

U.S. Senator Dianne Feinstein
May 12, 2009

Statement for the Record
**“Problems for Military and Overseas Voters: Why Many Soldiers and Their Families
Can’t Vote”**

I want to thank Chairman Schumer for holding this hearing today on the critically important issue of military and overseas voting.

The men and women of our armed forces perform an extraordinary service for our country. It is absolutely essential that we ensure that our election system makes it easy, not hard, for them and their families to cast votes while overseas.

Today, as many as six million military and overseas voters are eligible to cast absentee ballots in federal elections.

Six million. That is more people than live in most States – more people than Maryland, or Connecticut, or Wisconsin. This is a very large group of Americans.

In 2006, however, surveys found that only around one million ballots were successfully distributed to these voters, and only one-third of those ballots were actually cast or counted. In total, only 330,000 individuals cast overseas absentee ballots. This is a shockingly low number.

In 2008, we made improvements, but the problems nonetheless continued. According to the Pew Foundation, more than one in five military and overseas voters who requested a ballot in 2008 did not receive one. As a result, approximately 900,000 individuals who wanted to vote, could not.

Today’s hearing gives us an opportunity to examine those problems in detail, see what happened, and look for commonsense solutions.

There is critical work to be done.

For example, in 2008, more than half of the overseas voters who tried to vote but could not were unable to because their ballots arrived late, or never arrived at all.

Approximately one quarter of those who were able to request a ballot by email did not receive one, and the same was true for one-fifth of those who requested a ballot by fax.

Even where ballots were received, state rules and requirements can be so onerous for overseas voters that they can act as a bar, preventing eligible voters from voting.

- In one-third of all States, the voting timetables and deadlines that have been set do not provide enough time for military personnel stationed overseas to vote. These states send out absentee ballots too late for military voters to receive them and meet all of the required deadlines.
- Another nine states provide only a few days cushion for people casting absentee ballots overseas.
- Finally, some states require that ballots be returned by fax or email – services that members of the military may or may not be able to access in the time required.

Additionally, States often impose conditions that are reasonable in the United States but that have the unintended effect of preventing overseas voters from casting their ballots.

- States sometimes require that voters cast absentee ballots on a certain size and stock of paper – paper that may or may not be available where the overseas voter is living; and
- Others require that absentee ballots be notarized – again, a service that may or may not be accessible in a short period of time overseas.

If you live in the United States, these requirements can pose a minor inconvenience; if you live abroad, they can act as a roadblock, preventing you from registering and casting your vote.

I think this situation is unacceptable, and I commend Chairman Schumer for holding this hearing to investigate the problems at hand.

In the last Congress, I introduced legislation that included provisions to prohibit States from rejecting overseas voter registration applications, absentee ballot applications, and ballots for non-essential reasons.

I remain committed to finding commonsense solutions to protect the fundamental rights of our military men and women to cast their ballots and have them counted.

I am very pleased to see that the Committee has taken up this issue today, and I look forward to working with Chairman Schumer and the other members to address these problems.

I believe we owe it to the men and women who protect and defend our country to do everything we can to make sure that their voices are heard in elections.