

The 2006 Election Administration and Voting Survey

A Summary of Key Findings
December 2007



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This report by the U.S. Election Assistance Commission is the result of a 6-month contract to conduct data analysis and to summarize the data from the 2006 Election Day Survey. The contract was performed by Election Data Services, Inc., and its subcontractors Clark Benson of Polidata, Inc., and professor Paul Gronke of Reed College in Portland, Oregon.

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Dear Reader:

We have the honor of fulfilling a vital government mandate to work with election officials throughout the country to improve the administration of Federal elections. An important part of our mission is providing resources and guidance to policy makers and election officials throughout the country to make improvements. Another priority is to educate the public about election reform, so citizens know how the system works and have confidence in it.

This report is part of the Commission's work in serving as a resource for information. The *2006 Election Administration and Voting Survey* is the largest and most comprehensive survey on election administration conducted by a U.S. governmental organization.

This is the second time in the Commission's history that it has collected statistics from the States regarding election practices and voting. We expanded upon our first efforts in our study of the 2004 elections and this year sought greater participation at the local levels of government through the use of a Web-based survey. The information we collected will help the American public better understand what is happening throughout the country and identifying key issues that deserve further exploration and consideration.

We wish to thank the nation's Secretaries of State, State and local election officials, and others who assisted with this project. They are on the front lines of serving our nation's voters, and they have served the cause of democracy through the considerable effort they put into responding to the survey. Without their input and assistance, the survey would not have been possible. The Commission is grateful for their work, and the American people will benefit from their participation.

The survey results tell us a great deal about voting and elections practices across the country. Yet, there is still much that deserves closer examination, including how we collect information. We ask that you consider this survey and the results as a starting point for a greater understanding and discussion about voting in America.

Sincerely,

Donetta L. Davidson, Chair

Rosemary E. Rodriguez, Vice Chair

Gracia M. Hillman, Commissioner

Caroline C. Hunter, Commissioner

The United States Election Assistance Commission (EAC) is an independent, bipartisan agency created by the Help America Vote Act (HAVA) of 2002 to assist State and local election officials with the administration of Federal elections. The EAC provides assistance by disbursing, administering, and auditing Federal funds for States to implement HAVA requirements; conducting studies and other activities to promote the effective administration of Federal elections; and serving as a source of information regarding election administration.

In 2004, the EAC undertook its first effort to collect, on a national level, various data related to the administration of elections. HAVA mandates that the Commission collect information related to the processes and procedures used to register voters and to serve uniformed and overseas citizens wishing to vote. In addition to this basic voting information, the EAC sought to learn more about the voting process used by election officials. The EAC continued this process of collecting national data, once again, for the 2006 Federal election.

The first report the EAC issued regarding these data was *The Impact of the National Voter Registration Act of 1993 on the Administration of Elections for Federal Office, 2005-2006*. The National Voter Registration Act (NVRA) of 1993 required the Federal Election Commission (and subsequently, the Election Assistance Commission) to report to Congress in the year following a Federal election on the impact of the Act on the administration of elections and to include recommendations for improvements in procedures, forms, and other matters affected by the bill. In June 2007, the EAC submitted this report to Congress.

The second report the EAC issued was the *UOCAVA Survey Report Findings for the 2006 election* (released September 2007). The Uniformed and Overseas Citizens Absentee Voting Act

For 2006, the EAC merged the three election administration surveys into a single instrument, The 2006 Election Administration and Voting Survey. This report documents the results of this survey, along with the key findings of the NVRA and UOCAVA study reports, for the 2006 Federal general election.

(UOCAVA) of 1986 protects the voting rights of members of the uniformed services (on active duty), members of the Merchant Marine and their eligible dependents, the U.S. Public Health Service Commissioned Corps, commissioned corps of the National Oceanic and Atmospheric Administration, and U.S. citizens residing outside the U.S. HAVA mandates that for each regularly scheduled general election for Federal office, the EAC shall collect comprehensive data from the States on all of the ballots sent to UOCAVA voters and received back by election administrators.

In addition to these two mandated studies, the Commission added a third survey in 2004. For 2006, the EAC merged the three election administration surveys into a single instrument, *The 2006 Election Administration and Voting Survey*. This report documents the results of this survey, along with the key findings of the NVRA and UOCAVA study reports, for the 2006 Federal general election.

The NVRA, UOCAVA and Election Administration and Voting Survey reports are available at www.eac.gov.

Data depicting the American electoral system can be described as a descending stepladder, where each rung has a smaller share of the electorate. While the U.S. Census Bureau reports the total nationwide population for 2006 as being 299.4 million persons, not everyone can participate in the election. Persons have to be at least 18 years of age (voting age population, or VAP), be United States citizens, and some States prohibit felons and mentally incompetent persons from participating in the election process.

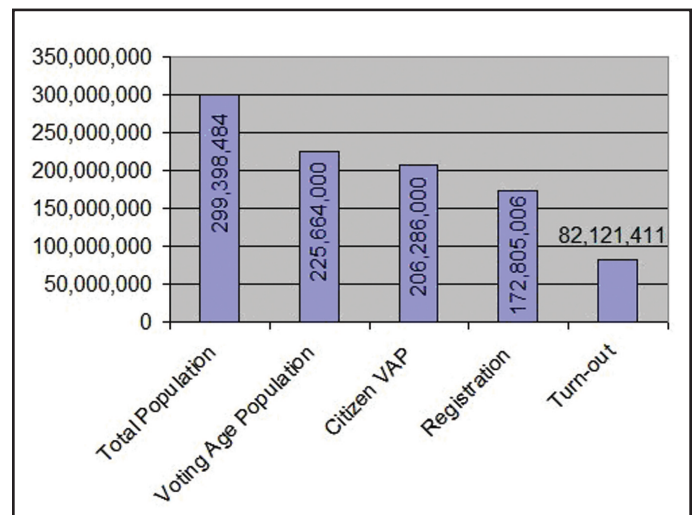
People eligible to vote must register to vote in their local jurisdiction and once registered, voters need to remember to participate in the election by turning out to vote. Each step on this electoral ladder finds a smaller number who are exercising their franchise. The voting participation data for the 2006 general election, as reported by the Election Assistance Commission (EAC), is captured in Figure 1.

This report of the EAC is the result of extensive data collection brought about by the *2006 Election Administration and Voting Survey*. Other EAC reports based on this survey include one on registration and the National Voter Registration Act of 1993, and a second report on the voting statistics of military and foreign voters covered by the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA). All of these are available on the EAC's Web site at www.eac.gov.

Nearly 173 million persons were reported to be registered to vote for the 2006 elections—an increase of nearly 12.1 million over the four-year period since the last midterm election. In the two-year period since the 2004 Presidential election, however, the number of registered voters has decreased. In 2004, there were nearly 176.2 million registered voters in the nation; this number declined to 172.8 million for the 2006 elections. For 2006, the registration number represents a registration rate of 76.6 percent of the VAP (and 83.8 percent of the citizen voting age population or CVAP) in the

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Figure 1. The American Electorate 2006



affected States and territories, an increase from the 74.7 percent registration rate of VAP recorded for the 2002 elections.

This EAC study found slightly more than 82 million ballots were cast or counted in the 2006 election. Overall, 39.8 percent of the nation's citizen voting age population participated in the 2006 election. This varied by State, however, with Vermont (66 percent) and Maine (64 percent) leading the States with the highest participation rates. When turnout is calculated as a percentage of registered voters, the nationwide average for 2006 was 47.5 percent. Wyoming led the nation, reporting that 79.9 percent of its registered voters participated in the election, followed by Vermont (72.9 percent), Oregon (71.2 percent, and South Dakota (71 percent).

While there is a significant level of uncertainty in the data reported from the States due to missing information, jurisdictions reported that ballots were cast or counted in the following ways:

- 78.4 percent (64,356,295) were cast or counted in a polling place on election day.
- 13.8 percent (11,317,719) were cast or counted as an absentee ballot by domestic civilians.
- 6.4 percent (5,271,333) were cast or counted as an early vote.
- 1.0 percent (794,348) were cast or counted as a provisional vote.
- 0.4 percent (333,179) were cast or counted by Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) voters.

While nationwide voting takes place primarily in a polling place on election day, there are great variations among the States. Generally, voters in the western region of the nation tend to use the absentee ballot process more, while voters in the East traditionally vote at their local polling place.

On election day 2006, slightly more than 794,000 individuals cast a provisional ballot—just one percent of all persons who participated and 1.3 percent of those who voted in a polling place. More than 629,000 provisional ballots were counted, which was 79.5 percent of all the provisional ballots cast. Most States require voters to have voted in their home precinct for their vote to be counted, but a smaller number of States do not require voters to cast their ballots in their precinct for the provisional ballot to be counted or partially counted.

California and Ohio had the largest numbers of provisional ballots of all the States, accounting for more than 52 percent of all provisional ballots cast

The 2006 data show there has been a dramatic rise in the number of jurisdictions using electronic systems compared to what was reported in the EAC's 2004 study.

in the 2006 election nationwide. Arizona (at 9.68 percent) and Washington (at 8.31 percent) had the largest percentage of their polling place voters casting provisional ballots. Alaska (6.46 percent), California (5.32 percent), Colorado (3.77 percent), the District of Columbia (3.67 percent), Ohio (3.56 percent), Kansas (3.11 percent), Utah (3.00 percent), and Maryland (2.58 percent) all reported more than twice the nationwide average of polling place voters who cast provisional ballots.

Nearly 30 percent of the jurisdictions across the country reported multiple voting systems in use. The 2006 data show there has been a dramatic rise in the number of jurisdictions using electronic systems compared to what was previously reported in the EAC's 2004 study. In 2004, just 9.3 percent of the jurisdictions reported using electronic voting equipment, but this increased to 53.6 percent two years later.

The EAC survey found that in nearly two-thirds of the jurisdictions that reported data, there were 691,349 poll workers employed on election day 2006. In addition, there were nearly 180,000 precincts located in almost 113,000 polling places across the nation.

According to the States reporting, 87.7 percent of the polling places allowed access for voters with disabilities, and 84.5 percent allowed these voters to cast a private ballot.

The U.S Election Assistance Commission (EAC), as mandated by the Help America Vote Act of 2002 (HAVA), collects comprehensive data on voting, elections, and election administration in the United States. This is the second report on voting produced by the EAC; the first, the *2004 Election Day Report*, was released in September 2005. Improvements, which are detailed below, were made for the 2006 survey administration process.

To study the 2004 elections, the EAC administered two separate surveys to collect and report the information required under the National Voter Registration Act (NVRA) (42 U.S.C. 1973gg) and Section 102(c) of the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) (42 U.S.C. 1973ff). In addition, the EAC conducted another survey to collect information regarding the November 2004 Federal general elections. To reduce the response burden for the States, facilitate data collection and reporting, and encourage participation in the 2006 survey, the EAC created a single survey instrument (hereafter referred to as the *2006 Election Administration and Voting Survey*).

The 2006 survey was designed using feedback received from State and local election officials, political scientists, researchers, members of election and voter registration groups, and the general public. In May 2005, the EAC met with a group of election officials to solicit their feedback regarding the *2004 Election Day Survey*. The group discussed the challenges faced by election officials when collecting the survey's data, the interpretation of the survey questions and terms, and the methods for assembling the data. In April 2006, the EAC convened a second group of election officials, social scientists, and voter interest groups to discuss recommendations to improve the EAC's data collection efforts, including the design of one survey instrument to collect all of the data.

One month later, the EAC completed the first draft of the *2006 Election Administration and Voting Survey* and presented it to the EAC's Standards Board and Board of Advisors. The Standards Board is comprised of 110 State and local election officials. The Board of Advisors consists of 37 members from various national associations and government agencies who play a role in the implementation of HAVA, as well as science and technology-related professionals appointed by members of Congress. In addition, a presentation of the survey was made to the annual meeting of the National Association of State Election Directors (NASD) in the summer of 2006. The survey was revised based on the input from all of these groups, and a second draft was produced.

The second draft of the survey was posted in the Federal Register on August 1, 2006 (71 FR 43477) for a period of 60 days to solicit public comment, as required by the Paperwork Reduction Act of 1995. The survey was revised again based on the comments received during the 60-day public comment period and was published for an additional 30 days in the Federal Register on October 31, 2006 (71 FR 63755). States were notified of both comment periods, and the draft survey was made available on the EAC Web site in August, 2006.

The *2006 Election Administration and Voting Survey* was approved by the Office of Management and Budget (OMB) on November 30, 2006 (OMB Control No. 3265-0006, exp. 11/30/2009). The final, approved version of the survey contained 58 questions; 28 questions required information only at the State level, and 30 required information at both State and county levels. The actual questions from the survey instrument used in this report are contained in appendix C.

The EAC designed a Web-based survey application for States and local jurisdictions to use for submitting their data. In early December 2006, the EAC provided States with a username and password to log in to enter data into the online survey. Although the deadline for States to submit data was March 7, 2007, data were collected and tabulated, and States were allowed to submit supplementary or corrected data for this report up to November 19, 2007. The 2006 survey asked for information for States and their county/local election jurisdictions rather than a single statewide number as in previous surveys. State totals were, in most cases, merely the sum of the information from the local jurisdictions that responded.

The *2006 Election Administration and Voting Survey* was sent to 55 State-level election jurisdictions, including the District of Columbia and four territories—Guam, Puerto Rico, American Samoa, and the U.S. Virgin Islands. The survey sought information for the States' local jurisdictions, and some States allowed their local jurisdictions to fill in the Web-based survey instrument. Other State offices collected the information from local governmental bodies, created a statewide compilation, and entered the data into the Web-based survey. Finally, almost half of the States sought to submit the statewide compilation of data to the EAC via spreadsheets rather than entering data online. EAC staff, temporary employees, and the contractor then entered the data into the Web-based survey database for those States.

During the process of analyzing the EAC survey data, all States were sent the information extracted from their survey responses at several different

times. They were allowed to review the compiled information and submit amendments, corrections or clarifications, and footnotes. Some States and/or local jurisdictions either do not track the specific data asked for by the EAC and/or required by HAVA or do not track the required statistics in a manner compatible with that requested by the survey. These problems resulted in gaps in the data in this report—some of a significant nature. To reflect the irregularities in States' collection of data by local jurisdictions, all tables in appendix B of this report show the overall number of jurisdictions in a State and the number responding for a particular question in the columns labeled "Jur."

This report does not cover all jurisdictions (i.e., county and township level) in each State. States were able to submit county-level and local-level data, although in a number of instances, the States' data were incomplete. Some States only submitted statewide figures and did not report data from local jurisdictions. As a result, this report is based on survey results from 50 States, the District of Columbia, and two territories. Depending upon the specific question, at most 3,004 jurisdictions out of 3,123 total jurisdictions possible responded, although the number of jurisdictions responding was usually much lower for most questions. Puerto Rico had no Federal election in 2006, so it did not submit any information.

Note: *The number of jurisdictions reporting data for each question varies. All statistics and numbers provided in this report are based on information reported to the EAC by States and jurisdictions. Complete information on the number of jurisdictions reporting on a specific question is available in the full data tables in appendix B of this report and at www.eac.gov.*

Active Voter: A voter registration designation indicating the voter is eligible to vote. See also Inactive Voter.

Ballots Cast: Total numbers of ballots submitted by all voters for counting, including by all voting methods (absentee, provisional, early, in a polling place, etc.). Note that there may be inconsistencies in the way the States reported this information, despite the definitions provided by the Election Assistance Commission in the survey instrument (see appendix C).

Ballots Counted: Number of ballots actually processed, counted, and recorded as votes.

Citizen Voting Age Population (CVAP): Persons who are citizens and of voting age (18 years or older). These numbers are estimates generated by the U.S. Bureau of the Census. See also Voting Age Population.

Drop-off: The term used when a voter votes for some races but not others is called drop-off or roll-off. Typically, it occurs when voters cast ballots for offices high on the ballot but not for races lower down. See also Undervotes, Overvotes.

Early voting: Refers generally to any in-person voting that occurred prior to the date of the election at specific polling locations for which there were no special eligibility requirements. Early voting is not considered absentee voting under the State's definitions/requirements for absentee voting.

Electorate: A body of persons eligible to vote.

HAVA: The abbreviation for the Help America Vote Act of 2002. A copy of HAVA and additional information is available at www.eac.gov.

Inactive Voter: A voter whose registration status appears to no longer be current where he or she was registered and who has not attempted to re-register, has not voted, and has not presented himself or herself to vote using the address of record; or one whom election officials have been unable to contact or for whom election officials have been unable to verify registration status. According to Federal law, inactive voters are eligible to vote if proper identification is provided. See also Active Voter.

Jurisdictions: Generic term to signify various geographic areas that administer elections. The 3,123 jurisdictions in this study may include counties, parishes, independent cities, towns or cities (in New England), or an entire State (Alaska).

Overvote: Occurs when a voter makes more selections in a contest than are permitted (e.g., votes for two U.S. senatorial candidates). See also Drop-off, Undervotes.

Polling place: A facility staffed with poll workers and equipped with voting equipment, or paper ballots, at which persons registered in a precinct cast ballots in person on election day. Several precincts may be combined into one polling place.

Precinct: An administrative division representing a geographic area in which voters are provided ballots for particular races. Areas are broken down into manageable geographic units called electoral districts, precincts, voting districts, boxes, beats, or wards, depending upon State law. The number of registered voters in precincts will vary according to State law.

Provisional Ballot: A special ballot provided to an individual who claims he or she is registered and eligible to vote but whose eligibility or registration status cannot be confirmed when he or she presents himself or herself to vote. State law usually determines if the provisional ballots can be counted once the validity of the voter has been established.

Section 5: Some jurisdictions are required by Section 5 of the Voting Rights Act to obtain preclearance from the Department of Justice or the United States District Court for the District of Columbia before implementing a change in a voting standard, practice, or procedure.

Section 203: Some jurisdictions are required by Section 203 of the Voting Rights Act to provide supplemental voting information to language minority groups.

Undervote: Occurs when a voter makes fewer selections than are permitted in a contest (e.g., making no selection as to a candidate or ballot issue, or voting for only one candidate in a multimember office for which two or more members may be elected). This includes the choice to not vote for any candidate or the choice to not provide any response to a ballot question. See also Drop-off, Overvotes.

Voting Age Population (VAP): People who are 18 years of age or older, regardless of whether they are eligible to register to vote, based upon estimates made by the Bureau of the Census. Note that not all persons of voting age may be eligible to vote (e.g., felons, individuals judged to be mentally incompetent, non-citizens). See also Citizen Voting Age Population.