

ELECTION ASSISTANCE COMMISSION**Proposed Information Collection—
Evaluation of EAC Educational
Products; Comment Request**

AGENCY: U.S. Election Assistance Commission (EAC).

ACTION: Notice.

SUMMARY: In compliance with Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, EAC announces an information collection and seeks public comment on the provisions thereof. The EAC, pursuant to 5 CFR 1320.5(a)(iii), intends to submit this proposed information collection (Evaluation of EAC Educational Products) to the Director of the Office of Management and Budget for approval. The Evaluation of EAC Educational Products (Evaluation) asks election officials questions concerning the effectiveness, use, and overall satisfaction with the educational products by State and local election officials. The results of the evaluation will be used internally as a decision-making tool to guide the EAC's determination about future updates and reprints of these work products. Section 202 of HAVA requires EAC to serve as a national clearinghouse and resource for the compilation of information related to the administration of Federal elections. Section 202(3) authorizes EAC to conduct studies and to carry out other duties and activities to promote the effective administration of Federal elections.

DATES: Written comments must be submitted on or before 4 p.m. EDT on November 9, 2009.

Comments: Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed information collection; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology. The information collection tool is available on the EAC Web site (<http://www.eac.gov>).

Comments on the proposed information collection should be submitted electronically to producteval@eac.gov. Written comments on the proposed information collection can also be sent to the U.S.

Election Assistance Commission, 1225 New York Avenue, NW., Suite 1100, Washington, DC 20005, *Attn:* Educational Products Evaluation.

Obtaining a Copy of the Surveys and Focus Group Protocol: To obtain a free copy of the surveys and focus group protocol: (1) Access the EAC Website at <http://www.eac.gov>; (2) write to the EAC (including your address and phone number) at U.S. Election Assistance Commission, 1225 New York Avenue, NW., Suite 1100, Washington, DC 20005, *Attn:* Educational Products Evaluation.

FOR FURTHER INFORMATION CONTACT: Ms. Karen Lynn-Dyson or Ms. Shelly Anderson at (202) 566-3100.

SUPPLEMENTARY INFORMATION:

Title and OMB Number: Evaluation of EAC Educational Products; OMB Number Pending.

Needs and Uses: This proposed information collection activity is necessary to meet requirements of the Help America Vote Act (HAVA) of 2002 (42 U.S.C. 15301). This data collection effort is authorized under the Help America Vote Act (HAVA). Section 202 of HAVA requires EAC to serve as a national clearinghouse and resource for the compilation of information and review of procedures with respect to the administration of Federal elections. Section 202(3) authorizes EAC to conduct studies and to carry out other duties and activities to promote the effective administration of Federal elections. Since 2004, the EAC has issued guidance on various topics to assist State and local election officials in managing and administering elections. This guidance includes a number of management guidelines, best practices, and other related reports. The specific products to be evaluated include: Effective Designs for the Administration of Federal Elections (Ballot Designs); Successful Practices—Poll Worker Recruitment, Training, and Retention; A Guidebook to Recruiting College Poll Workers; State Poll Worker Requirements Compendium; Election Management Guidelines; Quick Start Guides; Election Terminology Glossaries in Six Languages; and A Voter's Guide to Federal Elections. The Evaluation Contractor will conduct an evaluation of the effectiveness, use, and overall satisfaction with the aforementioned products by State and local election officials. The results of the evaluation will be used internally as a decision-making tool to guide the EAC's determination about future updates and reprints of these work products. The evaluation will include the use of surveys and focus groups.

There is one online survey for local election officials and one online survey for State election officials. Each survey is estimated to take 40 minutes to complete.

Affected Public (Respondents): State governments, the District of Columbia, Commonwealth of Puerto Rico, Guam, American Samoa, and the United States Virgin Islands, and local entities.

Affected Public: State and local government.

Number of Respondents: 5,000.

Responses per Respondent: 1.

Estimated Burden per Response: 40 minutes.

Estimated Total Annual Burden Hours: 2,000 hours.

Frequency: One-time data collection.

There will be three focus groups held with approximately 10 participants per group. Each focus group meeting is expected to last one and one-half hours.

Affected Public: Local government.

Number of Respondents: 30.

Responses per Respondent: 1.

Estimated Burden per Response: 1.5 hours.

Estimated Total Annual Burden Hours: 45 hours.

Frequency: One-time data collection.

The following categories of information will be requested of local and State election officials via the surveys and focus groups:

- Familiarity with the EAC educational products;
- Use of EAC educational products;
- The impact of having used EAC educational products on administrative and/or election processes; and,
- Recommendations for improving existing products and/or creation of additional products.

Thomas R. Wilkey,

Executive Director, U.S. Election Assistance Commission.

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ELECTION ASSISTANCE COMMISSION**Proposed Information Collection—
2010 Election Administration and
Voting Survey; Comment Request**

AGENCY: U.S. Election Assistance Commission (EAC).

ACTION: Notice.

SUMMARY: In compliance with Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, EAC announces an information collection and seeks public comment on the provisions thereof. The EAC, pursuant to 5 CFR 1320.5(a)(iii), intends to submit this proposed information collection (2010

Election Administration and Voting Survey) to the Director of the Office of Management and Budget for approval. The 2010 Election Administration and Voting Survey (Survey) asks election officials questions concerning voting and election administration. These questions request information concerning ballots cast; voter registration; overseas and military voting; Election Day activities; voting technology; and other important issues. The EAC issues the survey to meet its obligations under the Help America Vote Act to serve as national clearinghouse and resource for the compilation of information with respect to the administration of Federal elections; to fulfill its data collection requirements under the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA); and meet its National Voter Registration Act (NVRA) mandate to collect information from states concerning the impact of that statute on the administration of Federal Elections.

DATES: Written comments must be submitted on or before 4 p.m. EDT on November 9, 2009.

Comments: Public comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed information collection; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments on the proposed information collection should be submitted electronically to electiondaysurvey@eac.gov. Written comments on the proposed information collection can also be sent to the U.S. Election Assistance Commission, 1225 New York Avenue, NW., Suite 1100, Washington, DC 20005, *Attn:* Election Administration and Voting Survey.

Obtaining a Copy of the Survey: To obtain a free copy of the survey: (1) Access the EAC Web site at <http://www.eac.gov>; (2) write to the EAC (including your address and phone number) at U.S. Election Assistance Commission, 1225 New York Avenue, NW., Suite 1100, Washington, DC 20005, *Attn:* Election Administration and Voting Survey.

FOR FURTHER INFORMATION CONTACT: Ms. Karen Lynn-Dyson or Ms. Shelly Anderson at (202) 566-3100.

SUPPLEMENTARY INFORMATION: *Title and OMB Number:* 2010 Election Administration and Voting Survey; OMB Number Pending.

Summary of the Collection of Information: The survey requests information on a state- and county-level (or township-, independent city-, borough-level, where applicable) concerning the following categories: *Voter registration applications (from the period of Federal General Election Day +1, 2008 through Federal General Election Day, 2010)*

(a) Total number of registered voters; (b) Number of active and inactive registered voters; (c) Number of persons who registered to vote on Election Day—only applicable to States with Election Day registration; (d) Number of voters who registered using online registration—only applicable to States that allow online registration; (e) Number of voter registration applications received from all sources; (f) Number of voter registration applications that were duplicates, invalid or rejected, new, changes of name, address, party, and not categorized; (g) Number of duplicate registration applications received from all sources; (h) Total number of removal/confirmation notices mailed to voters and the reason for removal; (i) total number of voters removed from the registration list or moved to the inactive registration list.

Uniformed & Overseas Citizens Absentee Voting Act (UOCAVA)

(a) Total number of UOCAVA absentee ballots transmitted, returned, cast, and counted; (b) Total number of UOCAVA absentee ballots not counted and the reason for rejection; (c) Total number of Federal Write-in Absentee Ballots returned and cast by UOCAVA voters; (d) Number of UOCAVA ballots transmitted as part of the two-election cycle of automatic requests; (e) Number of UOCAVA ballots transmitted as part of the two-election cycle of automatic requests that were returned undeliverable and submitted for counting.

Election Administration

(a) Total number of precincts in the state/jurisdiction; (b) Number of polling places available for voting in the November 2010 Federal general election; (c) Number of poll workers used for Election Day; (d) Extent to which jurisdictions had enough poll workers available for the general election.

Election Day Activities

(a) Total number of persons who voted in the 2010 Federal general

election; (b) The source of the participation number—poll books, ballots counted, vote history; (c) Total number of first-time voters who registered by mail and were required to provide identification in order to vote; (d) Number of voters who appeared on the permanent absentee voter registration list; (e) Number of absentee ballots requested, received, counted, and not counted; (f) Reasons for absentee ballot rejection; (g) Number of provisional ballots cast, counted, and rejected; (h) Reasons for provisional ballot rejection; (i) Use of electronic and printed poll books during the 2010 Federal general election; (j) Type and number of voting equipment used for the 2010 Federal general election; (k) Type of process in which voting equipment was used—precinct, absentee, early vote site, accessible to disabled voters, provisional voting; (l) Location in which votes were tallied—central location, precinct/polling place, or early vote site; (m) General comments regarding the jurisdiction's Election Day experiences.

2010 Election Results

Total number of votes cast—at polling places, via absentee ballot, at early vote centers, via provisional ballots.

Statutory Overview (2010 Federal General Election)

(a) Information on whether the state is exempt from the National Voter Registration Act (NVRA); (b) State definition of terms—over-vote, under-vote, blank ballot, void/spoiled ballot, provisional/challenged ballot; (c) State definition of inactive and active voter; (d) State provision for voter identification at registration, for in-person voting, and for mail-in or absentee voting; (e) information on legal citation for changes to election laws or procedures enacted or adopted since the previous Federal general election; (f) State definition of voter registration; (g) Process used for moving voters from active to inactive lists and from inactive to active; (h) State deadline for registration for the Federal general election; (i) Information of whether the state is an Election Day/Same Day Registration state; (j) Description of state voter registration database system—bottom-up or top-down; (k) State voter removal/confirmation notices processes; (l) Agency or department that is responsible for list maintenance; (m) Information on whether there are electronic links between the voter registrar's office and other state agencies; (n) State's use of National Change of Address (NCOA); (o) State's voting eligibility requirements as they relate to convicted felons; (p) Tabulation

of votes cast at a place other than the voter's precinct; (q) Provision for voting absentee; (r) State tracking of the date of all ballots cast before election day; (s) Provision for mail-in voting in place of at-the-precinct voting; (t) Acceptance or rejection of provisional ballots of voters registered in a different precinct; (u) State process for capturing over-votes and under-votes. States and territories that submitted a Statutory Overview for 2008 will be asked to provide updates to the information above, where applicable.

Needs and Uses: The EAC issues the survey to meet its obligations under the Help America Vote Act to serve as national clearinghouse and resource for the compilation of information with respect to the administration of Federal elections; to fulfill its data collection requirements under the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA); and meet its National Voter Registration Act (NVRA) mandate to collect information from states concerning the impact of that statute on the administration of Federal Elections. The Help America Vote Act of 2002 (HAVA) (42 U.S.C. 15322) requires the EAC to serve as a national clearinghouse and resource for the compilation of information and review of procedures with respect to the administration of Federal Elections. This includes the obligation 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, under the National Voter Registration Act (NVRA), the EAC is responsible for collecting information and reporting, biennially, to the United States Congress on the impact of that statute. 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. States that respond to questions in this survey concerning voter registration related matters will meet their NVRA reporting requirements under 42 U.S.C. 1973gg-7 and EAC regulations. Finally, the Uniformed and Overseas Citizens Absentee Voters Act (UOCAVA) mandates that EAC create a standardized format for state reporting of UOCAVA voting information (42 U.S.C. 1973ff-1). Additionally, UOCAVA requires 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." States that complete and timely submit the UOCAVA section of the survey to the EAC will fulfill their UOCAVA reporting requirement under 42 U.S.C. 1973ff-1(c). In order to fulfill the above requirements, the EAC is seeking information relating to the period from the Federal general election day 2008 +1 through the November 2010 Federal general election.

Affected Public (Respondents): State governments, the District of Columbia, Commonwealth of Puerto Rico, Guam, American Samoa, and the United States Virgin Islands.

Affected Public: State government.

Number of Respondents: 55.

Responses per Respondent: 1.

Estimated Burden per Response: 147 hours.

Estimated Total Annual Burden

Hours: 8,085 hours.

Frequency: Biennially.

Thomas R. Wilkey,

Executive Director, U.S. Election Assistance Commission.

[FR Doc. E9-21592 Filed 9-4-09; 8:45 am]

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ELECTION ASSISTANCE COMMISSION

Publication of State Plan Pursuant to the Help America Vote Act

AGENCY: U.S. Election Assistance Commission (EAC).

ACTION: Notice.

SUMMARY: Pursuant to the Help America Vote Act (HAVA), the U.S. Election Assistance Commission (EAC) hereby causes to be published in the **Federal Register** changes to the HAVA State plans previously submitted by Maryland, Nebraska, and New Mexico.

DATES: This notice is effective upon publication in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Bryan Whitener, Telephone 202-566-3100 or 1-866-747-1471 (toll-free).

Submit Comments: Any comments regarding the plans published herewith should be made in writing to the chief election official of the individual State at the address listed below.

SUPPLEMENTARY INFORMATION:

On March 24, 2004, the U.S. Election Assistance Commission published in the **Federal Register** the original HAVA State plans filed by the fifty States, the District of Columbia and the Territories of American Samoa, Guam, Puerto Rico, and the U.S. Virgin Islands. 69 FR 14002. HAVA anticipated that States, Territories and the District of Columbia would change or update their plans from time to time pursuant to HAVA section 254(a)(11) through (13). HAVA sections 254(a)(11)(A) and 255 require EAC to publish such updates. This is the first revision to the State plan for New Mexico, and the second revision to the State plans for Maryland and Nebraska.

The revised State plans from Maryland, Nebraska, and New Mexico provide information on program accomplishments and address changes in the respective budgets to account for the use of Fiscal Year 2008 and 2009 requirements payments. In accordance with HAVA section 254(a)(12), all the State plans submitted for publication provide information on how the respective State succeeded in carrying out its previous State plan. The States all confirm that these changes to their respective State plans were developed and submitted to public comment in accordance with HAVA sections 254(a)(11), 255, and 256.

Upon the expiration of thirty days from September 8, 2009, the State is eligible to implement the changes addressed in the plan that is published herein, in accordance with HAVA section 254(a)(11)(C).

EAC wishes to acknowledge the effort that went into revising this State plan and encourages further public comment, in writing, to the State election official listed below.

Chief State Election Officials

Ms. Linda Lamone, Administrator,
Maryland State Board of Elections,
151 West Street, Suite 200, Annapolis,
Maryland 21401-0486, *Phone:* (410)
269-2840.

The Honorable John Gale, Nebraska
Secretary of State, P.O. Box 94608;
State Capitol, Suite 2300; Lincoln,
Nebraska 68509-4608, *Phone:* (402)
471-2554, *Fax:* (402) 471-3237.

The Honorable Mary Herrera, New
Mexico Secretary of State, 3285 Don
Gaspar, Suite 300, Santa Fe, New
Mexico 87503, *Phone:* (505) 827-
3600, *Fax:* (505) 827-8081.

Thank you for your interest in improving the voting process in America.