

Risks of the Current UOCAVA Mail-in Voting Process

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The Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) was enacted in 1986 to permit certain groups of U.S. citizens to more easily register and vote in federal elections. In 2009 the Military and Overseas Voter Empowerment Act (MOVE) amended UOCAVA to improve voter registration and absentee ballot procedures. These enhancements include the elimination of notarization requirements, the relaxation of certain registration requirements, the requirement that all states make voter registration and absentee ballot applications available electronically, making a Federal Write-In Absentee Ballot available online for when absentee ballots don't arrive in time, altering the registration cycle for UOCAVA voters (from two to one election cycle) and providing for a 45-day roundtrip of the ballot.

Many states have enacted legislation in support of UOCAVA, extending the procedures to address ballots other than the federal ballot for citizens of the state, living or stationed abroad. In Georgia, House Bill 1073 was passed in 2010. HB 1073 requires election offices in Georgia to ensure that UOCAVA voters can request their ballots by electronic transmission.

Conventional paper-based UOCAVA voting system models share many of the same risks as Vote By Mail (VMB) systems, but they also have some risks that are exacerbated by the

unique circumstances of UOCAVA voters. These risks include:

- Highly mobile voters – UOCAVA voters may move frequently. Maintaining up-to-date voter registration records is difficult and dependent upon factors outside the control of the election official.
- Wrong ballot
 - Detected – If a UOCAVA voter receives the wrong ballot, there may not be sufficient time to inform the election office and request the correct ballot.
 - Undetected – The UOCAVA voter votes the wrong ballot.
- Signature verification – Election officials must verify the signature on the applications and outer envelopes match the voter's signature on file with the office. This verification is subject to human interpretation of signatures attributes and these attributes can change over time.
- Overvotes/ Undervotes – There is no technological prevention of overvotes or warning of undervotes.
- Error Correction – Spoiled ballots cannot be easily exchanged for unvoted ballots.

- Coercion/Vote Selling – Unobserved access to the voter by vote buyers or intimidators while voter has ballot in their possession.
- Accessibility – Printed ballots may present accessibility issues for vision, mobility and cognitively impaired voters.
- Deadlines – The 45-day turnaround deadline does not take into account realities of ballot preparation, including proofing, printing and mailing ballots.
- Verification of ballot receipt – Conventional systems do not permit the verification of receipt of the voted ballot by the elections office.
- Single, physical copies of key documents – Many of the documents used in the UOCAVA VMB system have no electronic counterpart and are subject to total loss or misplacement.

The foregoing risks are similar for all VBM voters and the mitigation of these risks are well known and well understood by election officials. The effectiveness of mitigation is dependent upon available resources, operational and technical ability of election officials, and election regulations and rules of the jurisdiction

The MOVE Act requires states to, “provide UOCAVA voters with an option to request and receive voter registration and absentee ballot applications by electronic transmissions and establish electronic transmission options for delivery of blank absentee ballots to UOCAVA voters”. This requirement introduces both new risks and strategies for mitigation of those risks

and well as opportunities to mitigate traditional VBM risks.

- Delivery of ballot – UOCAVA voters must receive the ballot in time to complete the roundtrip in 45 days. The delivery of absentee ballot occurs at the end of a chain of events, most of which are beyond the control of the election official. These steps include qualification of candidates (including any challenges), construction of the election database, production of ballot proofs, proofing and sign-off of ballot proofs, production and delivery of print files, printing and delivery of ballots to the jurisdiction, Logic & Accuracy testing of scanners and ballots, and processing of absentee ballot applications.

Mitigation: The electronic submission of voter registration information, absentee ballot application and absentee ballot can decrease the delays in the movement of the documents between the UOCAVA voter and the elections office.

- Email – Email and attachments can be used to communicate with election offices. Email has multiple risk factors that make its use as a medium for communicating voting documents undesirable:
 - Firewalls – May prevent the transmission and receipt of documents as attachments
 - Persistence of email accounts – Account ownership may be of

short duration – even shorter than physical addresses.

- Maintenance of passwords and password security – Users may fail to keep passwords secure, or may intentionally share email accounts.
- Threshold of IT knowledge required to use – Users must know how to acquire accounts and in some instances configure email clients.

Mitigation: Email is one option for two-way communication between the election office and the UOCAVA voter.

▪ *Push vs. Pull*

Absentee Ballot transmittal forms should not be “pushed” out to UOCAVA voters. They should be pulled from secure websites, requiring password access.

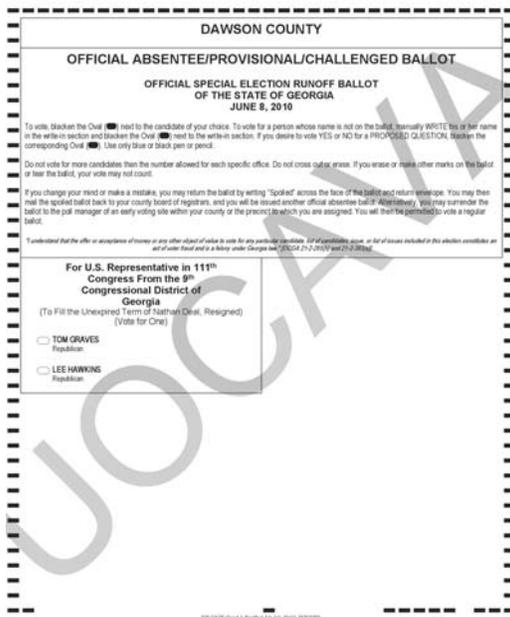


Fig. 1. UOCAVA Ballot Transmittal Document

In addition to the ballot transmittal document, instructions will also be pulled from the website by the UOCAVA voter.

- Duplication of ballot – Transmittal ballots must be duplicated onto scannable ballots. This duplication is prone to human transcription errors as well as the loss of source document

Mitigation:

- Maintain chain of custody of all source documents
- Use teams to duplicate ballots.
- Technological capabilities at county level – The routine, disciplined use of email and online posting of ballots may stretch the technological capabilities of some counties. In Georgia, some counties do not have IT departments, or even a county email domain.

Mitigation: Jurisdictions will need to implement appropriate training, technology support and oversight to ensure that email and attachments are managed in a timely and secure fashion.

- Accessibility – Conventional VBM systems provide limited accommodation to voters with disabilities.

Mitigation: The electronic versions of the instructions and ballot transmittal document can be enlarged (for low-vision disability) and converted to audio with appropriate end-user technology.

- Ballot size – The dimensions of a printed ballot range from 11 inches in length to 18 inches or more. The more folds in a ballot, the greater the likelihood of a fold falling across a target area. Compressing the image of an 18 inch, 4-column ballot so that it can be printed on an 8.5' x 11" piece of paper may impair its readability.

Mitigation: Electronic versions of the ballot transmittal document can be enlarged for ease of reading. They can be scanned by text-to-audio readers for vision impaired voters.

- Deadlines – The deadlines for voter registration and ballot submission are obstacles to successful participation in elections. Many jurisdictions will be challenged to meet the 45-day turnaround deadline. There are no links in the chain of events that can be restructured as to run concurrently. Furthermore, the elections office has little control over most of the links.

Mitigation: One link that can be compressed is the delivery of the ballot (or ballot transmittal document - BTM) to the voter. This document can be made available to the voter via a secured website, permitting them to download the BTM, mark and mail the document to their local election office.

An additional advantage of the online posting of the BTM is the ability of the voter to question and verify the

correctness of the ballot before it is marked.

- Voter Authentication – Signature verification has been the traditional method of voter authentication. Election officials must verify that the signature on the application and outer envelope of the absentee ballot match the signature on file.

Mitigation: Election officials may use signature recognition software systems to speed up and improve this process.

Even with the improvements mandated by the MOVE Act, UOCAVA voters will continue to face challenges regarding voter registration procedures, requesting of absentee ballots, voting, and verification of ballot receipt by the elections office. Conventional UOCAVA VBM systems were easy to implement, in that they were modeled on existing, proven absentee VBM systems. The advantages of the traditional VBM model may not keep pace with the expectations of service levels of the UOCAVA voter. The strategic application of technology may incrementally improve the performance of the UOCAVA VBM model by mitigating some risks and reducing certain task durations in the chain of events. As UOCAVA voters (especially younger voters) transition their financial transaction processing, personnel and professional correspondence and education to online environments, it seems unlikely that they will continue to accept the VBM systems as their method of exercising the franchise.