

THE  
FEDERAL  
VOTING  
ASSISTANCE  
PROGRAM



SEVENTH  
REPORT

" I believe that every man in uniform is a citizen first and a serviceman second, and that we must resist any attempt to isolate or separate the defenders from the defended."

PRESIDENT RICHARD NIXON,  
at the Air Force Academy  
June 4, 1969

PREPARED BY THE STAFF

THE FEDERAL VOTING ASSISTANCE PROGRAM

OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE

(MANPOWER AND RESERVE AFFAIRS)

WASHINGTON, D. C. 20301

## DEFENSE OF FREEDOM - THE RIGHT TO VOTE

The ultimate prerequisite for the preservation of freedom in a democratic society is full access to the ballot box by all citizens of voting age. The Armed Forces of the United States, by contributing to our Nation's security, strengthen the preservation of this freedom. Do members of our Armed Forces have the same right to vote as the people whose freedom they are called upon to defend? The answer to that question is a resounding "Yes!" Our first President, George Washington, set the standard to be followed. He stated, ". . . When we assumed the soldier, we did not lay aside the citizen."

In November of 1968, 3,454,000 American citizens were in the Armed Forces. Over one-half million were involved in armed conflict in Southeast Asia. Thousands more were on guard in Western Europe, while others were scattered throughout many other areas of the world. Very few were lucky enough to be stationed in military installations near their hometowns in their own State. Did those called upon to defend freedom while serving far from home take advantage of freedom's greatest opportunity - - the right to participate in government? Did they vote in the national

elections? Again, the answer to both questions is a resounding "Yes!"

It is an easy process for most citizens in civilian life to cast a ballot. It is a matter of personal decision whether or not one wishes to register, go to the polling place, and vote. On the 1968 Election Day, 73,260,831 Americans voted. This was 62.8 percent of the 116 1/2 million citizens who were of voting age. Most of them did not need to concern themselves about getting to the voting booths, much less worry about combat conditions on that election day. But how about citizens in uniform? They could and did vote in the 1968 elections. Such was not always the case in the past, however.

In 1942 when the Armed Forces were engaged in the all-out struggle in World War II, there was no way for the combat man to vote. America had been an isolated nation with very small military forces. Suddenly the scene changed. Clerks and bankers, doctors and mechanics from across our nation put on their uniforms and went to war. Less than one percent of these citizens called upon to defend freedom were able to vote in the elections of 1942. It was a national disgrace.

President Franklin D. Roosevelt called upon the nation to remember the words of Washington - - that our men in uniform, to paraphrase the statement, are also citizens.

The Congress and the various States responded by providing legislation enabling the military forces to vote by absentee ballot. In the 1944 elections with the strength of the Armed Forces at its peak, some 30 percent of Service voters cast their ballots. But when the war ended, the military forces were reduced, and the country forgot about absentee voting for its citizens in uniform.

In 1952 the Korean War was at its highest pitch. Americans were fighting and dying in defense of freedom. But the Federal Government and the various States had neglected to insure the vote - - citizenship's greatest right - - to those who were asked to give their lives in defense of freedom. The legislation which had enabled members of the Armed Forces to vote was enacted in most instances with an "in time of war" clause. This legislation by operation of law had become ineffective at the conclusion of World War II. As a result, less than 15 percent of the 3,500,000 military personnel engaged in the Korean War were able to exercise their franchise. President Truman and subsequently President Eisenhower called upon the Congress and the States to remedy this situation.

## FEDERAL VOTING ASSISTANCE ACT

In 1955 the Congress enacted the Federal Voting Assistance Act. This legislation recommended to the several States that they enact simple and uniform absentee registration and voting procedures for - -

○ Military personnel and their spouses and dependents.

○ Members of the Merchant Marine and their spouses and dependents.

○ Members of religious groups or welfare agencies serving with the Armed Forces and their spouses and dependents.

○ Overseas civilian employees of the Federal Government and their spouses and dependents.

Most States began the process of amending their constitutions, enacting legislation, and making administrative changes to follow the recommendations of the Federal Government. The Federal-State cooperation on this issue was an example seldom equaled. The results were almost immediate.

In 1956 the voting participation in the military services doubled that of 1952. In 1960, and in 1964 there were continuing percentage gains in all Services and a larger estimated turnout of the vote by all categories of civilians covered by the Federal Voting Assistance Act.

But would the system work if once again American men were engaged in conflict? The Department of Defense, which supervises the Federal Voting Assistance Program, was confident it would. That confidence has been proven correct. It is a little known fact that the number of military personnel on active duty who were eligible by age to vote in the 1968 election was a larger number than those eligible by age to vote in 35 of the various States and the District of Columbia. The potential military vote could thus be considered as a highly important segment of the electorate.

Voting records indicate that some 62.8 percent of the American public of voting age went to the polls in November of 1968. While the record in the military forces was not this high, it was a significant number. There were 2,473,000 military personnel of voting age in November of 1968. Of that number, 1,142,600 or 46.2 percent, voted. This is one of the highest percentages of voting by members of the Armed Forces in the history of the Federal Voting Assistance Program. It is only slightly lower than in 1964, when the Armed Forces were much smaller and were not so heavily engaged in combat operations. The voting participation

of the Services under all difficulties exceeded the percentage participation of some of the States. The Marine Corps with 74.5 percent of its personnel of voting age casting ballots far exceeded the civilian record.

Service	Strength 31 Oct 68	Eligible by Age to Vote	Total of Eligible Persons Who Voted	Percentage of Eligible Persons Who Voted
Army	1,496,000	1,044,000	400,000	38.3
Navy	754,000	516,000	278,000	53.9
Air Force	896,000	747,000	341,000	46
Marine Corps	308,000	166,000	123,699	74.5
TOTAL OR AVERAGE	3,454,000	2,473,000	1,142,600	46.2

ESTIMATED DISTRIBUTION BY STATE AND TERRITORY  
OF MILITARY PERSONNEL ON ACTIVE DUTY ON  
31 OCTOBER 1968 ELIGIBLE BY AGE TO VOTE

State or Territory	Number	State or Territory	Number
TOTAL		<u>2,473,000</u>	
Alabama	49,000	Montana	10,500
Alaska	3,000	Nebraska	19,000
Arizona	20,000	Nevada	5,000
Arkansas	29,500	New Hampshire	10,500
California	206,500	New Jersey	66,500
Colorado	25,500	New Mexico	15,500
Connecticut	30,000	New York	177,500
Delaware	6,000	North Carolina	73,500
Dist. of Columbia	9,000	North Dakota	9,000
Florida	75,500	Ohio	127,000
Georgia	83,500	Oklahoma	41,500
Guam	2,500	Oregon	30,500
Hawaii	17,500	Pennsylvania	142,000
Idaho	11,000	Puerto Rico	11,500
Illinois	115,500	Rhode Island	11,500
Indiana	61,500	South Carolina	39,500
Iowa	40,000	South Dakota	10,000
Kansas	32,500	Tennessee	53,000
Kentucky	57,000	Texas	136,000
Louisiana	40,500	Utah	11,500
Maine	17,500	Vermont	6,500
Maryland	41,500	Virgin Islands	500
Massachusetts	64,500	Virginia	59,000
Michigan	99,500	Washington	46,500
Minnesota	45,500	West Virginia	34,000
Mississippi	27,500	Wisconsin	49,000
Missouri	59,500	Wyoming	5,500

## A SUCCESS - NOT YET COMPLETED

It is clear from the 1968 record of voting participation by members of the Armed Forces that the Federal Voting Assistance Program has been successful. Every State in the Union now provides a method for absentee voting for its military personnel in general elections. All but two, Alabama and Louisiana, provide a method for absentee registration. All but New York, Massachusetts, Rhode Island, Connecticut, and New Hampshire, provide for absentee voting in primary elections.

## PROGRAM IMPLEMENTATION

The Armed Forces at all levels of command take an active interest to insure that every person desiring to vote has the opportunity to do so. Long before the first registration deadline and the first primary election, an adequate supply of the Federal Post Card Applications for absentee ballot is made available to all military personnel and their families. A continuing program of informing the Armed Forces as to dates for registration, primary dates, and the time for requesting balloting materials is sustained on all military installations through use of base and post newspapers, posters, charts, and through use of radio and TV overseas.



## ARMED FORCES VOTERS DAY

In September of each general election year the Secretary of Defense designates a day as Armed Forces Voters Day. By this time each military member of voting age must have had delivered to him personally a Federal Post Card Application. His decision to use it or not is his own, of course. The decision to see to it that he is not disenfranchised by lack of information or lack of the necessary application is the responsibility of all levels of command. Voting officers are appointed early in the election year and take their duties seriously. A large percentage of persons in the military forces become old enough to vote while in the service. Most of these participate directly in their government by registering and voting for the first time while in the Armed Forces and usually this is done by absentee ballot.

## FEDERAL - STATE COOPERATION

The success of the Federal Voting Assistance Program during its 14 years of existence has depended upon the mutual cooperation of the Federal Government and the various States. Every State in the Union has made changes in its absentee voting procedures to permit a greater use of the franchise by those who are called upon to serve their country. Most States have made

identical provisions for the wives and dependents of servicemen. The great majority of the States also have extended the privilege of simplified absentee registration and voting to employees of the Federal Government serving overseas.

The system recommended by the Congress centers around the Federal Post Card Application.

**FILL OUT BOTH SIDES OF THE CARD**

(NAME)

(UNIT, GOV'T AGENCY, OR OFFICE)

(MIL. BASE, STATION, SHIP OR OFFICE)

(STREET NO., APO, OR FPO NO.)

(CITY, POSTAL ZONE, STATE)

FREE OF U. S. POSTAGE  
INCLUDING AIR MAIL

**OFFICIAL ELECTION BALLOTING MATERIAL—VIA AIR MAIL**

**To:**

(TITLE OF ELECTION OFFICIAL)

(COUNTY OR TOWNSHIP)

(CITY OR TOWN, STATE)

Standard Form 76  
Revised 1965  
Issued under 5 U. S. C. A. 2184  
76-103

This card acts as a request for an absentee ballot if the person requesting is registered. If he is not registered, the Post Card Application acts as a request for absentee registration and for absentee ballot. Thus one Post Card can simultaneously effect registration and serve as an absentee ballot request. The Federal Government provides for free air mail postage and for expeditious handling of the specially marked balloting material.

The Office of Information for the Armed Forces, Office of the Assistant Secretary of Defense, Manpower and Reserve Affairs, publishes every two years a pamphlet containing the details of State voting requirements and election information. These pamphlets, along with other up-to-date charts and posters, are distributed throughout the world to all military installations at every level of command. The same information material is made available to all departments of the Federal Government which have overseas employees. There has been continuous cooperation between the Federal Voting Assistance Program and civic-minded organizations vitally interested in the electorate's full participation in the voting process. The National League of Women Voters, the American Heritage

Foundation, the Freedoms Foundation at Valley Forge, and others have cooperated extensively with the Voting Program to encourage and assist all who wish to vote. For its efforts in publicizing and encouraging voting participation the Office of Information for the Armed Forces received the Freedoms Foundation Distinguished Service Award for 1968 Governmental Unit Activity.

### SUCCESS LEADS TO CHANGE

The system for absentee registration and voting for military personnel, for overseas Government employees, and for their wives and other dependents proved so successful in 1968 that the Congress saw fit to amend the Federal Voting Assistance Act of 1955 for the first time. In that year a Bill, Public Law 90-343, 90th Congress, was enacted amending section 101 of the Federal Voting Assistance Act (P. L. 296, 84th Congress). This amendment also is recommendatory in nature. It suggests to the several States that they extend to all American citizens temporarily residing abroad the absentee voting procedures that currently are available to military voters.

The response of the States to this recommendation is not yet easily measurable in that it requires a considerable

length of time for State legislatures to consider and act on such proposals. The States of Washington and Oregon have made such changes, and legislation is pending in Connecticut. It is anticipated that there will be several years' time lapse before all States will have time to consider and act on the recommendations of the Congress. During this period, information on absentee voting procedures for all persons will be monitored and distributed by the Office of Information for the Armed Forces.

### OTHER FEDERAL AGENCIES

While the largest single Federal agency having personnel covered by the Federal Voting Assistance Act is the Department of Defense, other Federal agencies have been greatly involved in the program.

The Department of State has assumed an ever larger share of the total voting program as more and more Americans reside abroad. It has the primary responsibility of administering the Voting Program for civilians temporarily residing abroad and to aid them in exercising their franchise under the new provisions of the Act. This involves the major effort of keeping in touch with these citizens, making them aware of

their voting rights, providing them with the necessary information and materials, as well as the required attestation for balloting material. All other Federal agencies having employees overseas are requested to provide them with necessary information and materials to enable them to vote.

The Post Office Department has done a monumental job in seeing to it that all balloting materials are expeditiously handled. An absentee ballot can be counted only if it arrives on time.

The Department of Defense, through its Federal Voting Assistance Program staff, maintains a close liaison with all such agencies to insure that the voting rights of all their employees covered by the Federal Voting Assistance Act may be exercised. The cooperation between the Federal Voting Assistance Program officials and all other Federal agencies has been outstanding.

The primary task of supplying the voting information for all Federal agencies lies with the Office of Information for the Armed Forces, Office of the Assistant Secretary of Defense, Manpower and Reserve Affairs. The Voting Information pamphlet, published biennially and continually

reviewed for changes, contains the election procedures, voting requirements, dates, and offices to be filled, for every State and Territory. It has become the recognized, authoritative handbook for information on voting laws by State and Federal agencies as well as others interested in absentee voting.

## DOMICILE AND ATTESTATION

During the course of administering the Federal Voting Assistance Program it continually came to the attention of those involved in it that career military personnel have had numerous problems in determining their voting residence (domicile). Normally, one's domicile of origin remains until one has clearly established his intention of effecting a change. This is a fact of law determined by statute and court decisions that vary from State to State.

One fact that has been nearly uniform until the last few years is that a person residing on a military installation could not gain a new domicile in the State where he was stationed. This usually does not work a hardship on a person serving a two- or even a four-year term of military service. It does, however, frequently create undue difficulties for a career man.

One frequently enters the service from one State, marries a person from another, and never again returns either to his home State or that of his wife on any permanent basis. Shopping centers replace homesites and highways go through farms. Mothers and fathers move. Accordingly, members of the Armed Forces often have no permanent "home of record" in the old sense of the phrase. Where

is such a person supposed to vote?

In 1968 President Johnson urged the Congress to enact legislation urging the States to permit members of the military establishment to acquire a domicile in a new State even though they were residing on a military installation. The rationale for such a proposal seemed evident and the Congress responded with P. L. 90-344, 90th Congress. The States once again have been made aware of this suggested legislation and now are considering its merit.

In the past the concept of a Federal enclave being created in a State's territory by the establishment of a military installation has given way to a far greater cooperation between the Federal installation and local and State authorities. Normally process is now served and State laws in general are adhered to on Federal installations. Certainly it makes sense to allow a member of the Armed Forces to gain the right to vote in a new State if he meets the other legal requirements even if he does reside "on base." He has this right now if he resides "off base." Such legal distinctions have no place in barring a person from exercising his right to participate in elections, particularly if he may be called upon to give his life in defense of that right for others.

Public Law 90-344 makes one other substantive suggestion. It recommends a more simplified attestation procedure for persons covered by the Act. Military personnel usually have little difficulty in finding a commissioned officer to sign the necessary affidavit on the Federal Post Card Application and on the balloting material. This is not always true for civilians residing abroad, however.

Frequently members of the Peace Corps or teams from the Department of Agriculture may be miles away from any U. S. Consulate or Embassy. This new amendment suggests to the States that they accept as attestation officials those officials duly authorized by the head of any Federal department or agency to attest documents. This suggestion grew out of the bitter experience of many dedicated Americans who were disenfranchised because they were doing a job that required them to be long distances from anyone with designated notarial powers.

## RECOMMENDATIONS

The Federal Voting Assistance Program has long enjoyed its close and cooperative working relationship with the elected and appointed officials of the various States. It is

strongly recommended that this relationship be actively maintained and nurtured. It is further recommended to the States that they examine the recent recommendations of the Congress that suggest to the States that they enact the necessary legislation or take the appropriate administrative procedures to permit all Americans temporarily residing abroad to use the simplified procedures of the Federal Voting Assistance Act.

It is further recommended that the States take immediate initiative to amend their constitutions when necessary and to enact legislation where required to permit military personnel residing on military installations to acquire a domicile which will enable them to register and vote. Certainly the States will see fit immediately to examine their requirements for attestations of balloting material and hopefully they will follow the suggestion of the new Federal legislation.

REPORTS OF THE FEDERAL CIVILIAN AGENCIES - 1968 ELECTIONS

Agency	Total Eligible	Number Voted	Percentage
Agency for International Development	7447	1677	22.5%
Department of Agriculture	163	65	39.8%
American Battle Monuments	43	24	55.8%
Department of Commerce	35	20	27%
Department of Defense	3249	555	17%
Federal Aviation Agency	155	28	18%
General Accounting Office	66	14	21.2%
Department of Interior	148	32	21.6%
Department of Justice	201	93	46.2%
Maritime Administration	60,000	12,000	20%
National Aeronautics and Space Administration	319	83	26%
Peace Corps	12,385	1812	14.4%
Department of State	9994	3577	35.7%
Department of the Treasury	65	24	36.9%
U.S. Coast Guard	24,220	16,810	69%
U.S. Information Agency	1783	647	36.2%
Veterans Administration	72	31	43%
<b>TOTALS</b>	<b>120,345</b>	<b>37,492</b>	<b>31%</b>