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

March 27, 2007

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 2006 federal fiscal year, is the narrative and financial report for the State of North Dakota regarding our expenditure of funds received under Title II, Section 251, of the Help America Vote Act of 2002.

I am pleased and proud of the progress that North Dakota has made in implementing HAVA. In particular, the state has had an excellent working relationship and considerable participation from our counties, organizations representing special needs, the Governor and Legislature, individuals, and many others. It has been very gratifying.

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)

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	**HAVA Section 251 Requirements Payment**	**0348-0039**	**3 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	**G1894**	Yes _X_ 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)
7/16/04	**Undetermined**	**October 1, 2005**	**September 30, 2006**

10. Transactions:	I Previously Reported	II This Period	III Cumulative
a. Total outlays	0.00	3,300,037.95	**3,300,037.95**
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)	0.00	3,300,037.95	**3,300,037.95**
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)	0.00	3,300,037.95	**3,300,037.95**
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)	0.00	3,300,037.95	**3,300,037.95**
o. Total Federal funds authorized for this funding period	11,692,166.68	446,603.32	**12,138,770.00**
p. Unobligated balance of Federal funds (Line o minus line n)	0.00	0.00	**8,838,732.05**
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*

Line 10 o includes $446,603.32 earned in interest during the federal fiscal year ending on September 30, 2006.

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
	March 21, 2007

State of North Dakota, Al Jaeger, Secretary of State, March 27, 2007
NARRATIVE REPORT, FEDERAL FISCAL YEAR 2006
TITLE 2, SECTION 251

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

(b) USE OF FUNDS.-

(1) IN GENERAL.- Except as provided in paragraph (2), a State receiving a requirements payment shall use the payment only to meet the requirements of Title III.

(2) OTHER ACTIVITIES.- A State may use a requirements payment to carry out other activities to improve the administration of elections for Federal office if the State certifies to the Commission that -

(A) The State has implemented the requirements of Title III; or

(B) The amount expended with respect to such other activities does not exceed an amount equal to the minimum payment amount applicable to the State under section 252(c).

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 II, Section 251 funds for Title III purposes, *North Dakota is exempt from the requirements for voter registration and provisional voting.*

(A) Complying with the requirements under title III.

RELATED EXPENDITURES:

Voting System Upgrades $2,831,602.17

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 II, Section 251 funds for Title III purposes, *North Dakota is exempt from the requirements for voter registration and provisional voting.*

Voting System Upgrades

Through research and direct involvement of representatives of the state's disabilities community and local election officials, the State of North Dakota continues to make improvements to its uniform statewide voting system. The voting system, which was contracted for and paid in part by Title I funds during FY2005, provides both second chance voting and independent and private voting for persons with disabilities in every polling place in the state. The state's voting system vendor is Election Systems and Software (ES&S). During the 2006 fiscal year, $ 2,645,499.02 was expended to cover the final installment of the purchase of the voting system after the implementation and training on the system was complete.

Also during FY2006, the state purchased and provided omni-drives for the purpose of efficient and accurate vote tabulation results uploads in each county office. To help ensure secure and functional storage/transportation of the voting systems, the state cost-shared the purchase of secured mobile storage/transportation racks, which was an optional purchase for counties.

Finally, the state purchased and distributed accessible hand-held styluses for all of the counties' voting systems to enhance the independence of voters with disabilities.

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

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

RELATED EXPENDITURES:

Administrative Expenses ..... $ 98,489.13
Central Voter File ..... $ 92,485.92

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 in state statute 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. An 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 for a customized off-the-shelf database program was signed in June of 2006. The program vendor is Election Systems & Software (ES&S).

The state's counties are implementing the database, which is known within the state as the Election Administration System (EAS), in a phased approach. A pilot county used the system for the state's Primary Election in June of 2006, with an additional 11 counties piloting the system for the General Election in November of 2006. Based on their experiences with the system, customizations will be made and the remaining 41 counties within the state will begin their implementation of the system in January 2007.

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: .....$ 242,367.44

Education Campaigns
The Education Committee, appointed by the Secretary of State, decided to address the state's ID requirement, a 2003 state law change, through a statewide campaign focusing on the benefits of the requirement to the voter. In addition, it was decided to address the requirement for voters to 'fill in the oval' on their ballots to indicate their choices for ballot contests. Although most of the state's voters had previously used the oval ballot format, this campaign addressed a 2005 state law change which updated the counting procedure to reflect the uniform statewide use of the precinct level optical scanner. The 'dual purpose' campaign was run statewide in print and on television and radio.

Informal evaluations of the campaign's success show voters provided ID without question or complaint (no report of complaint has been provided to the state by the counties). Additionally, based on the results of many statutorily required recounts across the state, no evidence of ballot choices indicated by anything other than a darkened oval was found. Overall, the education campaign is considered very successful by the state.

Education Videos

One of the goals of the Education Committee was to create information about the voting procedure options 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 videos, including two corresponding videos produced through the education grant program described below, were distributed statewide to outlets such as county offices, senior centers, public assistance offices, etc. Additionally, all videos are available on the Secretary of State's website and are available for linking from other websites. The videos were played repeatedly on community access cable stations in the major urban areas of the state prior to the 2006 General Election. All videos include closed-captioning options, and the general education video is also available in a version featuring American Sign Language.

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). Although the funding for this program was reported in the 2005 narrative, the education grant program is fundamental to the education efforts of the state and is therefore recounted in the 2006 report as well.

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 and 2005 efforts included aggressive 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 prior to both the Primary and General Elections. Additionally, UTTC was one of the 19 grant recipients of the Election Assistance Commission's College Poll Worker Grant Program; the only college serving primarily native students to receive a grant.

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). CSD developed and provided 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 will be used as the foundation for future efforts to educate the deaf and hard of hearing community in North Dakota and surrounding states 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 voter education program 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 provided small group education opportunities statewide including hands-on education opportunities with the AutoMARK accessible voting device, which was used statewide for the first time 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 was 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 on how to assist persons with disabilities in the polling site. Because this is an area requiring substantial educational assistance, the application was approved. The video has been used in all 53 counties' poll worker training programs and was made available to the general public via community access cable programming, the Secretary of State's website, and through links provided on other websites.

E. The League of Women Voters of Bismarck/Mandan (LWV-BM) produced and distributed statewide a voter education video directed at young and first time voters. The video was distributed to high schools, colleges and youth organizations, and included classroom materials and packaging targeted at attracting the younger voters' interest. The video was produced by KAT Productions and (inadvertently) completed a consistent four-video library created by the funding provided by the Help America Vote Act. The LWV-BM video, like all other videos, was played on community access cable programming and is 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 continue 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, college classes, and civic groups (Lions, Rotaries, Kiwanis, student governments, quilting guilds, car clubs, etc). In 2006, presentations were made at county commission meetings and public hearings, and through cooperative efforts with the state's Protection & Advocacy Project, hands-on education opportunities with the AutoMARK were provided at many locations and events across the state.

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 ..... $ 35,093.29

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

trainings, conferences and meetings. The information gathered was shared with all election officials and helped prepare the state and county for the challenges they would face in the first election cycle post-implementation of HAVA.

Additional poll worker materials were created and distributed to the counties for use in the polling site, which included a full color, pictorial flip-book of how to set-up and take-down the voting systems used in every polling site. These flip-books, in combination with the polling site posters and required training which included the education videos created by the state, helped prepare the states poll workers to apply changes in the state's election laws and conduct successful elections in 2006.

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 2006.

(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.

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. During 2006, the North Dakota Protection and Advocacy Project provided hands-on voter education opportunities with the AutoMARK in all of its eight regional offices and at many regional events throughout the state (i.e. county fairs, senior center programs, community celebrations, etc). Additionally, the state's Interagency Program Assistive Technology (IPAT) offices provided the same hands-on voter education opportunities with the AutoMARK to their clients.

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.