

SUPPORTING STATEMENT

Post-election Survey of Overseas Citizens and Post-election Survey of Local Election Officials

A. JUSTIFICATION

1. Need for Information Collection. *The Uniformed and Overseas Citizens Absentee Voting Act of 1986 (UOCAVA)*, 42 USC 1973ff (Attachment 1), mandates this information collection. The *UOCAVA* permits members of the Uniformed Services and Merchant Marine, and their eligible family members and all citizens residing outside the United States who are absent from the United States and its territories to vote in the general election for federal offices. The 1988 Executive Order 12642 (Attachment 1) names the Secretary of Defense as the “Presidential designee” for administering the *UOCAVA*. The Secretary of Defense in turn delegated this responsibility to the Director of the Federal Voting Assistance Program (FVAP), in Department of Defense Directive 1000.4, *Federal Voting Assistance Program (FVAP)* (Attachment 1), which defines the responsibilities and authority of the FVAP.

To obtain information required under *UOCAVA* for statistical analysis of uniformed services and overseas nonmilitary voter participation and the absentee voting process, surveys are administered to overseas citizens and local election officials.

2. Use of Information. The respondents for this information collection are overseas civilians and local election officials. The two surveys associated with this information collection, the *Post-Election Voting Survey of Overseas Civilians* and *Post-Election Voting Survey of Local Officials*, will be administered to overseas U.S. citizens not affiliated with the Federal government and to local election officials, respectively (Attachment 2). Attached are paper versions of both survey instruments. Web-based versions are not as yet available, but will contain the same text as paper versions.

The U.S. Postal Service and the Department of Defense Military Postal Service Agency facilitate the physical transmission of election materials between the voter and local election officials. The Department of Justice enforces *UOCAVA* protections.

As in prior survey administrations, the data collected under *UOCAVA* will identify areas where the electoral process can be improved by providing an accurate picture of the absentee voting process through the perspectives of the overseas voters and the local election officials. Additionally, the data will permit a continuing evaluation of the extent recent legislative changes have been successful in removing barriers to the Federal Post Card Application for absentee voting and identify any remaining obstacles to voting by *UOCAVA* citizens. To obtain this data FVAP must collect current information to compare with the information collected following previous Federal elections. Approximately 9 months prior to fielding the *Post-Election Voting Survey of Local Officials* the survey sample will be drawn. A letter and accompanying data collection sheet will be sent to the sample of local election officials (Attachment 3). This letter specifies the items listed on the data collection sheet are based on items on the survey and thus

may be used to facilitate data collection. The letter states the data collection sheet is for the local election officials' convenience only and no information is to be returned until after the election. OMB granted verbal approval to send the letter to the local election officials along with the data collection sheet "on the condition the data are not sent in until after the election." The data collection sheet may be used by the local election officials as an operational tool to help gather the data during the election year and assist in completing the Federal Voting Assistance Program post-election survey. The information collection will occur immediately following the 2008 Federal election with surveys arriving for the local election officials immediately prior to the 2008 election. Sample participants will also receive a notification letter (local election officials) and a cover letter (overseas citizens and local election officials, respectively) accompanying the surveys. The 2008 letters are not as yet available, but will contain substantially similar text to the letters used with the 2004 survey, except for changes in the web address and location of the access code (Attachment 4).

The DoD Voting Information Center, or "VIC," is a Web site providing callers direct access to their U.S. Senators and Representative, Governor, Secretary of State, chief election official, and Service or Department of State Voting Action Officers. The VIC provides information on upcoming elections and general information on requesting and submitting absentee ballots.

Following the 2004 election, the FVAP reported to the President and Congress that 1) voting participation of non-federally employed overseas civilians was higher than in any past Presidential election; and 2) local election officials had encountered problems with voting residence addresses, inadequate mailing addresses, and illegible writing on the Federal Post Card Applications. As a result of the 2004 survey, FVAP has updated and made changes to the VIC.

3. Improved Information Technology. Both pencil-and-paper and Web survey options will be available. The Web surveys will be administered on the operations contractor's secure Web site. At the entry point to the surveys, sample members will be prompted for an individual access code to gain entry to the survey. For the 2008 survey, each sample member's individual access code is found on the back of their paper survey. The purpose of the individual access code is to ensure only eligible persons can access the survey Web site and to ensure participants complete the Web survey instrument only once and to determine if they have submitted a paper version. For further details on protection of data for the Web-based versions see paragraph 11.

Data collection for the overseas citizens has been problematic resulting in low response rates (16% in 2004). In the past, data collection was not customized to accommodate local conditions so that overseas citizens in areas with poor mail delivery were treated similarly to those in areas with good mail delivery. The survey packages were sent to embassies/consulates for distribution to local overseas citizens. In some cases embassies/consulates reported they did not receive the packages resulting in low response rates. Our plan for this administration is to use e-mail for reminders and to link to a survey-administration Web site. Since the Department of State has not been willing to release contact information, we will ask our Under Secretary to prevail upon his opposite number at State to work with us and have the Department of State send the notification materials for us.

The FVAP continues to support state/territory and local government electronic voting projects for citizens covered by the *UOCAVA* as alternatives to the mail-in process.

4. Efforts to Identify Duplication. There is no other Federal agency tasked with collecting this information. The Secretary of Defense is the “Presidential designee” under 42 USC 1973ff. The FVAP administers the Federal responsibilities of the Act for the Secretary of Defense. Presently, the only information of a similar nature available is information collected by FVAP from surveys of prior elections. This information is obsolete and cannot be used for the current election. Without current information, the FVAP cannot perform its responsibilities under the Act.

5. Methods Used to Minimize Burden on Small Entities. This data collection is from a sample of possible voters and local election officials, not businesses.

6. Consequences of Not Collecting the Information. *UOCAVA* mandates this information collection. This public law requires a report to Congress not later than the end of each year after a Presidential election. If surveys were not administered, the Department would not be in compliance with the law.

7. Special Circumstances. There are no special circumstances. This collection will be conducted in a manner consistent with guidelines contained in 5 CFR 1320.5(d)(2).

8. Agency 60-Day Federal Register Notice and Consultations Outside the Agency. An agency 60-Day Federal Notice (Attachment 5) was published in Vol. 72, No.68, April 10, 2007, Federal Register, page 17880, as required by 5 CFR 1320.8(d). No public comments were received in response to the notice. The FVAP corresponds regularly with interested citizens and State and local government officials. Any comments received throughout the approved license period are taken into consideration.

Consultations were conducted with the following individuals:

Drs. Shelley Perry, Michael Wilson (301) 251-4366, David Morganstein, Kimya Lee and John Rauch of Westat, Inc. reviewed the methodology for the 2004 data collection and suggested the FVAP data collection continue to support Web surveys but maintain the pencil-and-paper surveys to reach sample members without Internet access.

Coordinations were obtained from Ms. Cindy L. Allard, Chief, OSD/JS Privacy Office, WHS/ESD, 703-588-2386 and Dr. Jane S. Styer, Exempt Determination Official for the Office of Deputy Under Secretary of Defense Program Integration, Human Research Protection Program, 831-583-4076.

The Defense Manpower Data Center (DMDC), the survey research arm of the Under Secretary of Defense for Personnel and Readiness, will manage the data collection in 2008 for FVAP.

9. Payments to Respondents. The FVAP will provide no payments or gifts to respondents.

10. Assurance of Confidentiality. This information collection does not ask the respondent to submit proprietary, trade secret, or confidential information to the Department.

11. Sensitive Questions. Surveys contain no questions of a sensitive nature, such as for whom the respondent voted. One question asks the respondent to choose an age category. Age categories are used as reporting variables in the report to illustrate changes in voting participation from the previous survey. Age categories are also used to illustrate proportion of overseas citizens voting as a function of age category. The majority of questions focus on problems encountered by voters during the absentee voting process and by election officials in providing absentee ballots to overseas voters. The mail survey will be non-intrusive and will make it clear cooperation is fully voluntary and responses will be kept confidential. Surveys state the purpose of the surveys on the first page prior to the Agency Disclosure Notice.

These surveys do not collect or use personally identifiable information and are not retrieved by personal identifier. Therefore, the information collected is not subject to the Privacy Act of 1974, as amended. The DMDC acted as FVAP's agent to develop the surveys and will collect the data. DMDC will maintain the respondents' confidentiality during all stages of the survey. Access codes permit access to the Web site and prevent respondents from taking multiple surveys. Personal identifiers will not appear on the survey instruments and only aggregate data will be reported in the form of a statistical summary to preserve the anonymity of all respondents. Surveys are conducted by mail and Internet.

The sample of overseas citizens is anonymous. First, the State Department draws the sample of embassies/consulates that will participate in the survey. Second, State Department Voting Assistance Officers at the selected embassies/consulates draw the sample from U.S. citizens registered at the embassies and consulates. Neither the operations contractor, Data Recognition Corporation (DRC), nor anyone in the Department of Defense will know which citizens are in the sample or which sample members participated.

The local election officials in the survey sample will have names attached to their records when they are sent to DRC, so that DRC can control the mailings and obtain additional address information as required. DRC removes names from datasets returned to DMDC and identifies the records by a randomly assigned identification number. Survey response data are segregated from the record identification data.

On the paper version, the Agency Disclosure Notice (ADN) is located on the inside cover immediately before the Privacy Act Statement. The Privacy Act Statement is followed by the Informed Consent Information on the inside front cover before any questions. The Informed Consent Information includes the instructions "Returning this survey indicates your agreement to participate in this research."

On the Web version, the Agency Disclosure Notice (ADN) is located on a screen the sample members must read before continuing to the Privacy Act Statement and Informed Consent Information screen. The Privacy Act Statement is included with Informed Consent Information on a screen the sampled members must read before taking the survey (Attachment 6). The

Informed Consent screen includes the instruction "Click 'continue' if you agree to do the survey" and informed consent is indicated by clicking the "Continue" button and answering the survey questions.

Because the data are collected on a Web site, the Web site is required to include Security Protection Advisory information according to the Office of the Secretary of Defense Policy for Establishing and Maintaining a Publicly Accessible Department of Defense Web Information Service (dated July 18, 1997; updated January 9, 1998). The Advisory for the survey program informs visitors to the Web site that no information on the person's computer or Internet connection is collected in a way that it can be associated with the person or the survey responses. The Security Protection Advisory page is accessed via a link from the Opening page. The Opening page is not yet available but normally thanks the person for their participation, informs them about the survey and directs them to the Agency Disclosure Notice, the Privacy Act Statement and Informed Consent pages and the survey.

The data collection procedures are not expected to involve any risk to participants. Names are used only in communicating with local election official sample members. These names are kept securely by the operations contractor, DRC, and are not linked to response data. The datasets sent to DMDC contain no names or addresses. Access to full detailed confidential data is limited to DMDC analysts and contractors under their direct supervision.

DMDC's and DRC's network sites are secure and password protected. Security is strictly enabled by using physical and software access restrictions. All servers are physically located in locked rooms with access permitted only to Technical Services staff through the use of a security card system. Access to the network is allowed only through a login account and password. In addition, employees use password protected screen savers at workstations to protect their systems while they are away from their desks. At DMDC, the network is accessed through the use of Common Access Card (CAC) readers and utilizes Public Key Infrastructure (PKI) security. Logging on to the network requires both physical possession of the CAC and a separately issued Personal Identification Number. Both DRC and DMDC computer systems comply with current Federal Information Security Management Act security standards.

DRC makes daily backup tapes that are stored for five years in fire proof vaults located within a security-card protected area. The contract with DRC expires on September 1, 2009 for purposes of ordering new work; however, provisions dealing with the protection of human subjects and data security are in force for as long as the contractor retains any protected data.

12. Estimates of Annual Response Burden and Labor Costs for Hour Burden to the Respondent for Collection of Information.

a. Response Burden:

Information collected quadrennially from each respondent. The following information is an annual average over a three-year license period.

(1) *UOCAVA Post-election Survey of Overseas Civilians* (5,000 respondents over 3 years)

| | |
|-----------------------------------|------------|
| Total average annual respondents: | 1,667 |
| Frequency of response: | 1 |
| Total annual responses: | 1,667 |
| Burden per response: | 15 minutes |
| Total burden hours: | 417 hours |

(2) *UOCAVA Post-election Voting Survey of Local Election Officials* (1,500 respondents over 3 years)

| | |
|-----------------------------------|------------|
| Total average annual respondents: | 500 |
| Frequency of response: | 1 |
| Total annual responses: | 500 |
| Burden per response: | 30 minutes |
| Total burden hours: | 250 hours |

(3) Estimated Average Annual Burden.

| | |
|-----------------------------|--|
| # Respondents : | 2,167 |
| # Responses per respondent: | 1 |
| Total annual responses: | 2,167 |
| Average hours per response: | .31 hours (Total hours (667) divided by total responses (2,167) equals average hrs per response (.31)) |
| Total annual burden: | 672 hours (Total average annual responses (2,167) x average hrs per response (.31)) |

b. Explanation of How Burden was Estimated. The 2008 surveys are similar to previous survey instruments. Respondents reported the amount of time required to complete previous forms. The burden was reported in two groups: 1) the *Post-election Survey of Overseas Citizens*; 2) the *Post-election Survey of Local Election Officials*. The estimated number of respondents is based on response rates to previous surveys.

c. Labor Cost to Respondent

(1) *UOCAVA Post-election Survey of Overseas Civilians*

| | |
|-----------------------------------|--|
| Total average annual respondents: | 1,667 |
| Frequency of response: | 1 |
| Total annual responses: | 1,667 |
| Burden per response: | 15 minutes |
| Average cost per response: | \$3.64 (Weighted average hourly wage divided by total average annual respondents (1,667)). |
| Total cost | \$6,068 (Average cost per response (\$3.64) by total average annual response (1,667)). |

(2) *UOCAVA Post-election Voting Survey of Local Election Officials*

| | |
|-----------------------------------|--|
| Total average annual respondents: | 500 |
| Frequency of response: | 1 |
| Total annual responses: | 500 |
| Burden per response: | 30 minutes |
| Average cost per response: | \$9.30 (Weighted average hourly wage for GS9 level respondents \$18.60). |
| Total cost | \$4,650 (Average cost per response (\$9.30) by total average annual response (500)). |

(3) *Estimated Average Annual Cost.*

| | |
|-----------------------------|---|
| # Respondents: | 2,167 |
| # Responses per respondent: | 1 |
| Total annual responses: | 2,167 |
| Average cost per response: | \$4.94 (Total hours (672) by weighted hourly cost (\$9.30) by 155 plus \$3.64 by 517)) |
| Total Cost: | \$10,705 (Total average annual responses (2,167) by average cost per response (\$4.94)) |

13. Estimates of Other Cost Burden for the Respondent for Collection of Information.

a. Total Capital and Start-up Cost. There are no capital/startup costs.

b. Operation and Maintenance Cost. There are no operation and maintenance costs. Any computer costs borne by the respondent will be minimal.

14. Estimates of Annualized cost to the Federal Government. Contractor cost includes printing of paper survey instruments, development of Web site surveys, application of sampling strategy, mailing of surveys, receipt of the survey instruments, scanning and cross-tabulation of data, coordination with FVAP, and preparation of a summary data report.

DMDC Staffing Costs

| Paygrade | Months | Rate/ Month | Total |
|-------------------------|---------------|--------------------|------------------|
| GS14 | 3 | \$10,015 | \$30,045 |
| GS13 | 6 | \$8,475 | \$50,850 |
| GS12 | 6 | \$6,100 | \$36,600 |
| Total DMDC Costs | | | \$117,495 |

Operation and Maintenance Cost \$ 26,638
(Includes labor to produce surveys and letters, Materials and freight, and postage.)

Contractor Support \$200,000
(Costs for support contracts are based on negotiated rates for similar services.)

Government Staffing Cost \$117,495
(Includes contract administration and preparation printing, coordination, and distribution of the final report to the President and the Congress.)

Total Cost \$344,133

Average annual cost over a three year license period: \$114,711
(\$344,133 divided by 3 years)

15. Changes in Burden. Change in burden is due to re-estimate of the number of respondents and the time to complete the surveys.

16. Publication Plans/Time Schedule. The analytic effort focuses on presenting the current findings and drawing comparisons against previous data. The UOCAVA requires FVAP to submit a formal report to the Executive Branch and Congress every four years. The administrative schedule is as follows:

Print Survey: Completed by the end of the third quarter of the calendar year immediately prior to the November Presidential election.

Mail Survey. Survey mailing coincides with the November election. Overseas surveys are sent earlier.

Return. Not later than the end of the first quarter of the calendar year immediately following the election.

Tabulation Completed. By the end of the second quarter of the calendar year immediately following the election.

Report Submitted. By the fourth quarter of the calendar year immediately following the election.

17. Approval Not to Display Expiration Date. This approval is not requested.

18. Exceptions to the Certification Statement. No exceptions to the certification statement are requested.

B. COLLECTION OF INFORMATION EMPLOYING STATISTICAL METHODS

1. Description of Activity. Under UOCAVA, FVAP will conduct a post-election survey of overseas citizens not affiliated with the Federal Government and local election officials. DMDC will conduct the survey construction and data collection process. In coordination with the Department of State, individuals will be selected for the *2008 Post-Election Survey of Overseas Citizens*. This will be a purposive sample to achieve 5,000 respondents. First-stage sample units will be embassies and consulates; Department of State will draw these from a list stratified by geographic region and size. This list may not be representative of all embassies and consulates overseas, however, because areas affected by natural disaster, coup d'etats, war, or other extreme conditions will likely be excluded. For privacy/security reasons, the Department of State no longer makes available postal or e-mail addresses of registered overseas citizens, so there is no frame for the second-stage sampling of individuals. The contractor will work with the selected embassies and consulates to publicize the survey among overseas citizens and to locate a non-probability sample of these individuals. An operations contractor, DRC, will compile and mail survey packages and provide instructions to the selected embassies and consulates for administering the surveys. For overseas citizens, the estimated total number of respondents is 5,000.

For local election officials, a single-stage stratified sample of 3,000 will be selected from the frame, an exhaustive list purchased from Election Data Services, Washington DC, of the approximately 10,000 voting jurisdictions nationwide (including the 50 states, the District of Columbia, and the territories Puerto Rico, Virgin Islands, Guam, and Northern Mariana Islands). The list will be stratified by size (number of registered voters) and jurisdiction type (county/independent city and Minor Civil Division), and the sample allocated to permit simultaneous representation of the largest jurisdictions in each state as well as all sizes and types of jurisdictions nationwide. Contact information is provided on the frame, but the contractor will confirm and update this information as required.

Sampling for the LEO survey will be conducted as follows:

- a. Identify approximately 196 self-representing jurisdictions. These will be all jurisdictions having more than 200,000 registered voters each, plus the largest jurisdictions in the 14 states and territories where no jurisdiction has more than 200,000 registered voters. All of these jurisdictions will be placed in a single stratum and selected with certainty.
- b. Stratify the frame by jurisdiction type and size. Election responsibilities are assigned in some states to counties and independent cities, in other states to minor civil divisions (MCD) such as townships and villages. The county jurisdictions will be assigned to six size strata based on number of registered voters; the MCD jurisdictions will be assigned to three size strata.
- c. Allocate the remaining sample of 2,804 among these strata.
- d. Select the sample independently within each stratum.

For local election officials, the estimated total number of respondents is 1,500.

2. Procedures for the Collection of Information. The overseas citizens and local election officials complete the survey and mail the survey directly to the operations contractor. Each survey community has a designated alpha code for the group based on the community surveyed (e.g., Form B for overseas citizens). The operations contractor, DRC, sorts and scans the survey instruments, and converts raw data files to SAS datasets according to specifications written by DMDC. Datasets are then transmitted to DMDC via secure file transfer protocol. DMDC then creates a report to FVAP of the survey responses in subgroup categories and percentages (weighted to reflect the population). FVAP then further analyzes the data and prepares a report to the President and the Congress.

3. Non-response, Maximization to Response Rates, and Accuracy and Reliability. The response rate is the ratio of completed and returned surveys to the number receiving a survey, less postal non-deliverables. To maximize response rates, a cover letter from the Department of State explains the purpose of the survey and asks for voluntary completion of the survey. FVAP provides a postage-paid pre-printed return envelope to the survey participant. Sample lists reflect the most recent citizen addresses and population data for local election officials. The Department of State sends cables and reminders to posts. Posts forward announcements of the survey to wardens for further distribution to citizens. Most respondents

receive surveys the week of the general election. The survey instrument is in user-friendly format and there are follow-up mailings as needed. Participants can also access and return the survey via the Internet.

4. Tests or Procedures. DMDC establishes a schedule of deliverables and the operations contractor provides reports on progress according to the schedule. DMDC ensures the sample is statistically sound, representative, and consistent with past reports. The operations contractor performs quality control checks on assembly of survey packages, address lists and data input.

5. Personnel/Organizations Responsible for Design, Collection or Analysis of the Information

Design review: Drs. Shelley Perry, Michael Wilson (301- 251-4366),
David Morganstein, Kimya Lee, and John Rauch of Westat, Inc.

Scientific Review of Survey: Robert Simmons (703-696-8961) of Defense
Manpower Data Center

Operations Contractor: Data Recognition Corporation (800-826-2368)

Principal Investigator: Dr. Tim Elig (703-696-5858) of Defense Manpower Data
Center