ALVIN A. JAEGER
SECRETARY OF STATE

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SECRETARY OF STATE

STATE OF NORTH DAKOTA
600 EAST BOULEVARD AVENUE DEPT 108
BISMARCK ND 58505-0500

ORIGINAL

February 23, 2006

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

Dear Commissioners,

Enclosed, as required for the 2005 calendar year, is the narrative and financial report for the State of North Dakota regarding its expenditure of funds received under Title I, Section 101, of the Help America Vote Act of 2002. This will be our final report on these funds as they have now been completely expended.

I continue to be pleased and proud of the progress that North Dakota has made in implementing HAVA. We have met all of the deadlines.

In addition, the state (Secretary of State's office) continues to have an excellent working relationship and considerable participation and cooperation from North Dakota counties, organizations representing special needs, the Governor and Legislature, individuals, and many others. It has been very rewarding and gratifying. Since October 2002, we did not know that there was any other way to do it. That is, working together to implement HAVA. We like to think of it as the North Dakota way of doing and accomplishing the job at hand.

If you have any questions regarding this report, please contact either one of the following persons:

Jim Silrum
Deputy Secretary of State
(701) 328-2900
jsilrum@state.nd.us

Danette Odenbach
HAVA Coordinator
(701) 328-7300
dodenbac@ndaco.org

Sincerely,

Alvin A. Jaeger
Secretary of State

FINANCIAL STATUS REPORT
(*Long Form*)
(*Follow Instructions on previous pages and next page*)

ORIGINAL

1. Federal Agency and Organizational Element to Which Report is Submitted.	2. Federal Grant or Other Identifying Number Assigned By Federal Agency	OMB Approval No.	Page 1 of
Elections Assistance Commission	**39.011 Section 101 Election Reform**	**0348-0039**	**7 Pages**

3. Recipient Organization (*Name and complete address, including ZIP codes*

Secretary of State, 600 East Boulevard Avenue Department 108, Bismarck ND 58505-0500

4. Employer Identification Number	5. Recipient Account Number or Identifying Number	6. Final Report	7. Basis
1-450309764-E6	**G1573**	X Yes ___ No	X Cash ___ Accrual

8. Funding Grant Period (*See instructions*) From: (Month, Day, Year)	To (Month, Day, Year)	9. Period Covered by This Report From: (Month, Day, Year)	To: (Month, Day, Year)
4/29/03	**12/31/05**	**January 1, 2005**	**December 31, 2005**

10. Transactions:	I Previously Reported	II This Period	III Cumulative
a. Total outlays	2,470,641.99	2,592,376.16	**5,063,018.15**
b. Refunds, rebates, etc.	0.00	0.00	**0.00**
c. Program income used in accordance with the deduction alternative	0.00	0.00	**0.00**
d. Net outlays (Line a, less the sum of lines b and c)	2,470,641.99	2,592,376.16	**5,063,018.15**
Recipient's share of net outlays, consisting of: e. Third party (in-kind) contributions	0.00	0.00	**0.00**
f. Other Federal awards authorized to be used to match this award	0.00	0.00	**0.00**
g. Program income used in accordance with the **matching or cost sharing alternative**	0.00	0.00	**0.00**
h. All other recipient outlays not shown on lines e, f, or g.	0.00	0.00	**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)	2,470,641.99	2,592,376.16	**5,063,018.15**
k. Total unliquidated obligations	0.00	0.00	**0.00**
l. Recipient's share of unliquidated obligations	0.00	0.00	**0.00**
m. Federal share of unliquidated obligations	0.00	0.00	**0.00**
n. Total Federal share (sum of lines j and m)	2,470,641.99	2,592,376.16	**5,063,018.15**
o. Total Federal funds authorized for this funding period	5,033,446.20	29,571.95	**5,063,018.15**
p. Unobligated balance of Federal funds (Line o minus line n)			**0.00**
Program income consisting of: q. Disbursed program income shown on lines c and/or g above	0.00	0.00	**0.00**
r. Disbursed program income using the addition alternative	0.00	0.00	**0.00**
s. Undisbursed program income	0.00	0.00	**0.00**
t. Total program income realized (Sum of lines q, r, and s)	0.00	0.00	**0.00**

11. Indirect Expenses	a. Type of Rate (Place "X" in appropriate box) ___ **Provisional** ___ **Predetermined** ___ **Final** ___ **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	Telephone (area code, number and extension)
Alvin A. Jaeger, North Dakota Secretary of State	**701-328-2900**
Signature of Authorized Certifying Official	Date Report Submitted
	February 22, 2006

FINANCIAL STATUS REPORT
(Long Form)

Public reporting burden for the collection of information is estimated to average 30 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed and completing and reviewing the collection of information. Send comments regarding the burden estimates or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0039), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET.

Please type or print legibly. The following general instructions explain how to use the form itself. You may need additional information to complete certain items correctly, or to decide whether a specific item is applicable to this award. Usually such information will be found in the Federal agency's grant regulations or in the terms and conditions of the award (e.g., how to calculate the Federal share, the permissible uses of program income, the value of in-kind contributions, etc.). You may also contact the Federal agency directly.

Item	Entry
1, 2 and 3	Self-explanatory.
4	Enter the Employer Identification Number (EIN) assigned by the U.S. Internal Revenue Service.
5	Space reserved for an account number or other identifying number assigned by the recipient.
6	Check yes only if this is the last report for the period shown in item 8.
7	Self-explanatory.
8	Unless you have received other instructions from the awarding agency, enter the beginning and ending dates of the current funding period. If this is a multi-year program, the Federal agency might require cumulative reporting through consecutive funding periods. In that case, enter the beginning and ending dates of the grant period, and in the rest of these instructions, substitute the term "grant period" for "funding period".
9	Self-explanatory
10	The purpose of columns I, II and III is to show the effect of this reporting period's transactions on cumulative financial status. The amounts entered in column I will normally be the same as those in column III of the previous report *in the same funding period*. If this is the first or only report of the funding period, leave columns I and II blank. If you need to adjust amounts entered on previous reports, footnote the column I entry on this report and attach an explanation.
10a	Enter total gross program outlays. Include disbursements of cash realized as program income if that income will also be shown on lines 10c or 10g. Do not include program income that will be shown on lines 10r or 10s. For reports prepared on a cash basis, outlays are the sum of actual cash disbursements for direct costs for goods and services, the amount of indirect expense charged, the value of in-kind contributions applied, and the amount of cash advances and payments made to subrecipients. For reports prepared on an accrual basis, outlays are the sum of actual cash disbursements for direct charges for goods and services, the amount of indirect expense incurred, the value of in-kind contributions applied, and the net increase or decrease in the amounts owed by the recipient for goods and other property received, for services performed by employees, contractors, subgrantees and other payees, and other amounts becoming owed under programs for which no current services or performances are required such as annuities, insurance claims, and other benefit payments.
10b	Enter any receipts related to outlays reported on the form that are being treated as a reduction of expenditure rather than income, and were not already netted out of the amount shown as outlays on line 10a.
10c	Enter the amount of program income that was used in accordance with the deduction alternative.
Note:	Program income used in accordance with other alternatives is entered in lines q. r, and s. Recipients reporting on a cash basis should enter the amount of cash income received; on an accrual basis, enter the program income earned. Program income may or may not have been included in an application budget and/or a budget on the award document. If actual income is from a different source or is significantly different in amount, attach an explanation or use the remarks section.
10d.	e, f, g, h, i, and j. Self-explanatory.
10k.	Enter the total amount of unliquidated obligations, including unliquidated obligations to subgrantees and contractors. Unliquidated obligations on a cash basis are obligations incurred, but not yet paid. On an accrual basis, they are obligations incurred, but for which an outlay has not yet been recorded. Do not include any amounts on line 10k that have been included on lines 10a and 10j. On the final report, line k must be zero.
10l.	Self-explanatory.
10m.	On the final report, line 10m must also be zero.
10n.	o, p, q, r, s and t. Self-explanatory.
11a.	Self-explanatory.
11b.	Enter the indirect cost rate in effect during the reporting period.
11c.	Enter the amount of the base against which the rate was applied.
11d.	Enter the total amount of indirect costs charged during the report period.
11e.	Enter the Federal share of the amount of 11d.
Note:	If more than one rate was in effect during the period shown in item 8, attach a schedule showing the bases against which the different rates were applied, the respective rates, the calendar periods they were in effect, amounts of indirect expense charged to the project, and the Federal share of indirect expense charged to the project to date.

ORIGINAL

State of North Dakota, Al Jaeger, Secretary of State, February 22, 2006
NARRATIVE REPORT, CALENDAR YEAR 2005
TITLE 1, SECTION 101

The submission of this report concludes North Dakota's requirement to report on Title 1, Section 101 funding as the funds spent during 2005 deplete in full the funding received and interest earned under this title and section.

*[Note: The State of North Dakota is **exempt** from voter registration and provisional voting.]*

(b) USE OF PAYMENT:

(1) IN GENERAL: A State shall use the funds provided under a payment made under this section to carry out one or more of the following activities:

(A) Complying with the requirements under title III.
(B) Improving the administration of elections for Federal office.
(C) Educating voters concerning voting procedures, voting rights, and voting technology.
(D) Training election officials, poll workers, and election volunteers.
(E) Developing the State Plan for requirements payments to be submitted under part 1 of subtitle D of title II.
(F) Improving, acquiring, leasing, modifying, or replacing voting systems and technology and methods for casting and counting votes.
(G) Improving the accessibility and quantity of polling places, including providing physical access for individuals with disabilities, 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.
(H) Establishing toll-free telephone hotlines 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, specific polling place locations, and other relevant information.

(A) Complying with the requirements under title III.

RELATED EXPENDITURES:

Voting System Upgrades..... $2,227,324.87
Voting Information ..... $ 0.00

The requirements of Title III include:

- Equipment that meets voting systems standards;
- Provisional voting; *
- Voting information;
- Statewide voter registration list; *
- Voters who register by mail. *

* In its use of Title I, Section 101 funds for Title III purposes, *North Dakota is exempt from the requirements for voter registration and provisional voting.*

Voting System Upgrades

Under the direction of its State Planning Committee and through research and direct involvement of representatives of the state's disabilities community and local election officials, the State of North Dakota entered into a contract for a new voting system. This voting system provides both second chance voting and independent and private voting for persons with disabilities in every polling place in the state. The contracted vendor is Election Systems and Software, Inc. (ES&S). The following units were delivered and implemented in each of the state's 53 counties during 2004 and 2005:

Model 100 Optical Scanner	588
AutoMARK Ballot Marking Device	586*

**The difference in units implemented is based on per county back-up unit purchase decisions*

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Voting Information
Please see Section (C).

Relationship to State Plan: These goals and implementation processes match and were specifically outlined in the State Plan.

(B) Improving the administration of elections for Federal office.

RELATED EXPENDITURES:

Administrative Expenses	$ 104,835.79
Central Voter File	$ 131.85

Administrative Expenses
Shortly after the 2003 Legislative Assembly adopted the applicable law changes prompted by HAVA, the Secretary of State executed an agreement with the North Dakota Association of Counties (NDACo) to assist in the administration, coordination, and facilitation of the implementation of HAVA in North Dakota.

Under the agreement and with the approval of the Secretary of State, NDACo hired an individual to be the statewide HAVA coordinator. The coordinator works with federal, state, and local officials; the disabilities community; education systems; tribal entities; civic groups; and other individuals and organizations interested in the development and implementation of HAVA compliant election practices in North Dakota.

In addition, NDACo supports the HAVA implementation through its 30 employees located in seven regional offices. It also provides county governments with support for automations (technology); help with workforce safety issues; administers multiple federal grants directly affecting counties (i.e., Juvenile Justice, Homeland Security, Cellular 911, HIPPA, etc.); assists county commissioner boards; and delivers other services requested by counties. Services provided in addition to the HAVA coordinator under the HAVA agreement include but are not limited to support staff, creative staff, technology staff, and business management staff.

The expenditures made to the NDACo cover salaries and overhead (e.g., office space, staff support, supplies, travel, and meeting expenses).

Central Voter File
The 2003 Legislative Assembly adopted legislation authorizing the Secretary of State to create and implement a statewide database known as the Central Voter File (CVF). The CVF is for the accumulation of the poll books from the state's 53 counties into a "super poll book" as a record of individuals *who have* voted. It is not a record of who can vote and is not a pre-qualifier of an elector's eligibility since an elector's name does not need to appear in the poll book before being qualified to vote.

The CVF is an election related administrative tool allowing counties, regardless of technical capabilities, to pre-print poll books for each election, which would contain voter information gathered from previous elections. On election day, the pre-printed poll book increases poll worker efficiency and accuracy while shortening the time a voter must wait for his or her ballot. Post election, it will be used by state and county election officials to identify voter fraud. To set up the CVF, the Secretary of State appointed a statewide committee, which began work on the project in October of 2004. In 2005, the committee created and released a Request for Proposals, for which all responses were subsequently rejected. The committee reassessed its options and during the third and fourth quarters of the year pursued an alternative procurement option. The alternative procurement option was approved by the state's Information Technology Department, Procurement Office, and Office of Management and Budget in late December 2005, and a contract is currently under negotiation. Therefore, only minimal expense for this project was incurred in 2005.

Relationship to State Plan: The committee that created the State Plan and the Secretary of State believe that these contractual arrangements and projects are fundamental to the improvement of election administration and in keeping with the goals of Section 101 in Title I.

(C) Educating voters concerning voting procedures, voting rights, and voting technology.

RELATED EXPENDITURES:

Education Campaigns (ID and Ovals)	$ 1,543.75
Education Videos (General and Elderly)	$ 15,773.60
Education Grants	
United Tribes	$ 71,435.11
Communication Services for the Deaf	$ 19,885.00
ND Center for Persons with Disabilities	$ 50,000.00
KAT Productions	$ 31,975.00
League of Women Voter (Bis/Man)	$ 35,000.00
Miscellaneous Education Outlets	$ 385.18
Voter Outreach Site Presentations	

ORIGINAL

Education Campaigns
In 2004, the Education Committee, appointed by the Secretary of State, decided it was imperative to "get the word out" about the new ID requirements for voters. A statewide campaign was developed featuring outdoor advertising (billboards), radio, and advertisements appearing in every daily and weekly newspaper in the state. Due to the success of that campaign, it was decided to again address the ID requirement through a statewide campaign, but this time focusing on the benefit the requirement provides to the voter. In addition, it was decided to address the need for voters to 'fill in the oval' on their ballots to indicate their choices for ballot contests. Although most of the state's voters have previously used the oval ballot format, this campaign will address a 2005 state law change that updates the counting procedure to reflect the uniform statewide use of the precinct level optical scanner. Preliminary concept work on the campaigns began in late 2005, therefore minimal expense for these campaigns has been incurred.

Education Videos
One of the goals of the Education Committee was to create information about the voting procedure available to the entire population of the state. To reach the maximum number of people with voting procedure information, and after seeing the success of the voter education video produced by United Tribes Technical College under an education grant from the Secretary of State in 2004, it was decided to create a general voter education video. As work began on the development of the script, it was determined there was pertinent information about voting for individual segments of the population that could not be adequately addressed in the general education video due to length constraints. It was determined a video targeting the elder population (i.e. snow birds, temporary nursing home/hospital residents, etc) would also be created by the Education Committee. The script work and preproduction work began in late 2005, reflective of the funding spent on the project in 2005. The videos will be made available statewide in outlets such as county offices, senior centers, public assistance offices, etc. Additionally, all videos will be available on the Secretary of State's website and available for linking from other websites. All videos will include closed-captioning options, and the general education video will also have a version including American Sign Language available for viewing.

Education Grants
To diversify the education efforts and reach as many citizens in as many different venues as possible, in both 2004 and 2005 the Secretary of State made it known that organizations could apply for grants to assist with the education process. Two grant applications were received and approved in 2004, and six applications were received in 2005, with five approved (one organization submitted two proposals and was funded for only one).

A. The United Tribes Technical College (UTTC), which is a multi-tribal higher education facility in Bismarck, North Dakota, and was a 2004 grant recipient, applied for a grant to provide voter education to the state's four tribal sovereign nations and related service areas, and to urban areas with high off-reservation native populations. The Education Committee was concerned that

its mainstream efforts were not adequately addressing native populations in the state. Therefore, in cooperation with the Education Committee, the grants awarded to UTTC in both 2004 and 2005 are invaluable, as UTTC has become the umbrella facilitator for four other tribal colleges to provide voter education in the target areas. The 2004 effort included door-to-door voter education, distribution of materials, creation of a native voter video (used in North Dakota and also in South Dakota and Montana), announcements on tribal radio, print advertisements in tribal publications, and in conducting voter education forums. The application for 2005 included many of the same objectives, but includes a much more aggressive schedule and includes both the June and November elections.

B. Communication Services for the Deaf (CSD) provides multiple daily functional and educational services to persons who are deaf or hard of hearing. CSD serves deaf and hard of hearing citizens in North and South Dakota. The deaf and hard of hearing community is often overlooked in the development of alternative format materials, as their primary forms of communication are hands-on and visual, including the use of American Sign Language (ASL). The application from CSD included development of alternative format voter education materials, and small group and one-on-one voter education services throughout North Dakota for both the June and November elections. Materials created under this grant would be used as the foundation for future efforts to educate the deaf and hard of hearing community on the voting procedure and their voting rights.

C. The North Dakota Center for Persons with Disabilities (NDCPD) is a Center for Excellence in the North Dakota University System, and is housed on the campus of Minot State University. NDCPD provides assistance for persons with disabilities across the state and has much experience in developing and implementing a statewide education program. The application from NDCPD included the development of multiple alternate formats for voter education materials targeting persons with cognitive, physical, and developmental disabilities. In addition, the staff from NDCPD will provide small group education opportunities statewide including hands-on education opportunities with the AutoMARK accessible voting device, which will be used statewide in every polling location starting with the June 2006 election.

D. KAT Productions is a private marketing and video production company in Bismarck, North Dakota. KAT Productions has been contracted for the production of the General and Elderly Voter Education video projects for the North Dakota HAVA Education Committee. KAT Productions submitted an application to produce a video to train poll workers how to assist persons with disabilities in the polling site. Because this is an area needing substantial educational assistance, the application was approved. The video will be used in all 53 counties' poll worker training programs and will be made available to the general public via the Secretary of State's website and through links provided on other websites.

E. The League of Women Voters of Bismarck/Mandan (LWV-BM) submitted an application to produce and distribute a voter education video directed at young and first time voters. The video will be distributed to high schools, colleges and youth organizations statewide, including classroom materials and packaging targeting the younger voter's interest. The video is being produced by KAT Productions and will (inadvertently) complete a consistent four-video library created by the funding provided by the Help America Vote Act. The LWV-BM video, like all other videos, will be made available on the Secretary of State's website and through links provided on other websites.

Miscellaneous Education Outlets

In addition to the efforts of the Education Committee and grantees, the state's HAVA coordinator, county election officials, and the Secretary of State continues to make voter education presentations throughout the state (county expenses were not reimbursed with HAVA funds). The venues to date have included high school classes, Studio One (public news program), and civic groups (Lions, Rotaries, Kiwanis, student governments, quilting guilds, car clubs, etc). In 2005, presentations were made at county commission meetings and public hearings, and hands-on education opportunities with the AutoMARK were provided at locations across the state.

During the 2005 Legislative Session and prior to the signing of the contract amendment providing the AutoMARK as the accessible voting option for the state's citizens, the AutoMARK was taken to population

centers across North Dakota and publicly tested at locations where a high concentration of persons with disabilities would have access to the device. Included in the tour were the Listen Center and School for the Blind in Grand Forks, the Horizon Center in Fargo, and the State Capitol in Bismarck. This tour was designed to ensure the disability population of the state was in favor of the revised purchase decision and to provide the opportunity for the state's lawmakers to experience and understand the new technology being deployed statewide to answer the requirements of HAVA and improve the accessibility of elections in North Dakota. Response to the trails was overwhelmingly positive and the state and county officials providing the trial learned important lessons about the necessary methods for both educating and assisting persons with disabilities when voting.

Relationship to State Plan: All the above efforts were consistent with the State Plan, which suggests multiple, but non-limiting, options for voter education which included cooperative work with youth, persons with disabilities, tribal entities, and providing public demonstrations as potential venues for voter education efforts.

(D) Training election officials, poll workers, and election volunteers.

RELATED EXPENDITURES:
Election official training.....$ 37,764.94

Election official training
To ensure state and county election officials have a full understanding of HAVA requirements and the effects the subsequent changes will continue have on elections and election administration practices throughout the state, state and local officials attended and participated in a number of national conferences and meetings. State and county officials, including lawmakers, attended summits and meetings in Austin, TX, Philadelphia, PA, San Diego, CA, Washington, DC, Omaha, NE, Los Angeles, CA, and Rapid City, SD; and observed elections in Larimer County, CO and Sacramento, CA.

Relationship to State Plan: The State Plan suggests multiple, but non-limiting, options for election official and poll worker training.

(E) Developing State Plan for requirement payments under part 1 of subtitle D of title III.

RELATED EXPENDITURES:
Miscellaneous Expenses.....$ 0.00

Miscellaneous Expenses
Following submission in 2003 of the State Plan as required by HAVA, several minor adjustments to the initial planned budget and planned implementation of new voting equipment were made for 2004. No changes were made to the State Plan in 2005.

(F) Improving, acquiring, leasing, modifying, or replacing voting systems and technology and methods for casting and counting votes.

RELATED EXPENDITURES:
None.....$ 0.00

Please see Section (A).

(G) 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.

RELATED EXPENDITURES:
None .....$ 0.00

Many improvements for accessibility have been made and are continuing to be made to elections in North Dakota. Most of the efforts related to polling site improvements are reported and happening under Title II, section 261. However, through the Education Committee (see Section C), the state has also partnered with over 60 organizations and groups to provide election related information in their meetings and newsletters. The State Library's Radio Reading Service also recorded election related information and made it available (on tape and via telephone) to those persons who use their services.

Throughout the HAVA process, the Secretary of State and County Election officials have collaborated with the North Dakota Protection and Advocacy Project, North Dakota Advocacy Consortium, Centers for Independent Living, the North Dakota Association for the Blind, and other advocacy groups. Through these groups and others, information has been made available and distributed about elections, voter's rights, the grievance procedure, numbers to call for assistance, concern or complaint; and ID requirements. The North Dakota Protection and Advocacy Project will, in all of its eight regional offices, provide hands-on voter education opportunities with the AutoMARK to all persons.

Relationship with State Plan: The State Plan specifically identifies accessibility improvement as a performance goal and the making of voting information available in alternative formats as key to successfully improving access to elections.

(H) Establishing toll-free telephone hotlines 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, specific polling place locations, and other relevant information.

RELATED EXPENDITURES:
None .....$ 0.00

The Secretary of State's office already had a toll-free telephone number available to voters to call for any question, concern, or complaint they may have. Additionally, the number was posted conspicuously in every polling place and is available from each one of the state's 53 County Auditors and the North Dakota Protection and Advocacy Project's eight regional offices located throughout the state.

Relationship to State Plan: This requirement was not addressed in the State Plan as the State Planning Committee felt it had already been addressed through the existing structure.