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# The Election Administration and Voting Survey: Overview and 2018 Findings

The Election Administration and Voting Survey (EAVS) is a biennial survey of state and local officials about the administration of federal elections. The survey is conducted for each regular federal election cycle by the U.S. Election Assistance Commission (EAC), which reports its findings to Congress and the public the year after the election.

The EAVS is not the federal government’s only election administration data collection effort—the U.S. Census Bureau conducts surveys about voting and registration behavior, for example, and the U.S. Government Accountability Office has studied topics such as voting equipment use—but it is the most comprehensive regular survey of the state and local officials who run U.S. elections. The data it collects have the potential to offer insight into how, and how well, states and localities are administering elections. So, the interpretation and findings of the EAVS may be relevant to Members who are interested in assessing state and local implementation of federal election law, identifying problems with the conduct of elections, or considering changes to election laws or procedures.

This In Focus provides an introduction to the EAVS. It starts with an overview of the survey and then describes topline findings of the 2018 EAVS, some caveats about EAVS data, and legislative activity related to the EAVS.

## Overview of the EAVS

The current iteration of the EAVS contains six sections, with questions about voter registration, military and overseas voting, and a range of other elections topics (see **Table 1** for details of each section). It has been accompanied since 2008 by another survey—introduced as the Statutory Overview and redesigned and recast as the Election Administration Policy Survey (Policy Survey) for 2018—that asks about states’ election policies.

Sections A and B of the EAVS are conducted to meet specific reporting requirements of the National Voter Registration Act of 1993 (NVRA; 52 U.S.C. §§20501-20511) and the Uniformed and Overseas Citizens Absentee Voting Act of 1986 (UOCAVA; 52 U.S.C. §§20301-20311), respectively. The Policy Survey and Sections C through F of the EAVS fall under a broader EAC mandate, provided by the Help America Vote Act of 2002 (HAVA; 52 U.S.C. §§20901-21145), to serve as a clearinghouse of election administration information.

The EAVS is distributed to the 50 states, the District of Columbia, American Samoa, Guam, Puerto Rico, and the U.S. Virgin Islands (referred to herein as “states”). States compile data about the most recent federal election cycle

for the survey, using state-level resources such as voter registration and voter history databases, information supplied by local officials, or some combination of the two. The EAC builds validation checks into the data collection templates it distributes to states, conducts further checks on the data they submit, and works with states and localities before and after they submit their data to clarify survey requirements, collect missing data, and correct errors.

**Table 1. Sections of the 2018 EAVS**

Section	Description	Selected Citations
A	Voter Registration	52 U.S.C. §20508; 11 C.F.R. §9428.7
B	Uniformed and Overseas Citizens Absentee Voting	52 U.S.C. §§20301-20302
C	Domestic Civilian By-Mail Voting	52 U.S.C. §20922
D	Total Votes Cast and In-Person Voting	52 U.S.C. §20922
E	Provisional Ballots	52 U.S.C. §20922
F	Voter Participation and Election Technologies	52 U.S.C. §20922

**Source:** CRS, from the 2018 EAVS, the *U.S. Code*, and the *Code of Federal Regulations*.

**Notes:** The EAVS has had this basic structure since 2008. The 2004 and 2006 surveys were structured differently.

Responding to the EAVS takes an estimated average of 88 hours per state, and some state and local officials have indicated concern about the time and effort it involves. Changes have been made to the survey since its inception to ease this administrative burden, encourage participation, and streamline data collection and reporting. NVRA questions, UOCAVA questions, and general election administration questions were combined into a single questionnaire in 2006, for example, and reporting on the three sets of data was combined into a single product for 2014. The 2014 survey also marked the beginning of a collaboration between the EAC and the U.S. Department of Defense’s Federal Voting Assistance Program to reduce redundancies in UOCAVA data collection.

## Findings of the 2018 EAVS

The EAC presents topline findings of the EAVS in the report it releases to Congress and the public after each midterm and presidential election. These topline findings may be suggestive of general trends although, as noted in the next section, some should be interpreted with care.

In the 2018 EAVS report, which was released on June 27, 2019, the EAC reported that nationwide voter turnout as a share of the citizen voting-age population increased by more than 15 percentage points over the 2014 midterms; use of electronic poll books by jurisdictions increased by almost half; and the rate of early in-person voting more than doubled. The agency also reported that more than 211 million people were registered and eligible to vote for the 2018 general elections; a majority of 2018 UOCAVA voters were overseas civilians; and more than 90% of jurisdictions used paper ballots or voting machines that produce paper records.

### Some Caveats About EAVS Data

The EAVS is a complex project, and the EAC has taken steps—including in the 2018 survey—to improve the quality of the data it receives. As the agency notes in its reports, however, some EAVS data should be interpreted with care.

One item to note is that the data states and localities report to the EAC may not present a complete, accurate picture in all cases. Some data provided by any given state or locality might be incomplete, ambiguous, or—despite state and EAC error checks—potentially inaccurate. For example, one state apparently reported that almost all of its active registered voters turned out to vote in 2018.

Some data also may not be straightforwardly comparable across years, states, or localities. Changes in the EAVS survey instrument from one year to another and changes or differences in data collection practices or election laws and procedures complicate comparisons. For example, one locality might appear to be significantly understaffed for Election Day relative to another because the former schedules a smaller number of poll workers for the full day while the latter enlists a larger number for shorter shifts.

Data on voter turnout as a share of registered voters illustrate some of these complexities. States and localities differ in how they define both turnout and registration, and the differences can result in very different turnout rates. For example, defining turnout as the total number of ballots cast and registration as the number of active registered voters would put one state's 2018 registered voter turnout rate among the higher rates reported by the EAC. Using the number of votes cast for the highest office on the ballot and the combined total of active and inactive registrants, on the other hand, would put it among the lowest.

These complexities suggest that it matters how EAVS data are used. The EAC includes notes about missing, inconsistent, and improbable data in its EAVS reports and releases raw data for individual jurisdictions. Responses to the EAVS and the Policy Survey provide information about the origins and circumstances of the data states and localities report. Taking these kinds of contextual information into account may enable lawmakers and election officials to draw more meaningful conclusions about how election administration is working—and whether or how policy interventions might improve it—than relying solely on decontextualized data like state rankings.

### Legislative Activity on the EAVS

The EAC conducted its first postelection survey in 2004. In the ensuing years, Members have offered a number of proposals related to EAVS data collection.

Some proposals have been introduced through the appropriations process. The committee report on the House's FY2010 Financial Services and General Government (FSGG) appropriations bill (H.R. 3170), for example, urged the EAC to develop questions for the EAVS about voting system performance. An election data collection pilot program that was included in the FY2008 FSGG appropriations bill (P.L. 110-161) aimed to expand and improve states' collection of EAC election data.

Other proposals have been offered in authorizing legislation. Bills such as H.R. 108 in the 112<sup>th</sup> Congress and H.R. 2017 in the 113<sup>th</sup> Congress, for example, would have exempted the EAVS from public comment and other requirements of the Paperwork Reduction Act of 1995 (44 U.S.C. §§3501-3521). Participation in the Policy Survey and certain parts of the EAVS is currently voluntary. Bills such as H.R. 1937 in the 112<sup>th</sup> Congress and H.R. 794 in the 115<sup>th</sup> Congress would have made it mandatory.

Previous legislative activity on the EAVS suggests two broad issues that may be of interest to Members as they consider whether or how to take future action on either the EAVS in particular or election data collection in general:

- **Content of the EAVS.** Some Members have indicated interest in voting system performance data, as noted above, but the EAC has not included questions about voting system performance on its postelection survey since the inaugural iteration in 2004. The EAVS also does not collect data on other topics of potential interest to Members, such as the costs of administering elections and some of the specific steps states and localities take to secure their elections. Does Congress want or need election administration data that are not currently being collected by the EAVS? If so, is the EAC's EAVS the best way to collect such data? And how might challenges with collecting the data—such as increased administrative burdens on states and localities, the involvement of multiple state and local entities in funding election administration, or the need to protect sensitive information—be addressed?
- **Conduct of the EAVS.** As noted in the previous section, some EAVS data may be incomplete, ambiguous, or inaccurate. Congress has taken steps in the past to address such issues, such as authorizing and funding an election data collection pilot program. The EAC has also recommended—and some states have adopted—changes to data tracking and collection processes, such as designing election databases to output data files that are formatted for responding to the EAVS. Does Congress wish to consider these or other ways of further improving EAVS data quality? What, if any, obstacles are there to implementing data quality fixes?

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