



U.S. ELECTION ASSISTANCE COMMISSION
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Section 246 of the Help America Vote Act of 2002 (HAVA) directs the U.S. Election Assistance Commission (EAC) to study:

“the feasibility and advisability of the establishment of a program under which the Postal Service shall waive or otherwise reduce the amount of postage applicable with respect to absentee ballots submitted by voters in general elections for Federal office (other than balloting materials mailed under section 3406 of title 39, United States Code) that does not apply with respect to the postage required to send the absentee ballot to voters.”¹

In 2007, EAC hired a contractor to conduct a national survey and series of focus groups to further study the feasibility and advisability of providing free or reduced postage for absentee ballot transmission.² Pursuant to Section 246(a)(2), EAC requested information about potential beneficiaries of such a program, including the elderly and persons with disabilities. EAC accepted the study on February 7, 2008.³ The national survey, which included a sample of 1,205 adults, was conducted in August 2007. Additionally, nine focus groups were held with individuals from the disabilities, senior, and low-income communities.⁴

This memorandum provides EAC’s summary of the study findings, updates those findings to account for the rapidly changing absentee voting rate as observed in the 2008 election, and provides recommendations to Congress regarding the advisability and feasibility of establishing a free or reduced postage program for absentee voters.

The Absentee Voting Population

Casting a vote via absentee ballot is a method available in all States. However, some States limit the use of absentee voting to those voters who provide a reason or an excuse for their inability to cast a ballot on Election Day at a polling place. Eligible reasons for voting absentee in these States may include illness, absence from the jurisdiction on Election Day, and extended work

¹ 42 U.S.C. §15386(a)(1)

² In keeping with the language in HAVA, the term “absentee ballot” and “absentee voting” will be used in this report. Absentee voting, which may or may not require an excuse, is sometimes referred to as vote-by-mail, absentee vote-by-mail, or traditional absentee (see Gronke, P, et.al. 2008. “Convenience Voting” in *Annual Review of Political Science*). Absentee voting, as used in this report, is defined as voters receiving a paper ballot by domestic mail and returning that ballot to the appropriate elections office prior to or on Election Day through domestic mail.

³ See 42 U.S.C. § 15386(a)(2) for a description of the study requirements; See www.eac.gov for the transcript of the public meeting at which the Commission accepted the report.

⁴ For more information about the survey respondents and focus group participants see: U.S. Election Assistance Commission *Free or Reduced Postage for the Return of Absentee Ballots* (accepted report, February 2008).

schedules during the hours polling places are open. By contrast, some States have expanded the use of absentee voting to any voter, regardless of the reason. This type of absentee voting is commonly called “no-excuse absentee voting.”

State laws regulating absentee voting have had a profound impact on voting practices, suggesting that voters are responsive to options offered to cast their ballots in a nonconventional way.⁵ Over the past decade, a substantial number of States have modified their absentee voting laws to allow voters to cast absentee ballots without an excuse.⁶ Presently, there are 29 such no-excuse absentee ballot States.⁷ In addition, in 2008 two States conducted elections entirely by mail.⁸ In 2004, 12.1% of all ballots cast were done so by mail,⁹ this increased to 13.8% in 2006.¹⁰ Approximately 22.2 million votes or 16.6% of all votes cast in 2008 were through domestic mail.¹¹

Based on the results of a national survey of voters conducted as part of the EAC absentee postage study referenced above, Americans are generally favorable to the idea of allowing voters to cast their ballots by mail prior to Election Day, with 65% indicating they favored such an option while 25% were opposed. Respondents with disabilities were much more supportive of voting by mail, with half claiming to “strongly favor” such an option. There were no significant differences in support for absentee voting among varying age groups. Among the individuals participating in focus group sessions on this topic, lower income voters were particularly supportive of the mail option, noting the difficulties associated with making it to the polling place on Election Day due to work schedules.¹²

Section 246 of HAVA directs EAC to analyze the potential impact of free or reduced postage for absentee ballots, specifically as it relates to voters who are elderly or who have disabilities. However, States do not request or have other means of determining for some voters whether they have a disability. As a result, it is difficult to know how many individuals in a no-excuse absentee State, for example, receive ballots due to their convenience versus some other reason. Based on States that required an excuse to cast an absentee ballot in 2008, 8.7% of all votes cast were estimated to be done so by voters with a valid excuse that rendered them unable to make it

⁵ See Gronke, P, et.al. 2008. “Convenience Voting” *Annual Review of Political Science*. 11:437-55.

⁶ See Cemenska, N, et.al. 2009. *Report on the 1972-2008 Early and Absentee Voting Dataset*. The Pew Charitable Trust.

⁷ See National Conference of State Legislatures. (November 2009). *Absentee and early voting*. Retrieved from <http://www.ncsl.org/default.aspx?tabid=16604>;

⁸ The State of Washington conducted elections by mail in all but two of its counties in 2008. Oregon conducts its elections entirely by mail. Also see U.S. Election Assistance Commission *2008 Election Administration and Voting Survey*.

⁹ See US Election Assistance Commission. (2005). *Final report of the 2004 Election Day Survey*. Washington DC: United States Election Assistance Commission.

¹⁰ See US Election Assistance Commission. (2007). *The 2006 Election Administration and Voting Survey*. Washington DC: United States Election Assistance Commission.

¹¹ See US Election Assistance Commission. (2009). *2008 Election Administration and Voting Survey*.

¹² For more information about the survey respondents and focus group participants see: U.S. Election Assistance Commission *Free or Reduced Postage for the Return of Absentee Ballots* (accepted report, February 2008).

to the polling place on the day of election.¹³ What is unknown, however, is how many of these absentee voters were elderly or persons with disabilities.

Absentee Voting, Free Postage, and Turnout

When asked whether being able to vote by mail before Election Day with free postage would make them more or less likely to vote, approximately 30% of survey respondents in the EAC study believed that free postage would make them more likely to vote in an election. However, two-thirds of respondents indicated that free postage would have no impact on their likelihood of voting.

The possibility of free postage appeared to resonate more with 18-29 year-old survey respondents (40% more likely to vote) compared to those over 65 (17% more likely to vote). Interestingly, 75% of those categorized as elderly indicated that they would still vote by mail even without the benefit of free postage.

Respondents who self-identified as having a disability demonstrated a similar likelihood of voting with free postage as compared to the rest of those surveyed, suggesting that the appeal of the program had no greater effect on individuals with disabilities compared with other respondents. In fact, individuals with disabilities were much more likely than other respondents to indicate that they would vote by mail even without the benefit of having free postage (89%).

Overall, 19% percent of the respondents who believed free postage would make them more likely to vote indicated that without such a program they would vote in person. Only 9% of respondents indicated that without a free postage program there was a significant chance they would not vote in an election.¹⁴

Absentee voting can comprise anywhere between 2.9% to 100% of all ballots cast in a given State. Conventional wisdom suggests that convenience voting practices such as absentee voting is that they increase overall voter participation in elections. However, research on the effect of absentee voting on voter participation has been mixed,¹⁵ in part due to the wide variety of practices employed by States. Therefore, it should be noted that any effects of free or reduced absentee postage on voter participation will necessarily be qualified by who is eligible to vote absentee under State law. For example, States that require an excuse to vote absentee may find that free or reduced absentee postage has a limited effect on voter participation because there is

¹³ See McDonald, M.P. (2010, May 1). *(Nearly) final 2008 early voting statistics*. Retrieved from http://elections.gmu.edu/Early_Voting_2008_Final.html

¹⁴ Results from the accepted study's national survey and focus groups showed that low-income voters would likely be the greatest beneficiaries of any such program. Lower income voters were more than twice as likely to report that without the program they might not be able to vote as compared with middle and higher income voters (16% versus 6%).

¹⁵ See Gronke, P., Galanes-Rosenbaum, E., & Miller, P.A. (2008). Early voting and voter turnout. In Cain, B.E., Donovan, T., & Tolbert, C.J. (Eds.), *Democracy in the states: Experiments in election reform* (68-82). Washington DC: Brookings Institution Press; Leighley, J. and Nagler, J. (2009). *The Effects of Non-Precinct Voting Reforms on Turnout 1972-2008*.

an eligibility requirement (excuse) for casting a ballot by mail – a requirement that does not exist in no-excuse absentee voting States.

Estimated Costs for a Free Postage Program

Due to the variety of existing absentee voting practices across the country and variation in the number of ballot pages, the cost required by such a program would vary by State and even by county. According to the EAC-commissioned absentee postage study, an average printed ballot in the U.S. can weigh up to 3 ounces or more and at current postal rates; each piece of mail may cost as much as \$2.01 for a returned ballot. (A 3 or 4 ounce ballot would be about \$1.31 each plus the cost of a returned Postage Paid envelope for a total of \$2.01 each.)

In the 2008 general election, States reported that 23,733,439 million absentee ballots were returned to election officials.¹⁶ Using the 2008 election as a benchmark and the \$2.01 cost per returned ballot, the expense of a free postage program could be as much as \$47,704,212 nationwide in a presidential election year.

In the 2008 primaries, 60.3 million votes were cast.¹⁷ Assuming that voters would cast a similar proportion of absentee ballots in subsequent primaries during a presidential election year at \$2.01 per mail vote, the cost of free postage in a presidential primary season could be \$20.1 million. Thus, in a presidential election year the free postage program could cost approximately \$67.8 million. If voter participation were to increase with the use of free or reduced postage for absentee voting, the cost would likely increase. Further, as Postal rates increase, the overall cost of administering a free postage program for absentee voting would also increase.

If the cost for voters to return their absentee ballots were reduced to a flat rate of one first-class stamp (currently \$.44), the cost of a reduced postage program for the primary and general elections could be as much as \$14.8 million based on 2008 absentee ballot return rates. This cost would increase as the cost of a first-class stamp increases.

Recommendation

Section 246 of HAVA requires EAC to offer legislative and administrative recommendations to Congress concerning the free or reduced postage program for absentee ballots. HAVA also requires EAC to provide recommendations to Congress on how a reduced or free absentee postage program could target elderly individuals and persons with disabilities, and ways to increase voter participation for these two groups.

Based, in part, on results from the absentee postage study, and EAC discussions with State and local election officials, and representatives from the U.S. Postal Service,¹⁸ **EAC recommends**

¹⁶ See US Election Assistance Commission, *supra* note 10.

¹⁷ See McDonald, M.P. (2008, October 8). *2008 Presidential nomination contest turnout rates*. Retrieved from http://elections.gmu.edu/Turnout_2008P.html

¹⁸ U.S. Election Assistance Commission, Working Group. (2010, May 10) Washington, D.C.; also see EAC public meeting testimony at http://www.eac.gov/News/docs/02-07-08-testimony-mitch-king-free-absentee-postage-public-meeting/attachment_download/file

not establishing a free or reduced postage program due to program costs and logistical challenges involved in implementing this type of program nationally.

Costs

The estimated \$67.8 million cost for a free absentee postage program for Federal general elections (which does not include other likely start-up costs to establish and administer such a program nationally) is significant given the current overall national economic climate.

The United States Postal Service and Postal Regulatory Commission have indicated that the Postal Service is not in a financial position to handle the costs of a Federal program to provide free or reduced postage for absentee ballots. Given the multibillion dollar shortfall the Postal Service is experiencing, neither the Postal Service nor the Postal Regulatory Commission would support any program that calls for the Postal Service to bear the cost of a free or reduced postage program.¹⁹

A recommendation that States or localities absorb the cost of postage for a free or reduced postage program could prove equally as challenging. Although a few States currently pay the cost of return postage on absentee ballots,²⁰ it is unlikely that the vast majority of States and localities could afford the costs associated with a free or reduced postage program. While EAC has no documentation, it has been reported to EAC that State and local jurisdictions have encountered problems obtaining reduced postage for election-related materials on an equitable basis.

Moreover, States would likely incur costs related to additional staffing to handle the administrative and tracking components of such a program, as well as costs associated with voter information campaigns to raise awareness about the free or reduced postage program. A program that potentially increases States' and locals' administrative costs at a time when they are experiencing budgetary cuts and staffing shortages is a major concern.

Program Implementation

The reality of mail voting in most of the country makes the targeting of voters with disabilities and the elderly a difficult task. State laws vary concerning which voters may cast absentee ballots by mail; and two States conduct elections entirely by mail. A major challenge for any program to reduce or eliminate the cost of postage on absentee ballots would be the targeting of the elderly and persons with disabilities within the larger population of absentee voters.

For example, some voters' disabilities may not be readily identifiable. How would election administrators implement a free or reduced postage program that would likely require voters

¹⁹ U.S. Election Assistance Commission, Working Group. (2010, May 10) Washington DC.

²⁰ Hawaii, Minnesota, Nevada, and West Virginia. Some localities also pay the cost of postage, such as in Iowa where counties are mandated to pay the return postage on absentee ballots or Arizona where some counties pay the cost of return postage.

with disabilities to self-identify – something many prefer not to do?²¹ Making distinctions based on characteristics of one group over another may expose the postage program to legal challenges.

The variety of State absentee voting laws defy any easy method for implementing a federally funded program that is equitable to all States. While States that require an excuse to vote absentee could possibly reserve free postage for targeted groups such as the elderly and persons with disabilities, the majority of States with no-excuse absentee voting may not make such a distinction and would have no records or administration in place to identify these individuals when dispensing free postage for absentee ballots. Therefore, a postage reduction program for absentee ballots that attempts to selectively target voters with disabilities, the elderly or other individuals in need, would likely face administrative and operational difficulties and costs exceeding the expense of providing free postage to all individuals casting an absentee ballot.²²

Voter confusion about when voters would be allowed to partake in such a program (Federal versus non-Federal elections) would be another concern. One of the key findings from the EAC-commissioned study was that voters are already confused about how absentee voting works. Adding the complexities of a free or a reduced postage program would not help to clarify matters, in all probability.

Conclusion

Based on the information above, EAC respectfully concludes that establishment of a free or reduced postage program for the elderly and individuals with disabilities is not advisable at this time.

Aside from a variety of concerns about the overall costs and program implementation throughout the country, EAC's research did not show that such a program would yield the results Congress seeks among the elderly and individuals with disabilities. The study's survey results indicated that such a program, while perhaps convenient, would not increase their likelihood of voting, as large majorities of each group stated that they would still vote by mail even without the benefit of having free postage.

Although the results from the study did not suggest voter participation of the elderly and individuals with disabilities would be significantly impacted, there are other ways to target these groups in an effort to ensure their participation in the voting process. For example, EAC produces an assortment of materials, such as its Successful Practices for Poll Worker Recruitment, Training, and Retention Manual, Election Management Guidelines (EMGs), and Quick Start series. These materials offer election officials information and suggestions for

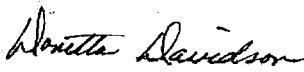
²¹ See Olney, M, Kennedy, J., Brockleman, K., & Newsom, M. (2004). Do you have a disability? A population-based test of acceptance, denial, and adjustment. *Journal of Rehabilitation*, 70 (1), 4-10.

²² Consider, for example, that no-excuse absentee voting States and States that vote by mail would have to collect data on individuals' reasons for voting absentee which currently do not exist. A system would need to be maintained specifying which individuals were exempt from postage versus those that were not. And in terms of sending out ballots, two different envelopes would need to be printed (one with the postage waiver for targeted groups and one without the postage waiver); the envelopes would then need to be mailed to the correct individuals.

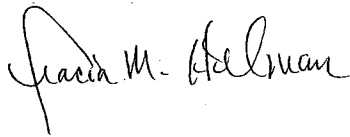
outreach to key voter constituencies. The EMGs on Polling Place and Vote Center Management, Building Community Partnerships, Technology in Elections, and Accessibility, as well as the Quick Start on Serving Voters in Long-Term Care Facilities consider outreach to the elderly and/or voters with disabilities and their involvement in the voting process. All of the aforementioned items can be found on EAC's website, www.eac.gov. EAC's new Accessible Voting Technology grant program, once complete, will also be a source of critical information and guidance on how to make voting more accessible for voters with disabilities.

EAC welcomes the opportunity to further discuss these findings, recommendation and its advice should it be of interest to you.

Sincerely,



Donetta Davidson
Chair



Gracia Hilman
Commissioner



Gineen Bresso
Commissioner