

THE CENTURY FOUNDATION

Issue Brief

BRINGING VOTING RIGHTS TO OVERSEAS AND MILITARY VOTERS

BY TOVA ANDREA WANG

INTRODUCTION

Military and overseas voters—known as UOCAVA¹ voters, after the federal law they are governed by, the Uniformed and Overseas Citizens Absentee Voting Act—always have had special challenges when it comes to voting. There is no data available on overseas participation in presidential primaries, but it is believed to be extremely low (as it is with the overall electorate). Although military and overseas voters may prove to be more interested in the primaries this election cycle than in the past, given the dynamics of the race, the problems these voters face are likely only to be exacerbated by the frontloading of the primaries this year. Indeed, in an attempt to ameliorate potential problems, the government agency primarily responsible for overseeing military and overseas voting—the Federal Voting Assistance Program (FVAP), an agency within the Department of Defense—started disseminating their materials a full two months earlier than it has in previous election cycles.² This brief explains how difficult it is for military and overseas voters to vote, examines the problems encountered in making sure that these votes are counted, and suggests reforms for both easing the procedural problems and improving turnout among this often neglected group of voters.

THE PROBLEM

A report by the United States Election Assistance Commission³ on UOCAVA voting in the 2006 general election may give us a glimpse of how bad the problems are for this group of voters. While about six million voters could have requested UOCAVA absentee ballots for the 2006 election, only about a million actually did so. Moreover, only one-third of those ballots requested were actually cast and counted. In sum, only 5.5 percent of eligible UOCAVA voters actually participated successfully in the 2006 election.⁴ According to this survey and reports by the Department of Defense, the most common reasons for the rejection of a UOCAVA ballot is that it is received past the deadline or that the requested ballot sent to the voter is returned as undeliverable because the voter—who could be in a war zone—has moved from his or her previous location.⁵ In 2004, the National Defense Committee did a survey finding that 24 percent of UOCAVA voters were unable to vote successfully in that presidential election.⁶ Overall, the Overseas Vote Foundation finds that one in five UOCAVA voters who sought to vote in the 2006 election were not able to cast a ballot successfully.⁷ Earlier studies have found that many overseas and military voters did not vote in the 2000 election because they received their absentee ballot too late or had not received it at all.⁸

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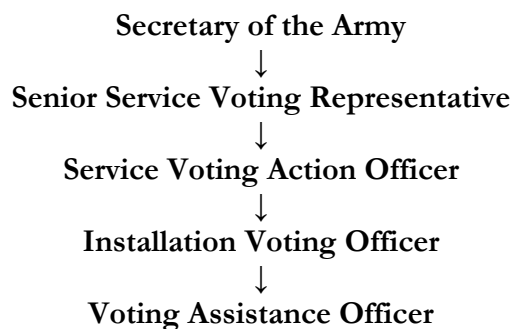
In most respects, overseas and military voters must go through the same process as other absentee voters, although often under much more difficult circumstances. Though UOCAVA sets out a detailed scheme to make sure overseas and military voters receive all the materials and information they need, it has been difficult to implement. The only major easing of the requirements granted to these voters is that they can fill out one form to register and request an absentee ballot, called the Federal Post Card Application (FPCA), rather than having to undertake a two-step process. Also, the law now allows for the use of an emergency absentee ballot—the Federal Write-in Absentee Ballot (FWAB)—for any overseas or military voter (overseas and domestic) who did not receive their absentee ballot quickly enough to return it in time, despite having requested it in a timely manner. This ballot only includes federal races for general elections and must be accepted in any state if submitted by that state’s absentee ballot deadline.⁹

State laws vary tremendously regarding UOCAVA voters, creating further confusion. The deadline for registering as a UOCAVA voter ranges from thirty days prior to an election in twenty-one states to absolutely no registration requirement in fifteen states. Ballots have to be received prior to Election Day in several states, but can be received after Election Day in many others.¹⁰ Some states will fax or even e-mail ballots, while many others will not.

According to the Government Accounting Office, UOCAVA covers more than 6 million people, including approximately 3.7 million overseas citizens not affiliated with the government, 1.4 million military service members, and 1.3 million military dependents of voting age.¹¹ Military voters have a far higher voter participation rate than other overseas voters. One study found that overseas military are nearly three times as likely to try to vote as civilian overseas voters.¹² A study by the Foreign Voter Assistance Program estimates that turnout among civilian voters is typically between 31 and 38 percent, while military turnout is between 64 and 79 percent.¹³

DEPARTMENT OF DEFENSE AND STATE DEPARTMENT PROGRAMS

While it may not be implemented on a consistently effective basis, the Department of Defense has a highly detailed system for registering members of the armed services to vote and getting members their ballots. A key component of that system is the assignment of voting assistance officers (VAOs) and service voting action officers (SVAOs). There is an extensive “chain-of-command support mechanism”¹⁴ for these members of the military who are involved in facilitating voting. Each military unit has its own employee or officer designated to organize and direct activities that encourage and assist with voting by military members, and superiors who oversee this work.¹⁵ For example, in the army the chain of command looks like this:



Given this attention, it is easier to understand why the military voting rate so far exceeds that of the overseas civilian vote, even with the challenges military voters face.

The State Department also has its own VAOs who assist not only State Department employees but all citizens it has contact with abroad. VAOs are expected to “Develop and implement an outreach program to educated potential voters; the official U.S. government community, corporations, Peace Corps volunteers, overseas schools, study overseas programs, non-governmental organizations (NGOs), and other groups comprised solely or in part U.S. citizens.”¹⁶ It is unclear how consistently this is being implemented, given the limited resources and tools available to these employees.

The State Department also employs “wardens” in countries throughout the world. Originally established and still used primarily for the purpose of disseminating critical information in case of emergency, wardens also can distribute information, usually now through e-mail chains, on voting and voting procedures. Such notices go to any U.S. citizen who has registered their presence overseas with the State Department.¹⁷

As obvious as it may be why military vote rates are relatively high, there are similarly obvious reasons why the civilian participation rate is far lower. Civilians abroad are not part of an institutionalized system that tracks where they are and what they are doing. While members of the military receive a good deal of assistance through a set of established protocols, civilian overseas voters are more or less on their own and have the burden of seeking out the information and materials they need to vote. None of the State Department’s programs will reach these voters if the voter does not inform the department of his presence abroad. This can be particularly problematic for Americans in remote locations with poor electricity and plumbing and nonexistent Internet and fax access.

PROBLEMS PARTICULAR TO THE 2008 NOMINATING CONTESTS—AND SOME PROPOSED SOLUTIONS

The biggest problem confronting overseas and military voters when it comes to the 2008 nominating system is the caucuses. Over a third of the states plan to have a nominating contest that is a caucus or convention for at least one of the two parties.¹⁸ Military and overseas voters comprise a group that is absolutely and completely barred from participating in presidential caucuses. Caucuses do not allow absentee ballots and mandate personal attendance. As a consequence, they completely exclude members of the armed services serving overseas and away from home within the United States, voters who are working or studying abroad, and voters fulfilling government contracts, such as for the Department of Defense, the State Department, or USAID; similarly, the families of these individuals living away from home also cannot participate. It is surprising that the disenfranchisement of this group has been going on with so little public discussion.

The solution is to allow absentee balloting for overseas and military voters in caucuses. In states such as Iowa, in which the process includes a second round of voting if a candidate does not get a threshold 15 percent support, the absentee ballot could include ranked choice voting, in which a voter could express his or her second choice. This type of system is already used in three states that have run-off systems.¹⁹

There is one state that gets it right in this regard. New Mexico allows for absentee voting in its caucuses. Each party pays for this effort, and a committee counts the mail-in ballots on the day of the caucus.²⁰ This should be the norm for all caucus states, at a minimum for military and overseas voters.

The second biggest problem is the push to hold primaries and caucuses ever earlier, to the point where voter registration and ballot requests are now competing with holiday mail. For example, here are some of the voter registration deadlines for overseas and military voters:²¹

Washington D.C.	December 10, 2007
South Carolina (D)	December 29, 2007
Florida	December 31, 2007
South Carolina (R)	January 2, 2008
New Mexico (D)	January 4, 2008 ²²
Georgia	January 7, 2008
Illinois	January 8, 2008
New Jersey	January 8, 2008

Overseas and military voters have enough difficulties receiving and returning their ballots in time for them to be counted. This problem, the one that results in the most UOCAVA voter disenfranchisement, just got worse.

Another issue is that, for UOCAVA voters, absentee ballot requests stand for two federal election cycles. Many overseas voters, especially military, do not know where they will be at the time of the next election. With so many months now between the primaries and the general election, if an overseas voter registers and requests an absentee ballot for the primary in December, the voter is all the more likely to be someplace different when the general election comes around almost a year later. The fact that absentee ballots cannot be forwarded exacerbates this problem. Will these overseas voters realize that they must contact their local election official to apprise them of their move? A survey of local election officials conducted by the Overseas Vote Foundation found that officials thought the biggest barrier to better participation rates was voters moving after registering or requesting an absentee ballot.²³

There should be some way of communicating to UOCAVA voters that if they move they must notify the local election official of their new location. The FVAP encourages voters to fill out a new form every year. Kimball Brace, author of the survey of UOCAVA voters for the U.S. Election Assistance Commission, has suggested that for members of the armed services, the military should take the responsibility of notifying election officials when a member has been re-deployed.²⁴

Finally, for some unknown reason, in almost every state, the FWAB—the emergency absentee ballot—is available only for the general election. There is no justification for this. Such forms ought to be available for participating in the presidential primaries as well.

ADDRESSING PROCEDURAL PROBLEMS

TECHNOLOGY

There has been much controversy over the use of computer technology to ease the process for overseas voters. Most notoriously, a pilot test of Internet voting for overseas voters was not considered much of a success.²⁵ Currently, thirteen states/territories allow uniformed service members to receive blank ballots via e-mail, and seven states/territories allow them to submit voted ballots by e-mail. For overseas citizens, ten states and territories allow for a blank ballot to be received by e-mail, while four states and territories allow for voted ballots to be returned by e-mail.²⁶ Very few voters have utilized these options. The United States Election Assistance Commission is charged with creating guidelines for the Department of Defense's program for Internet-based voting, but has been delayed by resource shortfalls.²⁷

However, there is the potential for the greater use of the Internet. First, the least controversial action that could be taken is greater use of the Internet to inform voters about their rights, the process, and the election itself.

The Overseas Vote Foundation's survey found that more than a third of UOCAVA voters who were unable to cast a ballot would have used the emergency absentee ballot—had they known they could. Twenty percent of voters who did not register or vote did not do so because they were unaware of the deadlines. Less than 20 percent of overseas knew anything about the FVAP's services. The top reasons people said they were not able to register or request a ballot was that the "process was too complicated" and they did not know where to send the form or who to contact. Sixty-nine percent of overseas voters said no one gave them any information on how to register or vote. Of those that did, most were contacted by one of the political parties.²⁸

Surely, greater use of the Internet and e-mail could be used to educate voters about the most effective ways of ensuring they can cast a ballot and have it be counted. The FVAP, the Overseas Vote Foundation, and other organizations that work on voting issues for overseas voters are trying to build e-mail databases and reach out to more voters. These kinds of efforts need to expand beyond these organizations. All sorts of Web sites that are frequented by military and overseas voters ought to include a link to voter information for such voters. This includes Web versions of international publications; the front pages of Web sites of government agencies, universities, and non-governmental organizations that send many Americans overseas; and any blog sites that are geared toward Americans abroad. Moreover, private multinationals that employ Americans abroad have a responsibility to e-mail their employees during as elections approach about their rights and how to vote effectively. This same responsibility applies to institutions that send students on study abroad programs during election periods.²⁹

Furthermore, research shows that sending voters a sample ballot serves to increase voter turnout rates. In addition to the basic information on how to register and vote, every state should send every overseas voter with a known e-mail address a sample ballot that reflects their local ballot.

The trickier question is the exchange of materials over the Internet. This raises issues of security, accuracy, privacy rights, and the right to a secret ballot. We must balance these concerns against the multitude of problems overseas voters face in getting their voices heard. The solution may be to move toward giving all overseas voters the *option* of sending and receiving all materials electronically over a secure Web site except the completed ballot itself, provided they are fully apprised of the potential privacy issues.

Some interim steps in the right direction are already being undertaken. In October, the Overseas Vote Foundation launched a new Web site with a variety of online services that any overseas voter can utilize that makes the process easier and quicker. One particularly useful service is an online voter registration form. As reported by Government Computer News, “The website automatically loads required questions for the appropriate state and county, prompts users through the answering process with drop-down lists, and generates a completed PDF application that can be printed, signed and mailed [by regular mail, not e-mail]. It also generates a list of instructions for voter registration in the user’s home jurisdiction, along with the address for mailing the application.”³⁰ The program eliminates the need to research and navigate unique state regulations and mailing instructions individually. Error-checks occur during the process to ensure that the voter does not forget any required information, making it is virtually impossible for the voter to make mistakes on the form that would slow down its processing.

Alternatively, states should consider allowing all military and overseas voters to register to vote directly online. The state of Arizona already allows online registration for all voters. Washington State is planning to have online registration beginning January 1, 2008, that emulates the Arizona system. The Arizona online voter registration uses encryption and a secure site. Only voters who have a signature on file with the state can use the system, as anyone with a driver’s license or state identification card would have. There have not been reports of problems with the system, though there has not been much outside assessment of it either.

Also on the Overseas Vote Foundation Web site, the voter has the option of creating a secure voter account. The information the voter submits is stored on the account, much like with online banking, so that changes in registration are extremely simple to make. In the future, these types of personal accounts could be used for actual request and return of voting materials, including ballots, because materials would be exchanged via a secure Web site. Eventually, a voter could send a ballot request or voted ballot from a secure account and a local election official could log into that account and retrieve it. The FVAP will be offering this type of service requesting of ballots and transmitting blank ballots from the election administrator to the voter in 2008, for those voters who are from states that use secure server technology.³¹

Given the low rates of participation by voters and state administrators in FVAP programs in the past, it remains to be seen how effective this new program will be.³² In 2004, FVAP instituted a new online system, called the Interim Voting Assistance System, which allowed military voters, though not civilian voters, to register to vote and receive ballots by secure server depending on state law. In 2006, FVAP expanded this service to all states and all overseas voters. However, few voters used the FVAP system, for a variety of reasons;³³ more voters dealt directly with their local elections officials.³⁴

There are legitimate security concerns to exchanging voting materials electronically. However, even the most skeptical computer scientists support potentially using the Internet to request and receive blank ballots.³⁵ At the same time, submission of a completed ballot ought to continue to be through mail or fax at the present time. If a voter wishes to put their privacy rights at some level of risk, that is their choice. It will not impact the voting process. When it comes to the casting of the actual ballot, however, the whole system of democracy is affected. Until it is certain that these encrypted Web sites are foolproof, sending completed ballots electronically should be resisted.³⁶

As already noted, there is a pervasive problem concerning overseas voters receiving registration and voting documents late or not at all, resulting in their being completely disenfranchised. Given these

obstacles, while further testing and technological research may be necessary and more data may need to be collected,³⁷ all states should at least provide the option to overseas voters of receiving and sending all materials—except the actual ballot—by e-mail over a secure Web site, until a viable system is up and running.

OTHER REFORMS

Until a more computerized system can be safely deployed, there are some low-tech reforms that can be undertaken to improve the process. First, the Federal Voter Assistance Program³⁸ and the Commission on Federal Election Reform have recommended³⁹ that all UOCAVA ballots be mailed out at least forty-five days before the election so that voters can be sure to receive them in a timely manner and return them early enough for them to be counted. Forty-three out of fifty-five states and territories have heeded this guidance, but the remaining twelve must adopt this strategy. Election administrators may find this problematic—the final ballot is not always set that early. Candidates may drop out, or other items on the ballot may change. Nonetheless, a ballot that includes all of the known candidates and races—or at least a ballot for federal elections—should be sent out, with the possibility, if administratively feasible, of a revised ballot being sent out at a later date. If both ballots are returned, only the later one would be counted.

Second, when it comes to voting material for overseas voters, the post office should be allowed to forward this mail. The rationale for making registration and voting materials sent by mail such that they cannot go to a forwarding address is to ensure that a voter is registering and voting from the home address that is on record with the election administrator. Otherwise, the voter may receive their materials and be able to vote in a jurisdiction in which they no longer reside. There is also concern that if mail can be forwarded, people who use invalid addresses in their applications will not be caught. However, none of this applies to overseas and military voters. They are obviously not in their district, and if they move somewhere else within a foreign country or to another foreign country, their voting jurisdiction does not change. They must affirm the address of their home, but must be sent materials abroad. Thus, not forwarding voter registration and absentee ballot material makes no sense for these voters. They should be forwarded at least to increase the chances that the material will get to the voter even if he or she is highly mobile. Every piece of mail should have a notice that if the voter was forwarded this material, he should fill out a space on the form indicating his new foreign address so that administrators can keep track of his whereabouts in the future.

In a few states, there are disparate deadlines for civilians living overseas and military voters, even though some civilians may be working for relief agencies in the same parts of the world as military voters. For example, Mississippi's registration deadline is more than two weeks earlier for overseas civilians than for overseas military. New Mexico's deadline is a full month earlier for overseas civilians than their military counterparts. In three states, civilians overseas must comply with the strict registration deadlines; military members have no voter registration deadline at all. It is waived. There is no rational basis for this. A relief worker in a war zone is likely to encounter the same challenges as a member of the military in a war zone in getting his or her ballot cast and counted. The rules should be standard for all overseas voters.

Finally, very little is known definitively about UOCAVA voters. The quality of data on these voters is very poor, making it difficult to ascertain accurate turnout numbers or what areas of the election process are the most troublesome. States do not always separate out UOCAVA ballots, do not make records of those that are rejected, or keep information on why they are rejected. The states must work in collaboration with the federal U.S. Election Assistance Commission to keep better records

on military and overseas voters so that researchers and elections administrators can better pinpoint the challenges and come up with more effective solutions.⁴⁰

IMPROVING TURNOUT

INTERNET DEBATE

In somewhat of a surprise, according to the Overseas Vote Foundation survey of overseas voters, 19 percent said that they did not vote because they did not have enough information on the candidates and/or the issues. In the age of the Internet, this is unacceptable.

In order to increase interest and participation in the primaries, a coalition of overseas voter organizations ought to sponsor Internet-based overseas voter debates for candidates of each party. Such debates could be modeled after the recent Internet debates hosted by Yahoo, Huffington Post, and Slate Magazine. In these forums, candidates were able to participate from whichever location they chose, and the program allowed for “real-time questions sent in by the online audience, as well as viewer questions uploaded on video.”⁴¹ Only overseas voters would be invited to participate. This is not unusual, as there are always many debates that include just a particular audience, such as union members and specific ethnic groups. By taking questions from overseas voters only, the questions will reflect the concerns and issues of importance to this group of voters in particular.

In addition to being on the Internet live and archived online, the debates might be aired in group settings throughout the world, including on military bases. NGOs and the State Department could also host group sites.

THE PARTIES

Although all of the procedural reforms referred to above are critically needed, they cannot operate in a vacuum. In isolation, it has been demonstrated that election reforms tend to retain existing voters, which is necessary and good, but reforms do not always increase turnout among previous nonvoters.⁴² Structural reforms need an assist from the parties and the candidate campaigns, as well as civic organizations. A few recent studies have noted that, when a party steps in to use electoral reforms to its advantage to increase base turnout, such a reform will become much more effective in turning out more voters.

A recent study showed, for instance, that the reform of early voting in itself did not increase voter turnout in Texas, but when the Democratic Party made a concerted effort there to mobilize their voters to vote early, there was an increase in voter turnout through early voting.⁴³ Similarly, another academic studying liberalized absentee ballot laws found that turnout only increased when the reform was combined with party mobilization efforts, such as sending out applications to the party’s known supporters.⁴⁴

This proposition should not be surprising, since it is well established that when parties work to mobilize voters generally it has a significant impact. “People the Democrats and Republicans mobilize in the course of a presidential election campaign are 7.8% more likely to vote, 11.8% more likely to try to persuade others, 4.8% more likely to work for party or candidate, and 6.7% more likely to make a financial contribution to a campaign. Likewise, people the parties mobilize for midterm election campaigns are 10.4% more likely to turnout, 11.8% more likely to persuade, 6.1% more likely to volunteer, and 4.6% more likely to hand over cash.”⁴⁵ This is no less likely to be true in the realm of UOCAVA voters.

In some states, whether a person is overseas is indicated and publicly available on the voter registration list, along with that person's party registration. Who has requested an absentee ballot from overseas is also public information.⁴⁶ As a result, the parties could be engaging in the same types of get out the vote efforts for overseas voters as they do for absentee voters in the United States. For example, the parties could minimally target their most loyal members who they can identify as currently residing overseas and send them e-mail and mail reminders, information on how to effectively cast a ballot, and deadline dates for their state; send them the FPCA form that they can use to register and request an absentee ballot, which is available on line on the FVAP Web site with state-specific instructions; and even send and e-mail them copies of the Federal Write-in Absentee Ballot (for voters who requested but have not received their state's absentee ballot in time to vote in a general federal election), which is also available for downloading on the FVAP Web site. As mentioned, such party efforts around absentee voting have been statistically shown to increase participation rates.

In one party attempt to increase participation in 2008,⁴⁷ for the first time ever, Democrats Abroad will be conducting an "online global primary." While it has its troubling aspects, at least the party is attempting something new.

The Democrats Abroad primary will take place from February 5 through February 12, 2008. Democrats living overseas and who are members or become members of Democrats Abroad can vote via the Internet, fax, regular mail, and at "drop in voting centers" that are open in thirty-four countries around the world. When a voter casts a ballot, the voter must affirm that the Democrats Abroad primary is the only primary he or she is participating in. It is, as always, a felony to vote more than once—that is, in a state primary and the global primary. However, one potential advantage of this system is that if a voter misses his home state primary, he can presumably vote in the global primary until February 12. With the frontloading of the primaries this year, the need for such a back-up plan is more needed than ever.

Leadership of Democrats Abroad devised this program after becoming concerned that many American Democrats in Africa and Latin America were less likely to participate in the usual Democrats Abroad primary because there are not as many recognized Democratic committees in those places as there are in Europe, Canada, and Mexico. As a result, there is not the number of voting centers in those areas as Europe. The group also recognized that Democrats in more remote locations, and elderly and disabled voters, had a hard time getting to the vote centers that have been the main vehicle for primary voting in the past. Although it might be of some advantage for voters to vote in the primary of their home state, as has been pointed out, many states have caucuses from which overseas voters are barred, and some overseas voters find the hurdles to voting in their state through the UOCAVA process too high to contend with.⁴⁸

The Internet part of the voting will be conducted in the same manner as Michigan's Internet primary in 2004 and through the same vendor. In that case, to vote online, voters entered personalized codes from the ballot, along with place and date of birth. After the voter cast his ballot, that special code was nullified so the voter could not vote again.⁴⁹ Of 164,000 voters, 46,000 (28 percent) opted to use the Internet to cast their ballots. Although it did boost turnout,⁵⁰ the effort was criticized by computer scientists for lacking security.⁵¹

Of concern is that, like the Michigan primary, the global primary will entail voters casting ballots through regular e-mail, not through an encrypted Web site. Moreover, the party itself admits that by using this system, voters give up the right to a secret ballot. Additionally, the voter must provide the

organization their contact information on the ballot that he or she casts or else it will be held invalid.⁵²

It will be interesting to see if the Democrats Abroad is able to increase participation by using this new system, and whether this means of voting will be perceived as any more acceptable by computer experts and elections observers as it unfolds. Boosting turnout is certainly the stated goal. Generally, the impact of Internet voting on turnout is unknown as it has not been utilized on a wide scale.

Finally, the Democratic and Republican parties should have information about how to register and vote if you are a UOCAVA voter on the front page of their main Web sites, not just on the Web sites of Democrats and Republicans Abroad.⁵³

CONCLUSION

Generally speaking, the disenfranchisement of military and overseas voters has not been a core issue for many voting rights organizations and, especially as it pertains to civilians overseas, has been discussed little in the media. For voting rights advocates, this gap is understandable from a few perspectives. First, the perception may be that most of these voters are in some way government or military affiliated and therefore not in need of as much assistance as other groups that are more marginalized in American society. Also, especially among civilians, this group of voters may not be considered to be among their primary clientele of historically disenfranchised groups, such as minorities and the poor. Finally, the challenge of guaranteeing military and overseas voters their right to vote is complex, and reaching these voters traditionally problematic.

The characteristics of the military and overseas electorate do not mean that this group should be overlooked by those who care about the democratic process. The disenfranchisement of any American is an affront to voting rights and should be fought, and the problems addressed with urgency. These voters are often at the frontlines of American foreign engagement, whether on the battle field, or building infrastructure in a war-torn region in Africa, or undertaking any other activity overseas. They bring a special perspective to the democratic process and we need to assure that their voices are heard.

While the issues surrounding the frontloading of the primaries and the inherent disenfranchising effect of the caucuses are fairly set in stone for 2008, activists and elected officials could start getting to work on some of these problems and reforms now and help broaden the franchise of the overseas electorate in time for the general election next November. Furthermore, these issues ought to be front and center as the parties deliberate their plans for the 2012 nominating calendar.

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THE CENTURY FOUNDATION IS PUBLISHING THE ISSUE BRIEF SERIES TO HELP EXPLAIN AND CALL ATTENTION TO PUBLIC POLICY IDEAS THAT ARE WORTHY OF DISCUSSION AND DEBATE. THE VIEWS EXPRESSED IN THIS SERIES ARE SOLELY THOSE OF THE AUTHORS OF EACH ARTICLE. THIS AND OTHER PUBLICATIONS CAN BE FOUND ON THE CENTURY FOUNDATION WEB

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- ¹ The Uniformed and Overseas Citizen Absentee Voting Act, 42 U.S.C. 1973FF.
- ² Interview with Scott Wiedmann, deputy director, Federal Voting Assistance Program, October 25, 2007.
- ³ “Uniformed and Overseas Citizens Absentee Voting Act: UOCAVA: Survey Report Findings,” U.S. Election Assistance Commission, September 2007. It must be noted that while the survey represents one of the best efforts at data collection in this area to date, the report itself notes that “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.”
- ⁴ *Ibid.*, p. 4.
- ⁵ “DOD Expands Voting Assistance to Military Voters, but Challenges Remain,” General Accounting Office, September 28, 2006, p. 7.
- ⁶ “Military and Overseas Absentee Voting in the 2004 Presidential Election,” National Defense Committee, March 30, 2005.
- ⁷ Overseas Vote Foundation Post Election Survey Results, Overseas Vote Foundation, February 8, 2007.
- ⁸ Michael Alvarez, Thad Hall, Brian F. Roberts, “Military Voting and the Law: Procedural and Technological Solutions to the Ballot Transit Problem,” CalTech/MIT Voting Technology Project, March 2007, p. 8.
- ⁹ “DOD Expands Voting Assistance to Military Voters, but Challenges Remain,” p. 6.
- ¹⁰ Michael Alvarez et al., “Military Voting and the Law,” p. 8.
- ¹¹ “Absentee Voting Assistance to Military and Overseas Citizens Increased for the 2004 General Election, but Challenges Remain,” General Accountability Office, April 2006, p. 1
- ¹² Leo Shane III, “Less Than Half of Military Votes Overseas Counted,” *Stars and Stripes*, September 25, 2007.
- ¹³ Brian Whitmore, “Both Parties Reaching for Votes From Abroad,” *Boston Globe*, May 3, 2004. Some have accused FVAP of being biased in favor of military voters. This became a major point of controversy during the 2004 election. See for example, Alix Christie, “Suppressing the Overseas Vote,” *Guardian*, October 24, 2004.
- ¹⁴ “Voting Assistance and Action Officers,” Federal Voting Assistance Program, available online at <http://www.fvap.gov/vao/vao.html>.
- ¹⁵ “2008–2009 Voting Assistance Guide,” Federal Voting Assistance Program, Chapter One, available online at <http://www.fvap.gov/vao/military-vao-training-2008.pdf>.
- ¹⁶ “7 FAM 1513: Role of the Consular Officer Regarding Voting Assistance,” *Foreign Affairs Manual* 7, U.S. Department of State, Consular Affairs, January 25, 2006.
- ¹⁷ Interview with Scott Wiedmann, October 25, 2007.
- ¹⁸ “2008 Democratic and Republican Primary Schedule,” *New York Times* Web site, available online at <http://politics.nytimes.com/election-guide/2008/calendars/republicanprimaries/index.html>.
- ¹⁹ “Jurisdictions Using IRV for Military and Overseas Voters,” Fairvote, available online at <http://www.fairvote.org/?page=1993>.
- ²⁰ New Mexico’s caucus differ from other states caucuses in other ways as well. See “New Mexico Delegate Selection Plan for the 2008 Democratic Convention,” New Mexico Democratic Party, April 2007.
- ²¹ See “Federal Voting Assistance Program Voting Assistance Guide,” available online at <http://www.fvap.gov/pubs/vag.html#ch3>, and Overseas Vote Foundation, available online at <https://www.overseasvotefoundation.org/deadlines>.

²² “New Mexico Delegate Selection Plan,” New Mexico Democratic Party, available online at <http://www.nmdemocrats.org/ht/a/GetDocumentAction/i/1018132>.

²³ Susan Dzieduszyka-Suinat and Thad Hall, “2006 Post Midterm Local Election Official Survey Report,” Overseas Vote Foundation, May 8, 2007, p. 5.

²⁴ Interview with Kimball Brace, October 29, 2007, and “Uniformed and Overseas Citizens Absentee Voting Act,” U.S. Election Assistance Commission, p. 22.

²⁵ See “Action Plans Needed to Fully Address Challenges in Electronic Absentee Voting Initiatives for Military and Overseas Citizens,” Government Accountability Office, June 2007.

²⁶ E-mail exchange with Meghan Gordon, strategic communications planning specialist, Federal Voting Assistance Program, November 8, 2007.

²⁷ “Action Plans Needed to Fully Address Challenges in Electronic Absentee Voting Initiatives for Military and Overseas Citizens,” U.S. Government Accountability Office, June 14, 2007.

²⁸ “Overseas Vote Foundation 2006 Post Election Survey Results,” Overseas Vote Foundation, February 8, 2007.

²⁹ Phone interview with Marina Mecl, Overseas Vote Foundation, October 1, 2007.

³⁰ William Jackson, “New Online Tool for Overseas Voter Registration,” *Government Computer News*, October 26, 2007.

³¹ Interview with Scott Wiedmann, October 25, 2007.

³² Though the FVAP insists that no one in their department will see the materials, some voters have proved to be reluctant to pass their information through a Web site controlled by the Department of Defense, and in the future generally may be more inclined to make use of a service provided by a nonprofit, nonpartisan organization such as the Overseas Vote Foundation.

³³ “Action Plans Needed To Fully Address Challenges In Electronic Absentee Voting Initiatives For Military And Overseas Citizens,” Government Accountability Office, GAO-07-774, June 14, 2007.

³⁴ See “Overseas Voting—Challenges and Innovation,” Electionline.org, Briefing, October 2007.

³⁵ David Jefferson, Avi Rubin, Barbara Simons, David Wagner, “Internet Voting Revisited: Security and Identity Theft Risks of the DoD’s Interim Voting Assistance System,” October 25, 2006, available online at <http://www.ejfi.org/Voting/Voting-35.htm#done>.

³⁶ Interestingly, in a recent study of UOCAVA voters who participated in 2006, 80 percent of voters who received their ballot by e-mail believed that it was a secure method, whereas only about 60 percent of voters who received their ballot by regular mail felt the same way. Yet of those voters who voted by e-mail, they were more concerned about the security of doing so than regular mail voters. Survey of UOCAVA Voters, U.S. Election Assistance Commission, September 22, 2007, available online at <http://www.eac.gov/clearinghouse/2006-uniformed-and-overseas-citizens-voting-act-survey-and-conference-materials>.

³⁷ See “Action Plans Needed to Fully Address Challenges in Electronic Absentee Voting Initiatives for Military and Overseas Citizens,” Government Accountability Office, June 2007.

³⁸ “DOD Expands Voting Assistance to Military Absentee Voters, but Challenges Remain,” Statement of Derek B. Stewart, director, Defense Capabilities and Management, Testimony Before the Committee on Armed Services, United States Senate, September 28, 2006.

³⁹ “Building Confidence in U.S. Elections,” Commission on Federal Election Reform, September 2005, p. 38.

⁴⁰ See “Uniform and Overseas Voting Act,” U.S. Election Assistance Commission.

⁴¹ “Yahoo!, The Huffington Post and Slate to Host First-Ever Online-Only Presidential Debates, Moderated by Charlie Rose,” Press Release, Yahoo! Press room, available online at <http://yhoo.client.shareholder.com/press/ReleaseDetail.cfm?ReleaseID=239007>.

⁴² Adam Berinsky, “The Perverse Consequences of Electoral Reform in the United States,” *American Politics Research* 33, no. 4 (July 2005): 471–91.

⁴³ Robert Stein, Chris Owens, Jan Leighley, “Electoral Reform, Party Mobilization and Voter Turnout,” Paper presented at the annual meeting of the American Political Science Association, Washington, D.C., September 1, 2005.

⁴⁴ J. Eric Oliver, “The Effects of Eligibility Restrictions and Party Activity on Absentee Voting and Overall Turnout,” *American Journal of Political Science* 40, no. 2 (May, 1996): pp. 498–513.

⁴⁵ Steven J. Rosenstone and John Mark Hansen, “Mobilization, Participation and Democracy in America,” Pearson Education, Inc., 2003, pp. 170–71.

⁴⁶ E-mail exchange with Paul Gronke, Reed College, November 1, 2007.

⁴⁷ Republicans Abroad did not respond to repeated e-mail inquiries.

⁴⁸ Phone interview with Lindsey Reynolds, executive director, Democrats Abroad, November 1, 2007.

⁴⁹ Memorandum of the Democratic National Committee, “Party Rule on Internet Voting,” September 12, 2006, available online at http://www.ncvoter.net/downloads/DNC_Internet_Voting_Rule_-_Memo_and_Fact_Sheet.pdf.

⁵⁰ “The Michigan Primary,” RhodesCook.com, available online at http://rhodescook.com/analysis/presidential_primaries/mi/allabout.html.

⁵¹ “Michigan Dems Vote Online,” *Wired Magazine*, February 6, 2004.

⁵² “Delegate Selection and Affirmative Action Plans,” Democrats Abroad, p. 8.

⁵³ It should be noted that Republicans Abroad is not directly affiliated with the Republican National Committee but rather is a 527 organization.