

# The Federal Voting Assistance Program

Seventeenth Report



October 2005

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## Seventeenth Report

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



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# EXECUTIVE SUMMARY

## Introduction

This is the seventeenth report since the enactment of the *Federal Voting Assistance Act* of 1955. It covers the time period from 2000 through 2005, with a focus on the November 2004 election. Certain sections include data from 2005 in order to provide current information on legislative initiatives and the DOD electronic voting project.

The *Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA)* of 1986 (42 USC 1973ff) provides the authority for the Federal Voting Assistance Program (FVAP). Under the *UOCAVA*, the President designates the head of a federal department or agency to administer federal voting assistance responsibilities. The 1988 Executive Order 12642 named the Secretary of Defense as the Presidential designee for administering the *UOCAVA*. The Director, FVAP carries out the federal functions for the Presidential designee.

The *UOCAVA* requires the States/territories to allow certain citizens to register and vote in elections for federal offices using absentee procedures. These citizens include members of the Uniformed Services, the merchant marine, their family members; the commissioned corps of the Public Health Service (PHS) and the National Oceanic and Atmospheric Administration (NOAA); federal civilian employees overseas; and other overseas U.S. citizens not affiliated with the federal government. These groups total more than 6 million eligible voters worldwide. In addition to voting in federal elections, most States/territories allow the Uniformed Services members to register and vote absentee for State/territory and local offices.

Executive Branch departments and agencies with employees overseas provide voting assistance under guidance from the Presidential designee. These departments and agencies utilize informational materials and services provided by FVAP. The Department of State (DOS), through its embassies/consulates, provides absentee voting information and assistance to U.S. citizens outside the United States. In addition, U.S. embassies/consulates, in selected areas, make the diplomatic pouch available to citizens for sending election materials back to the U.S.

The U.S. Postal Service (USPS) and the DOD Military Postal Service Agency (MPSA) facilitate the physical transmission of election materials between the voter and local election officials.

The General Services Administration (GSA) prints the Federal Post Card Application (FPCA) and the Federal Write-In Absentee Ballot (FWAB) and distributes these forms upon request from federal departments and agencies.

The U.S. Attorney General in the Department of Justice (DOJ) enforces the provisions of the *UOCAVA*.

## Survey Overview

The *Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA)*, PL 99-410 (as amended), requires the Federal Voting Assistance Program (FVAP) to:

“not later than the end of each year after a Presidential election year, transmit to the President and the Congress a report on the effectiveness of assistance under this title, including a separate statistical analysis of uniformed services voter participation, a separate statistical analysis of overseas nonmilitary participation, and a description of State-Federal cooperation.”

Thus, the FVAP conducts a post-election survey: (1) to determine participation in the electoral process by *UOCAVA* citizens; (2) to assess the impact of the FVAP’s efforts to simplify and ease the process of voting absentee; (3) to evaluate other progress made to facilitate absentee voting participation; and (4) to identify any remaining obstacles to voting by these citizens.

In 2004, to evaluate the effectiveness of the FVAP and to obtain other information essential to improving absentee voting procedures, a separate survey was sent to each of the following 6 population groups: Uniformed Services members in the U.S. and overseas, federal civilians overseas, non-federally employed overseas citizens, local election officials, Uniformed Services Unit Voting Assistance Officers (UVAOs), and Department of State (DOS) VAOs. For the second time since 2000, questionnaires were available over the Internet for responses from these groups. Also, this year the FVAP conducted the first email-only survey sent to DOS VAOs.

Using contractor support, paper surveys were distributed beginning November 3, 2004. Websites became available for responses on November 3, 2004 as well. Paper and website responses were accepted until March 31, 2005. Response rates for all populations were adequate for data analysis and comparison purposes.

## Survey Highlights

- Interest in the election was very high among all groups. The high rate of voter participation in all groups can be attributed to an effective voter information and education program with command support and agency emphasis on the voting program by each of the Services and the DOS. State/territory progress in simplifying their absentee voting procedures is also an indicator. In 2004, voting participation for Uniformed Services members, federal civilians overseas, and non-federally employed overseas citizens was higher than in any past Presidential election.
- The total voting participation rate among the Uniformed Services members was 79% in 2004, as compared to the 64% rate of the general public. Participation includes 53% voting absentee (37% in 2000), 20% voting in person (no change from 2000), and 6% attempting to vote (12% in 2000). The 79% overall participation rate is an increase of 10 percentage points from 2000.



- The total voting participation rate among federal civilian employees overseas was 80% in 2004. Participation includes 72% voting absentee (52% in 2000), 5% voting in person (3% in 2000) and 3% attempting to vote (10% in 2000). The 80% overall participation rate is an increase of 15 percentage points from 2000.
- The total voting participation rate among non-federally employed overseas U.S. citizens was 58% in 2004. Participation includes 49% voting absentee (20% in 2000), 4% voting in person (2% in 2000) and 5% attempting to vote (15% in 2000). The 58% overall participation rate is an increase of 21 percentage points from 2000.
- The 2004 post election results for Uniformed Services members and U.S. civilians overseas reflect the DOD's dedicated effort to improve the absentee voting process. The number of unsuccessful attempts to vote in each population group was cut by one-half to over two-thirds. As a reason for not voting, not knowing how to get an absentee ballot has decreased significantly for all groups. Contributing to this success was the increased number of worldwide training workshops conducted. There were 164 workshops conducted in 2004 compared to 62 in 2000.
- The FPCA continues to be the primary method used to register and request an absentee ballot. Of those who requested an absentee ballot, 64% of Uniformed Services members used the FPCA, compared to 68% of federal civilians overseas and 64% of non-federally employed overseas U.S. citizens. The online FPCA showed significant usage. The online FPCA was accessed 774,385 times between November 2003 and December 2004.
- For the Uniformed Services population, the most commonly used form of voting assistance continued to be the Voting Assistance Officer (VAO), followed by the FVAP website and the *Voting Assistance Guide (VAG)*. For federal civilians overseas, however, the FVAP website and the *VAG* were the most used forms of voting assistance. For non-federally employed overseas U.S. citizens, the embassy/consulate VAOs and the FVAP website were the most used forms of assistance.
- Use of the FVAP website increased significantly for all populations since the last report with a satisfaction rate of 90%. The FVAP website was accessed 8,238,711 times between November 2003 and December 2004.
- Voters requested their ballots earlier in 2004 and ballots were being received earlier as well. Survey respondents from all groups reported a higher percentage of ballots returned in 2004.
- Sixty-seven percent of Uniformed Services VAOs provided voting assistance to 25 or more people. Fifty percent of DOS VAOs provided voting assistance to 501-2000 voters.
- Sixty-seven percent of the local election official respondents accepted electronically transmitted (faxed) FPCA requests for absentee ballots in 2004. Twenty-four percent (18% in 2000) of the local election officials faxed blank absentee ballots to *UOCAVA* citizens and 30% (13% in 2000) accepted faxed voted ballots from these citizens.

- The top three problems the local election officials reported when processing FPCAs were no or inadequate voting residence address, mailing address inadequate, or writing illegible.
- Seventy-five percent of local election officials said that they acknowledged the FPCA by using the FPCA return postcard. Fifty-one percent began mailing absentee ballots on or before September 25<sup>th</sup>, while 93% mailed absentee ballots by October 9<sup>th</sup>.

# PROGRAM RESULTS

## Interest in the Election

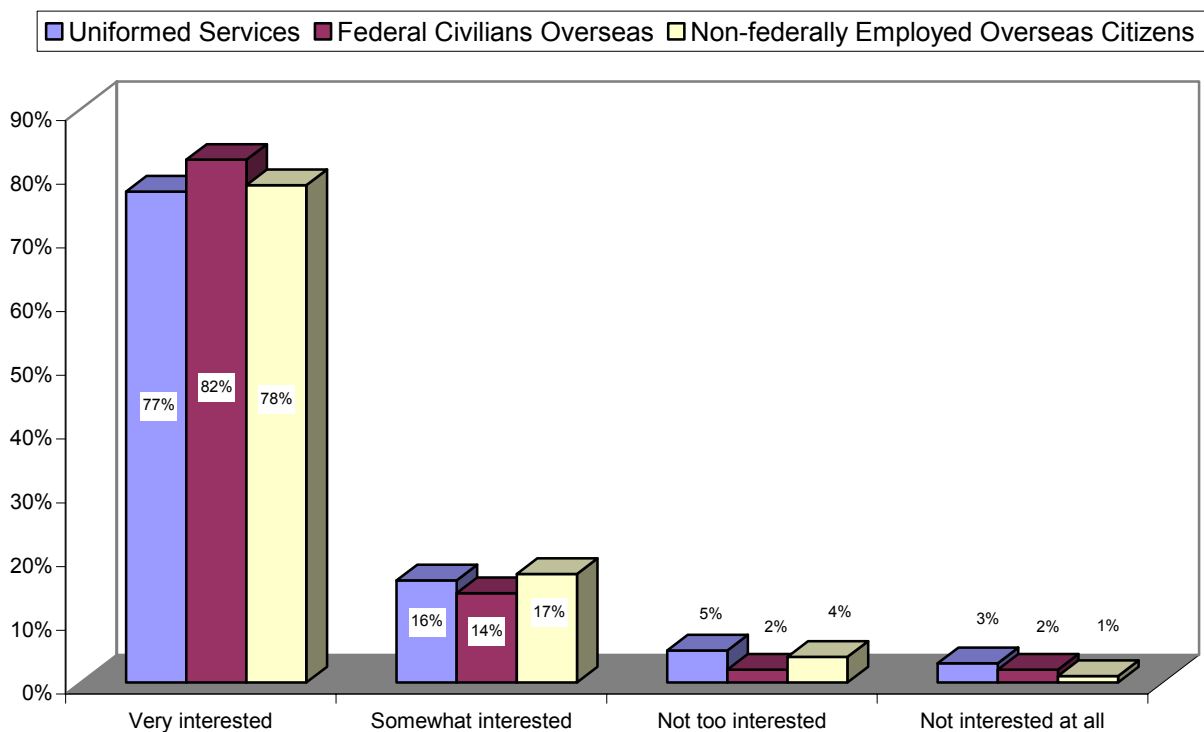
The high rate of voter participation in all groups can be attributed to an effective voter information and education program with command support and agency emphasis on the voting program by each of the Services and the DOS. State/territory progress in simplifying their absentee voting procedures and increased interest in the 2004 general election contributed to increased voter participation as well (see Chart 1 for 2004 figures).

Ninety-three percent of Uniformed Services members responded that they were very interested (77%) or somewhat interested (16%) in the 2004 general election. Those very interested increased 12 percentage points from the 2000 general election.

Ninety-six percent of federal civilians overseas responded that they were very interested (82%) or somewhat interested (14%) in the 2004 general election. Those very interested increased 15 percentage points from the 2000 general election.

Ninety-five percent of non-federally employed overseas citizens responded that they were very interested (78%) or somewhat interested (17%) in the 2004 general election. Those very interested increased 21 percentage points from the 2000 general elections.

**CHART 1**  
**INTEREST IN 2004 ELECTION**



## **Population Characteristics and Voting**

The survey requested information about respondents such as age, pay grade (for Uniformed Services), length at current duty station or country and voting behavior (participation) in the 2004 election. This information is correlated with other voting data from the survey. Chart 2 indicates voting participation in 2004 for the Uniformed Services, federal civilians overseas and non-federally employed overseas citizens. Voting participation includes those who voted by absentee ballot, those who voted in person, and those who attempted to vote. Attempted to vote covers those instances where ballots arrived late or not at all. This could be caused by a number of factors to include lack of sufficient ballot transit time because of late primaries, last minute challenges to ballot access and position, printing delays; mail delays; mobility of the voter; ballot request was close to or after the state deadline; request was illegible, contained insufficient information, or was not received by the local election official; voter registered in a jurisdiction in which he/she was not eligible to vote; or the voter did not update his/her mailing address.

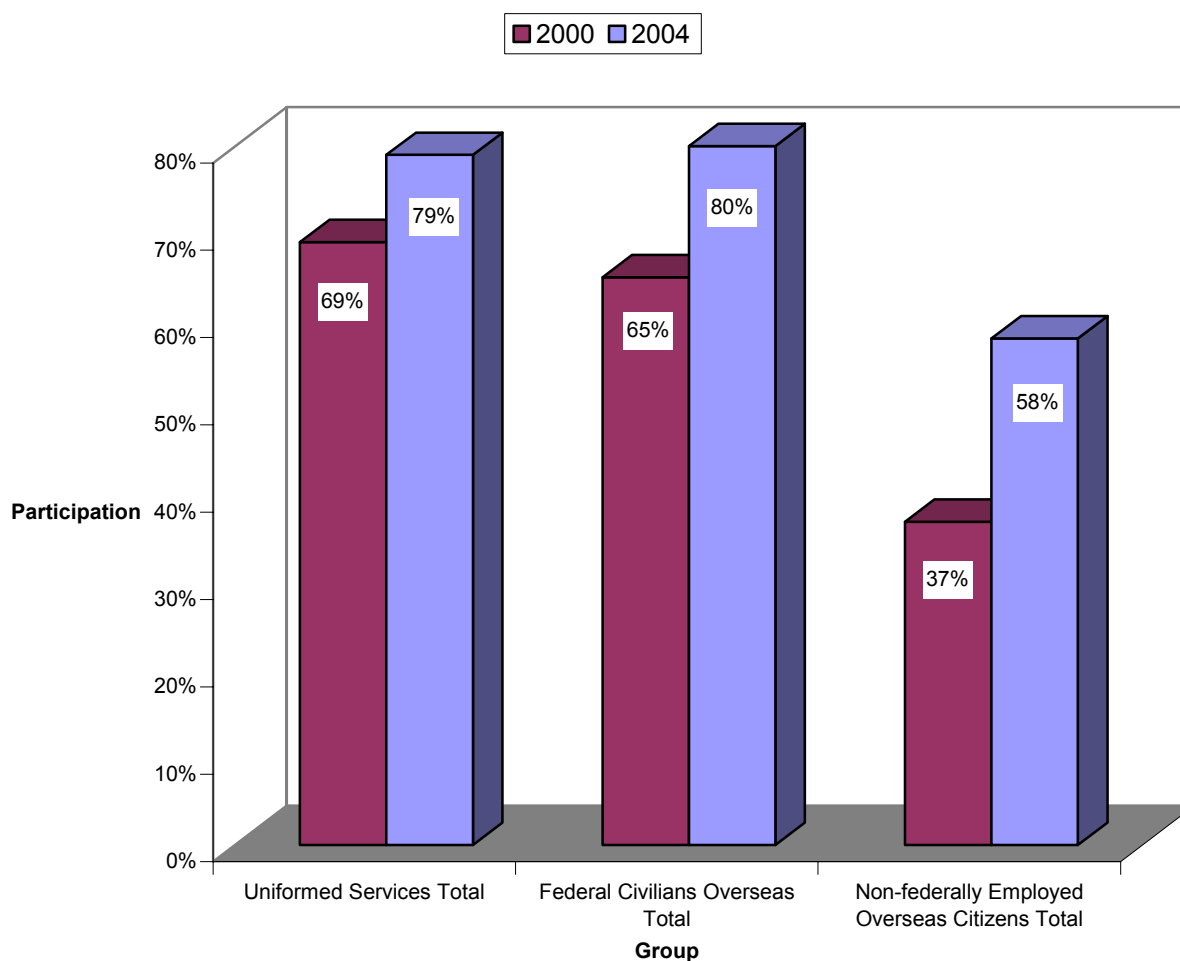
For all populations, voting participation increased in the double digits between 2000 and 2004. The intense interest in the election, as well as extensive voter outreach and assistance efforts by the DOD, the FVAP, the Services, the DOS, U.S. embassies/consulates, overseas citizens organizations and State/territory and local election officials all contributed to the increased participation.

The overall Uniformed Services voting participation was 79% in 2004. As shown in Chart 2, this represents an increase of 10 percentage points from 2000. The 79% participation for the Uniformed Services is 15 percentage points higher than the 64% voting rate of the general public in 2004 (Source: U.S. Census Bureau). Fifty-three percent of Uniformed Services members voted by absentee ballot in 2004, an increase of 16 percentage points from 2000. Since 1984, the voting participation rate of Uniformed Services members in Presidential elections has consistently exceeded the voting participation rate of the general public.

The overall federal civilian overseas voting participation was 80% in 2004. This represents an increase of 15 percentage points from 2000. Seventy-two percent of federal civilians overseas voted by absentee ballot in 2004, an increase of 20 percentage points from 2000. Voting in person also increased for this population.

The overall non-federally employed overseas citizen voting participation was 58% in 2004. This represents an increase of 21 percentage points from 2000. Forty-nine percent voted by absentee ballot, an increase of 29 percentage points from 2000. Voting in person increased for this population as well.

**CHART 2**  
**2000-2004 VOTING PARTICIPATION**



The rates for those attempting to vote have declined from 2000 to 2004. This decrease, as shown by participant responses, indicates that the FVAP's information and education program, as well as voting material distribution (including pre-positioning of the FWAB) worked effectively. Concerted efforts by local election officials to mail ballots in enough time to allow voters to return them, the FVAP/DOJ monitoring of ballot mailing dates, electronic ballot transmission alternatives, ombudsman support, USPS/MPSA and DHL/FedEx/DOS mail initiatives, and increased DOD emphasis on voter education and awareness are likely reasons for the significant improvements in this area.

Chart 3 displays the correlation between age and voting participation by the Uniformed Services in 2004. At each age range, the proportion of those voting absentee, voting in person or attempting to vote, increased progressively from 61% for the 18-24 age group to 89% for the 45+ age group.

**CHART 3**  
**2004 UNIFORMED SERVICES VOTING PARTICIPATION BY AGE**

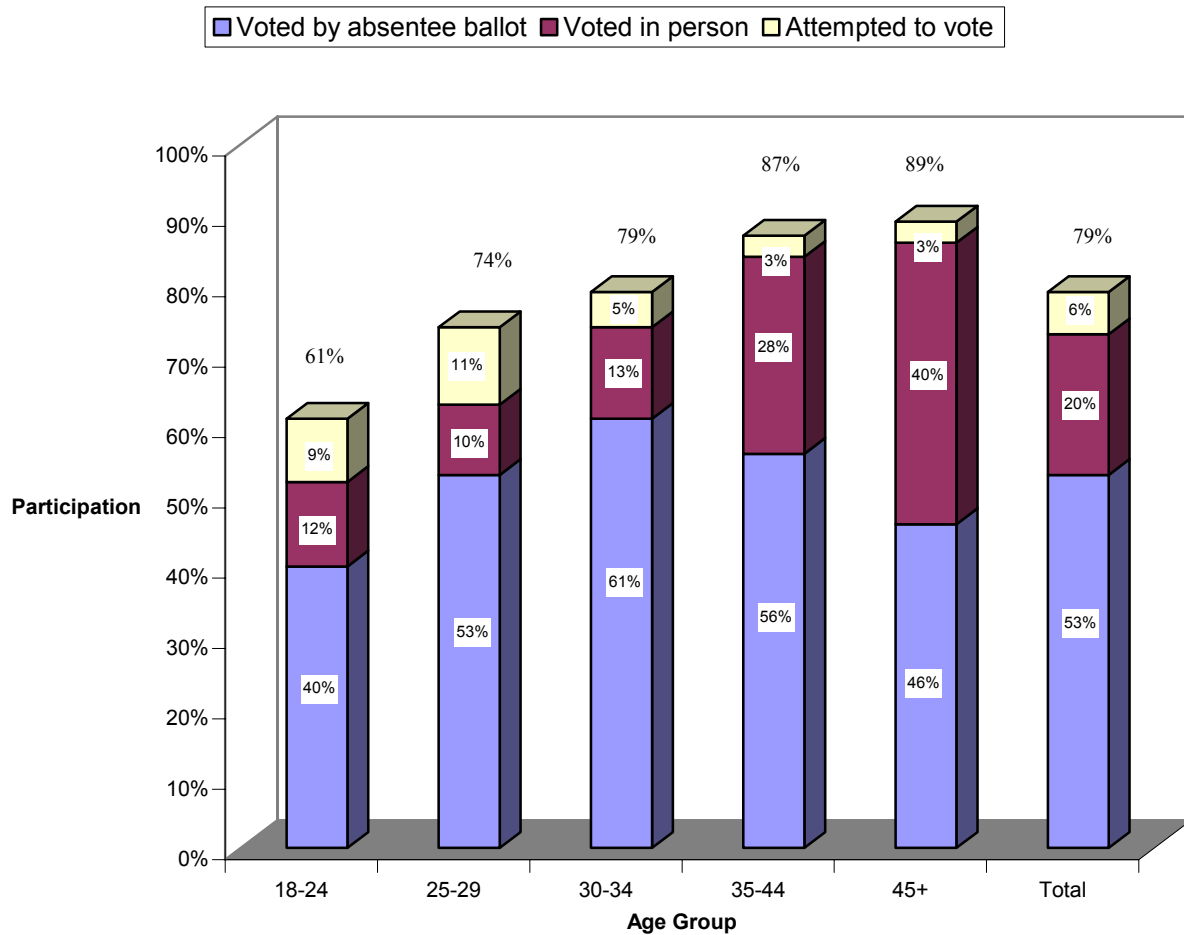


Table 1 shows that all age ranges increased their voting participation in 2004.

**TABLE 1**  
**CHANGE IN VOTING PARTICIPATION FOR UNIFORMED**  
**SERVICE AGE RANGES BETWEEN 2000 AND 2004**

AGE RANGE UNIFORMED SERVICES	2000 VOTING PARTICIPATION (%)	2004 VOTING PARTICIPATION (%)	PERCENTAGE POINT INCREASE OVER 2000
18-24	52	61	+9
25-29	63	75	+12
30-34	69	79	+10
35-44	78	87	+9
45+	85	89	+4
Total	69	79	+10

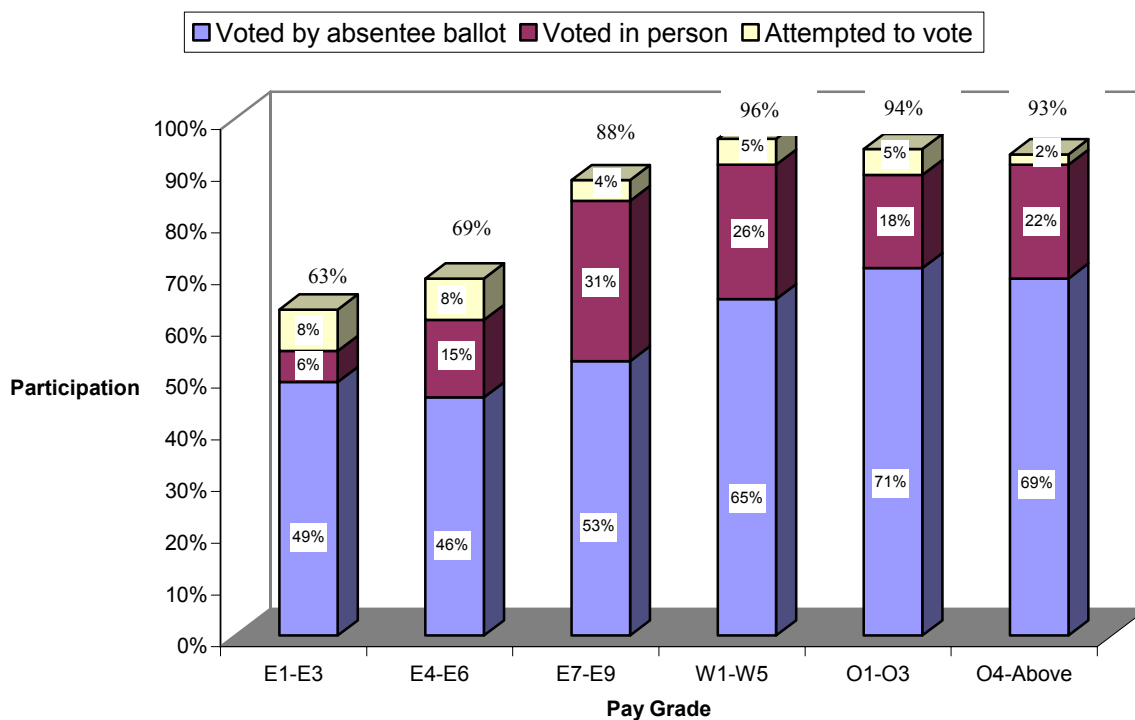
The highest voting participation rates in 2004 were in the 35-44 (87%) and the 45+ (89%) age groups. The greatest increase occurred in the 25-29 age group which had a voting participation rate of 75%. This represents an increase of 12 percentage points from 2000.

Interest in the 2004 election was high among all age groups ranging from 83% for the 18-24 age group and steadily increasing to 99% for the 45+ age group.

Generally, officers in the Uniformed Services are older than enlisted personnel and vote at a higher rate. Survey results show that participation rates increase as rank increases (see Chart 4 for the 2004 figures).

The junior officer ranks (O1-O3) participated at a rate of 94% (85% in 2000) and the officer ranks of O-4 and above had a participation rate of 93% (90% in 2000). The highest participation rate, however, was among the Warrant Officer rank with 96% (67% in 2000). This represents an increase of 29 percentage points from 2000. The second highest increase was in the E1-E3 pay grades with 63% voting participation (46% in 2000). This represents an increase of 17 percentage points from 2000. A likely reason for this increase is that voting information and forms are provided at basic training and at subsequent assignments. The E4-E6 pay grades voting participation increased to 69% from 62% in 2000 and the E7-E9 pay grades to 88% from 80% in 2000.

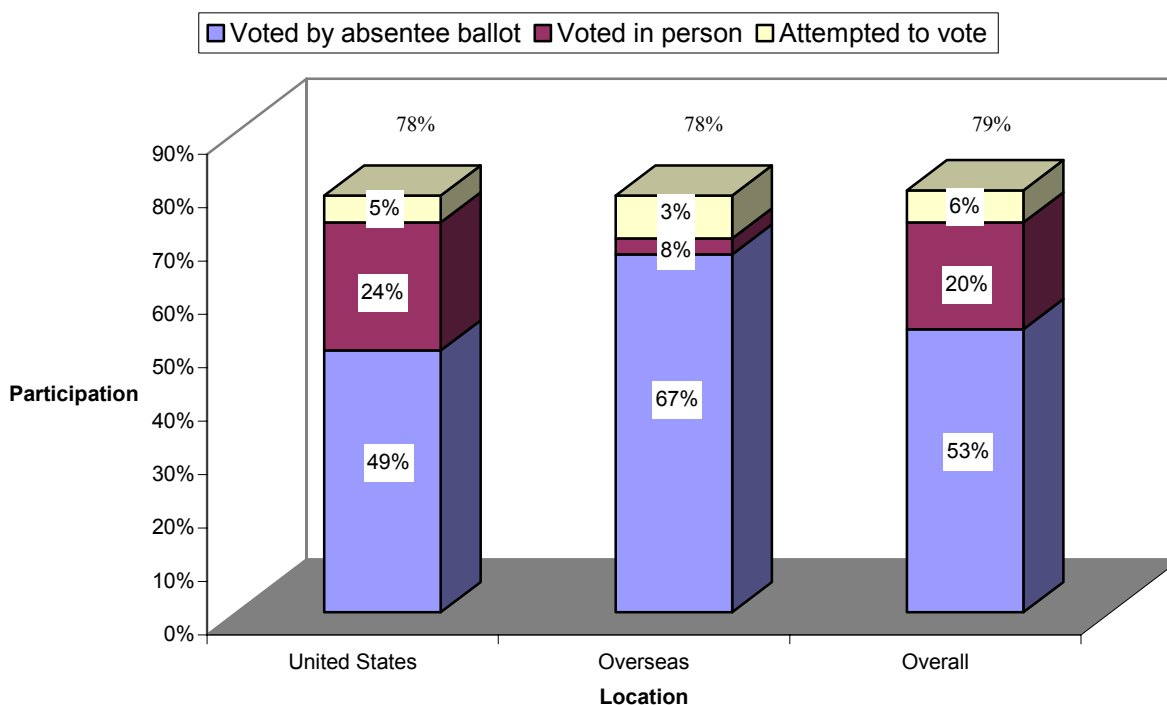
**CHART 4**  
**2004 UNIFORMED SERVICES VOTING PARTICIPATION BY PAY GRADE**



There is a clear tendency for the Uniformed Services members who have been stationed in a particular location for an extended period of time to have a greater voting participation rate than those who recently arrived at a duty station. In 2004, however, large increases occurred in the 0-6 month and the 6 month-1 year categories. In the 0-6 month category, 82% participated, an increase of 12 percentage points from 2000; in the 6 month-1 year category, 76% participated, an increase of 16 percentage points from 2000; and finally, in the 2-3 year category, 82% participated, an increase of 17 percentage points from 2000. Voting indoctrination for new arrivals at the new duty station is one of the major reasons for this increase.

Chart 5 compares the voting participation between the Uniformed Services members stationed in the U.S. and those stationed overseas. Seventy-eight percent of Uniformed services members in the U.S. participated, and 78% of Uniformed Services members overseas participated. This represents an increase of 8 percentage points and 15 percentage points respectively from the 2000 election. Many factors contributed to the marked increase in voting among Uniformed Services members overseas including: command support; the USPS/MPSA expeditious handling of voting materials; increased availability of the FPCA and FWAB forms at overseas locations and on military installations; online versions of the FPCA and the FWAB; increased number of Voting Assistance Officer worldwide training workshops conducted by FVAP in 2004; trained and equipped VAOs; multimedia coverage; designation of Absentee Voting Week in addition to Overseas Citizens Voting Week and Armed Forces Voting Week; electronic transmission of voting materials, toll-free voting assistance; and, State/territory and local election official cooperation and assistance in facilitating effective voting opportunities.

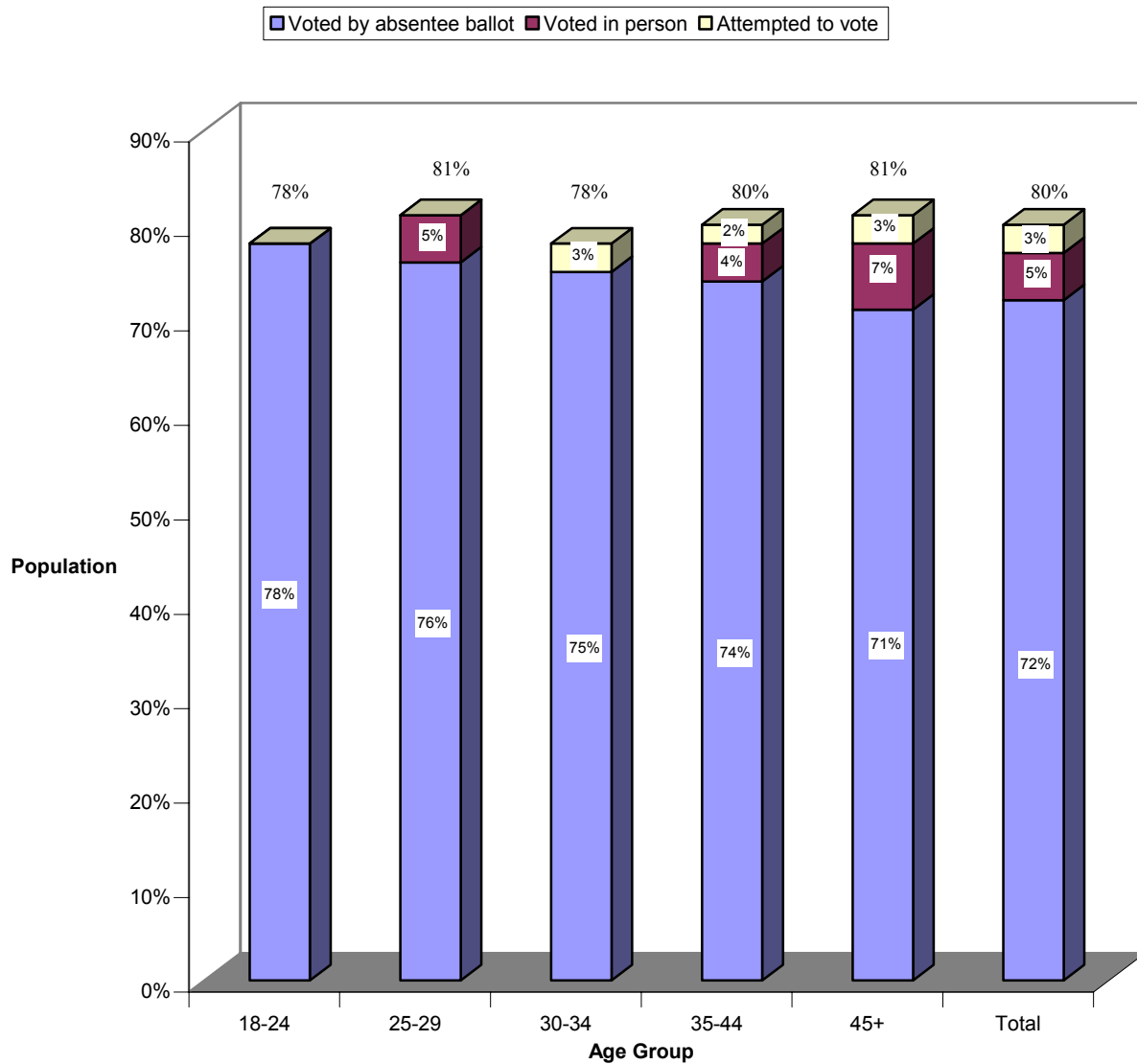
**CHART 5**  
**2004 UNIFORMED SERVICES VOTING PARTICIPATION BY LOCATION**





Over two-thirds of the federal civilian overseas respondents belonged to the 45+ age group. This age group, along with the 25-29 age group had the highest voting participation rates, both totaling 81%. Voting participation by age group ranged from 78% to 81% (see Chart 6).

**CHART 6**  
**2004 FEDERAL OVERSEAS CIVILIANS PARTICIPATION BY AGE**



As shown in Table 2, all age ranges increased their voting participation from 2000 with the exception of the 18-24 age group. The 18-24 age group had a low number of respondents in 2000 that resulted in skewed figures.

**TABLE 2**  
**CHANGE IN VOTING PARTICIPATION FOR FEDERAL CIVILIANS**  
**OVERSEAS AGE RANGES BETWEEN 2000 AND 2004**

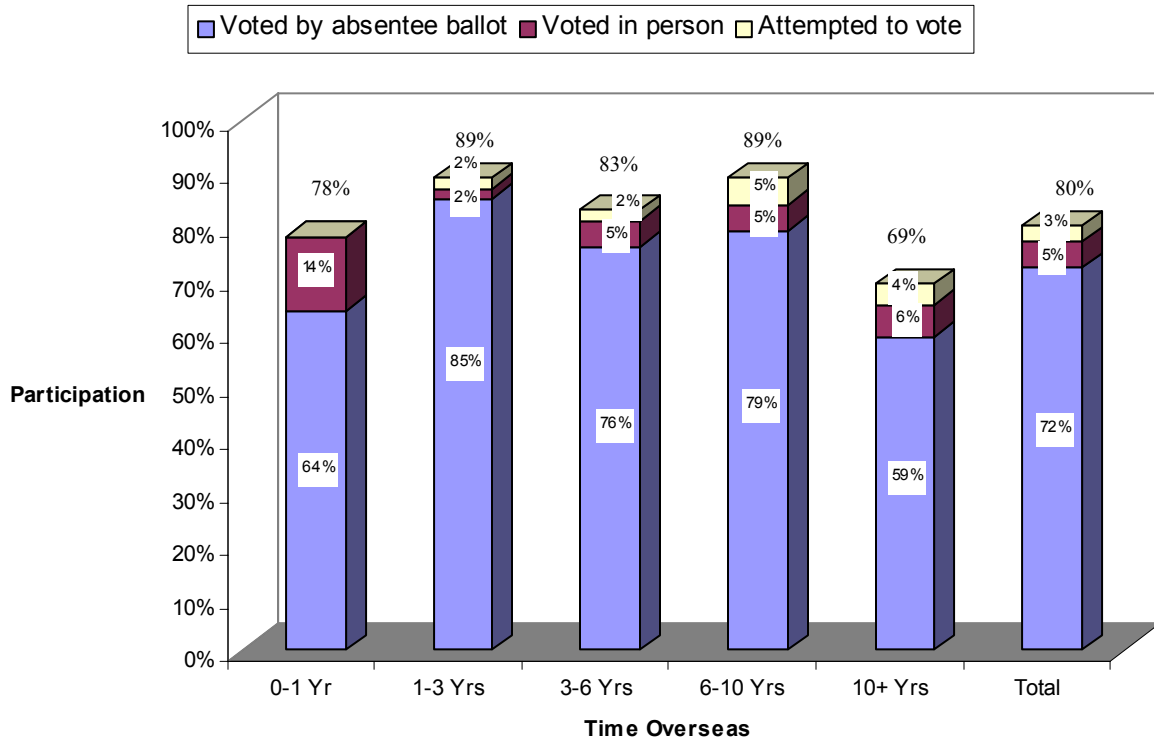
AGE RANGE FEDERAL CIVILIANS OVERSEAS	2000 VOTING PARTICIPATION (%)	2004 VOTING PARTICIPATION (%)	PERCENTAGE POINT INCREASE/DECREASE OVER 2000
18-24	100*	78	-22
25-29	43	81	+38
30-34	62	78	+16
35-44	66	80	+14
45+	66	81	+15
Total	65	80	+15

\* The 18-24 age group had a low number of respondents in 2000 that resulted in skewed figures.

Interest in the 2004 election was high among all age groups ranging from 90% for the 30-34 age group and increasing to 100% for 18 to 24 age group.

Based on total time overseas, the voting participation for federal civilians overseas ranged from 69% to 89% (see Chart 7).

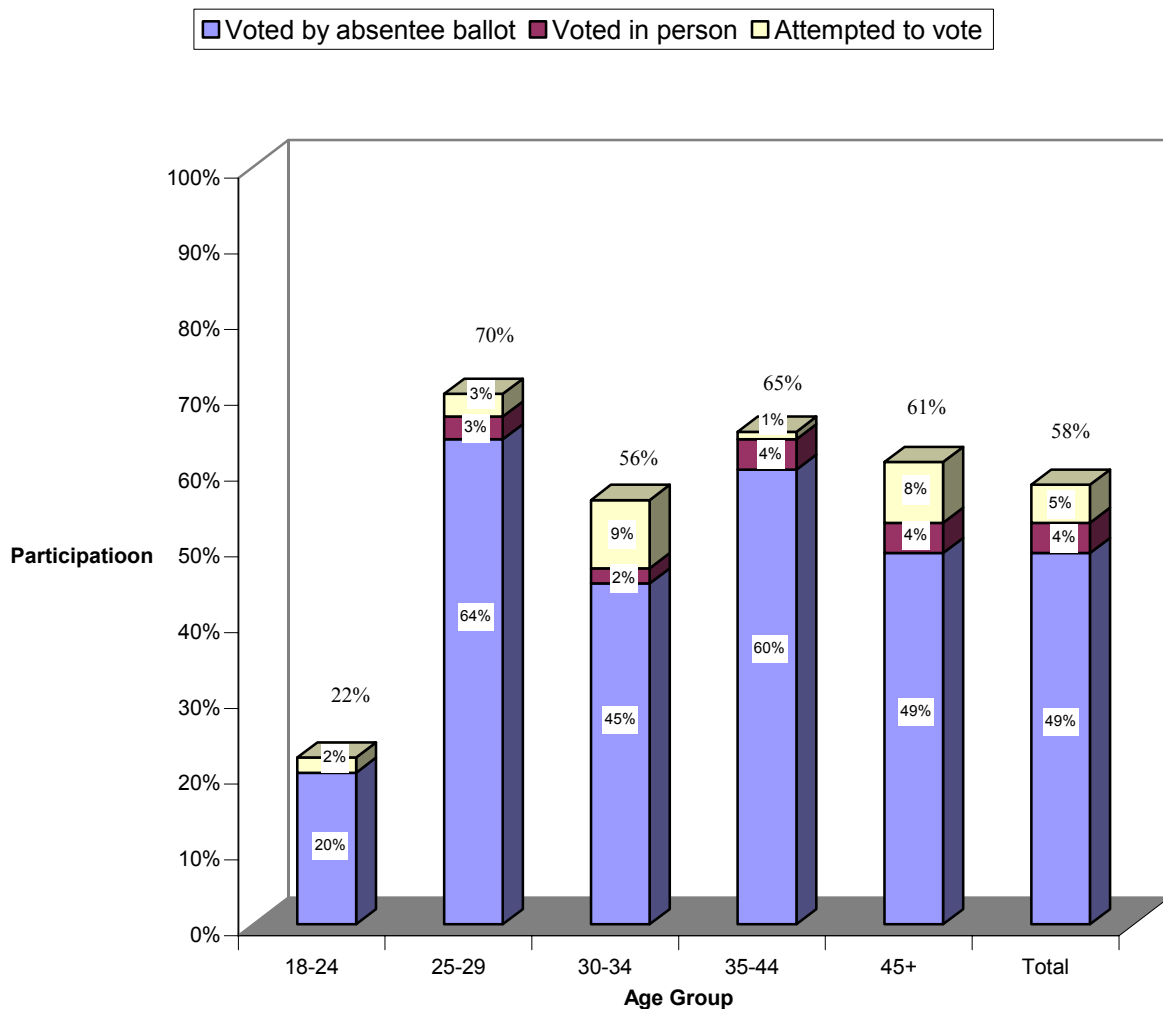
**CHART 7**  
**2004 FEDERAL CIVILIANS OVERSEAS VOTING PARTICIPATION BY TIME OVERSEAS**



Voting participation ranged from 60% for those who had resided in their current country from 0-6 months to 92% for those in their current country between 2-3 years. Sixty-one percent of the federal civilian overseas respondents had lived in their current country for 3 or more years and 93% had lived outside the U.S. for 1 year or more. Those overseas 0-1 year may have a lower voter participation rate because they did not know how to vote absentee or were otherwise occupied in settling into their new environment.

Chart 8 shows that voting participation in 2004 among non-federally employed overseas citizens was highest in the 25-29 age group with 70%. This age group had the highest percentage increase (42 percentage points) from 2000.

**CHART 8**  
**2004 NON-FEDERALLY EMPLOYED OVERSEAS CITIZENS VOTING PARTICIPATION BY AGE**



With the exception of the 18-24 age group, where there was a low number of respondents, all age ranges increased their voting participation in 2004 (see Table 3).

**TABLE 3**  
**CHANGE IN VOTING PARTICIPATION FOR NON-FEDERALLY EMPLOYED OVERSEAS CITIZEN**  
**AGE RANGES BETWEEN 2000 AND 2004**

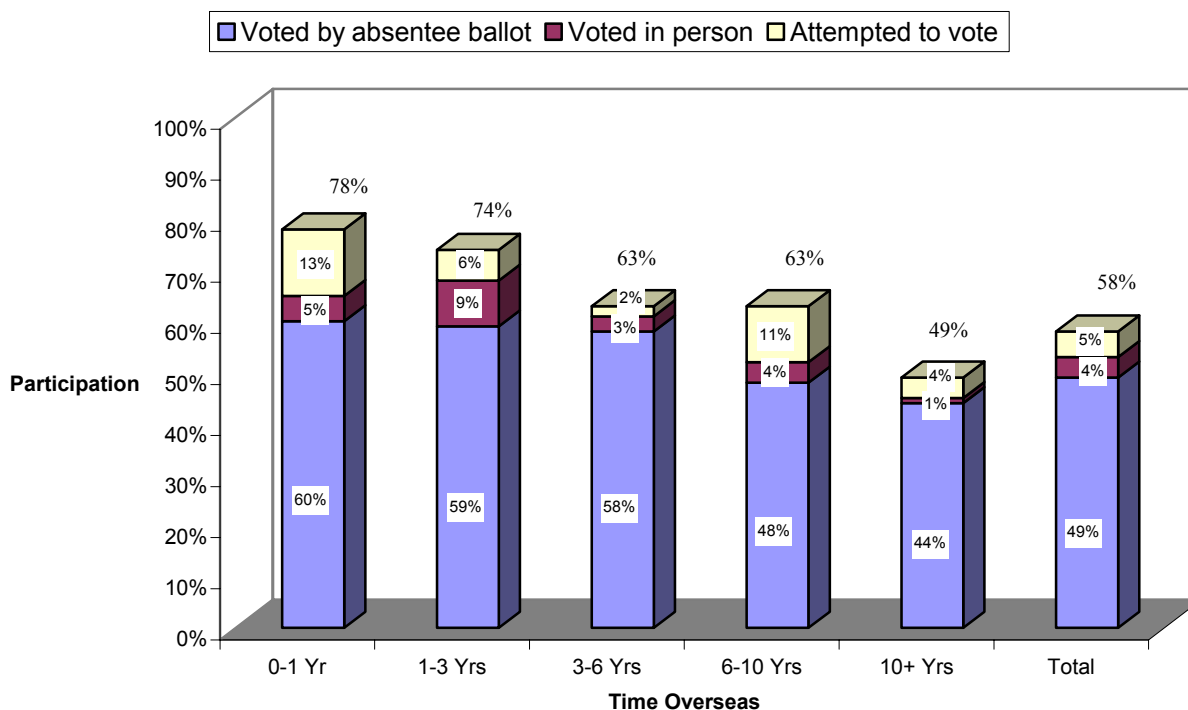
AGE RANGE NON-FEDERAL OVERSEAS CITIZENS	2000 VOTING PARTICIPATION (%)	2004 VOTING PARTICIPATION (%)	PERCENTAGE POINT INCREASE OVER 2000
18-24	29	22	-7
25-29	28	69	+41
30-34	37	55	+18
35-44	37	66	+29
45+	39	61	+22
Total	39	58	+19

Voting participation was fairly even among the age groups except for the 18-24 age group (see Table 3). Similarly, interest in the 2004 election was high among all age groups ranging from 92% for the 18-24 age group and increasing to 98% for the 25-29 age group.

Since 1999, the DOD has focused on encouraging voting participation among the youth (18-29 year olds). Historically, the 18-24 age group has had the lowest voter turnout. The high voter participation rate in the 25-29 age group for federal civilians overseas and non-federally employed overseas civilians maybe a carryover from past outreach to, and participation of, 18-24 year olds who are now in the 25-29 age group.

Voting participation ranged from 49% for those who had been abroad 10 years or more to 78% for those who had lived overseas from 0-1 year (see Chart 9). There was a tendency for voting participation to decline as time spent abroad increased. Based on total time in the current country of residence, voting participation ranged from 51% for those who had resided in their current country 3 years or more to 79% for the 6 months-1 year and 1-2 year groups. The vast majority (72%) of non-federally employed overseas citizens had resided in the country where they were currently living for more than 3 years. Of these, 52% had resided outside the U.S. for more than 10 years.

**CHART 9**  
**2004 NON-FEDERALLY EMPLOYED OVERSEAS CITIZENS**  
**VOTING PARTICIPATION BY TIME OVERSEAS**



### Reasons for Not Voting

Respondents were asked if they voted in the November 2004 general election. If they did not vote, they were asked to provide the reasons for not voting. These reasons indicate whether the citizen intends non-participation or if procedural obstacles and/or lack of information prevent a citizen's desires and attempts to vote.

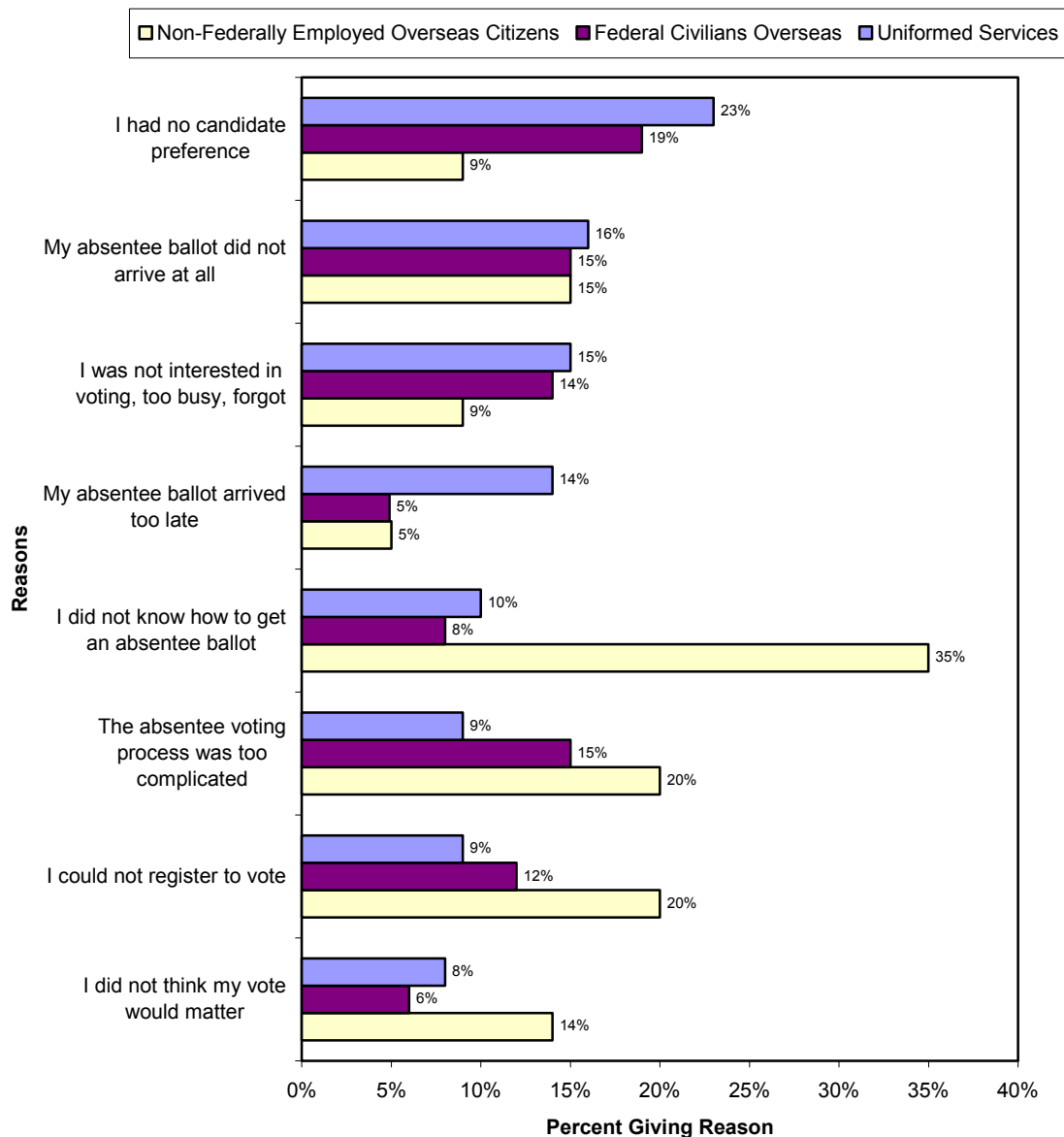
Chart 10 shows that the most common reason Uniformed Services members did not vote in 2004 was that they had no candidate preference (23%). The top reason in 2000 was that they did not know how to get an absentee ballot (26%) compared to 2004 where only 10% gave this as a reason for not voting, representing a decrease of 16 percentage points from 2000.

Among federal civilians overseas, the most common reason for not voting, as in 2000, was also no candidate preference (19% in 2004, 28% in 2000). Only 8% claimed that they did not know how to get an absentee ballot, representing a decrease of 13 percentage points from 2000.

Non-federally employed overseas citizens claimed not knowing how to get an absentee ballot (35%) as the most common reason for not voting, however, 49% gave this same reason in 2000. This represents a decrease of 14 percentage points from 2000. It is harder to reach these

overseas citizens since many do not live near or maintain contact with U.S. Embassies/Consulates. However, it is likely that these citizens were informed and educated about the absentee voting process in 2004 through the increased voter outreach by the FVAP, and by VAOs at U.S. Embassies/Consulates, overseas citizens organizations and U.S. corporations. The Internet also played an important role since citizens could access voting information and forms online.

**CHART 10  
REASONS FOR NOT VOTING**



## **Use of the Federal Post Card Application (FPCA)**

The FPCA continues to be the primary method of each population group to register and request an absentee ballot. Of the respondents who requested an absentee ballot, 64% (65% in 2000) of Uniformed Services members used the form. Most (57%) of the Uniformed Services members acquired the FPCA through Service channels (a decrease of 6 percentage points from 2000) and 23% obtained it directly from FVAP (an increase of 4 percentage points from 2000).

Among federal civilians overseas, 68% of the respondents who requested an absentee ballot used the FPCA (an increase of 8 percentage points from 2000). Of these, 51% obtained the FPCA through Service channels (about the same as in 2000 where it was 49%) and 15% directly from FVAP (a decrease of 6 percentage points from 2000).

Sixty-four percent (a decrease of 9 percentage points from 2000) of the non-federally employed overseas citizen respondents who requested a ballot did so using the FPCA. Of these, 47% (57% in 2000) obtained the FPCA from the U.S. embassy/consulate, 5% from an overseas organization or company, 15% from an election official (an increase of 9 percentage points from 2000) and 5% directly from FVAP (the same as in 2000).

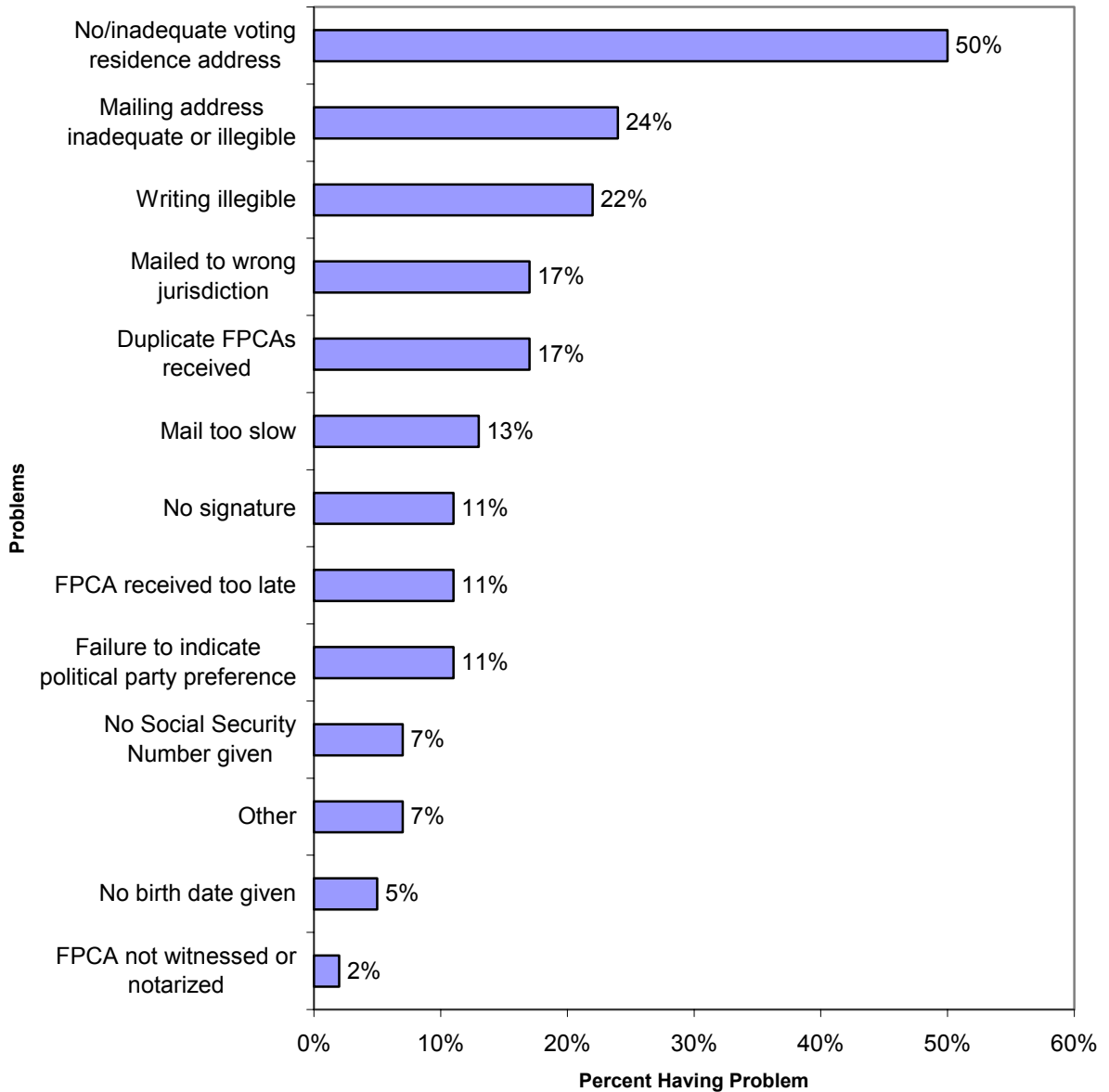
For the first time, the survey asked whether voters obtained the FPCA online. Nine percent of the Uniformed Services members, 23% of the federal civilians overseas and 25% of the non-federal overseas citizens indicated they used this method. This may explain why the rates listed in the previous paragraph noticeably changed.

The online FPCA was accessed 774,385 times on the FVAP website between November 2003 and December 2004.

## **Problems Experienced with FPCAs by Local Election Officials**

Local election officials were asked about problems encountered in processing FPCAs submitted by *UOCAVA* citizens. Although significant improvements have been made, the top reasons identified by local election officials in 2000 were again the top reasons in 2004. The leading problem continues to be the applicant's inadequate or lack of voting residence address within the local voting jurisdiction at 50% (a decrease of 23 percentage points from 2000). The second most cited problem in both years was the applicant's failure to provide an adequate or legible return mailing address at 24% (a decrease of 11 percentage points from 2000). The third most cited problem in 2004 was illegible handwriting at 22%. Next were mailing the FPCA to the wrong jurisdiction (a decrease of 9 percentage points from 2000) and duplicate FPCAs received (an increase of 4 percentage points from 2000), both at 17%. Significant improvements were made in regards to FPCAs received too late (a decrease of 7 percentage points from 2000) and FPCAs not witnessed or notarized (a decrease of 5 percentage points from 2000). Other reasons are shown in Chart 11.

**CHART 11**  
**PERCENTAGE OF LOCAL ELECTION OFFICIALS WHO**  
**EXPERIENCED THE FOLLOWING PROBLEMS**

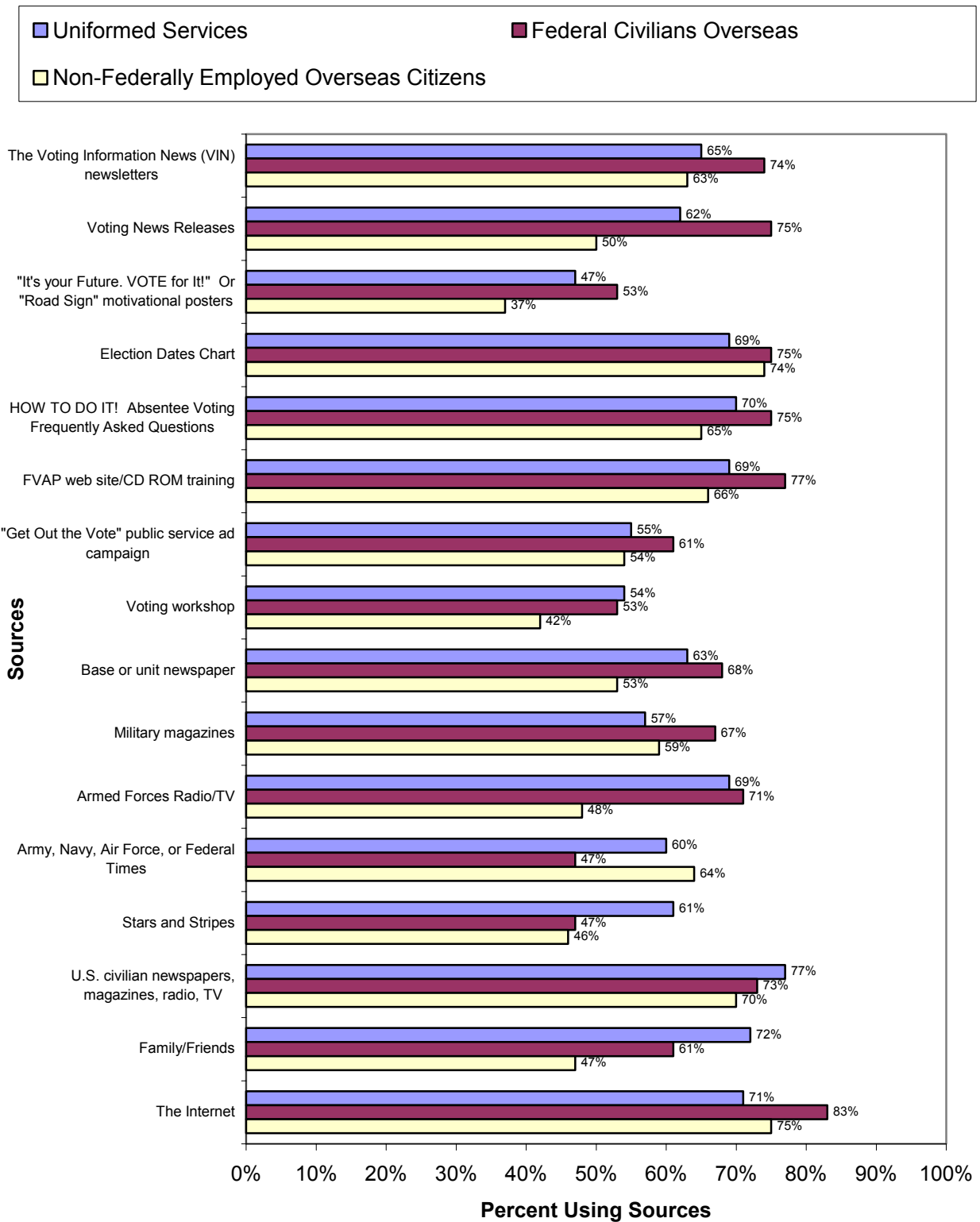


### **Sources of Voting Information and Assistance**

The survey asked citizens about various sources of voting information that they consulted in order to assist them in participating in the electoral process. Those sources include Voting Assistance Officers (VAOs), the *Voting Assistance Guide (VAG)*, FVAP's website, and various other sources of information. It also asked about their overall satisfaction with or usefulness of the assistance received. Chart 12 provides a list of FVAP sources of outreach and media voting information.



**CHART 12**  
**USEFULNESS OF VOTING INFORMATION**



For Uniformed Services members, 57% reported that they received voting information or assistance from a Uniformed Services VAO (an increase of 19 percentage points from 2000) and 93% were satisfied (49%) or very satisfied (44%) with the quality of assistance given by the VAO (an increase of 19 percentage points from 2000). The primary assistance received was obtaining the FPCA (56%). Of the Uniformed Services members who used the *VAG* in 2004, 93% (91% in 2000) rated it as a good (50%) or excellent (43%) source of assistance. In 2004, 21% (an increase of 14 percentage points from 2000) of Uniformed Services members used the website. The main reasons for not using it were that they did not know about it (49%) or they got the information they needed from other sources (46%). Of those who used it, 90% were satisfied (53%) or very satisfied (37%). This represents an increase of 20 percentage points from 2000, where the satisfaction rate was only 70%.

For Uniformed Services members in 2004, the most useful media sources for voting information were U.S. civilian newspapers, magazines, radio, and TV (77%) followed by family and friends (72%) and the Internet (71%). Among the FVAP publications, the most useful were the *How to Do It! Vote Absentee* pamphlet (70%), the Election Dates Chart (69%), the FVAP website/CD ROM training (69%) and the *Voting Information News (VIN)* newsletters (65%).

For federal civilians overseas, 22% received assistance from the Agency VAO (a decrease of 7 percentage points from 2000). Of those who contacted a VAO, 96% (an increase of 24 percentage point from 2000) were satisfied (48%) or very satisfied (48%) with the assistance provided. The main assistance received was help obtaining the FPCA (68%). Of the federal civilians overseas using the *VAG* in 2004, 93% (90% in 2000) rated it as a good or excellent source of assistance. Thirty-five percent used the FVAP website (an increase of 20 percentage points from 2000) with a satisfaction rate of 89% (54% satisfied, 35% very satisfied). This may partially account for the decrease in Agency VAO contacts. The top reason for not using the website was that they got the information they needed from other sources (59%).

In 2004, the Internet was the most useful media source of voting information for federal civilians overseas (83%). The second most useful source was U.S. civilian newspapers, magazines, radio, and TV (73%) followed by Armed Forces Radio/TV (71%). Federal civilians overseas found the FVAP website/CD ROM training most useful (77%), followed by the *How to Do It! Vote Absentee* pamphlet, Voting News Releases and the Election Dates Chart as the most useful FVAP sources (all 75%).

For non-federally employed overseas citizens, 31% received absentee voting assistance from a U.S. embassy/consulate VAO in 2004. Eighty-nine percent (63% in 2000) of those using U.S. embassy/consulate VAOs were satisfied (46%) or very satisfied (43%) with the information/assistance they received. Seventy-six percent (74% in 2000) of those who used the *VAG* rated it as a good (47%) or excellent (29%) source of information. Twenty percent used the FVAP website (an increase of 17 percentage points from 2000) with a satisfaction rate of 82% (60% satisfied, 22% very satisfied). The main reason for those who did not use the website was that they did not know about it (86%).

As with the federal civilian population, the Internet was the most useful media source of voting information for non-federally employed overseas citizens (75%). Also like the previous population, the second most useful source was U.S. civilian newspapers, magazines, radio, and TV (70%). Following these, however, was the *International Herald Tribune* (64%). For non-federally employed overseas citizens, the Election Dates Chart was the most useful FVAP information source (74%) followed by the website/CD ROM training (66%) and the *How to Do It! Vote Absentee* pamphlet (65%).

## **Transit Time**

Insufficient ballot transit time is a primary cause of disenfranchisement for *UOCAVA* voters. As described in the “Legislative Initiatives” section of this report, a transit time of 40-45 days is desired in order for an absentee voter to request the ballot, vote it and return it in time to be counted. Accordingly, the FVAP continues to encourage citizens to submit applications for an absentee ballot early in each calendar year even though the *UOCAVA* now requires the application be valid through 2 federal general elections. The FVAP also recommends that State/territory and local government officials mail out requested absentee ballots 40-45 days prior to the election and use electronic transmission alternatives to send ballots to citizens in order to allow sufficient time for ballot transit. The FVAP works closely with the DOJ to help ensure the maximum transit time allowed.

Notably, regardless of application method used, e.g, the FPCA, email, phone, 78% of Uniformed Services members requested their absentee ballots by September 2004 compared to 67% in 2000 (an increase of 11 percentage points from 2000). For federal civilians overseas, 86% made their requests for their absentee ballots by September 2004 compared to 77% in 2000 (an increase of 9 percentage points from 2000). Non-federally employed overseas citizens applied by this date at the rate of 83% compared to 66% in 2000 (an increase of 17 percentage points from 2000). These increases can be attributed to public education campaigns by VAOs and the FVAP, as well as early registration drives.

Most of the Uniformed Services members, federal civilians overseas, and non-federally employed overseas citizens received their absentee ballots during October (69%, 73% and 71% respectively). By the end of September, 22% (19% in 2000) of Uniformed Services members, 23% (24% in 2000) of federal civilians overseas, and 20% (13% in 2000) of non-federally employed overseas citizens had received their ballots. Five percent (a decrease of 4 percentage points from 2000) of Uniformed Services members received their ballot in November. Six percent (12% in 2000) of the non-federally employed overseas citizens and 2% (7% in 2000) of the federal civilian overseas employees received their ballots during November. Overall, ballots were being received far earlier than in 2000 presumably due to increased emphasis on early mailing by the DOD, ballot transit monitoring, the USPS/MPSA expedited mail process, and State/territory and local election official support to include mailing of State special write-in absentee ballots, as well as the use of email, fax, and other electronic alternatives to transmit election materials.

With respect to those who received an absentee ballot prior to November, 86% of Uniformed Services members, 87% of non-federally employed overseas citizens and 95% of federal

civilians overseas had returned their absentee ballots to their local election official. This is a marked improvement from the 2000 figures, which were 76%, 70% and 84% respectively.

Seventy-six percent of Uniformed Services members, 78% of non-federally employed overseas citizens and 84% of federal civilians overseas returned their absentee ballots in October.

### **Electronic Transmission**

A total of 49 States/territories allow some form of electronic transmission of voting materials. *UOCAVA* citizens, as allowed by the State/territory, may electronically transmit the FPCA and the voted ballot. Local election officials, as allowed, may electronically transmit blank ballots to *UOCAVA* citizens. The FVAP ETS (in use since Operation Desert Shield/Storm in 1990) helps to facilitate this process. Faxing is often the last resort that a citizen has when faced with circumstances that would otherwise lead to his/her disenfranchisement. Additionally, emailing of election related information, correspondence, and voting materials has become more prevalent since the last Presidential election.

During the 2004 Presidential election, of those Uniformed Services members who faxed voting materials, 35% (56% in 2000) faxed the FPCA. Eleven percent (20% in 2000) used a non-FPCA request and 18% (5% in 2000) faxed their voted State ballot. Fifteen percent (5% in 2000) electronically transmitted their voted FWAB.

Of the federal civilians overseas who faxed materials, 48% (33% in 2000) transmitted FPCAs and 17% (same as 2000) transmitted non-FPCA requests. Fifteen percent (0% in 2000) faxed their voted State ballots and 10% (8% 2000) electronically transmitted their voted FWAB.

Of the non-federally employed overseas citizens who electronically transmitted election materials, 36% (47% in 2000) faxed the FPCA and 21% (same as 2000) faxed their non-FPCA request. Sixteen percent (15% in 2000) electronically transmitted their voted State ballot. Seventeen percent (14% in 2000) electronically transmitted their voted FWAB.

Of the local election officials queried, 67% (76% in 2000) accepted electronically transmitted FPCA requests for absentee ballots in the 2004 general election. Of the FPCAs transmitted, 37% were received from Uniformed Services members in the U.S., 34% were received from Uniformed Services members overseas and 30% were received from overseas civilians. Twenty-four percent (18% in 2000) of local election officials faxed blank absentee ballots to *UOCAVA* citizens in the 2004 general election. Of these, 28% were sent to Uniformed Services members in the U.S., 33% to Uniformed Services members overseas and 39% to overseas civilians. Thirty percent (13% in 2000) accepted faxed voted ballots. Of these, 26% were received from Uniformed Services members in the U.S., 44% from Uniformed Services members overseas and 30% from overseas citizens.

In 2004, 31% of Uniformed Services VAOs reported helping voters fax FPCAs, 6% helped receive the blank ballot and 10% assisted the voter in electronically transmitting the voted ballot to the local election official.

Of DOS VAOs, 59% reported transmitting the FPCA electronically, 22% helped receive the blank ballot and 45% assisted the voter in electronically transmitting the voted ballot to the local election official.

For the first time, the survey asked whether the election jurisdiction had been involved in any Electronic Voting Projects between 2002 and 2004 (e.g., telephone or email ballot). Two percent indicated they had participated in such a project in 2002, 3% in 2003, and 10% in 2004. Of the ballots returned in these projects, 18% came from Uniformed Services members in the U.S., 46% from Uniformed Services members overseas and 36% from overseas citizens (federal and non-federally-employed combined).

## **Voting Assistance Officers**

DOD Directive 1000.4 addresses the need for the Heads of DOD Components and the Uniformed Services to designate Voting Assistance Officers (VAOs) at every level of command and to provide support for the Program. Military VAOs may report to Installation Voting Assistance Officers (IVAOs) and have a Service Voting Action Officer (SVAO) who is responsible for voting assistance operations within their Service. Senior Service Voting Representatives (SSVRs), general or flag officers, manage their respective Service voting programs. Further, every U.S. embassy and consulate has a VAO, generally in the American Citizen Services Section. At the DOS Headquarters, a Voting Action Officer provides overall leadership of the Program primarily for non-federally employed overseas citizens. The VAO's responsibilities include providing accurate, nonpartisan, procedural information and assistance to citizens who wish to register and vote. VAOs play a crucial role assisting *UOCAVA* citizens to exercise their right to vote.

### Uniformed Services VAOs

In 2004, more junior officers and fewer enlisted personnel were appointed as VAOs than in 2000. Forty-nine percent (43% in 2000) of VAOs in the Uniformed Services were junior officers. Enlisted personnel accounted for 40% of the VAOs. As in 2000, the majority (64%) of VAOs continued to be age 30 or older. Seventy-two percent of VAOs had been located at their present duty station for 1 year or more. However, only 22% had served as a VAO for 1 year or more in their current term. Frequent changes of duty assignment contribute to the changeover of VAOs and the lack of continuity in voting assistance efforts. Further, only 15% of VAOs had served previously in this capacity (18% in 2000). However, 82% of this experienced group of VAOs had from 1 to over 3 years or more VAO experience (73% in 2000).

Sixty-five percent of VAOs were assigned to units with 100 or more people. The most useful training received by VAOs was the FVAP on-site voting workshop and an installation workshop/seminar. Eighty-eight percent of those who attended the FVAP voting workshops rated them as useful or very useful. Eighty-two percent who attended installation workshops/seminars found those useful or very useful.

Sixty-seven percent of VAOs provided voting assistance to 25 or more people. Seventy-one percent of VAOs spent 1 hour or more on VAO activities. The top activities these VAOs

performed were answering unit and/or family member questions (95%) and displaying voting information materials (86%). These were the top 2 activities in 2000, however, there was an increase of 6 and 13 percentage points respectively from the previous 89% and 73% for these activities. Providing the FPCA (80%) and helping to fill it out (71%) were the most requested forms of assistance rendered. This was consistent with 2000 figures of 80% and 68% respectively. As in 2000, the most frequent complaint from unit members was the lack of response from local election officials to the FPCA (53%).

The most fundamental resource available to VAOs is the *VAG*. Eighty-two percent of the VAOs received the *VAG*, which began distribution in November 2003. Of those receiving the *VAG*, 96% rated it as useful or very useful.

As another source of voting information, 84% (an increase of 23 percentage points from 61% in 2000) responded that they used the FVAP website with a 97% satisfaction rate. There was a 92% satisfaction rate with the FVAP toll-free ombudsman telephone service. Fifty-three percent of VAOs received the FVAP *Voting Information News (VIN)* newsletter. Sixty-five percent of VAOs found it useful or very useful. There was high satisfaction with other FVAP publications: FVAP *How to Do It! Vote Absentee* handout (76%), FVAP Voting News Releases (73%), the FVAP election calendar poster (70%), and FVAP motivational posters (60%).

#### Department of State Voting (DOS) Assistance Officers

Eighty-seven percent of DOS VAOs responded to the 2004 post-election survey. This high response rate is attributable to the use of email to conduct this population survey. This is the first survey since 1992 of these VAOs.

Eighty-nine percent of VAOs were age 30 or older and two-thirds had been at their location for 1 year and less than 2 years. The majority (64%) had been in their current VAO assignment for 1 year or less. Of the 30% who had been VAOs before their current assignment, 65% had 3 years or more total experience. Thirty-eight percent had more than 10,000 U.S. citizens in their consular districts.

The FVAP workshop/seminar(s) was the most useful training source with 90% finding these useful or very useful. The next most useful was instructions from the DOS at 87% useful or very useful. Fifty percent of VAOs provided voting assistance to 501-2000 voters. Most VAOs (90%) spent up to 20 hours a week on voting activities. The top 3 activities conducted by VAOs were answering citizens' questions (100%), distributing FPCAs (96%), and displaying voting information materials (95%). The assistance that VAOs were most often asked to offer was providing FPCAs (79%) and FWABs (55%). Similar to Uniformed Services VAOs, the top complaint was lack of response from local election officials to the FPCA (72%).

VAOs rated the *VAG* as useful or very useful (96%). Eighty-one percent received the *VIN* with 80% finding it useful or very useful. Ninety percent used the FVAP website, mainly to access the online *VAG* (76%). Ninety-three percent were satisfied with the website. The most useful FVAP publication to VAOs was Voting News Releases (83%).

## Local Election Officials

Local election officials are the individuals who administer elections in counties, cities, townships and other jurisdictions within the U.S. The FVAP surveyed a larger sample group of these officials in 2004 to ensure the findings are more representative of the population. In October 2003, selected jurisdictions were given advance notice that they would be receiving this survey. The FVAP provided a sample questionnaire to indicate what information would be required and a data collection spreadsheet to assist them in compiling the data. To accommodate record keeping systems, local election officials were requested to collect data for Uniformed Services in the U.S., Uniformed Services overseas and overseas civilians.

The local election officials surveyed reported receiving 185,789 FPCAs to process from Uniformed Services members and 73,659 for overseas civilians. Of these, 6% (11,182) of the FPCAs could not be processed for Uniformed Services members and 4% (2,747) for overseas civilians. The top 3 problems the local election officials reported when processing FPCAs were no or inadequate voting residence address, mailing address inadequate, or writing illegible. (See Problem Areas, under Processing Applications, for a complete list).

Seventy-five percent said they acknowledged the FPCA by using the FPCA return postcard. However, 59% (the next highest figure) said they sent the ballot as acknowledgement. The number one complaint made by absentee voters to UVAOs and DOS VAOs was “delayed” or “no response” to the FPCA (53% and 72% respectively). In this regard, 54% of Uniformed Services members indicated they received notification that their absentee ballot request was received, while 40% of non-federally employed overseas citizens and 55% of federal civilians overseas received notification.

As discussed under “Program Results,” lack of adequate ballot transit time is a cause of disenfranchisement among absentee voters. A transit time of 40-45 days is desirable in order for an absentee voter to apply for a ballot, vote it and return it in time to be counted. The FVAP asked local election officials when they first mailed absentee ballots to *UOCAVA* citizens. In 2004, 51% began mailing absentee ballots on or before September 25<sup>th</sup> compared to 29% in 2000 (September 24<sup>th</sup> was the 40<sup>th</sup> day before the election), while 93% mailed absentee ballots by October 9<sup>th</sup> compared to 78% in 2000 (October 4<sup>th</sup> was 30 days before the election).

Local election official respondents mailed 261,789 regular absentee ballots to Uniformed Services members and 104,844 to overseas civilians. Additionally, they mailed 18,517 special State write-in ballots to Uniformed Services personnel and 11,463 to overseas civilians. Very few of either ballot type were returned undeliverable: 2% for Uniformed Services members (23% of local election officials had no undeliverables) and 1% for overseas civilians (39% of local election officials had no undeliverables).

Local election official respondents reported that they received 189,285 voted absentee ballots from Uniformed Services members and 75,014 from overseas civilians. Of these, local election officials counted 95% of the Uniformed Services ballots and 89% of the overseas civilian ballots. The top reasons for ballots not being counted were that either the ballot was received too late or returned undeliverable.

Local election official respondents received 13,692 FWABs from Uniformed Services members and 6,535 from overseas civilians. Local election officials counted 63% of the Uniformed Services FWABs and 60% from overseas civilians. The main reason FWABs were not counted was that there was no absentee ballot request on file from the voter (as required by federal law for the use of the FWAB).

Sixty-seven percent of local election official respondents accepted faxed FPCA requests for absentee ballots. In 2000, 76% accepted these requests. The decrease can be attributed to the FVAP and VAO educational efforts to encourage voters to register and request their ballots early in the calendar year. Twenty-four percent (an increase of 6 percentage points from 2000) faxed blank absentee ballots to the voter. Thirty percent accepted the voted ballot by fax (an increase of 17 percentage points from 2000). The majority of officials had easy access to a fax machine (96%) and indicated that it was easy to transmit (92%) and receive legible copies (87%) to and from voters.

Regarding voting assistance from the FVAP to local election officials, 37% of local election official respondents referred to the *VAG*, 25% used the toll-free telephone (ombudsman) service, and 29% received the *VIN* newsletter. Almost half of the respondents who referred to the *VAG* accessed it electronically on the FVAP website and almost a third obtained it directly from the FVAP. This is a reversal from 2000 where most local election officials received the *VAG* from the FVAP and only a few accessed it via the FVAP website. Seventy-nine percent of local election officials using the toll-free telephone service were satisfied with the assistance the FVAP ombudsman service provided to them in 2004. Seventy-eight percent of those who used the FVAP faxing service were satisfied with the service.



# LEGISLATIVE INITIATIVES

One of the main avenues that the FVAP uses to work with States/territories is through legislative initiatives. Each year, the FVAP formulates and sends recommended legislative initiatives to States/territories and urges them to adopt those changes. As required by *NDAA FY02*, the FVAP received reports from State Governors and territory officials in 2003, 2004 and 2005 on the status of the FVAP recommended legislative initiatives. The FVAP reviews and forwards these reports to State/territory Congressional delegations and compiles data on the legislative accomplishments with various States/territories. State/territory legislative changes have also occurred as a result of the DOJ's enforcement authority of *UOCAVA*.

*NDAA FY02* and *HAVA* made 2 of FVAP's legislative initiatives mandatory in all States/territories: (1) accept 1 FPCA as a request for ballots for all Elections in a calendar year; and (2) removal of the not earlier than restrictions for registration requests. Thus, these have been retired from the FVAP list of recommended legislative initiatives. Since 1996, the following changes have taken place in the 9 remaining initiatives:

Initiative	Number of States/territories in agreement with FVAP initiatives in				Change
	1996	2000	2004	2005	
1. 40-45 days transit time	40	42	41	41	+1
2. Remove notary requirement	46	48	50	50	+4
3. Allow late registration	21	23	27	28	+7
4. Provide State special write-in ballot	25	26	27	27	+2
5. Reference to <i>UOCAVA</i>	29	31	37	37	+8
6. Allow electronic transmission of election materials	43	46	49	49	+6
7. Expand FWAB use	5	6	11	12	+7
8. Emergency authority to State Chief Election Official	7	9	15	16	+9
9. Enfranchise citizens who have never resided in the U.S.	0	8	13	17	+17

As the chart shows, significant progress has been made in referencing *UOCAVA* in State/territory statutes, granting emergency authority to State/territory chief election officials and enfranchising U.S. citizens who have never lived in the U.S. Almost every State/territory now allows electronic transmission of election materials.

The specific initiatives we request States/territories to pass and the extent of our progress in the States/territories are summarized below. In addition to these initiatives, many States/territories have passed other legislation to benefit *UOCAVA* citizens to include signing and dating in lieu of the postmarking requirement; late counting; moving primary or run-off election dates to allow for more ballot transit time between elections; and participation in DOD/State cooperative electronic voting projects.

State/Territory	1. 40-45 days transit time	2. Remove notary requirement	3. Allow late registration	4. Provide State special write-in ballot	5. Reference to <i>UOCAVA</i>	6. Allow electronic transmission of election materials	7. Expand FWAB use	8. Emergency authority to State Chief Election Official	9. Enfranchise citizens who have never resided in the U.S.
Alabama	X	X			X				
Alaska	X	X		X		X			
American Samoa						X			
Arizona		X	X	X	X	X	X	X	X
Arkansas		X				X			
California		X	X	X	X	X			
Colorado		X		X	X	X	X	X	
Connecticut	X	X	X	X	X	X	X		
Delaware	X	X	X	X	X	X		X	X
District of Columbia	X	X			X	X		X	
Florida	X	X	X	X	X	X		X	
Georgia	X	X		X	X	X			X
Guam	X								
Hawaii		X			X	X		X	X
Idaho	X	X			X	X			
Illinois	X	X	X			X			
Indiana	X	X	X	X	X	X		X	
Iowa	X	X	X	X	X	X	X	X	X
Kansas	X	X	X		X	X			
Kentucky	X	X				X			
Louisiana	X	X		X	X	X			
Maine	X	X		X		X			
Maryland	X	X			X	X	X	X	
Massachusetts	X	X	X			X			X
Michigan	X	X			X	X			X
Minnesota		X			X	X			
Mississippi	X					X			
Missouri	X	X	X	X		X		X	
Montana		X	X		X	X	X		X
Nebraska	X	X	X	X	X	X	X		X
Nevada	X	X	X		X	X			
New Hampshire		X	X	X					
New Jersey	X	X	X		X	X			
New Mexico	X	X			X	X		X	
New York	X	X							X
North Carolina	X	X	X		X	X		X	
North Dakota	X	X	X	X		X			X

State/Territory	1. 40-45 days transit time	2. Remove notary requirement	3. Allow late registration	4. Provide State special write-in ballot	5. Reference to <i>UOCAVA</i>	6. Allow electronic transmission of election materials	7. Expand FWAB use	8. Emergency authority to State Chief Election Official	9. Enfranchise citizens who have never resided in the U.S.
Ohio	X	X	X		X	X			
Oklahoma		X	X	X	X	X	X	X	X
Oregon	X	X	X	X	X	X			X
Pennsylvania	X	X		X	X	X			X
Puerto Rico	X					X			
Rhode Island		X	X	X	X	X	X		
South Carolina	X	X	X	X	X	X		X	
South Dakota	X	X							
Tennessee	X	X		X		X			X
Texas	X	X		X	X	X	X		
Utah	X	X	X	X	X	X			
Vermont						X			
Virginia	X	X	X	X	X	X	X	X	
Virgin Islands	X	X	X		X	X		X	
Washington		X	X	X		X			
West Virginia	X	X			X	X	X		X
Wisconsin		X		X	X	X			X
Wyoming	X	X	X		X				
	41	50	28	27	37	49	12	16	17

### 1. Provide 40 to 45 Days Transit Time For Absentee Ballots to *UOCAVA* Voters

The FVAP recommends that State/territories allow 40-45 days between the date that the ballot is mailed and the ballot due date to enable Uniformed Services members and U.S. citizens overseas to vote and return their ballots to the local election official to be counted. Currently, 41 States/territories now provide for 40 or more days of transit time. This initiative is especially important for Uniformed Services members serving in Iraq and Afghanistan as well as overseas citizens living in remote areas and where international mail is unpredictable. In 2004, the FVAP and the DOJ aggressively monitored ballot transit time in an effort to expedite ballots to *UOCAVA* voters. Sometimes difficulty in ballot printing, contested names on ballots and/or natural disasters have made it difficult for States/territories to mail ballots in enough time for the voter to vote and return the ballot by the State/territory deadline. In the 2004 election, the USPS provided express mail to gateway cities (New York, Miami and San Francisco) where the MPSSA expedited mail overseas in an effort to get the ballots to *UOCAVA* voters at APO/FPO addresses.

## 2. Remove the Notary Requirement on Any Election Materials

The FVAP recommends that this requirement be fulfilled by allowing citizens to execute a self-administered oath on all voting materials including the FPCA, ballot return envelope and state registration forms where applicable. Currently, 50 States/territories have taken action to remove or minimize notary requirements on election materials for citizens covered by the *UOCAVA*. Only American Samoa, Guam, Michigan (for non-federal overseas citizens), Mississippi, Puerto Rico and Vermont have notary requirements on the FPCA, the ballot return envelope or both. Notary services can be a deterrent to voting, difficult or impossible to obtain, and very costly in some foreign countries. Thus, the requirement for notarization remains a barrier to voting for many citizens.

## 3. Establish Late Registration Procedures for Persons Recently Separated from the Uniformed Services and Civilian Overseas Employment

The FVAP recommends that States/territories allow persons recently separated from the Uniformed Services, merchant marine or overseas employment, and their family members, to register after the standard registration deadline or be exempt from registration. Currently, 28 States/territories allow such procedures. Some recently discharged Uniformed Services members may not know what jurisdiction they will be living in at the time of discharge. The date of discharge may come after the State/territory has closed its registration books. Often the date of discharge and a state/territory's registration requirements combine to disenfranchise discharged Uniformed Services members or citizens returning from overseas employment. Allowing these individuals to register and vote under special late registration procedures helps to solve this problem.

## 4. Provide for a State Special Write-In Absentee Ballot

The FVAP recommends that States/territories provide a state special write-in absentee ballot for all elections. Currently, 27 States have State special write-in absentee ballots. Uniformed Services members deployed on ships and submarines, Peace Corps volunteers, missionaries and other citizens in remote areas may use the State special write-in absentee ballot to vote when they are unable to receive regular absentee ballots. Individuals may request, and the States may provide the State special write-in absentee ballot up to 180 days before an election, allowing voters to write in the names of candidates or the party for whom they want to vote. This ballot generally includes a full slate of offices to be voted upon (federal, State and local offices). This State special write-in absentee ballot should not be confused with the Federal Write-In Absentee Ballot (FWAB) that is pre-positioned at U.S. Embassies and Consulates, military installations, and overseas citizen organizations and corporations. In comparison, the FWAB is generally only available to those who have already applied for a regular absentee ballot. *UOCAVA* voters do not know in advance that they need the FWAB. The FWAB can be used only as an emergency ballot by *UOCAVA* voters if their timely requested absentee ballot is not received (see Expand the Use of the FWAB, Initiative 7).

## 5. Incorporate Reference to the *UOCAVA* into State Election Code

The FVAP recommends that States/territories reference the *UOCAVA* in the State Election Code. Currently, 37 States/territories have incorporated a reference to the *UOCAVA* into their State/territory election codes. In 1986, Congress updated and consolidated the provisions of the *Federal Voting Assistance Act* of 1955 and the *Overseas Citizens Voting Rights Act* of 1975 into the *Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA)*. Some States/territories have not updated their election codes to reference the *UOCAVA*. Citation of the *UOCAVA* helps State/territory election officials and interested citizens find guidance to the current and applicable federal laws and increase their familiarity with the statute and its applications.

## 6. Allow the Use of Electronic Transmission of Election Materials

The FVAP recommends that States/territories allow the use of electronic transmission of election materials. Forty-nine States/territories allow some or all aspects of electronic transmission. Many States/territories have adopted this initiative to some degree, allowing voters to do one or more of the following: (1) send the FPCA for registration and ballot request to the local election official; (2) receive a blank ballot from the local election official; and (3) return a voted ballot to the local election official. Electronic transmission may serve as an emergency measure to enfranchise *UOCAVA* voters. Throughout an election year, various circumstances exist that require the need for this alternative procedure in order for citizens to vote. The basic concept of electronic transmission of election materials is to secure high-speed delivery of election materials to and from the voter and local election officials. Support in developing the acceptance of electronic transmission for all aspects of the election process, with proper controls, would cut the ballot transit time significantly.

Thirty-one States/territories allow for the electronic transmission of the FPCA for both registration and absentee ballot request:

Alaska	Kentucky	South Carolina
American Samoa	Louisiana	Tennessee*
Arizona	Maine	Texas
California	Michigan	Utah*
Colorado	Mississippi	Vermont
Connecticut*	Montana	Virgin Islands
Delaware	Nebraska	Virginia
District of Columbia	North Carolina	Washington
Hawaii	Oregon	West Virginia*
Indiana	Pennsylvania	
Iowa	Puerto Rico	

\* Have provisions attached.

Nineteen States allow for the electronic transmission of the FPCA for absentee ballot request:

Arkansas*	Massachusetts*	Ohio*
Florida*	Minnesota*	Oklahoma*
Georgia	Missouri*	Rhode Island*
Idaho	Nevada*	South Dakota
Illinois*	New Jersey*	Wisconsin*
Kansas*	New Mexico*	
Maryland	North Dakota*	

\* Have provisions attached.

Thirty-four States/territories allow the electronic transmission of the blank ballot to the voter:

Alaska*	Maine*	Oregon
Arizona	Maryland	Pennsylvania*
California*	Mississippi	Rhode Island
Colorado	Montana	South Carolina*
District of Columbia*	Nebraska*	Utah*
Florida*	Nevada*	Vermont
Hawaii*	New Jersey*	Virginia
Idaho*	New Mexico	Virgin Islands
Indiana	North Carolina*	Washington
Kansas	North Dakota	Wisconsin
Kentucky	Ohio*	
Louisiana	Oklahoma*	

\* Have provisions attached.

Twenty-four States/territories allow the electronic transmission of the voted ballot back to election official:

Alaska*	Kansas	North Dakota
Arizona	Louisiana	Oklahoma*
California*	Maine*	Rhode Island
Colorado	Mississippi	South Carolina*
District of Columbia*	Montana*	Texas*
Florida*	New Jersey*	Utah*
Hawaii*	New Mexico	Virgin Islands
Indiana	North Carolina*	Washington*

\* Have provisions attached.

Five States/territories do not allow electronic transmission at all:

Alabama  
Guam

New Hampshire  
New York

Wyoming

#### 7. Expand the Use of the FWAB

The FVAP recommends that States/territories expand the use of the FWAB to include special, primary and runoff elections. Twelve States have expanded the use of the FWAB to include elections other than the general election. Five of these (Iowa, Maryland, Nebraska, Rhode Island, and West Virginia) have expanded the use of the FWAB to include offices other than federal.

Currently, the FWAB may only be used in general elections. FWABs are pre-positioned at U.S. Embassies and Consulates, military installations, and overseas citizen organizations and corporations. Frequently, there is insufficient time between the call for a special election and the actual election, and between a primary election and a runoff election. Allowing use of the FWAB in these elections would reduce the possible need for legal action when insufficient time exists for the ballot to be received, voted and counted.

The FVAP also requests that the FWAB be used as a simultaneous registration application and ballot. Arizona, Iowa and Nebraska allow the FWAB to be used as a registration application and a ballot for some or all *UOCAVA* citizens. For those citizens that desire to vote in elections for Federal office only, the acceptance of the FWAB transmission envelope as a request for registration simultaneously with the submission of the FWAB would further simplify the process, improve on transit time and help ensure enfranchisement. It should be noted that the information requested on the FWAB transmission envelope is basically the same as the information that is requested on the Federal Post Card Application (FPCA). Adoption of this initiative would save the States/territories money and alleviate administrative responsibilities on the part of the election officials.

#### 8. Provide the State's Chief Election Official with Emergency Authority During Periods of Declared Emergency

The FVAP recommends that States/territories grant the State/territory chief election official with emergency authority, allowing him/her to designate alternate and expeditious methods for handling absentee ballots in times of a declared emergency. Currently, 16 States/territories have designated a chief election official to work with the FVAP in these situations. As an example, the chief election official may, with emergency authority, temporarily allow electronic transmission of voting materials, late counting, expanded use of the FWAB, paid overnight mailing of ballots or other ad hoc actions on behalf of *UOCAVA* voters, thus avoiding the need for court action by the DOJ.

## 9. Enfranchise Citizens Who Have Never Resided in the U.S

The FVAP recommends that States/territories allow those citizens who have never resided in the U.S. to vote where either parent is eligible to vote under *UOCAVA*. Currently, 17 States allow these citizens to claim the legal residence of their parent(s) and vote where either parent is eligible to vote under *UOCAVA*. There is a large population of U.S. citizens that have never actually resided in the U.S. and under current laws are not entitled to vote. These are usually first or second-generation citizens born abroad to American parents. While these citizens are subject to U.S. income tax and all other requirements of citizenship, they are not allowed to vote unless their parent(s) have legal residence in one of the 17 States that allow these citizens to claim the voting residence of their parent(s).



# **INFORMATION SUPPORT AND TECHNOLOGICAL SOLUTIONS**

## **Voting Assistance Guide (VAG)**

The FVAP publishes biennial editions of the VAG. The VAG is a handbook of State/territory voting procedures and the primary source of information to carry out a successful absentee voting assistance program. The VAG communicates State/territory voting requirements to VAOs and U.S. citizens covered by the UOCAVA. The FVAP distributes the VAG to States/territories, U.S. embassies/consulates, military installations and overseas citizen organizations worldwide. The FVAP staff works extensively with States/territories to ensure an up-to-date, accurate description of State/territory voting procedures. The VAG is also available online at the FVAP website and is updated continuously as changes to State/territory procedures occur. Approximately 90,000 VAGs were distributed around the world prior to the November 2004 election.

## **Explorations into Internet Voting**

For the 2000 general election, the FVAP successfully conducted a small-scale pilot project, Voting Over the Internet (VOI). In 2003, the FVAP received the Excellence.Gov award for VOI. Subsequently, the NDAA FY02 directed the DOD to conduct an electronic voting experiment "...of sufficient numbers so that results are statistically relevant," and to gather data and make recommendations regarding the use of the Internet for registration and voting.

The FVAP worked closely with 7 volunteer States to develop a highly secure web-based registration and voting system for use in the 2004 elections to carry out this mandate. Uniformed Services members and U.S. citizens overseas could participate in the Secure and Electronic Registration and Voting Experiment (SERVE). SERVE was the latest in a series of innovative technology initiatives undertaken by the FVAP as part of its mission to improve access to the polls for overseas citizens and Uniformed Services personnel.

In January 2004, a minority report prepared by 4 of the 10 members of the SERVE Peer Review Group raised concerns about the system's security protections given the current vulnerabilities of the Internet and voters' personal computers. The DOD decided not to utilize SERVE in the 2004 election because the DOD did not want to bring into doubt the integrity of the election results.

The FVAP continues to support State/territory and local government electronic voting projects for *UOCAVA* citizens as alternatives to the by-mail process. Ten percent of local election officials surveyed reported that they participated in a local, State or Federal electronic voting project in 2004. This was an increase from 2% participation in 2002.

## **Interim Voting Assistance System (IVAS)**

In September 2004, the DOD developed and implemented the Interim Voting Assistance System (IVAS). This was a voluntary project designed to allow eligible absentee voters (active duty

military, activated Guard and reserve personnel, their dependents, DOD personnel overseas in CENTCOM and DOD contractors overseas) to request and receive their absentee ballots via the Internet from the [www.myballot.mil](http://www.myballot.mil) website. In order to take advantage of IVAS, voters must have been in the Defense Enrollment Eligibility Reporting System (DEERS), be a U.S. citizen covered under the *UOCAVA*, and must have been from a State and county that volunteered to participate in the project. Using IVAS, the voter could request a ballot via [www.myballot.mil](http://www.myballot.mil). After the local election official approved the request and the ballot was finalized, IVAS notified the voter via email that the ballot was available for download. The voter could then print the ballot, mark it by hand and return it by mail to the local election official. One hundred eight counties in 9 States agreed to participate in IVAS. At the conclusion of the election, 28 of those counties had received and processed IVAS ballot requests, and uploaded ballots for *UOCAVA* voters. Voters downloaded a total of 17 ballots.

### **Electronic Transmission Service (ETS) and Fax to Email Conversion**

The FVAP's Electronic Transmission Service (ETS) allows citizens and State/territory and local government officials, where permitted by law, to fax election materials which include: (1) a request for registration and/or ballot (FPCA); (2) a blank ballot sent to the voter by the local election official; (3) a voted ballot returned to the local election official; and (4) other election correspondence when conditions do not allow for timely by-mail receipt and return of these materials.

In October 2003, the FVAP established an email account for voters and States/territories to transmit election materials and absentee ballots as email attachments, where State/territory law permits, specifically to assist citizens that may not have access to a fax machine, but did have email access. Many troops in Iraq and Afghanistan had limited telephone service for faxing; however, they did have a satellite hookup and were able to receive emails. This provided them the opportunity to receive and transmit election materials electronically.

While laws in Missouri and North Dakota do not allow election officials to email ballots directly to absentee voters, laws did allow officials in these States to fax to the ETS. The ETS would forward the transmission as an email to the voter (using fax to email conversion). The individual would print and vote the ballot, then scan and email the completed ballot back to the ETS. Upon receipt, the ETS would forward the transmission as a fax to the State. North Dakota allowed this fax/email conversion for all citizens overseas. Missouri allowed this procedure for military personnel serving in designated combat locations overseas. This alternative process is one of many which allow Uniformed Service members and U.S. citizens overseas who cannot receive ballots by mail to remain part of the electorate wherever they serve or live.

### **Website Initiatives**

The FVAP continually updates its website ([www.fvap.gov](http://www.fvap.gov)) to provide *UOCAVA* voters and VAOs with the latest absentee voting information. The website contains information on all FVAP programs, e.g., Get-Out-the-Vote Campaign, the ombudsman service, the ETS, and the State/territory legislative initiatives program. Additionally, VAO training and all FVAP

publications can be viewed or downloaded from the website. Many election-related links have been added during the past 4 years to assist UOCAVA citizens in the absentee voting process.

The FVAP designed and launched an online FPCA in 1999 after coordinating it with State/territory election officials. Many States/territories accepted the FPCA printed from the FVAP website in the 2000 election and today all but American Samoa and Guam accept the online form.

In 2004, the FVAP developed an online version of the Federal Write-in Absentee Ballot (FWAB) to improve access to the FWAB by UOCAVA citizens. The online FWAB is an alternative to the multi-part paper FWAB. All States/territories accept the form. The FVAP is currently revising both the FPCA and FWAB to address voter and election official needs and concerns.

### **Get-Out-the-Vote Campaign**

The FVAP's 2004 Get-Out-the-Vote campaign received over \$65.5 million of donated public service advertising from national and local broadcast, print, outdoor advertising and Internet outlets. This campaign continues to be among The Advertising Council's top 10 in donated media value, ranking first in Interactive Media and third in Total Donated Media. Younger citizens' voting participation has been declining for the past 20 years, and were therefore a particular focus of the campaign. The campaign utilized many tactics such as a text messaging operation, a web log written by a young spokesperson, and weekly polls on the [registerandvote2004.org](http://registerandvote2004.org) website to reach and get the attention of younger citizens. The campaign website was recognized with the Best Advocacy Website Award by the Web Marketing Association.

### **Reporting Requirements**

The *HAVA* established the U.S. Election Assistance Commission (EAC) as a national clearinghouse for election information and procedures. The *HAVA* amended the *UOCAVA* to require the states to submit a report to the EAC, after each regularly scheduled general election for federal office, on the combined number of absentee ballots transmitted to absentee uniformed services voters and overseas voters for the election and the combined number of such ballots returned by those voters and cast in the election, and make the report available to the general public. As of the date of this report, the EAC has not published their results.

Separately, the *UOCAVA* requires the Secretary of Defense, as the Presidential designee, to submit a report (after each presidential election) to the President and Congress on the effectiveness of the assistance under the *Act*, voting participation, and the level of federal-state cooperation in carrying out the *Act*. In preparation for this year's report, the DOD revised its local election official survey instrument to capture data on absentee ballots as described above; and, in October 2003 sent advanced copies of the survey to local election officials to facilitate the data collection process. The DOD also improved the survey sampling methodology of selected local election officials as recommended by a 2001 Government Accountability Office (GAO) report.

Pursuant to Section 242 of the *HAVA*, the FVAP worked in consultation with the EAC to produce a report entitled, “Best Practices Report on Voting by Uniformed and Overseas Citizens,” that can be found on the EAC website at [www.eac.gov](http://www.eac.gov).

## Communications

In 2004, the FVAP conducted 164 training workshops worldwide compared to 62 in 2000. This increased number of training sessions resulted in greater awareness, outreach and improved assistance to *UOCAVA* voters. Training resources were expanded to include improved downloadable training and new interactive online training. Communication efforts included multimedia absentee voting promotions, and joint federal and State/territory projects and education efforts. The results of these communication efforts are reflected below and show vast improvement from 2000.

Reason did not vote in November 2004	Did not know how to get an absentee ballot	Absentee voting process too complicated
Uniformed Services	10% (26% in 2000)	9% (20% in 2000)
Non-federal Overseas Citizens	35% (49% in 2000)	20% (18% in 2000)
Federal Civilians Overseas	8% (21% in 2000)	15% (26% in 2000)

# PROBLEM AREAS

## Ballot Transit Time

Despite steady improvement and process refinements, ballot transit time continues to be a concern. The FVAP continues to advise absentee voters to register for and request an absentee ballot early in the calendar year in order to allow enough time for the local election official to receive and process the FPCA, and then mail the ballot to the voter as soon as it is available.

Remedies for delays in mailing ballots include expanding the use of the FWAB beyond general elections, electronic transmission of ballots, advance mailing of State write-in absentee ballots and late counting. For the most part, these actions require legislative action by the States/territories. The FVAP, in conjunction with the Department of Justice (DOJ), monitored jurisdictions for ballot mailing 45 days and 30 days prior to the November 2004 election. Over 50% of local election officials reported mailing ballots on or before September 25, 2004 compared to 29% in 2000.

## Procedures

The most frequent complaints received by Uniformed Services and Department of State (DOS) VAOs involved communications and procedures.

Complaint	Uniformed Services VAOs	DOS VAOs
No response to FPCA	53%	72%
Complicated voting procedures	12%	49%
Residency laws confusing	27%	44%

Several States/territories have developed Internet voter registration verification pages and many others are using email to acknowledge receipt of the FPCA. State/territory use of these practices should reduce the level of uncertainty on the part of absentee voters who received no response to the FPCA.

The number of complaints received by Uniformed Services VAO survey respondents about complicated voting procedures decreased by 10 percentage points from 22% in 2000 to 12% in 2004. Confusion about residency laws increased 3 percentage points from 2000.

## Processing Applications

Local election officials were asked in the 2004 post-election survey what type of problems they encountered in processing FPCAs. The following percentages show significant improvements in processing FPCAs from 2000 to 2004.

LEO Problems with FPCAs	2000	2004
No or inadequate voting residence address	73%	50%
Mailing address inadequate	35%	24%
Applied to wrong jurisdiction	26%	17%
Illegible handwriting	23%	22%
No signature	18%	11%
FPCA received too late	18%	11%
Failure to indicate Party preference	17%	11%
Duplicate FPCAs received	13%	17%
No birth date given	13%	5%
Mail too slow	12%	13%
FPCA not witnessed or notarized	7%	2%
No Social Security Number given	4%	7%

The top 2 problems experienced by local election officials in 2004 were (1) no or inadequate voting residence address and (2) mailing address inadequate. These were also the top 2 problems in 2000. These problems, however, significantly decreased by 23 and 11 percentage points respectively in 2004. The number of duplicate FPCAs received increased from 13% in 2000 to 17% in 2004; *UOCAVA* voters may have sent in duplicate FPCAs because they were uncertain as to whether or not their FPCA had been received by the local election official. The FVAP continues to recommend that local election officials acknowledge receipt of registration. Overall, 9 of the 12 problems listed above show marked improvement.