

# “Thurston Voter Research Project” Results

## Analysis

**Thurston County Auditor’s Office**

**March 24, 2022**

### Summary

The Thurston Voter Research Project (TVRP) is not associated with the Thurston County Auditor’s Office. This report is an analysis of their report that purports to find anomalies in the Washington State voter registration database.

#### *Timeline:*

- In June 2021 and August 2021, the TVRP obtained voter registration databases from the Washington Secretary of State.
- During the fall of 2021, volunteer canvassers from the Thurston Voter Research Project reached out to approximately 1,491 Thurston County addresses.
- On January 10, 2022, the TVRP publicly posted their initial findings online.
- On January 18, 2022, the TVRP sent a copy of their initial findings to the Thurston County Auditor’s Office. The TVRP summary report took a non-random sample totaling 1.91 percent of Thurston County’s voter rolls. The summary report provided only a few examples.
- On January 31, 2022, the Auditor’s Office requested the complete data on which the TVRP report was based.
- On February 3, the TVRP provided a sample of 30 examples. After an initial review of the sample, the Auditor’s Office found mostly military and overseas or inactive voters (67%). When any correspondence we send to a voter (ballot, letters, etc.) is returned to us as undeliverable, the voter’s registration becomes “inactive.” Inactive voters do not receive ballots.
- On February 7, TVRP provided their entire list of 1,927 questioned voters.

There were no red flags based on our research and the information presented. Below, you will find detailed information of our research on the TVRP Report.

## Background

The Thurston County Auditor’s Office regularly updates voter rolls. For example, the Thurston County Auditor’s Office updated over 27,000 voter records in 2021 of nearly 200,000 registered voters.

As required by state law, the Auditor’s Office works with trusted sources including the Office of the Secretary of State, the Social Security Administration, the United States Postal Service National Change of Address Program, the Department of Licensing, the Department of Health, the Department of Corrections, and the Office of the Administrator of the Courts to maintain the accuracy of voter registration data. In addition to the above sources, the Auditor’s Office also removes registrations of deceased persons using published obituaries or written notices from relatives.

Additionally, Washington State is a member of ERIC (Electronic Registration Information Center). ERIC uses sophisticated data matching software that compares voter registration and motor vehicle licensing data across 30 other states. ERIC reports help us identify voters who might be registered in another state and didn’t notify us.

We depend on information provided directly from the voter. We receive address updates from voters via:

- Registration forms
- Other contact (i.e., phone, email, in-person visits)
- Responses to Auditor’s Office notices or confirmation cards
- Online updates from VoteWA.gov; and
- DOL transactions when voters indicate they want to update their registration

Thurston County Elections staff also take additional steps above and beyond what is required by statute:

- We take address changes from returned voted ballot envelopes.
- We mail an update form to military and overseas voters asking them for updates to their registration.
- We mail to PO Box/PMB voters, asking them for updates to their voter registration.
- We use a USPS address change service (ACS) that is directly connected with ballots, different from USPS National Change of Address (NCOA) system or ERIC.
- We use our local voters’ pamphlet to ask voters to contact us with changes.

## Findings

Between February 3 and March 24, staff from the Elections Division examined the 1,927 voting records in the TVRP report.

It is our conclusion that the list of questioned voter registrations from the TVRP illustrate:

- A misunderstanding of how voters are classified. For example, military and overseas voters (hereafter UOCAVA voters) and Inactive voters make up most (~67%) questioned voter registrations.
- A misunderstanding of how fluid voter registration data is. The voter registration database is constantly being updated based on normal maintenance by the Auditor’s Office and voter inputs. Data pulled at one point in time can quickly become outdated.

To the above point, our findings reflect the point in time of our research in February and March 2022. These results would likely have changed since.

We were able to research every voter record. In analyzing the questioned voter list from the TVRP, we have placed voters into five categories:

Voter type	Count	Percent
Active Uniform and Overseas (UOCAVA) voters	465	24.1%
Active, non-UOCAVA voters that have had a residential or mailing address update	450	23.3%
Active voters with no address change	174	9.0%
Inactive voters	826	43.0%
Canceled voters	12	0.6%
<b>TOTAL</b>	<b>1,927</b>	<b>100%</b>

We examined each category in more depth below. Each section includes:

- A summary of the total number of voters
- A brief narrative explaining the category
- Legal and administrative references. Please see the appendix for some full text of these references.

At the end of this report, we include a sampling of full text of the legal references.

### *Category 1: UOCAVA voters*

We found 465 voters (24.1% of the total sample) in this category.

UOCAVA voters are active members of the military or voters living overseas. Their registrations are governed by several federal and state laws, most notably the **Uniformed and Overseas Absentee Voting Act (UOCAVA)**. Two important aspects of the federal UOCAVA allow military and overseas voters to register at their most recent Washington domestic address or an address of a family member. The UOCAVA also prevents local election officials from disclosing UOCAVA status.

#### ***Laws/Administrative Code***

- RCW 29A.40.010 Ballots by mail
- RCW 29A.40.091 Envelopes, declaration, and instructions—Voter's oath—Overseas and service voters—Return of ballots—County auditor's name
- RCW 29A.40.020 Request for ballot from an overseas voter or service voter
- WAC 434-235-020 Voter registration
- National Voter Registration Act
- The Uniformed and Overseas Citizens Absentee Voting Act
- Help America Vote Act
- Military and Overseas Voter Empowerment Act

### *Category 2: Active/Non-UOCAVA that have had a residential or mailing address update*

We found 450 voters (23.3% of the total sample) in this category.

These voter's registrations have been updated (residential or mailing addresses) between the time TVRP pulled their data and our research. This category illustrates the fluid and dynamic nature of the state's voter registration database.

#### ***Laws/Administrative Code***

- RCW 29A.08.112 Voters without traditional residential addresses
- RCW 29A.08.140 Voter Registration Deadlines
- RCW 29A.08.410 Address change within County – Deadlines
- RCW 29A.08.620 Change of Address information for mail ballots – Assignment of voter to inactive status-confirmation notice.
- RCW 29A.08.630 Return of inactive voter to active status – Cancellation of registration
- RCW 29A.40.010 Ballots by mail

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- RCW 29A.40.091 Envelopes, declaration, and instructions—Voter's oath—Overseas and service voters—Return of ballots—County auditor's name
- WAC 434-250-070 Forwarding ballots
- WAC 434-324-076 Voter registration updates
- WAC 434-324-036 County-to-county transfers
- WAC 434-324-087 Confirmation notice
- Help America Vote Act

### *Category 3: Active voters with no address change*

We found 174 voters (9.0% of the total sample) in this category.

Generally speaking, this category illustrates how we depend on updates from voters to keep the voter registration database up to date. Many of these voters fall into subcategories that do not create flags for us. For example:

- Voter moved after voting in the November 2020 election
- Voters who did not vote in the November 2020 election
- We received an address update for another voter at the same address, but not the voter on list
- Voters live in the same house, but a new street address was assigned from a city or county. For example, a house on a cross street may have the street change from one cross street to the other.

State law requires that a voter's residential address for voter registration purposes be the voter's permanent, physical address. Registered voters may challenge the registration of another voter by following the voter registration challenge process. State law requires Thurston County Elections to hold hearings to determine the validity of challenged voter registrations. Voter registration challenge hearings are administrative proceedings, not a court proceeding and not a criminal action.

### ***Laws/Administrative Code***

- RCW 29A.40.010 Ballots by mail
- RCW 29A.40.091 Envelopes, declaration, and instructions—Voter's oath—Overseas and service voters—Return of ballots—County auditor's name
- RCW 29A.40.010 Ballots by mail
- RCW 29A.08.810 through 29A.08.850 - Voter Registration Challenges
- Help America Vote Act

### *Category 4: Inactive voters*

We found 826 inactive voters (43.0% of the sample) in this category. This is the largest category in the sampling. Inactive voters do not receive ballots.

When any correspondence we send to a voter (ballot, letters, etc.) is returned to us as undeliverable, the voter’s registration becomes “inactive.” We also inactivate a voter’s registration if we receive information from the US Postal Service that the voter moved out of Thurston County. Voters who are inactive will receive a confirmation card sent to every address we have on file for them to see if we can get their most current information. If we receive no response from the voter, they will remain on inactive status for two federal general elections before they can be canceled.

The chart below further examines how the voters in this category became inactivated and at what point in time.

188	No ballot issued for November 2020 election
103	Inactive, no voting history
535	Inactive, voted in November 2020 and beyond
<b>826</b>	<b>TOTAL</b>

#### ***Laws/Administrative Code***

- WAC 434-324-076 Voter registration updates
- WAC 434-324-087 Confirmation notice
- RCW 29A.08.630 Return of inactive voter to active status—Cancellation of registration
- WAC 434-324-036 County-to-county transfers
- WAC 434-324-087 Confirmation notice

### *Category 5: Canceled voters*

We found 12 voters (.6% of the sample) in this category. Canceled voters do not receive ballots.

Two of these voters were declared deceased per the state Department of Health. Ten were canceled per voter request via returned confirmation cards.

When any correspondence we send to a voter (ballot, letter, etc.) is returned to us as undeliverable, the voter’s registration becomes “inactive.” We also inactivate a voter’s registration if we receive information from the US Postal Service that the voter moved out of Thurston County. Voters who are inactive will receive a confirmation card sent to every address we have on file for them to see if we can get their most current information. If we receive no response from the voter, they will remain on inactive status for two federal general elections before they can be canceled.

***Laws/Administrative Code***

- RCW 29A.08.630 Return of inactive voter to active status—Cancellation of registration
- RCW 29A.08.510 Death
- RCW 29A.08.810 Basis for challenging a voter's registration—Who may bring a challenge—Challenger duties
- RCW 29A.08.135 Updating information
- RCW 29A.40.010 Ballots by mail
- WAC 434-324-111 Voluntary cancellation of voter registration
- WAC 434-324-087 Confirmation notice
- WAC 434-324-090 Cancellations due to death

## Appendix: State and Federal Legal and Administrative References

### RCW [29A.08.112](#)

Voters without traditional residential addresses.

(1) No person registering to vote, who meets all the qualifications of a registered voter in the state of Washington, shall be disqualified because he or she lacks a traditional residential address. **A voter who lacks a traditional residential address will be registered and assigned to a precinct based on the location provided.**

(2) For the purposes of this section, a voter who resides in a shelter, park, motor home, marina, unmarked home, or other identifiable location that the voter deems to be his or her residence lacks a traditional address. A voter who registers under this section must provide a valid mailing address, and must still meet the requirement in Article VI, section 1 of the state Constitution that he or she live in the area for at least thirty days before the election.

(3) **A nontraditional residential address may be used when a voter resides on an Indian reservation or on Indian lands.**

(4) A federally recognized tribe may designate one or more tribal government buildings to serve as a residential address or mailing address or both for voters living on an Indian reservation or on Indian lands. However, a voter may not use a tribally designated building as the voter's residential address if the building is in a different precinct than where the voter lives.

(5) A person who has a traditional residential address and does not reside on an Indian reservation or on Indian lands must use that address for voter registration purposes and is not eligible to register under this section.

### RCW [29A.08.510](#)

Death.

The registrations of deceased voters may be canceled from voter registration lists as follows:

1) Periodically, the registrar of vital statistics of the state shall prepare a list of persons who resided in each county, for whom a death certificate was transmitted to the registrar and was not included on a previous list, and shall supply the list to the secretary of state. DOH/SSA Data The secretary of state shall compare this list with the registration records and cancel the registrations of deceased voters.

(2) In addition, each county auditor may also use government agencies and newspaper **obituary articles** as a source of information for identifying deceased voters and canceling a registration. The auditor must verify the identity of the voter by matching the voter's date of birth or an



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address. The auditor shall record the date and source of the information in the cancellation records.

(3) In addition, any registered voter may sign a statement, subject to the penalties of perjury, to the effect that to his or her personal knowledge or belief another registered voter is deceased. This statement may be filed with the county auditor or the secretary of state. Upon the receipt of such signed statement, the county auditor or the secretary of state shall cancel the registration from the official state voter registration list.

### RCW [29A.08.810](#)

Basis for challenging a voter's registration—Who may bring a challenge—Challenger duties. (Effective January 1, 2022.)

Registration of a person as a voter is presumptive evidence of his or her right to vote

### RCW [29A.08.135](#)

Updating information.

(1) When a person who has previously registered to vote in another state applies for voter registration in Washington, the person shall provide on the registration form all information needed to cancel any previous registration. Notification must be made to the state elections office of the applicant's previous state of registration.

(2) A county auditor receiving official information that a voter has registered to vote in another state shall immediately cancel that voter's registration on the official state voter registration list.

### RCW [29A.40.010](#)

Ballots by mail.

Each active registered voter of the state, overseas voter, and service voter shall automatically be issued a mail ballot for each general election, special election, or primary. Overseas voters and service voters are authorized to cast the same ballots, including those for special elections, as a registered voter of the state would receive under this chapter. Each active registered voter shall continue to receive a ballot by mail until the death or disqualification of the voter, cancellation of the voter's registration, or placing the voter on inactive status.

### RCW [29A.40.091](#)

Envelopes, declaration, and instructions—Voter's oath—Overseas and service voters—Return of ballots—County auditor's name. (Effective January 1, 2022.)

(2) The voter must swear under penalty of perjury that he or she meets the qualifications to vote, and has not voted in any other jurisdiction at this election. The declaration must clearly inform the voter that it is illegal to vote if he or she is not a United States citizen; it is illegal to vote if he or she is serving a sentence of total confinement under the jurisdiction of the department of corrections for a felony conviction or is currently incarcerated for a federal or out-of-state felony conviction; and it is illegal to cast a ballot or sign a ballot declaration on behalf of another voter. The ballot materials must provide space for the voter to sign the declaration, indicate the date on which the ballot was voted, and include a telephone number.

(3) For overseas and service voters, the signed declaration constitutes the equivalent of a voter registration. Return envelopes for overseas and service voters must enable the ballot to be returned postage free if mailed through the United States postal service, United States armed forces postal service, or the postal service of a United States foreign embassy under 39 U.S.C. 3406.

RCW [29A.40.020](#)

Request for ballot from an overseas voter or service voter.

A request for a ballot from an overseas voter or service voter must include the address of the last residence in the state of Washington.

RCW [29A.08.810](#) – Voter Registration Challenges Basis for challenging a voter's registration—Who may bring a challenge—Challenger duties. (Effective January 1, 2022.)

(1) Registration of a person as a voter is presumptive evidence of his or her right to vote. A challenge to the person's right to vote must be based on personal knowledge of one of the following:

(a) The challenged voter has been convicted of a felony and the voter's civil rights have not been restored;

(b) The challenged voter has been judicially declared ineligible to vote due to mental incompetency;

(c) The challenged voter does not live at the residential address provided, in which case the challenger must either:

(i) Provide the challenged voter's actual residence on the challenge form; or

(ii) Submit evidence that he or she exercised due diligence to verify that the challenged voter does not reside at the address provided and to attempt to contact the challenged voter to learn the challenged voter's actual residence, including that the challenger personally:

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(A) Sent a letter with return service requested to the challenged voter's residential address provided, and to the challenged voter's mailing address, if provided;

(B) Visited the residential address provided and contacted persons at the address to determine whether the voter resides at the address and, if not, obtained and submitted with the challenge form a signed affidavit subject to the penalties of perjury from a person who owns or manages property, resides, or is employed at the address provided, that to his or her personal knowledge the challenged voter does not reside at the address as provided on the voter registration;

(C) Searched local telephone directories, including online directories, to determine whether the voter maintains a telephone listing at any address in the county;

(D) Searched county auditor property records to determine whether the challenged voter owns any property in the county; and

(E) Searched the statewide voter registration database to determine if the voter is registered at any other address in the state;

(d) The challenged voter will not be eighteen years of age by the next general election; or

(e) The challenged voter is not a citizen of the United States.

(2) A person's right to vote may be challenged by another registered voter or the county prosecuting attorney.

(3) The challenger must file a signed affidavit subject to the penalties of perjury swearing that, to his or her personal knowledge and belief, having exercised due diligence to personally verify the evidence presented, the challenged voter either is not qualified to vote or does not reside at the address given on his or her voter registration record based on one of the reasons allowed in subsection (1) of this section. The challenger must provide the factual basis for the challenge, including any information required by subsection (1)(c) of this section, in the signed affidavit.

The challenge may not be based on unsupported allegations or allegations by anonymous third parties. All documents pertaining to the challenge are public records.

(4) Challenges based on a felony conviction under RCW [29A.08.520](#) must be heard according to RCW [29A.08.520](#) and rules adopted by the secretary of state.

RCW [29A.08.820](#) Times for filing challenges—Hearings—Treatment of challenged ballots.

(1) Challenges must be filed with the county auditor of the county in which the challenged voter is registered no later than forty-five days before the election. The county auditor presides over the hearing.

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(2) Only if the challenged voter registered to vote less than sixty days before the election, or changed residence less than sixty days before the election without transferring his or her registration, may a challenge be filed not later than ten days before any primary or election, general or special, or within ten days of the voter being added to the voter registration database, whichever is later.

(a) If the challenge is filed within forty-five days before an election at which the challenged voter is eligible to vote, a notation of the challenge must be made immediately in the voter registration system, and the county canvassing board presides over the hearing.

(b) If the challenge is filed before the challenged voter's ballot is received, the ballot must be treated as a challenged ballot.

(c) If the challenge is filed after the challenged voter's ballot is received, the challenge cannot affect the current election.

RCW [29A.08.835](#) County auditor to publish voter challenges on the internet—Ongoing notification requirements.

The county auditor shall, within seventy-two hours of receipt, publish on the auditor's internet website the entire content of any voter challenge filed under chapter [29A.08](#) RCW. Immediately after publishing any voter challenge, the county auditor shall notify any person who requests to receive such notifications on an ongoing basis.

RCW [29A.08.840](#) County auditor duties—Dismissal of challenges—Notification—Hearings—Counting or cancellation of ballots.

(1) If the challenge is not in proper form or the factual basis for the challenge does not meet the legal grounds for a challenge, the county auditor may dismiss the challenge and notify the challenger of the reasons for the dismissal. A challenge is not in proper form if it is incomplete on its face or does not substantially comply with the form issued by the secretary of state.

(2) If the challenge is in proper form and the factual basis meets the legal grounds for a challenge, the county auditor must notify the challenged voter and provide a copy of the affidavit. The county auditor shall also provide to any person, upon request, a copy of all materials provided to the challenged voter. If the challenge is to the residential address provided by the voter, the challenged voter must be provided notice of the exceptions allowed in RCW [29A.08.112](#) and [29A.04.151](#), and Article VI, section 4 of the state Constitution. A challenged voter may transfer or reregister until the day before the election. The county auditor

must schedule a hearing and notify the challenger and the challenged voter of the time and place for the hearing.

(3) All notice must be by certified mail to the address provided in the voter registration record, and any other addresses at which the challenged voter is alleged to reside or the county auditor reasonably expects the voter to receive notice. The challenger and challenged voter may either appear in person or submit testimony by affidavit.

(4) The challenger has the burden to prove by clear and convincing evidence that the challenged voter's registration is improper. The challenged voter must be provided a reasonable opportunity to respond. If the challenge is to the residential address provided by the voter, the challenged voter may provide evidence that he or she resides at the location described in his or her voter's registration records, or meets one of the exceptions allowed in RCW [29A.08.112](#) or [29A.04.151](#), or Article VI, section 4 of the state Constitution. If either the challenger or challenged voter fails to appear at the hearing, the challenge must be resolved based on the available facts.

(5) If the challenge is based on an allegation under RCW [29A.08.810](#)(1) (a), (b), (d), or (e) and the canvassing board sustains the challenge, the challenged ballot shall not be counted. If the challenge is based on an allegation under RCW [29A.08.810](#)(1)(c) and the canvassing board sustains the challenge, the board shall permit the voter to correct his or her voter registration and any races and ballot measures on the challenged ballot that the voter would have been qualified to vote for had the registration been correct shall be counted.

(6) If the challenger fails to prove by clear and convincing evidence that the registration is improper, the challenge must be dismissed and the pending challenged ballot must be accepted as valid. Challenged ballots must be resolved before certification of the election. The decision of the county auditor or canvassing board is final subject only to judicial review by the superior court under chapter [34.05](#) RCW.

#### RCW [29A.08.850](#)

Challenge of registration—Forms, availability.

The secretary of state must provide forms for voter registration challenges, and the county auditor must make such forms available. A challenge is not required to be submitted on the provided voter challenge form, but may be prepared using an official electronic voter challenge form template provided by the auditor or secretary of state that has been printed and signed by the challenger for submission.

WAC 434-324-076

Voter registration updates.

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(1) Pursuant to RCW [29A.08.140](#), a person already registered to vote in Washington may update their registration by submitting an address change using a registration application or making notification via any non-in-person method that is physically received by an election official no later than eight days before election day, or by appearing in person no later than 8:00 p.m. on election day.

(3) If a voter submits a registration transfer to a new county by the statutory deadline, but the voter's previous county issued the voter a ballot before the transfer is processed and the voter's ballot issued by the previous county was received but not yet accepted, the previous county must mail the suspended ballot to the voter's new county. If any races or issues on the suspended ballot from the previous county are applicable to the voter's residential address in the new county, the votes on those races and issues should be counted by the new county only when the voter does not vote and return a current ballot, or when the current ballot cannot be processed due to incorrect or incomplete information on the ballot envelope.

### WAC 434-324-111

Voluntary cancellation of voter registration.

A voter may cancel their own voter registration by submitting a signed written notification to the auditor for the county in which the voter is registered to vote. Prior to cancellation of such a registration record, the auditor must ensure the signature on the notification matches the signature in the voter registration file by utilizing criteria outlined in WAC [434-379-020](#). A county auditor may not process a voluntary cancellation between the deadline in RCW [29A.08.140](#) for updating a registration and certification of the primary or election.

### WAC 434-235-020

Voter registration.

(b) A service or overseas voter must use his or her most recent residential address in Washington, or the most recent residential address in Washington of a family member.

(4) The county auditor shall keep the voter on service or overseas status until the county auditor receives verification the voter no longer qualifies as a service or overseas voter under WAC [434-235-010](#).

### WAC 434-324-087

Confirmation notice.

(1) When a voter is placed on inactive status, the county auditor must send a confirmation notice to the voter by first-class forwardable mail, and must include a response form that:

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- (a) Is preaddressed and postage prepaid;
- (b) Includes either the voter's date of birth or voter registration number;
- (c) Asks the voter to verify their current address; and
- (d) Asks the voter to sign the oath in RCW [29A.08.230](#).

(2) When the voter sends the county auditor a response to the confirmation notice, the auditor must:

- (a) Transfer the voter's registration and send the voter an acknowledgment notice if the response indicates that the voter has moved within the county.
- (b) Forward the confirmation notice to the voter's new county by mail or electronically if the response indicates that the voter has moved to another county within Washington and the confirmation notice contains the minimum information required by WAC [434-324-036](#).

The county auditor in the voter's new county must register the voter using the information and signature on the confirmation notice. The new county must transfer the registration from the old county to the new county and send the voter an acknowledgment notice.

- (c) Send the voter a voter registration application if the response indicates that the voter has moved to another county within Washington but the confirmation notice does not contain the minimum information required by WAC [434-324-036](#). The voter shall remain on inactive status according to RCW [29A.08.635](#).
- (d) Cancel the voter's registration if the response indicates that the voter has moved out-of-state and the response is signed.
- (e) Keep the voter on inactive status according to RCW [29A.08.635](#) if the response indicates that the voter has moved out-of-state but is not signed.

Stays inactive for two federal elections then cancelled

RCW [29A.08.630](#)

Return of inactive voter to active status—Cancellation of registration.

The county auditor shall return an inactive voter to active voter status if, prior to the passage of two federal general elections, the voter:

(1) Notifies the auditor of a change of address;

(2) Responds to a confirmation notice with information that he or she continues to reside at the registration address; or

(3) Votes or attempts to vote in a primary, special election, or general election. If the inactive voter fails to provide such a notice or take such an action within that period, the auditor shall cancel the person's voter registration.

#### H.R.3295 - Help America Vote Act of 2002

Title V: Help America Vote College Program - (Sec. 501) Requires the Election Assistance Commission to develop a Help America Vote College Program to: (1) encourage students enrolled at institutions of higher education to assist State and local governments in the administration of elections by serving as nonpartisan poll workers or assistants; and (2) encourage State and local governments to use the services of the students participating in the Program. Authorizes appropriations.

Title VII: Voting Rights of Military Members and Overseas Citizens - (Sec. 701) Amends Federal armed forces law, as added by the National Defense Authorization Act for Fiscal Year 2002, to require the Secretary of Defense to prescribe procedures to provide the time and resources for voting assistance officers to perform voting assistance duties during the period in advance of a general election. Requires the Secretary, to the maximum extent practicable, to implement measures to ensure that a postmark or other official proof of mailing date is provided on each absentee ballot collected at any overseas location or vessel at sea whenever the Department of Defense is responsible for collecting mail for return shipment to the United States. Requires the Secretary to ensure that the measures implemented do not result in the delivery of absentee ballots to their final destination after the date of the Federal election.

Directs the Secretary of each military department, utilizing the voting assistance officer network established for each military installation, to notify members of the armed forces stationed at that installation of the last date before a general election for which absentee ballots mailed from an installation postal facility can reasonably be expected to be timely delivered to the appropriate State and local election officials.

Requires the Secretary to ensure that members of the armed forces and their dependents who are qualified to vote have ready access to information regarding voter registration requirements and deadlines, absentee ballot application requirements and deadlines, and the availability of voting assistance officers to assist members and dependents to understand and comply with these requirements. Directs the Secretary to make the national voter registration form prepared for purposes of the Uniformed and Overseas Citizens Absentee Voting Act by the Federal Election Commission available so that each person who enlists will receive such form at the time of enlistment, or as soon thereafter as practicable.



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(Sec. 702) Amends the Uniformed and Overseas Citizens Absentee Voting Act to require: (1) each State to designate a single office responsible for providing information on registration and absentee ballot procedures for all voters in the State; (2) each State and unit of local government which administered an election to report to the Election Assistance Commission on the combined number of absentee ballots transmitted to absent uniformed services voters and overseas voters for the election, and the combined number of such ballots returned by such voters and cast in the election; (3) provide for an extension of the period covered by a single absentee ballot application; (4) charges the presidential designee under the Act with developing a standard oath for use with voting documents, and providing statistical analysis of voter participation for both overseas voters and absent uniformed services voters; (5) prohibit the refusal of voter registration and absentee ballot applications on grounds of early submission; and (6) set forth other requirements to promote participation of overseas and absent uniformed services voters.

### The Uniformed and Overseas Citizens Absentee Voting Act

United States citizens covered by UOCAVA include:

- Members of the United States Uniformed Services and merchant marine;
- Their family members; and
- United States citizens residing outside the United States.

Among its key provisions, UOCAVA provides for an application called the [Federal Post Card Application](#) that qualified servicemembers and overseas citizens can use to register to vote and request an absentee ballot simultaneously. The law also allows for the use of a "back-up" ballot for federal offices, called the [Federal Write-In Absentee Ballot](#). This ballot may be cast by voters covered by the Act who have made timely application for, but have not received, their regular ballot from their state or territory, subject to certain conditions.

In 2009, a subtitle of the National Defense Authorization Act for Fiscal Year 2010, titled the [Military and Overseas Voter Empowerment Act \("MOVE Act"\)](#), amended UOCAVA to establish new voter registration and absentee ballot procedures which states must follow in all federal elections. The amended UOCAVA is available [here](#).

Most of these new procedures were implemented by the November 2010 general election. As amended by the MOVE Act, UOCAVA now requires state officials 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;
- Transmit validly-requested absentee ballots to UOCAVA voters no later than 45 days before an election for a federal office, when the request has been received by that date, except where an undue hardship waiver is approved by the Department of Defense for that election;

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- Take steps to ensure that electronic transmission procedures protect the security of the balloting process and the privacy of the identity and personal data of UOCAVA voters using the procedures;
- Expand the acceptance of the [Federal Write-In Absentee Ballot](#) to all elections for federal office beginning December 31, 2010;
- Accept otherwise valid voter registration applications, absentee ballot applications, voted ballots, or [Federal Write-In Absentee Ballots](#) without regard to state notarization requirements, or restrictions on paper type, or envelope type; and
- Allow UOCAVA voters to track the receipt of their absentee ballots through a free access system.

[Link to full verbiage of RCW 29A, WAC 434, Washington State Constitution, Help America Vote Act \(HAVA\), Military and Overseas Voter Empowerment Act \(MOVE\), and more.](#)