

**Testimony of Beth Chapman
Alabama Secretary of State**

"Military and Overseas Voting: Problems and Progress in Ensuring the Vote"

**Before the Committee on House Administration
United States House of Representatives**

Tuesday, April 15, 2008

Chairman Brady, Ranking Member Ehlers and Members of the Committee:

I am deeply privileged to be here today representing the great State of Alabama, the National Association of Secretaries of State, and most importantly – the men and women of the United States Military.

Please allow me to share with you a portion of a letter written to Congress.

"About 2.5 million men and women in the Armed Forces are of voting age at the present time. Many . . . serving . . . in parts of the country distant from their homes. They are unable to return to their States to register or vote. Yet these men and women, who are serving their country and in many cases risking their lives, deserve above all others to exercise the right to vote in this election year. . . the least we can do is make sure they are able to enjoy the rights they are being asked to fight to preserve."

These words, though eloquently written, expressing my thoughts and speaking to the very heart and soul of today's subject are not my words. Ironically, they are words of President Harry S. Truman in a letter written to Congress fifty-five years ago.

Today we gather over half a century later with no solution and frankly no acceptable excuses.

With computer technology achieving feats that were once unimaginable and numerous trips to the moon and beyond, cars that park themselves, robots that sweep and vacuum our floors, and running shoes with computer chips that track our distance, the problem of not allowing our military men and women EVERY possible opportunity to vote is a travesty of justice.

With the help of this committee, the Overseas Vote Foundation, Elections Assistance Commission, Pew Charitable Trusts, the Federal Voting Assistance Program, the Departments of Justice and Defense, and elections officials from every city, county and state across our nation, and other advocacy organizations, it should be our full intention that no one ever stand five and a half decades from now where we stand today and quote from this speech as I have done from President Truman's. To allow that to happen would not only serve as a blatant disrespect for our military and overseas voters, but it also would serve as a shameful slap in the face of Democracy.

Today, let us leave with a firm resolve to make this obvious need a reality – not just for our soldiers, sailors, guardsmen, airmen and marines, but for their families and more importantly for the democratic balance and fair availability to vote that is needed to ensure that democracy is not just for those at home, but for those abroad protecting their home.

Throughout the years, the full right of Democracy has ensured racial and gender equality, and has paved the way for those with disabilities. However, it has failed to meet the needs of the very ones who fight for our freedom.

America should no longer keep Democracy within the confines of a voting booth; it must go into the battlefields where the greatest among us are serving. If our military voters cannot come to a voting booth, then we simply must take the voting booth to them.

The sacred freedom of the right to vote should cross every ocean, enter every cave and foxhole, every barrack and desert place whether at sea, in the jungles or in the air – or even on foreign mission fields for those American missionaries serving God. Democracy should be extended to those serving us abroad and their families. Their absence from home should not deny them their right to vote. Given the reason for their absence from home, it should enhance their right to vote, not potentially remove it.

If Democracy was strong enough to eradicate the boundaries of race, gender, and physical disabilities years ago, then it is strong enough to reach those who defend our right to vote today.

America is only as fair, honest, and strong as our elections process. We must not simply do what is required, but all that is necessary to honor the men and women who wear the uniform of the United States Military and their families.

As an elected official I am often asked if I support the war and my answer is simple - this is not about the war, but the men and women fighting the war and the principles and freedoms for which they fight that I support.

I always have and I always will believe that support for our military should be unwavering and ongoing regardless of the politics or the opinion polls of war. Those facts do not change the one fact that there are men and women in selfless service laying their lives on the line for our freedom every day.

Each time a vote is cast, it is because of them. Each time a flag is raised it is because of them. Each time we sit quietly and sleep safely in the comfort of our homes it is because of those who served then and those who serve now.

And because of them, we should never hear the words freedom, democracy, liberty or independence without thinking of them. As we exercise the pursuit of happiness without remembering where it comes from and how much it costs we must remember them. We should never allow anyone to refer to our Republic without remembering those who sacrificed their lives so that we may live our lives and the sacred responsibility our forefathers left us to keep it.

Members of the armed forces work with a passion and a purpose far greater than their own. They do not see their service as a sacrifice, but as a duty and an honor.

Servicemen and women make a pauper's pay for a hero's job and risk their lives for an entire country. They must be lethal weapons of destruction or gentle giants of goodness. They throw their bodies on top of grenades for ideals, freedoms and principles someone else created and on which our country was founded.

They fight so we can live - stay awake so we can go to sleep - work twice as hard for half as much. They forcefully fight so we can freely speak. They fight on someone else's soil so we can freely live on our own.

My home state of Alabama has one of the largest military populations in the country and they need to have their voices heard on issues back home. Otherwise, democracy is but a dream and not the process our forefathers created it to be.

On behalf of the approximately 100,000 Alabamians overseas, including the Alabama National Guard that ranks number one per capita in the nation of deployed troops since 9/11, my staff and the great people of Alabama stand ready to champion this common cause that we share.

With regard to voter registration, Alabama is one of only three states to partner with the Overseas Vote Foundation (OVF), in making voting for Alabama's military and overseas citizens more convenient and expeditious. Twenty-five percent of ballots are rejected because they were not completed correctly. OVF provides a computer program that is an easy, well-guided process which will not print until the application is completed in its entirety and all errors are corrected. The services of OVF can be utilized to register to vote by active-duty uniformed service members and their families within and outside of the United States.

My staff and I recently organized and held an *Inaugural Military and Overseas Voting Forum*. It was a great success, and proved the openness of civilians and government officials to admit the need for a more convenient and expedient way for our troops to cast their votes. We have already issued Requests for Information (RFIs) to over 4,000 companies, and have received responses - three from companies located in America whose software is being used to provide secure internet voting in other countries. America is not accustomed to being last in anything and the time to start is not now. From our greatest vulnerability must come our greatest strength – a sound democracy.

I have met with members of the Overseas Vote Foundation, the Elections Assistance Commission, Pew Charitable Trusts, Department of Defense, Department of Justice, Joint Chiefs of Staff, National Association of Secretaries of State and it seems we all realize the inevitability of internet voting in the future.

At my request, Alabama Governor Bob Riley by Executive Order created a Military and Overseas Voting Task Force. Over the course of the next year the task force will be

studying ways to expedite voting for members of our military. We will present a report to the Governor and the State Legislature next year regarding our findings. It is my hope that we will be able to move forward at that time to the modern day Democracy that lies ahead of us – secure internet voting for members of our military.

While I am not a proponent of everyone having this opportunity, the military should have the opportunity for obvious reasons. The United States Military created the internet, so I think we can trust them to use it securely. After all, they do so everyday through Common Access Cards (CAC), and their Army Knowledge Online (AKO) accounts which allow them to change their direct deposits, review their retirement status, email their families, and other things of a confidential nature.

The question remains whether the Department of Defense and all branches of the military are willing to allow voting to occur on those services. Since the Air Force has its own unique computer system, that poses another question of willingness to collaborate in the democratic process via their present confidential computer services working in conjunction with the others. Those are issues that will have to be decided between them.

In addition, members of our military, unlike other citizens abroad, do not choose to live there nor do they have any choice in how often their families are uprooted and moved and for how long. Since we place them in a unique situation, they should have a unique voting opportunity that is not necessarily available to others. This is even more true given the fact that they are often moved at a moment's notice, thus changing their voting address.

We live in a nation where the very men and women who are fighting for our right to vote are often not allowed to cast their own. It makes no sense to me. As if their sacrifice of service is not enough, they are fighting for a freedom they are not even allowed to have – the right to vote. With new technology, there are ways to stop this injustice and allow our military men and women to vote. Secure electronic and/or internet voting inside or outside of their own computer network seems inevitable if we are going to improve the system and provide them a more convenient, accessible means by which to cast their votes.

Opponents of this proposal are quick to point out that there is already an absentee voting process in place. However, “snail mail,” as we now refer to it does not supply adequate time for the process to be effective. One out of every four overseas voters who have attempted to use that process did not have their votes counted. It takes approximately forty-two days for them to mail an absentee ballot application, have it processed, then be mailed a ballot, vote, and return it. That translates to basically one and a half month's time.

If twenty-five percent of any other profession were not allowed to vote or their votes were not counted, there would be outcries of injustice and discrimination. There would be protests in the streets, boycotts and total pandemonium would ensue, as it should.

So where is the outcry of injustice for our men and women in uniform, who have put their lives on hold, taken precious time away from their families, trained to live in temperatures and under

conditions we would never dream of living under any day, much less every day? Where are their rights? They pay taxes here and should have a voice in how they are governed including, but not limited to, how their tax dollars are spent. They should also have a voice in deciding who their Commander-in-Chief will be. We must give them their right to vote at home while they are serving abroad.

My staff and I placed before the Alabama Legislature HB 183 that would include faxing voter applications and make the process available for those Alabamians overseas to vote in the upcoming election. Most states already have the assistance of facsimile and it helps, but it does not help enough.

There are only one hundred forty-four business days until this nation elects a new President. Let there be a resounding sense of urgency among us today.

HR5673 would provide an immediate solution to this urgent need by directing the Presidential designee under UOCAVA to establish procedures for picking up and delivering ballots with tracking accessibility to ensure the votes are counted. However, it does not dismiss the need for notaries or witnessed signatures nor does it allow the acceptance of anything short of a crumpled napkin with a name scribbled on it. There must be a certain level of integrity maintained in this sacred process.

The key to HR5673 as I see it is to carefully open the democratic process much like a surgeon operates on a vital organ in the body. He opens it up, cuts through the surface and maneuvers around the tiny vessels without nicking a major artery. Likewise, we must open the democratic process just enough to repair it – to expedite the military’s vote without opening it wide enough to bleed it of its integrity and risk the infectious disease of fraud. It is a life-threatening surgery of the democratic process we must perform and the question remains is it worth the risk? I say in an effort to provide democracy to the very defenders of that democracy itself it is.

HR5673 provides an opportunity to quickly provide the military their vote without jeopardizing those of an entire nation, thus ensuring that those who fight to protect our right to vote get to cast their own.

###

Beth Chapman is Alabama’s 51st Secretary of State and can be reached at beth.chapman@sos.alabama.gov, or (334)-242-7200.