



GRANTS

U.S. Election Assistance Commission
1225 New York Avenue, NW, Suite 1100
Washington, DC 20005
www.eac.gov

June 17, 2009

TO: Chair Beach, Vice-Chair Hillman, & Commissioner Davidson
FROM: Mark W. Abbott, Director of Grants
RE: Public Meeting Testimony Materials

I. REQUIREMENTS PAYMENTS BACKGROUND

- a. Uses of Title II Payments
 - i. To meet the requirements of Title III of HAVA
 - ii. Other Activities:
 - 1. Implemented the requirements of Title III; or
 - 2. Certification filed under Section 251(b)(2)(B)

II. PAST EXPENDITURES OF REQUIREMENTS PAYMENTS

- a. Status Update: Report to Congress 2009 – Mid-July

III. FISCAL YEAR 2008 & 2009 REQUIREMENTS PAYMENT INSTRUCTIONS

- a. New Process (Attachment 1: Sample NGA)
- b. Status of Distribution FY 2008 & 2009 (Attachment 2: Chart)
- c. Strategic Approaches for Partnering with States to implement HAVA

IV. MORE INFORMATION

- a. Website (Election Official Center)
- b. Contact Information: havafunding@eac.gov

The Honorable XXXXX
Office of the Secretary of State/State Elections Office
Street Number X
Any City, State 22222

Dear Secretary XXXXX:

Subject: Notice of Award of Requirements Payments

The U. S. Election Assistance Commission (EAC) is pleased to inform you that [your State] has been awarded \$XX,XXX of the Requirements Payments authorized by Section 251 of the Help America Vote Act (HAVA) and appropriated under the Omnibus Appropriations Act for Fiscal Year 200X (Public law XXX-XX).

Please find attached a Notice of Grant Award (NGA), which presents information for tracking, managing, using, and reporting on the requirements payments. This new form consolidates the information we previously provided in a letter and acknowledgement form and will be more easily recognizable by your state comptroller as a federal grant award. The NGA also identifies the actions that your State must complete prior to disbursement of funds to the election account.

Please also complete and return the attached Payment Information form, which requests information needed for the electronic transfer of funds, and the standard certifications and assurances, which are referenced in the NGA and required to receive Federal assistance.

If you or your staff has any questions about this matter, please contact Dr. Mark Abbott, Director of Grants, by email at havafunding@eac.gov or by phone at 202-566-3100.

Sincerely,

Thomas R. Wilkey
Executive Director

Notice of Grant Award		U.S. Election Assistance Commission 1225 New York Avenue, N.W., Suite 1100 Washington D.C. 20005	
Grantee			
Sample State Street Number X Anywhere, State 32399		EIN:	
Obligation Information			
Agreement No. XX08RP01		Project Period: 06/18/2004 - until expended	
CFDA No. 90401		Budget Period: 12/26/07 - until expended (from date of appropriation)	
Funds Description			
The obligation of funds constitutes (your State)'s share of Requirements Payments (42 U.S.C. §§15401-15408) authorized by the U.S. Congress under the Omnibus Appropriations Act for Fiscal Year (FY) 2008 (Public law 110-161).			
Funding Information			
FY: 2008	Previously Awarded	Current Obligation	Cumulative Total
Federal Share	\$XX,XXX,XXX	\$X,XXX,XXX	\$XXX,XXX,XXX
State Matching Share	\$X,XXX,XXX	\$XXX,XXX	X,XXX,XXX
Purpose			
In accordance with Section 251(b) of HAVA, funds shall be used to meet the requirements of HAVA Title III and to carry out other activities to improve the administration of elections for Federal office. <i>All voting systems purchased with FY 2008 funds must meet the voting system standards for disability access as outlined in Section 310 (a)(3) of HAVA.</i>			
State Election Fund			
All requirements payments and State matching funds must be deposited in the State Election Fund as described by Section 254(b)(1) of HAVA. Interest earned on all funds in the State Election Fund and any net program income shall be retained in the Fund and used for allowable activities described in Section 251(b) of HAVA.			
Grant Administration			
Recipients of funds must adhere to all applicable Federal requirements including Office of Management and Budget (OMB) guidance: <ul style="list-style-type: none"> • <i>Cost Principles for State, Local and Indian Tribal Governments</i> (OMB Circular A-87) [2 CFR 225]. • <i>Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments</i> (the Common Rule) [41 CFR 105-71]. • <i>Audits of States, Local Governments, and Non-Profit Organizations</i> (OMB Circular A-133). 			
Reporting Requirements			
Per HAVA Section 258, reports are due annually. Expenditure reports (Financial Status Report SF-425) are due by December 31 and cover the preceding period from October 1st to September 30th. The report consists of a written narrative summarizing expenditures by each category of activities described in Title III of HAVA, a list of voting equipment obtained with the funds, and a description of how the funded activities conform to the State plan.			
Disbursement Requirements [will vary by grantee]			
Prior to EAC disbursing funds, the State must provide a certification that it: 1) has a valid State plan filed with the EAC; 2) Filed an administrative complaint procedures plan; 3) is in compliance with each of the laws described in Section 906 of HAVA; 4) agrees to provide EAC with appropriate certifications under Section 251 (b)(2) when it wishes to use requirements payments for activities other than meeting the requirements of HAVA Title III; 5) has deposited matching funds of \$XXX in the State Election Fund; and 6) has provided to the EAC all required certifications and assurances under http://www.eac.gov/program-areas/grants/certification-regarding-lobbying/ & http://www07.grants.gov/techlib/SF424B.PDF .			
Acknowledgement			
By accepting funds under this grant, the State agrees to comply with all terms and conditions in this Notice.			
U.S. Election Assistance Commission		Funding Source and Amount:	
Signature: _____ Date: 06/01/2009			
Name: <u>Thomas R. Wilkey</u> Title: <u>Executive Director, US EAC</u>			

STATUS OF REQUIREMENT PAYMENT DISTRIBUTION <i>(As of June 12, 2009)</i>			
2008		2009	
STATE	AMOUNT	STATE	AMOUNT
Colorado	\$1,695,344	N/A	N/A
Connecticut	1,362,107	Total	\$0
Georgia	3,169,840		
Idaho	575,000		
Iowa	1,167,798		
Kentucky	1,614,983		
Louisiana	1,720,843		
Minnesota	1,921,547		
Montana	575,000		
North Dakota	575,000		
Nevada	798,107		
Oklahoma	1,359,185		
Oregon	1,367,863		
Pennsylvania	4,919,086		
Rhode Island	575,000		
South Dakota	575,000		
Wyoming	575,000		
Total	\$24,546,703		
PENDING			
2008		2009	
STATE	AMOUNT	STATE	AMOUNT
Arkansas	\$1,063,284	Arkansas	924,595
Florida	\$6,477,573	Colorado	1,474,213
Total	\$7,540,858	Georgia	2,756,382
		Total	\$5,155,190