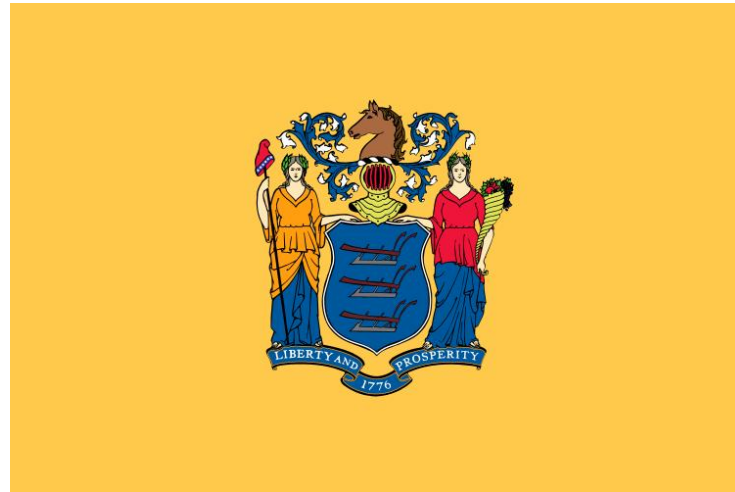


Federal Voting Assistance Program Voting Initiatives and MOVE Act



**New Jersey Association of Election Officials
March 24th, 2010**

UOCAVA & MOVE Act

UOCAVA

- **Uniformed and Overseas Citizen Absentee Voting Act of 1986**
 - 42 USC 1973ff *et. seq.*
 - Also 10 USC 1566 for voting assistance requirements

- **Baseline Law for Military and Overseas Voting**
 - Guarantees right to vote in federal elections
 - Mandated federal forms:
 - Federal Post Card Application (FPCA)
 - Federal Write-in Absentee Ballot (FWAB)
 - FVAP Assistance
 - DoJ Enforcement

MOVE Act

- **Military and Overseas Voter Empowerment Act of 2009**
 - Mostly amended UOCAVA
 - Also amended voting assistance requirements

- **Key Requirements:**
 - States
 - Send ballots 45 days prior and electronically
 - Accept FWAB for all federal elections
 - DoD
 - Online Portals and FWABs
 - Installation Voting Assistance Offices and National Voter Registration Act integration
 - Expedited overseas military ballot return
 - More Reporting

Uniformed Services Voters

- **Both Military Personnel and their Dependents**
 - All five Armed Services, USPHS, NOAA, Merchant Marine
 - Dependents
 - 1.5M members, 1.1M dependents

- **Both Domestic and Overseas**
 - 75% of members domestic
 - 85% of dependents domestic

Overseas Citizens

- **US Citizens Residing Abroad**
 - 2 – 4 million
 - Difficulty estimating actual numbers

- **Permanent vs. Temporary Residence**
 - Permanent = federal only
 - Temporary = all races; tax liability

- **Issues of advocacy groups**
 - Never domiciled children issue
 - Representativeness

2/3 of the known UOCAVA voters are uniformed service voters

Voting Assistance Program

➤ Current Program

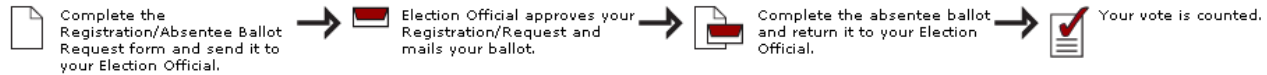
- Unit and Embassy Voting Assistance Officers
- Collateral Duty
- Service-run
- FVAP Guidance and Support
 - Forms
 - Instructions
 - Training

➤ Vision

- Direct to the Voter Online Assistance
- “TurboTax©” the Voting Assistance Process
- Focus personal voting assistance on contingency operations and special needs

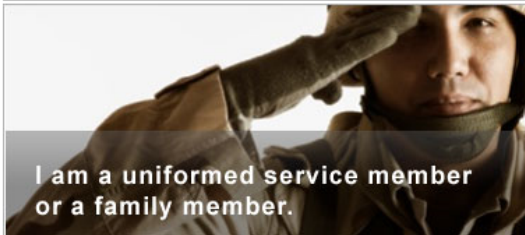


Absentee Voting Overview



To learn more about the absentee voting process, please go to [About Absentee Voting](#).

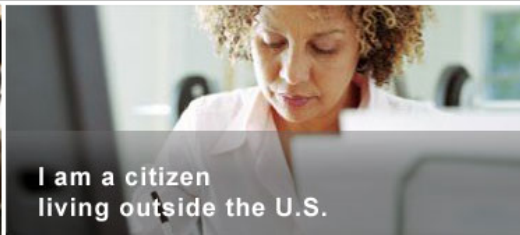
To Vote Absentee, Start By Telling Us Who You Are



I am a uniformed service member or a family member.

For active-duty members of the Armed Forces, Merchant Marine, Public Health Service, NOAA, and their family members.

[Get Started](#)



I am a citizen living outside the U.S.

For United States citizens who are living outside the U.S. for work, school or other reasons.

[Get Started](#)

If neither of these choices apply to you, please visit www.canivote.org

Election Countdown

378 Days

News

[\(More News\)](#)

October 19, 2009

[Virginia News](#)

October 6, 2009

[Survey News](#)

October 6, 2009

[New York News](#)

Quick Links



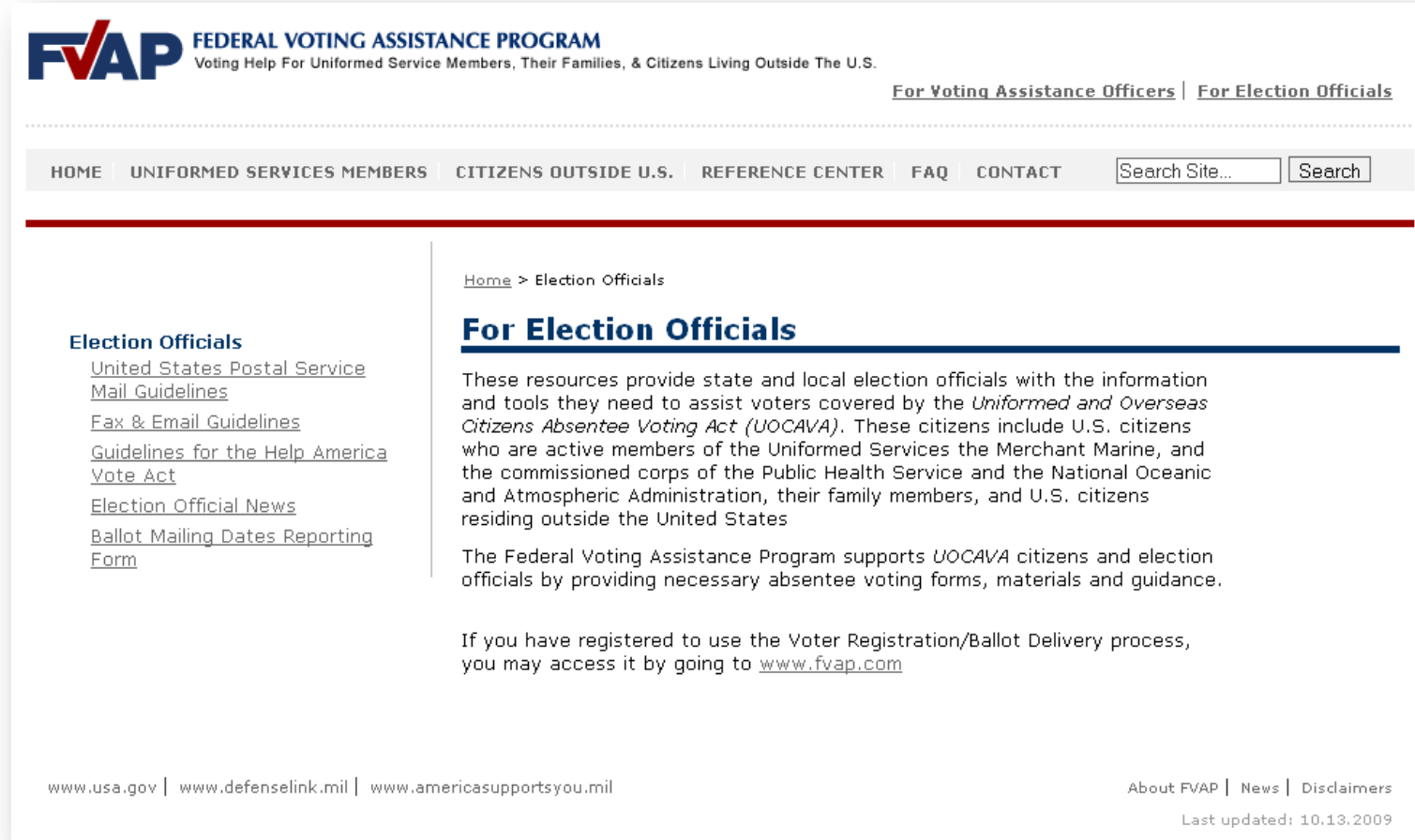
[Reports, Surveys, Data](#)

[Registration/Absentee Ballot Request Form](#)

[Back-up Ballot \(Federal Write-In Absentee Ballot\)](#)

[Where to send Forms](#)

Local Election Officials Webpage



FVAP FEDERAL VOTING ASSISTANCE PROGRAM
Voting Help For Uniformed Service Members, Their Families, & Citizens Living Outside The U.S.

[For Voting Assistance Officers](#) | [For Election Officials](#)

[HOME](#) | [UNIFORMED SERVICES MEMBERS](#) | [CITIZENS OUTSIDE U.S.](#) | [REFERENCE CENTER](#) | [FAQ](#) | [CONTACT](#) |

[Election Officials](#)

- [United States Postal Service Mail Guidelines](#)
- [Fax & Email Guidelines](#)
- [Guidelines for the Help America Vote Act](#)
- [Election Official News](#)
- [Ballot Mailing Dates Reporting Form](#)

[Home](#) > [Election Officials](#)

For Election Officials

These resources provide state and local election officials with the information and tools they need to assist voters covered by the *Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA)*. These citizens include 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 Federal Voting Assistance Program supports *UOCAVA* citizens and election officials by providing necessary absentee voting forms, materials and guidance.

If you have registered to use the Voter Registration/Ballot Delivery process, you may access it by going to www.fvap.com

www.usa.gov | www.defenselink.mil | www.americasupportsyou.mil

[About FVAP](#) | [News](#) | [Disclaimers](#)

Last updated: 10.13.2009

<http://www.fvap.gov/leo/index.html>

The Problem is Ballot Return

➤ **Overwhelming incidence of voting failure is in ballot return because ballots go out too late**

➤ **Absentee Ballot Return Rates:**

- 91% = General Population
- **67%** = UOCAVA voters

▪ **Absentee Ballot Delivery Failure Also Problem**

- 9% military ballots misaddressed
- 6% returned as undeliverable
- 17% of military requesting absentee ballots never received it

2008 General Election Results – Military Voters		
Stage of voting process	Number of additional failures over general voting population	% of total failure
Registration Failure	3,936	1.4%
Ballot Delivery Failure	20,064	6.9%
Ballot Return Failure	213,779	74.0%
Ballot Casting Failure	51,283	17.7%
Total	289,062	

FVAP Focus: Ballot Delivery and Return

- **Improve Ballot Delivery and Return**
 - Online Ballot Delivery and Marking Wizard
 - Expedited Ballot Return
 - Electronic Transmission Service

- **Expedited Ballot Delivery and Tracking**
 - Seven day return standard
 - All ballots sent by Express Mail
 - Open up Express Mail tracking system to States to meet Ballot Receipt Tracking System requirements?

- **Expanded Use of the FWAB**
 - Online FWAB Wizard
 - Increased emphasis on FWABs in month before election

FVAP Goals

- **1: UOCAVA voting success rates equal to or exceed general population rates**
 - Absentee ballot cast rate
 - Counted rate of those cast
 - FWAB utilization/success rate

- **2: UOCAVA voter participation rate equal to or exceed general population (age and gender adjusted)**

- **3: UOCAVA voter registration rate equal to or exceeds general population (age and gender adjusted)**
 - Compared to general population
 - Compared to desire to vote

- **4: Define the actual overseas citizen population**

- **5: Bring all States' Legislative Initiative Scores to 75%**

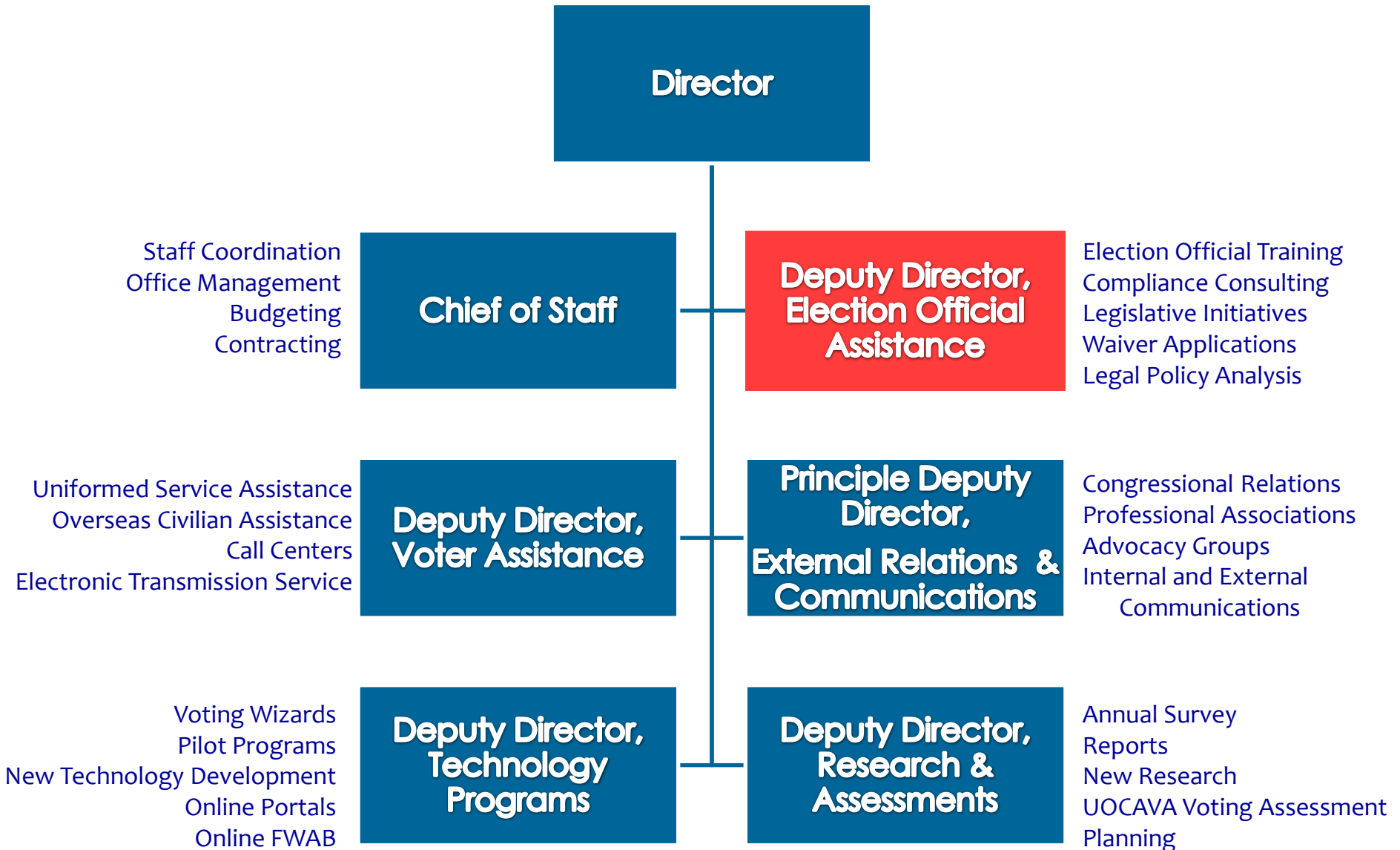
FVAP Mission

- **Assistance:**
 - FVAP exists to help Uniformed Services personnel, their voting age dependents, and overseas civilian successfully exercise their right to vote in federal elections in order that they have an equal opportunity with the general population to vote and to have that vote counted.
 - FVAP also assists the States in complying with federal law in order to provide that opportunity to uniformed services and overseas voters, and to avoid enforcement action

- **Advocacy:** FVAP serves as the voice of Uniformed Services and overseas voters, identifying impediments to their ability to exercise their right to vote, and proposing methods to overcome those impediments.



FVAP Reorganization



Ballot Delivery and Marking Wizard

- **FVAP Supported** = federal funding
- **Vendor Provided** = Existing technology deployment, choice of vendors
- **State Decided** = State say in vendor and ballot;
 - MOVE Act compliant
 - VR/EMS Integration requirements
 - Common Data Format?
- **Voter Adopted** = seamless, intuitive, and transparent process
- **Press Release, RFI on street**
 - Sent to all States
 - Requirements inputs
 - RFQ to follow

Voter Registration

- **Installation Voting Assistance Offices become prime registration/absentee ballot application centers**
 - Change of station, pre- and post-deployment, change of address, on-demand
 - Annually for all voting assistance locations, unit and installation

- **DepSecDef stated 16 Dec 09 that DoD “will designate all military installation voting assistance offices as NVRA agencies.”**
 - Will do in rewrite of DoDD 1000.04
 - Combined with DoDD 1334 (*NVRA* at Recruiting Stations)
 - In final discussions with DoJ
 - Military and civilian assistance

➤ Secondary Effects

Requirement	NVRA	UOCAVA
Acceptance Location	Single State Location	LEO
Notary and Witness	Both prohibited	Only notary prohibited
LEO Notification of Voter	Both acceptance and rejection of FPCA	Only rejection

State Legislative Initiatives

➤ State-by-State Index

- 0-100 scale
- Measures FVAP success in convincing States to adopt Legislative Initiatives
 - **0-50 – Unsuccessful**
 - **50-75 – Partially Successful**
 - **75-100 – Successful**
 - **National Average = 53%**


➤ Scores weighted on Where Voting Failure Occurs

- Greatest Scores given to areas with greatest impact on most significant failure
- 45-day prior = 30 points
- Email/online = 30 points
- Universal FWAB = 20 points

Legislative Initiative	Uniformed Services Weighting	Overseas Citizens Weighting
45 Day Transit Time	30	30
Electronic Transmission	30	30
FWAB	20	20
Late Registration	7	4
Emergency Authority	7	5
Elimination of Notary/Witness	4	8
Never Resided in U.S.	2	3
Uniform Law Commission	0*	0*

- FVAP would score itself as successful for States:**
- 45-day prior ballot delivery,
 - email/online transmission of blank ballots,
 - allows the FWAB for all elections

State Voter Registration Verification Websites



STATE OF NEW JERSEY
DEPARTMENT OF STATE

DIVISION OF ELECTIONS

<ul style="list-style-type: none"> Home Voter Information ▶ Candidate Resources ▶ County Resources ▶ Election Information ▶ Publications and Resources ▶ Help Desk ▶ 	<h2 style="color: #800000;">Important Election Deadlines and Voter Information</h2> <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="border: 1px solid black; padding: 10px; background-color: #e6f2ff;"> <p style="text-align: center;">Important Election Deadlines And Voter Information</p> <p style="text-align: center;">April 19, 2010 Deadline To Change Party Affiliation <small>(50 days before Primary Election)</small></p> <p style="text-align: center;">May 18, 2010 Deadline To Register To Vote <small>(21 days before Primary Election)</small></p> <p style="text-align: center;">June 8, 2010 Primary Election Day <small>(Polls Open from 6:00 a.m. until 8:00 p.m.)</small></p> <p style="text-align: center; font-size: small;">For more information contact the NJ Division of Elections (609) 292-3760 or go to www.njelections.org</p> </div> <div style="text-align: left; padding-left: 20px;"> <p>April 19, 2010 Deadline To Change Party Affiliation <small>(50 days before Primary Election)</small></p> <p>May 18, 2010 Deadline To Register to Vote <small>(21 days before Primary Election)</small></p> <p>June 8, 2010 Primary Election Day <small>(Polls open from 6:00 a.m. until 8:00 p.m.)</small></p> </div> </div> <p style="text-align: center; font-size: small;">Voter Outreach Poster (11" x17" - 9k pdf)</p>	<p>Search NJ Elections</p> <div style="border: 1px solid #ccc; padding: 5px; margin-bottom: 5px;"> <input style="width: 80%;" type="text"/> </div> <p style="text-align: right; color: #800000;">Go ></p> <p>Notices</p> <ul style="list-style-type: none"> 2010 Election Deadlines and Voter Information 2010 Chronological Guide for Elections 2010 Primary Election Candidate Listing 2010 Primary & General Election Petitions of Nomination How does a voter find out if their Vote by Mail or Provisional Ballot was counted <p>Videos</p> <ul style="list-style-type: none"> Comcast Local Edition - Director Robert Giles talks about Vote by Mail Media Center - Videos
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Repeal of UOCAVA Section 104

- **MOVE Act repealed Section 104(a) to (d)**
 - Leaves only Section 104(e)
 - Allows early submission of FPCA
 - Only applies to Uniformed Service voters
 - Based upon complaints of high number of returned UOCAVA ballots returned as undeliverable, approximately 60,000

- **Result:**
 - States may require overseas civilian voters to submit a new absentee ballot application for each and every election
 - FVAP encouraging all UOCAVA voters to submit a new FPCA:
 - At every change of address, voting or delivery
 - Annually, odd years included
 - **Combined with new military FPCA submission standards, LEOs should expect 3.5 – 4 million FPCAs per year, compared to ~1 million in 2008.**



Federal Voting Assistance Program Department of Defense

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BACKUP SLIDES

MOVE Act: State Requirements

- **Transmit ballots 45 days prior to election**
 - Waivers allowed by Secretary of Defense, ICW Attorney General
 - Not perpetual – apply every election
 - Need to show adequate time available for voters
- **Transmit ballots electronically**
 - Does not define electronically
 - Fax alone provides little help to military voters
- **Accept Federal Write-In Absentee Ballots for all federal elections**
 - Continued usefulness of SWABs?
 - FVAP encourages universal adoption of FWAB
- **Free Online Ballot Receipt System**
- **Cannot require notary**

MOVE Act: Federal Requirements

➤ More online tools

- FWAB
 - Federal Candidate list
 - Requires States accept for LEOs?
- State UOCAVA Election Official and Electronic Communications Address Database
- Online Voter Portals

➤ Expedited ballot return

- Overseas Uniformed Services Personnel
- Sent NLT 7 days prior to election; Free
- Working with MPSA to coordinate with tracking system and possibly integrate with State requirements

➤ Expanded voter outreach

- Installation Voting Assistance Offices
- Advertising and communications
 - Online FWAB
 - 30, 60, 90 day prior notices

➤ Improved data collection

- Coordinate with States and EAC
- Covers Election Day Survey info
- Online repository

➤ Reports

- Voting Assistance Program analysis and plan
- MOVE Act implementation
- Annual survey and overall effectiveness
- DOJ on enforcement
- EAC and NIST on Internet Voting Standards