



DENISE W. MERRILL
SECRETARY OF THE STATE
CONNECTICUT

To: Members of the Government Administration and Elections and Veterans' Affairs
Committees
From: Secretary of the State Denise W. Merrill
Re: Report on Voting by Members of the Military Serving Overseas
Date: January 1, 2014

Introduction

This report is submitted pursuant to Public Act No. 13-185, "An Act Concerning Voting by Members of the Military Serving Overseas"¹ (hereinafter "the Act" or "P.A. 13-185.") The Act requires that the Secretary of the State (SOTS), in consultation with the Military Department, "select a method" for more timely return of military ballots. The Act mandated selection by October 1, 2013 and a report to the Government Administration and Elections Committee (GAE) and the Veterans' Affairs Committee by January 1, 2014.

As many members of the committees will recall, the issue of the prompt return of military ballots has been a subject of discussion in the General Assembly for several years. Most recently, in 2011, section 58 of Public Act No. 11-173, "An Act Concerning Revisions to Elections Related Statutes,"² required this office to review and recommend a method to allow

¹ Public Act No. 13-185 provides: On or before October 1, 2013, the Secretary of the State, in consultation with the Military Department, shall select a method for use in any election or primary held after September 1, 2014, for returning any ballot issued pursuant to section 9-153e or 9-153f of the general statutes that (1) may be used by any elector or applicant for admission as an elector who is a member of the armed forces and expects to be living or traveling outside the several states of the United States and the District of Columbia before and on election day, or such member's spouse or dependent if living where such member is stationed, (2) gives due consideration to the interests of maintaining the security of such ballot and the privacy of information contained on such ballot, and (3) ensures receipt, prior to the closing of the polls on the day of the election or primary, of such ballot by the municipality in which the member or member's spouse or dependent is enrolled or has applied for admission as an elector, if such method is properly utilized by such member or such member's spouse or dependent prior to the closing of the polls on the day of the election or primary. Not later than January 1, 2014, the Secretary of the State shall submit a report, in accordance with section 11-4a of the general statutes, to the joint standing committees of the General Assembly having cognizance of matters relating to elections and veterans' and military affairs describing such method and any legislative changes necessary for its implementation.

² Sec. 59 of Public Act No. 11-173 provides: The Secretary of the State shall, within available appropriations, recommend a method to allow for on-line voting by military personnel stationed out of state. The Secretary shall look at what other states have done to reduce any potential for fraud in on-line voting and determine whether any such state's on-line voting system could be appropriate for adapted use by this state. Not later than January 1, 2012, the secretary shall, in accordance with the provisions of section 11-4a of the general statutes, report any

for on-line voting by military personnel stationed out of state. In response to this charge, this office conducted an on-line voting symposium on October 27, 2011. As the symposium discussions are relevant to this report, a summary of them is included as Appendix A.

Additionally, the Office of Legislative Research (OLR) prepared a relevant report dated January 8, 2013 entitled "Electronic Ballot Submission by Military and Overseas Voters," which is attached to this report as Appendix B. The report identifies those states, as of the date of the report, which allow the return of voted ballots by fax, electronic mail or through a web-based application.

Executive Summary

Pursuant to the legislative mandate of P.A. 13-185, this office undertook a review of currently available systems providing for prompt return of voted military ballots. SOTS also reviewed its prior research on the issue and policy developments in the several states and the federal government. This office reviewed the current state of the law regarding the return of voted military absentee ballots and state constitutional considerations.

SOTS concluded that the goal of prompt return of military ballots could, in part, be achieved through a web-based, state-of-the-art ballot delivery system that would provide military personnel and their dependents the opportunity to download the official absentee ballot the day that the ballot is available. This would significantly reduce the delivery time of ballots to the voters, thereby helping ensure prompt return even if by regular mail. Such a system could be engineered to permit the return of the voted ballot through the web-based application, by email or by fax. Return of a voted ballot electronically raises certain policy considerations for the General Assembly that are discussed below.

Background

Providing our uniformed and overseas citizens the opportunity to vote has been of concern to state and federal policy makers for decades. Enacted by Congress in 1986, the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) was designed to protect the voting rights of uniformed and overseas citizens regardless of where they are stationed. This law requires that states allow uniformed and overseas citizens and their family members residing outside the United States the opportunity to register and vote in elections for federal offices.

UOCAVA was expanded significantly in 2009, when Congress passed the Military and Overseas Voter Empowerment (MOVE) Act to provide greater protections and opportunities for service members, their families and other overseas citizens. Among other provisions, the MOVE Act requires states to transmit validly-requested absentee ballots to UOCAVA voters no later than 45 days before a federal election. The greatest concern surrounding this change was that when election material left the control of the U.S. mail service it could take a significant amount of time to reach the final destination. Research revealed that providing 45 days for voters to receive, vote and return their ballots would improve the system. In

progress made toward recommending such a method to the joint standing committee of the General Assembly having cognizance of matters relating to elections.

addition, the MOVE Act also required that each state have the ability to provide a blank ballot electronically to each voter upon request. Taking the initial mail time out of the equation and allowing all 45 days for the voter to vote and return their ballot by mail significantly increased voting opportunities beyond those already achieved.

As a result of the changes discussed above, the State of Connecticut currently allows uniformed and overseas voters to request that a blank ballot be sent to them electronically 45 days before an election. Once received, the voter must vote and return their ballot in hard copy through the mail prior to the close of the polls on Election Day.

In addition, Connecticut also allows uniformed voters who will be absent because of a military contingency to request a blank absentee ballot as many as 90 days prior to an election. This is among the most liberal timeframes available for uniformed voters. This ballot can be sent to the voter either by mail or electronically like the 45 day ballot discussed above. Once received, the voter must vote and return this ballot in hard copy through the mail prior to the close of the polls on Election Day.

This office is aware of the statistics provided to the U.S. Elections Assistance Commission (“EAC”) in 2010. According to that report, Connecticut transmitted 408 ballots to military voters and received 249 in return, for a response rate of 61%. However, it appears that Connecticut did a much better job in 2012. For that year the EAC report states that Connecticut transmitted 3,829 ballots to military voters and received 3,602 in return, *for a response rate of 94%*. What is not obvious in these statistics is the fact that the amendments to UOCAVA within the MOVE act, as discussed above, were implemented in Connecticut only months before the 2010 election cycle. As such, the requirement that each state office electronically deliver a blank ballot to military personnel was new in 2010. However, by 2012 this delivery method was well established and highly publicized by Federal Voting Assistance Program (FVAP) and other voting assistance agencies. Given the significant improvement in the return rate between 2010 and 2012, it appears that a ballot delivery system that allows for an electronic delivery of blank ballots to each elector but requires a voted ballot to be returned in hard copy prior to the close of the polls works relatively well, and certainly better than commonly cited statistics (relying on older data) might suggest.

Policy Options and Considerations

The General Assembly is faced with three policy options for electronic return of voted ballots: fax, email and web-based applications. Each will be discussed in turn.

- **Fax Return of Voted Ballots**

According to OLR, 28 states (as of January, 2013) allow the fax return of a voted ballot by military personnel. Several states impose certain conditions, such as requiring that the person be overseas, or that they request permission from the local elections official or the secretary of state.

It should be borne in mind that most states administer elections at the county level, with a least some full-time staff in a permanent office in a county facility. In Connecticut, absentee ballots are returned to the town clerk's office in the town or city hall. The location of fax equipment among the town clerks varies greatly. For example, some clerks share fax lines with other town departments, and many fax machines are in a public area. Both of these examples could compromise the security and privacy of faxed voted ballots, as ballots could be viewed by passersby, taken out of the fax machine by persons other than town clerks or their staff, inadvertently thrown out, become jammed in the machine or even fall to the floor and get lost if they arrive off-hours.

Fax is also a legacy technology, with a likely limited life-span ahead. This office also considered utilizing internet fax services, which turn a fax into a PDF attached to an email. While this may eliminate some problems with equipment and paper at the receiving end, it introduces email into the process, a web-based application exposing the ballot to vulnerabilities discussed here.

This office considered centralizing the collection of voted military ballots in the Office of the Secretary of the State as at least one other state does. This would provide more security and confidentiality by sending the ballots to one location and having them collected by state employees who are less likely to personally know the voter. However, Connecticut is faced with Constitutional barriers to this option. Article Third, Section 9, concerning elections for the General Assembly in pertinent part provides:

At all elections for members of the general assembly the presiding officers in the several towns shall receive the votes of the electors, and count and declare them in open meeting.

Article Fourth, Section 4, concerning the election of executive branch officers, in pertinent part provides:

At the meetings of the electors in the respective towns held quadrennially as herein provided for the election of state officers, the presiding officers shall receive the votes and shall count and declare the same in the presence of the electors.

These parallel provisions appear to preclude centralized receipt of voted ballots³.

- **E-mail return of voted ballots**

The OLR report notes that at least 20 states accept emailed ballots from military voters. The decentralized nature of Connecticut's election system raises issues for policy makers to consider with respect to this option as well. Town clerks do not utilize a consistent email system around the state. In some towns the local government provides email service through a town server; in others the service is not provided and common free systems like Gmail are

³ This barrier may be removed, however, if the constitutional amendment approved by the General Assembly in 2012-13, to appear on the ballot in the state election on November 4, 2014, is approved by the voters.

used. Towns utilize a broad array of spam filters, some of which block all attachments. Some email accounts are shared by two or more officials.

Email, of course, is an internet-based communication tool, and is subject to all of the associated security threats including viruses, hacking and misuse by unauthorized users.

- **Web-based systems**

OLR reports that only two (2) states utilize web-based systems for the return of a voted military ballot, Alaska and Arizona. While this office supports measures to provide opportunities for all eligible citizens of our state to participate in the voting process, these opportunities must be balanced against a process that is accurate and secure. As the symposium conducted by this office indicated, the majority opinion among computer scientists who have studied internet voting is that there is no web-based voting system available today that could ensure the security, integrity and privacy of voted ballots being returned to Connecticut towns⁴.

- **The Secret Ballot and the Connecticut Constitution**

The secret ballot is enshrined in the Connecticut Constitution. Article Sixth, Section 5 of the Constitution provides:

In all elections of officers of the state, or members of the general assembly, the votes of the electors shall be by ballot, either written or printed, except that voting machines or other mechanical devices for voting may be used in all elections in the state, under such regulations as may be prescribed by law. No voting machine or device used at any state or local election shall be equipped with a straight ticket device. **The right of secret voting shall be preserved.**

(Emphasis added.) As OLR notes in its report, “Voters typically must waive their right to a secret ballot when submitting a ballot electronically.” Confidentiality is waived because the ballot, whether arriving in a fax machine, by email or through a web portal, must necessarily be associated with a name on the voter list. The ballot must arrive with the person’s name and the name must be checked off the list of enrolled voters in the town. The person performing these tasks can see how the person voted.

By contrast, confidentiality is preserved in the paper mail system because of the use of inner and outer envelopes. The ballots are returned to the town clerk. The ballot is contained in a signed, inner envelope. The outer envelope has the voter’s name and address. The ballots are transmitted to the registrars for counting. The counters are in a room with other persons (thus reducing the likelihood of counters looking at ballots directly). When the inner envelopes are opened, counters put them face down on the table, and then shuffle them prior to counting. While a breach of confidentiality is possible, it is much less likely under this scenario.

⁴ As this report was being prepared, the media were covering a data security breach at Target Stores affecting tens of millions of customers, and a data security breach involving p-cards issued by J.P. Morgan Chase.

Some proponents of electronic transmission of voted ballots note that rights can be legally waived. The language in Article Sixth, Section 5 is directory in nature, using the phrase “*shall* be preserved.” (Emphasis added.) This raises the question of whether the General Assembly can request that a voter waive a constitutional right to utilize an electronic ballot transmission system. This question has not been addressed by a court or by the Attorney General in a formal opinion.

- **Other Considerations**

In 2013, this office participated in a grant program administered by the Federal Voting Assistance Program (“FVAP”). Competitive grants were offered for states to build electronic ballot delivery systems for military voters⁵. It is important to note that, explicit in the grant funding notice, is a statement that the grant funds could not be used to pay for any portion of a system that allowed for the electronic return of voted ballots.⁶

In addition, Congress very recently considered a new military voting proposal called the SENTRI Act (S.1728). Within at least one version of this Act, the Department of Defense would postpone further projects concerning the return of voted ballots by fax or e-mail until guidelines can be issued by the Technical Guidelines Development Committee. In addition, the National Institute of Standards and Technology (“NIST”) has publicly expressed serious concerns about the integrity and security of any system that allows the return of a voted ballot by email or by a web-based system.⁷

⁵ Connecticut was not awarded a grant.

⁶ May 10, 2013 — Alexandria, Va. — The Federal Voting Assistance Program (FVAP), a Department of Defense (DoD) component, announces the availability of \$10,200,000 in federal funding to support research and development of absentee voting systems for military and overseas citizens. The Effective Absentee Systems for Elections 2.0 (EASE 2.0) is the second round of grants under Broad Agency Announcement Number H98210-13-BAA-0001 from FVAP to States and localities to explore technological improvements for military and overseas citizen voters.

The EASE 2.0 grants program focuses on two specific research areas:

- Online Blank Ballot Delivery: Blank ballot delivery provides military and overseas voters with the ability to access their blank absentee ballot through an online or web-based system. *The electronic return of a voted ballot is prohibited through the grant-funded system.* This research area provides FVAP with the opportunity to further evaluate the effect of blank ballot delivery on the voter success rate of military and overseas citizens voting absentee.
- Single Point of Contact (Single POC): While State offices are required to have a single POC for election information for military and overseas voters, Congress recommends that same single State office act as the single POC for sending and receiving election materials to and from military and overseas voters as well, but many States do not provide a single office. This research area will study the effect that centralizing the responsibility of serving military and overseas voters has on the success rate of these absentee voters.

⁷ In the FY02 National Defense Authorization Act (“NDAA”), Congress mandated that Department of Defense (“DoD”) carry out a demonstration project in which military voters would vote electronically in actual federal elections. The project has been delayed multiple times due to cyber security concerns, and the 11-year-old mandate remains unfulfilled. In the FY05 NDAA, Congress granted DoD the authority to postpone the project until a Technical Guidelines Development Committee (“TGDC”) established standards for electronic voting systems. The TGDC has not issued these standards, partly because of ongoing concerns about vulnerabilities in the face of complex cyber threats.

The National Institute of Standards and Technology (“NIST”) has examined the issue of electronic voting and expressed concern. In a 2008 report, NIST concluded that “threats to the return of voted ballots by email and web are difficult to

Statutory Obligation

Pursuant to Public Act No. 13-185, “An Act Concerning Voting By Members Of The Military Serving Overseas,” this office was charged with selecting a method for returning any ballot issued pursuant to section 9-153e or 9-153f of the general statutes that (1) may be used by any elector or applicant for admission as an elector who is a member of the armed forces and expects to be living or traveling outside the several states of the United States and the District of Columbia before and on election day, or such member's spouse or dependent if living where such member is stationed, (2) gives due consideration to the interests of maintaining the security of such ballot and the privacy of information contained on such ballot, and (3) ensures receipt, prior to the closing of the polls on the day of the election or primary, of such ballot by the municipality in which the member or member's spouse or dependent is enrolled or has applied for admission as an elector, if such method is properly utilized by such member or such member's spouse or dependent prior to the closing of the polls on the day of the election or primary. Each element of the Act is addressed in turn below.

- a. *The system may be used by any elector or applicant for admission as an elector who is a member of the armed forces and expects to be living or traveling outside the several states of the United States and the District of Columbia before and on election day, or such member's spouse or dependent if living where such member is stationed*

Any system reviewed by this office was able to accommodate an elector who is a member of the armed forces or such member’s spouse or dependent if living where such member is stationed.

- b. *The system gives due consideration to the interests of maintaining the security of such ballot and the privacy of information contained on such ballot*

Each system reviewed by this office raised security and privacy concerns outlined above. None of the systems reviewed could preserve the secret ballot as effectively as the current paper system, and all would require a waiver of the confidentiality by the voter. It is important to bear in mind that in the current era, in addition to direct Internet voting on a web-based platform, email and even fax voting are, or can be, a form of Internet voting due to the means of transmission of the ballot. Faxes are often transmitted via web-based systems or along data conduits.

overcome,” finding that attacks on email systems used to return ballots could “violate the privacy of voters, modify ballots, or disrupt communication with election officials.” Likewise, NIST found that casting ballots via web-based systems would also “significantly threaten the integrity of elections or ability of voters to cast ballots.” Similarly, in a 2011 report, NIST found that electronic absentee voting systems could not be properly audited or secured. According to NIST, these conclusions remain applicable today. A failed 2010 Internet voting pilot program run by the District of Columbia illustrated the cyber security risks inherent in such systems when it was hacked and votes were manipulated by U.S. computer hackers. The online system was also reportedly probed by hackers in Iran and China.

- c. *The system ensures receipt, prior to the closing of the polls on the day of the election or primary, of such ballot by the municipality in which the member or member's spouse or dependent is enrolled or has applied for admission as an elector, if such method is properly utilized by such member or such member's spouse or dependent prior to the closing of the polls on the day of the election or primary*

No system, whether it is electronic or paper-based, is foolproof, and, unfortunately, votes can get lost or waylaid in transit due to system malfunction, human error or nefarious activity. The electronic systems reviewed, if used properly and in the absence of human error deliberate manipulation, would all “ensure” receipt of the ballots prior to the close of polls on Election Day.

Conclusions

This office reviewed several potential systems for return of voted ballots. It is important to bear in mind that delivery of the ballot to the military voter is also of critical importance. The systems we reviewed invariably had a delivery component as well as a return component. Policy makers could choose to adopt a system that delivers ballots to voters more effectively and efficiently than current available means, while still requiring that the ballot be mailed back to Connecticut. The best system we reviewed would cost the state at least \$250,000; somewhat more if a ballot return system were included. SOTS would require an appropriation of funds to acquire and install such a system, as the project could not be undertaken within available appropriations.

If fax were chosen as a preferred method of returning ballots, towns would likely need to expend funds to ensure the infrastructure is in place to reliably receive, secure and keep as private as possible the faxed ballots. Since the voted ballots are returned to the towns, any system adopted may require the towns to upgrade technology. After reviewing the systems outlined herein and giving due consideration to the factors outlined in the Act, this office concludes that military voters and their families would benefit from a web-based system that would allow them to log-on, receive relevant information and download a ballot. Even without electronic return of the voted ballot, this would get the ballot into the hands of the voter in time to return it by mail, cutting out a significant existing delay. Such a system would be compatible with our voting machine programming and allow for the upload of candidate information used by our voting machines into the system to ensure consistency. It would also:

- Be accessible by link through the website of the Secretary of the State and any town clerk web site at the option of the municipality.
- Allow each of our 169 town clerks to separately and independently access the system to verify and create their own ballot.

- Allow each of our 169 town clerks to communicate to voters who have registered and created an account on the system.
- Allow the system to automatically notify a registered voter that their ballot is ready to be retrieved.
- Allow the voter to download their ballot, review the ballot and either print the ballot, vote the ballot and mail the ballot back, or potentially vote the ballot, scan the ballot, upload the ballot back into the system and return the ballot using the system.
- Potentially allow the town clerk to log back into the system, identify the voter to ensure the ballot belongs to an eligible voter, print the voted ballot and store for counting.

As noted, any of the systems reviewed for purposes of this report could be built to permit the return of the voted ballot by web portal, email or fax.

Based upon this office's experience with information technology projects, the timeline for implementation should be considered. SOTS would require funding to purchase the new system, and such funding would likely require legislative action. Once funding is secured, procurement laws would require putting the project out to bid, a months-long process that entails soliciting requests for proposals, evaluating them, selecting a vendor and negotiating a contract. Electronic delivery of ballots to voters through this new system would not require amendments to current election law. Electronic return of voted ballots, however, would require legislative action, including provision of a waiver of the right to a secret ballot. Other changes to Title 9 would depend upon the type of system ultimately adopted. In light of these factors, it may not be practicable to implement such a system prior to November 4, 2014 state election.

Making voting for military personnel and their families as convenient as possible is a laudable goal; in fact, it is a duty of the Secretary, lawmakers and elections officials to ensure that those serving to defend our freedoms have the opportunity to exercise their constitutional rights and help chose our leaders. It is equally our duty to ensure to the greatest extent possible that their votes are not tampered with and are kept private as our state constitution requires.

This paper presents our findings and several policy choices for lawmakers. This office stands ready to assist in any way we can in the months ahead.

APPENDIX A

SUMMARY OF ONLINE MILITARY VOTING SYMPOSIUM HELD ON OCTOBER 27, 2011

The purpose of this symposium was to discuss the ability of voters to cast their actual votes on-line using the Internet, as opposed to the MOVE-act mandated electronic delivery to the voter and hard copy return. A digital audio-visual recording of this symposium was submitted to the Government Administration and Elections Committee on December 12, 2011.

The participants of the symposium included:

- Susan Dzieduszycka-Suinat - Overseas Vote Foundation
- Professor Alexander Shvartsman – Director of the Voting Technology Research Center at the University of Connecticut
- Professor Ron Rivest – Professor at MIT and Member of the United States Election Assistance Commission’s Technological Development Committee
- Assistant Professor Alex Halderman – University of Michigan; and
- West Virginia Secretary of State Natalie Tennant

The event was moderated by John Dankosky of local public radio station WNPR and was co sponsored by the State Elections Enforcement Commission, the Commission on Veteran’s Affairs, the Connecticut National Guard and Central Connecticut State University’s College of Arts and Science and Political Science Department, where the event was held.

The discussion during the symposium ranged from a description of the West Virginia pilot program of Internet voting conducted in 2010 to details of failed security measures used during similar attempts to conduct on-line or Internet voting. The discussion ultimately focused on security. Security was broken down into two different aspects, the integrity of the system and the ability of the system to keep voting information secret. Details were revealed about the computer attacks to the Washington D.C. on-line election portal. Users in a controlled experiment were able to gain control over the system in a mere 48 hours; not only were vote totals changed but voter identities and how they voted were revealed.

APPENDIX B



OLR RESEARCH REPORT

January 8, 2013

2013-R-0022

ELECTRONIC BALLOT SUBMISSION BY MILITARY AND OVERSEAS VOTERS

By: Terrance Adams, Legislative Analyst II

You asked us to identify states that allow military and overseas voters to return their voted ballots electronically.

SUMMARY

We identified 28 states that allow some or all of their military and overseas voters to return their voted ballots through electronic means (fax, e-mail, or a website upload). Two others, Illinois and New Jersey, allow these voters to return their ballots electronically, but do not count them unless the voter subsequently submits a hard copy. Thus, we do not include them in the above total.

All 28 states allow fax submission of the voted ballot; 20 of them also allow e-mail submission and two allow submission through a website upload system. Voters must typically waive their right to a secret ballot when submitting a ballot electronically.

MILITARY AND OVERSEAS VOTERS

The Uniformed and Overseas Citizens Absentee Voting Act of 1986 (UOCAVA) (P.L. 99-410) requires U.S. states and territories to allow certain U.S. citizens to register and vote by absentee ballot in federal elections. (Many states, including Connecticut, have extended this right to state and local elections.) These citizens, referred to in this report as UOCAVA voters, include (1) active duty members of the "uniformed services," (2) their spouses or dependent family members living where they are stationed, and (3) U.S. citizens residing outside the country.

The “uniformed services” are the U.S. Army, Navy, Marine Corps, Air Force, and Coast Guard, as well as the Public Health Service Commissioned Corps and the National Oceanic and Atmospheric Administration Commissioned Corps.

Congress passed the Military and Overseas Voter Empowerment (MOVE) Act (P.L. 111-84) in 2009 to further enhance access to ballots for these voters. The MOVE Act requires states, by the November 2010 general election, to, among other things:

1. establish procedures allowing UOCAVA voters to request voter registration and absentee ballot applications by mail or electronically for general, special, and primary elections for federal office;
2. designate at least one means of electronic communication for (a) UOCAVA voters to request voter registration and absentee ballot applications, (b) sending voter registration and absentee ballot applications to voters, and (c) providing UOCAVA voters with election and voting information;
3. develop procedures for transmitting blank ballots to UOCAVA voters by mail and electronically for general, special, and primary elections for federal office;
4. transmit absentee ballots to voters at least 45 days before an election; and
5. develop a free access system that allows a UOCAVA voter to determine whether his or her voted absentee ballot was received.

Please see OLR reports [2008-R-0641](#) and [2010-R-0403](#) for more information on UOCAVA and the MOVE Act.

Electronic Ballot Submission

Federal law does not require states to accept electronically-returned ballots from UOCAVA voters. However, we identified 28 states that allow some or all UOCAVA voters to submit their voted ballots electronically.

Table 1 lists states that allow electronic submission, the submission methods permitted, and any restrictions on electronic submission (e.g., a requirement that the voter be stationed in a hostile area). Voters typically must waive their right to a secret ballot when submitting a ballot electronically.

Please note that, while Illinois and New Jersey allow UOCAVA voters to return their ballots electronically, they do not count them unless the voter subsequently submits a hard copy. Thus, we do not include these states in the table.

Table 1: States Allowing Electronic Ballot Submission by UOCAVA Voters

State	E-mail	Fax	Web-based	Restrictions
Alaska		X	X	
Arizona		X	X	
California		X		
Colorado	X	X		
Delaware	X	X		
Florida		X		Voters must be located outside the U.S.
Hawaii		X		Only if requested by fax within five days of the election
Indiana	X	X		
Iowa	X	X		Only if the voter is in an area where uniformed services members are eligible for imminent danger pay
Kansas	X	X		
Louisiana		X		Must request approval from the registrar of voters
Maine	X	X		Must request approval from the secretary of state's office
Massachusetts	X	X		
Mississippi	X	X		
Missouri	X	X		Available only to the following categories of voters stationed in a hostile area: members of the armed forces, merchant marine, civilian U.S. government employees, members of certain religious or welfare organizations, and the family members of such voters
Montana	X	X		
Nevada	X	X		
New Mexico	X	X		
North Carolina	X	X		
North Dakota	X	X		
Oklahoma	X	X		
Oregon	X	X		
Rhode Island		X		
South Carolina	X	X		
Texas		X		Available only to active duty members of the armed forces (and their family members) stationed in danger areas
Utah	X	X		
Washington	X	X		
West Virginia	X	X		

Sources: Federal Voting Assistance Program: 2012-2013 Voting Assistance Guide, state elections websites

ADDITIONAL RESOURCES

Federal Voting Assistance Program: *2012-2013 Voting Assistance Guide*. <http://www.fvap.gov/resources/media/vag2012.pdf>

TA:ts