

Help America Vote Act of 2002



Virginia State Plan

– July 2003 –

Adopted by the
Virginia State Board of Elections
7/31/2003

Amended July, 2006

Deleted: August
Deleted: 22, 2005



COMMONWEALTH of VIRGINIA
STATE BOARD OF ELECTIONS

Michael G. Brown
Chairman

Jean R. Jensen
Secretary

Barbara Hildenbrand
Vice Chairman

Deputy Secretary

June 2, 2003

Dear Virginia Voters:

The Help America Vote Act of 2002 (HAVA) gives us a unique and historic opportunity to improve the election process in the Commonwealth. While Virginia has led the nation in implementing election reform initiatives over the years, there is much to be done to fully enfranchise our citizenry.

The federal financial support authorized by HAVA will allow us to create an improved statewide voter registration system, replace antiquated voting equipment, improve polling place accessibility for individuals with disabilities, enhance the training of poll workers and election officials, give our military and other overseas Virginia residents improved opportunities to vote, and supply voters with information about voting procedures, voting rights and voting technology.

We appreciate the gift of time and energy granted to this effort by the members of the Virginia HAVA Advisory Committee, established in January 2003. This group, individuals who represent the diverse constituencies that have a vested interest in having the best system of elections in the country, were instrumental in helping us develop the framework for our reform efforts and compliance with HAVA.

The Virginia State Plan will be a living document that we will update as we reach goals and fine-tune to incorporate new ideas.

Governor Warner and the members of the General Assembly have enthusiastically endorsed Virginia's participation in implementing the Help America Vote Act. With their support and the support of the voters of Virginia, I am confident that we can initiate reforms that will improve the election process for generations to come.

Sincerely,

Jean R. Jensen
Secretary, State Board of Elections

 1 **Table of Contents**

2	Introduction	4
3	Voting Systems	4
4	Polling Place Accessibility	5
5	Provisional Voting	5
6	Voting Information	5
7	Voter Registration List	6
8	Registration by Mail and Voter ID	6
9	Training and Voter Education	7
10	Elements of the State Plan	8
11	1. How Virginia will use the Requirements Payments	8
12	§301(a), Voting Systems Standards Requirements	8
13	§302, Provisional Voting and Voting Information Requirements	8
14	Provisional Voting	8
15	Voting Information	9
16	§303, Computerized Statewide Voter Registration List Requirements and Requirements	
17	for Voters Who Register by Mail	9
18	Computerized Statewide Voter Registration List	9
19	Voters who Register by Mail	10
20	§304, Minimum Requirements	11
21	2. How Virginia will distribute and monitor Requirements Payments	12
22	3. Education and Training	13
23	Training for Election Officials and Officers of Election	13
24	Voter Education	13
25	4. Voting System Guidelines and Processes	14
26	5. Election Fund	15
27	6. Budget for Title III Requirements	16
28	7. Maintenance of Effort	18
29	8. Performance Goals and Measures for Virginia and localities	19
30	Performance Goals	19
31	Performance Measures	19
32	9. Complaint Procedures	20
33	10. Use of Title I Funds	21
34	11. Management of State Plan	22
35	12. Changes from the Previous Year's Plan	23
36	13. The HAVA Advisory Committee and its Procedures.	26

1 Introduction

2 The State of Elections in Virginia

3 Virginia is fortunate in that some of the requirements of HAVA are already in place and only minor
4 adjustments are necessary to bring those elements into full compliance with the mandates of the Act. The
5 State has had provisional (called “conditional” in Virginia) voting, identification requirements and a
6 voting equipment certification process in place for many years. The State Board of Elections (SBE) has
7 made special efforts to address deficiencies in the accessibility of Virginia’s 2277 polling places.

8 In other areas, Virginia still has a lot of work to do. The State has had a single statewide voter registration
9 list, but the system is 30 years old and requires replacing, as it does not comply with many of the
10 requirements of HAVA. While the State certifies voting equipment, over 62% of our precincts used punch
11 card or lever machines in November 2000. While the State has made it easier for persons with disabilities
12 to vote (e.g., curb side voting), not all persons with disabilities are able to vote in a private and
13 independent manner.

14 The following sections discuss the State of Elections in Virginia and provide snapshots of the State’s
15 status on meeting HAVA requirements.

16 Voting Systems

17 The Code of Virginia (hereinafter referred to as “Code”) requires that the SBE certify any mechanical or
18 electronic voting system or equipment before any locality may purchase (or lease) the system or
19 equipment (Code §24.2-625 et seq.). The certification procedure adopted by the three-member Board
20 (hereinafter referred to as “the Board”) first requires certification by an Independent Testing Authority
21 (ITA) and then Virginia-specific hardware and software testing, financial certification and field-testing.
22 Virginia retains a consultant well versed in the technology and issues surrounding the implementation of
23 new voting technology; the consultant conducts the hardware and software tests and makes
24 recommendations. The Virginia Department of Accounts reviews all financial documents.

25 Each of Virginia’s 134 localities purchases (from the list of certified equipment) and maintains its own
26 voting equipment. In early 2002, the Board certified its first two Direct Recording Electronic (DRE)
27 voting systems, both of which are adaptable for non-visual use. Virginia has now certified seven different
28 DREs from five different vendors. The State will conduct certification testing for another five vendors
29 during the summer of 2003.

30 There are five categories of equipment in use in Virginia: paper, optical scan, mechanical lever, punch
31 card, and DRE (either touch screen or button). These categories are in use as follows:

Type	# of Precincts	# of Central Absentee Precincts	Units	Tabulators/Booths
Paper	28	24	—	—
Optical Scan	493	42	—	610/2652
Mechanical Lever	1065	—	2553	—
Punch Card	275	5	—	328/2638
DRE	416	1	1657	—
Totals:	2277	72	4210	938/5290

1 Finally, since 2001 SBE has, on an annual basis, reviewed, adopted and distributed uniform definitions of
2 what constitutes a valid vote for paper, punch card and optical scan ballots in a recount or other hand
3 count.

4 **Polling Place Accessibility**

5 Beginning in January 2002, SBE has dedicated considerable effort towards ensuring that polling places
6 are ADA (Americans with Disabilities Act) compliant. At that time, SBE sent out a survey to every
7 registration office and required that each locality evaluate each polling place for accessibility based on
8 defined requirements. As of that date, 12.6% of Virginia's precincts were not compliant based on the self-
9 evaluation. As of January 1, 2003, these self-evaluations resulted in only 12 precincts (out of 2277 total)
10 reported as out of compliance. While SBE has also begun site visits to verify the reports on the self-
11 evaluations, budgetary considerations have precluded the audit program necessary to ensure 100%
12 compliance.

13 **Provisional Voting**

14 Provisional voting (called "conditional voting" in the Code) has been available to Virginia voters since
15 1975. When a person offers to vote as a registered voter in the precinct, but their name cannot be found on
16 the precinct registered voter list, an officer of election will call the local general registrar. If the general
17 registrar is not available, or cannot state that the person is in fact registered to vote, then that person must
18 be allowed to vote a paper "conditional" ballot. If the registrar is available and confirms that the person *is*
19 a registered voter in that precinct, they would vote in the same manner as other voters. If registered in
20 another precinct, the officer of election refers the voter to the correct precinct.

21 The conditional voter must provide, subject to the penalties for making false statements pursuant to Code
22 §24.2-1016 (on a green envelope supplied by the State Board) the identifying information required in
23 Code §24.2-652. An officer of election informs the voter that a determination of the voter's right to vote
24 shall be made by the electoral board on the following day and advises the voter of the beginning time and
25 place for the board's meeting. The electoral board only counts the ballot if it finds, by the time of their
26 meeting, that the person was in fact registered and qualified to vote in that precinct (Code §24.2-653).

27 The most common reason for provisional ballots to be used and counted is that the voter's name could not
28 be found on the printed list at the polls because of a spelling variation, name change, hyphenation (used or
29 missing), or the inversion of parts of the voter's name. Conditional ballots have also been counted when
30 the voter successfully appealed his removal from the list, a completed and timely application was found,
31 or it was determined that the voter's name was removed in error. Conditional ballots are usually not
32 counted because no record could be found of the person's registration, the voter was in the wrong
33 precinct, or the voter had applied after the registration deadline for that election. Conditional (provisional)
34 voting ensures that qualified voters whose names cannot initially be found on the list at the polls will,
35 nevertheless, have their votes counted.

36 **Voting Information**

37 Virginia now provides public information at the polls on each Election Day including:

- 38 ✓ A sample ballot; (HAVA §302(b)(2)(A))
- 39 ✓ Instructions on how to cast a ballot specific to the equipment or ballot style in use; (HAVA
40 §302(b)(2)(C))
- 41 ✓ Instructions on ID requirements; (HAVA §302(b)(2)(D))

- 1 ✓ General information on voting rights, on the right to cast a conditional ballot and on how to
2 contact officials if these rights might have been violated. (HAVA §302(b)(2)(E))

3 **Voter Registration List**

4 Virginia uses a centralized voter registration system (Code §24.2-404) known as the Virginia Voter
5 Registration System (VVRS), first developed in 1973. Virginia was the second state in the nation to have
6 a centralized voter registration database. In 1988, VVRS underwent a substantial revision that moved the
7 system from batch-driven to interactive. While the system has evolved over time to meet ever-expanding
8 requirements, it is, and throughout its life has been, a COBOL application resident on a Unisys
9 mainframe. The State provides secure access to the VVRS for each locality by frame relay circuits that
10 run between each locality's voter registration office and the Department of Information Technology
11 (where the Unisys mainframe resides).

12 While VVRS is a statewide secure system, it does not meet all of the requirements of HAVA (e.g.,
13 temporary, federal-only registrants are kept outside the system thus creating two lists that are manually
14 merged into one paper list for each election). The system is costly to maintain and costly to modify.
15 Indeed, several studies completed in the 1990's¹ recommended replacement of the system.

16 In 2000, SBE began development of a replacement system, dubbed "VVRS-II." Due to a budget impasse
17 in 2001, there was no second year funding (required to complete the project) and the development effort
18 ended well short of a final usable product.

19 **Registration by Mail and Voter ID**

20 The National Voter Registration Act (NVRA) mandated that states allow voters to register by mail and at
21 designated agencies such as the Department of Motor Vehicles. Before its 1996 implementation in
22 Virginia, most voters (other than military and overseas voters) were required to register in person in front
23 of a registrar. Initially, the state required first time mail registrants (other than certain exempt classes such
24 as military and overseas voters, and students away at school), to vote in person the first time they voted in
25 Virginia, and to present identification at that time. The in-person requirement is still in the Code, but the
26 state legislature in 2000 extended the ID requirement to all voters voting in person at the polls. In 2002,
27 the state further extended the ID requirement to include absentee voters who voted in person at a
28 registrar's office or satellite absentee location established by the registrar.

29 The current Virginia ID requirement is that the voter present one of the types of ID specified in the Code,
30 or signs a statement affirming his identity, under felony penalty for false statements, in lieu of presenting
31 ID. The specified forms of identification are:

- 32 ✓ A Commonwealth of Virginia voter registration card;
33 ✓ A Social Security card;
34 ✓ A valid Virginia driver's license;
35 ✓ Any other identification card issued by a government agency of the Commonwealth, one of its
36 political subdivisions, or the United States; or
37 ✓ Any valid employee identification card containing a photograph of the voter and issued by an
38 employer of the voter in the ordinary course of the employer's business.

¹ *Review of the State Board of Elections*, Joint Legislative Audit and Review Commission of the Virginia General Assembly, House Document No. 18, Commonwealth of Virginia, Richmond, 1999, pp. 102-104.

1 **Training and Voter Education**

2 The SBE is required (Code §24.2-103) to provide training for General Registrars and Electoral Board
3 members. SBE meets this mandate by holding annual training, providing a secure web site that contains
4 various training documents including a Handbook and providing on-going support.

5 Virginia has also invested in providing information to the public. The SBE web site has won national
6 recognition² for the services it provides including:

- 7 ✓ The most frequently requested registration and election statistics are available for
8 viewing/download.
- 9 ✓ All voter registration and candidate forms along with all candidate bulletins and a summary of the
10 Virginia Campaign Finance Disclosure Act are available for download.
- 11 ✓ A suite of interactive web applications, developed over the past four years, allows Virginia
12 citizens to:
 - 13 – Securely verify their voter registration status;
 - 14 – Find the location of their polling place;
 - 15 – Contact their elected representatives;
 - 16 – Securely track the status of their absentee ballot application;
 - 17 – View candidate names and addresses for upcoming elections;
 - 18 – View campaign finance disclosure reports for General Assembly, Governor, Lieutenant
19 Governor, and Attorney General candidates; and
 - 20 – View real-time election results on election night as the local election offices report them.

21 In addition, the SBE provides brochures on statewide ballot issues and constitutional amendments,
22 distributes them through local elections offices for the public and polling places, publishes newspaper ads,
23 provides posters for polling places and posts the information to the state web site.

² Gracie 2002, *Grace Hopper Government Technology Leadership Awards 2002, Virginia Election and Voter Services*.

Elements of the State Plan

1. How Virginia will use the Requirements Payments

How the State will use the requirements payment to meet the requirements of title III, and, if applicable under section 251(a)(2), to carry out other activities to improve the administration of elections. – HAVA §254 (a)(1)

§301(a), Voting Systems Standards Requirements

Virginia intends to maintain its system of voting equipment certification and to maintain the diversity of choices for localities. To meet the requirements of HAVA, the state will:

- ✓ Review and update (if necessary) state certification standards and ensure that these standards fully comply with the requirements of §301 including voter verification (in a private and independent manner), audit capacity, accessibility and error rates.
- ✓ Use Title II funding to purchase one voting system equipped for individuals with disabilities for every precinct, including central absentee precincts. (§301(a)(3))³
- ✓ Use FY04 and FY05 Title II funding to assist localities in purchasing additional equipment or modifying existing equipment to meet the requirements of this section.
- ✓ Ensure that new equipment will be able to provide for alternative language accessibility (although this is not now required in Virginia). (§301(a)(4))
- ✓ Conduct audits (i.e., site visits) to ensure that 100% of Virginia's 2277 polling places meet the requirements of the Americans with Disabilities Act (ADA) and applicable Virginia law.
- ✓ Update its uniform definitions of what constitutes a vote to reflect the requirements of new systems. (§301(a)(6))

Deleted: 1

Deleted: 1

§302, Provisional Voting and Voting Information Requirements

PROVISIONAL VOTING

Virginia currently permits provisional voting, called "conditional voting," (Code §24.2-653) that meets most of the requirements of the Act. To bring Virginia procedures into full compliance, the state will:

- ✓ Develop the written information required under §302 (a)(5)(A). SBE will distribute this information to the localities and post it on the state's web site.
- ✓ Develop a free-access system that may include either a toll-free number or a web site or both. SBE currently has a toll-free number, however, the phone system is antiquated and cannot accommodate the requirements of this section. The SBE web site already hosts some secure interactive applications (e.g., check registration status, track absentee ballot). Due to the manual nature of the current system for tracking conditional ballots, implementation of a new web application to track these ballots will depend on the development of a new voter registration system. The state anticipates implementing the toll-free number to meet the initial deadline and may establish a secure web site once the new voter registration system is in place. (§302(a)(5)(B))

³ Amended August 22, 2005

VOTING INFORMATION

Virginia now meets many of the requirements for the posting of information at the polls on Election Day. SBE will modify or add documents so that the material posted at each polling place is in full compliance with the Act. Specifically:

- ✓ SBE will prepare and distribute information regarding the date of the election and the hours during which the polls are open; (HAVA §302(b)(2)(B))
- ✓ SBE will prepare and distribute instructions on how to cast a provisional (conditional) ballot; (§302(b)(2)(C))
- ✓ SBE will modify the information on identification requirements to reflect the new requirements of the Act for applicable voters; (§302(b)(2)(D))
- ✓ SBE will prepare and distribute general information on Federal and State laws regarding prohibitions on acts of fraud and misrepresentation. (§302(b)(2)(F))

Finally, HAVA requires that, if a court order extends the closing time of the polls, the state must consider ballots cast after the normal closing time as provisional ballots and local election officials must segregate these provisional ballots from the other ballots for that election. This provision would not apply to anyone who is in line by the normal closing time for the polls (and who is already allowed to vote in the usual manner). It would only apply to those who arrive after the normal closing time, and who vote because of a court order extending the voting hours. SBE will seek legislation to comply with this requirement (§302(c)) in 2004.

§303, Computerized Statewide Voter Registration List Requirements and Requirements for Voters Who Register by MailCOMPUTERIZED STATEWIDE VOTER REGISTRATION LIST

Although Virginia now has a computerized statewide voter registration list, it does not meet all of the requirements of HAVA. Based on experience, it will be expensive to modify the system to bring it in to compliance. Instead, Virginia will develop a new system using the project management guidelines developed and promulgated by the state's Department of Technology Planning (COV ITRM Guideline GOV2003-02.2). The new system will:

- ✓ Serve as the single system for storing and managing the official list of registered voters in Virginia. (§303 (a)(1)(A)(i))
- ✓ Contain the name and registration information for every legally registered voter in the state including all temporary registrants. (§303 (a)(1)(A)(ii))
- ✓ Assign a unique identifier to each legally registered voter in the state. The Virginia Constitution (Article II, §2) requires that voter registration applicants provide a social security number on the registration application. However, as SBE cannot disclose this number to the public (Code §24.2-405), the VVRS assigns each voter a different and unique 9-digit number. The state expects this practice to continue under the new system. (§303 (a)(1)(A)(iii))
- ✓ Coordinate with other agency databases within the State. SBE expects to work with the Department of Motor Vehicles (DMV), the State Police, the Courts, the Office of Vital Records and Health Statistics (in the Department of Health) and other agencies to create close coordination between the new system and other existing agency databases. (§303 (a)(1)(A)(iv))
- ✓ Allow immediate electronic access for any election official in the State. Some local election officials who do not have voter registration responsibilities (e.g., Electoral Board members) may be permitted read-only access, however, all General Registrars and their assistants will be permitted full access privileges. (§303 (a)(1)(A)(v))

- 1 ✓ Ensure that all voter registration information obtained by General Registrars is entered on an
2 expedited basis at the time the information is provided. SBE will review current procedures and
3 training documents and revise them as needed. (§303 (a)(1)(A)(vi))
- 4 ✓ Serve as the official voter registration list for the conduct of all elections in the State. (§303
5 (a)(1)(A)(viii))
- 6 SBE will also provide the technical support necessary to ensure that local election officials (e.g., General
7 Registrars) can keep the list current and enter information about voters on an expedited basis (§303
8 (a)(1)(A)(vii)). Further, SBE will ensure that the security of the system meets the requirements of
9 §303(a)(3) and Virginia's *Information Technology Security Standard* (COV ITRM Standard SEC2001-
10 01.1).
- 11 SBE will perform list maintenance as prescribed by applicable law. The current voter registration system
12 uses a "confirmation" process (Code §24.2-428-429) to implement the requirements of the National Voter
13 Registration Act of 1993 (NVRA). SBE annually mails confirmations to voters believed to have moved.
14 The State also cooperates with the State Police on felony convictions and with the Office of Vital Records
15 and Health Statistics on deaths. Much of the list maintenance now involves manual verification and
16 inactivation. The VVRS will only identify duplicate names within a locality, not between localities. The
17 system does identify duplicate social security numbers (SSNs) statewide upon initial entry. VVRS does
18 not permit duplicate registrations under the same SSN. The new system will improve on the current
19 system and include the current processes (§303 (a)(4)(A)) as well as additional safeguards to ensure that:
- 20 ✓ The name of each registered voter appears on the list (§303 (a)(2)(B)(i));
- 21 ✓ Only voters who are not registered or who are not eligible to vote are removed (§303
22 (a)(2)(B)(ii));
- 23 ✓ Duplicate names are eliminated (§303 (a)(2)(B)(iii)); and
- 24 ✓ Eligible voters are not removed in error from the official list (§303 (a)(4)(B)).
- 25 As Virginia is both permitted to use social security numbers (SSNs) and provides for the use of SSNs on
26 applications for voter registration, the State is exempt from the requirements of §303 (a)(5). Virginia does
27 intend to build in verification procedures that include closer coordination with the DMV database and
28 verification through DMV with the Social Security Administration's database.

29 VOTERS WHO REGISTER BY MAIL

- 30 Virginia already requires all voters voting in person to present one of a list of specified IDs, or sign a
31 statement attesting to their identity in lieu of presenting ID. In federal elections beginning in 2004, a
32 different set of ID requirements, as mandated by federal law, will apply to any first-time Virginia voter
33 who:
- 34 ✓ Registered to vote by mail after January 1, 2003, and
- 35 ✓ Has not previously voted in a federal election in Virginia, and
- 36 ✓ Registered stating, subject to felony penalties for false statements pursuant to § 24.2-1016, that he
37 does not have a social security number, or provided a social security number which could not be
38 matched to an existing State identification record bearing the same number, name and date of
39 birth in the Virginia Division of Motor Vehicles database.
- 40 When voting the first time in a federal election (while these federal ID requirements remain in effect for
41 Virginia), these voters will need to present at the polls (or send with their mailed ballot a copy of):
- 42 ✓ A current and valid photo identification, or

1 ✓ A copy of a current utility bill, bank statement, government check, paycheck or other government
2 document that shows the name and address of the voter.

3 Such voters may not sign the state affirmation of identity form in lieu of presenting one of the federally
4 required IDs. They also will not be able to use any of the state-specified IDs that do not include a photo
5 (i.e. a voter registration or social security card). Any such voter not presenting the required ID or copy
6 will vote a Conditional Ballot. The electoral board will count such Conditional Ballot only if it verifies
7 that the voter is entitled to vote in that precinct.

8 The new federal ID requirements do not apply to any voter who:

9 ✓ Is entitled to vote absentee under the Uniformed and Overseas Citizens Absentee Voting Act (42
10 U.S.C. 1973ff-1 et seq.), or

11 ✓ Is provided the right to vote otherwise than in person under section 3(b)(2)(B)(ii) of the Voting
12 Accessibility for the Elderly and Handicapped Act (42 U.S.C. 1973ee-1(b)(2)(B)(ii)), or

13 ✓ Is entitled to vote otherwise than in person under any other Federal law, or

14 ✓ Submits a copy of an appropriate ID (from the federal list) with their application. (Virginia will
15 modify the mail-in voter registration form to include this request.)

16 This federally mandated ID requirement would not apply to *any Virginia voter* once Virginia's
17 computerized Voter Registration System has met all the requirements of §303(a) of HAVA. Since
18 upgrading the current system to meet those requirements is one of Virginia's top priorities, the state
19 anticipates that these federal ID requirements will only be in effect for the 2004 federal elections, and that
20 the state will be exempt by 2006 at the latest.

21 Finally, Virginia is in the process of redesigning the voter registration application to include the questions
22 and statement required under §303 (b)(4). The new application form will go into effect as soon as possible
23 and no later than January 1, 2004. Local registration offices are already required to notify applicants
24 denied registration of the reasons for the denial and to provide a new application to such applicants (Code
25 §24.2-422). SBE will review and modify (if necessary) internal procedures to ensure full compliance with
26 §303 (b)(4)(B) and will individually notify affected voters.

27 **§304, Minimum Requirements**

28 Virginia understands that the requirements of Title III are minimum requirements and that the State may
29 establish election technology and administration requirements that are more stringent. Any more stringent
30 requirements that the State imposes will comply with all Title III requirements, the laws described in
31 §906 and the Code of Virginia.

2. How Virginia will distribute and monitor Requirements Payments

How the State will distribute and monitor the distribution of the requirements payment to units of local government or other entities in the State for carrying out the activities described in paragraph (1) including a description of –

(A) The criteria to be used to determine the eligibility of such units or entities for receiving the payment; and

(B) The methods to be used by the State to monitor the performance of the units or entities to whom the payment is distributed, consistent with the performance goals and measures adopted under paragraph (8). – HAVA §254 (a)(2)

SBE will manage all activities funded by the Requirements Payments and the Secretary of the SBE will authorize all expenditures. SBE may disburse Requirements Payment funds to localities for the purchase or modification of voting equipment to meet accessibility requirements (§301 (a)(3)).

SBE will coordinate, to the maximum extent possible, the purchase of voting equipment among localities to ensure the lowest per unit cost for each locality. The State will negotiate with each certified voting equipment vendor to achieve volume pricing on state contract. In some cases, localities may choose to purchase directly from a certified vendor; in these cases, SBE may reimburse localities based on the lowest negotiated state contract pricing.

SBE will adhere to the Code and established federal and state accounting policies and standards when distributing federal funds.

1 3. Education and Training

2 *How the State will provide for programs of voter education, election official education and training, and*
3 *poll worker training which will assist the State in meeting the requirements of title III. – HAVA §254*
4 *(a)(3)*

5 Virginia plans to implement an aggressive program of voter education, election official education and
6 training and poll worker training. The State views this program as vital to the success of the HAVA
7 implementation effort. The HAVA Training Program may contain, among other things, the following
8 elements:

9 **Training for Election Officials and Officers of Election**

- 10 ✓ Create information on Basic Procedures for training Officers of Election. SBE will provide
11 standard information and allow localities to provide their own custom content.
- 12 ✓ Create interactive web-based systems for Officers of Election that include testing.
- 13 ✓ Create and make training presentations available through the SBE web site.
- 14 ✓ Create an upgraded and enhanced secure web site that includes a variety of training material and
15 tools for General Registrars and Electoral Boards.
- 16 ✓ Implement regional training for General Registrars and Electoral Board members.

17 **Voter Education**

- 18 ✓ Provide voter information to every voter along with the Voter Registration Card. The information
19 will include information about voters' rights; the process; accessibility; special considerations for
20 students, uniformed and overseas voters; and absentee procedures. The information may be
21 available in languages other than English.
- 22 ✓ Use community or civic associations, newsletters to get information out.
- 23 ✓ Prepare Public Service Announcements for distribution to radio and television stations.
- 24 ✓ Publicize election information in grocery stores, public buses, and libraries and on the Internet.
- 25 ✓ Use other organizations and their structures to educate voters. Provide demonstration equipment
26 to these organizations.
- 27 ✓ Make resource material available for teachers and professors (developed by teachers and
28 professors) on the SBE web site.
- 29 ✓ Require that voting machine vendors provide practice machines and include training in their
30 contracts.
- 31 ✓ Set up voting equipment for practice sessions, especially at DMV, malls, and public libraries.
- 32 ✓ Create interactive web pages for each type of voting equipment. These pages would include a
33 voting demonstration and allow the voter to practice voting. Require that vendors provide the
34 emulation software as part of their package.
- 35 ✓ Ensure that the SBE web site fully complies with the new Virginia accessibility and usability
36 standards.
- 37 ✓ Make sure that other state agency web sites link to the SBE web site in a prominent way.
- 38 ✓ Seek law change to allow inclusion of neutral voter education material (e.g., information on
39 registration status, brochure on constitutional amendments) in the mailing with the absentee
40 ballots.
- 41 ✓ Encourage colleges and universities to keep registration materials readily available and
42 publicized.

1 4. Voting System Guidelines and Processes

2 *How the State will adopt voting system guidelines and processes which are consistent with the*
3 *requirements of section 301. – HAVA §254 (a)(4)*

4 Virginia law requires that the SBE certify any mechanical or electronic voting system or equipment
5 before any locality may purchase (or lease) the system or equipment (Code §24.2-625 et seq.). The
6 procedure adopted by the Board requires that new equipment pass a Qualification Test (conducted by an
7 ITA designated by the SBE), a Certification Test (conducted by a consultant on retainer to SBE) and
8 Acceptance Tests (field testing conducted in one or more localities).

9 The Qualification Test evaluates the hardware and all software elements to ensure compliance with the
10 requirements of both the design and the SBE. The ITA examines all hardware to determine its suitability
11 for election use. At this level, engineering or development prototypes are not acceptable unless the vendor
12 can show that the equipment to be tested will perform in all respects the same as, and is constructed in a
13 manner representative of, standard production units. The ITA also examines and tests voting system
14 software to ensure that it adheres to the performance standards specified in federal standards.

15 The Certification Test verifies that the design and performance of the voting system comply with all
16 applicable requirements of the Code of Virginia. A consultant, on retainer to SBE, evaluates all system
17 functions that are essential to the conduct of an election. The test environment includes the preparation
18 and operation of election and voting databases and the validation, consolidation and reporting of
19 administrative and voting data as required by law. Vendors must also provide detailed technical and
20 corporate financial information.

21 Acceptance Tests confirm that the purchased or leased system is identical to the certified system and that
22 the equipment and software are fully functional and capable of satisfying the administrative and statutory
23 requirements of the jurisdiction conducting the test. Typically, the Acceptance Test demonstrates the
24 system's ability to:

- 25 ✓ Process simulated ballots for each precinct or polling place.
- 26 ✓ Reject over votes and votes in invalid ballot positions.
- 27 ✓ Produce an input to or generate a final report of the election and interim reports as required.
- 28 ✓ Generate system status and error messages.
- 29 ✓ Generate system audit reports.
- 30 ✓ Comply with and enable voter and operator compliance with the procedures, regulations and
31 statutes of the jurisdiction.

32 The Board will review the standards to ensure full compliance with the requirements of §301 and revise
33 *The Virginia Voting Systems and Equipment Certification Guidelines: Submission Procedures* (the
34 document provided to all vendors seeking to introduce new equipment) as needed. Current Virginia law
35 permits the Board sufficient latitude to incorporate any changes that may be necessary.

36 The Board will also continue current practice and, before each general election, update its uniform
37 definitions of what constitutes a vote to reflect the requirements of new systems.

1 5. Election Fund

2 *How the State will establish a fund described in subsection (b) for purposes of administering the State's*
3 *activities under this part, including information on fund management. – HAVA §254 (a)(5)*

4 SBE will establish The Virginia Election Fund through an administrative procedure as permitted by State
5 law. The Secretary of the State Board of Elections will authorize all payments made from the fund and the
6 Treasurer of Virginia will be the signatory of all checks issued from the fund. Account codes will be set
7 up that will allow the State to track receipts and disbursements for §101, §102, Requirements Payment,
8 and State Matching (5%) funds separately. The fund will be interest bearing.

9 The Secretary of the State Board of Elections will work with the agency's fiscal officer, the Department
10 of Planning and Budget and the Treasurer of Virginia to ensure that fund management follows all
11 appropriate federal and state policies and procedures.

6. Budget for Title III Requirements

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

- (A) The costs of the activities required to be carried out to meet the requirements of title III;
- (B) The portion of the requirements payment which will be used to carry out activities to meet such requirements; and
- (C) The portion of the requirements payment which will be used to carry out other activities.

– HAVA §254 (a)(6)

Funding provided by HAVA:

Source	Virginia Federal Share	5% State match requirement
Title I, Sec. 101	\$7,105,891.00	
Title I, Sec. 102	\$4,526,568.00	
Title II, Sec. 251	\$57,489,361.00	\$3,023,940.39
Total:	\$69,121,820.00	\$3,023,940.39

Deleted: As of July 2003, federal appropriations were substantially lower than authorized by the Act. In creating a budget, the state made certain assumptions about future funding levels, summarized in the table below:
 (\$ in millions)
 Federal Fiscal Year ... [1]

5% match calculated by multiplying the Virginia Federal Share by 0.0526

HAVA Requirements	Total Cost	§101 Funds	§102 Funds	§252 & 257 Funds	State matching funds
Title III Requirements					
§301 Voting System Standards					
Punch Card & Lever Buy-Out	\$23.1		\$4.5	\$15.5	\$3.1
DRE Purchase	\$9.5			\$9.5	
Accessibility Audits and Improvements	\$2.0			\$2.0	
§302(a) Provisional Voting	\$0.5			\$0.5	
§302(b) Voting Information and Instructions	\$0.5			\$0.5	
§303(a) Computerized Statewide Voter Registration System	\$12.0			\$12.0	
§303(b) Voter Registration By Mail Standards	\$0.2			\$0.2	
Other Election Reform Activities					
Voter Education; Election Official Education and Training; and Poll Worker Training	\$13.5	\$3.5		\$10.0	
§402 Grievance Procedure	\$0.05	\$0.05			
§702 Single State UOCAVA ⁴ Office	\$0.5	\$0.5			
Plan Creation, Implementation And Management	\$3.05	\$3.05			
Contingency Fund	\$7.3			\$7.3	
Totals:	\$72.2	\$7.1	\$4.5	\$57.5	\$3.1

- Deleted: 23.2
- Deleted: \$1.1
- Deleted: 4
- Deleted: 7.0
- Deleted: .
- Deleted: 0.5
- Deleted: \$0.5
- Deleted: and voting information
- Deleted: 1.
- Deleted: 1.
- Deleted: 1
- Deleted: \$3.1
- Deleted: 9.0
- Deleted: and mail registration
- Deleted: 5
- Deleted: 0
- Deleted: 1.
- Deleted: §254
- Deleted: §254 Election official education and training ... [2]
- Deleted: 4
- Deleted: 4
- Deleted: 2.5
- Deleted: 2.5
- Deleted: 63.1
- Deleted: 0
- Deleted: 20
- Deleted: 1.1

⁴ UOCAVA: Uniformed and Overseas Citizens Absentee Voting Act.

1 Note that:

2 ✓ Only appropriated funds have been budgeted as available. Any unbudgeted appropriated funds
3 will be used either to supplement the budget priorities set forth in this plan or to provide for long-
4 term maintenance and operational support of new systems adopted or implemented under this
5 Plan.

6 | ✓ ~~The systems put in place by this Plan will require on-going maintenance beyond the life of the~~
7 ~~authorization for funding. Systems' maintenance will affect both state and local budgets for the~~
8 ~~foreseeable future.~~

Deleted: <#>The total amount needed (\$63.1 million) is higher (by \$2.6 million) than the total amount projected for the State over the life of the authorization (\$60.5 million).¶

9 | ✓ ~~The State is in no position to supplement the 5% match to make up for the shortfall.~~

Deleted: <#>The state expects that as FY04-05 appropriations are made the budget will be adjusted, and that some of the unfunded needs may be met.¶

10 ✓ Should a shortfall exist, some of the programs described in this Plan will either remain under
11 funded (and thus not fully implemented) or will go unfunded entirely.

12 ✓ Voter education, election official education and training, poll worker training and polling place
13 accessibility will be high priorities for future appropriations.

14 | ✓ Should excess funds (i.e., funds remaining after the requirements are met and all other election
15 ~~reform activities are funded) remain, they will maintain the new systems in years following the~~
16 ~~life of the Act.~~

Deleted: O
Deleted: E
Deleted: R
Deleted: A

17 | ✓ All interest earned on HAVA funds will be deposited into Title II funds.

7. Maintenance of Effort

How the State, in using the requirements payment, will maintain the expenditures of the State for activities funded by the payment at a level that is not less than the level of such expenditures maintained by the State for the fiscal year ending prior to November 2000. – HAVA §254 (a)(7)

In accordance with HAVA section 254 (a)(7), Virginia will maintain expenditures of the State for activities funded by the Requirements Payment at a level equal to or greater than the level of such expenditures in State FY00. The total spent on meeting the specific requirements of Title III in that FY was \$778,994. This amount is a fraction of the total amount spent on elections by the State.

In addition, in Virginia, much of the expense of both federal and state elections is born by the 134 localities. The cost of poll workers' pay and training, voting equipment, ballot generation and absentee ballot processing all are costs born by local governments. Virginia will ensure that localities continue to maintain levels of expenditures sufficient to fund elections and that the localities will not use HAVA funds for routine registration- and election-related expenses. As discussed in Section 2 of this Plan, some payments to localities may occur on a reimbursement basis for the purchase of voting equipment; SBE will make no payments to cover the costs associated with the "normal" business of Virginia's local registration and election offices.

8. Performance Goals and Measures for Virginia and localities

How the State will adopt performance goals and measures that will be used by the State to determine its success and the success of units of local government in the State in carrying out the plan, including timetables for meeting each of the elements of the plan, descriptions of the criteria the State will use to measure performance and the process used to develop such criteria, and a description of which official is to be held responsible for ensuring that each performance goal is met. – HAVA §254 (a)(8)

The Secretary of SBE will establish high-level goals and performance criteria and will have the ultimate responsibility for ensuring the success of Virginia’s HAVA implementation effort. The Deputy Secretary will have day-to-day operational responsibility for the implementation.

The Secretary will draft specific goals and performance measures and submit them to the Board for approval. The Secretary will, as the implementation proceeds, continually evaluate existing goals and measures and propose adjustments as needed. The Board will approve all performance goals, measures and adjustments to the same. Status reports for each performance goal and measure will be submitted to the Board for annual approval. Following approval by the Board, performance goals, measures, and status reports will be posted to the SBE website.

Deleted: , through an executive agreement with the Governor,

Deleted: SBE will establish a HAVA Implementation Team (HIT), composed of the Secretary; Deputy Secretary; Assistant Secretary for Elections and Training; Assistant Secretary for Operations & Policy; the Chairman of the Virginia Electoral Board Association; the Chairman of the Virginia Registrars Association; representatives from the Office of the Secretary of Administration, the Office of the Secretary of Technology, the Office of Governor, the Office of the Lieutenant Governor, the Office of the Attorney General and other such members as the Secretary deems appropriate.¶

Deleted: HIT

Deleted: HIT

Deleted: Performance Goals¶ Virginia’s goal is to achieve election reform and compliance with HAVA requirements through the successful implementation of the programs outlined in the State Plan. The following table provides the functional division of the responsibility for implementation. Only titles have been included so that accountability remains with a position and not with a specific person.¶ Plan Elements ... [3]

1 9. Complaint Procedures

2 *A description of the uniform, nondiscriminatory State-based administrative complaint procedures in*
 3 *effect under section 402. – HAVA §254 (a)(9)*

4 SBE now has informal grievance procedures and will adopt formal grievance procedures. For informal
 5 grievances, SBE has a toll free number and an e-mail address that any member of the public might use to
 6 file a complaint. The appropriate SBE staff, in many cases the Secretary, handles these informal
 7 complaints. Under current Virginia law, all written complaints are public documents open to public
 8 inspection.

9 The Board will adopt a formal procedure that meets the requirements of §402. Specifically:

- 10 ✓ The procedures will be uniform and nondiscriminatory (§402 (a)(2)(A)).
- 11 ✓ Under these procedures, any person who believes that there is a violation of any provision of Title
 12 III may file a complaint (§402 (a)(2)(B)).
- 13 ✓ Any complaint filed under the procedures must be in writing and notarized, and signed and sworn
 14 to by the person filing the complaint (§402 (a)(2)(C)).
- 15 ✓ The Secretary of the SBE will receive all formal complaint filings. The Secretary will be
 16 responsible for assigning a SBE staff member to be responsible for tracking all formal
 17 complaints, conducting an initial investigation and making an initial attempt to resolve the issue
 18 through administrative means.
- 19 ✓ The Secretary may consolidate similar formal and informal complaints into a single complaint
 20 (§402 (a)(2)(D)).
- 21 ✓ Should attempts at resolution fail, and at the request of the complainant, there will be a hearing on
 22 the record, conducted by the three-member Board (§402 (a)(2)(E)).
- 23 ✓ If the Board determines that there is a violation of any provision of Title III, the Board will
 24 specify the appropriate remedy (§402 (a)(2)(F)).
- 25 ✓ If the Board determines that there is no violation, it will dismiss the complaint and publish the
 26 results of the proceedings (§402 (a)(2)(G)).
- 27 ✓ The Board will make a final determination on any complaint within the 90 days following the day
 28 on which the complaint is filed unless the complainant consents to a longer period for such
 29 determination (§402 (a)(2)(H)).
- 30 ✓ If the Board fails to meet the 90-day deadline, the complaint will be resolved within the next 60
 31 days under alternative dispute resolution procedures adopted by the Board. The record and other
 32 materials from any such proceedings will be available for use under the alternative dispute
 33 resolution procedures (§402 (a)(2)(I)).
- 34 ✓ SBE will notify in writing each complainant that files a formal complaint of the disposition of the
 35 complaint.

Deleted: Deputy

10. Use of Title I Funds

If the State received any payment under title I, a description of how such payment will affect the activities proposed to be carried out under the plan, including the amount of funds available for such activities. – HAVA §254 (a)(10)

Virginia anticipates using Title I funds to jump-start the development of the new statewide voter registration system, establish and maintain the administrative grievance procedure, partially address polling place accessibility and administer the plan over the life of the plan. SBE will also fund the new UOCAVA office and explore the feasibility of further streamlining the process for UOCAVA voters once this central office is established.

Current staffing levels at SBE are insufficient to implement the requirements and additional new staff will augment the existing SBE structure.

Title I funds will be used as follows:

(\$ in millions) Title I Expenditures	Total Cost	§101 Funds	§102 Funds
Title III Requirements			
§301 Voting System Standards Punch card & Lever buy-out	\$32.6	—	\$4.5
Other Election Reform Activities			
<u>Voter education: Election official education and training; and Poll worker training</u>	<u>\$13.5</u>	<u>\$3.5</u>	
<u>§402 Grievance Procedure</u>	<u>\$0.05</u>	<u>\$0.05</u>	—
§702 Single state UOCAVA Office	\$0.5	\$0.5	—
Plan creation, implementation and management	<u>\$3.05</u>	<u>\$3.05</u>	
Totals:	<u>\$51.2</u>	<u>\$7.1</u>	\$4.5

- Deleted: 23.2
- Deleted: §301 Accessibility Aud... [4]
- Deleted: 2.5
- Deleted: \$2.5
- Deleted: Other priorities or maintenance and on-going support... [5]
- Deleted: \$39.2
- Deleted: 2
- Deleted: 1
- Deleted: 1
- Deleted: 1
- Deleted: 1
- Deleted: 1

If Title II funds are available, and if Virginia can appropriately use these funds for any of the expenditures listed under Title III requirements, in advance of spending these Title I funds, then the state will use Title II funds. If Title I funds must be used due to the unavailability of Title II funds, and Title II funds are later made available, the Title I funds will be reimbursed from Title II funds for appropriate expenditures, unless not allowed by law. Any excess §101 funds will be used either to supplement the budget priorities as discussed in Section 6 of this Plan or to provide for long-term maintenance and operational support of new systems adopted or implemented under this Plan.

11. Management of State Plan

How the State will conduct ongoing management of the plan, except that the State may not make any material change in the administration of the plan unless the change –

(A) Is developed and published in the Federal Register in accordance with section 255 in the same manner as the State plan;

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

(C) Takes effect only after the expiration of the 30-day period which begins on the date the change is published in the Federal Register in accordance with subparagraph (A).

– HAVA §254 (a)(11)

The Secretary of the State Board of Elections will have overall responsibility for the implementation and management of the State Plan and will make regular reports to the Board.

Current SBE staffing is insufficient for the proper administration and implementation of the Act. Additional staff will supplement the current SBE structure, particularly in the areas of voting equipment, accessibility, training and policy.

The Board will establish an annual review procedure that will include (at a minimum) an evaluation process that measures progress against the performance standards adopted the prior year and a procedure for adopting changes to the State Plan.

Virginia understands that no material changes in the administration of the plan will be made unless the change:

(A) Is developed and published in the Federal Register in accordance with section 255;

(B) Is subject to public notice and comment in accordance with section 256; 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.

Deleted: The Deputy Secretary will have day-to-day operational responsibility for the implementation of the plan with the Assistant Secretaries managing the implementation of the aspects of the plan that fall within their purview.

12. Changes from the Previous Year's Plan

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. – HAVA §254 (a)(12)

Changes from the Previous Year's Plan:

The 2006 amendment to the Virginia HAVA State Plan reflects accurate funding levels and revises projected expenditures. Additionally, the amendment consolidates authority in the SBE Secretary for future organizational flexibility in management of the plan.

Success of HAVA implementation to date:

In keeping with the Virginia State Plan, the SBE has done the following:

Voting Equipment

As of March 31, 2006, the SBE provided \$24,303,841.22 to all 134 localities to replace outdated voting machines with HAVA compliant voting equipment. All localities have received at least one accessible DRE for every precinct, including central absentee precincts where they exist. All localities had contracts for HAVA compliant voting equipment by January 1, 2006. As of May 11, 2006, all localities have received their HAVA compliant voting equipment.

Polling Place Accessibility

The SBE developed strategic plans for accessibility improvements across the Commonwealth. SBE contracted with sixteen Centers for Independent Living (disability, advocacy, and service groups) for site surveys of all polling places in Virginia. ADA standards were used to determine polling place accessibility. Following surveys of polling facilities, SBE notified the local election officials of the barriers discovered at their polling facilities. After the local offices remove their barriers, the SBE reimburses them with HAVA funds.

Election Official Training

The SBE conducted regional training sessions for local election officials on new provisional voting policies and procedures. SBE conducted regional training sessions on the new HAVA compliant voting equipment and related security issues. The SBE also provided localities with funding for poll worker training on new HAVA compliant voting machines. Finally, the SBE also developed and distributed to localities an accessibility training module that contained a presentation, trainee handbook, and a teacher's manual.

Voter Education

The SBE developed new Easy Voter guides and Voting Rights and Responsibilities cards that were distributed to all public libraries, colleges, universities, and general registrars' offices throughout the state. The SBE also published Public Service Announcements regarding voting rights and responsibilities. The SBE also provided funding for voter education on new HAVA compliant voting machines.

1 SBE completely redesigned its website to provide better and easier access to information for the public
2 regarding the electoral process. The new website is fully accessible and complies with Virginia's
3 accessibility and usability standards.

4 Voting Information

5 SBE prepared and distributed information to all localities to post at all polling places on election day.
6 This information included: a sample version of the ballot to be used for that election; the date of the
7 election and the hours during which the polls are open; instructions on how to vote, including how to cast
8 a vote and how to cast a provisional ballot; instructions for mail-in registrants and first-time voters;
9 identification requirements; information on casting a complaint; and general information on Federal and
10 State laws regarding prohibitions on acts of fraud and misrepresentation.

11 Computerized Statewide Voter Registration List

12 On December 29, 2004, Virginia awarded a contract for a HAVA compliant statewide voter registration
13 system entitled Virginia Election Registration and Information System (VERIS). Virginia is working to
14 complete this project as soon as possible.

15 Voter Registration by Mail

16 SBE designed, developed, and implemented a system to notify first time mail registrants to present
17 HAVA acceptable identification the first time that they vote.

18 Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA)

19 The Virginia UOCAVA Coordinator has created, maintained, updated, and mailed information pamphlets
20 to stakeholders, mailed registration applications and absentee materials to stakeholders and participated in
21 outreach activities that provide the UOCAVA citizen with information needed to register and vote
22 absentee. The UOCAVA Coordinator also increased participation in Virginia's award winning electronic
23 ballot transmission program through a mixture of creative and traditional outreach methods.

24 Grievance Procedure

25 SBE designed, developed, and implemented a formal grievance procedure that meets the requirements of
26 §402. The grievance procedures have been in place since May 2004.

27 Provisional Voting

28 Virginia has allowed a form of provisional voting since 1975. In order to be fully compliant with HAVA,
29 Virginia passed minor legislative changes in the 2004 session of the General Assembly to include
30 provisions applicable to HAVA such as voting after the polls have closed due to a court order, the
31 treatment of an absentee ballot as a provisional ballot if it was returned without a photocopy of an
32 applicable identification document if this was required, and other HAVA ID requirements.

33 -
34 In addition, the SBE developed and approved comprehensive provisional ballot procedures in order to
35 achieve uniformity in the issuing, tracking, and counting of provisional ballots. SBE developed written
36 material, instructions, and signs to provide to all 134 localities for use in 100% of precincts and posted
37 this information on the SBE website.

38
39 Other efforts include the development of a free-access system by instituting a toll-free telephone number.
40 Each provisional voter is provided the number and a code at the time the provisional ballot is cast. The

1 voter then dials in on the toll free number, enters the assigned code and is transferred to the proper local
2 registration office where the information on the disposition of provisional ballots is maintained.
3
4 Finally, the VERIS system will allow each registrar the ability to indicate provisional vote history for
5 each individual voter, automatically generate correspondence to a provisional voter as required by
6 HAVA, and track the total number of provisional ballots cast and counted by locality, a capability the
7 previous system lacked.

Deleted: Not applicable.

13. The HAVA Advisory Committee and its Procedures.

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. – HAVA §254 (a)(13)

Virginia's HAVA Advisory Committee is a diverse group of citizens including representatives from various constituency groups, local election officials and representatives from state agencies. Jean Jensen, Secretary of the SBE, chaired the committee. The committee met before the release of this plan for public comment and provided essential guidance.

The Committee membership, including each person's affiliation, is as follows:

Joseph Bowman
Director, VA Dept. for the Blind and Visually Impaired

Malvern "Rudy" Butler
President, Virginia Association of Counties

Charles F. Downs
ADA Coordinator, City of Waynesboro, Dept. of Planning

Amy Gilbody
Advocacy Program Coordinator, AARP Virginia

Barbara Hildenbrand
Vice Chair, VA State Board of Elections

James Hopper
Senior Assistant Attorney General, Commonwealth of Virginia

James R. Leaman
President, VA State AFL-CIO

Randy Marcus
Chief of Staff to the Lieutenant Governor, Commonwealth of Virginia

Aida Pacheco
CEP Project Director
Richmond Career Advancement Center

Tammi M. Pinckney
General Registrar, Poquoson County

Maribel Ramos
Special Assistant to the Governor, Commonwealth of Virginia

Christine Ruderson
Virginia Dept. for the Deaf and Hard of Hearing

William A. Spradlin
Chairman of Electoral Board, Chesapeake City

Michael G. Brown
Chair, VA State Board of Elections

Mary Margaret Cash
Assistant Commissioner
VA Dept. of Rehabilitative Services

Mary Jo Fields
Director of Research, Virginia Municipal League

Olga Hernandez
VA League of Women Voters

James L. Holmes
Secretary of Electoral Board, Culpepper County

Jean R. Jensen
Secretary, VA State Board of Elections

Margaret K. Luca
Secretary of Electoral Board, Fairfax County

Israel O'Quinn
Political Director, Republican Party of VA

J.A.G. "Buddy" Parrish
Chairman of Electoral Board, Virginia Beach City

Kelly Porell
Executive Director, Virginia 21

Amy Reger
Executive Director, Democratic Party of VA

J. Kirk de Showalter
General Registrar, Richmond City

Linda Thomas
President, Virginia NAACP

Deleted: Virginia's HAVA Advisory Committee (HAC) is a diverse group of citizens including representatives from various constituency groups, local election officials and representatives from state agencies. Jean Jensen, Secretary of the SBE, chaired the committee. The HAC met three times before the release of this plan for public comment and provided essential guidance particularly on the issues of accessibility, voter education and training. Further, the HAC reviewed drafts of the State Plan and was instrumental in disseminating the plan, holding public hearings and soliciting citizen input. ¶
The Committee membership, including each person's affiliation, is as follows: ¶
William Blake ¶
Policy Director, Students of Virginia ... [6]

As of July 2003, federal appropriations were substantially lower than authorized by the Act. In creating a budget, the state made certain assumptions about future funding levels, summarized in the table below:

(\$ in millions) Federal Fiscal Year	Total Federal funds projected	Virginia Federal Share	5% State match requirement*	Total funds projected for Virginia
Early Payments (Title I Funds)	\$650.0 (appropriated)	\$11.6	—	\$11.6
2003	\$833 (appropriated)	\$20.6	\$1.1	\$21.7
2004	\$500.0 (Pres. Bush's Budget)	\$11.6	\$0.6	\$12.2
2005	\$600.0 (authorized)	\$14.2	\$0.8	\$15.0
Total:	\$2,583.0	\$58.0	\$2.5	\$60.5

* 5% match calculated by multiplying the Virginia Federal Share by 0.0526.

Based on these funding levels, the state developed a budget (through the end of CY05) that reflects only appropriated funds (and corresponding state matching funds) and the costs of implementation and maintenance associated with Title III requirements and other activities associated with the Act. As information becomes available about future funding levels, Plan revisions will adjust the budget accordingly.

§254 Election official education and training	\$3.5			\$1.0	
§254 Poll worker training	\$5.0			\$1.5	

Performance Goals

Virginia's goal is to achieve election reform and compliance with HAVA requirements through the successful implementation of the programs outlined in the State Plan. The following table provides the functional division of the responsibility for implementation. Only titles have been included so that accountability remains with a position and not with a specific person.

Plan Elements	State Official	Time frame
Voting Systems §301	Asst. Sec. for Elections & Training	Compliant by January 1, 2006
Provisional Voting §302	Asst. Sec. for Operations & Policy	Compliant by July 1, 2004
Voter Registration List §303(a)	Asst. Sec. for Operations & Policy	Compliant by January 1, 2006
Voter Registration §303(b)	Asst. Sec. for Operations & Policy	Compliant by January 1, 2004
Education and Training §254(a)(3)	Asst. Sec. for Elections & Training	On-going
Polling Place Accessibility	Asst. Sec. for Elections & Training	On-going
Budget and Fiscal Controls	Asst. Sec. for Operations & Policy	On-going
Grievance Procedures	Deputy Secretary	Implemented by January 1, 2004
UOCAVA Office	Asst. Sec. for Operations & Policy	Compliant by January 1, 2004

Performance Measures

The HIT will develop specific and detailed goals and measures and will use five broad categories of measures in evaluating each goal:

- Scope: will measure whether the scope of a given project is appropriate given the reality of internal and external factors.
- Schedule: will measure the progress toward goals including (at least) target start and stop dates, actual start and stop dates, percentage complete.
- Resources: will measure personnel and financial investment to ensure that the staffing and financial resources are sufficient for a given project at a given time.
- Quality: will measure the effectiveness of the project to ensure that it meets expectations.
- Risk: will measure the likelihood of certain events and the impact of those events on the project.

Page 21: [4] Deleted jalcorn 5/12/2006 10:24 AM

§301 Accessibility Audits	\$0.5	\$0.5	—
§303 Computerized statewide voter registration system and mail registration	\$12.1	\$3.1	—

Page 21: [5] Deleted jalcorn 4/25/2006 4:12 PM

Other priorities or maintenance and on-going support		\$0.2	—
--	--	-------	---

Page 26: [6] Deleted jalcorn 4/28/2006 11:19 AM

Virginia's HAVA Advisory Committee (HAC) is a diverse group of citizens including representatives from various constituency groups, local election officials and representatives from state agencies. Jean Jensen, Secretary of the SBE, chaired the committee. The HAC met three times before the release of this plan for public comment and provided essential guidance particularly on the issues of accessibility, voter education and training. Further, the HAC reviewed drafts of the State Plan and was instrumental in disseminating the plan, holding public hearings and soliciting citizen input.

The Committee membership, including each person's affiliation, is as follows:

William Blake

Policy Director, Students of Virginia

Steve Calos

Director, Center for Open, Ethical & Accountable Government

Otis S. Childress, Jr.

Chairman, York County Electoral Board

Linwood Cobb

Former Chair, VA State Board of Elections

Doris Crouse-Mays

Political Director, VA State AFL-CIO

Marshall Dean Dowdy

VA Municipal League

Mary P. Doxey

Chairman, City of Newport News Electoral Board

Susan B. Fitz-Hugh

Former Secretary, VA State Board of Elections

Carey Friedman

Policy Director, Office of the Lt. Governor

Donna H. Green

Exec. Asst. to the Electoral Board, Prince William County

Michael G. Brown

Chair, VA State Board of Elections

Mary-Margaret Cash

Chief Deputy Comm., VA Dept. of Rehabilitative Services

Charlotte W. Cleary

Former General Registrar, Arlington County

Linda Crenshaw

Director, Enterprise Solutions Division, VA Dept. of Info. Tech.

Ray H. Davis

General Registrar, Stafford County

Charles F. Downs

ADA Coordinator, City of Waynesboro, Dept. of Planning

Thomas W. Fina

Executive Director Emeritus, Democrats Abroad

Lawrence H. Framme, III

Chairman, Democratic Party of VA

Claire Guthrie Gastañaga

Legal Counsel on Redistricting & Election Issues

Marlene J. Hager

General Registrar, City of Virginia Beach

Earl H. Hale, Jr.

Secretary, Prince George County Electoral Board

James Hopper

Senior Attorney General, Office of the Atty. General

Marion C. "Jeff" Jefferson

Secretary, Campbell County Electoral Board

Robert B. Jones

President, StatePulse

The Hon. Jerry Kilgore

Attorney General, Commonwealth of Virginia

Courtney Malveaux, Esq.

Attorney, Big Brothers/Big Sisters of Richmond

Delceno Miles

Chair, Hampton Roads Chamber of Commerce

Edward A. O'Neal

Chairman, City of Norfolk Electoral Board

Lee Page

Associate Advocacy Director, Paralyzed Veterans of America

Cameron P. Quinn

Former Secretary, VA State Board of Elections

Carolyn C. Rendleman

General Registrar, City of Lexington

David G. Root

Dir. of Govt. & Public Affairs, Richmond Home Builders Assoc.

Patricia Taylor

Coordinator of Curriculum Instruction, Governor's School

Philip D. Vasquez

Deputy Commissioner, VA Department of Motor Vehicles

The Hon. Ron Villanueva

Councilman, City of Virginia Beach

Barbara Hildenbrand

Vice Chair, VA State Board of Elections

Connie M. Houston

Past President, VA League of Women Voters

Jean R. Jensen

Secretary, VA State Board of Elections

The Hon. Timothy M. Kaine

Lieutenant Governor, Commonwealth of Virginia

Margaret K. Luca

Secretary, Fairfax County Electoral Board

Jennifer McClellan

Attorney, VA State Bar Young Lawyers Conference

Richard F. "Rick" Neel, Jr.

Bd. Of Directors, VA Economic Development Partnership

Deloris M. Overton

General Registrar, City of Portsmouth Electoral Board

David L. Pierce

Dep. Dir. of Customer Service, VA Dept. of Motor Vehicles

Phyllis Randall

NAACP

Jeanne Reporter

President, South Hampton Roads League of Women Voters

James A. Rothrock

Commissioner, VA Department of Rehabilitative Services

Mark E. Smith

Assistant Secretary of Education, Office of the Governor

Gary Thomson

Chairman, Republican Party of VA

Rovenia Vaughan

President, VA NAACP Conference

Jeanie Wood

National Federation of the Blind