On May 1, 2019, Gov. Steve Bullock signed Senate Bill 124 into law. Introduced by Sen. Dee Brown, SB 124 allows Uniformed and Overseas Citizens Absentee Voter Act, or UOCAVA, voters to use a digital signature via Common Access Card, or CAC, during the registration and voting process. This bill will become effective on Oct. 1, 2019.

Montana recognized that UOCAVA voters may not always have access to printers, scanners, and sometimes regular mail. This puts them at a disadvantage in casting their ballot each year. By allowing the use of a CAC, states that authorize the electronic return of election materials can offer our military personnel stationed away from their Montana homes a more seamless way to apply for an absentee ballot. The Department of Defense already leverages this infrastructure so it is a low-cost option and each signature can be validated through published certificates.

A CAC is a “smart card” and is about the size of a credit card. It is the standard identification for active duty uniformed service personnel, Selected Reserve, DoD civilian employees, and eligible contractor personnel. Each CAC includes a digital signature certificate that is used consistently throughout the daily lives of our active duty personnel and within the department. As states continue to authorize digital signatures for other sectors, the world of elections often lags even though various documents can be accepted electronically. With the enactment of this legislation, Nevada, and now Montana, are leading the way to make the absentee ballot process more seamless for our military when they are trying to navigate the absentee voting process. Rather than having to print, sign with ink, and scan documents for return, these voters can leverage the Department of Defense protocols to eliminate the paper component as well as increase security by verifying digital signatures coming in from military personnel.

The Overseas Voting Initiative, or OVI, created through a cooperative agreement between The Council of State Governments and the Department of Defense’s Federal Voting Assistance Program, provided technical assistance in Montana after the bill drafter reached out. OVI provided copies of their end of project report, which addressed the use of digital signatures and CACs. OVI Program Manager and National Guard Member Taylor Lansdale also provided his anecdotal experience using CAC to digitally sign documents. Additionally, the OVI facilitated discussions between the bill drafter and Justus Wendland, Help America Vote Act Administrator for the state of Nevada. Wendland provided his insight into the implementation of CAC usage following Nevada’s passage of a similar bill in 2013. Since the implementation of the CAC, the number of voted UOCAVA ballots rejected in Nevada has decreased by 70 percent. Wendland also noted Nevada now has one of the highest rates for both UOCAVA ballots returned and UOCAVA ballots counted, which translates into voter confidence and satisfaction. As an added security measure, all of Nevada’s state and local election officials utilize digital signatures and certificates on email correspondence. Not only does this provide voters with added confidence in knowing that received communication and documents are actually from a Nevada election official, but they can also be validated as authentic. A UOCAVA voter who has been issued a CAC would be able to log on to the Montana Electronic Absentee System, or EAS, to complete
the online voter registration and ballot. By using the CAC to provide a digital signature Montana eliminates the necessity of printing, signing, and scanning the application and ballot back to the computer for transmission back to the Montana voting jurisdiction. By streamlining the process and removing an extra step to the process, just one more barrier is overcome in support of our military personnel's ability to vote.

Just as Nevada before them, CSG applauds the leadership of Gov. Bullock, Sen. Brown and the Montana legislature for enacting this legislation.

To read more about our work on Digital Signatures and CAC usage in the voter registration process, read our report here [3].