



**UNDER SECRETARY OF DEFENSE**  
4000 DEFENSE PENTAGON  
WASHINGTON, DC 20301-4000

PERSONNEL AND  
READINESS

MAR 17 2011

The President Barack Obama  
The White House  
1600 Pennsylvania Avenue, NW  
Washington, DC 20500

Dear Mr. President:

On behalf of the Secretary of Defense and in accordance with the *Uniformed and Overseas Citizens Absentee Voting Act*, I am pleased to forward to you **The Eighteenth Report** of the Federal Voting Assistance Program, which contains information on absentee voting by uniformed services and overseas civilian voters.

The Report provides information obtained from our quadrennial *Post-Election Survey*. In the 2008 general election, when adjusted for age and gender because the military is heavily weighted toward younger males, 73% of active duty military personnel voted as compared to 61.7% of the national voting population. Also when adjusted for age and gender, 87% of the active duty military was registered to vote as compared to 71% of the national voting population.

The enactment of the *Military and Overseas Voter Empowerment Act*, included in the *National Defense Authorization Act for Fiscal Year 2010*, will strengthen voting opportunities for uniformed services and overseas voters. The Department is moving ahead aggressively to implement the new programs contained in that *Act*.

Should you have any questions or desire additional information, do not hesitate to contact me or the Director, Federal Voting Assistance Program.

Respectfully yours,

Clifford L. Stanley

Enclosure:  
As stated





**UNDER SECRETARY OF DEFENSE**  
4000 DEFENSE PENTAGON  
WASHINGTON, DC 20301-4000

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MAR 17 2011

The Honorable Joseph R. Biden, Jr.  
President of the Senate  
S-212 Capitol Building  
Washington, DC 20510-0012

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Sincerely,

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UNDER SECRETARY OF DEFENSE  
4000 DEFENSE PENTAGON  
WASHINGTON, DC 20301-4000

PERSONNEL AND  
READINESS

MAR 17 2011

The Honorable John A. Boehner  
Speaker of the House  
U.S. House of Representatives  
Washington, DC 20515

Dear Mr. Speaker:

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Should you have any questions or desire additional information, do not hesitate to contact me or the Director, Federal Voting Assistance Program.

Sincerely,

Clifford L. Stanley

Enclosure:  
As stated





**DEPARTMENT OF DEFENSE**

**Eighteenth Report:  
2008 Post Election Survey Report  
March 2011**

This report has been prepared by the staff of the  
Federal Voting Assistance Program  
Washington, DC

## Executive Summary

This is the eighteenth report on military and overseas absentee voting progress since the enactment of the *Federal Voting Assistance Act* of 1955. It covers the period from 2004 through 2008, with a focus on the November 2008 general election.

The *Uniformed and Overseas Citizens Absentee Voting Act of 1986 (UOCAVA)*, 42 USC §1973ff et sec, covers the voting rights of absent Uniformed Services members<sup>1</sup> (including the Coast Guard, the Commissioned Corps of the Public Health Service, and the National Oceanic and Atmospheric Administration), and the Merchant Marine, whether residing within the United States or abroad, as well as their dependents of voting age. *UOCAVA* also covers all other U.S. citizens residing outside the United States.

*UOCAVA* requires the States and territories to allow these citizens to register and vote in elections for Federal office using absentee voting procedures and provides the authority for the administration of Federal voting assistance responsibilities. *UOCAVA* covers an estimated 6 million citizens, including two to four million overseas citizens not affiliated with the government, 1.51 million Active Duty members, and 1 million military dependents.<sup>2</sup> Management of the program requires coordination with Executive Branch departments and agencies, the Congress, State and local governments, political parties, and national and overseas voting organizations.

In October 2009, *UOCAVA* was amended by the *Military and Overseas Voter Empowerment Act (MOVE Act)* which was enacted as part of the *FY 2010 National Defense Authorization Act* (P.L. 111-84). The *MOVE Act*:

- requires that absentee ballots be sent at least 45 days in advance;
- requires States make blank ballots and voter registration and absentee ballot application information available electronically;
- expands the use of the Federal Write-in Absentee Ballot; and
- removes outdated notarization requirements.

The Secretary of Defense is the Presidential Designee for administration of the Federal functions of *UOCAVA*. The Director, Federal Voting Assistance Program (FVAP), carries out the program on behalf of the Secretary who is required by 42 USC §1973ff (b)(6) to report:

- a statistical analysis of Uniformed Services voter participation;
- a statistical analysis of overseas nonmilitary voter participation;

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<sup>1</sup> The *Status of Forces Survey* included the following: Army, Navy, Marine Corps, Air Force, and Coast Guard. Our survey did not include dependents of Uniformed Services, National Oceanic and Atmospheric Administration and Public Health Service. Although the Status of Forces Survey includes all components, active and reserve, this report focuses on active duty military personnel.

<sup>2</sup> Published estimates for the overseas population range from 2 to 4 million, yet there is little consensus as to the precision of these estimates. The Defense Manpower Data Center reports that according to personnel State tax records, there are 1,472,380 active duty members, 1,024,600 dependents over age 18 for a total of 2,496,980 as defined by *UOCAVA* (plus those Uniformed Service voters from USPHS, NOAA, Merchant Marine, and their voting age dependents).

- the effectiveness of assistance provided by FVAP to the United States military and overseas citizens;
- a description of State-federal cooperation.

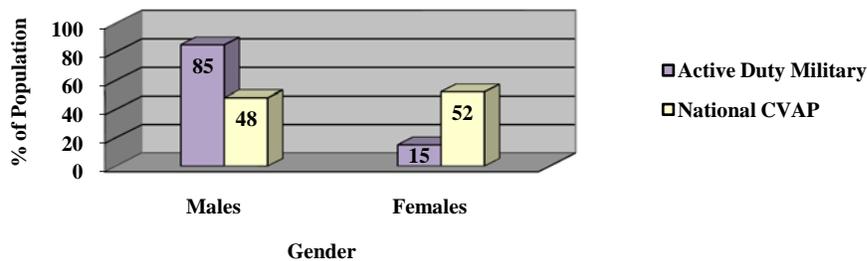
This report fulfills that requirement.

### The 2008 Post Election Survey

The U.S. active duty military is a much more male and much younger population, than the U.S. citizen voting age population (CVAP).<sup>3</sup> And given that historically male and younger voters have lower voter participation rates, this drives down the voter participation rates of the military, all other things being equal, and makes military voter participation rates appear disproportionately low.<sup>4</sup>

The two charts on the next page compare the military and national populations by age and gender. Because of the demographic differences, direct comparisons between the active duty military and national Citizen Voting Age Population (CVAP) voter participation rates will, by demographic definition, portray an unrepresentatively negative picture of military voting. Therefore, this report compares voter registration and voter participation rates between comparable age groups, and then adjusts active duty military registration and voting participation rates demographically to the comparable rates of the U.S. Census national CVAP.<sup>5</sup>

#### *Comparison of the national CVAP to active duty military by gender*



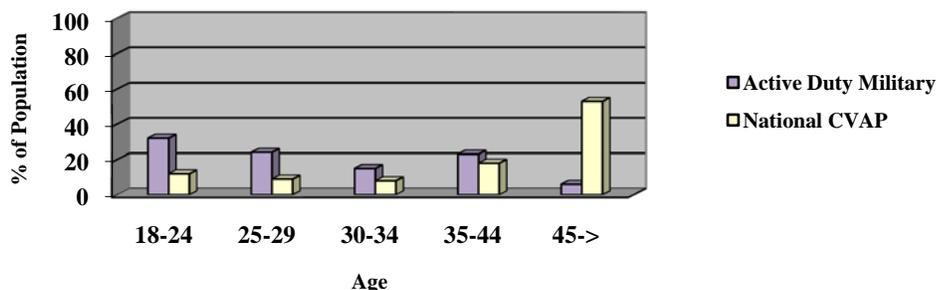
<sup>3</sup> CVAP as defined by the U.S. Census Bureau *2008 Current Population Survey (CPS)*

<http://www.census.gov/cps/>.

<sup>4</sup> In 2008 the U.S. Census Bureau reported that 63.6% of the civilian voting age population actually voted; whereas, only 49% of 18-24 year old males voted (<http://www.census.gov/hhes/www/socdemo/voting/index.html>). The Census Bureau also reported that 65.7% of women voted; whereas, 61% of men voted. Figures on participation by gender and age for the past 5 presidential elections are available on page 4 of this report.

<sup>5</sup> The citizen voting age population (CVAP) is from the US Census Bureau Current Population Survey. For more information go to <http://www.census.gov/population/www/cps/cpsdef.html>.

### *Comparison of the national CVAP to active duty military by age*



### *Key Findings*

Active duty military vote at greater rates than the national population (when adjusted for age and gender differences), and are registered to vote at rates greater than the national electorate, even before adjusting for age and gender differences.

Specific findings of this survey include:

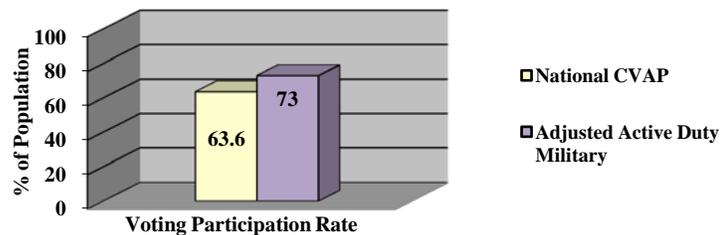
- 77% of active duty military were registered to vote for the 2008 general election while 86% of Federal employees living overseas were registered to vote.
  - By comparison, only 71% of the U.S. Census CVAP was registered to vote.<sup>6</sup>
  - When adjusted to match the demographic composition of the U.S. Census national CVAP, the active duty military registration rate in the 2008 general election was 87%.

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<sup>6</sup> U.S. Census Bureau, *Current Population Survey*, November 2008  
<http://www.census.gov/hhes/www/socdemo/voting/index.html>.

- 54% of active duty military members and 76% of Federal employees living overseas voted in the 2008 general election.
  - 63.6% of the national CVAP voted in the 2008 general election.<sup>7</sup>
  - When adjusted to match the demographic composition of the national CVAP, the active duty military voting participation rate in the 2008 general election was 73%.

***2008 Voter Participation for active duty military adjusted by age and gender and national CVAP***



- The overall *UOCAVA* voter absentee ballot return rate was 67%<sup>8</sup>, whereas the non-*UOCAVA* domestic national absentee ballot return rate was 91%<sup>9</sup>
  - The absentee ballot return rate for active duty military in the U.S. was 63%.
  - The absentee ballot return rate for active duty military overseas was 67%.
  - 17% of registered active duty military said they requested an absentee ballot but did not receive it.
  - The absentee ballot return rate for overseas civilians was 74%.
- 94% of returned *UOCAVA* voter ballots cast were counted.

The majority of voting failure<sup>10</sup> is in ballot transmission and return:

<sup>7</sup> U.S. Census Bureau, *Current Population Survey*, November 2008  
<http://www.census.gov/hhes/www/socdemo/voting/index.html>.

<sup>8</sup> “return rate” is defined as the number of absentee ballots which were returned to local election officials divided by the absentee ballots that were sent to *UOCAVA* voters (calculated from the LEO 2008 data)

<sup>9</sup> Election Assistance Commission (EAC) *2008 Election Administration and Voting Survey*, November 2009, p.1.

<sup>10</sup> “Voting failure” is defined as the difference between the success or failure rate experienced by *UOCAVA* voters for a particular stage of the voting process compared to that experienced by national absentee voters for the same state in the voting process. Appendix IV shows the exact numbers used in these calculations and the formula used.

- For all *UOCAVA* voters, 1.4% of the voting failure they experienced was in registration or absentee ballot application failures with another 7.0% in ballot delivery failure, 78.2% in ballots transmitted but not returned, and 13.4% in ballots cast but not counted.
- For military voters, the rates were similar, with 1.5% of the voting failure in registration and absentee ballot application failures with another 7.5% in ballot delivery failure, 77.6% in ballot transmitted but not returned, and 13.4% in ballots cast but not counted.
- For overseas civilian voters, 0.6% of their voting failure was during registration or absentee balloting process, 85% in combined ballot delivery and return failure and 14.4% in ballots cast but not counted. The ballot delivery failure for overseas civilian voters was not separately determinable from the survey responses provided by Local Election Officials, and therefore is assumed to be in the ballots transmitted but not returned failures.

The top complaints Voting Assistance officers heard from *UOCAVA* voters regarding the absentee voting process were:<sup>11</sup>

- residency qualification laws are confusing;
- difficulty maintaining current mailing address with Local Election Officials;
- delayed or no response from the Local Election Official regarding receipt of registration and ballot request;
- a complicated voting process.

FVAP resources such as the *Voting Assistance Guide*, *Voting Information Newsletter* and [www.fvap.gov](http://www.fvap.gov) were used by all *UOCAVA* populations. Surveyed *UOCAVA* stakeholders found the website and *Voting Assistance Guide* useful.

- While only 59% of Unit Voting Assistance Officers (UVAO) and 88% of Department of State Voting Assistance Officers (DoS VAO) received the *Voting Information Newsletter*, 75% of the UVAOs and 75% of the DoS VAOs who received it found it useful.
- 77% of UVAOs received the *Voting Assistance Guide* and 86% of those who received it found it useful. 95% of DoS VAOs received the *Guide* and 91% of them found it useful.
- The FVAP website is used primarily to obtain forms, learn about deadlines, and to access the online *Guide*.

FVAP trained over 4,800 Voting Assistance Officers in preparation for the 2008 election cycle.

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<sup>11</sup> This list was compiled from answers to the *2008 Post Election Survey of Unit Voting Assistance Officers and Department of State Voting Assistance Officers*.

- There are approximately 9,500 military units with 25 or more active duty members, all of which are required to have at least one Unit Voting Assistance Officer.
- There are 239 Department of State Voting Assistance Officers, one for each embassy and consulate.
- Working with the States and voting organizations worldwide, FVAP attended and/or presented at 18 State conferences, 13 national conferences, and 7 overseas citizens conferences.

### **Conclusion**

By working with States and other organizations, future data will be more comprehensive; however, by using industry standards the 2008 data and new analytical approaches, FVAP is setting a new benchmark for analyzing *UOCAVA* information. Therefore, it is important to focus on several themes that dominated the results of the *2008 Post Election Survey*.

1. ***UOCAVA voters need their absentee ballots sent to them at least 60 days before they are due back to the election officials.*** Military and overseas civilian voters are systematically denied an equal opportunity to vote by absentee ballot systems which rely exclusively on postal mail delivery, and which do not send out ballots early enough to be received, voted, and returned in time to meet absentee ballot deadlines. As reports such as the Pew Center on the States' *No Time to Vote*<sup>12</sup> study detail, the absentee voting process often takes longer than individual States and territories provide their voters, who often see the process as unnecessarily cumbersome. To remedy this, more time must be provided for postal mail delivery to make the round-trip from Local Election Official (LEO) to voter and back to LEO, and greater use of electronic blank ballot delivery, such as email and online posting or transmission, needs to be offered by each State to overcome these unique obstacles.
2. ***Ballot return postal delays exacerbate late ballot delivery timelines.*** More LEOs reported they did not count uniformed services and overseas civilian ballots because they were received after the deadline than any other reason. The *UOCAVA* absentee voting process takes time for each party involved. Late arriving *UOCAVA* ballot rate will not decrease until uniformed services and overseas civilian voters are sent their absentee ballots at least 45 days prior to the election (and preferably 60 days), and also offered the opportunity to receive them electronically, preferably by email or online transmission and not by facsimile.
3. ***The State-by-State absentee voting system produces a set of rules that are overly complex and difficult to administer for Voting Assistance Officers. Standardization of absentee voting processes for UOCAVA voters must be pursued by the State.*** State and local election officials may perceive their absentee voting requirements to be relatively

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<sup>12</sup> The Pew Center on the States, *No Time to Vote: Challenges Facing America's Overseas Military Voters*. January 2009.

straight forward, but for the average Voting Assistance Officer attempting to assist 150 – 300 voters, and often with very little voting experience because the Uniformed Services are so disproportionately young, having to navigate the individual absentee voting requirements for 55 States and territories is overwhelming. Standardization of the Uniformed Services and overseas civilian absentee voting process would ease that burden, and likely increase voter participation and balloting success. FVAP supports the efforts of the Uniform Law Commission to draft a model law on uniformed services and overseas civilian voting that would provide such standardization with adequate safeguards and encourages every State to participate fully in that process.

4. ***FVAP’s website and electronic resources can substantially ease the burden of the absentee voting process for military and overseas voters, but far too few of them know about these resources.*** FVAP offers many resources for *UOCAVA* voters and those assisting them. The known resources are liked by *UOCAVA* voters; however, there are many resources which are unknown by *UOCAVA* voters. FVAP needs to enhance its outreach program to teach *UOCAVA* voters about these resources. Furthermore, greater online access and automation of these FVAP tools will make the *UOCAVA* voting process easier, more intuitive, and more seamless for *UOCAVA* voters.

*UOCAVA* also mandates that this report address federal-State cooperation on improving military voting. FVAP strengthened its Legislative Initiative program in 2010 by prioritizing and weighting the recommendations to give greater weight to those issues which address the key *UOCAVA* voting failure issue – voters not having enough time to receive, vote, and return an absentee ballot. Furthermore, FVAP is measuring its ability to influence State-by-State *UOCAVA* voting programs with a scoring index of FVAP’s success with those Legislative Initiatives.

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**\*All appendices can be found at [www.fvap.gov](http://www.fvap.gov) or can be requested on CD at the contact points on the cover of this report.**



## SECTION I: STATISTICAL ANALYSIS OF *UOCAVA* VOTER PARTICIPATION

### Methodology

The Federal Voting Assistance Program (FVAP) surveyed six *UOCAVA* populations in preparation for this report.<sup>13</sup> This section presents a breakdown of the methods used to sample the populations and conduct the surveys. The Defense Manpower Data Center (DMDC) used industry standards in developing and administering the six surveys. Each *UOCAVA* population received pre-notification letters and/or emails which also helped clean the frames;<sup>14</sup> notification letters and/or emails; and several follow up thank you/reminder letters. Research shows that the best way to improve response rate is to contact the respondent multiple times.<sup>15</sup> The complete DMDC statistical methodology reports for each population can be found in the attached appendices and on the FVAP website ([www.fvap.gov](http://www.fvap.gov)).

There are also significant differences in both the methodology and the computed results between this report and the 2008 Post-Election Survey of *UOCAVA* voting reported by the Election Assistance Commission (EAC) in November 2009. Compared to the EAC survey report, this report shows substantially higher voter participation, mostly because this report also includes in-person voting by *UOCAVA* voters. Further, this details greater balloting activity by both election officials and voters, largely because it adjusts for election jurisdiction size. A complete comparison between the methodology of the two reports, and the effect it had on computed data, can be found in Appendix XVIII to this report.

### The *UOCAVA* Absentee Voting Process

For active duty military and overseas civilians, absentee voting requires time, effort and is more complicated than the domestic absentee voting process. Voters register and request a ballot, receive it, vote it, and then return it; however, in doing so, they must navigate the *UOCAVA* absentee voting process which is different for each of the fifty States, the four territories, and the District of Columbia.

The *UOCAVA* absentee voting process begins with the voter but it is important to understand that through the 2008 election cycle, the predominant method of ballot transmission and return was by postal mail, requiring transfers either between the USPS and the Military Postal System for military voters, and between the USPS and foreign mail systems for overseas civilian voters. Total one-way transit time could be as little as three days to as long as thirty, or even forty, days. Once the voter receives the ballot, it is completed, and returned to the LEO which will likely take as long, if not longer, to make it back through the multiple postal systems to the LEO.

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<sup>13</sup> The six populations include the following: Local Election Officials, Voting Assistance Officers (State and Military), Active Duty Military, and all Overseas Citizens (Federal employees and non-federal)

<sup>14</sup> Frame: the sampling frame is the list of individuals (or other entities) from which the sample is drawn.

<sup>15</sup> Other sources include: Dillman 1972, 1978, 2000; Kanuk and Berenson 1975; Linsky 1975; Heberlein and Baumgartner 1978; Brennan 2004 and 2009

Because of these factors, FVAP found mail transit time to be the single most important factor in determining when voting materials should be mailed, both by the voter and by the LEO. If the absentee voter has not begun the registration and absentee ballot request process early enough, the voter may not receive his or her ballot package in time for the election, particularly if the original application contains errors or omissions. For example, deployed active duty Service members may not return for weeks to operating bases holding their mail and awaiting voting materials. Or if a LEO cannot process the application, it takes time to contact the voter and get the correct information to successfully process the form.

### ***Where the UOCAVA Absentee Voting Process Fails***

In order to analyze where voting assistance resources and efforts should be concentrated, FVAP is introducing “voting failure” analysis with this report. Voting failure is defined as the difference between the success or failure rate experienced by *UOCAVA* voters for a particular stage of the voting process (such as registration, absentee ballot application, receiving a ballot, returning a ballot in time, and having a successfully cast vote be counted) compared to that experienced by absentee voters in the general voting population, for the same stage of the voting process.

For example, the 2008 LEO Survey data shows that 491,973 FPCAs were received from uniformed services voters.<sup>16</sup> There was a 3.6% rejection rate<sup>17</sup> reported by the LEOs, compared to the national registration rejection rate of only 2.8%.<sup>18</sup> If the uniformed services’ FPCA rejection rate had been equal to that of the national registration rejection rate, 4,057 more FPCAs would have been accepted, processed, and those voters sent absentee ballots. Continuing this methodology throughout the entire voting process, and comparing *UOCAVA* failure rates to those of the national absentee voting population, shows higher voting failure rates at every stage of the voting process for *UOCAVA* voters.

FVAP used this methodology to determine what would have been the total number of successful absentee voting transactions at each stage of the absentee voting process, carried that resultant number forward to the next stage of the voting process, applied the same *UOCAVA* and national failure rates from that stage, until the entire voting process was completed. Then the failure differential in each stage of the absentee voting process was compared against the overall voting failure total, and the incidence of failure for each discrete stage in the voting process was determined.<sup>19</sup>

Despite the higher *UOCAVA* failure rates in each stage of the absentee voting process, the biggest difference is in the ballots transmitted by LEOs to *UOCAVA* voters, but never returned or not returned in time. Therefore, while *UOCAVA* voters have higher registration, absentee ballot application, and cast ballot rejection rates than their national counterparts, the disproportionate difference in their ballot transmission and return failure rates results in the majority of the overall

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<sup>16</sup> DMDC Note No. 2009-036

<sup>17</sup> Calculated from data in DMDC Note No. 2009-36

<sup>18</sup> Calculated with data from EAC *Report of the National Voter Registration Act*. 2009 Report to Congress, June 30, 2009, <http://www.eac.gov/program-areas/research-resources-and-reports/completed-research-and-reports>.

<sup>19</sup> This analysis is detailed in Appendix IV of this report, along with the actual formula used during calculation.

failure residing in ballot transmission and return failures. FVAP believes this is where the majority of voting assistance resources and effort should be applied.

Failure rates, by stage, for groups within the *UOCAVA* voting population were very similar:

- For all *UOCAVA* voters, 1.4% of their voting failure was in registration or absentee ballot application failures, another 7.0% in ballots being returned as undeliverable, 78.2% in ballot transmitted but not returned at all or in time, and 13.4% in ballots cast but not counted.
- For military voters, the rates were similar, with 1.5% of their voting failure in registration and absentee ballot application failures, another 7.5% in ballots returned as undeliverable, 77.6% in ballot transmitted but not returned at all or in time, and 13.4% in ballots cast but not counted.
- For overseas civilian voters, 0.6% of their voting failure was during registration or absentee balloting application, 85% in ballot delivery and return failure, and 14.4% in ballots cast but not counted. The ballot delivery failure for overseas civilian voters was not separately determinable from the survey responses provided by Local Election Officials, and therefore is assumed to be in the ballots transmitted but not returned failures.

There are three caveats to this analysis, the first of which requires further research. For the 2008 election MPSA reported that just over 9% of the ballots it transmitted were misaddressed.<sup>20</sup> It was able to correctly readdress two-thirds of those misaddressed ballots, thereby reducing the number of uniformed service absentee ballots returned as undeliverable. However, such active intervention by MPSA on behalf of uniformed service voters may actually skew the incidence of failure; readdressing takes time, and is often only discovered after the ballot is delivered to the original incorrect address, thereby using ballot transmission time to go to the wrong address. The end result is that ballots, even after being readdressed by MPSA, may still not arrive to the military voter in time to be voted and returned in time to be counted. But the root cause of that failure is the same as the root cause of the undeliverable ballot failure – an improper ballot delivery address on the absentee voter rolls. Therefore, some of the *UOCAVA* absentee voting failure identified in this analysis as ballot transmission and return failure could be better classified as undeliverable ballot failure. FVAP will be conducting future research to more precisely define any delineation between the two.

Second, it is unlikely that any misaddressed absentee ballots sent to overseas civilian voters are provided the same level of service by foreign postal services that MPSA gives uniformed service voters. Therefore, it is logical to conclude that any misaddressed absentee ballot sent to an overseas civilian will not be readdressed, and is more likely to be returned as undeliverable or never delivered at all.

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<sup>20</sup> 2008 Overseas Postal Voting Data (MPSA)

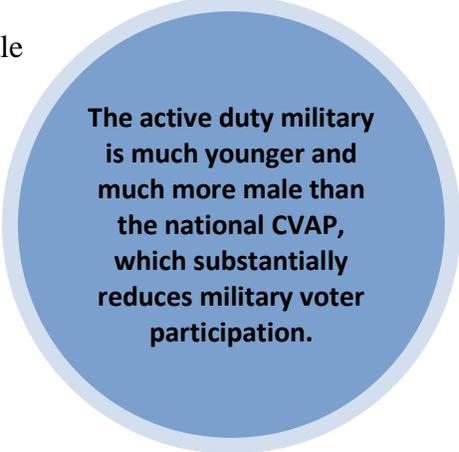
Third, some of this failure appears worse than it is. LEOs were able to successfully register or complete a ballot request for 96% of FPCAs received. 94% of ballots that were received by the voter, voted, and returned were counted successfully. While these success rates are still lower than for national absentee voting, they do reinforce a central conclusion of this report: **the majority of voting failure for UOCAVA voters is not in registration or ballot counting, but in ballot transmission and return.**

### *Active Duty Military Voting Patterns<sup>21</sup>*

Many UOCAVA voting observers make direct comparisons between active duty military voter participation rates and those of the general public, and seeing a lower reported active duty voter participation rate, declare the UOCAVA voting system broken. Aggregate voter participation rates are a poor measure of UOCAVA voter success because of the significant demographic differences between the U.S. military and national voting populations. When observers compare the raw data, the fundamental problems in UOCAVA voting can be misdiagnosed, and a misapplication of resources to solving incorrectly identified problems results.

Therefore, a better measure of UOCAVA voting success is whether or not a UOCAVA voter who wants to vote has the same chance of successfully casting a vote as any other absentee voter. Our nation does not compel citizens to vote, specifically prohibits undue pressure on uniformed service voters to vote, and believes not voting is as inherent a right as voting. Furthermore, given the problems seen in military voting success rates, improving those rates will also improve voter participation rates. Finally, if direct comparisons between active duty military and national voter participation rates are to be made, they must account for the significant demographic differences between the active duty military and the nation as a whole.

The active duty military is younger and much more male than the national Citizen Voting Age Population (CVAP). Younger males vote at lower rates than the national CVAP. In 2008 the U.S. Census Bureau reported that 63.6% of the citizen voting age population voted; whereas, 49% of 18-24 year old males voted.<sup>22</sup> Therefore, direct comparisons between the national CVAP and the active duty military will always show a lower active duty military voter participation rate because of that age and gender difference.



**The active duty military is much younger and much more male than the national CVAP, which substantially reduces military voter participation.**

Figure 1<sup>23</sup> reflects the differences in age between the national CVAP and active duty military.<sup>24</sup>

- 18-24 year olds represent 32% of active duty military but only 12% of the national CVAP.

<sup>21</sup> Information presented in this section is pulled from the 2008 FVAP survey of active duty military. The questionnaire and data can be found in Appendix VI. Information on the general population is pulled from Census Bureau 2008 Current Population Survey data.

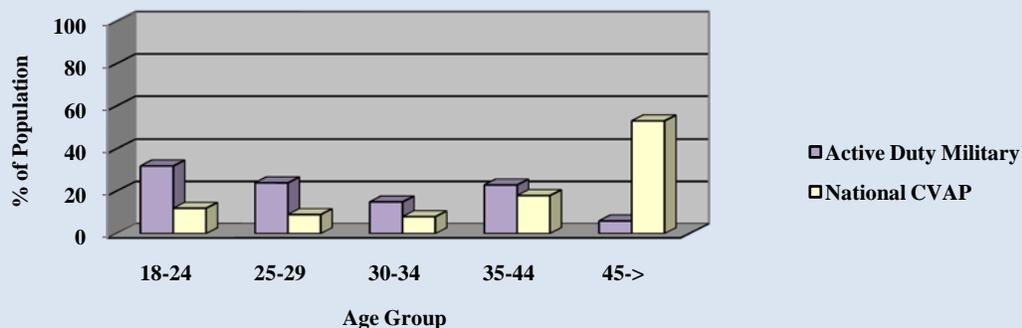
<sup>22</sup> U.S. Census Bureau, *Current Population Survey*, November 2008, <http://www.census.gov/cps/>.

<sup>23</sup> 2008 Military demographic data provided by DMDC

<sup>24</sup> The citizen voting age population (CVAP) as defined by U.S. Census Bureau, Current Population Survey, November 2008, <http://www.census.gov/cps/>.

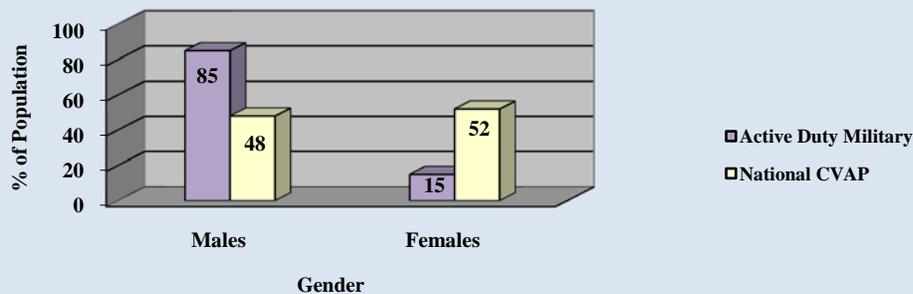
- Combined 18-29 year olds represent 56% of the active duty military but only 22% of the CVAP.
- Conversely, those 45 years and older represent only 6% of the active duty military but 53% of the CVAP. The combined 35 and over categories represent 29% of the active duty military and 71% of the CVAP.

**Figure 1 2008 Age comparison of the active duty military to national CVAP**



Furthermore, as Figure 2 details,<sup>25</sup> with 85% of the active duty military being male and only 15% female, compared to the national CVAP distribution of 48% male and 52% female, nominal registration and voter participation rates for active duty military will again appear lower.

**Figure 2 2008 Gender comparison of the active duty military to national CVAP**



Figures 3 and 4<sup>26</sup> detail voting participation rates by gender and age within the national CVAP, and for the last five general elections. They show that younger people and males both tend to have lower voter participation rates. Because the active duty military is weighted in age and gender toward populations with historically lower voter participation rates<sup>27</sup> without proper demographic adjustment the active duty military voter participation rate will appear lower than it should when compared to national voter participation rates. Instead, active duty military voter registration and participation rates should be compared against equivalent national CVAP age

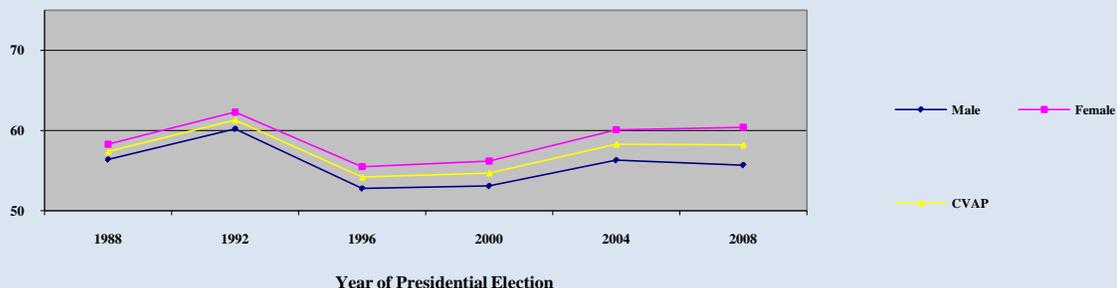
<sup>25</sup> 2008 Military demographic data provided by DMDC

<sup>26</sup> Information for these two figures comes from the U.S. Census Bureau, Current Population Survey, November 2008.

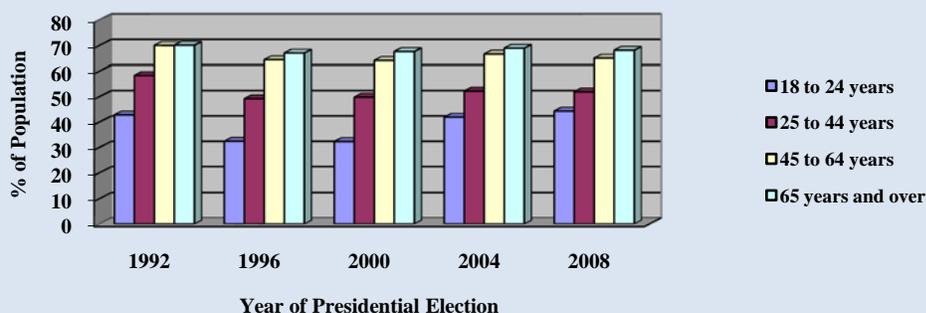
<sup>27</sup> More information can be found at <http://www.census.gov/hhes/www/socdemo/voting/index.html>

groups. If any overall active duty military voter registration and participation rates are to be cited, they must be adjusted for these demographic differences.

**Figure 3 Voter participation rates of national CVAP by gender**



**Figure 4 Voter participation rates of national CVAP by age group**



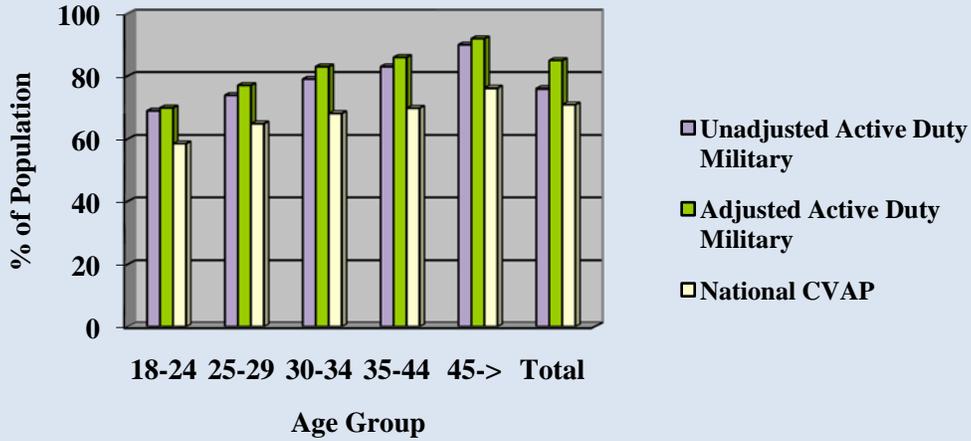
For the 2008 general election, the registration rate for the national citizen voting age population (CVAP) was 71%<sup>28</sup> compared to an unadjusted voter registration rate of 77% (+/-2) for active duty military (Figure 6).<sup>29</sup> If the active duty military registration rate is adjusted to account for the significant demographic differences, the registration rate for active duty military becomes 87% (Figure 6). Figure 5<sup>30</sup> illustrates a breakdown by age cohort of the active duty military, CVAP, and the adjusted active duty military demographically. The active duty military has higher registration rates than the CVAP under either method.

<sup>28</sup> U.S. Census Bureau, *Current Population Survey*, November 2008, <http://www.census.gov/cps/>.

<sup>29</sup> U.S. Census Bureau, *Current Population Survey*, November 2008, <http://www.census.gov/cps/>; 2008 FVAP Post-Election Survey of Active Duty Military; 2008 DMDC report on age and gender adjusted data

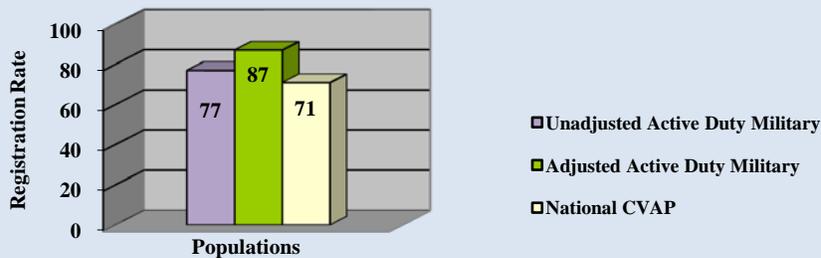
<sup>30</sup> U.S. Census Bureau, *Current Population Survey*, November 2008, <http://www.census.gov/cps/>; 2008 FVAP Post-Election Survey of Active Duty Military; 2008 DMDC report on age and gender adjusted data

**Figure 5 2008 Registration rates by age for unadjusted active duty military, national CVAP and active duty military adjusted for age and gender**



Trend analysis with previous FVAP surveys and data cannot be made until the necessary data adjustments used in this survey are applied retroactively to the previous data collected. FVAP is working with DMDC and outside experts to determine how previous analysis of the 1996, 2000, and 2004 FVAP surveys can be revised to compensate for previous statistical and methodological differences. By correctly adjusting the previous analysis, FVAP will be able to present similar data for trend analysis.

**Figure 6 2008 Registration rates for unadjusted active duty military, national CVAP and active duty military adjusted for age and gender**



The 2008 Post Election Survey data shows that nominally, 77% of active duty military are registered to vote and 54% of them participated in the 2008 election (Figure 8).<sup>31</sup> For the rest of the *Uniformed Services Post Election Survey* data, it should be noted that one of the first questions surveyed members were asked is if they were registered to vote in the US. Those who were not registered to vote were not administered the remainder of the survey. This was one of the major methodological faults with previous FVAP Survey Reports, in that voter participation rates were of registered voters only, not of the overall citizen voting age population, which most

<sup>31</sup> 2008 FVAP Post-Election Survey of Active Duty Survey, Question 11 & 19

widely used national voter participation rates are. This was a carry-over from previous FVAP Survey Report questions, and the survey methodology will be modified in the future. However, survey results for this report were adjusted to reintegrate surveyed members who were not registered to reflect the entire population of those who could have voted, why they did not vote, and if they voted in the 2006 election.

A common problem with voting surveys is over-reporting of voting by respondents because of a perceived moral obligation to say that they did vote, or embarrassment over not voting. To improve data quality, FVAP included the following statement in the 2008 survey:

*A lot of people were not able to vote because they were not registered, they were sick, they didn't have time, or something else happened to prevent them from voting. And sometimes, people who usually vote or who planned to vote forget something unusual happened on Election Day this year that prevented them from voting this time. So please think carefully for a minute about the election held on November 4, and past elections in which you may have voted, and answer the following questions.<sup>32</sup>*

This language is similar to that which is included in the *American National Election Surveys (ANES)*, as well as that asked in the November 2008 U.S. Census Bureau's *Current Population Survey*:

*In any election some people are not able to vote because they are sick or busy, or have some other reason, and others do not want to vote. Did (this person) vote in the election held on November (date varies)?<sup>33</sup>*

The purpose of this language is to let nonvoters “save face” in not voting, yet still tell the truth about that.<sup>34</sup> If a survey does not include a statement designed to lessen the moral stigma of not voting, then the survey will overestimate the percentage of people who actually did vote.<sup>35</sup> This occurred in previous FVAP surveys. Even if all other factors were equal, the 2004 survey overestimated the percent who voted because the language in the 2004 survey did not include a statement designed to make it easier for respondents to admit they did not vote in the previous election. Further, FVAP is comfortable comparing the *UOCAVA* voter success data with that reported in the 2008 *Current Population Survey* because both are surveys, both surveys share similar bias adjustments for nonresponse and coverage bias,<sup>36</sup> and to the extent over-reporting

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<sup>32</sup> 2008 FVAP Post-Election Survey of Active Duty Survey, Question 19

<sup>33</sup> U.S. Census Bureau, *Current Population Survey – Definitions and Explanations*, November 18, 2008, at <http://www.census.gov/population/www/cps/spsdef.html>.

<sup>34</sup> Presser, S. (1990) “Can changes in context reduce overreporting in surveys?” *Public Opinion Quarterly*, 54, 586-593.

<sup>35</sup> Belli, R.F., Traugott, M.W., Young, M., & McGonagle, K.A. (1999). Reducing vote overreporting in surveys: Social desirability, memory failure, and source monitoring. *Public Opinion Quarterly*, 63, 90-108.

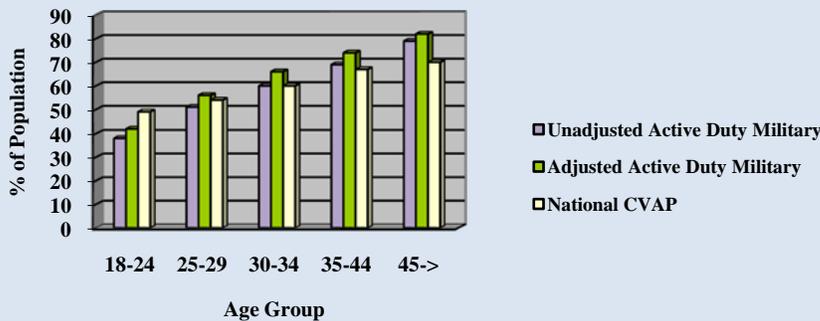
<sup>36</sup> U.S. Census Bureau, *Source and Accuracy Statement for the November 2008 CPS Microdata File on Voting and Registration*, p 16-3--16-4 at <http://www.census.gov/hhes/www/socdemo/voting/publications/p20/2008/sa2008.pdf>.

were to occur, it should occur relatively equally over two self-reporting surveys, as the FVAP *Post Election Survey* and the U.S. Census *Current Population Surveys* both are.

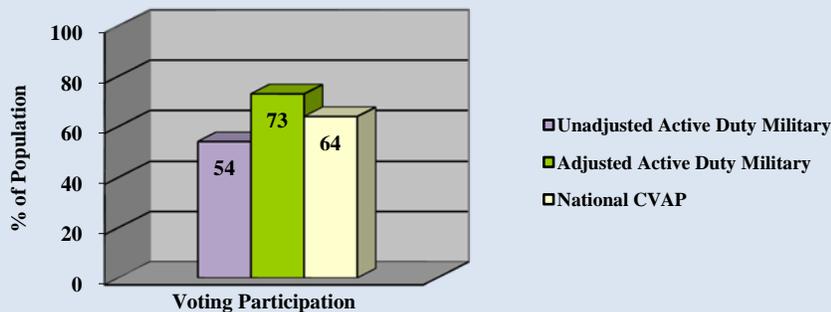
Not only did the active duty military enjoy higher voter registration rates (both nominally and adjusted), but it also experienced higher age and gender adjusted voter participation rates. The only age cohort where the national CVAP participation rate was higher than the adjusted active duty military voter participation rate was the 18-24 year old cohort, where the nominal active duty military voter participation rate was 38%,<sup>37</sup> the adjusted active duty military voter participation rate was 42%, while the national CVAP voter participation rate for the 18-24 year old cohort was 49% (Figure 7<sup>38</sup>).

Overall, the unadjusted active duty military voter participation rate was only 54%. But when adjusted demographically to mirror the National CVAP, the active duty military voter participation rate was 73% as compared to a 64% national CVAP voter participation rate (Figure 8<sup>39</sup>).

**Figure 7 2008 Voting participation rates of unadjusted active duty military, national CVAP and active duty military adjusted by age**



**Figure 8 2008 Voting Participation rates of unadjusted active duty military, national CVAP and active duty military adjusted by age and gender**



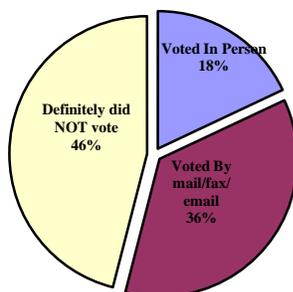
<sup>37</sup> 2008 FVAP Post-Election Survey of Active Duty Military, Question 19

<sup>38</sup> DMDC 2008 Data on Age Cohorts

<sup>39</sup> U.S. Census Bureau, Current Population Survey, November 2008

As figure 9<sup>40</sup> illustrates, 46% of active duty military definitely did not vote (54% did). Notably, 17% of active duty military voted in person, or one-third of all active duty military voters. These active duty military did not participate in the absentee voting process as protected by the *Uniformed and Overseas Citizens Absentee Voting Act*. Therefore, these voters would not have been captured in the data reported by the States to the Election Assistance Commission (EAC).

Figure 9 Active Duty Military Participation



### *Overseas Citizens Voting Patterns*

For the 2008 Post Election Survey of Overseas Civilians, FVAP used the DoS warden lists – a list of U.S. registered citizens with U.S. embassies and consulates – as the basis for its survey frame.<sup>41</sup> However, because U.S. citizens are not required to register, these lists are not a representative sample of the overseas voting population. In countries such as Sudan, Eritrea, or Chad, the State Department estimates that 75% or more of American citizens are registered. Conversely, in Canada for example, it could be as few as 1%, and in Mexico probably only 5-10% of resident U.S. citizens register, a trend likely to be repeated in other relatively stable areas such as Japan and most of Europe. Because of such wide variations, developing any kind of reliable survey population or statistical sample for overseas civilians from this list is nearly impossible.

FVAP attempted to sample over 10,000 American citizens living overseas by using these “Warden Lists”; however, due to a number of administrative and survey difficulties, only 577 complete responses were returned.<sup>42</sup> Because of the differences between the sample frame and the population of interest and because of the low response rate, FVAP is unable to make a statistically significant analysis of these citizens from their direct survey. Specifically, it is impossible to determine either the voter registration rate or the voter participation rate for overseas civilians within the survey frame because of the very low response rate, and for the overall overseas civilian population because it is not known what the size of the overseas civilian CVAP population is from which to derive any rates.

<sup>40</sup> 2008 FVAP Post-Election Survey of Active Duty Military, Question 19

<sup>41</sup> Frame: the frame is the list of individuals (or other entities) from which the sample is drawn.

<sup>42</sup> Two of the most significant problems included mailed surveys not being provided with paid postage (intentional because of logistics) and bulk mailings temporarily lost in Embassy mail (unintentional). Also, a very large number of mailed survey invitations were returned indicating the respondent invited to participate was not an eligible voter, mostly because they were either minors or non-citizens.

However, the LEO survey FVAP conducted does provide much useful data in analyzing overseas civilian voting success and failure. Even with this LEO survey data, anecdotal evidence indicates a large number of overseas civilian voters have established direct relationships with their local election officials, use the State and local registration and absentee ballot application forms instead of the Federal Post Card Application, and may not be captured in EAC's and FVAP's data collection efforts as *UOCAVA* voters because the registration and absentee ballot application forms they use may make them look like regular absentee voters. This may also mean that even the LEO survey analysis of overseas civilian voting underestimates the number of overseas civilians requesting, casting, or failing to return, absentee ballots. Regardless, this report does provide analysis of overseas civilian voting success and failure in the previous section, "Where the *UOCAVA* absentee voting process fails," and in the section below on Local Election Officials.

Finally, the Department of State's "Warden List" database may not be a statistically useful database for conducting voting analysis on all overseas civilian. In 2010 and future years FVAP and the Defense Manpower Data Center, in coordination with the Department of State, plan to test other methods to define the overseas civilian population including limiting the survey to those Warden List members with valid email addresses, comparing survey response rates by the year of Warden List registration, and focusing on individual countries with better defined American expatriate populations in order to see if more universal trends can be identified from such smaller populations.

### *Federal Employees Overseas Voting Patterns*

In 2008 FVAP also surveyed federal employees living and working overseas. Information from that survey is presented here. The questionnaire and data can be found in Appendix X of this report or at [www.fvap.gov](http://www.fvap.gov). Unlike the survey for overseas civilians, there is a defined frame for this survey population: information on the number and location of federal civilians overseas is maintained by the Office of Personnel Management (OPM), the Department of State (DoS), and the Department of Defense (DoD).

The 2008 *Post Election Survey* concluded 86%<sup>43</sup> of federal employees are registered to vote compared to 71% of the national CVAP. However, only 42% of registered federal employees received notification that they were registered to vote,<sup>44</sup> while 45% reported they received no notification.<sup>45</sup> Since the *Help America Vote Act*, which amended the *UOCAVA*, only requires LEOs to send notification if registration is denied, voters are often left wondering if they are in fact registered.<sup>46</sup> However, as *UOCAVA* voters, most

*This year I was interested enough in the election to try and vote. Once again the time limits on receipt of absentee ballot applications and the length of time it takes to get mail back and for defeated my efforts to vote. – Federal Employee*

<sup>43</sup> 2008 FVAP Post-Election Survey of Federal Employees Living Overseas, Question 3

<sup>44</sup> 2008 FVAP Post-Election Survey of Federal Employees Living Overseas, Question 18

<sup>45</sup> 2008 FVAP Post-Election Survey of Federal Employees Living Overseas, Question 18

<sup>46</sup> *UOCAVA*, Sec 102 (d) REGISTRATION NOTIFICATION.— With respect to each absent uniformed services voter and each overseas voters who submits a voter registration application or an absentee ballot request, if the State rejects the application or request, the State shall provide the voter with the reasons for the rejection.

of the future resolutions discussed in the active duty military voting section will apply to all overseas citizens as well.

Amongst federal employees who were registered, 94% were interested in the 2008 presidential election.<sup>47</sup> 96% of registered federal employees planned to vote.<sup>48</sup> 76% of federal employees voted in the 2008 presidential election with only 23% definitely not voting.<sup>49</sup> And 79% of registered federal employees usually voted in the past 6 years.<sup>50</sup>

89% of registered federal employees, who requested an absentee ballot even though they did not vote or voted, received their absentee ballot. Most of these federal employees received their regular ballot in October 2008 (67%) and 19% received it in September 2008. Given the inherent mail delays even for those overseas federal employees with access to the military postal system, only receiving the ballot two to three weeks before the election substantially raises the risk the ballot cannot be returned in time to be counted by election officials. Of those registered federal employees who received their ballot, 97% completed and returned their absentee ballot.

Overseas federal employees' reasons for not voting paralleled those of other *UOCAVA* voters. Besides not being registered, the top reasons were:

- For 17%, they had no candidate preference;
- 13% did not vote because they did not receive their absentee ballot;
- 10% indicated some other reason;
- 9% of federal employees thought the *UOCAVA* absentee voting process was too complicated; and
- 9% thought their vote would not matter.

FVAP does not plan to survey overseas federal civilian employees again. Originally included in the *FVAP Post Election Survey* because it is such a demographically definable population of *UOCAVA* voters, its usefulness only extends to the degree it can serve as a proxy for the overall overseas civilian population, or because it makes up a substantial portion of the overseas civilian population. However, with the dramatic reduction in overseas civilian employees in the post-Cold War era, the 45,000 remaining represent at most two-and-a-half per cent of the total overseas civilian population. Until it can be determined that overseas Federal employees are representative of the broader overseas civilian population, it makes little sense to spend the money necessary to continue this survey.

### ***UOCAVA Voting Patterns From Local Election Official Survey Results***<sup>51</sup>

Local Election Officials (LEO) administer elections in counties, cities, parishes, townships and other jurisdictions within the US. Local Election Officials process voter

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<sup>47</sup> 2008 FVAP Post-Election Survey of Federal Employees Living Overseas, Question 9

<sup>48</sup> 2008 FVAP Post-Election Survey of Federal Employees Living Overseas, Question 11

<sup>49</sup> 2008 FVAP Post-Election Survey of Federal Employees Living Overseas, Question 12

<sup>50</sup> 2008 FVAP Post-Election Survey of Federal Employees Living Overseas, Question 10

<sup>51</sup> The information in this section is from the 2008 FVAP survey of 2,600 LEOs. The questionnaire and data can be found in Appendix XVI.

registration and absentee ballot applications, send absentee ballots to the voter, and receive and process the voted ballot.

The widely varying State-by-State registration, absentee ballot request, ballot transmission and return, and ballot canvassing procedures for UOCAVA voters drives the FVAP-produced *Voting Assistance Guide* to more than 320 pages. The Pew Center for the States decries this, saying, "...there is tremendous variation in how the 50 States and the District of Columbia administer the election process for Americans covered under the *UOCAVA*."<sup>52</sup> Likewise, a 2008 delegation of five Secretaries of State and State Election Directors visiting military forces in Iraq mirrored that assessment, stating, "Differing rules required by each State also complicate the voting process. For example, whether there is a requirement to have a ballot notarized or supported by an affidavit, or even when the ballot is mailed to voters depends on each state's requirements."

The number one complaint Voting Assistance Officers heard from voters during the 2008 election cycle was that the voters did not receive confirmation from their LEO that their registration had been received and processed. Without such knowledge, voters cannot determine if they must take remedial action on their applications, or whether they are even eligible to use the back-up Federal Write-in Absentee Ballot (FWAB), which still requires, under *UOCAVA* and in most States, that the voter be registered and have requested an absentee ballot in a timely manner.

Although LEOs used a variety of methods to notify voters of their status (Figure 10<sup>53</sup>), and sometimes multiple methods, only 7% of LEOs report having access to a State voter verification site where they can update the status of the voter's registration application.<sup>54</sup> Overall, one-third of active duty military and almost half of federal employees did not receive notification on the status of registration.

*(Report continued, next page)*

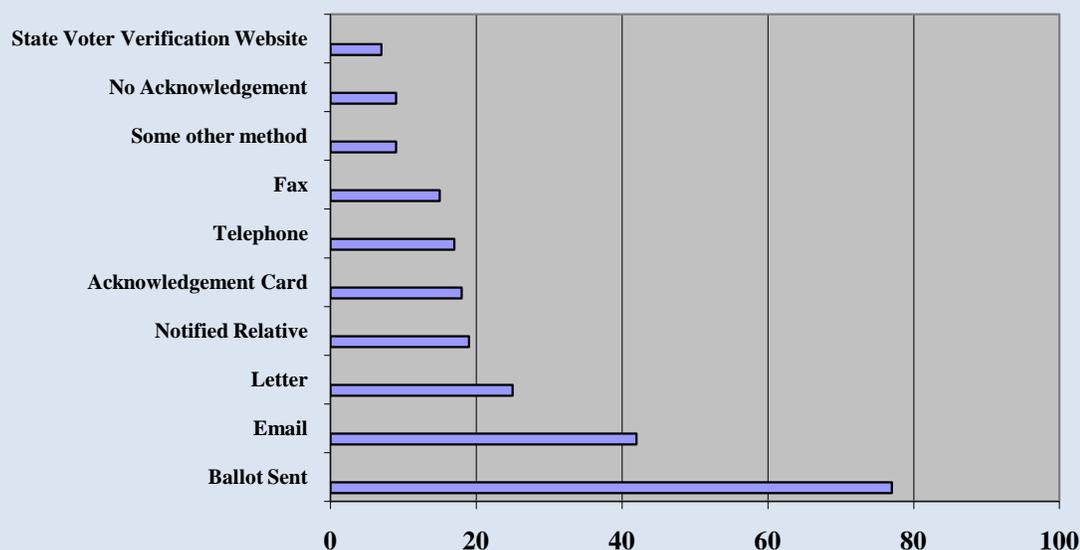
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<sup>52</sup> The Pew Center on the States, *No Time to Vote: Challenges Facing America's Overseas Military Voters.* January 2009.

<sup>53</sup> 2008 FVAP Post-Election Survey of Local Election Officials, Question 33

<sup>54</sup> State voter verification website – state websites that allow you to verify your registration status (<http://www.fvap.gov/reference/links.html#svrvw>)

**Figure 10 Methods used by LEOs to acknowledge ballot request status**



Note: Percent responding are Local Election Officials who answered Q33 and whose jurisdiction received FPCA

As discussed above, in the fall of 2008, the DoD hosted five Secretaries of State<sup>55</sup> to travel to seven United States military bases in Asia, Europe and the Middle East to meet with deployed troops and military voting representatives. The Secretaries heard from *UOCAVA* voters that they “would like to be able to check their voter registration status online, have access to more information about candidates and their campaigns, and most critically, know their ballot was received and counted.”<sup>56</sup>

Without confirmation, *UOCAVA* voters are unable to determine if they should even expect an absentee ballot, a significant concern given the 2008 FVAP active duty military Post Election Survey found 17% of registered voters did not receive their absentee ballot. Some States do have websites to check on registration status and some have sites that allow the voter to determine receipt of the voted ballot. Furthermore, section 580 of P.L. 111-84, the *MOVE Act*, requires chief State election official, in coordination with local election jurisdictions, to develop a free-access system by which an absent uniformed service voter may determine whether their absentee ballot has been received by the appropriate State election official. The FVAP website ([www.fvap.gov](http://www.fvap.gov)) has links to current voter registration status sites and will link to any new sites States may develop. As of July 28, 2010, 36 States and territories have voter registration verification sites.

Conversely, if LEOs do not have correct ballot delivery addresses for *UOCAVA* voters, the ballot is very unlikely to be delivered, let alone in time for it to be voted and returned by the absentee ballot deadline.

<sup>55</sup> California Secretary of State Debra Bowen, Florida Secretary of State Kurt Browning, Indiana Secretary of State Todd Rokita, Mississippi Secretary of State Delbert Hosemann, Pennsylvania Secretary of the Commonwealth Pedro Cortes, and Mississippi Deputy Secretary of State Cory Wilson participated.

<sup>56</sup> Secretary of State Report on Military and Overseas Challenges: A report from the front (2008)

Uniformed service voters are a very mobile population: the average tour of duty in any one command is only two to three years, often times interrupted by individual or unit deployments overseas (with new mailing addresses), and frequent periods of temporary training duty within the United States. With 1.4 million active duty military personnel, approximately 500,000 to 700,000 military personnel transfers can be expected every year, in addition to any periods of temporary duty and overseas assignments which may result in a change of absentee ballot delivery address.

As touched on above, during the 2008 general election, 17,457 of the 191,293 absentee ballots (9.1%) sent through the Military Postal System Agency to voters were incorrectly addressed.<sup>57</sup> Of that 9%, two-thirds, or 10,621 were readdressed and delivered by MPSA, leaving 3.6% undeliverable. FVAP realizes LEOs cannot divine the address of *UOCAVA* voters, who bear a responsibility to update absentee ballot delivery addresses with new absentee ballot applications, preferably new FPCAs. That is why FVAP is also encouraging all *UOCAVA* voters to submit new FPCAs annually, at every change of duty station, before and after every overseas deployment, and to discourage *UOCAVA* voters from using forms other than the FPCA for registration and absentee ballot application, so that LEOs understand why multiple applications may be submitted from these voters. It is also why the Department will fully implement designating all Installation Voting Assistance Offices as Voter Registration Agencies under the *National Voter Registration Act (NVRA)*, to access the additional authorities and voting assistance opportunities *NVRA* provides.

Any registration and absentee ballot application system is going to experience some level of failure, but the FPCAs submitted by *UOCAVA* voters are rejected at higher rates than registrations and absentee ballot applications submitted by absentee voters in the general electorate. When asked to indicate problems experienced with registration and sending ballots, the top reasons reported by LEOs were:

1. Mailed to wrong local election jurisdiction (27%)
2. No address or inadequate voting residence address (26%)
3. Duplicate FPCA received (25%)
4. Inadequate mailing address (24%)

Originally the FVAP Survey questions posed to LEOs asked for a total number of FPCAs that were rejected for each reason. However, due to tracking and data input errors, the answers had to be transformed into a binary “yes-no”: did the LEO see this type of failure, regardless of the extent. Therefore, the scope of the reported failure in each election jurisdiction could be a single incident or hundreds.

Regardless, while only 2.8% of registrations were rejected at the national absentee level,<sup>58</sup> the FVAP *Post Election Survey* shows 3.5% of FPCAs were rejected for *UOCAVA* voters. This represents approximately an additional 4,800 *UOCAVA* registrations and applications for absentee ballots that were rejected by LEOs above what would have been

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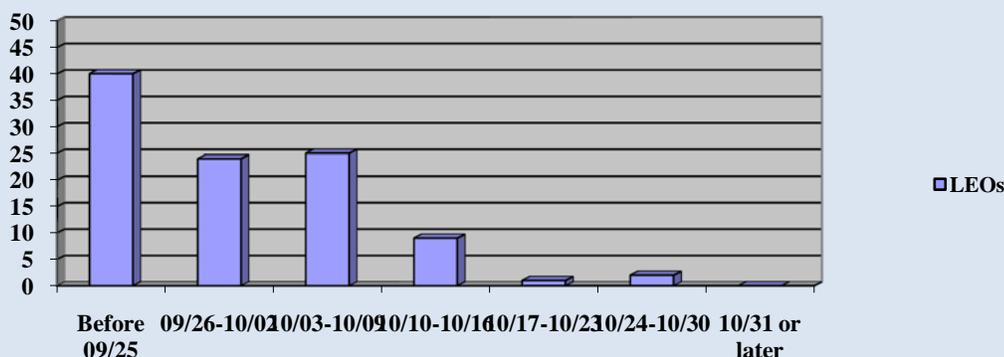
<sup>57</sup> 2008 Overseas Postal Voting Data (MPSA)

<sup>58</sup> Calculated with data from EAC *Report of the National Voter Registration Act*. 2009 Report to Congress, June 30, 2009, <http://www.eac.gov/program-areas/research-resources-and-reports/completed-research-and-reports>.

expected if the national rejection rate was applied. If undeliverable ballots are also considered registration and absentee ballot application failures, (because the address provided by the voter was incorrect), then this number grows to more than 28,000 registration and absentee ballot application failures.

A greater chance of failure also awaits *UOCAVA* voters at the next stage of the absentee voting process, the transmission of the blank ballot in time to vote and return it to be successfully cast. 40% of election officials reported mailing ballots on or before September 25, 2008 (Figure 11<sup>59</sup>), or 40 days prior to the election. 37% reported sending absentee ballots no earlier than 30 days prior to the election. But for *UOCAVA* voters participating in Operations ENDURING FREEDOM or IRAQI FREEDOM, deployed on naval vessels at sea, or having to use foreign postal systems, 30-day one-way mail transit times are common, if not the norm. Without electronic transmission of absentee ballots, there is not enough time for the voter to receive the ballot, vote it, and return it so that it arrives by the absentee ballot deadline.

**Figure 11 Date when LEOs mail balloting materials to uniformed service members and overseas citizens**



Note: Percent responding are LEOs who answered the question and who mailed regular absentee ballots (Q9)

Finally, assuming the *UOCAVA* voter receives the ballot and is able to successfully cast it before the absentee ballot deadline expires, a greater percentage of cast *UOCAVA* absentee ballots are rejected than for the national absentee voter population.

LEOs were asked how many ballots were not counted for certain reasons;<sup>60</sup> however, due to tracking problems, the question had to be changed to a “yes no” answer. LEOs indicated the following reasons for not counting ballots: lacked postmark, no voter signature, signature could not be verified, no date for voter signature, no notary/witness; no date for notary/witness, received too late, returned as undeliverable, or for some other reason. As Figure 12<sup>61</sup> illustrates, the top three reasons LEOs indicated ballots were not counted was because they were received too late, returned as undeliverable, or some other reason. For purposes of the absentee balloting

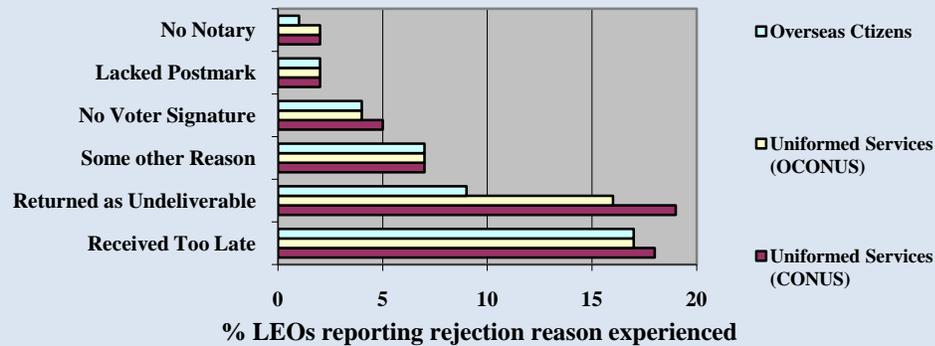
<sup>59</sup> 2008 FVAP Post-Election Survey of Local Election Officials, Question 10-18

<sup>60</sup> 2008 FVAP Post-Election Survey of Local Election Officials, Question 10-18

<sup>61</sup> 2008 FVAP Post-Election Survey of Local Election Officials, Question 10-18

failure analysis discussed previously, statistically significant results were obtained from the LEO survey to estimate the number of ballots returned as undeliverable.

**Figure 12 Reasons ballots were NOT counted**



Note: Percent responding are LEOs who answered the question and who mailed regular absentee ballots (Q10-18)

## SECTION II: ANALYSIS OF VOTING ASSISTANCE PROGRAM

### The Federal Voting Assistance Program

The *UOCAVA* absentee voting process can be confusing to many voters and the Federal Voting Assistance Program (FVAP) works to mediate the process and assist all those involved in the process. The FVAP offers many services to each part of the *UOCAVA* population: uniformed service members, overseas civilians (both Federal employees and non-Federal employees), Voting Assistance Officers and Local Election Officials. This report section is required in part to evaluate these resources and the effectiveness of the program.

The FVAP website ([www.fvap.gov](http://www.fvap.gov)) was completely redesigned in 2008. The Department worked with web design specialists to streamline and restructure the site to eliminate redundancies and simplify website maintenance. To find out what *UOCAVA* voters require in the website, the contractor conducted usability tests and focus groups. It is now more user-friendly and checks are in place to ensure information is updated regularly. However, because of the minute but consequential variations in military and overseas civilian voting law from State-to-State, errors do still occur. This is another reason FVAP supports and recommends the States join the Uniform Law Commission in their efforts to develop a model and uniform State law for all military and overseas voting rights and processes.

*I found both the FVAP website and my local election officials extremely helpful in my attempts to acquire and submit my absentee ballot. – Overseas Voter*

Each *UOCAVA* population uses the FVAP website ([www.fvap.gov](http://www.fvap.gov)). From January 1, 2008 through December 31, 2008, the FVAP website had over 11.5 million hits. FVAP realizes, however, that this is an inadequate measure of website usage or usefulness, and will replace

these metrics with more precise measures of voter success in using the tools on the website, persistence in the use of the web site, numbers of unique visitors, and locations from which those visitors come. Regardless, from the post-Election survey results used for this report, those who used the FVAP website were satisfied with it.

- 74% of registered active duty military that accessed and used the FVAP website were satisfied.<sup>62</sup>
- 89% of UVAOs that accessed and used the FVAP website were satisfied;<sup>63</sup> and
- 91% of DoS VAOs that accessed and used the FVAP website were satisfied.<sup>64</sup>

For most *UOCAVA* voters, the issue does not seem to be whether or not the information available on the FVAP website is useful (these *UOCAVA* voters do believe that), but is instead that these *UOCAVA* voters cannot find, or do not know about, the FVAP website in the first place.

In 2008 FVAP launched the Voter Registration and Ballot Delivery (VRBD) system. This included an automated version of the Voter Registration/Ballot Request form (Federal Post Card Application, FPCA) embedded with State specific requirements that produced an electronic version of the FPCA for voters to print, sign, and submit to their LEOs. This feature provided citizens covered by the *Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA)* a new and improved way to complete their FPCAs independently. In total, the system guided over 21,000 uniformed service members and overseas civilians through completion of the form electronically, at a cost of approximately \$600,000.

The system also included options for States to receive the FPCA for registration and ballot request, as well as provide a blank ballot to the voter via a secure server. Citizens from 425 local election offices in Arkansas, Iowa, Kentucky, Montana, Nebraska, New Mexico, Pennsylvania, South Dakota, Utah, West Virginia, and Washington could use one or both of these features. From July 23 – November 4, 2008, 780 citizens uploaded ballot request forms to local election offices, and 124 voters downloaded their blank ballots. Deployment of the systems late in the election cycle, limited ability to advertise it amongst *UOCAVA* voters, and separate user account registration requirements, as well as separate login and verification systems, drove down both election official and *UOCAVA* voter participation.

Second to the website in terms of use is the *Voting Assistance Guide (VAG or Guide)*. The *Guide* is a compilation of absentee voting regulations, laws, deadlines, and procedures. The *Guide* is the primary source of information on absentee voting procedures for registering to vote, requesting a ballot, and voting in each of the fifty States, four territories, and the District of Columbia. The 2007-2008 *Guide* allowed significant editing of the State-by-State instructions by individual State election offices. This led to considerable variation in format and terminology between each of the State sections, and resulted in a 460 page *Guide*. To simplify these instructions, FVAP exercised greater editorial control in the 2009-2010 *Guide*, editing the

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<sup>62</sup> 2008 FVAP Post-Election Survey of Active Duty Military, Question 38

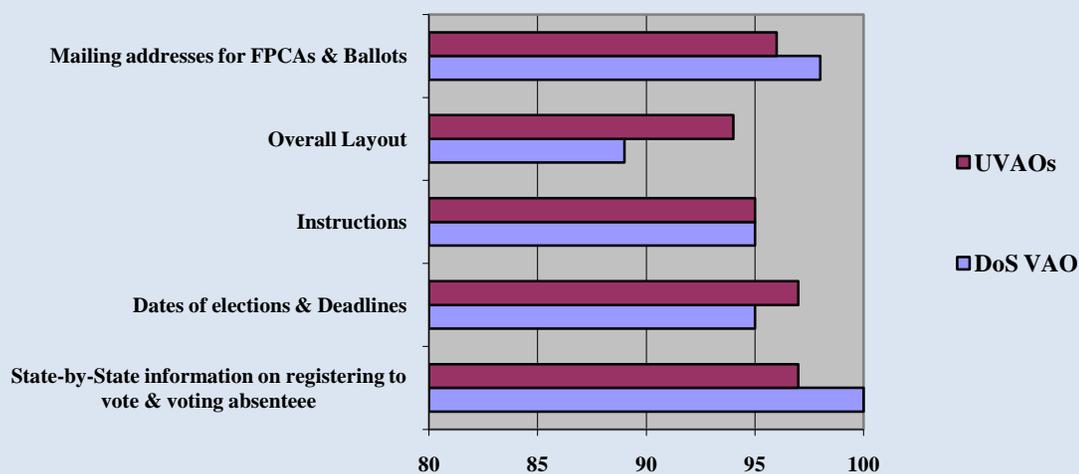
<sup>63</sup> 2008 FVAP Post-Election Survey of Unit Voting Assistance Officers, Question 34

<sup>64</sup> 2008 FVAP Post-Election Survey of DoS Voting Assistance Officers, Question 31

instructions to be straightforward and consistent from State-to-State. FVAP will evaluate these changes in the 2010 *Post Election Survey*.

In preparation for the 2008 Federal election cycle, FVAP printed 90,000 *Guides* and distributed them worldwide to military installations, embassies, and consulates. 95% of DoS VAOs reported receiving the *2008-09 Guide*.<sup>65</sup> 77% of United States Military Unit Voting Assistance Officers received the *Guide* in preparation for the 2008 election cycle.<sup>66</sup> Both groups of VAOs found the *Guide* useful and the number one use was the State-by-State information on registration and voting absentee. As Figure 13<sup>67</sup> shows the number one *Guide* feature liked by VAOs were the State-by-State instructions.

**Figure 13 Guide Features Most Liked by VAOs**



Note: Percent responding are VAOs who answered the question and who received the 2008-09 VAG (UVAO ME +/-2; DoS VAO ME +/-3)

FVAP also offers training to both State election officials and all VAOs. In preparation for the Federal election cycle, the Program conducts workshops around the world at consulates, embassies, and bases to train new and experienced VAOs. In total, FVAP conducted 193 workshops and trained over 3,356 uniformed service VAOs and over 1,500 civilian VAOs. Of the UVAOs who responded to the survey and received the training, 86%<sup>68</sup> found the training useful and 91% of DoS VAOs thought it was useful.<sup>69</sup> The FVAP voting assistance workshop is a ‘train-the-trainer’ style workshop. This means those who have been trained teach others. The number trained by FVAP in preparation for the 2008 elections does not necessarily reflect how many VAOs were trained that year. VAOs also have the option of using a training CD or attending a workshop.

<sup>65</sup> 2008 FVAP Post-Election Survey of DoS Voting Assistance Officers, Question 22

<sup>66</sup> 2008 FVAP Post-Election Survey of Unit Voting Assistance Officers, Question 25

<sup>67</sup> 2008 FVAP Post-Election Survey of Unit Voting Assistance Officers, Question 28; DoS VAOs, Question 25

<sup>68</sup> 2008 FVAP Post-Election Survey of Unit Voting Assistance Officers, Question 13

<sup>69</sup> 2008 FVAP Post-Election Survey of DoS Voting Assistance Officers, Question 10

In addition to offering in-house resources, FVAP worked with other organizations to improve the *UOCAVA* absentee voting process. For example, in 2008 the Department of Defense (DoD) and the United States Postal Service (USPS) continued their collaboration to provide expedited service for absentee ballots going to and coming from overseas DoD military post offices. The Special Handling Service, which began September 1 and ran through November 25, ensured that all postal personnel expeditiously processed and transported outbound and returning ballots with APO and FPO addresses.<sup>70</sup> Also, from October 29 through November 4, ballots that entered into the DoD military postal system by a voter could be sent via Express Military Mail Service to the local election office if the voter desired this option. This saved transit time once the ballot arrived in the U.S. at the International Gateways; especially beneficial in the week leading up to Election Day. The delivery of absentee ballots to overseas uniformed services personnel was also expedited by USPS from September 15, 2008 through November 3, 2008. To further accelerate the process, State election offices encouraged LEOs to separate APO and FPO destined ballots when sorting and sending absentee ballots.

Also, by working with the Military Postal Service Agency (MPSA) and USPS, FVAP was able to track some balloting materials. For example, according to the MPSA data from 2008, 191,293 ballots were sent out from election offices (91% delivered correctly, 9% undeliverable but some of these were rerouted and delivered to correct addresses) and 188,715 voted ballots were returned to local election offices.<sup>71</sup> While this data suggests 98.7% of the ballots sent to voters were voted and returned; those numbers may not necessarily be compared against voted ballots sent to election offices. This is because voters receive and return their ballots through various sources (i.e. FVAP's VRBD system; state voting systems; email; fax; and sometimes delivered by a family member), and because returned ballots may also include FWABs.

*(Report continued, next page)*

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<sup>70</sup> Army Post Office / Fleet Post Office - At each APO or FPO, there is an equivalent to real U.S. Post Office that is staffed by members of the respective branch of service. While the layout of each APO/FPO varies by location, they operate just like a "real" Post Office.

<sup>71</sup> This information comes from the 2008 MPSA Postal Voting Survey. 710 military post offices (MPOs) were surveyed, with 576 responding (81% response rate). This is not representative of all *UOCAVA* voters and Local Election Officials.

**Table 3**  
*Reasons absentee ballots were returned to election officials as undeliverable by the Military Postal System Agency*

<b>Reason</b>	<b>Total</b>	<b>Percentage</b>
Attempted – Not known	4,602	67.3%
Moved, No forwarding address	1,386	20.3%
Forwarding Time Expired	417	6.1%
Insufficient Address	255	3.7%
Inactive Zip Code	154	2.3%
Unclaimed	17	0.2%
Deceased	5	0.1%
<b>Grand Total</b>	<b>6,836</b>	

To combat the issue of undeliverable voting materials, FVAP has access to some uniformed service members’ address information. If a LEO needs information on a service member and if the information is releasable, FVAP can share an additional address or contact methods. Unfortunately, in the past this system has proved of limited use because FVAP often is not contacted until the ballot has already been returned as undeliverable, with little chance that even if the correct address is identified, the ballot will be able to make the transit again in time to be successfully cast. Furthermore, many of the Services’ privacy and force protection requirements preclude FVAP from releasing the data to LEOs. With limited success, FVAP works with the Service leadership to reach out directly to members to overcome these restrictions.

FVAP offers many services to LEOs, military members and dependents, and overseas civilians. For example, the FVAP website, toll free access from over 50 countries, toll free fax numbers from over 50 countries, training for election officials, voting guides, and motivational and information posters. However, many *UOCAVA* voters do not know these resources are available. For example, 72% of registered active duty military did not visit the FVAP website.<sup>72</sup> Of those who did not visit the site, the number one reason was because they did not know about it (48%).<sup>73</sup> Of the 91% of LEOs who did not use the toll free telephone service, 41% said it was because they did not know about it, and only 3% of the registered active duty military used the service.<sup>74</sup> Through a new outreach plan and increased efforts to interact directly with the voter,

<sup>72</sup> 2008 FVAP Post-Election Survey of Active Duty Military, Question 38

<sup>73</sup> 2008 FVAP Post-Election Survey of Active Duty Military, Question 41

<sup>74</sup> 2008 FVAP Post-Election Survey of Active Duty Military, Question 47

FVAP seeks to improve these rates. For the 2010 survey FVAP's goal is to substantially increase the use of its website and other voting resources.

As discussed before, the lowest participation rates were among the younger male components within the military. In an attempt to reach this younger voting population, FVAP is engaged in an evolving communications strategy that utilizes social networking sites like facebook, LinkedIn, and Twitter. FVAP uses social networking to share important absentee voting deadlines and procedures, and to collaborate with voters on improving the *UOCAVA* absentee voting process. These tools are very powerful in an environment where technology is crucial to reaching as many voters as possible.

Social networking platforms are recognized as the information tools of choice among 18-to-25-year-olds, many of whom do not read newspapers, tune in to network news or visit official Web sites. This is also the age group demographic associated with low turn-out rates and which makes up a large part of today's uniformed services.

Social networking enables FVAP to participate in two-way engagement with all *UOCAVA* voters. FVAP interacts with all *UOCAVA* voters by posting real time alerts, answering questions and getting feedback quickly; for example, FVAP announces ballot deadline reminders leading up to specific elections.

The purpose of using social networking is to offer a greater variety of resources for all DoD and non-DoD voters and inform and educate them on the *UOCAVA* absentee voting process. All information posted on the networks is posted on the official FVAP website.

### **Voting Assistance Officers**

Voting Assistance Officers (VAO) are designated individuals who provide accurate, non-partisan voting information and assistance to *UOCAVA* voters. They are an important source of information for *UOCAVA* voters; however, it has been noted by the Department of Defense Inspector General that "voting assistance will always be a secondary duty [for military unit Voting Assistance Officers], senior leadership can expect improvement only if a radically different approach is applied."<sup>75</sup>

Current Department of Defense and Department of State directives require a Unit Voting Assistance Officer (UVAO) at every unit of the uniformed services, and at every embassy and consulate of the Department of State. Additionally, there is an Installation Voting Assistance Officer at each military installation and a Service Voting Assistance Officer for each of the military branches and the Department of State. These Service Voting Assistance Officers work directly with FVAP to develop programs and policies and implement the direction of the Presidential Designee amongst the UVAOs. Information in the next sections comes from the 2008 FVAP surveys of both the Department of State Voting Assistance Officers and uniformed service Unit Voting Assistance Officers. The questionnaires and data can be found in Appendices XII and XIV respectively.

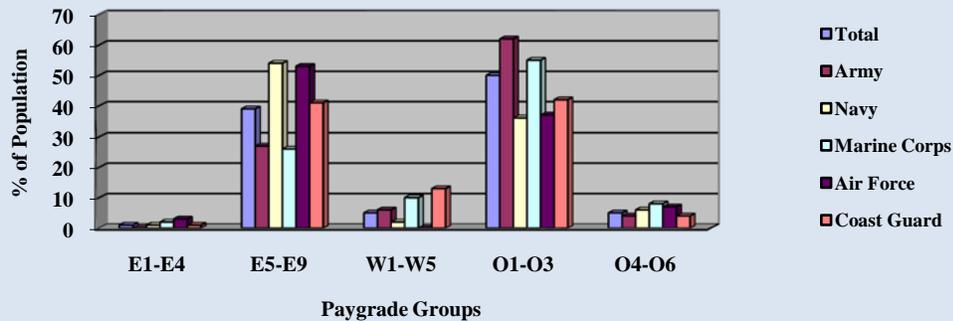
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<sup>75</sup> DoD IG, 2004 *Evaluation*, p. 26

## *Military Unit Voting Assistance Officers*

DoD Directive 1000.04 states that “Heads of the DoD Components and the Uniformed Services shall designate and assign in writing a Unit Voting Assistance Officer, at the O-2/E-7 level.” However, Departmental policy guidance states that if someone of a lower grade desires the job, then they could be designated as the UVAO if the Commanding Officer believes they are capable, as enthusiasm for the job is strongly correlated with program success.<sup>76</sup> Data gathered from the 2008 *Post Election Survey of UVAOs* shows that 58% of UVAOs are officers and 39% of UVAOs are enlisted members.<sup>77</sup> Figure 14<sup>78</sup> illustrates a breakdown of UVAOs by rank and service. Most common ranks are E5-E9 and O1-O3. More than half of the Navy and Air Force’s UVAOs were enlisted, while almost two-third of the Army’s and more than 60% of the Marine Corps’ UVAOs were officers.<sup>79</sup>

**Figure 14 Current Paygrades of UVAOs**



UVAOs support personnel in their unit and those unit members’ voting age dependents. Because of that, current DoD guidance<sup>80</sup> is that an additional UVAO should be assigned for every 50 unit members after the first 25. However, 33% of UVAOs reported assisting between 25-99 people with voting in the primaries and the November 4 general election, and 20% reported being responsible for 100 or more, with the average UVAO being responsible for voting assistance to at least 147 unit members.<sup>81</sup> As shown in Figure 15<sup>82</sup> on hours per week, 35% of UVAOs spend 1- 2 hours per week on voting duties, with the average per week being 1.78 hours. Considering there are 9,518 active duty units, this equates to about six to seven total man-years of work on voting assistance conducted across the five military services UVAOs. UVAOs spend

<sup>76</sup> DoD Memo for Secretaries of the Military Departments, Guidance in Implementing Voting Assistance Programs, signed by Under Secretary of Defense David Chu, September 2007

<sup>77</sup> 2008 FVAP Post-Election Survey of Unit Voting Assistance Officers, Question 2

<sup>78</sup> 2008 FVAP Post-Election Survey of Unit Voting Assistance Officers, Question 2

<sup>79</sup> 2008 FVAP Post-Election Survey of Unit Voting Assistance Officers, Question 2

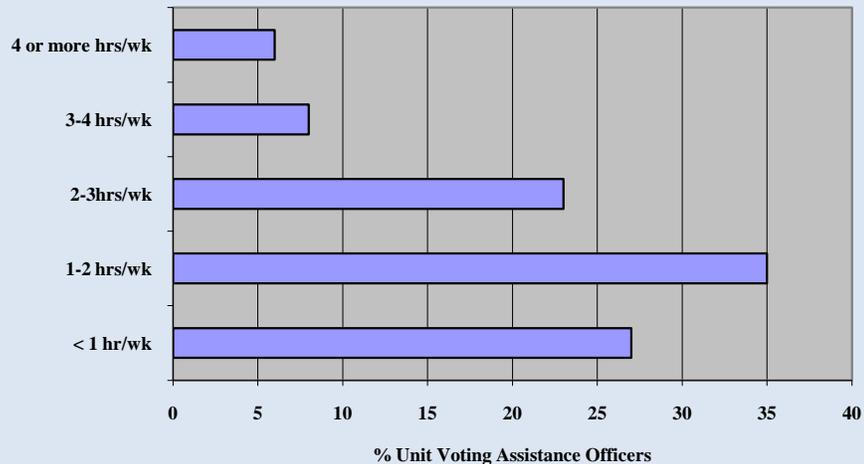
<sup>80</sup> DoDD 1000.04, Section 5.2.1.4.2

<sup>81</sup> 2008 FVAP Post-Election Survey of Unit Voting Assistance Officers, Question 16

<sup>82</sup> 2008 FVAP Post-Election Survey of Unit Voting Assistance Officers, Question 17

most of their time answering questions and displaying voting information.<sup>83</sup> Most questions addressed to UVAOs deal with residency laws which can be confusing.<sup>84</sup>

**Figure 15 Hours per week on voting duties**



Even as a secondary duty and with so many people to assist, UVAOs were satisfied with command support (75% were satisfied or highly satisfied).<sup>85</sup> Finally, although all UVAOs are required to be trained within 90 days of assuming the duties, only 71% of UVAOs received training to perform their UVAO duties.<sup>86</sup> Further, while 23% of UVAOs never received the *Voting Assistance Guide*,<sup>87</sup> 86% of those who did receive it found it useful or very useful.<sup>88</sup> Similarly, while 41% of UVAOs never received the *Voting Information Newsletter*,<sup>89</sup> 75% of those who did and used it, found it useful or very useful.<sup>90</sup> Finally, 92% of VAOs visited the FVAP website,<sup>91</sup> and 90% of those who did visit it found it useful or very useful.<sup>92</sup>

66% of UVAOs reported having enough time available to perform UVAO duties<sup>93</sup> and 73% reported being satisfied with the quantity of materials available to perform UVAO duties.<sup>94</sup> But even with that admission, UVAOs do not seem to be getting the assistance to their unit members. 51% of active duty military voters reported they did not receive assistance from their VAOs.<sup>95</sup> Of those who did not receive assistance, 48% stated it was because they did not need assistance.<sup>96</sup> However, 36% of all active duty military voters said they did not know they could

<sup>83</sup> 2008 FVAP Post-Election Survey of Unit Voting Assistance Officers, Question 19  
<sup>84</sup> 2008 FVAP Post-Election Survey of Unit Voting Assistance Officers, Question 19  
<sup>85</sup> 2008 FVAP Post-Election Survey of Unit Voting Assistance Officers, Question 20b  
<sup>86</sup> 2008 FVAP Post-Election Survey of Unit Voting Assistance Officers, Question 12  
<sup>87</sup> 2008 FVAP Post-Election Survey of Unit Voting Assistance Officers, Question 25  
<sup>88</sup> 2008 FVAP Post-Election Survey of Unit Voting Assistance Officers, Question 27  
<sup>89</sup> 2008 FVAP Post-Election Survey of Unit Voting Assistance Officers, Question 29  
<sup>90</sup> 2008 FVAP Post-Election Survey of Unit Voting Assistance Officers, Question 32  
<sup>91</sup> 2008 FVAP Post-Election Survey of Unit Voting Assistance Officers, Question 34  
<sup>92</sup> 2008 FVAP Post-Election Survey of Unit Voting Assistance Officers, Question 37  
<sup>93</sup> 2008 FVAP Post-Election Survey of Unit Voting Assistance Officers, Question 20a  
<sup>94</sup> 2008 FVAP Post-Election Survey of Unit Voting Assistance Officers, Question 20c  
<sup>95</sup> 2008 FVAP Post-Election Survey of Active Duty Military, Question 34  
<sup>96</sup> 2008 FVAP Post-Election Survey of Active Duty Military, Question 37

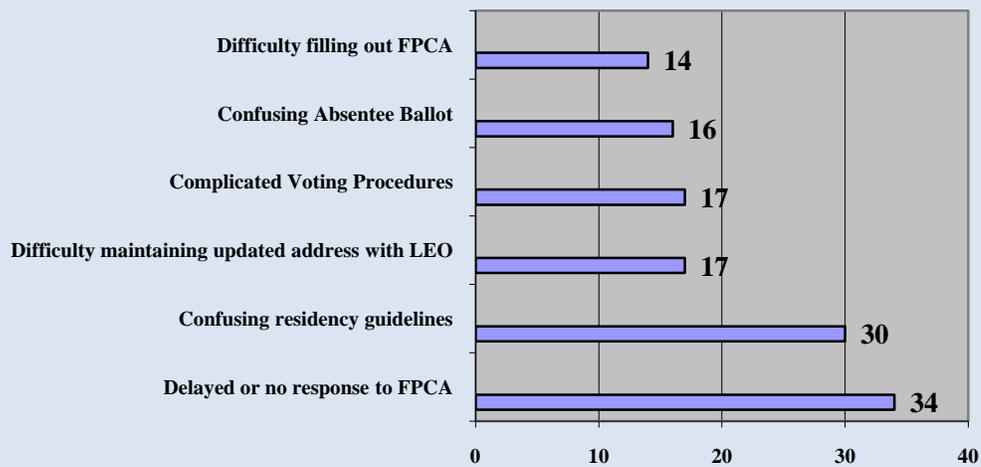
get help from a VAO,<sup>97</sup> 33% said they did not have a UVAO,<sup>98</sup> and 46% of all active duty military voters said they did not know who their VAO was.<sup>99</sup>

However, the 77% active duty voter registration rate appears to indicate the Uniformed Services are effectively registering its members.<sup>100</sup>

These low UVAO exposure numbers are not new, but reflect what the Department of Defense Inspector General has reported in its annual surveys of FVAP's and the Services UVAO programs since 2002. The results appear constant, and given the DoD IG's comments calling for radically new methods to escape this cycle of frustration,<sup>101</sup> FVAP believes that long term improvements do not lie in simply demanding higher ranking UVAOs of whom more time and effort is demanded. Collateral duties are, by definition, assigned as collateral duties because the expectation is they can be done without disrupting the assigned member's full-time assignment or the service the collateral duty supports.

Voting assistance is a difficult duty; as Figure 15<sup>102</sup> shows, more UVAOs heard complaints about delays in responses from LEOs and on confusing residency guidelines than others.

**Figure 16 Percent of UVAOs reporting UOCAVA voters complained about various aspects of the absentee voting process**



Note: Percent responding are UVAOs who answered Q21 (ME +/-2). Totals add to more than 100% as respondents are able to choose more than one response.

<sup>97</sup> 2008 FVAP Post-Election Survey of Active Duty Military, Question 37

<sup>98</sup> 2008 FVAP Post-Election Survey of Active Duty Military, Question 37

<sup>99</sup> 2008 FVAP Post-Election Survey of Active Duty Military, Question 37

<sup>100</sup> 2008 FVAP Post-Election Survey of Active Duty Military, Question 11

<sup>101</sup> DoD IG, 2004 *Evaluation*

<sup>102</sup> 2008 FVAP Post-Election Survey of Unit Voting Assistance Officers, Question 21

## *Department of State Voting Assistance Officers (DoS VAO)*

Every embassy and consulate has a VAO. Only having 239 VAOs throughout the Department, and having an e-mail address associated with each embassy and consulate VAO allowed FVAP to conduct a full census. Therefore, for the 2008 post election survey of DoS VAOs the margins of error are very small.

Embassies and consulates are often the first portal of information to overseas civilians; therefore, it is important for DoS VAOs to have the materials and training that they need. However, despite 70% of them being new to the duties in the 2008 election cycle,<sup>103</sup> only 34%<sup>104</sup> of DoS VAOs received training to perform their VAO duties.

*The ballots from New York arrived only on 25 October. Without assistance from the Embassy, it NEVER would have reached in time. Ballots must be sent 8 weeks ahead of time to Africa! – Voter in Namibia*

Voting assistance is a collateral duty for DoS VAOs as well. 75% of DoS VAOs spend 10 hours or less on voting duties in an election cycle.<sup>105</sup> They are overall satisfied with the support they receive from the Embassy and the amount of time they are given to complete voting duties.

The top three complaints DoS VAOs report hearing from voters were:<sup>106</sup>

1. Delayed or no response to FPCA (79%)
2. Complicated voting procedures (65%)
3. Confusing residency guidelines (61%)

### **SECTION III: FEDERAL AND STATE COOPERATION**

FVAP works with the States and local election officials to improve the *UOCAVA* absentee voting process. Every year FVAP reviews State legislation on absentee voting to see what can be improved. Then the FVAP Director makes written suggestions to the States on how their laws and regulations can be improved. This is done through a Legislative Initiatives package that is sent to each State election director, and as started with the 2009 Legislative Initiatives letters, to the leaders of each State legislative chamber. FVAP has testified before State legislative hearings and conferences to support legislation for such laws. A complete listing of the legislative initiatives can be found in Appendix III or at <http://www.fvap.gov/reference/laws/state-initiatives.html>.

<sup>103</sup> 2008 FVAP Post-Election Survey of DoS Voting Assistance Officers, Question 5

<sup>104</sup> 2008 FVAP Post-Election Survey of DoS Voting Assistance Officers, Question 9

<sup>105</sup> 2008 FVAP Post-Election Survey of DoS Voting Assistance Officers, Question 14

<sup>106</sup> 2008 FVAP Post-Election Survey of DoS Voting Assistance Officers, Question 18

Table 4  
*Legislative Initiatives Passed by Year – 2000-2008*

<b>Initiative</b>	<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>	<b>2008</b>	<b>Change (04 to 08)</b>	<b>% Change</b>
1. 40-45 days transit time	42	42	42	41	41	41	0	0
2. Remove notary requirement	48	49	49	48	50	50	0	0
3. Allow late registration	23	24	25	26	27	30	+ 3	+11.0%
4. Provide state special write-in ballot	26	27	27	27	27	29	+ 2	+ 7.4%
5. Reference to <i>UOCAVA</i>	31	33	35	36	37	42	+ 5	+13.5%
6. Allow electronic transmission of election materials	46	48	48	49	49	51	+ 2	+ 4.0%
7. Expand FWAB use	6	6	8	9	11	21	+10	+90.9%
8. Emergency authority to state Chief Election Official	9	11	12	14	15	18	+ 3	+20.0%
9. Enfranchise citizens who have never resided in the U.S.	8	8	9	12	13	16	+ 3	+23.0%

Throughout the years, FVAP has recommended more transit time, electronic transmission of ballots and voting materials, increased use of the FWAB, and other initiatives to enhance the *UOCAVA* absentee voting process. Table 4 shows the progress made on initiatives.

FVAP instituted major changes to its Legislative Initiative process for the 2010 election cycle:

- Writing the letter to both the Executive and Legislative leadership of the State government, given the responsibility both branches play in resolving these *UOCAVA* voting problems;
- Raising the ballot transmission time from 45-days to 60-days total, with at least 45 of those days before the election (and up to 15 days after), because of more precise data on military mail transit times;
- Recommending that only the Federal Write-in Absentee Ballot (FWAB) is used as a back-up write-in ballot, and that States stop using Special or State Write-in Absentee Ballots in favor of the FWAB, for standardization;
- Allowing the FWAB to be used for all elections – federal, State and local; and,
- Encouraging active participation in the Uniform Law Commission’s efforts to draft a model State law to standardize military and overseas citizen voting law.

## Conclusions and Recommendations

Sixty years ago, President Harry S. Truman wrote to members of Congress asking them to repair an absentee voting system that was failing Americans serving in our military. His appeal came in an era when our elections relied on paper and a combination of domestic, military and international mail systems to register and transmit ballots. Despite an explosion in technology since the 1950s, the absentee voting process has changed very little.

Failure rate analysis and data show the problems lie predominantly in ballot transmission and delivery from the LEO to the voter. The FVAP 2008 LEO Post Election Survey shows that only 67% of ballots issued to uniformed service members and overseas civilians were returned; 94% (+/-2) of ballots voted and returned were counted by election officials; and only 6% of ballots that were voted and returned were not counted in the elections totals. The vast majority of voting failure is in ballot transmission and return:

- For all UOCAVA voters, 78.2% of their voting failure was during ballot transmission and return.
- For military voters, 77.6% of their voting failure was during ballot transmission and return.
- For overseas civilian voters, 85% of their voting failure was during ballot transmission and return (including undeliverable ballots).

The recommendations FVAP makes for more transit time, electronic alternatives, increased use of the FWAB and other initiatives to enhance the UOCAVA absentee voting process are not new. Past research on UOCAVA data repeats these findings: more time and more options are needed for UOCAVA voters to complete the absentee voting process successfully.

FVAP is not just looking at the process; it is also looking at the program it runs. The Voting Assistance Officer program is based on a system of paper and face-to-face meetings. It needs to be replaced with electronic voting support systems at every stage of the absentee voting process. In the short-term, that means:

- Online Federal Post Card Application wizards need to replace hand-filled paper forms to relieve the voter (and the Voting Assistance Officer) of having to wade through hundreds of pages of instructions and confusing forms;
- Online Federal Write-in Absentee Ballot wizards, with the online ability for the voter to mark those ballots for each of the chosen federal candidates, and then have those choices automatically written on the printed ballot, to ensure that every UOCAVA voter has the opportunity to vote at least in the federal elections;
- Full federal, State, and local ballots, delivered online, and markable online for every election contest, with all candidates and questions available online, and then have those choices automatically written on the printed ballot, to extend the UOCAVA guarantees to every level of government which represents the military and overseas voter; and

- Online and public voter education programs that make military and overseas voters aware of these electronic voting support tools, and provide the Voting Assistance Officer easy to communicate messages about these tools, their availability on the FVAP.gov website, and how much easier they make the absentee voting process for military and overseas voters.

In the long-term, it means working with the Elections Assistance Commission, the National Institutes of Standards and Technology, State and local election officials, the election technology industry, and computer and information technology security specialists, to develop the baseline election risk and vulnerability assessments, voting guidelines, and electronic voting systems that will deliver voted ballots with at least the same levels of security, privacy, and accountability that current absentee voting systems afford military and overseas voters.

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The Department of State, under the guidance of Liz Gracon, previous Chief Voting Action Officer, and Jack Markey, current Chief Voting Action Officer, is responsible for outreach to overseas citizens.

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