Web-based balloting allows military and overseas voters to participate in elections using secure Internet sites. Voter information can be presented, downloaded, or transmitted through the use of web pages and interactive forms. Arizona is the only state that currently provides for military and overseas voters to vote online. Launched in September 2008, the web-based voting system permits military and overseas citizens to upload completed ballots directly to the secretary of state's web site. According to the official site, the system gained approval from the U.S. Department of Justice and uses "industry standard, 128-bit encryption technology to ensure security, privacy and the overall integrity of the ballot. This is the same type of security used for online banking and credit card transactions." Each voter is assigned a user ID name and a password to log on, register, request an early ballot, and vote.

In the 2008 general election at least five other states (Mo., Fla., Colo., Mont. and Wash.) permitted the casting of a ballot electronically; that is, either by e-mail or a secure online system, e.g., using virtual private network (VPN) technology. Most VPN systems use the Internet as the public infrastructure and a variety of specialized protocols to support private communications. The "link-layer" protocols of the virtual network are said to be tunneled through the larger network. VPN allows elections officials to authenticate users, encrypt data and otherwise link to voters through key-coded data signals.

Missouri accepts ballots submitted by e-mail from military or civilians serving in a designated inaccessible country posing imminent danger. This administrative program, however, only covers those persons defined by statute as federal service voters -- persons working for, or in support of, the federal government in either a military or civilian capacity. More information on its program can be found on the Missouri secretary of state web site.

In November, Okaloosa County, Florida conducted a privately-funded pilot program -- the Operation Bravo Project (Bring Remote Access to Voters Overseas) that allowed 93 registered overseas voters to vote electronically. Using touch-screen laptops at electronic voting kiosks in the United Kingdom, Germany and Japan, voters could review a paper record of their choices before casting their vote. All ballots were digitally signed by the voters, then encrypted and transmitted to a secure data center using a VPN channel on the Internet. The County's Canvassing Board decrypted and tabulated the 93 ballots cast. A 100% manual audit validated the system's performance and all records matched.
Okaloosa County Supervisor of Elections Pat Hollarn, a former Air Force spouse, spent years at overseas assignments. "The disenfranchisement of overseas voters has been recognized as a problem since the Korean War. Even today, overseas voters are not well-served by the current mail-in absentee voting process. The only reliable way to reach overseas voters is by electronic means," she said. Voters reported the system was easy to use. One commented: "This establishes my confidence that my vote will be received in time for the election."

Colorado permits only service members without access to a fax machine to receive and submit a ballot by e-mail. County election offices in Montana may opt to receive ballots by e-mail (or fax). Debbe Merseal, Chief Elections Deputy in Missoula County, notes that most of the larger counties provide this option, which is password protected:

Each blank ballot sent includes a privacy disclaimer. As long as they (military or overseas voter) can scan their signature, we will accept a scanned ballot sent by e-mail. Almost all of the military and overseas citizens have access to a computer, which is not always the case with a fax.

In 2004, the U.S. Department of Defense (DOD) abruptly canceled an internet pilot program that would have involved as many as 100,000 military and overseas voters. The Secure Electronic Registration and Voting Experiment ("SERVE") would have been implemented in 50 counties in seven states to serve voters covered by the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) of 1986. Four computer scientists asked by the DOD Federal Voting Assistance Program to evaluate the system issued a report raising concerns about the security of Internet voting and its vulnerability to cyber-attack, which led the Pentagon to cancel the experiment.

In December 2008, the National Institute of Standards and Technology on behalf of the U.S. Election Assistance Commission released its report: A Threat Analysis on UOCAVA Voting Systems examining electronic transmission options -- telephone, fax, e-mail and the Internet for UOCAVA voting. One of the report's conclusions was: "While threats to telephone, e-mail, and the web can be mitigated through the use of procedural and technical security controls, they are still more serious and challenging to overcome." Citing significant challenges to the integrity of the election, the report notes:

A significant threat to web-based ballot distribution is that attackers could lure voters to web sites posing as legitimate sites operated by election officials. This could be done via sophisticated technical attacks or simple social engineering attacks.

As legislatures seek solutions to expediting ballot transit time, an increasing number of bills are being introduced this year that would incorporate electronic mail or online protocols to assist military and overseas voters. In Washington state, Senator Steve Hobbs recently introduced SB 5522 to create an Internet-based voting program for military and overseas voters. Requested by the secretary of state, the bill calls for a program that must protect secrecy of the ballot in addition to being a secure protocol. Senator Hobbs is a member of the Army National Guard Reserve and proudly served in Iraq and Kosovo. Voting from Iraq and the difficulty it posed motivated him to sponsor the bill:

Our men and women are fighting for our freedoms, yet the current system is denying them the opportunity to cast a ballot that will likely be counted. We need to do better. When you're in combat, mail delivery is never guaranteed. In Baghdad, mail was delivered to the Green Zone and then routed to Camp Victory. If the truck carrying the mail was ambushed or a road was shut down after an enemy attack, mail could be lost or destroyed and the result is the same -- ballots that never make it.

The bill has since been referred to the state's Government Operation and Elections Commmittee, which held a hearing on Feb. 9. A companion version was introduced in the House (H 1624).
In Colorado and Hawaii legislation is pending to create a pilot program and to study the feasibility of Internet voting for military and overseas voters. Colorado House Bill 1205 and Hawaii SB 631 would require that a pilot program be implemented in time for the 2010 general election. Meanwhile, Connecticut is considering legislation to incorporate e-mail into the ballot transit process. A number of states, including Arizona, Florida, Minnesota, Montana, Oregon and Wisconsin, currently authorize blank ballots to be e-mailed to a service member, but require that a signed ballot be returned either in original form or by facsimile.

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**2009 Elections Legislation**

Nearly 1,200 bills addressing elections have been introduced in state legislatures so far this year. For more information on the topic areas discussed here and to view summaries of all election legislation going back to 2001, please visit NCSL’s Election Legislation Database. The key elections topics legislatures are considering this year are:

**Early Voting**

Twenty-three states offered some sort of early voting in the 2008 election. Early voting differs from absentee voting in that voters may visit an election official's office or, in some states, other satellite voting locations, and cast a vote in person. During the 2007-2008 biennium, there were 122 bills introduced in 23 states addressing early voting. Thirteen states considered new early voting programs (none passed). Five states passed legislation expanding existing early voting programs, and another five states considered but did not pass such legislation.

Given the high level of media attention directed toward early voting in late 2008, and its evident popularity in many of the states that operated early voting programs last year, this is an area where a high level of activity is occurring in state legislatures this year. Currently, 71 early voting bills are pending in 23 states. Fourteen of these are states that do not presently operate an early voting program; the remainder are bills that would amend existing programs.

One state to keep an eye on is Maryland, which enacted an early voting bill in 2006, even overriding a gubernatorial veto to do so. However, state courts later struck down Maryland's new early voting law before it was implemented in an election, saying the state's constitution required that voting take place on election day. The General Assembly passed a constitutional amendment in 2007 that would amend Maryland's constitution to permit early voting, and voters approved it in November 2008. The door is now open for the Maryland General Assembly to take a second stab at passing early voting legislation, and a bill is currently pending in Maryland to do this.

**No-Excuse Absentee Voting and All-Mail Elections**

Twenty-eight states presently provide for no-excuse absentee voting. This allows any voter to vote by mail prior to election day without having to offer a justification for doing so. In the remaining 22 states, some sort of justification is required before a voter may receive an absentee ballot.

In 2007-2008, 12 states considered implementing no-excuse absentee voting. In 2009, 11 states have legislation pending so far. Also, 12 states are considering bills that would permit a voter to become a permanent absentee voter.

Oregon conducts all elections by mail, and at least 17 other states conduct certain elections by mail, or allow local officials the option of conducting elections by mail under certain circumstances. This year, seven states are considering legislation to expand the circumstances in which an election is or may be held by mail.

**Voting by Military and Overseas Citizens**

There is a noticeable trend this year in efforts to facilitate voting for military and other overseas voters. Twenty-eight bills are currently pending in 15 states. Bills in 10 states would provide electronic access for
overseas and/or military voters (Alabama, Colorado, Connecticut, Hawaii, Indiana, New Mexico, Oklahoma, Oregon, Texas and Virginia).

**Voter Identification**
Voter identification has been a high-profile issue in state legislatures for the past several years. Presently, 24 states require that all voters show ID before they can vote. Seven of these require that the ID show a photo of the voter.

In 2007-2008, 19 states saw legislation that introduced a new voter identification requirement. Ten states saw legislation to tighten existing voter identification requirements, and two states saw bills that would weaken or eliminate existing voter identification requirements. However, no significant legislation on this topic passed in 2007-2008.

This year, there are 76 bills pending in 22 states that address voter identification. In 11 states, the bills propose new voter identification requirements. At press time, Utah House Bill 126, which would require voters to show ID, passed in both chambers and is pending gubernatorial action. After an extraordinary all-night debate, the Texas Senate just passed a bill to require voters to show ID and the bill is headed to the Texas House. Also at press time, the Oklahoma and South Carolina Houses have passed photo ID legislation, and the senate in each legislature is expected to take up the legislation. In 8 states, bills would strengthen existing voter identification laws. In two states, the bills propose adding to the list of acceptable forms of identification that may be presented prior to voting, and in one state, a bill would relax the existing identification requirement.

**Proof of Citizenship to Register to Vote**
This was a fairly new area of election legislation in 2007-2008. Currently, only Arizona requires proof of citizenship in order to vote, a provision that was enacted in 2004 as part of a citizen initiative designed to decrease illegal immigration. In 2007-2008, 21 states considered adding such requirements (none passed). This year 21 bills are pending in 9 states to date. The Georgia Senate recently passed legislation and sent it to the statehouse that would require proof of citizenship to register.

**Felon Voting Rights**
Laws on felon voting rights vary tremendously from one state to another, with nearly every state restricting them to one degree or another. This year, 21 states are considering legislation that would either expand the voting rights of ex-felons, or would in some way ease the process by which ex-felons can regain the right to vote.

**National Popular Vote**
So far, bills to enter a state in the Agreement Among the States to Elect the President by National Popular Vote have been introduced in 19 state legislatures this year.

In 2007-2008, 47 states considered NPV bills. Four of those states (Hawaii, Illinois, Maryland and New Jersey) enacted NPV legislation. Bills were passed by the legislature but vetoed in another three states (California, Rhode Island and Vermont). Massachusetts came very close to passing NPV legislation last year, but the final procedural vote required to send the bill on to the governor never took place. Massachusetts, Rhode Island and Vermont are among the 19 states that have NPV legislation again this year. Also, New Jersey and Maryland are considering legislation that would rescind consent to enter the NPV compact.

**Election Day Registration**
Eight states currently allow voters to register and vote on election day. A ninth state, North Carolina, allows voters to register and vote on the same day during the early voting period, but not on Election Day itself. Two of these states -- Iowa and North Carolina -- passed their election day registration in 2007. Another 25 states considered but did not pass legislation to implement election day registration in 2007-2008.
This year, 16 states have legislation pending that would implement election day registration. New Hampshire has a bill pending that would repeal its existing election day registration program.

**Filling U.S. Senate Vacancies**
The situation Illinois found itself in this year, with a disgraced governor holding the power to fill a vacancy in the U.S. Senate, has directed more attention than usual to the process of how states fill U.S. Senate vacancies. Presently, 38 states allow the governor to appoint a replacement who serves until the next regular Congressional election. The remaining 12 states require that a special election be held to fill the vacancy before the next regular Congressional election. Some of these 12 states permit the governor to make a temporary appointment until the special election, but that appointee would serve for only a short period of time.

So far this year, 10 states have legislation that would reduce or eliminate the governor's authority to fill U.S. Senate vacancies.

**Age of Qualification to Vote**
Presently, there are 11 states that permit a 17 year-old to vote in a primary election if that person will turn 18 by the date of the general election. This year, there are 9 states considering legislation to allow this. Also, two states (Arizona and California) are considering allowing 16 year-olds to pre-register, but not to vote until they turn 18. Illinois is considering lowering the voting age to 17, and Michigan may lower it to 16 for certain elections.

**Instant Run-Off Voting**
Eight states are considering experimenting with or implementing instant run-off elections this year. In 2007, Arkansas passed a bill making instant run-off available to all military and overseas voters. In 2008, Colorado passed a bill establishing a pilot program to use instant run-off in certain local elections, and North Carolina reauthorized an instant run-off pilot program.

**Straight Ticket Voting**
Sixteen states presently allow for straight ticket voting, a ballot design that allows voters to choose a party's entire slate of candidates. Voters make one punch or mark on the ballot in order to vote for every candidate of that party for each office on the ballot. This year, one state -- Missouri -- is considering implementing straight ticket voting, while three -- Oklahoma, Rhode Island and Texas -- have legislation that would do away with it. See a related story on page six.

**Electronic Voter Registration**
Colorado and Indiana are considering bills that would allow for electronic voter registration, and Virginia is considering whether to allow voters to make changes to their existing registration via electronic means. Presently just two states -- Arizona and Washington -- allow for electronic voter registration.
Spotlight on Electronic Straight Ticket Voting

The genesis of Straight Ticket Voting (STV) originates in the Texas election code of 1911. The practice allows Lone Star State voters to cast a ballot for all candidates from one party in essentially one stroke -- without having to go office by office to make a selection. In November, Texans cast straight-party ticket ballots in mammoth numbers -- affecting down ballot races in a highly charged presidential election year. 64% of the voters in Dallas County voted straight-ticket and nearly 57% did so statewide. That had major implications in a hotly-contested Dallas County race for the State House--House District 105. In HD 105, the incumbent edged out her challenger by a razor-thin 19-vote margin after recounts and threats of litigation around issues related to the straight-ticket option on electronic voting equipment. The Dallas County election dispute, however, was just one cross current in the stormy life of straight-ticket voting. Texas state Senator Jeff Wentworth would like to see straight-ticket voting relegated to history books and has reintroduced legislation to ban it altogether. This year, however, he has been joined in the effort by new Texas House Speaker, Joe Straus.

"Straight-ticket voting been around as long I've been voting and the timing of this legislation strikes me as reactionary," said Texas Senator Royce West, who represents Dallas County.

The battle for House District 105 in the 2008 election illustrates the controversy involved with straight ticket voting. Beginning in 2006 elections, the Texas Democratic Party called attention to voter confusion problems with straight-ticket voting on eSlate electronic voting machines.

Manufactured by Hart Intercivic of Austin, TX, eSlates are not technically "touch-screen" machines; instead, they partially resemble debit-credit payment machines typically found in retail outlets. In November, these voting machines were used in Dallas and Harris (Houston) Counties as well as in other parts of Texas and across the country. Data compiled by Election Data Services of Virginia indicates that 58 counties nationwide used eSlate machines in November, representing 3.7 million registered voters. Texas does not require a voter-verified paper audit trail (VVPAT) with its direct recording electronic machines. Researchers at Rice University questioned the reliability of the eSlate machines with regard to straight-ticket voting, suggesting that the machines could lead to "odd and unpredictable" behavior. Hart Intercivic countered that 40,000 of the machines are used worldwide and "not one vote has ever been lost." Company representatives point to the fact that voters are given a summary page from which to cast their ballots and can receive visual and audio warnings if a selection error has occurred.

On February 13, 2007, the Texas Democratic Party filed a lawsuit to prohibit the Secretary of State from certifying or permitting the use of the eSlate voting machines in Texas without first requiring that they be reprogrammed to correct an anomaly in the way selections are registered. The party alleged that when a voter votes a straight-party ticket but then also selects a candidate of the same party in a particular race, the electronic machines "deselect" that candidate. Texas Democrats call this practice "emphasis voting" and argued that, in the past, state election law instructed officials to count emphasis votes, e.g., when voters used paper ballots. They further alleged that the eSlate machines violated the Constitution, state and federal election law by treating electronic and paper ballots differently. A U.S. District Court dismissed the suit. The U.S. Court of Appeals for the Fifth Circuit affirmed the judgment and in January 2009 the U.S. Supreme Court refused to hear the case.

Texas House District 105 is concentrated in Irving within Dallas County. After a tally of 400,000 votes, returns showed three-term state Representative Linda Harper-Brown (R), defeating Democratic challenger Bob Romano by only 20 votes. With Ms. Harper-Brown in the House, Republicans retained a slim 76-74 majority. Romano immediately requested a recount from the Texas Secretary of State and filed suit to require the District Court to order election officials to count certain ballots from iVotronic machines that did not record deselected votes for either candidate. The iVotronic is a touch-screen DRE machine manufactured by ES&S, which is used in 154 counties nationwide representing 9.3 million registered voters.
Touch-screen machines such as the iVotronic have been challenged as suspect by election authorities in a number of states, e.g., California, Ohio, and Florida. State election officials in California, Florida, Maryland, Ohio, and Tennessee have recently abandoned, decertified or taken steps to phase out touch-screen machines.

The Dallas County election case involved straight-ticket party voting performed on the iVotronic during early and Election Day voting. Absentee voters, excused from voting on election day, used paper ballots. A Dallas County judge dismissed Romano's lawsuit to alter how the recount should be handled. The Texas Democratic Party also filed a federal voting rights act lawsuit against the County election officials, accusing them of not obtaining pre-clearance from the U.S. Department of Justice before proceeding to reject deselected votes from the touch-screen machines. (Because Dallas County is a covered jurisdiction under section 5 of the Voting Rights Act, the U.S. Department of Justice must approve all election process and legal changes before they can take effect.) Following the recount and still behind by 19 votes, Romano subsequently announced he would not further contest the race. His attorney noted ten deselected votes were discovered, but not enough to change the outcome. The Texas Democratic Party, however, amended its federal lawsuit against Dallas County election officials in an attempt to resolve the emphasis voting issue for future elections. At press time, the case remains active at the pre-trial stage.

Currently, 16 states still allow straight-ticket voting in some or all elections. Over the past 14 years, 5 states have abolished the practice -- the most recent was New Hampshire in 2007. This year, in addition to Texas, legislatures in Oklahoma and Rhode Island will consider legislation to eliminate the option. Meanwhile, legislation in Missouri (HB 587) has been introduced to restore the option, which was repealed in 2006 as part of broad elections administration bill. At least 3 bills have been filed in Texas to ban it. One of those is Senate Bill 317 sponsored by Senator Jeff Wentworth (25th Senate District), who represents the northern San Antonio metro area and chairs the Senate Jurisprudence Committee. A companion bill (HB 135) was introduced in the House by newly-elected Speaker Joe Straus and Representative Dan Branch has offered a duplicate bill in HB 1768.

Originally introduced in 2007 by Senator Wentworth, SB 317 would ban voters from choosing a party's entire slate of candidates by making one mark on the ballot or making one selection on a voting machine. It would not, however, eliminate their ability of going down the ballot and voting individually for every single Democrat or Republican on the ballot. Independent candidates and Libertarian Party members favor its repeal because it means getting their names before the electorate.

Senator Wentworth traced his interest in the issue back to 1980 when he served as a county commissioner. Despite working for African-American support in his re-election campaign, he said, he didn't draw much; many voters pulled the Democratic lever. His African-American supporters told him: "If they had seen your name, some of them would have voted for you." "I have been aggravated by that fact ever since," he said.

Some might argue straight-ticket voting is more convenient and takes less thought, but American democracy should not be about convenience or "rote" voting. We're not living in Great Britain under a party-rule (parliamentary) system. We shouldn't be making it easier for voters to cast an uninformed ballot. Texans who believe that the best candidate should be elected, regardless of party affiliation or the popular candidate at the top of the ticket, will be strong advocates for putting Texas and our country above political party.

Richard Winger, editor of San Francisco-based Ballot Access News, a non-partisan newsletter that tracks the efforts of individual candidates seeking to appear on ballots, echoed this view: "People ought to make up their minds what they're doing and not vote unconsciously," Winger said. "It's also extremely unfair to independent candidates because they don't have a straight-ticket device."

Senator Leticia Van de Putte, a member of the Senate State Affairs Committee, opposes the bill. Senator Van de Putte represents the neighboring 26th Senate District, just west of Senator Wentworth's 25th District, within Bexar County. "I don't think we should take away the option of straight-ticket voting -- it's easier for
voters, especially for seniors," she said. "Many senior citizens can be overwhelmed by the length of the ballot. "For example, in large counties, voters may see ten or twelve races for district judge on the ballot. Add to that appellate judges, constables (peace officers), etc., and the ballot is quite long." (Texas voters select judicial candidates with party affiliation listed.) "E-voting is the main way elections are administered in Texas," she says. "The key question for the Committee is: how do we make sure voters are informed and can make good decisions when selecting from a long list of judicial candidates?" To be sure the debate surrounding STV will be of keen interest to election reform observers and The Canvass will continue to track its status. Ω

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**Capitol Hill Watch: Election Reform**

The 111th Congress is currently considering a number of election reform bills and resolutions. In the Senate, Senator Chuck Schumer (D-NY) is the new Chairman of the Senate Rules and Administration Committee. (Former chairman, Dianne Feinstein, now chairs the Senate Committee on Intelligence.) On the House side, House Administration Chairman Robert Brady (D-PA) has retained his post. In the 110th Congress, the House passed two bills and the Senate passed one; however, none were enacted. Although federal election reform is not considered to be a top priority either for the White House or the Congress this session, a few bills could conceivably pass in 2009-2010. This would include:

**Joint Resolution Pertaining To U.S. Senate Vacancies**

S.J. RES 7 - Sen. Russell Feingold (D-WI)

Senate Joint Resolution 7 proposes a Constitutional amendment providing that no person shall be a Senator from a state unless such person has been elected by the people thereof, and that when vacancies occur, the executive authority of such state shall issue writs of election to fill such vacancies. At press time, the resolution had two cosponsors.

**The Voting Integrity and Verification Act of 2009**

S. 48 - Sen. John Ensign (R-NV)

Senator Ensign's bill amends the Help America Vote Act (HAVA) of 2002 to require each voting system purchased after December 31, 2012, and used in an election for federal office to produce an individual permanent paper record for each ballot that is cast. Requires the Director of the National Institute of Standards and Technology to establish a program to award cash prizes competitively to eligible persons that advance the research, development, demonstration and application of voting systems which are specifically designed to enhance accessibility and provide independence for persons with disabilities during the voting process.

**Weekend Voting Act**

S. 149 - Sen. Herb Kohl (D-WI)

S. 149 and its companion bill, H.R. 254, would abolish the longstanding congressional act setting federal Election Day on the Tuesday after the first Monday in November. It would instead establish the first Saturday and Sunday after the first Friday in November, in every even numbered year, as the days for congressional elections. The same would apply to presidential elections. The bill would further establish standardized polling place hours on these weekend election days; polls would be required to open at 10 AM EST on Saturday and remain open until 6 PM EST Sunday. States would retain authority to close the polls between 10 PM local time on Saturday and 6 AM local time on Sunday. The House sponsor, Rep. Steve Israel (D-NY), in a *New York Times* OP-ED (October 24, 2008) wrote that a few days of early voting would also be provided in presidential elections.
Ex-Offenders Voting Rights Act of 2009
H.R. 59 - Rep. Shelia Jackson-Lee (D-TX)

This House bill declares that the right of a U.S. citizen to vote in any election for federal office shall not be denied or abridged because that individual has been convicted of a criminal offense unless, at the time of the election, such individual is serving a felony sentence in a correctional institution or facility. It also requires the chief correctional officer of each state to inform convicted felons within 30 days after their release of their right to vote in elections for federal office and the date of the next election in which they are eligible to vote.

Voting Opportunity and Technology Enhancement Rights Act of 2009
H.R. 105 - Rep. John Conyers (D-MI)

According a House Judiciary Committee press release (January 06, 2009), "The Voting Opportunity and Technology Enhancement Rights Act (VOTER) will "protect and expand voting rights in federal elections, as well as ensure the proper administration of federal elections by requiring, among other things, early voting, same day registration, proper allocation of poll workers and voting machines, and an Election Day federal holiday." The bill would amend HAVA in setting new federal mandates governing early voting, the counting of provisional ballots, removing names from voter registration lists, voter identification, voting systems, recounts, and other election administration policies. At press time, the bill had five cosponsors.

The Critical Election Infrastructure Act of 2009
H.R. 253 - Rep. Alcee Hastings (D-FL)

Representative Hastings' bill directs the Election Assistance Commission (EAC) to make grants to eligible states to carry out election administration improvement plans to promote efficiency and fairness in the operation of polling places in federal elections (including early voting sites), which may include: (1) acquisition of additional voting systems and equipment; (2) improved training of election administration officials; and (3) allocation of additional election administration officials to polling places serving greater numbers of voters.

American Elections Act of 2009
H.R. 764 - Rep. Dean Heller (R-NV)

H.R. 764 would amend the Help America Vote Act of 2002 to require that ballots used in federal elections be generally printed only in English. The bill would also amend the Voting Rights Act of 1965 to modify the requirement that certain jurisdictions provide ballots and other voting materials in languages other than English. At press time, H.R. 764 had 17 cosponsors.
"I can guarantee that your vote will be counted if you vote in person (as opposed to voting with an absentee mail-in ballot.)"

Gary Smith  
Chairman, Board of Registrations and Elections, Forsyth County, Georgia  
At the Pew Center on the States' Voting in America -- The Road Ahead Post-Election Summit

"I would have to say the biggest surprise of the 2008 election was what we saw on the national news -- long lines showing heavy in-person early voting in the Southeastern states. The data shows it was primarily driven by African-American turnout."

Paul Gronke  
Director, Early Voting Information Center at Reed College – Portland, OR (Interview)
A diverse coalition of groups committed to ensuring that our nation’s election system fully serves military and overseas voters is launching the Alliance for Military and Overseas Voting Rights. The new coalition, comprised of military, business, student and religious groups is an outgrowth of the Democracy at a Distance Summit convened by the Pew Center on the States Make Voting Work initiative in September 2008.

In January, the Alliance held its first official meeting at the Reserve Officers Association in Washington, D.C., and began working to advance a set of principles and goals in 2009 on behalf of both military and civilian voters overseas.

“The time has come for effective nonpartisan policy solutions to this problem. By working together, we hope to create a constructive and open political environment to implement solutions to the challenges facing military and overseas voters,” said Rick Jones, Co-Chair of the Alliance and Legislative Director for the National Association for Uniformed Services.

The Alliance seeks to advance four principles:

1. Military and overseas voters must be provided adequate time to receive, complete, and return their absentee ballots;

2. States should adopt standardized procedures for registering Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) voters, delivering blank ballots to them and receiving the cast ballots from them;

3. Congress and the states should expand and accelerate research and pilot projects to find technological solutions that provide a secure, efficient and convenient means for military and overseas voters to cast their ballots; and

4. The election system should serve both military and overseas civilians.

The key goals of the Alliance for 2009 include:

- Support the work of the Uniform Law Commission to draft a model state law that will modernize the performance of state election systems and ensure that voters are no longer disadvantaged by outdated laws and procedures in their states;

- Advocate for Congressional hearings and oversight of enforcement of federal laws protecting military and overseas voters;

- Contribute to new and ongoing voter reform legislation in the 111th Congress;
• Support states to adopt laws which encourage online delivery of blank ballots to overseas and military voters; and

• Provide actionable recommendations to the new Administration to ensure data is collected from the states that will allow oversight of the performance of state election systems and building support for this population of voters.

The broad-based group will utilize Pew Center on the States research on military absentee voting problems, including Pew’s recent “No Time to Vote” report, to inform their efforts to ensure the nation’s voting system adequately serves military and civilian voters overseas. Participants include the Reserve Officers Association, the National Guard Association of the United States, numerous veterans' organizations, the Pew Charitable Trusts and over 25 other concerned organizations and individuals. For further information please contact Janet Lane at (202) 552-2037 or jclane@pewtrusts.org.

U.S. Election Assistance Commission Elects New Chair for 2009

The United States Election Assistance Commission has a new chair and is focusing on some new priorities for 2009. The four-member Commission has elected Gineen Bresso Beach to serve as chair and Gracia Hillman as vice chair of the agency in 2009. Their terms commenced on January 17.

Outgoing EAC Chair Rosemary Rodriguez nominated Commissioners Beach and Hillman for the offices, and the EAC’s four commissioners unanimously approved the motion. Noting momentum from the EAC’s progress in 2008, Ms. Beach remarked, "I look forward to working with my colleagues on the commission and our stakeholders on ways to make the electoral process work even better for election officials and voters."

Commissioner Beach was nominated by President Bush and confirmed by the U.S. Senate on October 2, 2008, to replace former Commissioner Caroline Hunter, who resigned from the EAC in July 2008. Beach’s term extends to December 12, 2009. Commissioner Hillman, also nominated by President Bush, has served on the commission since December 2003. She was reconfirmed by the Senate on October 2, 2008, for a term extending to December 12, 2009.

Meanwhile, Commissioner Rodriguez resigned her post in February and announced she will be returning to Denver to serve as the State Director for newly-appointed United States Senator Michael Bennet of Colorado. Ms. Rodriguez noted some of the Commission's achievements in recent years, "In just a few years, we have adopted voting system guidelines, built a voting system certification program from the ground up, provided training materials for elections officials, provided voter resources in six languages, and conducted research on a host of issues." Since Commissioner Rodriguez was originally recommended for appointment by the U.S. Senate, her successor will similarly be recommended by the Senate. However, no timeline has yet been announced.

Priorities for 2009 include reviewing statewide voter registration databases in the context of mandated guidance by the Help America Vote Act of 2002 and improving access for military and overseas voters.
FROM THE EDITORS' DESK:

In June 1952 during the Korean War, President Harry S. Truman, wrote to Congress asking for emergency legislation to address election calendar obstacles and other legal defects to make it possible for military personnel to cast absentee ballots that could reliably be counted that November.* Fifty-seven years later, military personnel and their civilian counterparts still face an obstacle course in registering and casting a ballot.

A February survey report published by the non-profit and non-partisan Overseas Vote Foundation (OVF), echoes concerns raised in "No Time to Vote" a detailed study released in January by the Pew Center on the States. OVF's ongoing mission is to help overseas and military Americans register and vote in federal elections. In 2008, 4.75 million visitors went to the OVF website to utilize its Internet-based voter services, mainly the Federal Write-In Absentee Ballot -- an online emergency federal ballot that a voter covered by the 1986 Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) can access anywhere in the world if the paper ballot fails to arrive on time. OVF surveyed both UOCAVA voters and local election officials; 24,031 UOCAVA voters and 1,025 officials responded. The surveys found that increasing numbers of UOCAVA registrations and ballot requests, coupled with improved levels of satisfaction with the overseas voting process suggested some progress. However, the results, "demonstrate that America is still not doing enough to eliminate the problems that interfere with UOCAVA voting." The report notes, "more than 22 percent of the survey respondents did not receive the official ballot they expected. Fifty-two percent of those who tried but could not vote were unable because their ballots were late or did not arrive."

The OVF findings emphasize the critical importance of election reform in this area. In this volume of The Canvass, we look at states exploring Internet solutions to meet this challenge. Others are focusing on electronically expediting ballot requests and blank ballot delivery. The Uniform Law Commission is currently drafting model legislation to simplify and streamline the process for legislatures. The Unites States Election Assistance Commission has wisely identified UOCAVA voting as a top priority for the coming year. Last year the United States Senate unanimously passed the Military Voter Protection Act, S. 3073, as amended. The House, however, did not consider S. 3073 before the 110th Congress adjourned. At press time, no federal legislation introduced in the current Congress would make meaningful changes to help UOCAVA voters in federal elections. One thing is certain; the new Administration, Congress, and the EAC must work together with states to solve a problem that dates back to at least 1952.

As always we welcome your feedback. Feel free to email your questions to elections-info@ncsl.org.

* We would like to thank Captain Samuel F. Wright, JAGC, USN (Ret.) for highlighting this historical fact during his remarks at the 2008 Democracy at a Distance Summit sponsored by the Pew Center on the States. Ω