

SUPPORTING STATEMENT - PART A

Election Administration and Voting Survey (EAVS) Section B Data Standard (ESB Data Standard) – 0704-FVAP

1. Need for the Information Collection

Legal Authorities. The President of the United States designated the Secretary of Defense to administer the *Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) As Modified by the Military and Overseas Voting Empowerment Act*, 52 United States Code (U.S.C.) 20301¹. UOCAVA is the principal enabling statute that grants authority for the Department of Defense (DoD) to facilitate absentee voting amongst members of the Uniformed Services and Merchant Marine, their eligible family members and all citizens residing outside the United States who are absent from the United States. The 1988 Executive Order 12642 names the Secretary of Defense as the “Presidential designee” for administering UOCAVA. In the Department of Defense Instruction (DoDI) 1000.04, *Federal Voting Assistance Program (FVAP)*, the Secretary of Defense delegated UOCAVA-related responsibilities first to the Undersecretary of Defense for Personnel and Readiness (USD[P&R]), and then, in turn, to the FVAP Director. The DoDI 1000.04 also updates the policy and responsibilities for FVAP under Executive Order 12642. The Military and Overseas Voter Empowerment (MOVE) Act of 2009 enacted key reforms to the absentee voting process for military and overseas voters. These reforms include the transmission of balloting materials no later than 45 days prior to each federal election. Additionally, each state must offer military and overseas voters with an opportunity to receive balloting materials electronically. Sections 52 U.S.C. §20301 (b [6, 11]) and §20308 (b [1]) require FVAP to provide a report to the President and the Congress on program effectiveness and conduct a statistical analysis on UOCAVA voter participation. These sections also state that FVAP shall work with the United States Election Assistance Commission (EAC) and the chief State election official of each State to develop standards for States to report data on the number of absentee ballots transmitted and received, and that FVAP is to store the data collected. In order to evaluate the MOVE Act’s reforms and to perform the actions prescribed in Section 52 U.S.C. §20301 (b [6,11]) and §20308 (b [1]) FVAP requires transaction-level data that can associate specific UOCAVA ballot business process transactions with the ultimate outcome on whether the ballot was received and accepted for counting in each federal election.

Primary Objectives. To help better assist UOCAVA voters, FVAP and the Council of State Governments worked to refine a transformative new data schema called the Election Administration and Voting Survey (EAVS) Section B (ESB) Data Standard. The ESB Data Standard builds on other data standardization efforts and allows FVAP to analyze the three key parts of the voting process: (1) ballot request, (2) ballot transmission, and (3) ballot return.

¹ Previously found in 42 USC 1973ff

The ESB Data Standard collects transactional data from the absentee voter's experience in the election process that, when aggregated, align to the post-election survey questions administered by the EAC's Administration and Voting Survey (EAVS) data specifically focused on administration of UOCAVA. To that end, under FVAP's guidance, states now have the option of making transactional-level data on UOCAVA ballots available through the ESB Data Standard, and the Council of State Governments is assisting with securing standardized feeds of these transactional data from members of the Overseas Voting Initiative. This standard captures data from state databases, a process that has the advantage of more accurately assessing when ballot transactions occurred and whether ballot requests and returns were returned. The EAVS survey, as administered by the EAC, aggregates totals at the state and jurisdiction levels on ballot receipt and transmission time, but this blurs the effects experienced by voters into a single statewide estimate. Further, these data do not isolate how much timing and transmission type can influence a successful voter transaction in the process or contrast the impacts of these across two differing populations, the overseas citizen versus the active duty military voter. The ESB Data Standard is the first approach of its kind to analyze administrative data at the transactional level and attempt to identify drivers for UOCAVA voter success. FVAP intends to leverage the momentum created from the ESB Data Standard Analysis to secure greater levels of implementation across jurisdictions with major populations of UOCAVA voters. Doing so will drastically reduce the burden on jurisdictions from the EAVS Section B data collection to only collecting high level metrics as points of validation for the ESB Data Standard.

2. Use of the Information

The sponsor of this research is FVAP. The primary user of the data/results will be FVAP. Additional potential users of the results could include members of Congress, State and local election officials, the Election Assistance Commission, the Office of the Secretary of Defense (OSD), other DoD senior staff and administrators, and the Office of People Analytics (OPA).

With this transactional-level data, FVAP will be able to analyze the voters experience from start to finish, identifying drivers for success, and uncovering any areas within the UOCAVA voting process which could be improved upon.

FVAP will send the specific data fields to election officials for their use in generating an electronic export file. Election officials will generate the export file reflecting the transactional-level data in real time in a spreadsheet. After each general election, they will then upload the spreadsheet into FVAP's portal, or else send it to their State election official who will then upload it for them. FVAP will then download the data from the portal and present the results in an aggregated format in a report to Congress. No Personally Identifiable Information (PII) will be collected. If an election official accidentally sends FVAP PII, FVAP will delete the PII immediately. FVAP is currently building validation tools to its website to identify possible PII prior to accepting a file for upload. Any suspected PII will result in a rejection of the file import attempt. FVAP will only be publishing the data in an aggregated format. It will be in a report format delivered to Congress, and also publicly posted on the FVAP.gov website, along with the accompanying Excel/CSV file. In the case where there are less than 10 U.S. citizens ($n < 10$) in a particular country, FVAP will not publish this country's data when doing country comparisons.

3. Use of Information Technology

Election officials will use existing software to record the data in real time and generate a conforming electronic export file. This file will then be uploaded into FVAP's portal.

4. Non-duplication

This information collection is unique in its methodology and areas of inquiry. There is no other federal agency tasked with collecting this information at the transactional-level.

5. Burden on Small Businesses

No data collection is being conducted with other businesses or establishments.

6. Less Frequent Collection

Once every two years (election officials will do a one-time upload of the data into the FVAP portal after every general election.)

7. Paperwork Reduction Act Guidelines

This collection of information does not require collection to be conducted in a manner inconsistent with the guidelines delineated in 5 CFR 1320.5(d)(2).

8. Consultation and Public Comments

Part A: PUBLIC NOTICE

A 60-Day Federal Register Notice (FRN) for the collection published on July 13, 2020. The 60-Day FRN citation is 85 FR 41967 FRN 41967-41968.

No comments were received during the 60-Day Comment Period.

A 30-Day Federal Register Notice for the collection published on Thursday, October 22, 2020. The 30-Day FRN citation is 85 FR 67340 FRN 67340.

Part B: CONSULTATION

No additional consultation apart from soliciting public comments through the Federal Register was conducted for this submission.

9. Gifts or Payment

No payments or gifts are being offered to respondents as an incentive to participate in the collection.

10. Confidentiality

The information collection does not ask respondents to submit proprietary or trade secret information to the DoD. It will not collect or use any PII as part of a qualifying information system and is not retrieved by personal identifier. Therefore, the information collected is not

subject to the Privacy Act of 1974, as amended (5 U.S.C. § 552a), and neither a Privacy Impact Assessment (PIA) nor System of Records Notice (SORN) is applicable. Findings will be reported in the aggregate and specific characteristics will not be attributed to individual participants. Identifying information such as participants' names, addresses (excluding country), e-mail addresses, or phone numbers will not be used in association with the data used in reporting.

A Privacy Act Statement is not required for this collection because we are not requesting individuals to furnish personal information for a system of records.

A System of Record Notice (SORN) is not required for this collection because records are not retrievable by PII.

A Privacy Impact Assessment (PIA) is not required for this collection because PII is not being collected electronically.

If an election official accidentally uploads data with PII, and the portal software does not detect that it is PII, FVAP will immediately discard this data.

11. Sensitive Questions

No questions considered sensitive are being asked in this collection.

12. Respondent Burden and its Labor Costs

Part A: ESTIMATION OF RESPONDENT BURDEN

1. Election Administration and Voting Survey (EAVS) Section B Data Standard (ESB Data Standard)
 - a. Number of Respondents: 827
 - b. Number of Responses per Respondent: 1
 - c. Number of Total Annual Responses: 827
 - d. Response Time: 5 hours
 - e. Respondent Burden Hours: 5 hours
2. **Total Submission Burden** (Summation or average based on collection)
 - a. Total Number of Respondents: 827
 - b. Total Number of Annual Responses: 827
 - c. Total Respondent Burden Hours: 4135 hours

Part B: LABOR COST OF RESPONDENT BURDEN

Since this is a biennial information collection all costs referenced below reflect the appropriate annual assessment of costs. Costs are based on estimated wages for civilians and local election officials.

1. Election Administration and Voting Survey (EAVS) Section B Data Standard (ESB Data Standard)
 - a. Number of Total Annual Responses: 827

- b. Response Time: 5 hours
 - c. Respondent Hourly Wage: \$25
 - d. Labor Burden per Response: \$125
 - e. Total Labor Burden: \$103,375
- 2. Overall Labor Burden
 - a. Total Number of Annual Responses: 827
 - b. Total Labor Burden: \$103,375

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- 13. Respondent Costs Other Than Burden Hour Costs
 - a. There are no capital/startup costs.
 - b. Operation Costs (Consultancy Costs): \$172,800
- 14. Cost to the Federal Government

Part A: LABOR COST TO THE FEDERAL GOVERNMENT

All costs referenced below reflect the appropriate annual assessment of costs. Estimates are based on costs incurred with managing the election officials, coordinating authorization for this collection, and retrieving data.

- 1. Election Administration and Voting Survey (EAVS) Section B Data Standard (ESB Data Standard) - Supervisor
 - a. Number of Total Annual Responses: 827
 - b. Processing Time per Response: 5 hours
 - c. Hourly Wage of Worker(s) Processing Responses: \$28.47
 - d. Cost to Process Each Response (*P: B multiplied by C*): \$142.35
 - e. Total Cost to Process Responses (*P: A multiplied by D*): \$117,723.45

- 1. Overall Labor Burden to the Federal Government
 - a. Total Number of Annual Responses: 827
 - b. Total Labor Burden: \$221,098.45

Part B: OPERATIONAL AND MAINTENANCE COSTS

- 1) Cost Categories
 - a. Equipment: \$0
 - b. Printing: \$0
 - c. Postage: \$0
 - d. Software Purchases: \$0
 - e. Licensing Costs: \$0
 - f. Other: \$172,800
 - g. Total: \$172,800

- 1) Total Operational and Maintenance Cost: \$172,800

Part C: TOTAL COST TO THE FEDERAL GOVERNMENT

- 1) Total Labor Cost to the Federal Government: \$221,098.45
- 2) Total Operational and Maintenance Costs: \$172,800
- 3) Total Cost to the Federal Government): \$393,898.45

15. Reasons for Change in Burden

This is a new collection with a new associated burden.

16. Publication of Results

The duration of collection period will be after each Federal General Election. FVAP plans to publish the aggregated data in its biannual report to Congress and made publicly available on FVAP's website.

17. Non-Display of OMB Expiration Date

The spreadsheet (collection instrument) is in an Excel format. In order for the portal software program to accept an upload only the fields specified can be in the spreadsheet. No other data will be accepted during the upload. Instead the OMB number will be sent out to each State election official.

18. Exceptions to "Certification for Paperwork Reduction Submissions"

We are not requesting any exemptions to the provisions stated in 5 CFR 1320.9.