ORIGINAL

FINANCIAL STATUS REPORT

(Short Form)

(Follow instructions on the back)

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	of
GENERAL SERVICES ADMIN	HELP AMERICA VOTE ACT	0348-0038	1	1 pages

3. Recipient Organization (Name and complete address, including ZIP code)

STATE OF DELAWARE; COMMISSIONER OF ELECTIONS; 111 S WEST ST SUITE 10; DOVER, DE 19904

4. Employer Identification Number	5. Recipient Account Number or Identifying Number	6. Final Report	7. Basis
[redacted]	[redacted]	☐ Yes ☑ No	☐ 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)
5/9/2003	TILL EXPENDED	1/1/2004	12/31/2004

10. Transactions:	I Previously Reported	II This Period	III Cumulative
a. Total outlays	10,993.53	1,074,318.61	1,085,312.14
b. Recipient share of outlays			0.00
c. Federal share of outlays	10,993.52	1,074,318.61	1,085,312.13
d. Total unliquidated obligations			100,000.00
e. Recipient share of unliquidated obligations			
f. Federal share of unliquidated obligations			100,000.00
g. Total Federal share *(Sum of lines c and f)*			1,185,312.13
h. Total Federal funds authorized for this funding period			5,000,000.00
i. Unobligated balance of Federal funds *(Line h minus line g)*			3,814,687.87

11. Indirect Expense	a. Type of Rate *(Place "X" in appropriate box)* ☑ Provisional ☐ Predetermined ☐ Final ☐ Fixed			
	b. Rate	c. Base	d. Total Amount	e. Federal Share
	0	0	0.00	0.00

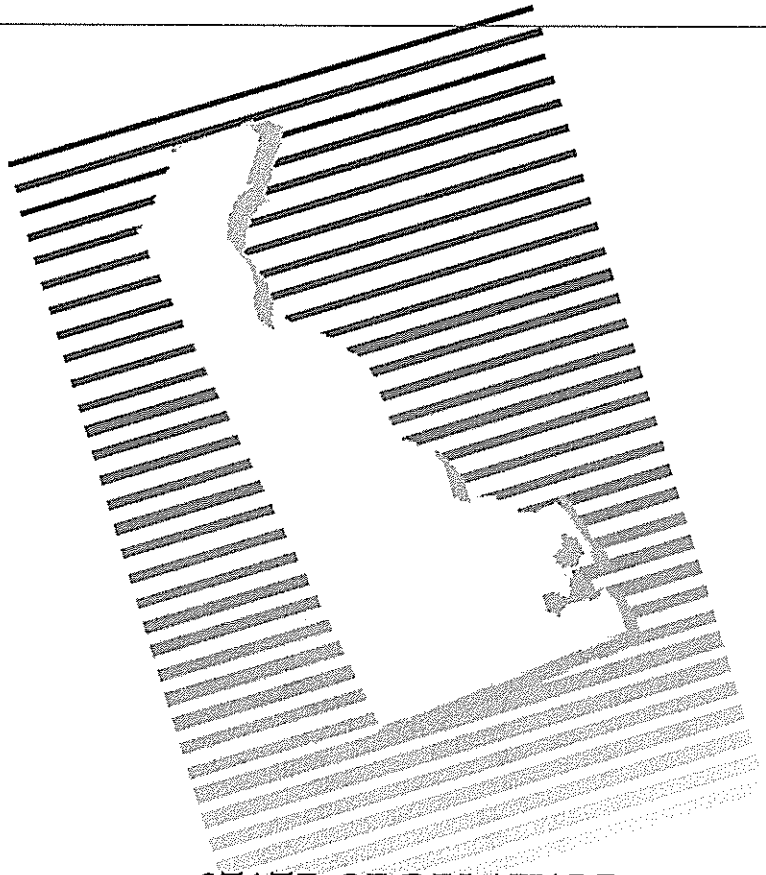
12. *Remarks: Attach any explanations deemed necessary or information required by Federal sponsoring agency in compliance with governing legislation.*

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)
VIRGINIA E LANE; SUPPORT SERVICES ADMINISTRATOR	1-302-739-4277
Signature of Authorized Certifying Official	Date Report Submitted
	February 25, 2005

HELP AMERICA VOTE ACT

2004 EAC ANNUAL REPORT ON THE DELAWARE STATE PLAN



STATE OF DELAWARE
DEPARTMENT OF ELECTIONS
OFFICE OF THE COMMISSIONER

COMMISSIONER OF ELECTIONS, 111 S. WEST STREET, SUITE 10, DOVER DE 19904

PROGRESS REPORT ON THE DELAWARE STATE PLAN FOR THE

HELP AMERICA VOTE ACT

SECTION 102 AND 251

INTRODUCTION

In Delaware's State Plan for the Help America Vote Act, the question was how to meet the requirements by the dates listed in HAVA with the funding that we have received for Title I, Election Administrative Improvement Payments. The plan outlines the course of action we expected to take as we collected more decision making information during the compliance process The amount of future funding we would receive and the options we had in providing accessible voting machines is contingent on the funding levels and voting equipment that is certified.

With more information about our voting machine options and the ability of the state to make the required changes by the required dates, we selected elements of the requirements that had to be implemented first. Since Title I monies were all the funding we had at that time, we proceeded to make the necessary changes to the Delaware voting system anticipating that Title II funding would arrive before the deadline for implementation of the more expensive voting machines and polling place accessibility actions. Whenever possible, we incorporated requirements changes into our standard programs and operating systems. Elections for federal office occur every two years. Operating a dual system was not feasible.

The State implemented the changes to the State's election structure for the 2004 elections using Title I funds. Pending enhancements to the State's voting machines along with enhancements to the State's voting system; Delaware should be in full compliance with HAVA by January 1, 2006.

Delaware's Election community is pleased with the choices and progress we have made. We are a small agency in state government so many staff persons and community members worked many additional hours. We have also made agreements with other State Agencies to assist us in making the requirements changes and additions.

ACCOMPLISHMENTS

MAJOR MILE STONES BEFORE 2000

1. **Replacement of Lever or Punch Card Voting Systems**

   Delaware implemented the Danaher Controls *ELECTronic 1242* Direct Recording Electronic Voting System statewide in 1996. These machines are currently used in all elections conducted by or by supported by the Departments of Elections.

2. **Computerized Voter Registration List**

   Delaware established a statewide voter registration system in 1990 by combining lists maintained by the Commissioner of Elections and the Departments of Elections in each county. The State's Election Management System, not only meets HAVA requirements, but supports a variety of elections services. The system is maintained by the Commissioner of Elections at the state level with the Departments of Elections in each county continually adding to and updating voter registration data.

MAJOR MILESTONES AFTER 2002

1. **Provisional Voting and Informational Requirements**

   Additions and changes to the established statewide voter registration file and standard computer assisted systems have standardized portions of the provisional balloting information system. The management of the provisional voting process implemented in the 2004 Presidential Primary mirrors the existing absentee ballot process. It is also a natural extension of the fail safe voting program. A single poster that meets the Title III polling place voter information requirements was also placed in each polling place throughout the state.

2. **Voters Who register by Mail**

   The State can electronically track voters who register by mail for the first-time and identify those persons who must show identification before being permitted to vote.

3. **Voter Registration Application**

   The application was amended to reflect the requirements of 303(b).

4. **Informational Systems**

   The communication of information to citizens has been dramatically changed to include a web based delivery system addressing all aspects of elections information and educational messages, automated phone systems and a variety of printed materials. Full implementation is scheduled for December of 2005.

5. **Polling Place Accessibility**

The State has contracted with Gray Smith to survey polling places that are not public buildings and to assess other suitable locations that can serve as polling places. The Commissioner of Elections, using a State grant, upgraded several polling places before and after the 2000 General Election. In an effort to bring more private structures into the polling place operation, the State is extending an agreement to make structural changes to buildings in exchange for the use of the building as a polling place until the next reapportionment.

TITLE III- ELECTION ADMINISTRATION REQUIREMENTS

VOTING SYSTEM STANDARDS

- **Ballot Verification**

The Danaher ELECT*ronic* 1242 voting machine prevents over votes or under votes by notifying the voter. A voter may select the number of candidates allowed for an office and may also choose to disregard the notice and not vote for any candidates for an office. The choices made by the voter may be changed at any time before the vote button is pushed recording the selected votes.

The requirement was met in 2003.

- **Permanent Records**

The Danaher *ELECTronic 1242* provides a permanent paper record.

The requirement was met before 2000.

- **Accessible Voting**

The voting machine is partially accessible for persons with mobility disabilities. Installation of audio modules is expected by the summer of 2005 giving Delaware a 100% inventory of accessible machines.

The requirement will be met by January 1, 2006

- **Federal Language Requirements**

The State is not required to meet the language requirement at this time.

- **Error Rates**

The error rate of the Danaher, ELECT*ronic* 1242 in counting ballots meets or exceeds the error rate standards established under section 3.2.1 of the 2002 Voluntary Voting System Standards.

The requirement was met in 2003.

- **Definitions of What Constitutes a Vote**

The Delaware Code, Title 15, Section 4972 defines a legal vote for the State's voting system.

- **Educational Programs**

The Commissioner's Office has a full time Educator/Trainer who develops programs and conducts training programs throughout the state. Information is also provided through printed materials. An Absentee Voting in Delaware Web Site provides more information on this topic and is revised periodically. The voting machines are demonstrated widely throughout the state for educational and training purposes, as well as, to generate familiarity with the voting process. Information is also provided through printed materials.

PROVISIONAL VOTING

Delaware implemented Provisional Voting in 2004 to include uniform and non-discriminatory standards for casting and counting Provisional Ballots. The management of the Provisional Ballot System mirrors the system used to manage Absentee Ballots maintaining the security and confidentiality of voting.

Persons who vote by Provisional Ballot may check the status of their provisional vote via a free access telephone line or a web based look-up system. Information about provisional voting is used in training poll workers, election workers and the public. Printed materials and web based information is available.

VOTING INFORMATION

The Departments of Election in each county place the following voting information in each polling place through out the state.:

- a sample version of the ballot that will be used for that election;
- information regarding the date of the election and the hours during which polling places will be open;
- instructions on how to vote, including how to cast a vote and how to cast a Provisional Ballot;
- instructions for mail-in registrants and first-time voters under section 303(b);
- general information on voting rights under applicable Federal and State laws, including information on the right of an individual to cast a Provisional Ballot and instructions on how to contact the appropriate officials if these rights are alleged to have been violated; and general information on Federal and State laws regarding prohibitions on acts of fraud and misrepresentation;
- other voting information is available from the State Commissioner of Elections.

VOTING AFTER THE POLLS CLOSE

Delaware enacted legislation requiring persons to vote by Provisional Ballot when a court orders the polls to remain open past the normal closing time. A process is in place to manage voting after the polls close. Information about provisional voting is displayed in each polling place and on the state Department of Elections web site and in printed materials.

This requirement was met in 2004.

COMPUTERIZED VOTER REGISTRATION LIST

The State Commissioner of Elections administers in a uniform and nondiscriminatory manner, a single, uniform, official, centralized, interactive, computerized, statewide voter registration list defined, maintained, and administered at the State level since 1990 that:

- serves as the single system for storing and managing the official list of registered voters throughout the State;
- contains the name and registration information of every legally registered voter in the State;
- has a unique identifier assigned to each legally registered voter in the State;
- is coordinated with other agency databases within the State, such as, the Division of Motor Vehicles, and the Delaware Legislative Justice System (DELJIS);
- allows Election Officials in the state to have immediate electronic access to the computerized database;
- allows voter registration information to be electronically entered into the voter registration database on an expedited basis.

An agreement with the Commissioner of Social Security and the official responsible for the State Motor Vehicle authority has been waived until 2006.

VOTERS WHO REGISTER BY MAIL

- **Mail Registration Identification**

Delaware requires the individual who registers to vote by mail, who has not previously voted in an election for Federal office in the State, and who votes in person, to present a current and valid photo identification or a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the voter. For a voter who votes by mail, the same documentation is required.

An individual who desires to vote in person or by mail, but who does not meet the identification requirements may cast a Provisional Ballot.

This requirement was met in 2000.

- **Voter Registration Application**

The mail voter registration application has been changed to include the following:

- A statement, "Are you a citizen of the United States of America?" and boxes for the applicant to check to indicate whether the applicant is or is not a citizen of the United States. The statement, "If you checked 'no' in response to the question, do not complete this application.";

- A statement informing the individual, that if the application is submitted by mail and the individual is registering for the first-time, the appropriate identification required under this section must be submitted with the mail-in registration application in order to avoid the additional identification requirements upon voting either in person or by mail for the first time.

COMPLIANCE OBJECTIVES

- **Accessibility Module Addition to Voting Systems**

990 voting machines in the state will be retrofitted with audio modules to allow persons with visual disabilities to vote with other voters in privacy as other voters. The Department intends to purchase an additional 500 machines with the audio module components preinstalled in 2005. The Commissioner has entered into intent to purchase agreement with Danaher, the current machine vendor, to purchase the machines and the audio modules providing that the modules are certified by the EAC. Additional machines are also needed to reduce waiting in line and to mitigate the time it takes to vote using the audio module. When completed our fleet of voting machines will meet all the requirements.

- **Polling Place Accessibility**

Polling place accessibility has been an ongoing organized process since 1988. Minor changes have been made as a result of Legislative funding and the requirement that public buildings be accessible. The search for potential polling sites is continuous.

The Commissioner of Elections has hired a contractor to survey all nonpublic building polling places and produce a report. The survey report will determine how to make each polling place fully accessible. The State will offer owners of property currently used as polling places the opportunity to receive major capitol improvements upon the agreement that the property will be used as a polling place until the next reapportionment.

- **Social Security Agreement**

The Department is waiting for the Social Security Administration and the Delaware Department of Motor Vehicles to reach an agreement concerning the required data check on a person's SSN through the Department of Motor Vehicles. The Commissioner of Elections has obtained a waiver until 2006.

TITLE I EXPENDITURE BUDGET

1. COMPLYING WITH THE REQUIREMENTS OF TITLE III

   - VOTING SYSTEMS STANDARDS 185,990.00

     - Purchase 37 Danaher ELECT*ronic* 1242 for training and additional polling place coverage. These machines will receive the audio module retrofit making them compliant. This is a partial number of the total machines that needs to be ordered as described on pages 5, 6, 14 and 15 of the State Plan. *(See item number 6)*

     - Changes to the voting system and training materials for poll workers.. 13,933.26

     - Delaware will upgrade the current voting system when the audio modules have been certified. *(Page 5 of the State Plan)*

   - PROVISIONAL VOTING AND VOTING INFORMATION REQUIREMENTS.. 303,277.41

     - Materials and information in the form of newspaper advertising, brochures explaining Provisional Voting, as well as, informational systems for ballot look-up via the web and a toll free phone system. *(See State Plan page 7)*

   - COMPUTERIZED STATEWIDE VOTER REGISTRATION LIST REQUIREMENTS AND REQUIREMENTS FOR VOTERS WHO REGISTER BY MAIL.. 226,117.29

     - The statewide voter database has been updated to include Provisional Voting functionality, Absentee Ballot tracking and look-up field changes to contain new required information and reports; redesigned registration applications and new training for agency based registrars.

2. **Improving the administration of elections for federal office ... ...** 251,986.59

     - Revised voter registration applications, materials, services, salaries, and programming.

3. **Educating voters concerning voting procedures, voting rights, and voting technology ... ...** 33,421.23

     - Educational programs, printed materials, web based information, public demonstrations of voting machine

4. **Training election officials, poll workers, and election volunteers....................** 35,073.35

     - Poll worker training guide, local training class materials

5. **Developing the State plan for requirements payments** 2,400.00

   - Consultant Services

6. **Improving, acquiring, leasing modifying, or replacing voting systems and technology methods for casting and counting votes.** 185,990.00

   - Purchase 37 Danaher ELECT*ronic* 1242 for training, additional polling place coverage. These machines will receive the audio module retrofit making them compliant. This is a partial number of the total machines that needs to be ordered as described on pages 14 and 15 of the state plan.

7. **Improving , acquiring, leasing modifying, or replacing voting systems and technology methods for casting and counting votes.** 3,000.00

   - Partial payment to a contractor to survey Delaware polling places and present a report.

8. **Establishing toll-free telephone hotlines that voters may use to report possible fraud and voting rights violations, to obtain general election information, and to access detailed automated information on their own voter registration status, specifying polling place locations, and other relevant information.** 30,113.00

   - This function was integrated into the Statewide Voter File.

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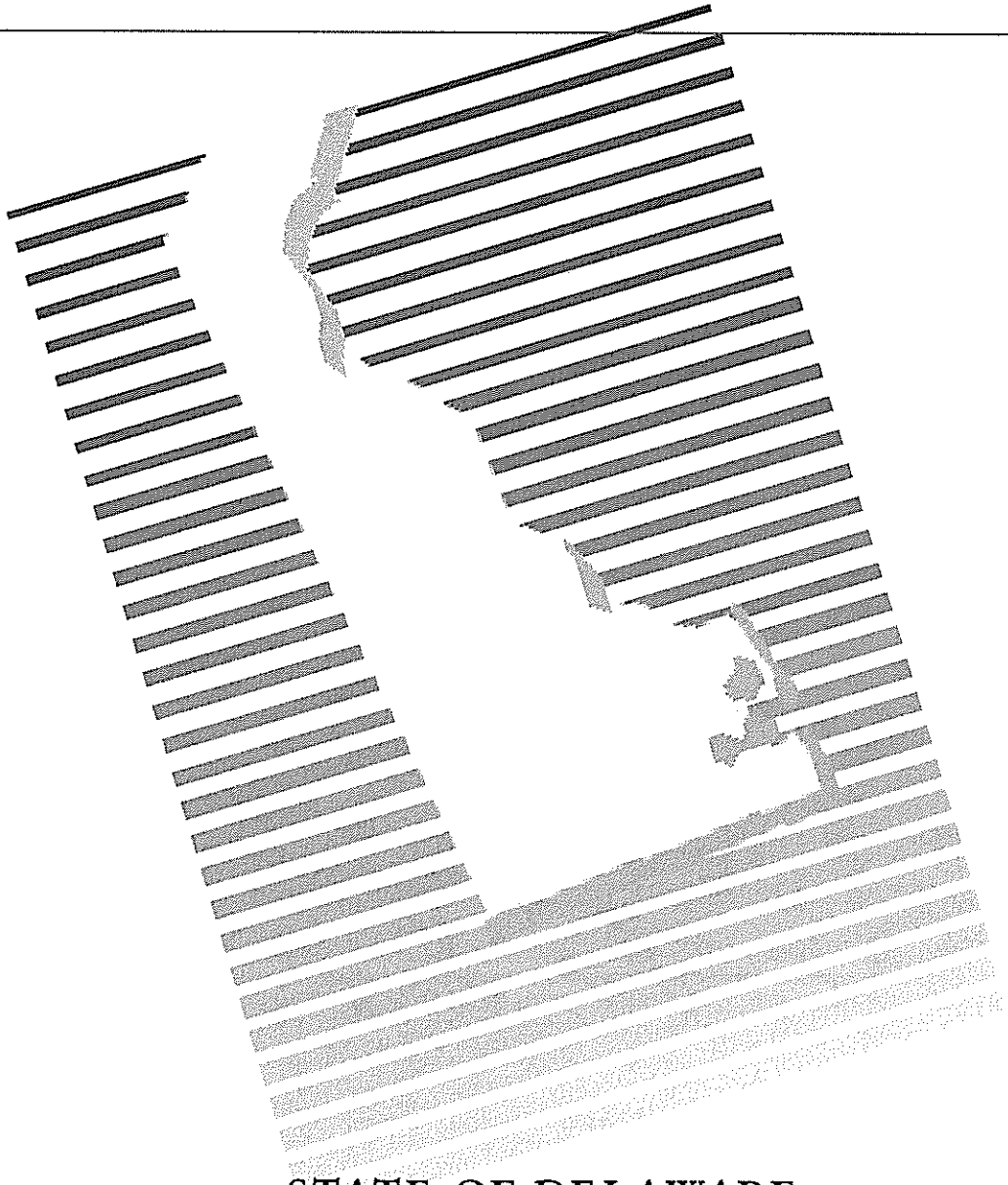
TOTAL 1,085,312.13

HELP AMERICA VOTE ACT

2004 EAC ANNUAL REPORT ON THE DELAWARE STATE PLAN



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COMMISSIONER OF ELECTIONS, STATE OF DELAWARE, 111 S. WEST STREET, SUITE 10, DOVER DE 19904

PROGRESS REPORT ON THE DELAWARE STATE PLAN FOR

THE HELP AMERICA VOTE ACT

SECTION 102

INTRODUCTION

Delaware's was not eligible for funding under Title I, Section 102, Replacement of Punch Card and Lever Systems. Lever machines were replaced prior to the 2000 election with Danaher ELECTronic 1242 voting machines with a full face ballot. Instead, Delaware applied for the reimbursement program for states that had replaced lever and punch card systems before the year 2000. The state received the minimum payment of 1,600,000.00 million dollars.