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HEARING ON MILITARY AND OVERSEAS VOTING: PROBLEMS AND PROGRESS IN ENSURING THE VOTE

HEARING

BEFORE THE

COMMITTEE ON HOUSE ADMINISTRATION
HOUSE OF REPRESENTATIVES

ONE HUNDRED TENTH CONGRESS

SECOND SESSION

HELD IN WASHINGTON, DC, APRIL 15, 2008

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MILITARY AND OVERSEAS VOTING: PROBLEMS AND PROGRESS IN ENSURING THE VOTE

TUESDAY, APRIL 15, 2008

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOUSE ADMINISTRATION,
Washington, DC.

The committee met, pursuant to call, at 11:08 a.m., in Room 1310, Longworth House Office Building, Hon. Robert A. Brady [chairman of the committee] Presiding.

Present: Representatives Brady, Lofgren, Gonzalez, Davis of California, Davis of Alabama, Ehlers, Lungren and McCarthy.

Staff Present: Liz Birnbaum, Staff Director; Thomas Hicks, Senior Election Counsel; Janelle Hu, Election Counsel; Jennifer Daehn, Election Counsel; Matt Pinkus, Professional Staff/Parliamentarian; Kyle Anderson, Press Director; Kristin McCowan, Chief Legislative Clerk; Daniel Favarulo, Legislative Assistant, Elections; Gregory Abbott, Policy Analyst; Gineen Beach, Minority Election Counsel; Ashley Stow, Minority Election Counsel; Bryan T. Dorsey, Minority Professional Staff; and Fred Hay, Minority General Counsel.

The CHAIRMAN. Good morning, everyone. I will call this hearing to order. And good morning, members of the committee, witnesses and guests.

Today's hearing will focus on the Uniformed Overseas Citizens Absentee Voting Act. Our men and women fighting overseas make many sacrifices to guarantee the freedoms that we enjoy. Our Nation can never fully repay that debt, but we can ensure that the freedoms they are fighting for are given to them as well as to us at home.

UOCAVA assures the right of uniformed overseas Americans to participate in Federal elections by allowing the use of absentee ballots and, in case they are not received in a timely manner, the use of the Federal write-in absentee ballot. UOCAVA covers eligible Americans living abroad in addition to our military voters.

I believe more can be done, which is why I called this hearing today, to find out what the Department of Defense and others are doing to ensure that every eligible man and woman who qualifies under this act registers, receives and submits a ballot for Federal office.

The Government Accountability Office estimates that there are close to 6 million eligible voters. The EAC estimates that only 33 percent of the ballots requested by these citizens were cast and counted in the 2006 general election. That means that over 70 per-

cent of the ballots requested are not being counted for office. I would like to hear from our witnesses proposed solutions to correct this problem.

In 2007, the committee staff journeyed to several naval and Air Force bases and United States Embassies to talk to our men and women in uniform and civilians about their voting experiences. Many had positive things to say, but a few wondered why they were unable to receive and submit ballots electronically; why can't States adopt standard rules for voting in Federal elections.

The EAC has issued several recommendations on administrating UOCAVA. I am interested in hearing if any of these recommendations are being implemented or other solutions are being weighed to ensure that all eligible Americans here and abroad have the opportunity to register and cast ballots in Federal elections.

Lastly, it should be noted that overseas Americans will enjoy their voting bloc at the Democratic National Convention in August with 11 delegates. This is another step to include all Americans in the process.

We can and must do better, especially for our men and women fighting for democracy not only in Iraq and Afghanistan, but all American soldiers around the world. And I look forward to hearing from our witnesses today, and I would like to recognize the Ranking Member, Mr. Ehlers, for any statement that he may have.

[The statement of Mr. Brady follows:]

Opening Statement of
Chairman Robert A. Brady of Pennsylvania

Committee on House Administration
CHA Oversight Hearing on
Overseas

April 15, 2008

11:00 AM
1310 Longworth House Office Building

The hearing will come to order. Good morning Members of the Committee, witnesses, and guests. Today's hearing will focus on the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA).

Our men and women fighting overseas make many sacrifices to guarantee the freedoms that we enjoy. Our nation can never fully repay that debt, but we can ensure that the freedoms they are fighting for are given to them as well as to us at home. The UOCAVA assures the right of uniformed and overseas Americans to participate in Federal elections by allowing for the use of absentee ballots and-- in the case that they are not received in a timely manner--the use of a federal write-in absentee ballot. UOCAVA covers all eligible Americans living abroad in addition to our military voters.

I believe more can be done, which is why I called this hearing today to find out what the Department of Defense and others are doing to ensure that every eligible man and woman who qualifies under this Act can register, receive and submit a ballot for federal office. The Government Accountability Office (GAO) estimates that there are close to 6 million eligible UOCAVA voters. The EAC estimates that only 33% of ballots requested by these citizens were cast and counted in the 2006 general election. That means that almost 70% of the ballots requested are not being counted for office. I would like to hear from our witnesses their proposed solutions to correct this problem.

In 2007, Committee staff journeyed to several naval and air force bases and United States embassies to talk to our men and women in uniform and civilians about their voting experiences. Many had positive things to say, but a few wondered why they are unable to receive and submit ballots electronically. Why can't states adopt standard rules for voting in federal elections?

The EAC has issued several recommendations on administering UOCAVA. I am interested in hearing if any of these recommendations are being implemented, or if other solutions are being weighed to ensure that all eligible Americans, here and aboard, have the opportunity to register and cast ballots in federal elections.

Lastly, it should be noted that Overseas Americans will enjoy their voting bloc at the Democratic National Convention in August with 11 delegates. This is another step to include all Americans in the process. We can and must do better, especially for our men and women fighting for democracy not only in Iraq and Afghanistan, but for all American soldiers around the world. I look forward to hearing from all the witnesses today.

Mr. EHLERS. Thank you, Mr. Chairman. Thank you for calling this hearing. And thank you also to our witnesses for joining us today.

I certainly appreciate the need for taking action on this. I spent a year overseas at one point and found the entire process of voting was incredibly cumbersome. Of course, back then they were using the Pony Express, which made it more difficult. No, I am not quite that old.

I also want to commend Representative McCarthy for his leadership in introducing H.R. 5673, the Military Voting Protection Act. This bill, which I am proud to cosponsor, ensures that military personnel are not left out of the election process while serving our country overseas. Just yesterday, Representative McCarthy's bill received a major endorsement from Vets for Freedom, which is the Nation's largest veterans' organization for those who have served in Iraq and Afghanistan. Their endorsement further reflects a strong desire of our Nation's servicemen and women to participate in the very freedoms that they protect each day from posts around the world.

H.R. 5673 is also important because studies have shown that our military personnel overseas have cast votes that were not counted due to lengthy delivery times involved in returning the ballots to the United States. This, to me, is amazing in an era when we have package delivery companies, three major ones internationally, who can tell you at any instant where every one of their 23 million packages is located. There is no excuse in the world for not having a method of delivering those ballots here and delivering them quickly.

In September 2007, the Election Assistance Commission released a report on military and overseas absentee voting which found that the third largest reason for rejected ballots was that they were received by the election offices after the deadline stipulated by State law. The EAC's findings also suggest that roughly 10 percent of all uncounted military and overseas absentee ballots were rejected because they were received past the required deadline. Ten percent amounts to a huge number of people.

[The information follows:]

U.S. Election Assistance Commission

Uniformed and Overseas Citizens Absentee Voting Act

UOCAVA

Survey Report Findings
September 2007

7

Uniformed and Overseas Citizens Absentee Voting Act

UOCAVA

Survey Report Findings
September 2007

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Executive Summary

The Uniformed and Overseas Citizens Voting Act (UOCAVA) of 1986 (42 USC 1973ff) protects the voting rights of members of the uniformed services (on active duty), members of the Merchant Marine and their eligible dependents, Commissioned Corps of the Public Health Service, Commissioned Corps of the National Oceanic and Atmospheric Administration, and U.S. citizens residing outside the U.S. UOCAVA requires States and territories[1] to allow these citizens to register and to vote in elections for Federal office using absentee procedures.

The Help America Vote Act (HAVA) of 2002 (42 USC 15301) mandates that for each regularly scheduled general election for Federal office, the Election Assistance Commission (EAC) shall collect comprehensive data from the States on all of the ballots sent and received by UOCAVA voters. This is the second report from the EAC to Congress regarding UOCAVA voting. It is based on information gathered from a survey administered to States and local jurisdictions after the November 7, 2006 election.[2]

Response rates from many States and local jurisdictions were low, making the monitoring of compliance with the mandated requirements of UOCAVA difficult. A concern voiced during the congressional debate about HAVA was that citizens covered by UOCAVA faced an unusual burden in finding out how to register to vote and how to cast their ballot. The Election Administration and Voting Survey remains the primary tool by which the Congress and the public can monitor compliance with those portions of HAVA that apply to UOCAVA voters.

Unfortunately, numerous States and local jurisdictions are still not collecting information on UOCAVA ballots requested, ballots returned, and, although not mandated by law, the reasons for ballot rejection in a manner appropriate to provide a full and fair accounting of the UOCAVA voting experience.

While this report reflects far more, and in fact better, data than what was able to be collected two years ago for the 2004 election, it is still built upon a dataset that is both incomplete and replete with improbable information. Readers must be cognizant of this fact as they review this report.

Highlights from the 2006 UOCAVA survey include:

1. UOCAVA turnout remains low. At least 992,034 UOCAVA-related absentee ballots were requested for the 2006 general election. There is no way of knowing how many of these were actually requests for ballots for the 2006 election or were the automatic generation of ballots through the use of the "Federal Post Card Application" form. Less than 16.5 percent of the estimated 6 million potentially eligible UOCAVA voters sought to participate in the 2006 election.

2. States report slightly more than 330,000 UOCAVA ballots were cast or counted, for an estimated eligible turnout rate of approximately 5.5 percent. The ballots returned account for just under one-third of the ballots requested.

3. Over 70 percent of all UOCAVA ballots reported not counted by States and localities were because they were returned to the local elections office as undeliverable.[3] This is the largest category for rejection and may be one that can be substantially reduced with partnerships among States, localities, and the armed services. The establishment of a program whereby the military notifies local election offices when a military transfer takes place would go a long way toward solving the problem with undeliverable ballots. The second largest categorized reason for rejecting ballots was "other reason," while the third was that the ballot was returned after the deadline for receipt.

[1] "United States," where used in the territorial sense, means all States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, and American Samoa.

[2] In 2004, the EAC administered a separate UOCAVA survey. In 2006, in order to reduce the data collection burden on States and to improve the quality of data, the EAC combined the UOCAVA survey with surveys that collected information for the National Voter Registration Act (NVRA) and the Election Day Survey.

[3] Technically, these ballots were never rejected because they were never submitted by the voter. However, for the sake of consistency and clarity, they are treated here as if they were all submitted in order to review reasons for not being counted.

4. In many cases, States were unable to provide sufficiently detailed information on UOCAVA balloting. For over one-third of the UOCAVA ballots that were cast, as well as counted, it was not possible to determine whether they came from domestic military, overseas military or overseas citizens. In 14 States, less than 2/3 of the jurisdictions collected the information mandated by UOCAVA. (In a number of these cases, "uncategorized" became a "catch-all" category to describe UOCAVA ballots.)

5. Domestic military voters who requested ballots had 56.3 percent of their ballots cast or counted. Overseas citizens that requested ballots had 52.6 percent of their ballots cast or counted. On the other hand, overseas military voters had only 47.6 percent of their requested ballots cast or counted. What significantly drove down the overall rate of counted ballots was the large number of ballots that were uncategorized as to their origin, which represented nearly one-third of all ballots requested. Just 21.8 percent of these uncategorized requested ballots were cast or counted.

6. On average, 26.5 percent of the UOCAVA ballots came from domestic military voters, 19.7 percent from overseas citizens, and 16.9 percent from overseas military. Federal Write-in Absentee Ballots (FWABs) contributed 4.9 percent. The remaining one-third of UOCAVA ballots were uncategorized as to their source.

7. The EAC survey found that the FWAB program is not being used by many voters. Only 1,451 clearly identifiable FWAB ballots were cast in the 2006 election, while only 698 were counted. Therefore, FWAB ballots amounted for only 2.5 percent of all UOCAVA ballots.

8. Low responses to the survey may also have been hindered by actions of the EAC. Some states didn't realize the survey sought numbers at County and lower geographic areas, and had failed to program their voter registration systems to provide finite data. Some of the wording and layout of the survey instrument caused many jurisdictions to place wrong data into fields that were reserved for UOCAVA-only answers, necessitating further follow-up to obtain correct information. Finally, the web-based survey answer mechanism was set up for individual jurisdictions to answer all questions, but many states collected the data from the local governments first and then found it extremely difficult and time-consuming to enter data into the EAC system.

Conclusions

Too many local election authorities continue to fail to track the precise number of ballots they mailed or transmitted to their domestic military, overseas military, and overseas citizens, as required by HAVA. The quality of information regarding UOCAVA ballots is low, making it impossible to sufficiently monitor compliance with HAVA mandates.

The tracking of these transmitted absentee ballots is complicated by the following factors that may artificially inflate or deflate the numbers reported in this survey:

- The Federal Write-in Absentee Ballots are not classified as "sent" from the State, and they may or may not be counted as UOCAVA ballots received in the data reported.
- State record-keeping protocols might inflate the number of ballots received when voters send in both the Federal Write-in Absentee ballot and the full absentee ballot.
- Persons eligible for UOCAVA ballots move a great deal, yet ballots are automatically sent for two federal elections after they have registered. This is likely the cause of large numbers of ballots returned as undeliverable.

Recommendations

1. States must redouble their efforts to make sure that local jurisdictions collect the mandated information for UOCAVA voters, including:
   - Appropriately separating domestic civilian and domestic military absentee ballots;
   - Correctly categorizing UOCAVA ballots and not employing the "uncategorized" category as a catch-all;
   - Tracking the reasons for ballot rejection;
   - Reporting data at the appropriate jurisdictional level (county, township, and city) and not just statewide.
2. More effort needs to be made to ensure that members of the armed services and citizens living overseas are made fully aware of their voting rights and that any obstacles to voter registration, ballot receipt, and ballot return should be reduced, minimized, or eliminated. However, all legislators should be aware of the unique electoral environments experienced in different states, given the wide variation in the number of domestic and overseas armed services personnel and overseas citizens.
3. States should work in partnership with federal agencies to develop best practices and ongoing programs for encouraging voting participation among the UOCAVA population.
4. States should be open to legal changes and to new technologies that may overcome some of the barriers currently faced by UOCAVA voters. States may wish to explore new technologies to deliver and receive ballots, such as voting by fax, by telephone, or by using the Internet as ways to encourage UOCAVA voting, while attending to vital issues of ballot integrity and voter privacy.
5. It is unrealistic to keep sending ballots to voters who have moved: more than 35,000 ballots were returned as undeliverable. There are a wide number of mechanisms that should be established to solve this problem.
6. Continuing efforts by the EAC should be aimed at States and their local election authorities to educate them about HAVA requirements regarding UOCAVA. While it is important to recognize the tremendous variation in how States and their local election authorities handle the mailing and processing of their ballots, it is equally important that EAC assist States and local election authorities to develop policies and procedures that will make them HAVA-compliant.
7. The EAC needs to provide the survey instrument to States well in advance of upcoming Federal elections and then assist States with their collection and reporting of UOCAVA survey data.
8. The EAC needs to continue to work to develop uniform measures for the collection and reporting of UOCAVA data. It is anticipated that this type of information will assist States with their implementation of effective and efficient methods for sending and receiving ballots to UOCAVA voters.

Background

The 1988 Executive Order 12642 names the Secretary of Defense as the Presidential designee for administering UOCAVA. Executive Branch departments and agencies with employees overseas provide voting assistance under guidance from the Secretary of Defense.[4] The U.S. Postal Service and the Department of Defense Military Postal Service Agency physically transmit election materials between the voter and local election officials. The Department of Justice enforces UOCAVA protections through litigation.

The Help America Vote Act of 2002 (HAVA), Section 703 (a), amended Section 102 of UOCAVA by adding the following requirement:

> "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."

HAVA Section 703 (b) requires EAC to work with the EAC Board of Advisors and EAC Standards Board to develop a standardized format for the reports submitted by States and units of local government under UOCAVA Section 102, as revised. HAVA also requires EAC to make the format available to the States and local units of government submitting such reports.

Section 702 of HAVA also requires each State to establish a single State office that is "responsible for providing information regarding voter registration procedures and absentee ballot procedures to be used by absent uniformed services voters and overseas voters with respect to elections for Federal office (including procedures relating to the use of the Federal Write-in Absentee Ballot) to all absent uniformed services voters and overseas voters who wish to register to vote or vote in any jurisdiction in the State." It further recommends that this State office be the entity responsible for carrying out the entire State's responsibilities under UOCAVA.

Survey Methodology

The EAC is assigned the task, through HAVA, of collecting comprehensive data on all of the ballots sent and received by uniformed and overseas citizen absentee voters. In 2004, EAC developed a survey instrument to collect information and data on UOCAVA voters from the November 2, 2004 Presidential Election. During the process of collecting the data, it was determined that many States and local jurisdictions did not track the specific data required by HAVA, and/or stored the requested statistics in various formats, which resulted in gaps in the UOCAVA data collected by EAC.

To study the 2004 election, the EAC administered two separate surveys to collect and report the information required under the National Voter Registration Act (NVRA) and Section 102(c) of the Uniformed and Overseas Citizens Absentee Voter Act. In addition, it conducted a third survey to collect information regarding the November 2004 Federal general elections. To reduce the burden of responding to multiple collections of information, facilitate data collection and reporting, and encourage participation in the 2006 survey, the EAC incorporated the three previous collections into a single survey instrument (*2006*

[4]The Secretary of Defense has been designated by the President to have primary responsibility for Federal functions under UOCAVA, through the Federal Voting Assistance Program (FVAP). The U.S. Department of State assists the Secretary of Defense in carrying out these functions with respect to U.S. civilians overseas.

Election Administration and Voting Survey). The latter was designed with 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 small 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, including the interpretation of the survey questions and terms and the methods for assembling the data. In April 2006, the EAC convened a second group, consisting 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 required 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 Advisory and Standards Boards. The boards are comprised of 110 State and local election officials, and another 37 are drawn from various national associations and government agencies that play a role in the implementation of HAVA, as well as science and technology-related professionals appointed by Congressional members. In addition, a presentation of the survey was made to the annual meeting of the National Association of State Election Directors (NASED) in the summer of 2006. Finally, a copy of the survey draft was forwarded to the Department of Defense's Federal Voting Assistance Program (FVAP) office for their input. 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 for approval of information collection under the Paperwork Reduction Act of 1995. The survey was revised again based on the 14 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. 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 UOCAVA questions from the survey instrument are contained as an Appendix to this report.

In addition to revising the survey to improve the clarity of the questions and terminology, EAC designed a web-based application for States and for local jurisdictions to submit their data. In early December 2006, EAC provided States with an identification and password to log in to the online survey to begin entering data. Although the deadline for States to submit data was March 7, 2007, data were collected and tabulated for this report up to August 24, 2007. Unlike previous surveys conducted by EAC and the FEC to collect the required data, the 2006 survey asked for information for both the State and the county/local election jurisdictions, rather than a single State-wide 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 the 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 jurisdictions to fill in the Web-based survey instrument. Other State offices collected the information from local governmental bodies, created a State-wide compilation, and entered the data into the Web-based survey instrument. Finally, almost half of the States sought to submit the State-wide compilation of data to the EAC via spreadsheets and avoid the online data entry process. EAC staff, temporary employees, and the contractor performed the data entry.

During the process of performing an analysis of the EAC survey, all States were sent the information extracted from the survey at two different times, and were allowed to review the compiled information and submit amendments or corrections. Unfortunately, some States and local jurisdictions neither track the specific data required by HAVA, nor do they store the required statistics in various formats. Both problems resulted in gaps in the UOCAVA data in this report. To reflect the irregularities in States' collections of data by local jurisdictions, the tables at the end of this report show the overall number of jurisdictions in a State and the number responding for a particular question in the column labeled "Jur."

Furthermore, this report to Congress does not cover all jurisdictions (i.e., county and township level) in each State. States were able to submit county 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, and, depending upon the specific question, at most 2,029 jurisdictions out of 3,123 total jurisdictions possible. Puerto Rico had no Federal election in 2006, so it did not submit any information.

Survey Questions

The UOCAVA portion of the 2006 Election Administration and Election Day Survey is contained in six questions in the survey. They are:

Ballots Cast (question 33)
Ballots Counted (question 34)
Absentee Ballots Requested (question 38)
Advanced Ballots Transmitted to Overseas Voters (question 39)
FWAB Ballots Received (question 40)
Military and Overseas Absentee Ballots Rejected (question 42)

For the questions dealing with ballots cast (question 33), ballots counted (question 34), and absentee ballots requested (question 38), each had subcategories that dealt specifically with UOCAVA voters, and this extracted information is summarized in the tables of the appendix to this report. The subcategories were domestic military, overseas military, and overseas citizens. The rest of the information from these questions, including the domestic citizens subcategory, will appear in the Election Day Survey report, which is scheduled to be released shortly after this report.

Over one third of all UOCAVA ballots tallied in the survey could not be attributable to an appropriate category, that is, whether they came from domestic military, overseas military, or overseas citizens. For the purposes of determining an overall UOCAVA number for any question, the subcategories of domestic military, overseas military, and overseas citizens were combined together with the Federal Write-in Absentee Ballot (FWAB) information and the "uncategorized" data to create a "Sum of UOCAVA" field. While the subcategories of voters provide the most detailed information, some jurisdictions did not break down voters in this manner. As a result, the survey also allowed for a total UOCAVA field to be entered. In the attached tables to this report, the "Uncategorized" column reflects this data.

For the purposes of the survey, the EAC provided the following definitions within the questionnaire:

- **Ballots cast:** refers to ballots that have been submitted manually or electronically by a voter regardless of whether they are ultimately counted. ***Note:*** Jurisdictions that provide voters with more than one ballot card to vote for different contests or measures should have only reported one ballot cast per voter.

- **Ballots counted:** refers to all ballots that have been cast, processed, and counted.

- **Domestic military citizen** is statutorily defined as:

  A. A member of a uniformed service on active duty who, by reason of such active duty, is stationed or positioned within the United States or its territories, and who is absent from the place of residence where the member is otherwise qualified to vote;

  B. A member of the merchant marine who, by reason of service in the merchant marine, is serving within the United States and its territories, and who is absent from the place of residence where the member is otherwise qualified to vote; and

  C. A spouse or dependent of a member referred to in subparagraph (A) or (B) who, by reason of the active duty or service of the member, is absent from the place of residence where the spouse or dependent is otherwise qualified to vote.

- **Federal Write-in Absentee Ballot (FWAB)** is an emergency ballot available to military and overseas citizens (including APO and FPO addresses) when they have properly requested but have not received a regular absentee ballot from their local jurisdiction in time to return it before the deadline.

- **Overseas military citizen** is statutorily defined as:

  A. A member of a uniformed service on active duty who, by reason of such active duty, is stationed or positioned outside of the United States and its territories, and who is thus absent from the place of residence where the member is otherwise qualified to vote;

  B. A member of the merchant marine who, by reason of service in the merchant marine, is serving outside of the United States and its territories, and who is thus absent from the place of residence where the member is otherwise qualified to vote; and

  C. A spouse or dependent of a member referred to in subparagraph (A) or (B) who, by reason of the active duty or service of the member, is absent from the place of residence where the spouse or dependent is otherwise qualified to vote.

- **Overseas citizens** refers to persons who are citizens of the United States who are living, working, or stationed outside of the United States and its territories and who are not members of a uniformed service.

Possible Interpretations of Survey Questions

While the survey instrument provided definitions of various terms, some state and local jurisdictions appear to have interpreted some questions differently than intended. One of the major problems that occurred dealt with various questions that asked for the subcategories of UOCAVA voters (domestic military, overseas military, and overseas civilians) and then allowed the responder to provide an overall total of the UOCAVA voters. Because of the placement of the overall total UOCAVA field at the bottom of a column of numbers, and the fact that the field was just labeled with the word "Total," many jurisdictions summed the overall column of numbers (which included non-UOCAVA fields) and placed the resulting number in the total UOCAVA field. Numerous contacts with states and local jurisdictions were made to correct this problem.

Response Rates

States and jurisdictions were asked to provide numeric responses to nearly all the survey questions. In the Web-based survey response instrument, it was noted that if a jurisdiction intended to record a zero in answer to a question, then a "0" should have been entered as the response rather than leaving it blank. In determining the number of jurisdictions that responded to a particular question, a "zero" was considered a valid response from a jurisdiction, while a "blank" was an indication the jurisdiction did not respond to the question. Jurisdictions were also allowed to respond with "Don't know" or "Check if your office does not collect this data," either of which was also considered a valid response to a question.

Response rates varied across the UOCAVA-related questions, but in general, they are at a level that makes it difficult to monitor compliance with the basic requirements of UOCAVA. For example, as shown in Table A, of 3,123 possible jurisdictions, 54 percent (1,685) provided information on the number of domestic military absentee ballots cast, while a somewhat higher 62 percent (1,933) provided information on the number of overseas military absentee ballots. Interestingly, there is a consistent pattern in the relative response rates. Generally, more jurisdictions kept track of information on overseas voters as opposed to domestic military voters.[5] The lowest responses dealt with the Federal Write-in Absentee Ballots (FWAB), in all instances, less than 50 percent of the jurisdiction responded.

The table on the opposite page reports the response rates across a selected set of the UOCAVA items.

[5] One possible explanation for this is that some jurisdictions may be lumping domestic military ballots with absentee ballots and they did not report any information for this category. According to the survey protocol, however, the jurisdiction still should have reported, even if the answer provided was "none" or "zero."

Table A: Selected Response Rates on UOCAVA Survey Questions

UOCAVA Question	Response Rate	
	Number of Jurisdictions	Percent
Domestic Military Ballots Cast	1685 of 3123	54%
Domestic Military Ballots Counted	1692	54%
Domestic Military Ballots Requested	1761	56%
Overseas Military Ballots Cast	1933	62%
Overseas Military Ballots Counted	1940	62%
Overseas Military Ballots Requested	2024	65%
Overseas Citizen Ballots Cast	1947	62%
Overseas Citizen Ballots Counted	1948	62%
Overseas Citizen Ballots Requested	2014	64%
Domestic Military FWAB	1276	41%
Overseas Military FWAB	1529	49%
Overseas Citizens FWAB	1462	47%

Notes: Figures calculated from Tables 19, 20, 22, and 24.

Survey Results

The accompanying charts and tables illustrate the results of the *2006 Election Administration and Election Day Survey*, including data that the EAC is required by HAVA to report, and additional information regarding UOCAVA voters and the UOCAVA voting process. As already noted, the statistics in this report may be artificially inflated or deflated by a number of factors. Most important, many States reported incomplete information or told the EAC that they do not collect the information necessary that would have allowed the EAC to respond to the mandated requirements of UOCAVA. Thus, many of the results are based on incomplete information. The number of reporting jurisdictions is always noted in the data tables.[6]

A review of the data collected and submitted by the States for the UOCAVA portion of the *2006 Election Administration and Voting Survey* indicates large variations in the manner in which UOCAVA information is collected, tracked, and reported.

In many cases, States were unable to provide sufficiently detailed information on UOCAVA balloting. In 13 States, only one-third of the jurisdictions collected the information mandated by UOCAVA. (In a number of these cases, "uncategorized" became a "catch-all" category to describe UOCAVA ballots.)

Compilation of accurate data for the 2006 UOCAVA report has been challenging. A major difficulty was due to confusion over the appropriate response to several questions relating to the categorization of ballots. This resulted from both the lack of definition as to what constitutes a UOCAVA ballot and a lack of clarity in the question. For example, numerous checks were made on the data, and repeated contacts with the State

[6]Of course, jurisdictions vary greatly in population and the impact of non-response on the overall numbers will vary accordingly.

and local election authorities were made, to the extent possible, during processing of the data for this report. States were given the opportunity to correct all data prior to the release of the report. Nevertheless, while many discrepancies were resolved,[7] the end result is still a dataset that is both incomplete and replete with improbable information. In many categories (e.g. turnout) the estimates provided, to the degree they are incorrect, are underestimates.

UOCAVA Turnout: Ballots Requested, Returned, and Counted

At least 992,034 UOCAVA-related absentee ballots were requested for the 2006 general election (see Table 22). Question 38 does not specifically ask how many absentee ballots were "transmitted" ("transmitted" as defined by UOCAVA), but there is no indication in the data that absentee ballot requests were not acted upon by local jurisdictions. There are indications in the footnotes and comments from jurisdictions that UOCAVA-related ballots were not tracked separately and may have been merged into overall absentee ballot counts or even into the civilian absentee numbers. In addition, about one third of the nation's jurisdictions did not report any answer to the question of how many absentee ballots were transmitted.

While there were nearly one million UOCAVA ballots requested, as reported in the survey, this number is still dwarfed by the absolute number of eligible voters. A recent Government Accounting Office (GAO) report estimates that "6 million citizens...are covered under the Uniformed and Overseas Citizens Absentee Voting Act and have the opportunity to exercise their right to vote."[8] As such, less than 16.5 percent of potentially eligible UOCAVA voters sought to participate in the 2006 election. While low, these EAC survey figures are not as low as the numbers reflected in the GAO report, which reported that only 80 voters received ballots—and eight returned—through one of the two "tools" developed by the Department of Defense to encourage UOCAVA registration and turnout.[9]

While the EAC survey sought information on number of ballots requested, there was no separation of the data between actual inquiries made by voters for ballots for the 2006 election versus information that was already on hand in the elections office. When a voter uses the Federal Post Card Application to register with an overseas address, jurisdictions are required under law to automatically mail an absentee ballot for the next two federal elections. As a result, many local jurisdictions flag their voter registration files with this information and a ballot is then automatically generated for the voter. The EAC survey did not seek information about these two possible ways that a ballot could be requested. As such, the nearly one million figure cited above could be artificially high.

The EAC survey showed that only a quarter of UOCAVA ballots that were requested were eventually cast. In response to question 33 in the survey (Total number of ballots cast), nearly 264,000 UOCAVA ballots were cast in 2006 (see Table 19). This accounts for only 26.5 percent of the requested ballots. For the component pieces of UOCAVA voters, of the 141,317 domestic military ballots requested, only 45.6 percent (or 64,540) were cast. Only 39 percent of overseas military ballots requested were cast, and 42.8 percent of overseas citizen ballots requested were cast.[10]

The survey also reported, in response to question 34 (Total number of ballots counted), that there were 244,027 UOCAVA ballots counted. This would seem to indicate that 92.5 percent of all UOCAVA ballots cast were counted. However, there are a number of instances where States reported more UOCAVA ballots counted than were cast. This is because not all jurisdictions keep both sets of data. Some jurisdictions in a State reported only ballots counted and nothing for ballots cast. This affected data reporting from California, Florida, Illinois, New Jersey, South Dakota, Texas, and Wyoming, as noted in Table 21a.

Because of this finding, Table 21c was created, and it reports the maximum number of UOCAVA ballots either cast or

[7]In some cases, offsetting discrepancies at the local level mask the impact of the problem at the State level.

[8]GAO 07-774, ELECTIONS: Action Plans Needed to Fully Address Challenges in Electronic Absentee Voting Initiatives for Military and Overseas Citizens, June 2007, p. 30.

[9]The discrepancies between the GAO report and this report may be explained by the different methodology used by the two studies. The GAO report was based on a sampled survey of UOCAVA voters conducted by the Department of Defense, whereas this study attempts to collect information from all jurisdictions in the United States. While the EAC survey did not get a high response rate on the UOCAVA questions, the EAC collected information from a great deal more jurisdictions than did the DOD.

[10]The reader should note that these figures are artificially low due to previously noted non-response problems in the survey.

counted in each local jurisdiction that responded, and then sums to the statewide level. Using these data, the EAC survey found that slightly more than 333,000 UOCAVA ballots were either cast or counted in the 2006 general election. This accounts for only one-third of the requested ballots.

Figure 1 shows the relationship between the total estimated eligible UOCAVA voters (according to the GAO report), the number of requested UOCAVA ballots as reported in the EAC survey, and the maximum number of UOCAVA ballots cast or counted.

Using the maximum cast or counted data slightly raises the percentage of requested ballots that were tallied in the 2006 election. Overall, 33.6 percent of the requested UOCAVA ballots were cast or counted in 2006.

There are significant differences between the different types of voters, as well as the large portion of the ballots that were uncategorized. At the highest level, domestic military voters that requested ballots had 56.3 percent of their ballots cast or counted. Overseas citizens that requested ballots had 52.6 percent of their ballots cast or counted. On the other hand, overseas military voters had only 47.6 percent of their requested ballots cast or counted. What significantly drove down the overall rate of the survey responses were the ballots that were uncategorized as to their origin, which represented nearly one-third of all ballots requested. Just 21.8 percent of these uncategorized requested ballots were cast or counted. Figure 2 shows both the number of ballots requested and the number that were cast or counted, as well as the percentages between those two calculations.

Figure 1

Relationship of UOCAVA Voters to Their Ballots

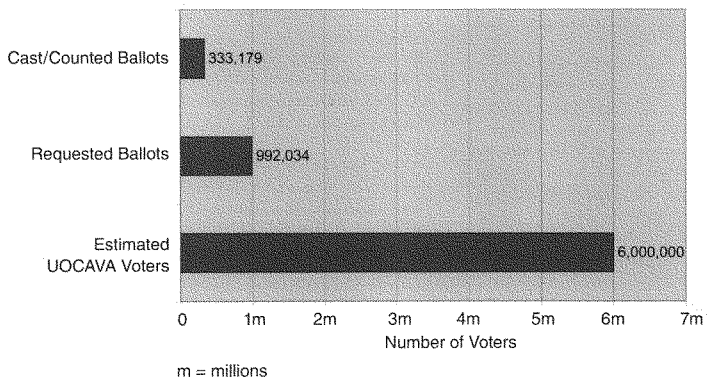
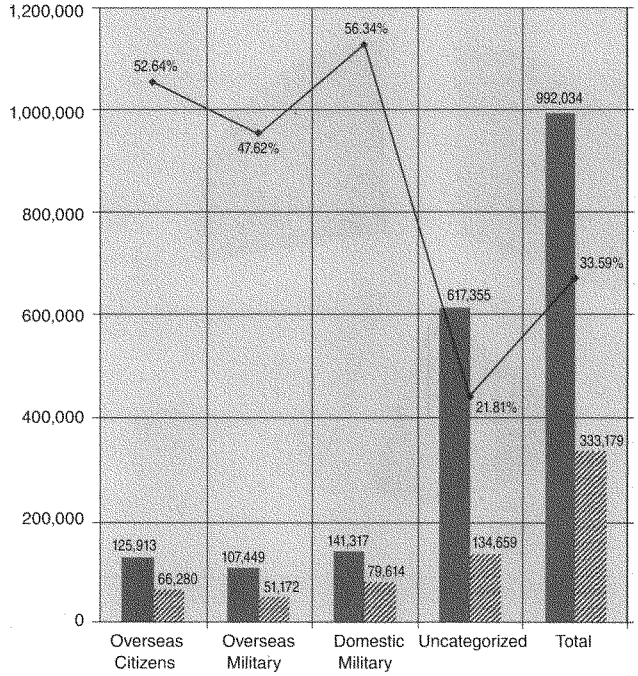


Figure 2

Relationship Between Requested Ballots and Counted Ballots

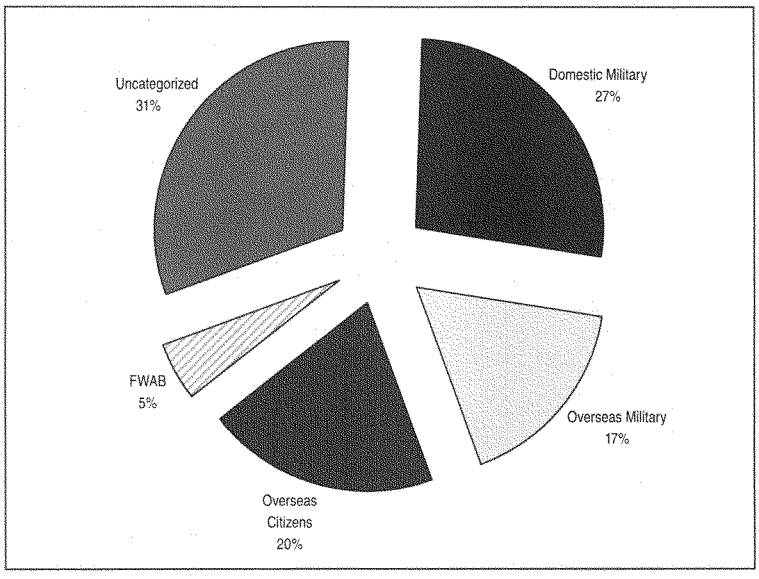


Approximately one-third of the cast or counted ballots were uncategorized by the States. On average, 26.5 percent of the UOCAVA ballots came from domestic military voters, 19.7 percent from overseas citizens, and 16.9 percent from overseas military. FWAB ballots contributed the final 4.9 percent. Figure 3 shows the overall source of UOCAVA ballots, as reported in the EAC survey—with a reminder that the "uncategorized" category became a "catch-all." There was great variation between the States as to the source of the UOCAVA ballots. Table 21c shows the share that each subcategory contributes to the overall count of UOCAVA ballots for each State.

Note: Federal Write-in Absentee Ballots (FWABs) are not shown in Figure 2 because no data was available for requested ballots.

Requested Ballots
Cast or Counted Ballots
Percent Cast of Requested

Figure 3
Source of UOCAVA Ballots



Excluding the States mentioned earlier that reported more ballots counted than cast, on average, 77.6 percent of all UOCAVA ballots that were cast were counted. Overseas citizens' ballots fared better, with on average 78.3 percent of their ballots being eventually counted. On the other hand, domestic military UOCAVA ballots were counted, on average, 75.5 percent of the time, overseas military 71.6 percent of the time, and FWAB ballots 63.7 percent of the time. However, differences between the States are great (see table 21a). Some States reported that 100 percent of the UOCAVA ballots were counted, even for the subcategory groups. On the other hand, the percentage of ballots counted was very low for some States. This varied by the various subcategories of UOCAVA voters.

It is impossible to calculate accurate turnout figures based on these survey results because of incomplete information provided by the States. By any measure, however, the number of ballots requested and returned is remarkably low.

The UOCAVA Environment Faced by the States

In summary, for those jurisdictions that were able to report the source of the UOCAVA ballots, most States reported that domestic military voters were their predominant source of UOCAVA ballots. These included the States of Alaska, Arizona, Georgia, Idaho, Indiana, Iowa, Louisiana, Michigan, Missouri, Montana, Nebraska, New Jersey, North Dakota, Ohio, South Carolina, Texas, and Wyoming. On the other hand, overseas citizens were the predominant source of UOCAVA ballots in the States of Colorado, Delaware, Hawaii, Kansas, Maryland, Minnesota, and New York. Overseas military voters were the main component of UOCAVA votes in Arkansas, North Carolina, Utah, Virginia, and the American Samoa. States not listed above were either unable to report the source of UOCAVA ballots, or the predominant component was uncharacterized.

Thus, some States report relatively small numbers of overseas absentee ballots, whether from members of the armed services or from citizens residing overseas, while other States deal with thousands or tens of thousands of such ballots. Any guidelines to improve UOCAVA balloting need to incorporate the wide ranges of approaches that States will need to take in order to comply, given their varied environments.

While nearly one-third of all UOCAVA ballots nationwide could not be categorized as coming from domestic military, overseas military, or overseas citizens, regions of the country or states that were able to provide this information present some important clues as to the demands on election administration in those jurisdictions. There is great variability in the UOCAVA voting environment. States wrestle with dramatically different numbers of UOCAVA voters and the types of UOCAVA voters. Figure 4 illustrates the source of the UOCAVA votes for each State with colored bars for the States that provided some categorized data.

For example, States with major military bases process significant numbers of domestic armed services ballots. The EAC survey showed that more than one-half of all UOCAVA ballots cast in the States of Alaska, Idaho, Indiana, Iowa, Louisiana, Missouri, Montana, South Carolina, Texas, and Wyoming were from domestic military voters. For these jurisdictions, UOCAVA balloting may be managed by working constructively with base personnel.

Other States that serve significant numbers of UOCAVA voters face a more challenging electoral environment because they have to register UOCAVA citizens, deliver ballots to these voters, and make sure ballots are returned by these same voters, some of whom may live thousands of miles away. In many instances, these voters reside in localities where telephone, mail, Internet, and/or other methods of communication between elections officials and citizens are complicated. As shown in Table 20, the States of Arkansas, American Samoa, and Virginia report that more than 40 percent of UOCAVA ballots that were counted came from overseas armed services personnel.[11] For these States, working with UOCAVA voters means dealing with issues of overseas mail delivery and the attendant delays in the delivery and receipt of registration information and ballots. This may require new and creative solutions for election administrators.

A third group of States must focus their registration and turnout efforts on all three types of UOCAVA voters (domestic military, overseas military, and overseas civilians). Seven States— Georgia, Kansas, Michigan, Missouri, Nebraska, New Jersey, and Ohio—had greater than 20 percent of UOCAVA ballots cast or counted in each of the three major subcategories (domestic military, overseas military, and overseas citizens). Ohio faces perhaps the most complex environment with almost one-third of its UOCAVA voters in each subcategory. California would be added to this list if their numbers of uncategorized UOCAVA ballots were not so high.

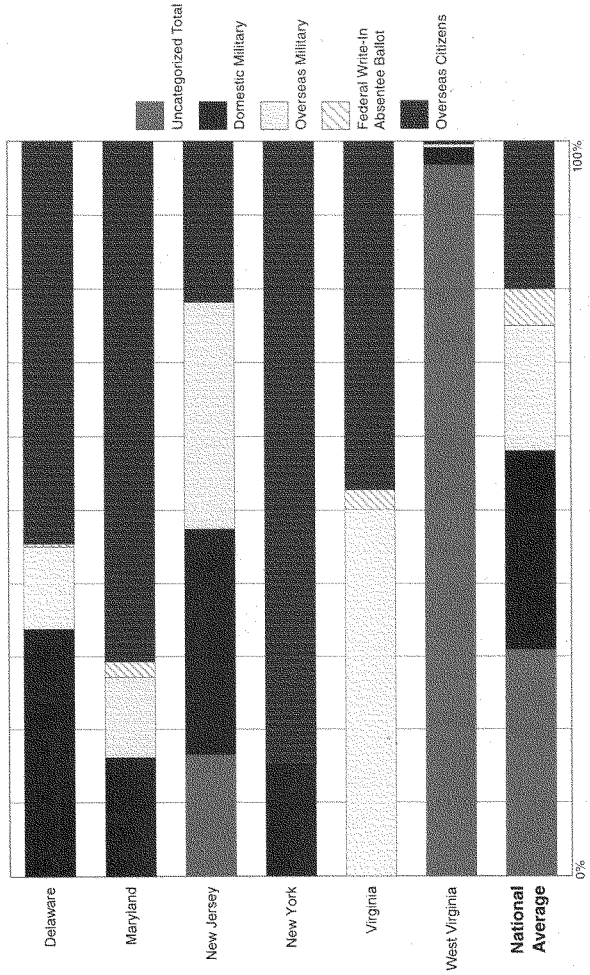
Federal Write-in Absentee Ballots

Under Section 103 of UOCAVA, overseas military and civilians are eligible to cast a "back-up" ballot called

[11]North Carolina is excluded from this discussion because only one jurisdiction provided information on domestic military ballots, thus inflating the relative proportion of overseas ballots. The State's responses to the survey showed that most domestic military ballots are counted as domestic absentee. This may be a more widespread phenomenon. The States of California, Florida, Illinois, Mississippi, New Mexico, Oklahoma, South Dakota, Tennessee, and Washington all process substantial numbers of overseas military ballots but report such high numbers of "uncategorized" UOCAVA ballots that it is impossible to make any conclusive statements.

Figure 4
Share of UOCAVA Ballots by Source

East

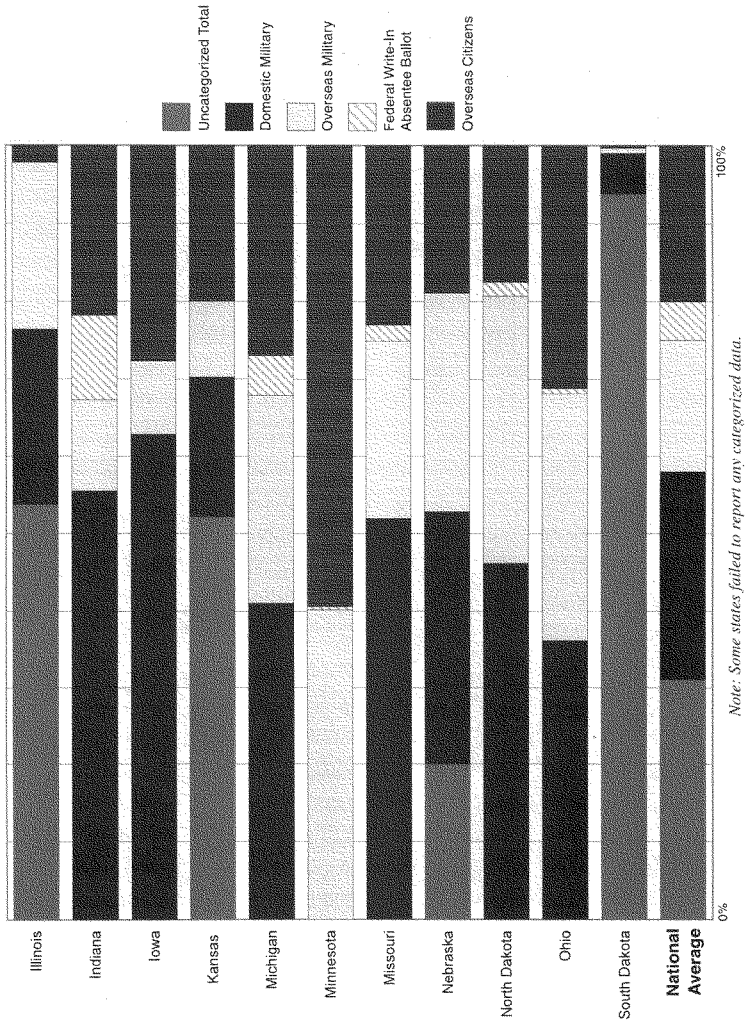


Note: Some states failed to report any categorized data.

Figure 4
Share of UOCAVA Ballots by Source
South

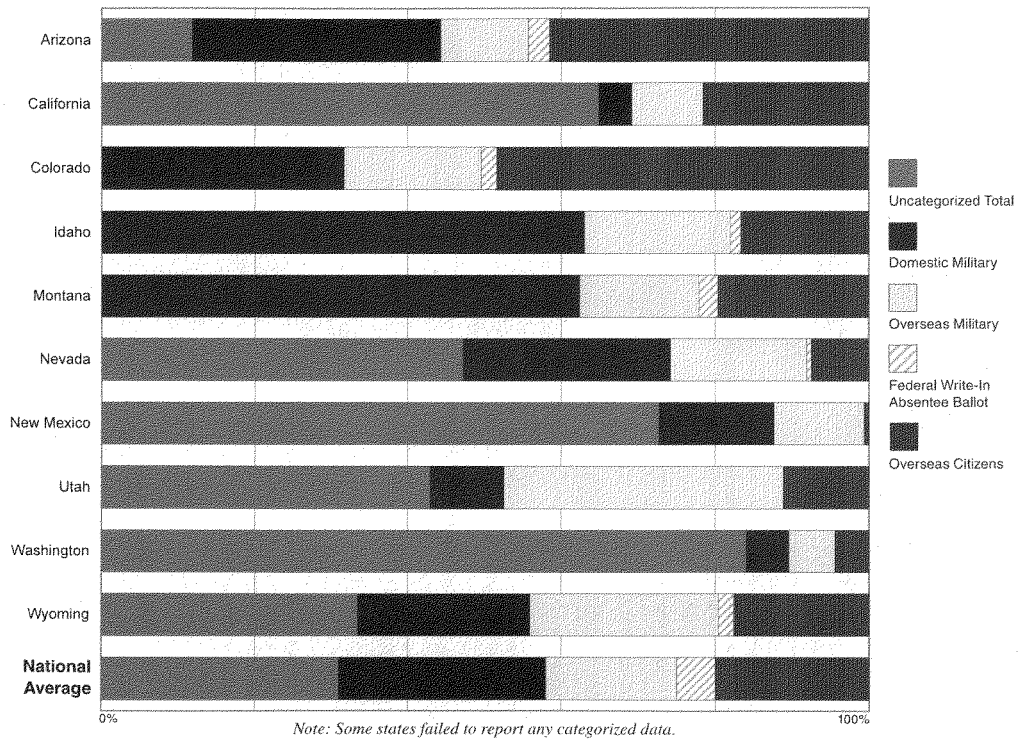
Note: Some states failed to report any categorized data.

Figure 4
Share of UOCAVA Ballots by Source
Midwest



Note: Some states failed to report any categorized data.

Figure 4
Share of UOCAVA Ballots by Source
West



Note: Some states failed to report any categorized data.

the Federal Write-In Absentee Ballot, or FWAB. These are available if an absent uniformed services member or citizen outside the United States (including APO and FPO addresses) requested but did not receive the regular absentee ballot from his or her State after having made a timely application for the ballot. The FWAB is used to vote for Federal offices (President/Vice President, U.S. Senator, U.S. Representative, Delegate or Resident Commissioner) in general elections. Some States now allow military and overseas citizens to use the FWAB in elections other than general elections or for offices other than Federal offices.

Generally, an absent uniformed services member or citizen outside the United States can only use the FWAB under very specific conditions. UOCAVA voters may be able to use a FWAB available through Voting Assistance Officers (VAOs) at military installations or at U.S. embassies/consulates.

The absent uniformed services voter must:

- Be absent from his/her voting residence;
- Have applied for a regular ballot early enough so the request is received by the appropriate local election official not later than the State deadline; or the date that is 30 days before the general election; **AND**
- Have not received the requested regular absentee ballot from the State.

The citizen outside the United States must:

- Be located outside the United States (including APO/FPO addresses);
- Have applied for a regular ballot early enough so the request is received by the appropriate local election official not later than the State deadline; or the date that is 30 days before the general election; **AND**
- Have not received the requested regular absentee ballot from the State.

An online version of the FWAB is available through the Department of Defense's Federal Voting Assistance Program (FVAP) website. The online version must be completed, printed, signed, dated, and mailed to the Local Election Official. The online form must be mailed in an envelope with proper postage, or using the DOD's prepaid return envelope. The voted FWAB must be returned to the local election official to meet the State or territorial deadline for counting. However, these ballots would not be classified as "sent" from the State, and they may or may not be counted as UOCAVA ballots received in the data reported.

Additionally, twelve States have expanded the use of the FWAB to go beyond what is required in UOCAVA. These States are Colorado, Connecticut, Iowa, Maryland, Montana, Nebraska, North Dakota, Oklahoma, Rhode Island, Texas, Virginia, and West Virginia.

The EAC survey found that the Federal Write-in Absentee Ballot program is not being used by many voters. Only 1,451 clearly identifiable FWAB ballots were cast in the 2006 election (see Table 19), while only 698 were counted (Table 20). As noted in Table 21b, FWAB ballots amounted for only 2.5 percent of all UOCAVA ballots.

The low rate at which the FWAB ballots were both cast and counted was also revealed in the EAC survey. Only 48.1 percent of FWAB ballots were counted—the lowest rate of counted ballots of any UOCAVA subcategory of data. However, this counting rate varies greatly for different States (see Table 21a). The State of Arkansas reported that only 25 percent of their FWAB ballots were counted, while eight States reported that all of their FWAB ballots that were cast were counted. In addition to Arkansas, the States of Arizona, Maryland, Mississippi, Missouri, Nevada, and North Carolina all reported less than 50 percent of their FWAB ballots were counted.

Advanced Ballots

The EAC survey also asked for the total number of "advanced ballots" transmitted to military and overseas citizens for the 2006 general election (question 39, with results reported in Table 23). For the purposes of the survey, advanced ballots were defined as "any special Write-In Absentee Ballot, State Write-In Absentee Ballot, Special Write-In Early Ballot, or Blank Absentee Ballot that is distributed by a State in advance of the publication of an official ballot for a Federal election on which military and overseas citizens are allowed to write in the name of the candidate in each contest for whom they choose to vote." In some ways this would appear to describe a FWAB ballot, but the numbers reported by some States and jurisdictions are much higher than the information provided on Tables 19 and 20. It appears that some States and

jurisdictions reported overall absentee ballots in response to this question.

Question 40 in the EAC survey specifically asked about the number of FWAB ballots received from domestic and overseas military, as well as overseas citizens. Yet, the 86,000 ballots reported in this question were heavily dominated by data from Illinois and California that appear to have overall absentee ballots reported in their so-called UOCAVA totals.

Reasons for Not Counting UOCAVA Ballots

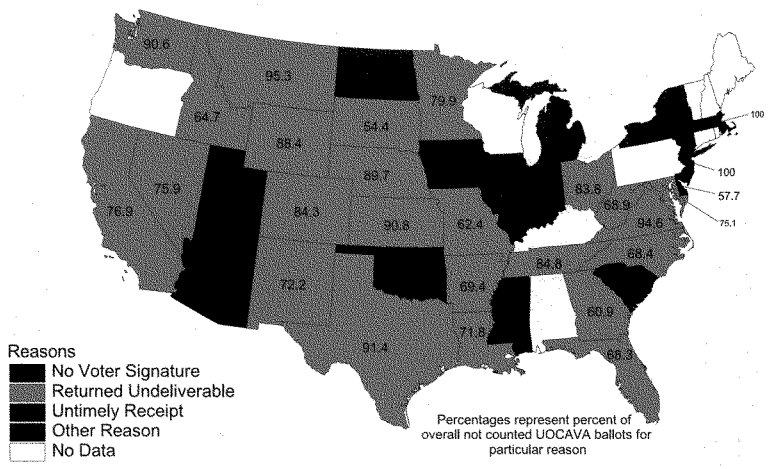
Given the unique situation faced by many UOCAVA voters, many of whom have to request and return their ballots from a great distance, there is special interest in the reasons for ballot rejection. Of the nearly 1 million UOCAVA ballots that were requested, the EAC survey found about 48,600 were rejected for a variety of reasons (see Table 25a). This amounts to an average of 4.9 percent nationwide, although there were wide variations between the States. For example, the States of Indiana and North Carolina reported that more than 40 percent of the requested ballots were subsequently rejected, while a number of States reported less than 3 percent were rejected.

As shown in Table 25a (question 42) and Figure 5, from one-third to two-thirds of jurisdictions provided a count of the number and reasons for not counting the UOCAVA ballots. The biggest reason (over 70 percent) reported by States and local jurisdictions for not counting the ballots was that they were returned as undeliverable. As a result, the ballots were not even eligible to be cast. A number of States reported much higher percentages—six States said that more than 90 percent of their rejected ballots[12] were because they were undeliverable. Therefore, for more than 34,000 UOCAVA voters, the ballots never arrived in the hands of the voter and could never be cast.

The third largest reason for rejected ballots (after "other reason") was that they were received by the election offices after the deadline stipulated by State law. This accounted for nearly 10 percent of all rejected ballots nationwide. But the variation of reasons among the States was large, and resulted in an average 23.1 percent across the country.

[12]Of course, technically, these ballots were never rejected because they were never submitted. However, for the sake of consistency and clarity, they are treated here as if they were all submitted in order to review reasons for not being counted.

Figure 5
Predominant Reason for Military and Overseas Absentee Ballots to Not be Counted



The map in Figure 5 illustrates the predominant reason cited by each State for UOCAVA ballots failing to be counted. The dominance of red in the map shows the great number of States that reported a large number of UOCAVA ballots that were returned as non-deliverable. The percentages within each State outline shows what percent of the overall rejected ballots were due to the reason cited by color. Although not a predominant response in any State, other reasons cited were (in descending order of frequency):

- No voter signature
- Voter signature was not verifiable or unmatched
- No date of notary on the witness signature
- Had no date of voter signature
- Lacked a postmark

Conclusions

Too many local election authorities continue to fail to track the precise number of ballots they mailed or transmitted to their domestic military, overseas military, and overseas citizens, as required by HAVA. Provisions in State laws may contribute to the difficulty in the tracking of ballots. The tracking of these transmitted absentee ballots is complicated by the following factors that may artificially inflate or deflate the numbers reported in this survey:

- If UOCAVA voters do not receive their State ballots close to the date of the elections, they can download, via the Web, and then send, a Federal Write-In Absentee Ballot that indicates his or her preferences for known races. These ballots are not classified as "sent" from the State, and they may or may not be counted as UOCAVA ballots received in the data reported.
- Additionally, if the UOCAVA voter submits his or her Federal Write-In Absentee Ballot, and subsequently receives his or her full UOCAVA ballot from the State, the voter is allowed to vote the full ballot, and the State should count those full ballots. That is the fact that several ballots might legitimately be received from one voter further complicates the accuracy of the data collected and, as a consequence, State record-keeping protocols might inflate the number of ballots received.
- Finally, when a voter registers to vote using the Federal Post Card Application,[13] an absentee ballot is automatically sent to that voter for the next two Federal elections. However, voters may move or change addresses and ballots may be sent to addressees for voters who are no longer residing at that address. This may be one of the sources of the problem for the large number of ballots that were returned to local election offices because they were undeliverable.

[13]The Federal Post Card Application (FPCA), also known as Standard Form 76 (SF 76), is a postage-free postcard, printed and distributed by the FVAP for use by absentee voters covered by UOCAVA. Every election year, the FVAP has a minimum of eight million FPCAs in worldwide distribution, serving more than six million U.S. citizens covered by UOCAVA.

Recommendations

1. The quality of information regarding UOCAVA ballots is low, making it impossible to sufficiently monitor compliance with HAVA mandates. States must redouble their efforts to make sure that local jurisdictions collect the mandated information for UOCAVA voters, including:
   - Appropriately separating domestic civilian and domestic military absentee ballots;
   - Correctly categorizing UOCAVA ballots and not employing the "uncategorized" category as a catch-all;
   - Tracking the reasons for ballot rejection;
   - Reporting data at the appropriate jurisdictional level (county, township, and city) and not just State-wide.
2. More effort needs to be made to ensure that members of the armed services and citizens living overseas are made fully aware of their voting rights and that any obstacles to voter registration, ballot receipt, and ballot return should be reduced, minimized, or eliminated. When crafting solutions, however, States should attend to their unique electoral environments, given the wide variation in the number of domestic and overseas armed services personnel and overseas citizens.
3. States should work in partnership with the Department of Defense's Federal Voting Assistance Program, and the Election Assistance Commission, to develop best practices and ongoing programs for encouraging voting participation among the UOCAVA population.
4. States should be open to legal changes and to new technologies that may overcome some of the barriers currently faced by UOCAVA voters. For example, States may consider whether it is necessary to have ballots received by Election Day or whether a postmark by

Election Day is sufficient. States may wish to explore new technologies to deliver and receive ballots, such as voting by fax, by telephone, or by using the Internet as ways to encourage UOCAVA voting, while attending to vital issues of ballot integrity and voter privacy.

5. It is unrealistic to keep sending ballots to voters who have moved: more than 35,000 ballots were returned as undeliverable. Mechanisms need to be set up by the military whereby a military transfer generates a move notice to the local registrar. Additionally, military bases need to set up programs with State and local elections offices whereby an undeliverable registration or ballot generates a rapid notification—perhaps by email—to the individual voter so that they may respond in a timely fashion. Another possibility would be to provide forwarding exemptions for overseas military ballots.

Moving Ahead to 2008

The various processes required of States by UOCAVA procedures vary substantially and will be considered when promoting further surveys and collecting data. The following State processes should be considered as EAC assesses future data collection efforts:

- How States and local election authorities handle the sending and the return of ballots. This includes variations among States in scheduling elections (late or early primaries), polices and procedures regarding the use of faxes, rules regarding the time allowed to return ballots, and early voting policies and procedures.
- How States and their local election authorities handle ballots received from overseas military, domestic military on active or inactive duty, overseas citizens, and Federal Write-in Absentee Ballots.
- How States count domestic and overseas military ballots, overseas citizen ballots, ballots cast early, and all absentee and FWAB ballots cast and counted.
- How States define and assess UOCAVA ballot responses through the single State UOCAVA offices, and how those offices communicate the recordkeeping protocols with local election officials.

Continuing efforts by the EAC should be aimed at States and their local election authorities to educate them about HAVA requirements regarding UOCAVA. The EAC will continue to coordinate its efforts with the staff of the Federal Voting Assistance Program (FVAP) at the Department of Defense to ensure that both agencies work together in providing a service that is effective to States and to UOCAVA voters. While it is important to recognize the tremendous variation in how States and their local election authorities handle the mailing and processing of their ballots, it is equally important that EAC assist States and local election authorities to develop policies and procedures that will make them HAVA-compliant.

Providing the survey instrument to States well in advance of upcoming Federal elections will assist States with their collection and reporting of UOCAVA survey data. This could include sending the survey at least 9-12 months in advance of an election.

EAC will continue to work to develop uniform measures for the collection and reporting of UOCAVA data. These steps and measures will be shared with each State's UOCAVA office and will be recommended for use when completing future Election Administration and Election Day surveys. It is anticipated that this type of information will assist States with their implementation of effective and efficient methods for sending and receiving ballots to UOCAVA voters.

Footnotes to Tables

General Notes

State: In the interest of consistency in these tables, the term State includes the District of Columbia and the four territories of American Samoa, Guam, Puerto Rico and the Virgin Islands.

Jurisdictions in the Survey: For the 2006 survey, information was requested for each county-level election administration jurisdiction. The following exceptions apply: a) in some States, the information was initially compiled by town or township; b) in some States, independent cities were treated as counties; and c) in some States, the only response was one record for the State. States in which the town/city or township is the initial unit of collection include the six States in New England and a handful of States in the Midwest. Independent cities were treated as county-level reporting units for the States of Maryland, Virginia, Missouri, and Nevada. Selected Election Boards in Illinois and Missouri were also treated as county jurisdictions. State-level information was provided for Alaska, which does not have counties. Coverage for the territories varied.

Missing Data: Information for several items remains unavailable for several reasons; in general, this is reflected by a blank cell in the table. If a calculation is impossible because of missing information, a separate symbol may be indicated, e.g., a series of periods (.....). If a calculated percentage is greater than 100%, it is labeled with a different symbol (###). Highlighted information, when included, will indicate inconsistent values, e.g., the sum of several columns is greater than 100%. In a few instances, information was edited to remove obvious inconsistencies or to facilitate edits that States were unable to undertake due to technical difficulties. States for which these edits were made are: The "Uncategorized Total" was forced to zero in several tables for Alaska, California, Indiana, New Jersey, and West Virginia.

Sum of Above: The information listed in the tables below the State detail is generally the addition of the information listed in the table. If the national summary is labeled as "Sum of Above," any percentages are calculated from the numbers on the summary line. If the national summary is labeled as "Sum or Average," any percentages are calculated from the State detail; and averages will be underlined. Due to inconsistencies in the data for this report, the Average is simply the Sum of Above (sum) divided by the States with non-zero responses. In some cases, the term "calc" indicates a calculation was made to derive the data in the column; this may also refer to information from another table (see notes below).

Footnotes: In the proofing phase of data for this report, data for the full question were provided to the States even though only part of the question related to the UOCAVA report is included in the tables. Therefore, some footnotes may include references to information not specifically related to the UOCAVA data and/or for information not printed in this report.

2006 Election Administration and Voting Survey

Table 19. UOCAVA Ballots Cast by Category

Total number of UOCAVA ballots cast by category.

		Categorized UOCAVA Ballots									Uncategorized			Percentages of Sum of UOCAVA				
		Domestic		Overseas						Sum of			Sum of	Dom.	Overseas			Uncat.
State	Jur.	Military	Jur.	Military	Jur.	Citizens	Jur.	FWAB	Jur.	Cat.	Total	Jur.	UOCAVA	Military	Military	Citizens	FWAB	Total
Alabama	67	0	0	0	0	0	0	0	0	0	0	0	0	.....	.....	.....	.....	.....
Alaska	1	3,182	1	424	1	273	1	8	1	3,887	0	1	3,887	81.9	10.9	7.0	0.2	0.0
Arizona	15	637	10	222	10	811	10	54	9	1,724	228	6	1,952	32.6	11.4	41.5	2.8	11.7
Arkansas	75	237	33	159	30	79	28	4	27	479	0	0	479	49.5	33.2	16.5	0.8	0.0
California	58	1,946	25	4,231	31	9,777	29	35	12	15,989	9,020	14	25,009	7.8	16.9	39.1	0.1	36.1
Colorado	64	789	59	446	56	1,206	57	49	60	2,490	0	0	2,490	31.7	17.9	48.4	2.0	0.0
Connecticut	8	0	0	0	0	0	0	0	0	0	0	0	0	.....	.....	.....	.....	.....
Delaware	3	166	3	55	3	268	3	2	3	491	0	3	491	33.8	11.2	54.6	0.4	0.0
Dst. of Columbia	1	0	0	0	0	0	0	0	0	0	148	1	148	0.0	0.0	0.0	0.0	100.0
Florida	67	16,887	64	3,979	64	5,411	64	66	67	26,343	97	67	26,440	63.9	15.0	20.5	0.2	0.4
Georgia	159	5,645	159	2,989	159	2,818	159	0	159	11,452	0	0	11,452	49.3	26.1	24.6	0.0	0.0
Hawaii	4	245	3	25	2	500	3	2	3	772	0	0	772	31.7	3.2	64.8	0.3	0.0
Idaho	44	603	44	182	44	159	44	13	44	957	0	44	957	63.0	19.0	16.6	1.4	0.0
Illinois	110	421	4	397	31	40	2	0	0	858	431	36	1,289	32.7	30.8	3.1	0.0	33.4
Indiana	92	1,827	90	387	90	718	90	357	90	3,289	46	1	3,335	54.8	11.6	21.5	10.7	1.4
Iowa	99	1,739	99	263	99	768	99	0	0	2,770	0	0	2,770	62.8	9.5	27.7	0.0	0.0
Kansas	105	0	1	0	1	0	1	0	0	0	1,244	104	1,244	0.0	0.0	0.0	0.0	100.0
Kentucky	120	0	0	0	0	0	0	0	112	0	0	120	0	.....	.....	.....	.....	.....
Louisiana	64	437	64	115	64	233	64	0	6	785	0	0	785	55.7	14.6	29.7	0.0	0.0
Maine	16	0	0	0	0	0	0	0	0	0	500	16	500	0.0	0.0	0.0	0.0	100.0
Maryland	24	500	24	347	24	2,202	24	65	24	3,114	0	0	3,114	16.1	11.1	70.7	2.1	0.0
Massachusetts	14	0	0	0	0	0	0	0	0	0	38	2	38	0.0	0.0	0.0	0.0	100.0
Michigan	83	1,738	83	1,140	83	1,144	83	214	83	4,236	0	0	4,236	41.0	26.9	27.0	5.1	0.0
Minnesota	87	0	0	1,276	87	1,886	87	14	85	3,176	0	4	3,176	0.0	40.2	59.4	0.4	0.0
Mississippi	82	98	46	164	45	8	45	17	41	287	3	29	290	33.8	56.6	2.8	5.9	1.0
Missouri	116	1,726	116	763	116	766	116	71	116	3,326	0	0	3,326	51.9	22.9	23.0	2.1	0.0
Montana	56	699	56	174	56	220	56	28	56	1,121	0	56	1,121	62.4	15.5	19.6	2.5	0.0
Nebraska	93	214	52	184	41	123	35	0	2	521	130	2	651	32.9	28.3	18.9	0.0	20.0
Nevada	17	866	14	569	13	242	14	19	14	1,696	1,515	4	3,211	27.0	17.7	7.5	0.6	47.2
New Hampshire	10	0	0	0	0	0	0	0	0	0	0	0	0	.....	.....	.....	.....	.....
New Jersey	21	6,785	18	6,808	17	2,161	19	0	18	15,754	8,466	13	24,220	28.0	28.1	8.9	0.0	35.0
New Mexico	33	223	12	174	13	9	12	0	10	406	1,077	5	1,483	15.0	11.7	0.6	0.0	72.6
New York	58	2,621	58	0	0	14,755	58	0	0	17,376	0	0	17,376	15.1	0.0	84.9	0.0	0.0
North Carolina	100	0	0	2,470	100	575	100	28	100	3,073	0	0	3,073	0.0	80.4	18.7	0.9	0.0
North Dakota	53	79	53	59	53	30	53	3	53	171	0	7	171	46.2	34.5	17.5	1.8	0.0
Ohio	88	2,158	86	1,901	86	1,857	86	42	88	5,958	0	5	5,958	36.2	31.9	31.2	0.7	0.0
Oklahoma	77	0	0	0	0	0	0	20	68	20	1,153	77	1,173	0.0	0.0	0.0	1.7	98.3
Oregon	36	0	0	0	0	0	0	3	2	3	9,282	36	9,285	0.0	0.0	0.0	0.0	100.0
Pennsylvania	67	0	0	0	0	0	0	0	0	0	21,970	66	21,970	0.0	0.0	0.0	0.0	100.0
Rhode Island	5	0	0	0	0	0	0	2	1	2	0	0	2	0.0	0.0	0.0	100.0	0.0
South Carolina	46	45	3	2	2	14	2	0	0	61	0	0	61	73.8	3.3	23.0	0.0	0.0
South Dakota	66	819	44	110	41	54	38	1	33	984	8,296	20	9,280	8.8	1.2	0.6	0.0	89.4
Tennessee	95	0	0	0	0	0	0	0	0	0	0	1	0	.....	.....	.....	.....	.....
Texas	254	9,232	254	6,328	254	66	254	40	254	15,666	0	0	15,666	58.9	40.4	0.4	0.3	0.0
Utah	29	80	24	305	23	93	24	0	15	478	359	24	837	9.6	36.4	11.1	0.0	42.9
Vermont	14	0	0	0	0	0	0	4	1	4	0	0	4	0.0	0.0	0.0	100.0	0.0
Virginia	134	0	1	3,887	130	3,666	133	208	94	7,761	0	0	7,761	0.0	50.1	47.2	2.7	0.0
Washington	39	860	19	949	18	683	19	77	38	2,569	13,136	39	15,705	5.5	6.0	4.3	0.5	83.6
West Virginia	55	567	41	132	26	87	14	3	4	789	23,578	6	24,367	2.3	0.5	0.4	0.0	96.8
Wisconsin	72	0	0	0	0	0	0	0	0	0	1,303	72	1,303	0.0	0.0	0.0	0.0	100.0
Wyoming	23	432	20	123	18	103	19	2	20	660	0	20	660	65.5	18.6	15.6	0.3	0.0
American Samoa	1	15	1	115	1	103	1	0	1	233	0	1	233	6.4	49.4	44.2	0.0	0.0
Guam	1	0	0	0	0	0	0	0	0	0	0	0	0	.....	.....	.....	.....	.....
Puerto Rico	1	0	0	0	0	0	0	0	0	0	0	0	0	.....	.....	.....	.....	.....
Virgin Islands	1	22	1	19	1	1	1	0	0	42	0	0	42	52.4	45.2	2.4	0.0	0.0
Sum or Average	3,123	64,540	1,685	41,873	1,933	53,909	1,947	1,451	1,814	161,773	102,020	902	263,793	27.9	18.5	19.9	5.1	28.5
Question		q33dm		q33om		q33oc		q33f		sum	q33uototal		calc					

Table 19. UOCAVA Ballots Cast by Category.

Question 33. Total number Statewide and by county/local jurisdiction, for the November 7, 2006, Federal general elections of ballots cast.

The column labeled 'Sum of UOCAVA' is calculated from the count of the categorized breakouts and the uncategorized total. States differed as to how to respond to this 'uncategorized' item and also as to what should be included in the item. A review was undertaken to check for possible erroneous or double reporting. See the notes at the beginning of this section.

Alabama – Montgomery reported: Provisional Ballots included in 'At Polls' number.

Arizona – One jurisdiction reported: Domestic civilian absentee ballot, domestic military, overseas military, overseas citizens, and FWAB data are not accessible because it was purged. Several jurisdictions reported: Did not separate domestic civilian absentee ballots from other UOCAVA voters. Another jurisdiction reported: Included UOCAVA voters in Domestic civilian absentee voters.

Arkansas – One jurisdiction reported: 197 total Absentees were cast and counted. Another jurisdiction reported: Provisional Ballots included in 'At Polls' number.

California – One jurisdiction reported: Q33: Domestic Military and Overseas Military are added together, 102; they do not track the separation. Another reported: FWAB - Box checked with an X only, but no number given. Los Angeles County reported: Military are both domestic and overseas, no way of separating them.

Colorado – One jurisdiction reported: Military vs. Civilian status not flagged in our system. Jefferson County reported: Overseas military and Overseas Civilian counted same as Domestic Military.

Connecticut – There is only data for total ballots cast.

Florida – Miami-Dade reported: A total of 65,955 - Absentee Ballots were cast during the 2006 General Election. The UOCAVA Votes are included with the Domestic Civilian Absentee Ballots. Another jurisdiction reported: Domestic civilian absentee ballots and UOCAVA ballots have been combined. Another reported: The totals above include absentee ballots returned with errors (rejected) and all provisional ballots received in the Clay County Supervisor of Elections' office whether they were counted or not. Volusia County reported: Under Provisional Ballots, total of 662 included 526 accepted and 136 rejected. The State reported that the following counties did not break out domestic civilian absentee ballots from the total UOCAVA amount; the domestic civilian ballot amounts are included in the combined UOCAVA amount: Miami-Dade; Walton. Also: In totaling the number of absentee ballots cast and counted, several Florida counties did not make a distinction between domestic civilian absentee ballots and UOCAVA ballots (domestic military, overseas military, overseas citizens and Federal Write-in Ballots). As a result, it is not possible to accurately calculate the percentage of UOCAVA ballots cast and counted compared to the total number of ballots cast and counted.

Idaho – A number of jurisdictions reported: Ballots cast for domestic military, overseas military and overseas citizens are the number of absentee ballots cast by each group.

Indiana – Nearly all jurisdictions reported: The number provided in the 'At the Polls' box indicates the voter turnout tracked in Indiana.

Illinois – One jurisdiction reported: 328 total absentees were requested – this number was not broken down by category. Another jurisdiction reported: The County did not break down this data into categories – total ballots cast on Election Day.

New Jersey – One jurisdiction reported: Combined with Absentee total. Several jurisdictions reported: Domestic Civilian absentee ballot, Domestic Military, Overseas Military, Overseas citizens totals are combined. Another reported: Domestic Civilian Absentee Ballots, Domestic Military, Overseas Military totals are combined. A number of jurisdictions reported: Domestic Military and Overseas Military are combined totals.

Kansas – One jurisdiction reported: Did not breakout Federal Services Absentee Voting. Several jurisdictions reported: Federal Services Absentee Voting not broken out. Another reported: Only designation was Federal Services Absentee Voting; could not match a category.

Kentucky – The number of ballots cast is not available for any jurisdiction.

Maine – One jurisdiction reported: All absentee ballots are cast at the polls (or at a central polling place). Therefore, the number of absentee ballots included in the above number of absentee ballots cast are also included in the total number of ballots cast at the polls. Municipalities report the total number of absentee ballots cast and how many of those ballots were cast by UOCAVA voters. We do not require the towns to report how many FWAB are cast, but those ballots would be included in total number of military/overseas absentee ballots cast.

Massachusetts – Massachusetts does not have early voting. All ballots are totaled together. No separate count is made for absentee ballots of any kind or provisional ballots.

Minnesota – Minnesota is exempt from provisional balloting requirements under HAVA 302 (a)

Missouri – Grundy County says regarding 33d and e, 'some were sent out but were not received prior to election day closing deadline.' Jackson County reports that 33d and 33e are a combined total.

Montana – Montana does not have early voting.

Nebraska – One jurisdiction reported: 15 precincts vote by mail - so 941 'at polls' voters actually voted by mail.

New Hampshire – One jurisdiction reported: Information not submitted by categories; only provided the overall total ballots cast. Another jurisdiction reported: The above information was not broken down in categories. Another reported: The county included in its total the number of regular and absentee ballots cast in the November 7, 2006, federal general election. Another reported: The total for ballot cast was not broken down in categories. Another reported: This total is for all ballots cast, this information is not separate, i.e., total FWAB, Provisional ballots, etc.

New Mexico – Once the ballots were canvassed, provisional and different types of fed absentee ballots were no longer separated. One jurisdiction reported: Reporting Total combines ALL Absentee Voters.

New York – The number provided for domestic military voters above is for both domestic and overseas military voters

Nevada – One jurisdiction reported: Domestic and overseas military have been combined under domestic military. Another reported: Domestic citizen absentee ballots also includes 386 ballots from mail-in precincts. Another reported: for 'At Polls' 258 ballots were cast in mail-in precincts.

Ohio – Ohio does not offer early voting. One jurisdiction reported: Domestic military, overseas military and overseas citizens included in the 15,716 total.

Oklahoma – One Jurisdiction reported: County provided no separation for domestic military, overseas military and overseas citizens. Another reported: Includes data for domestic military, overseas military and overseas citizens. Another reported: Overall total given for UOCAVA voters.

Oregon – We are currently unable to separate out domestic civilian absentee, domestic military, overseas military citizen, and overseas citizens. All categories are included in UOCAVA.

South Dakota – One jurisdiction reported: 1 military overseas, 10 civilian overseas

Tennessee – Most jurisdictions reported: Do not collect.

Virginia – Military voters are only tracked by the reason they requested to vote by absentee ballot which is active duty military or a spouse or dependent thereof. As there is no place to provide a general comment, this comment covers all 134 entries. As neither the FPCA nor the VA absentee application requires an applicant to State if they are domestic or overseas, VA does not classify military into these two categories. All questions pertaining to the military and answers for all 134 localities are answered in the overseas military response.

Washington – One jurisdiction reported: 23 votes cast on Disability Access Units (DREs), another reported: 8 votes 'at the polls' were cast on disability access units. Another reported: early votes are cast on disability access units

West Virginia – One jurisdiction reported: Provisional ballots are included in the at the polls total.

Wisconsin – All voters given a number at the polling place who cast Ballots; Provisional ballots and absentee ballots, absentee military etc., are considered counted at the Polling Place and are contained in the Total number of Ballots cast. Wisconsin does not have early voting. Wisconsin does have no excuse absentee voting.

American Samoa – Early voting is also identified as absentee voting.

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Table 20. UOCAVA Ballots Counted by Category

Total number of UOCAVA ballots counted by category.

		Categorized UOCAVA Ballots									Uncategorized			Percentages of Sum of UOCAVA				
		Domestic		Overseas						Sum of			Sum of	Dom.	Overseas			Uncat.
State	Jur.	Military	Jur.	Military	Jur.	Citizens	Jur.	FWAB	Jur.	Cat.	Total	Jur.	UOCAVA	Military	Military	Citizens	FWAB	Total
Alabama	67	0	0	0	0	0	0	0	0	0	0	0	0	.....	.....	.....	.....	.....
Alaska	1	1,473	1	412	1	155	1	4	1	2,044	571	1	2,615	56.3	15.8	5.9	0.2	21.8
Arizona	15	624	11	209	11	594	11	14	10	1,441	228	7	1,669	37.4	12.5	35.6	0.8	13.7
Arkansas	75	194	46	204	47	66	43	1	37	465	0	0	465	41.7	43.9	14.2	0.2	0.0
California	58	1,591	21	1,591	28	2,446	25	34	10	5,662	29,547	16	35,209	4.5	4.5	6.9	0.1	83.9
Colorado	64	738	59	352	56	1,117	57	39	59	2,246	0	0	2,246	32.9	15.7	49.7	1.7	0.0
Connecticut	8	0	0	0	0	0	0	0	0	0	0	0	0	.....	.....	.....	.....	.....
Delaware	3	122	3	49	3	242	3	0	3	413	0	3	413	29.5	11.9	58.6	0.0	0.0
Dst. of Columbia	1	0	0	0	0	0	0	0	0	0	124	1	124	0.0	0.0	0.0	0.0	100.0
Florida	67	13,591	59	3,238	59	4,260	59	59	67	21,148	659	67	21,807	62.3	14.8	19.5	0.3	3.0
Georgia	159	1,293	159	581	159	859	159	3	159	2,736	0	0	2,736	47.3	21.2	31.4	0.1	0.0
Hawaii	4	121	1	0	0	422	1	2	3	545	0	0	545	22.2	0.0	77.4	0.4	0.0
Idaho	44	429	44	115	44	124	44	0	44	668	0	44	668	64.2	17.2	18.6	0.0	0.0
Illinois	110	163	8	286	28	8	1	0	0	457	999	36	1,456	11.2	19.6	0.5	0.0	68.6
Indiana	92	0	0	0	0	0	0	0	0	0	0	92	0	.....	.....	.....	.....	.....
Iowa	99	1,679	99	263	99	768	99	0	0	2,710	0	0	2,710	62.0	9.7	28.3	0.0	0.0
Kansas	105	431	104	233	104	477	104	0	0	1,141	0	0	1,141	37.8	20.4	41.8	0.0	0.0
Kentucky	120	0	0	0	0	0	0	0	119	0	1,285	120	1,285	0.0	0.0	0.0	0.0	100.0
Louisiana	64	393	64	88	64	197	64	0	4	678	0	0	678	58.0	13.0	29.1	0.0	0.0
Maine	16	0	0	0	0	0	0	0	0	0	500	16	500	0.0	0.0	0.0	0.0	100.0
Maryland	24	444	24	304	24	2,015	24	27	24	2,790	0	0	2,790	15.9	10.9	72.2	1.0	0.0
Massachusetts	14	0	0	0	0	0	0	0	0	0	37	2	37	0.0	0.0	0.0	0.0	100.0
Michigan	83	1,414	83	826	83	962	83	129	83	3,331	0	0	3,331	42.4	24.8	28.9	3.9	0.0
Minnesota	87	0	0	1,072	87	1,623	87	14	86	2,709	0	4	2,709	0.0	39.6	59.9	0.5	0.0
Mississippi	82	75	46	142	46	5	45	6	42	228	145	35	373	20.1	38.1	1.3	1.6	38.9
Missouri	116	1,347	116	543	116	653	116	32	116	2,575	0	0	2,575	52.3	21.1	25.4	1.2	0.0
Montana	56	629	56	142	56	204	56	26	56	1,001	0	56	1,001	62.8	14.2	20.4	2.6	0.0
Nebraska	93	180	50	130	37	118	36	0	2	428	116	2	544	33.1	23.9	21.7	0.0	21.3
Nevada	17	756	14	449	13	215	14	6	14	1,426	1,334	4	2,760	27.4	16.3	7.8	0.2	48.3
New Hampshire	10	0	0	0	0	0	0	0	0	0	0	0	0	.....	.....	.....	.....	.....
New Jersey	21	15,821	18	15,801	18	11,174	18	0	19	42,796	134	12	42,930	36.9	36.8	26.0	0.0	0.3
New Mexico	33	153	11	112	12	6	10	0	7	271	1,074	4	1,345	11.4	8.3	0.4	0.0	79.9
New York	58	2,420	58	0	0	12,525	58	0	0	14,945	0	0	14,945	16.2	0.0	83.8	0.0	0.0
North Carolina	100	357	1	1,278	99	498	100	10	100	2,143	0	0	2,143	16.7	59.6	23.2	0.5	0.0
North Dakota	53	68	53	53	53	28	53	3	53	152	0	7	152	44.7	34.9	18.4	2.0	0.0
Ohio	88	1,341	86	1,301	86	1,168	86	32	88	3,842	0	6	3,842	34.9	33.9	30.4	0.8	0.0
Oklahoma	77	0	0	0	0	0	0	18	60	18	1,070	74	1,088	0.0	0.0	0.0	1.7	98.3
Oregon	36	0	0	0	0	0	0	3	2	3	9,096	36	9,099	0.0	0.0	0.0	0.0	100.0
Pennsylvania	67	0	0	0	0	0	0	0	0	0	9,331	64	9,331	0.0	0.0	0.0	0.0	100.0
Rhode Island	5	0	0	0	0	0	0	2	1	2	0	0	2	0.0	0.0	0.0	100.0	0.0
South Carolina	46	33	2	1	2	14	2	0	0	48	0	0	48	68.8	2.1	29.2	0.0	0.0
South Dakota	66	268	38	102	36	46	33	1	28	417	14,901	27	15,318	1.7	0.7	0.3	0.0	97.3
Tennessee	95	62	2	28	3	255	4	0	1	345	2,232	42	2,577	2.4	1.1	9.9	0.0	86.6
Texas	254	14,420	254	4,528	254	2,692	254	32	254	21,672	0	0	21,672	66.5	20.9	12.4	0.1	0.0
Utah	29	77	23	297	22	83	21	0	14	457	356	24	813	9.5	36.5	10.2	0.0	43.8
Vermont	14	0	0	0	0	0	0	0	0	0	0	0	0	.....	.....	.....	.....	.....
Virginia	134	0	0	3,769	127	3,621	125	122	77	7,512	0	0	7,512	0.0	50.2	48.2	1.6	0.0
Washington	39	838	19	939	19	678	19	74	39	2,529	12,848	39	15,377	5.4	6.1	4.4	0.5	83.6
West Virginia	55	522	39	97	25	65	13	3	3	687	535	4	1,222	42.7	7.9	5.3	0.2	43.8
Wisconsin	72	0	0	0	0	0	0	0	0	0	1,303	72	1,303	0.0	0.0	0.0	0.0	100.0
Wyoming	23	401	18	109	17	96	18	2	19	608	59	21	667	60.1	16.3	14.4	0.3	8.8
American Samoa	1	15	1	112	1	103	1	0	1	230	0	0	230	6.5	48.7	44.8	0.0	0.0
Guam	1	0	0	0	0	0	0	0	0	0	0	0	0	.....	.....	.....	.....	.....
Puerto Rico	1	0	0	0	0	0	0	0	0	0	0	0	0	.....	.....	.....	.....	.....
Virgin Islands	1	19	1	4	1	1	1	0	0	24	0	0	24	79.2	16.7	4.2	0.0	0.0
Sum or Average	3,123	64,502	1,892	39,760	1,940	50,583	1,948	698	1,705	155,543	88,484	938	244,027	27.6	16.5	21.3	2.6	32.1
Question		q34dm		q34om		q34oc		q34f		sum	q34uototal		calc					

Table 20. UOCAVA Ballots Counted by Category

Question 34. Total number Statewide and by county/local jurisdiction, for the November 7, 2006, Federal general elections of ballots counted.

The column labeled 'Sum of UOCAVA' is calculated from the count of the categorized breakouts and the uncategorized total. States differed as to how to respond to this 'uncategorized' item and also as to what should be included in the item. A review was undertaken to check for possible erroneous or double reporting. See the notes at the beginning of this section.

Arizona – One jurisdiction reported: Domestic civilian absentee ballot, domestic military, overseas military, overseas citizens, and FWAB data are not accessible because it was purged. Several jurisdictions reported: Did not separate domestic civilian absentee ballots from other UOCAVA voters.

Connecticut – There is only data for total ballots counted.

Florida – Miami-Dade reported: A total of 64,774 Absentee Ballots were cast during the 2006 General Election. The UOCAVA Votes are included with the Domestic Civilian Absentee Ballots. Another jurisdiction reported: Absentee Ballots are counted as a single category. Another jurisdiction reported: All absentee ballots were counted per SOE. Another jurisdiction reported: Domestic Civilian absentee ballots, Domestic Military, Overseas Military, and Overseas Citizens are added together. Another jurisdiction reported: FWAB'S were counted with overseas military/civilian absentees. Provisional ballots were counted with 'at the polls.' Another jurisdiction reported: The totals above do not include ballots returned with errors (rejected). Several jurisdictions reported: This county did not report an amount for domestic civilian absentee ballots because they are included in the combined UOCAVA amount. Also: In totaling the number of absentee ballots cast and counted, several Florida counties did not make a distinction between domestic civilian absentee ballots and UOCAVA ballots (domestic military, overseas military, overseas citizens and Federal Write-in Ballots). As a result, it is not possible to accurately calculate the percentage of UOCAVA ballots cast and counted compared to the total number of ballots cast and counted.

Hawaii – One jurisdiction reported: Domestic military and overseas military counts are combined.

Idaho – Ballots counted for domestic military, overseas military and overseas citizens are the number of absentee ballots counted by each group.

Indiana – The State of Indiana has provided UOCAVA information, but due to technical difficulties with the survey response collection process, these totals were not captured accurately.

Maine – All absentee ballots are counted at the polls (or at a central polling place). Therefore, the number of absentee ballots included in the number of absentee ballots counted are also included in the total number of ballots counted at the polls. Municipalities report the total number of absentee ballots counted and how many of those ballots were cast by UOCAVA voters. We do not require the towns to report how many FWAB are counted, but those ballots would be included in total number of military/overseas absentee ballots counted.

Massachusetts – Massachusetts does not have early voting. All ballots are totaled together. No separate count is made for absentee ballots of any kind or provisional ballots.

Minnesota – Minnesota does not have early voting. Minnesota is exempt from provisional balloting.

Missouri – One jurisdiction reported: Comment on FWAB number – Boone County says, 'Regular ballot received.' Osage County reports, 'Much of the information requested by your agency and others is either non-existent or has been impossible to find. We have gone through many files here in the office and have not been able to find information to aid us in completing questions 26, 27, and 34h.'

Montana – Montana does not have early voting.

Nevada – Domestic and overseas military have been combined under domestic military.

New Hampshire – Information not submitted by categories; only submitted by total votes counted. One jurisdiction reported: The county included in its total the number of regular and absentee ballots counted for the November 7, 2006, federal general election.

New Jersey – One jurisdiction reported: Combined Overseas Military, Overseas Civilian, Domestic Military and Domestic Civilian. Several jurisdictions reported: Domestic Civilian Absentee Ballots, Domestic Military, Overseas Military totals are combined. One jurisdiction reported: Problems with Sequoia reporting software - delays encountered

New Mexico – Totals were retrieved from the FINAL Reporting Tool, which combines ALL Absentee Voters.

New York – the number provided for domestic military voters above is for both domestic and overseas military voters

Ohio – One jurisdiction reported: Domestic military, overseas military and overseas citizens included in total.

Oklahoma – One jurisdiction reported: No breakdown provided for UOCAVA voters.

Oregon – We are currently unable to separate out domestic civilian absentee, domestic military, overseas military citizen, and overseas citizens. All categories are included in UOCAVA.

Texas – Several jurisdictions reported: domestic civilian absentee ballots = regular applications for ballot by mail. One jurisdiction reported: Information has already been packed and stored for retention period.

Wisconsin – All voters given a number at the polling place who cast Ballots, Provisional ballots and absentee ballots, absentee military etc., are considered counted at the Polling Place and are contained in the Total number of Ballots cast. Wisconsin does not have early voting. Wisconsin does have no excuse absentee voting. Ballots casts contains all the ballots acceptable for counting.

American Samoa – Ballots cast was 11,182, and ballots counted 11,032.

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Table 21a. Ballots Counted as % Cast, By Category

Ballots counted as a percentage of ballots cast, by category.

State	Jur.	Percentage of Ballots Cast: Domestic Military	Overseas Military	Overseas Citizens	Overseas FWAB	Uncat. Total	Cast compared to Counted: UOCAVA Cast	UOCAVA Counted	Counted % Cast	Not Counted
Alabama	67	.....	.....	.....	.....	.....	0	0	.....	.....
Alaska	1	46.3	97.2	56.8	50.0	81.0	3,887	2,615	67.3	1,272
Arizona	15	98.0	94.1	73.2	25.9	100.0	1,952	1,669	85.5	283
Arkansas	75	81.9	###	83.5	25.0	.....	479	465	97.1	14
California	58	81.8	37.6	25.0	97.1	###	25,009	35,209	###	.....
Colorado	64	93.5	78.9	92.6	79.6	.....	2,490	2,246	90.2	244
Connecticut	8	.....	.....	.....	.....	.....	0	0	.....	.....
Delaware	3	73.5	89.1	90.3	0.0	.....	491	413	84.1	78
Dst. of Columbia	1	.....	.....	.....	.....	83.8	148	124	83.8	24
Florida	67	80.5	81.4	78.7	89.4	###	26,440	21,807	82.5	4,633
Georgia	159	22.9	19.4	30.5	.....	.....	11,452	2,736	23.9	8,716
Hawaii	4	49.4	0.0	84.4	100.0	.....	772	545	70.6	227
Idaho	44	71.1	63.2	78.0	0.0	.....	957	668	69.8	289
Illinois	110	38.7	72.0	20.0	.....	###	1,289	1,456	###	.....
Indiana	92	0.0	0.0	0.0	0.0	0.0	3,335	0	0.0	3,335
Iowa	99	96.5	100.0	100.0	.....	.....	2,770	2,710	97.8	60
Kansas	105	.....	.....	.....	.....	0.0	1,244	1,141	91.7	103
Kentucky	120	.....	.....	.....	.....	.....	0	1,285	.....	.....
Louisiana	64	89.9	76.5	84.5	.....	.....	785	678	86.4	107
Maine	16	.....	.....	.....	.....	100.0	500	500	100.0	.....
Maryland	24	88.8	87.6	91.5	41.5	.....	3,114	2,790	89.6	324
Massachusetts	14	.....	.....	.....	.....	97.4	38	37	97.4	1
Michigan	83	81.4	72.5	84.1	60.3	.....	4,236	3,331	78.6	905
Minnesota	87	.....	84.0	86.1	100.0	.....	3,176	2,709	85.3	467
Mississippi	82	76.5	86.6	62.5	35.3	###	290	373	###	.....
Missouri	116	78.0	71.2	85.2	45.1	.....	3,326	2,575	77.4	751
Montana	56	90.0	81.6	92.7	92.9	.....	1,121	1,001	89.3	120
Nebraska	93	84.1	70.7	95.9	.....	89.2	651	544	83.6	107
Nevada	17	87.3	78.9	88.8	31.6	88.1	3,211	2,760	86.0	451
New Hampshire	10	.....	.....	.....	.....	.....	0	0	.....	.....
New Jersey	21	###	###	###	.....	1.6	24,220	42,930	###	.....
New Mexico	33	68.6	64.4	66.7	.....	99.7	1,483	1,345	90.7	138
New York	58	92.3	.....	84.9	.....	.....	17,376	14,945	86.0	2,431
North Carolina	100	.....	51.7	86.6	35.7	.....	3,073	2,143	69.7	930
North Dakota	53	86.1	89.8	93.3	100.0	.....	171	152	88.9	19
Ohio	88	62.1	68.4	62.9	76.2	.....	5,958	3,842	64.5	2,116
Oklahoma	77	.....	.....	.....	90.0	92.8	1,173	1,088	92.8	85
Oregon	36	.....	.....	.....	100.0	98.0	9,285	9,099	98.0	186
Pennsylvania	67	.....	.....	.....	.....	42.5	21,970	9,331	42.5	12,639
Rhode Island	5	.....	.....	.....	100.0	.....	2	2	100.0	.....
South Carolina	46	73.3	50.0	100.0	.....	.....	61	48	78.7	13
South Dakota	66	32.7	92.7	85.2	100.0	###	9,280	15,318	###	.....
Tennessee	95	.....	.....	.....	.....	.....	0	2,577	.....	.....
Texas	254	###	71.6	###	80.0	.....	15,666	21,672	###	.....
Utah	29	96.3	97.4	89.2	.....	99.2	837	813	97.1	24
Vermont	14	.....	.....	.....	0.0	.....	4	0	0.0	4
Virginia	134	.....	97.0	98.8	58.7	.....	7,761	7,512	96.8	249
Washington	39	97.4	98.9	99.3	96.1	97.8	15,705	15,377	97.9	328
West Virginia	55	92.1	73.5	74.7	100.0	2.3	24,367	1,222	5.0	23,145
Wisconsin	72	.....	.....	.....	.....	100.0	1,303	1,303	100.0	.....
Wyoming	23	92.8	88.6	93.2	100.0	.....	660	667	###	.....
American Samoa	1	100.0	97.4	100.0	.....	.....	233	230	98.7	3
Guam	1	.....	.....	.....	.....	.....	0	0	.....	.....
Puerto Rico	1	.....	.....	.....	.....	.....	0	0	.....	.....
Virgin Islands	1	86.4	21.1	100.0	.....	.....	42	24	57.1	18
Sum or Average	3,123	25.5	71.6	78.3	63.7	70.7	263,793	244,027	77.6	19,766
Question		q34dm	q34om	q34oc	q34f	q34uototal	Table 19	Table 20		

2006 Election Administration and Voting Survey
Table 21b. Ballots Counted as % All UOCAVA Ballots, By Category

Ballots counted as a percentage of all UOCAVA ballots, by category.

		Percentage of Ballots Counted					
		Domestic	Overseas			Uncat.	UOCAVA
State	Jur.	Military	Military	Citizens	FWAB	Total	Counted
Alabama	67	.....	.....	.....	.....	.....	0
Alaska	1	56.3	15.8	5.9	0.2	21.8	2,615
Arizona	15	37.4	12.5	35.6	0.8	13.7	1,669
Arkansas	75	41.7	43.9	14.2	0.2	0.0	465
California	58	4.5	4.5	6.9	0.1	83.9	35,209
Colorado	64	32.9	15.7	49.7	1.7	0.0	2,246
Connecticut	8	.....	.....	.....	.....	.....	0
Delaware	3	29.5	11.9	58.6	0.0	0.0	413
Dst. of Columbia	1	0.0	0.0	0.0	0.0	100.0	124
Florida	67	62.3	14.8	19.5	0.3	3.0	21,807
Georgia	159	47.3	21.2	31.4	0.1	0.0	2,736
Hawaii	4	22.2	0.0	77.4	0.4	0.0	545
Idaho	44	64.2	17.2	18.6	0.0	0.0	668
Illinois	110	11.2	19.6	0.5	0.0	68.6	1,456
Indiana	92	.....	.....	.....	.....	.....	0
Iowa	99	62.0	9.7	28.3	0.0	0.0	2,710
Kansas	105	37.8	20.4	41.8	0.0	0.0	1,141
Kentucky	120	0.0	0.0	0.0	0.0	100.0	1,285
Louisiana	64	58.0	13.0	29.1	0.0	0.0	678
Maine	16	0.0	0.0	0.0	0.0	100.0	500
Maryland	24	15.9	10.9	72.2	1.0	0.0	2,790
Massachusetts	14	0.0	0.0	0.0	0.0	100.0	37
Michigan	83	42.4	24.8	28.9	3.9	0.0	3,331
Minnesota	87	0.0	39.6	59.9	0.5	0.0	2,709
Mississippi	82	20.1	38.1	1.3	1.6	38.9	373
Missouri	116	52.3	21.1	25.4	1.2	0.0	2,575
Montana	56	62.8	14.2	20.4	2.6	0.0	1,001
Nebraska	93	33.1	23.9	21.7	0.0	21.3	544
Nevada	17	27.4	16.3	7.8	0.2	48.3	2,760
New Hampshire	10	.....	.....	.....	.....	.....	0
New Jersey	21	36.9	36.8	26.0	0.0	0.3	42,930
New Mexico	33	11.4	8.3	0.4	0.0	79.9	1,345
New York	58	16.2	0.0	83.8	0.0	0.0	14,945
North Carolina	100	16.7	59.6	23.2	0.5	0.0	2,143
North Dakota	53	44.7	34.9	18.4	2.0	0.0	152
Ohio	88	34.9	33.9	30.4	0.8	0.0	3,842
Oklahoma	77	0.0	0.0	0.0	1.7	98.3	1,088
Oregon	36	0.0	0.0	0.0	0.0	100.0	9,099
Pennsylvania	67	0.0	0.0	0.0	0.0	100.0	9,331
Rhode Island	5	0.0	0.0	0.0	100.0	0.0	2
South Carolina	46	68.8	2.1	29.2	0.0	0.0	48
South Dakota	66	1.7	0.7	0.3	0.0	97.3	15,318
Tennessee	95	2.4	1.1	9.9	0.0	86.6	2,577
Texas	254	66.5	20.9	12.4	0.1	0.0	21,672
Utah	29	9.5	36.5	10.2	0.0	43.8	813
Vermont	14	.....	.....	.....	.....	.....	0
Virginia	134	0.0	50.2	48.2	1.6	0.0	7,512
Washington	39	5.4	6.1	4.4	0.5	83.6	15,377
West Virginia	55	42.7	7.9	5.3	0.2	43.8	1,222
Wisconsin	72	0.0	0.0	0.0	0.0	100.0	1,303
Wyoming	23	60.1	16.3	14.4	0.3	8.8	667
American Samoa	1	6.5	48.7	44.8	0.0	0.0	230
Guam	1	.....	.....	.....	.....	.....	0
Puerto Rico	1	.....	.....	.....	.....	.....	0
Virgin Islands	1	79.2	16.7	4.2	0.0	0.0	24
Sum or Average	3,123	27.6	16.5	21.3	2.6	32.1	244,027
Question		q34dm	q34om	q34oc	q34f	q34uotot calc	

Table 21c. UOCAVA Ballots: Maximum Cast or Counted by Category

The maximum number of UOCAVA ballots cast or counted by category.

		Categorized UOCAVA Ballots									Uncategorized			Percentages of Sum of UOCAVA				
		Domestic		Overseas						Sum of			Sum of	Dom.	Overseas			Uncat.
State	Jur.	Military	Jur.	Military	Jur.	Citizens	Jur.	FWAB	Jur.	Cat.	Total	Jur.	UOCAVA	Military	Military	Citizens	FWAB	Total
Alabama	67	0	0	0	0	0	0	0	0	0	0	0	0	....	....	....	....	....
Alaska	1	3,182	1	424	1	273	1	8	1	3,887	705	1	4,592	69.3	9.2	5.9	0.2	15.4
Arizona	15	637	11	222	11	811	11	54	10	1,724	228	7	1,952	32.6	11.4	41.5	2.8	11.7
Arkansas	75	237	46	204	47	79	43	4	37	524	0	0	524	45.2	38.9	15.1	0.8	0.0
California	58	1,946	25	4,231	31	9,777	29	35	12	15,989	29,547	16	45,536	4.3	9.3	21.5	0.1	64.9
Colorado	64	789	59	446	56	1,206	57	49	60	2,490	0	0	2,490	31.7	17.9	48.4	2.0	0.0
Connecticut	8	0	0	0	0	0	0	0	0	0	0	0	0	....	....	....	....	....
Delaware	3	166	3	55	3	268	3	2	3	491	0	3	491	33.8	11.2	54.6	0.4	0.0
Dst. of Columbia	1	0	0	0	0	0	0	0	0	0	148	1	148	0.0	0.0	0.0	0.0	100.0
Florida	67	16,887	64	3,979	64	5,411	64	66	67	26,343	659	67	27,002	62.5	14.7	20.0	0.2	2.4
Georgia	159	5,645	159	2,989	159	2,818	159	3	159	11,455	0	0	11,455	49.3	26.1	24.6	0.0	0.0
Hawaii	4	245	3	25	2	500	3	2	3	772	0	0	772	31.7	3.2	64.8	0.3	0.0
Idaho	44	603	44	182	44	159	44	13	44	957	0	44	957	63.0	19.0	16.6	1.4	0.0
Illinois	110	421	8	397	31	40	2	0	0	858	999	36	1,857	22.7	21.4	2.2	0.0	53.8
Indiana	92	1,827	90	387	90	718	90	357	90	3,289	0	92	3,289	55.5	11.8	21.8	10.9	0.0
Iowa	99	1,739	99	263	99	768	99	0	0	2,770	0	0	2,770	62.8	9.5	27.7	0.0	0.0
Kansas	105	431	104	233	104	477	104	0	0	1,141	1,244	104	2,385	18.1	9.8	20.0	0.0	52.2
Kentucky	120	0	0	0	0	0	0	0	119	0	1,285	120	1,285	0.0	0.0	0.0	0.0	100.0
Louisiana	64	437	64	115	64	233	64	0	6	785	0	0	785	55.7	14.6	29.7	0.0	0.0
Maine	16	0	0	0	0	0	0	0	0	0	500	16	500	0.0	0.0	0.0	0.0	100.0
Maryland	24	500	24	347	24	2,202	24	65	24	3,114	0	0	3,114	16.1	11.1	70.7	2.1	0.0
Massachusetts	14	0	0	0	0	0	0	0	0	0	38	2	38	0.0	0.0	0.0	0.0	100.0
Michigan	83	1,738	83	1,140	83	1,144	83	214	83	4,236	0	0	4,236	41.0	26.9	27.0	5.1	0.0
Minnesota	87	0	0	1,276	87	1,886	87	14	86	3,176	0	4	3,176	0.0	40.2	59.4	0.4	0.0
Mississippi	82	98	46	164	46	8	45	17	42	287	145	35	432	22.7	38.0	1.9	3.9	33.6
Missouri	116	1,726	116	763	116	766	116	71	116	3,326	0	0	3,326	51.9	22.9	23.0	2.1	0.0
Montana	56	699	56	174	56	220	56	28	56	1,121	0	56	1,121	62.4	15.5	19.6	2.5	0.0
Nebraska	93	214	52	184	41	123	36	0	2	521	130	2	651	32.9	28.3	18.9	0.0	20.0
Nevada	17	866	14	569	13	242	14	19	14	1,696	1,515	4	3,211	27.0	17.7	7.5	0.6	47.2
New Hampshire	10	0	0	0	0	0	0	0	0	0	0	0	0	....	....	....	....	....
New Jersey	21	15,821	18	15,801	18	11,174	19	0	19	42,796	8,466	13	51,262	30.9	30.8	21.8	0.0	16.5
New Mexico	33	223	12	174	13	9	12	0	10	406	1,077	5	1,483	15.0	11.7	0.6	0.0	72.6
New York	58	2,621	58	0	0	14,755	58	0	0	17,376	0	0	17,376	15.1	0.0	84.9	0.0	0.0
North Carolina	100	357	1	2,470	100	575	100	28	100	3,430	0	0	3,430	10.4	72.0	16.8	0.8	0.0
North Dakota	53	79	53	59	53	30	53	3	53	171	0	7	171	46.2	34.5	17.5	1.8	0.0
Ohio	88	2,158	86	1,901	86	1,857	86	42	88	5,958	0	6	5,958	36.2	31.9	31.2	0.7	0.0
Oklahoma	77	0	0	0	0	0	0	20	68	20	1,153	77	1,173	0.0	0.0	0.0	1.7	98.3
Oregon	36	0	0	0	0	0	0	3	2	3	9,282	36	9,285	0.0	0.0	0.0	0.0	100.0
Pennsylvania	67	0	0	0	0	0	0	0	0	0	21,970	66	21,970	0.0	0.0	0.0	0.0	100.0
Rhode Island	5	0	0	0	0	0	0	2	1	2	0	0	2	0.0	0.0	0.0	100.0	0.0
South Carolina	46	45	3	2	2	14	2	0	0	61	0	0	61	73.8	3.3	23.0	0.0	0.0
South Dakota	66	819	44	110	41	54	38	1	33	984	14,901	27	15,885	5.2	0.7	0.3	0.0	93.8
Tennessee	95	62	2	28	3	255	4	0	1	345	2,232	42	2,577	2.4	1.1	9.9	0.0	86.6
Texas	254	14,420	254	6,328	254	2,692	254	40	254	23,480	0	0	23,480	61.4	27.0	11.5	0.2	0.0
Utah	29	80	24	305	23	93	24	0	15	478	359	24	837	9.6	36.4	11.1	0.0	42.9
Vermont	14	0	0	0	0	0	0	4	1	4	0	0	4	0.0	0.0	0.0	100.0	0.0
Virginia	134	0	1	3,887	130	3,666	133	208	94	7,761	0	0	7,761	0.0	50.1	47.2	2.7	0.0
Washington	39	860	19	949	19	683	19	77	39	2,569	13,136	39	15,705	5.5	6.0	4.3	0.5	83.6
West Virginia	55	567	41	132	26	87	14	3	4	789	23,578	6	24,367	2.3	0.5	0.4	0.0	96.8
Wisconsin	72	0	0	0	0	0	0	0	0	0	1,303	72	1,303	0.0	0.0	0.0	0.0	100.0
Wyoming	23	432	20	123	18	103	19	2	20	660	59	21	719	60.1	17.1	14.3	0.3	8.2
American Samoa	1	15	1	115	1	103	1	0	1	233	0	1	233	6.4	49.4	44.2	0.0	0.0
Guam	1	0	0	0	0	0	0	0	0	0	0	0	0	....	....	....	....	....
Puerto Rico	1	0	0	0	0	0	0	0	0	0	0	0	0	....	....	....	....	....
Virgin Islands	1	22	1	19	1	1	1	0	0	42	0	0	42	52.4	45.2	2.4	0.0	0.0
Sum or Average	3,123	79,614	1,809	51,172	2,060	66,280	2,071	1,454	1,837	198,520	134,659	1,052	333,179	26.5	16.9	19.7	4.9	32.0
Question		Maxdm		Maxom		Maxoc		Maxf		sum	Maxuototal		calc					

Tables 21a, b, and c. Ballots Counted as % of Cast; Ballots Counted as % of all UOCAVA Ballots; and Maximum Ballots Cast or Counted

The 'UOCAVA Cast' is from Table 19; the "UOCAVA Counted' is from Table 20. Table 21c calculates the maximum value for Cast and Counted in an attempt to address the inconsistency evident in some jurisdictions which may have reported one but not the other.

Table 22. UOCAVA Ballots Requested

Total number of UOCAVA ballots requested by category.

State	Jur.	Categorized: Domestic Military	Domestic Jur.	Overseas Military	Overseas Jur.	Overseas Citizens	Overseas Jur.	Sum of Cat.	Uncategorized: Total Uncat.	Uncat. Jur.	Sum of UOCAVA	Percentages of Sum of UOCAVA: Dom. Military	Overseas Military	Overseas Citizens	Uncat. Total
Alabama	67	0	0	0	0	0	0	0	0	0	0	.....	.....	.....	.....
Alaska	1	2,060	1	582	1	195	1	2,837	777	1	3,614	57.0	16.1	5.4	21.5
Arizona	15	2,103	11	1,528	11	3,003	11	6,634	536	9	7,170	29.3	21.3	41.9	7.5
Arkansas	75	595	52	660	53	222	53	1,477	0	0	1,477	40.3	44.7	15.0	0.0
California	58	6,844	27	16,725	32	18,942	32	42,511	114,072	16	156,583	4.4	10.7	12.1	72.9
Colorado	64	3,156	60	2,290	59	3,844	61	9,290	0	0	9,290	34.0	24.7	41.4	0.0
Connecticut	8	0	0	0	0	0	0	0	0	0	0	.....	.....	.....	.....
Delaware	3	504	3	183	3	579	3	1,266	0	3	1,266	39.8	14.5	45.7	0.0
Dst. of Columbia	1	18	1	24	1	233	1	275	0	0	275	6.5	8.7	84.7	0.0
Florida	67	39,991	65	13,465	65	13,355	65	66,811	29,654	67	96,465	41.5	14.0	13.8	30.7
Georgia	159	5,645	159	2,989	159	2,818	159	11,452	0	54	11,452	49.3	26.1	24.6	0.0
Hawaii	4	1,813	3	66	2	822	3	2,701	0	0	2,701	67.1	2.4	30.4	0.0
Idaho	44	1,011	44	431	44	332	44	1,774	0	44	1,774	57.0	24.3	18.7	0.0
Illinois	110	58	2	7,881	40	0	0	7,939	62,124	105	70,063	0.1	11.2	0.0	88.7
Indiana	92	1,721	92	316	92	626	92	2,663	0	0	2,663	64.6	11.9	23.5	0.0
Iowa	99	0	0	0	0	0	0	0	0	0	0	.....	.....	.....	.....
Kansas	105	1,790	103	1,147	104	1,312	103	4,249	0	0	4,249	42.1	27.0	30.9	0.0
Kentucky	120	0	0	0	0	0	0	0	3,963	120	3,963	0.0	0.0	0.0	100.0
Louisiana	64	3,124	64	812	64	1,237	64	5,173	0	1	5,173	60.4	15.7	23.9	0.0
Maine	16	0	0	0	0	0	0	0	1,086	16	1,086	0.0	0.0	0.0	100.0
Maryland	24	2,313	24	1,475	24	6,018	24	9,806	0	0	9,806	23.6	15.0	61.4	0.0
Massachusetts	14	0	0	0	0	0	0	0	88	2	88	0.0	0.0	0.0	100.0
Michigan	83	2,702	83	1,787	83	1,671	83	6,160	0	0	6,160	43.9	29.0	27.1	0.0
Minnesota	87	0	0	5,844	87	6,077	86	11,921	0	1	11,921	0.0	49.0	51.0	0.0
Mississippi	82	211	46	95	47	16	44	322	4,562	36	4,884	4.3	1.9	0.3	93.4
Missouri	116	4,150	116	2,032	116	1,523	116	7,705	0	1	7,705	53.9	26.4	19.8	0.0
Montana	56	1,878	56	496	56	436	56	2,810	3	56	2,813	66.8	17.6	15.5	0.1
Nebraska	93	47	16	17	7	5	4	69	1,800	49	1,869	2.5	0.9	0.3	96.3
Nevada	17	2,027	13	937	11	307	13	3,271	1,617	5	4,888	41.5	19.2	6.3	33.1
New Hampshire	10	0	0	0	0	0	0	0	0	0	0	.....	.....	.....	.....
New Jersey	11	1,473	13	1,427	13	1,791	13	4,691	1,568	11	6,259	23.5	22.8	28.6	25.1
New Mexico	33	217	12	232	12	14	10	463	5	10	468	46.4	49.6	3.0	1.1
New York	58	6,280	58	0	0	30,509	58	36,789	0	0	36,789	17.1	0.0	82.9	0.0
North Carolina	100	0	0	9,621	97	1,202	99	10,823	0	0	10,823	0.0	88.9	11.1	0.0
North Dakota	53	128	53	95	53	48	53	271	0	34	271	47.2	35.1	17.7	0.0
Ohio	88	5,478	88	2,731	87	4,322	88	12,531	0	6	12,531	43.7	21.8	34.5	0.0
Oklahoma	77	0	0	0	0	0	0	0	4,206	77	4,206	0.0	0.0	0.0	100.0
Oregon	36	0	0	0	0	0	0	0	12,477	36	12,477	0.0	0.0	0.0	100.0
Pennsylvania	67	0	0	0	0	0	0	0	30,304	66	30,304	0.0	0.0	0.0	100.0
Rhode Island	5	472	5	17	5	422	5	911	0	0	911	51.8	1.9	46.3	0.0
South Carolina	46	3,973	45	875	42	1,364	35	6,212	0	0	6,212	64.0	14.1	22.0	0.0
South Dakota	66	711	41	321	38	230	33	1,262	7,833	26	9,095	7.8	3.5	2.5	86.1
Tennessee	95	2,866	49	872	44	706	38	4,444	21,889	46	26,333	10.9	3.3	2.7	83.1
Texas	254	29,237	254	17,192	254	10,001	254	56,430	125,207	118	181,637	16.1	9.5	5.5	68.9
Utah	29	175	22	369	23	171	24	715	197	25	912	19.2	40.5	18.8	21.6
Vermont	14	0	0	0	0	0	0	0	0	0	0	.....	.....	.....	.....
Virginia	134	0	0	7,795	129	9,129	131	16,924	0	0	16,924	0.0	46.1	53.9	0.0
Washington	39	2,760	19	3,276	20	2,094	20	8,130	21,704	18	29,834	9.3	11.0	7.0	72.7
West Virginia	55	523	41	220	26	89	15	832	3,103	24	3,935	13.3	5.6	2.3	78.9
Wisconsin	72	0	0	0	0	0	0	0	168,573	72	168,573	0.0	0.0	0.0	100.0
Wyoming	23	3,226	18	490	18	144	18	3,860	7	23	3,867	83.4	12.7	3.7	0.2
American Samoa	1	15	1	115	1	103	1	233	0	1	233	6.4	49.4	44.2	0.0
Guam	1	0	0	0	0	0	0	0	0	0	0	.....	.....	.....	.....
Puerto Rico	1	0	0	0	0	0	0	0	0	0	0	.....	.....	.....	.....
Virgin Islands	1	22	1	19	1	1	1	42	0	0	42	52.4	45.2	2.4	0.0
Sum of Above	3,123	141,317	1,761	107,449	2,024	125,913	2,014	374,679	617,355	1,179	992,034	14.2	10.8	12.7	62.2
Question		q38dm		q38om		q38oc		sum	q38uototal		calc				

Table 22. UOCAVA Ballots Requested

Question 38. Total number Statewide and by county/local jurisdiction of absentee ballots requested (do not include FWAB) for the November 7, 2006, Federal general elections (includes ballots transmitted by mail, fax, e-mail, or courier).

The column labeled 'Sum of UOCAVA' is calculated from the count of the categorized breakouts and the uncategorized total. States differed as to how to respond to this 'uncategorized' item and also as to what should be included in the item. A review was undertaken to check for possible erroneous or double reporting. See the notes at the beginning of this section.

California – One jurisdiction reported: Overseas Citizens: No information provided.

Connecticut – Spreadsheet categories did not fit the categories on this site. Here are spreadsheet numbers. Fairfield County: Total Civilian: 19853; Total Military: 448; Total 90 Day: 64; Total Overseas: 117; Total Absentees: 20482. Hartford County: Total Civilian: 16122; Total Military: 595; Total 90 Day: 233; Total Overseas: 204; Total Absentees: 17154. Litchfield County: Total Civilian: 4685; Total Military: 128; Total 90 Day: 18; Total Overseas: 40; Total Absentees: 4871. Middlesex County: Total Civilian: 4525; Total Military: 172; Total 90 Day: 9; Total Overseas: 9; Total Absentees: 29. New Haven County: Total Civilian: 16918; Total Military: 702; Total 90 Day: 82; Total Overseas: 137; Total Absentees: 17839. New London County: Total Civilian: 5308; Total Military: 434; Total 90 Day: 45; Total Overseas: 21; Total Absentees: 5808. Tolland County: Total Civilian: 2575; Total Military: 133; Total 90 Day: 14; Total Overseas: 23; Total Absentees: 2745. Windham County: Total Civilian: 1742; Total Military: 72; Total 90 Day: 26; Total Overseas: 28; Total Absentees: 1868.

Florida – One jurisdiction reported: Totals include any replacement ballots issued also.

Hawaii – Several jurisdictions reported: Domestic military and overseas military totals are combined.

Illinois – Several jurisdictions reported: Not broken down by categories.

Kansas – The numbers reported here are for UOCAVA absentee voters only; all other early voting and voting by mail are included in Kansas' advance voting totals.

Maine – The State asks the municipal clerks to report the number of ballots issued to voters. Jurisdictions are not required to report the number of applications that are rejected.

Missouri – Boone County reported: Includes ballots sent when no application received but on two year auto cycle.

New Jersey – Several jurisdictions reported: Combined Domestic Military and Overseas Military. Another jurisdiction reported: Domestic Military, Overseas Military and Overseas Citizens totals have been combined.

New Mexico – One jurisdiction reported: Sorry, I've hit the fun barrier with this one. We're busy running elections, not collecting information.

New York – the number provided for domestic military voters above is for both domestic and overseas military voters

Nevada – One jurisdiction reported: Domestic and overseas military have been combined under domestic military.

Oklahoma – Several jurisdictions reported: County did not separate the UOCAVA voters into categories.

Oregon – We are currently unable to separate out domestic military, overseas military citizen, and overseas citizens. All categories are included in UOCAVA.

Texas – One jurisdiction reported: Civilian Ballots by mail may come in person and by mail. Statistics are not available to separate mail requests. Another jurisdiction reported: I am not certain how many went to Domestic we did not keep a separate list on overseas and domestic military. Another jurisdiction reported: Information has already been packed and stored for retention period. Another jurisdiction reported: These were FPCA applications requested for the last presidential election that were still good. Many of the people were no longer at the original address.

Washington – One jurisdiction reported: Ballots are mailed automatically in this vote-by-mail county.

West Virginia – Several jurisdictions noted they were unable to provide breakdowns of the data, only totals.

Table 23. Advanced Ballots Transmitted

Total number of advanced ballots transmitted by category.

State	Jur.	Categorized: Domestic Military	Categorized: Domestic Jur.	Categorized: Overseas Military	Categorized: Overseas Jur.	Categorized: Overseas Citizens	Categorized: Overseas Jur.	Sum of Cat.	Uncategorized: Total Uncat.	Uncategorized: Jur.	Sum of UOCAVA	Percentages of Sum of UOCAVA: Dom. Military	Overseas Military	Overseas Citizens	Uncat. Total
Alabama	67	0	0	0	0	0	0	0	0	0	0	.....	.....	.....	.....
Alaska	1	96	1	79	1	28	1	203	107	1	310	31.0	25.5	9.0	34.5
Arizona	15	78	12	61	13	1,636	12	1,775	375	11	2,150	3.6	2.8	76.1	17.4
Arkansas	75	0	18	0	18	0	18	0	0	0	0	.....	.....	.....	.....
California	58	1,817	13	11,575	20	10,873	19	24,265	15,672	15	39,937	4.5	29.0	27.2	39.2
Colorado	64	501	61	363	61	741	61	1,605	0	0	1,605	31.2	22.6	46.2	0.0
Connecticut	8	0	0	0	0	0	0	0	0	0	0	.....	.....	.....	.....
Delaware	3	0	3	0	3	0	3	0	0	3	0	.....	.....	.....	.....
Dst. of Columbia	1	0	1	0	1	0	1	0	0	0	0	.....	.....	.....	.....
Florida	67	655	65	420	65	606	65	1,681	0	66	1,681	39.0	25.0	36.0	0.0
Georgia	159	1	129	17	129	8	127	26	0	81	26	3.8	65.4	30.8	0.0
Hawaii	4	0	1	0	1	0	1	0	0	0	0	.....	.....	.....	.....
Idaho	44	0	0	0	0	0	0	0	0	0	0	.....	.....	.....	.....
Illinois	110	0	0	778	8	0	0	778	55,291	98	56,069	0.0	1.4	0.0	98.6
Indiana	92	0	0	0	0	0	0	0	0	0	0	.....	.....	.....	.....
Iowa	99	0	0	0	0	0	0	0	0	0	0	.....	.....	.....	.....
Kansas	105	1,804	104	1,147	104	1,318	104	4,269	0	0	4,269	42.3	26.9	30.9	0.0
Kentucky	120	0	0	0	0	0	0	0	0	118	0	.....	.....	.....	.....
Louisiana	64	3,091	64	807	64	1,231	63	5,129	0	0	5,129	60.3	15.7	24.0	0.0
Maine	16	0	0	0	0	0	0	0	0	0	0	.....	.....	.....	.....
Maryland	24	0	0	0	0	0	0	0	0	0	0	.....	.....	.....	.....
Massachusetts	14	0	0	0	0	0	0	0	0	0	0	.....	.....	.....	.....
Michigan	83	0	0	0	0	0	0	0	0	0	0	.....	.....	.....	.....
Minnesota	87	0	0	0	0	0	0	0	0	0	0	.....	.....	.....	.....
Mississippi	82	25	47	13	46	1	44	39	3	36	42	59.5	31.0	2.4	7.1
Missouri	116	22	116	56	116	6	116	84	0	0	84	26.2	66.7	7.1	0.0
Montana	56	0	56	0	56	0	56	0	27	56	27	0.0	0.0	0.0	100.0
Nebraska	93	5	4	7	3	2	3	14	3	3	17	29.4	41.2	11.8	17.6
Nevada	17	8	14	6	14	0	13	14	0	4	14	57.1	42.9	0.0	0.0
New Hampshire	10	0	0	0	0	0	0	0	0	0	0	.....	.....	.....	.....
New Jersey	21	19	8	11	8	31	8	61	11	10	72	26.4	15.3	43.1	15.3
New Mexico	33	3	14	0	13	0	13	3	0	9	3	100.0	0.0	0.0	0.0
New York	58	0	0	0	0	0	0	0	0	0	0	.....	.....	.....	.....
North Carolina	100	0	0	0	0	0	0	0	0	0	0	.....	.....	.....	.....
North Dakota	53	2	53	4	53	0	53	6	0	51	6	33.3	66.7	0.0	0.0
Ohio	88	0	19	0	20	0	20	0	0	2	0	.....	.....	.....	.....
Oklahoma	77	0	4	0	3	0	3	0	91	19	91	0.0	0.0	0.0	100.0
Oregon	36	0	0	0	0	0	0	0	4	35	4	0.0	0.0	0.0	100.0
Pennsylvania	67	0	0	0	0	0	0	0	12,654	65	12,654	0.0	0.0	0.0	100.0
Rhode Island	5	472	5	17	5	422	5	911	0	0	911	51.8	1.9	46.3	0.0
South Carolina	46	0	0	0	0	0	0	0	0	0	0	.....	.....	.....	.....
South Dakota	66	55	44	7	44	0	43	62	2	32	64	85.9	10.9	0.0	3.1
Tennessee	95	0	6	0	6	0	6	0	0	5	0	.....	.....	.....	.....
Texas	254	6,752	254	1,203	254	543	254	8,498	168	254	8,666	77.9	13.9	6.3	1.9
Utah	29	5	20	6	19	2	19	13	0	16	13	38.5	46.2	15.4	0.0
Vermont	14	0	0	0	0	0	0	0	0	0	0	.....	.....	.....	.....
Virginia	134	0	2	0	2	0	2	0	0	1	0	.....	.....	.....	.....
Washington	39	0	18	0	18	24	18	24	292	19	316	0.0	0.0	7.6	92.4
West Virginia	55	14	3	16	4	4	2	34	322	2	356	3.9	4.5	1.1	90.4
Wisconsin	72	0	0	0	0	0	0	0	1,303	72	1,303	0.0	0.0	0.0	100.0
Wyoming	23	0	18	0	18	0	18	0	0	21	0	.....	.....	.....	.....
American Samoa	1	0	1	0	1	0	1	0	0	1	0	.....	.....	.....	.....
Guam	1	0	0	0	0	0	0	0	0	0	0	.....	.....	.....	.....
Puerto Rico	1	0	0	0	0	0	0	0	0	0	0	.....	.....	.....	.....
Virgin Islands	1	0	0	0	0	0	0	0	0	0	0	.....	.....	.....	.....
Sum of Above	3,123	15,425	1,178	16,593	1,191	17,478	1,172	49,494	86,325	1,106	135,819	11.4	12.2	12.9	63.6
Question		q39dm		q39om		q39oc		sum	q39uototal		calc				

Table 23. Advanced Ballots Transmitted

Question 39. Total number Statewide and by county/local jurisdiction of advanced ballots transmitted to military and overseas citizens for the November 7, 2006 Federal general elections. *(Advanced ballot means any special Write-In Absentee Ballot, State Write-In Absentee Ballot, Special Write-In Early Ballot, or Blank Absentee Ballot that is distributed by a State in advance of the publication of an official ballot for a federal election on which military and overseas citizens are allowed to write in the name of the candidate in each contest for whom they choose to vote.)*

The column labeled 'Sum of UOCAVA' is calculated from the count of the categorized breakouts and the uncategorized total. States differed as to how to respond to this 'uncategorized' item and also as to what should be included in the item. A review was undertaken to check for possible erroneous or double reporting. See the notes at the beginning of this section.

California – Los Angeles reported: Our Election Management System does not separate Domestic Military from Overseas Military Voters. Therefore, these two categories totals are combined.

Connecticut – This information was not included in the spreadsheet.

Florida – Clay County is longer required to send advanced ballots anymore since the 2nd Primary Election was done away with. Another jurisdiction reported: Difference between requests and transmitted is due to cancelled or ineligible requests. Another jurisdiction reported: We received our regular absentee ballots and mailed them before the 35-day deadline.

Idaho – Idaho does not have advanced ballots.

Illinois – Several jurisdictions reported: County did not break down in categories.

Maine – The number of advanced ballots issued is included in the number provided in Question 38. We do not require municipalities to report separately the number of advanced ballots issued.

Maryland – Maryland does not send advanced ballots.

Minnesota – Minnesota does not provide advance ballots.

Montana – These are not used in Montana.

New Jersey – One jurisdiction reported: Combined Domestic Military, Overseas Military, and Overseas Citizens.

Ohio – Ohio does not issue 'advanced ballots.'

Oregon – We are currently unable to separate out domestic military, overseas military citizen, and overseas citizens. All categories are included in UOCAVA.

American Samoa – Ballots are only advanced when requested.

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Table 24. Federal Write-in Absentee Ballots (FWAB) Received

Total number of FWABs received by category.

State	Jur.	Categorized: Domestic Military	Domestic Jur.	Overseas Military	Overseas Jur.	Overseas Citizens	Overseas Jur.	Sum of Cat.	Uncategorized: Total Uncat.	Uncat. Jur.	Sum of UOCAVA	Percentages of Sum of UOCAVA: Dom. Military	Overseas Military	Overseas Citizens	Uncat. Total
Alabama	67	0	0	0	0	0	0	0	0	0	0	.....	.....	.....	.....
Alaska	1	1	1	2	1	3	1	6	0	0	6	16.7	33.3	50.0	0.0
Arizona	15	4	12	7	12	4	12	15	56	12	71	5.6	9.9	5.6	78.9
Arkansas	75	22	51	16	52	2	51	40	0	0	40	55.0	40.0	5.0	0.0
California	58	16	3	317	6	12	4	345	25,820	11	26,165	0.1	1.2	0.0	98.7
Colorado	64	5	61	14	61	45	61	64	0	0	64	7.8	21.9	70.3	0.0
Connecticut	8	0	0	0	0	0	0	0	0	0	0	.....	.....	.....	.....
Delaware	3	0	3	1	3	1	3	2	0	3	2	0.0	50.0	50.0	0.0
Dst. of Columbia	1	10	1	10	1	128	1	148	0	0	148	6.8	6.8	86.5	0.0
Florida	67	7	59	20	59	21	59	48	28	65	76	9.2	26.3	27.6	36.8
Georgia	159	0	155	1	155	2	155	3	0	106	3	0.0	33.3	66.7	0.0
Hawaii	4	0	1	0	1	0	1	0	2	1	2	0.0	0.0	0.0	100.0
Idaho	44	0	44	13	44	0	44	13	0	44	13	0.0	100.0	0.0	0.0
Illinois	110	1	1	1,984	47	12	1	1,997	54,648	91	56,645	0.0	3.5	0.0	96.5
Indiana	92	0	0	0	0	0	0	0	0	0	0	.....	.....	.....	.....
Iowa	99	*0*	*0*	*212*	*17*	*0*	*0*	*212*	*212*	*17*	*212*	*0.0*	*100.0*	*0.0*	*100.0*
Kansas	105	0	0	0	0	0	0	0	0	0	0	.....	.....	.....	.....
Kentucky	120	0	0	0	0	0	0	0	2	117	2	0.0	0.0	0.0	100.0
Louisiana	64	0	0	0	0	0	0	0	0	0	0	.....	.....	.....	.....
Maine	16	0	0	0	0	0	0	0	0	0	0	.....	.....	.....	.....
Maryland	24	1	24	13	24	51	24	65	0	0	65	1.5	20.0	78.5	0.0
Massachusetts	14	0	0	0	0	0	0	0	0	0	0	.....	.....	.....	.....
Michigan	83	98	83	73	83	50	83	221	0	0	221	44.3	33.0	22.6	0.0
Minnesota	87	0	1	2	87	12	87	14	0	76	14	0.0	14.3	85.7	0.0
Mississippi	82	4	45	4	46	0	44	8	0	37	8	50.0	50.0	0.0	0.0
Missouri	116	12	116	36	116	8	116	56	0	0	56	21.4	64.3	14.3	0.0
Montana	56	4	56	2	56	5	56	11	137	56	148	2.7	1.4	3.4	92.6
Nebraska	93	2	2	1	3	1	3	4	0	1	4	50.0	25.0	25.0	0.0
Nevada	17	10	13	11	14	5	14	26	0	4	26	38.5	42.3	19.2	0.0
New Hampshire	10	0	0	0	0	0	0	0	0	0	0	.....	.....	.....	.....
New Jersey	21	4	10	0	9	936	11	940	641	12	1,581	0.3	0.0	59.2	40.5
New Mexico	33	0	14	0	13	0	14	0	0	10	0	.....	.....	.....	.....
New York	58	0	0	0	0	0	0	0	0	0	0	.....	.....	.....	.....
North Carolina	100	0	0	23	99	15	99	38	0	0	38	0.0	60.5	39.5	0.0
North Dakota	53	0	53	2	53	2	53	4	0	50	4	0.0	50.0	50.0	0.0
Ohio	88	3	88	12	88	48	88	63	0	6	63	4.8	19.0	76.2	0.0
Oklahoma	77	0	3	0	2	0	2	0	20	10	20	0.0	0.0	0.0	100.0
Oregon	36	0	0	0	0	0	0	0	3	33	3	0.0	0.0	0.0	100.0
Pennsylvania	67	0	0	0	0	0	0	0	79	1	79	0.0	0.0	0.0	100.0
Rhode Island	5	0	0	0	0	0	1	0	2	1	2	0.0	0.0	0.0	100.0
South Carolina	46	0	0	0	0	0	0	0	0	0	0	.....	.....	.....	.....
South Dakota	66	2	47	5	47	0	45	7	2	32	9	22.2	55.6	0.0	22.2
Tennessee	95	17	9	6	9	3	8	26	15	7	41	41.5	14.6	7.3	36.6
Texas	254	347	254	23	254	40	254	410	74	254	484	71.7	4.8	8.3	15.3
Utah	29	2	23	2	23	2	23	6	2	21	8	25.0	25.0	25.0	25.0
Vermont	14	0	0	0	0	0	0	0	0	0	0	.....	.....	.....	.....
Virginia	134	0	0	0	0	0	0	0	205	33	205	0.0	0.0	0.0	100.0
Washington	39	2	20	10	20	2	20	14	18	18	32	6.3	31.3	6.3	56.3
West Virginia	55	*1*	*1*	*3*	*2*	*1*	*1*	*5*	*5*	*3*	*5*	*20.0*	*60.0*	*20.0*	*100.0*
Wisconsin	72	0	0	0	0	0	0	0	0	0	0	.....	.....	.....	.....
Wyoming	23	0	21	0	22	2	22	2	0	23	2	0.0	0.0	100.0	0.0
American Samoa	1	0	1	0	0	0	1	0	0	1	0	.....	.....	.....	.....
Guam	1	0	0	0	0	0	0	0	0	0	0	.....	.....	.....	.....
Puerto Rico	1	0	0	0	0	0	0	0	0	0	0	.....	.....	.....	.....
Virgin Islands	1	0	0	0	0	0	0	0	0	0	0	.....	.....	.....	.....
Sum of Above	3,123	575	1,276	2,825	1,529	1,413	1,462	4,813	81,971	1,156	86,567	0.7	3.3	1.6	94.7
Question		q40dm		q40om		q40oc		sum	q40uototal		calc				

Table 24. Federal Write-In Absentee Ballots (FWAB) Received

Question 40. Total number Statewide and by county/local jurisdiction of Federal Write-In Absentee Ballots (FWAB) RECEIVED from each of the following categories of voters for the November 7, 2006, Federal general elections.

The column labeled 'Sum of UOCAVA' is calculated from the count of the categorized breakouts and the uncategorized total. States differed as to how to respond to this 'uncategorized' item and also as to what should be included in the item. A review was undertaken to check for possible erroneous or double reporting. See the notes at the beginning of this section.

Arizona – Pima County reported: Many voters also submitted a regular absentee ballot, so most FWABs weren't counted. One jurisdiction reported: Did not track UOCAVA voters. Another jurisdiction reported: Does not separate UOCAVA voters out by category.

Connecticut – Spreadsheet data does not make a distinction between domestic and overseas ballots, for either civilians or military personnel. Here are spreadsheet numbers. Hartford County: Civilian Returned: 12835; Mil/Overseas Returned: 71. Fairfield County: Civilian Returned: 17479; Mil/Overseas Returned: 308. Litchfield County: Civilian Returned: 3887; Mil/Overseas Returned: 62. Middlesex County: Civilian Returned: 4232; Mil/Overseas Returned: 45. New Haven County: Civilian Returned: 15431; Mil/Overseas Returned: 163. New London County: Civilian Returned: 5103; Mil/Overseas Returned: 26. Tolland County: Civilian Returned: 2463; Mil/Overseas Returned: 33. Windham County: Civilian Returned: 1701; Mil/Overseas Returned: 28.

Florida – One jurisdiction reported: Collected as a single category.

Illinois – Several Counties reported: Not broken down by categories.

Maine – The number of FWAB ballots received is included in the number provided in Question 38. We do not require municipalities to report separately the number of FWAB received.

Oregon – Multnomah County reported: According to the Director of Elections, some FWAB were received, but the number received was not tracked. Several jurisdictions reported: We are currently unable to separate out domestic military, overseas military citizen, and overseas citizens. All categories are included in UOCAVA.

American Samoa – We did not receive any FWABs.

Oregon – We are currently unable to separate out domestic civilian absentee, domestic military, overseas military citizen, overseas citizens and federal write-in absentee ballots. All categories are included in the answers to Question 41.

Texas – One jurisdiction reported: Ballots returned were due to military transfers. New addresses provided apparently were not good addresses as these were returned also. Several jurisdictions reported: ballots were never returned. Another jurisdiction reported: Did not have any military rejects.

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Total number of military and overseas absentee ballots rejected by reason.

Table 25a. Military and Overseas Absentee Ballots Rejected by Reason

State	Jur.	[A] No Date Wit. Sig.	[A] No Date Jur.	[B] No Date Vot. Sig.	[B] No Date Jur.	[C] Lacking Postmark	[C] Lacking Jur.	[D] No Voter Sig.	[D] No Voter Jur.	[E] Retd. Undeliv.	[E] Retd. Jur.	[F] Unmatch. Sig.	[F] Unmatch. Jur.	[G] Untimely Receipt	[G] Untimely Jur.	[H] Other Reason	[H] Other Jur.	[1] Total Rejected	[2] Total Requested	[3] Jur. Req.	[4] Rejects % Req.
Alabama	67	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	....
Alaska	1	82	1	0	0	3	1	18	1	0	0	0	0	11	1	0	0	114	3,614	1	3.2
Arizona	15	0	0	0	11	0	11	0	11	46	11	0	11	16	11	221	10	283	7,170	11	3.9
Arkansas	75	0	37	0	37	0	37	11	38	158	41	4	36	21	39	78	7	272	1,477	53	18.4
California	58	0	0	0	0	0	0	99	11	3,202	27	21	9	748	28	95	7	4,165	156,583	32	2.7
Colorado	64	0	3	0	3	0	3	6	7	1,362	18	3	6	154	23	109	7	1,634	9,290	61	17.6
Connecticut	8	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	.....	0	....
Delaware	3	0	3	0	3	0	3	0	3	23	3	0	3	45	3	10	3	78	1,266	3	6.2
Dist. of Columbia	1	0	0	0	0	0	1	2	1	13	1	0	1	9	1	1	1	25	275	1	9.1
Florida	67	0	67	0	67	0	67	79	67	2,477	67	67	67	580	67	423	67	3,626	96,465	67	3.8
Georgia	159	0	140	3	156	0	140	11	156	874	156	2	156	49	156	496	153	1,435	11,452	159	12.5
Hawaii	4	0	0	0	0	0	0	5	1	907	2	0	0	85	2	0	0	997	2,701	3	36.9
Idaho	44	0	44	0	44	0	44	15	44	187	44	0	44	66	44	21	44	289	1,774	44	16.3
Illinois	110	0	0	0	0	0	0	0	0	0	0	0	0	0	0	327	28	327	70,063	105	0.5
Indiana	92	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1,263	90	1,263	2,663	92	47.4
Iowa	99	0	0	0	0	0	0	11	99	4	99	0	0	20	99	13	99	48	0	0	....
Kansas	105	0	0	0	0	0	0	16	104	1,051	104	5	104	86	104	0	1	1,158	4,249	104	27.3
Kentucky	120	0	120	0	120	0	120	0	120	0	120	0	120	0	120	0	82	0	3,963	120	0.0
Louisiana	64	4	3	0	0	0	0	10	10	905	36	6	4	160	23	175	36	1,260	5,173	64	24.4
Maine	16	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1,086	16	0.0
Maryland	24	0	0	0	0	0	0	19	24	982	24	0	0	233	24	73	24	1,307	9,806	24	13.3
Massachusetts	14	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	2	2	88	2	2.3
Michigan	83	0	83	0	83	0	83	11	83	385	83	1	83	404	83	405	83	1,206	6,160	83	19.6
Minnesota	87	28	86	0	0	0	1	28	86	1,808	87	18	85	223	86	157	85	2,262	11,921	87	19.0
Mississippi	82	0	35	0	35	0	36	0	36	10	37	0	36	7	37	22	14	39	4,884	47	0.8
Missouri	116	18	116	0	116	0	116	12	116	1,123	116	0	116	308	116	339	62	1,800	7,705	116	23.4
Montana	56	0	56	0	56	0	56	1	56	1,039	56	0	56	40	56	10	3	1,090	2,813	56	38.7
Nebraska	93	0	2	0	2	0	2	4	5	280	19	0	2	25	8	3	3	312	1,869	49	16.7
Nevada	17	0	12	0	12	0	12	3	12	202	15	0	12	60	13	1	7	266	4,888	13	5.4
New Hampshire	10	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	.....
New Jersey	21	0	7	0	7	0	7	0	7	0	7	0	7	34	9	0	7	34	6,259	13	0.5
New Mexico	33	0	12	0	12	0	13	0	12	13	11	0	12	5	12	0	5	18	468	12	3.8
New York	58	0	0	0	0	118	58	337	58	0	0	0	0	0	0	1,976	58	2,431	36,789	58	6.6
North Carolina	100	0	2	0	0	0	0	19	99	3,093	98	0	0	212	97	1,196	98	4,520	10,823	99	41.8
North Dakota	53	0	53	0	53	2	53	1	53	1	53	0	53	5	53	0	14	9	271	53	3.3
Ohio	88	0	79	0	79	0	79	8	86	1,994	87	2	87	217	87	158	75	2,379	12,531	88	19.0
Oklahoma	77	0	4	0	4	0	4	0	4	0	4	0	4	69	23	13	9	82	4,206	77	1.9
Oregon	36	0	15	0	15	0	15	0	15	0	15	0	15	0	15	0	0	0	12,477	36	0.0
Pennsylvania	67	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	30,304	66	0.0
Rhode Island	5	0	1	0	1	0	1	0	1	0	0	0	1	0	0	0	0	0	911	5	0.0
South Carolina	46	0	0	0	0	0	0	0	0	0	0	0	0	62	11	0	0	62	6,212	45	1.0
South Dakota	66	0	27	0	27	0	27	2	28	210	39	1	27	37	36	136	17	386	9,095	41	4.2
Tennessee	95	0	2	0	2	0	2	4	5	624	37	1	3	104	33	3	4	736	26,333	49	2.8
Texas	254	0	139	0	140	0	139	35	254	9,562	254	27	254	316	254	521	254	10,461	181,637	254	5.8
Utah	29	0	23	0	23	0	22	74	24	15	23	0	23	8	23	0	15	97	912	25	10.6
Vermont	14	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	....
Virginia	134	1	3	0	2	0	2	6	7	457	33	0	2	0	2	19	15	483	16,924	131	2.9
Washington	39	0	33	0	34	1	33	7	34	804	32	43	33	15	33	17	32	887	29,834	20	3.0
West Virginia	55	0	0	20	1	0	0	1	1	73	12	0	0	9	4	3	1	106	3,935	41	2.7
Wisconsin	72	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	168,573	72	0.0
Wyoming	23	0	23	0	23	0	23	1	23	573	22	0	22	74	23	0	17	648	3,867	23	16.8
American Samoa	1	0	1	0	1	0	1	0	1	1	1	0	1	2	1	0	0	3	233	1	1.3
Guam	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	....
Puerto Rico	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	....
Virgin Islands	1	0	0	0	0	0	0	0	0	0	0	0	0	28	1	0	0	28	42	1	66.7
Sum of Above	3,123	133	1,232	23	1,169	124	1,212	856	1,803	34,458	1,894	201	1,495	4,547	1,861	8,286	1,539	48,628	992,034	2,623	4.9
Question		q42dnws		q42dvs		q42lp		q42nvs		q42r		q42v		q42w		q42o		q42total calc			

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Percentage of military and overseas absentee ballots rejected by reason (pcts.).

Table 25b. Military and Overseas Absentee Ballots Rejected by Reason-Percentages

		[A]		[B]		[C]		[D]		[E]		[F]		[G]		[H]		[I]	
		No Date		No Date		Lacking		No Voter		Retd.		Unmatch.		Untimely		Other		Total	
State	Jur.	Wit. Sig.	Jur.	Vot. Sig.	Jur.	Postmark	Jur.	Sig.	Jur.	Undeliv.	Jur.	Sig.	Jur.	Receipt	Jur.	Reason	Jur.	Rejected	Jur.
Alabama	67	.....	0	.....	0	.....	0	.....	0	.....	0	.....	0	.....	0	.....	0	0	67
Alaska	1	71.9	1	0.0	0	2.6	1	15.8	1	0.0	0	0.0	0	9.6	1	0.0	0	114	1
Arizona	15	0.0	0	0.0	11	0.0	11	0.0	11	16.3	11	0.0	11	5.7	11	78.1	10	283	15
Arkansas	75	0.0	37	0.0	37	0.0	37	4.0	38	58.1	41	1.5	36	7.7	39	28.7	7	272	75
California	58	0.0	0	0.0	0	0.0	0	2.4	11	76.9	27	0.5	9	18.0	28	2.3	7	4,165	58
Colorado	64	0.0	3	0.0	3	0.0	3	0.4	7	83.4	18	0.2	6	9.4	23	6.7	7	1,634	64
Connecticut	8	.....	0	.....	0	.....	0	.....	0	.....	0	.....	0	.....	0	.....	0	0	8
Delaware	3	0.0	3	0.0	3	0.0	3	0.0	3	29.5	3	0.0	3	57.7	3	12.8	3	78	3
Dst. of Columbia	1	0.0	1	0.0	0	0.0	1	8.0	1	52.0	1	0.0	1	36.0	1	4.0	1	25	1
Florida	67	0.0	67	0.0	67	0.0	67	2.2	67	68.3	67	1.8	67	16.0	67	11.7	67	3,626	67
Georgia	159	0.0	140	0.2	156	0.0	140	0.8	156	60.9	156	0.1	156	3.4	156	34.6	153	1,435	159
Hawaii	4	0.0	0	0.0	0	0.0	0	0.5	1	91.0	2	0.0	0	8.5	2	0.0	0	997	4
Idaho	44	0.0	44	0.0	44	0.0	44	5.2	44	64.7	44	0.0	44	22.8	44	7.3	44	289	44
Illinois	110	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	100.0	28	327	110
Indiana	92	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	100.0	90	1,263	92
Iowa	99	0.0	0	0.0	0	0.0	0	22.9	99	8.3	99	0.0	0	41.7	99	27.1	99	48	99
Kansas	105	0.0	0	0.0	0	0.0	0	1.4	104	90.8	104	0.4	104	7.4	104	0.0	1	1,158	105
Kentucky	120	.....	120	.....	120	.....	120	.....	120	.....	120	.....	120	.....	120	.....	82	0	120
Louisiana	64	0.3	3	0.0	0	0.0	0	0.8	10	71.8	36	0.5	4	12.7	23	13.9	36	1,260	64
Maine	16	.....	0	.....	0	.....	0	.....	0	.....	0	.....	0	.....	0	.....	0	0	16
Maryland	24	0.0	0	0.0	0	0.0	0	1.5	24	75.1	24	0.0	0	17.8	24	5.6	24	1,307	24
Massachusetts	14	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	100.0	2	2	14
Michigan	83	0.0	83	0.0	83	0.0	83	0.9	83	31.9	83	0.1	83	33.5	83	33.6	83	1,206	83
Minnesota	87	1.2	86	0.0	0	0.0	1	1.2	86	79.9	87	0.8	85	9.9	86	6.9	85	2,262	87
Mississippi	82	0.0	35	0.0	35	0.0	36	0.0	36	25.6	37	0.0	36	17.9	37	56.4	14	39	82
Missouri	116	1.0	116	0.0	116	0.0	116	0.7	116	62.4	116	0.0	116	17.1	116	18.8	62	1,800	116
Montana	56	0.0	56	0.0	56	0.0	56	0.1	56	95.3	56	0.0	56	3.7	56	0.9	3	1,090	56
Nebraska	93	0.0	2	0.0	2	0.0	2	1.3	5	89.7	19	0.0	2	8.0	8	1.0	3	312	93
Nevada	17	0.0	12	0.0	12	0.0	12	1.1	12	75.9	15	0.0	12	22.6	13	0.4	7	266	17
New Hampshire	10	.....	0	.....	0	.....	0	.....	0	.....	0	.....	0	.....	0	.....	0	0	10
New Jersey	21	0.0	7	0.0	7	0.0	7	0.0	7	0.0	7	0.0	7	100.0	9	0.0	7	34	21
New Mexico	33	0.0	12	0.0	12	0.0	13	0.0	12	72.2	11	0.0	12	27.8	12	0.0	5	18	33
New York	58	0.0	0	0.0	0	4.9	58	13.9	58	0.0	0	0.0	0	0.0	0	81.3	58	2,431	58
North Carolina	100	0.0	2	0.0	0	0.0	0	0.4	99	68.4	98	0.0	0	4.7	97	26.5	98	4,520	100
North Dakota	53	0.0	53	0.0	53	22.2	53	11.1	53	11.1	53	0.0	53	55.6	53	0.0	14	9	53
Ohio	88	0.0	79	0.0	79	0.0	79	0.3	86	83.8	87	0.1	87	9.1	87	6.6	75	2,379	88
Oklahoma	77	0.0	4	0.0	4	0.0	4	0.0	4	0.0	4	0.0	4	84.1	23	15.9	9	82	77
Oregon	36	.....	15	.....	15	.....	15	.....	15	.....	15	.....	15	.....	15	.....	0	0	36
Pennsylvania	67	.....	0	.....	0	.....	0	.....	0	.....	0	.....	0	.....	0	.....	0	0	67
Rhode Island	5	.....	1	.....	1	.....	1	.....	1	.....	0	.....	1	.....	0	.....	0	0	5
South Carolina	46	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	100.0	11	0.0	0	62	46
South Dakota	66	0.0	27	0.0	27	0.0	27	0.5	28	54.4	39	0.3	27	9.6	36	35.2	17	386	66
Tennessee	95	0.0	2	0.0	2	0.0	2	0.5	5	84.8	37	0.1	3	14.1	33	0.4	4	736	95
Texas	254	0.0	139	0.0	140	0.0	139	0.3	254	91.4	254	0.3	254	3.0	254	5.0	254	10,461	254
Utah	29	0.0	23	0.0	23	0.0	22	76.3	24	15.5	23	0.0	23	8.2	23	0.0	15	97	29
Vermont	14	.....	0	.....	0	.....	0	.....	0	.....	0	.....	0	.....	0	.....	0	0	14
Virginia	134	0.2	3	0.0	2	0.0	2	1.2	7	94.6	33	0.0	2	0.0	2	3.9	15	483	134
Washington	39	0.0	33	0.0	34	0.1	33	0.8	34	90.6	32	4.8	33	1.7	33	1.9	32	887	39
West Virginia	55	0.0	0	18.9	1	0.0	0	0.9	1	68.9	12	0.0	0	8.5	4	2.8	1	106	55
Wisconsin	72	.....	0	.....	0	.....	0	.....	0	.....	0	.....	0	.....	0	.....	0	0	72
Wyoming	23	0.0	23	0.0	23	0.0	23	0.2	23	88.4	22	0.0	22	11.4	23	0.0	17	648	23
American Samoa	1	0.0	1	0.0	1	0.0	1	0.0	1	33.3	1	0.0	1	66.7	1	0.0	0	3	1
Guam	1	.....	0	.....	0	.....	0	.....	0	.....	0	.....	0	.....	0	.....	0	0	1
Puerto Rico	1	.....	0	.....	0	.....	0	.....	0	.....	0	.....	0	.....	0	.....	0	0	1
Virgin Islands	1	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	100.0	1	0.0	0	28	1
Sum or Average	3,123	1.7	1,232	0.4	1,169	0.7	1,212	4.1	1,803	50.4	1,894	0.3	1,495	23.1	1,861	19.3	1,539	48,828	3,123
Question		q42dnws		q42dvs		q42lp		q42nvs		q42r		q42v		q42w		q42o		q42total	

Tables 25a,b. Military and Overseas Absentee Ballots Rejected, by Reason

Question 42. Total number Statewide and by county/local jurisdiction of military and overseas absentee ballots rejected for each of the following reasons for the November 7, 2006, Federal general elections. *The 'Total Requested' is from Table 22: 'Sum of UOCAVA'. Note that ballots returned as undeliverable [E] are included in the 'Total Rejected' even though they were not submitted by the voter.*

Arizona – Several jurisdictions reported: Not tracked.

Connecticut – Spreadsheet data does not make a distinction between civilian and military rejected absentee ballots.

District of Columbia – 102 of these ballots were not returned.

Florida – One jurisdiction reported: All these numbers are included with above domestic civilian, as they are not separated for canvassing purposes. Another reported: Clay County does not enter ballots into the system at all that are not received by the State deadline.

Idaho – There is no requirement within Idaho Code to require a signature of a witness or notary on an absentee ballot that is returned by UOCAVA voters.

Indiana – Reason codes for rejected ballots are tracked on an individual voter basis, but are not aggregated at the county or State level.

Iowa – Not sealed: 5, Returned not voted: 4, Voter deceased: 2, Wrong voting address: 1.

Kansas – The returned as undeliverable contains federal service ballots that were not delivered.

Kentucky – The State reported: Our number of rejected absentee ballots can not be broken down into subcategories like domestic civilian and military/overseas ballots. Therefore, all rejected absentee were put in the domestic civilian category as the survey design does not provide us with any other option to report our numbers.

Maine – The State does not require municipalities to report the reason that ballots were rejected. Once the State's CVR is fully implemented, the State will have visibility of the reasons that ballots were rejected as clerks will be required to update their list of absentee voters after the polls are closed on Election Night.

Maryland – The following rejection reasons are not valid reasons for rejection under Maryland law: [A] and [F]. Neither of the reasons [B] or [C] by itself is a valid rejection reason under Maryland law. If the absentee ballot is not received by 8:00 p.m. on Election Day, the local board uses the postmark on the envelope to determine whether the ballot was mailed before Election Day. If the postmark is not legible, the date the voter signed the affidavit is used to determine if the absentee ballot is timely.

Massachusetts – This office does not collect the reasons why absentee ballots were rejected.

New Jersey – One jurisdiction reported: County does not separate reasons.

North Carolina – "Other" consists of various reasons.

Oklahoma – Ballot was returned after 7pm.

Oregon – We are currently unable to separate out domestic civilian absentee, domestic military, overseas military citizen, overseas citizens and federal write-in absentee ballots. All categories are included in the answers to Question 41.

Texas – One jurisdiction reported: Ballots returned were due to military transfers. New addresses provided apparently were not good addresses as these were returned also. Several jurisdictions reported: ballots were never returned. Another jurisdiction reported: Did not have any military rejects.

CROSS REFERENCE OF SURVEY QUESTIONS TO TABLES

Questions 1-31. See **NVRA Report**

Question 32. See **Election Day Report**

Question 33. Total number of ballots cast
See **Table 19. UOCAVA Ballots Cast by Category**

Question 34. Total number of ballots counted
See **Table 20. UOCAVA Ballots Counted by Category**

Question 35-37. See **Election Day Report**

Question 38. Absentee Ballots Requested
See **Table 22. UOCAVA Ballots Requested**

Question 39. Advanced Ballots Transmitted
See **Table 23. Advanced Ballots Transmitted**

Question 40. Federal Write-in Absentee Ballots Received
See **Table 24. FWAB Ballots Received**

Question 41. See **Election Day Report**

Question 42. Military and Overseas Ballots Rejected
See **Tables 25a,b. Military and Overseas Ballots Rejected by Reason**

Questions 43-58. See **Election Day Report**

Extract of Questions from 2006 Election Administration and Voting Survey

NOVEMBER 7, 2006, ELECTION RESULTS

33. Total number statewide and by county/local jurisdiction, for the November 7, 2006, Federal general elections of **BALLOTS CAST**:

At the polls:	_____	Don't know	Check if your office does not collect this data
Early voting:	_____	Don't know	Check if your office does not collect this data
Domestic civilian absentee ballot:	_____	Don't know	Check if your office does not collect this data
Domestic military:*	_____	Don't know	Check if your office does not collect this data
Overseas military:*	_____	Don't know	Check if your office does not collect this data
Overseas citizens:*	_____	Don't know	Check if your office does not collect this data
FWAB:	_____	Don't know	Check if your office does not collect this data
Provisional ballots:*	_____	Don't know	Check if your office does not collect this data

*The number provided in response to this question should include the total number of ballots cast in the State's program for contingent or provisional ballots that comply with Section 302(a) of the Help America Vote Act of 2002 (HAVA).

***UOCAVA voters:** If you are not able to separate ballots cast for UOCAVA voters into the categories above, please, provide the combined total statewide and by county/local jurisdiction:

Total: _____ Don't know Check if your office does not collect this data

Comments:

34. Total number statewide and by county/local jurisdiction, for the November 7, 2006, Federal general elections of **BALLOTS COUNTED**:

At the polls:	_____	Don't know	Check if your office does not collect this data
Early voting:	_____	Don't know	Check if your office does not collect this data
Domestic civilian absentee ballot:	_____	Don't know	Check if your office does not collect this data
Domestic military:*	_____	Don't know	Check if your office does not collect this data
Overseas military:*	_____	Don't know	Check if your office does not collect this data
Overseas citizens:*	_____	Don't know	Check if your office does not collect this data
FWAB:	_____	Don't know	Check if your office does not collect this data
Provisional ballots:	_____	Don't know	Check if your office does not collect this data

***UOCAVA voters:** If you are not able to separate ballots counted for UOCAVA voters into the categories above, please, provide the combined total statewide and by county/local jurisdiction:

Total: _____ Don't know Check if your office does not collect this data

Comments:

38. Total number statewide and by county/local jurisdiction of **absentee ballots REQUESTED (do not include FWAB)** for the November 7, 2006, Federal general elections *(includes ballots transmitted by mail, fax, e-mail, or courier):*

Domestic civilian absentee ballot: _____ Don't know Check if your office does not collect this data

Domestic military:* _____ Don't know Check if your office does not collect this data

Overseas military:* _____ Don't know Check if your office does not collect this data

Overseas citizens:* _____ Don't know Check if your office does not collect this data

***UOCAVA voters:** If you are not able to separate absentee ballots requested for UOCAVA voters into the categories above, please, provide the combined total statewide and by county/local jurisdiction:

Total: _____ Don't know Check if your office does not collect this data

Comments:

39. Total number statewide and by county/local jurisdiction of **advanced ballots TRANSMITTED** to military and overseas citizens for the November 7, 2006 Federal general elections: (***Advanced ballot** means any special Write-In Absentee Ballot, State Write-In Absentee Ballot, Special Write-In Early Ballot, or Blank Absentee Ballot that is distributed by a state in advance of the publication of an official ballot for a federal election on which military and overseas citizens are allowed to write in the name of the candidate in each contest for whom they choose to vote.)*

Domestic military:* _____ Don't know Check if your office does not collect this data

Overseas military:* _____ Don't know Check if your office does not collect this data

Overseas citizens:* _____ Don't know Check if your office does not collect this data

***UOCAVA voters:** If you are not able to separate advance ballots transmitted for UOCAVA voters into the categories above, please, provide the combined total statewide and by county/local jurisdiction:

Total: _____ Don't know Check if your office does not collect this data

Comments:

40. Total number statewide and by county/local jurisdiction of **Federal Write-In Absentee Ballots (FWAB) RECEIVED** from each of the following categories of voters for the November 7, 2006, Federal general elections:

Domestic military:* _____ Don't know Check if your office does not collect this data

Overseas military:* _____ Don't know Check if your office does not collect this data

Overseas citizens:* _____ Don't know Check if your office does not collect this data

***UOCAVA voters:** If you are not able to separate the FWAB received for UOCAVA voters into the categories above, please, provide the combined total statewide and by county/local jurisdiction:

Total: _____ Don't know Check if your office does not collect this data

Comments:

42. Total number statewide and by county/local jurisdiction of **military and overseas absentee ballots REJECTED** for each of the following reasons for the November 7, 2006, Federal general elections:

Had no date of notary/ witness signature:	_____	Don't know	Check if your office does not collect this data
Had no date of voter signature:	_____	Don't know	Check if your office does not collect this data
Lacked a postmark:	_____	Don't know	Check if your office does not collect this data
No voter signature:	_____	Don't know	Check if your office does not collect this data
Returned as undeliverable:	_____	Don't know	Check if your office does not collect this data
Voter signature not verifiable:	_____	Don't know	Check if your office does not collect this data
Was received after the state deadline:	_____	Don't know	Check if your office does not collect this data
Other *(please, specify)*:	_____	Don't know	Check if your office does not collect this data

Comments:

U.S. Election Assistance Commission

EAC Commissioners
Chair Donetta L. Davidson
Vice Chair Rosemary E. Rodriguez
Commissioner Caroline Hunter
Commissioner Gracia M. Hillman

EAC Staff
Thomas Wilkey, Executive Director
Juliet Hodgkins, General Counsel

U.S. Election Assistance Commission
1225 New York Ave., NW
Suite 1100
Washington, DC 20005
1-866-747-1471 (toll free)
HAVAinfo@eac.gov
www.eac.gov

Mr. EHLERS. The Military Voting Protection Act is designed to ensure absentee ballots submitted by military personnel who have little control over their geographic assignments are delivered to election officials in a timely fashion. While this bill only addresses ballots cast by those serving in our military overseas, it is an important first step in ensuring that all registered voters living abroad are able to cast a ballot. And for that reason, I thank Representative Maloney for her interest in ensuring that all civilians as well as military people are able to cast a ballot and have their votes counted.

As we know, in addition to those who serve our country in the Armed Forces, there are millions of Americans living abroad who, despite the distance from their home district, look forward to casting their ballots in support of candidates in the United States. And I might mention, this is not true just of the Federal ballot, but also many of those abroad take a deep interest in local and State issues back home and really deserve to vote. Registered voters overseas should be able to cast their ballots with confidence; that they will be received and counted and the persons voices will be heard.

I look forward to hearing from our witnesses today about potential solutions to addressing the challenges posed to our citizens living overseas who wish to exercise their right to vote. I am confident that the members of this committee can work towards finding a solution in a bipartisan fashion, because this is a bipartisan issue, an issue that will ensure that every legitimate vote is counted regardless of the location of the voter.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

[The statement of Mr. Ehlers follows:]

[After Chairman Brady's opening remarks]

Thank you Chairman Brady for calling this hearing, and to our witnesses for joining us today to discuss military and overseas voting.

I'd also like to commend Rep. McCarthy for his leadership in introducing H.R. 5673, the Military Voting Protection, or MVP Act. This bill, which I was proud to co-sponsor, will ensure that military personnel are not left out of the election process while serving their country overseas. Just yesterday, Rep. McCarthy's bill received a major endorsement from *Vets for Freedom,* which is the nation's largest veterans' organization for those who served in Iraq or Afghanistan. Their endorsement further reflects a strong desire of our nation's servicemen and women to participate in the very freedoms that they protect each day from posts around the world.

H.R. 5673 is also important because studies have shown that our military personnel overseas have cast votes that were

not counted due to lengthy delivery times involved in returning the ballots to the United States. In September 2007, the Election Assistance Commission (EAC) released a report on military and overseas absentee voting, which found that "the third largest reason for rejected ballots was that they were received by the election offices after the deadline stipulated by State law." The EAC's findings also suggested that roughly 10% of all uncounted military and overseas absentee ballots were rejected because they were received past the required deadline. The MVP Act is designed to ensure absentee ballots submitted by military personnel, who have little control over their geographic assignments, are delivered to election officials in a timely fashion. While H.R. 5673 only addresses ballots cast by those serving in our military overseas, it is an important first step in ensuring that ***all*** registered voters living abroad are able to cast a ballot.

In addition to those who serve our country in the armed forces, there are millions of Americans living abroad who, despite the distance from their home district, look forward to casting their ballots in support of candidates in the United

States. Registered voters overseas should be able to cast their ballots with confidence that they will be received, and their voices will be heard. I look forward to hearing from our witnesses today about potential solutions to addressing the challenges posted to our citizens living overseas who wish to exercise their right to vote. I am confident that the Members of this Committee can work towards finding a solution in a bi-partisan fashion that will ensure that every legitimate vote is counted, regardless of the location of the voter.

Thank you, and I reserve the balance of my time.

The CHAIRMAN. Anybody else like to make a statement? Nobody else? Then I would like to welcome our distinguished panel. Congressman Kevin McCarthy represents the 22nd District of California and a Member of our House Administration Committee. And Congresswoman Carolyn Maloney represents the 14th District of New York and Chairman of the Financial Institution Subcommittee on the Financial Services Committee.

I would also like to welcome Kevin McCarthy's wife and children: Judy; his son and his daughter, Connor and Meghan. Thank you for your participation. And for his wife, I have a nice list of very expensive restaurants. We will talk later.

Thank you so much. I would like to now recognize the Honorable Kevin McCarthy.

STATEMENT OF THE HON. KEVIN McCARTHY, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. MCCARTHY. Thank you, Chairman Brady and Ranking Member Ehlers, for holding this important hearing today to look at ways we can improve military and overseas voting. Specifically I appreciate the opportunity to testify regarding a bill I recently introduced to ensure our troops' votes are counted. Also I want to thank my colleagues on the committee for joining in this discussion today to look into ways to protect the votes of our brave men and women defending us abroad.

When I was first named to this committee I was proud to join a committee where Republicans and Democrats are known to work together to find solutions. I want to be active in looking at our elections and working for solutions that rightfully gives American voters full confidence in their vote to be counted and counted correctly.

Last year I went to Iraq and Afghanistan and was honored to meet with our troops, who told me how proud they were to fight for our country. Every day our troops fight for our country. They fight for their mission. Most of all they fight to protect our Constitution and the democratic ideas that have carried our Nation forward for over 200 years.

With that in mind, a recent EAC study on military and overseas voting reported that only 47.6 percent of absentee ballots requested by members of the military ended up being counted. I was appalled at the fact that so many votes of our military servicemen and women were not being counted, both because they were unable to get their absentee ballots as they serve abroad, and because their ballots were not counted because they might not have been received by election officers in time. Moreover, when votes are systematically uncounted because of lack of dependability on ballot deliveries, both stateside and abroad, our brave men and women serving our country cannot rely on the fact that their vote was counted. How ironic it is that our servicemen and women may not be able to participate in the very constitutional freedoms or democracy they are so courageously protecting.

I have introduced the Military Voting Protection Act in order to help address one problem that could possibly be addressed quickly. According to studies, 23 percent of ballots arrive too late to be counted under deadlines applied by States. My legislation, cosponsored by my friends, Ranking Member Ehlers and Congressman

Lungren, would amend UOCAVA to provide for expedient collection and delivery of overseas uniformed servicemembers' ballots. This bill would do so by directing the Department of Defense to make additional provisions for collection, transportation and tracking of absentee ballots of overseas uniformed service voters. It would allow the Department of Defense to do so by using private carriers, and would ensure that servicemembers have access to a tracking mechanism so they know that their ballot arrived and was counted. This "expediting" and this assurance is the least we can do for our men and women serving abroad defending our freedoms, like our democratic right to vote.

With that said, I would like to work with all members of the committee. This bill is by no means a comprehensive solution to ensuring our servicemen and women that their votes will be counted. However, I believe it is a good first step that we can build upon in a bipartisan fashion so that our heroes abroad can participate in this year's historic Presidential election and Federal elections thereafter.

We must do more to ensure the franchise of our military voters, and I stand ready to work with you, Mr. Chairman, our House colleagues, the military community, State and local officials, to strengthen and protect military votes.

Thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

[The statement of Mr. McCarthy follows:]

Testimony of Congressman Kevin McCarthy

Hearing on the Military and Overseas Voting: Problems and Progress in Ensuring the Vote

Committee on House Administration
April 15, 2008

Thank you, Chairman Brady and Ranking Member Ehlers, for holding this important hearing today to look at ways we can improve military and overseas voting. Specifically, I appreciate the opportunity to testify regarding a bill I recently introduced to ensure our troops' votes are counted. And I also thank my colleagues on the Committee for joining in this discussion today to look into ways to protect the votes of our brave men and women defending us abroad.

When I was first named to this Committee, I was proud to join a Committee where Republicans and Democrats are known to work together to find solutions. I wanted to be active in looking at our elections and working for solutions that rightfully give American voters full confidence that their vote will be counted, and counted correctly.

Last year, I went to Iraq and Afghanistan and was honored to meet our troops, who told me how proud they were to fight for our country. Everyday, our troops fight for our country. They fight for their mission. Most of all, they fight to protect our Constitution, and the democratic ideals that have carried our nation forward for over 200 years.

With that in mind, after a recent EAC study on military and overseas voting reported that only 47.6 percent of absentee ballots requested by members of the military ended up being counted, I was appalled at the fact that so many votes by our military servicemen and women were not being counted, both because they were unable to get their absentee ballots as they serve abroad, and because their ballots were not counted because they might not have been received by their election officials in time. Moreover, when votes are systematically uncounted because of the lack of dependability of ballot deliveries, both stateside and abroad, our brave men and women serving our country cannot rely on the fact that their vote counted. How ironic it is that our servicemen and women may not be able to participate in the very constitutional freedoms of democracy that they are so courageously protecting.

I have introduced the Military Voting Protection Act in order to help address one problem that could possibly be addressed quickly. According to studies, 23% percent of ballots arrived too late to be counted under deadlines applied by states. My legislation, cosponsored by my friends Ranking Member Ehlers and Congressman Lungren, would amend the UOCAVA to provide for the expedited collection and delivery of overseas uniformed servicemembers' ballots.

The bill would do so by directing the Department of Defense to make additional provisions for the collection, transportation, and tracking of the absentee ballots of overseas uniformed services voters. It would allow the Department of Defense to do so by using private carriers, and would ensure that servicemembers have access to a tracking

mechanism so they know that their ballot arrived and was counted. This expediting, and this assurance, is the least we can do for our men and women serving abroad, defending our freedoms, like our democratic right to vote.

With that said, I would like to work with all Members of the Committee. This bill is by no means a comprehensive solution to assuring our military servicemen and women that their votes will count. However, I believe it is a good first step that we can build upon in a bipartisan fashion, so that our heroes abroad can participate in this year's historic presidential election, and Federal elections thereafter. We must do more to ensure the franchise of our military voters, and I stand ready to work with you, Mr. Chairman, our House colleagues, the military community, and state and local officials to strengthen and protect military votes.

The CHAIRMAN. The Honorable Carolyn Maloney.

STATEMENT OF THE HON. CAROLYN MALONEY, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK

Mrs. MALONEY. Thank you so much, Mr. Chairman and Ranking Member Ehlers, for inviting me to testify today, and Zoe Lofgren and Mr. Davis and other members of the committee. I think that it is very important that we focus on the voting problems that are faced by military personnel and our overseas citizens.

I also want to acknowledge the hard work of my colleague Kevin McCarthy and Representative Honda, who have likewise introduced legislation to improve overseas voting. I know that we all agree that regardless of political affiliation, all American citizens should be able to exercise their right to vote.

I became interested in this issue through the census where we were working in a bipartisan way to count Americans abroad, both in the military and in our workforce. And as we moved to more of a globalized economy, we have, out of necessity, many Americans working and living abroad. Along with the military, their votes should be counted, yet it seems that election after election we are facing these same problems of lack of access to information, lack of access to ballots, and confusing procedures for submitting completed ballots to local and State election officials.

Although I, Representative Honda and Representative McCarthy have all introduced bills designed to make the voting process easier, I fear that our efforts will be in vain because of the incompetence of the Federal Voting Assistance Program housed within the Department of Defense. The 2006 election sadly was the status quo for the Federal Voting Assistance Program. For example, only 33 percent of military absentee voters were even aware of the Federal Post Card Application, the form used to request an absentee ballot. Only 25 percent had received the Federal Post Card Application by the DOD deadline of January 15th. No wonder so few people voted. They didn't even get the application. And only 5 percent of Unit Voting Assistance Officers had delivered the Federal Post Card Applications to their personnel by the January 15th deadline.

Lastly, the Federal Voting Assistance Program spent an astonishing $1.1 million on the Integrated Voting Assistance System, but only eight votes were traced back to the system.

I have raised my concerns with the officials of the Federal Voting Assistance Program numerous times, both in writing and calls and in person, and yet the FVAP continues to spend millions in taxpayer dollars, and the situation for military and overseas voters does not seem to get any better. I truly believe that Congress must step in to provide the necessary leadership to ensure that the 3 to 6 million American citizens who live and work abroad or serve in our military are being represented at the State, local and Federal levels.

Last year in a bipartisan way, along with Representative Joe Wilson, we founded the Americans Abroad Caucus in the hope that we can help give these individuals a voice in Congress. I have also introduced legislation, H.R. 4237, the Overseas Voting Practical Amendments Act, to make it easier for overseas voters to vote.

According to the U.S. Election Assistance Commission, about two-thirds of the absentee ballots requested for the 2006 elections by overseas Americans were not even counted. Ballots either weren't received in time, were sent to an incorrect address, or filled out incorrectly. Most of these errors result from the unnecessary complexity of the process.

The practical amendments bill that I have introduced proposes simple, inexpensive fixes that will help change that and ensure the votes of every overseas American are counted. These changes include designating one official form as the overseas Federal voter registration and ballot application.

Secondly, it would prohibit States from refusing to accept balloting materials because they are generated by a computer program. If we had one Federal ballot, then they could download it from computers on our bases and overseas and use it. States have refused ballots for really ridiculous reasons, such as the weight of the paper or really things that have absolutely nothing related to election fraud. I, for one, do not support Internet electronic voting. We are talking about paper ballots and not refusing paper ballots for silly reasons, which oftentimes they do.

Thirdly, it would ensure that States provide correct information and sufficient postage on preaddressed materials to prevent overseas mail from going astray.

And it would allow overseas voters to automatically receive requests for absentee ballots.

It would extend the voting rights to American citizens' children born overseas who may have never spent enough time on any visits to the U.S. to establish residency before voting age. I have had several constituents whose sons or daughters have been living overseas with them, they become 18, and they cannot vote without moving back to the United States.

We should give overseas voters more time to correct a rejection of their voter registration or absentee ballot requests prior to election day, and allow the State Department to help transmit the ballots of overseas voters in countries with inadequate mail service. Often in Third World countries, now citizens in other countries can vote at their consulates. This would allow in certain areas where there isn't a service, where our Peace Corps members are working, or some of our oil companies may be working, that they could vote at the consulate in their region.

I believe that these basic improvements would go a long way towards improving the voting situation for our overseas citizens, and I look forward to working with my colleagues on both sides of the aisle as we move toward this new election.

Mr. Chairman, I request permission to place in the record a CRS review of the legislation that I have put forward, an explanation of the need for this legislation, and also independent research in support of the legislation that I have put forward by the Pew Foundation in support of practical ways that we could improve overseas voting.

I would just like to close that we are——

The CHAIRMAN. Without objection.

[The information follows:]

Memorandum December 6, 2007

TO: Honorable Carolyn B. Maloney
Attention: Jennifer Keaton

FROM: Kevin J. Coleman
Analyst in Elections
Government and Finance Division

SUBJECT: Analysis of H.R. 4237, the Overseas Practical Amendments Act of 2007

This memorandum is sent in response to your request for a section-by-section analysis of H.R. 4237, introduced by Representative Maloney on November 15, 2007.

Sec. 1. Short Title.

The Act may be cited as the "Overseas Voting Practical Amendments Act of 2007."

Sec. 2. Designation of Official Federal Form as Federal Voter Registration and Ballot Application.

Section 2 would amend the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA, 42 U.S.C. 1973ff) to substitute the term "official Federal Voter Registration and Ballot Application" for "official post card form" in the law. Presumably, the change is intended clarify any ambiguity concerning the "post card" form prescribed by the Act to enable eligible persons to simultaneously register and apply for a ballot. The amendment would make clear that the law refers to the federal form (rather than any similar state form) described in the law and is an application to both register and apply for an absentee ballot.

The amendment is apparently intended to eliminate instances where a local election official receives the form and duly registers the voter, but does not process the form as an absentee ballot application. It is possible that, because states use a separate absentee ballot application form for regular voters, some states have not made the necessary changes to laws or procedures to accept the federal post card form as a ballot application. In any case, a military or overseas voter who submits the federal form currently in use and expects to receive an absentee ballot prior to an election may be disenfranchised if the ballot does not arrive and the voter does not have sufficient time to make a second request.

Finally, a related section of current law requires that each state provide ballots for federal elections through the next two general elections if the applicant requests that the post

card application be considered to apply for two election cycles.[1] A voter could potentially be disenfranchised in sequential elections if the post card form is not properly processed as a ballot application.

Sec. 3. Prohibiting Refusal to Accept Applications, Ballots, and Other Materials for Failure to Meet Nonessential Requirements.

Section 3(a) would amend the law to prohibit states from refusing to accept voter registration and ballot applications, including the federal post card application, from voters covered under UOCAVA for the following reasons:

- the application is not on a post card, was produced using a computer program or the Internet, or is a facsimile of an official application;
- the federal post card form does not include specific information that is included on the state application;
- the application, the return envelope, or any affidavit or attestation does not conform to requirements under state law pertaining to the size, shape, weight, or color of the paper on which it is produced;
- the application is not notarized by a Notary Public or other authorized person;
- the application is received by the state other than through delivery by the United States Postal Service;
- the application, the return envelope, and the affidavit or attestation does not meet some other requirement that is intended to prevent fraud, as determined by the presidential designee with responsibility for UOCAVA.

Section 3(b) would amend the law to prohibit states from refusing to accept an absentee ballot, including the federal write-in ballot from voters covered under UOCAVA for the following reasons:

- the ballot was printed or produced using a computer program or the Internet, or is a facsimile of the original ballot;
- the ballot, the return envelope, or any affidavit or attestation does not conform to requirements under state law pertaining to the size, shape, weight, or color of the paper on which it is produced;
- the ballot is not notarized by a Notary Public or other authorized person;
- the ballot is received by the state other than through delivery by the United States Postal Service;
- the ballot, the return envelope, and the affidavit or attestation does not meet some other requirement that is intended to prevent fraud, as determined by the presidential designee with responsibility for UOCAVA.

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[1] 42 U.S.C. § 1973ff-3(a) states: "If a State accepts and processes an official post card form (prescribed under section 1973ff of this title) submitted by an absent uniformed services voter or overseas voter for simultaneous voter registration and absentee ballot application (in accordance with section 1973ff–1 (a)(4) of this title) and the voter requests that the application be considered an application for an absentee ballot for each subsequent election for Federal office held in the State through the next 2 regularly scheduled general elections for Federal office (including any runoff elections which may occur as a result of the outcome of such general elections), the State shall provide an absentee ballot to the voter for each such subsequent election."

Section three presumably seeks to eliminate instances where an otherwise valid application or ballot is rejected for technical reasons that may differ from state to state. The intent of UOCAVA when it was adopted in its original form in 1942,[2] and subsequently amended, was to eliminate barriers for a class of voters disadvantaged by their necessary absence from their voting jurisdiction on election day. Part of the challenge facing military and overseas voters is the numerous state rules and regulations that can complicate the absentee process. For example, design specifications for absentee ballots concerning the color or weight of the paper would likely affect *only* military and overseas voters, assuming that the regular state absentee ballot is designed to meet such criteria. Because of the recent trend in some states to allow UOCAVA voters to send voted ballots by facsimile, a ballot sent in this manner (that might otherwise meet weight and color standards) could be rejected. Furthermore, some UOCAVA voters use the Federal Write-In Absentee Ballot (FWAB), a "failsafe" measure that is used at the voter's discretion if the state absentee ballot does not arrive in time to be returned before the election. H.R. 4237 would provide a remedy for any of these cases by prohibiting such requirements altogether for UOCAVA voters.

This section would also remove any requirement for notarization, a problem for some voters covered by UOCAVA who do not have access to a notary. For citizens living abroad, notarization of ballot materials could be accomplished at a U.S. Embassy or Consulate, but could prove onerous to those who do not live in close proximity to towns or cities with one of these offices. Likewise, any state requirement that disqualifies a ballot because it was delivered by any means other than the postal service can be a hindrance to military and overseas voting. Such restrictions could be problematic if a voter sends a ballot by facsimile, through the military mail service, or by diplomatic pouch, for example.

Sec. 4. Requiring Clarification of Postage Markings on Certain Balloting Materials Mailed by State.

This section would require that pre-printed envelopes for the return of voted ballots carry the designation "United States of America" or "USA" in the return address. This provision would seem to specifically address cases where an overseas voter (either military or civilian) could be disenfranchised because the envelope does not indicate the country to which it should be delivered. It cannot reasonably be assumed that all overseas mail services personnel would be familiar with the names of every U.S. state; the provision arguably provides a simple solution to non-delivery of ballots because of insufficient information.

Sec. 5. Provision of Ballots in Subsequent Elections.

The fifth section would amend UOCAVA to extend indefinitely the period for which a voter would receive absentee ballots if the voter marked that choice on the official post card application. The state would continue to send ballots to the voter's address until an absentee ballot or other election material was returned as undeliverable or with no forwarding address, or a new absentee ballot form was received. Under current law, a voter receives ballots through the next two general elections for federal office by marking that choice on the application.

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[2] P.L.712, 56 Stat. 753-757.

The amendment would make the state responsible for providing the absentee ballot to the voter on a continuing basis, rather than requiring the voter to submit a new absentee ballot request after two general election cycles have elapsed. For the voter, a change of address would require sending in a new absentee ballot request, rather than requiring the voter to remember, at the risk of disenfranchisement, when the last request was sent. The change would seem to be more advantageous to overseas civilians, who might be less likely to move, than military voters.

Sec. 6. Application of UOCAVA to Individuals Never Residing in United States Whose Parents are Overseas Voters.

The sixth section would amend UOCAVA to add explicit language to insure that individuals born to American citizens abroad who have never lived in the United States are covered under the law. Under current law, an overseas voter is defined as:

> (A) an absent uniformed services voter who, by reason of active duty or service, is absent from the United States on the date of an election;
>
> (B) a person who resides outside the United States and is qualified to vote in the last place in which the person was domiciled before leaving the United States; or
>
> (C) a person who resides outside the United States and (but for such residence) would be qualified to vote in the last place in which the person was domiciled before leaving the United States.

The law does not specifically refer to those who are born to American parents abroad and who have never lived in the United States.

The amendment would seem to resolve any ambiguity concerning those who are citizens by virtue of their parentage, but who cannot themselves claim a previous domicile.

Sec. 7. Requiring Prompt Notification of Rejection of Voter Registration of Absentee Ballot Request.

This seventh section would amend UOCAVA to require that, if a voter's registration or absentee ballot request is rejected by a state, the state would provide "prompt" notification as to the reasons for the rejection.

By requiring a state to promptly notify a voter of the problem with a request, the voter may have an opportunity to rectify the problem and reapply. Because time and distance create a particular challenge for military and overseas voters, solving a problem with a rejected application as quickly as possible is important to prevent disenfranchisement.

Sec. 8. Use of Diplomatic Pouch for Returning Complete Absentee Ballots.

The eighth section would amend UOCAVA to require that a completed absentee ballot delivered to an overseas facility of the Department of State will be transmitted to the United States by diplomatic pouch if:

> 1) the ballot is delivered to the facility no earlier than 14 days before the election, and;

2) the Secretary of State determines that no effective alternative exists, including private courier services, for the voter to return the ballot on time.

The amendment would provide a last resort for UOCAVA voters by authorizing the State Department to transmit a completed absentee ballot to the U.S. within two weeks of an election. The provision would require a determination that other means of delivery within a two week window of the election, such as the mail, would not be effective, and private delivery services are not available. Although most states require a ballot to be returned to the appropriate election official by election day, in at least one state, the ballot must be returned the day before the election.[3] A regular absentee voter in the United States who received a absentee ballot two weeks prior to an election could be confident that the completed ballot could be returned on time, but a UOCAVA voter might reasonably expect a two week timeline to be a disqualifying obstacle. Furthermore, the UOCAVA voter has no other option to cast a ballot, such as walk-in early voting at an election office or in person voting on election day.

Sec. 9. Effective Date.

The amendments are effective with respect to elections that occur on or after the date that is 45 days after enactment.

I trust that this memorandum is responsive to your request. If I can provide additional assistance, please contact me at 707-7878.

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[3] Mississippi requires an overseas civilian voter to return a completed absentee ballot on November 3, 2008. Military voters must return the ballot by November 4, 2008 (election day). [https://www.overseasvotefoundation.org/svid-mississippi, visited Dec. 10, 2008].

Make Voting Work's Exploration of the Problems Facing Military Voters and Potential Solutions

The Problem: Voting Systems Are Failing Military Men and Women

In a country already suffering from one of the lowest voter participation rates amongst any modern democracy, military voters are even less apt to have their votes cast and counted. The current voter registration and absentee ballot request system for our men and women in uniform is so complex and byzantine that currently more than 1.1 million members of the military don't vote.

- While 41% of the American population voted in the 2006 election, only 16% to 22% of the active duty military voted, a rate 39% lower than that of the general participation.
- Only 53% of the servicemen and women who wanted to vote ever got the chance to do so. This means that at least 117,000 military personnel who wanted to vote but were denied the opportunity to do so.
- Of the remaining 130,000 military personnel who did try to vote, more than 20% of them, or about 26,000 military men and women, did not have their votes counted.

Pew's Make Voting Work Initiative--Seeking Solutions

Make Voting Work (MVW), a project of the Pew Center on the States, is an ambitious initiative launched in January 2007. The project seeks to foster an election system that achieves the highest standards of accuracy, convenience, efficiency and security. The initiative examines the most pressing election problems, undertakes pilot projects to test innovations under the stress of real-world conditions and identifies effective policies, practices and technologies that address the key challenges facing the election process.

MVW is committed to finding solutions for all voters, including those serving so valiantly in our armed forces. As a first step, MVW funded the development of a set of cutting-edge Web-applications by the Overseas Vote Foundation. The service, available at www.overseasvotefoundation.org and through the Web sites of many leading Secretaries of State, offers overseas and military voters a user-friendly online system to register to vote and request absentee ballots. Bob Carey, an expert on military voter disenfranchisement who has testified before both the Election Assistance Commission and the Senate Armed Services Committee, is consulting with Pew to explore how best to pursue an expanded initiative that would measurably advance a set of solutions to the problems facing military and overseas voters.

The Solution: You and the Pew Center on the States

As part of MVW's exploration, we are seeking advice and guidance from leaders in the field. Pew is trying to find solutions to make voting more convenient and secure for members of the military, but it cannot do so alone. Pew is interested in talking with you to learn from your experiences in this arena, discuss potential interventions and determine how we might work together to support our servicemen and women's right to vote.

Bob Carey will contact you shortly to arrange for a meeting this month. If you would like to contact Bob sooner, please contact him at 917-273-4262 or Bob.Carey@Empire-Capitol.com.

Military Service Members and Other Overseas Voters Face Hurdles to Casting Ballots

Military Service Members and Other Overseas Voters Face Hurdles to Casting Ballots

Release Type: Pew Press Release

Pew Contact: **Jessica Riordan, 215.575.4886**

Washington, D.C. - 10/25/2007 - The Pew Charitable Trusts and Overseas Vote Foundation (OVF) announced new Web-based voter services to help the more than six million Americans — members of the military and civilians living overseas — take the steps necessary to vote in upcoming elections. A recent government report revealed that between two-thirds and one-half of the ballots mailed to overseas voters were not returned in time to be counted for the 2006 election. New research from electionline.org, a project of The Pew Charitable Trusts, finds that states have adopted inconsistent processes and requirements for overseas voters, making it difficult for them to participate in the electoral process.

"Those who serve their country deserve a voice in its future. Unfortunately, when military personnel and other citizens overseas try to vote, there is a good chance that their votes won't get counted," said Michael Caudell-Feagan, project director of Make Voting Work, an initiative of Pew's Center on the States. "Americans living abroad deserve a system that allows each voter to confidently register and submit his/her ballot."

This partnership with OVF is part of a larger effort by Make Voting Work. This multi-million dollar, multi-year project seeks to help modernize elections by advancing policies, practices and technologies that make voting convenient for eligible voters without compromising accuracy.

OVF's new Web site and integrated voter services applications, available at www.overseasvotefoundation.org, offer a user-friendly online system to automate the complex process facing military and civilian overseas voters attempting to register to vote and request absentee ballots. In addition, OVF provides the most comprehensive and up-to-date listing of local U.S. election office contact information available today through its Election Official Directory.

"This initiative sets a new standard in the arena of overseas and military voter services. It is no longer acceptable to offer a hodge-podge of cryptic, text-only instructions to military personnel and other citizens overseas. Our years of experience and post-election voter surveys have enabled us to design a site that caters to overseas and military voters' unique needs. The choice of three live, dynamic applications instantly engages the voter on the new OVF starting page — no politics, no fund-drives, and no distraction," said Susan Dzieduszycka-Suinat, President and CEO of Overseas Vote Foundation.

The Web site prompts the voter for information necessary to register to vote in his/her home state in accordance with each state's unique regulations. Error-checks occur during the process to ensure that the voter does not forget any required information. The site then generates an official form in PDF format and provides the voter with the correct county election office address for mailing. The program

eliminates the need to individually research and navigate unique state regulations and mailing instructions by doing away with the necessity of culling through pages of instructions.

Along with the new site, OVF is announcing a State-Hosted Systems licensing program which enables states to license the new OVF software for their own customized use. Alabama, Minnesota and Ohio are the first states to adopt the OVF-hosted system software for their own election Web sites, giving voters from those states, including those serving in the military and living overseas, access to online registration and ballot request services and information about voting requirements.

"Men and women of the United States Military and their families stationed overseas already give up many things in order to serve our country — the sacred right to vote should not be one of them," said Alabama Secretary of State Beth Chapman. "Working with OVF and Pew will ensure that members of our military have easier access to registering to vote and casting their ballots in upcoming elections."

"As my state's chief election official, I am dedicated to ensuring that all eligible citizens have an opportunity to cast their ballots, and I am gratified that Ohio's military and other overseas voters will now have access to this tool to assist them in making their voices heard on the questions facing America in 2008 and beyond," said Ohio Secretary of State Jennifer Brunner.

According to electionline.org's analysis, overseas and uniformed services voters must navigate complicated state and local regulations that often delay receipt and processing of both their registration forms and absentee ballots. Outmoded systems employed by election offices and sluggish domestic and international mail services also hamper overseas voters trying to cast their ballots in an effective and timely manner. With this year's compressed political calendar, these challenges will be exacerbated. While technological innovations around the country, including fax and email voting, have become more widespread, they are still not available to many overseas citizens. The new OVF site and services provide a much needed resource for Americans living abroad.

For a description of each state's registration and absentee ballot requirements see the attached table.

The Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) requires states to allow absent uniformed service members and overseas citizens to participate in absentee voting processes and vote absentee in general, primary, runoff and special elections to federal office. It also allows the use of a federal write-in absentee ballot (FWAB) in general elections for uniformed service and overseas voters who do not receive their absentee ballot in time to cast and return it. The law applies to spouses and dependents of uniformed service members. The U.S. Government Accountability Office estimates there are about six million eligible UOCAVA voters.

In the 2006 general election, almost 27 percent of all UOCAVA ballots came from domestic military voters, followed by almost 20 percent from overseas civilians and almost 17 percent from overseas military voters. About 5 percent were write-in (FWAB) ballots. The remaining one-third was uncategorized.

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make voting work

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Make Voting Work (MVW) is an ambitious initiative of Pew's Center on the States launched in January 2007, with a mandate to foster an election system that achieves the highest standards of accuracy, convenience, efficiency and security. In its first phase, MVW is commissioning a wide array of research that will enable the field of election administration to rigorously diagnose problems in U.S. elections and evaluate the effectiveness of state and local innovations that offer solutions.

Throughout the initiative, MVW will promote policies, practices and technologies that will result in a state-of-the-art election system that addresses the following key challenges:

Building an election system that reflects the way people live. In many ways, elections in America operate today much as they did at the turn of the 20th century. Citizens make themselves eligible to vote through a system of self-registration—with deadlines of up to a month before Election Day. To cast a ballot, voters either have to travel on Election Day to polling places in their immediate neighborhoods or use an array of alternatives that entail paperwork, time and expense. Such a system may be based in tradition but it reflects an America that is rapidly disappearing.

MVW seeks to bring elections into the 21st century by supporting research that will reshape the voter registration system so that eligible voters' right to vote is easy to get, easy to use and easy to move from place to place while ensuring that the system meets the highest standards of accuracy and security. We also seek to study and promote means to imagine new models for casting ballots—not just new technologies but new processes that bring polling places to voters instead of the other way around.

Putting voters in charge of their own voting experience. For all the attention to election reform since the 2000 Presidential vote—and the resulting upheaval to election machinery and election laws that continues even today—the process continues to overlook the most important piece: the voter. Individuals in most states cannot conveniently get a simple answer to basic questions like "Am I registered?" "Where do I vote?" and "Who's on the ballot?"

MVW aims to help states and jurisdictions provide rapid access to personalized voter information about the election process, via the Internet or other means—offering access to the same type of customizable information that is easily available in other arenas.

Eliminating barriers to innovation. Despite the appetite for change, America's election system has been remarkably resistant to reform—and what reforms have emerged have frequently encountered fierce opposition. Some of this is due to an inefficient market where vendors have neither the ability nor the motivation to innovate, while some of it is due to the intensely anecdotal, media-driven scrutiny applied to elections.

MVW seeks to lower these barriers to innovation in two major ways: 1) developing an evidence base that policy makers and vendors alike can use to make more informed decisions and 2) creating a culture of experimentation and evaluation based on information, not anecdote, where risk is encouraged and failure is acceptable if it yields lessons for future success.

MVW plans to accomplish these ambitious goals by:

- rigorously diagnosing the current problems in U.S. elections;
- evaluating state and local innovations in election reform;
- promoting new linkages among research disciplines, fields of technical expertise, election stakeholders and geographic areas in a way that promotes discourse and creativity in the search for solutions;
- reaching out to the business, high-tech and international election communities to tap their expertise and develop pilot innovations in election administration;
- disseminating best practices and other analyses to policy makers, election officials, advocates and the public; and
- evaluating measures of election performance and providing reference points for the public and policy makers, who now rely on anecdotal evidence, poorly-grounded news headlines or partisan conjecture.

MVW works directly with stakeholders in the election process. In the development of the initiative, Pew has consulted with election officials, policy advocates, researchers, technologists and others to help guide Pew's commitment to election modernization. And in partnership with the JEHT Foundation, MVW will be supporting research projects to pursue comprehensive assessments of key issues in election administration with election officials and researchers targeting the same subject area from different perspectives. Areas of focus include diagnostics, voter registration, vote centers, audits of elections and online training methods for poll workers.

MVW also works closely with *electionline.org*, Pew's signature investment in the field. As a trusted source for news and analysis of election reform, *electionline.org* will help inform and disseminate the research conducted through these and other projects.

For questions about MVW, contact:

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The Pew Center on the States and the JEHT Foundation Award $2.5 Million to Improve U.S. Elections

The Pew Center on the States and the JEHT Foundation Award $2.5 Million to Improve U.S. Elections

Release Type: Pew Press Release

Pew Contact: **Jessica Riordan, 215.575.4886**

Washington, DC - 01/16/2008 - The Pew Center on the States' Make Voting Work initiative and the JEHT Foundation today are joining with election experts and state and local officials across the country to address the most pressing problems facing voters during the 2008 elections. In partnership with the JEHT Foundation, Pew is awarding $2.5 million in funding to 16 projects that advance innovative solutions to critical flaws in our elections system and improve accuracy, convenience, efficiency and security for voters. An additional $1 million in funding will be awarded over the next six months. The projects were selected from 183 proposals submitted to Pew in 2007 from state and local governments and election experts.

"Elections should be a time to celebrate the strength of our democracy, but despite increased federal and state efforts, the 2008 elections find the rules of the game in flux with policies, practices and technologies being instituted and discarded without an adequate base of evidence. As a result the integrity of our elections is relentlessly questioned," said Michael Caudell-Feagan, director of Make Voting Work.

In April 2007, Pew's Make Voting Work initiative and the JEHT Foundation released a joint invitation calling for proposals for funding that sought to identify new ways to measure the health and performance of elections and to develop and evaluate pilot projects offering innovative approaches to improve the election process. The goal was to draw on the expertise of election officials and academics currently studying elections issues—while also seeking to identify new partners from private-sector companies and diverse academic disciplines. The winning projects focus on evaluating strategies for improving voter registration systems, polling place access, and poll worker training and on election audits and performance assessment.

"We are pleased this unprecedented effort has already yielded such strong partnerships. The involvement of state and local election officials across the country in these projects is crucial since they have the knowledge, experience and opportunity to improve the nuts and bolts of voting. Make Voting Work addresses the lack of empirical evidence and examines on-the-ground experience to yield real solutions. The ultimate goal is a more successful process for citizens participating in democracy through the fundamental act of voting," said Rachel Leon, senior manager for fair and participatory elections at the JEHT Foundation.

Make Voting Work selected the 16 projects, which focus their work on five distinct areas where major failings have been identified and improvements are being debated and implemented by election officials, but where additional expertise is desired and necessary to shape and evaluate these efforts. These areas

include:

Voter Registration System Assessment ($669,000)
Successful voter registration systems enable eligible citizens to vote without undue burden, secure our elections from those ineligible to participate and facilitate communication with voters. Yet, registration rolls are created from piecemeal data collected by local election officials, state motor vehicle agencies and other nonpartisan and partisan get-out-the-vote campaigns. As a result, rolls fail to keep pace with a mobile society and are often inaccurate and costly to maintain. Make Voting Work has awarded five contracts for a combined total of over $669,000 to assess strategies for improving voter registration systems. Recipients include the Massachusetts Institute of Technology, which is working with local election officials in Los Angeles, CA, New Haven, CT, Miami-Dade, FL, and Phoenix, AZ; the Washington Secretary of State's office and Washington State University; the Ohio Secretary of State's office, which is working with state and local election officials in Indiana and Kentucky, the U.S. Postal Service and the California Institute of Technology; the Overseas Vote Foundation; and the Minnesota Secretary of State's office and University of Minnesota.

Vote Centers ($568,000)
States are increasingly grappling with the problem of overcrowded, inconveniently located and poorly designed polling places. In response, some states are experimenting with vote centers that replace neighborhood precincts and allow voters to cast ballots at large, centralized polling places anywhere in their city or county—near their work, school, shopping center or other destination. The innovation is in its infancy and important questions have been raised, including how to determine where vote centers should be located and what their impact is on voter turnout and the cost of running elections. Make Voting Work has awarded three contracts for a combined total of $568,000 to Ball State University, which is working with local election officials in Tippecanoe and Wayne counties in Indiana; Rice University, which is working with local election officials throughout Colorado and two Texas jurisdictions, Fort Bend and Lubbock; and the University of Tennessee, which is working with local election officials in Knox, Anderson and Loudon counties.

Audits of Elections ($467,000)
With concerns about the accuracy of voting systems continuing to rise, post-election audit requirements have been adopted by states seeking to ensure the integrity of the electoral process. Still, state requirements vary dramatically and there are no generally accepted standards for how to verify an election outcome. Make Voting Work seeks to fill that void by funding the testing of multiple techniques for measuring the validity and accuracy of vote counts on various voting systems. In addition, Make Voting Work is supporting efforts to broaden the definition of an election audit, seeking to identify other elements—beyond vote counts—that should be audited, such as pre-election preparations and poll worker performance. Make Voting Work has awarded four contracts for a combined total of $467,000 to the Maryland State Board of Elections, which is working with Prince George's, Charles and Caroline counties; the University of Michigan, which is working with the state election director and a wide range of local election officials; the University of Utah, which is working with local election officials in Salt Lake and Davis counties; and the University of New Mexico, which is working with local election officials in Bernalillo County.

Online Training for Poll Workers ($318,000)
Volunteer poll workers are the foot soldiers of democracy, but, as recently documented by Pew's electionline.org, their enthusiasm needs to be joined with proper training—particularly essential as voting systems and rules take on greater complexity. Studies show that poor poll worker performance impacts elections and harms voter confidence. More effective and convenient methods of training, such as online training, hold the promise of better equipped poll workers and greater voter confidence. Make Voting Work has awarded two contracts for a combined total of over $318,000 to the New Hampshire

Attorney General's office to test an online training system and to HAVA Partners, a private-sector firm which is collaborating with the Ohio Secretary of State's office, Brigham Young University and University of Cincinnati.

Election Performance Assessment ($465,000)
To further help election officials, policy makers and the public assess the true impact of changes in policies, practices and technologies, Make Voting Work aspires to identify means that can be consistently applied to measure accuracy, convenience, efficiency and security. Make Voting Work has awarded two contracts for a combined total of $465,000 to Reed College and the Massachusetts Institute of Technology to design several assessments and apply them across selected jurisdictions.

In each of these areas and others where additional pilot projects and case studies will be commissioned over the coming months, Make Voting Work is establishing working groups comprised of the research teams for each project together with respected election officials, experts from the private sector and other needed specialists and representatives from affected communities. The working groups will help oversee the implementation of individual projects, evaluate and refine methodologies, offer a peer review and dissemination forum and develop strategies to ensure that proven innovations are engrained in the policies and practices of the field. All research will be disseminated through Pew's Web site and directly by the research teams. To inform Pew and JEHT's ongoing contribution, Make Voting Work will also host a series of major public forums on these research initiatives and additional challenges facing the field of election administration throughout 2008 and 2009.

View a full list of the awarded contracts along with details on their corresponding projects and media contacts.

The Pew Charitable Trusts applies the power of knowledge to solve today's most challenging problems. Pew's Center on the States identifies and advances effective policy approaches to critical issues facing states. Online at www.pewcenteronthestates.org.

The JEHT Foundation was established in April 2000 to support its donors' interests in human rights, social justice and community building. Online at www.jehtfoundation.org.

ASSOCIATED REPORT:
Pew and JEHT Election Awards

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Mrs. MALONEY. Many of our Americans are serving overseas in our military, and they are serving overseas in American businesses. They are patriots, they are American citizens, they want to vote. We should work with them to streamline it and make it practical and easy for them to continue their citizenship and their right to vote overseas, particularly when they are in service of our country and in service of our American businesses and are working overseas in a global economy.

I thank you very much for focusing on this issue. It is an important one. It deserves a thorough debate, and I believe it deserves action in this Congress. Thank you.

The CHAIRMAN. Thank you.

[The statement of Mrs. Maloney follows:]

14th District • New York

Congresswoman
Carolyn Maloney
Reports

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FOR IMMEDIATE RELEASE:
April 15, 2008

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Prepared Remarks of Rep. Carolyn Maloney for Military and Overseas Voting Hearing

WASHINGTON, DC – Congresswoman Carolyn B. Maloney (D-NY), Co-Chair and Co-Founder of the Americans Abroad Caucus, delivered the following prepared remarks at a hearing of the Committee of House Administration on *Military and Overseas Voting: Problems and Progress in Ensuring the Vote*:

"Thank you Chairman Brady and Ranking Member Ehlers for inviting me to testify today about the voting problems faced by military personnel and overseas citizens. I also want to acknowledge the work of Representative Honda who has introduced legislation, H.R. 4173, the 'OVERSEAS Vote Act,' to make it easier for overseas voters to cast their ballots.

"I know that we agree, regardless of political affiliation, that all American citizens should be able to exercise their right to vote. Yet it seems that election after election, we are facing the same problems of lack of access to information, lack of access to ballots, and confusing procedures for submitting completed ballots to local and state election officials.

"Although I, Representative Honda, and Representative McCarthy have all introduced bills designed to make the voting process easier, I fear that our efforts will be in vain because of the incompetence of the Federal Voting Assistance Program (FVAP) housed within the Department of Defense.

"The 2006 election, sadly, was the status quo for FVAP. For example, only 33 percent of military absentee voters were aware of the Federal Post Card Application (FPCA), the form used to request an absentee ballot. Only 25 percent had received FPCAs by the DoD deadline of January 15th. And only 5 percent of Unit Voting Assistance Officers had delivered FPCAs to

-over-

their personnel by the January 15th deadline. Lastly, FVAP spent $1.1 million on the Integrated Voting Assistance System, but only eight votes were traced back to the system.

"I have raised my concerns with the officials at FVAP numerous times, and yet the FVAP continues to spend millions in taxpayers' dollars and the situation for military and overseas voters does not get any better.

"Congress must step in to provide the necessary leadership to ensure that the three to six million American citizens who live and work abroad or serve in the military are being represented at the local, state, and federal levels.

"Last year, along with Representative Joe Wilson, I founded the Americans Abroad Caucus in the hope that we can help give these individuals a voice in Congress. I also have introduced legislation, H.R. 4237, the 'Overseas Voting Practical Amendments Act,' to make it easier for overseas voters to vote. According to the U.S. Election Assistance Commission, about two-thirds of the absentee ballots requested for the 2006 general election by overseas Americans were not counted. Ballots either weren't received in time, were sent to an incorrect address, or filled out incorrectly. Most of these errors result from the unnecessary complexity of the process.

"H.R. 4237 proposes simple, inexpensive fixes that will help change that and ensure the votes of every overseas American are counted. These changes include:

- Designating one official form as the overseas federal voter registration and ballot application;
- Prohibiting states from refusing to accept balloting materials because they are generated by a computer program, are not printed on a specific type of paper, or do not otherwise meet similar extraneous requirements that are not necessary to prevent election fraud;
- Ensuring that states provide correct information and sufficient postage on pre-addressed materials to prevent overseas mail from going astray;
- Allowing overseas voters to automatically receive requests for absentee ballots;
- Extending voting rights to American-citizen children born overseas who may have never spent enough time on any visit to the U.S. to establish residency before voting age;
- Giving overseas voters more time to correct a rejection of their voter registration or absentee ballot request prior to Election Day; and
- Allowing the State Department to help transmit the ballots of overseas voters in countries with inadequate mail service.

"I believe these basic improvements would go a long way toward improving the voting situation for overseas citizens.

"I look forward to working with the committee on this very important issue.

"Thank you."

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The CHAIRMAN. I thank the gentlelady and I thank the gentleman for your interest and your participation in this hearing.

Anybody have any questions?

Yes, Ms. Lofgren.

Ms. LOFGREN. I don't want to question our colleagues, but I would like to thank them both for taking the initiative to think about people overseas and how they can vote, certainly our military. It is absolutely essential we do that. And as Mrs. Maloney has mentioned, there are also other Americans who serve in the Peace Corps, in the Department of State and various activities. So I just thank them both, as well as Mr. Honda, for the attention, and yield back.

The CHAIRMAN. I thank the lady.

No other questions. Thank you. And again, thank you for your participation, and thank you for your interest.

Mrs. MALONEY. Thank you very much, Mr. Chairman, for focusing on this.

The CHAIRMAN. Thank you.

We would like to call our next panel up. We have Deputy Secretary Michael Dominguez, Deputy Under Secretary of Defense for Personnel and Readiness out of the Department of Defense. And prior to his appointment at Defense, Mr. Dominguez was an Assistant Secretary of the Air Force.

Secretary Beth Chapman, Secretary of State of Alabama, recipient of numerous awards and honors for her public service, including recognition from the United States Selective Service Board.

I welcome you and thank you for your participation.

And, Mr. Dominguez, you can go first.

STATEMENTS OF MICHAEL DOMINGUEZ, PRINCIPAL DEPUTY UNDER SECRETARY OF DEFENSE FOR PERSONNEL AND READINESS, DEPARTMENT OF DEFENSE; AND BETH CHAPMAN, SECRETARY OF STATE, ALABAMA

STATEMENT OF MICHAEL DOMINGUEZ

Mr. DOMINGUEZ. Mr. Chairman, thank you for convening this hearing to explore how we can improve our ability to ensure that UOCAVA voters have the opportunity to vote.

I want to begin by acknowledging up front that serving the UOCAVA voter is challenging, and that challenge really emanates from four principal causes. First, within the military, the mobility and speed with which our Armed Forces can and does respond to national security challenges. So they are often not where we expect them to be at the time ballots arrive or ballots need to be cast.

The second big challenge is the locales in which we find the UOCAVA voters; that is, both the military who will be forward-deployed somewhere on the battlefield, but also many of our civilian overseas voters. I note my wife was a Peace Corps volunteer in Korea well before the development of that country into a modern society. Where she served, it was not possible to get mail to and from her in any reasonable amount of time. She was not able to vote. There are others like her even today.

The third challenge is our Federal system in which the registration procedures, primary dates, ballot printing, distribution and

deadlines for receipt of the voter ballots are determined by a large number of independent jurisdictions.

So three challenges that are—or three factors that make the UOCAVA challenge a big one.

Now, our approach in the Department of Defense to exercising our responsibilities to serve the UOCAVA population is characterized by—in terms of addressing these challenges, characterized by partnerships with anyone who can help; that is State and local election officials, that is the United States Postal Service, that is nonprofit partners that you will hear from today and other Federal agencies. So partnerships is a major piece of our effort.

The second is by expanding options beyond mail into electronic and Internet technologies.

The third is by working with the States toward minimal and understandable standards that apply across the States, such as distributing ballots at least 45 days before the election so the ballots have time to get out there and back using the classic mail processes.

And then lastly it is by extensive outreach and communication to the voters.

Now, while we have made progress, and we must be mindful that the mail does work for a large number of UOCAVA voters, more remains to be done. In this regard the Internet does seem to hold some promise in reaching many of the hardest-to-reach UOCAVA voters.

The Internet can be, however, a dangerous place. I call your attention to these statements in the June 2007 GAO report on electronic absentee voting. Page 11, "we found that broad application of Internet voting presented formidable social and technological challenges. In particular we noted that challenges to remote Internet voting involve securing voter identification information and ensuring that voters secure the computers on which they vote. We also reported that because voting requires more stringent controls than other electronic transactions, such as on-line banking, Internet voting systems face greater security challenges than other Internet systems."

Now, the fiscal year 2005 National Defense Authorization Act laid out a path to overcoming these challenges. We are now engaged with the Election Assistance Commission and the National Institute for Standards and Technology on this work. In the meantime, we continue to support processes, systems and statutory changes that help the UOCAVA voters exercise their right as U.S. citizens to vote.

On a final note, you have heard from the prior witnesses some statistics, and I just urge you to understand where those statistics come from. Many of the reports and studies have—by virtue of the methodology that they use cannot be extended to the overall population. These reports clearly indicate there are problems in serving the UOCAVA voter that ballots arrive late, ballots never get to the voter, ballots are rejected when they are received. These things do exist. But I urge the committee to understand these things in the magnitude that they report may not be extensible to the whole UOCAVA population. Our data, which are based on statistically sound approaches and methodologies, indicated that in the general

election of 2004, 73 percent of the military voted in that election. So many do, many are able to, but many are not.

Mr. Chairman, members of the committee, thank you for your time and for this hearing, and I look forward to your questions.

The CHAIRMAN. Thank you.

[The statement of Mr. Dominguez follows:]

NOT FOR PUBLICATION UNTIL
RELEASED BY THE COMMITTEE ON HOUSE ADMINISTRATION

STATEMENT OF

MR. MICHAEL L. DOMINGUEZ

PRINCIPAL DEPUTY UNDER SECRETARY OF DEFENSE

FOR PERSONNEL AND READINESS

BEFORE THE

COMMITTEE ON HOUSE ADMINISTRATION

ON THE

FEDERAL VOTING ASSISTANCE PROGRAM

ON

APRIL 15, 2008

NOT FOR PUBLICATION UNTIL
RELEASED BY THE COMMITTEE ON HOUSE ADMINISTRATION

Principal Deputy Under Secretary of Defense for Personnel and Readiness

Mr. Michael L. Dominguez

Michael L. Dominguez was nominated by the President as the Principal Deputy Under Secretary of Defense for Personnel and Readiness on November 21, 2005 and confirmed by the Senate on July 11, 2006. As a presidential appointee confirmed by the Senate, he is the primary assistant to the Under Secretary of Defense for Personnel and Readiness providing staff advice to the Secretary of Defense and Deputy Secretary of Defense for total force management as it relates to manpower; force structure; readiness; reserve component affairs; health affairs; training; and personnel policy and management, including equal opportunity, morale, welfare, recreation, and quality of life matters.

Prior to this appointment, Mr. Dominguez served, from August 2001 until July 2006, as the Assistant Secretary of the Air Force for Manpower and Reserve Affairs. His responsibilities included developing and overseeing Air Force manpower and personnel policies, readiness, and Reserve Component affairs.

Mr. Dominguez also served as Acting-Secretary of the Air Force from March 28, 2005 thru July 29, 2005. In this role, he was responsible for the affairs of the Department of the Air Force, including the organizing, training, equipping and providing for the

welfare of its more than 360,000 men and women on active duty, 180,000 members of the Air National Guard and the Air Force Reserve, 160,000 civilians, and their families.

As an Air Force dependent, Mr. Dominguez grew up on bases around the world. After graduating in 1975 from the U.S. Military Academy at West Point, N.Y., he was commissioned a second lieutenant in the U.S. Army, reported to Vicenza, Italy, then worked varied assignments with the 1st Battalion, 509th Infantry (Airborne) and the Southern European Task Force. After leaving the military in 1980, Mr. Dominguez went into private business and attended Stanford University's Graduate School of Business. In 1983 he joined the Office of the Secretary of Defense as an analyst for Program Analysis and Evaluation (PA&E).

Mr. Dominguez entered the Senior Executive Service in 1991 as PA&E's Director for Planning and Analytical Support. In this position he oversaw production of DOD's long-range planning forecast and its $12 billion in annual information technology investments. He also directed the PA&E modernization of computing, communications and modeling infrastructure. He joined the Chief of Naval Operations staff in 1994 and assisted in the Navy's development of multi-year programs and annual budgets. Mr. Dominguez left federal government in 1997 to join a technology service organization. In 1999 he began work at the Center for Naval Analyses where he organized and directed studies of complex public policy and program issues. In 2001 he rejoined the staff of the Chief of Naval Operations where he worked until his appointment as Assistant Secretary of the Air Force.

Mr. Chairman, Representative Ehlers, and members of the Committee, thank you for this opportunity to testify on the Federal Voting Assistance Program in the Department of Defense.

In 1988, President Reagan issued Executive Order 12642 designating the Secretary of Defense as his agent to implement the provisions of the 1986 *Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA)* and to discharge the Federal functions required by the *Act*. The Under Secretary of Defense for Personnel and Readiness, Dr. David S.C. Chu, is responsible for administering the UOCAVA.

Background

The UOACAVA safeguards the right to vote for federal offices by absent uniformed Service members and their families, and overseas U. S. citizens. In the administration of this law, the Director, Federal Voting Assistance Program works cooperatively with state and local election officials to carry out its provisions. As mandated by the *Act*, the Director, Federal Voting Assistance Program prescribes the Federal Post Card Application, which is a uniform registration and ballot request form, and the Federal Write-In Absentee Ballot, which is used by voters as a back-up federal office ballot in cases where their requested state ballot does not arrive promptly. In 2005, both forms were revised to make them easier to use while safeguarding the citizen's private information, and providing additional important information to election officials such as the citizen's email address and his or her alternate mailing address.

The absentee voting process for *UOCAVA* citizens requires the successful completion of three basic steps. Step 1: The citizen registers to vote and requests an absentee ballot from his or her local election official using the Federal Post Card Application. Step 2: Upon receipt of the completed Federal Post Card Application, the local election official determines the citizen's legal voting residence based on the information provided, and provides a state absentee ballot to the citizen. Step 3: The citizen votes the ballot and returns it to his or her local election official. Traditionally these steps are accomplished by mail via the United States Postal Service, Military Postal Service Agency, and foreign postal systems. The Department has and will continue to be involved in applying modern information technologies in support of the absentee voting process.

Revised Strategic Plan

The Department has recently revised our strategic plan for supporting all *UOCAVA* citizens in the absentee voting process. Our goals in this plan remain unchanged:

- All U.S. citizens are aware of their right to vote
- All *UOCAVA* citizens have the opportunity to vote and have their votes counted, and
- All states and territories adopt legislation and procedures to make the absentee voting process simple and uniform for *UOCAVA* citizens.

To accomplish these goals, the Department continues to reach out to *UOCAVA* citizens and to federal, state and local government officials; to advocate the maximum

incorporation of existing and emerging technologies within the absentee voting process: and to encourage state adoption of Federal Voting Assistance Program legislative initiatives. The Federal Voting Assistance Program staff monitors the mailing of absentee ballots from local election officials to *UOCAVA* citizens and, when these ballots are not mailed in a timely manner, the Director, Federal Voting Assistance Program works with the Department of Justice to ensure these citizens have the opportunity to vote and have their votes counted.

Recent Statutory Direction

Title VII of the *Help America Vote Act of 2002* required the Secretary of Defense to prescribe regulations and procedures so that Voting Assistance Officers are provided time and resources necessary to perform their duties; to implement measures to ensure a postmark or other official proof of mailing is placed on ballots collected by the Department overseas or vessels at sea; and to develop a standard oath for *UOCAVA* voting materials. All of these provisions required by Title VII have been successfully implemented.

The *Act* required states to designate a single office responsible for *UOCAVA* citizen procedures; to report to the Election Assistance Commission on the number of *UOCAVA* absentee ballots sent, received and cast; to extend the effective period of the Federal Post Card Application through the next two regularly scheduled general elections; to inform *UOCAVA* voters if their registration or ballot applications were refused and the reason for the refusal; and to accept a Federal Post Card Application submitted early in the calendar year. The Director, Federal Voting Assistance Program

issued a *Help America Vote Act* interpretative memorandum dealing with *UOCAVA* related issues and sent the memorandum to state and local election officials in August 2003. Title V, Subtitle I of the *National Defense Authorization Act (NDAA) for Fiscal Year 2005* expanded the use of the Federal Write-In Absentee Ballot to allow for its use by uniformed service members and their eligible family members within the United States, thereby allowing all *UOCAVA* citizens to use the Federal Write-In Absentee Ballot if their state absentee ballot had been requested but not received, providing that the request was received by their local election jurisdiction either 30 days before the general election or the state deadline for registration and ballot request, whichever is later. These changes to the law have led to improvements in the absentee voting process by removing obstacles faced by *UOCAVA* voters.

The NDAA for FY 2005 also required that, prior to proceeding with any electronic voting demonstration project, electronic absentee voting guidelines and standards must be been established by the Election Assistance Commission. The Director, Federal Voting Assistance Program signed a Memorandum of Understanding with the Election Assistance Commission regarding responsibilities and roles in developing these guidelines and standards. The parties are developing a plan of action and milestones for the issuance of guidelines and standards. The Department has provided the Election Assistance Commission with system design information and lessons learned from electronic voting projects previously carried out by the Federal Voting Assistance Program.

Progress in Working with State Governments

State legislatures are also moving forward to facilitate absentee voting. For several years now, the Federal Voting Assistance Program has proposed legislative initiatives to state officials that would facilitate absentee voting for *UOCAVA* citizens. The current top legislative priorities are for states and territories to:

- Provide at least 40-45 days between the ballot mailing date and the date ballots are due.
- Give State Chief Election Officials the emergency authority to alter election procedures in certain circumstances (e.g., to extend the ballot return deadline, or to allow electronic transmission of blank or voted ballots).
- Allow election officials to provide a state write-in absentee ballot, to be sent out 90-180 days before all elections. This state write-in absentee ballot would allow the voter to cast votes for federal and state offices.
- Further expand the use of electronic transmission alternatives for voting materials.

Much progress has been made over the years through hard work by all the stakeholders concerned with absentee voting. Currently, 37 states, 3 territories and the District of Columbia provide at least 40-45 days between the ballot mailing date and the date ballots are due; 16 states, Guam and the District of Columbia give Chief Election Officials the emergency authority to alter election procedures in certain circumstances; 27 states allow election officials to provide a state write-in absentee ballot; and 47 states,

3 territories and the District of Columbia provide for the electronic transmission of voting materials.

Educating

The Department devotes considerable resources to ensure that *UOCAVA* citizens are properly informed and educated about the process of absentee voting. Education includes formal training of Voting Assistance Officers, providing information to state and local election officials, and ensuring that *UOCAVA* citizens have adequate and proper access to the necessary materials and the means to request and submit their absentee ballots.

Federal Voting Assistance Program staff members conduct voting assistance workshops to prepare for upcoming elections. These workshops give Voting Assistance Officers the hands-on training they need to understand their mission and to perform their duties. To prepare for the 2004 election, Federal Voting Assistance Program staff members conducted a total of 164 workshops worldwide. In anticipation of the early 2008 primary election schedule, the workshop training began in September 2007 and will continue through September 2008. A total of 155 workshops are planned for this period. These workshops include:

- 24 at the Federal Voting Assistance Program headquarters in Rosslyn, Virginia.
- 86 at military installations around the world.
- 45 at Department of State posts for State Department personnel and members of overseas citizen organizations who help facilitate the process.

From September, 2007 through March 31, 2008, 125 workshops have been conducted.

For Voting Assistance Officers who are unable to attend an in-person workshop, E-learning options are available to receive certified training via the internet or CD-ROM. A slide presentation for use by installation or unit level Voting Assistance Officers is available online.

In addition to the in-person and on-line training opportunities, the Federal Voting Assistance Program maintains a website that provides Voting Assistance Officers and local election officials with a wealth of information regarding their responsibilities. Recognizing that the website is a vital resource for both persons that provide voting assistance and the voters, the Program is redesigning the site to enhance content and improve usability for all visitors to the site by incorporating results from stakeholder usability testing.

Since state and local election officials are the individuals who administer elections, they are crucial allies in facilitating absentee voting. *UOCAVA* success relies on their actions. Many states have adopted legislation that has brought simplicity, uniformity, consistency and clarity to the absentee voting process. It is important that these election officials be kept abreast of the latest issues with *UOCAVA* voting. The Federal Voting Assistance Program regularly sends memoranda and letters to local election officials providing education and clarification of *UOCAVA* issues. A monthly newsletter specifically addressing military and overseas citizens' issues for election officials is also provided by the Federal Voting Assistance Program. In addition, during

the past year the Director, Federal Voting Assistance Program and staff have addressed officials at conferences of these national and international election official organizations:

- National Association of Secretaries of State
- National Association of State Election Directors
- International Association of Clerks, Recorders, Election Officials and Treasurers
- National Association of Election Officials (Election Center) and the Joint Election Official Liaison Committee
- National Association of County Recorders, Election Officials and Clerks

The Director, Federal Voting Assistance Program and staff addressed state and local election officials at conferences in:

- Alabama
- Colorado
- Florida
- Indiana
- Louisiana
- Minnesota
- New Jersey
- New Mexico
- New York
- North Carolina

- Ohio
- Pacific Northwest Elections Conference (Oregon and Washington as co-hosts with 12 other states represented)
- South Carolina
- South Dakota
- Texas
- Virginia
- West Virginia

When addressing these state and local election officials, the Director, Federal Voting Assistance Program recommends practices and procedures to maximize the effectiveness of *UOCAVA*. These recommendations include:

- Providing sufficient ballot transit time.
- Providing simple ballot marking and return instructions with absentee ballots, including instructions to return the voted ballot by fax or email where authorized.
- Differentiating between *UOCAVA* and other state absentee voters in state and local literature, in state laws and administrative codes, and on state and local election websites.
- Ensuring all employees in local election offices throughout the state are trained on their responsibilities under *UOCAVA*.

- Preparing a state *UOCAVA* Voter Guide for publication on website and in hard copy.
- Providing a webpage dedicated to *UOCAVA* citizens and elections in which *UOCAVA* citizens can participate, including portals for voter registration verification.
- Using electronic alternatives for the transmission of balloting materials.

Informing and Equipping

The Department works to ensure that uniformed service voters and overseas citizens are informed about upcoming elections and the procedures for registering and requesting an absentee ballot. Department communication efforts seek to gain maximum exposure for the voting program in a variety of communications media. Department and Federal Voting Assistance Program leadership publicize absentee voting through commercial print and broadcast media outlets. Stories on absentee voting are run on the American Forces Radio and Television Service, the American Forces Network, the Pentagon Channel, American Forces Information Service, and Defense Link, as well as in private and military focused print publications such as *Stars and Stripes* and in overseas publications. As in past years, reminders about voting are printed on the leave and earnings statements of all service members and overseas DoD personnel. One email notification regarding voting has already been sent to more than one million service members, with more planned as we approach the November election.

Communication is undertaken through extensive Service and Executive Branch command support. Particular emphasis is placed on voting awareness to reach individual

members of military units. Messages regarding absentee voting are included on Service websites, in the Plans of the Day, and at Commander's Call briefings. Billboards have been posted on installations informing members of their right to vote. The Department's new Infonet system is being used in the Pentagon, the Navy Annex, and the Pentagon Library Conference Center to broadcast electronic messages that encourage voter registration and participation in both the primary and general election. Installations support Armed Forces Voters Week (August 31 – September 7, 2008). Efforts extend to family members through displays, voter registration drives, and information at Morale, Welfare and Recreation Facilities, Family Service Centers, medical facilities, commissaries and exchanges, and DoD Dependent Schools. As in years past, the Department will use Absentee Voting Week, October 12-18, 2008, to encourage voters to return their voted ballots for the General Election to the local election official offices.

Absentee voting information and materials are distributed to the Department of State posts through State's internal communication networks. The Federal Voting Assistance Program provides on-site training to post Voting Assistance Officers to ensure that they are equipped to provide non-partisan voting assistance. Additionally, the Program supports overseas citizens groups by directly providing voting assistance and thousands of copies of the Federal Post Card Application, Federal Write-In Absentee Ballot, the *Voting Assistance Guide,* and other informational and motivational voting materials. Overseas Citizens Voters Week (June 28-July 7, 2008), scheduled by the Department biennially since 1994, is promoted through the Federal Voting Assistance Program's training workshops and their monthly newsletter, the *Voting Information*

News. State Department posts and overseas citizens groups are encouraged to use this week to conduct voter registration drives, inform U.S. citizens residing abroad about their voting rights and responsibilities, and provide them with the materials they need to successfully vote absentee.

The Federal Voting Assistance Program website (www.fvap.gov) provides uniformed service members, voting age family members, and overseas citizens with remote access to voting information directly on their computer. The site received 2,483,757 separate page requests for calendar year 2007. During that time period, the online version of the Federal Post Card Application was accessed 102,946 times. The site is updated frequently with information pertinent to absentee voters. For the first three months of calendar year 2008, the site received 3,073,413 page requests. The online version of the Federal Post Card Application was accessed 262,635 times.

The Federal Voting Assistance Program provides up-to-date information to Voting Assistance Officers through its monthly newsletter and issues special news releases to announce time sensitive information (e.g., changes in absentee procedures or the holding of special federal elections). Both the newsletter and the News Releases are distributed electronically via email and posted on the Federal Voting Assistance Program website. The newsletter is also made available in a hardcopy format.

The Department provides voters and Voting Assistance Officers the tools, materials, and information necessary to facilitate registration, ballot request, and ballot transmission. The Federal Voting Assistance Program made the updated 2008-2009 *Voting Assistance Guide* available for distribution 2.5 months earlier than in previous

years to accommodate the early primary election dates for 2008. Since September 1, 2007, tens of thousands of hard copies of the Federal Post Card Application and the Federal Write-In Absentee Ballot have been distributed directly to the states, the Services, State Department offices, other executive branch agencies, overseas citizens groups, and individuals. The Services distribute *Voting Assistance Guides*, Federal Post Card Applications and Federal Write-in Absentee Ballots to their Voting Assistance Officers and individual voters through their normal supply chains. All of these materials are, of course, also available through the Federal Voting Assistance Program website.

Facilitating Ballot Transmission

The Department takes extraordinary steps to ensure that members of the uniformed services, their family members, and overseas citizens have an opportunity to vote. Expediting ballots through any and all media accepted by state and local election officials is a very important aspect of the absentee process.

In 2004 and 2006 the U. S. Postal Service handled ballots using Express Mail procedures while those ballots were within its system. I want to thank the U. S. Postal Service, particularly Mr. Paul Vogel, Senior Vice President of Global Business, for the outstanding support provided in expediting balloting materials so that our service men and women could exercise their franchise. The Military Postal Service also used special handling and expediting procedures while transporting ballots outside the U.S. to and from overseas military post offices.

The Federal Voting Assistance Program, in conjunction with the U. S. Postal Service and Military Postal Service Agency, is again ensuring that military absentee

ballots are expedited. Beginning September 15, 2008 absentee ballots from local election officials will be handled expeditiously with special handling procedures to the military mail gateways and then to overseas military post offices to ensure that absentee ballots arrive promptly. This expedited delivery includes special marking and handling of absentee ballots. Beginning October 29, 2008 through November 4, 2008 the Military Postal Service Agency will ensure absentee ballots from overseas military postal activities are expedited back to the local election official.

The Department's effort to expedite delivery of ballots starts well before the election year. The Military Postal Service Agency (MPSA) ensures that its postal personnel are trained, certified and have the necessary resources to handle absentee ballots. MPSA published a 2008 Voting Action Plan, Calendar and monthly voting messages to all military postal activities reminding them of the proper procedures in handling ballots. All military postal activities in forward deployed roles have postmarking devices to ensure that ballots are legibly postmarked. Surveys of all military post offices are conducted weekly from November 2007 through November 2008 to ensure ballots are not delayed. The Military Postal Service Agency publishes recommended mailing dates based on transportation transit times and geographic locations, to help ensure ballots are received by state deadlines and service members understand when their absentee ballots must be returned to their local election officials.

For those citizens who may not be able to vote by mail, the use of technology can provide alternative means for voters and local election officials to send and receive voting materials. In 1990, the Federal Voting Assistance Program initiated an emergency

measure (with the cooperation of the states and territories) to use electronic transmission (facsimile technology) and established the Electronic Transmission Service so that uniformed services members deployed during Operation Desert Shield could participate in the upcoming general election. The Electronic Transmission Service allowed these voters deployed in the Persian Gulf to fax their registration request application and the local election official to fax the blank ballot to the voter. What began as a special effort is now widely accepted by most states and institutionalized through state legislation. The Department aggressively promotes expanding use of technology through electronic transmission alternatives. Fax and email options for registering to vote, requesting an absentee ballot, receiving the absentee ballot, and returning the voted absentee ballot greatly reduce the amount of time needed to complete the absentee voting process, and give *UOCAVA* voters additional alternatives when regular mail is slow or unreliable. The Department urges the states to provide as many options as possible to meet citizens' needs. Electronic transmission by fax, email or through the Internet have become worthwhile alternatives to the by-mail absentee voting process for our men and women in uniform.

Currently, the Electronic Transmission Service exists as a toll-free option for voters to send their applications, receive their blank ballots and return voted ballots to local election officials. Voters have the capability of sending and receiving their absentee balloting materials through toll-free fax numbers in 51 countries. Uniformed service members and dependents also have access to a toll-free number through the Defense Switch Network. Currently:

- 28 states, 2 territories and the District of Columbia allow *UOCAVA* voters to submit a Federal Post Card Application for registration by fax.
- 47 states, 3 territories and the District of Columbia allow *UOCAVA* voters to submit a Federal Post Card Application for absentee ballot request via fax.
- 35 states, the District of Columbia and the U.S. Virgin Islands allow *UOCAVA* voters to receive the blank ballot via fax.
- 23 states, the District of Columbia and the U.S. Virgin Islands allow *UOCAVA* voters to return the voted ballot via fax.

Many states and territories have expanded their electronic transmission alternative capabilities to include email. The Federal Voting Assistance Program is aggressively urging states to consider using email as an integral part of the electronic alternatives made available to their citizens. Since many forward deployed soldiers have email capabilities but do not have access to fax capabilities, the institution of processes that allow for email ballot request, ballot delivery, and ballot return can be crucial to enfranchisement. Currently:

- Seventeen jurisdictions allow *UOCAVA* voters to submit a Federal Post Card Application for absentee ballot request via email.
    - Alaska
    - Colorado (for active duty outside the U.S.)
    - Illinois (the City of Chicago and suburban Cook County)
    - Indiana (must use FVAP's electronic transmission service only)

- Minnesota
- Mississippi (for active duty overseas)
- Missouri
- Montana
- North Carolina
- North Dakota
- Oregon
- Puerto Rico
- South Dakota
- Virginia
- Washington
- West Virginia (certain counties only)
- Wisconsin

- Ten states allow *UOCAVA* voters to submit a Federal Post Card Application for registration via email.
  - Alaska
  - Colorado (for active duty outside the U.S.)
  - Indiana (must use FVAP's electronic transmission service only)
  - Mississippi (for active duty overseas)
  - Montana
  - North Carolina
  - Oregon

- Virginia
- Washington
- West Virginia (certain counties only)

- Fourteen states allow *UOCAVA* voters to receive the blank ballot via email.
  - Colorado (for active duty outside the U.S.)
  - Delaware
  - Florida
  - Illinois (the City of Chicago and suburban Cook County)
  - Indiana (must use FVAP's electronic transmission service only)
  - Mississippi (for active duty overseas)
  - Montana
  - North Dakota
  - Oregon
  - South Carolina
  - Virginia
  - Washington
  - West Virginia (certain counties only)
  - Wisconsin
- Eight states allow *UOCAVA* voters to return the voted ballot via email.
  - Colorado
  - Indiana (must use FVAP's electronic transmission service only)
  - Mississippi (for active duty overseas)

- Missouri (for voters in federal service in inaccessible locales for 2008 primary election)
- Montana
- North Dakota
- South Carolina
- West Virginia (certain counties only)

Since 2005, the Federal Voting Assistance Program has encouraged states and territories to make available to citizens website portals that allow voters to check their registration. To date, ballot registration status sites have been launched in 29 jurisdictions:

- Arizona
- Arkansas
- Colorado
- Delaware
- District of Columbia
- Georgia
- Indiana
- Iowa
- Kansas
- Kentucky
- Louisiana

- Maryland
- Michigan
- Nebraska
- Nevada
- New Mexico
- New York
- North Carolina
- Ohio
- Pennsylvania
- Puerto Rico
- Rhode Island
- South Carolina
- South Dakota
- Utah
- Virginia
- Washington
- West Virginia
- Wisconsin

In 2004, the Department administered the Interim Voting Assistance System (IVAS). IVAS was a voluntary project implemented in September 2004 and maintained through the conclusion of the 2004 election. The Department spent $576,000 on the

project. It allowed eligible absentee voters (active duty military, activated Guard and reserve personnel, their dependents, DoD overseas federal agency personnel in Central Command and DoD contractors overseas) to request and receive their absentee ballots via the internet. In order to take advantage of IVAS, voters must have already been in the Defense Enrollment Eligibility Reporting System, be a *UOCAVA* voter, and registered to vote in a state and county that volunteered to participate in the DoD project.

Using IVAS, the voter could request a ballot over the internet. After the local election official approved the request, IVAS notified the voter via email that the ballot was available to download. The voter then could download and print the ballot, mark it by hand, and return it by mail to the local election official.

One hundred eight counties in 6 states and one territory (Kansas, Kentucky, Maryland, Mississippi, New Mexico, South Carolina, and the U.S. Virgin Islands) participated in IVAS 2004. At the end of the election, 28 of those counties had received and processed ballot requests, and uploaded ballots for *UOCAVA* voters to pick up. Voters downloaded 17 ballots.

The Department, as mandated by Congress, continued the IVAS effort in 2006. IVAS was renamed and launched as the Integrated Voting Alternative Site, which provided a feature on the Federal Voting Assistance Program website consolidating information from the 55 states and territories on electronic ballot request and delivery alternatives with the goal of communicating these alternatives to all *UOCAVA* voters.

Additional features of IVAS 2006 were 2 online ballot request and delivery tools being offered for use by states and territories through the Department. The Federal

Voting Assistance Program communicated with the 50 states, 4 territories, and the District of Columbia regarding the options that were available to them regarding this project. The jurisdictions chose the tool best suited to the needs of their *UOCAVA* voters and their respective laws and administrative procedures. Indiana, Kentucky and 2 Montana counties chose the tool that utilized secure server technology to request and receive absentee ballots. The tools were available for use by uniformed service members, family members, and overseas employees and contractors. Between the September 1, 2006 launch date and November 5, 2006 the IVAS section of the Federal Voting Assistance Program website received 34,857 distinct user hits. The Department invested approximately $1,100,000 in the 2006 effort.

For the 2008 general election, the Department is developing a state-specific automated registration and ballot request form and additional capabilities for blank ballot transmission and user identification and verification. The automated registration and ballot request form is available to all voters covered under *UOCAVA*. These citizens are guided through the completion of the Federal Post Card Application form based on the requirements of their state of voting residence, and, if allowed by state law, may upload the form to their local election office. The blank ballot delivery capability will allow participating local election officials to upload a specific blank ballot for an individual voter. After receiving an email notification, the citizen can download, print, mark, sign the blank ballot, and submit it in accordance with state law.

NDAA for FY 05 requires the DoD to carry out an electronic voting demonstration project after the Election Assistance Commission (EAC), in conjunction with the

National Institute of Standards and Technology (NIST), releases electronic absentee voting guidelines. The EAC internet voting guidelines will be the basis for future Federal Voting Assistance Program initiatives aimed at satisfying the Congressional mandate for an internet-based absentee voting demonstration project.

In May, 2007 the GAO issued a report recommending specific strategies for the DoD to apply in the planning and development of a future electronic voting project. The Department agrees with those recommendations, and, in fact, published similar observations in a report to Congress released prior to the GAO findings.

Results

There is no definitive information regarding voting participation rates, and there is no centralized system that accurately tracks who votes and who doesn't. The only detailed survey is conducted by the DoD during Presidential election years. This statistically-sound, random sample survey of *UOCAVA* citizens and local election officials is mandated by the *UOCAVA* and is conducted to gather post-election information on the effectiveness of assistance by the Federal Voting Assistance Program. The survey allows us to analyze uniformed services voter participation, overseas U.S. citizen participation, and State-Federal cooperation. The results of the DoD post-election survey reflected improved voting participation among uniformed service members from 2000 to 2004. For the 2004 general election, of uniformed services members (stateside and overseas) who responded, 73% voted and an additional 6% attempted to vote (as compared to 57% and 12%, respectively in 2000). Of federal civilian employees overseas who responded, 77% voted and an additional 3% attempted to vote (versus 55%

and 10%, respectively in 2000). Of non-federal civilians overseas who responded, 53% voted and an additional 5% attempted to vote (compared to 22% and 15%, respectively in 2000). Particularly noteworthy in 2004 is the significant reduction in the number of voters who unsuccessfully attempted to vote in each community (uniformed service members, federal civilians overseas, and overseas citizens). These are the only statistically-sound data describing voting behavior among *UOCAVA* citizens. Other reports and "surveys" can provide useful information, but owing to the methodological approaches they use, cannot be extended to determine the percent of *UOCAVA* voters who successfully exercised their franchise. Our data are authoritative. Information gleaned from self-selected, non-random populations with very low response rates should not be relied upon as the exclusive basis for crafting *UOCAVA* policy or programs.

UOCAVA requires the EAC to collect comprehensive data from the states on all of the ballots sent to and received from *UOCAVA* voters within 90 days after each regularly scheduled general election, and to make a report of the data available to the general public. The EAC published *UOCAVA* survey results for the November 2004 Presidential election in March 2006, and published data for the November 2006 mid-term election in September 2007. These reports provided data from 49 states, the District of Columbia and America Samoa, but cited problems with incomplete data and variations in the collecting and reporting of numbers from the states. The collection of quality data as required by *UOCAVA* is essential for proper evaluation of the administration of the absentee voting process. We ask the Congress to support the EAC and the states in their

efforts to obtain the required data using rigorous, peer-reviewed, statistically sound methodologies.

In both 2004 and 2006 the DoD and our sister Executive Branch agencies, and volunteers with American citizen organizations overseas conducted all-out efforts to inform our men and women in uniform and citizens outside the U.S. about their right to vote, how to go about the absentee voting process, and to provide assistance and materials for these citizens to participate in elections. In a March 2008, Report to Congress, the Department of Defense Inspector General concludes that "...the Services are working diligently to ensure that their respective Voting Assistance Programs are effective" and "...the Services' Voting Assistance Programs are compliant with the policies and instructions in DoD Directive 1000.4." We commit ourselves to continue concerted state and federal cooperative efforts to improve the absentee voting process and participation in elections by *UOCAVA* citizens.

Looking Forward

Over the last four years, the Department has continued to build on the successes of the 2004 Presidential Election. The ongoing efforts of the Department, the U.S. and Military Postal Services, the Department of Justice, the Department of State, other federal agencies, state and local governments, and a variety of not-for-profit and non-governmental organizations are giving more voters a greater opportunity to participate in elections. Through our collective efforts to improve ballot transit time and promote and implement expanded electronic transmission alternatives, voters will continue to reap the benefits of these improvements in this and future elections.

The CHAIRMAN. Honorable Beth Chapman.

STATEMENT OF BETH CHAPMAN

Ms. CHAPMAN. Chairman Brady, Ranking Member Ehlers, committee members, specifically my colleague from Alabama Representative Davis, I am deeply honored to be today representing the great State of Alabama, the National Association of Secretaries of State and, most importantly, the men and women of the United States military.

Please allow me to share with you a portion of a letter written to Congress. Quote, "about 2.5 million men and women in the Armed Forces are of voting age at the present time, many serving in parts of the country distant from their homes. They are unable to return to their States to register or vote, yet these men and women who are serving their country, and in many cases risking their lives, deserve above all others to exercise the right to vote in this election year. The least we can do is make sure they are able to enjoy the rights they are being asked to fight to preserve," end of quote.

These words, so eloquently written, expressing exactly how I feel, and the heart and soul of today's subject, are not my words. Ironically, they are the words of President Harry S. Truman in a letter to Congress 55 years ago.

Today we gather five-and-a-half decades later with no solution and, frankly, no acceptable excuses. With computer technology achieving what once seemed impossible, with numerous trips to the moon and beyond, cars that park themselves, robots that sweep and vacuum our floors, and running shoes with computer disks that track our distance, the problem of not allowing our men and women in the military every opportunity to vote is a travesty of justice.

Throughout the years the full right of democracy has ensured racial and gender equality and has paved the way for those with disabilities; however, it has failed to meet the needs of the very ones who fight for our freedom. America should no longer keep democracy within the confines of the voting booth. If our military voters cannot come to a voting booth, then we simply must take the voting booth to them.

I hope that no one will ever stand 55 years from now where we are standing today and quote from this speech as I have done from President Truman's. To allow that to happen would be blatant disrespect for our military and a shameful slap in the face of democracy.

There are three companies located in America that are already providing safe, secure internet voting in other countries. America is not accustomed to being last in anything, and now is not the time to start. From our greatest vulnerability must come our greatest strength, a sound democracy.

Members of our military should have this opportunity in 2008 because they created the Internet; therefore, I think we can trust them to use it securely as they do every day through their Common Access Cards, Army Knowledge Online Intranet where they check their bank accounts, their retirement benefits, e-mail their families, and other business of a confidential nature.

Members of our military, unlike other citizens abroad, do not choose to live there, nor do they have any choice in how often their families are uprooted and moved or for what amount of time. We must not ask them to fight for a freedom they are not allowed to have. Private air transportation companies, as has been pointed out, provide ways to stop this injustice and help our military vote.

There are only 144 business days left until this country elects a new President. There must be a resounding sense of urgency among us today. Time is of the essence. Congressman McCarthy's bill would provide for an immediate solution to this urgent need by directing the Presidential designee under UOCAVA to establish procedures for picking up and delivering ballots with tracking accessibility to ensure that votes are counted. However, it does not dismiss the need for notaries or witnessed signatures because there must be a certain level of integrity maintained in the sacred process.

The key to H.R. 5673, as I see it, is to carefully treat the democratic process much like a surgeon operates on a vital organ of the body; he opens it up, cuts through the surface, and maneuvers around tiny vessels without nicking a major artery. Likewise, we must open the democratic process just enough to repair it to expedite the military's vote without opening it wide enough to bleed it of its integrity and risk the infectious disease of fraud. It is a life-threatening surgery of the democratic process we must perform, and the question remains is it worth it? I say, in an effort to provide democracy to the very defenders of that democracy itself, it is.

The CHAIRMAN. Thank you.

[The statement of Ms. Chapman follows:]

Testimony of Beth Chapman
Alabama Secretary of State

"Military and Overseas Voting: Problems and Progress in Ensuring the Vote"

Before the Committee on House Administration
United States House of Representatives

Tuesday, April 15, 2008

Chairman Brady, Ranking Member Ehlers and Members of the Committee:

I am deeply privileged to be here today representing the great State of Alabama, the National Association of Secretaries of State, and most importantly – the men and women of the United States Military.

Please allow me to share with you a portion of a letter written to Congress.

"About 2.5 million men and women in the Armed Forces are of voting age at the present time. Many . . . serving . . . in parts of the country distant from their homes. They are unable to return to their States to register or vote. Yet these men and women, who are serving their country and in many cases risking their lives, deserve above all others to exercise the right to vote in this election year. . . the least we can do is make sure they are able to enjoy the rights they are being asked to fight to preserve."

These words, though eloquently written, expressing my thoughts and speaking to the very heart and soul of today's subject are not my words. Ironically, they are words of President Harry S. Truman in a letter written to Congress fifty-five years ago.

Today we gather over half a century later with no solution and frankly no acceptable excuses.

With computer technology achieving feats that were once unimaginable and numerous trips to the moon and beyond, cars that park themselves, robots that sweep and vacuum our floors, and running shoes with computer chips that track our distance, the problem of not allowing our military men and women EVERY possible opportunity to vote is a travesty of justice.

With the help of this committee, the Overseas Vote Foundation, Elections Assistance Commission, Pew Charitable Trusts, the Federal Voting Assistance Program, the Departments of Justice and Defense, and elections officials from every city, county and state across our nation, and other advocacy organizations, it should be our full intention that no one ever stand five and a half decades from now where we stand today and quote from this speech as I have done from President Truman's. To allow that to happen would not only serve as a blatant disrespect for our military and overseas voters, but it also would serve as a shameful slap in the face of Democracy.

Today, let us leave with a firm resolve to make this obvious need a reality – not just for our soldiers, sailors, guardsmen, airmen and marines, but for their families and more importantly for the democratic balance and fair availability to vote that is needed to ensure that democracy is not just for those at home, but for those abroad protecting their home.

Throughout the years, the full right of Democracy has ensured racial and gender equality, and has paved the way for those with disabilities. However, it has failed to meet the needs of the very ones who fight for our freedom.

America should no longer keep Democracy within the confines of a voting booth; it must go into the battlefields where the greatest among us are serving. If our military voters cannot come to a voting booth, then we simply must take the voting booth to them.

The sacred freedom of the right to vote should cross every ocean, enter every cave and foxhole, every barrack and desert place whether at sea, in the jungles or in the air – or even on foreign mission fields for those American missionaries serving God. Democracy should be extended to those serving us abroad and their families. Their absence from home should not deny them their right to vote. Given the reason for their absence from home, it should enhance their right to vote, not potentially remove it.

If Democracy was strong enough to eradicate the boundaries of race, gender, and physical disabilities years ago, then it is strong enough to reach those who defend our right to vote today.

America is only as fair, honest, and strong as our elections process. We must not simply do what is required, but all that is necessary to honor the men and women who wear the uniform of the United States Military and their families.

As an elected official I am often asked if I support the war and my answer is simple - this is not about the war, but the men and women fighting the war and the principles and freedoms for which they fight that I support.

I always have and I always will believe that support for our military should be unwavering and ongoing regardless of the politics or the opinion polls of war. Those facts do not change the one fact that there are men and women in selfless service laying their lives on the line for our freedom every day.

Each time a vote is cast, it is because of them. Each time a flag is raised it is because of them. Each time we sit quietly and sleep safely in the comfort of our homes it is because of those who served then and those who serve now.

And because of them, we should never hear the words freedom, democracy, liberty or independence without thinking of them. As we exercise the pursuit of happiness without remembering where it comes from and how much it costs we must remember them. We should never allow anyone to refer to our Republic without remembering those who sacrificed their lives so that we may live our lives and the sacred responsibility our forefathers left us to keep it.

Members of the armed forces work with a passion and a purpose far greater than their own. They do not see their service as a sacrifice, but as a duty and an honor.

Servicemen and women make a pauper's pay for a hero's job and risk their lives for an entire country. They must be lethal weapons of destruction or gentle giants of goodness. They throw their bodies on top of grenades for ideals, freedoms and principles someone else created and on which our country was founded.

They fight so we can live - stay awake so we can go to sleep - work twice as hard for half as much. They forcefully fight so we can freely speak. They fight on someone else's soil so we can freely live on our own.

My home state of Alabama has one of the largest military populations in the country and they need to have their voices heard on issues back home. Otherwise, democracy is but a dream and not the process our forefathers created it to be.

On behalf of the approximately 100,000 Alabamians overseas, including the Alabama National Guard that ranks number one per capita in the nation of deployed troops since 9/11, my staff and the great people of Alabama stand ready to champion this common cause that we share.

With regard to voter registration, Alabama is one of only three states to partner with the Overseas Vote Foundation (OVF), in making voting for Alabama's military and overseas citizens more convenient and expeditious. Twenty-five percent of ballots are rejected because they were not completed correctly. OVF provides a computer program that is an easy, well-guided process which will not print until the application is completed in its entirety and all errors are corrected. The services of OVF can be utilized to register to vote by active-duty uniformed service members and their families within and outside of the United States.

My staff and I recently organized and held an *Inaugural Military and Overseas Voting Forum*. It was a great success, and proved the openness of civilians and government officials to admit the need for a more convenient and expedient way for our troops to cast their votes. We have already issued Requests for Information (RFIs) to over 4,000 companies, and have received responses - three from companies located in America whose software is being used to provide secure internet voting in other countries. America is not accustomed to being last in anything and the time to start is not now. From our greatest vulnerability must come our greatest strength – a sound democracy.

I have met with members of the Overseas Vote Foundation, the Elections Assistance Commission, Pew Charitable Trusts, Department of Defense, Department of Justice, Joint Chiefs of Staff, National Association of Secretaries of State and it seems we all realize the inevitability of internet voting in the future.

At my request, Alabama Governor Bob Riley by Executive Order created a Military and Overseas Voting Task Force. Over the course of the next year the task force will be

studying ways to expedite voting for members of our military. We will present a report to the Governor and the State Legislature next year regarding our findings. It is my hope that we will be able to move forward at that time to the modern day Democracy that lies ahead of us – secure internet voting for members of our military.

While I am not a proponent of everyone having this opportunity, the military should have the opportunity for obvious reasons. The United States Military created the internet, so I think we can trust them to use it securely. After all, they do so everyday through Common Access Cards (CAC), and their Army Knowledge Online (AKO) accounts which allow them to change their direct deposits, review their retirement status, email their families, and other things of a confidential nature.

The question remains whether the Department of Defense and all branches of the military are willing to allow voting to occur on those services. Since the Air Force has its own unique computer system, that poses another question of willingness to collaborate in the democratic process via their present confidential computer services working in conjunction with the others. Those are issues that will have to be decided between them.

In addition, members of our military, unlike other citizens abroad, do not choose to live there nor do they have any choice in how often their families are uprooted and moved and for how long. Since we place them in a unique situation, they should have a unique voting opportunity that is not necessarily available to others. This is even more true given the fact that they are often moved at a moment's notice, thus changing their voting address.

We live in a nation where the very men and women who are fighting for our right to vote are often not allowed to cast their own. It makes no sense to me. As if their sacrifice of service is not enough, they are fighting for a freedom they are not even allowed to have – the right to vote. With new technology, there are ways to stop this injustice and allow our military men and women to vote. Secure electronic and/or internet voting inside or outside of their own computer network seems inevitable if we are going to improve the system and provide them a more convenient, accessible means by which to cast their votes.

Opponents of this proposal are quick to point out that there is already an absentee voting process in place. However, "snail mail," as we now refer to it does not supply adequate time for the process to be effective. One out of every four overseas voters who have attempted to use that process did not have their votes counted. It takes approximately forty-two days for them to mail an absentee ballot application, have it processed, then be mailed a ballot, vote, and return it. That translates to basically one and a half month's time.

If twenty-five percent of any other profession were not allowed to vote or their votes were not counted, there would be outcries of injustice and discrimination. There would be protests in the streets, boycotts and total pandemonium would ensue, as it should.

So where is the outcry of injustice for our men and women in uniform, who have put their lives on hold, taken precious time away from their families, trained to live in temperatures and under

conditions we would never dream of living under any day, much less every day? Where are their rights? They pay taxes here and should have a voice in how they are governed including, but not limited to, how their tax dollars are spent. They should also have a voice in deciding who their Commander-in-Chief will be. We must give them their right to vote at home while they are serving abroad.

My staff and I placed before the Alabama Legislature HB 183 that would include faxing voter applications and make the process available for those Alabamians overseas to vote in the upcoming election. Most states already have the assistance of facsimile and it helps, but it does not help enough.

There are only one hundred forty-four business days until this nation elects a new President. Let there be a resounding sense of urgency among us today.

HR5673 would provide an immediate solution to this urgent need by directing the Presidential designee under UOCAVA to establish procedures for picking up and delivering ballots with tracking accessibility to ensure the votes are counted. However, it does not dismiss the need for notaries or witnessed signatures nor does it allow the acceptance of anything short of a crumpled napkin with a name scribbled on it. There must be a certain level of integrity maintained in this sacred process.

The key to HR5673 as I see it is to carefully open the democratic process much like a surgeon operates on a vital organ in the body. He opens it up, cuts through the surface and maneuvers around the tiny vessels without nicking a major artery. Likewise, we must open the democratic process just enough to repair it – to expedite the military's vote without opening it wide enough to bleed it of its integrity and risk the infectious disease of fraud. It is a life-threatening surgery of the democratic process we must perform and the question remains is it worth the risk? I say in an effort to provide democracy to the very defenders of that democracy itself it is.

HR5673 provides an opportunity to quickly provide the military their vote without jeopardizing those of an entire nation, thus ensuring that those who fight to protect our right to vote get to cast their own.

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Beth Chapman is Alabama's 51st Secretary of State and can be reached at beth.chapman@sos.alabama.gov , or (334)-242-7200.

The CHAIRMAN. You both, I assume, heard Congresswoman Maloney's testimony where she asked about one form for registration for the ballot. I understand there are many forms out there. And she also talked about refusing ballots or refusing to accept the vote or refusing to give them the ballot because of the paper or different discrepancies in the paper, and one last thing, the postage sometimes is incorrect. I mean, is there anything that we are doing to correct those things? They seem relatively easy. I understand that the one form may be a little bit of a problem, but it is nice to have everything uniform to make it easier to allow our people to vote. Anyone?

Mr. DOMINGUEZ. Sir, if I could start, I think the Congress has already addressed the issue of the standard form for ballot requests and delivery through the Federal Post Card Application that they mandated the States accept for Federal elections, and through the Federal write-in absentee ballot that the Congress mandated the States also accept for Federal election purposes. We do, it is true, have problems with some States or largely localities who don't get the word and who take actions to reject some of these things. When we find out about it, we are able to intervene and correct those. But I think the legislation here, the act of the Congress or will of the Congress has already been expressed.

Ms. CHAPMAN. Yes, sir, Mr. Chairman. In Alabama, we are now on line with the Overseas Vote Foundation, which you will hear much more about in later testimony. We have tried everything we can to streamline into one card. We used the FVAP voter registration card, and that is very standard.

But, yes, with Congresswoman Maloney's comments earlier, there are guidelines as State elections officials that we must follow that have been set for us.

The CHAIRMAN. In Alabama you have provided no data to the EAC yet?

Ms. CHAPMAN. When you say "data," to which data are you referring?

The CHAIRMAN. For the most recent reports on how many UOCAVA ballots are requested or counted.

Ms. CHAPMAN. No, sir, because I have only been Secretary of State for a little over a year now, so in the past elections that information, I am embarrassed to say, was not provided, but will be provided in this election.

The CHAIRMAN. Okay. Thank you.

Anybody else have any questions?

Mr. Ehlers.

Mr. EHLERS. Thank you, Mr. Chairman.

Mr. Dominguez, I am a little concerned about the statement you made that you can't keep track of all the people in the military, and you don't always know where they are. Early in my testimony I commented about the fact that FedEx and the other companies keep track of 23 million packages a day. I would think you might want to try using their technology, or else just give each of them a FedEx box and have FedEx follow the box. I understand in a battle situation, when you are in action, you can't keep track of everyone very clearly, but the majority of your forces and their depend-

ants are relatively stable, and I would hope that is not a problem to keep track of them for voting purposes.

I don't know if you have tried various innovative ways of working with secretaries of state and local election officials to ensure that they get the ballot application on time and get their ballots in on time. What are you trying to do to correct that situation if you can't keep track of them?

Mr. DOMINGUEZ. Sir, I apologize if I misled you. We can absolutely keep track of them. The point I was trying to make, obviously not very effectively, is that people—let us take an example of the Guard and Reserve—people can be mobilized, particularly in the case of a national emergency, where they had a full expectation of being home and able to vote, and then because of a national crisis and the speed and mobility with which our Armed Forces now respond to a national crisis, that person can be way, very far away from the State or locality in which they were planning to vote. And that can happen overnight. And so that the second example is, as you mentioned—is the mobile warriors on the battlefield.

So we assign people to forward-operating bases, and we know where they are, and we know that is where they get their mail. Unfortunately they can be gone from that location maneuvering in the field for 2 and sometimes 3 weeks during that critical period of the transmission of the mailed ballots.

So those are realities of the speed and agility that you can take pride in from your Armed Forces. They create problems not in us knowing where they are, but in the traditional mail processes of being able to get them. That is why I said in my opening statement that I believe the Internet is going to be a contributor to closing this gap and the gap that applies to some of our civilians overseas as well.

But specifically now to answer your question about what we are doing, it is that extensive outreach campaign to try to get information to voters; get voting materials out to voters and get them to recognize that they can vote; they can download and use the Federal write-in absentee ballot and send that in even if they haven't received their State ballot, so as long as they are registered, and that if they are going to be gone, or they know they are going to be gone, use that ballot and vote and be counted.

Mr. EHLERS. Thank you.

The CHAIRMAN. Any other questions?

Mr. Davis.

Mr. DAVIS OF ALABAMA. Thank you, Mr. Chairman. I want to welcome my secretary of state here today. And, Mr. Chairman, neither Ms. Chapman nor I have a genuine Alabama accent, so we will endeavor to get an Alabamian with broader vowels; neither one of us can really put that in the record.

I only have one line of questions. First of all, thank you for the job you do. By definition, Secretary Chapman, it is impossible to be a good secretary of state without being bipartisan, and the ones who have gotten in trouble have forgotten that, and the ones who do their job well day in and day out remember it. So I thank you for remembering that.

I want to ask you only one question. As you recall, before you became secretary of state, Alabama and a few other States were sued

by the Department of Justice because our runoff election procedure in primaries bumped up against the timetable for getting absentee ballots from overseas service persons, and the Alabama remedy to that suit was to extend our runoff period. Now, it so happened in 2006 this was kind of a tree falling in the forest. A lot of people missed it, because, as you know, a lot of incumbents ran for reelection in 2006 at the statewide level, and there was only one high-profile statewide runoff, and that was for Lieutenant Governor in your party. And frankly, a lot of people are still not aware that we have extended our runoffs to 6 weeks.

Now, fast forward to 2010 when there is a certainty of the Governor's race being open, and likely contested battles in both parties, a likelihood because of the Governor's race being open and various other offices opening up as people run for Governor. There could well be as many as eight or nine State runoffs in both parties. And a number of criticisms have been raised, and they tend to go along two somewhat different but interesting lines.

One argument is that the 6-week runoff period is very burdensome to the candidates. As someone who won my seat in the runoff, I can certainly tell you a 3-week period requires you to raise an enormous amount of money; a 6-week period only more so. And frankly, the voters often aren't happy because in a 6-week runoff campaign, you essentially start from scratch.

The other argument that people raise is along a different track, and it deals with the fact that people just don't tend to come out to vote on a runoff. And in Jefferson County, for example, there were, on the Democratic side, three runoffs in 2006 at the legislative level. House districts are roughly 20,000 to 25,000 people in Alabama. There was a turnoutout of 7½ percent in one of those districts. Someone won with 1,800 votes to 1,500 for the adversary. In another district there was a turnout of 12½ percent, and I think the high turnout was 20 percent, all of those abysmally low. And people raised the valid concern, I think, that when you have a 6-week period, especially in a State that is not accustomed to that, you get very, very low turnouts.

Are there any remedies the Alabama Legislature could adopt for 2010 that would enable us to go back to our 3-week runoff campaign?

Ms. CHAPMAN. With great respect, sir, I can never propose to speak on behalf of the Alabama Legislature.

Mr. DAVIS of Alabama. Neither you, nor me, nor anybody else.

Ms. CHAPMAN. And if you would like for me to answer this in my dialect of the original Southern dialect so that everyone can hear it here today, I will be happy to do so.

The Alabama Legislature has many things before it with regard—as you know, HAVA compliance, federally we are now HAVA compliant. We were very far behind, I am once again embarrassed to say, but we are catching up. There are a lot of questions before them.

But I think your question of voter turnout is very pertinent. A lot of that, I believe, in the past has just been due to lack of education. And in this last primary that we had, the first Super Tuesday in Alabama, we had a record number of voters. I believe that in November we will have a tremendous number of voters that

have never voted before, and that is good for democracy. Regardless of which side of the aisle they are voting for, I think that is a good thing.

But with regard to the legislature, yes, sir, there are many things we will be discussing. One of them is a military and overseas voting task force that we have established. We will be presenting some times—some legislation regarding time lines. As you know, if someone from overseas, military or nonmilitary, tries to apply to vote, the whole process from beginning to end could take up to 42 days, which is a month and a half. Totally inexcusable.

So, yes, sir, there are a lot of things that we hope to be doing, and certainly hope to prevent any more lawsuits from the Department of Justice.

Mr. DAVIS of Alabama. Thank you, Mr. Chairman.

The CHAIRMAN. Mr. Lungren.

Mr. LUNGREN. Thank you very much for your testimony. Let me just ask a couple of questions and see if I got this right.

Mr. Dominguez, as I understand it, there is a specific absentee ballot application that is standard that can be used for voters in all States if they are in the military; is that correct?

Mr. DOMINGUEZ. Yes, sir. There is a standard Federal Post Card Application, which is an application for registration and for a ballot that is standard across all voting jurisdictions for the UOCAVA voters.

Mr. LUNGREN. Secondly, you said something about a back-up Federal ballot. And could you explain to us exactly what that is?

Mr. DOMINGUEZ. Yes, sir. The Federal write-in absentee ballot anticipates the problem of a ballot from a local election official not getting to a voter who wants to participate in a Federal election. And the Congress has mandated that this ballot, which is—we distribute blank ones so it is available through voting assistance officers. It is also downloadable from the Web. You can download that ballot, write in the candidate selections that you prefer——

Mr. LUNGREN. For Federal elections.

Mr. DOMINGUEZ [continuing]. For Federal elections.

Mr. LUNGREN. In your jurisdiction.

Mr. DOMINGUEZ. And then pack it up and mail it to the local election official in your jurisdiction.

Mr. LUNGREN. So it is a blank one where I would write in Congressional District 3, California, and put a person in my district there?

Mr. DOMINGUEZ. Right.

Mr. LUNGREN. So that obviously I need to have the information as to who is running and do it correctly.

Mr. DOMINGUEZ. Right.

Mr. LUNGREN. Now, and maybe I should address this to both of you, in terms of the State, is there a specific obligation that the State must accept that so long as it follows the parameters established under the Federal law?

Mr. DOMINGUEZ. Yes, sir.

Mr. LUNGREN. And is that the case in Alabama; you would receive this, and so as long as it comported with the requirements under Federal law, you must accept that as a legitimate vote for that particular race?

Ms. CHAPMAN. Yes, sir.

Mr. LUNGREN. Are either one of you aware of any problems with respect to State authorities or their subdivisions accepting those? Have we had a problem with that?

Ms. CHAPMAN. The biggest problem we have had is in receiving the actual ballots and not having two witnesses or one notary, which in our State is what the requirement is.

Mr. LUNGREN. So if someone is on the battlefield, and they have to fill this out they need a notary? No, I am being serious.

Ms. CHAPMAN. If they are voting absentee, yes, sir, they must have a notary or two witnesses.

Mr. LUNGREN. Or two witnesses?

Ms. CHAPMAN. Yes, sir, it is an either/or.

Mr. LUNGREN. And that is anticipated, I expect, by the Federal legislation; that is, that that is an acceptable requirement for a State?

Ms. CHAPMAN. Yes, sir. And because Alabama falls under section 5 of the Civil Rights Act, everything we do must be and presently is approved by the Department of Justice.

Mr. LUNGREN. Then it seems to me, as I understand it, the problem is not that we haven't provided back-up mechanisms in order to allow for someone to vote even if they are not where they are supposed to be, or even if they did not receive the official ballot from the State, it is a question of delivery to them and then delivery back to the appointed authorities in the State by the time certain? Would that be correct; is that the problem we are really dealing with?

Ms. CHAPMAN. In our situation that is a huge part of the problem. Another aspect that you have not mentioned is a lot of those come back to us not fully completed once again, which is why Alabama was so attracted to the Overseas Vote Foundation system, because you fill it out on line, and it will not print it for you if there are any errors on it. Say if you left off your ZIP code, or you did not provide the proper information, then it corrects it before it prints it. So we hope that that will solve a lot of those problems for us.

Mr. LUNGREN. I have a problem with us going to Internet voting per se. I have no problem with using the Internet providing the ballot to you so that then you can execute the ballot and then have it delivered. Is that system possible today?

Ms. CHAPMAN. I believe it is. I have seen demonstrations where I have been shown that it is. We do not presently use it. But with OVF, keep in mind it is only voter registration, it is not voting.

Mr. DOMINGUEZ. Congressman, if I might as well. Yes, what you described is possible, and, in fact, the Congress appropriated money to the Department for us to go out on a competitive solicitation for the development of that technology and fielding it in the 2008 general election.

Mr. LUNGREN. Mr. Dominguez, I appreciate the concerns that you have expressed and the difficulty that is inherent in us making sure that we get the numbers up in terms of participation and in terms of getting the valid vote received in a timely fashion. But even if someone is away from where they are supposed to be, I would presume that you are making an effort to get these write-

in ballots available to everybody no matter where they are, certainly before this next Presidential election is coming up, because we know that is a date certain for everybody, correct?

Mr. DOMINGUEZ. Yes, sir. And we have an extensive outreach campaign. Every unit has a voting assistance officer. Every installation has a voting assistance officer. Those people are charged with reaching out to and educating that population. And those people, in the case of people on the battlefield, you can back up and you say, okay, if you don't have your State ballot today, then you need to download or use—here, here is a Federal write-in ballot; you can vote today and get that in.

Mr. LUNGREN. Is there a way, therefore, for us to make sure that we expedite the receipt and delivery of those to the States in time? And, again, I am not against the U.S. Post Office, but most of us in our work, frankly, use UPS or use FedEx as much if not more than we do, and is that available; is that something we need to have?

I mean, I am just concerned. It sounds like we have done in the Congress the kinds of thing that we needed to do to make sure you get back up; the question is delivery. This isn't rocket science.

Mr. DOMINGUEZ. Yes, sir. And I want to say I am pleased to report an extraordinary partnership with the U.S. Postal Service. And they do absolutely expedite and give special handling procedures to election materials, and they will start that process in about September.

Mr. LUNGREN. But can you know—for instance, I can go on line right now, and I can find out—if I send something by UPS or FedEx, I can, without calling them, find out exactly where my document is. I mean, they will tell me where it has gone from here to wherever their collection facility is, to when it goes to California, to what truck it is on. I can find that out immediately. I can't find that out from the post office.

It seems to me if we are worried about getting our votes in on time for men and women in uniform around the world fighting to preserve our ability to vote, we ought to make every effort. And if it means competing with the post office, again, I am not against the post office, but if it means putting competition out there until they have a like system, maybe that is what we ought to do.

Mr. DOMINGUEZ. Sir, I will defer to the Postal Service on their ability to track and know where all those documents are. I do say, though, that they have taken extraordinary measures working with us to expedite the movement of these materials during that preelection period. And the military postal service agency does that from the battlefield back to these ports of entry into the United States where we turn it over to USPS.

Ms. CHAPMAN. Representative Lungren, to make some comments about your question, the future appears inevitable that the Internet in some shape, form or fashion be used in the democratic process. And we are dreaming here, and we are looking to the future, but ideally when the military transports or deploys someone, we are looking for a system that will actually make that address correction back on their voter registration form, because a huge number of ballots and applications come back for insignificant, incorrect

addresses. We have spoken with men and women of the military who have been moved 23 times in two years.

So for us as State and local election officials, that is part of the problem is mail being returned to us for insufficient addresses. And I might add that the National Association of Secretaries of State unanimously supported a resolution in 2004 encouraging expediting votes in the very way that you just mentioned. And I certainly, as a Secretary of State myself, certainly support that and brought that to the attention of my Governor and my legislature in 2003. So we are a little behind. We need to catch up.

Mr. LUNGREN. I just want to make sure we do it before the next election. I ran for Governor in California. If I had only gotten 1.2 million additional absentee ballots, I might have won. Maybe we can work on that, and I will try again.

Ms. CHAPMAN. Well, time is of the essence, and this is an urgent situation. Thank you.

Mr. LUNGREN. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you.

Mr. Gonzalez.

Mr. GONZALEZ. Thank you very much, Mr. Chairman. My apologies to one and all for my tardy arrival. I was at another hearing that . . . my presence was absolutely required.

I didn't hear the testimony, and I apologize, but it would appear to me, and maybe we will all get in some sort of trouble here, it is not just all overseas ballots. And I would like to concentrate on members of the armed services. And the difference there, of course, is that they don't really have a choice. They are following an order. Anyone else that finds themselves overseas, it is their own volition. Even if they are a government employee, they don't have to take the assignment or they can even quit. When you sign up and you put on that uniform, there's no saying no. So I think there is a distinction. So let us start off with that basic point. They don't have a choice.

The second observation is just the noninvolvement, whatever problems you may have. Whether you do have the military voter exercising the voter vote, for whatever reason it's not there in the percentages that it should be. And when they attempt, they are frustrated in greater percentages than should be. I think we probably can agree on a couple of those basic facts.

The trouble I have is, Why don't we utilize the Internet more extensively? Why can't Congress? And I know in your written testimony, Ms. Chapman, or Secretary Chapman, you do point out that I think the Governor has a commission or a study group, and that you say that sooner or later we will have Internet voting and such. Well, I think the time is now, and I think we agree on that.

My staff also told me, though, that I believe that Mr. Dominguez might have a reservation as to the potential fraud. But I really believe in a military situation, with military personnel, how great a threat is fraud in the context of using the Internet, which is probably the most efficient way of casting the ballot and counting the ballot? I think we need to start thinking in those terms. And we struggle, and we have our differences of opinion on where fraud may be happening and what we do to prevent that without impacting the legitimate voter and accommodating the exercise of the vote

by a greater number than we have presently in this country today, and especially by our citizens overseas. What is the problem with fast-forwarding and utilizing the Internet as the vehicle for the registration, the filing, and voting?

Mr. DOMINGUEZ. If I can start. The first thing is that it is the Government Accountability Office, a quote from a study that I read in my oral statement, that has, among others, raised the issue of security and the special security needs relating to Internet voting. So consistent with that finding and the advice from people who participated with us back in the secure—the SERVE project we tried to do at the request of the Congress in an Internet voting occupation, security concerns were raised there, subsequently ratified by the GAO in their study of 2007, I think June 2007, pointed out that there are these special security concerns. Now, the Congress has legislated that we move to internet voting, and the NDAA, National Defense Authorization Act for 2005, and the process that Congress laid out was for the Election Assistance Commission and the National Institute for Standards and Technology to define the standards, you know, for how this would work. And subsequent to the definition of those standards, particularly with regards to how you deal with the security problems, the Department will develop the applications to allow that to happen.

We are prepared to go. We have shared all the information we have with the EAC. Our teams are meeting. I am hopeful that the EAC and NIST will provide their standards here shortly. It is not going to be available for the 2008 election obviously, but there is no reason why we can't have that in place for the next general election beyond that, sir.

Mr. GONZALEZ. Secretary Chapman.

Ms. CHAPMAN. Representative Gonzalez, first of all, let me say that I believe all Americans overseas certainly have a right to vote. In my testimony I did become much more specific with regard to military voting, for the same reasons and more that you use, so I certainly concur with that.

More importantly, I think we need to recognize all overseas voters do not have a system already in place. The United States military already has Intranet and Internet systems in place that they are already performing confidential business over every single day. In addition, they created the Internet. So it is a little bit different. And I think for that reason, I advocate very strongly for the military to be allowed some type of privilege in the general 2008 election.

You asked the question about fraud. From the conversations I have been in and the summit that I recently attended in Munich, many meetings in Washington, and with fellow secretaries of state, the fraud is not, in my opinion, as much of a concern for people in the voting process as it is from the hacking perspective over the Internet. I think that is what scares people most.

I will also go a step further by saying that I would trust FedEx, UPS and the Internet, if properly maintained, with my ballot sooner than I would some ballot boxes in some courthouses across America. To me it is equally as protected, if not more so.

And to answer your question what is holding us back, in my State legislation, I must have legislation to use Internet voting or

any new, innovative, progressive approaches in this arena, or a Federal mandate. So that answers your question as to what is holding us back.

Mr. GONZALEZ. Thank you very much.

I yield back, Mr. Chairman.

The CHAIRMAN. Thank you.

Mr. McCarthy.

Mr. MCCARTHY. Thank you, Mr. Chairman.

To Mr. Dominguez, just kind of following up on some of what Mr. Lungren was saying, and you referring back that you have come into an agreement with the U.S. Post Office. It is my understanding that there was a recent meeting in Germany of UOCAVA, a summit, 2008.

Mr. MCCARTHY [continuing]. And I have a press release here from April 4 where FedEx, the world's largest transportation company, is a sponsor of the nonprofit foundation. And I don't quite understand all that they are doing. But are you familiar with this? Are they partnering up? And they say they are partnering, using their global network, "FedEx will deliver ballots from voters—countries of residence back to the voting authorities in their home States. Information of what overseas residents should do, details about the access on FedEx services." Have you talked to them or UPS? Or do you only talk to the Postal Service?

Mr. DOMINGUEZ. No, sir. The members of the Federal Voting Assistance Program on my staff were at that conference that was initiated—done at the initiative of the Overseas Vote Foundation, one of the great partners that we have, and there are many, working through these problems, trying to close those gaps. So we were at the conference. And our partnership is open to everybody who will help us exercise our responsibility to the Federal Government to close this gap and support UOCAVA voters.

I personally am not familiar with the specific proposals that, you know, FedEx may have put on the table, but my staff is. They are aware of them, and they are working with whoever can help under the law.

Mr. MCCARTHY. Can your agreement with what you have done with the Postal Service, is that exclusive to the Postal Service? Or could you utilize FedEx, UPS, DHL, any other known individual that could track and meet the requirement?

Mr. DOMINGUEZ. Sir, I will have to take that question for the record and provide you an answer. I am not—I don't know the law and the restrictions that govern us and the ballot transit process as well as my staff. So I will consult with them to get you an answer.

Mr. MCCARTHY. One of the things that I have heard, I mean, we understand it is going to take a comprehensive bill to apply. One, you raise the issue of knowing where everybody is at, being able to respond. And that will probably take longer than this general election. And listening to Secretary of State Chapman, there are 144 business days to go. I think the one thing that we can achieve is making sure the vote counts, knowing the statistics were that 23 percent do not. And being able to track and go forward, I think that is something we can achieve this election. And I would really like to work with you and the secretaries of state as well as this

committee to make sure we can do that, knowing that you are talking to the Postal Service. But here we have FedEx actually offering. But it is not to military personnel. It is actually to overseas citizens. My priority would really be to military personnel over there, much like what Mr. Gonzalez said because they didn't have a choice. They were told where they were going.

So having said that, I would yield back, unless anybody has any comments to my statements. Ms. Chapman.

Ms. CHAPMAN. One would be in defense of the United States Postal Service, they cannot deliver and return mail from addresses that are incorrect. So I do want to say that for the record.

And secondly, unless Congress passes legislation immediately and mandates it, I and the State of Alabama and my staff cannot accept a ballot by any other means than postal or in person. And that is not—you know, not something that I am happy about. But it is the law. And as you know, we must follow them.

Mr. MCCARTHY. So are you familiar—have you heard of this FedEx?

Ms. CHAPMAN. Yes, sir. I have.

Mr. MCCARTHY. And could you elaborate? Do you know much of the plan? I mean, if they have FedExed a ballot to you, could you not accept it then?

Ms. CHAPMAN. I cannot under my present laws unless Congress or the Alabama Legislature comes up with legislation and mandates that that be the case. I cannot at this point, which saddens me greatly.

Mr. MCCARTHY. Because our law may stop us from solving the problem. But if we were to act quickly, you could accept it then.

Ms. CHAPMAN. Very quickly. And the 144 days cannot be stressed enough.

Mr. MCCARTHY. I appreciate both of your testimonies. I yield back.

The CHAIRMAN. Thank you all.

We would like to call our next panel up, please. Good morning and thank you for being able to participate. Ms. Susan—can I just do the Ms. Susan Suinat before I butcher that? Ms. Susan Suinat is the CEO of the Overseas Vote Foundation, widely recognized as an innovator in voting technologies. Mr. Kimball Brace, President of Election Data Services, Inc., has worked for 13 States on congressional and legislative redistricting.

Ms. Susan, you are up first. Thank you.

STATEMENTS OF SUSAN DZIEDUSZYCKA-SUINAT, PRESIDENT, OVERSEAS VOTE FOUNDATION; AND KIMBALL BRACE, PRESIDENT, ELECTION DATA SERVICES, INC.

STATEMENT OF SUSAN DZIEDUSZYCKA-SUINAT

Ms. DZIEDUSZYCKA-SUINAT. Thank you, Chairman Brady, Ranking Member Ehlers, committee members. Thank you for the opportunity to testify today at this important hearing.

My name is Susan Dzieduszycka-Suinat, and I am President and CEO of Overseas Vote Foundation. We are a nonprofit nonpartisan 501(c)(3) public charity organization, and we are dedicated to serving the needs of—the voter registration needs of our uniformed

services members and overseas American citizens who wish to participate in Federal elections.

Overseas Vote Foundation has four core activities. The first is to develop and provide online tools and services that simplify the overseas and military absentee voter registration process. We provide UOCAVA service programs to the States as well. We provide voter support and outreach programs, and we conduct research regarding the UOCAVA process.

Our Web site, overseasvotefoundation.org, provides six Web applications which are user friendly and compliant to the Federal voting assistance guide. The first is an online voter registration tool, which simplifies the complex processes that differ between the States for registering with the common Federal postcard application, and the election official directory, which lists all election official jurisdictions in the country and their complete contact data, Web sites, mailing and, physical addresses. A voter help desk which provides personalized and automated knowledge-based services. We have a State-Specific voter information directory, which provides election dates and deadlines by State, and a write-in absentee ballot generator for those whose ballots are lost or late.

We also have an optional service called a voter account service, which allows voters to maintain their information on our site. Our data is hosted by Server Vault based in Dulles, Virginia, and they count DOD and DIA among their government clients.

For the States we have created a host assistance program, which enables them to take the entire OVF software suite and have their own customized design and provide UOCAVA services to their voters from their States. To date, Alabama, Kentucky, Minnesota, Ohio and West Virginia have signed agreements with OVF to license our software services for their own State UOCAVA voter services sites.

Results to date, a few high points. First, our site action tracks very closely to election activity and worldwide news coverage. The total site visits through the end of March reached 718,000. Site visits on Super Tuesday alone were over 45,000. Note that we do not report on hits because that can be very misleading; there were 12 million of those. We report on visits where voters come to the site and actually do something. From actual registrations to date this year, we can see that first-time overseas voters represent 70 percent of the total registrants to our site, that young voters represent 30 percent, that is 18- to 29-year-olds, and that U.S. military networks are the second largest source of visitors to the OVF Web site. Military registrants have grown from 3 percent to 13.4 percent this year.

I would like to summarize four concrete initiatives taken by OVF in 2008. The first is the 2008 ballot return initiative with FedEx. They will work together with us in 2008 to deliver ballots from voters around the world back to their election offices. This includes the military.

Second is a military site released earlier this month, and that provides the full complement of voter services which I outlined to uniform service members and their families.

Thirdly, a low bandwidth option. This is a site for military voters and those in remote sites around the world. OVF will launch a re-

duced-graphics site which uses less bandwidth and has faster performance. The objective is always to increase the voter accessibility.

The final initiative, as mentioned earlier, we did conduct our second annual summit on overseas and military voting in Munich, where we brought together agencies with overseas citizens, members of the military, technologists, innovators, students and election officials, all with the goal of tackling UOCAVA voting challenges.

Two key concerns that we have in 2008. The first is to address known practical issues that hinder the UOCAVA program. Our research shows that the lack of uniformity in rules and regulations across the States, coupled with many practical and simple-to-fix issues, are the root of most UOCAVA problems. Most of these are not costly problems to fix, but they do require time and attention to harmonize.

The second key concern is around UOCAVA ballot counting and the subsequent loss of voter confidence. We are very concerned that more qualified attention on the accuracy and validity of the survey and the data collection methods is needed to rectify the situation of uncounted UOCAVA ballots. States and local jurisdictions may need assistance to better monitor UOCAVA ballot counting, according to HAVA requirements. Not responding to this obvious need threatens to undermine UOCAVA voter participation.

To finalize, in 2008, OVF will grow our underlying voter services and outreach with a focus on military and young voter sectors. We will continue our voter communications program and our support to State-level UOCAVA processes. We will team with industry leaders, such as Google and FedEx, to bring high-level services to UOCAVA voters. And we will solidify our post-election research program. We stand ready to support Federal, State and local agencies in their UOCAVA program efforts.

Thank you again for this opportunity.

[The statement of Ms. Dzieduszycka-Suinat follows:]

Overseas Vote Foundation:

What we are doing to Improve the UOCAVA Voting Process

Testimony of Overseas Vote Foundation to:

Congress of the United States
House of Representatives
Committee on House Administration
April 15, 2008

Chairman Brady, Ranking Member Ehlers, committee members, thank you for the opportunity to testify today at this important hearing on "Military and Overseas Voting: Problems and Progress in Ensuring the Vote."

My name is Susan Dzieduszycka-Suinat and I am President & CEO of Overseas Vote Foundation (OVF), a nonpartisan nonprofit, 501(c)(3) public charity organization founded in 2005, dedicated to serving the voter registration needs of uniformed and overseas American citizens who wish to participate in federal elections. We do this primarily by developing and providing online access to innovative voter registration tools and services for voters and election officials.

After co-founding OVF in 2005, I have been able to apply my expertise and years of experience in software development and marketing to visualize and manage the design, development, implementation and communications programs for online registration systems for Uniformed and Overseas Citizen Absentee Voting Act (UOCAVA) voters.

I will now proceed to give you a summarized review of: 1) The services OVF provides for voters; 2) OVF's hosted-system program for the states; 3) 2008 results to date; 4) Recent developments which may affect 2008 UOCAVA voter participation; 5) Key areas of concern.

Overseas Vote Foundation: Core Activities

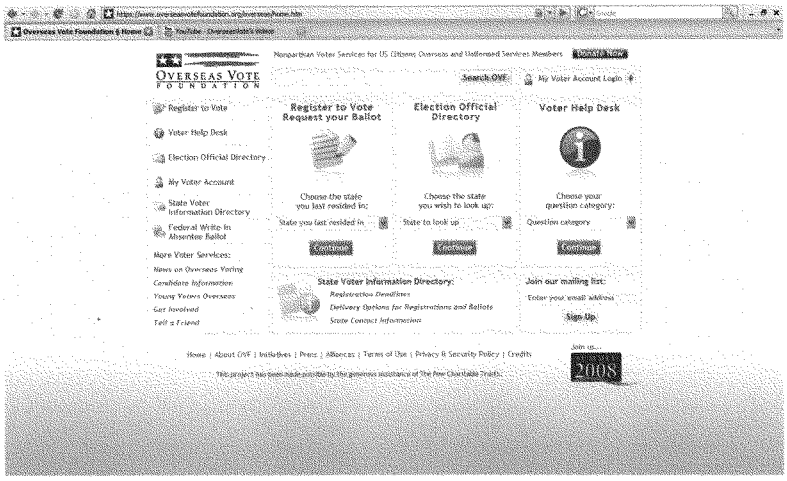
- Develop and provide online tools and services that simplify the overseas and military absentee voter registration process
- Provide hosted-systems services and support to states and other organizations for their own overseas and military voter services programs
- Provide support to voters through an ongoing communications and outreach programs
- Research and surveys of U.S. citizens and local election officials regarding the overseas and military voter registration and absentee ballot process.

Online Voter Services

Our website, www.overseasvotefoundation.org, provides online, world-wide access to a suite of six web-applications which solve practical issues of UOCAVA voter registration/ballot request and blank ballot delivery. We provide critical information resources to support the UOCAVA voter in their registration and voting process. This includes complete local election official contact data for all jurisdictions across the U.S., state-specific deadline and voting materials transmission options, and both automated and personalized voter help desk services.

OVF's voter services are user-friendly while they maintain full compliance to the state-specific rules and regulations mapped out in the federal Voting Assistance Guide.

In October 2007, OVF unveiled the current redesigned, re-engineered website offering a completely revamped suite of integrated voter services well in time to impact overseas and uniformed services voter participation in the 2008 primaries. OVF's website re-engineering has been made possible through the generous support of The Pew Charitable Trusts.



OVF's experience and research contributed to a site design that caters to overseas and military voters' unique needs.

Description of Primary Services

OVF Registration and Absentee Voter Application (RAVA):

- Ensures that voters complete and generate their official voter registration/ballot request form confidently, accurately and without omissions
- Prompts the voter for information necessary to register to vote in his/her home state in accordance with each state's unique state regulations
- Error-checks during the process to ensure that the voter does not forget any required information
- Generates an official form in PDF format and provides the voter with the correct election office address for mailing and a complete letter of instructions pre-empting common UOCAVA voter questions
- Eliminates the need to individually research unique state regulations and mailing instructions

OVF Election Official Directory (EOD):

- Most comprehensive and up-to-date directory of US election officials available
- Contains contact data including physical and mailing addresses, phone, fax, email and website URLs for all local election jurisdictions across the US
- Licensed by the National Association of Secretaries of State; linked to by the U.S. Election Assistance Commission, the EOD has become the main contact database resource both overseas and domestically
- Google will feed data directly from OVF's EOD to support their 2008election initiatives
- FedEx will use the OVF EOD as the "gold copy" for correct election office physical addresses for their 2008 ballot delivery initiative, (see below for further information)

OVF Voter Help Desk (VHD) with KnowledgeBase facilities:

- Provides fast and friendly online voter support worldwide
- Integrated support "KnowledgeBase" pro-actively provides voters with instantaneous answers which apply work across all states and territories
- Sends timely, personalized responses to questions regarding voter registration requirements and form processing issues, as well as eligibility and balloting questions

OVF State-specific Voter Information Directory:

- Presents state-by-state election dates and deadlines
- Simplifies the presentation of state-specific voting information and instructions that apply to the transmission of UOCAVA voting information
- Provides State-level contact information and links to Local-level contact data

Federal Write-in Absentee Ballot (FWAB):

- Online blank ballot generation for registered UOCAVA voters whose ballots are late
- Prompts the voter for information necessary to properly complete the FWAB coversheet form in his/her home state in accordance with each state's unique state regulations
- Error-checks during the process to ensure that the voter does not forget any required information
- Generates an official form in PDF format and provides the voter with the correct election office address for mailing and a complete letter of instructions for completing the ballot and pre-empting common UOCAVA voter questions
- Makes the best solution to late ballots accessible to voters around the world

My Voter Account (MVA):

- Optional service that allows the voter to open a data account and maintain his/her voter information on file for re-use
- As a security measure, the system does not save voter identification numbers, nor complete birthdates
- Facilitates faster notification to election officials in the event of UOCAVA voter address changes, annual re-filing, registration corrections, and/or printing a blank write-in ballot

Security

Although OVF does not keep confidential information, such as ID numbers, credit card numbers, or complete birthdates, in 2007 the organization has nevertheless chosen to upgrade its data security strategy. Integral to designing and meeting OVF's new privacy and security objectives is the secure, managed hosting provider, ServerVault, based in Dulles, Virginia.

ServerVault Corp. provides customized, highly secure, fully managed infrastructure solutions for sensitive and critical federal government and commercial organization applications. ServerVault caters to organizations that place a high priority on the security and the availability of their critical applications, particularly those that must comply with federal standards for information security management and data management. The Department of Defense and the Defense Intelligence Agency are two notable clients of ServerVault's substantial government account base.

OVF's State Hosted Systems (SHS) Licensing Program

State level implementation of UOCAVA is the critical factor in the program's success. Improving UOCAVA voting program implementation must be done hand-in-hand with the states. All states have the will, but many states do not have the resources required to manage the complicated UOVACA voting program for a slice of their voting population.

OVF's State Hosted Systems (SHS) program enables states and other organizations to provide state-of-the-art, interactive voter registration services to their voters as well. The entire OVF software suite is offered to states for with their own customized design. Voters experience the services as being provided by the state, while OVF is offloading the design, development, support, hosting and reporting overhead. The state can then provide highly improved quality voter services to UOCAVA voters at a fraction of the cost that they would need to develop such a system on their own, saving taxpayer money, and ensuring overseas and military voters improved access.

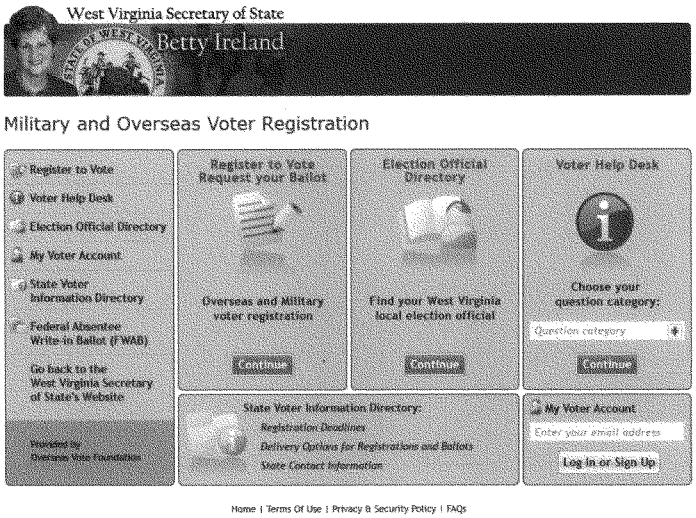
The SHS Program has been made possible through the generous support of the JEHT Foundation. They have supported OVF to develop the technical infrastructure required for this state-oriented solution. JEHT Foundation also subsidizes the start-up fees for each state participating in the SHS program.

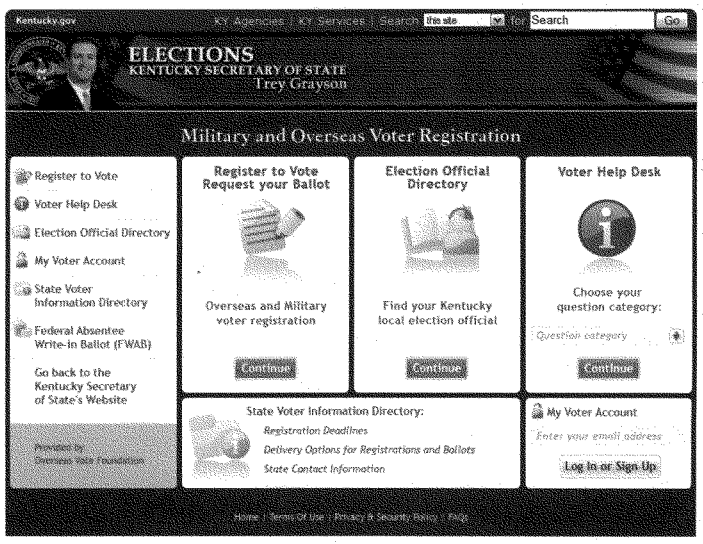
With an SHS, each state runs a Voter Help Desk to manage UOCAVA voter support across their state. This reduces the training and support burden on local election officials. A Reporting Dashboard allows for real-time data analysis and inquiries regarding voter registrations occurring on each state's site.

To date, Alabama, Kentucky, Minnesota, Ohio, and West Virginia have signed agreements with OVF to license the OVF's voter services for their own state UOCAVA voter services sites.

The SHS program helps state and local election offices lower the barrier to voter registration by UOCAVA voters by making it easy, fast and complete. Propagating the number of sites that offer the OVF services changes the landscape of overseas voting. It becomes the norm to offer automated registration assistance. The states are instrumental in driving this change as they adopt the SHS concepts. Our goal is that UOCAVA voters will stop using the registration process as an excuse to *not* vote.

Following, an example of the new West Virginia and the new Kentucky voter services sites:


West Virginia Secretary of State
Betty Ireland
Military and Overseas Voter Registration
Register to Vote
Voter Help Desk
Election Official Directory
My Voter Account
State Voter Information Directory
Federal Absentee Write-in Ballot (FWAB)
Go back to the West Virginia Secretary of State's Website
Provided by Overseas Vote Foundation
Register to Vote Request your Ballot
Overseas and Military voter registration
Continue
Election Official Directory
Find your West Virginia local election official
Continue
Voter Help Desk
Choose your question category:
Question category
Continue
State Voter Information Directory:
Registration Deadlines
Delivery Options for Registrations and Ballots
State Contact Information
My Voter Account
Enter your email address
Log In or Sign Up
Home | Terms Of Use | Privacy & Security Policy | FAQs


Kentucky.gov
KY Agencies | KY Services | Search this site for Search Go
ELECTIONS
KENTUCKY SECRETARY OF STATE
Trey Grayson
Military and Overseas Voter Registration
Register to Vote
Voter Help Desk
Election Official Directory
My Voter Account
State Voter Information Directory
Federal Absentee Write-in Ballot (FWAB)
Go back to the Kentucky Secretary of State's Website
Provided by Overseas Vote Foundation
Register to Vote Request your Ballot
Overseas and Military voter registration
Continue
Election Official Directory
Find your Kentucky local election official
Continue
Voter Help Desk
Choose your question category:
Question category
Continue
State Voter Information Directory:
Registration Deadlines
Delivery Options for Registrations and Ballots
State Contact Information
My Voter Account
Enter your email address
Log In or Sign Up
Home | Terms Of Use | Privacy & Security Policy | FAQs

Results to Date

2008 Web Presence
OVF has established a strong web presence in 2008, especially leading up to and including the Super Tuesday primary elections in February 2008.

Since the primary season has slowed down, traffic on the site has become more constant, dropping from an average of 10,500 visits to the site daily to around 4,000. Given that primary elections tend to bring out the most energetic voters, it is likely that the 2008 general election will generate traffic on the OVF site that is much higher than the usage seen before Super Tuesday.

OVF has developed a strong web presence that is providing many individuals with information about the nuances of the process of voting from abroad.

New, First-time Overseas Voters Find OVF
Percent Registrants using the OVF site:

- First Time Voters: 24%
- Previous Domestic Voters: 45%
  (First Time Overseas Voters)
- Combined Total
  "First Time Overseas" Voters: **70%**

Young Voters Gain Ground

- 18 – 29 years old: 30%
- 30 – 44 years old: 37%
- 45 – 59 years old: 23%

Site action tracks closely to election activity and worldwide news coverage

- Total Site Visits thru end of March 2008: 718,000
- Site Visits on Super Tuesday: 45,500
- *Don't report on "hits" (11,650,000 in 2008!) – Must look at "visits"*

Who is visiting?
The total number of visitors to the OVF website has been impressive. However, when we break down these data further, we also see that OVF has developed a strong presence across the world.

The United States is also a key source of visitors. This is due to the Election Official Directory usage.

In January 2008, 14 of the top 25 host names that were the source of OVF traffic were military hosts (hosts with a ".mil" address). Three of these sites are CentCom sites. US military networks are the second largest source of visitors to the OVF website.[1]

[1] Almost half of all network connections cannot be classified.

Ratios of Overseas Citizens to Uniformed Services using OVF to register/request ballots

- Military Registrants: 13.4% (up from 3%)
- Overseas Citizens, temporarily overseas: 32.3%
- Overseas Citizens, indefinitely overseas: 54.3%

Early data suggest that OVF is generating a positive initial level of interest among uniformed services members across the world and from citizens across the globe, as we enter the 2008 presidential campaign. Overseas citizen visitors and military personnel are spending significant time on the site to register and to see what else it offers.

In addition to the penetration that OVF has among the military, we see that the OVF website generated visits from 20 countries that would be expected to be large sources of overseas voters, including the UK, Canada, Mexico, Germany, Israel, and France.

Geographic Shift

1. Uniformed Services lead; tied w/United Kingdom
2. Canada – typically number one on the chart
3. Germany
4. **Israel** – new in '08 and holding in the top 5
5. **Japan** – new in '08 and holding in the top 5
6. France
7. Australia
8. Switzerland
9. Italy
10. **Mexico** – finally made it into the top 10

** Excluded India, Pakistan and Malaysia*

Connection Speed

The typical OVF website visitor has the capability to conduct interactive online transactions because most have a high-speed connection. Given that the speed of almost one-third of connections cannot be classified, we still see that approximately 63% of OVF visitors came in through a DSL, cable, or T1 connection. Only 3.9% had a dial-up connection. If we exclude the connections with an unknown speed, 94 percent of OVF visitors came in through a high-speed connection.

Recent 2008 Developments

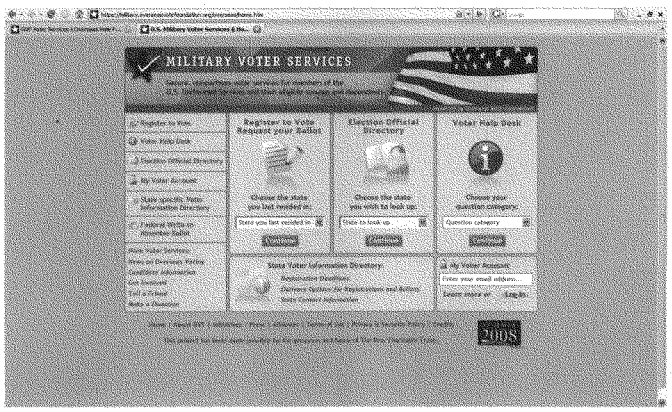
1. 2008 Ballot Return Initiative: OVF Alliance with FedEx Express
FedEx Express, the world's largest express transportation company, has announced that they will work together with OVF in 2008 to deliver ballots from voters' countries of residence back to the voting authorities in their home states. Details will be announced in the coming months.

The FedEx ballot return initiative with OVF will be funded by FedEx and will not rely on governmental funding.

This action supports precisely the kind of initiative as mentioned in the Rep. Kevin McCarthy's (R-CA) HR 5673 Military Voting Protection Act.

2. Military Site
On April 3, 2008, OVF announced a new website that will provide user-friendly voter services to uniformed services members and their families: https://military.overseasvotefoundation.org. The new website provides the full complement of automated voter services offered by OVF including voter registration/ballot request, election official directory services, voter help desk, state-specific voter information directory, write-in ballot and My Voter Account services.

This action will provide a fundamental backdrop to OVF's broadening military voter outreach in 2008. Military voters landing on this site will know instantly how to proceed into the registration/ballot request process, find deadline and contact information, or access the Voter Help Desk.



3. Low Bandwidth Option
OVF is very aware that bandwidth can be a very serious issue impacting access for military voters and those in remote areas around the world. To meet the needs of these voters, OVF will be launching a special, minimal-graphic site which uses less bandwidth. This "OVF Lite" site – will be launched in the coming weeks. Voters will have the option to switch to the lower bandwidth site or to go directly there. This action has the effect of increasing voter service accessibility to more UOCAVA voters around the world.

4. OVF Second Annual UOCAVA Summit 2008
OVF recently concluded our 2nd Summit on overseas and military voting. The event marked a turning point for many key stakeholders in the UOCAVA election community as they came together to discuss current issues affecting UOCAVA voter participation, legislative initiatives, and outreach, as well as to debate hot topics such as Internet voting which have emerged as key issues through our post election research. There is great motivation in this stakeholder network to move the issues forward to practical solutions.

We were honored with the attendance and speaking participation of notable federal agencies including the U.S. Election Assistance (USEAC), the Federal Voting Assistance Program (FVAP), the Department of Defense Office of the Inspector General, and the George C. Marshall European Center for Security Studies. It was very unfortunate that the United Airlines flight groundings prevented your Committee staff from speaking as intended at this well-attended conference.

The event brought together federal agencies with overseas citizens and organization leaders, members of the military and their families, students, technologists, innovators, advocates, Secretaries of State, election officials, academics and members of the press. OVF is making strides to bring together this network of voters, supporters and election community members with the goal of tackling specific UOCAVA voting challenges.

Key Concerns 2008

1. Address Known, Practical Issues that Hinder the UOCAVA Program

Much research by OVF and other organizations has now been executed and specific, practical problems in UOCAVA identified. OVF is a non-advocacy, non-lobbying entity and can only provide information to support action by others. We can, however, state the fact that our research show that the lack of uniformity in rules and regulations, coupled with many practical and simple to fix issues are the root of many UOCAVA problems. The facts came through very plainly in OVF's 2006 post election research. Most of these are not costly problems to fix, but they do require time and attention.

2. UOCAVA Ballot Counting and Loss of Voter Confidence

The single greatest motivation for a voter to exercise his/her franchise by registering to vote and casting a ballot is to know that his/her ballot will be counted, and that it could be the deciding vote cast.

No where else is this more pertinent than in the area of overseas and military voting. Since the 2000 election, the margin of victory has narrowed and the difference that votes from overseas can make can often alter results. Due to a historic lack of information regarding the numbers of US citizens (there is no US census overseas) and military abroad, the overseas and military vote remains a profound mystery to many in terms of expected numbers or affiliation.

In September 2007, one year after the 2006 midterm elections, The United States Election Assistance Commission ("USEAC", www.eac.gov), released a report: ***2006 Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) Survey Report*** (http://www.eac.gov/clearinghouse/2006-uniformed-and-overseas-citizens-voting-act-survey-and-conference-materials/).

This report reflects data gathered in compliance with the 2002 Help America Vote Act (HAVA) that requires individual states to collect data on how many UOCAVA ballots were sent and received, and instructs the USEAC to aggregate this data in a report to be delivered to Congress.

Findings taken from the report itself:

Numerous States and local jurisdictions are still not consistently collecting information on UOCAVA ballots requested, ballots returned, and, although not mandated by law, the reasons for ballot rejection in a manner appropriate to provide a full and fair accounting of the UOCAVA voting experience.

The data quality was unreliable, incomplete and "replete with improbable information. This was similar to the data collected after the 2004 election. This is a long term data collection problem that goes down to the voting jurisdiction level.

It was reported that 992,034 UOCAVA-related absentee ballots were requested for the 2006 general election. There is no way of knowing how many of these were actually requests for ballots for the 2006 election or were the automatic generation of ballots through the use of the "Federal Post Card Application" form.

States report slightly more than 330,000 UOCAVA ballots were cast or counted, for an estimated eligible turnout rate of approximately 5.5 percent. The second largest categorized reason for rejecting ballots was "other reason" – specifically not tracked, recorded, or reported.

In many cases, States were unable to provide sufficiently detailed information on UOCAVA balloting. For over one-third of the UOCAVA ballots that were cast, as well as counted, it was not possible to determine whether they came from domestic military, overseas military or overseas citizens.

In 14 States, less than 2/3 of the jurisdictions collected the information mandated by UOCAVA. (In a number of these cases, "uncategorized" became a "catch-all" category to describe UOCAVA ballots.)

Domestic military voters who requested ballots had 56.3 percent of their ballots cast or counted. Overseas citizens that requested ballots had 52.6 percent of their ballots cast or counted. On the other hand, overseas military voters had only 47.6 percent of their requested ballots cast or counted.

What significantly drove down the overall rate of counted ballots was the large number of ballots that were uncategorized as to their origin, which represented nearly one-third of all ballots requested. Just 21.8 percent of these uncategorized requested ballots were cast or counted.

As part of its official press release of the survey data (09/24/07), the USEAC recommends the '*redoubling of efforts to collect the HAVA-mandated information*' to improve the voting process for UOCAVA voters.

OVF would like to draw attention to the USEAC recommendation: the collection and study of reliable and comprehensive data on UOCAVA voters is critical to solving the problematic issues surrounding their disenfranchisement. We have experienced this in the execution of our own research program and its effect on our subsequent work.

Our concern is that the fundamental data collection methods at the ground level are not adequate enough to provide an accurate reflection of what truly happens with UOCAVA ballots and that the survey methods/instruments being used are not able to capture the real picture.

We look forward to more qualified attention on the accuracy and validity of the survey and the data collection methods to help rectify this situation, as well as the states and local jurisdictions to receive assistance to better monitor UOCAVA ballot counting according to HAVA requirements.

The greatest risk of not solving this problem is exacerbating a loss of confidence in our electoral system and failing to bring a diverse and eligible voting community into our democratic process. The only way to rebuild voter confidence is to address the explicit shortcomings of our system. The ballot accountability problem identified in the USEAC's report couldn't be a better example of a problem that is crying for urgent attention. Not responding to this obvious need threatens to undermine voter participation.

OVF in 2008

This is a critical year for OVF to deliver on the promise of better access to overseas and military voter services and we now have the technical and growing human-resource infrastructure in place to do so.

OVF will:

- Maintain and grow our ongoing online voter services and outreach
- Increase outreach program support to both military and young voter sectors
- Continue our strong voter communications program
- Continue to build and implement services to support to state-level UOCAVA processes
- Team with the major corporations such as Google and FedEx to bring high-level services to UOCAVA voters
- Further develop the network of UOCAVA stakeholders through post-Summit communications
- Solidify our post-election research program
- Support federal, state and local agencies in their UOCAVA program efforts

Thank you again for this opportunity to speak to the Committee today. I hope you now have a clear idea of what Overseas Vote Foundation is doing – for voters, for states, and for the election community - to improve the UOCAVA voting process.

ADDENDUMS

1. April 4, 2008: Announcement at OVF UOCAVA Summit 2008: FedEx Express to Sponsor Overseas Vote Foundation in Ballot Return Initiative

2. April 3, 2008: Press Release: Overseas Vote Foundation Launches New Military Voter Services Site: https://military.overseasvotefoundation.org

3. January 16, 2008: Press Release: Ohio, Minnesota and Alabama Adopt New Online Solutions to Build 2008 Military and Overseas Absentee Voter Participation Rates

4. OVF 2006 Post Election Survey Results

5. 2006 Post Midterm Local Election Official Survey Report

Addendum 1

Announcement at OVF UOCAVA Summit 2008:

FedEx Express to Sponsor Overseas Vote Foundation

in Ballot Return Initiative

MUNICH – April 4, 2008:

"FedEx Express, the world's largest express transportation company, is proud to sponsor Overseas Vote Foundation (OVF), a nonprofit, nonpartisan organization that supports more than 6 million U.S. overseas residents. Using their global network, FedEx will deliver ballots from voters' countries of residence back to the voting authorities in their home states.

Information on what overseas residents should do, details about access to FedEx services, and how the return will work will be made available by OVF in the coming months."

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Addendum 2

Overseas Vote Foundation Launches New Military Voter Services Site:

https://military.overseasvotefoundation.org

MUNICH – April 3, 2008: Overseas Vote Foundation (OVF) today announced a new website that will provide user-friendly voter services to uniformed services members and their families: https://military.overseasvotefoundation.org. The new website provides the full complement of automated voter services offered by OVF including voter registration/ballot request, election official directory services, voter help desk, state-specific voter information directory, write-in ballot and My Voter Account services.

After identifying which state the voter wants to register in, the system prompts the user for specific information required to register to vote in his/her home state. Built-in error-checking ensures that the form is filled out properly and will be legible for the local election official. The system generates an official PDF form and provides the voter with the county election office address for mailing. The program eliminates the need for individuals to cull through pages of confusing state regulations and mailing instructions and potentially filling out their forms improperly.

"Our military has limited free time that shouldn't be spent wading through 460 pages of cryptic voter registration documentation," said Bob Carey, Senior Fellow, National Defense Committee and member of the OVF Board. "Our service men and women are in a unique position where they are ordered away from home and can't come home to vote. We need to provide them the easiest way to register to vote and request their ballots. OVF's military site gives them instant access to an automated, step-by-step process according to their home state regulations – something they cannot find elsewhere."

OVF has seen military registrations rise from 3 percent to 13 percent of its total registrations in the first few months of 2008 on their general website. Clearly military voters are seeking better service and OVF is responding quickly to this trend according to Susan Dzieduszycka-Suinat, OVF's President and CEO, speaking from the OVF Summit 2008, an overseas and military voting conference taking place in Munich from April 3-4, 2008.

"We want every service member who visits this new site to instantly know they've come to the right place," said Ms. Dzieduszycka-Suinat. "Military voters were the first to vote from overseas starting back in 1942 and in today's vast military theater, they access to new technology and tools instead of what has historically been a cumbersome process, " continued Ms. Dzieduszycka-Suinat.

"For decades there has been little improvement in the military voting program. With all the advances in technology, our service members, until now, have not had a simplified voting program and assurance that they will receive their ballot," said Carey. "We look at this new site as a powerful first step in the right direction. The challenge now is to get the word out."

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Addendum 3

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Ohio, Minnesota and Alabama Adopt New Online Solutions to Build 2008 Military and Overseas Absentee Voter Participation Rates
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"Wildcard" Effect of Overseas and Military Vote May Factor in Election Outcomes

WASHINGTON, January 16, 2008 – Aiming to increase U.S. overseas citizen and military voter participation, Ohio, Minnesota and Alabama have launched their own customized, web-based voter registration services. Developed by the nonpartisan Overseas Vote Foundation (OVF), these new State Hosted Systems (SHS) enable states to provide state-of-the-art, interactive voter registration services for a formerly manual and error-prone process at a fraction of the cost, saving taxpayer money, and ensuring overseas and military voters improved access.

"We strongly believe this site, https://ohio.overseasvotefoundation.org, and the tools it provides will enhance our voter services to Ohio citizens abroad. There is no other organization providing these services nationally and we are proud to collaborate with OVF to serve all of our UOCAVA (Uniformed and Overseas Citizen Absentee Voting Act) constituents. We expect to see a jump in participation in 2008," stated Secretary Jennifer Brunner, Ohio.

Mark Ritchie, Minnesota Secretary of State said, "We are looking forward to bringing a vastly increased number of registrations in from overseas citizen and active-duty military voters in 2008. Our new Minnesota voter services, https://minnesota.overseasvotefoundation.org, will facilitate voting for members of the Minnesota National Guard, many of whom will be first-time military voters this year."

"The SHS program is an innovative program in the elections arena for boosting UOCAVA voter participation. We are excited to be at the forefront with this technology and able to offer quality voter services to Alabama's military and overseas voters," stated Beth Chapman, Alabama Secretary of State, who will be launching an Alabama-specific site in the near term.

The JEHT Foundation, www.jehtfoundation.org, has granted both development support for the OVF SHS Program and support to reduce customization and licensing fees for 10 additional states to adopt the SHS program in 2008. "We applaud the states that are helping launch this innovative project and hope our support will encourage new states to join the effort," stated Nicole Gordon, vice president of the JEHT Foundation.

The nonprofit, nonpartisan charitable organization, Overseas Vote Foundation (OVF), was founded in 2005 to assist uniformed and overseas American citizens in registering to vote in federal elections and has become the leader in online voter services for UOCAVA voters. The Pew Charitable Trusts, www.pewtrusts.org, "Make Voting Work" program provided grant support to OVF to develop the 2008 voter services that are now being customized for the states.

Addendum 4

Post Election Surveys
OVF conducts post election surveys of both voters and election officials regarding the overseas and military voter registration and absentee ballot process. These help determine problem areas and measure success of improvements and implementation of new applications.

OVF 2006 Post Election Survey Results

OVF's Post Election survey research program provides valuable insight to the election community about issues concerning UOCAVA voting.

The 2006 survey provided timely and feedback and clearly identified issues that deter UOCAVA voter success – many that can be addressed with practical initiatives at the federal, state and local level and together would decidedly impact the voter experience.

The complete report is available at:
https://www.overseasvotefoundation.org/initiatives-research

Excerpt from Introduction section:
OVF 2006 Post Election Survey results suggest that some UOCAVA voters continue to encounter voting difficulties. 20% of the voter-respondents to the survey were unable to vote in the 2006 U.S. Midterm election: some because their ballot was late, some because their ballot never arrived. Other reasons cited as preventing successful voting included missed deadlines and the inability to get ballots witnessed or notarized.

Addendum 5

2006 Post Midterm Local Election Official Survey Report

8 May 2007

The complete report is available at:
https://www.overseasvotefoundation.org/initiatives-research

Executive Summary

Overseas Vote Foundation (OVF) conducted a survey of local election officials (LEOs) after the 2006 election in order to determine how the Uniformed and Overseas Citizen Absentee Voting Act (UOCAVA) voting process works in their jurisdictions. This survey is the first of its kind for OVF and provides a baseline for understanding where many local election jurisdictions stand with the administration of UOCAVA voting as we enter the 2008 presidential election. The top 5 key findings are:

1. UOCAVA voting is increasing. Half of the participating LEOs indicated increased UOCAVA voting in the 2006 midterms, with more than 6.5% reporting an increase that exceeded 10%.
2. Most LEOs (68.8%) reported that the majority of UOCAVA voters register to vote or request an absentee ballot using the federally-provided voter registration and ballot request form (FPCA). However, in smaller jurisdictions a sizable percentage of voters contact the LEO before leaving to address their UOCAVA voting needs.
3. LEOs find that young overseas voters (18-29) are much more likely to have problems with the UOCAVA voting process than other voters.
4. Ballots and FPCAs are rejected for a variety of reasons. The two most common reasons are: (1) the FPCAs or ballots arrive after the deadline, too late for inclusion in the voting process; and (2) the FPCAs or ballots are incorrect, illegible, or incomplete.
5. LEOs reported that their biggest problem is maintaining current and accurate mailing addresses for UOCAVA voters, especially over two federal election cycles.

The CHAIRMAN. Thank you. Mr. Brace.

STATEMENT OF KIMBALL BRACE

Mr. BRACE. Mr. Chairman and members of the House Administration Committee, it is with extreme pleasure that I come before you today to testify about military and overseas voting. My name is Kimball Brace, and I am President of Election Data Services, a company that I started more than 31 years ago. For the past four decades, I have been heavily involved in election administration issues, including working with Dr. Richard Smolka, whose newsletter Election Administration Reports is a staple in the field.

Over the past three decades, my company has been retained by Federal, State and local governments around the Nation to do a wide variety of studies. We have, since 1980, been the only one, or as I say, crazy enough, to keep track of what kind of voting equipment is used in every single county in the Nation. We collect and analyze election results, and we have published for the past 20 years the well-recognized election result poster that I am sure is in a number of your offices and that we do with Roll Call after each election. In addition, we are heavily involved in redistricting all around the country, having worked in more than half the nation's and helping them in that process.

In short, Mr. Chairman, I am a numbers guy. And it is because of that background that we have been the contractors for the U.S. Election Assistance Commission for the past 4 years. We have been in charge of compiling, analyzing and helping the EAC create their reports to Congress on a wide variety of subjects, including the one that we did on UOCAVA voters that has been cited already. These reports for both 2004 and 2006 can be found on the EAC's Web site at www.eac.gov. The source of these reports have been the election-based surveys that the EAC conducted after each election.

Before I talk about the results of the UOCAVA study, it is important to lay a framework of election administration in this country. There are 10,071 jurisdictions in this Nation that conduct elections on a regular basis, using a wide variety of different voting equipment. Slightly more than 3,100 are counties that conduct elections, but there are more than twice that number of local towns, townships and cities in the six States of New England as well as Michigan, Minnesota and Wisconsin. As a result, half of all jurisdictions in this country have less than 1,400 registered voters. There are only 15 counties in the Nation that have more than a million registered voters.

In short, most of the elections in this Nation are conducted by small jurisdictions that have small numbers of staff and very small budgets. This fact has been a problem in terms of the EAC survey, in trying to get responses from these jurisdictions. The 2006 reports were better than those produced for 2004, especially the one dealing with UOCAVA voting. But it was not complete, nor was it perfect.

While every UOCAVA voter is important, it should also be noted that they are but a small element in the overall election and voting process. The EAC survey found that more than 78 percent of the ballots cast or counted in 2006 came from voters at the polls on Election Day. Overall absentee ballots make up another 13.8 per-

cent of the vote. And UOCAVA voters contribute less than one half of 1 percent of the ballots that were cast or counted in 2006. While small in number, UOCAVA voters still constitute a significant voting block that suffers unique problems in grappling with the American election system. Overall the Nation's States and counties reported for 2006 slightly less than 1 million UOCAVA ballots that were requested in that election. But that amounted to only 16.5 percent of the nearly six million eligible citizens cited by GAO to be covered by UOCAVA.

While reaching UOCAVA voters and getting them to participate in the election is one problem in which my colleague on this panel has been instrumental in helping to solve, the EAC survey also unveiled a more significant problem. Of these, more than 1 million—or slightly less than 1 million UOCAVA voters who requested absentee ballots, ultimately only 1/3 of them were cast or counted. One answer to this problem can be found in the reasons for the ballots to be rejected. The EAC survey found that over 70 percent of the ballots were rejected because they were undeliverable. In other words, they were sent out by election administrators but never reached the voter due to problems with the voters' addresses. This is the top problem for UOCAVA ballots reported in 26 States.

In addition, Federal law requires that election administrators must send ballots to UOCAVA voters for at least two elections. Therefore, while addresses of UOCAVA voters are old and have not been updated to reflect the fact that the voter has moved or, in the case of the military, been relocated, it is understandable that ballots don't reach the voters. Domestic civilians have the advantage of U.S. Post Office with the mail forwarding service, but foreign voters do not. As a result, one of the key EAC recommendations from the UOCAVA study dealt with this problem of undeliverable ballots. "Mechanics need to be set up," it said, "by the military, whereby a military transfer generates a moved notice to the local registrar. Additionally, military bases need to set up programs with State and local election offices, whereby an undeliverable registration or ballot generates a rapid notification, perhaps by e-mail, to the individual voter so that they can respond in a timely fashion. Another possibility would be providing forwarding exemptions for overseas military ballots."

In conclusion, Mr. Chairman, I would like to take this opportunity to thank this committee for conducting an outstanding series of hearings on elections in the last 2 years. I am pleased to see you continue to listen to local election administrators from around the country.

For the past 8 years, election administrators have been questioned, criticized, second-guessed and shortchanged. Having worked with them for more than 40 years, however, I can attest that they are one of the most dedicated and hard-working group of individuals that I have known. They continue to be asked to do the impossible with fewer resources, less staff and smaller budgets. But they are the bedrock of American democracy.

Thank you for allowing me to testify.

[The statement of Mr. Brace follows:]

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Testimony of

Kimball William Brace

President, Election Data Services, Inc.

Before

Committee on House Administration

April 15, 2008

Mr. Chairman and members of the House Administration Committee, it is with extreme pleasure that I come before you today to testify about military and overseas voting. My name is Kimball Brace, and I am President of Election Data Services, Inc., a company I started 31 years ago. For almost four decades I have been involved with election administration issues, having been pulled into the field by my mentor, Dr. Richard Smolka, who's newsletter Election Administration Reports is a staple in the field and for which I was Associate Editor.

Over the past three decades, my company has been retained by federal, state, and local governments around the nation to conduct a variety of studies. When the Federal Election Commission focused on election administration, we created a major study on Statewide Voter Registration Systems. We did the same for states such as Pennsylvania, Illinois and North Carolina. In 1980, we compiled a database on what type of voting equipment was used in every county of the nation, and we have continued to update that information with each two year election cycle. That was 20 years before the American people discovered that voting equipment is a critical element in the election process. As a result, state and local governments have brought us in to assist them when they make changes to their voting systems and to observe their election processes. I have spent many an election day in nearly 400 jurisdictions in this nation, although for the past two years I've served as a poll worker in my home county in Virginia or doing commentary on election administration for NBC News.

We collect, analyze, and provide election results for the nation, and for the past 20 years we have created the well recognized election poster of results with our partner Roll Call. These posters can be found on many of the walls in this institution.

In addition, we have been heavily involved in redistricting for the past three decades. In 1980, 1990 and 2000 we assisted more than half the states of this nation in conducting redistricting of both your congressional districts as well as their state legislative districts. We have provided many redistricting services to states, cities and counties in this country, including the building of extensive databases, providing GIS redistricting and mapping software, and drawn thousands of district plans. Over that same timetable, I have testified as an expert witness in nearly 80 court cases around the nation on such topics as redistricting, voting behavior, the Census, election administration and voting equipment. I was an expert witness on voting machines in the court case in Florida in 2000 that prompted many people to discover the voting process and election administration. Finally, for the past two years I have served on the Commerce Department's 2010 Census Advisory Committee in reviewing plans for the upcoming Census. A full copy of my vita is attached to this statement.

In short, Mr. Chairman, I am a numbers guy. It is because of that background, that we have been the contractors to the U.S. Election Assistance Commission for the past four years. We have been in charge of compiling, analyzing and helping the EAC to create their reports to Congress on "The Impact of the National Voter Registration Act on the Administration of Elections", the "Survey Report Findings on the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA)", and "The Election Administration and Voting Survey". There are reports for both the 2004 and the 2006 elections, and can be found on the EAC's website at www.eac.gov. The sources of the data for these reports are the Election Day Surveys that the EAC conducted after each federal election. For the 2006 series of studies we were assisted by subcontractors Clark Benson of Polidata, Inc. in Virginia, and Dr. Paul Gronke of Reed College in Oregon.

Before I talk about the results of the EAC's UOCAVA study, it is important to lay a framework of election administration in this country. There are 10,071 jurisdictions in this nation that conduct elections on a regular basis using a variety of different voting equipment. There are slightly more than 3,100 counties that conduct elections, but there are more than twice that number of local towns, townships and cities in the six states of New England, as well as Michigan, Minnesota and Wisconsin. As a result, half of all jurisdictions in this nation have less than 1,400 registered voters. A total of 7,654 jurisdictions have less than 10,000 registered voters. There are only 340 jurisdictions (mostly counties) that have more than 100,000 registered voters. Finally, there are only 15 counties in this country that have more than one million registered voters. In short, most of the elections in this nation are conducted by small jurisdictions that have small numbers of staff and very small budgets.

This simple fact of small jurisdictions, staff and budgets, compounded by the fact that elections are conducted under 50 different laws and thousands of different procedures, means that trying to collect complete data on the election administration process in this nation is extremely difficult. All of these factors have had a bearing on the EAC's surveys to date and means we need to understand that non-response or partial response has had an impact on the analysis and reports. The 2006 reports were clearly better than those produced for 2004, especially the one related to UOCAVA voting, but it was not complete, or perfect.

While every UOCAVA vote is important, it should also be noted that they are but a small element in the overall voting process. The EAC survey found that more than 78 percent of the ballots cast or counted in 2006 came from voters at the polls on election day. Overall absentee ballots made up another 13.8 percent of the vote and UOCAVA voters contributed less than one-half of one percent of the ballots cast or counted in 2006. While small in number, UOCAVA voters still constitute a significant voting block which suffers unique problems in grappling with the American election system.

Concerning UOCAVA voting, data was provided by less than two-thirds of the counties in the country in 2006. A major part of the problem was that local jurisdictions were unable to determine that a ballot application or registration form came from a voter who could be categorized as domestic military (DM), as overseas military (OM), or overseas citizen (OC). Keep in mind, when a state or local jurisdiction receives a registration card, they generally have just a name and an address. If they get lucky, maybe the name has something like Corporal or General in it ... ah, this person is a military person. But I think this is a very small percentage.

If the address says Camp Marshall, or The Pentagon, then the local election official might be able to assume a military person. But if the person happens to live at 5706 River Forest Drive, how do you determine if this is a military person or not? Now if the address is Beirut, Lebanon ... yes, they are overseas, but are they an overseas military or an overseas citizen?

These are the practical problems that election administrators face every day in trying to process registration forms. If the form comes in on something the Pentagon produced, then they could assume the person is military ... maybe. The key to all this is attempting to identify and code the registration record that then lets the voter registration system tally how many "OC's" or "DM's" they have. As long as they can tag a voter's record with some sort of identification, then they can track the later processing steps ... ballots mailed, ballots received, etc. But the "tracking" starts with being able to code the voter correctly. And that's the heart of the problem. As it was, the EAC survey found that nearly one-third of UOCAVA-related absentee ballots could not be "categorized" or "coded" for their source.

Overall, the nation's states and counties reported that just slightly less than one million UOCAVA ballots were requested in the 2006 election. But this amounted to only 16.5 percent of the nearly six million eligible citizens estimated by the GAO to be covered by UOCAVA. Undoubted, because a number of absentee ballots could not be determined as coming from UOCAVA voters and only partial data was available from jurisdictions, this number is low. Unfortunately, there is no way of knowing how low.

While reaching UOCAVA voters and getting them to seek to participate is one problem, and which my colleague on this panel has been instrumental in helping to solve, the EAC survey also unveiled a more significant problem. Of those nearly one million UOCAVA voters who requested absentee ballots, ultimately only one third of them were cast or counted.

One answer to this problem can be found in the reasons for ballots to be rejected. The EAC survey found that over 70 percent of the ballots were rejected because they were "undeliverable". In other words, they were sent out by election administrators, but never reached the voter due to problems with the voters' address. This was the top problem for UOCAVA ballots reported by 26 states. In addition, federal law requires that election administrators must send ballots to UOCAVA voters for at least two years. Therefore, when the addresses of UOCAVA voters are old and are not updated to reflect the fact that a voter has moved, or in the case of the military, been relocated, it is understandable that ballots do not reach the voters. Domestic civilians have an advantage because the US Post Office offers a "mail forwarding" service so that six months from when a person moves their mail is forwarded to their new address. Voters abroad, especially military voters, however, do not appear to have that luxury.

As a result of this larger problem, one of the key EAC recommendations from the UOCAVA study (recommendation #5, page 22) was:

> It is unrealistic to keep sending ballots to voters who have moved: [many] ballots were returned as undeliverable. Mechanisms need to be set up by the military whereby a military transfer generates a move notice to the local registrar. Additionally, military bases need to set up programs with State and local elections offices whereby an undeliverable registration or ballot generates a rapid notification—perhaps by email—to the individual voter so that they may respond in a timely fashion. Another possibility would be to provide forwarding exemptions for overseas military ballots.

I firmly believe there are ways that the military can help with this problem. We incorporated some of these in the above recommendation. But the "undeliverable" problem is by far the larger issue facing UOCAVA voters, as documented by the EAC survey.

In addition, the EAC 2006 study shows that 23.1 percent of all the reasons for rejecting UOCAVA ballots, was because of "untimely receipt" of the ballots by the county election offices. That is, the ballots came in after the deadline for receipt at the local level. This was the largest reason for rejection in six states and two territories. I am aware that Representative McCarthy of California has introduced legislation to seek to solve this particular problem, but I believe it is important to note that nearly three times the number of people are affected by the "undeliverable" problem I mentioned earlier. One would hope that this issue could also be incorporated into Rep. McCarthy's bill.

In conclusion, Mr. Chairman, I would like to take this opportunity to thank this committee for conducting an outstanding series of hearings on elections in the last two years. I am pleased to see you continue to listen to local election administrators from around the country. For the past eight years administrators have been questioned, criticized, second guessed, and short changed. Having worked with them for nearly 40 years, however, I can attest they are the most dedicated and hard working individuals I have known. They continue to be asked to do the impossible, with fewer resources, less staff, and smaller budgets, but they are the bedrock of American democracy.

Thank you for allowing me to testify, and I look forward to answering any questions you might have.

The CHAIRMAN. Thank you. Any questions, Mr. Ehlers?

Mr. EHLERS. Thank you, Mr. Chairman. First of all, Mr. Brace, thank you for the excellent summary of the statistics. I always wondered where all those statistics came from.

Mr. BRACE. I am like you, Mr. Representative, a statistician at heart.

Mr. EHLERS. Yes. Right. It is a terrible affliction.

Mr. BRACE. Absolutely, yes.

Mr. EHLERS. But I really appreciate it. And thank you for the light you brought to bear on this.

Also, Ms. Suinat, I just want to thank you for what you have done. I think it is a great step forward, having your organization out there. You are going in the right direction. I think you have been very helpful to a lot of people already, and I have heard a number of good comments about your work and the work of your foundation and that, as you know, came out in the testimony today too from some other people.

So thank you to both of you for what you do. I have no questions, Mr. Chairman.

The CHAIRMAN. Thank you. Any questions?

Ms. DAVIS. Ladies first.

Mrs. DAVIS of California. Thank you. And I am sorry I missed the beginning of the testimony. But I wonder if you could just talk a little bit about the role of the Federal Government, State and even the local governments. Because one of the discussions that we have here, of course, is what the proper roles are. And we know that there is not standardization. We have had some efforts to do that, but there are questions and concerns about it. How difficult do the individuals, foreigners, people in foreign countries, Americans that you work with, how great a problem is that, the fact that you have some States, some counties that are doing things differently from one another?

Ms. DZIEDUSZYCKA-SUINAT. Thank you, Representative Davis, for your question. One of the fundamental problems in UOCAVA in implementing the program is that it is a Federal program, but we must keep in mind that the implementation is hanging on the States. It is absolutely the responsibility of the States to do the final implementation of the program.

In that process, they can matrix a whole new set of regulations over the basic Federal program. So what you end up with is a Federal form that when taken by any State, they can add questions or requirements to for which there are no fields on the form. Or perhaps there are fields on the form, the answers of which they do not want in any given State. In order to manage that level of complexity and the fact that the instructions come in a 500–page book, we put that onto the Internet so that the voter doesn't have that level of research required upon him or a voting assistance officer does not need to know 50 States and 5 territories worth of regulations.

There is also the issue of those forms then going over to the local election office. There are 7,838 local election offices processing the registration forms, and you can imagine the variations. Some don't have electricity, I hear, let alone Internet access. But the variation is great. And as Kim rightly explained, many of them are dealing

with just one or two voters that are far away, but they probably know them personally. So this level of handling and managing the workload around these registration forms is very particular.

Mrs. DAVIS of California. Are there one or two areas that you would suggest are worthy of a look in terms of more standardization that would make the job of helping people who want very badly to vote, to participate much easier and certainly more responsive.

Ms. DZIEDUSZYCKA-SUINAT. In fact, when you matrix out all of the variations for all the States, you can see that there is a common way of filling out those forms that is required. And it is really all exception bases. But the exceptions are the landmines that catch the voters. For example, if you live in Ohio and you don't write on your registration form how long you lived in Ohio before you moved overseas—but you would never know that. There is no field for that on the form—your form can rightly be rejected by the local election official. There are several—that is just one example. There are many different ones for different States. That level of variation—granted it may be felt to be necessary for the State to want to know that particular item of information. However, it just doesn't translate. It doesn't translate to actually voting from overseas. Because you can't get that information to the voter in any feasible way unless it is online. So, I mean, we do work online quite successfully, and all those special requirements are integrated into our online programs. However, it is not—I still would say that that level of variation complicates——

Mrs. DAVIS of California. Is there any way of knowing how many ballots are thrown out as a result of the differences in requirements?

Ms. DZIEDUSZYCKA-SUINAT. Only if you gave a better tracking system to the local level to do so. You could not roll that up. I would definitely recommend that some attention be given to the idea of giving better tracking facilities and resources all the way down to the local level where they don't have the resources to do this properly.

Mrs. DAVIS of California. Thank you. Thank you, Mr. Chairman.

The CHAIRMAN. Thank you. Mr. McCarthy.

Mr. MCCARTHY. Thank you, Mr. Chairman. I appreciate both of your testimonies, everyone today. The panel before. Very interesting.

Susan Suinat, is that correct? I was reading in the press release and I was looking forward to your testimony on the FedEx portion. It wasn't clear whether it carried also to the military voting. And you said it did. Can you explain a little more of that partnership on the ballots?

Ms. DZIEDUSZYCKA-SUINAT. I can explain some, yes. It hasn't been announced in great detail because FedEx is working quite actively on defining what the conditions are for each and every country. So we will have another specific press conference dealing with exactly that. They have put a tremendous amount of resource behind this program.

I initiated the program by writing a proposal to them, asking them to step in where certain other systems have failed voters overseas and in the military. And they accepted that proposal. And

so this program is—it is the child of that idea where they will assist overseas citizen voters and uniformed services voters for a given amount of time, for example, but not specifically defined yet, but probably the months of September and October and just the beginning of November.

Mr. MCCARTHY. Do they have to have a—have they gone as far as saying we need the ballot 5 days, 4 days, 6 days before the election to get it back in time?

Ms. DZIEDUSZYCKA-SUINAT. No. Those specifics haven't been defined by country. But we have discussed different ways of handling the operation. When it is not just prior to the election, for example, ballots could be gathered for a week and then all go at once. One of the challenges for an organization like FedEx to manage the costing around a program like that is the 7,838 destinations.

Mr. MCCARTHY. Are they donating this service?

Ms. DZIEDUSZYCKA-SUINAT. Yes, they are.

Mr. MCCARTHY. So in essence, if they said they would already do the military, Mr. Chairman, I think we would have a concern here, listening to Secretary of State Chapman where she would not be able to accept it. Here is an individual working to solve this problem. And when you think about, one, just the concept, the idea that the bill I introduced brought forward would actually do what you were talking about, here is an individual that has gone out and I guess procured it in a way that we have an ability to have a solution for at least 23 percent of those that weren't counted last time, but only 144 days to go. I mean, I think this is something maybe this committee should adopt and pursue and to make sure it is able to happen. I would hate to see all this work not to come to fruition as well.

Ms. DZIEDUSZYCKA-SUINAT. Can I add——

The CHAIRMAN. Do you know how many States that don't accept FedEx? We know that Alabama is one.

Mr. MCCARTHY. I think that is up to the committee to find out, get together, do a little more analysis. You collect a lot of data. We have the expert right here.

Mr. BRACE. I don't know, Mr. Chairman, how many States do. But I do know that there are a number of States where the deadline for receipts of the ballots vary. After all, we have 50 different State laws. For some of them it has to be in by Election Day or that morning. Others simply have to be postmarked by that date and can come in over the next, you know—you have a couple days afterwards.

Mr. MCCARTHY. But one thing you have found in some of your research, 23 percent not, and going to electronics, a lot of these count real fast and then give you a shorter time period. But I am not sure, Mr. Chairman, maybe some task force work because it seems as though we have a solution out there with all of these individuals working that I think we could act quickly to at least solve a small portion before this election comes forward.

The CHAIRMAN. I entertain your request to be on that task force.

Mr. MCCARTHY. Well, I just appreciate you doing this hearing and all.

The CHAIRMAN. Thank you for volunteering.

Mr. MCCARTHY. I will gladly. I am glad to help in any way possible and I just want to thank both of you for your service. And yield back.

The CHAIRMAN. Thank you, Mr. McCarthy.

Mr. Gonzalez.

Mr. GONZALEZ. Thank you, Mr. Chairman. My question is to Mr. Brace. In your testimony you cite there were 10,071 jurisdictions in this Nation that conduct elections on a regular basis. And then a total of 7,654 jurisdictions have less than 10,000 registered voters. And I am just thinking when you have information gathering, when you strive for uniformity, you are going to run into problems just because of resources that may be available to those jurisdictions that truly just don't have that kind of—so I am going to be asking about the Internet. It seems to me that we put so much stock on the traditional way of doing things, the absentee ballot, being mailed in, it's being delivered by the United States Postal Service. But we do acknowledge, maybe it could be a fax, maybe it could even be a fax that is first transmitted by e-mail and then reduced to fax and then sent by fax. I keep saying, well, how is that any—still using the Internet and such. I just think that we have so many fears of gaming and hacking and such that frustrate our efforts to probably do it the most effective way that is out there, that is available to us. And to deny that technology and still have the safeguards—and I know there is certain safeguards. But if we were to move into the Internet age when it comes to voting, what problems do you think are posed by your very observation that we have these small jurisdictions out there? Let's say, you know, Atascosa County outside of San Antonio. My brother is the deputy sheriff. He'd like to run for sheriff. How does he game the system if it was Internet versus the way it is today with an overseas ballot?

Mr. BRACE. Well, Mr. Gonzalez, I think one of the things that you do have to recognize, as you have noted, the smallness of the jurisdictions. And you need to keep in mind that not all of them have the Internet, not all of them in fact have a computer in their office. There are still a number of jurisdictions that just don't have that technology as much as we have had it, for you and I, for who knows how long. But it is not all there.

Now things have gotten better. HAVA, with the implementation of the statewide voter registration system, have begun to get computers into these offices where they didn't have it before. But certainly getting that coupled together with the possibility of ballots coming back to them, that is a foreign entity, truly and figuratively. But it is something that certainly States should be looking at as a possibility.

Mr. GONZALEZ. Do we have any numbers just for these jurisdictions, the 10,071, that lack Internet access, computers?

Mr. BRACE. We don't. The EAC is undertaking its next round of data collection for the 2008. That particular question is not on the survey, but it is certainly something that maybe the EAC could be taking a look at.

Mr. GONZALEZ. I would think we would lead off with that, as we are looking at ways of improving the system, that which is probably being utilized in every other aspect of American life and un-

derutilized, especially in circumstances of overseas voting. I understand what people are thinking in terms of the domestic use and such, and may be a different situation.

Ms. Suinat, just so I get that part right, what are your thoughts on the use of the Internet when it comes to overseas ballots?

Ms. DZIEDUSZYCKA-SUINAT. I think that the response that Mr. Brace gave about computers not being in these offices, that is a problem that is going away. So I would like to not—I would like to suggest we don't take that as a stopping point. Technology continues to grow.

Using the Internet is—it is an obvious solution. How we use it and how we tackle the security problems, those are questions that have not been resolved. Internet voting proposals, to date, are usually stopped because of security problems, that the answers to those have not been sufficient enough to convince the powers that be that there should be a solution as proposed.

Now when you look at UOCAVA, you have a very, very complex situation in our country where the jurisdiction level administration of the elections adds an incredible layer of complexity of getting the ballots back to these many locations versus a centralized system. The other thing that we have with UOCAVA is we are not just talking about the Federal balloting. But in some counties they have 300 potential ballot styles because they are also dealing with the very local level of balloting going out. So no one has yet really developed a solution that has been able to manage those complex issues and bring them together into a solution that is secure enough to pass the test. It is a Holy Grail. I hope we find it. I would love to be the one. I definitely would suggest we pursue it. It is an obvious avenue of fixing these problems.

Mr. GONZALEZ. Thank you very much for your testimony. I yield back, Mr. Chairman.

The CHAIRMAN. Thank you. And again, thank you for your testimony and your participation. Thank you.

I would like to ask unanimous consent to include the testimony from Publius into the record. Without objection, so ordered.

[The statement of Mr. Keenan follows:]

PUBLIUS

Statement of

VINCENT M. KEENAN

DIRECTOR, PUBLIUS.ORG

To the

U.S. COMMITTEE ON HOUSE ADMINISTRATION

Hearing on "Military and Overseas Voting: Problems and Progress in Ensuring the Vote."

Subject

"Information UOCAVA voters still need once the vote is ensured."

April 15th, 2008

During your hearings on Military and Overseas Voters, you will undoubtedly hear testimony about the use of the Internet to reach voters. On April 16, 2008, the U.S. Election Assistance Commission is scheduled to review a report on Voter Information Websites, the culmination of three years of study on the subject. As the primary investigator for that report, I believe there is an important thread that is often overlooked when considering support for UOCAVA voters.

The EAC report defines a "Voter Information Website" generally as a website that can provide information about a specific voter by verifying registration status against a voter registration database. Voter Information Websites can use the same verification mechanism to provide other information including sample ballots, provisional ballot status, and absentee ballot tracking.

One of the key constituencies served by Voter Information Websites outlined in the study is UOCAVA voters. In a preliminary report given September 21, 2007, to the EAC, the study outlines these UOCAVA concerns:

> *"UOCAVA voters' main concern is typically registration since these voters need to vote from their last official residence. In addition, UOCAVA voters need the ability to check sample ballot information and look for additional candidate information that may not be available from an overseas location. UOCAVA voters also have increased interest in the turnaround time for processing absentee ballot applications. Consequently, this group of voters may find utilities that track absentee ballot processing very useful."*

Today UOCAVA voters have champions like the Federal Voting Assistance Program and the Overseas Vote Foundation. Both of these organizations work diligently to repair the often inefficient and sometimes disenfranchising overseas balloting procedures and that is rightly the top priority.

What is sometimes set aside in the quest to review, streamline, and improve the procedures is the answer to the question of what happens when the procedures are finally smoothed out, or at least presented in a way that can be manageable to the UOCAVA voter? Is that the end?

When the procedure for processing the vote is made more efficient, UOCAVA voters still need information about who or what is going to be on the ballot. By seperating the security concerns of transmitting a vote online from simply displaying ballot information, samlple ballots can be used as reference tools. They can be made available on the Internet weeks before an election completely independent of international mail. Further, interactive sample ballots as research tools have successfully been linked to campaign finance databases, campaign websites, candidate statements or video clips.

When a sample ballot is pushed through a Voter Information Website, a ballot specific to an individual voter can be produced, eliminating inapplicable races. This can be an invaluable research resource in the time before an election, especially for voters who are geographically separated from their communities. This "rich" content can be especially useful for local ballot issues and candidates who may not make it into online media services available overseas. The methodology for providing useful non-partisan content to accompany absentee ballot materials is well known.

After reasonable measures have been taken to assure that an overseas vote will be counted, a UOCAVA voter is still isolated from many of the educational and media resources readily available to in-country voters. Election administrators often view the infrastructure of processing a fair and secure vote the most critical component of an election. To be sure, this is an appropriate concern for election administrators, but the democratic process extends beyond the fair execution of proper procedures.

Democracy hinges on voters who are not distracted by onerous procedures because they can safely assume that the system will just work. It is the voters' role to consider what votes will be cast when the ballot arrives. As we look into the future, sometime in the next five or ten years when UOCAVA procedures are smooth and reliabe, reasonable measures must also be taken to ensure UOCAVA voters have the tools they need to make informed decisions.

Thank You,

Vince Keenan
Director, Publius.org

Publius.org is a 501(c)(3) Michigan-based non-partisan, non-profit organization dedicated to promoting civic participation and online voter education.

The CHAIRMAN. And the record will remain open for 5 days so that witnesses can submit additional material and respond to written questions. Thank you all, and this hearing is now adjourned.

[Whereupon, at 12:45 p.m., the committee was adjourned.]

[The information follows:]

ROBERT A. BRADY, PENNSYLVANIA
CHAIRMAN

VERNON J. EHLERS, MICHIGAN
RANKING MEMBER

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April 23, 2008

Mr. Michael L. Dominguez
Principal Deputy Under Secretary of Defense For Personnel and Readiness
Department of Defense
1300 Defense Pentagon
Room 3D844
Washington, D.C. 20301-1300

Dear Mr. Dominguez:

Thank you for testifying at the Committee on House Administration's Hearing on Military and Overseas Voting that was held on April 15, 2008. The Committee Members have requested that you respond to the following questions to be included in the official record of the hearing. Please provide your answers to the Committee on House Administration by May 23, 2008. I appreciate your prompt response.

Challenges in Assisting Servicemembers and Overseas Voters Identified by the Government Accountability Office

1. In the June 2007 and April 2006 reports issued by the Government Accountability Office, the GAO identified five challenges surrounding the provision of absentee voting assistance to servicemembers and overseas citizens:

    a. Training among voting assistance officers is inconsistent. Numerous Voting Assistance Officers (VAOs) interviewed did not receive any training or attend any FVAP workshops. What efforts has FVAP undertaken to improve VAO access to trainings? What kind of feedback has FVAP received about the workshops and the online training program? What is FVAP doing to ensure training materials and workshops are helpful for VAOs? What is FVAP doing to train the VAOs that work with both the military and State Department programs for the 2008 Presidential election?

    b. Challenges remain in simplifying and standardizing the absentee voting process. In fact, a majority of states have not agreed to new legislative initiatives to simplify and standardize the absentee voting process since 2001. Have you made any recent progress in successfully working with states to simplify and standardize the absentee voting process?

c. The $26 million Secure Electronic Registration and Voting Experiment (SERVE) initiative was criticized for exhibiting security weakness and garnering low participation rates. In fact, SERVE was shut down before it was even used. Additionally, in 2004, FVAP spent $576,000 on the Interim Voting Assistance System (IVAS), which was used by only 17 voters. In 2006, FVAP spent $1 million on IVAS, of which only 63 ballots were requested and only eight votes were traced back to the system. Do you think this system is effective in facilitating servicemember and overseas citizen voting? Of the various technology-based tools and projects the FVAP has implemented, what systems or procedures do you believe will best increase the participation rate amongst servicemembers and overseas citizens? What other technological tools has FVAP explored? What is needed to move toward internet voting? How can DOD make internet voting cost-effective and secure? Within what timeline do you think internet voting can be implemented?

d. The FVAP website was found to have misleading or inconsistent information. While FVAP has taken great measures to correct each concern GAO identified, what procedures will FVAP establish to ensure information provided on the website is accurate and up to date? Do you know if servicemembers and overseas citizens find your website useful? Roughly how often is your website accessed? Additionally, what kind of feedback have you gotten about the FVAP website? What are the significant differences between your online system and that of the Overseas Vote Foundation?

e. The FVAP's electronic transmission service's conversion capability does not meet Information Assurance Certification and Accreditation Process information security requirements. Do any members of the FVAP team have a background in information technology and security management? Specifically, do you have senior staff with IT and security experience to properly visualize and manage projects dealing with new internet-based and other technology to facilitate the absentee ballot transmission process in an efficient and secure manner?

2. The 2006 DOD approved defense budget contained a line item for an improved voter registration system for $600,000, which the Congress intended for the Overseas Vote Foundation because of their expertise in this area. What happened with this funding? Where did it go? How was it allocated? What has come of this funding to date?

3. During the hearing we learned that the Overseas Vote Foundation established a program with FedEx to facilitate ballot transmission. What is FVAP doing to educate servicemembers and overseas citizens about registration and voting deadlines? How is FVAP ensuring our servicemembers and overseas citizens receive and return their ballots in time to increase confidence that their votes will be counted? Is the FVAP working with OVF and seeking to expand outreach to include the USPS and other mail services to facilitate this program?

Mr. Michael L. Dominguez
April 23, 2008

Maintaining Accurate Contact Information for Servicemembers and Overseas Citizens

1. Why are so many absentee ballots undeliverable to military voters? How can we keep States apprised of voters' correct addresses? What steps has FVAP taken to work with states to help update wrong addresses? Has FVAP offered assistance in trying to locate servicemembers to update their addresses? Overseas citizens? How do states know that this assistance is available? Is it posted on FVAP's website? Has FVAP sent letters to the states letting them know that they will help? Since the primary, how many states have asked FVAP for help to update a servicemember's address?

2. Does FVAP have access to servicemembers' email accounts? If so, can FVAP send emails to servicemembers to see if they want to update their addresses? Can FVAP send an electronic copy of the Federal Post Card Application (FPCA) and have servicemembers update their addresses over email? Is FVAP able to do the same for overseas citizens?

3. Given the problem with inaccurate addresses and the low numbers of servicemembers who vote, has FVAP undertaken any efforts to provide servicemembers with an FPCA as part of a routine administrative procedure? Overseas citizens?

4. Is it true that when servicemembers deploy or return from a deployment, they have to visit their Pay Office to update certain personal information such as their dependent information, life insurance information and other address information?

    - Would it be possible for the Pay Office to provide these servicemembers with an FPCA as part of that process?

    - If the servicemember fills out the application, is it possible for that document to be sent to FVAP so that it could be processed in the correct state?

5. Is it true that servicemembers receive all types of pre-deployment briefings prior to their deployment? For example, JAGs give the servicemember an opportunity to update their wills and other legal documents? Would it then be possible for JAGs to provide servicemembers with the opportunity to update the FPCA during the pre-deployment process?

Efforts to Increase Servicemembers' and Overseas Citizens' Participation in Elections

The EAC UOCAVA study indicates that only 15% of all eligible UOCAVA voters requested absentee ballots in 2006.

1. What efforts has FVAP undertaken to get out the vote for potential UOCAVA voters?

Mr. Michael L. Dominguez
April 23, 2008

2. With regard to servicemembers in particular, has FVAP sent an email to all servicemembers offering an FPCA and an opportunity to register to vote or to update the servicemembers' address?

3. According to a 2006 DOD Office of Inspector General Report, only 24% of servicemembers knew of the Federal Voting Assistance website and less than 30% were aware or had used the FPCA and the Federal Write-in Absentee ballot. What are you doing to educate servicemembers about the Federal Voting Assistance website and FPCA and the write-in absentee ballot? Overseas citizens?

Second Generation Voters

1. Today, 17 states allow second-generation Americans, i.e., children of American citizens living overseas who have not had the opportunity to establish their own voting residency in the United States, to use their parent(s) address for voting under UOCAVA. However, the 33 states that do not allow second- generation Americans to vote at their parent(s) voting residence represent over two-thirds of the United States population. One of the key ways to encourage the attachment of American youth brought up overseas is to involve them in the political process. These youth are required to file U.S. taxes and must register with the armed services. Not allowing them to vote is contrary to fundamental democratic principles. Both the Maloney and Honda bills would eliminate this problem. What are some of the policy concerns at the state and local level that prevent more states from allowing this second generation of Americans to vote in their elections?

Thank you and I look forward to your response.

Sincerely,

Robert A. Brady
Chairman

CHARRTS No.: HADMIN-01-001
Hearing Date: April 15, 2008
Committee: HADMIN
Member: Congressman Brady
Witness: HON Dominguez
Question: #1

Servicemember Absentee Voting Challenges Identified by GAO

Question: In the June 2007 and April 2006 reports issued by the Government Accountability Office, the GAO identified five challenges surrounding the provision of absentee voting assistance to servicemembers and overseas citizens:Training among voting assistance officers is inconsistent. Numerous Voting Assistance Officers (VAOs) interviewed did not receive any training or attend any FVAP workshops. What efforts has FVAP undertaken to improve VAO access to trainings? What kind of feedback has FVAP received about the workshops and the online training program? What is FVAP doing to ensure training materials and workshops are helpful for VAOs? What is FVAP doing to train the VAOs that work with both the military and State Department programs for the 2008 Presidential election?Challenges remain in simplifying and standardizing the absentee voting process. In fact, a majority of states have not agreed to new legislative initiatives to simplify and standardize the absentee voting process since 2001. Have you made any recent progress in successfully working with states to simplify and standardize the absentee voting process?The $26 million Secure Electronic Registration and Voting Experiment (SERVE) initiative was criticized for exhibiting security weakness and garnering low participation rates. In fact, SERVE was shut down before it was even used. Additionally, in 2004, FVAP spent $576,000 on the Interim Voting Assistance System (IVAS), which was used by only 17 voters. In 2006, FVAP spent $1 million on IVAS, of which only 63 ballots were requested and only eight votes were traced back to the system. Do you think this system is effective in facilitating servicemember and overseas citizen voting? Of the various technology-based tools and projects the FVAP has implemented, what systems or procedures do you believe will best increase the participation rate amongst servicemembers and overseas citizens? What other technological tools has FVAP explored? What is needed to move toward internet voting? How can DOD make internet voting cost-effective and secure? Within what timeline do you think internet voting can be implemented?The FVAP website was found to have misleading or inconsistent information. While FVAP has taken great measures to correct each concern GAO identified, what procedures will FVAP establish to ensure information provided on the website is accurate and up to date? Do you know if servicemembers and overseas citizens find your website useful? Roughly how often is your website accessed? Additionally, what kind of feedback have you gotten about the FVAP website? What are the significant differences between your online system and that of the Overseas Vote Foundation?The FVAP's electronic transmission service's conversion capability does not meet Information Assurance Certification and Accreditation Process information security requirements. Do any members of the FVAP team have a background in information technology and security management? Specifically, do you have senior staff with IT and security experience to properly visualize and manage projects dealing with new internet-based and other technology to facilitate the absentee ballot transmission process in an efficient and secure manner?

Answer: *Training:* FVAP scheduled 155 in-person workshops held at military installations, FVAP headquarters, and United States Embassies/Consulates worldwide. To accommodate the early primaries, FVAP's training schedule began two months earlier than in previous years. In addition to the 155 regularly scheduled workshops, FVAP has added 20 additional workshops in response to requests from the Services and the Department of State. FVAP has also worked with the Department of State to offer workshops via video teleconference for VAOs in remote locations.

The FVAP receives feedback from participants at all VAO workshops, and uses that feedback to enhance workshop content and materials. In preparation for the 2008 workshop schedule, FVAP revamped presentations based on feedback received from VAOs and overseas citizen organizations during the 2006 election cycle. In addition, based on election officials, VAOs, and overseas citizens, FVAP redesigned and improved the content of the 2008-2009 Voting Assistance Guide, which acts as the primary source of absentee voting information for VAOs.

Legislative Initiatives: The States and territories have always worked cooperatively with the Department to pass legislation that removes barriers to absentee voting for Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) citizens. A vast majority of the States and territories have already adopted several of Department's key initiatives. For example, 51 of the 55 States and territories allow for at least part of the absentee voting process to be conducted electronically. This decreases ballot transit time and allows voters lacking regular mail service an alternative to vote absentee.

Recent positive outcomes of FVAP outreach include legislative changes in Minnesota and West Virginia allowing expanded use of electronic transmission, elimination of notary requirements, and the use of a State write-in absentee ballot. Despite FVAP's rigorous legislative outreach, as noted in the September 28, 2006 GAO report, "The FVAP is limited in its ability to affect State voting procedures because it lacks the authority to require States to take action on absentee voting initiatives." FVAP continues its close working relationship with the States to develop successful legislation and State procedures to help UOCAVA voters complete the process.

Electronic Voting Projects: IVAS 2006 provided all UOCAVA voters with consolidated information from the 55 States and territories on electronic transmission alternatives for ballot requests, blank ballot delivery, and voted ballot return for citizens covered by UOCAVA. Additionally, IVAS 2006 provided two tools to the States for blank ballot requests and delivery. Eleven States and territories opted to use one of the two tools. Citizen access to either tool required a unique DoD identifier possessed by Service members, their family members, and overseas DoD employees and contractors. For this reason, use of the two IVAS tools was limited to this subpopulation of UOCAVA citizens from one of the participating localities.

Tool One allowed UOCAVA voters previously registered to vote in a participating jurisdiction to request an absentee ballot via email. It was utilized by 470 jurisdictions in eight States. Between September 1, 2006 and November 7, 2006, the automated Federal Post Card Application (FPCA) associated with Tool One was accessed 1,351 times by citizens. Tool Two allowed for ballot requests and blank ballot delivery through a secure server for voters registered in participating jurisdictions. Between the September 1, 2006 IVAS launch date and

November 5, 2006, the IVAS section of the FVAP website received 34,857 hits. Feedback from voters and participating State officials was positive.

One of the most effective tools the Department has promoted has been the use of fax and email in the absentee voting process. FVAP provides the Electronic Transmission Service (ETS), which is a toll free service allowing local election officials and voters to send and receive applications for absentee ballots, blank ballots, voted ballots, and other official election materials. During the 2006 mid-term election the ETS transmitted 6,018 FPCAs, 462 blank ballots from local election officials to citizens, and 235 voted ballots from citizens to local election officials. In the 2004 general election, 38,194 FPCAs, 1,844 blank ballots, and 879 voted ballots were transmitted via the ETS. Based on GAO recommendations, FVAP is pursuing DoD Information Assurance Certification and Accreditation Process clearance to meet Federal Information Security Management Act requirements via a Washington Headquarters Services contract.

In preparation for the 2008 general election, the Department is developing an application that will be available to all UOCAVA voters. This application will allow users to create an account on a secure server, and will provide them with an automated version of the FPCA that is mapped to their State's specific instructions. In addition, users from participating jurisdictions will be able to scan and submit the signed FPCA to their local election official through a secure server. Finally, participating States will be able to transmit a specific blank ballot to the voter through the secure server.

The Election Assistance Commission (EAC), in conjunction with the National Institute of Standards and Technology (NIST) was assigned the task of developing electronic absentee voting guidelines by the National Defense Authorization Act for Fiscal Year 2005 (NDAA FY 2005). The release of the EAC recommended voting guidelines, as well as the insights provided by stakeholders, other studies, and from follow-up conferences with State and local officials from jurisdictions who participated in remote electronic voting will be utilized by DoD as it pursues its legislative mandate to carry out an electronic voting demonstration project.

Dependent on the level of security called for in the EAC and NIST guidelines, the Department may pursue the development of an internet voting strategy similar to the functionality and security that were contained in its 2000 Voting Over the Internet pilot and 2004 SERVE initiative. A complete internet voting system would provide the following functions: voter identification and authentication, voter registration, election administration, ballot delivery, voting, tabulation, and results reporting. Based on the recommendations included in the internet voting guidelines and the final design of the system, full development, testing, and deployment would require an estimated 24 to 60 months. The successful deployment of any system also requires participation from the States as well as the military services, which have many competing priorities during this time of increased operations. Education and outreach efforts would also include local election jurisdictions, municipalities (if required), federal agencies, and overseas citizen groups. It is possible that a complete solution could be implemented incrementally; designed, tested, and used with capabilities and features added over the course of several general elections. The following timeline shows the primary project tasks and the anticipated time needed for completion. Some tasks are dependent on previous phase

completion, while others can run concurrently.

Concept Development with high-level requirements	180-360 days
Communications Plan	60 days
Contracting Process	80-155 days
Design Phase	100-200 days
Development Phase	400-700 days
Testing Phase (meeting Federal, DoD, and State security requirements)	150-230 days

Clearly, the EAC-NIST guidelines coupled with a realistic project development timetable are imperative to a successful large-scale internet voting project. However, public perception regarding the risks of internet voting, and the inherent complexity of the absentee voting process will significantly influence the outcome of any internet voting efforts. The June 2007 GAO Report, "*Elections: Action Plans Needed to Fully Address Challenges in Electronic Absentee Voting Initiatives for Military and Overseas Citizens,*" states:

> We found that broad application of internet voting presented formidable social and technological challenges. In particular, we noted that challenges to remote internet voting involve securing voter identification information and ensuring that voters secure the computer on which they vote. We also reported that, because voting requires more stringent controls than other electronic transactions, such as online banking, internet voting systems face greater security challenges than other internet systems. Furthermore, we found that remote internet voting was recognized as the least protective of ballot secrecy and voter privacy and was most at risk from denial of service and malicious software, such as computer viruses. While opinions of groups considering the pros and cons of internet voting were not unanimous, we found that they agreed in principle on major issues, including considering security to be the primary technical challenge for internet voting. Because of serious concerns about protecting the security and privacy of the voted ballot, we concluded that internet-based registration and voting would not likely be implemented on a large scale in the near future.

Website: In response to GAO recommendations, FVAP is in the process of redesigning our entire website. FVAP conducted a usability study to compile feedback from key stakeholders in order to create a more user-friendly website for UOCAVA citizens. In addition, FVAP has worked with web design specialists to streamline and restructure the site in order to eliminate redundancies and simplify website maintenance. The new web architecture will ensure that the information on the site is accurate and consistent.

The "Overseas Vote Foundation" and "Democrats Abroad" websites both provide voters with a tool that guides them through the State specific completion of the FPCA. Their primary audience is UOCAVA citizens. The FVAP website not only serves UOCAVA citizens, but also provides pertinent information to a variety of other stakeholders: VAOs, State and local election officials, federal agencies, media outlets, members of Congress, non-governmental organizations, and overseas citizens groups. Serving this diverse clientele requires FVAP's website to contain a vast array of information.

CHARRTS No.: HADMIN-01-002
Hearing Date: April 15, 2008
Committee: HADMIN
Member: Congressman Brady
Witness: HON Dominguez
Question: #2

Servicemember Absentee Voting Challenges Identified by GAO

Question: The 2006 DOD approved defense budget contained a line item for an improved voter registration system for $600,000, which the Congress intended for the Overseas Vote Foundation because of their expertise in this area. What happened with this funding? Where did it go? How was it allocated? What has come of this funding to date?

Answer: The conference report accompanying the DoD Appropriations Act for Fiscal Year 2007, House Report 109-676, page 117, provided $600,000 to support a Military Voter Registration System. In executing the funding, the Department complied with the Competition in Contracting Act and applicable procurement regulations. Accordingly, the Department awarded a contract for this purpose pursuant to full and open competition procedures. The OVF did not respond to the Federal Voting Assistance Program's Request for Proposal, which was available on July 23, 2007. On September 26, 2007, Criterion Systems was awarded the contract to deliver a voter registration and blank ballot delivery system. The application being developed by Criterion Systems will support not only the military, as specified in the conference report, but all citizens covered by the Uniformed and Overseas Citizens Absentee Voting Act.

CHARRTS No.: HADMIN-01-003
Hearing Date: April 15, 2008
Committee: HADMIN
Member: Congressman Brady
Witness: HON Dominguez
Question: #3

Servicemember Absentee Voting Challenges Identified by GAO

Question: During the hearing we learned that the Overseas Vote Foundation established a program with FedEx to facilitate ballot transmission. What is FVAP doing to educate servicemembers and overseas citizens about registration and voting deadlines? How is FVAP ensuring our servicemembers and overseas citizens receive and return their ballots in time to increase confidence that their votes will be counted? Is the FVAP working with OVF and seeking to expand outreach to include the USPS and other mail services to facilitate this program?

Answer: The arrangement with FedEx that the OVF described during the House Administration Committee hearing is one that they have pursued independently. However, for the past several elections, FVAP has worked with the Department of State (DOS) to reach out to commercial mail carriers worldwide. These commercial carriers voluntarily provide special rates and services for the return of voted ballots for citizens residing outside the United States (U.S.). Participation from commercial carriers varies from country to country. FVAP and DOS are continuing this effort for the 2008 general election.

In order to ensure that overseas citizens are aware of the opportunities provided by commercial carriers, DOS provides detailed instructions at United States Embassies and Consulates worldwide. In addition, DOS maintains a warden system to disseminate information, including reminders on absentee voting procedures to American citizens overseas. More than one million citizens have registered with DOS to receive warden messages.

In 2004 and 2006, FVAP worked in cooperation with USPS to implement express mail procedures when handling absentee balloting materials. The Military Postal Service Agency (MPSA) also used special handling and expediting procedures while transporting ballots outside the U.S. to and from overseas military post offices.

The FVAP, in conjunction with the USPS and MPSA, is again ensuring that military absentee ballots are expedited. Beginning September 2, 2008, absentee ballots from local election officials destined for Army Post Office/Fleet Post Office addresses will be handled expeditiously with special handling procedures to the military mail gateways and then to overseas military post offices to ensure that absentee ballots arrive promptly. This expedited delivery includes special marking and handling of absentee ballots. Beginning October 29, 2008 through November 4, 2008, the MPSA will ensure absentee ballots from overseas military postal activities are expedited back to the local election official. The FVAP informs the thousands of Voting Assistance Officers of the expedited mail service through workshops, press releases, website updates, and the monthly Voting Information Newsletters.

CHARRTS No.: HADMIN-01-004
Hearing Date: April 15, 2008
Committee: HADMIN
Member: Congressman Brady
Witness: HON Dominguez
Question: #4

Maintaining Accurate Contact Information for Servicemembers and Overseas Citizens

Question: Why are so many absentee ballots undeliverable to military voters? How can we keep States apprised of voters' correct addresses? What steps has FVAP taken to work with states to help update wrong addresses? Has FVAP offered assistance in trying to locate servicemembers to update their addresses? Overseas citizens? How do states know that this assistance is available? Is it posted on FVAP's website? Has FVAP sent letters to the states letting them know that they will help? Since the primary, how many states have asked FVAP for help to update a servicemember's address?

Answer: The 2002 Help America Vote Act requires that upon approval of Federal Post Card Applications, election officials must provide citizens with ballots for the next two general elections for federal office. Due to the high mobility of Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) citizens, particularly Service members and their families, election officials are required to mail ballots to addresses that may no longer be valid. Many UOCAVA citizens fail to notify their election officials of a change of address. The Department of Defense (DoD) provides materials and instructions reminding voters to update their mailing addresses with local election offices.

For more than 10 years, the Department has utilized the DoD Employee Interactive Data System to assist the States in obtaining up-to-date address information for Service members. FVAP informs local election officials of this service via State, local, and national election conferences, election official newsletters, and on the FVAP website. Since the beginning of 2008, FVAP has responded to more than 1,000 requests for updates from the States and territories. This number is expected to increase, as we approach the general election.

CHARRTS No.: HADMIN-01-005
Hearing Date: April 15, 2008
Committee: HADMIN
Member: Congressman Brady
Witness: HON Dominguez
Question: #5

Maintaining Accurate Contact Information for Servicemembers and Overseas Citizens

Question: Does FVAP have access to servicemembers' email accounts? If so, can FVAP send emails to servicemembers to see if they want to update their addresses? Can FVAP send an electronic copy of the Federal Post Card Application (FPCA) and have servicemembers update their addresses over email? Is FVAP able to do the same for overseas citizens?

Answer: The FVAP does not have access to Service members' email accounts. In response to the requirements set forth in the 2002 Help America Vote Act, the Department increased its efforts to remind citizens to provide up-to-date address information to their local election officials. FVAP informs the thousands of Voting Assistance Officers (VAOs) about the importance of accurate addresses through workshops, press releases, website updates, and the monthly Voting Information Newsletters. In addition, through a contract with another Department of Defense (DoD) agency, FVAP will include a reminder about providing a current address in an email notification sent to approximately 1.2 million active duty Service members prior to the upcoming general election. Due to the capabilities of this contract, documents (such as FPCAs) cannot be attached to the email notifications.

DoD Directive 1000.04 requires that unit VAOs across the Services hand deliver the FPCA to eligible military voters by January 15th of each calendar year. The Under Secretary of Defense for Personnel and Readiness issued a memorandum on September 17, 2007, clarifying the Directive. The revision of the Directive permits electronic distribution of the FPCA as long as the distribution is done locally and receipt of the FPCA can be verified.

CHARRTS No.: HADMIN-01-006
Hearing Date: April 15, 2008
Committee: HADMIN
Member: Congressman Brady
Witness: HON Dominguez
Question: #6

Maintaining Accurate Contact Information for Servicemembers and Overseas Citizens

Question: Given the problem with inaccurate addresses and the low numbers of servicemembers who vote, has FVAP undertaken any efforts to provide servicemembers with an FPCA as part of a routine administrative procedure? Overseas citizens?

Answer: FVAP works closely with the Services and the State Department (DOS) to ensure that absentee voting materials are made available to all citizens covered by the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA). Each Service and DOS has their own procedures in place, which are tailored to the needs of the populations they serve.

When United States Army Reserve and Army National Guard Service members are mobilized, they receive voting assistance during Service member readiness processing. In addition, absentee voting information is provided at Army Guard Reception Battalions during in-processing; the Training and Doctrine Command provides voting assistance; the United States Army Military Academy and the Sergeant Majors Academy provide voting assistance during in-processing, division briefings, and at specific times during training. Furthermore, the Director of the Army National Guard Bureau recently released a memo to all State Adjutant Generals requesting them to advertise Federal, State, and local elections and provide voting support to all mobilized Service members.

The Service Voting Action Officer (SVAO) of the Navy provided all Naval Commands with necessary absentee voting materials (including FPCAs, Federal Write In Absentee Ballots, Voting Assistance Guides, and promotional posters). The Navy SVAO maintains regular communication with various commands to ensure that they have all the materials that they need.

The Air Force ensures all members and their voting-age dependents receive an FPCA no later than January 15th of each year, upon permanent change of station (PCS) or (deployment/non-deployment) temporary duty, and prior to graduation from basic military training/technical training courses. Air Force Major Command inspection reports show that all Installation Voting Assistance Officers understand the requirements and that they comply with published directives.

The Marine Corps ensures that all Service members and their authorized family members receive an FPCA no later than January 15th of each calendar year, upon completion of PCS orders, prior to graduation from recruit training, prior to deployment, and during all Service schools. The Inspector General Marine Corps inspection result shows that all Marine Corps commands

understand these requirements and are in compliance with the direction in the Marine Corps

Order. The Marine Corps units also receive one hour of Voting Assistance Training annually, to include training prior to and after deployment.

All Voting Assistance Officers (VAOs) from each Coast Guard unit ensure the procurement of necessary FPCAs for their members. The Coast Guard Voting Assistance Program ensures that all VAOs are trained in the proper use of FPCAs and stands by ready to answer any questions from the fleet.

The DOS distributes absentee voting materials to all United States Embassies and Consulates worldwide. Additionally, DOS maintains a warden system to disseminate information, including reminders on absentee voting procedures to American citizens overseas. Over one million citizens have registered with DOS to receive warden messages.

CHARRTS No.: HADMIN-01-007
Hearing Date: April 15, 2008
Committee: HADMIN
Member: Congressman Brady
Witness: HON Dominguez
Question: #7

Maintaining Accurate Contact Information for Servicemembers and Overseas Citizens

Question: Is it true that when servicemembers deploy or return from a deployment, they have to visit their Pay Office to update certain personal information such as their dependent information, life insurance information and other address information?Would it be possible for the Pay Office to provide these servicemembers with an FPCA as part of that process? If the servicemember fills out the application, is it possible for that document to be sent to FVAP so that it could be processed in the correct state?

Answer: Upon consulting with the Services, FVAP has confirmed that it is possible to provide absentee voting materials at Pay Offices. In fact, the Army presently provides FPCAs as part of their pre/post-deployment process. However, it is important to note that not all Services require Service members to report to Pay Offices, and requiring that Service members do so may not be feasible or practical. For example, the Marine Corps has several automated systems available on their website, allowing marines to manage a variety of personnel tasks remotely. All of the Services maintain up-to-date voting websites containing all of the necessary absentee voting information and forms.

All completed election materials are sent directly to the voter's local election official. Voters may contact FVAP, their unit Voting Assistance Officer, and Service websites for information about where to send their election materials.

CHARRTS No.: HADMIN-01-008
Hearing Date: April 15, 2008
Committee: HADMIN
Member: Congressman Brady
Witness: HON Dominguez
Question: #8

Maintaining Accurate Contact Information for Servicemembers and Overseas Citizens

Question: Is it true that servicemembers receive all types of pre-deployment briefings prior to their deployment? For example, JAGs give the servicemember an opportunity to update their wills and other legal documents? Would it then be possible for JAGs to provide servicemembers with the opportunity to update the FPCA during the pre-deployment process?

Answer: Upon consulting with the Services, the Federal Voting Assistance Program has confirmed that it is possible to provide absentee voting materials at JAG offices. In fact, the Marine Corps presently provides FPCAs at JAG offices. However, it is important to note that not all Services require Service members to visit the JAG offices, and absentee voting assistance and materials are provided through the Service-wide Voting Assistance Officer network.

CHARRTS No.: HADMIN-01-009
Hearing Date: April 15, 2008
Committee: HADMIN
Member: Congressman Brady
Witness: HON Dominguez
Question: #9

Efforts to Increase Servicemembers' and Overseas Citizens' Participation in Elections

Question: The EAC UOCAVA study indicates that only 15% of all eligible UOCAVA voters requested absentee ballots in 2006.What efforts has FVAP undertaken to get out the vote for potential UOCAVA voters? With regard to servicemembers in particular, has FVAP sent an email to all servicemembers offering an FPCA and an opportunity to register to vote or to update the servicemembers' address? According to a 2006 DOD Office of Inspector General Report, only 24% of servicemembers knew of the Federal Voting Assistance website and less than 30% were aware or had used the FPCA and the Federal Write-in Absentee ballot. What are you doing to educate servicemembers about the Federal Voting Assistance website and FPCA and the write-in absentee ballot? Overseas citizens?

Answer:

FVAP Voting Outreach: The Department is committed to providing all Uniformed Service members, their family members, and overseas citizens with the opportunity to vote in the 2008 primary and general elections. It is the Department's priority that all Service members have an opportunity to vote and have their votes counted. In response to the unprecedented early 2008 primary schedule, FVAP accelerated the schedule for accomplishing our voting outreach programs. The Department appoints, equips, and trains thousands of Voting Assistance Officers (VAOs) at military installations worldwide in person, and on the FVAP website and compact discs. DoD provides voting materials to VAOs, Service members, and their family members worldwide. The voting material distribution and training schedule was pushed ahead more than two months to support the early primaries. Command support of the voting program was demonstrated through Secretary of Defense Memoranda to Service Secretaries, Chairman of the Joint Chiefs of Staff, and Combatant Commanders. In addition, FVAP has and continues to work both independently and with the Services to create motivational videos, issue news releases, send emails to more than 1.3 million Service members, redesign the FVAP website, develop and broadcast voting public service announcements (PSAs), and disseminate absentee voting alerts through DoD's Information Network.

Service Outreach: The United States Army filmed voting PSAs that are advertised on the Soldiers Radio and Television, the Armed Forces Radio and Television Service, the American Forces Network worldwide and on the DoD Pentagon Channel. The Army and Air Force Exchange Service (AAFES) broadcast PSAs in stores and on their radio stations. The AAFES Public Affairs Office also displayed a Joint Service Voting PSA during theater preshow entertainment. Both the Army Senior Service Voting Representative and Sergeant Major of the Army released a Service-wide email-voting reminder in January 2008 to Service members, DoD civilians residing outside the United States, and their eligible family members. Another Service-

wide email reminder will be released in June 2008. The Army has and continues to work with the Defense Finance and Accounting Service to include voting reminders on Leave and Earning Statements (LES).

In support of the 2008 election, the Navy will issue five Navy-specific administrative messages to all Navy personnel and has included voting reminders on every LES issued in 2008. The Navy also has regular communications with Navy VAOs worldwide via mass emails. Navy Knowledge Online, a Navy-wide e-learning website, promotes voting and provides online VAO training. Information on registering to vote is also available on other naval websites, including the Commander Navy Installations Command. The Navy promotes voting through a variety of print media, including the Navy-wide magazine, "All Hands."

The Air Force regularly communicates with their network of VAOs through hundreds of emails. They have also promoted absentee voting in Service LESs, and through the Air Force voting website.

The Marine Corps has taken several steps to inform and educate their Service members and their families about the upcoming elections and the absentee voting process. The Marine Corps produced several video PSAs, which were broadcast on the Pentagon Channel and in all Marine Corps movie theaters, encouraging Service members to register and vote absentee. The Marine Corps has published three print articles in major Service newsletters. In addition, electronic outreach includes Marine Corps-specific administrative messages, mass emails, and posting voting information on Service members' personal online accounts.

The United States Coast Guard has employed a variety of outreach mechanisms in preparation for the 2008 primary and general elections. These efforts include Service-wide emails, voting reminders on LESs, and web-based outreach.

Reports Cited: It is important to note that the first EAC report released in March 2006, regarding the 2004 election, also contained limited and incomplete data. The EAC noted in their 2006 UOCAVA report: "Unfortunately numerous States and local jurisdictions are still not collecting information on UOCAVA ballots requested, ballots returned, and, although not mandated by law, the reasons for ballot rejection in a manner appropriate to provide a full and fair accounting of the UOCAVA voting experience." (EAC 2006 Survey Report Findings, page 5)

The 2007 DoD Office of Inspector General Report reviewing the 2006 election states that "The summarized data cannot be generalized beyond the 10 locations evaluated because the locations were selected judgmentally, and the data are too few to support any possible generalizations beyond those of the participants whose responses were recorded." (2007 DoD Office of Inspector General: 2006 Evaluation of the Federal Voting Assistance Program in the Department of Defense, page 5)

CHARRTS No.: HADMIN-01-010
Hearing Date: April 15, 2008
Committee: HADMIN
Member: Congressman Brady
Witness: HON Dominguez
Question: #10

Second Generation Voters

Question: Today, 17 states allow second-generation Americans, i.e., children of American citizens living overseas who have not had the opportunity to establish their own voting residency in the United States, to use their parent(s) address for voting under UOCAVA. However, the 33 states that do not allow second- generation Americans to vote at their parent(s) voting residence represent over two-thirds of the United States population. One of the key ways to encourage the attachment of American youth brought up overseas is to involve them in the political process. These youth are required to file U.S. taxes and must register with the armed services. Not allowing them to vote is contrary to fundamental democratic principles. Both the Maloney and Honda bills would eliminate this problem. What are some of the policy concerns at the state and local level that prevent more states from allowing this second generation of Americans to vote in their elections?

Answer: Approximately 50,000 United States citizens who have never resided in the United States are not entitled to vote under current law in many of the States and territories. While these individuals are subject to all other requirements of citizenship, they are not eligible to vote. The Federal Voting Assistance Program asks all States to allow these citizens to vote where either parent is eligible to vote under UOCAVA.

ROBERT A. BRADY, PENNSYLVANIA
CHAIRMAN

VERNON J. EHLERS, MICHIGAN
RANKING MEMBER

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April 23, 2008

Mr. Kimble Brace
Election Data Services, Inc.
6171 Emerywood Court
Manassas, VA 20113

Dear Mr. Brace:

Thank you for testifying at the Committee on House Administration's Hearing on Military and Overseas Voting that was held on April 15, 2008. The Committee Members have requested that you respond to the following questions to be included in the official record of the hearing. Please provide your answers to the Committee on House Administration by May 23, 2008. I appreciate your prompt response.

1. Is there anything the Federal Voting Assistance Program or the Department of Defense could do to improve data collection on UOCAVA voters? The State Department?

2. Are there states that do a good job of collecting data on their UOCAVA voters? How do they do it? Why does it seem that other jurisdictions have such a difficult time collecting data? What should be done to facilitate more comprehensive data collection?

3. In formulating the data for the EAC, are you aware if the Commission changed any of the data you submitted for the final report?

4. Today, 17 states allow second-generation Americans, i.e. children of American citizens living overseas who have not had the opportunity to establish their own voting residency in the United States, to use their parent(s) address for voting under UOCAVA. However, the 33 states that do not allow second-generation Americans to vote at their parent(s) voting residence represent over two-thirds of the United States population. One of the key ways to encourage the attachment of American youth brought up overseas is to involve them in the political process. These youth are required to file U.S. taxes and must register with the armed services. Not allowing them to vote is contrary to fundamental democratic principles. Both the Maloney and Honda bills would eliminate this problem. What are some of the policy concerns at the state and local level that prevent more states from allowing this second generation of Americans to vote in their elections?

Thank you and I look forward to your response.

Sincerely,

Robert A. Brady
Chairman

6171 Emerywood Court
Manassas, Virginia 20112

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May 23, 2008

Congressman Robert A Brady
Chairman, Committee on House Administration
1309 Longworth House Office Building
Washington, DC 20515-6157

Dear Mr. Chairman:

In response to my testifying at the Committee on House Administration's Hearing on Military and Overseas Voting that was held on April 15, 2008, you have asked that I respond to four additional questions. They, and my responses, are below.

1. Is there anything the Federal Voting Assistance Program or the Department of Defense could do to improve data collection on UOCAVA voters? The State Department?

Answer: The biggest problem with data collection on UOCAVA voters is being able to identify them. If UOCAVA voters use the Federal Post Card Application Form (SF-76) to register, then election administrators can identify which voters are UOCAVA related. Unfortunately, not all overseas or military voters use this form, so a local election administrator doesn't know if a normal registration form is coming from a voter that is military or overseas related, or just someone that lives in their state. Putting the UOCAVA qualifying question on all state's voter registration forms would help in this process, but that means getting 50 states and 5 territories to change their forms. Clearly the DOD and the State Department could use their internal communications devises to tell their voters of this problem and seek to have people clearly identify themselves in their communications with local election administrators.

2. Are there states that do a good job of collecting data on their UOCAVA voters? How do they do it? Why does it seem that other jurisdictions have such a difficult time collecting data? What should be done to facilitate more comprehensive data collection?

Answer: This series of questions really deal with three major issues in the data collection process. First, there is the issue of getting good underlying information and my answer to question one, above, deals with this issue. Clearly states that have implemented a robust statewide voter registration system, and which have a proper identification field with drop-down options for UOCAVA voters have a leg up in this matter. Second, there is the matter of a proper survey being created by the Election Assistance Commission so that the data could then be collected. Clearly the EAC have failed in this matter over the past two election cycles. So far this year, states have not been encouraged in that it's taken nearly six months to get a survey instrument for the states. Changes to the states' systems to gather new data are unlikely at this point in time. Third, there is the matter of states getting all the data from their respective jurisdictions to an-

swer the question at issue. For the UOCAVA portion of the survey, only 12 states were able to provide complete coverage of all jurisdictions in their state. These states are Georgia, Idaho, Iowa, Louisiana, Maryland, Michigan, Missouri, Montana, New York, North Dakota, Ohio and Texas. All other states were missing data from some, or even all, of their local governments.

3. In formulating the data for the EAC, are you aware if the Commission changed any of the data you submitted for the final report?

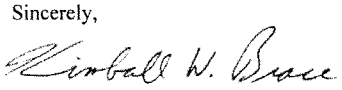
Answer: No, they didn't have the data. We had the data in spreadsheets that our team created and controlled throughout the process. Our spreadsheets were provided to the printer as .pdf files that were unchanged during the editing process. We also created the initial text of the report and provided that to the EAC for their review and approval. That process took time and we went through several iterations. In some instances we accepted their proposed changes, but in other instances we resisted because we felt the suggested changes would fundamentally change the analysis and understanding of the data.

4. Today, 17 states allow second-generation Americans, i.e. children of American citizens living overseas who have not had the opportunity to establish their own voting residency in the United States, to use their parent(s) address for voting under UOCAVA. However, the 33 states that do not allow second-generation Americans to vote at their parent(s) voting residence represent over two-thirds of the United States population. One of the key ways to encourage the attachment of American youth brought up overseas is to involve them in the political process. These youth are required to file U.S. taxes and must register with the armed services. Not allowing them to vote is contrary to fundamental democratic principles. Both the Maloney and Honda bills would eliminate this problem. What are some of the policy concerns at the state and local level that prevent more states from allowing this second generation of Americans to vote in their elections?

Answer: I am not directly familiar with this problem, but agree it is an issue. One would have to go in-depth into the respective state's election laws to determine the reasoning behind this circumstance. It is possible that some of the 33 states you identify are actually silent on the issue, as opposed to specifically allowing the practice.

Please contact me (tel. 202.789.2004 or kbrace@electiondataservices.com) if you have questions.

Sincerely,



Kimball Brace
President

ROBERT A. BRADY, PENNSYLVANIA
CHAIRMAN

VERNON J. EHLERS, MICHIGAN
RANKING MEMBER

Congress of the United States
House of Representatives

COMMITTEE ON HOUSE ADMINISTRATION
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April 23, 2008

The Honorable Beth Chapman
Secretary of State of Alabama
Office of the Secretary of State of Alabama
600 Dexter Avenue, Suite S-105
Montgomery, AL 36130

Dear Ms. Chapman:

Thank you for testifying at the Committee on House Administration's Hearing on Military and Overseas Voting that was held on April 15, 2008. The Committee Members have requested that you respond to the following questions to be included in the official record of the hearing. Please provide your answers to the Committee on House Administration by May 23, 2008. I appreciate your prompt response.

1. You mentioned in your testimony that Alabama has 100,000 citizens overseas. How does Alabama work to keep its registration rolls up to date with the addresses of those overseas voters?

2. Has the Department of Defense been responsive to your efforts to encourage internet voting? Your testimony notes that the Air Force has its own unique computer system. How does that present a challenge to implementing secure internet voting for the military? Are there other such practical issues that need to be addressed before such a program can be implemented, aside from security?

3. Today, 17 states allow second-generation Americans, i.e., children of American citizens living overseas who have not had the opportunity to establish their own voting residency in the United States, to use their parent(s) address for voting under UOCAVA. However, the 33 states that do not allow second-generation Americans to vote at their parent(s) voting residence represent over two-thirds of the United States population. One of the key ways to encourage the attachment of American youth brought up overseas is to involve them in the political process. These youth are required to file U.S. taxes and must register with the armed services. Not allowing them to vote is contrary to fundamental democratic principles. Both the Maloney and Honda bills would eliminate this problem. What are some of the policy concerns at the state and local level that prevent more states from allowing this second generation of Americans to vote in their elections?

Thank you and I look forward to your response.

Sincerely,

Robert A. Brady
Chairman

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BETH CHAPMAN
SECRETARY OF STATE

May 21, 2008

VIA ELECTRONIC MAIL and U.S. POSTAL SERVICE

The Honorable Robert A. Brady, Chairman
Committee on House Administration
U.S. House of Representatives
1309 Longworth House Office Building
Washington, DC 20515-6157

Dear Chairman Brady:

I am in receipt of your letter dated April 23, 2008. Thank you for the opportunity to respond to these additional questions. In response to the Committee's questions:

1. *You mentioned in your testimony that Alabama has 100,000 citizens overseas. How does Alabama work to keep its registration rolls up to date with the addresses of those overseas voters?*

The State of Alabama actively promotes updating voter registration information each time a UOCAVA voter moves or changes locations. This is accomplished in two ways. First, the circuit clerk confirms by January 1 of each election year the address of the military and overseas voters prior to mailing the ballots during each election cycle (*Ala. Code § 17-11-5(d)*). Second, we have partnered with the Overseas Vote Foundation, Federal Voting Assistance Program, Alabama National Guard and other entities and organizations to promote military and overseas voters updating voter registration information as soon as they move or are deployed to a new location. Specifically with the OVF, we have licensed a website dedicated to promoting voter registration and updates targeted for military and overseas voters (http://alabama.overseasvotefoundation.org/) by walking them through the often complicated process of correctly completing the Federal Post Card Application and returning it to the appropriate election official.

2. *Has the Department of Defense been responsive to your efforts to encourage internet voting? Your testimony notes that the Air Force has its own unique computer system. How does that present a challenge to implementing secure*

internet voting for the military? Are there other such practical issues that need to be addressed before such a program can be implemented, aside from security?

The Department of Defense has been very responsive to our efforts to encourage internet voting. We were recently privileged to have Major General Michael Sumrall, Assistant to the Chairman of the Joint Chiefs of Staff for National Guard Matters, at our inaugural military and overseas voting conference in Montgomery where he not only shared his insight from serving at the top level of the Pentagon, but also committed to helping us in any way that he could. Furthermore, Polli Brunelli, Director of the Federal Voting Assistance Program, also has been extremely helpful in providing insight and guidance. Her assistant, Scott Weidman, spoke at our conference as well. Moreover, all members of the Elections Assistance Commission have been helpful to us in providing specific information as it is made available.

The fact that the Air Force has its own computer system is in my humble opinion a positive, advantageous part of the equation ensuring security in internet voting. It can serve as an additional component of a well-placed system of security checks & balances.

3. *Today, 17 states allow second-generation Americans, i.e., children of American citizens living overseas who have not had the opportunity to establish their own voting residency in the United States, to use their parent(s) address for voting under UOCAVA. However, the 33 states that do not allow second-generation Americans to vote at their parent(s) voting residence represent over two-thirds of the United States population. One of the key ways to encourage the attachment of American youth brought up overseas is to involve them in the political process. These youth are required to file U.S. taxes and must register with the armed services. Not allowing them to vote is contrary to fundamental democratic principles. Both the Maloney and Honda bills would eliminate this problem. What are some of the policy concerns at the state and local level that prevent more states from allowing this second generation of Americans to vote in their elections?*

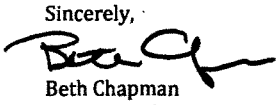
While I cannot speak for other states and their individual laws, based on my understanding of your question the person described above would not be eligible to vote in Alabama. Specifically, the Alabama Constitution provides:

> *"Every citizen of the United States, who has attained the age of eighteen years and has resided in this state and in a county thereof for the time provided by law, if registered as provided by law, shall have the right to vote in the county of his or her residence."*

Unless the Alabama Legislature sees fit to pass a constitutional amendment and the voters of the State approve such an amendment, it is not a matter of policy but a matter of law that the person in the scenario you describe would not be eligible to vote in Alabama.

It is my hope that I have fully answered the Committee's questions and addressed your concerns. If you or your Committee have any further questions, please contact me.

Sincerely,



Beth Chapman
Secretary of State

cc: The Honorable Vernon Ehlers, Ranking Member
The Honorable Michael Capuano
The Honorable Artur Davis
The Honorable Susan Davis
The Honorable Charles Gonzalez
The Honorable Zoe Lofgren
The Honorable Dan Lungren
The Honorable Kevin McCarthy

ROBERT A. BRADY, PENNSYLVANIA
CHAIRMAN

VERNON J. EHLERS, MICHIGAN
RANKING MEMBER

Congress of the United States
House of Representatives

COMMITTEE ON HOUSE ADMINISTRATION
1309 Longworth House Office Building
Washington, D.C. 20515-6157
(202) 225-2061
www.house.gov/cha

April 23, 2008

Susan Dzieduszycka-Suinat
President & CEO
Overseas Vote Foundation
Parkstr. 44a
82065 Baierbrunn
GERMANY

Dear Ms. Dzieduszycka-Suinat:

Thank you for testifying at the Committee on House Administration's Hearing on Military and Overseas Voting that was held on April 15, 2008. The Committee Members have requested that you respond to the following questions to be included in the official record of the hearing. Please provide your answers to the Committee on House Administration by May 23, 2008. I appreciate your prompt response.

1. There is infrastructure in place to identify and conduct outreach to military voters that does not exist for civilian voters abroad. Please describe major successes and challenges in identifying and conducting outreach to American civilian voters abroad. What are the major efforts in this area? What populations are those efforts targeting? Are there gaps that need to be filled? What have been the most significant barriers? I know Congressman Honda's legislation addresses some of these concerns. Based on your experience, how can Congress help address this challenge?

2. Today, 17 states allow second-generation Americans, i.e. children of American citizens living overseas who have not had the opportunity to establish their own voting residency in the United States, to use their parent(s) address for voting under UOCAVA. However, the 33 states that do not allow second-generation Americans to vote at their parent(s) voting residence represent over two-thirds of the United States population. One of the key ways to encourage the attachment of American youth brought up overseas is to involve them in the political process. These youth are required to file U.S. taxes and must register with the armed services. Not allowing them to vote is contrary to fundamental democratic principles. Both the Maloney and Honda bills would eliminate this problem. What are some of the policy concerns at the state and local level that prevent more states from allowing this second generation of Americans to vote in their elections?

3. During the hearing you mentioned that OVF established a program with FedEx to facilitate ballot transmission. Are you working with FVAP and seeking to expand outreach to include the USPS and other mail services to facilitate this program?

4. Mail service standards around the world can be quite inconsistent. How would you recommend getting Americans abroad information pertaining to voting?

Thank you and I look forward to your response.

Sincerely,

Robert A. Brady
Chairman

Congress of the United States
House of Representatives
Committee on House Administration
1309 Longworth House Office Building
Washington, D.C. 20515-2061

May 7, 2008

Dear Chairman Brady,

Thank you for the opportunity to testify at the Committee on House Administration's Hearing on Military and Overseas Voting that was held on April 15, 2008.

Overseas Vote Foundation (OVF) greatly appreciates the Committee Members' interest in our views pertaining to the questions posed in your letter of April 23, 2008 and is pleased to present you with the following responses.

Committee Question 1. There is infrastructure in place to identify and conduct outreach to military voters that does not exist for civilian voters abroad. Please describe major successes and challenges in identifying and conducting outreach to American civilian voters abroad. What are the major efforts in this area? What populations are those efforts targeting? Are there gaps that need to be filled? What have been the most significant barriers? I know Congressman Honda's legislation addresses some of these concerns. Based on your experience, how can Congress help address this challenge?

Overseas civilian voter outreach is conducted in an entirely different paradigm than that of military voter outreach because we don't know how many total overseas civilian voters there are, nor is there the centralized location database available as there is with the military. Overseas citizens are not required to identify themselves to US embassies and consulates even in those State Department posts that do have VAOs, albeit behind their walls of tight security as foreign posts require.

Because of this dispersion, mass media outreach is key to effective voter education, especially through the Internet. OVF has focused on online outreach supported by a comprehensive suite of voter services designed specifically for overseas citizen and military voters. As we have come to the task from backgrounds in communications, marketing and software development, we have been keenly aware of basic elements that go into such program development and the commitment that it requires. The growth of our organization has brought in the diverse knowledge and talents of senior election officials, military voting specialists, technology and security specialists and innovative entrepreneurs -- combined with overseas and military voters themselves – to create a winning strategy for overseas and military voter services.

OVERSEAS VOTE FOUNDATION
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Our major outreach efforts are focused around Internet-based communications strategies. As stated, our communications program is supported by a comprehensive technical development program. One without the other does not bring a measurable or successful outcome.

Our uncomplicated and straightforward mission has cultivated trust among overseas voters. Without political or governmental ties of any kind, voters feel comfortable to use our services which are precisely tailored to their needs – not less, not more.

Supporting strategies include: 1) grassroots engagement through worldwide volunteer program development; 2) on-the-ground outreach through the volunteer team's local actions; 3) consistent, reliable quality control through program and content management efforts; 4) increased visibility on overseas voting through local, international and US public relations efforts; 5) strategic partnerships through joint program development with the states; 6) development of current, relevant and healthy discussion and debate through the OVF Summit program. With this very significant effort to "make the network visible to itself" we have begun to establish a highly-diverse, loosely-woven fabric of engaged supporters of military and overseas voters.

Do not underestimate the barriers faced. UOCAVA voters are often terribly discouraged: historically, they have faced an overwhelmingly complex task simply to register and acquire ballots. Fortunately OVF can assist many voters with Internet access through this process now. What we cannot do is unify the regulations for the states; or unify the deadlines for voter registration/ballot request; or organize and/or make sense of variation in registration form re-filing rules which are inherent challenges that do simply do not translate well to overseas absentee voting.

It is certain that Congressional action could help to address some of the barriers. The Maloney and Honda bills are clear attempts to rectify the most obvious of the ongoing problems which have calcified within the UOCAVA program -- and to move it forward by a few notches across all states at once. We haven't seen other legislation trying to address these issues in a reasoned, well-researched manner and are seeing now the challenges faced to get any legislation passed. As OVF does not have a legislative charter, we can only hope that our research will inform and support appropriate Congressional decisions.

Committee Question 2. Today, 17 states allow second-generation Americans, i.e. children of American citizens living overseas who have not had the opportunity to establish their own voting residency in the United States, to use their parent(s) address for voting under UOCAVA. However, the 33 states that do not allow second-generation Americans to vote at their parent(s) voting residence represent over two-thirds of the United States population. One of the key ways to encourage the attachment of American youth brought up overseas is to involve them in the political process. These youth are required to file U.S. taxes and must register with the armed services. Not allowing them to vote is contrary to fundamental democratic principles. Both the Maloney and Honda bills would eliminate this problem. What are some of the policy concerns at the state and local level that prevent more states from allowing this second generation of Americans to vote in their elections?

Thirty-three states do not grant voting rights to American citizens brought up overseas who have not had the opportunity to establish their own voting residency in the United States. Although

these disenfranchised citizens are required to pay taxes[1], it does not come with the right to vote due to states that impose an additional barrier on the access to these voting rights.

The fact is UOCAVA ensures the right of Americans residing overseas to vote in federal elections, and therefore this right should extend to all Americans overseas without the arbitrary right of the states to impose further requirements on this access.

To put this issue in perspective, it is important to recognize that the number of Americans disenfranchised is significant. Conservatively, there are an estimated 2 million eligible civilian American voters living overseas. OVF's recent post-election survey found that 85 % of active overseas electors reside overseas permanently or indefinitely. And 34% indicated that their prime motive living overseas was marriage or partnership. In addition, many couples where both partners are American have developed their careers overseas and have raised their families overseas.

DEMOGRAPHICS:

According to the U.S. citizen overseas registration of birth data received from the State Department up through 2001, on average about 45,000 children are registered at U.S. Consulates as having been born abroad each year to a U.S. citizen parent.

The top ten overseas birth locations are shown below. These ten countries accounted for 59% of the total worldwide births that year. Given the high numbers in Germany and Japan, it is highly likely that a good many of these are to families of U.S. servicemen/women, so they are not the prime focus of our concerns.

Germany:	8,645	
UK:	3,744	
Japan:	3,539	
Israel:	2,965	
Canada:	2,881	
Mexico:	1,929	
Italy:	1,402	
Philippines:	1,340	
France:	1,147	
Australia:	1,104	
Sub-Total:	26,696	(59%)
Total:	44,942	(100%)

The children of U.S. service personnel will undoubtedly move back to the States, and so will children born to those on students, others on short assignments, USAID, State Department, etc, so the overall number in the purely private sector likely to continue to live and work abroad might be at best half of this annual number.

That means that about 25,000 children per year, or about 450,000 children born within the last eighteen years and still ineligible to vote because of their age, may have been born abroad. The number children/adults 18 and over who have not established sufficient nexus in a specific state and therefore are unable to register back home in one of the famous "33" is very hard to determine. They would have been born prior to 1990 when the overall number of Americans overseas was probably smaller than that of today. Perhaps there are 10-15,000 of these per year, at the most.

[1] Note that the United States is the only developed country in the entire world that imposes taxes based on citizenship versus actual physical residency.

STATES' RIGHTS

What makes this all very difficult to resolve is the fierce pride and independence of each of the individual states in terms of making their own decisions on issues such as voting eligibility.

It was already a very difficult to achieve feat back when overseas U.S. civilians were first awarded this right before the 1976 elections because of Constitutional issues and "states' rights". Now that is the accepted norm to have overseas voters, we are coming to our next challenge: perhaps it is an honest oversight of lawmakers who never dreamed that overseas Americans might remain overseas long enough to have American children born off of US soil reach legal American voting age.

Many states have admitted to this oversight and grant voting rights to the continuing generations of Americans still connected, albeit more through blood than soil, to their state and we have not heard of problems arising in these states that afford these rights. In fact, Congress may regard the 16 states that grant these voting rights as having established a significant and effective precedent for another step forward in clarifying UOCAVA.

As for the local level policy concerns, there may be the request for second or later generation overseas Americans to provide additional information to show their connection through their parents to their voting state. Local election officials are very familiar with these issues even with overseas electors who have recently moved overseas. The guidelines of UOCAVA are clear and pertain equally to these young Americans.

Committee Question 3. During the hearing you mentioned that OVF established a program with FedEx to facilitate ballot transmission. Are you working with FVAP and seeking to expand outreach to include the USPS and other mail services to facilitate this program?

In the 2007 Department of Defense Appropriations Act, Congress established a $600,000 directed appropriation for an online Military Voter Registration System. Originally requested by Rep. Carolyn Maloney of New York, the request specifically identified OVF as the recipient of the funds and the developer of the system. The House Appropriations Committee Report and accompanying transmittal letters to the Department of Defense confirmed that Congressional intent. In a letter from the Department of Defense to Rep. Maloney, OVF was specifically invited to compete for the project since the Department believed it must go through a competitive bidding process since the Appropriations Act itself did not specifically identify OVF as the recipient.

However, when the Department issued the Request for Proposals for this program, it made the competition a Small Business Set-Aside, which specifically excluded OVF from competing since it is a not-for-profit entity. The Department issued the RFP in July 2007 which was later than anticipated, awarded the contract to a small business with no voting or voter registration experience in September 2007, and despite the RFP stating the system needed to be operational by December 2007, it still is not available. By comparison, OVF developed its own military voter registration system, deployed it in October 2007, and since then has helped over 20,000 military and overseas civilian voters properly fill out their Federal Post Card Applications.

Our experience to date is that the FVAP does not seek to work closely with OVF. In 2006, OVF asked for a closer working relationship with the FVAP, but it has not materialized. We are grateful that they have participated actively in our conferences and events and have they have a link to OVF on their website. However, we do not have a highly-active ongoing dialogue or "partnership".

At the Committee hearing on April 15, 2008, we heard from Mr. Dominguez that the FVAP's strategy is to work in "partnership" with other groups. This is in direct contrast to our experience and what we have heard from the FVAP previously as being legally/ethically allowable with nongovernmental organizations.

Knowing this, OVF did not consider our 2008 ballot return program as being of any interest to the FVAP and they have not contacted us to discuss it. Neither has the USPS. We have no plans or programs underway with either the FVAP or USPS. Because we are seeking to provide traceable, end-to-end single carrier, door-to-door international delivery service, we went to a leader in the industry that has the track record, infrastructure and means in place to provide the complete service: FedEx.

Given OVF's extremely limited resources, we must focus our efforts and cannot take on immeasurable expansion of a new program until it is established and successful. To our knowledge, not only is FedEx is present worldwide and can provide end-to-end service faster and more reliably than any other carrier but they are willing to invest a considerable sum to do so. OVF goes first to the industry leaders to garner services for the voters. We are not aware that the USPS can provide this same end-to-end service (home pick-up from international destinations through to delivery at the local election office with automatic confirmation of delivery) and we cannot foresee how adding another step or partner into the ballot return process would be in the interest of the voters or the states.

Committee Question 4. Mail service standards around the world can be quite inconsistent. How would you recommend getting Americans abroad information pertaining to voting?

OVF does not avoid postal mail entirely but we certainly do not rely on it to reach voting Americans in a global paradigm. Primary use of the Internet for communications is the clear answer, as electronic means have proven faster and more efficient.

By virtue of being "present" in countries around the world with our volunteer team, we have been able to send some bulk materials for distribution in key locations frequented by Americans. Our efforts are in relation to our resources and budgets for mailings are strictly limited.

OVERSEAS VOTING REFORM

Statement submitted for the record to:

Congress of the United States, House of Representatives, Committee on House Appropriations

April 15, 2008

The Association of Americans Resident Overseas (AARO), American Citizens Abroad (ACA) and the Federation of American Women's Clubs (FAWCO) would like to thank Chairman Brady, Ranking Member Ehlers, and committee members for giving us this opportunity to submit this statement for the important committee hearing on "Military and Overseas Voting: Problems and Progress in Ensuring the Vote."

AARO (www.aaro.org), founded in 1973 and headquartered in Paris, is an international, non-partisan association with members in 21 countries, from France to Brazil to Afghanistan. It researches issues that significantly affect the lives of the more than six million Americans who live and work overseas, and keeps its members informed on those issues. As part of its advocacy campaign, AARO actively educates Congress, the media and the public on such vital topics as taxation, absentee voting, citizenship, representation, Social Security and Medicare. Through its international outreach and information-sharing platform, AARO helps to give a voice to Americans living abroad, whose role as "unofficial ambassadors" of their country is often overlooked. It provides its members updates on key issues, alerts on the need to take action, and access to a network of experts. Through its participation in the annual Overseas Americans Week on Capitol Hill, AARO strives to ensure that Congress takes into account the

contributions, needs and issues of Americans abroad. AARO also works closely with other international organizations to achieve common goals.

ACA (www.aca.ch), founded in 1978, is a non-profit, non-partisan, non-governmental organization whose mission is to defend the rights of Americans living overseas. Founded in 1931, FAWCO (www.fawco.org) is an international network of independent clubs and associations with a combined membership of 18,000 in 37 countries.

Americans abroad are proud of their citizenship and vigilant in guarding their constitutional right to help elect their President, Vice President and Members of Congress. For most overseas Americans, their right to vote is the primary means available to them to participate in the American democratic process. Civilian voter turnout overseas has increased steadily over the last few years, and overseas Americans have historically had much higher election participation rates than their stateside counterparts – typically 3+% of votes cast, although they comprise only about 2% of the electorate. Unfortunately – and despite some recent reforms – overseas voters continue to face a range of obstacles and bureaucratic pitfalls that all too frequently frustrate their efforts to exercise their cherished democratic rights.

The Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) of 1986 defines the rights of overseas U.S. citizens to vote in U.S. federal elections, and sets out the parameters for registering and voting by absentee ballot from overseas. UOCAVA was complemented by the Help America Vote Act of 2002 that addressed a plethora of problems in voting domestically and attempted to eliminate some of those faced by overseas absentee voters.

Nevertheless, overseas citizens still face a number of obstacles in casting their votes and having them counted. In the Overseas Vote Foundation 2006 Post Election Voter Survey, 20% of the respondents stated that they had tried to vote but could not do so for many reasons, but largely because they could not submit or receive their registration or balloting material in time.

The "Overseas Voting Practical Amendments Act of 2007" (H.R. 4237) and the "Overseas Vote Act" (H.R. 4173)

We are pleased that these two bills – which address most of our remaining concerns about voting from abroad – have been introduced by Carolyn Maloney (D-NY) and Michael Honda (D-CA), respectively. The Maloney bill, **H.R. 4237**, proposes to eliminate non-essential bureaucratic requirements that voters in many states are burdened with and resolves certain other remaining voting issues:

- The currently confusing name of the federal application (FPCA) form would be changed to "Federal Voter Registration and Ballot Application" (FVRBA).
- States could not refuse to accept voter registration and/or Federal Write-in Absentee Ballots for any reason that can disadvantage overseas voters, such as "non-standard" size, shape, weight or color of paper of the application, envelope or ballot (given that such materials are now often downloaded using non-American machines and paper); notary, witness or oath requirements (given the

often prohibitive cost of access to notary services outside the United States); delivery of the application or ballot by a method other than the Post Office (to allow for hand delivery, courier or express mail services); or arbitrary requirements that are not necessary to prevent fraud.

- Permits voters to request absentee ballots in "all subsequent elections" and repeals the requirement for states to send absentee ballots in subsequent elections to individuals with invalid addresses.
- Gives American citizens who do not meet state residency requirements the right to vote in all states and the District of Columbia at the legal voting residence of their U.S. citizen parent(s). Today, only sixteen states explicitly enable such citizens to exercise their constitutional right to vote in federal elections.
- Provides for the use of State Department diplomatic pouches for the return of completed ballots.
- Requires prompt voter notification cases of rejection of a voter registration or absentee ballot request.

The Honda Bill, **H.R. 4173**, incorporates most of the provisions of the Maloney bill and additionally:

- Prohibits the refusal of a ballot for lack of notarization on the envelope.
- Eliminates the requirement to apply for a state absentee ballot before casting a federal write-in ballot.
- Provides $5 million in funding for non-partisan voter outreach efforts.
- Requires and funds the inclusion of voting information in passports.

Additional voting procedure reforms required

The deadline for the receipt of overseas ballots should be *uniformly fixed on Election Day*, and overseas ballots should be *counted simultaneously* with domestic ballots, ensuring that overseas votes are taken into account in the announcement of the results of the election. In the event of special emergency elections, the period between announcement of the elections and receipt of *all* ballots should be uniformly fixed at 60 days.

Postmark and date stamp requirements should be eliminated; all dated ballots should be accepted.

Timely expedition of ballots: All states should be required to publish a *Federal ballot* that can, if necessary, be distributed earlier than a full state ballot. Thirty days should be the *minimum interval between transmittal of ballots and the deadline* for voted ballots to be received by local election officials. New methods of *electronic transmission of electoral materials* should be further developed, including the possibility of faxing the federal application form and of downloading ballots from the Internet, to be completed and returned by mail.

The Help America Vote Act (HAVA) is of crucial importance to overseas voters

Voting assistance programs are to be expanded, under HAVA, for absent uniformed services voters. *The same should apply to civilian overseas voters.*

Statewide voter registration databases *must be fully implemented as quickly as possible.*

The single state office should provide information to overseas voters on registration and absentee ballot application procedures. Congress also *recommended* that this same office accept registration applications, absentee ballot applications, and absentee ballots (including Federal Write-In Absentee Ballots) for the entire state. *This recommendation can greatly facilitate and simplify voting from overseas.*

The Election Assistance Commission (EAC) is responsible for making recommendations to the President and the Congress about further actions to help overseas voters. *We fully support the EAC, call for its full funding and urge Congress to extend its mandate.*

Statistical reporting on the number of overseas absentee ballots transmitted and received. *We hope the EAC will extend these statistics* to the number of registration applications received, the number rejected, the number of ballots requested, the number of ballots rejected and the reasons for any rejection in all cases.

Appropriations requirements: There was no 2005, 2006 or 2007 HAVA appropriation for funding to the states. Congress did appropriate $115 million in 2008 but there remains a shortfall in total HAVA funding of close to $700 million. *We join the National Association of Secretaries of State and the crafters of the Help America Vote Act in calling for its full funding.*

Conclusion

The pending legislation will address many of the problems encountered by Americans attempting to vote from abroad and is deserving of urgent support so that the changes can be implemented in time for the 2008 General Election in November.

Our organizations will continue to work with Congress and the Administration to find other appropriate and economically feasible ways to improve the ability of absent uniformed service voters and overseas Americans in the private sector to register and vote absentee in U.S. federal elections.

Thank you again for this opportunity to share the views of AARO, ACA and FAWCO with the committee.