

**Supporting Statement A:**  
**OMB Control Number: 3265-0006**  
**U.S. Election Assistance Commission**  
**2014 Election Administration and Voting Survey**

**A. Justification**

**1. Explain the circumstances that make the collection of information necessary.**

The proposed information collection is necessary to meet requirements of the Help America Vote Act (HAVA) of 2002 (42 U.S.C. 15301). HAVA §241 requires the U.S. Election Assistance Commission (EAC) to study and report on election activities, practices, policies, and procedures, including methods of voter registration, methods of conducting provisional voting, poll worker recruitment and training, and such other matters as the Commission determines are appropriate. In addition, HAVA §802 transferred to the EAC the Federal Election Commission's responsibility of biennially administering a survey on the impact of the National Voter Registration Act (NVRA) (42 U.S.C. 1973gg-1 et seq.). The information the States are required to submit to the EAC for purposes of the NVRA report are found under Title 11 of the Code of Federal Regulations (11 CFR 8.7).

HAVA §703(a) also amended §102 of the Uniformed and Overseas Citizens Absentee Voters Act (UOCAVA) (42 U.S.C. 1973ff-1) by requiring that “not later 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 a report available to the general public.”

In October 2009, the President signed into law the MOVE Act (Military and Overseas Voter Empowerment) as part of the National Defense Authorization Act of FY 2010 (P.L. 111-84). MOVE is intended to make it easier for absentee military troops and other overseas citizen voters to register and vote, and to help ensure that their ballots arrive in time to be counted. The MOVE Act requires state election officials to provide a number of new services, including online access to registration and ballot request forms, electronic options for blank ballot delivery, downloadable write-in ballots in case of late ballot arrival and voter status tracking services. Many of these services were to have been implemented by the November 2010 election. Further, the MOVE Act amended UOCAVA and instructed the Federal Voting Assistance Program (FVAP) to work with the EAC and the chief State election official of each State to develop standards for reporting not only the number of absentee ballots requested and received, but other data as FVAP determines appropriate and for FVAP to store the data reported.

The primary use of the data collection by the Federal Voting Assistance Program (FVAP), an agency of the Department of Defense, is to identify areas where the electoral process can be improved by providing an accurate picture of the absentee voting process. This data will, in turn, permit an ongoing evaluation of the extent to which FVAP is achieving its mission and what actions FVAP might be able to take in the future to improve the process. In addition, the data will assist FVAP in determining if legislative changes have been successful in removing barriers for absentee voting and identify any remaining obstacles to voting by those populations covered by the UOCAVA. For example, the data will help determine: 1) whether voting materials are being distributed in a timely manner and whether voting assistance is being made available; 2) the types of obstacles voters encounter when attempting to vote absentee; 3) the impact of FVAP's efforts to simplify and ease the process of voting absentee; 4) metrics for use in measuring Program effectiveness; and 4) any other problems existing for an absentee voter as determined by the responding election officials.

**2. Indicate how, by whom, and for what purpose the information is to be used.**

The information collected in the 2014 EAC Administration and Voting Survey will be used by the EAC to report to Congress on the impact of the NVRA (42 U.S.C. 1973gg-1 et seq.) on the administration of elections for the period from the day after the November 6, 2012 Federal general elections until Election Day November 4, 2014 Federal general elections. In addition, the EAC shall make available to the public the information collected on the combined number of absentee ballots transmitted to absent uniformed services and overseas citizen voters for the election and the combined number of such ballots which were returned by such voters and cast in the election as required by UOCAVA §102(c). Congress also receives this report. Further, this collection standardizes the format for the reports submitted by States under UOCAVA §102(c) as required by HAVA §703(b).

Pursuant to UOCAVA, the Department of Defense is required to submit a report to Congress reflecting a statistical analysis of Uniformed Service and Overseas Civilian participation so the supporting relevant data will be shared with the Department of Defense through its designee, the Federal Voting Assistance Program.

**3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.**

The EAC will make a variety of data collection tools and templates available to States to allow maximum flexibility in collecting and submitting their data to EAC. It will also accommodate states with varying degrees of access to technology. In particular, the EAC will offer states, as it did in 2008, 2010, and 2012, the opportunity to submit their data via an Excel-or Word-based template, which can be uploaded to the project website or sent via email. States with more sophisticated capabilities will be able to work with EAC to provide their data in other electronic formats such as XML. Should some jurisdictions need paper-and-pencil templates, those can be submitted via email, fax, or postal mail.

To further reduce the burden on the respondents, the Microsoft Excel template applies over 60 logical error-checking rules to increase the correctness of the data entered by the states. This greatly reduces the need to re-enter data at a later time.

**4. Describe efforts to identify duplication.**

Currently, the U.S Census Bureau's Current Population Survey (CPS) provides for a bi-annual supplement that collects information about the voting characteristics of U.S. households. However, the EAC's Election Administration and Voting Survey is a census of election administration practices and voter participation as reported by the chief election officials for the States, the District of Columbia, and the U.S. territories; it does not collect information from voters regarding their voting behavior. The EAC has met with the U.S. Department of Defense's Federal Voting Assistance Program (FVAP) and State organizations regarding the 2014 survey processes for military and overseas voting surveys. In a 2012 Memorandum of Understanding between the National Association of State Election Directors, the EAC and FVAP agreed to combine the surveys for the 2014 election and beyond.

For 2014, EAC's 2014 survey will remain largely unchanged from the 2012 version, with the exception of incorporating the OMB approved FVAP survey questions from the 2012 Post Election Voting survey (OMB No. 0704-0125). The EAC has incorporated the FVAP survey items into Section B in order to combine survey efforts to lessen the overall burden on the States. EAC will provide FVAP the military and overseas voter quantitative data once they are submitted by the States. EAC and FVAP will work collaboratively on the marketing and messaging related to the administration of this survey.

EAC and FVAP are preparing the States for the types of changes that will come relating to military and overseas voting questions in 2014. For 2014, EAC and FVAP have developed a combined survey so that election officials only have to answer one survey. EAC will administer the survey and provide FVAP with all of the supporting data to meet their Congressional reporting requirements.

**5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.**

This information collection does not have a significant impact on small businesses or other small entities. The chief election officials for the States, the District of Columbia, and the U.S. territories may have to request information from their local election jurisdictions, but most of this information is already routinely collected from the local election officials to certify election results and report voter turnout.

The EAC has made efforts to limit the information requested and burden on all participants. The information sought is limited to that information necessary to meet the requirements listed in response to Question 1 above.

**6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.**

If the EAC does not collect this information it may be unable to comply with its statutory requirements under HAVA (42 U.S.C. 15301), NVRA (42 U.S.C. 1973gg-1 et seq.), and UOCAVA (42 U.S.C. 1973ff-1). This collection of information must be carried out every two years after each Federal general election as stipulated by NVRA and UOCAVA. The EAC has kept the burden of responding at the same level by using the 2012 version of the survey for 2014. The additional items in Section B are questions formerly asked as part of the FVAP Post Election survey. The net burden to the States is the same, but one survey should be easier to complete instead of two separate surveys.

As we did in 2012, we have also minimized the burden in the Statutory Overview. For the Statutory Overview (qualitative) for 2014, the Chief State Election Officials are being asked only to update the information submitted in 2012 if there have been changes in their election laws and regulations since then. As was the case in 2008, 2010, and 2012, States will be provided with the Statutory Overview, with their responses from the 2012 iteration already filled in, prior to the election so that they can complete it and submit it before starting on the more involved quantitative section, which is due after the election. Since States are already familiar with the survey as a result of having experienced the 2008, 2010, and 2012 versions, EAC expects States to have an easier time responding.

**7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines.**

There are no special circumstances applicable to this information collection.

**8. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5CFR 320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken in response to the comments. Specifically address comments received on cost and hour burden. Describe efforts to consult with persons outside of EAC.**

EAC published a Federal Register Notice soliciting comments on the information collection on July 17, 2013, Vol. 79, No. 137, pages 42761 to 42764. A copy of the notice as published is provided as Attachment A.

EAC received comments from 44 individuals in 14 States. Virtually all of the comments were in reaction to the Election Administration and Voting Survey (EAVS); no comments were received concerning the Statutory Overview. The table below shows the number of persons providing comments by State. Most of the persons providing comments are affiliated with local or State government (42 out of 44, or 95 percent). Over half of the individuals commenting were affiliated with local government offices in the State of Wisconsin (25 out of 44, or 57 percent). We believe that this was due to a memorandum issued by the Wisconsin Elections Division Administrator and the

Elections Data Manager to Wisconsin County and Municipal Clerks. The memorandum summarized the proposed changes and urged the clerks to provide feedback to EAC and to Wisconsin's Government Accountability Board.

<b>Table 1: Number of Persons Commenting by State</b>	
<b>State</b>	<b>Number of Persons Commenting</b>
Colorado	1
Connecticut	1
Delaware	1
Florida	6
Maryland	1
Michigan	2
New Mexico	1
New York	1
Ohio	1
Tennessee	1
Vermont	1
Washington State	1
Wisconsin	25
Wyoming	1
Totals	44

We analyzed the content of the comments, and identified 11 categories of comments. The table below summarizes these categories. Note that the total number of comments by content type is greater than 44, the number of people who commented. This is due to a number of comments providing information on more than one topic. For example, many comments suggested changes to questions, as well as the elimination of some questions.

<b>Table 2: Content of Comments</b>		
<b>Content Type</b>	<b>Number of Comments</b>	<b>Percent of Total</b>
Will increase burden or already burdensome	21	22.3%
Suggestions to change question wording	13	13.8%
Data seem unnecessary or irrelevant	9	9.6%
Requests for data automation features	9	9.6%
New items contain duplicate questions	6	6.4%
Support combining EAVS and FVAP	6	6.4%
Requests to delete questions	3	3.2%
Typos or grammatical errors	3	3.2%
Suggestions for additional questions	3	3.2%
Requests to change question order	2	2.1%
Other	19	20.2%

<b>Totals</b>	<b>0</b>	<b>100.0%</b>
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Our responses to the suggestions are below.

**Will increase burden or is already a burden.** The data being collected are necessary to meeting the requirements of the Help America Vote Act (HAVA) of 2002 (42 U.S.C. 15301), the National Voter Registration Act (NVRA) (42 U.S.C. 1973gg-1 et seq.), and the Uniformed and Overseas Citizens Absentee Voters Act (UOCAVA) (42 U.S.C. 1973ff-1). All the questions asked and information sought are directly relevant to the legislative requirements. The addition of the questions belonging to surveys by the FVAP merely moves the burden from the FVAP collection activity (which will no longer take place) to the EAC data collection activity described here. The net burden to the states remains the same.

**Suggestions to change question wording.** These suggestions mostly reflected (a) suggestions to reduce the number of abbreviations and acronyms used in the EAVS; (b) the replacement of certain terms (e.g., "Status") with other terms or more direct language. EAC prepares a supplemental instruction manual, also part of this submission, and has added additional definitions, to clarify the additional questions added. The instructional manual should clarify many of these issues.

**Data seem unnecessary or irrelevant.** As stated in the beginning of this document, legislation drives this data collection effort, and we must be compliant.

**Requests for data automation features.** The nature of many of these comments had less to do with the questionnaire content, and more with suggestions for automating the data collection via computerized processing. For example, a number of comments suggested various kinds of skip patterns, or an "auto-fill" feature. We currently implement data collection via a computerized application based on Microsoft Excel and Visual Basic for Applications. Most States completing this data collection use the spreadsheet application to enter the data and transmit the data to the EAC. For the past two iterations of the data collection, we have added additional features to this automated data collection tool, which has resulted in more efficient and less error-prone data collection. We will continue to do so for the current and future iterations. We will take these suggestions into account into revising the automated spreadsheet template for 2014.

**New items contain duplicate questions.** EAC does not agree with this assessment. One of the common alleged examples is that Question B26 and B26a duplicates the information requested by Questions B4 and B6. However, this is not true. Questions B4 and B6 ask for UOCAVA ballots received and submitted for counting, while Questions B26 and B26a ask for ballots received (and not necessarily submitted for counting). There are a number of such subtle differences. Additionally, the data collected by the EAC is used by Congress, other government officials, and academic researchers. Because this will be the first data collection with the additional FVAP questions, EAC will maintain the wording as it now stands to maintain the integrity of the data and to facilitate historical comparisons and trends.

**Support combining EAVS and FVAP.** EAC concurs.

**Requests to delete questions.** All of the questions are necessary to comply with legislative mandates. EAC will not delete questions this time.

**Typos or grammatical errors.** EAC concurs, and these have been fixed in the instruments submitted for this ICR.

**Suggestions for additional questions.** The suggestions for additional questions focused on information needs that may be local to particular jurisdictions, but may not be relevant for all. The suggested additional questions also do not increase compliance with the legislative mandates that EAC addresses, and would increase burden unnecessarily. EAC will not add additional questions.

**Requests to change question order.** EAC does not concur with changing the order of questions. The 2014 data collection will be the sixth iteration of this data collection. Over the years, the States have come to rely on the order of the questions presented; some States have even designed various record-keeping systems to comply with the order of the questions. Researchers who use the public use EAVS data files have also come to rely on questions and responses in a certain order. That is one of the main reasons that the new FVAP-related questions were placed in Section B, in the same order in which they appear in the FVAP data collection. The order of questions will remain as they are.

**Other.** The suggestions categorized as "Other" reflected various requests such as "more training for local clerks", or "surveying UOCAVA voters directly". None of these suggestions address the content of the questions contained in the instrument.

As always, EAC considers not only the public comments it receives on the survey, but also consults with State and local election officials, elections researchers, and other election administration stakeholders when contemplating what to include in the next iteration of the survey.

**9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.**

The EAC does not provide any payment or gift to respondents.

**10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.**

There is no assurance of confidentiality.

**11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.**

There are no questions of a sensitive nature.

**12. Provide estimates of the hour burden of the collection of information. The statement should indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated.**

The information collection has two parts: the Election Administration and Voting Survey (EAVS), and the Statutory Overview. The response burden was estimated based on asking seven individual states for an estimate of the total number of hours spent on gathering the necessary information and on entering the data into the electronic template. The seven states represented a mix of the number of reporting jurisdictions (from 3 to 1500), and of different record-keeping database architectures (i.e., top-down, bottom-up, and hybrid). The median response was 180 hours for the EAVS. The addition of the questions from the FVAP data collection survey adds another 40 hours to this for a total of 220 hours.

Under the revised method of completing the Statutory Overview, where the States' previous responses are provided (so that the respondent merely needs to note only those changes that have occurred since the previous period), we estimate that the new burden for completing the Statutory Overview is 10 hours. The table below summarizes the burden estimates for the EAVS and the Statutory Overview. Because this data collection occurs every two years, we have calculated and provided the annualized burden.

Collection Component	Number of Respondents	Respondent Burden	Total Burden	Annualized Burden
EAVS	55	220	12,100	6,050
Statutory Overview	55	10	550	275
<b>Total</b>		<b>230</b>	<b>12,650</b>	<b>6,325</b>

The estimated cost of the annualized cost of this burden is: \$144,652.75. This is calculated by taking the annualized burden (6,325 hours) and multiplying by an hourly rate of \$22.87 (GS-8/Step 5 hourly rate plus fringe).

**13. Provide an estimate for the total annual cost burden to respondents or recordkeepers resulting from the collection of information.**

There are no capital or start-up costs associated with this information collection.

**14. Provide estimates of annualized cost to the Federal government.**

The estimated annual cost to the Federal Government is \$462,800.

The information is collected biennially. For each data collection iteration, the cost includes: approximately \$600,000 for a contractor to develop and manage a database system to house the State's data; the contractor's personnel cost associated with survey instrument development, database development, technical assistance to the States, data analysis and production of various reports; \$216,000 for FVAP data collection, processing, and report development, \$97,000 for EAC personnel to manage the entire project (including salary and benefits); and \$12,000 for Government Printing Office (GPO) report design and development. These figures sum to \$925,600 for two years,



bringing the annualized cost to \$462,800.

**15. Explain the reasons for any program changes or adjustments reported in Items 13 (or 14) of OMB Form 83-I.**

The EAC requests an decreased number of burden hours in Item 13 of OMB Form 83-I . As noted in the response to item 12 of this justification, the decreased burden is due to the revised method with the Statutory overview, familiarity with the EAVS survey, and a more accurate estimate of the States' burden after several iterations of the EAC data collections documented in prior years.

The decreased burden hours entails decreased reporting on the part of the states and their respective jurisdictions. We document the cost of that burden in Item 14 of OMB Form 83-I.

It should be noted that the net burden to the States remains the same, when FVAP and the EAC data collections are considered together.

**16. For collections whose results will be published, outline the plans for tabulation and publication.**

The EAC is required by NVRA (42 U.S.C. 1973gg-7) no later than June 30th of each odd-numbered year to submit to Congress a report assessing the impact of this Act on the administration of elections for Federal office during the preceding 2-year period, including recommendations or improvements in Federal and State procedures, forms, and other matters affected by this Act. This report will be released before June 30, 2015.

In addition, the EAC will make available to the public the information collected on the combined number of absentee ballots transmitted to uniformed and non-uniformed citizen voters and the combined number of such ballots which were returned by such voters and cast in the election as required by UOCAVA §102(c). The EAC expects to release its UOCAVA findings in October 2015. FVAP will also make the analysis of its data public from questions contained in Section B of the EAVS once the report to Congress is submitted in June 2015. The EAC Statutory Overview is tentatively scheduled to be released in April 2015. All of the data collected through this project will be made publicly available via EAC's website and the Federal government's www.Data.gov website.

**17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons why display would be inappropriate.**

Not applicable to this collection.

**18. Explain each exception to the certification statement identified in Item 19 of OMB Form 83-I.**

The EAC does not request an exception to the certification of this information collection.

