
a. Total outlays				1,709,142.05	4,916,514.40
b. Refunds, rebates, etc.					0.00
c. Program income used in accordance with the deduction alternative					0.00
d. Net outlays (Line a, less the sum of lines b and c)				1,709,142.05	4,916,514.40
e. Total recipient share of net outlays (Sum of lines a, b, c and d)				0.00	508,662.50
f. Federal share of net outlays (line d less line e)				1,709,142.05	4,407,851.90
g. Total unliquidated obligations					6,116,993.95
h. Recipient's share of unliquidated obligations					
i. Federal share of unliquidated obligations					
j. Total Federal share (sum of lines h and i)					6,116,993.95
k. Total Federal funds authorized for this funding period					15,081,121.46
l. Unobligated balance of Federal funds (Line k minus line j)					8,964,127.51
Program Income, consisting of:					
m. Disbursed program income shown on lines c and/or g above					
n. Disbursed program income using the addition alternative					
o. Undisbursed program income					
p. Total program income realized (Sum of lines m, n and o)					0.00
11. Indirect Expense					
a. Type of Rate (Place "X" in appropriate box) <input checked="" type="checkbox"/> Provisional <input type="checkbox"/> Predetermined <input type="checkbox"/> Final <input type="checkbox"/> Fixed					
b. Rate N/A		c. Base		d. Total Amount	
e. Federal Share					
12. Remarks: Attach any explanations deemed necessary or information required by Federal sponsoring agency in compliance with governing legislation. Total funds reflected on Line O include Interest accrued in 2003 and 2004. Interest accrued in 2003 - \$286,380.60. Interest accrued in 2004 - \$347,160.86.					
13. Certification: I certify to the best of my knowledge and belief that this report is correct and complete and that all outlays and unliquidated obligations are for the purposes set forth in the award documents.					
Typed or Printed Name and Title Dawn K. Roberts, Director, Division of Elections				Telephone (Area code, number and extension) 850-245-6200	
Signature of Authorized Certifying Official <i>Gail Jane Bradshaw for Dawn Roberts</i>				Date Report Submitted February 28, 2006	

021470



BY: 

Jeb Bush
Governor

STATE OF FLORIDA
DEPARTMENT OF STATE

Glenda E. Hood
Secretary of State

DIVISION OF ELECTIONS

March 2, 2005

ORIGINAL

The Honorable Gracia M. Hillman, Chair
U.S. Election Assistance Commission
State HAVA Funding Report
1225 New York Avenue, NW – Suite 1100
Washington, DC 20005

Dear Chairman Hillman:

Enclosed is Florida's report regarding the use of HAVA Title I, Section 101 funds for the period from January 1, 2004 through December 31, 2004. Included with the report is Standard Form 269.

If you have any questions or would like additional information, please let us know.

Sincerely,



Dawn K. Roberts, Esq.
Director

DKR/aj

Enclosures

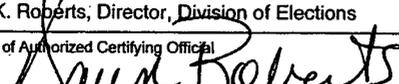
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ORIGINAL

FINANCIAL STATUS REPORT (Long Form)

(Follow instructions on the back)

1. Federal Agency and Organizational Element to Which Report is Submitted U. S. Election Assistance Commission		2. Federal Grant or Other Identifying Number Assigned By Federal Agency 39.011 - Section 101		OMB Approval No. 0348-0039	Page of 1 1 pages	
3. Recipient Organization (Name and complete address, including ZIP code) Florida Department of State 500 South Bronough Street Tallahassee, FL 32399-0250						
4. Employer Identification Number F593466865		5. Recipient Account Number or Identifying Number 45-20-2-339097-00000000-00-000000-00		6. Final Report <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
7. Basis <input checked="" type="checkbox"/> Cash <input type="checkbox"/> Accrual						
8. Funding/Grant Period (See instructions) From: (Month, Day, Year) 4/23/2003		9. Period Covered by this Report From: (Month, Day, Year) 1/1/2004		To: (Month, Day, Year) 12/31/2004		
10. Transactions:						
				I Previously Reported	II This Period	III Cumulative
a. Total outlays				1,709,142.05	4,407,879.33	6,117,021.38
b. Refunds, rebates, etc.						0.00
c. Program income used in accordance with the deduction alternative						0.00
d. Net outlays (Line a, less the sum of lines b and c)				1,709,142.05	4,407,879.33	6,117,021.38
Recipient's share of net outlays, consisting of:						
e. Third party (in-kind) contributions						0.00
f. Other Federal awards authorized to be used to match this award						0.00
g. Program income used in accordance with the matching or cost sharing alternative						0.00
h. All other recipient outlays not shown on lines e, f or g State Matching Funds					508,662.50	508,662.50
i. Total recipient share of net outlays (Sum of lines e, f, g and h)				0.00	508,662.50	508,662.50
j. Federal share of net outlays (line d less line i)				1,709,142.05	3,899,216.83	5,608,358.88
k. Total unliquidated obligations						
l. Recipient's share of unliquidated obligations						
m. Federal share of unliquidated obligations						
n. Total Federal share (sum of lines j and m)						5,608,358.88
o. Total Federal funds authorized for this funding period						12,738,437.95
p. Unobligated balance of Federal funds (Line o minus line n)						7,130,079.07
Program income, consisting of:						
q. Disbursed program income shown on lines c and/or g above						
r. Disbursed program income using the addition alternative						
s. Undisbursed program income						
t. Total program income realized (Sum of lines q, r and s)						0.00
11. Indirect Expense		a. Type of Rate (Place "X" in appropriate box) <input checked="" type="checkbox"/> Provisional <input type="checkbox"/> Predetermined <input type="checkbox"/> Final <input type="checkbox"/> Fixed				
		b. Rate N/A	c. Base	d. Total Amount	e. Federal Share	
12. Remarks: Attach any explanations deemed necessary or information required by Federal sponsoring agency in compliance with governing legislation. Interest accrued during 2004 - \$347,160.87						
13. Certification: I certify to the best of my knowledge and belief that this report is correct and complete and that all outlays and unliquidated obligations are for the purposes set forth in the award documents.						
Typed or Printed Name and Title Dawn K. Roberts, Director, Division of Elections				Telephone (Area code, number and extension) 850-245-6200		
Signature of Authorized Certifying Official 				Date Report Submitted March 2, 2005		

021472

ORIGINAL

FLORIDA DEPARTMENT OF STATE REPORT ON EXPENDITURE OF TITLE I FUNDS DURING CALENDAR YEAR 2004

As requested by the U. S. Election Assistance Commission, listed below is a detailed list of expenditures and a description of the related activities conducted by the Florida Department of State during calendar year 2004 utilizing HAVA Title I funds.

COMPLYING WITH REQUIREMENTS OF TITLE III - \$1,623,298

One of the requirements of Title III includes development and implementation of a single statewide voter registration list. In order to begin the development of a system in Florida that meets the criteria outlined in HAVA, the 2003 Florida Legislature appropriated \$1 million for Phase One Development of the Florida Voter Registration System (FVRS). Funds were provided to conduct the research and planning required in order to design and develop the system.

The Legislature also authorized establishment of nine full-time positions to assist with developing and implementing the FVRS. Five of the positions are assigned to the Department of State and two each are in the Florida Department of Highway Safety and Motor Vehicles (HSMV) and the Florida Department of Law Enforcement (FDLE).

One of the five positions in the Department of State has been designated as Project Manager. The remaining four positions have been utilized to conduct research and planning for the project that was required prior to initiating the development phase of the system. Positions at HSMV and FDLE are working with the Department of State to determine ways to coordinate databases maintained by those agencies with the Florida Voter Registration System.

The Department of State contracted with a consulting firm to provide project management and quality assurance services for the project. A separate firm was retained to assist with application design and engineering services.

As the project has developed, funds have been expended to purchase software licenses for software programs that will be used to operate the system. Other funds were used to provide training for employees who will be using the software programs.

Other expenditures related to development of the FVRS include travel expenses for project team members who held numerous meetings with Florida's supervisors of elections and their staff as well as vendors of voter registration systems that conduct business in Florida. Project team members also conducted site visits with election officials in other states that utilize centralized voter registration systems.

Development of the statewide voter registration system (FVRS) is described extensively in the HAVA State Plan on pages 26 through 33, page 38 and page 56.

ELECTIONS ADMINISTRATION - \$394,436

The Department of State established three positions to provide administrative oversight and coordination for HAVA-related activities. Employees in these positions are responsible for monitoring HAVA expenditures to assure compliance with federal requirements regarding their use. These positions administer several contract programs that provide funds to supervisors of elections for HAVA-related activities including voter education as well as funds utilized to purchase voting systems equipment.

Recommendations regarding establishment of positions associated with HAVA Oversight and Reporting can be found on page 59 in the HAVA State Plan.



NOTE

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Other Title I expenditures include costs associated with printing documents that were provided to supervisors of elections to meet the requirements of HAVA including "Instructions to Voters" posters and "Stamp Out Voter Fraud" posters. Additional publications that were printed and distributed to supervisors of elections include revised "Florida Voter Registration Application" forms, "Florida Registration and Voting Guide" and "A Compilation of Florida Election Laws."

Reference to posters/publications required by HAVA can be found in the State Plan on pages 20 through 24 and on page 60.

The Department of State used Title I funds to contract with an organization to develop two programs that were used by supervisors of elections to assist with providing elections-related information to Florida's citizens. One of the programs included development and distribution of materials that could be used in all counties throughout the state to encourage voter participation in the 2004 elections. The program included instructions and ideas for utilizing the materials. The other program involved developing and conducting a voter awareness and education program regarding the use of Direct Recording Equipment (DRE's).

These programs are included in Florida's HAVA State Plan on page 45.

VOTER EDUCATION - \$2,333,346

During 2004, Florida distributed \$2,333,346 to Florida's 67 county supervisors of elections to assist counties with conducting voter education programs. In order to receive voter education funding, counties were required to submit a detailed voter education plan to the Department of State along with a certified statement from the Board of County Commissioners providing matching county funds in the amount of fifteen percent (15%) to be used exclusively for voter education.

The Department of State recently conducted a survey regarding voter education programs being conducted in each county and prepared a report regarding the various types of voter education activities being utilized throughout the state. Responses to the survey indicated that counties are using voter education funds to disseminate information regarding the elections process through a variety of mediums in order to target as many diverse populations throughout the state as possible. Examples of voter education programs include the following:

- Printing and mailing sample ballots to registered voters
- Publishing sample ballots in local newspapers including those that target specific populations such as minority and college-age voters
- Conducting voting systems demonstrations at various types of locations including malls, businesses, community events, assisted living facilities and schools. Demonstrations included instructions on completing a ballot as well as using the voting systems equipment
- Printing a variety of publications with elections-related information including posters regarding voters rights and responsibilities to display at each polling place
- Conducting voter registration drives in a variety of locations such as malls, schools and businesses

A number of other voter education programs have been successfully implemented in the counties with excellent response from local citizens. It is apparent that counties are being innovative and

ORIGINAL

resourceful in utilizing voter education funds in order to inform and educate citizens about the elections process.

Florida's voter education program is discussed in detail in the HAVA State Plan on pages 37 through 47 as well as on page 58.

TRAINING ELECTION OFFICIALS, POLL WORKERS AND ELECTION VOLUNTEERS - \$23,331

The Department of State contracted with a communications consulting firm to develop and prepare a video titled "Conflict Management Skills for Poll Workers." It was used to help poll workers understand how to handle potentially difficult situations at polling places. The video was distributed to each of the 67 county supervisors of elections to use as part of their poll worker training.

Development of this video was not specifically addressed in the HAVA State Plan, however, it is consistent with the direction outlined in the State Plan for training poll workers found on pages 49 and 50.

DEVELOPING STATE PLAN - \$33,468

The Department of State contracted with a consulting firm to facilitate revisions and updates to the HAVA State Plan. The firm worked with Department staff to draft proposed revisions to the original plan and to develop goals and performance measures to present to the HAVA State Planning Committee for review, discussion and inclusion in the revised document.

In addition to consultant firm fees, expenditures related to this activity included travel expenses for HAVA State Planning Committee members and Department of State staff who attended the State Planning Committee meetings. The meetings were held in two different geographical locations in Florida in order to provide accessibility to all citizens who were interested in attending and/or participating in the meetings.

Management of the State Plan and State Planning Committee is addressed on page 59 in the HAVA State Plan.

INTEREST ACCRUED

During 2004 the Department of State invested Title I, Section 101 funds and accrued \$347,160.87 in interest.



NOTE

FINANCIAL STATUS REPORT (Long Form)

(Follow instructions on the back)

1. Federal Agency and Organizational Element to Which Report is Submitted U. S. Election Assistance Commission		2. Federal Grant or Other Identifying Number Assigned By Federal Agency 39.011 - Section 101		OMB Approval No. 0348-0039	Page of 1 of 1 pages
3. Recipient Organization (Name and complete address, including ZIP code) Florida Department of State 500 South Bronough Street Tallahassee, FL 32399-0250					
4. Employer Identification Number F593466865		5. Recipient Account Number or Identifying Number 45-20-2-339097-00000000-00-000000-00		6. Final Report <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
7. Basis <input checked="" type="checkbox"/> Cash <input type="checkbox"/> Accrual					
8. Funding/Grant Period (See instructions) From: (Month, Day, Year) 4/23/2003		To: (Month, Day, Year)		9. Period Covered by this Report From: (Month, Day, Year) 1/1/2005	
				To: (Month, Day, Year) 12/31/2005	
10. Transactions:					
				I	II
				Previously Reported	This Period
				Cumulative	
a. Total outlays				6,625,656.45	4,220,745.52
b. Refunds, rebates, etc.					0.00
c. Program income used in accordance with the deduction alternative					0.00
d. Net outlays (Line a, less the sum of lines b and c)				6,625,656.45	4,220,745.52
				10,846,401.97	
Recipient's share of net outlays, consisting of:					
e. Third party (in-kind) contributions					0.00
f. Other Federal awards authorized to be used to match this award					0.00
g. Program income used in accordance with the matching or cost sharing alternative					0.00
h. All other recipient outlays not shown on lines e, f or g State Matching Funds				508,662.50	0.00
i. Total recipient share of net outlays (Sum of lines e, f, g and h)				508,662.50	0.00
				508,662.50	
j. Federal share of net outlays (line d less line i)				6,116,993.95	4,220,745.52
				10,337,739.47	
k. Total unliquidated obligations					
l. Recipient's share of unliquidated obligations					
m. Federal share of unliquidated obligations					
n. Total Federal share (sum of lines j and m)					10,337,739.47
o. Total Federal funds authorized for this funding period					15,331,718.09
p. Unobligated balance of Federal funds (Line o minus line n)					4,993,978.62
Program income, consisting of:					
q. Disbursed program income shown on lines c and/or g above					
r. Disbursed program income using the addition alternative					
s. Undisbursed program income					
t. Total program income realized (Sum of lines q, r and s)					0.00
11. Indirect Expense					
a. Type of Rate (Place "X" in appropriate box)					
<input checked="" type="checkbox"/> Provisional <input type="checkbox"/> Predetermined <input type="checkbox"/> Final <input type="checkbox"/> Fixed					
b. Rate		c. Base		d. Total Amount	
N/A					
e. Federal Share					
12. Remarks: Attach any explanations deemed necessary or information required by Federal sponsoring agency in compliance with governing legislation. Total funds reflected on Line O include Interest accrued in 2003, 2004 and 2005. Interest accrued in 2003 - \$286,380.60. Interest accrued in 2004 - \$347,160.86. Interest accrued in 2005 - \$250,596.63.					
13. Certification: I certify to the best of my knowledge and belief that this report is correct and complete and that all outlays and unliquidated obligations are for the purposes set forth in the award documents.					
Typed or Printed Name and Title Dawn K. Roberts, Director, Division of Elections				Telephone (Area code, number and extension) 850-245-6200	
Signature of Authorized Certifying Official <i>Sarah Jane Bradshaw for Dawn Roberts</i>				Date Report Submitted February 28, 2006	

ORIGINAL

**FLORIDA DEPARTMENT OF STATE
REPORT ON EXPENDITURE OF TITLE I, SECTION 101 FUNDS DURING 2005**

As requested by the U.S. Election Assistance Commission, listed below is a detailed list of expenditures and a description of the related activities conducted by the Florida Department of State during calendar year 2005 utilizing Help America Vote Act (HAVA) Title I, Section 101 funds.

VOTER EDUCATION - \$3,829,808

During calendar year 2005 Florida distributed \$3,829,808 to the 67 county supervisors of elections to be utilized for voter education purposes. In order to receive the funds each supervisor of elections was required to submit a detailed plan outlining the anticipated uses of the funds. In addition to the plan, each Board of County Commissioners was required to provide fifteen percent matching funds to be used exclusively for voter education purposes.

County supervisors of elections are required to submit a report to the Department of State on an annual basis regarding voter education programs conducted in the counties until the funds distributed by the state are depleted. Based on the latest reports from supervisors of elections, counties continue to employ numerous voter education activities in an effort to involve citizens in the elections process.

These activities include printing and mailing sample ballots to registered voters, conducting voter registration drives at various locations and events throughout the county, disseminating information regarding election dates and related deadlines through a variety of media sources, and conducting demonstrations on the use of voting systems equipment.

Florida's voter education program is discussed in the HAVA State Plan on pages 37 through 47 and on page 58.

ELECTION ADMINISTRATION - \$303,394

Florida established three positions in the Department of State to provide administrative oversight and coordination for HAVA-related activities. Employees in these positions are responsible for monitoring HAVA expenditures to ensure compliance with federal requirements. The positions administer several contract programs that provide funds to county supervisors of elections for HAVA-related activities including voter education and voting systems assistance programs. In addition, the positions are responsible for administering grant funds awarded by the U. S. Department of Health and Human Services under the Voting Access for Individuals with Disability (VOTE) grant program.

Recommendations regarding establishment of positions associated with HAVA Oversight and Reporting can be found on page 59 in the HAVA State Plan.

Additional Title I funds were utilized to print several documents that were distributed to county supervisors of elections including a revised voter registration application form. Reference to publications required by HAVA can be found in the HAVA State Plan on pages 20 through 24 and on page 60.

The state contracted with an organization to assist county supervisors of elections with developing and implementing plans to make polling places and voting systems equipment accessible to individuals with disabilities. Reference to polling place accessibility is included in the HAVA State Plan on page 80 and 81.

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COMPLYING WITH REQUIREMENTS OF TITLE III - \$87,544

One of the requirements of Title III includes development and implementation of a statewide voter registration system. The 2003 Florida Legislature appropriated funds to begin development of a system that would meet the criteria outlined HAVA. The Legislature included authority to establish five positions in the Department of State to assist with developing and implementing the voter registration system. Title I, Section 101 funds were used to fund these positions during the first few months of 2005. The positions were funded with Title II funds during the remainder of 2005.

Reference to these positions can be found in the HAVA State Plan on page 56 and 61.

INTEREST ACCRUED - \$250,596.63

During 2005 the Department of State invested Title I, Section 101 funds and accrued \$250,596.63 in Interest.



ORIGINAL

FLORIDA DEPARTMENT OF STATE

Sue M. Cobb

Secretary of State

DIVISION OF ELECTIONS

*Approved
Filed*



February 28, 2006

The Honorable Paul S. DeGregorio, Chairman
U.S. Election Assistance Commission
State HAVA Funding Reports
1225 New York Avenue, NW – Suite 1100
Washington, D.C. 20005

Dear Mr. DeGregorio:

Enclosed are Florida's narrative reports regarding HAVA, Title I, Section 101 and 102 funds for the period from January 1, 2005 through December 31, 2005. A separate SF 269 form is included for Section 101 and Section 102 funds.

Also enclosed is a an updated SF 269 covering Title I, Section 101 funds for the period from January 1, 2004 through December 31, 2004. The entry on Line "o - Total Federal funds authorized for this funding period" has been adjusted to include Florida's portion of Section 101 funds plus Interest accrued on those funds during 2003 and 2004.

If you have any questions or would like additional information, please let us know.

Sincerely,

Sarah Jane Bradshaw

for Dawn K. Roberts, Esq.
Director, Division of Elections

Enclosures

DKR/BL/aj

021478



ORIGINAL

STATE OF FLORIDA
DEPARTMENT OF STATE
DIVISION OF ELECTIONS

Jeb Bush
Governor

Glenda E. Hood
Secretary of State

January 22, 2004

Ms. Deborah Schilling
Director of Budget
United States General Services Administration
1800 F Street, NW
Washington, D.C. 20405-0002

Dear Ms. Schilling:

Enclosed are Financial Status Reports regarding HAVA expenditures for the period ending December 31, 2003. A separate form has been prepared for Section 101 and Section 102 funds as requested. These documents were also faxed to your office on January 21, 2004.

If you have any questions or need additional information, please let us know.

Sincerely,

Edward C. Kast
Director, Division of Elections

EK/BL/aj

Enclosure

FEB 10 2004
bb rec'd

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FINANCIAL STATUS REPORT
(Short Form)
(Follow instructions on the back)

1. Federal Agency and Organizational Element to Which Report is Submitted General Services Administration	2. Federal Grant or Other Identifying Number Assigned By Federal Agency 39.011 Section 102	OMB Approval No. 0348-0039	Page of pages
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3. Recipient Organization (Name and complete address, including ZIP code)
 Florida Department of State
 Division of Elections
 107 W. Gaines Street, Rm 100
 Tallahassee, FL 32399-0250

4. Employer Identification Number F593466865	5. Recipient Account Number or Identifying Number 45-20-2-339097-00000000-00-000000-00	6. Final Report <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	7. Basis <input checked="" type="checkbox"/> Cash <input type="checkbox"/> Accrual
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8. Funding/Grant Period (See Instructions) From: (Month, Day, Year) 6-16-03	To: (Month, Day, Year) OPEN	9. Period Covered by this Report From: (Month, Day, Year) 6-16-03	To: (Month, Day, Year) 12-31-03
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10. Transactions	I Previously Reported	II This Period	III Cumulative
a. Total outlays			11,581,377
b. Recipient share of outlays			_____
c. Federal share of outlays			11,581,377
d. Total unliquidated obligations			_____
e. Recipient share of unliquidated obligations			_____
f. Federal share of unliquidated obligations			_____
g. Total Federal share (Sum of lines c and f)			11,581,377
h. Total Federal funds authorized for this funding period			11,581,377
i. Unobligated balance of Federal funds (Line h minus line g)			0

11. Indirect Expense N/A	a. Type of Rate (Place "X" in appropriate box) <input type="checkbox"/> Provisional <input type="checkbox"/> Predetermined <input type="checkbox"/> Final <input type="checkbox"/> Fixed			
	b. Rate	c. Base	d. Total Amount	e. Federal Share

12. Remarks: Attach any explanations deemed necessary or information required by Federal sponsoring agency in compliance with governing legislation.

13. Certification: I certify to the best of my knowledge and belief that this report is correct and complete and that all outlays and unliquidated obligations are for the purposes set forth in the award documents.

Typed or Printed Name and Title EDWARD C. KAST DIRECTOR, DIVISION OF ELECTIONS	Telephone (Area code, number and extension) 850-245-6200
Signature of Authorized Certifying Official <i>Edward C. Kast</i>	Date Report Submitted 1-20-04

021480

FAX



Department of State

Division of Elections

The Collins Building Room 100

107 West Gaines Street

Tallahassee, Florida 32399-0250

Date 01/21/04 10:01 AM

Number of pages including cover sheet 3

FILE COPY

To:
General Services Administration
Attn: Deborah Schilling
Director of Budget
 Phone # _____
 Fax # 202-501-1124

From:
Edward C. Kast
Florida Div. of Elections
 Phone # (850) 245-6200
 Fax # (850) 245-6217

REMARKS:

Per Your Request For your review Reply ASAP Per Conversation

Attached are reports regarding expenditures through December 31, 2003 for HAVA funds. A separate form has been prepared for Section 101 and Section 102 categories as requested. If you have any questions or need additional information, please let us know.

FILE COPY

FINANCIAL STATUS REPORT

(Short Form)

(Follow Instructions on the back)

1. Federal Agency and Organizational Element to Which Report is Submitted General Services Administration		2. Federal Grant or Other Identifying Number Assigned By Federal Agency 39.011 Section 102		OMB Approval No. 0348-0039	Page of pages
3. Recipient Organization (Name and complete address, including ZIP code) Florida Department of State Division of Elections 107 W. Gaines Street, Rm 100 Tallahassee, FL 32399-0250					
4. Employer Identification Number F593466865		5. Recipient Account Number or Identifying Number 45-20-2-339097-00000000-00-000000-00		6. Final Report <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
7. Basis <input checked="" type="checkbox"/> Cash <input type="checkbox"/> Accrual					
8. Funding/Grant Period (See Instructions) From: (Month, Day, Year) 6-16-03		To: (Month, Day, Year) OPEN		9. Period Covered by this Report From: (Month, Day, Year) 6-16-03	
				To: (Month, Day, Year) 12-31-03	
10. Transactions			I Previously Reported	II This Period	III Cumulative
a. Total outlays					11,581,377
b. Recipient share of outlays					—
c. Federal share of outlays					11,581,377
d. Total unliquidated obligations					—
e. Recipient share of unliquidated obligations					—
f. Federal share of unliquidated obligations					—
g. Total Federal share (Sum of lines c and f)					11,581,377
h. Total Federal funds authorized for this funding period					11,581,377
i. Unobligated balance of Federal funds (Line h minus line g)					0
11. Indirect Expense N/A					
a. Type of Rate (Place "X" in appropriate box) <input type="checkbox"/> Provisional <input type="checkbox"/> Predetermined <input type="checkbox"/> Final <input type="checkbox"/> Fixed					
b. Rate		c. Base		d. Total Amount	
				e. Federal Share	
12. Remarks: Attach any explanations deemed necessary or information required by Federal sponsoring agency in compliance with governing legislation.					
13. Certification: I certify to the best of my knowledge and belief that this report is correct and complete and that all outlays and unliquidated obligations are for the purposes set forth in the award documents.					
Typed or Printed Name and Title EDWARD C. KAST DIRECTOR, DIVISION OF ELECTIONS				Telephone (Area code, number and extension) 850-245-6200	
Signature of Authorized Certifying Official <i>Edward C. Kast</i>				Date Report Submitted 1-20-04	

021482

**FINANCIAL STATUS REPORT
(Long Form)**

(Follow instructions on the back)

1. Federal Agency and Organizational Element to Which Report is Submitted U. S. Election Assistance Commission		2. Federal Grant or Other Identifying Number Assigned By Federal Agency 39.011 - Title I, Section 102		OMB Approval No. 0348-0039	Page of pages
3. Recipient Organization (Name and complete address, including ZIP code) Florida Department of State 500 South Bronough Street Tallahassee, FL 32399-0250					
4. Employer Identification Number F593466865		5. Recipient Account Number or Identifying Number 45-20-2-339097-00000000-00-000000-00		6. Final Report <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
7. Basis <input checked="" type="checkbox"/> Cash <input type="checkbox"/> Accrual					
8. Funding/Grant Period (See instructions) From: (Month, Day, Year) 6/16/2003			9. Period Covered by this Report From: (Month, Day, Year) 6/16/2003		
			To: (Month, Day, Year) 12/31/2005		
10. Transactions:					
		I Previously Reported	I This Period	III Cumulative	
a. Total outlays		11,581,377.00	0.00	11,581,377.00	
b. Refunds, rebates, etc.				0.00	
c. Program income used in accordance with the deduction alternative				0.00	
d. Net outlays (Line a, less the sum of lines b and c)		11,581,377.00	0.00	11,581,377.00	
Recipient's share of net outlays, consisting of:					
e. Third party (in-kind) contributions				0.00	
f. Other Federal awards authorized to be used to match this award				0.00	
g. Program income used in accordance with the matching or cost sharing alternative				0.00	
h. All other recipient outlays not shown on lines e, f or g				0.00	
i. Total recipient share of net outlays (Sum of lines e, f, g and h)		0.00	0.00	0.00	
j. Federal share of net outlays (line d less line i)		11,581,377.00	0.00	11,581,377.00	
k. Total unliquidated obligations					
l. Recipient's share of unliquidated obligations					
m. Federal share of unliquidated obligations					
n. Total Federal share (sum of lines j and m)				11,581,377.00	
o. Total Federal funds authorized for this funding period				11,615,822.37	
p. Unobligated balance of Federal funds (Line o minus line n)				34,445.37	
Program income, consisting of:					
q. Disbursed program income shown on lines c and/or g above					
r. Disbursed program income using the addition alternative					
s. Undisbursed program income					
t. Total program income realized (Sum of lines q, r and s)				0.00	
11. Indirect Expense	a. Type of Rate (Place "X" in appropriate box) <input checked="" type="checkbox"/> Provisional <input type="checkbox"/> Predetermined <input type="checkbox"/> Final <input type="checkbox"/> Fixed				
	b. Rate N/A	c. Base	d. Total Amount	e. Federal Share	
12. Remarks: Attach any explanations deemed necessary or information required by Federal sponsoring agency in compliance with governing legislation. This is an amended report for Section 102 funds to reflect interest accrued on funds in 2003, 2004 and 2005. 2003 - \$32,220.26; 2004 - \$1,049.99; 2005 - \$1,175.12.					
13. Certification: I certify to the best of my knowledge and belief that this report is correct and complete and that all outlays and unliquidated obligations are for the purposes set forth in the award documents.					
Typed or Printed Name and Title Dawn K. Roberts, Director, Division of Elections			Telephone (Area code, number and extension) 850-245-6200		
Signature of Authorized Certifying Official <i>Sarah Jane Bradshaw for Dawn Roberts</i>			Date Report Submitted February 28, 2006		

**FLORIDA DEPARTMENT OF STATE
REPORT ON EXPENDITURE OF TITLE I, SECTION 102 FUNDS**

This serves as an amended report regarding Florida's use of Title I, Section 102 funds through December 31, 2005. Florida received Section 102 funds in the amount of \$11,581,377. The funds were used to reimburse the state for funding provided to Florida's 67 counties in FY 2001-02 and FY 2002-03 to purchase voting systems equipment.

Florida invested Section 102 funds pending transfer of the funds to Florida's Working Capital Fund. Interest has continued to accrue on the initial investment of funds for a total of \$34,445.37 through December 31, 2005.

An amended SF269 form is attached to reflect the balance of Section 102 funds.

021484

REVISED

**FINANCIAL STATUS REPORT
(Long Form)**

(Follow instructions on the back)

1. Federal Agency and Organizational Element to Which Report is Submitted U. S. Election Assistance Commission		2. Federal Grant or Other Identifying Number Assigned By Federal Agency 39.011 - Title I, Section 102		OMB Approval No. 0348-0039	Page of pages
3. Recipient Organization (Name and complete address, including ZIP code) Florida Department of State 500 South Bronough Street Tallahassee, FL 32399-0250					
4. Employer Identification Number F593466865		5. Recipient Account Number or Identifying Number 45-20-2-339097-00000000-00-000000-00		6. Final Report <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
7. Basis <input checked="" type="checkbox"/> Cash <input type="checkbox"/> Accrual					
8. Funding/Grant Period (See instructions) From: (Month, Day, Year) 6/16/2003		To: (Month, Day, Year)		9. Period Covered by this Report From: (Month, Day, Year) 6/16/2003	
				To: (Month, Day, Year) 12/31/2005	
10. Transactions:					
				I	II
				Previously Reported	This Period
				III Cumulative	
a. Total outlays				11,581,377.00	0.00
b. Refunds, rebates, etc.					0.00
c. Program income used in accordance with the deduction alternative					0.00
d. Net outlays (Line a, less the sum of lines b and c)				11,581,377.00	0.00
Recipient's share of net outlays, consisting of:					
e. Third party (in-kind) contributions					0.00
f. Other Federal awards authorized to be used to match this award					0.00
g. Program income used in accordance with the matching or cost sharing alternative					0.00
h. All other recipient outlays not shown on lines e, f or g					0.00
i. Total recipient share of net outlays (Sum of lines e, f, g and h)				0.00	0.00
j. Federal share of net outlays (line d less line i)				11,581,377.00	0.00
k. Total unliquidated obligations					
l. Recipient's share of unliquidated obligations					
m. Federal share of unliquidated obligations					
n. Total Federal share (sum of lines j and m)					11,581,377.00
o. Total Federal funds authorized for this funding period					11,615,822.37
p. Unobligated balance of Federal funds (Line o minus line n)					34,445.37
Program income, consisting of:					
q. Disbursed program income shown on lines c and/or g above					
r. Disbursed program income using the addition alternative					
s. Undisbursed program income					
t. Total program income realized (Sum of lines q, r and s)					0.00
11. Indirect Expense		a. Type of Rate (Place "X" in appropriate box) <input checked="" type="checkbox"/> Provisional <input type="checkbox"/> Predetermined <input type="checkbox"/> Final <input type="checkbox"/> Fixed			
		b. Rate N/A	c. Base	d. Total Amount	e. Federal Share
12. Remarks: Attach any explanations deemed necessary or information required by Federal sponsoring agency in compliance with governing legislation. This is an amended report for Section 102 funds to reflect interest accrued on funds in 2003, 2004 and 2005. 2003 - \$32,220.26; 2004 - \$1,049.99; 2005 - \$1,175.12.					
13. Certification: I certify to the best of my knowledge and belief that this report is correct and complete and that all outlays and unliquidated obligations are for the purposes set forth in the award documents.					
Typed or Printed Name and Title Dawn K. Roberts, Director, Division of Elections				Telephone (Area code, number and extension) 850-245-6200	
Signature of Authorized Certifying Official <i>Sarah Jane Bradshaw for Dawn Roberts</i>				Date Report Submitted February 28, 2006	

REVISED

**FLORIDA DEPARTMENT OF STATE
REPORT ON EXPENDITURE OF TITLE I, SECTION 102 FUNDS**

This serves as an amended report regarding Florida's use of Title I, Section 102 funds through December 31, 2005. Florida received Section 102 funds in the amount of \$11,581,377. The funds were used to reimburse the state for funding provided to Florida's 67 counties in FY 2001-02 and FY 2002-03 to purchase voting systems equipment.

Florida invested Section 102 funds pending transfer of the funds to Florida's Working Capital Fund. Interest has continued to accrue on the initial investment of funds for a total of \$34,445.37 through December 31, 2005.

An amended SF269 form is attached to reflect the balance of Section 102 funds.

021436

**FINANCIAL STATUS REPORT
(Long Form)**

ORIGINAL

(Follow instructions on the back)

1. Federal Agency and Organizational Element to Which Report is Submitted U. S. Election Assistance Commission		2. Federal Grant or Other Identifying Number Assigned By Federal Agency 39.011 - Title I, Section 102		OMB Approval No. 0348-0039	Page of pages
3. Recipient Organization (Name and complete address, including ZIP code) Florida Department of State 500 South Bronough Street Tallahassee, FL 32399-0250					
4. Employer Identification Number F593466865		5. Recipient Account Number or Identifying Number 45-20-2-339097-00000000-00-000000-00		6. Final Report <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
7. Basis <input checked="" type="checkbox"/> Cash <input type="checkbox"/> Accrual					
8. Funding/Grant Period (See instructions) From: (Month, Day, Year) 6/16/2003		To: (Month, Day, Year)		9. Period Covered by this Report From: (Month, Day, Year) 6/16/2003	
				To: (Month, Day, Year) 12/31/2005	
10. Transactions:					
		I	I	III	
		Previously Reported	This Period	Cumulative	
a. Total outlays		11,581,377.00	0.00	11,581,377.00	
b. Refunds, rebates, etc.				0.00	
c. Program income used in accordance with the deduction alternative				0.00	
d. Net outlays (Line a, less the sum of lines b and c)		11,581,377.00	0.00	11,581,377.00	
Recipient's share of net outlays, consisting of:					
e. Third party (in-kind) contributions				0.00	
f. Other Federal awards authorized to be used to match this award				0.00	
g. Program income used in accordance with the matching or cost sharing alternative				0.00	
h. All other recipient outlays not shown on lines e, f or g				0.00	
i. Total recipient share of net outlays (Sum of lines e, f, g and h)		0.00	0.00	0.00	
j. Federal share of net outlays (line d less line i)		11,581,377.00	0.00	11,581,377.00	
k. Total unliquidated obligations					
l. Recipient's share of unliquidated obligations					
m. Federal share of unliquidated obligations					
n. Total Federal share (sum of lines j and m)				11,581,377.00	
o. Total Federal funds authorized for this funding period				11,615,822.37	
p. Unobligated balance of Federal funds (Line o minus line n)				34,445.37	
Program income, consisting of:					
q. Disbursed program income shown on lines c and/or g above					
r. Disbursed program income using the addition alternative					
s. Undisbursed program income					
t. Total program income realized (Sum of lines q, r and s)				0.00	
11. Indirect Expense					
a. Type of Rate (Place "X" in appropriate box)					
<input checked="" type="checkbox"/> Provisional <input type="checkbox"/> Predetermined <input type="checkbox"/> Final <input type="checkbox"/> Fixed					
b. Rate		c. Base		d. Total Amount	
N/A					
e. Federal Share					
12. Remarks: Attach any explanations deemed necessary or information required by Federal sponsoring agency in compliance with governing legislation. This is an amended report for Section 102 funds to reflect interest accrued on funds in 2003, 2004 and 2005. 2003 - \$32,220.26; 2004 - \$1,049.99; 2005 - \$1,175.12.					
13. Certification: I certify to the best of my knowledge and belief that this report is correct and complete and that all outlays and unliquidated obligations are for the purposes set forth in the award documents.					
Typed or Printed Name and Title Dawn K. Roberts, Director, Division of Elections				Telephone (Area code, number and extension) 850-245-6200	
Signature of Authorized Certifying Official <i>Sarah Jane Bradshaw for Dawn Roberts</i>				Date Report Submitted February 28, 2006	

021487

ORIGINAL

**FLORIDA DEPARTMENT OF STATE
REPORT ON EXPENDITURE OF TITLE I, SECTION 102 FUNDS**

This serves as an amended report regarding Florida's use of Title I, Section 102 funds through December 31, 2005. Florida received Section 102 funds in the amount of \$11,581,377. The funds were used to reimburse the state for funding provided to Florida's 67 counties in FY 2001-02 and FY 2002-03 to purchase voting systems equipment.

Florida invested Section 102 funds pending transfer of the funds to Florida's Working Capital Fund. Interest has continued to accrue on the initial investment of funds for a total of \$34,445.37 through December 31, 2005.

An amended SF269 form is attached to reflect the balance of Section 102 funds.

021488



FEB 25 2004

The Honorable Glenda Hood
The Secretary of State of Florida
Tallahassee, FL 32399

Dear Ms. Secretary:

Thank you for your letter, dated January 21, 2004, certifying that your State would not meet the deadline of replacing all punch card and/or lever voting systems by the November 2004 general election, and asking for a waiver of the November 2004 deadline under Section 102(a)(3)(B) of the Help America Vote Act. Your request for a waiver of the deadline is approved, and the State shall ensure that all of the punch card and/or lever voting systems in the qualifying precincts within the State shall be replaced in time for the first election for Federal office held after January 1, 2006.

Your State will still be responsible for reporting to the General Services Administration in the manner outlined in our letter of July 28, 2003. The only change will be the extension of the deadline for replacement of the punch card and/or lever voting systems. If you have any questions or comments, please feel free to contact Stephen J. Kulenguski at (202) 501-4496.

Sincerely,

A handwritten signature in cursive script that reads "Deborah J. Schilling".

Deborah J. Schilling
Director of Budget

cc:

The Honorable Jeb Bush
Governor of Florida
Tallahassee, FL 32399



GSA Office of the Chief Financial Officer

MAR 8 2004

The Honorable Glenda Hood
The Secretary of State of Florida
Tallahassee, FL 32399

Dear Ms. Secretary:

This is to inform you that we have inadvertently sent out an approved waiver request letter, dated February 25, 2004, to your office in reference to the replacement of all punch card/or lever voting systems, under Section 102(a)(3)(B) of the Help America Vote Act. Please disregard that letter. We apologize for any confusion and inconvenience this may have caused you.

If you have any questions, please feel free to contact Stephen J. Kulenguski at (202) 501-4496.

Sincerely,

A handwritten signature in black ink that reads "Deborah J. Schilling".

Deborah J. Schilling
Director of Budget

cc:
The Honorable Jeb Bush
Governor of Florida
Tallahassee, FL 32399

U.S. General Services Administration
1800 F Street, NW
Washington, DC 20405-0002
www.gsa.gov

021490



RECEIVED
MAR 31 2005
BY: _____

Jeb Bush
Governor

STATE OF FLORIDA
DEPARTMENT OF STATE
DIVISION OF ELECTIONS

Glenda E. Hood
Secretary of State

March 29, 2005

ORIGINAL

The Honorable Gracia M. Hillman, Chair
U.S. Election Assistance Commission
State HAVA Funding Report
1225 New York Avenue, NW – Suite 1100
Washington, DC 20005

Dear Chairman Hillman:

Enclosed is Florida's report regarding the use of HAVA Title II, Section 251 funds for the period from June 23, 2004 through September 30, 2004. Included with the report is Standard Form 269.

If you have any questions or would like additional information, please let us know.

Sincerely,

Dawn K. Roberts, Esq.
Director

DKR/aj

Enclosure

133105.868

**FINANCIAL STATUS REPORT
(Long Form)**

ORIGINAL

(Follow instructions on the back)

1. Federal Agency and Organizational Element to Which Report is Submitted U. S. Election Assistance Commission		2. Federal Grant or Other Identifying Number Assigned By Federal Agency 39.011 - Title II, Section 251		OMB Approval No. 0348-0039	Page of pages
3. Recipient Organization (Name and complete address, including ZIP code) Florida Department of State 500 South Bronough Street Tallahassee, FL 32399-0250					
4. Employer Identification Number F593466865		5. Recipient Account Number or Identifying Number 45-20-2-339097-00000000-00-000000-00		6. Final Report <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
7. Basis <input checked="" type="checkbox"/> Cash <input type="checkbox"/> Accrual					
8. Funding/Grant Period (See Instructions) From: (Month, Day, Year) 6/23/2004		To: (Month, Day, Year)		9. Period Covered by this Report From: (Month, Day, Year) 6/23/2004	
		To: (Month, Day, Year) 9/30/2004			
10. Transactions:					
		I Previously Reported	I This Period	III Cumulative	
a. Total outlays			0.00	0.00	
b. Refunds, rebates, etc.				0.00	
c. Program income used in accordance with the deduction alternative				0.00	
d. Net outlays (Line a, less the sum of lines b and c)		0.00	0.00	0.00	
Recipient's share of net outlays, consisting of:					
e. Third party (in-kind) contributions				0.00	
f. Other Federal awards authorized to be used to match this award				0.00	
g. Program income used in accordance with the matching or cost sharing alternative				0.00	
h. All other recipient outlays not shown on lines e, f or g				0.00	
i. Total recipient share of net outlays (Sum of lines e, f, g and h)		0.00	0.00	0.00	
j. Federal share of net outlays (line d less line i)		0.00	0.00	0.00	
k. Total unliquidated obligations					
l. Recipient's share of unliquidated obligations					
m. Federal share of unliquidated obligations					
n. Total Federal share (sum of lines j and m)				0.00	
o. Total Federal funds authorized for this funding period				47,416,833.00	
p. Unobligated balance of Federal funds (Line o minus line n)				47,416,833.00	
Program income, consisting of:					
q. Disbursed program income shown on lines c and/or g above					
r. Disbursed program income using the addition alternative					
s. Undisbursed program income					
t. Total program income realized (Sum of lines q, r and s)				0.00	
11. Indirect Expense		a. Type of Rate (Place "X" in appropriate box) <input checked="" type="checkbox"/> Provisional <input type="checkbox"/> Predetermined <input type="checkbox"/> Final <input type="checkbox"/> Fixed			
		b. Rate N/A	c. Base	d. Total Amount	e. Federal Share
12. Remarks: Attach any explanations deemed necessary or information required by Federal sponsoring agency in compliance with governing legislation. Interest accrued between 6/23/2004 and 9/30/2004 - \$456,770.63					
13. Certification: I certify to the best of my knowledge and belief that this report is correct and complete and that all outlays and unliquidated obligations are for the purposes set forth in the award documents.					
Typed or Printed Name and Title Dawn K. Roberts, Director, Division of Elections				Telephone (Area code, number and extension) 850-245-6200	
Signature of Authorized Certifying Official <i>Dawn K. Roberts</i>				Date Report Submitted March 22, 2005	

021492

**FLORIDA DEPARTMENT OF STATE
REPORT ON EXPENDITURE OF TITLE II FUNDS
FEDERAL FISCAL YEAR OCTOBER 2003 – SEPTEMBER 2004**

The first report regarding expenditures made with Section 251, Title II HAVA funds covers the period from the date the funds were received in Florida through September 30, 2004. Florida received FY 2003 Section 251, Title II HAVA funds on June 23, 2004.

None of the Title II funds were expended during the current reporting period. While the Florida Legislature authorized the use of HAVA Section 251 funds for state Fiscal Year 2004-05, Florida did not begin disbursing the funds until after September 30, 2004.

ORIGINAL

021493

FINANCIAL STATUS REPORT
(Long Form)

(Follow instructions on the back)

REVISED

1. Federal Agency and Organizational Element to Which Report is Submitted U. S. Election Assistance Commission		2. Federal Grant or Other Identifying Number Assigned By Federal Agency 90.401 - Title II, Section 251		OMB Approval No. 0348-0039	Page of pages
3. Recipient Organization (Name and complete address, including ZIP code) Florida Department of State 500 South Bronough Street Tallahassee, FL 32399-0250					
4. Employer Identification Number F593466865		5. Recipient Account Number or Identifying Number 45-20-2-339097-00000000-00-000000-00		6. Final Report <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
7. Basis <input checked="" type="checkbox"/> Cash <input type="checkbox"/> Accrual					
8. Funding/Grant Period (See instructions) From: (Month, Day, Year) 6/23/2004		To: (Month, Day, Year)		9. Period Covered by this Report From: (Month, Day, Year) 6/23/2004	
				To: (Month, Day, Year) 9/30/2004	
10. Transactions:					
		I Previously Reported	I This Period	III Cumulative	
a. Total outlays			0.00		0.00
b. Refunds, rebates, etc.					0.00
c. Program income used in accordance with the deduction alternative					0.00
d. Net outlays (Line a, less the sum of lines b and c)		0.00	0.00		0.00
Recipient's share of net outlays, consisting of:					
e. Third party (in-kind) contributions					0.00
f. Other Federal awards authorized to be used to match this award					0.00
g. Program income used in accordance with the matching or cost sharing alternative					0.00
h. All other recipient outlays not shown on lines e, f or g					0.00
i. Total recipient share of net outlays (Sum of lines e, f, g and h)		0.00	0.00		0.00
j. Federal share of net outlays (line d less line i)		0.00	0.00		0.00
k. Total unliquidated obligations					
l. Recipient's share of unliquidated obligations					
m. Federal share of unliquidated obligations					
n. Total Federal share (sum of lines j and m)					0.00
o. Total Federal funds authorized for this funding period					47,873,603.63
p. Unobligated balance of Federal funds (Line o minus line n)					47,873,603.63
Program income, consisting of:					
q. Disbursed program income shown on lines c and/or g above					
r. Disbursed program income using the addition alternative					
s. Undisbursed program income					
t. Total program income realized (Sum of lines q, r and s)					0.00
11. Indirect Expense	a. Type of Rate (Place "X" in appropriate box) <input checked="" type="checkbox"/> Provisional <input type="checkbox"/> Predetermined <input type="checkbox"/> Final <input type="checkbox"/> Fixed				
	b. Rate N/A	c. Base	d. Total Amount	e. Federal Share	
12. Remarks: Attach any explanations deemed necessary or information required by Federal sponsoring agency in compliance with governing legislation. Form has been revised to include Interest in the amount of \$456,770.63 accrued between 6/23/2004 and 9/30/2004 on Line "O" - \$456,770.63.					
13. Certification: I certify to the best of my knowledge and belief that this report is correct and complete and that all outlays and unliquidated obligations are for the purposes set forth in the award documents.					
Typed or Printed Name and Title Dawn K. Roberts, Director, Division of Elections				Telephone (Area code, number and extension) 850-245-6200	
Signature of Authorized Certifying Official <i>Dawn Roberts</i>				Date Report Submitted March 27, 2006	

ORIGINAL

FINANCIAL STATUS REPORT (Long Form)

(Follow instructions on the back)

1. Federal Agency and Organizational Element to Which Report is Submitted: U. S. Election Assistance Commission
2. Federal Grant or Other Identifying Number Assigned By Federal Agency: 90.401 - Title II, Section 251
OMB Approval No.: 0348-0039
Page of: pages
3. Recipient Organization (Name and complete address, including ZIP code): Florida Department of State, 500 South Bronough Street, Tallahassee, FL 32399-0250
4. Employer Identification Number: F593466865
5. Recipient Account Number or Identifying Number: 45-20-2-339097-00000000-00-000000-00
6. Final Report: Yes No
7. Basis: Cash Accrual
8. Funding/Grant Period (See instructions): From: (Month, Day, Year) 6/23/2004 To: (Month, Day, Year)
9. Period Covered by this Report: From: (Month, Day, Year) 10/1/2004 To: (Month, Day, Year) 9/30/2005
10. Transactions: Table with columns I Previously Reported, I This Period, III Cumulative. Rows include Total outlays, Refunds, rebates, etc., Program income used in accordance with the deduction alternative, Net outlays, Recipient's share of net outlays, etc.
11. Indirect Expense: a. Type of Rate (Place "X" in appropriate box) Provisional Predetermined Final Fixed; b. Rate N/A; c. Base; d. Total Amount; e. Federal Share
12. Remarks: Attach any explanations deemed necessary or information required by Federal sponsoring agency in compliance with governing legislation. State Matching expenditures are shown on line "h." Interest in the amount of \$3,696,730.21 accrued during the current reporting period is included on line "o" with total Federal funds authorized for this funding period.
13. Certification: I certify to the best of my knowledge and belief that this report is correct and complete and that all outlays and unliquidated obligations are for the purposes set forth in the award documents.
Typed or Printed Name and Title: Dawn Roberts, Director, Division of Elections, Florida Department of State
Telephone (Area code, number and extension): 850-245-6200
Signature of Authorized Certifying Official: Dawn Roberts
Date Report Submitted: March 29, 2006

ORIGINAL

FLORIDA DEPARTMENT OF STATE
REPORT ON EXPENDITURE OF TITLE II, SECTION 251 FUNDS
OCTOBER 2004 THROUGH SEPTEMBER 2005

As requested by the U.S. Election Assistance Commission, listed below is a detailed list of expenditures and a description of the related activities conducted by the Florida Department of State utilizing Help America Vote Act (HAVA) Title II, Section 251 funds during the period from October 1, 2004 through September 30, 2005.

VOTING SYSTEMS ASSISTANCE - \$11.6 Million

During the current reporting period, Florida distributed \$11.6 million to county supervisors of elections to purchase voting equipment that is accessible to individuals with disabilities. Funds were appropriated by the Florida Legislature in order to ensure that all counties had at least one accessible voting system at each polling place by January 1, 2006. Prior to distribution of the funds, counties were required to provide certified statements to the Department of State indicating the number of polling places in use and the number of accessible voting systems owned by the county. There were fifty-one (51) counties that required accessible voting systems in order to have one per polling place by January 1, 2006.

The HAVA State Plan includes references to acquiring accessible voting equipment for individuals with disabilities on pages 13 through 15 and on page 61.

STATEWIDE VOTER REGISTRATION LIST - \$11,171,771

Title II funds were utilized to continue development of a statewide voter registration system pursuant to requirements in Title III, Section 303 of the Help America Vote Act. The Florida Voter Registration System (FVRS) is a real-time system that contains the name and voter registration information of all voters in the state. The system allows counties to continue to use their existing systems with modifications to interface with the FVRS.

During the current reporting period, the Department of State issued bids to procure the services of two contractors to assist with implementing the FVRS. One vendor was selected to serve as the Prime Contractor and provide systems integration and software development for the FVRS. A second vendor was selected to provide project management and quality assurance to oversee the development and implementation phases of the FVRS.

In addition to the two primary contractors, the Department began the process of acquiring the necessary hardware and software required to implement the FVRS including back-up systems. Items purchased included servers, switching modules and various software systems needed to operate the system. An uninterruptible power supply (generator) was purchased to provide back-up operation during electrical outages and/or disasters. Other expenses included training provided to Department of State employees to give them the necessary skills to utilize the software being used to operate the system.

Other costs associated with the FVRS during the current reporting period include salaries for eleven positions in the Department of State, two positions at the Florida Department of Highway Safety and Motor Vehicles and two positions at the Florida Department of Law Enforcement.

These positions provide support for the various hardware and software systems being utilized to operate the system, legal expertise, and administration of a new bureau established to provide voter registration services for all of Florida's 67 counties.

Reference to the statewide voter registration system can be found in the HAVA State Plan on pages 26-31, 56-57 and 61.

INTEREST ACCRUED - \$3,696,730

During the current reporting period the Department of State invested Title II, Section 251 funds and accrued Interest in the amount of \$3,696,730.

STATE MATCHING FUNDS - \$385,000

During the current reporting period, Florida spent \$385,000 in State Matching funds.

ORIGINAL



FLORIDA DEPARTMENT OF STATE
Sue M. Cobb
Secretary of State
DIVISION OF ELECTIONS

REVISED

March 29, 2006

The Honorable Paul S. DeGregorio, Chairman
U.S. Election Assistance Commission
State HAVA Funding Reports
1225 New York Avenue, NW – Suite 1100
Washington, D.C. 20005

Dear Mr. DeGregorio:

Enclosed is Florida's narrative report regarding HAVA, Title II, Section 251 funds for the period from October 1, 2004 through September 30, 2005. Form SF 269 regarding Title II, Section 251 funds is also included.

Also enclosed is an updated Form SF 269 for Title II, Section 251 funds covering the period from the initial receipt of funds in June 2004 through September 30, 2004. The entry on Line "o - Total Federal funds authorized for this funding period" has been adjusted to include Interest accrued on those funds during that time period.

If you have any questions or would like additional information, please let us know.

Sincerely,

A handwritten signature in black ink that reads "Dawn K. Roberts".

Dawn K. Roberts, Esq.
Director, Division of Elections

Enclosures

DKR/BL/aj

021498



U.S. ELECTION ASSISTANCE COMMISSION

FAX COVER SHEET

Fax: 202/566-3127

Direct: 202/566-3120

Toll Free: 866-747-1471

DATE: December 14, 2004

TO: Governor Bush/FL

FAX NUMBER: 850-922-4292

FROM: Peggy Sims

NUMBER OF PAGES (INCLUDING COVER PAGE): 5

MESSAGE

ORIGINAL TO FOLLOW BY MAIL.

021499



U.S. ELECTION ASSISTANCE COMMISSION
1225 NEW YORK AVENUE, N.W., SUITE 1100
WASHINGTON, D.C. 20005

OFFICE OF THE CHAIRMAN

December 14, 2004

The Honorable Jeb Bush
Governor
Office of the Governor
The Capitol
400 South Monroe Street
Tallahassee Florida 32399-0001

Dear Governor Bush:

The U. S. Election Assistance Commission (EAC) is pleased to inform you that the Help America Vote Act of 2002 (HAVA) allocation appropriated for your State is now available for disbursement.

HAVA requires the chief executive officer of the State, or designee, in consultation with the chief State election official, to file with EAC a statement certifying that the State is in compliance with the conditions set forth in section 253(b) in order to be eligible for a fiscal year's requirements payment. EAC received a certification statement from your State on December 7, 2004 declaring your State's eligibility for the requirements payment appropriated in fiscal year 2004.

Accordingly, EAC has notified the U.S. General Services Administration (GSA) that approximately \$85,085,258 should be disbursed to your State. Your State should receive these funds within five business days, provided your State has given GSA the information needed for the electronic transfer.

Use of Funds

In accordance with HAVA Section 251(b), these funds are to be used only to meet the requirements of HAVA Title III, except that your State may use this payment to carry out other activities to improve the administration of elections for Federal office if the State certifies to EAC that:

- the State has implemented the requirements of Title III; or
- the amount to be expended with respect to such other activities does not exceed an amount equal to the minimum requirements payment amount applicable to the State.

Section 251(c) of the Act also explains that a State may use a requirements payment:

- as a reimbursement for costs incurred in obtaining voting equipment which meets the requirements of section 301 (voting systems standards) if the State obtains the equipment after the regularly scheduled general election for Federal office held in November 2000, notwithstanding the Act's maintenance of effort requirements¹; and
- for any costs for voting equipment which meets the requirements of section 301 that were incurred pursuant to a multi-year contract on or after January 1, 2001, except that the amount that the State is otherwise required to contribute under the maintenance of effort requirements must be increased by the amount of the payment made with respect to such multiyear contract.

Conforming to Applicable Federal Guidelines

Please note that the following Office of Management and Budget guidelines apply to these federal funds:

- A-87 - Cost Principles for State, Local and Indian Tribal Governments (Cost Principles).
- A-102 - Grants and Cooperative Agreements with State and Local Governments (Administrative Requirements).
- Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments ("Common Rule", Administrative Requirements, 53 FR 8087, March 11, 1988)
- A-133 – Audits of States, Local Governments, and Non-Profit Organizations (Single Audits, Audit Requirements).

These guidelines may be found at:

<http://www.whitehouse.gov/omb/circulars/index.html>

Material Changes to State Plans

Section 254(a)(11) of HAVA prohibits a State from making material change(s) to the State plan unless the change:

¹ Maintenance of effort is addressed in HAVA section 254(a)(7), which requires the State to describe how it will maintain the expenditures of the State for activities funded by the requirements 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.

- is developed and published in the *Federal Register* in accordance with Section 255 in the same manner as the State plan;
- is subject to public notice and comment in accordance with Section 256 in the same manner as the State plan; and
- takes effect only after the expiration of the 30-day period which begins on the date the change is published in the *Federal Register*.

Accordingly, if your State does make any material change(s) to your current State plan for which you are receiving this requirements payment, you must file an amended State plan with EAC. The amended State plan filed with EAC may be limited to describing in reasonable detail the changes that have been made between the amended State plan and the State plan currently in effect.

Reporting

Also note that HAVA Section 258 requires your State to submit a report to EAC on the activities conducted with the funds provided during the Federal fiscal year, which runs from October 1 through September 30 of each year. This report must include:

- a list of expenditures made with respect to each category of activities described for the use of funds;
- the number and type of articles of voting equipment obtained with the funds; and
- an analysis and description of:
 - the activities funded to meet HAVA requirements; and
 - how such activities conform to the submitted State plan.

This report is due no later than six months after the end of each fiscal year. Accordingly, you should file your first report with EAC no later than March 30, 2005. States should submit Standard Form 269 as part of this report. This form may be found at the following web site:

http://www.whitehouse.gov/omb/grants/grants_forms.html

Recordkeeping and Audits

HAVA Title IX requires recipients of payments under the Act to keep records consistent with sound accounting principles to facilitate an effective audit. It authorizes EAC to audit or examine books, documents, papers and records of any

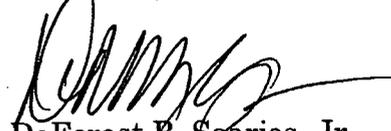
recipient that is deemed pertinent to the payment and stipulates that the provision applies to all recipients of payments under the Act. Such recipients would include local jurisdictions that received funds through the State as a result of the requirements payments.

HAVA also requires that all funds provided under the Act are subject to mandatory audit by the Comptroller General at least once during the lifetime of the program, with the same access to records as the EAC. If the Comptroller General determines that an excess payment has been made or the recipient is not in compliance, the recipient must pay the EAC an amount that reflects the excess payment or the proportion representing noncompliance.

Assistance

If you have any questions about this matter, please have your staff contact Peggy Sims, EAC Research Specialist, by email at psims@eac.gov or by phone at 1-866-747-1471 (toll free) or 202-566-3100.

Sincerely yours,



DeForest B. Searies, Jr.
Chairman



U.S. ELECTION ASSISTANCE COMMISSION

FAX COVER SHEET

Fax: 202/566-3127

Direct: 202/566-3120

Toll Free: 866-747-1471

DATE: December 14, 2004

TO: Secretary Hood/FL

FAX NUMBER: 850/245-6125

FROM: Peggy Sims

NUMBER OF PAGES (INCLUDING COVER PAGE): 5

MESSAGE

ORIGINAL TO FOLLOW BY MAIL.

021504



U.S. ELECTION ASSISTANCE COMMISSION
1225 NEW YORK AVENUE, N.W., SUITE 1100
WASHINGTON, D.C. 20005

OFFICE OF THE CHAIRMAN

December 14, 2004

The Honorable Glenda Hood
Secretary of State
R. A. Gray Building
500 S. Bronough Street, Room 316
Tallahassee, Florida 32399-0250

Dear Secretary Hood:

The U. S. Election Assistance Commission (EAC) is pleased to inform you that the Help America Vote Act of 2002 (HAVA) allocation appropriated for your State is now available for disbursement.

HAVA requires the chief executive officer of the State, or designee, in consultation with the chief State election official, to file with EAC a statement certifying that the State is in compliance with the conditions set forth in section 253(b) in order to be eligible for a fiscal year's requirements payment. EAC received a certification statement from your State on December 7, 2004 declaring your State's eligibility for the requirements payment appropriated in fiscal year 2004.

Accordingly, EAC has notified the U.S. General Services Administration (GSA) that approximately \$85,085,258 should be disbursed to your State. Your State should receive these funds within five business days, provided your State has given GSA the information needed for the electronic transfer.

Use of Funds

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- the State has implemented the requirements of Title III; or
- the amount to be expended with respect to such other activities does not exceed an amount equal to the minimum requirements payment amount applicable to the State.

021505

Section 251(c) of the Act also explains that a State may use a requirements payment:

- as a reimbursement for costs incurred in obtaining voting equipment which meets the requirements of section 301 (voting systems standards) if the State obtains the equipment after the regularly scheduled general election for Federal office held in November 2000, notwithstanding the Act's maintenance of effort requirements¹; and
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- is developed and published in the *Federal Register* in accordance with Section 255 in the same manner as the State plan;
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Accordingly, if your State does make any material change(s) to your current State plan for which you are receiving this requirements payment, you must file an amended State plan with EAC. The amended State plan filed with EAC may be limited to describing in reasonable detail the changes that have been made between the amended State plan and the State plan currently in effect.

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This report is due no later than six months after the end of each fiscal year. Accordingly, you should file your first report with EAC no later than March 30, 2005. States should submit Standard Form 269 as part of this report. This form may be found at the following web site:

http://www.whitehouse.gov/omb/grants/grants_forms.html

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recipient that is deemed pertinent to the payment and stipulates that the provision applies to all recipients of payments under the Act. Such recipients would include local jurisdictions that received funds through the State as a result of the requirements payments.

HAVA also requires that all funds provided under the Act are subject to mandatory audit by the Comptroller General at least once during the lifetime of the program, with the same access to records as the EAC. If the Comptroller General determines that an excess payment has been made or the recipient is not in compliance, the recipient must pay the EAC an amount that reflects the excess payment or the proportion representing noncompliance.

Assistance

If you have any questions about this matter, please have your staff contact Peggy Sims, EAC Research Specialist, by email at psims@eac.gov or by phone at 1-866-747-1471 (toll free) or 202-566-3100.

Sincerely yours,



DeForest B. Soaries, Jr.
Chairman



JEB BUSH
GOVERNOR

STATE OF FLORIDA

Office of the Governor

THE CAPITOL
TALLAHASSEE, FLORIDA 32399-0001

www.flgov.com
850-488-7146
850-487-0801 fax

RECEIVED
DEC 07 2004

BY: PS

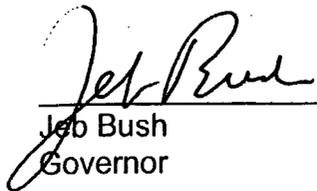
November 17, 2004

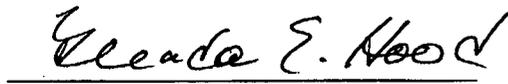
The Honorable DeForest B. Soaries, Jr., Chairman
Election Assistance Commission
1225 New York Ave. NW
Suite 1100
Washington, DC 20005

Dear Chairman Soaries:

The State of Florida's HAVA Plan was updated in June 2004 and has been published in the Federal Register by the Election Assistance Commission. The Plan meets all of the requirements listed in the Help America Vote Act (HAVA) regarding the conditions that must be met before a state is eligible to receive Title II requirements payments. This includes implementation of uniform, non-discriminatory administrative complaint procedures. In addition, Chapter 2003-415, Laws of Florida, implementing HAVA in Florida was pre-cleared by the Department of Justice on October 16, 2003. Therefore, Florida is requesting the requirements payment for Fiscal Year 2004. In making this request, Florida certifies the following:

"The State of Florida hereby certifies that it is in compliance with the requirements referred to in section 253(b) of the Help America Vote Act of 2002."


Jeb Bush
Governor


Glenda E. Hood
Secretary of State



Governor's Mentoring Initiative
BE A MENTOR. BE A BIG HELP.
1-800-825-3786

021509

H120704.497



"Leonard, Barbara "
<BLEonard@dos.state.fl.us>
12/08/2004 10:38 AM

To "psims@eac.gov" <psims@eac.gov>
"Roberts, Dawn K." <DKRoberts@dos.state.fl.us>,
cc "Bradshaw, Sarah" <SBradshaw@dos.state.fl.us>
bcc
Subject RE: 2004 HAVA Requirements Payment

Peggy,

The Florida Legislature has appropriated the required matching funds as indicated:

FY 2003-04	\$ 525,000
FY 2004-05	\$6,103,018

If you have any other questions, please let us know.

Thanks,
Barbara

-----Original Message-----

From: psims@eac.gov [mailto:psims@eac.gov]
Sent: Wednesday, December 08, 2004 9:01 AM
To: BLEonard@dos.state.fl.us
Subject: 2004 HAVA Requirements Payment

Hi, Barbara:

This is to confirm that, yesterday, EAC received Florida's certification for its 2004 requirements payment. Tomorrow afternoon, I am scheduled to present my recommendation to the EAC subcommittee set up to review requirements payments submissions. After that, a recommendation will be considered by all four EAC Commissioners on a 48-hour tally vote. I'll keep you posted on our progress, once that part of the process is finished.

I noticed that Florida's certification affirms that the State meets all the requirements in Section 253(b). I assume that includes the requirement in 253(b)(5) that the State has appropriated the 5% match. I saw that the 2004 State plan budgets for this match, but it is not clear if the amount has been appropriated. Because many States had to appropriate additional funds for the match when their share of the 2004 funds became larger than expected, this issue is often something on which the subcommittee members focus. If you could confirm that the State has already appropriated the match, in response to this email, it will help me answer questions that arise in tomorrow's subcommittee meeting. Thanks.

Peggy Sims
Research Specialist
U.S. Election Assistance Commission
1225 New York Ave, NW - Ste 1100
Washington, DC 20005
Phone: 866-747-1471 (toll free) or 202-566-3120 (direct)
Fax: 202-566-3127
email: psims@eac.gov

021510



U.S. Department of Justice

Civil Rights Division

JDR:JR:ALF:maf
DJ 166-012-3
2004-0774
2004-0775

Voting Section - NWH
950 Pennsylvania Avenue, N.W.
Washington, DC 20530

March 23, 2004

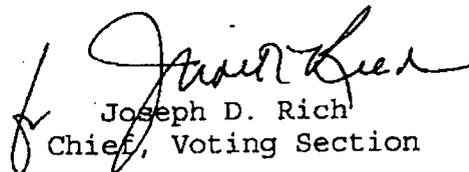
The Honorable Charlie Crist
Attorney General
State of Florida
The Capitol, PL-01
Tallahassee, Florida 32399-1050

Dear Mr. Attorney General:

This refers to Rule No. 1S-2037 (2003), which prescribes the form of the statewide provisional ballot envelope; and Rule No. 1S-2.038 (2003), which prescribes the complaint form to be used for alleged violations of the Help America Vote Act of 2002, 42 U.S.C. 15301-15545, for the State of Florida, submitted to the Attorney General pursuant to Section 5 of the Voting Rights Act, 42 U.S.C. 1973c. We received your submissions on February 23, 2004.

The Attorney General does not interpose any objection to the specified changes. However, we note that Section 5 expressly provides that the failure of the Attorney General to object does not bar subsequent litigation to enjoin the enforcement of the changes. In addition, as authorized by Section 5, we reserve the right to reexamine these submissions if additional information that would otherwise require an objection comes to our attention during the remainder of the sixty-day review period. See Procedures for the Administration of Section 5 of the Voting Rights Act (28 C.F.R. 51.41 and 51.43).

Sincerely,


Joseph D. Rich
Chief, Voting Section

021511



U.S. Department of Justice

Civil Rights Division

JDR:RAK:ALP:jdh
DJ 166-012-3
2004-0986

*Voting Section - NWB.
950 Pennsylvania Avenue, N.W.
Washington, DC 20530*

May 3, 2004

The Honorable Chris Nelson
Secretary of State
State of South Dakota
500 East Capitol Avenue, Suite 204
Pierre, South Dakota 57501-5070

Dear Mr. Secretary:

This refers to certain acts of the South Dakota Legislature and the administrative regulations promulgated by the South Dakota Board of Elections, submitted on behalf of Shannon and Todd Counties pursuant to Section 5 of the Voting Rights Act, 42 U.S.C. 1973c. Your submissions include the following:

1. Chapter 118, Section 3 (1974) that amends SDCL 12-4-1, which pertains to persons entitled to register;
2. Chapter 71, Section 2 (1999) that amends SDCL 12-4-1.1, which pertains to release documents for convicted felons;
3. Chapter 118, Section 4 (1974); Chapter 105, Section 1 (1976); Chapter 106, Section 1 (1985); Chapter 107, Section 1 (1994); Chapter 166, Section 3 (1997); and Chapter 83, Section 10 (2003) that amend SDCL 12-4-2, which pertains to the county auditor being in charge of voter registration records;
4. The 1994 promulgation of and the 1997 and 2003 amendments to ARSD 5:02:03:12, which pertains to agency voter registration instructions;
5. The 1994 promulgation of and the 1997 and 2003 amendments to ARSD 5:02:03:13, which pertains to voter registration instructions;
6. Chapter 28, Section 4 (1982) that repeals SDCL 12-4-2.1, which pertains to deputy auditors in unorganized counties;

021512

7. Chapter 28, Section 41 (1982) that repeals SDCL 12-4-2.2, which pertains to compensation for deputy auditors in unorganized counties;

8. Chapter 118, Section 5 (1974); Chapter 105, Section 2 (1976); Chapter 94, Section 3 (1978); and Chapter 107 (1983) that amend SDCL 12-4-3, which pertains to office hours for registration;

9. Chapter 118, Section 200 (1974) that repeals SDCL 12-4-4, which pertains to personal applications for voter registration;

10. Chapter 83, Section 13 (2003) that enacts 12-4-4.10, which pertains to the provision of voter registration procedures to overseas voters;

11. Chapter 118, Section 7 (1974); Chapter 94, Section 1 (1978); Chapter 120, Section 1 (1981); Chapter 106, Section 2 (1985); Chapter 107, Section 1 (1985); Chapter 110, Section 1C (1985); Chapter 107, Section 6 (1994); Section 95, Section 4 (1996); and Chapter 40, Section 5 (2002) that amend SDCL 12-4-5, which pertains to the entry of names in the master registration file;

12. Chapter 118, Section 200 (1974) that repeals SDCL 12-4-5.1, which pertains to the time for registration other than by the county auditor or the deputy;

13. Chapter 119, Section 1 (1974) that enacts SDCL 12-4-5.2, which pertains to the notice of registration procedures;

14. The 1977 promulgation of and the 1979, 1980, 1981, 1985, 1994, 1998, and 2001 amendments to ARSD 5:02:02:04, which pertains to the notice of deadline for voter registration;

15. Chapter 107, Section 7 (1994) and Chapter 95, Section 5 (1996) that enact and amend SDCL 12-4-5.3, which pertains to the review of a voter registration application by the auditor;

16. The 1994 promulgation of and the 1996 and 2002 amendments to ARSD 5:02:03:14, which pertains to the acknowledgment notice for invalid or incomplete voter registration applications;

17. The 1994 promulgation of and the 1996 and 2002 amendments to ARSD 5:02:03:15, which pertains to the acknowledgment notice for valid voter registration applications;

18. Chapter 83, Section 12 (2003) that enacts SDCL 12-4-5.5, which pertains to the verification of a drivers license or social security information;

19. Chapter 118, Section 8 (1974); Chapter 119, Section 13 (1975); and Chapter 107, Section 2 (1985) that amend SDCL 12-4-6, which pertains to filling out the registration card and receipt;

20. Chapter 78, Section 1 (1997) that enacts SDCL 12-4-6.1, which pertains to the effective date for voter registration;

21. Chapter 70, Section 1 (1973); Chapter 119, Section 15 (1975); Chapter 105, Section 4 (1976); Chapter 120, Section 2 (1981) that amend and repeal SDCL 12-4-7, which pertains to the filing, verification, and return of voter registration cards and receipts;

22. Chapter 118, Section 200 (1974) that repeals SDCL 12-4-7.1, which pertains to duplicate registration;

23. Chapter 119, Section 14 (1975); Chapter 105, Section 5 (1976); Chapter 94, Section 2 (1978); Chapter 107, Section 3 (1985); Chapter 127 (1989); and Chapter 110, Section 2 (1993) that enact and amend SDCL 12-4-7.2, which pertains to the duties of voter registrars;

24. Chapter 118, Section 11 (1974); Chapter 107, Section 14 (1994); and Chapter 40, Section 6 (2002) that enact and amend SDCL 12-4-8.2, which pertains to the true copy to replace a duplicate acknowledgment notice;

25. Chapter 118, Section 12 (1974) and Chapter 105, Section 6 (1976) that amend SDCL 12-4-9, which pertains to the master registration list;

26. Chapter 118, Section 200 (1974) that repeals SDCL 12-4-9.1, which pertains to the presidential voter list;

27. Chapter 118, Section 13 (1974); Chapter 120, Section 5 (1975); Chapter 105, Section 7 (1976); Chapter 107, Section 2 (1992); and Chapter 40, Section 2 (2002) that amend SDCL 12-4-10, which pertains to the precinct registration list;

28. Chapter 81 (1973) that enacts SDCL 12-4-10.1, which pertains to the registration lists furnished to the federal court for jury selection;



U.S. Department of Justice

Civil Rights Division

JDR:RPL:TL:jdh:par
DJ 166-012-3
2003-2929

Voting Section
950 Pennsylvania Avenue, N.W.
Washington, DC 20035-6128

October 16, 2003

The Honorable Charlie Crist
Attorney General
State of Florida
The Capitol, PL-01
Tallahassee, Florida 32399-1050

Dear Attorney General Crist:

This refers to Chapter 2003-415, which revises the Florida Election Code to implement provisions of the Help America Vote Act (HAVA), 42 U.S.C. 15301-15544, and eliminates the second primary election for 2004, submitted to the Attorney General pursuant to Section 5 of the Voting Rights Act, 42 U.S.C. 1973c. We received your submission on August 18, 2003.

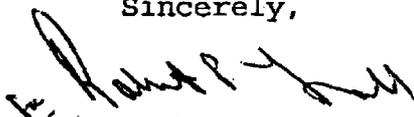
The Attorney General does not interpose any objection to the specified changes. However, we note that Section 5 expressly provides that the failure of the Attorney General to object does not bar subsequent litigation to enjoin the enforcement of the changes. See the Procedures for the Administration of Section 5 (28 C.F.R. 51.41).

Chapter 2003-415 includes provisions that are enabling in nature. Therefore, the State, and other local jurisdictions are not relieved of their responsibility to seek Section 5 preclearance of any changes affecting voting proposed to be implemented pursuant to this legislation (e.g., the requirement that the Department of State prescribe the form for complaints alleging violation of Title III of HAVA, prescribe the form of the provisional ballot envelope, and adopt detailed rules prescribing additional recount procedures for each certified voting system; the requirement that the Division of Elections promulgate rules regarding automatic machine recounts; and the

021515

requirement that each supervisor of elections create a free access system that allows each person casting a provisional vote to learn if the ballot was counted and, if not, why it was not counted). See 28 C.F.R. 51.15.

Sincerely,



Joseph D. Rich
Chief, Voting Section



U.S. ELECTION ASSISTANCE COMMISSION

FAX COVER SHEET

Fax: 202/566-3127

Direct: 202/566-3100

Toll Free: 866-747-1471

DATE: June 17, 2004

TO: *Secretary Hood*

FAX NUMBER: *850-245-6125*

FROM: Peggy Sims

NUMBER OF PAGES (INCLUDING COVER PAGE): 5

MESSAGE

ORIGINAL TO FOLLOW BY MAIL.

021517



U.S. ELECTION ASSISTANCE COMMISSION

1225 NEW YORK AVENUE, N.W., SUITE 1100
WASHINGTON, D.C. 20005

June 17, 2004

The Honorable Glenda Hood
Secretary of State
R. A. Gray Building
500 S. Bronough
Tallahassee, Florida 32399-0250

Dear Secretary Hood:

The U. S. Elections Assistance Commission is pleased to inform you that the Help America Vote Act of 2002 ("HAVA") allocation appropriated for your State is now available for disbursement.

HAVA requires the chief executive officer of the State, or designee, in consultation with the chief State election official, to file with the U.S. Election Assistance Commission ("EAC") a statement certifying that the State is in compliance with the conditions set forth in section 253(b) in order to be eligible for a fiscal year's requirements payment. The EAC received a certification statement from your State on June 10, 2004 declaring your State's eligibility for the requirements payment(s) appropriated in fiscal year(s) 2003.

Accordingly, the EAC has notified the U.S. General Services Administration ("GSA") that approximately \$47,416,833 should be disbursed to your State. Your State should receive these funds within five business days, provided your State has given GSA the information needed for the electronic transfer.

Use of Funds

In accordance with HAVA Section 251(b), these funds are to be used only to meet the requirements of HAVA Title III, except that your State may use these payment to carry out other activities to improve the administration of elections for Federal office if the State certifies to the EAC that:

- the State has implemented the requirements of Title III; or
- the amount to be expended with respect to such other activities does not exceed an amount equal to the minimum requirements payment amount applicable to the State.

Section 251(c) of the Act also explains that a State may use a requirements payment:

- as a reimbursement for costs incurred in obtaining voting equipment which meets the requirements of section 301 (voting systems standards) if the State obtains the equipment after the regularly scheduled general election for Federal office held in November 2000, notwithstanding the Act's maintenance of effort requirements¹; and
- for any costs for voting equipment which meets the requirements of section 301 that were incurred pursuant to a multi-year contract on or after January 1, 2001, except that the amount that the State is otherwise required to contribute under the maintenance of effort requirements must be increased by the amount of the payment made with respect to such multiyear contract.

Conforming to Applicable Federal Guidelines

Please note that the following Office of Management and Budget guidelines apply to these federal funds:

- A-87 - Cost Principles for State, Local and Indian Tribal Governments (Cost Principles).
- A-102 - Grants and Cooperative Agreements with State and Local Governments (Administrative Requirements).
- Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments ("Common Rule", Administrative Requirements, 53 FR 8087, March 11, 1988)
- A-133 – Audits of States, Local Governments, and Non-Profit Organizations (Single Audits, Audit Requirements).

These guidelines may be found at:

<http://www.whitehouse.gov/omb/circulars/index.html>

Material Changes to State Plans

Section 254(a)(11) of HAVA prohibits a State from making material change(s) to the State plan unless the change:

¹ Maintenance of effort is addressed in HAVA section 254(a)(7), which requires the State to describe how it will maintain the expenditures of the State for activities funded by the requirements 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.

- is developed and published in the *Federal Register* in accordance with Section 255 in the same manner as the State plan;
- is subject to public notice and comment in accordance with Section 256 in the same manner as the State plan; and
- takes effect only after the expiration of the 30-day period which begins on the date the change is published in the *Federal Register*.

Accordingly, if your State does make any material change(s) to your current State plan for which you are receiving this requirements payment, you must file an amended State plan with the EAC. The amended State plan filed with the EAC may be limited to describing in reasonable detail the changes that have been made between the amended State plan and the State plan currently in effect.

Reporting

Also note that HAVA Section 258 requires your State to submit a report to the EAC on the activities conducted with the funds provided during the federal fiscal year, which runs from October 1 through September 30. This report must include:

- a list of expenditures made with respect to each category of activities described for the use of funds;
- the number and type of articles of voting equipment obtained with the funds; and
- an analysis and description of:
 - the activities funded to meet HAVA requirements; and
 - how such activities conform to the submitted State plan.

This report is due no later than six months after the end of each fiscal year. Accordingly, you should file your first report with the EAC no later than March 30, 2005. States should submit Standard Form 269 as part of this report. This form may be found at the following web site:

http://www.whitehouse.gov/omb/grants/grants_forms.html

Recordkeeping and Audits

HAVA Title IX requires recipients of payments under the Act to keep records consistent with sound accounting principles to facilitate an effective audit. It authorizes the EAC to audit or examine books, documents, papers and records of any recipient that are deemed pertinent to the payment and stipulates that the provision applies to all recipients of payments under the Act. Such recipients would include local jurisdictions that received funds through the State as a result of the requirements payments.

HAVA also requires that all funds provided under the Act are subject to mandatory audit by the Comptroller General at least once during the lifetime of the program, with the same access to records as the grant-making office. If the Comptroller General determines that an excess payment has been made or the recipient is not in compliance, the recipient must pay the grant-making office an amount that reflects the excess payment or the proportion representing noncompliance.

Assistance

If you have any questions about this matter, please have your staff contact Peggy Sims, EAC Research Specialist, by email at psims@eac.gov or by phone at 1-866-747-1471 (toll free) or 202-566-3100.

Sincerely yours,



DeForest B. Soaries, Jr.
Chairman



U.S. ELECTION ASSISTANCE COMMISSION

FAX COVER SHEET

Fax: 202/566-3127

Direct: 202/566-3100

Toll Free: 866-747-1471

DATE: June 17, 2004

TO: Governor Bush

FAX NUMBER: 850-922-4292

FROM: Peggy Sims

NUMBER OF PAGES (INCLUDING COVER PAGE): 5

MESSAGE

ORIGINAL TO FOLLOW BY MAIL.

021522



U.S. ELECTION ASSISTANCE COMMISSION
1225 NEW YORK AVENUE, N.W., SUITE 1100
WASHINGTON, D.C. 20005

June 17, 2004

The Honorable Jeb Bush
Governor
Office of the Governor
The Capitol
400 South Monroe Street
Tallahassee, Florida 32399-0001

Dear Governor Bush:

The U. S. Elections Assistance Commission is pleased to inform you that the Help America Vote Act of 2002 ("HAVA") allocation appropriated for your State is now available for disbursement.

HAVA requires the chief executive officer of the State, or designee, in consultation with the chief State election official, to file with the U.S. Election Assistance Commission ("EAC") a statement certifying that the State is in compliance with the conditions set forth in section 253(b) in order to be eligible for a fiscal year's requirements payment. The EAC received a certification statement from your State on June 10, 2004 declaring your State's eligibility for the requirements payment(s) appropriated in fiscal year(s) 2003.

Accordingly, the EAC has notified the U.S. General Services Administration ("GSA") that approximately \$47,416,833 should be disbursed to your State. Your State should receive these funds within five business days, provided your State has given GSA the information needed for the electronic transfer.

Use of Funds

In accordance with HAVA Section 251(b), these funds are to be used only to meet the requirements of HAVA Title III, except that your State may use these payment to carry out other activities to improve the administration of elections for Federal office if the State certifies to the EAC that:

- the State has implemented the requirements of Title III; or
- the amount to be expended with respect to such other activities does not exceed an amount equal to the minimum requirements payment amount applicable to the State.

Section 251(c) of the Act also explains that a State may use a requirements payment:

- as a reimbursement for costs incurred in obtaining voting equipment which meets the requirements of section 301 (voting systems standards) if the State obtains the equipment after the regularly scheduled general election for Federal office held in November 2000, notwithstanding the Act's maintenance of effort requirements¹; and
- for any costs for voting equipment which meets the requirements of section 301 that were incurred pursuant to a multi-year contract on or after January 1, 2001, except that the amount that the State is otherwise required to contribute under the maintenance of effort requirements must be increased by the amount of the payment made with respect to such multiyear contract.

Conforming to Applicable Federal Guidelines

Please note that the following Office of Management and Budget guidelines apply to these federal funds:

- A-87 - Cost Principles for State, Local and Indian Tribal Governments (Cost Principles).
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<http://www.whitehouse.gov/omb/circulars/index.html>

Material Changes to State Plans

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¹ Maintenance of effort is addressed in HAVA section 254(a)(7), which requires the State to describe how it will maintain the expenditures of the State for activities funded by the requirements 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.

- is developed and published in the *Federal Register* in accordance with Section 255 in the same manner as the State plan;
- is subject to public notice and comment in accordance with Section 256 in the same manner as the State plan; and
- takes effect only after the expiration of the 30-day period which begins on the date the change is published in the *Federal Register*.

Accordingly, if your State does make any material change(s) to your current State plan for which you are receiving this requirements payment, you must file an amended State plan with the EAC. The amended State plan filed with the EAC may be limited to describing in reasonable detail the changes that have been made between the amended State plan and the State plan currently in effect.

Reporting

Also note that HAVA Section 258 requires your State to submit a report to the EAC on the activities conducted with the funds provided during the federal fiscal year, which runs from October 1 through September 30. This report must include:

- a list of expenditures made with respect to each category of activities described for the use of funds;
- the number and type of articles of voting equipment obtained with the funds; and
- an analysis and description of:
 - the activities funded to meet HAVA requirements; and
 - how such activities conform to the submitted State plan.

This report is due no later than six months after the end of each fiscal year. Accordingly, you should file your first report with the EAC no later than March 30, 2005. States should submit Standard Form 269 as part of this report. This form may be found at the following web site:

http://www.whitehouse.gov/omb/grants/grants_forms.html

Recordkeeping and Audits

HAVA Title IX requires recipients of payments under the Act to keep records consistent with sound accounting principles to facilitate an effective audit. It authorizes the EAC to audit or examine books, documents, papers and records of any recipient that are deemed pertinent to the payment and stipulates that the provision applies to all recipients of payments under the Act. Such recipients would include local jurisdictions that received funds through the State as a result of the requirements payments.

HAVA also requires that all funds provided under the Act are subject to mandatory audit by the Comptroller General at least once during the lifetime of the program, with the same access to records as the grant-making office. If the Comptroller General determines that an excess payment has been made or the recipient is not in compliance, the recipient must pay the grant-making office an amount that reflects the excess payment or the proportion representing noncompliance.

Assistance

If you have any questions about this matter, please have your staff contact Peggy Sims, EAC Research Specialist, by email at psims@eac.gov or by phone at 1-866-747-1471 (toll free) or 202-566-3100.

Sincerely yours,

A handwritten signature in black ink, appearing to read "DeForest B. Soaries, Jr.", written in a cursive style.

DeForest B. Soaries, Jr.
Chairman



JEB BUSH
GOVERNOR

STATE OF FLORIDA

Office of the Governor

THE CAPITOL
TALLAHASSEE, FLORIDA 32399-0001

www.flgov.com
850-488-7146
850-487-0801 fax

RECEIVED
JUN 10 2004

5:15 PM

BY:.....

June 3, 2004

The Honorable DeForest B. Soaries, Jr., Chairman
Election Assistance Commission
1225 New York Ave. NW
Suite 1100
Washington, DC 20005

Dear Chairman Soaries:

The State of Florida has reviewed the requirements listed in the Help America Vote Act (HAVA) regarding the conditions that must be met before a state is eligible to receive Title II requirements payments. All of the conditions have been met by the State of Florida. This includes implementation of uniform, non-discriminatory administrative complaint procedures. These procedures are referenced in Florida's State Plan on page 59. In addition, Chapter 2003-415, Laws of Florida, implementing HAVA in Florida was pre-cleared by the Department of Justice on October 16, 2003. Therefore, Florida is requesting the requirements payment for fiscal year 2003. In making this request, Florida certifies the following:

"The State of Florida hereby certifies that it is in compliance with the requirements referred to in section 253(b) of the Help America Vote Act of 2002."



Jeb Bush
Governor



Glenda E. Hood
Secretary of State



Governor's Mentoring Initiative
BE A MENTOR. BE A BIG HELP.
1-800-825-3786

021527



U.S. ELECTION ASSISTANCE COMMISSION

FAX COVER SHEET

Fax: 202/566-3127

Direct: 202/566-3100

Toll Free: 866-747-1471

DATE: May 7, 2004

TO: Secretary Hood

FAX NUMBER: 850-245-6125

FROM: Peggy Sims

NUMBER OF PAGES (INCLUDING COVER PAGE): 6

MESSAGE

ORIGINAL TO FOLLOW BY MAIL.

021528



U.S. ELECTION ASSISTANCE COMMISSION
1225 New York Ave. NW - Suite 1100
Washington, DC 20005

OFFICE OF THE CHAIRMAN

May 6, 2004

The Honorable Glenda Hood
Secretary of State
The Capitol
Plaza Level, Room 2
Tallahassee, Florida 32399-0250

Dear Ms. Hood:

Enclosed, please find a copy of a letter sent by the U.S. Election Assistance Commission (EAC) to the chief executive officer of your State. This letter summarizes provisions for filing statements of certification to receive requirements payments in accordance with the Help America Vote Act of 2002 (HAVA).

As you may know, to receive funds for a fiscal year, HAVA requires the chief executive officer of the State, or designee, in consultation with the chief State election official, to file with the EAC a statement certifying that the State is in compliance with the conditions set forth in HAVA Section 253(b). I hope that the enclosed letter helps you in this process.

Should you have any questions or need further clarification as to the contents of the attached letter, please do not hesitate to contact Peggy Sims at 1-866-747-1471 (toll free) or 202-566-3100.

Sincerely yours,

A handwritten signature in black ink, appearing to read "DeForest B. Soaries, Jr.", with a long horizontal line extending to the right.

DeForest B. Soaries, Jr.
Chairman

Enclosure

021529



U.S. ELECTION ASSISTANCE COMMISSION
1225 New York Ave. NW - Suite 1100
Washington, DC 20005

OFFICE OF THE CHAIRMAN

May 6, 2004

The Honorable Jeb Bush
Governor
The Capitol
400 South Monroe Street
Tallahassee, FL 32399-0001

Dear Governor Bush:

The Help America Vote Act (hereafter "HAVA" or the "Act") authorizes payments to States, U.S. Territories and the District of Columbia (hereafter "States") to assist in meeting the "Uniform and Nondiscriminatory Election Technology and Administration Requirements" in Title III of the Act. In order to be eligible for receipt of a requirements payment, a State must file with the U.S. Election Assistance Commission (hereafter "EAC" or "Commission") a certification statement for the fiscal year, which declares that such State is in compliance with the required conditions set forth in section 253(b) of the Act. Title II requirements payments for Fiscal Years 2003 and 2004 are available at this time.

Timing for Filing a Statement of Certification (Section 253(a) and (d))

To receive funds for a fiscal year, HAVA requires the chief executive officer of the State, or designee, in consultation with the chief State election official, to file with the EAC a statement certifying that the State is in compliance with the conditions set forth in section 253(b).³¹ This statement may not be filed until *after* the expiration of a 45-day period that began on March 24, 2004 – which was the day that all 55 State plans were published in the Federal Register by the Commission. The 45-day period expires on May 8, 2004.

Language for Statement of Certification (Section 253(a))

Recommended language for the certification statement is contained in Section 253(a) of the Act. Thus, the certification statement for a fiscal year may state the following:

“ _____ hereby certifies that it is in compliance with the requirements referred to in section 253(b) of the Help America Vote Act of 2002.”

³¹ For the purpose of the requirements payments, the *chief State election official* is the individual designated by the State under section 10 of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg-8) to be responsible for coordination of the States responsibilities under such Act.

021530

Condition for Receipt of Funds (Section 253(b))

The conditions for receipt of a requirements payment contained in section 253(b) require that a state certify to the Commission that, for the fiscal year(s) in which funds are requested, it:

- has filed a State plan with the EAC covering the fiscal year and which the State certifies:
 - contains each of the elements required to be in the State plan, according to section 254, including how the State will establish a State Election Fund in accordance with section 254(b);³²
 - is developed in accordance with section 255, which describes the process of using a committee of appropriate individuals, including the chief election officials of the two most populous jurisdictions, other local election officials, stake holders (including representatives of groups of individuals with disabilities), and other citizens to develop the plan; and
 - meets the 30-day public notice and comment requirements of section 256.
- has filed with the EAC a plan for the implementation of the uniform, non-discriminatory administrative complaint procedures required under section 402 (or has included such a plan in the State plan), and has such procedures in place. If the State does not include such an implementation plan in the State plan, the *Federal Register* publication and the committee development requirements of sections 255(b) and 256 apply to the implementation of the administrative complaint procedure in the same manner as they apply to the State plan.
- is in compliance with each of the following federal laws as they apply to the Act:
 - The Voting Rights Act of 1965;
 - The Voting Accessibility for the Elderly and Handicapped Act;
 - The Uniformed and Overseas Citizens Absentee Voting Act;
 - The National Voter Registration Act of 1993;
 - The Americans with Disabilities Act of 1990; and
 - The Rehabilitation Act of 1973.
- has provided that, to the extent that any portion of the Title II requirements payment is used for activities other than meeting the requirements of Title III:
 - the State's proposed uses of the requirements payment are not inconsistent with the requirements of Title III; and

³² Section 254(b)(1) and (2) of the Act describes the State Election Fund as a fund that is established in the treasury of the State government, which must be used by the State exclusively to carry out the activities for which the requirements payment (title II, Subtitle D, Part 1) is made to the State, and which consists of:

- amounts appropriated or otherwise made available by the State for carrying out the activities for which the requirements payment is made;
- the requirements payment to the State;
- such other amounts as may be appropriated under law; and
- interest earned on deposits of the fund.

HAVA section 254(b)(3) provides that, in the case of a State that requires State legislation to establish a State Election Fund, the EAC is required to defer disbursement of the requirements payment to such State until such time as legislation establishing the fund is enacted.

021531

- the use of the funds under this paragraph is consistent with the requirements of section 251(b); and
- has appropriated funds for carrying out the activities for which the requirements payment is made in an amount equal to **5 percent** of the total amount to be spent for such activities (taking into account the requirements payment and the amount spent by the State) and, in the case of a State that uses a requirements payment as a reimbursement for voting equipment under 251(c)(2), an additional amount equal to the amount of such reimbursement.³³

Accordingly, prior to submission of a certification statement for a fiscal year(s) to the EAC, the Commission strongly encourages all States to verify compliance with the required conditions set forth in section 253(b). Should the Commission have any concerns that a particular State – which has submitted a certification statement to the EAC – has not met one of the required conditions, the EAC will immediately contact that particular State and/or communicate its concern in writing.

General Services Administration (GSA) Procedures for Payments

GSA, which will disburse the Title II requirements payments to States under the direction of the EAC, requests that the following procedures be used for disbursement and receipt of these payments:

- **Step One – Registration.** State representatives should contact Sharon Pugh (Sharon.Pugh@GSA.gov) or Brad Farris (Brad.Farris@GSA.gov) on (816) 823-3108, as soon as possible, with information on State contact points, including name, address and email address. These contacts may very well be the same personnel that GSA worked with in distributing HAVA Title I funding. GSA will verify this information.
- **Step Two – EFT Setup.** GSA will contact the State representatives to obtain banking information required for an Electronic Funds Transfer (EFT). Again, this may be the same information submitted for HAVA Title I funding. Payments should be made into the Election Fund described in HAVA Section 254(b)(1). All funds will be disbursed via EFT.
- **Step Three – State Certification Statement to EAC** – States will submit required certification information to the EAC, as outlined above, after the completion of the 45-day period for publication of the State plan in the Federal Register.
- **Step Four – Notification to GSA by EAC** – Based upon the certification statement, the EAC will notify GSA that a State is due receipt of its Title II payment for a particular fiscal year (i.e., either FY 2003 funds, FY 2004 funds, or both).
- **Step Five – Disbursement of Title II Funds** – GSA will disburse the Title II funds for a particular fiscal year to the accounts specified by the States, and will notify the States and the EAC of the disbursement in writing.

³³ For purposes of declaring sufficient funds are available for the State to carry out activities to meet Title III requirements, if the requirements payment is to be used as a reimbursement for voting equipment obtained on and after January 1, 2004 through multi-year contracts, the activity is not treated as an activity to meet Title III requirements.

Finally, the Commission has received numerous inquiries regarding the concern that the Title II requirements funds will no longer be available for disbursement to the States after the end of the current fiscal year (i.e., September 30, 2004). However, the Commission points to section 257(b) of the Act, which states in part:

“(b) AVAILABILITY- Any amounts appropriated pursuant to the authority of subsection (a) shall remain available *without fiscal year limitation until expended.*” (Emphasis added.)

Based upon the above statutory language, the Commission believes Congress’ intent was clear in that the Title II funds remain available to the States until fully disbursed by the EAC.

The Commission looks forward to working closely with all States as we enter into this next phase of HAVA implementation. Should you have any questions or need further clarification as to the contents of this letter, please do not hesitate to contact Peggy Sims at 1-866-747-1471 (toll free) or 202-566-3100.

Sincerely yours,



DeForest B. Soaries, Jr.
Chairman

cc: The Honorable Glenda Hood, Florida Secretary of State

021533



U.S. ELECTION ASSISTANCE COMMISSION
1225 NEW YORK AVENUE, N.W., SUITE 1100
WASHINGTON, D.C. 20005

OFFICE OF THE CHAIRMAN

February 17, 2006

The Honorable Sue Cobb
Secretary of State
R. A. Gray Building
500 S. Bronough Street, Room 316
Tallahassee Florida 32399-0250

Dear Secretary Cobb:

This letter serves as a reminder that reports on funds provided to States under the Help America Vote Act of 2002 (HAVA), Title I, Sections 101 and 102, and Title II, Section 251, are due soon to the U.S. Election Assistance Commission (EAC). Attached is a chart summarizing the due dates for the reports, the CFDA numbers applicable to the funds provided, the coverage dates for each report, and the form and content of the reports.

All reports on the HAVA Title I funds and Title II, Section 251 requirements payments should be submitted to the following address:

State HAVA Funding Reports
U.S. Election Assistance Commission
1225 New York Avenue, NW – Suite 1100
Washington, DC 20005

If you have any questions about this matter, please contact Peggy Sims, Election Research Specialist. You can reach her by email at psims@eac.gov, or by phone at 1-866-747-1471 (toll free) or 202-566-3120.

Sincerely yours,

Paul S. DeGregorio
Chairman

Attachment

SCHEDULE OF HAVA REPORTS DUE TO EAC IN 2006

Due Date	HAVA Title & Section	CFDA #	Coverage Dates	Report Form and Contents²
February 28, 2006	Title I, Section 101	39.011	January 1, 2005-December 31, 2005	Standard Form 269 with the following attached: <ul style="list-style-type: none"> • a detailed list of expenditures by program, function, or task (including dollar amount) made with respect to each category of activities described for the permissible use of funds in HAVA Section 101(b); • the number and type of articles of voting equipment obtained with the funds; and • an analysis and description of the activities funded and how such activities conform to the submitted State plan.
February 28, 2006	Title I, Section 102	39.011	January 1, 2005-December 31, 2005	Standard Form 269 with the following attached: <ul style="list-style-type: none"> • a detailed list of expenditures (including dollar amount) made for the replacement of punchcard and lever voting systems in accordance with HAVA Section 102(a)(2); • the number and type of articles of voting equipment obtained with the funds; and • an analysis and description of how the expenditures conform to the submitted State plan.
March 30, 2006	Title II, Section 251	90.401	October 1, 2004-September 30, 2005	Standard Form 269 with the following attached: <ul style="list-style-type: none"> • a list of expenditures made with respect to each category of activities described for the use of funds in HAVA Section 251; • the number and type of articles of voting equipment obtained with the funds; and • an analysis and description of the activities funded to meet HAVA requirements and how such activities conform to the submitted State plan.

¹ Reports are due if the State has received funds under the HAVA title and section noted, and has not previously reported the expenditure of all such funds (including interest earned and, in the case of Title II, Section 251 payments, the 5% match).

² Standard Form 269 may be accessed at <http://www.whitehouse.gov/omb/grants/sf269.pdf>.



U.S. ELECTION ASSISTANCE COMMISSION
1225 NEW YORK AVENUE, N.W., SUITE 1100
WASHINGTON, D.C. 20005

OFFICE OF THE CHAIRMAN

January 26, 2005

The Honorable Glenda Hood
Secretary of State
R. A. Gray Building
500 S. Bronough Street, Room 316
Tallahassee, Florida 32399-0250

Dear Secretary Hood:

This letter is in response to numerous State inquiries about future reporting responsibilities for funds provided under Title I, Sections 101 and 102, of the Help America Vote Act (HAVA).

In a July 2003 letter, the General Services Administration (GSA) notified your State that separate reports for Section 101 and 102 funds, covering financial activity from the date of GSA's disbursement of the funds to your State through December 31, 2003, were to be filed with GSA by January 21, 2004. GSA noted that States should report using Standard Form 269, with a separate form to be filed for Section 101 and, if applicable, 102 funds received by the State. GSA required each funding recipient to submit verification of actual purchases and expenditures.

The GSA letter also noted that the agency would provide information from these reports to Election Assistance Commission (EAC), once it was up and running, and that reporting dates would be subject to change by EAC. EAC has assumed the responsibility for receiving reports regarding these funds, in accordance with the agency's assumption of its audit responsibilities under HAVA, Title IX, Section 902.

EAC therefore requests that your State file your next report(s) no later than February 28, 2005 regarding all HAVA Title I funds provided to your State that had not been disbursed as of December 31, 2003 (the closing date of the report to GSA). Separate reports must be filed for the Section 101 and, if applicable, 102 funds that were received by your State; should cover financial activity during the period beginning January 1, 2004 and ending December 31, 2004; and must include the following information:

- a detailed list of expenditures by program, function, or task (including dollar amount) made with respect to each category of activities described for the permissible use of funds in HAVA sections 101(b) and 102(a)(2);

- the number and type of articles of voting equipment obtained with the funds; and
- an analysis and description of:
 - the activities funded to meet HAVA requirements; and
 - how such activities conform to the submitted State plan.

States should submit Standard Form 269 as part of each report. This form may be found at the <http://www.whitehouse.gov/omb/grants/sf269.pdf>.

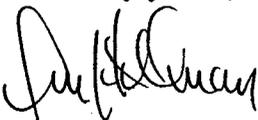
Subsequent reports providing the same information on HAVA Title I expenditures will be due annually on February 28, covering the financial activity for the previous calendar year, until the State has filed final reports indicating that no such funds remain to be disbursed.

All reports on the HAVA Title I funds must be submitted to the following address:

State HAVA Funding Reports
U.S. Election Assistance Commission
1225 New York Avenue, NW – Suite 1100
Washington, DC 20005

If you have any questions about this matter, please contact Peggy Sims, Election Research Specialist, by email at psims@eac.gov or by phone at 1-866-747-1471 (toll free) or 202-566-3120.

Sincerely yours,



Gracia M. Hillman
Chair

021537



GSA Office of the Chief Financial Officer

July 28, 2003

The Honorable Jeb Bush
Governor of Florida
Tallahassee, FL 32399

Dear Governor Bush:

This letter describes the final distribution of funds by the General Services Administration (GSA), in carrying out our responsibilities under Title 1 of Public Law (P.L.) 107-252, the Help America Vote Act (HAVA, "the Act"). The Act tasks GSA with responsibility for disbursing funds to the States, the District of Columbia and the Territories to implement various improvements to the Federal election process, including the replacement of voting equipment. Please see the enclosed letter (Enclosure 1) for background information on the program, original plans for applying for funds, timeline, et cetera.

Payments

Florida applied and certified timely to Sections 101 and 102 of HAVA, Title I. GSA, as described in Enclosure 1, processed an initial payment of \$5,000,000.00, which was transferred electronically on 4/23/2003 to the account specified by Edward Kast, Director, Division of Elections. Once all of the State applications were received and verified, GSA determined the final distribution of funds to the States, according to HAVA instructions, and processed the final payments. An additional payment of \$21,028,957.00 was made to the same account specified, again by Electronic Funds Transfer (EFT), and GSA verified receipt of the funds to that account on Monday, June 16, 2003. Thus, Florida received a total of \$26,028,957.00, consisting of a Section 101 payment of \$14,447,580.00, and a Section 102 payment of \$11,581,377.00. We will assume that your Chief Election Official and designee for payment of funds is Glenda Hood, Secretary of State, unless you notify us differently.

The Section 101 payment is for one or more of the following purposes, as indicated by Florida's certification of Section 101:

- Complying with the requirements of Title III of the Act;
- Improving the administration of elections for Federal office;
- Educating voters concerning voting procedures, voting rights, and voting technology;

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- Training election officials, poll workers, and election volunteers;
- Developing the State plan for requirements payments to be submitted under Part 1 of Subtitle D of Title II (Sections 251-257) of the Act;
- Improving, acquiring, leasing, modifying, or replacing voting systems and technology and methods for the casting and counting of votes;
- Improving the accessibility and quantity of polling places, including providing physical access for individuals with disabilities, providing non-visual access for individuals with visual impairments, and providing assistance to Native Americans, Alaska Native citizens, and to individuals with limited proficiency in the English language; and/or
- Establishing a toll-free telephone hotline that voters may use to report possible voting fraud and voting rights violations, to obtain general election information, and to access detailed automated information on their own voter registration status, specified polling place locations, and other relevant information.

The Section 102 payment is for the following purpose as indicated by Florida's certification of Section 102, for 3,628 total qualifying precincts, consisting of 3,588 punch card precincts and 40 lever voter system precincts:

- A State is obligated to use the funding (either directly or as a reimbursement for costs incurred on or after January 1, 2001) to replace punch card voting systems or lever voting systems in precincts within that State that used such systems in the November 2000 election ("qualifying precincts").
- A State that receives funding for this program must ensure that all of the punch card voting systems or lever systems in the qualifying precincts within that State will be replaced in time for the regularly scheduled general election for Federal office to be held in November 2004 (unless a waiver is obtained under Section 102(a)(3)(B)).
- Section 102(a)(3)(B) says that States may request a waiver by certifying to the Administrator of General Services not later than January 1, 2004, that the State will not meet the deadline specified above, for good cause and including in the certification the reasons for the failure to meet such deadline, the State shall ensure that all of the punch card voting systems or lever voting systems in the qualifying precincts within the State will be replaced in time for the first election for Federal office held after January 1, 2006.
- Section 102(d) deals with repayment of funds for failure to meet the deadline, and says that if a State receiving Section 102 funds fails to meet the deadlines stated above, the State shall pay to the Administrator an amount equal to the noncompliant precinct percentage of the amount of the funds provided to the State under the program. This amount will be \$3,192.22 per noncompliant precinct.
- The State will continue to comply with current voting laws stated in Section 906; and,
- The replacement voting systems will meet the requirements of Title III, Section 301.

Method of Calculations

The following describes the method of calculations for distribution of the HAVA Title I funds, which was reviewed and cleared with both House and Senate staff, our General Counsel's office, and our Inspector General's office.

Total Availability. The total amount available for distribution is \$649,500,000, calculated by taking the total \$650,000,000 appropriated for this purpose in Public Law 108-7, and subtracting the \$500,000 allowed for GSA administrative costs.¹ For initial calculations, this amount is divided evenly between Sections 101 and 102 at \$324,750,000 per section.

Section 101. Step one of two gives one-half of one percent of \$324,750,000 to each State and the District of Columbia (\$1,623,750) and one tenth of one percent of the total (\$324,750) to Guam, Puerto Rico, the U.S. Virgin Islands and America Samoa. The total distributed under step one is \$84,110,250.

The second step allocates funds from the \$324,750,000 not allocated in the first step (totaling \$240,639,750) based on each State and Territory's proportionate share of the voting age population as reported in the 2000 Census (total 212,050,630, including Territories). The sum of the funds allocated in the first step and the second step equals \$324,750,000.

Section 102. First, \$4000 was allocated to each State for each precinct that used punch card or lever voting machines in the 2000 election, as certified by the State, totaling \$376,312,000. The State totals were then reduced on a pro rata basis to 86.29807 percent of the original total, so that the nationwide total of funds allocated did not exceed \$324,750,000.

Section 103. Section 103 of the Act guarantees that each State will receive a minimum payment of \$5,000,000 and each territory will receive a minimum payment of \$1,000,000. If a State were to receive less than \$5,000,000 (or a Territory less than \$1,000,000) for both programs, based on the calculations described above for Sections 101 and 102, that State's or Territory's payment was increased to the minimum. The remaining States' payments under Sections 101 and 102 were reduced on a pro rata basis, per Section 103(b), so that the total did not exceed the \$649,500,000 total availability. The amount of the reduction to the remaining States' payments was \$44,460,348. This required a pro rata reduction of 7.52341 percent to the remaining State's Sections 101 and 102 payments. After all reductions, the net amount per qualifying precinct for voting machine replacement is \$3,192.22.

¹ GSA's administrative costs will be substantially less than \$500,000, and the amount not used by GSA will be transferred to the Election Assistance Commission when it becomes operational.

Reporting and Conformance

By January 21, 2004, States will provide reports to GSA on actual expenditures as of December 31, 2003. Each funding recipient will be required to submit verification of actual purchases and expenditures. States should report using Standard Form 269 for Sections 101 and 102 categories. A separate form should be used for each section. Information regarding actual funds expended will be reconciled against funding provided. GSA will provide this information to the Election Assistance Commission once it becomes operational, and reporting dates are subject to change by the Commission.

State recipients of these funds are required to conform to the following Office of Management and Budget (OMB) grant guidelines found at <http://www.whitehouse.gov/omb/circulars/index.html> :

- OMB Circular A-87, Cost Principles for State, Local and Indian Tribal Governments (Cost Principles)
- OMB Circular A-102, Grants and Cooperative Agreements With State and Local Governments (Administrative Requirements)
- Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments ("Common Rule", Administrative Requirement, 53 FR 8087, March 11, 1988)
- OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations (Single Audits, Audit Requirements).
- In addition, Title I funds are subject to the Cash Management Improvement Act (CMIA) that is generally applicable to all Federal grants. State Treasurers/Chief Financial Officers are very familiar with CMIA and should be able to offer guidance on requirements.

The Catalog of Federal Domestic Assistance number assigned to this project is 39.011, Election Reform Payments. Please see the following reference for further information:

- <http://www.cfda.gov/public/viewprog.asp?progid=1668>

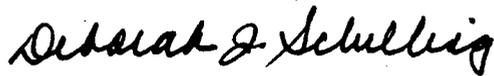
Audits

Title IX, Section 902 of Public Law 107-252, states that with respect to any grant or payment made in accordance with this Act by GSA, the Election Assistance Commission must be regarded as the office making the grant or payment, for the purposes of audits.

Assistance

If you have any questions or comments, please feel free to contact me at 202.501.0719, or Stephen Kulenguski at 202.501.4496. Questions about transfers of funds may be addressed to Sharon Pugh or Brad Farris at 816.823.3108 in our regional Finance Center. The GSA Regional Administrator for Florida is Edwin E Fielder, Jr., telephone 404.331.3200. Thank you.

Sincerely,



Deborah J. Schilling
Director of Budget

Enclosures

Copies sent to:
Chief Election Official, Glenda Hood, Secretary of State
Chief Financial Officer, Tom Gallagher, State Treasurer
Regional Administrators

021542

FAX

Department of State

Division of Elections

Room 316, R.A. Gray Building

500 South Bronough Street

Tallahassee, Florida 32399-0250



Date 01/12/07 4:20 PM

Number of pages including cover sheet _____

To:

Mr. Edgardo Cortes

Election Assistance Commission

Phone # 202-566-3100

Fax # 202-566-1392

From:

Amy K. Tuck

Director, Division of Elections

Phone # (850) 245-6200

Fax # (850) 245-6217

REMARKS:

Per Your Request For your review Reply ASAP Per Conversation

Re: CERTIFICATION: USE OF HAVA SECTION 102 FUNDS AND REPLACEMENT OF PUNCH CARD AND LEVER MACHINES

021543



CERTIFICATION: USE OF HAVA SECTION 102 FUNDS AND REPLACEMENT OF PUNCH CARD AND LEVER MACHINES

I, the undersigned, having investigated or caused to be investigated each matter, below; certify, affirm and acknowledge that each of the following numbered statements, and any attachments to this certification document, are true and accurately reflect the status, condition and operations of Florida (hereinafter "state") as they related to the use and status of Help America Vote Act (HAVA) Section 102 Funds and the replacement of punch card or lever machines.

I understand that by certifying the information below, I am making a statement or representation to the U.S. Election Assistance Commission, an independent Federal Agency, necessary for the agency to determine Florida's required compliance with HAVA Section 102. (42 U.S.C. §15302). Compliance with HAVA Section 102 is required by the state as a result of its accepting Federal funds under that provision. As a condition of receiving 102 funds, the state certified that it would "use the payment... to replace punch card voting systems or lever voting systems (as the case may be) in the qualifying precincts within the state by the deadline prescribed... [regularly scheduled general election for Federal office to be held in November 2004]." (42 U.S.C. §15302(b)).

I further understand that to the extent any of the below (or attached) representations or certifications are found to be materially false, the Federal funds received by the state will be subject to audit and possible recoupment. Further, such false statements may subject the undersigned to criminal prosecution under 18 U.S.C. §1001 or other Federal Statutes.

I. BACKGROUND. *Read the statements below and initial the items that you certify as true and accurate. If you are not able to certify one or more of the following statements, you must line through the statement at issue and attach a signed explanation identifying it and explaining why it may not be certified. The statement (attachment) should provide all necessary facts and concisely explain the conditions that make certification a problem. The explanation shall be labeled "Attachment A, Background."*

1. **Signing Official.** I hereby certify that I am the Chief State Election Official for Florida, per 42 U.S.C. 1973gg-8 (National Voter Registration Act).

Initials: *[Signature]*

2. **Triggering Election.** The regularly scheduled general election for Federal Office in November 2004 (triggering the deadline noted in 42 U.S.C. 15302 (a)(3)(A)) for the state was held on November 2, 2004.

Initials: *[Signature]*

3. **Funds Received.** The State received \$11,581,377.00 in Federal Funds pursuant to HAVA section 102.

Initials: *[Signature]*

II. PUNCH CARD OR LEVER MACHINE REPLACEMENT. *Read the statements below and initial the items that you certify as true and accurate. If you are not able to certify one or more of the below statements, you must line through the statement at issue and attach a signed explanation identifying it and explaining why it may not be certified. The statement (attachment) should provide all necessary facts and concisely explain the conditions that make certification a problem. The explanation shall be labeled "Attachment B, Punch Card or Lever Machine Replacement."*

1. **Qualified Precincts.** The State had 3,628 total qualified precincts (precincts which used punch card or lever machines to administer the regularly scheduled general election for Federal office held in November of 2000).

Initials: *[Signature]*

2. **Qualified Precincts: No Punch Card or Lever Machine Used.** None of the qualifying precincts, noted in statement 1 above, used a lever or punch card machine in an election for Federal office on or after November 2, 2004.

Initials: *[Signature]*

3. **No Punch Card or Lever Machine Used in State.** No precinct in the state used a punch card or lever machine for an election for Federal office on or after November 2, 2004.

Initials: *[Signature]*

4. **Replacement Machines.** All machines purchased, leased or otherwise procured to replace punch card or lever machines in qualifying precincts meet the requirements of HAVA section 301 (42 U.S.C. §15481) and comply with all other relevant Federal statutory requirements (noted in 42 U.S.C. §15545). This includes the requirement that each polling place have at least one voting system equipped for individuals with disabilities. *Please provide (below) a complete list of all voting systems procured, leased or otherwise obtained to replace the state's punch card or lever machines.*

Manufacturer	Model	Version	Quantity
1. ES&S	iVotronic	6.1.3.1	19,416
2. ES&S	iVotronic 15"	6.2.0.3	37
3. ES&S	M100	4.5.5	146
4. Sequoia	Edge 1	3.1	11,220
5. Global (Diebold)	Accuvote	1.94	511
6.			
7.			

If you need additional space, please continue this table on a separate, signed attachment.

Initials: *[Signature]*

5. **Voting Systems in Place.** All voting systems procured to replace punch card or lever machines were in place and used in the state's November 2, 2004 Federal election.

Initials: *[Signature]*