



Senator Charles Schumer  
Chairman, Senate Rules Committee  
305 Russell Senate Office Building  
Washington, D.C. 20510

May 8, 2009

**Subject: Problems Facing UOCAVA Voters in the 2008 Election**

Dear Chairman Schumer,

Overseas Vote Foundation (OVF) is a nonprofit, nonpartisan organization that helps overseas and military voters participate in federal elections. We do this by providing public access to interactive web services including voter registration, ballot download, election official contact information, dates and deadline information, voter help desk and express ballot return services.

Overseas American citizens, State Department employees, and active duty uniformed service members and their accompanying families within and outside of the United States vote under the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) and can all register to vote from abroad using OVF's services.

OVF launched its current suite of integrated voter services for overseas and military voters in October 2007, in time for the start to the Presidential Preference Primaries voter registration "season."

2008 was a very busy year for OVF. In 2008 OVF launched and managed 17 overseas and military voters' services sites including 7 for individual states. 4.75 M individuals visited the sites to use OVF's seven voter services. Furthermore, OVF teamed with FedEx to offer "Express Your Vote," the first express ballot return delivery program, from mid September through October 2008. Approximately 10,000 voters took advantage of Express Your Vote in 2008.

Through our 2008 Post-Election Survey of 24,000 overseas voters and over 1,000 local elections officials, OVF was able to identify the key problems facing UOCAVA voters:

- More than half (52%) of those who tried but could not vote, were unable to because their ballots were late or did not arrive.

- Despite concerted efforts, less than half of UOCAVA voters are aware of the Federal Write-in Absentee Ballot.
- Early state attempts to apply fax and email technologies are not improving chances of receiving ballots. 23.8% of respondents who sent in a request by email did not receive a ballot and 21.5% of respondents who used fax did not receive a ballot.
- Although Local Election Officials (LEOs) appear to be increasingly satisfied with their processes, undeliverable ballots continue to be a problem. LEOs confirm the frustrations of the voters: missed deadlines are a persistent problem

In short, registrations continue to be rejected because of state specific requirements, ballots are late and many citizens are not aware of their options.

OVF reached out to military voters via its Military Voter Services website. 8,000 individuals utilized the balloting and registration services of this website. Furthermore, OVF received considerable feedback regarding the voting process. Military voters contacted OVF's help desk and responded to the 2008 Post-Election Survey.

Questions to the OVF military help desk often came from family members. Because their loved ones were stationed overseas, some in combat zones, they did not have regular access to email and thus family members acted on their behalf. OVF also received inquiries from Voting Assistance Officers (VAO), who sought more specific information.

For example, one wife wrote in on behalf of her husband who was at boot camp and had no access to a telephone or email. Her husband had no idea how to register, even though a VAO should have been assigned to his unit.

Below you will find examples of the problems and issues communicated to OVF. Attached are additional problems with registration.

Sincerely,



Dr. Claire M. Smith  
OVF Research Director



Susan Dzieduszycka-Suinat  
President and CEO, Overseas Vote Foundation

### **OVF is an information source for military personnel:**

- Dear OVF: I want to provide my marines the ability to complete the backup federal write-in absentee ballot. Where can I find a list of the candidates that will be on the ballot for each State, i.e. a list of Senators and Representatives for each state and for state offices?

(Received September 17, 2008)

- Dear OVF: I was just recently appointed as my unit's Voting Assistance Officer. Yesterday I had all of my soldiers fill out the Standard Form 76 (Registration and Absentee Ballot Request). Is it too late to send these in? We are in Iraq and I just read that the deadline is 3 OCT for states to receive these. What is my best course of action to make sure that their vote is counted? Thanks in advance.

(Received by OVF on September 29, 2008)

- Dear OVF: My name is (X) and I am the Voting Assistance Officer for a (X) Company for an Army National Guard unit currently stationed in Iraq. There are 82 soldiers here with me who are very interested in this year's election. But one question keeps arising that is very disconcerting and stems from a lack of education on the United State's electoral process. Does our absentee vote get counted? Is it counted alongside the votes of in country citizens and does it carry equal weight? Can one vote (no matter how unlikely) dictate the results of an election or does that vote only influence an Electoral College? Sorry to request such a question, but it's much needed for 82 American soldiers who care. Thank you!

(Received by OVF on October 12, 2008)

### **OVF's online FWAB is also a valuable tool:**

- First Email: DEAR OVF: I want to vote. I have sent in a FPCA 8 years in a row now, and have only received an absentee ballot once and then it was less than a week before the deadline. Is this some form of voter fraud? I vote in Ohio. Please help me vote this year. Can you look into this and see if there is some form of voter fraud? My name is (X) and my home of record is (X).
- Second Email: I sent the FPCA in 2 months ago. I always send it 3 months ahead of elections. I did get a hold of the board of elections yesterday and they told me that they did not have the ballots yet. The deadline is about 30 days from now. I don't see how it will be possible to receive my ballot with enough time to send it back in before the deadline. Unless they mail it in the next week. I am leaving for Iraq with the Air Force in 6 days. There is no possible way for me to vote now without an absentee ballot. I am curious about the online ballot option you spoke of. Can I vote the local and state on that one as well?

- (OVF sent him information regarding the online FWAB)
- Third Email: Thank you it will be in the mail tomorrow. I can't thank you enough for allowing me the opportunity to vote. I am also the unit voting rep in my squadron and will be sure to pass this web site on to the other voting reps on the base as well as all the members of my squadron.

**Even when military personnel fill in the forms properly, the mail system hinders their ability to vote. We received this complaint via our 2008 Post-Election Survey.**

- I filed the FWAB with the Voting Assistance Officer here in Qatar when I found out I would not be back home in (X) before the elections. I was given a tracking number and was told the ballot envelope would be tracked by the military postal service agency until it was received at my local elections office. I logged onto the [grayhairsoftware.com/ballotrack](http://grayhairsoftware.com/ballotrack) website several times, to include Nov 4th, and watch the ballot reached only two post offices, one in Jamaica NY, and one in St Louis, MO. It was not ever received in FL. Also on the 4th, I called the Supervisor of Elections office in my home county to confirm they had my ballot, but was told they had no record of my vote.

**Other comments and complaints received by military voters from the 2008 Post-Election Survey:**

- It would be helpful if reminders were sent a few months before FVAP forms are due to expire, which would remind us to fill out a new one. I did not receive my Primary ballot in time due to my FVAP expiring.
- My reason for not voting was late registration due to the fact that I didn't know how to register. When the registration was due and by the time I received notification of absentee balloting it was too late for me to register and with the slowness of military mail it would have been impossible. An easier online version would be better, with a scanning capability or a secure email capability.
- My unit never set up for us soldiers to vote over here in Iraq.
- There are way too many steps to qualify to vote in a state and precinct in which I have already been voting for years. The military mail is far too slow and things keep getting lost. I can't send or receive faxes from overseas combat theater. This needs to be done by secure military or government email addresses. I simply can't spare enough time from the mission to perform all the steps necessary to re-qualify someplace that I have resided since 1990.
- I moved back to the US midyear, and so I originally re-registered while out of the country and then was stationed stateside. I had to complete the paperwork three times before I received confirmation that I was good to go and could vote in this election. There has got to be a better way. I mean, the US Army has SIPRnet for goodness sakes.

- I am not sure if I applied for the absentee ballot in the correct manner because I received a civilian ballot and I am Active Duty. Until this survey I didn't even know there was a difference. I am also not aware if my vote even got counted. I have not received a confirmation that my ballot was received or not.
- The voting assistance officer was no were to be found. The information that was given was not enough to help and it is upsetting because my vote will never count in the biggest election in history. I think things need to be a little different.
- Many of my fellow U.S. active duty service members chose to not vote at all because the process was so unclear and frustrating. Many people were unaware of registration deadlines and many more were frustrated that they did not receive their ballots in the mail even when requested in a timely manner.
- I feel that the military should have voter registration booths overseas. I think our votes are just as important as civilians and it should be treated that way. We have a commitment in the military and the election results greatly impact our lives. There were many of us that wanted to vote but were unable to.

# 2008 OVF POST ELECTION UOCAVA SURVEY REPORT AND ANALYSIS

A DETAILED LOOK AT HOW  
OVERSEAS AND MILITARY VOTERS  
AND ELECTION OFFICIALS FARED  
IN THE 2008 GENERAL ELECTION  
AND WHAT TO DO ABOUT IT

FEBRUARY 2009



**Overseas Vote Foundation**

Dr. Claire M. Smith, PhD, Research Manager  
Susan Dzeduszycka-Suinat, President & CEO  
Marina Mecl, Director, Voter Outreach

**Research Triangle Institute**

Dr. Toby Moore, PhD  
Dr. Sean Hogan, PhD  
Michael Keating, Survey Specialist

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For additional information on Overseas Vote Foundation, please visit  
[www.overseasvotefoundation.org](http://www.overseasvotefoundation.org).

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4786 N. Williamsburg Blvd., Arlington, VA 22207

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# I. EXECUTIVE SUMMARY

Overseas Vote Foundation (OVF) is proud to release the results of its 2008 Post Election UOCAVA Voter Survey and its Local Election Officials Survey.<sup>1</sup> These surveys, now in their third year, provide a unique look into the voting experiences of overseas citizens, and are an unequalled resource in OVF's ongoing mission to help overseas and military Americans register and vote in federal elections. In 2008 more than 24,000 voters in 186 countries and more than 1,000 local election officials in the US participated in the OVF surveys.

The results of the 2008 surveys demonstrate that America is still not doing enough to eliminate the problems that interfere with UOCAVA voting. Although voter satisfaction was high, our report reveals that too many things that should have improved have not yet changed:

- More than one in four, 22%, of the 24,000 voter survey respondents did not receive the official ballot they expected. Of the total respondent pool, 8% used the FWAB when their official ballot did not arrive, and the resulting number of voters that hoped for their ballot but did not vote was 14%.
- Nearly one-quarter, 23.7%, of experienced overseas voters still have questions or problems when registering to vote.
- 4% of experienced voters with questions, had questions about re-filing registration forms.
- More than half (52%) of those who tried but could not vote, were unable to because their ballots were late or did not arrive.
- Despite concerted efforts, less than half of UOCAVA voters are aware of the Federal Write-in Absentee Ballot as a fallback option to a regular, locally-supplied ballot.

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<sup>1</sup> The *Uniformed and Overseas Citizens Absentee Voting Act* is commonly referred to as *UOCAVA*. *UOCAVA* citizens are U.S. citizens who are active members of the Uniformed Services the Merchant Marine, and the commissioned corps of the Public Health Service and the National Oceanic and Atmospheric Administration, their family members, and U.S. citizens residing outside the United States. The Act, passed in 1986, provides the legal basis for absentee voting requirements for these citizens.

- Early state attempts to apply fax and email technologies are not improving chances of receiving ballots. 23.8% of respondents who sent in a request by email did not receive a ballot and 21.5% of respondents who used fax did not receive a ballot.
- Minnesota was identified as an example of a state that pursued UOCAVA friendly voter policies (such as a late registration deadline, electronic ballot delivery, and voter outreach programs), which increased voter satisfaction by almost 8%.

Based on the results of OVF's surveys and our experience supporting UOCAVA voters, OVF makes the following recommendations:

1. We call for ensuring the important role of UOCAVA through legislative updates, in particular those that pursue greater uniformity in the application of this key act.
2. We encourage adoption of the anticipated UOCAVA Uniform Law intended to harmonize UOCAVA implementation for overseas and military voters across all states and territories.
3. We suggest the implementation of technology measures including online ballot request for registered voters and online blank ballot delivery to alleviate the transmission and timing difficulties inherent in the UOCAVA equation.
4. We encourage innovation and investment in the Federal Write-in Absentee Ballot and broadening the practice of "Same Day Registration and Balloting" for UOCAVA voters.
5. We underscore the importance of privacy and security considerations when applying technology to UOCAVA processes.
6. We propose a willingness to include UOCAVA voters into any federal "universal voter registration" initiative as they stand to benefit from such legislation.

The full report can be downloaded from the OVF website:  
<https://www.overseasvotefoundation.org/initiatives-research>

Since OVF's first survey in 2004, a growing awareness of the problems of overseas voting and a growing participation by voters living abroad has changed the reform landscape. The Americans Abroad Caucus was formed, Overseas Vote Foundation launched a new set of integrated applications, and the 2008 OVF UOCAVA Summit took place in Munich, Germany with strong Washington, D.C. and U.S. election official participation. A new Alliance for Military and Overseas Voting Rights has just been announced. There is momentum and support from all sides to improve overseas and military voting. The OVF 2008 Post Election UOCAVA Voter Survey results reflect some these efforts. For example, increasing numbers of UOCAVA registrations and ballot requests, coupled with improved levels of satisfaction with the overseas voting process, provide evidence of some overall progress. In an election cycle that included historic increases in participation, especially among first-time voters, these observations might not be given the full attention that they deserve.

Despite some improvements, however, progress is uneven, and the surveys point to numerous areas ripe for reform. Indeed, OVF's 2008 survey findings corroborate FVAP legislative initiatives put forward to the states. Similarly, the results provide evidence of the need to prioritize select FVAP election administration enhancements as recommended in The Pew Charitable Trusts' highly valuable report, "No Time to Vote," which included a list of potential reforms.<sup>2</sup>

### **2008 Post Election Survey of UOCAVA Voters**

OVF's 47-question 2008 Post Election Survey of UOCAVA Voters was launched on Election Day, November 4, 2008 and ran through January 12, 2009. 24,031 UOCAVA voters completed the survey, resulting in a 23% response rate. The survey focused primarily on matters affecting their voting experience with intent to gain both quantitative and qualitative data. This is OVF's third post election voter survey.

### **2008 Local Election Official (LEO) Survey**

The 2008 Local Election Official (LEO) survey was sent to 4,944 LEO's in jurisdictions around the US. All 50 states, the

District of Columbia, American Samoa, Guam, Puerto Rico, and the Virgin Islands were included in the survey distribution. The 46-question LEO survey ran from December 5, 2008 through January 12, 2009, and 1,025 LEOs responded. It was the second post election LEO survey that OVF has executed.

### **About Overseas Vote Foundation**

Overseas Vote Foundation (OVF) helps overseas and military voters participate in federal elections. We do this by providing public access to innovative voter registration tools and services. If you are an overseas or military voter, OVF's goal is to make it easy for you to get your ballot and vote.

Overseas American citizens, State Department employees, and active duty uniformed service members and their accompanying families within and outside of the United States vote under the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) and can all register to vote from abroad using OVF's services.

OVF is not connected in any way with any US government or US military organization. OVF is a 501(c)(3) nonprofit, non-partisan public charity incorporated in Delaware.

OVF is committed to open dialogue, and aims to nurture a renewed constructive discussion on the role and use of technology in UOCAVA voting. OVF believes that, when applied appropriately and transparently, new technologies and the power of the Internet can bring UOCAVA forward faster than any other element in the mix of tools. In 2008, 4.75 million visitors to our websites utilized OVF's Internet-based voter services.

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<sup>2</sup> The Pew Charitable Trusts' Center on the States: No Time to Vote, January 2009; [http://www.pewcenteronthestates.org/news\\_room\\_detail.aspx?id=47962](http://www.pewcenteronthestates.org/news_room_detail.aspx?id=47962), accessed January 24, 2009.

## II. POLICY RECOMMENDATIONS AND CONCERNS

### A. KEEP UOCAVA DYNAMIC AND RELEVANT

The Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) is the legal foundation protecting the voting rights of U.S. citizens who are active members of the uniformed services, their family members, and other U.S. citizens residing outside the United States. Signed into law by Ronald Reagan in 1986, UOCAVA is administered by the Federal Voting Assistance Program, which is part of the Department of Defense.

With each post election survey, we learn more about UOCAVA's implementation, both from the standpoint of election officials and directly from voters. In 2008 OVF once again captured the growing size and active participation of the UOCAVA population in federal elections. As a nonpartisan organization serving voters and election officials alike, OVF has built a reputation for providing reliable and unbiased data and analysis to policy makers, journalists, election officials and overseas voters.

Based on our survey findings, several aspects of UOCAVA implementation stand out as priorities: late ballots, ballot delivery timing and methods; use of the write-in ballot; and uniformity of requirements across states, to name a few. This section of our report deals with these issues. Our findings complement the recently-released report by The Pew Charitable Trusts' Center on the States, "No Time to Vote".

Overseas voters face a long series of small but significant hurdles in order to register and vote successfully. The cumulative effect of these persistent issues is significant. Requirements regarding affidavits and signatures on envelopes; to use pre-paid postmarking; to have ballots notarized or witnessed; and to follow allowable ballot return methods chip away at the total percentage of UOCAVA voters who are successful and satisfied with the process.

UOCAVA must remain dynamic, and Congress should move to amend UOCAVA to address the long-running problems

identified in this report. Our survey data and experience, which is derived from technical support to individual voters provided by OVF's Voter Help Desk over four years, reveal some of the most nagging issues:

1. Uniform laws
2. Blank ballot delivery methods
3. Completed ballot return methods
4. Ballot envelope and postmarking issues
5. Voting residence terminology on ballot affidavits
6. Notarization and witness requirements
7. Federal Write-in Absentee Ballot limitations
8. Election administration issues plaguing UOCAVA ballot request validity and voter address maintenance
9. Problematic and various deadlines amongst states

### B. MAKE STATE LAWS MORE UNIFORM

Since the Help America Vote Act of 2002, the U.S. government has attempted to increase and improve information and processes for UOCAVA voters. However, there is plenty of room for improvement.

OVF's survey research demonstrates that the UOCAVA voting process still confounds many. For example, nearly one quarter (23.7%) of experienced overseas voters continue to have problems and questions about re-registration or filing requirements. First-time voters had many questions about the process of voting, such as deadlines, voting addresses, and filing requirements. Why all this confusion?

While FVAP is the designated federal agency administering UOCAVA, it actually falls to state and local officials to make sure that overseas voters are treated according to the law. These thousands of jurisdictions operate under different requirements and resources, and often develop processes that are arduously complex. These prerequisites to registration, receipt and submission of a valid ballot range from the type of identification, to extra documented proof of citizenship, to identifying your overseas employer or previous voting address.

OVF's post election survey findings have consistently shown that many voters worry that their request may be denied for lack of compliance.

To properly develop the OVF software applications, OVF first analyzed state requirements as documented in the federal Voting Assistance Guide. We worked to incorporate the details and differences across states. What is striking is how what might appear to be small differences in state requirements can have major effects on overseas voters.

To illustrate, would you know how to handle these circumstances?

- You are from Oklahoma and don't have a valid US driver's license.
- You are from Ohio and forget to indicate the length of time you lived in Ohio prior to moving overseas.
- You don't know whether your state wants a complete nine-digit Social Security Number, or if it, like most other states, accepts the last 4 digits.
- Or you are from Virginia and don't know that you must provide the name and address of your employer.

These are just a few examples of the level and variety of detail that states require. Systems for handling UOCAVA voters often differ at the sub-state or jurisdictional level.

There is growing consensus for increased uniformity in state requirements. Increased uniformity would enhance voter confidence in the UOCAVA program by reducing the unintentional consequences caused by disparate rules and regulations, and also increase confidence in its equitable implementation. A "no surprises" system would fundamentally support greater participation and user confidence.

There are many regulations that need to be addressed. However, the most important are those directly related to accurate and timely ballot receipt and submission: filing deadlines, required identification, and notarization and witnessing of registration and or ballots. To this end, the Uniform Law Commission (ULC) is developing a proposed set of guidelines for uniformity in implementing UOCAVA across all states.

A study committee met in December 2008, and additional ULC meetings will be held in February and March 2009 with the objective of delineating the recommended common implementation of UOCAVA. OVF encourages broad participation from a diverse group of delegates from overseas and military voter groups, states and legislators, using research, data and experience available to determine the recommended uniform law implementation of UOCAVA.

## **C. REFORM UOCAVA BALLOTING**

### **C.1. Move to Online Ballot Delivery**

The survey results in this report underscore the need to move away from postal systems for ballot delivery to online systems for ballot delivery or access. This is a crucial policy recommendation.

Our research indicates that in 2008, two out of every five (39%) of voters received their ballots during the second half of October or later, which is too late to guarantee return in a timely manner. This finding represents an increase from the one in four (25%) who reported receiving late ballots in 2006 mid-term election, despite the increasing attention paid to the problems of overseas voters in the intervening years. Given that the majority of overseas voters must rely upon traditional post to return completed and valid ballots in order to comply with voter regulations, many individuals face the very real possibility that their ballots will not meet receipt deadlines. Indeed, election officials cite "late arriving ballots" as the number one reason for ballot rejection.

Furthermore, 6% of survey participants did not send in their official ballots. Among voters who did not return their ballots, more than half (52%) cited the chief reason as "late ballot receipt." This is consistent with the findings of the 2004 and 2006 OVF Post Election surveys. The results of three post election surveys show one common reason for not voting: I didn't get my ballot on time.

Online ballot delivery is simple and helps solve the problem of timely registration and ballot submission. After a voter has submitted a ballot request, the local election official can email, fax or provide online access to a blank ballot. The voter then prints the ballot, fills it in and mails it. This system eliminates up to two weeks in the balloting process.

Online ballot delivery supports the trend toward paper balloting in the US. Online ballots, when formatted to A4 international standard paper size, can be easily printed and returned by standard physical post. Voters can print ballots they receive or are able to access directly online and benefit from quicker returns on delivery time. As documented by NIST, online ballot delivery can be implemented safely and need not introduce unmitigated risk into our election system.

## **C.2. Improve Write-in Ballots**

The Federal Write-in Absentee Ballot (FWAB) is more than a brilliant solution to late ballot receipt issues – it also presents an opportunity to reduce what is now a multi-step process. To date, it has been largely limited to registered voters who filed the UOCAVA voter registration/ballot request “FPCA” by the filing deadline of the state (or 30 days prior to the election, whichever provides the most time).

OVF recommends the following:

- a) the FWAB function simultaneously as a voter registration/ballot request and as a completed ballot;
- b) the FWAB be considered for upgrade investments to optimize its function;
- c) state and local level voting be better integrated into the FWAB;
- d) state level candidate information be openly available in a standard open format to support third party development initiatives.

### **C.2.i. Boost FWAB Awareness**

Unfortunately, the FWAB in its current format remains largely invisible to most voters. Information about the required processes may not be widely communicated by local election officials.

In 2008 we asked those respondents who did not receive a ballot if they were aware of the FWAB. About half, (52%) of these voters were not aware of the FWAB. We also asked those voters who received ballots if they were aware of the FWAB. Again, more than half of voters (58%) were not aware of the FWAB. It is important to note that awareness of available FWAB must also address educational outreach efforts,

which are necessary to inform the high percentage of first time overseas voters.

### **C.2.ii. Collapse the UOCAVA Absentee Voting Timeline**

Several states allow the FWAB to be used in federal elections as a simultaneous voter registration/ballot request and completed ballot, effectively collapsing the UOCAVA voting process into one step. For voters initiating the UOCAVA ballot request process after the primaries, which our research shows is the most common practice, this presents an ideal solution. 66% of voters attend to their registration and balloting request in the 60 days prior to the election.

It should be noted that the “cover page” of the FWAB is nearly identical to the official FPCA registration form. That is, the critical information required for UOCAVA voter registration and ballot request is duplicated on the FWAB cover page.

We suggest that all states accept the FWAB whether or not the voter requested a ballot prior to sending in their FWAB and simply treat it as a combined registration/ballot request form and ballot. Extension of this practice to other states would greatly alleviate the extended time period that is otherwise required to register and vote from overseas. As noted in the Pew “No Time to Vote” report, nearly half the states’ processes for UOCAVA do not allow the time necessary for overseas military to effectively vote. A “same day” federal write-in absentee registration and ballot provides a ready solution to that 25 state problem.

### **C.2.iii. Upgrade the FWAB System**

In 2008, with support from Pew’s Center on the States, OVF upgraded the online FWAB concept to create a “Vote-Print-Mail” FWAB (VPM-FWAB) system. The system builds on OVF’s suite of tools and provides integrated zip-to-district matching and dynamic candidate list generation. The voter enters his/her US voting residence address, and the system determines the list of federal candidates on the ballot in the voter’s jurisdiction. The voter can point, click, vote, and print the ballot with complete instructions, including notarization requirements where applicable, their specific election jurisdiction mailing address, and a completed fax form for states that

permit fax transmission. The output prints in the form of the FWAB. However, this is completely flexible and the output could also be any other ballot style.

The VPM-FWAB, when combined with the new “Express Your Vote” OVF-FedEx reduced-rate international ballot return shipping, created an affordable, express ballot return solution for US citizens and military voters overseas. Approximately 10,000 voters used Express Your Vote to return their ballots in 2008. Although this was fewer than anticipated, it was enough to sufficiently prove and test the concept as well as the back-end systems and processes for use future elections. We recommend further development of the online VPM-FWAB application.

#### **C.2.iv. Adopt the FWAB as the Standard State Write-in Absentee Ballot**

Rather than initiating separate forms and processes for State Write-in Absentee Ballots, OVF strongly encourages common adoption of the FWAB form as the standard for voting in state contests as well. The current form of the FWAB is quite rudimentary and may require an upgrade. It does, however, contain blank lines below the federal offices section to allow for write-in of state candidates.

#### **C.2.v. Make it Easier for Voters to Vote in State and Local Elections**

It would be very useful if states made available, in a standard format, information about the contests and candidates on the ballot in their state. This would enable further development of online absentee ballot solutions and encourage overseas voters to participate in races below the federal elections.

Currently voters are divided up by Congressional districts. There are some state and local contests that will be on every ballot in that district. The state could provide a listing, for each federal district, of all such state/local contests. This approach might include contests like governor, state propositions, state bond measures, etc. With this information available in an open standard format, OVF, the states, the FVAP or other third parties could use it to expand the online VPM-FWAB application to assist eligible overseas voters vote not just on federal races but also on many state races.

One final note about the FWAB: Of great concern to OVF

is the rejection rate of FWABs. It is not only a question of whether voters know to use the FWAB, but what the administrators do with it. Close examination of the upcoming US EAC’s 2009 Election Day Survey may shed further light on this topic.

### **D. ENHANCE BOTH TECHNOLOGY AND SECURITY**

OVF believes that technologies can be used without compromising voter’s identities or ballot security, and that there are tremendous technology developments and practical solutions to look forward to in the coming years. We recommend that security considerations be maintained in the key areas of online ballot request and voted ballot return, and for privacy assurance.

#### **D.1. Online Ballot Request**

OVF recommends that registered UOCAVA voters with signatures or other authentication data on file be able to request a ballot through online methods.

- States worried about security could make such services available only to voters who have already registered or requested a ballot once in the past.
- States could work with OVF or FVAP to link this into the registration/ballot request “FPCA” process that they already provide. When the voter gets to the end of the process, instead of being given a PDF to mail back in, the voter can „submit“ the information electronically to the state.
- The primary technical issue is that states/counties must authenticate voters. For voters who have already registered, the voter registration rolls should contain plenty of information for their authentication. For instance, the state could have a web page where the voter enters in their name, last US address, driver’s license number or social security number, and the web site uses that to authenticate the voter and then allows the voter request a ballot online.

#### **D.2. Security Measures for Electronic Return of Voted Ballots**

Voting systems that involve electronic return/transmission of voted ballots over public telecommunications networks incur

special risks, as well documented in the recent NIST report. Suggested guiding principles include:

- **Seek technical experts:** There are people with special expertise on these subjects. Involve them in the process.
- **Conduct an independent security evaluation:** When buying voting systems from a vendor, don't rely upon the vendor; get a second opinion from independent experts who don't have any commercial interest in the subject. Part of the state certification process should include an independent technical evaluation of the system, including its security, reliability, and other technical properties. Experts should be given full access to the system, including source code, technical documents, and user documentation, plus access to the developers. The final report should be published.
- **Embrace transparency:** Use of the Internet and other networks for electronic ballot return is controversial. In light of this, transparency is important. Publish all technical documents. Conduct a public hearing. Seek to involve important parties in the process to air concerns early, rather than delivering a *fait-accompli*.
- **Consider requiring software disclosure:** One thing that exacerbates controversy is the use of proprietary software that is not available for scrutiny by interested parties. This heightens tensions because it puts vendors in a privileged position: they can make strong claims about their software, making it impossible for independent parties to evaluate the evidence directly.

Without access to source code, advocates on both sides of the debate are denied access to information that would be needed to present evidence for their position. The result is that advocates often end up arguing based upon first principles rather than from hard evidence, which might contribute to increased polarization. When procuring new voting systems, states may want to consider the benefits of solutions that enable them to provide access to the source code to interested parties.

### D.3. Privacy Protection

Designers of online ballot request and ballot delivery systems should be sensitive to privacy risks and should protect voters from identity theft and related risks. Techniques to mitigate

these risks include: minimizing the amount of personal information requested and retained; providing controls to prevent unauthorized access to this information; avoiding 'clear-text' unsecured online transmission of sensitive personally identifiable information; protecting against phishing attacks; avoiding asking or training users to behave in unsafe ways that make them more susceptible to phishing and other problems online; and following best practices from the commercial world.

### E. UOCAVA AND UNIVERSAL VOTER REGISTRATION

Universal Voter Registration (UVR) is currently at the top of the wish list for many in the election reform community. With UOCAVA voting, the universe of UVR moves geographically beyond the US border. Close examination of how any federal universal voting legislation would impact UOCAVA is necessary, and UVR, should it come about, is no exception.

Although it would not eliminate the need to determine one's proper US voting residence address or to maintain an up-to-date ballot delivery address with the voting jurisdiction, UOCAVA voters stand to benefit enormously from a properly implemented UVR. US citizenship is not the only guiding principal in whether voters can vote under UOCAVA. As discussed in an earlier section of this document, there are unlimited varieties of state implementations of UOCAVA and the registration guidelines that encumber the registration process. Tremendous discretion rests with the local election authorities and is complicated by individual circumstances that overseas voters may have in determining their right to vote.

Voters and election officials invest tremendous amounts of time maintaining up to date UOCAVA voter registration. Some states allow permanent UOCAVA absentee voter registration status, but not all. There is confusion on this point. Data reveals that the top reason that voters did not send in a new form is that they thought they were already registered and their ballot would simply arrive. Re-registration and re-filing requirements also represented the number one question of experienced UOCAVA voters.

Presently the FPCA form grants UOCAVA voters ballots for four years; however, due to the high mobility of these voters, many states nonetheless require submission of the FPCA as a

“ballot request” for each election. This is to confirm the voter’s address, but it is not consistently applied and some voters are unaware of this requirement. This is a double edged sword affecting election officials as well: UOCAVA voter address maintenance is yet again the number one problematic issue arising from our post election survey of local election officials, with more than one-third (37%) of respondents citing it as the greatest problem.

American citizens living overseas can be rejected from the voting process as ineligible. Citizenship is currently no guarantee of voting rights where overseas citizens are involved, for example children born to U.S. citizens overseas who are U.S. citizens themselves but who may not have established a U.S. residence and therefore do not have a previous U.S. address to use as their voting residence address when requesting a ballot. Although they may be passport- and social security card-holding Americans and they are required to file taxes, currently only 16 states allow these U.S. citizens to vote using their U.S. parent/s’ voting residence address. We would assert that these 16 states have sufficiently vetted the process for the remaining states. However, expansion of this right is virtually stagnant. It’s nothing short of tragic that many young, would-be, first-time voters were denied the right to cast ballots in the last election. With UVR, the fundamental question of whether to allow these US citizens to vote would finally have just one answer: affirmative.

## **F. UOCAVA VOTER RESPONSIBILITIES**

A UVR system would not abdicate overseas voters from certain responsibilities. If a US citizen is leaving the country, and there is no requirement to report his/her new address to the State department or other US government entity, there remains a measure of direct responsibility on the voter to inform his/her election official of his/her new address overseas and desire to receive a ballot. This holds true for each time the voter changes his/her address. In effect, address maintenance is essential with or without universal voter registration rights. Not all critical aspects of UOCAVA evaporate.

An effective ballot request system for overseas and military voters to support the necessary address update and “voter status and type” update to the database must be taken into

account when designing any new systems. This same system might be used for when such voters return to the U.S. and re-establish domestic voter status.

If new UVR tracking systems are developed, they should be planned from the start to accommodate “voter status” (local, domestic absentee, overseas elector, military absentee, etc.) and to track multiple addresses (voting residence, forwarding address, current address). Other key voter data, such as “temporarily or indefinitely” overseas, plays a determining role in whether the voter is provided with a full-state or federal-only ballot.

The US Census does not collect data on citizens overseas and the USPS does not forward to overseas addresses. The default best starting list for overseas voters is likely a compilation of existing UOCAVA registration lists from past and current years, coupled with proactive outreach to the voters to confirm their locations. State department lists maintained by local U.S. Consulates and Embassies around the world may also provide additional voter data. Military voter addresses would likely be derived from and regularly updated through integration with the DEERS database.

With the current system, registered UOCAVA voters fall off the voting rolls every four years if they do not re-file the FPCA form. Most voters do not understand the four-year / two-year election cycle timing and many forget where they stand on this point. If voters were considered “registered” and the overseas process was largely designed, not to determine eligibility, but to provide them their ballot in a timely manner, perhaps the information requested on the ballot request form could be altered with security in mind - enough to make it perfectly safe to send overseas by electronic means.

### III. POST ELECTION SURVEY

In 2008, for the third straight election cycle, OVF sponsored its unique post election survey of overseas and military voters. Launched on Election Day, November 4, 2008, the survey was completed by 24,031 UOCAVA voters as of January 12, 2009.<sup>1</sup> The 47-question voter survey focused primarily on issues affecting their voting experiences. The data will support the efforts of OVF, election officials at the local, state and federal levels, scholars and advocates to understand and improve voting and registration for citizens who live abroad or serve in the military. In the following pages we review the findings of the survey and compare it to OVF's previous surveys from 2004 and 2006.

#### A. METHODOLOGY AND DATA CONSIDERATIONS

Three different groups took the online voter survey. The content and form of the survey remained constant across the three groups. In the first group, OVF invited 105,759 individuals to complete the survey. These invitations allowed one-time completion of the survey and were auto-disabled after use or if forwarded. This list of individuals was compiled from the OVF mailing list. 23,369 (22.1%) of those invited completed the survey. In the second distinct group, OVF set up an open URL to the survey for the use of any overseas voter wanting to complete the survey. 529 individuals completed the survey, but were not specifically invited by OVF. In the final group, 133 students were sent the survey URL by their study-abroad program office. The total number of respondents is 24,031.

Because Americans are not required to register when they move overseas, it is not easy to identify the exact number of overseas voters and how to contact them. Thus, it is difficult to gather a completely representative random sample of respondents. In light of these limitations OVF was committed to gathering as many responses as possible. OVF is a nonpartisan organization and its services are customized and offered through many other types of websites ranging from Secretaries of State websites to overseas and domestic voter outreach

organization sites to political campaigns. Therefore, it was possible to develop the survey invitation list from multiple sources. With a variety of list sources, combined with its sheer size and the resulting number and diversity of the respondent pool, we believe the sample offers strong representation of the target group. Respondents lived across 186 countries and voted in all states and territories.

Partially completed surveys were not included in the calculated response rates or analyses. Unless indicated, the reported results are for the total number of respondents from all three groups.

#### B. RESPONDENT PROFILE AND DEMOGRAPHICS

Although there was greater youth participation than in previous years, the respondent profile was consistent with past surveys. The average respondent was over the age of 30 and highly educated. Respondents have generally lived overseas indefinitely, have lived overseas longer than 10 years and live overseas for personal reasons (i.e. marriage or preference).

##### B.1. Voter Respondent Types

Nearly three-quarters of respondents to the survey live outside of the U.S. indefinitely or permanently. This is a decrease from 2006, which indicates that OVF is successfully reaching out to Americans who are living abroad temporarily. While military voters continue to be under-represented in our survey, they made up three times the share in 2008 than they did in 2006, which is a sign that OVF's voter services are increasingly being utilized by military voters and their families.

<sup>1</sup> The Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA), first enacted in 1986, is the current federal legislation for overseas and military absentee voters.

**TABLE 1: VOTER RESPONDENT TYPES**

Description	2008	2006
U.S. citizen residing outside of the U.S. Temporarily	23%	14.4%
U.S. citizen residing outside of the U.S. Indefinitely or Permanently	72%	80.9%
Active Duty Military or Spouse or dependent of Active Duty Military	4.8%	1.6%

*NOTE: Respondents were asked, "Which of the following best describes you?" Question was not asked in 2004. Figures represent percent of respondents.*

Other notable characteristics include:<sup>2</sup>

- 41% of respondents have lived overseas for more than 10 years (compared to 56% in 2006, and 46% in 2004). Once again, the second largest group of respondents has lived overseas for between 5 and 10 years (17%).
- 76% of the respondents had higher education degrees (i.e. a BA, MA, PhD, or Post Doctorate).
- 16.9% of the respondents were under the age of 30.
- In regards to the respondents' profile, the results for the Youth Sample (between the ages of 18 and 29) are different from those of the merged data, in that 77% of youth voters are outside the U.S. temporarily and 21% are outside the U.S. indefinitely. Youth voters have lived outside the U.S. for a short amount of time and are predominantly female (72%). Among youth voters, 88% were either first time voters or voting outside the U.S. for the first time.
- The primary reasons for living overseas were "marriage/partnership" (29%), "employment" (24%), and "personal preference" (15.3%).

## B.2. Where Survey Respondents Live

The data includes respondents from 186 countries, which is an increase from 142 countries in 2006. However, 61.1% of voters lived in just 10 countries; most in Western Europe. This result represents a larger dispersion than in 2006, when 70% of respondents lived in 10 countries.

<sup>2</sup> These characteristics are slightly different when we consider OVF website users only. See Section V for more information. These differences demonstrate that we were able to reach a wider audience outside of OVF.

**TABLE 2: WHERE SURVEY RESPONDENTS LIVE**

Country	2008	2006	2004
Canada	14%	25%	26%
United Kingdom	13%	11%	13%
Germany	8%	8%	6%
France	5%	6%	6%
Israel	5%	2%	3%
Australia	4%	5%	5%
Switzerland	4%	3%	5%
Japan	3%	4%	4%
Italy	3%	3%	3%
China	2.6%	1%	1%

*NOTE: Respondents were asked, "In which country were you living at the time of the November 4, 2008 General Election." Figures represent percent of respondents.*

The number of respondents in China and Israel increased from 2006 and 2004. Note that two Asian countries, Japan and China, are now in the top 10 of survey respondents reflecting shifts in US overseas population. However, Mexico is still underrepresented in the sample. Although approximately 1 million Americans live in Mexico, only 2.3% of our respondents live in this country. Americans in Mexico report to OVF that not only is the postal mail service unreliable and slow, but telecom and Internet services are also not widely available. Due to the lack of a reliable communications infrastructure we see lower participation than one might expect in Mexico and Latin America as a whole. 319 respondents (1.3%) reported being "active duty military within the U.S."

## B.3. Voting History

Voting history can impact the number of problems that a respondent experiences. **52.3% of respondents had voted previously either overseas or as domestic US voters.**

**TABLE 3: VOTING HISTORY**

Possible Responses	2008	2006	2004
First time voting	13.9%	4%	25%
Voted before in the US, but never as an overseas voter	33.8%	11%	48%
Voted before, but only as an overseas voter	10.3%	18%	3.4%
Voted before in the U.S. and as an overseas voter	42.0%	67%	20%

NOTE: Respondents were asked, "What is your voting history?" Figures represent percent of respondents.

If we compare 2004 and 2008, we can see that OVF is reaching more experienced voters. This may reflect repeat users of the OVF website. Since 2006 was a congressional election, the election tended to draw more experienced voters with a keen interest in politics.

#### B.4. Where UOCAVA Voters Registered

Voters who participated in the survey came from all 50 states, with the highest number of UOCAVA registrants coming from California, New York, Texas, Florida and Pennsylvania. This is unchanged from the 2006 results.

**TABLE 4: WHERE VOTERS WERE REGISTERED**

State	2008	2006	2004
California	14.1%	17%	15.8%
New York	12.6%	17%	12.8%
Texas	8.6%	5%	4.7%
Florida	4.7%	4%	4.1%
Pennsylvania	4.1%	5%	4.9%
Illinois	3.8%	5%	4.9%
Massachusetts	3.7%	4%	4.7%
New Jersey	3.7%	3%	
Ohio	3.3%	3%	
Minnesota	3.3%	3%	

NOTE: Respondents were asked, "In which U.S. state or territory did you register or would you have registered to vote?" Figures represent percent of respondents to the question.

The most significant change is the number of survey respondents from Texas. We attribute this to the state's launching of their customized OVF State Hosted System. After the launch of the system, Texas rose to the top of the OVF state website usage ranking.

#### C. UOCAVA VOTER REGISTRATION ISSUES

Section C highlights how **increasing numbers of voters are using the Internet to register to vote.**<sup>3</sup> While the sample of this Internet-based survey may be skewed toward those most likely to use the Internet to register, the change from previous years suggests that this is not wholly attributable to our mode of collection.

As seen below in Table 5, 84% of respondents sent in a registration form or ballot request. These results are similar to 2006 and 2004. Approximately 4% of respondents were still not able to complete the process.

**TABLE 5: VOTER REGISTRATION/ BALLOT REQUEST**

Registration	2008	2006	2004
I sent in a voter registration/request form	20150 83.9%	66%	88%
I did not send in voter registration/request form	1100 4.6%	21%	3%
My ballot arrived without filing a new form	1763 7.3%		
I tried, but was unable to complete the process.	1018 4.2%	4%	9%

NOTE: Respondents were asked, "Did you file a voter registration/ ballot request form for any of the 2008 elections?" "My ballot arrived without filing a new form" was not a response option in the 2006 and 2004 surveys. Figures represent percent of respondents to the question.

#### C.1. Top 5 Registration/Ballot Request Methods

In comparison to 2006, when 31% of the voters continued to use a combination of manual and online voter registration/ ballot request methods, in 2008 the majority of respondents used website programs to complete their request forms.

<sup>3</sup> Because so many respondents used the OVF website to register, the case of registration for overseas voters as a whole may be overstated.

**TABLE 6: TOP REGISTRATION METHODS**

Method	2008	2006	2004
OVF Website	67%	41.3%	49.2%
Paper Provided by Local Election Office	6.6%	30.9%	
FVAP Website	5.7%	12.6%	18%
State Website	5.2%		
Youth Vote Overseas Website	3.2%		
FPCA Form			17.9%

NOTE: Respondents were asked, “Which of the following did you use to complete the registration/request form for the 2008 election?” “State Website” and “Youth Vote Overseas Website” were not response options in the 2006 and 2004 surveys. “FPCA Form” was not a response option in 2006 and 2008. Figures represent percent of respondents to the question.

## C.2. Sending in the Registration/Ballot Request

More individuals also used electronic methods such as fax and email to return their ballot requests than in 2006 (18.2% in 2008 versus 11% in 2006). However, traditional post was still the dominant method, which could have resulted in a higher risk of missed deadlines and late ballots. Combined physical delivery methods represented 80% of registration/ballot request return in 2008.

**TABLE 7: METHODS FOR SENDING IN REGISTRATION/BALLOT REQUESTS**

Method	2008	2006
Regular Mail	59.9%	73%
Email	5.9%	5%
Certified Mail	5.5%	7%
FAX + original by mail	4.7%	6%
FedEx, DHL or other commercial courier	4.3%	2%
Email + original by mail	3.9%	
FAX	3.7%	
Delivered in person or mailed in the US	3.2%	2%
Embassy or Consulate mail pouch	2.3%	2%
Express Your Vote (OVF/FedEx)	2.1%	
Military Post	2.0%	2%
Other	1.9%	

NOTE: Respondents were asked, “How did you return your voter registration/ballot request form?” In 2004 questions about the

method for sending in registration request was combined with questions about ballot return. See Table 15 for details. Figures represent percent of respondents to the question.

The increased use of email and fax may speed up the registration process, but it also introduces privacy and security issues of which many voters may not be aware. The NIST report recommended that, “While the threats to telephone, e-mail, and web can be mitigated through the use of procedural and technical security controls, they are still more serious and challenging to overcome.”<sup>4</sup> Although online solutions for UOCAVA voting are attractive from many perspectives, OVF continues to recommend caution. Appropriate online solutions should not risk the security, confidentiality, or identity of voters.

As seen below in Table 8, how a registration form/ballot request was sent in also influenced whether or not a voter received a ballot. 23.8% of respondents who sent in a request by email did not receive a ballot and 21.5% of respondents who used fax did not receive a ballot. Voters don’t always realize that an emailed or faxed request in most states does not exempt the voter from sending in the signed original. “In effect it is twice the work and therefore we are not actively encouraging it,” stated Katie Blinn, Assistant Director of Elections, Washington State Secretary of State. “Our state still requires that the signed form arrive by the deadline, regardless of the earlier electronic transmission, and for voters this practice can be misleading.”

<sup>4</sup> Regenscheid, Andrew and Nelson Hastings. 2008. “A Threat Analysis on UOCAVA Voting Systems.” National Institute of Standards and Technology, US Department of Commerce.

**TABLE 8: METHODS FOR SENDING IN REGISTRATION/BALLOT REQUESTS**

How did you return your voter registration/ballot request form?	Did you receive a ballot from your U.S. election office?		
	Yes	No	Total
Regular Mail or International Mail	10347 62.2%	1638 48.8%	11985 59.9%
Certified Mail	951 5.7%	151 4.5%	1102 5.5%
Express Your Vote (OVF/FedEx)	320 1.9%	91 2.7%	411 2.1%
FedEx, DHL or other commercial courier	690 4.1%	167 5.0%	857 4.3%
Military Post	357 2.1%	47 1.4%	404 2.0%
Embassy or Consulate mail pouch	357 2.1%	101 3.0%	458 2.3%
FAX	576 3.5%	156 4.7%	732 3.7%
FAX + original form by mail	734 4.4%	203 6.1%	937 4.7%
Email	854 5.1%	324 9.7%	1178 5.9%
Email + original form by mail	631 3.8%	139 4.1%	770 3.9%
Sent it to FVAP	32 .2%	11 .3%	43 .2%
Emailed it to the FVAP	59 .4%	38 1.1%	97 .5%
Delivered in person or mailed in the US	541 3.3%	103 3.1%	644 3.2%
Other	190 1.1%	185 5.5%	375 1.9%
<b>Total</b>	<b>16639</b>	<b>3354</b>	<b>19993</b>

NOTE: Figures represent percent of respondents. Respondents were asked, "How did you return your voter registration/ballot request form?" "Did you receive a ballot from your U.S. election office for the Nov. 4, 2008 General (Presidential) Election?"

### C.3. What Gets in the Way of Registering to Vote?

4.6% of respondents did not send in a registration form. Below are the top five reasons that voters did not send in a form. Compared to 2004 and 2006 more respondents missed the deadline for voter registration and ballot requests. Furthermore, many survey participants are still having problems obtaining information during the registration and ballot request process.<sup>5</sup> The higher number of infrequent or first-time voters in 2008 compared to the Congressional election of 2006 may explain some of this increase.

**TABLE 9: TOP 5 REASONS A BALLOT REQUEST WAS NOT SENT IN**

Reason	2008	2006	2004
I thought I was still registered.	339 31%	184 20%	
"Other"	247 22%	423 46%	218 71%
I missed the deadline.	268 25%	184 20%	52 17%
The process seemed too complicated.	170 16%	81 9%	
I didn't feel my vote would matter.	99 9%	89 10%	22 7%

NOTE: Respondents were asked, "Why didn't you send in a voter registration/ballot request form for the 2008 elections. (Check all that apply.) Percentages are based on the number of respondents to the question and not the number of respondents for the survey. Figures represent percent of respondents to the question and sample size.

4.2% of respondents tried to send in a voter registration/ballot request, but were unable to complete the process. What hindered them? As we can see below, voters are still confused about the registration/ballot request process, and despite increased efforts by OVF, FVAP and PEW, many individuals are still missing registration deadlines.

<sup>5</sup> This result is also reflected in the comments left on the OVF website. Many voters contacted OVF using misinformation from friends in other states. "Because my friend from state X..." Variations in state laws cause confusion and dampen registration.

**TABLE 10: TOP 5 OBSTACLES TO COMPLETING THE VOTER REGISTRATION PROCESS**

Obstacle	2008	2006
I missed the deadline.	358 36%	45 27%
Problems with process	348 34%	
I thought my form was sent online.	208 20%	
I didn't mail my original form.	158 16%	
I didn't know who to contact.	137 13%	28 17%

NOTE: Respondents were asked, "What prevented you from completing the voter registration/ballot request process? (Check all that apply.)" Question was not asked in 2004. Figures represent percent of respondents to the question and respondent size.

When encountering these obstacles, voters develop a number of questions. Hypothetically, individuals who have voted before may experience fewer problems because they have been through the process before. However, as seen below in Table 11, 48% of those respondents that had questions or problems with the process were experienced overseas voters.

**TABLE 11: VOTING HISTORY AND REGISTRATION QUESTIONS**

"In the voter registration/ballot request process, did you have any questions and/or problems?"

Did you have a problem?	What is your voting history?		Total
	First Time Voter or First Time Overseas Voter	Experienced Overseas Voter	
Yes	2601 (52%)	2387 (48%)	4988
No	7341 (49%)	7745 (51%)	15086

NOTE: The responses for the question "What is your voting history?" are collapsed into two categories. "First time voters" and "Voted before but never as an overseas voter" are put into one category. "Voted before but only as an overseas voter" and "Voted both in the U.S. and as an overseas voter" are put into the second category.

In Table 12 below, we see that the nature of the questions that first time voters and experienced voters have differ. Experi-

enced voters had more questions about re-registration or filing requirements. First time voters had more questions about their voting address and electronically produced forms. However, it is telling that even experienced overseas voters still have problems with registration and ballot requests. Both groups had trouble identifying appropriate deadlines.

**TABLE 12: VOTING HISTORY AND REGISTRATION QUESTIONS**

"What did your questions and/or problems concern? (Check all that apply)"

Type of Problem	What is your voting history?	
	First Time Voter or First Time Overseas Voter	Experienced Overseas Voter
Voting Eligibility	202 (5%)	159 (4%)
Voting rights for Citizens who never lived in the U.S.	85 (2%)	62 (2%)
Registration Deadlines	601 (14%)	469 (13%)
Re-Registration or filing requirements	360 (9%)	508 (14%)
Misunderstandings in the form was transmitted electronically on paper	492 (12%)	375 (10%)
My US voting residence	421 (10%)	278 (7%)
Personal Identification Requirements	193 (5%)	147 (4%)
Notarization or Witness requirements	123 (3%)	129 (3%)
Election office mailing address	187 (4%)	133 (4%)
My election office required additional forms	134 (3%)	98 (3%)
Mistakes on the forms	111 (3%)	134 (4%)
Tax Implications	33 (1%)	40 (1%)
Other	1287 (30%)	1208 (32%)
TOTAL	4229	3740

NOTE: The responses for the question "What is your voting history?" are collapsed into two categories. "First time voters" and "Voted before but never as an overseas voter" are put into one category. "Voted before but only as an overseas voter" and "Voted both in the U.S. and as an overseas voter" are put into the second category. Respondents were asked, "What did your questions and/or problems [regarding the registration/ballot request process] concern? (Check all that apply.)"

From the above, we can conclude that straightforward, easy to access information about the process is the key to increasing registration. If even experienced overseas voters are having problems, then both government agencies and NGOs need to ensure that deadlines and forms are explained consistently on all websites.

#### C.4. Registration Satisfaction Rate and Confirmation

Receiving a confirmation of their ballot request appears to be an important determinant of voter satisfaction. 42% of respondents received confirmation of their ballot request. 75.6% (or 14,918 out of 19,731 participants) indicated that they were either “very satisfied” or “satisfied” with the voter registration and ballot request process. 14.2% were either “dissatisfied” or “very dissatisfied.”

These two variables appear to be related and positively correlated.<sup>6</sup> As can be seen in Table 13 below, voters that receive confirmation of their registration are more likely to be satisfied with the process.

**TABLE 13: REGISTRATION CONFIRMATION AND VOTER SATISFACTION**

Satisfaction with registration	Did you receive confirmation that your registration form was accepted?	
	Yes	No
Very Satisfied	4789 (58%)	3587 (31%)
Satisfied	2370 (29%)	4172 (36%)
Neutral	509 (6%)	1513 (13%)
Dissatisfied	310 (4%)	1155 (10%)
Very Dissatisfied	314 (4%)	1012 (9%)
Total	8292 (100%)	11439 (100%)

*NOTE: Respondents were asked, “Did you receive confirmation that your registration form was accepted?” and “How satisfied were you with the registration process?”*

Providing confirmation for registration and ballot requests is costly, however it not only improves voter satisfaction, but might also increase absentee voting. These results are sup-

ported by the comments that respondents made during the survey:

- “...all states need to institute a receipt policy, to let people know that their registration or ballot was received.”  
“I then was unable to determine whether this [my registration form] was received until I actually received the ballot.”

#### D. OVERSEAS BALLOT ISSUES

##### D.1. Reasons Why UOCAVA Voters Didn’t Vote

After registration, the next step in successful absentee voting is receiving a ballot. The FVAP recommends that states send out their ballots 30 to 45 days before an election. Overseas voters who receive ballots two weeks before the election have little time to return them via traditional post. In 2008, 78% of respondents received their ballots. However, as we see in Table 14 below, 39% of voters received their ballots after the middle of October. Although this is better than 2004 when 43% of voters received their ballots late or not at all, it is worse than 2006. Despite the increasing attention paid to the problems of overseas voters, 2008 was worse than the 25% who reported receiving late ballots in 2006. Given that the majority of overseas voters still use traditional post to send in their ballots, many individuals face the possibility that their ballots will not meet return deadlines.

**TABLE 14: BALLOT RECEIPT**

When did you receive your ballot?	2008	2006	2004
September or earlier	18%	36%	22%
1st half of October	42%	37%	37%
2nd half of October	28%	20%	29%
Week of the Election	9%	5%	
Election Day	1%	1%	5%
After Election Day	1%		
Don’t know/remember	2%		
Never			9%

*NOTE: Respondents were asked, “When did your official ballot from your election office for the November 4, 2008 General Election arrive?” In 2004, responses for “Election Day or after” are combined. Figures represent percent of respondents to the question.*

<sup>6</sup> There is a Cramer’s V of .281 with a significance of .001

Table 14 does not reflect the large number of respondents who reported in comments that they never received a ballot. The question, “When did you receive your ballot?” was posed only to voters who indicated in an earlier question that they had received a ballot. Fully one-fifth, 22% of voter respondents, claimed they did not receive their ballot at all. But just one third, 35%, of these voters were aware of and used the Federal Write-in Absentee Ballot.

Of those who did receive their official ballots, 6% did not send them in. Slightly over half, 52%, of the total number of voters who did not return their ballots, cited the reason as late ballot receipt. This is consistent with the findings of the 2004 and 2006 Post Election Surveys. The main reasons why voters were unable to vote in 2006 stemmed from the combination of late and non-arriving ballots (45% of the total who did not vote or 20% of the total of all respondents). Thus, although it appears the number of survey participants who wanted to vote may have increased, many continue not to be able to because of late ballots or ballots not being sent to them by their election office. These frustrations were echoed in the comments left by respondents:

- *“I did FINALLY receive a ballot from my county in [state], but it arrived on November 4, and the postmark was October 28. Who thought it was OK to send an absentee ballot out on October 28, knowing that it needs to be postmarked by November 3 (going back to the US) to be counted at all?”*
  - *“My ballot arrived only 2 days prior to general election, I would have preferred to receive it earlier in order not to have to pay for express-mailing.”*
  - *“How unfortunate that I was finally inspired to vote in the 2008 Presidential elections and the ballot did not arrive.”*
  - *“Registered to vote. Serving in Afghanistan. Never received a ballot. Tried to use the Federal Absentee Write in process - still required me to mail in the ballot and I was out of time. Got screwed by my state and am VERY angry!”*
  - *“The mail sent from Iraq seems to arrive without any problems but the mail to Iraq is not delivered consistently. I think [state] should have allowed me to vote electronically, by e-mail or on-line. I am very disappointed to have lost my opportunity to vote because of an inadequate mail system. I even went to the Post Office here where they allowed me to look through the mail and I still couldn’t find my ballot.”*
- *“I was disappointed not to receive my absentee ballot from my local election office, although they told me in a long-distance phone call from Sweden that I was registered. Many friends here in Sweden experienced the same thing and were consequently too late in submitting an emergency absentee ballot. They unfortunately were unable to vote.”*

## D.2. Ballot Issues

The number of issues related to the use of ballots appears to have declined since 2006. However, problems remain.

First, 433 respondents reported receiving ballots marked “Sample.” This was a problem in one county, and more voters contacted OVF reporting the issue. Although the ballots were valid and should have been used, many voters were understandably confused and some threw them away.

Second, many respondents (97 total) were not sure who they were eligible to vote for, i.e. whether for federal offices only or for state and local offices too. Of those individuals who received ballots, 9.5% received a full ballot when they only expected to vote for federal offices. 7% received a limited ballot when they should have received a full ballot.

As in 2004 and 2006, concerns about signing a ballot affidavit existed. 261 respondents reported affidavits. These affidavits states that the voter was “currently resident” at their stateside voting address. In 2006 OVF recommended simple modifications or clarifications regarding terminology on ballots sent overseas which could make a difference. This recommendation holds. Voters need a small clarification to inform them that their US “voting residence address” is not their “current overseas living address,” rather it is their previous US address which is used for voting purposes only.

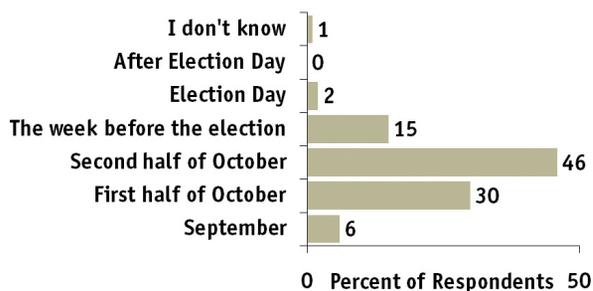
In the comments section several survey participants complained about the required paper size being US standard instead of Din A4, which is used worldwide with exception of Japan, which uses a similar size to Din A4. As the comments demonstrate below, some states format their ballots to US Legal size paper. Thus, even voters in Canada have problems, as they cannot easily get US legal size paper. It appears that printing your own state ballot has introduced a new set of problems.

- *“I received my ballot electronically, but the paper size they said I should use doesn’t exist in this country. I emailed my county office to see if it was okay to use a different size and they said yes, but seemed a little confused about it. I hope my ballot counted even though it wasn’t the same size!”*
- *“Some pages in my ballot PDF document were landscape format, which made it VERY difficult to print, especially as paper is not US letter size outside of the US. I recommend that all non-military ballots be designed for A4 paper, which is used by everyone else (except Japan uses a modified, very similar size).”*
- *“The email ballot instructions were to print the ballot on 8 1/2” by 14” inch paper which is nearly impossible to get outside of the US.”*
- *“In this election, a PDF of the ballot was sent via email. I printed it out, but the ballot would not fit on A4 paper. I had to reduce the size to about 90% to get it on one sheet of paper. I filled it in and sent it back via airmail. However, I am doubtful if scanning equipment will properly register the results since the size and positions are different than the actual ballot.”*
- *“It would have been very nice for those us of receiving email ballots to have been able to print them at 8.5x11 instead of 8.5x14 because I had a difficult time finding a print shop that would print at that size. It put off my ability to send my ballot by almost a week.”*

### D.3. Ballot Return

17,418 respondents (72.4% of the entire data set) reported receiving an official ballot and using it. 75% of respondents in 2006 reported receiving a ballot. As in 2006, the majority of voters sent their ballots back during or after the second half of October.

**FIGURE 1: BALLOT RETURN**



*NOTE: Respondents were asked, “When did you return your completed ballot for the November 4, 2008 General (Presidential Election)?”*

Similar to 2006, some form of physical post was used to return ballots in 88% of cases. 520 voters (3%) reported using the Express Your Vote (OVF/FedEx) Courier Express Ballot Return Program. The number of respondents using the military post office is low because only 3% of the sample represents military voters.

**TABLE 15: METHODS FOR RETURNING BALLOTS**

Method	2008	2006	2004
Regular Mail	68%	79%	62%
Certified Mail	7%	7%	21%
FedEx, DHL or other commercial courier	5%	3%	6%
Embassy or Consulate mail pouch	3%	2%	4%
Express Your Vote (OVF/FedEx)	3%		
Military Post	2%	1%	1%

*NOTE: Respondents were asked, “How did you return your completed ballot for the November 4, 2008 Presidential (General) Election?” In 2004 questions about the method for sending in registration request was combined with questions about ballot return. Figures represent percent of respondents.*

The consistency of return methods overtime indicates that traditional post is the dominant method of ballot return. If we are going to seek ways to “save time” in the overseas voting process, then ballot return may not be the easiest element to change. Although it is a growing trend, only a small percentage of UOCAVA voters use electronic means to return ballots. To gain time in the process, electronic means to deliver the ballots to the voter may be the fastest manner of reducing the overall duration of the voting process.

### D.4. Ballot Return Envelopes

Those voters who were able to return their ballots indicated several problems with return envelopes. Election officials should be careful when designing overseas absentee ballot envelopes, and should consider international postal norms. As the difficulty of envelope use increases, then the probability that a ballot will be returned decreases. Over one quarter, 27% of respondents receiving ballots, cited problems with ballot envelopes, and certain problems persist.

**TABLE 16: TOP 5 BALLOT RETURN ENVELOPE PROBLEMS**

Problem	2008	2006	2004
Postage required / not required	1612 10%	824 25%	505 31%
“USA” not included in address	1527 9%	609 19%	81 3%
Size of the return envelope	591 4%	212 7%	402 23%
Missing ballot secrecy envelope/sleeve	402 2%	78 2%	
Witness or notary requirements	321 2%	96 3%	214 12%

NOTE: Respondents were asked, “Ballot return envelope: Did any of the following cause problems? (Check all that apply.)” Figures represent percent of respondents and sample size.

Many Americans abroad are used to the “Postage not required” stamp on government envelopes. Unfortunately, these envelopes are only valid if the document is mailed within the domestic or U.S. Military Postal system. Many voters either do not put the correct postage on these non-standard, oversized envelopes or overlook the postage entirely. They see the postage-paid insignia, ignore the fine print, and drop it in the mailbox. It begs the question: should civilian absentee and military absentee overseas voters receive different envelopes? Many respondents shared this concern in their comments.

#### D.5. Satisfaction with the Balloting Process

Despite deadlines and problems with envelopes, 85% of those voters who received a ballot and voted reported being either “very satisfied” or “satisfied” with the process. This is consistent with previous years. We can conclude that satisfaction is fairly high for those that are able to navigate the process and has not changed over time.

**TABLE 17: SATISFACTION WITH THE VOTING PROCESS**

Satisfaction	2008		2006		2004
	Registration	Balloting	Registration	Balloting	
Very Satisfied	43%	47%	45%	44%	
Satisfied	33%	38%	35%	42%	72%
Neutral	10%	9%	10%	9%	
Dissatisfied	7%	4%	4%	4%	28%
Very dissatisfied	7%	2%	5%	2%	

NOTE: Respondents were asked, “How satisfied were you with the registration aspect / balloting aspect of your November 4, 2008 voting experience?” In 2004 respondents were asked if they were satisfied or dissatisfied with the experience as a whole.

#### E. FWAB

The Federal Write-in Absentee Ballot (FWAB) is an alternative, downloadable ballot which voters can use in General Elections for the offices of President/Vice President, U.S. Representative, and U.S. Senator, as well as the non-voting congressional representatives from the District of Columbia, Puerto Rico, etc.<sup>7</sup> The FWAB, by federal law, is accepted by all states and territories.

OVF asked questions about the FWAB to two sets of voters: those who did not get a ballot and used the FWAB, and those who received a ballot but also used the FWAB. 18% of those respondents who received a ballot used the FWAB before getting their ballot.

<sup>7</sup> A few states allow the FWAB to be used as a combined registration and ballot. Some states also allow use of the FWAB for non-federal and for primary elections.

### E.1. Awareness

We asked those respondents (5330) who did not receive a ballot if they were aware of the FWAB. 52% of these voters (2779 respondents) were not aware of the FWAB. 35% were aware of the FWAB and used it and 13% were aware of the FWAB but did not use it. We also asked those voters who received ballots if they were aware of the FWAB. 58% were not aware (8795 respondents).

This appears to indicate a decrease in awareness. In 2006 only 46% percent knew about the FWAB. 14% of the respondents who voted used the FWAB, of which 3% also ended-up sending in their state ballot as well. 48% of respondents in 2004 were aware of the FWAB. These results are summarized in Table 18 below, which collapses the two groups into one.

**TABLE 18: FWAB AWARENESS**

Awareness	2008	2006	2004
Yes	44%	46%	48%
No	56%	54%	52%

*NOTE: Respondents were asked, “The Federal Write-in Absentee Ballot (FWAB) is a ballot option for registered voters whose official ballots do not arrive in time. Were you aware of the FWAB?”*

This finding is discouraging. The 2008 efforts of the FVAP, OVF and Pew’s Center on the States into building FWAB awareness, do not show significant impact. However, these results may also reflect the high percentage of first time overseas voters to whom the concept of the FWAB is entirely new.

### E.2. Access

For the first time, OVF actively promoted the new FWAB and incorporated new questions into its yearly survey. As seen below in Table 19, the majority of respondents received their FWAB via the Internet.

**TABLE 19: WHERE DID YOU OBTAIN YOUR FWAB?**

Where	Respondents who used the FWAB	Respondents who received a ballot and used the FWAB
Overseas Vote Foundation	62%	58%
Youth Vote Overseas	3%	3%
OVF Military Voter Services	1%	1%
Federal Voting Assistance Program (FVAP)	11%	8%
Voting Assistance Officer (VAO)	1%	1%
US Consulate or Embassy	6%	4%
Sent by local election office	2%	14%
State Election Website	4%	5%
Other voter registration organization	2%	2%
Political Party	4%	2%
Other	3%	3%

*NOTE: Respondents were asked, “Where did you obtain your FWAB?” The total number of respondents for both columns is 5089.*

This finding is confirmed in Table 20, which indicates that the majority downloaded an online version of the FWAB.

**TABLE 20: PAPER VS ONLINE FWAB**

Version	Respondents who used the FWAB	Respondents who received a ballot and used the FWAB
Paper version	14%	33%
Downloaded an online version	86%	67%

NOTE: Respondents were asked, “Did you receive a paper version of the FWAB or did you use and download an online version?” The total number of respondents for both columns is 5182.

### E.3. Usage

21.6% of our respondents (5182 individuals) used an FWAB. As we can see in Table 21, the FWAB is used as a last resort by many voters and sent it during the second half of October or later. Those who received a ballot and used the FWAB appear to have used the FWAB earlier out of concern that their ballot was late. Thus, voters are using it after mid-October as FVAP and OVF advise.

**TABLE 21: WHEN DID YOU RETURN YOUR COMPLETED FWAB?**

When	Respondents who used the FWAB	Respondents who received a ballot and used the FWAB
September	6%	18%
First half of October	22%	32%
Second half of October	37%	32%
Week before the Election	27%	10%
Election Day	6%	2%
I don't remember	2%	7%

NOTE: Respondents were asked, “When did you obtain your FWAB?” The total number of respondents for both columns is 5027.

Approximately 35% of those individuals, who received a ballot but did not use it, said that was because they had already used an FWAB. These voters may have understood that if their official ballot arrives after using the FWAB, they should send it in. Results of the US Election Assistance Commission’s Election Day Survey, expected by mid-2009, will provide another view of FWAB usage from the standpoint of election officials.

In Appendix 2 and 3, FWAB usage by state is listed. These tables demonstrate that the largest numbers of FWAB users voted in California, New York, Texas, Florida and Pennsylvania.

### F. VOTER OUTREACH

Since the Help America Vote Act of 2002, the U.S. government has attempted to increase and improve information for overseas voters. However, as has been mentioned throughout this report, the need for more straightforward information is still paramount to successful voting. Each state can have different deadlines or additional registration requirements. This can confuse voters and we see that they use a variety of websites for information.

**TABLE 22: SOURCES OF VOTER INFORMATION**

#### Top 5 Voter Websites

	Number of Respondents
Overseas Vote Foundation	19,268
Political Party (Any)	2,262
Political Campaign (Any)	1,951
American Citizens Abroad	1,788
Youth Vote Overseas	1,171

#### Top 5 Government Organizations or Websites

	Number of Respondents
Federal Voting Assistance Program (FVAP)	5,295
Local Election Office or Website in US	4,372
State Board of Elections/Secretary of State	3,052
US Embassy or Consulate	2,849
US Department of State	768

NOTE: Respondents were asked, “Which of the following websites did you consult for voting information or assistance? (Check all that apply.)” “Which of the following government organizations or websites did you consult for voting information or assistance? (Check all that apply.)”

As seen above in Table 22, the Overseas Vote Foundation was the number one voter website and the FVAP was the number

one government organization.<sup>8</sup> An important step in future research is an investigation and comparison of these websites in order to identify information inconsistencies.

### F.1. Youth Voters

In 2008 OVF targeted youth voters (i.e. between 18 and 29 years of age) via our special Youth Vote Overseas website. 17% of our respondents were between the age of 18 and 29, of which only 22% had experience voting overseas. Only 23% of youth voters were students studying abroad, of which 64% were involved in undergraduate studies. 10% of youth respondents were born abroad and 17% were working abroad.

86.4% of youth voters sent in a voter registration form. 70% were either “satisfied” or “very satisfied” with the registration process and 80% were satisfied with balloting. Family or friends were the number one consultant for voting information followed by OVF or Youth Vote Overseas. 84% of students found it easy to locate information about overseas voting.

Quotes from young voters:

- *“I think absentee ballots should be sent out earlier. Mine came in LATE October and I was getting really nervous.”*
- *“I would have liked some type of email or confirmation that my ballot request was received. I was worried for weeks that I was not going to receive a ballot in time.”*
- *“This will be the first time I am voting. I was excited but did not get my ballot I requested.”*
- *“It was made very easy because of the help from the administration of my study abroad program.”*

It seems young voters found information and registered, but many had to wait nervously for their ballots to arrive. Some never received their ballots, which caused deep disappointment. Receiving ballots in the first or second week of October is just too late for voters who live in Chile, Uruguay, or even Italy (to mention just a few) to return them to the United States by postal mail in order to meet their state’s ballot return deadlines. Those who knew about the FWAB were still able to vote, but for those who didn’t, as those quoted above, their first election experience was not positive.

<sup>8</sup> These results may be an artifact of the data, i.e. the OVF email list was used to invite people to take the survey. However, when compared to the open sample, the rankings stayed the same. Voters were not asked about their satisfaction with these websites as they were in 2006 and 2004.

### F.2. Military Voters

In 2008 OVF also hosted a special site for military voter services. 1,140 of our respondents were either military voters or spouses and dependents of military voters. 63% of these participants were new to overseas voting. The information resources used by military voters were slightly different than the civilian population. Whereas the majority of respondents used the OVF website to complete their voter registration request, 22.5% of military voters used the FVAP website and 5.7% used a paper form provided by their Voting Assistance Officer (VAO). 18% of military voters used the military post to return their ballot request forms. Only 70% were “satisfied” or “very satisfied” with the registration process and 85% were satisfied with the balloting process.

27.5 % of military voters did not get their ballots, as opposed to the 22% of civilian voters who did not get a ballot. This is an improvement over 2006 when 36% of military voters did not get their ballots. Unfortunately, of those respondents who received a ballot, 40% got their ballots late, which is the same result as 2006.

Given that military voters suffer even more from late ballots, the FWAB option is very important to this set of voters. 59% of military voters are aware of the FWAB option, which is higher than the nonmilitary results. Of those voters who did not receive a ballot, 39% used an FWAB. It appears that FWAB awareness and usage is higher in the military sample than in the civilian sample.

### G. STATE SPECIFIC EXPERIENCES: MINNESOTA, CALIFORNIA AND NEW YORK

By examining state specific examples, we can see which states have been the most successful in implementing new policies. These results provide us with direction in making policy recommendations. Below we examine three different states which exhibit variation in voting policies: Minnesota, a “progressive” state; California, a mixed policy state; and New York, a state with traditional overseas voting laws.

Minnesota is a “progressive” state in terms of overseas voting. The deadline for registration is “late” (i.e. November 3), providing the voter with a lot of time. Voters may submit an absentee ballot application by mail, email or fax. Voters may

also choose whether to receive their ballot by mail, email or fax. Regardless of how it is received, ballots must be returned by mail or an express delivery service by Election Day. Furthermore, the Minnesota Secretary of State Office was proactive in reaching out to overseas voters. They had a customized OVF state hosted system, and employed an outreach staff person for UOCAVA voters. There were 785 Minnesota respondents to the survey.

California, on the other hand, has a mixture of progressive and standard policies on overseas voting. The state features a late ballot request deadline for registered voters (October 28). They allow ballot requests to be transmitted by fax, but not by email. However, faxed new voter registration/ballot request forms must arrive by October 20 and be followed by original, signed forms in the mail. Ballots are sent via traditional post. There were 3,377 California respondents to the survey.

Finally, New York is the least progressive of these three states in their voting materials transmission options. In addition, they have a very late primary, which often results in ballot being sent out late to UOCAVA voters. The registration deadline was earlier (i.e. October 10 for unregistered voters) and fax or email requests are not permitted. Furthermore, if a ballot mailing envelope lacks the required postmark or other date/time marking or indicia, it should be witnessed when signed. There were 3,016 New York respondents to the survey.

Only 28% of Minnesota voters reported receiving their ballots late. 32% of California voters and 48% of New York voters reported late ballots.<sup>9</sup> 37% of New York voters who had a late ballot used an FWAB, compared to 34% in California and 36% in Minnesota. As seen below in Table 23, Minnesota voters also appear more satisfied with the voting experience.

**TABLE 23: SATISFACTION WITH THE VOTING PROCESS**

	Percent of Respondents Who were "Satisfied" or "Very Satisfied"	
	Registration	Balloting
California	73.6%	80.9%
Minnesota	81.4%	87.2%
New York	71.1%	84.5%

*NOTE: Respondents were asked, "How satisfied were you with the registration aspect / balloting aspect of your November 4, 2008 voting experience?"*

The progressive policies of Minnesota appear to work. Minnesota voters get their ballots on time and when they do not, they are aware of the FWAB and use it. They are also more satisfied with the voting process.

<sup>9</sup> Ballot arrival by state is summarized in Appendix 1.

## IV. 2008 LOCAL ELECTION OFFICIAL SURVEY REPORT

### A. INTRODUCTION

Local election officials (LEOs) are the frontline administrators of elections in the United States. Our goal in this survey is to examine the various issues that LEOs encounter in serving voters who are covered by the Uniformed and Overseas Civilian Absentee Voting Act (UOCAVA). By gathering information on the current problems that are encountered by LEOs, Overseas Vote Foundation (OVF) hopes to raise awareness and suggest ways in which such problems can be ameliorated. OVF conducted its first survey of LEOs after the 2006 mid-term election.

Following the 2008 general election, OVF once again surveyed LEOs in the United States. The 46-question survey covered a wide variety of overseas and military voting issues. Among the notable results:

- 45% of LEOs said that they saw a noticeable increase in both military registration/ballot requests and civilian registration/ballot requests. Only 10% of LEOs witnessed a noticeable drop in registration/ballot requests for military voters, and only 8% saw a noticeable drop in registration/ballot requests for civilians.
  - 33% of the responding jurisdictions reported sending out a record number of overseas and military ballots in 2008.
  - 36% of LEOs said they saw an increase in the use of the Federal Postcard Application (FPCA) for registration/ballot requests versus other forms, although 17% said they required information in addition to the FPCA.
  - Problems with voter registration and a voter's ability to vote persisted from 2006 into 2008. The most common reason cited for rejecting registrations, ballot requests, and ballots was missed deadlines. This provides more evidence of the longstanding problems associated with getting ballots and other materials back and forth over long distances in traditional postal delivery. Incomplete forms and missed signatures continue to be a problem, particularly in those states that insist on witnessed or notarized signatures.
- LEOs expressed confidence that their processes were working well, and most do not think changes need to be made to the system. 91% said the training they received was sufficient. However, OVF has concerns that the acceptance of the current status of UOCAVA voting administration could allow the problems cited above to persist long into the future or slow the rate of improvement. Impetus for change coming from the LEO level is a vital component to developments in the UOCAVA program
  - The forms of communication used by LEOs are changing rapidly. A majority now say that email is their primary form of communication, almost twice what was reported in 2006. The increasing utilization of email is a major step in overseas voting as it cuts out the lag time of normal postal mail communication and significantly improves the communications between LEOs and voters. In many individual cases, the speed of email communications is the enabler of the UOCAVA franchise. The acceptance of this online technology is a marked advancement since 2006. Unfortunately, email ballot requests combined with signature requirements can lead to confusion and even more voters falling out of the process.

### B. SURVEY RESPONSE RATE

The survey was sent to 4,944 local election officials in jurisdictions around the US. The survey was issued through an online survey program that provided a unique one-time use URL link to each participant in the survey. State-level election officials did not receive survey invitations. All 50 states, the District of Columbia, American Samoa, Guam, Puerto Rico, and the Virgin Islands were included in the survey distribution. The survey ran from December 5, 2008 through January 12, 2009. 1,025 fully completed surveys were received, resulting in a 20.7% response rate.<sup>1</sup> Partially completed surveys were not included in the results analysis.

We received responses from 48 states, as well as Guam and Puerto Rico. As can be seen below in Table 1, 53% of our

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<sup>1</sup> In 2006, 3,814 LEOs were invited to complete the survey. 690 fully completed surveys were received resulting in an 18% response rate.

responses came from just 10 states. However, this represents a higher dispersion than in 2006, which indicates that OVF was able to reach a wider variety of LEOs. 94% of these respondents reported that they were either the election official in charge of overseas and military absentee voting in the jurisdiction or one of several officials in charge.

**TABLE 1: TOP RESPONDING STATES**

State	2008	2006
Wisconsin	16%	29%
Texas	7%	5%
Connecticut	5%	2%
Virginia	5%	3%
Vermont	4%	2%
North Carolina	4%	5%
Ohio	3%	2%
Missouri	3%	0%
Georgia	3%	2%
Tennessee	3%	2%

NOTE: Figures represent percent of respondents.

### C. UOCAVA VOTER PARTICIPATION: REGISTRATION AND BALLOT REQUESTS

Although the relative size of each LEO's jurisdiction varied, the majority had fewer than 100,000 registered voters. Of the surveyed LEOs, 73% of respondents had 0 to 24,999 registered voters, 13% had 25,000 to 49,999 registered voters, and the remaining 14% had more than 100,000 registered voters in their jurisdictions.

82% of survey respondents (1006) reported an estimated 0 to 99 ballot requests from military voters in their jurisdiction for the 2008 General Election. This represents a 2% increase from the 2006 Midterm Elections. Another 14% estimated 100 to 499 requests. The remaining 4% estimated that there were more than 1,000 military requests, which is similar to the 2006 sample.

Although the number of ballot requests is consistent from 2006 to 2008, when asked if they noticed an increase or decrease in military ballot requests, 45% said that they noticed an increase, which is comparable to the 50% increase that LEOs experienced in 2006. Only 10% of LEOs said they saw

a decrease in registration and ballot requests from military voters. This may be because the reporting jurisdictions are so small that an increase, for example from 20 to 90 requests, is significant.

Of the sampled LEOs approximately 87% estimated that 0 to 99 civilian voters requested ballots in their jurisdiction for the 2008 General Election. Another 8% estimated that 100 to 499 civilian voters requested ballots in their jurisdictions, and 5% projected that more than 1,000 overseas civilians requested ballots. Similar to estimates of military requests, when asked if there were increases or decreases in civilian registrations and ballot requests, 45% said they saw a noticeable increase in overseas civilian registrations and ballot requests. Only 8% of LEOs said they saw a decrease in civilian overseas voting registration and ballot requests.

**TABLE 2: ESTIMATED BALLOT REQUESTS FROM OVERSEAS CIVILIAN AND MILITARY VOTERS**

	Jurisdiction Size			Total
	1 to 24,999	25,000 to 99,999	More than 100,000	
<b>Total Overseas Civilian Voters</b>				
Under 100	71.1%	14.3%	1.2%	86.5%
100-999	2.0%	3.5%	5.0%	10.5%
Over 1,000	0.3%	0.6%	1.6%	2.5%
Don't Know	0.0%	0.4%	0.1%	0.5%

	Jurisdiction Size			Total
	1 to 24,999	25,000 to 99,999	More than 100,000	
<b>Total Military Voters</b>				
Under 100	70.7%	10.0%	0.8%	81.5%
100-999	2.7%	8.0%	5.3%	15.9%
Over 1,000	0.0%	0.6%	1.7%	2.3%
Don't Know	0.0%	0.2%	0.1%	0.3%

*NOTE: Data represents percentage of respondents to the questions, “How many overseas civilian voters / military voters in your jurisdiction do you estimate requested ballots for the 2008 General Election?” There are 1005 respondents to the civilian question and 1006 respondents to the military question.*

These results are summarized above in Table 2, which reports the results according to the size of the LEO’s jurisdiction. As we see can see, the majority of LEOs reported that fewer than 100 overseas civilian or military voters requested ballots in 2008. These results are consistent with the 2006 survey and suggest a strong growth trend in UOCAVA voter participation. However, 33% of LEO did report sending out a record number of ballots in 2008.

As predicted in the 2006 LEO report, the 2008 election witnessed an increase in overseas voters. However, although the number of overseas registrations and ballot requests continues to go up, Table 2 illustrates one of the problems confronting calls for reform of overseas voter legislation and processes. In many jurisdictions the number of overseas voters is still not sufficient to trigger the additional administrative support voters need to register and vote. Furthermore, it remains to be seen if this record level of turnout can be maintained or whether participation will decrease in the next election.

**D. LEO PROCESSES: REGISTRATION AND BALLOTING**

LEOs encounter a number of complex problems when attempting to register overseas voters and send them their ballots. OVF asked election officials about the processes of overseas voting in order to help identify areas that work well, as well as areas that need improvement.

**D.1. Sending Ballots**

The first step in the process of voting is registration. UOCAVA specifies that an FPCA registration form is valid for four years during which time the election official should continue to send ballots. However, when faced with the challenge of UOCAVA address maintenance and the enormity of waste caused by sending ballots to ‘dead addresses,’ many jurisdictions insist on some form of a ‘ballot request’ as well as registration. There is great inconsistency amongst jurisdictions as to how to

balance even applicability of the law with practical problems surrounding address maintenance for UOCAVA voters.

As seen in OVF’s 2008 Post Election UOCAVA Voter Survey, experienced voters had many questions about registration and re-filing requirements.<sup>2</sup> 57% of election officials reported that overseas and military voters who registered in 2006 received a 2008 ballot without filing a new form. However, only 7.3% of voters reported getting a ballot with out filing a new form. 19.5% of LEOs said that if a person registered to vote in 2006 and contacted the LEO in any manner (mail, telephone, fax, and email) then a ballot was sent to them. In only 6% of cases did election officials require that a voter who registered in 2006 file a new ballot request in order to receive any 2008 ballot. As seen below in Table 3, these results are consistent with our 2006 findings. This indicates that few jurisdictions have changed their requirements since 2006.

**TABLE 3: REGISTRATION SYSTEM FOR PREVIOUS VOTERS**

Registration System	2008	2006
Those who registered in the last election received ballots without filing a new form	57%	59%
Those who voted in the last election were required to file a new ballot request	6%	5%
If they were registered and contacted us, we sent a ballot	20%	17%
We did not have any overseas voters	7%	
I don’t know	4%	2%
Other	6%	16%

*NOTE: Respondents were asked, “Which of the following best describes you system for sending ballots to overseas and military voters who registered previously?”*

When we examine these responses by jurisdiction size, then the result is also similar to 2006. Larger jurisdictions are more likely to automatically to send a ballot than smaller jurisdictions. This may be a result of the ability to register as a ‘permanent’ overseas absentee voter in these jurisdictions or a variation in the maintenance of active voter status and addresses.

<sup>2</sup> See section C.2 of the OVF Post Election UOCAVA Voter Survey.

## D.2. The Use of Federal Postcard Applications

The Federal Postcard Application (FPCA) “serves as an application for registration and/or request for absentee ballot for all persons covered by the Uniformed and Overseas Citizens Absentee Voting Act.”<sup>3</sup> Of the sampled LEOs, 76% said that most overseas and military voters use the FPCA to register to vote/request their absentee ballots in their jurisdiction. This represents a 5% increase over the 2006 results. Furthermore, 36% of LEOs said they have seen an increase in the usage of FPCAs by voters since the 2004 Presidential Election. This increase may be attributable to new Internet-based UOCAVA voter services, which use the FPCA as the standard form across all states.

The specific requirements regarding FPCA completion by the voter vary by state, and several states require additional information, such as additional identification (social security number, driver’s license, etc), additional proof of citizenship, additional proof of residency, and additional address information.<sup>4</sup> These varying requirements can confuse voters. 17% of LEOs said some other form of additional information was required. Table 4 below summarizes the top five additional requirements. For example, 70% of those jurisdictions that have additional requirements demand additional identification.

**TABLE 4: TOP 5 ADDITIONAL REGISTRATION REQUIREMENTS**

Requirement	2008	2006
Additional Identification	70%	25%
Date of Birth	43%	
Other	29%	44%
Additional Address Information	17%	47%
Additional Proof of Previous Residency	7%	19%

*NOTE: Respondents were asked, “Does your jurisdiction require a voter to submit any information in addition to what is required on the FPCA? (Check all that apply.)” Data entries represent percent of respondents to the question. 168 respondents indicated requirements in 2008 and 32 respondents in 2006. Because respondents were allowed to check multiple responses, percentages do not add to 100.*

<sup>3</sup> Federal Voting Assistance Program, 2008-09 Voting Assistance Guide, [http://www.fvap.gov/resources/media/appendix\\_f.pdf](http://www.fvap.gov/resources/media/appendix_f.pdf).

<sup>4</sup> Ibid.

When a state requests additional information, it adds processing time to the voter registration process and another opportunity for incomplete or invalid forms to block a voter from registering on time.

## D.3. Obstacles to Voting

As seen in section C.3 of the OVF 2008 Post Election UOCAVA Voter Survey, voters most often cited “still thought I was registered” and “missed deadline” as the reasons for not submitting a ballot request. Of those voters that could not complete the registration process, deadlines and the complicated process hindered them.

LEOs were asked to identify the top three reasons a registration form and/or ballot request was rejected during this election cycle, as seen in Table 5 below. These results show a doubling of rejection rates due to missing signatures when compared to the 2006 LEO survey. This may be cause for concern.

**TABLE 5: REASONS FOR REGISTRATION FORM REJECTION**

Registration Forms: Reason for Rejection	2008	2006
Missed deadline: Form arrived too late	49%	50%
Form was Incomplete	36%	36%
Signature and/or date missing	29%	15%

*NOTE: Respondents were asked, “Identify the top three most common reasons for rejecting registration forms and/or ballot requests from overseas and military voters in your jurisdiction?” Data entries represent percentage of respondents.*

LEOs were also asked to identify the top three causes of overseas and military voters’ not being able to vote, as seen in Table 6 below. The results in Table 5 and Table 6 reflect voter concerns with missing deadlines. However, it appears again, consistent with the data in table 5 above, that missing signatures is an increasing problem. This could be attributed to the increased use of email and fax as a form of registration/ballot request transmission. In nearly all states, election officials require that new UOCAVA registrations send in an original FPCA form. Many voters do not send the signed

original after faxing or emailing their form. Regardless of the electronic transmission, missing signatures or dates is in most cases, a problem that must be fixed through the postal system, which can add a significant time hurdle to the process.

**TABLE 6: INABILITY TO VOTE**

Reason for Voters' Inability to Vote	2008	2006
Missed registration/ballot request deadline	42%	36%
Out-of-date mailing address	40%	44%
No signature and/or date on the ballot or ballot envelope	26%	18%

*NOTE: Respondents were asked, "Identify the top three causes of overseas and military voters' inability to vote in your jurisdiction?" Data entries represent percentage of respondents.*

When given the opportunity to expand on common problems many LEOs cited problems with the delivery and return of ballots. This can be attributed to invalid address information, problems with the delivery of ballots in some countries, and errors by the local election offices.

The most frequent reasons for rejecting registration forms and ballot requests clearly present challenges and there appears to be a difference between what voters think and what LEOs expect. Better communication regarding deadlines, requirements, and mailing address details could lower the number of voters dropping out of the voting process. This requires effort by both the voter (e.g. keeping in touch with LEOs regarding their current address) and LEOs (e.g. making registration requirements and deadlines explicit). Unfortunately these are the same persistent problems that have been reported in the past.

## E. PROCESS MANAGEMENT

OVF also asked LEOs about their UOCAVA administrative process management. This part of the survey was designed to gain insight into how local resources are applied to UOCAVA voting and where practical problems may lie. As we can see below, the majority of LEOs have a small staff dedicated to overseas voters. And although LEOs are, in general, satisfied

with their processes, many are frustrated about undeliverable ballots and voter address maintenance.

### E.1. Staff Size

Staff is a key factor in providing voters with information and services. The number of staff assigned to the task of overseas and military election administration varies by jurisdiction. 51% of LEOs reported that one person is dedicated to the management of military and overseas voting in their jurisdiction. 31% said that two or more people managed the military and overseas in their jurisdiction, and 12% of LEOs said that the management process of this task was not precisely defined in their jurisdiction. As seen below in Table 7, the number of staff is related to the size of the jurisdiction. That is, the larger the jurisdiction, the more staff that are assigned to overseas issues. These results are comparable with the 2006 LEO survey.

**TABLE 7: STAFF SIZE BY SIZE OF JURISDICTION**

Overseas Voting Staff	Size of Jurisdiction						
	0 - 24,999	25,000 - 49,999	50,000 - 99,999	100,000 - 249,999	250,000 - 499,999	500,000 - 999,999	1,000,000 or more
One person is dedicated to the management of military and overseas voting	376 51%	68 52%	23 39%	28 55%	4 24%	3 33%	1 50%
Two or more persons manage military and overseas voting	192 26%	51 39%	29 49%	20 39%	13 77%	6 67%	1 50%
The management process for this task is not precisely defined	109 15%	8 6%	5 9%	1 2%	0 0%	0 0%	0 0%
I don't know	9 1%	1 1%	0 0%	0 0%	0 0%	0 0%	0 0%
Other, please specify	48 7%	2 2%	2 3%	2 4%	0 0%	0 0%	0 0%
<b>TOTAL</b>	<b>734</b>	<b>130</b>	<b>59</b>	<b>51</b>	<b>17</b>	<b>9</b>	<b>2</b>

*NOTE: Respondents were asked, "How many registered voters of all types including domestic local and absentee and overseas and military absentee do you estimate in your jurisdiction?" "How does your jurisdiction staff the management of overseas and military absentee voting?" The results in this table are based on responses to both questions.*

## E.2. What Works Well

Next, we asked LEOs about what works well in their jurisdiction. 81% of all respondents said that their overall process worked well, which is a very positive increase from 63% in 2006. As seen below in Table 8, election officials also reported confidence in their ability to pro-actively deal with voter questions and/or problems, and in their tracking and reporting. It appears that confidence in the overall process has increased, whereas confidence in specific areas has decreased.

**TABLE 8: WHAT WORKS WELL**

	2008	2006
Our overall process works well	81%	63%
Ability to deal with voter questions and/or problems	16%	28%
Tracking and Reporting systems	12%	27%
Voter address maintenance	10%	17%
Confirmation to voters of acceptance or denial	9%	17%

*NOTE: Respondents were asked, “What works well in your jurisdiction’s processes for managing overseas and military absentee voting? (Check all that apply.)” Data entries represent percent of respondents to the question. Because respondents were allowed to check multiple responses, percentages do not add to 100.*

## E.3. What Does Not Work Well

Finally, we asked LEO respondents what did not work well in their jurisdiction. The most frequent response was “undeliverable ballots,” with 37% of LEOs selecting this option. 22% of participants indicated that voter address maintenance is a problem. The second most frequent problem reported was “postal service or delivery problems”, and the third was voter “address maintenance. Only 1% of the respondents said that the overall process of overseas and military voting does not work well. This is consistent with the results of the 2006 survey, as seen below in Table 9.

**TABLE 9: WHAT DOES NOT WORK?**

	2008	2006
Our overall process does not work well	1%	2%
Undeliverable ballots	38%	42%
Postal service or delivery problems	23%	
Voter address maintenance	22%	44%
I don’t know	22%	
Other	14%	12%

*NOTE: Respondents were asked, “What does not work well in your jurisdiction’s processes for managing overseas and military voting? (Check all that apply.)” Data entries represent percent of respondents to the question. Because respondents were allowed to check multiple responses, percentages do not add to 100. Response options were different in 2006 and 2008.*

Postal service and undeliverable ballots represent a serious process-management problem in an alarming number of jurisdictions and deserves much greater attention. Clarifications of requirements for address confirmation prior to ballot sending are needed for voters and election officials alike. For election officials, undeliverable ballots represent wasted time, money and lost votes. This issue was flagged in both OVFs and the U.S. Election Assistance Commission’s 2006 post election surveys and has yet to be satisfactorily addressed. The comments left on the survey reflect the frustrations of many LEOs.

*“They move so much that we have hard time keeping up with who is and who is out and at what base or country.”*

*“The problem this year was the US Postal Service. I was in email contact with an overseas voter who mailed her ballot in time but it didn’t arrive until the end of Nov. I emailed another ballot to her about a week before the election but it came a few days late. She missed the FedEx deadline by just a few hours so put it in the mail.”*

In general, a very large majority of the respondents feel the overall process over overseas and military voting works well, which is similar to the 67% of LEOs who reported being satisfied with the way overseas and military voting was managed

in their jurisdiction in 2006. One of the challenges faced in reforming the overseas voting process may be the natural sense among state and local officials that voting problems are happening somewhere else, and not in their own jurisdictions. Mandatory UOCAVA reporting in the upcoming U.S. Election Assistance Commission's 2008 Election Day Survey may help us pinpoint those states and counties which are indeed having problems with their service to overseas voters.

#### E.4. Changes

The satisfaction level among LEOs is reflected in their desire, or lack thereof, for change. Only 7% of LEOs said that they are planning to change anything with the management of the overseas and military voting in the next 4 years before 2012. Training (48%), communications (35%), and staffing (29%) are the top changes planned.

Although most said there were no planned changes for their jurisdictions, the survey still asked these LEOs what they "would change if they could change" anything. The most popular response was voter address maintenance with 29% of respondents selecting this answer. This is directly related to the undeliverable ballot problem as discussed in section E.2. above. Some LEOs would also like to change communications (17%) and ballot request requirements (15%).

In 2006 11% of respondents reported plans for change to their systems. These planned changes included training, IT systems and staffing. It is difficult to determine from the 2008 if these changes actually took place. However, the satisfaction among LEOs has gone up and the dissatisfaction with voter address maintenance, which could be solved with better IT systems, has gone down.

#### F. TRAINING

In order to keep up with developments in voting legislation and technology, LEOs receive information updates and/or training from a number of different sources. In fact 83% of LEOs report getting information and training, which is an increase from 2006. The State Elections Office (Secretary of State, Board of Elections, etc.) was the most common source. The Federal Voter Assistance Program (FVAP) was also a popular resource. These findings are consistent with 2006, as seen below in Table 10. It does appear that LEOs are receiving more information. Furthermore, LEOs get the majority of

their information from the state or local level rather than the national level.

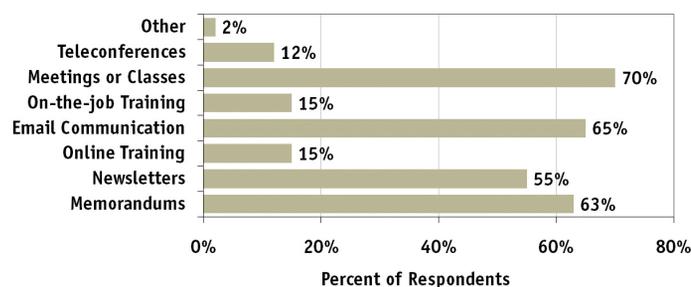
**TABLE 10: SOURCES OF INFORMATION AND TRAINING**

	2008	2006
State Elections Office (Sec. of State, Board of Elections, etc.)	95%	91%
The Federal Voter Assistance Program (FVAP)	41%	35%
State person in charge of UOCAVA voting	18%	16%
County Clerk	15%	
The Election Center	10%	13%

*NOTE: Respondents were asked, "Who provides you with updates/information and/or training regarding overseas and military voting? (Check all that apply.)" Data entries represent percent of respondents to the question. Because respondents were allowed to check multiple responses, percentages do not add to 100. Response options were different in 2006 and 2008.*

Meetings or classes, as well as email and memorandums are the most popular forms of training. These results are summarized below in Figure 1. The 2008 results are consistent with the 2006 findings. However, in 2006 only 10% of respondents reported receiving online training. In 2008, 15% of participants indicated that they receive this type of training, an indication that LEOs are moving towards new technologies.

**FIGURE 1: TYPE OF TRAINING**



*NOTE: Respondents were asked, "Please identify the type of information and/or training you receive. (Check all that apply.)" Data entries represent percent of respondents to the question. Because respondents were allowed to check multiple responses, percentages do not add to 100.*

Overall, 62% of LEOs said that they received more training on overseas and military voting in 2008 than they had in the past, and 91% said this training was sufficient or very sufficient. In addition, 39% said that their jurisdiction undertook special efforts beyond what was required by federal law. It is encouraging to see that so many states increased training for UOCAVA election administration.

*“...our secretary of state elections director does an outstanding job with the central voter registry system and training staff.”*

LEOs were divided over whether or not they wanted more training. 36% indicated that they would like more training, whereas 38% said “no” and 26% were not sure. When posed the question of what type of training they preferred, three responses were preferred: meetings or classes, online training, and email communication.

In 2006 only 60% of respondents felt that their training was sufficient and 41% indicated a desire for more training. When compared with the results above, we can see that the satisfaction level of LEOs with their training has increased.

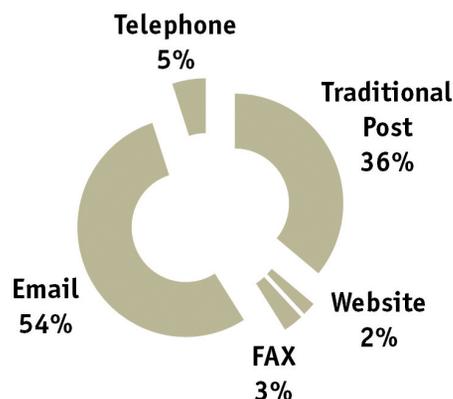
## G. ASSISTANCE AND COMMUNICATION TO OVERSEAS AND MILITARY VOTERS

LEOs reported a diverse number of ways in which they assist overseas civilian and military voters. 62% said they gave priority to voting materials mailing. 56% reported using email communications to assist voters. And finally 52% said they contacted relatives to confirm voter addresses. In addition to these methods of assistance, 33% of LEOs reported using special postal mailings and 34% provided information on their website in order to assist voters. These results are slightly different from 2006, when special postal mailings and email communications were the top methods. However, this can be attributed to the survey question. That is, in 2008 participants were presented with more response options.

As seen below in Figure 2, 54% of LEOs reported that email was their most frequently used form of communication with overseas and military voters. The second most common form was written communication by mail. These statistics have changed dramatically since 2006, when 63% of LEOs report-

ed written communication by mail as the most common form of communication, and only 29% of LEOs cited email.

**FIGURE 2: COMMUNICATION BETWEEN LEOS AND VOTERS**



*NOTE: Respondents were asked, “What is your most frequently used form of communication with overseas and military voters?” Data entries represent percent of respondents to the question.*

Furthermore, 80% of jurisdictions either have a website or refer voters to a website, which is a 5% increase over 2006. That is, 45% of local jurisdictions reported having their own website in 2008. If they did not have a website, then 35% of LEOs referred overseas civilian and military voters to the State Board of Elections website or the Secretary of State’s website.

As seen in the Post Election Survey of Voters, many voters had problems and questions with the registration process. In order to help voters, 38% of jurisdictions with websites say that their website has specific instructions on registration/ballot requests to overseas voters, which is an improvement over 2006. However, only 57% of jurisdictions with websites reported linking to other websites offering special assistance to overseas and military voters. Although this is an increase from 2006 when only 47% of websites provided external links, LEOs might do more when using this valuable tool.

### G.1. Email

The results detailed above indicate that electronic forms of communication are clearly becoming more common. 83% of LEOs reported that they communicate with overseas and military voters via email. Electronic forms of communication, es-

pecially email, are faster and cheaper than traditional post and ideal for geographically dispersed UOCAVA voters. LEOs appear to be very satisfied with this method of communication.

*“Email and internet access to the voter is the most efficient method for expediting ballot requests and receiving ballots.”*

*“I feel like a proud parent to every one of these people who respond to my e-mails so I can get their ballot to them.”*

*“Having the email contact has been such an asset to the overseas and military voting problems previously encountered with snail mail.”*

Jurisdictions are recognizing the importance in developing email communications ability, and 54% of LEOs said that they collect email addresses for overseas and military voters, a clear increase from 32% in 2006. Of those LEOs who use email, 86% reported that email works well for them for contacting overseas and military voters, which is also an increase from 65% in 2006. They also said that the number of emails from voters is increasing, with 68% reporting a noticeable increase.

“I really appreciated the space on the forms for voters’ email addresses. That helped so much to get in touch with them if there was a problem with their form. I believe this helped cut down on a lot of the rejected ballots and the majority of the voters did include the email address.”

Of those jurisdictions that do not use email communication (15%), 39% said that email is not necessary. Another 23% indicated that they are in touch with voters’ families already. The personal involvement of election officials to the extent that they reach out to other family members in an effort to help a relative serving or living abroad cast a ballot is a genuine and valued measure of the care that election officials take with UOCAVA voters.

## **H. CONCLUSION**

The 2008 LEO survey indicates an increase in UOCAVA voting activity. Although LEOs appear to be increasingly satisfied with their processes, undeliverable ballots continue to be a

problem. LEOs confirm the frustrations of the voters: missed deadlines are a persistent problem.

More election officials are embracing technology as a means to fix problems in the voting process. Email is an effective form of communication, and the Internet is used by many voters and LEOs alike. However, as in the 2008 Post Election UOCAVA Voter Survey, OVF urges caution in the implementation of new technology and the change of requirements that it may impose on voters. Although email may speed up the process, when coupled with signature requirements on forms, many voters continue to fall out of the process due to not following up their online communications with posted originals.

## V. OVERSEAS VOTE FOUNDATION 2008: WEBSITE USAGE STATISTICS

2008 was a very busy year for OVF. In 2008 OVF launched and managed 17 overseas and military voters' services sites. 4.75 M individuals visited the sites to use OVF's seven voter services. Furthermore, OVF teamed with FedEx to offer "Express Your Vote," the first express ballot return delivery program, from mid September through October 2008. Approximately 10,000 voters took advantage of the new system. We should also note several important characteristics of OVF website users:

- Two of five (40%) voters utilizing the OVF registration and balloting systems were under the age of 30.
- Three-fourths (73%) were first time UOCAVA voters and 29% voted for the first time ever.
- One fourth (24%) of OVF registration and balloting systems users are members of the US Uniformed Services or their families.
- After launching their new OVF "State Hosted System," Texas catapulted to the top state of OVF usage.

### A. OVF VOTER SERVICES

OVF launched its current suite of integrated voter services for overseas and military voters in October 2007, in time for the start to the Presidential Preference Primaries voter registration "season." The generous support of The Pew Charitable Trusts' Make Voting Work (MVW) initiative made the development and launch of the new set of web tools possible. We introduced six voter services, with the seventh added later in the year. Several were significant upgrades of previous application versions and others were brand new concepts. These services include:

- **Registration and Absentee Voter Application (RAVA):** a state-by-state customized automated voter registration wizard
- **Federal Write-in Absentee Ballot (FWAB):** a state-by-state customized automated write-in ballot generator. In mid-September 2008, OVF, together with Pew's MVW, released a vastly upgraded version of the FWAB, which incorporated zip-to-district matching and presented vot-

ers with dynamically generated candidate lists.

- **Election Official Directory (EOD):** a comprehensive local election official contact information for all election jurisdictions including physical, express courier and mailing addresses, multiple contacts, phone, fax, email and website addresses. Address data from the EOD is integrated into the RAVA, FWAB and EYV applications.
- **Voter Help Desk (VHD):** The help desk contains a vast knowledgebase written expressly for voters. The data is available through an instant response system. As voters type their questions, the system provides suggested answers. Personal questions can also be submitted and each question is individually answered. A 'customer support ticket system' assures that no questions go unanswered.
- **State-specific Voter Information Directory (SVID):** state-by-state charts with election dates, deadlines and state contact information. All of the data is verified directly with the states prior to posting and can be updated in real time across all sites.
- **My Voter Account (MVA):** an optional voter account system allowing voters to save their registration data and quickly re-access it to reprint registration and ballot forms
- **Express Your Vote (EYV):** In close collaboration, including technical integration with FedEx, OVF launched a groundbreaking worldwide express ballot return program, "Express Your Vote." The program ran from mid-September to the end of October 2008. EYV provided special OVF rates for FedEx ballot return to the U.S. for approximately ten thousand voters in 2008

### B. OVF WEBSITES AND HOSTED SYSTEM STRATEGY

Over the course of 2008, OVF introduced 3 additional targeted voter services sites: Youth Vote Overseas; Military Voter Services; and a low-bandwidth, light-graphic site for remote voters, especially useful for UOCAVA voters such as remotely stationed military members, Peace Corps members, USAID, missionaries and others living in locations or in geographic areas with only limited internet access. This

special consideration to specific voter audiences was well received.

In addition, three states, Alabama, Minnesota and Ohio pioneered OVF’s State Hosted Systems concept. These “early adopters” paved the way for the JEHT Foundation’s decision to support the OVF Hosted Systems Program, which helped establish a new UOCAVA online voter services usability and interface standard. In addition, the state-hosted systems ushered in a new way of directly helping states improve the quality and breadth of services to their UOCAVA voters. Kentucky, Texas, West Virginia, and Vermont adopted similar tailored Hosted Systems solutions and began to offer the OVF standard voter services suite of applications.

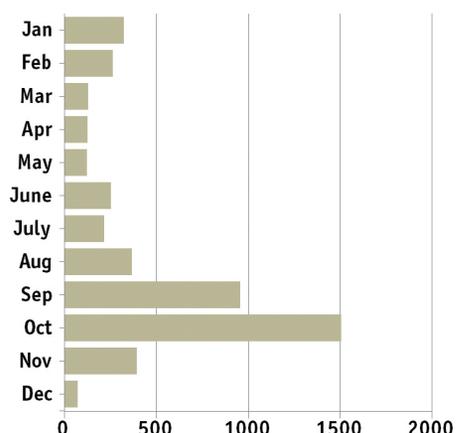
In 2008, OVF ran a total of 17 websites featuring our complete suite of voter services, which comprise the backbone of OVF’s broadening Hosted Systems. These websites included: 4 targeted OVF sites: OVF “Classic,” Youth Vote Overseas, Military Voter Services, and OVF “Lite” (low-bandwidth, light-graphic)

- 7 customized State sites:  
AL, KY, MN, OH, TX, VT, WV
- 3 major voter outreach organizations:  
The League of Women Voters’ VOTE411;  
Rock the Vote and the Federation of American Women’s Clubs Overseas
- 1 private corporation: ExxonMobil
- 2 leading political campaigns: Obama/Biden and McCain/Palin
- Other collaborations: The National Association of Secretaries of State (NASS) licenses the Election Official Directory for their [www.canivote.org](http://www.canivote.org) website

### C. OVF SITE VISITORS

The combined total number of visitors to all OVF sites through 2008 was 4,748,000. These numbers are of actual visitor/users, which came to the sites to use any number or type of services OVF provides, informational or interactive.

**FIGURE 1: TOTAL VISITORS TO ALL OVF SITES, 2008**



SOURCE: Webalyzer – web analytics

Below the visitors to OVF Sites are ranked by website and country.<sup>1</sup>

- **OVF Classic:**  
US, UK, Canada, Germany, Israel, Australia, France, Japan, Switzerland, China
- **Youth Vote Overseas:**  
US, UK, Germany, Canada, France, Australia, Japan, India, Israel, China
- **Military Voter Services:**  
US, Germany, Japan, Iraq, UK, South Korea, Italy, Kuwait, Guam, Egypt
- **OVF Lite (low bandwidth):**  
US, Japan, Germany, Canada, China, UK, India, Israel, Australia, Thailand

### D. REGISTRATION AND BALLOT SYSTEMS USERS

The number of voters amongst all states using the Registration and Absentee Voting Application (RAVA) registration and the FWAB Vote-Print-Mail ballot programs was 119,342. It remains unknown precisely how many of the voters who generated FPCA and FWAB forms mailed the original signed documents to their election jurisdictions. It is possible that they could have saved their work and never sent in their forms. This is an inherent limitation to the current UOCAVA administrative process: the forms must be printed, signed and transmitted to the voters’ election jurisdiction with original signatures.

<sup>1</sup> Source: Google Analytics

Site visits/usage was very high (4.75M visits) compared to the number of voters actually using the registration and balloting systems (approximately 120K). The distinction between these voter subgroups is key to the understanding the demand for a broader range of services. For example, select voters may already be registered and using a paper form, and therefore are only looking up their election official to call and confirm they are on the voter rolls. For them, the OVF sites provide value beyond the registration and balloting applications, which is different from, yet complementary to, those services sought by others, such as first-time voters.

Typical of Internet users, many site visitors are looking to OVF or a hosted system site in their search for voting information. We provide them with election official contact details, deadline information, and answers to specific questions. The Election Official Directory, the State-specific Voter Information Directory and the Voter Help Desk are extremely popular tools serving voters both overseas and in the U.S. The statistics support the theory that maintaining and providing precise data and information is as relevant and valuable to voters and election officials. OVF’s services provide timely access to accurate information, which is a necessary component to address concerns widely associated with untimely delays in voter registration forms and write-in ballots.

Table 1 and Table 2 below reveal the number of voters using the registration (RAVA) and balloting (FWAB) services amongst the 17 sites.

**TABLE 1: NUMBERS OF VOTERS USING REGISTRATION AND BALLOTING SYSTEMS ACROSS OVF SITES**

OVF Websites - Registration and Ballot Systems Usage Only:

Site	# Voters
OVF “Classic”	63,891
Youth Vote Overseas	9,498
Military Voter Services	8,010
Lite (low bandwidth)	1,900
Total	83,299

*NOTE: Includes voters utilizing registration and balloting services only*

**TABLE 2: HOSTED SYSTEMS ACTIVITY: NUMBERS OF VOTERS USING OVF HOSTED REGISTRATION AND BALLOTING SYSTEMS**

Hosted Systems Activity: Registration and Ballots Systems Usage Only

State	# Voters	Organization	# Voters
Alabama	918	ExxonMobil	368
Kentucky	643	FAWCO	434
Minnesota	4,853	McCain	325
Ohio	1,367	Obama	12,288
Texas	8,089	Rock the Vote	1,842
West Virginia	95	VOTE411.org	4,747
Vermont	74		
Total State Hosted Systems	16,039	Total Hosted Systems	20,004

*NOTE: Includes voters utilizing registration and balloting services only*

We can trace variations in usage of the hosted systems solutions to a number of factors. For example, the prominence of an “Overseas and Military Voter Registration” link on the Secretaries of State websites made a noticeable difference in traffic driven to the sites, as well as whether local election office websites featured links to their own state system.

The Texas website links are an example of those that caught attention. Texas simply put a tiny, highlighted “NEW!” note next to the link on their Secretary of State’s website, which successfully directed voters to their services.<sup>2</sup>

Timing in release of the system also made a difference. The sites for Kentucky, West Virginia and Vermont were launched later in the year and this impacted overall their total numbers. In addition West Virginia and Kentucky worked multiple strategies for overseas and military voters. They worked with FVAP as well as OVF. Minnesota’s actions in the areas of voter outreach and their strong communications efforts helped

<sup>2</sup> <https://texas.overseasvotefoundation.org>

bring their performance up visibly during the course of 2008. With their site, the state soared into OVF's top five states.<sup>3</sup>

The League of Women Voters is an outstanding example of a domestic voter registration site capturing tremendous overseas voter traffic. Their navigation is clear and despite a post mid-year launch, the site performed well. The most outstanding, however, was the Obama/Biden site.<sup>4</sup> Although their site came online for only the two months prior to the election, they drove a significant portion of the registration traffic during that time with their outreach and advertising.

**TABLE 3: REGISTRATIONS AND BALLOTS APPLICATIONS USAGE AMONG OVF RESPONDENTS, 2008**

State	# Voters	% All States
Texas	17,521	14.0%
California	15,317	12.3%
New York	11,322	9.1%
Minnesota	7,155	5.8%
Florida	6,092	4.9%
Ohio	4,510	3.6%
Illinois	4,264	3.4%
Pennsylvania	4,190	3.4%
New Jersey	3,991	3.2%
Massachusetts	3,425	2.7%
Total of Top 10 States	77,787	62.4%

After launching their hosted system site, Texas swiftly climbed to the number one OVF position, passing California and New York. In previous years, Texas was ranked third or fourth. The same is true for Minnesota's site, which brought the state from an OVF ranking below 10 to number 4, just below the most highly populous states, which we can see above in Table 3.

<sup>3</sup> <https://minnesota.overseasvotefoundation.org>  
<sup>4</sup> <https://obama.overseasvotefoundation.org>

**TABLE 4: OVF WEBSITE USERS BY TYPE**

Voter Type	% Total
Uniformed Services member, spouse or dependent	23.7%
US Citizen residing outside of the US temporarily	35.8%
US Citizen residing outside of the US permanently	40.5%

A more balanced range of voter types used the OVF systems this year than we have seen in previous years. Most notable, the Uniformed Services voters were strongly represented with approximately 24% of all registrations completed by them, as we see above in Table 4. In previous years the representation had been a nominal 3%. OVF's Military Services site contributed to this trend.<sup>5</sup>

**TABLE 5: TOP COUNTRIES REPORTED AMONG OVF USERS**

Top 10 Countries	
United States	21.8%
United Kingdom	10.5%
Canada	7.7%
Germany	4.9%
Israel	4.8%
France	3.5%
Australia	3.4%
Switzerland	2.4%
China	2.4%
United States Uniformed Services	2.2%

As seen above in Table 5, 2008 brought shifts in high-population voter locations. Israel entered the top five of countries with active US voters and held its position throughout the election year. China also came in as a new stronghold for democratically active Americans. The high percentage of voters choosing the US as their country of residence is attributable to a high number of uniformed services voters who vote UOCAVA absentee military voters.

<sup>5</sup> <https://military.overseasvotefoundation.org>

As seen below in Table 6, 73% of the voters using the OVF websites were first time UOCAVA voters. For 29%, this was their first voting experience.

**TABLE 6: OVF WEBSITE USERS BY VOTING HISTORY**

<b>Voters by Voting History</b>	<b>% Total</b>
First time voter	29%
Voted as domestic and overseas voter	13%
Voted as a domestic voter	44%
Voted as a uniformed services and domestic voter	3%
Voted as a uniformed services voter	3%
Voted as an overseas voter	8%

In conclusion, we have seen over the past 3 General Election cycles that the movement toward the Internet as a vehicle for voter information, service and support extends itself naturally to the UOCAVA paradigm. It is an ideal voter outreach tool for UOCAVA voters living, working, studying and serving our nation around the globe. New online UOCAVA tools effectively enable American citizens to participate in our democracy from virtually anywhere – bringing them instant information, instruction, and advice.

## VI. APPENDIX 1 - BALLOT ARRIVAL BY STATE

When did your official ballot  
from your election office for the November 4, 2008 General Election arrive?

	September	1st Half of October	2nd Half of October	Week before the Election	Election Day	After Elec- tion Day	Don't Know	Total
Alabama	11 .3%	63 .8%	28 .5%	16 1.0%	3 1.4%	1 1.0%	5 1.4%	127 .7%
Alaska	4 .1%	14 .2%	15 .3%	2 .1%	1 .5%	2 1.9%	2 .6%	40 .2%
Arizona	48 1.4%	96 1.2%	46 .9%	21 1.3%	6 2.9%	2 1.9%	5 1.4%	224 1.2%
Arkansas	5 .2%	32 .4%	18 .3%	1 .1%	0 .0%	1 1.0%	2 .6%	59 .3%
California	708 21.4%	937 12.0%	574 11.1%	206 12.9%	24 11.6%	12 11.7%	70 19.3%	2531 13.6%
Colorado	21 .6%	148 1.9%	229 4.4%	62 3.9%	5 2.4%	3 2.9%	3 .8%	471 2.5%
Connecticut	69 2.1%	190 2.4%	88 1.7%	17 1.1%	5 2.4%	1 1.0%	9 2.5%	379 2.0%
Delaware	18 .5%	18 .2%	7 .1%	1 .1%	0 .0%	0 .0%	3 .8%	47 .3%
DC	3 .1%	6 .1%	67 1.3%	72 4.5%	6 2.9%	5 4.9%	2 .6%	161 .9%
Florida	259 7.8%	338 4.3%	176 3.4%	59 3.7%	6 2.9%	6 5.8%	18 5.0%	862 4.6%
Georgia	63 1.9%	121 1.5%	58 1.1%	14 .9%	1 .5%	1 1.0%	5 1.4%	263 1.4%
Guam	2 .1%	3 .0%	0 .0%	1 .1%	0 .0%	0 .0%	0 .0%	6 .0%
Hawaii	13 .4%	71 .9%	30 .6%	5 .3%	0 .0%	0 .0%	1 .3%	120 .6%
Idaho	13 .4%	27 .3%	10 .2%	8 .5%	1 .5%	0 .0%	1 .3%	60 .3%
Illinois	172 5.2%	338 4.3%	158 3.1%	42 2.6%	4 1.9%	2 1.9%	21 5.8%	737 4.0%
Indiana	22 .7%	107 1.4%	67 1.3%	31 1.9%	0 .0%	2 1.9%	4 1.1%	233 1.3%
Iowa	34 1.0%	44 .6%	26 .5%	8 .5%	0 .0%	0 .0%	2 .6%	114 .6%
Kansas	32 1.0%	53 .7%	17 .3%	12 .8%	2 1.0%	0 .0%	2 .6%	118 .6%

**When did your official ballot  
from your election office for the November 4, 2008 General Election arrive?**

	September	1st Half of October	2nd Half of October	Week before the Election	Election Day	After Elec- tion Day	Don't Know	Total
Kentucky	37 1.1%	52 .7%	25 .5%	6 .4%	0 .0%	0 .0%	3 .8%	123 .7%
Louisiana	21 .6%	39 .5%	39 .8%	21 1.3%	3 1.4%	0 .0%	1 .3%	124 .7%
Maine	8 .2%	49 .6%	25 .5%	8 .5%	3 1.4%	1 1.0%	1 .3%	95 .5%
Maryland	78 2.4%	198 2.5%	115 2.2%	41 2.6%	6 2.9%	1 1.0%	9 2.5%	448 2.4%
Massachusetts	17 .5%	194 2.5%	386 7.5%	86 5.4%	10 4.8%	6 5.8%	6 1.7%	705 3.8%
Michigan	97 2.9%	250 3.2%	123 2.4%	58 3.6%	13 6.3%	6 5.8%	8 2.2%	555 3.0%
Minnesota	88 2.7%	366 4.7%	142 2.8%	36 2.2%	2 1.0%	0 .0%	9 2.5%	643 3.5%
Mississippi	4 .1%	11 .1%	8 .2%	5 .3%	0 .0%	0 .0%	0 .0%	28 .2%
Missouri	49 1.5%	99 1.3%	48 .9%	19 1.2%	1 .5%	0 .0%	4 1.1%	220 1.2%
Montana	11 .3%	25 .3%	9 .2%	0 .0%	1 .5%	0 .0%	1 .3%	47 .3%
Nebraska	9 .3%	21 .3%	11 .2%	2 .1%	2 1.0%	0 .0%	3 .8%	48 .3%
Nevada	20 .6%	37 .5%	24 .5%	10 .6%	1 .5%	0 .0%	2 .6%	94 .5%
New Hampshire	14 .4%	58 .7%	42 .8%	8 .5%	1 .5%	0 .0%	0 .0%	123 .7%
New Jersey	100 3.0%	300 3.8%	197 3.8%	49 3.1%	6 2.9%	0 .0%	18 5.0%	670 3.6%
New Mexico	10 .3%	59 .8%	45 .9%	11 .7%	2 1.0%	0 .0%	1 .3%	128 .7%
New York	133 4.0%	1043 13.3%	854 16.6%	240 15.0%	31 15.0%	17 16.5%	37 10.2%	2355 12.7%
North Carolina	109 3.3%	132 1.7%	57 1.1%	16 1.0%	2 1.0%	1 1.0%	3 .8%	320 1.7%
North Dakota	6 .2%	10 .1%	6 .1%	2 .1%	0 .0%	0 .0%	1 .3%	25 .1%
Ohio	46 1.4%	279 3.6%	227 4.4%	57 3.6%	8 3.9%	4 3.9%	6 1.7%	627 3.4%

**When did your official ballot  
from your election office for the November 4, 2008 General Election arrive?**

	September	1st Half of October	2nd Half of October	Week before the Election	Election Day	After Elec- tion Day	Don't Know	Total
Oklahoma	14 .4%	34 .4%	21 .4%	2 .1%	0 .0%	1 1.0%	0 .0%	72 .4%
Oregon	91 2.7%	124 1.6%	48 .9%	10 .6%	5 2.4%	1 1.0%	4 1.1%	283 1.5%
Pennsylvania	247 7.5%	307 3.9%	143 2.8%	41 2.6%	7 3.4%	5 4.9%	22 6.1%	772 4.2%
Puerto Rico	0 .0%	0 .0%	2 .0%	0 .0%	1 .5%	0 .0%	0 .0%	3 .0%
Rhode Island	6 .2%	41 .5%	19 .4%	4 .2%	0 .0%	0 .0%	1 .3%	71 .4%
South Carolina	21 .6%	36 .5%	19 .4%	6 .4%	1 .5%	0 .0%	2 .6%	85 .5%
South Dakota	8 .2%	12 .2%	6 .1%	1 .1%	0 .0%	0 .0%	1 .3%	28 .2%
Tennessee	47 1.4%	48 .6%	19 .4%	11 .7%	1 .5%	0 .0%	5 1.4%	131 .7%
Texas	293 8.8%	661 8.4%	402 7.8%	154 9.6%	26 12.6%	15 14.6%	28 7.7%	1579 8.5%
Utah	18 .5%	18 .2%	32 .6%	15 .9%	0 .0%	1 1.0%	1 .3%	85 .5%
Vermont	5 .2%	39 .5%	25 .5%	8 .5%	0 .0%	1 1.0%	2 .6%	80 .4%
Virginia	132 4.0%	235 3.0%	92 1.8%	23 1.4%	1 .5%	1 1.0%	9 2.5%	493 2.7%
Washington	47 1.4%	288 3.7%	196 3.8%	50 3.1%	8 3.9%	3 2.9%	14 3.9%	606 3.3%
West Virginia	4 .1%	22 .3%	15 .3%	3 .2%	0 .0%	0 .0%	4 1.1%	48 .3%
Wisconsin	22 .7%	135 1.7%	116 2.2%	18 1.1%	1 .5%	1 1.0%	1 .3%	294 1.6%
Wyoming	4 .1%	10 .1%	5 .1%	1 .1%	0 .0%	0 .0%	1 .3%	21 .1%
<b>Total</b>	<b>3313 100.0%</b>	<b>7838 100.0%</b>	<b>5157 100.0%</b>	<b>1600 100.0%</b>	<b>207 100.0%</b>	<b>103 100.0%</b>	<b>363 100.0%</b>	<b>18581 100.0%</b>

## VII. APPENDIX 2 - FWAB USE BY STATE, GROUP I

When you didn't receive your ballot from your election office,  
did you use the FWAB to vote?

	Yes I was aware of FWAB and used it	I was aware of FWAB, but did not use it	No, I was not aware of FWAB	Total
Alabama	8 .4%	2 .3%	23 .8%	33 .6%
Alaska	3 .2%	6 .9%	11 .4%	20 .4%
American Samoa	1 .1%	0 .0%	0 .0%	1 .0%
Arizona	20 1.1%	9 1.3%	53 1.9%	82 1.5%
Arkansas	3 .2%	2 .3%	12 .4%	17 .3%
California	287 15.4%	124 18.4%	422 15.4%	833 15.7%
Colorado	65 3.5%	16 2.4%	63 2.3%	144 2.7%
Connecticut	25 1.3%	12 1.8%	41 1.5%	78 1.5%
Delaware	8 .4%	5 .7%	2 .1%	15 .3%
DC	42 2.2%	10 1.5%	28 1.0%	80 1.5%
Florida	84 4.5%	36 5.3%	150 5.5%	270 5.1%
Georgia	37 2.0%	16 2.4%	58 2.1%	111 2.1%
Guam	0 .0%	0 .0%	1 .0%	1 .0%
Hawaii	8 .4%	5 .7%	18 .7%	31 .6%
Idaho	5 .3%	1 .1%	11 .4%	17 .3%
Illinois	52 2.8%	23 3.4%	103 3.7%	178 3.4%
Indiana	39 2.1%	5 .7%	37 1.3%	81 1.5%
Iowa	14 .7%	2 .3%	4 .1%	20 .4%

**When you didn't receive your ballot from your election office,  
did you use the FWAB to vote?**

	<b>Yes I was aware of FWAB and used it</b>	<b>I was aware of FWAB, but did not use it</b>	<b>No, I was not aware of FWAB</b>	<b>Total</b>
Kansas	10 .5%	4 .6%	20 .7%	34 .6%
Kentucky	11 .6%	6 .9%	24 .9%	41 .8%
Louisiana	15 .8%	4 .6%	11 .4%	30 .6%
Maine	5 .3%	4 .6%	13 .5%	22 .4%
Maryland	33 1.8%	13 1.9%	56 2.0%	102 1.9%
Massachusetts	63 3.4%	17 2.5%	93 3.4%	173 3.3%
Michigan	37 2.0%	26 3.9%	69 2.5%	132 2.5%
Minnesota	50 2.7%	19 2.8%	71 2.6%	140 2.6%
Mississippi	2 .1%	2 .3%	9 .3%	13 .2%
Missouri	23 1.2%	5 .7%	30 1.1%	58 1.1%
Montana	11 .6%	1 .1%	9 .3%	21 .4%
Nebraska	2 .1%	3 .4%	7 .3%	12 .2%
Nevada	11 .6%	6 .9%	18 .7%	35 .7%
New Hampshire	14 .7%	5 .7%	7 .3%	26 .5%
New Jersey	76 4.1%	21 3.1%	108 3.9%	205 3.9%
New Mexico	26 1.4%	7 1.0%	29 1.1%	62 1.2%
New York	242 12.9%	84 12.5%	324 11.8%	650 12.3%
North Carolina	27 1.4%	5 .7%	47 1.7%	79 1.5%
North Dakota	1 .1%	0 .0%	6 .2%	7 .1%

**When you didn't receive your ballot from your election office,  
did you use the FWAB to vote?**

	<b>Yes I was aware of FWAB and used it</b>	<b>I was aware of FWAB, but did not use it</b>	<b>No, I was not aware of FWAB</b>	<b>Total</b>
Ohio	69 3.7%	23 3.4%	84 3.1%	176 3.3%
Oklahoma	4 .2%	2 .3%	7 .3%	13 .2%
Oregon	20 1.1%	7 1.0%	35 1.3%	62 1.2%
Pennsylvania	78 4.2%	27 4.0%	99 3.6%	204 3.9%
Puerto Rico	1 .1%	0 .0%	4 .1%	5 .1%
Rhode Island	5 .3%	3 .4%	8 .3%	16 .3%
South Carolina	18 1.0%	5 .7%	22 .8%	45 .9%
South Dakota	6 .3%	1 .1%	5 .2%	12 .2%
Tennessee	12 .6%	5 .7%	24 .9%	41 .8%
Texas	177 9.5%	44 6.5%	253 9.2%	474 9.0%
Utah	7 .4%	3 .4%	26 .9%	36 .7%
Vermont	7 .4%	2 .3%	10 .4%	19 .4%
Virgin Islands	1 .1%	0 .0%	2 .1%	3 .1%
Virginia	39 2.1%	16 2.4%	83 3.0%	138 2.6%
Washington	39 2.1%	13 1.9%	48 1.7%	100 1.9%
West Virginia	3 .2%	3 .4%	6 .2%	12 .2%
Wisconsin	21 1.1%	14 2.1%	40 1.5%	75 1.4%
Wyoming	2 .1%	0 .0%	5 .2%	7 .1%
<b>Total</b>	<b>1869 100.0%</b>	<b>674 100.0%</b>	<b>2749 100.0%</b>	<b>5292</b>

## VIII. APPENDIX 3 - FWAB USE BY STATE, GROUP II

Prior to receiving your official ballot,  
did you use the FWAB?

	Yes	No	Total
Alabama	22 .7%	105 .7%	127 .7%
Alaska	10 .3%	31 .2%	41 .2%
Arizona	39 1.2%	186 1.2%	225 1.2%
Arkansas	4 .1%	55 .4%	59 .3%
California	466 14.1%	2077 13.5%	2543 13.6%
Colorado	91 2.8%	381 2.5%	472 2.5%
Connecticut	71 2.2%	310 2.0%	381 2.0%
Delaware	2 .1%	45 .3%	47 .3%
DC	70 2.1%	92 .6%	162 .9%
Florida	146 4.4%	720 4.7%	866 4.6%
Georgia	43 1.3%	220 1.4%	263 1.4%
Guam	2 .1%	4 .0%	6 .0%
Hawaii	18 .5%	102 .7%	120 .6%
Idaho	5 .2%	55 .4%	60 .3%
Illinois	141 4.3%	600 3.9%	741 4.0%
Indiana	43 1.3%	193 1.3%	236 1.3%
Iowa	9 .3%	105 .7%	114 .6%
Kansas	14 .4%	104 .7%	118 .6%

**Prior to receiving your official ballot,  
did you use the FWAB?**

	<b>Yes</b>	<b>No</b>	<b>Total</b>
Kentucky	15 .5%	109 .7%	124 .7%
Louisiana	24 .7%	100 .7%	124 .7%
Maine	19 .6%	77 .5%	96 .5%
Maryland	70 2.1%	379 2.5%	449 2.4%
Massachusetts	147 4.5%	560 3.6%	707 3.8%
Michigan	83 2.5%	476 3.1%	559 3.0%
Minnesota	79 2.4%	566 3.7%	645 3.5%
Mississippi	3 .1%	26 .2%	29 .2%
Missouri	34 1.0%	189 1.2%	223 1.2%
Montana	7 .2%	40 .3%	47 .3%
Nebraska	9 .3%	39 .3%	48 .3%
Nevada	18 .5%	76 .5%	94 .5%
New Hampshire	11 .3%	113 .7%	124 .7%
New Jersey	115 3.5%	558 3.6%	673 3.6%
New Mexico	39 1.2%	90 .6%	129 .7%
New York	508 15.4%	1858 12.1%	2366 12.7%
North Carolina	49 1.5%	272 1.8%	321 1.7%
North Dakota	3 .1%	22 .1%	25 .1%
Ohio	104 3.2%	525 3.4%	629 3.4%
Oklahoma	17 .5%	56 .4%	73 .4%

**Prior to receiving your official ballot,  
did you use the FWAB?**

	<b>Yes</b>	<b>No</b>	<b>Total</b>
Oregon	34 1.0%	251 1.6%	285 1.5%
Pennsylvania	142 4.3%	633 4.1%	775 4.2%
Puerto Rico	1 .0%	2 .0%	3 .0%
Rhode Island	26 .8%	45 .3%	71 .4%
South Carolina	16 .5%	70 .5%	86 .5%
South Dakota	4 .1%	24 .2%	28 .2%
Tennessee	23 .7%	108 .7%	131 .7%
Texas	269 8.2%	1315 8.6%	1584 8.5%
Utah	8 .2%	77 .5%	85 .5%
Vermont	5 .2%	75 .5%	80 .4%
Virginia	71 2.2%	426 2.8%	497 2.7%
Washington	87 2.6%	520 3.4%	607 3.3%
West Virginia	4 .1%	44 .3%	48 .3%
Wisconsin	57 1.7%	238 1.5%	295 1.6%
Wyoming	2 .1%	19 .1%	21 .1%
<b>Total</b>	<b>3299 100.0%</b>	<b>15363 100.0%</b>	<b>18662 100.0%</b>

## IX. APPENDIX 4 - QUOTES FROM SURVEY PARTICIPANTS

The OVF 2008 Post Election UOCAVA Voter Survey contained 46 questions. As seen in section IV, 24,031 voters responded to the survey. The survey also featured several open-ended questions which allowed the participants space to leave comments and individual thoughts. Over 10,000 detailed comments were received.

A small selection of comments has been organized by the categories of issues addressed. As you read them, please keep in mind, that this is only a sample of the thousands of comments received.

### A. LATE AND NEVER-RECEIVED BALLOTS

- *We received our ballots way too late to mail them back. Fortunately my husband was travelling to the U.S. and could hand deliver them. Our election office told us that their ballots were not printed on time so they could not mail them out any earlier. It seems that there was incredibly poor planning, extreme incompetence, or an attempt to decrease the likelihood of overseas voters getting their votes in.*
- *It was extremely disappointing that we did not receive our ballots. My daughter 19 and son 18 were also first time voters.*
- *I was so disappointed not to receive the ballot and so were many of my friends and relatives. We thought it would come without a hitch.*
- *I did FINALLY receive a ballot from my county in [state], but it arrived on November 4, and the postmark was October 28. Who thought it was OK to send an absentee ballot out on October 28, knowing that it needs to be postmarked by November 3 (going back to the US) to be counted at all?*
- *I received several ballots from the board of election in [state]; but I did not receive the ballot for President.*
- *My ballot was postmarked [city, state] October 6th, but didn't arrive here until Election Day! Yes, I completed it and mailed it November 4th morning.*
- *This will be the first time I am voting. I was excited but did not get my ballot I requested. There are a few other people here that did not get theirs either. Some of us requested by mail and others email. I am disappointed because I do not know where I can get to vote. I am registered.*
- *I never received my ballot. I am devastated.*
- *Ballots are not set up so that they can be returned in time. Sometimes it can take more than 3 weeks for mail to arrive here from the US. I had the ballot sent to my sister's home in NY so that she could FedEx it to me.*
- *I was disappointed not to receive my absentee ballot from my local election office, although they told me in a long-distance phone call from Sweden that I was registered. Many friends here in Sweden experienced the same thing and were consequently too late in submitting an emergency absentee ballot. They unfortunately were unable to vote.*
- *The primary ballot came three weeks late, but I thought maybe they would do better with the November ballot. It has still not arrived. I am very disappointed, and didn't try to get the Write-In Ballot until Nov. 4th and gave up because I didn't have a printer.*
- *I was disappointed that my state doesn't allow electronic submission of absentee votes, like many states do. I received my ballot on November 4th, but it had to be returned by November 3rd, a day earlier than I received it.*
- *I filled out a change of address voting registration application in the Board of Elections and Ethics headquarters in my district [state] in person around September 17, 2008... On November 7th, after the election, I received my official ballot. However, inside the instructions, I was informed that it was too late to use this ballot! I am highly disturbed by this. I want something to be done on my behalf to make sure my right to vote is not hindered or stolen from me. Please help me do so. Thank you.*

- *This is our 3rd presidential election overseas with our voting rooted in our last place of residence in the US before moving to Japan in 1999. They have screwed it up all 3 elections and I have NEVER received a ballot in time to actually use it to vote. I have used a Federal Write-In Ballot in 2004 and 2008 (after missing the vote in 2000) but this is unsatisfactory. My [county] election office just does NOT get it and they have yet to get the process right. They did express mail my ballot (once my wife express mailed hers and my Write-In ballot) but it was not received until Oct. 27 (Friday night here) and it was too late to send it back by the required Election Day. They never responded when we asked them to confirm the Write-In Ballot was received, that both ballots were acceptable and would count in the election. We wrote back AGAIN and complained but they have never responded. They have given no electronic options to register or vote, so everything has to be hard-copy by mail.... It's obvious they haven't learned anything in the 9 years we've been stuck voting through them.*
- *I live in a capital city. Were I to live outside the capital, the ballot would never arrive before the elections and certainly not in time to mail it back in.*
- *Although I applied to vote abroad, I never received my ballot, which made me very sad because I would have loved to have voted in such an important election.*
- *Very unhappy I didn't receive my ballot as requested. I wonder how many military members and other civilians living abroad didn't either and didn't know about the absentee write in ballot.*
- *Even after registering ahead of time I never received the election ballot. Someone must resolve this, as I believe it is un-acceptable for a country like ours to have such problems, it is beyond my belief.*
- *How unfortunate that I was finally inspired to vote in the 2008 Presidential elections and the ballot did not arrive.*
- *My ballot never came.*

- *I'm still waiting for a ballot.*

## **B. DOES MY VOTE COUNT?**

- *I heard that mailed in ballots from overseas were not counted because the election was not a close one. Is this true?*

## **C. COMMENTS REGARDING COMMUNICATIONS WITH ELECTION OFFICIALS**

- *I had to call [state] voting office 3X in order to get my ballot. The staff did not know where Austria or Europe were and thought I was in the US. Two staff members could not find my registration but eventually they e-mailed me a ballot.*
- *I ended up paying almost \$100.00 to talk to the responsible person for the invalid ballot they had sent me.*
- *The main reason I was unable to vote was the odd requirement of Wisconsin that I have a US citizen sign my application and envelope as a witness to my ballot request and FWAB. I missed the initial mailing deadline for a regular ballot request, but I still had a window of opportunity to use the FWAB. I decided to go to my local consulate for help, but they were closed for more than a week before the election. I VERY MUCH wanted to vote, but simply could not manage all the rules, regulations and deadlines. I hope this information helps someone improve the voting process for overseas citizens. Thank you.*
- *When I applied for my absentee ballot, my state said they could not accept my passport number as identification. I told them they were wrong and to check again. (This was the first time in several experiences of voting overseas that my application was questioned.) Apparently, someone did check and realized everything was fine because I received my primary ballot on time as expected.*
- *My ballot was not sent to me by my Town Clerk, who assumed the address was bad because of the unusual, but CORRECT, UK zip code. In future, I will have them e-mail it so I do not miss the deadline. I assumed the ballot would come, but it did not, then I missed the FWAB deadline, too.*

- *I had a lot of difficulty convincing my home town clerk that I was allowed to register for the primary...my FPCA card was ignored and my parents had to go three times to the town hall before they would accept my paperwork. This happened in 2004 as well, and that time I never received a ballot. At least this time I eventually received everything, after starting the process a year ahead of the election.*
- *Overall, my experience was successful because the local election office in my hometown in [state] was extremely helpful and because we knew people going to the States right before the election to send our ballots directly from the states. If that was not the case, I don't know if we would have had time to get our ballots in on time.*
- *Back in September I went to the U.S. Consulate in Istanbul to deliver my absentee ballot request/ registration form for my state. I never received my ballot from my state. I emailed my county election office and they replied saying they never received my request. I then forwarded the email to the consulate and they sent me a reply with no signature saying they don't guarantee delivery. I didn't vote.*
- *I was sent an email 3 days prior to Election Day telling me that the Absentee Ballot I had sent in wasn't valid.*
- *The website of the county I last lived in said I had to be there in person to register before they could send an absentee ballot.*
- *My local office [county, state] didn't send me a ballot, and then told me if I wanted to vote, I had to waive my right to a secret ballot and email my completed ballot to them. I asked explicitly if there were any other options, and they said NO and acted as if I was wasting their time asking. So I emailed my ballot. I found out only later—from a friend—that I could've posted a Federal Write-In Ballot, and that I had until the 4th to do so. My local official didn't see any problem at all with requiring me to waive my right to secrecy in order to take part in the democrat process of the country of which I'm a citizen. What are we coming to?*
- *The process went fine, except I had to call my local voting office ... to see where my ballot was. It turns out it was attached to my application and had I not called, I would not have gotten my ballot. I know now to call earlier.*
- *The US Embassy was useless and downright rude about answering questions.*
- *The information and updates from our US Consulate were very helpful.*

#### **D. CONFUSION**

- *I was confused about whether I had to submit a registration form, or whether the ballot would be sent to me automatically.*
- *I had thought I had requested my ballot by email, but then realized much later that I had to print and mail the application.*
- *I was a little confused about why I would complete an email vote and then complete a physical paper ballot.*
- *I received two ballots - the second of which was called re-issued - I don't know why it was re-issued and felt very uncertain when sending in the ballot.*
- *There was a lot of confusion among Americans living in Dar es Salaam, Tanzania, in trying to figure out if their ballots could be postmarked in the US. People here often send their mail with friends traveling back and ask them to mail it in the US. Some states allow a US postmark on the ballot, but others do not. This caused some stress as different people voting in different states were getting conflicting information. I called the Embassy and wrote to your website to clarify this for NY State.*
- *Too many absentee voting options make it all confusing - we need ONE OFFICIAL information source. I do not know who to trust or which is correct.*
- *On the California ballot, I was required to give my last ad-*

*dress in San Francisco but there was a warning that if it was not my current address then I would be liable for prosecution for voter fraud.*

- *It is not useful to provide a postage-paid envelope that only works in the US.*
- *One of my daughters didn't put on a stamp [on the envelope] and the other didn't notice that you had to write USA yourself, so we doubt that their ballots got to where they were supposed to [go]. More explicit information about this is definitely needed, preferably from the Town Council itself, of course, but also from any voters-abroad organization.*
- *I would like to know that my ballot was received and counted. I don't know if that is a possibility or not, but it would be great. Also, I received my ballot in my email so I was uncertain the best way to send it back to the U.S. (what type of envelope, where to tape the signature page).*
- *My ballot from my [city] district was so poorly elaborated that I had to call international long distance for instructions as to where to place my 'mark'. We are [a public charity] in Mexico City and we aided about 300 people to register and then later to vote. Many got their ballots uncomfortably late.*
- *It's unnerving when your ballot says SAMPLE on it but the small print says you should vote with it...as they would not be able to mail a "real" ballot in time.*
- *The only problem I had with voting was that the [FWAB] ballot did not contain any choices for office--everything was write-in. It was very difficult to locate information about who was running for local offices and then to make sure that I was voting for the correct districts, counties, etc. and spelling candidates names correctly. If I spelled something wrong, would my ballot be considered void?*

## **E. COMMENTS RELATED TO MAILING OR ELECTRONIC TRANSMISSION OF VOTING MATERIALS**

- *The mail sent from Iraq seems to arrive without any problems but the mail to Iraq is not delivered consistently. I*

*think [state] should have allowed me to vote electronically, by email or online. I am very disappointed to have lost my opportunity to vote because of an inadequate mail system. I even went to the Post Office here where they allowed me to look through the mail and I still couldn't find my ballot.*

- *The weak link in the chain is the local mail service here in Israel. My initial ballot request disappeared in the Israeli mail system, and had I not thought to make a phone call directly to the California registrar's office, I would probably never have received my ballot.*
- *Trying to receive official ballots from USA by mail then return them in time doesn't work easily. When voting just for President, why can't "write in" ballots be sent earlier? Thanks.*
- *The U.S. Federal and local governments should primarily fax and email ballots. Foreign mail cannot be trusted for privacy and reasonable delivery time. Paper ballots are not necessary or convenient for voting overseas.*
- *In this election, a PDF of the ballot was sent via email. I printed it out, but the ballot would not fit on A4 paper. I had to reduce the size to about 90% to get it on one sheet of paper. I filled it in and sent it back via airmail. However, I am doubtful if scanning equipment will properly register the results since the size and positions are different than the actual ballot.*
- *I filed the FWAB with the Voting Assistance Officer here in Qatar when I found out I would not be back home in [state] before the elections. I was given a tracking number and was told the ballot envelope would be tracked by the military postal service agency until it was received at my local elections office. I logged onto the grayhairsoftware.com/ballot-track website several times, to include Nov 4th, and watch the ballot reached only two post offices, one in Jamaica NY, and one in St Louis, MO. It was never received by my [local election office] in my state. Also on the 4th, I called the Supervisor of Elections in my home county to confirm they had my ballot, but was told they had no record of my vote.*

- *The Absentee Voting program is not difficult if you plan ahead. Since I knew I was deploying, I requested my ballot be sent to my deployed location. The MPS provided an online tracking program to I was able to see that my ballot did reach my polling place before the deadline.*
- *The main problem I and many other embassy officials had was that we requested absentee ballots in plenty of time but they were late arriving. Mine, my spouse and colleague's were mailed from our [county election office] in plenty of time but they were held up at the APO sorting facility in NY [zip] for weeks. In fact, my county told me they had mailed one ballot 10 days ahead of another one, but they both arrived here the same day. So the problem was with the postal service. They clearly were holding ballots. Two colleagues received their ballots YESTERDAY from the same sorting facility. I realize that this part is really not your problem but it is outrageous that the postal system allowed this to happen. I think it needs to be looked into by someone, if not your office.*
- *Actually, my first ballot was received very early. I believe early October. However, the postal carrier left it in the rain. I sent it back as a spoiled ballot, changed the delivery address to my work address and got another fairly quickly. However, the problem was I returned my ballot via Express Mail Service, EMS, shipping from the Korea Post Office. I mail stuff home all the time via regular mail and it usually takes just 7 or 8 days. This time, my ballot sat in US customs for 6 days! It was clearly addressed to my department of elections, so I don't understand what the delay was and I'm concerned that my ballot isn't the only one left to languish in customs. It did get delivered because I'd mailed it early enough. I hate to think that it might still be en route had I sent it regular mail.*
- *My state election office [city, state] emailed both primary and general election ballots to me. I thought this service was fabulous! I also heard that early voting was available in my state and some other states, and also think this is great progress in our election process. I work for the Peace Corps in [country], and was very happy that we had access to so many voting resources to help our volunteers easily participate in the election process. The process was much easier now since there are more [transmission] options than in the past.*
- *Thank you FedEx for sending in all ballots for FREE from American citizens living in China! That helped a lot!*
- *I also voted from overseas in the 2004 US Presidential Election, and found it to be much easier this year, mainly due to the OVF/FedEx initiative. Thank you very much for offering this service -- it really makes a difference!*
- *Possibility of sending ballot by FedEx or other service was not included with voting material received from my [state]. Flyer said "Postal service only."*
- *I was travelling when my ballot arrived, and would not make the deadline if I mailed in my vote, so I chose the option of faxing in my ballot. The fax number for the [county] Supervisor of Elections, as stated in the instructions, never worked. I tried for 6 days. Sometimes I got a busy signal, but every time the fax machine 'answered' and I tried to send my ballot, it would not receive it.*
- *Expected to receive ballots in the post, and nearly missed the election waiting for it.*
- *Our 230-year-old system is outdated and in bad need of complete reform. We should be able to just walk into our consulate with passport in hand and vote (as in many other democracies, e.g., Sweden, Spain, Australia, etc.), with no other byzantine registration or ballot request or FWAB problems. We lead the world in IT and Internet technology; there is no excuse in the 21st century.*
- *It is 2008. Why can't we offer Internet voting?... I personally want to see this put in place for the next election. Tag it a green movement - save paper and gasoline - and maybe something will get done.*
- *Registered to vote. Serving in Afghanistan. Never received a ballot. Tried to use the Federal Absentee Write in process - still required me to mail in the ballot and I was out of time. Got screwed by my state and am VERY angry!*

## F. OTHER

- *It would have been very nice for those us of receiving email ballots to have been able to print them at 8.5x11 instead of 8.5x14 because I had a difficult time finding a print shop that would print at that size. It put off my ability to send my ballot by almost a week.*
  
- *I am thrilled to be questioned. Americans living abroad need better representation in Congress and elsewhere to protect our rights.*
  
- *Why does the ballot have to be marked with a PENCIL? This facilitates ballot manipulation! Ink pen should be required.*
  
- *I think all states need to institute is a receipt policy, to let people know that their registration or ballot was received.*
  
- *I think that voter registration should be simultaneous with social security registration*
  
- *The process should be made uniform for all Americans abroad, independent of their state/county of origin specific voting policies.*
  
- *Friends from other countries marvel at the difficulty we have had and remark that no wonder we have such a low turnout rate compared to their own country.*
  
- *How can Brazil have such a better, electronic, more efficient system of voting, which is mandatory, than the US?! You cannot believe the embarrassment this causes Americans living abroad. It seems obvious that the voting system must be made more uniform and made completely electronic so that you can even vote from home if you wish. There is no need to “invent” such a system since it already exists in many countries. Simply study how it works in Germany, Switzerland, etc. and modify it to the US’s needs.*

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