Military & Overseas Voters: Pending Changes for UOCAVA

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UOCAVA Summary
2018 Midterm Numbers
2019/2020 Changes
UOCAVA:
• Implemented in 1986
• Amended with the MOVE Act in 2009
• Ballots sent to voters 45 days out
• Allow for electronic delivery to voters
UOCAVA voters have traditionally created a unique challenge for election administration:
• Highly mobile voting population
• Unconventional locations
• Frequent changes in location
• Potential lack of access to resources
Voters become UOCAVA voters for lots of reasons
How do UOCAVA voters get their ballots?
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Postage is paid for ballots mailed via USPS indicia:

**UOCAVA**

Uniformed Overseas Citizens Absentee Voting Act

Postage is paid for ballots sent to military and overseas voters via Congressional appropriation (39 USC 3406, DMM 703.8.0):

Proper procedures should be followed to process these ballots correctly.
2018 ELECTION ASSISTANCE VOTER SURVEY
1.3 million service members and 700,000 military spouses are stationed away from their legal voting residence

An estimated 3 million voting age citizens living, working, and studying overseas
To the Voter
To the Voter

Figure 6. Modes of Ballot Transmission Differ for Overseas Civilians and Uniformed Services Members\textsuperscript{20}
Although voters received their ballots through different channels, most voters returned a physical paper ballot through the mail.
FEDERAL VOTING ASSISTANCE PROGRAM

2018 STATE OF THE MILITARY VOTER REPORT
Military and Overseas Voting Before and After the 2009 Move Act

Before

UOCAVA Ballots Successfully Counted
30% in 2006

Military Who Didn’t Vote Because Ballot Arrived Late or Not at All
30% in 2000-2004

States Transmitting Blank UOCAVA Ballots Electronically
37

After

53% in 2018

17% in 2018

All
Some military members wanted to vote and didn’t

In 2014, \( \frac{2}{3} \) of military non-voters didn’t want to vote.

In 2018, \( \frac{1}{2} \) wanted or tried to vote but were unable in 2018.
We know the challenges these voters have faced and many laws and polices have been changed to better serve them; but that is potentially all about to change…
This is the news story that isn’t getting much coverage, other than last week’s Canvass, but will be critical in November (both 2019 & 2020)
Universal Postal Union

Founded in 1874
192 Countries
Timeline

October 17th, 2018
U.S. starts withdrawal

September 24-26, 2019
Extraordinary Congress

October 17th, 2019
Potential U.S. withdrawal

September 21st, 2019
UOCAVA Ballots ship for November elections
Know where your UOCAVA voters are.
What options will voters have if they CAN’T send back a physical ballot?
What options do your statutes allow?
What is your system’s capacity/capabilities?

Are there electronic capabilities?

Do ballots only count if you get the fax AND the physical ballot back?
UOCAVA Electronic Ballot Transmission
Recommendations to Mitigate Security Risks

Authored by The Turnout, LLC
In the past we have talked about

Envelope design and prescriptive statutory language that can impact the delivery of the mail.

Issues with deadlines and application dates.

Ballot tracking and use of USPS Intelligent Mail Barcode data in addition to, or in the absence of, postmarks.

BUT WHAT IF THERE ISN’T ANY MAIL DELIVERY FOR MILLIONS OF VOTERS???
Impact on MPSA *SHOULD* be minimal, but that only serves active duty service members.
Diplomatic pouches **SHOULD** also not be affected, but there is great variation in how those are serviced.
If we are not able to use USPS, then we also are not using the indicia that pays for the delivery...it is estimated that private delivery could run $30+
Knowing how your state treats UOCAVA voters is critical now more than ever. Are they fully, or "temporarily" registered?
We will know more in September, but should be preparing now for what may come!