

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF BANKING AND FINANCIAL INSTITUTIONS

Bulletin of New Bank Application(s)

Pursuant to D.C. Official Code § 26-704(b)(1)(A) (2001), the Commissioner of the Department of Banking and Financial Institutions hereby gives notice that the Department of Banking and Financial Institutions has received the following Application to organize a de novo commercial bank in the District of Columbia:

Applicant: WashingtonFirst Bank

Date of Application: June 10, 2003

Proposed Location: District of Columbia

Any person desiring to comment on this application may do so by submitting written comments within 20 days from the date of publication of this notice in the D.C. Register to:

S. Kathryn Allen
Commissioner
Department of Banking and Financial Institutions
1400 L Street, NW, Suite 400
Washington, DC 20005

The public file for this application is available for inspection with the Department of Banking and Financial Institutions during regular business hours from 8:30 a.m. to 5:00 p.m. at the address listed above.

Capital City Public Charter School
3029 14th Street, N.W.
Washington, DC 20009-6820

**NOTICE OF A REQUEST FOR PROPOSAL:
SCHOOL VOICE AND DATA NETWORK**

Capital City Public Charter School, a public elementary school for approximately 245 children in grades pre-K through eighth, seeks requests for proposals to provide a voice and data network for its new facility in accordance with D.C. Code section 38-1802.04(c)(1)(A). Specifically, Capital City seeks an individual or company that can conduct a needs assessment for a voice and data network, design the system, purchase the equipment, install and set up the networks. Interested individuals and companies may obtain additional information regarding Capital City's voice and data network needs by contacting Karl Jentoft, Treasurer, at (202) 328-9703; (fax: 202-328-0760) or e-mail at KEJentoft@aol.com. Final bids will be due by noon on July 27, 2003.

Community Academy Public Charter SchoolREQUEST FOR PROPOSALS

Community Academy Public Charter School (CAPCS) is soliciting proposals for a complete online education program for grades K-8 capable of meeting the needs of all students including gifted and at risk. The program must be a mix of on and offline curricula with materials that adapt to the student's background, language levels and developmental stages. Course content must be based upon solid research, incorporate national and DCPS standards and exhibit a logical hierarchy and sequence.

CAPCS is a District of Columbia charter school chartered by the DC Board of Education with an enrollment of over 500 children on three campuses in pre k- 7th grades. Proposals will be evaluated on quality of proposal, demonstrated experience, and compatibility with goals and mission of CAPCS.

Proposals are due July 11th. Earlier proposals are encouraged. Reply to Kent Amos, Managing Director, Community Academy Public Charter School, 1300 Allison Street, NW, Washington, DC 20011. For questions, call 202-723-4100.

BOARD OF ELECTIONS AND ETHICS
CERTIFICATION OF ANC/SMD VACANCIES

The District of Columbia Board of Elections and Ethics hereby gives notice that there are vacancies in eight (8) Advisory Neighborhood Commission offices, certified pursuant to D.C. Code §1-309.06(d)(2) [(2001 Ed.)].

VACANT: **3D07, 3D08**
 5C10, 5C11
 6B11
 8B03, 8C05, 8C06

Petition Circulation Period: **Wednesday, June 18, 2003 thru Tuesday, July 8, 2003**
Petition Challenge Period: **Friday, July 11, 2003 thru Thursday, July 17, 2003**

Candidates seeking the Office of Advisory Neighborhood Commissioner, or their representatives, may pick up nominating petitions at the following location:

D.C. Board of Elections and Ethics
441 - 4th Street, NW, Room 250N

For more information, the public may call 727-2525.

District of Columbia Board of Ethics and Elections

**MOVING ELECTIONS FORWARD
IN THE DISTRICT OF COLUMBIA**



*A Preliminary Plan
for Implementing the Help America Vote Act
in the District of Columbia*

JUNE 23, 2003

District of Columbia Board of Ethics and Elections

**A PRELIMINARY PLAN FOR IMPLEMENTING
THE HELP AMERICA VOTE ACT
IN THE DISTRICT OF COLUMBIA**

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INTRODUCTION

In 2002, Congress passed the Help America Vote Act (HAVA), Public Law 107 252, landmark legislation to improve the administration of elections in the United States. The District of Columbia Board of Elections and Ethics is proud to say the District of Columbia is already substantially in compliance with the new federal standards – much to the credit of citizen advocates, previous and current Board members and staff.

When it passed HAVA, Congress also authorized federal funds to assist states and localities to meet these new standards. To receive these funds, states – including, as in this case, a federal district – are required to solicit public advice and recommendations in developing a plan for meeting the new standards. In March of 2003, the Board of Elections and Ethics (hereinafter referred to as the “Board”) established the District of Columbia State Planning Committee and charged the committee with producing a roadmap for the future of elections in the District of Columbia (see Appendix A for a list of the Planning Committee members).

The draft plan that follows builds on the recommendations of the Planning Committee. Following publication of the plan in the *District of Columbia Register*, the Board will solicit public comments in writing and at a public hearing. The plan will also be posted on the Board’s website. Following the comment period, and once appropriate changes have been incorporated, a final version of the plan will be published in the *Federal Register*, as required in section 256 of HAVA.

The Board is grateful to the members of the Planning Committee for the energy, time and expertise they devoted to this effort. All voters in the District of Columbia will benefit from the hard work of this committee.

After a review of the current election system, the Planning Committee agreed that HAVA funds should go to modernizing the statewide computerized registration system (which is already in place), improving pollworker recruitment and training, expanding voter education, promoting barrier-free voting for persons with disabilities, and strengthening the infrastructure of the elections process over the long term.

The 2000 presidential election shone a spotlight on weaknesses in the nation’s election system, and in particular on problems with antiquated voting equipment. Prior to this election, the Board had already acted to modernize its election system and ensure that every eligible voter was able to cast a vote and have that vote counted. Under this initiative, the Board made the decision to replace its aging punch card voting system with voting systems that reduced the likelihood of voter error and allowed for second-chance voting.

In September of 2001, five District of Columbia voters, the Disability Rights Council and the American Association for People with Disabilities, filed suit against the District of

Columbia claiming that inaccessible voting systems and polling places were violations of the Americans with Disabilities Act. The suit was eventually settled pursuant to an agreement that requires the city to purchase at least one accessible voting system for every polling place by the 2004 primary and sets a goal that "best efforts? Will be made to ensure that all polling sites will be accessible by the same date. The Board expects these voting machines to be in place for the primary election in 2004, bringing the city into full compliance with the new federal voting systems standards prior to the November 2006 deadline specified in HAVA.

District of Columbia voters are already given the protection of provisional ballots now required by HAVA; only minor changes are necessary to comply with the process set forth in the federal law. Actions to comply with the new requirement to post voter information at the polling place will be one component in a larger program of vigorous voter outreach and education.

Ten years prior to the National Voter Registration Act in 1993, the Board created a computerized registration list. Consequently, the District of Columbia already complies with one of the most significant changes mandated by the new federal law – the requirement that every state have a single, statewide, computerized voter registration list. Budget constraints have prevented the Board from updating this system and taking advantage of changes in information technology that can make it more efficient, more accurate and more secure.

The Board is drafting legislation and rules to modify current registration processes to conform to new requirements. In the process, the Board will take care to ensure that procedures to keep the voter list accurate, verify eligibility and secure voter information do not place an undue burden on the voter or increase the possibility of erroneously removing eligible voters.

The new funds appropriated under HAVA will allow the Board to update its registration system, creating interactive links with other agencies, giving pollworkers access to the list at the polling place on Election Day, and improving security.

Elections depend on technology, but they also depend on the army of temporary workers brought in on Election Day to manage the polls. Up-to-date technology and voting systems, however, cannot compensate for weaknesses in the polling place operations. Accordingly, the Board will use HAVA funds to address vulnerabilities in the current system of pollworker recruitment and training. The Board will also use funds to increase voter education and promote broader participation in the election, particularly among voters with low English proficiency.

Finally, the Board plans to use HAVA funds to make improvements in the infrastructure of the elections system that will reap long-term benefits for District of Columbia voters.

Sound elections require public confidence. The Board puts a high premium on openness and accountability to the public. In addition to bringing election laws and procedures

into compliance with HAVA, the Board will institute procedures to enhance accountability and transparency. As required by HAVA, the Board is creating an administrative dispute resolution process for handling voter complaints relative to HAVA compliance. And, finally, the expenditure of HAVA funds will adhere to federal and city reporting and accounting requirements.

I. UNIQUE CHARACTERISTICS OF THE DISTRICT OF COLUMBIA

Several provisions of the Help America Vote Act are intended to shift accountability for elections to the state level and promote more centralized administration. These provisions do not apply to the District of Columbia, which is a single jurisdiction. The District of Columbia has only one election authority, the District of Columbia Board of Elections and Ethics. Accountability for elections in the District of Columbia resides with the Board. This section enumerates those components of the plan required under Section 254 (a) that do not apply to the District of Columbia and those components that must be redefined in order to apply to the special characteristics of this unique jurisdiction.

According to HAVA, the state's plan must discuss "how the State will monitor distribution of the requirements payment to units of local government [Section 254 (a)(2)]. There are no applicable units of local government in the District of Columbia; the Board will be the sole government agency to receive funds under HAVA and the sole agency with authority to spend HAVA funds. The plan includes a detailed description of how the Board will work to ensure the highest standards of public accountability in the use of these funds.

HAVA requires the state to describe in the plan how it will "provide for programs for election official education and training" [section 254 (a)(3)]. Again, the District of Columbia is a single entity with only one election authority; the Board's only responsibility is to train its own election officials and pollworkers. As described elsewhere in this plan, the Board will train relevant staff and poll workers on election administration requirements.

HAVA also requires that states adopt performance goals and measures to "determine the success of local government in carrying out the plan" [section 254 (a)(8)]. Again, responsibility for carrying out the plan resides solely with the Board. The only relevant performance goals and measures are those that will measure the Board's actions and efforts. The Board will develop these performance goals and measures, as required, in consultation with the District of Columbia State Planning Committee and subject to public comment.

Finally, section 702 of HAVA requires states to create a single office within the state for carrying out responsibilities under the Uniformed and Overseas Citizens Absentee Voter Act. The Board, the sole agency responsible for administering these requirements, already complies with this new requirement.

While provisions in HAVA seek to address a problem that the District of Columbia does not experience, namely, centralizing authority at the state level, the Board, like every other state election authority, faces a challenge in ensuring uniform application of the law. Within the context of elections in the District of Columbia, uniformity of election administration will be defined as uniformity across the jurisdiction. The Board will seek to ensure the new requirements are applied uniformly in every polling place.

II. A PLAN FOR MEETING NEW REQUIREMENTS OF THE HELP AMERICA VOTE ACT IN THE DISTRICT OF COLUMBIA

Meeting New Voting System Requirements under HAVA¹

In passing HAVA, Congress established a set of minimum standards for all voting systems used in federal elections. The standards require voting systems to do the following: notify voters of errors, including over-voting; provide voters with the opportunity to review their ballot and correct errors; provide a paper record for audit purposes; provide voters with disabilities the opportunity to cast a private ballot independently; provide ballots in multiple languages; and not exceed the machine error rate set by the Federal Election Commission. States are also required to provide a definition of what constitutes a vote for each type of system used.

Prior to the 2000 presidential election, the District of Columbia had already begun an overhaul of its voting systems consistent with the goals outlined in the federal bill. By the 2002 elections, the punch card voting system had been replaced with the Optech Eagle P III optical scan voting system. This system allows voters to review their ballots, notifies the voter of an over-vote and allows voters to correct the ballot in case of an error. The city will continue and expand its efforts to educate voters on the use of the optical scan system for its upcoming elections. In addition, by 2004 the Board will have added one machine per precinct that is accessible to persons who are visually and mobility impaired – the Sequoia Edge Direct Recording Equipment (DRE) machine -- in all of the city's 142 precincts. The optical scan and the DRE system meet the federal standards for auditability and acceptable machine error rate required under section 301.

The Board has drafted legislation requiring voting systems in the District of Columbia to meet the standards specified in section 301. These requirements are minimum standards and will not prevent the Board from procuring systems that offer additional features and safeguards. In addition to purchasing systems that meet the new requirements, the Board will, consistent with its former practice, abide by the voluntary standards issued by the Election Assistance Commission.

¹ Section 254(a)(1), "How the state will use the requirements payment to meet the requirements of title III" and section 254 (a)(4), "How the State will adopt voting system guidelines and processes which are consistent with the requirements of section 301."

As explained more fully below, the Board expects to be in full compliance with the new HAVA voting system standards by the presidential primary election in 2004. The Board plans to use HAVA funding to take additional steps that will ensure the transition to new voting systems is completed successfully.

Over-vote notification, ballot review and ballot correction

With its purchase of new optical scan systems and DREs, the Board significantly improved the process by which voters in the District of Columbia cast ballots. Both systems have safeguards to ensure the voter is able to express his or her intent accurately. The optical scan systems accomplish this goal by means of an in-precinct scanner. Voters insert their ballots into the scanner, which rejects ballots with errors, including over-votes, thus confirming for the voter that he or she has produced a ballot that can be machine read. The touch-screen DRE systems prevent voters from making errors and provide an automatic review of the ballot prior to its being cast.

Since the cost of these new technologies has proved prohibitive in the past, the Board phased in improvements gradually. After the 2000 election, the Board replaced its punch card voting system with the optical scan system. The Optech Eagle optical scan system now in use in every precinct permits voters casting their ballot in person to review their ballots. The system also allows for private and independent correction, as well as replacement of damaged or over-voted ballots. As required by HAVA, the Board will include instructions on the effect of an over-vote and procedures for obtaining a replacement ballot with absentee ballots, since these voters will not have the advantage of in-precinct error notification.

The Sequoia Edge DREs purchased by the Board (described below) for use in 2004 are in full compliance with this provision of Section 301. They do not permit over-voting; they provide automatic ballot review; and they notify the voter of errors and how to correct those errors.

Accessibility to persons with disabilities

Prior to passage of the HAVA, five District of Columbia voters, the American Association of People With Disabilities, and the Disability Rights Council of Greater Washington filed suit in the U.S. District Court claiming that the purchase of the new optical scan voting system, which is not accessible to voters with disabilities, violated the Americans with Disabilities Act of 1990.

In settling the case, the District of Columbia government and the Board agreed to provide at least one accessible DRE voting machine in every polling place in the city by the May Presidential primary election. During the September 2002 primary election, the Sequoia Edge DREs were on display at 70 polling places. For a blind voter, the machines produce an audio reading of the ballot to which a voter listens using headphones. The voter moves through the ballot using arrow keys and pushes the "select" button for his or her choice. Each button has a distinctive shape, such as an "up" arrow, and is identified in Braille. People who cannot use their hands to hold a pencil can use the touch screen feature of the

machine. The voter sees the ballot on the screen and touches the screen with any part of the hand or a wand held in the mouth. All voters can also use the machines to write in a candidate by spelling the candidate's name either on a keyboard on the touch-screen or by selecting letters recited orally.

The Board has not yet purchased all of the DREs necessary under the settlement; the Board anticipates having all of the machines ready for use in polling places by the 2004 Presidential primary.

Auditability

The Board places a high premium on an open vote-casting and tabulation process that merits the trust and confidence of the voters. The voting systems procured by the Board have already been tested and certified by the Independent Testing Authority under the auspices of the National Association of State Election Directors. All ITA-certified systems meet established federal standards for auditability and security. The Board provides additional safeguards to ensure the integrity of these systems:

The DRE Edge is capable of providing a paper audit trail that can serve as an official record in the event of a recount. The system requests the voter to review his or her choices prior to submitting the ballot, at which time the system creates the permanent record.

The Optech Eagle uses paper ballots that can be used as an official record in the event of a recount.

Alternative Language Accessibility

The District of Columbia is home to an increasingly diverse population. Although the District of Columbia was not included on the Bureau of the Census list of jurisdictions required to provide multi-lingual ballots under the Voting Rights Act of 1965, certain wards certainly meet the threshold percentage of voters with low English proficiency. The Board is therefore providing ballots and election materials in Spanish at every precinct in the 2004 elections.

The Sequoia Edge DREs can be programmed to produce ballots in multiple languages and are therefore compliant with this provision.

Error rates

HAVA requires that no voting systems exceed the acceptable machine error rate established in the Federal Election Commission's voluntary Voting System Standards. As a matter of practice, the Board only purchases voting systems that meet these federal standards. Systems now in use -- both the Optech Eagle and the Sequoia Edge DRE -- have been tested and certified by the Independent Testing Authority under the auspices of the National Association of State Election Directors.

What constitutes a vote

Board regulations (Chapter 8, sections 809.1 through 809.10) contain clear guidelines on what constitutes a vote on the optical scan ballots. These standards are applied only in the event of a recount. The DRE systems define what constitutes a vote as part of the interface with the voter and so require no such guidelines.

In addition to the steps outlined above, the Board plans to adopt the following measures to facilitate a smooth transition to new voting systems in the 2004 presidential primary and general election:

- Review and modify polling place signage, materials and procedures to ensure that both pollworkers and voters understand the process for casting a ballot that accurately reflects the voter's intent and that will be counted. At a minimum, the Board will: (1) post an easily legible sign near the scanners instructing voters to review their ballots carefully to ensure they have clearly voted in pencil for the candidate(s) of their choice, that there are no stray marks on the ballot, and that they have not over-voted; and (2) instruct voters to watch the completed ballot being fed into the scanner.
- Conduct an educational campaign in cooperation with political parties and civic organizations and using a wide range of media to familiarize the public with new voting systems, as well as new procedures. At the polling place, an additional pollworker will be dedicated to providing information to voters. Instructions on how to cast a ballot will be included with sample ballots.
- Develop instructional video and audio programs in English and Spanish on the use of the optical scan and DRE voting systems, and develop an outreach plan for educating District of Columbia voters, including voters with disabilities.
- To assure private and independent voting on the optical scan system, the Board will, cost permitting, replace the old punch card stations with new, simpler and more flexible privacy areas.
- Make DREs available in at least two locations during the in-person absentee voting period for voters with disabilities or voters who may need extra time for assistance in voting.

Table 1 – Compliance with Section 301 Voting System Requirements	Compliant	Not Compliant	Actions Needed for Compliance
(a) (1)(A) The voting system shall permit private and independent voter verification before the ballot is cast and counted; shall provide the voter with the opportunity (in a private and independent manner) to correct	X		Legislation is pending to assure full

Table 1 – Compliance with Section 301 Voting System Requirements	Compliant	Not Compliant	Actions Needed for Compliance
the ballot; and shall notify the voter in the case of an over-vote and allow the voter to correct the ballot.			compliance with this requirement.
(a)(1)(B) A State or jurisdiction that uses a paper ballot voting system (including mail-in absentee ballots and mail-in ballots), may meet these requirements by establishing a voter education program specific to that voting system that notifies each voter of the effect of casting multiple votes for an office and providing the voter with instructions on how to correct and replace the ballot.		X	The Board is developing program and materials to educate absentee and other voters on the use of optical scan system.
(a) (1)(C) The voting system shall ensure that any notification required under this paragraph preserves the privacy of the voter and the confidentiality of the ballot.	X		
(a)(2) The voting system shall produce a record with an audit capacity. The voting system shall produce a permanent paper record with a manual audit capacity. The voting system shall provide the voter with an opportunity to change the ballot or correct any error before the permanent paper record is produced. The paper record shall be available as an official record for any recount conducted with respect to any election in which the system is used.	X		
(a)(3) The voting system shall be accessible for individuals with disabilities, including non-visual accessibility for the blind and visually impaired, in a manner that provides the same opportunity for access and participation (including privacy and independence) as for other voters. The voting system shall satisfy this requirement through the use of at least 1 direct recording electronic voting system or other voting system equipped for individuals with disabilities at each polling place.		X	The District of Columbia has contracted with Sequoia for the purchase of a sufficient number of DREs to meet this requirement.

Table 1 – Compliance with Section 301 Voting System Requirements	Compliant	Not Compliant	Actions Needed for Compliance
(a)(4) The voting system shall provide alternative language accessibility pursuant to the requirements of section 203 of the Voting Rights Act of 1965 (42 U.S.C. 1973aa-1a).	X		
(a)(5) The error rate of the voting system in counting ballots (taking into account only those errors which are attributable to the voting system and not attributable to an act of the voter) shall comply with the error rate standards established under section 3.2.1 of the voting systems standards issued by the Federal Election Commission.	X		
(a)(6) Each State shall adopt uniform and nondiscriminatory standards that define what constitutes a vote and what will be counted as a vote for each category of voting system used in the State.	X		
(b) The term "voting system" means-- (1) the total combination of mechanical, electromechanical, or electronic equipment (including the software, firmware, and documentation required to program, control, and support the equipment) that is used-- (A) to define ballots; (B) to cast and count votes; (C) to report or display election results; and (D) to maintain and produce any audit trail information; and (2) the practices and associated documentation used-- (A) to identify system components and versions of such components; (B) to test the system during its development and maintenance; (C) to maintain records of system errors and defects; (D) to determine specific system changes to be made to a system after the initial qualification of the system; and (E) to make available any materials to		X	Legislation is pending to meet this requirement.

Table 1 – Compliance with Section 301 Voting System Requirements	Compliant	Not Compliant	Actions Needed for Compliance
the voter (such as notices, instructions, forms, or paper ballots).			

Implementing the New Polling Place Procedures

Provisional voting

Under current law in the District of Columbia, voters whose names do not appear in the precinct register may vote a provisional or, as it is currently termed in the District of Columbia Official Code, a “special ballot.” Voters whose names do not appear because they may have moved fill out an Election Day Change of Address form and vote a provisional ballot. In practice, the provisional ballot process ensures that every person desiring to vote on Election Day and claiming to be registered may cast a ballot. All such voters are informed verbally and in writing at the polling place about the process for determining the validity of these provisional or “special ballots.” After Election Day, the Board investigates the eligibility of the voters and makes a preliminary determination. A list of voters whose ballots are not deemed valid is published and made available at a public library in each of the eight wards and at the main library. Voters and challengers may request a public hearing to appeal the preliminary decision.

Changes needed to bring the polling place administration of provisional ballots into compliance with HAVA are minimal. The Board has drafted legislation specifying the new uses of provisional ballots: (1) as a fail-safe mechanism for first-time voters whose eligibility has not been verified prior to voting, and (2) the required method for voters casting their ballots after regular voting hours in the event of a court order to keep the polls open.

As noted above, the new DRE system will be programmed to segregate provisional ballots so that voters with disabilities may cast provisional ballots on accessible machines.

Because the Board interprets HAVA to include challenged ballots within the provisional ballot process, the current procedures for publishing the results of challenges must be revised to restrict access to this information in accordance with HAVA. The Board is drafting legislation to make the necessary revisions. The Board is also establishing a toll-free hotline that will allow voters to access information on the disposition of their special ballots. In addition, the Board is adding safeguards so that only the voter who cast the provisional ballot has access to the information.

The Board will take the following additional steps to assure effective implementation of provisional ballot process:

- Since provisional voters in the District of Columbia are required to cast provisional or special ballots in their assigned precinct, the Board will act to inform all voters of their assigned precinct in an election mailing prior to Election Day. As in the past, a trained pollworker will be designated to help a voter determine his or her assigned precinct and direct them to the appropriate polling place.
- DREs will be programmed to allow for segregating provisional ballots.
- The Board will work to devise administrative procedures that are simple and straightforward, and will conduct training to ensure pollworkers understand the process.

Posting of voter information

The Board currently posts at the polling place the following information: qualifications for voting, a sample ballot, instructions for casting a special ballot, and the penalty for perjury. The Board has drafted legislation and regulations to bring the District of Columbia into compliance with this provision by adding a requirement to post the following:

- information regarding the date of the election and the hours during which polling places will be open;
- instructions for mail-in registrants and first-time voters under section 303(b);
- general information on voting rights under applicable Federal and District 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 District laws regarding prohibitions on acts of fraud and misrepresentation.

Voters voting after the polls close

HAVA requires that voters casting their ballots after regular voting hours in the event of a court order to keep the polls open cast a provisional ballot. The law further requires that such provisional ballots be kept separate from other provisional ballots.

The Board has drafted legislation specifying the use of special ballots in this circumstance. The Board will modify its procedures to accommodate this new use of

special ballots and to allow these ballots to be segregated prior to a determination of their validity.

Table 2 – Compliance with Section 302 Provisional Voting and Voting Information Requirements	Compliant	Not Compliant	Actions Needed for Compliance
(a) Provisional voting requirements. If an individual declares that he or she is a registered voter in the jurisdiction and that he or she is eligible to vote in a Federal election, but the name of the individual does not appear on the official list of eligible voters for the polling place or an election official asserts that the individual is not eligible to vote, such individual shall be permitted to cast a provisional ballot as follows	X		
(a)(1) An election official at the polling place shall notify the individual that the individual may cast a provisional ballot in that election.	X		
(a) (2) The individual shall be permitted to cast a provisional ballot at that polling place upon the execution of a written affirmation by the individual before an election official at the polling place stating that the individual is-- (A) a registered voter in the jurisdiction in which the individual desires to vote; and (B) eligible to vote in that election.	X		
(a)(3) An election official at the polling place shall transmit the ballot cast by the individual to an appropriate election official for prompt verification.	X		
(a)(4) If the election official to whom the ballot or voter information is transmitted determines that the individual is eligible under State law to vote, the individual's provisional ballot shall be counted as a vote in that election in accordance with State law.	X		

Table 2 – Compliance with Section 302 Provisional Voting and Voting Information Requirements	Compliant	Not Compliant	Actions Needed for Compliance
(a)(5)(A) At the time that an individual casts a provisional ballot, the appropriate election official shall give the individual written information that states that any individual who casts a provisional ballot will be able to ascertain under the system established under subparagraph (B) whether the vote was counted, and, if the vote was not counted, the reason that the vote was not counted.	X		
(a) (5)(B) The appropriate election official shall establish a free access system (such as a toll-free telephone number or an Internet website) that any individual who casts a provisional ballot may access to discover whether the vote of that individual was counted, and, if the vote was not counted, the reason that the vote was not counted.		X	Legislation and proposed rulemaking are pending to meet this requirement.
(a) ... The appropriate State or local official shall establish and maintain reasonable procedures necessary to protect the security, confidentiality, and integrity of personal information collected, stored, or otherwise used by the free access system established under paragraph (5)(B). Access to information about an individual provisional ballot shall be restricted to the individual who cast the ballot.		X	Legislation and proposed rulemaking are pending to meet this requirement.
(b) Voting information requirements. The appropriate election official shall cause voting information to be publicly posted at each polling place on the day of each election for Federal office.		X	Legislation and proposed rulemaking are pending to meet this requirement.
(b)(2)(A) a sample version of the ballot that will be used for that election;	X		

Table 2 – Compliance with Section 302 Provisional Voting and Voting Information Requirements	Compliant	Not Compliant	Actions Needed for Compliance
(b)(2) (B) information regarding the date of the election and the hours during which polling places will be open;		X	Legislation and proposed rulemaking are pending to meet this requirement.
(b)(2)(C) instructions on how to vote, including how to cast a vote and how to cast a provisional ballot;		X	Legislation and proposed rulemaking are pending to meet this requirement.
(b)(2)(D) instructions for mail-in registrants and first-time voters whose identity has not been verified prior to Election Day;		X	Legislation and proposed rulemaking are pending to meet this requirement.
(b)(2)(E) 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;		X	Legislation and proposed rulemaking are pending to meet this requirement.
(b)(2)(F) general information on Federal and State laws regarding prohibitions on acts of fraud and misrepresentation.		X	Legislation and proposed rulemaking are pending to meet this requirement.
(c) Voters who vote after the polls close. Any individual who votes in a Federal election as a result of a court order or any other order extending the time established for closing the polls by a State law in effect 10 days before the date of that election may only vote in that election by casting a provisional ballot. Any such ballot cast under the preceding sentence shall be separated and held apart from other provisional ballots cast by those not affected by the order.		X	Legislation and proposed rulemaking are pending to meet this requirement.

Meeting New Registration Requirements

For all voters, applying to register is the first contact with the Board and the elections process. The District of Columbia has been energetic in its outreach to voters, offering registration opportunities at six city agencies and working in partnership with civic organizations, political campaigns, and media outlets to increase the number of registered voters. These efforts have been successful: 78.7 percent of the city's voting age population is registered to vote.

Computerized voter registration list

The District of Columbia is in the enviable position of being in full compliance with section 303. The Board currently administers a single, uniform, computerized list that is used as the official list in all precincts. As the District of Columbia is a single jurisdiction, the requirements pertaining to the transmission of data and voter information from the county to the state do not apply.

The Board currently complies with all HAVA list maintenance requirements, as well as with all requirements in the National Voter Registration Act (NVRA). Records from the U.S. District and D.C. Superior Courts and the Department of Vital Statistics are matched against Board records to identify incarcerated felony convicts, deceased voters and other individuals who are no longer eligible to vote.

The Board also matches its computerized list against records received from the National Change of Address biannually. Information indicating that a voter has moved will prompt a mailing to the voter for confirmation. Consistent with procedures established in the NVRA, the Board conducts a citywide canvass and removes those voters whose mail is returned as undeliverable and who have not voted in two federal elections. The District of Columbia regulations stipulate that the Board must confirm that a voter is ineligible before removing the record from the rolls. These procedures will not change under HAVA; rather, the money appropriated under HAVA will allow the Board to make improvements and reduce the administrative burden of such list-cleaning measures.

HAVA requires that the official list used in the conduct of elections contain the names of all legally registered voters. Since inactive voters, that is, voters who have moved within the District and who have not responded to a mailing, are legally registered, Board will include the names of inactive voters on the list used at the precinct on Election Day.

The Board Chief Technology Officer has responsibility for maintaining the integrity and security of the list of registered voters. Under the current system, access to voter registration information requires both a user ID and a password. The chief technology officer is currently strengthening security of the list by creating a hierarchy of access to data.

Although compliant with all HAVA requirements, the voter registration database system does not take full advantage of contemporary information technology. Currently, all voter registration applications filled out at voter registration sites other than that of the Board office are transmitted in paper form. The Board intends to move to a system of electronic transmission between agencies. The Board plans to make the following improvements to reduce the administrative burden in managing the system (which will reduce costs over the long term) and ensure that the voter registration list is current, accurate, secure and reliable:

- secure agreements with voter registration agencies, including the Medical Assistance Administration, the Office on Aging, Income Maintenance Administration, Mental Retardation and Developmental Disabilities Association, Recreation and Parks – Senior Citizens' Branch, Rehabilitation Services Administration and the Supplemental Program for Women, Infants and Children to create interactive links that allow for the electronic transmission of voter information and registration applications;
- facilitate access to the entire registration list at each polling place; and
- establish new security measures to ensure that voter information remains private and protected.

Verification of registration information

The Board has designed its registration process on the principle that registration should not be a barrier to voting – indeed, by maintaining an accurate list of registered voters, the registration process allows the communication with voters vital to fostering healthy and full participation in elections. To ensure registration does not inhibit participation, procedures to verify voter information should be as transparent to the voter as possible.

Currently, the Board requests but does not require applicants to provide their Social Security Numbers. The voters are assigned a unique identifier that is random and specific to the Board's list (this system requires no modification). To comply with the new requirement under HAVA, the Board is revising registration forms to include a request for the applicant's driver's license number or the last four digits of the Social Security Number and modifying the database to store the new information.

The Board currently does not regularly match voter information with Bureau of Motor Vehicle (BMV) records. As required by HAVA, the Chief Election Official will work with the appropriate official at the BMV to enter into an agreement authorizing the sharing of information between the two agencies. The Board will develop mechanisms for sharing data that will allow it to verify the accuracy of voter records. (Prior to linking the two systems, this match will be accomplished through file downloads from the DMV to the Board.) The Board will simultaneously institute safeguards to ensure that voters are not denied registration because of erroneous or out-of-date information contained on either database.

Requirements for first-time, mail-in registrants

Under HAVA, citizens registering to vote for the first time in the District of Columbia who submit their registration application by mail are required to present at the polling place identification or documents verifying residency. The acceptable forms of documentation specified in HAVA are: a copy of 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. If such voters vote absentee, they are required to submit copies of ID or the other verifying documents with their absentee ballot. The Board has drafted legislation that will bring the District of Columbia into compliance with this requirement and is modifying the voter registration system to track such voters.

The Board is concerned, however, that instituting special procedures for certain voters may lead to the perception that some voters are being treated differently. In addition, special procedures inevitably add to possible confusion at the polling place. For this reason, the Board plans to incorporate procedures into the new registration process that allow it to verify the voter's eligibility prior to their voting and thereby reduce the burden on both pollworkers and voters.

The Board will take the following additional steps to ensure effective implementation of new registration and first-time voter requirements:

- In designing the new registration applications, the Board will consult a literacy expert to ensure that each request for information on the voter registration form is readily understandable and can be satisfied with a concise answer or mark.
- In processing the new registration applications, the Board will make every effort to obtain missing registration information prior to the next election. This provision may require the Board to send multiple mailing to the registrant.
- The Board will work with city agencies that issue identification and encourage them to include both name and address on all government-issued ID.
- Develop training, including an instructional video, on the new requirements of HAVA for citizens and other community groups who conduct voter registration drives and register other citizens.

Table 3 – Compliance with Section 303 Computerized Voter Registration List Requirements and Requirements for Voters Who Register by Mail	Compliant	Not Compliant	Actions Needed for Compliance
(a) (1)(A) Computerized statewide registration list requirements. Each State, acting through the chief State election official, shall implement, in a uniform and nondiscriminatory manner, a single, uniform, official, centralized, interactive, computerized statewide voter	X		Legislation is pending to assure full compliance with this requirement

Table 3 – Compliance with Section 303 Computerized Voter Registration List Requirements and Requirements for Voters Who Register by Mail	Compliant	Not Compliant	Actions Needed for Compliance
registration list defined, maintained, and administered at the State level that contains the name and registration information of every legally registered voter in the State (in this subsection referred to as the computerized list), and includes the following:			this requirement.
(a)(1)(A)(i) The computerized list shall serve as the single system for storing and managing the official list of registered voters throughout the state.	X		
(a)(1)(A)(ii) The list contains the name and registration information of every legally registered voter in the State.		X	The Board will merge active and inactive voters on the official list.
(a)(1)(A)(iii) Under the computerized list, a unique identifier is assigned to each legally registered voter in the State.	X		
(a)(1)(A)(iv) The computerized list shall be coordinated with other agency databases in the State.	X		
(a)(1)(A)(v) Any election official in the State, including any local election official, may obtain immediate electronic access to the information contained in the computerized list.	N/A		
(a)(1)(A)(vi) All voter information obtained by any local election official shall be electronically entered into the computerized list on an expedited basis at the time the information is provided to the local official.	N/A		

Table 3 – Compliance with Section 303 Computerized Voter Registration List Requirements and Requirements for Voters Who Register by Mail	Compliant	Not Compliant	Actions Needed for Compliance
(a)(1)(A)(vii) The chief State election official shall provide such support as may be required so that local election officials are able to enter information.	N/A		
(a)(1)(A)(viii) The computerized list shall serve as the official voter registration list for the conduct of all elections for Federal office in the State.	X		
(a)(2) Computerized list maintenance. The appropriate election official shall perform list maintenance with respect to the computerized list on a regular basis as follows: (a)(2)(A)(i) If an individual is to be removed from the computerized list, such individual shall be removed in accordance with the provisions of the National Voter Registration Act of 1993 (42 U.S.C 1973gg et seq).	X		
(a)(2)(A)(ii) For purposes of removing names of ineligible voters, from the official list of eligible voters – (I) under section 8(a)(3)(B) of such Act (42 U.S.C 1973gg-6(a)(3)(B)), the State shall coordinate with State agency records on felony status; and (II) by reason of the death of the registrant under section 8(a)(4)(A) of such Act (42 U.S.C 1973gg-6(a)(4)(A)), the State shall coordinate the computerized list with State agency records on death.	X		
(a)(2)(B) The list maintenance performed under subparagraph (A) shall be conducted in a manner that ensures that – (i) the name of each registered voter appears in the computerized list;	X		

Table 3 – Compliance with Section 303 Computerized Voter Registration List Requirements and Requirements for Voters Who Register by Mail	Compliant	Not Compliant	Actions Needed for Compliance
(a)(2)(B) (ii) only voters who are not registered or who are not eligible to vote are removed from the computerized list; and	X		
(a)(2)(B)(iii) duplicate names are eliminated from the computerized list.	X		
(a)(3) Technological security. The appropriate official shall provide adequate technological security measures to prevent the unauthorized access to the computerized list established under this section.	X		
(a)(4) Minimum standard of accuracy for state records. – The State election system shall include provisions to ensure that voter registration records in the State are accurate and are updated regularly, including the following: (a)(4)(A) A system of file maintenance that makes a reasonable effort to remove registrants who are ineligible to vote from the official list of eligible voters. Under such system, consistent with the National Voter Registration Act of 1993 (42 U.S.C 1973gg et seq.), registrants who have not responded to a notice and who have not voted in 2 consecutive general elections for Federal office shall be removed from the official list of eligible voters, except that no registrant may be removed solely by reason of a failure to vote.	X		
(a)(4)(B) Safeguards to ensure that eligible voters are not removed in error from the official list of eligible voters.	X		
(a)(5) Verification of voter registration information. (a)(5)(A)(i) Except as provided in clause		X	Legislation and proposed rulemaking to

Table 3 – Compliance with Section 303 Computerized Voter Registration List Requirements and Requirements for Voters Who Register by Mail	Compliant	Not Compliant	Actions Needed for Compliance
(ii), notwithstanding any other provision of law, an application for voter registration for an election for Federal office may not be accepted or processed unless the application includes— (I) in the case of an applicant who has been issued a current and valid driver's license, the applicant's driver's license number; or (II) in the case of any other applicant (other than an applicant to whom clause (ii) applies), the last 4 digits of the applicant's social security number.			meet this requirement are pending. Application form and computerized registration list are being revised to accommodate this requirement.
(a)(5)(A)(ii) Special rule for applicants without driver's license or Social Security Numbers. If an applicant for voter registration for an election for Federal office has not been issued a current and valid driver's license or a social security number, the State shall assign the applicant a number which will serve to identify the applicant for voter registration purposes. To the extent that the State has a computerized list in effect under this subsection and the list assigns unique identifying numbers to registrants, the number assigned under this clause shall be the unique identifying number assigned under the list.		X	Legislation and proposed rulemaking are pending to meet this requirement.
(a)(5)(A) (iii) The State shall determine whether the information provided by an individual is sufficient to meet the requirements of this subparagraph, in accordance with State law.	X		
(a)(5)(B) Requirements for state officials.— (i) The chief State election official and the official responsible for the State motor vehicle authority of a State shall enter into an agreement to match information in the database of the statewide voter registration system with information in the database of the motor vehicle authority to the extent required to enable each such official to verify the accuracy of the information		X	The chief election official is working with appropriate officials at the BMV to reach an agreement on sharing information.

Table 3 – Compliance with Section 303 Computerized Voter Registration List Requirements and Requirements for Voters Who Register by Mail	Compliant	Not Compliant	Actions Needed for Compliance
provided on applications for voter registration.			
<p>(b) Requirements for voters who register by mail.—</p> <p>(b)(1) Notwithstanding section 6(c) of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg-4(c)) and subject to paragraph (3), a State shall, in a uniform and nondiscriminatory manner, require an individual to meet the requirements of paragraph (2) if—</p> <p>(A) the individual registered to vote in a jurisdiction by mail; and</p> <p>(B)(i) the individual has not previously voted in an election for Federal office in the State; or (ii) the individual has not previously voted in such an election in the jurisdiction and the jurisdiction is located in a State that does not have a computerized list that complies with the requirements of subsection (a).</p>		X	Legislation and proposed rulemaking to meet this requirement are pending.
<p>(b)(2) Requirements --</p> <p>(b)(2)(A) An individual meets the requirements of this paragraph if the individual--</p> <p>(b)(2)(A)(i) in the case of an individual who votes in person--</p> <p>(I) presents to the appropriate State or local election official a current and valid photo identification; or</p> <p>(II) presents to the appropriate State or local election official 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; or</p>		X	Legislation and proposed rulemaking to meet this requirement are pending.
<p>(b)(2)(A)(ii) in the case of an individual who votes by mail, submits with the ballot--</p> <p>(I) a copy of a current and valid photo identification; or</p> <p>(II) a copy of a current utility bill, bank statement, government check,</p>		X	Legislation and proposed rulemaking to meet this requirement are pending.

Table 3 – Compliance with Section 303 Computerized Voter Registration List Requirements and Requirements for Voters Who Register by Mail	Compliant	Not Compliant	Actions Needed for Compliance
paycheck, or other government document that shows the name and address of the voter.			
(b)(2)(B) Fail-Safe Voting (b)(2)(B)(i) An individual who desires to vote in person, but who does not meet the requirements of subparagraph (A)(i), may cast a provisional ballot under section 302(a).		X	Legislation and proposed rulemaking to meet this requirement are pending.
(b)(2)(B)(ii) An individual who desires to vote by mail but who does not meet the requirements of subparagraph (A)(ii) may cast such a ballot by mail and the ballot shall be counted as a provisional ballot in accordance with section 302(a).		X	Legislation and proposed rulemaking to meet this requirement are pending.
(b)(3) Inapplicability Paragraph (1) shall not apply in the case of a person – (b)(3)(A) --who registers to vote by mail under section 6 of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg-4) and submits as part of such registration either— (i) a copy of a current and valid photo identification; or (ii) a copy of a current utility bill, bank statement, government check, paycheck, or government document that shows the name and address of the voter;		X	Legislation and proposed rulemaking to meet this requirement are pending.
(b)(3)(B)(i) – who registers to vote by mail under section 6 of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg-4) and submits with such registration either— (I) a driver's license number; or (II) at least the last 4 digits of the individual's social security number; and (b)(3)(B)(ii) with respect to whom a State or local election official matches the		X	Legislation and proposed rulemaking to meet this requirement are pending.

Table 3 – Compliance with Section 303 Computerized Voter Registration List Requirements and Requirements for Voters Who Register by Mail	Compliant	Not Compliant	Actions Needed for Compliance
information submitted under clause (i) with an existing State identification record bearing the same number, name and date of birth as provided in such registration; or			
(b)(3)(C) who is--(i) entitled to vote by absentee ballot under the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff-1 et seq.);(ii) provided the right to vote otherwise than in person under section 3(b)(2)(B)(ii) of the Voting Accessibility for the Elderly and Handicapped Act (42 U.S.C. 1973ee-1(b)(2)(B)(ii)); or (iii) entitled to vote otherwise than in person under any other Federal law.		X	Legislation and proposed rulemaking to meet this requirement are pending.
(b)(4) Contents of mail-in registration form. (b)(4)(A) The mail voter registration form developed under section 6 of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg-4) shall include the following: (i) The question "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.		X	Legislation and proposed rulemaking to meet this requirement are pending. Mail-in registration form is under revision.
(b)(4)(A)(ii) The question "Will you be 18 years of age on or before election day?" and boxes for the applicant to check to indicate whether or not the applicant will be 18 years of age or older on election day.		X	Legislation and proposed rulemaking to meet this requirement are pending. Mail-in registration form is under revision.
(b)(4)(A)(iii) The statement "If you checked 'no' in response to either of these questions, do not complete this form."		X	Legislation and proposed rulemaking to meet this requirement are

Table 3 – Compliance with Section 303 Computerized Voter Registration List Requirements and Requirements for Voters Who Register by Mail	Compliant	Not Compliant	Actions Needed for Compliance
			requirement are pending. Mail-in registration form is under revision.
(b)(4)(A)(iv) A statement informing the individual that if the form is submitted by mail and the individual is registering for the first time, the appropriate information required under this section must be submitted with the mail-in registration form in order to avoid the additional identification requirements upon voting for the first time.		X	Legislation and proposed rulemaking to meet this requirement are pending. Mail-in registration form is under revision.
(b)(4)(B) Incomplete forms.--If an applicant for voter registration fails to answer the question included on the mail voter registration form pursuant to subparagraph (A)(i), the registrar shall notify the applicant of the failure and provide the applicant with an opportunity to complete the form in a timely manner to allow for the completion of the registration form prior to the next election for Federal office (subject to State law).		X	Legislation is pending and administrative procedures are being revised to meet this requirement.

Protecting the Voting Rights of Military Members and Overseas Citizens

Table 4 – Compliance with Title VII Requirements	Compliant	Not Compliant	Actions Needed for Compliance
<p>Section 703. Report on Absentee Ballots Transmitted and Received After General Elections</p> <p>(a) Section 102 of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff-1), as amended by section 702, is amended by adding at the end the following new subsection:</p> <p>(c) Report on number of absentee ballots transmitted and received. Not later</p>		X	Legislation is pending to meet this requirement.

Table 4 – Compliance with Title VII Requirements	Compliant	Not Compliant	Actions Needed for Compliance
<p>than 90 days after the date of each regularly scheduled general election for Federal office, each State and unit of local government which administered the election shall (through the State, in the case of a unit of local government) submit a report to the Election Assistance Commission (established under the Help America Vote Act of 2002) on the combined number of absentee ballots transmitted to absent uniformed services voters and overseas voters for the election and the combined number of such ballots which were returned by such voters and cast in the election, and shall make such report available to the general public.</p>			
<p>Section 704. Extension of Period Covered by Single Absentee Ballot Application The Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff-1), as amended by section 1606(b) of the National Defense Authorization Act for Fiscal Year 2002 is amended by requiring that such voters remain registered through the next 2 regularly scheduled general elections for Federal office (including any runoff elections which may occur as a result of the outcome of such general elections), and receive ballots for each such subsequent election.</p>		X	<p>Legislation and proposed rulemaking to meet this requirement are pending.</p>
<p>Section 706. Prohibition of Refusal of Voter Registration and Absentee Ballot Applications on Grounds of Early Submission (a) The Uniformed and Overseas Citizens Absentee Voting Act as amended by section 1606(b) of the National Defense Authorization Act for Fiscal Year 2002 is amended by adding at the end the following new subsection: (e) PROHIBITION OF REFUSAL OF APPLICATIONS ON GROUNDS OF EARLY SUBMISSION- A State may not refuse to accept or process, with respect to any election for Federal office, any otherwise valid voter registration application or absentee ballot application (including the postcard form prescribed under section 101) submitted by an absent</p>	X		

Table 4 – Compliance with Title VII Requirements	Compliant	Not Compliant	Actions Needed for Compliance
uniformed services voter during a year on the grounds that the voter submitted the application before the first date on which the State otherwise accepts or processes such applications for that year submitted by absentee voters who are not members of the uniformed services.'			
<p>Section 707. Other Requirements to Promote Participation of Overseas and Absent Uniformed Services Voters The Uniformed and Overseas Citizens Absentee Voting Act, as amended by the preceding provisions of this title, is amended by adding at the end the following new subsection: (d) REGISTRATION NOTIFICATION- With respect to each absent uniformed services voter and each overseas voter who submits a voter registration application or an absentee ballot request, if the State rejects the application or request, the State shall provide the voter with the reasons for the rejection.</p>		X	Legislation and proposed rulemaking to meet this requirement are pending.

Expanding the Capacity of the District of Columbia Board of Elections and Ethics

In order to ensure smooth implementation of the new requirements, the Board must expand its administrative and physical capacity. The Board will conduct an organizational review and, based on that review, implement changes in staffing and equipment necessary to meeting the legislative requirements and carrying out the plan within the specified timeframe. As part of the organizational review, the Board will introduce measures to ensure accountability for each component of the plan.

In addition, to augment the skills of elections staff and promote increased professionalism, the Board will institute a training and certification program for current and future staff. The Board will work cooperatively with The Election Center and other organizations to provide substantive training on federal and District election laws, voting systems, registration systems and administration, among other topics. The Board will also institute a certification program to increase accountability of Board staff and assure full compliance with all Federal and District election laws.

Other Activities To Enhance Implementation of the District of Columbia Plan

In addition to the steps outlined above, the Board will use funds appropriated under HAVA to do the following:

Pollworker training and recruitment²

Pollworkers are critically important to ensure smooth and successful elections. Pollworker outreach is important to ensure a sufficient number of pollworkers to assist in election preparations and to adequately staff each polling place on Election Day. Pollworker training is also important to ensure that each pollworker possesses sufficient experience and knowledge to reliably carry out the duties of conducting a fair election and safeguard every voter's voting rights.

As part of its effort to conduct effective pollworker outreach, the Board will seek to match pollworker stipends in the District of Columbia with the national average for urban election districts.

The Board will also hire a professional recruiter in order to expand the number of pollworkers available on Election Day. The recruiter's scope of services will include the following:

- develop and implement a comprehensive recruitment program that reaches civic and service organizations, public and private high schools and colleges, major employers and local businesses and operating in the District of Columbia;
- develop and place recruiting announcements in print media and electronic media, including radio and television.

In an election that will feature both new voting systems and new procedures – as will be the case in 2004 – the importance of quality pollworker training cannot be overstated. To ensure pollworkers in the District of Columbia are well prepared for the challenges of implementing HAVA at the polling place, the Board will undertake the following:

- hire a professional trainer to develop and conduct a comprehensive pollworker training program, to include specific education on the District of Columbia Voters' Rights Notice;
- develop and produce updated training materials that will give pollworkers access to training off-site, for example, web-based training, CD-ROMs, and videos; and
- produce training materials specifically covering the operation of the Optech Eagle and Sequoia Edge DRE voting machines.

² Section 254 (a)(3), "How the state will provide for programs for . . . poll worker training which will assist the State in meeting the requirements of title III."

To ensure the polling place workforce can meet the demands in 2004 and after, the Board will review the organization of the polling place and research models for effective staffing. At a minimum, the following changes will be made:

- Beginning in 2004, each voting precinct will have 3 additional pollworkers. Those pollworkers will be responsible for answering questions and assisting voters in the use of the DREs.
- Beginning in 2004, each voter precinct shall have an additional pollworker whose sole responsibility will be to assist voters using the DRE voting machine.
- Develop and implement a pilot program at one or more voter precincts providing multiple work shifts for certain pollworker positions on Election Day in order to reduce the time commitment necessary to serve as a pollworker.

*Voter education*³

Under HAVA, the Board is required to expand its voter education program in two ways: (1) it must educate absentee voters in the proper use of optical scan ballots, and (2) it must post the information listed under section 302(b) at the polling place. These efforts are described in the relevant sections above. More is needed. Ensuring that every eligible voter is able to cast his or her vote and have that vote counted requires a vigorous voter education campaign beyond the minimum standards outlined in HAVA. To this end, the Board plans to conduct an aggressive public education campaign that will include the steps listed below. All appropriate components of this expanded voter education program will be produced in Spanish as well as English.

- Adopt, disseminate, and post a copy of the District of Columbia Voters' Rights Notice on the Board's website.
- Upgrade the Board website to ensure it matches the quality of the best state and local election websites across the country and that it is timely, attractive, user and maintenance-friendly, and information rich. The website should be accessible to blind voters. All information required to be posted at the polling place will also be posted on the Board's website.
- Produce and send a voter education mailer that includes basic information about elections in the District of Columbia, a copy of the District of Columbia Voters' Rights Notice, and the voter registration card to every registered voter. The design of the mailer and the material it is printed on shall encourage voters to keep the mailer for future reference. This mailer/brochure will include all information required to be posted at the polling place. The Board shall also produce an audio version of this publication for distribution to visually impaired voters.

³ Section 254(a) (3), "How the state will provide for programs for voter education . . . which will assist the State in meeting the requirements of title III.

- Send mailers prior to primary and general elections to qualified voters that include sample ballots and nonpartisan information on candidates and ballot measures. This mailer will be modeled on similar materials produced by states that regularly provide nonpartisan information on candidates and ballot measures to voters prior to elections.
- Produce and secure air time for radio and television public service announcements about participation in the elections process.

Improving accessibility to in-person voting for voters with disabilities

Under the provisions of Public Law 98-435, "Voting Accessibility for the Elderly and Handicapped Act of 1984," which became effective January 1, 1986, the Board conducted an extensive program to make its polling places accessible. Initially, making polling places accessible involved a major construction program of permanent building ramps, installation of curb ramps, polling place relocations, and use of alternative entrances and voting areas. This effort is not yet complete. HAVA makes new resources available through the Department of Health and Human Services to complete this program.

Currently there are 142 voting locations in the District of Columbia, of which 90 are public facilities and 52 are non-District owned properties. The Board is seeking a legal determination as to whether federal funds can be used to upgrade private property that is used for voting.

To ensure compliance with the Americans with Disabilities Act (ADA), as required by HAVA, the Board will undertake to do the following:

- Survey all polling places to determine ADA compliance. The survey should cover paths of travel, ramps, doors, elevators, and any other barriers to the voters' access to the polling place. The results of the survey should identify access issues and a cost estimate to make the polling place ADA compliant.
- Secure a contractor, once access issues are identified, to bring the site into ADA compliance.
- Determine the feasibility of using certified portable ramps at select polling places. Ramps should be installed and removed by a professional contractor.
- Establish Intra-District support team that includes intra-agency contacts that can assist Board in addressing accessibility issues.
- Develop brochure for the elderly and disabled that informs them of the services available.

- Ensure pollworkers are available to remedy problems that prevent access, such as locked doors, inoperable elevators, etc.

III. THE FUTURE OF ELECTIONS IN THE DISTRICT OF COLUMBIA⁴

HAVA is clear that the minimum requirements for voting systems are just that: a minimum. Voters in the District of Columbia deserve an election system that sets the standard for the rest of the country. Accordingly, looking to the long term, the Board will work to achieve the following goals.

Goal: Uniform voting system throughout the jurisdiction

As voting technology improves, voters in the District of Columbia should be able to take advantage of these improvements. As funds become available, the Board will consider moving to a jurisdiction-wide uniform voting system that complies with the voting system requirements under HAVA.

In the future, the Board will seek the following features in voting systems:

- Improved wheelchair accessibility; ear-phone sound; and accessibility for visually impaired and low literacy voters.
- Systems that produce a permanent paper record for each voter's cast ballot.

Goal: A fully interactive, electronic voter registration system

The Board will use HAVA funds to develop a voter registration system that takes full advantage of contemporary database technology.

- The system will be fully interactive, with electronic links to all other city agencies that provide voter registration opportunities. Under this system, new registrations and changes of address conducted at other agencies will be electronically transmitted to the Board for acceptance and processing. The Board will develop procedures to protect voters from problems arising from out-of-date or erroneous information on other databases.
- The system will allow pollworkers to view the database remotely from the polling place.
- The system will feature an improved mechanism for assigning voters to correct precincts and make the information on precinct and polling place more accessible to the voter.

⁴ Section 254(a)(1) "How the State will use the requirements payment ... if applicable under section 251(a)(2), to carry out other activities to improve the administration of elections."

Other changes contemplated for voter registration include:

- Identifying voters with special needs such as alternative language ballots or accessible equipment as part of the registration process.
- Instituting Election Day registration in the District. This process would allow voters to cast a regular ballot on confirming their eligibility at the polling place. The District of Columbia already allows voters to conduct an Election Day Change of Address.
- Identifying and registering felons who are no longer incarcerated. The Board will request that the Parole Board, Court Services and Offender Supervision Agency, halfway houses, and other agencies who handle outreach to ex-convicts make voter registration part of their de-briefing process.
- Encouraging every business that provides services to the citizens of the District to foster voter registration and voter education and encourage their employees to serve as pollworkers.

IV. FUNDING ELECTION REFORM

Budget for HAVA Implementation⁵

Title I funding

The District of Columbia has received \$5 million in early funding under HAVA title I. Preliminary calculations by the General Services Administration indicated that the District of Columbia would not be eligible to receive additional funding under section 102 (the funds available for replacing punch card systems) over the \$5 million minimum payment. The Board therefore applied only for funds available under Section 101. Table 5 details how this early money will be spent.

Title II funding in FY03 and FY04 and FY05

Title II funding in the FY03 congressional appropriation significantly reduced the funding authorized for grants under this title. The President's budget estimates for the next two years likewise fail to fund election reform at the level authorized by Congress in HAVA; where HAVA authorized \$1.6 billion in FY 04 and FY05, the President's budget

⁵ Section 254(a)(6), "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 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.

included \$500 million for each year. The budget set forth below is based on the actual amount appropriated for FY 03 and the President's estimated amounts for the two subsequent years.

The amount of title II grant money available to the District of Columbia in FY03 can only be estimated at this time. These grants will be administered by the Election Administration Commission, which has yet to be established. The final FY03 appropriation included \$810 million available for title II grants. According to the formula established in HAVA, the District of Columbia would be eligible to receive a share equal to one half of one percent, or \$4.05 million. Although this money was appropriated in FY03, it is unlikely to be disbursed until FY04. Accordingly, in the table below, this item is listed as FY03 money even though, in effect, it will be available in FY04.

Assuming that funds appropriated in FY04 and FY05 are in line with President's reduced funding levels the District of Columbia would receive \$2.5 million in each of these two years.

The District of Columbia will also apply for funds under section 261 of title II in order to carry out plans to make every polling place across the jurisdiction barrier-free for voters with disabilities.

The District of Columbia's matching fund

The District of Columbia must match funds granted under title II of HAVA at a rate of 5.26 percent (the match is calculated at five percent of the total of both the title II funds and the state's match). The match is \$213,000 in FY03 and \$131,500 in both FY04 and FY05. The estimates for title II grants outlined above form the basis for this calculation.

Maintenance of Effort⁶

In using any requirements payment, the District of Columbia will maintain expenditures of the Board for activities funded by title I and title II payments at a level equal to or greater than the level of such expenditures in the District of Columbia's FY00 budget. In FY00 the Board's budget totaled \$3.5 million.

Use of Title I Funds⁷

As stated above, the District of Columbia applied only for funds under section 101 of title I. The disbursement of early payments under title I will allow the Board to develop an implementation plan and lay the groundwork for longer term changes called for in this

⁶ Section 254 (a)(7), "How the State, in using the requirements payment, will maintain the expenditures of the State for activities funded by the payment at a level equal to not less than the level of such expenditures maintained by the State for the fiscal year preceding the fiscal year for which the payment is received."

⁷ Section 254(a)(10), "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."

plan. In effect, since title II money will not be available in time to pay for changes needed by the 2004 primary – which, in the District of Columbia, will take place in January of 2004 – the early money will also be used to pay for all administrative and other changes that must be in place by the 2004 general election. A detailed accounting of how title I funds will be used can be found in the table below.

	FY 03	FY 04	FY 05
HAVA Title I (101)	\$5,000,000		
HAVA Title II (252)	\$4,050,000*	\$2,500,000	\$2,500,000
HAVA Title II (261)	\$100,000		
D.C. matching funds		\$344,530*	\$131,500
Maintenance of effort	\$3,500,000	\$3,500,000	\$3,500,000

* Funding for title II was appropriated by Congress as part of the FY03 budget; however, it may not be disbursed until the establishment of the Election Assistance Commission. In effect, states will likely receive that money in FY 04. If this funding is combined with the actual FY 04 appropriation under title II, the District of Columbia match would have to match the combined title II funds.

Projected Expenditures for Meeting HAVA Requirements and Other Activities

Table 6 – Estimated Expenditures on Title III Requirements (FY03 – FY05)					
	HAVA 101	HAVA 252	HAVA 261	5% match	total cost
Sec. 301 – Voting System Requirements					
Purchase of Sequoia Edge DREs	\$355,470			\$344,530	\$700,000
Purchase of Sequoia Optech Eagle					\$999,000
Sec. 302 – Provisional Voting and Voter Information					
Toll-free access system	\$50,000	\$50,000			\$100,000
Voter information materials/equipment	\$70,000	\$20,000			\$90,000
Sec. 303 – Computerized voter registration and verification requirements					
Modification of database	\$250,000	\$250,000			\$500,000
Verification of data assignments	\$50,000				\$50,000
Voter Education					
Website	\$200,000				\$200,000
Mailings (production and mailing costs)	\$750,000	\$750,000			\$1,500,000
Voter outreach campaign	\$150,000	\$150,000			\$300,000
Pollworker recruitment and training					
Recruitment campaign	\$250,000	\$250,000			\$500,000
Pollworker training	\$500,000	\$500,000			\$1,000,000
Pollworker training video	\$20,000	\$20,000			\$40,000
Additional pollworkers	\$45,000	\$45,000			\$90,000
HAVA administration					
Staff training and certification		\$150,000			\$150,000
Program management and capacity building (including staffing, travel, equipment and supplies)	\$500,000	\$500,000			\$1,000,000
Total	\$3,190,470	\$2,685,000		\$344,530	\$6,220,000

Notes:

*Funding for the optical scan voting system was appropriated in FY01; the amount is included here for informational purposes and not included in the total.

** Creating the toll-free access system will be a modification to the computerized statewide database system; the amount is separated in this chart for informational purposes.

*** The amounts for voter education include voter education efforts necessary for compliance with section 301 – a targeted education effort to voters voting paper ballots without over-vote protection or ballot review – and discretionary voter education programs.

Table 7 – Estimated Expenditures for Enhancing Implementation (FY03 – FY05)

	HAVA 101	HAVA 252	HAVA 261	5% match	total cost
Voting equipment upgrade*		\$8,422,530		\$131,500	\$8,554,030
Multilingual Ballots					
Election materials	\$20,000	\$20,000			\$40,000
Polling place accessibility			\$100,000		\$100,000
Computerized voter registration list					
Electronic access to entire list at polling place	\$142,000				\$142,000
Electronic poll books		\$600,000			\$600,000
Evaluation		\$50,000			\$50,000
Total	\$162,000	\$9,092,530	\$100,000	\$131,500	\$9,486,030

*Once the District of Columbia is in full compliance with all requirements of HAVA, the Board will review funds available and how they might be used to upgrade voting systems for the long term, including the transition to a uniform voting system.

Fund Management⁸

The District of Columbia Board of Elections and Ethics is an independent agency funded each year by a federal appropriation to the District of Columbia. Upon receiving the \$5 million in title I funding, the Chief Financial Officer (CFO) for the District of Columbia established an interest-bearing treasury account for the management of all funds – both the federal funds and the local match – related to implementation of HAVA. This fund will consist of the following amounts:

- Amounts appropriated by the District of Columbia for meeting the requirements of HAVA and other activities described in the plan;
- Amounts appropriated to the District of Columbia under title I and title II of HAVA;
- Interest earned on the deposits.

These funds will be monitored for programmatic compliance by the CFO through the Office of Finance and Resource Management, which currently serves, by mutual agreement, as the Board's budget entity. The fund will be managed on behalf of the Board by the District of Columbia Treasurer. Consistent with the requirements of section

⁸ Section 254(a)(5) "How the State will establish a fund described in subsection (b) for purposes of administering the State's activities under this part, including information on fund management."

902, the Treasurer will maintain records fully disclosing the amount and disposition of funds, the total cost of the project or undertaking supplied by other sources, and other records to facilitate an effective audit.

All requisitions related to activities for meeting the requirements and other activities defined in the plan will be recorded as such for audit purposes. By regulation, any purchase above \$25,000 by the Board will be transacted by the Office of Procurement and Contracts and will require an open bid process; the same limitation will hold for HAVA-related expenditures.

V. ENSURING ACCOUNTABILITY TO THE VOTERS

Performance Goals and Measures⁹

While the Board is responsible for ensuring the success of HAVA implementation, the voters of the District of Columbia will be the final arbiters of success or failure in implementing the State Plan. Accordingly, the Board will seek the public involvement in a process to evaluate the Board's implementation effort.

HAVA requires that each state adopt performance goals and measures for evaluating implementation of the law by local election authorities. As a single jurisdiction that functions in effect as both a state and local entity, the Board in this instance has devised goals and measures for itself in consultation with the State Planning Committee. In adopting the plan, the Board also adopts these standards for evaluation.

Following final adoption of the State Plan, the Board will convene selected stakeholders in the District of Columbia elections process to participate in evaluating implementation of the plan. As a part of this public evaluation, the Board will develop a feedback mechanism to gauge public reactions to reforms implemented in the 2004 general election.

The evaluation committee will develop criteria to evaluate the success in meeting the performance goals described below. The Board, working with the evaluation committee, will analyze findings and draft a report that will include recommendations for future elections. The Board will make the draft report publicly available and solicit public comment at a public hearing. The report of the evaluation committee will be included in the Board's report to Congress.

⁹ Section 254(a)(8), "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."

This evaluation process will be conducted biennially until implementation of HAVA is complete.

Performance Element #1: Transition to HAVA-Compliant Voting Systems

The District of Columbia initiated the process of modernizing its voting systems prior to the 2002 elections. The 2004 general election will inaugurate voting systems that are fully compliant with the voting system requirements in HAVA.

Performance Goals	(1) Implement voter education program on use of the optical scan units and, (2) ensure a smooth transition for new accessible voting systems.
Performance Measures	A feedback mechanism will gauge voter responses to educational information and the new accessible voting machines. By means of this mechanism and an Election Day review, the Board and evaluation committee will seek to measure the following: <ul style="list-style-type: none"> ▪ availability and usefulness of voter information on use of the machines; ▪ quality of information on use of the machines; ▪ voter satisfaction.
Timeline	Implementation date: 2004 Presidential Primary

Performance Element #2: Administration of Provisional Voting

While the District of Columbia already has provisional voting, some of the details must be altered to make the process consistent with the requirement as described in HAVA. The provisional ballot application must be modified and a free-access system developed that will allow voters to access information on the disposition of their ballot. In addition, section 302 requires that the Board post voter information detailed in the State Plan at each polling place.

Performance Goal	Ensure no qualified voter is turned away without being given the opportunity to cast a ballot.
Performance Measures	(1) Develop reporting procedures to measure: <ul style="list-style-type: none"> ▪ number of provisional ballots cast at each polling place; ▪ number of provisional ballots accepted and rejected; ▪ reasons ballots were rejected;

	<ul style="list-style-type: none"> ▪ number of voters who accessed toll-free information system. <p>(2) An Election Day review will measure consistency of administration practice across the jurisdiction.</p>
Timeline	Implementation date: 2004 Presidential General Election

Performance Element #3: Modification of Voter Registration List and Verification Procedures

The District of Columbia currently maintains its voter files using a single, official, computerized database system that is updated in accordance with requirements established under the NVRA. To comply with the new requirement under HAVA, the official list at the polling place will include the names of both inactive and active voters. In addition, the Board will provide access to both the entire list and the Master Street Index at each polling place. Voter information will be matched against records maintained by the District of Columbia Bureau of Motor Vehicles prior to the 2004 presidential and primary elections.

Performance Goals	Establish registration and verification procedures to increase the accuracy of the computerized registration list. Provide access to entire list of all registered voters at polls on Election Day.
Performance Measures	<p>(1) Develop reporting procedures to measure:</p> <ul style="list-style-type: none"> ▪ accuracy of matches between voter list and BMV records; ▪ usage of access to entire voter registration list ▪ number of inactive voters allowed to vote provisional ballots. <p>(2) An Election Day review will measure consistency of administrative practice across the jurisdiction.</p>
Timetable	Implementation of all mandatory and discretionary changes described will be completed prior to the 2004 Presidential primary.

Performance Element #4: Verification of First-time Voters Who Register by Mail

Legislation is pending and administrative procedures are being modified to allow for the verification of the identity of first-time voters who register by mail.

Performance Goal	Ensure smooth implementation of new registration and
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	identification requirements.
Performance Measure	<p>Develop reporting procedures to measure:</p> <ul style="list-style-type: none"> ▪ the number of first-time, mail-in registrants verified prior to Election Day by matching voter information with other records; ▪ the number of such voters who present required information with the application of subsequent to mailing the application; ▪ the number of such voters required to present ID at the polls; ▪ the number of such voters casting a provisional ballot.
Timetable	Implementation date: 2004 Presidential primary

Performance Element #5: Creating an Informed Electorate

Under section 301, the Board is required to educate absentee voters on the use of paper ballots. Under section 302 the Board is required to post voter information detailed in the State Plan at each polling place. Beyond these minimum requirements for voter education, the Board will undertake multiple discretionary voter education activities outlined in the State Plan.

Performance Goal	Develop educational activities and materials to create an electorate that is better informed on how to participate in the elections process. Provide required information on administrative procedures and new voting systems in a voter-friendly and accessible format at each polling place.
Performance Measures	<p>(1) Feedback mechanism will gauge voter responses to voter information and evaluate quality and availability of:</p> <ul style="list-style-type: none"> ▪ Pre-election day mailing of non-partisan 'Voter's Guide' on candidates and ballot measures and Voter's Rights; ▪ Board website; ▪ "How to Vote" instructional video. <p>(2) An Election Day review will measure consistency of administration practice and posting of voter information across the jurisdiction.</p>

Timeline	Implementation date: 2004 Presidential General Election
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Performance Element #6: Recruiting and Training Pollworkers

None of the above requirements that affect the conduct of elections can be carried out successfully without pollworkers who understand the new requirements and are prepared for the unique challenges presented by the 2004 election. Under the State Plan, pollworkers will have additional duties. At the same time there will be more pollworkers to handle the new tasks.

Performance Goal	Conduct a vigorous campaign to recruit sufficient number of pollworkers. Design and conduct training to educate pollworkers on new voting systems and new administrative procedures.
Performance Measures	(1) Beta testing will be used to evaluate training program and materials prior to full implementation. (2) An Election Day review will measure consistency of administrative practices across the jurisdiction. (3) The evaluation committee will review complaints registered on Election Day.
Timetable	Implementation date: 2004 Presidential Primary

Performance Element #7: Improving Access for Voters with Disabilities

The Board has been working with the Disability Rights Council to eliminate barriers to polling places for voters with disabilities. In addition, in the 2004 Presidential Primary, the Board will provide, for the first time, voting systems that are fully accessible to voters with disabilities.

Performance Goal	Guaranteeing access to polling places and voting systems across the District of Columbia. Applying for title II grant monies available under section 261.
Performance Measures	(1) Feedback mechanism will gauge response of the disability community to the new voting system. (2) Develop reporting procedures to record complaints from voters with disabilities concerning polling place access.
Timetable	Implementation date: 2004 Presidential Primary

*Ongoing Management of the Plan*¹⁰

The plan provides a roadmap for implementation of HAVA in its entirety. The Chief Election Official of the District of Columbia will have primary responsibility for carrying out the elements of the plan. This responsibility includes the following:

- meeting the timelines specified in the plan;
- monitoring all expenditures and ensuring that costs do not exceed available funds;
- adhering to the process for amending the plan described in Section 254(a)(11);
- ensuring a process that is accountable and open to public scrutiny.

In addition, the Chief Election Official will implement any recommendations developed in the evaluation process described above.

*Enforcing HAVA*¹¹

In addition to providing a public process for evaluating the Board's efforts to implement the plan, the Board intends to develop procedures for resolving complaints concerning the conduct of elections, the implementation of the new federal law and, in particular, alleged violations of the "Uniform and Non-Discriminatory Requirements" described in title III.

An Election-Day Hotline for Public Complaints

Continuing a practice established in previous elections, the Board will develop and staff special phone lines on Election Day to handle – and record – complaints from voters, candidates, party representatives and others concerning the conduct of the election. Reporting procedures will be developed to record complaints specific to implementation of HAVA. A post-Election Day examination of the complaint record will be included in the report of the evaluation committee.

Public Hearing Process for Alleged Violations of Title III

A proposed rulemaking amends the District of Columbia Municipal Regulations (DCMR) to include the following procedure as required by Section 402 of HAVA. Complainants alleging a violation of title III by the Chief Election Official of the District of Columbia shall file notarized complaints with the District of Columbia Board of Elections and Ethics. The Board may consolidate complaints if they relate to the same actions or events or raise common questions of law or fact.

¹⁰ Section 254(a)(11), "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)."

¹¹ Section 254(a)(9), "A description of the uniform, nondiscriminatory State-based administrative complaint procedures in effect under section 402."

At a public hearing, the Board will determine if there is a violation of any provision of title III of HAVA. If the Board determines a violation has occurred, it will provide an appropriate remedy. If the Board determines there is no violation, it will dismiss the complaint and publish the results of the hearing.

The Board is required to render final determinations regarding alleged violations prior to the expiration of the 90-day period that begins on the date the complaint is filed, unless the complainant consents to a longer period. If the Board fails to meet the applicable deadline, the complaint shall be resolved within 60 days by means of the alternative dispute resolution process described below.

Alternative Dispute Resolution Process

The proposed rulemaking also establishes alternative dispute resolution procedures as required under section 402. These procedures go into effect if and when the Board fails to reach a determination regarding an alleged violation of title III. The Chief Election Official and the complainant will each select an arbiter who shall both agree on a third arbiter. Following a review of the record, the panel of arbiters shall determine an appropriate resolution by a majority vote within 60 days. The final decision will be published on the Board's website and mailed to the complainant.

Appendix A

D.C. State Planning Committee

Fred Allen
Metropolitan Washington Council AFL-CIO

Tony Bass
D.C. Board of Elections and Ethics

Marc Battle
Councilmember Orange's Office

Linda Black
National Federation for the Blind, D.C. Chapter

Dorothy Brizill
Registered Voter

Alethea Campbell
D.C. Office on Aging

Bobby Coward
Paralyzed Veterans of America

Jim Dickson
American Association of People with Disabilities

Craig Engle
D.C. Republican Committee

Kathy Fairley
D.C. Board of Elections and Ethics

Nick Fels
D.C. Appleseed Center

Von Fogan
D.C. Board of Elections and Ethics

Marvin Ford
D.C. Board of Elections & Ethics

Sylvia Goldsberry-Adams
D.C. Board of Elections & Ethics

Violetta Graham
D.C. Board of Elections and Ethics

Lawrence Guyot
Registered Voter

E. Patricia Hallman
D.C. League of Women Voters

Elinor Hart
D.C. League of Women Voters

Darlene Horton
D.C. Board of Elections & Ethics

Shirley Jackson
D.C. Board of Elections & Ethics

Anise Jenkins
Stand Up for Democracy!

Ed Levin
D.C. Appleseed Center

Alice Miller
D.C. Board of Elections and Ethics

Bill O'Field
D.C. Board of Elections and Ethics

Michael Piacsek
D.C. Statehood Green Party

Rob Randhava
Leadership Conference on Civil Rights

Linda Royster
Disability Rights Council

Sandra Seegars
Registered Voter

Tracy Warren
International Foundation for Election Systems

Dan Wedderburn
D.C. Democratic State Committee

The public is requested to provide written comment on the District of Columbia's Preliminary Plan for Implementing the "Help America Vote Act of 2002." Written comments should be mailed to the District of Columbia Board of Elections and Ethics, 441 - 4th Street, NW, Washington, D.C. 20001, Attn: William O'Field, Public Information Officer, or sent by e-mail to wo'field@dcboee.org. The 30-day review period ends on Monday, July 28, 2003.

EXECUTIVE OFFICE OF THE MAYOR
DC COMMISSION ON NATIONAL AND COMMUNITY SERVICE

PUBLIC NOTICE

DISTRICT OF COLUMBIA
COMMISSION ON NATIONAL AND COMMUNITY SERVICE

DC Commission Meeting Schedule

Summary: The mission of the DC Commission on National and Community Service is to promote the District of Columbia's spirit of service through national service, partnerships and volunteerism. The DC Commission meets every other month at One Judiciary Square.

The DC Commission on National and Community Service is pleased to announce its next two Commission meetings on August 5th and on December 2nd from 5:00-7:00 p.m. at One Judiciary Square, 441 4th Street, NW.

All meetings are open to the public. Meeting minutes can be obtained from 441 4th Street NW, Suite 1040S, Washington, DC 20001. For additional information or to request a copy of the minutes please call 202/727-7925.

**D.C. Preparatory Academy
4511 Cathedral Ave., N.W.
Washington, D.C. 20016**

NOTICE: REQUEST FOR PROVIDING SCHOOL BREAKFAST, LUNCH AND SNACK PROGRAM

D.C. Preparatory Academy, in accordance with section 2204(c)(XV)(A) of the District of Columbia School Reform Act of 1995, is soliciting quotes to provide school breakfast, lunch and snack for 100 students five days a week. Interested organizations should contact Summer Barghouti, Operations Manager, 202-362-7441, for more details about program requirements. Final proposals will be due by noon on July 4, 2003.

NOTICE: REQUEST FOR PROVIDING STUDENT COMPUTERS

D.C. Preparatory Academy, in accordance with section 2204(c)(XV)(A) of the District of Columbia School Reform Act of 1995, is soliciting quotes to provide wireless laptop computers for 27 students. Interested individuals or organizations should contact Summer Barghouti, Operations Manager, 202-362-7441, for more details about program requirements. Final proposals will be due by noon on July 4, 2003.

NOTICE: REQUEST FOR PROVIDING ARCHITECTURAL SERVICES

D.C. Preparatory Academy, in accordance with section 2204(c)(XV)(A) of the District of Columbia School Reform Act of 1995, is soliciting quotes to provide architectural services to guide the renovation of a warehouse into a school. Interested individuals or organizations should contact Emily Lawson, Executive Director, 202-362-7441, for more details about program requirements. Final proposals will be due by noon on July 4, 2003.

ZONING COMMISSION NOTICE OF FILING
Case No. 03-20
(U.S. Armed Forces Retirement Home – Map Amendment)
June 12, 2003

THIS CASE IS OF INTEREST TO ANC 5C

On May 30, 2003, the Office of Zoning received from the Office of Planning a request for emergency setdown for a zoning map amendment for certain portions of the United States Armed Forces Retirement Home (a portion of Parcel 120/2/8).

The property that is the subject of this application consists of a portion of Parcel 120/28 and is known as a part of the United States Armed Forces Retirement Home, a federal institution. The property is currently unzoned.

The Office of Planning seeks approval of an amendment to the Zoning Map to rezone the subject property to the R-1-A District to permit its use for non-federal purposes. This request is not inconsistent with the Comprehensive Plan of the District of Columbia.

For additional information, please contact, the Secretary to the Zoning Commission at (202) 727-6311.

**OFFICE OF DOCUMENTS AND ADMINISTRATIVE ISSUANCES
PUBLICATIONS PRICE LIST**

DISTRICT OF COLUMBIA MUNICIPAL REGULATIONS (DCMR)

TITLE	SUBJECT	PRICE
1	DCMR MAYOR AND EXECUTIVE AGENCIES (JUNE 2001)	\$16.00
3	DCMR ELECTIONS & ETHICS (JUNE 1998)	\$20.00
4	DCMR HUMAN RIGHTS (MARCH 1995)	\$13.00
5	DCMR BOARD OF EDUCATION (DECEMBER 2002)	\$26.00
6A	DCMR POLICE PERSONNEL (MAY 1988)	\$8.00
7	DCMR EMPLOYMENT BENEFITS (JANUARY 1986)	\$8.00
8	DCMR UNIVERSITY OF THE DISTRICT OF COLUMBIA (JUNE 1988)	\$8.00
9	DCMR TAXATION & ASSESSMENTS (APRIL 1998)	\$20.00
10	DCMR DISTRICT'S COMPREHENSIVE PLAN (PART 1, FEBRUARY 1999)	\$33.00
10	DCMR PLANNING & DEVELOPMENT (PART 2, MARCH 1994) w/1996 SUPPLEMENT*	\$26.00
11	DCMR ZONING (FEBRUARY 2003)	\$35.00
12	DCMR CONSTRUCTION CODES (NOVEMBER 1999)	\$20.00
13	DCMR ELECTRICAL & MECHANICAL CODE (MARCH 1987)	\$10.00
13B	DCMR BOILER & PRESSURE VESSEL CODE (MAY 1984)	\$7.00
14	DCMR HOUSING (JULY 1991)	\$20.00
15	DCMR PUBLIC UTILITIES & CABLE TELEVISION (JUNE 1998)	\$20.00
16	DCMR CONSUMERS, COMMERCIAL PRACTICES & CIVIL INFRACTIONS (JULY 1998) W/DECEMBER 1998 SUPPLEMENT	\$20.00
17	DCMR BUSINESS, OCCUPATIONS & PROFESSIONS (MAY 1990)	\$26.00
18	DCMR VEHICLES & TRAFFIC (APRIL 1995) w/1997 SUPPLEMENT*	\$26.00
19	DCMR AMUSEMENTS, PARKS & RECREATION (JUNE 2001)	\$26.00
20	DCMR ENVIRONMENT - CHAPTERS 1-39 (FEBRUARY 1997)	\$20.00
20	DCMR ENVIRONMENT - CHAPTERS 40-70 (FEBRUARY 1997)	\$26.00
21	DCMR WATER & SANITATION (FEBRUARY 1998)	\$20.00
22	DCMR PUBLIC HEALTH & MEDICINE (AUGUST 1986)	\$26.00
22	DCMR HEALTH CARE & COMMUNITY RESIDENCE FACILITIES SUPPLEMENT (AUGUST 1986 - FEBRUARY 1995)	\$13.00
23	DCMR ALCOHOLIC BEVERAGES AND FOOD (JUNE 1997)	\$20.00
24	DCMR PUBLIC SPACE & SAFETY (DECEMBER 1996)	\$20.00
24	DCMR CHAPTER 5 - VENDORS & SOLICITORS (MAY 1996)	\$9.00
26	DCMR INSURANCE (FEBRUARY 1985)	\$9.00
27	DCMR CONTRACTS AND PROCUREMENT (JULY 1988)	\$22.00
28	DCMR CORRECTIONS, COURTS & CRIMINAL JUSTICE (MAY 1987)	\$20.00
29	DCMR PUBLIC WELFARE (MAY 1987)	\$8.00
30	DCMR LOTTERY AND CHARITABLE GAMES (MARCH 1997)	\$20.00
31	DCMR TAXICABS & PUBLIC VEHICLES FOR HIRE (DECEMBER 1998)	\$16.00

Publications Price List (Continued)

OTHER PUBLICATIONS

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1997 - 1998 Indices	\$52.00 + \$5.50 postage
Complete Set of <i>D.C. Municipal Regulations</i>	\$627.00
D.C. Register yearly subscription	\$195.00
Rulemaking Handbook & Publications Style Manual (1983)	\$5.00
*Supplements to D.C. Municipal Regulations	\$4.00

MAIL ORDERS: Send exact amount in check or money order made payable to the D.C. Treasurer. Specify title and subject. Send to: D.C. Office of Documents and Administrative Issuances, Room 520, One Judiciary Square, 441 - 4th St., N.W., Washington, D.C. 20001. Phone: 727-5090

OVER THE COUNTER SALES: Come to Rm. 520, One Judiciary Sq., Bring cash, check or money order.

All sales final. A charge of \$65.00 will be added for any dishonored check.