

# ELECTION OFFICIAL NEWS

## Military and Overseas Voting

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## Making It Easier for Uniformed and Overseas Citizens to Vote

It is the vision of the Federal Voting Assistance Program (FVAP) that:

- all U.S. citizens are aware of their right to vote;
- all Uniformed Service members and their voting-age family members, and all U.S. citizens residing outside the U.S. have an opportunity to vote, and to have their vote counted; and,
- all states and territories adopt legislation and procedures to make the absentee voting process simple and uniform for all citizens covered by the *Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA)*.

For more than 25 years, the Director of FVAP has sent letters to the Chief Election Officials of each state and territory to recommend specific areas in which that state could ease the voting burden faced by *UOCAVA* citizens. FVAP Program Analysts, working closely with state and local election officials, identify areas that can be improved and develop legislative initiatives for each state. FVAP also provides sample legislative language regarding these issues to be considered by the state legislative body.

FVAP has enjoyed many success via close working relationships with state election offices and state legislators. The following initiatives are being pursued this year, where applicable, in each state and territory:

### **The Need for 45-Day Ballot Transit Time**

One of the most frequent problems faced by citizens that live outside the U.S. is that they do not receive their absentee ballots in time to mark the ballot and return it to their state by the election deadline. FVAP recommends a minimum of 45 days between the date the ballot is mailed to the citizen and the due date by which the citizen must return the voted ballot to the local election official for it to be counted.

### **Elimination of Notary and Notary Requirements**

Obtaining notarization of voting materials can be difficult and quite expensive in some foreign countries. Elimination of any notary or witnessing requirement would allow citizens to execute a self-administered oath on all voting materials.

### **Accept Ballot Date and Signature in Lieu of Postmark**

Although *UOCAVA* voters may have mailed their ballot in time, the ballot envelope may not have been postmarked on that date. By signing and dating the ballot the voter, is certifying that their ballot was voted before the close of polls on



### **What You Can Do!**

Go to FVAP's website at <http://fvap.gov/reference/laws/state-initiatives/index.html> for a copy of the legislative initiatives that apply to your state.

After reviewing the initiatives, discuss these issues with your state's Chief Election Official and representatives in your state legislature. Give them your input on how adoption of these initiatives into law or election procedures will make it easier for our *UOCAVA* citizens to participate in the absentee voting process.

## **Expanded Use of the Federal Write-In Absentee Ballot (FWAB)**

Under *UOCAVA*, the FWAB must be accepted in general elections for Federal offices only. This initiative proposes expanding the FWAB's use to include special, primary and run-off elections when citizens cannot receive regular ballots in a timely manner. In addition, since the FWAB affirmation sheet contains much of the same information found on the Federal Post Card Application, it can be accepted simultaneously for voter registration and as an absentee ballot request for future elections.

## **Special State Write-In Absentee Ballots**

This legislative proposal allows citizens stationed in remote locations who are unable to receive regular absentee ballots sent in the normal time frame, to use a Special State Write-In Absentee Ballot which provides a full slate of offices. Such a ballot would be sent to the voter 90-180 days before the scheduled election.

## **Electronic Transmission of Election Materials**

FVAP encourages all states to use fax and email as an alternative transmission method for balloting materials between local election officials and voters. Use of electronic transmission of election materials minimizes any delays in getting ballots to the voter and in receiving voted ballots back from the voter.

## **Enfranchise Citizens Who Have Never Resided in the U.S.**

Approximately 50,000 voting age children of U.S. citizens have never resided in the U.S. and are not entitled to vote under current law in many states. While they are subject to all other requirements of citizenship, they are not eligible to vote. FVAP is asking the states to allow these citizens to vote where either parent is currently eligible to vote.

## **Emergency Authority for Chief Election Official**

Granting emergency authority to the chief election official (CEO) in the state or territory would allow the CEO to designate alternate methods for handling absentee ballots in times of a declared emergency, where *UOCAVA* citizens might otherwise be disenfranchised.

## **Late Registration Alternative**

Often the date a *UOCAVA* citizen returns to the U.S. and a state's registration deadline combine to disenfranchise the citizen. For example, if a Uniform Service member is released from active duty or an overseas citizen returns from overseas employment after the registration deadline but before the election date, they are not covered under *UOCAVA* and cannot vote by absentee ballot nor can they register to vote in the election as a resident citizen. Allowing these citizens to register past the regular deadline for registration, even on the day of election, would prevent their disenfranchisement.

In addition to promoting these initiatives, FVAP is working with the PEW Center on the States' Make Voting Work initiative and the Uniform Law Commission to draft a uniform state code concerning military and overseas voters.

The adoption of these provisions by states and territories will simplify and create greater uniformity in the absentee voting process, while maintaining the integrity of state law. These initiatives have and will continue to help our Uniformed Service members, their families, and U.S. citizens around the world vote absentee.

## **Have Military and Overseas Absentee Voting Questions?**

### **Contact FVAP:**

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