

Justification for Approval of Non-Substantive Changes

For 2012, EAC's Election Administration and Voting Survey (EAVS) will remain largely unchanged from the 2010 version (except for minor changes to some question wording for the purpose of clarifying the type of information EAC seeks). EAC's interest in limiting respondent burden and maintaining as much consistency as possible in the questions asked between 2010 and 2012 is, in part, why the commission wishes not to make any substantive changes. The survey is largely unchanged from the 2010 version and will be placed on EAC's website along with a list of the minor edits made. EAC consulted with its statutory boards and trade association members (comprised of State and local election officials) regarding the intent to make no substantive changes to the 2012 survey. That decision was overwhelmingly supported by these stakeholders.

The minor language changes to the 2012 EAVS survey include:

Section A (quantitative):

Question A4a: Adding "Same Day" in order to clarify that we want information about Same Day registrations → Total new **Same Day** registrations

Question A6-A9: Adding an asterisk mark with the following language → ***Sub-question "e" should include all forms handled through the public assistance agency process (i.e., paper, online).** This sentence will be added as a way to clarify for respondents what should be included in A6-9e regarding public assistance voter registration forms. With more and more states offering online voter registration we want to ensure that those numbers are included and that public assistance offices are not just including counts for paper forms.

Question A10: This edit involves changing "removal" to "confirmation" as a way of clarifying for respondents what EAC means. Both terms had been included previously to accommodate variation in states' use of these terms. EAC noticed that some confusion resulted from this and would like to use "confirmation," which is the term used in the National Voter Registration Act regulations. → **Enter the total number of confirmation removal notices sent to voters in the period between the close of registration...**

Section B (qualitative):

Question C7: There is no change to the original question. The additional language in red text is to clarify for respondents the type of post-election audit information EAC is seeking. We noticed in the 2010 responses that states' answers varied widely; we thought additional guidance might yield better responses from the states. →

Please describe your state's laws regarding post-election audits, if any. **A post-election audit refers to hand-counting votes on paper records and comparing those counts to the corresponding vote counts originally reported, as a check on the accuracy of election results, and resolving discrepancies using accurate hand counts of the paper records as the benchmark. If your state has post-election auditing, consider including in your response information such as the unit being audited (e.g., precincts, machines); the sampling method (e.g., fixed percentages); whether there is a specific trigger for the audit; the location of the random selection (e.g., state, county); and the races that can be audited.**

Question E2: EAC would like to remove this question. It was included in 2010 order to get a sense of how states were planning to implement the new MOVE Act requirements for the 2010 election. EAC believes it can be removed because by 2012 all states should have implemented the various provisions of the MOVE Act. There is no need to ask them how they plan to comply with the Act.

E2. The Military and Overseas Voter Empowerment Act (MOVE) was signed into law on October 22, 2009. The MOVE Act contains, among other things, provisions regarding States' methods of communication with UOCAVA voters and UOCAVA ballot transmission.

Please describe your State's processes and procedures for implementing MOVE (including any changes in your State's laws or regulations) as they relate to:

- Protecting the security and integrity of the voter registration and ballot application process, the privacy and personal information of the voter, and absentee ballots. (Sect. 577, 578)
- Designating a means of electronic communication for all voting-related materials to UOCAVA voters. (Sect. 577)
- Establishing a ballot tracking mechanism to allow voters to determine whether their ballots were received by the appropriate election official. (Sect. 580(d))

Also, please describe your State's plans to capture data related to the number of registration applications, ballot applications, and blank ballots transmitted to UOCAVA voters via mail and electronic means (Internet, email, fax) *and* the number of registration applications, ballot applications, and completed ballots returned by UOCAVA voters via mail and electronic means (Internet, email, fax).