

I. In Focus This Week

Director's Note: MOVE Act Enacted

By Doug Chapin

On Wednesday, October 28 President Obama signed the FY10 [National Defense Authorization Act](#) – and with it the Military and Overseas Voter Empowerment (MOVE) Act, which is aimed at addressing problems affecting by military and overseas voters in federal elections.

Enactment of the MOVE Act culminates years of effort on Capitol Hill to address issues affecting military and overseas voting. The new law includes four key provisions recommended in January by the Pew Center on the States' [No Time To Vote report](#):

- requiring ballots to be sent to military and overseas voters at least 45 days before an election;
- expediting the voting process by requiring voter registration applications, absentee ballot applications and blank ballots to be made available electronically to them;
- eliminating notarization requirement of military and overseas ballots in the remaining states with such laws; and
- expanding the opportunity for Americans abroad to use the [Federal Write-In Absentee Ballot](#) (FWAB) in all federal elections and requiring the use of technology to allow voters to access election information electronically.

While the MOVE Act was originally authored by Senate Rules Committee Chairman Charles Schumer (D-N.Y.), it benefited throughout the legislative process from broad bipartisan support from House and Senate members alike.

Sen. Robert Bennett (R-Utah), ranking member on Senate Rules, was instrumental in helping to get MOVE out of committee, and Sens. John Cornyn (R-Texas), Saxby Chambliss (R-Ga.), Ben Nelson (D-Neb.) and Bill Nelson (D-Fla.) were valiant Senate champions for MOVE as it was added to the defense authorization bill.

On the House side, House Administration Chair Robert Brady (D-Pa.) and ranking member Dan Lungren (R-Calif.) were enthusiastic supporters, along with House Elections Subcommittee members Susan Davis (D-Calif.) and Kevin McCarthy (R-Calif.). Reps. Mike Coffman (R-Colo. and former Colorado Secretary of State) and Joe Courtney (D-Conn.) provided a timely push with a Dear Colleague letter circulated in the House during drafting of the defense authorization conference report.

Of course, credit is also due to Bob Carey, the new Director of the Department of Defense's [Federal Voting Assistance Program](#) (and before that a Pew consultant and a key contributor to *No Time to Vote*).

Carey brings to FVAP a wealth of knowledge and passion for military and overseas voting rights, and has already engaged on advancing the issue by reaching out to state and local election officials for input on new ideas and best practices, by posting reams of data for researchers to assess the current state of overseas and military voting and by working cooperatively with stakeholders across the spectrum to address and overcome the barriers that currently exist in the field.

The members of the [Alliance for Military and Overseas Voting Rights](#) – a broad coalition of military and overseas citizens groups interested in improving elections for Americans around the world – was a constant, persuasive and valuable voice for reform.

And finally, all of my colleagues at the Pew Center on the States threw themselves into this effort, offering [research, testimony and a series of full-page ads in Hill publications](#) that demonstrate our commitment to bringing military and overseas voting into the 21st century. We're very excited to be associated with our first federal legislative victory.

The work isn't done, however.

Pew's Election Initiatives – and all of our partners and allies in the field – are working to make good on the MOVE Act's promise. Specifically, Pew is:

- working with the [Uniform Law Commission](#) on a draft law that would extend many of the same protections in MOVE to state and local elections;
- expanding the [Voting Information Project](#) partnership with election officials and Google to facilitate dissemination of ballots and information to military and overseas voters; and
- exploring how to use the latest proven technology to modernize our voter registration system in order to ensure that ballots and voting information can find military and overseas voters where they live.

This has been an exciting and rewarding experience for all of us on Pew's Elections team. We would like to thank everyone who worked with us on the effort to MOVE military and overseas voting reform through Congress, and we ask for your continued support as we seek to accomplish even more in the months and years to come.

II. Election Reform News This Week

- [Sixteen Virginia localities have failed to meet a deadline](#) to allow absentee ballots of military personnel serving overseas to be counted on time. Nancy Rodriques, secretary of the State Board of Elections, told the Richmond Times-Dispatch she did not know how many ballots will not be counted. On Oct. 15, U.S. District Judge Richard L. Williams ruled for the second time that the state violated the voting rights of military personnel and overseas citizens last year by failing to mail absentee ballots in time for them to be counted. He gave the state 30 days to count the ballots, even though the counting would make no difference in the outcome. Rodriques said the registrars are creating a process for counting the ballots. Following the announcement, [protestors](#) took to the streets outside of the state board of elections demanding that the votes be counted.
- Local boards of elections are not only preparing for next week's off-year elections, they are also preparing to prevent the spread of the H1N1 virus. In [New York](#), poll workers are being trained to use disinfectant wipes on the voting machines and all the pens voters will use. In addition, some counties will provide hand sanitizer for any voter who wants it. And in [Virginia](#) registrars across the state will be handing out disinfectant wipes to each and every voter that comes through the polling place. Charlottesville Registrar Sheri Iachetta told a local television station, "It's kind of like going into a grocery store. If you want to wipe down your cart before you take it, they'll be able to take the wipes and wipe down the buttons on the voting machine prior to going." In addition, some counties have trained extra poll workers in case they are needed due to a flu outbreak amongst poll workers.
- This week, Sequoia Voting Systems officially introduced its latest offering – the Frontier Election System – the [first transparent end-to-end election system](#) including precinct and central count digital optical scan tabulators, robust election management and ballot preparation system, and a tally, tabulation, and reporting applications based on an open architecture with publicly disclosed

source code developed specifically to meet current and future iterations of the federal Voting System Guidelines. Frontier is a comprehensive election system centered around digital scan Optical Mark Recognition (OMR) tabulators with patent-pending triple-relatable-records, open data formats, and publicly disclosed source code. Sequoia's Frontier Election System has been in active development for 18 months and has been demonstrated at various state, national, and international election conferences over the past 12 months to positive feedback from election officials and all facets of the election community. The company expects the system to enter the federal Voting System Certification Program during the first half of 2010.

III. Research and Report Summaries

electionline provides brief summaries of recent research and reports in the field of election administration. Please e-mail links to research to sgreene@pewtrusts.org.

[Washington State's "Make Voting Work for 18-Year Olds" Experiment](#) – The Pew Center on the States, October 2009: A new report from the Pew Center on the States based on research from the Washington Office of the Secretary of State showed that potential voters who received a mailing as their 18th birthday approached from the Secretary of State's office that included information on voter registration were as much as 10 percent more likely to register than those who did not. Furthermore, those who registered did so when they became eligible, rather than waiting until closer to the registration deadline. However, these increases came at a cost—the state spent approximately \$6 per registration received as a result of the effort—and 43 percent of 18 year-olds who were sent a registration form pre-filled with their information and return postage paid by the Washington Office of the Secretary of State remained unregistered and unable to vote in 2008.

[Constitutional Clash: When English-Only Meets Voting Rights](#) - Michael A. Zuckerman, Yale Law & Policy Review, Vol. 28, forthcoming 2010: A brief overview of the English-only movement is provided with a more detailed look at the more recent Iowa English Language Reaffirmation Act. Specifically, the judgment of one Iowa court enjoining state officials from distributing non-English voter registration materials is examined. The author finds that English-only legislation is legally suspect when applied to voting and describes arguments against the constitutionality of laws like those in Iowa.

IV. Opinion

National: [Overseas voting](#); [Voting company sale](#)
Colorado: [Instant-runoff voting](#)
Minnesota: [Instant-runoff voting](#), [II](#), [III](#)
Missouri: [Early voting](#)
Montana: [Missoula County](#)
New York: [White Plains](#)
Ohio: [Mahoning County](#); [Election reform](#)
Texas: [Nonpartisan registration](#)
Washington: [Sam Reed](#)

***some sites require registration*

V. Job Opportunities

All job listings must be received by 12 p.m. Eastern on Wednesday for publication in our Thursday newsletter. Job listings are free but may be edited for length. Whenever possible, include Internet information. Please email job postings to mmoretti@electionline.org

Executive Director/Election Commission, City of Cambridge, MA — seeking experienced manager to oversee day-to-day dept administration of Election Commission. Reports to City Manager and Board of Election Commissioners, responsible for all aspects of federal, state, and municipal elections, voter registration & city census. Experience in project management, staff supervision, & budgeting required.

Familiarity with election laws and the City of Cambridge desirable. \$61,266-\$73,265 + excellent benefits. Detailed job description available on www.cambridgema.gov (click on JOBS). Please email your resume and cover letter by 5pm on 11/24/09 to employment@cambridgema.gov. We are an AA/EEO Employer.

Program and Communications Director — Funder's Committee for Civic Participation. The Funders' Committee for Civic Participation (FCCP) seeks a full-time Program and Communications Director to oversee selected aspects of FCCP's program work and provide oversight for the organization's internal and external communications. Knowledge of and experience with philanthropy, organizational development, state-based coalitions/collaborations, issue campaigns and non-partisan voter engagement efforts are important to the position. The Program and Communications Director position may be located anywhere in the United States and will report directly to the FCCP Executive Director based in Portland, Oregon. A complete job description and submission guidelines are available at www.funderscommittee.org. The application deadline is November 4th, 2009.