

Report of the
U. S. Election Assistance Commission
on
Best Practices for Facilitating Voting by U.S. Citizens
Covered by the
Uniformed and Overseas Citizens Absentee Voting Act
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In consultation with the
Federal Voting Assistance Program
Department of Defense

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EXECUTIVE SUMMARY

The *Help America Vote Act of 2002 (HAVA)* (Public Law 107-252, Section 242, dated October 29, 2002), directs the Election Assistance Commission, in consultation with the Secretary of Defense, to conduct a study on the best practices for facilitating voting by absent Uniformed Services voters (as defined in section 107(1) of the *Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA)*) and overseas voters (as defined in section 107(5) of such Act). *HAVA* provided a number of issues to consider in conducting the study. Highlights of the areas covered in this report are as follows:

- The *National Defense Authorization Act for Fiscal Year 2002 (NDAA FY-02)* (Public Law 107-107) guarantees state residency for military personnel.
- *UOCAVA* ensures the rights of absent Uniformed Services voters and overseas voters to register to vote and cast absentee ballots for Federal offices. Citizens covered by the *UOCAVA* have the right to a secret ballot through state law.
- *HAVA* amended the *UOCAVA* to prohibit states from refusing to process a registration and/or absentee ballot request from an absent Uniformed Services voter because the form came in too early in an election year.
- Thirty-two states and territories allow for a total of 45 days of transmission time for the absentee ballot and 27 states have a State Write-in Absentee Ballot to help to ensure the voter can cast a ballot in time to meet the state's ballot deadline.
- The Federal Voting Assistance Program's (FVAP's) post-election surveys and the U.S. Postal Service statistics indicate that a 45-day transit time is needed for absentee ballots sent through international mail or the military APO/FPO (overseas) post offices.
- FVAP helps to ensure the timely transmission of balloting materials to absent Uniformed Services voters and overseas voters by monitoring selected counties in each state prior to an election to help determine whether ballots are mailed in sufficient time according to state law and for the voter to receive, vote and return the ballot by the state deadline for casting votes.
- FVAP has developed a standard oath for state ballot return envelopes as required by the *HAVA*.
- *HAVA* amended the *UOCAVA* to allow for the use of a single application to request ballots through two subsequent general elections for Federal offices for citizens covered by *UOCAVA*.
- *NDAA FY-02* amended the *UOCAVA* to allow for the use of a single application to be used to request voter registration and to request an absentee ballot [see Section 102 (a)(4)].

- Forty-nine states and territories allow the use of facsimile machines to transmit absentee ballot applications.

Many states have developed best practices that enhance and facilitate absentee registration and voting by *UOCAVA* voters. This report serves as a vehicle to share these best practices with other state and local election officials who administer absentee voting programs for these citizens.

RECOMMENDATIONS

After reviewing the studies and best practices provided by the Department of Defense Federal Voting Assistance Program and the information found in the FVAP *HAVA* Interpretive Memo (Exhibit 1), the U.S. Election Assistance Commission recommends that each state:

- Mail absentee ballots at least 45 days prior to the deadline for receipt of voted absentee ballots. While many states already do this, a significant number do not mail ballots out until 30 days before the election. If the official ballot is not available by this time, military and overseas voters have a short period of time to receive, vote, and return their absentee ballots in order to be counted in the regular absentee ballot delivery process. Even though electronic transmission of election materials offers an alternative to speed ballot transit time, inadequate ballot transit time through the mail remains the primary obstacle to timely delivery of absentee ballots for those *UOCAVA* citizens who request them.
- Encourage further use of faxing and e-mail in the distribution of absentee ballots (see Section J of studies conducted), continue working with local U.S. post offices to expedite ballots, and consider alternative mailing methods such as U.S. Global Priority/Express Mail. *UOCAVA* voters are often in locations around the world that do not have timely or reliable mail delivery. Election officials can work with the FVAP to explore ballot delivery approaches that address these circumstances. (*HAVA* Title II, Section 241)
- Perform an internal survey of their election jurisdictions to determine compliance with state law for the mailing of absentee ballots to *UOCAVA* citizens. State elections officials are in the best position to help to ensure that sufficient time is allowed for distribution and return of absentee ballots to *UOCAVA* citizens.
- Ensure local election offices are aware of *UOCAVA* issues. Having a designated contact at the local level would simplify the dissemination of *UOCAVA* information and communications for *UOCAVA* voters to help ensure quality information is being provided. This is consistent with the *HAVA* goal of promoting methods of election administration that are convenient, accessible and easy to use for voters. (*HAVA* Title VII, Section 702)
- Prepare a *UOCAVA* voter guide for publication on their website and in hard copy to distribute to voters. This could be as simple as a one page flier such as Minnesota and Nebraska have done, or a more comprehensive booklet such as Indiana's. There is a great

deal of information that can be incorporated directly from the FVAP's website and other materials to minimize the amount of effort required. Providing a simple description of the *UOCAVA* process along with local election office contact information provides all the information a voter needs to register and/or make an absentee ballot request. (*HAVA* Title VII, Section 702) Local election offices should link to this state information on *UOCAVA* and should have hard copies for distribution. State and local websites should be made accessible to disabled *UOCAVA* citizens.

- Provide on their elections website procedures for *UOCAVA* citizens to follow pertinent to that state, as illustrated in Exhibit 7, the Texas Secretary of State Elections Division homepage (<http://www.sos.state.tx.us/elections>). Since *UOCAVA* voters are located all over the globe, using the Internet is often the quickest and most convenient method for them to access information. It is important that information be easy to find and concisely presented since many forward deployed military voters, in particular, have limited time slots for Internet usage. (*HAVA* Title VII, Section 702)
- Ensure that election officials throughout the state receive training in the provisions of *UOCAVA*. Citizens covered by *UOCAVA* constitute approximately 3% of the U.S. voting age population. Consequently, some local election officials may not have much experience with this process. Training of local election officials will help ensure better service to this category of voters. FVAP trains local election officials at state conferences, provides a special section for local election officials on their website, and distributes a monthly memo to state and county election officials on *UOCAVA* issues. FVAP also provides policy guidance and recommended practices through interpretive memos, letters to state officials, a newsletter for Voting Assistance Officers and presentations at meetings of national and international election official organizations. (*UOCAVA* Title I, Section 101)
- Each state that requires postmarking on the ballot return envelope, consider using the date the voter provides on the envelope with his/her signature as evidence of when the voter cast the ballot. This avoids the problem of a ballot return envelope not being properly postmarked or the postmark being difficult to read. As further proof that this is the date the voter cast the ballot, the voter may be required to sign an oath attesting to the truth and accuracy of the information he/she has provided. (*HAVA* Title VII, Section 701)
- Consider changing election dates where necessary to allow sufficient time for local offices to print ballots and for the voter to receive, vote and return the ballot. In some states, primary election dates may be too close to the general election period to allow adequate time for preparing and mailing absentee ballots so they can be received and returned by the voters. (*HAVA* Title II, Section 241; *UOCAVA* Title I, Section 102)
- Provide a State Write-In Absentee Ballot to ensure *UOCAVA* citizens without access to regular mail service can cast a ballot. States should consider automatically mailing such ballots to voters if regular ballots are not available at least 45 days in advance of an election.

INTRODUCTION

This report contains a number of studies that were directed by the *HAVA* of October 29, 2002. The Federal Voting Assistance Program (FVAP) conducted these studies subsequent to the passage of this *Act* to forward to the Election Assistance Commission (EAC) to meet the requirements of the *HAVA*.

The EAC and FVAP appreciate the contributions made by state officials nationwide in the preparation of this report. Through the passage of legislation and utilization of technical innovations at the state level, the absentee voting process for Uniformed Services and overseas citizens has been greatly improved.

STUDIES CONDUCTED

(As required by Public Law 107-252, Section 242, dated October 29, 2002)

(A) The rights of residence of uniformed services voters absent due to military orders.

In 2001, Section 1603 of the *NDAA FY-02* amended the Soldier's and Sailor's Civil Relief Act of 1940 to guarantee state residency for military personnel by stating that:

(a) For purposes of voting for any Federal office or a State or local office, a person who is absent from a state in compliance with military or naval orders shall not, solely by reason of that absence –

- (1) be deemed to have lost residence or domicile in that State, without regard to whether or not the person intends to return to that State;
- (2) to be deemed to have acquired a residence or domicile in any other State; or
- (3) to be deemed to have become a resident in or a resident of any other State.

(b) in this section, the term State includes a territory or possession of the United States, a political subdivision of a State, territory, or possession, and the District of Columbia.

The FVAP in the Department of Defense provides general guidance on residency issues to citizens covered by the *UOCAVA* through its training workshops, website and printed informational materials.

(B) The rights of absent uniformed services voters and overseas voters to register to vote and cast absentee ballots, including the right of such voters to cast a secret ballot.

Members of the Uniformed Services, the merchant marine and their eligible family members and all U.S. citizens overseas are able to vote for Federal Offices under the *UOCAVA*. Further, states allow members of the Uniformed Services, their family members and members of the merchant marine and their family members, who are U.S. citizens, to vote absentee in state and local

elections as well as for Federal Offices. Voting assistance officers at military installations, embassies and consulates and U.S. citizen organizations assist citizens covered by *UOCAVA* with materials and instructions produced by the FVAP on the absentee voting process.

The registration and absentee voting procedures and deadlines vary from state to state. The FVAP's biennial *Voting Assistance Guide* is a compendium of these absentee voting procedures. The *Guide* is distributed widely through the FVAP website (updated as necessary) and in hard copy to Voting Assistance Officers in the Uniformed Services, the U.S. Department of State, other Federal executive branch agencies, overseas citizen organizations and individuals covered by the *UOCAVA*.

Citizens covered by the *UOCAVA* have the right to a secret ballot through state law. If the voter determines there is not sufficient time to return the ballot by mail and the state allows receipt of a voted ballot by fax, the voted ballot may be transmitted by fax. The voter must waive the right to secrecy of the ballot and sign a statement on the fax transmittal cover page indicating, "I understand that by faxing my voted ballot I am voluntarily waiving my right to a secret ballot."

The FVAP also works with the states on suggested legislative initiatives to facilitate the absentee voting procedures for citizens covered by the *UOCAVA* while maintaining the integrity of the process.

(C) The rights of absent uniformed services voters and overseas voters to submit absentee ballot applications early during an election year.

UOCAVA was amended in 2002 by Section 706 of the *HAVA* to prohibit states from refusing to process a registration and/or absentee ballot request from an absent Uniformed Services voter (defined as a member of a Uniformed Service or merchant marine and a spouse or dependent of these members) because the form came in too early in an election year:

(e) PROHIBITION OF REFUSAL OF APPLICATIONS ON GROUNDS OF EARLY SUBMISSION. —A State may not refuse to accept or process, with respect to any election for Federal office, any otherwise valid voter registration application or absentee ballot application (including the postcard form prescribed under section 101) submitted by an absent Uniformed Services voter during a year on the grounds that the voter submitted the application before the first date on which the State otherwise accepts or processes such applications for that year submitted by absentee voters who are not members of the Uniformed Services.

The FVAP informed the states of this requirement through a published interpretive memorandum on the *HAVA* sent to each state chief election official (see Exhibit 1 and <http://www.fvap.gov/leo/havamemo.pdf>) as well as presenting the information at national level meetings of state and local election officials.

Six states still have laws requiring a "not earlier than" date for the receipt of absentee ballot requests (American Samoa, Georgia, Michigan, Montana, Ohio and Washington). It is the

understanding of the FVAP that these states will hold the individual's application form for processing on the date specified by state law.

(D) The appropriate preelection deadline for mailing absentee ballots to absent uniformed services voters and overseas voters.

The laws in 32 states and territories allow for a total of 45 days transmission time for absentee ballots to be mailed to the citizen and for the citizen to return the voted ballot. This includes time given after Election Day for absentee ballots to be returned as long as they are voted by the day of the election. These states are listed in Exhibit 2.

Also, 27 states have State Write-in Absentee Ballots available between 30 and 180 days before an election to help ensure the voter can cast a ballot in time for the election. These states are listed in Exhibit 2.

These ballots are designed for military and overseas citizens who because of a military contingency or location in a remote area will not be able to receive regular mail service during the period before an election when the regular state ballots are normally mailed and received.

The FVAP works closely with the states on suggested legislative initiatives to facilitate the absentee voting procedures for citizens covered by the *UOCAVA* while maintaining the integrity of the process.

(E) The appropriate minimum period between the mailing of absentee ballots to absent uniformed services voters and overseas voters and the deadline for receipt of such ballots.

The most persistent problem that continues to face military and overseas voters is the extremely short period of time these voters have to receive, vote, and return their absentee ballots in order to be counted. FVAP post-election surveys and U.S. Postal Service statistics indicate that a 45-day transit time is needed for absentee ballots sent through international mail or the military APO/ FPO (overseas) post offices. This round trip transit time is especially necessary because of the remote location and mobility of many military personnel and overseas citizens such as sailors and marines aboard ship, airmen and sailors at isolated tracking sites around the world, as well as Department of State personnel, citizen employees of American multinational corporations and other U.S. citizens living and working in remote areas.

Since 2002, local election officials in several states, including Illinois, Mississippi, Virginia, and Washington, have e-mailed unvoted ballots to overseas voters. The states required that the voted ballot be returned by mail, or in some cases allowed the voted ballot to be returned by facsimile transmission.

(F) The timely transmission of balloting materials to absent uniformed services voters and overseas voters.

The FVAP monitors selected counties in each state prior to an election to help determine whether ballots are mailed in sufficient time according to state law for the voter to receive, vote and return the ballot by the state deadline for casting votes.

If for some reason states are unable to mail absentee ballots within these timeframes, FVAP will work with the state on an ad hoc basis to allow alternative arrangements such as expedited mailing, late counting, use of the Federal Write-In Absentee Ballot (Exhibit 3) for other than general elections and Federal offices and faxing of ballots. At times, assistance from the Department of Justice, which has enforcement responsibility for *UOCAVA*, to file litigation to remedy violations of *UOCAVA* and to obtain remedies that ensure *UOCAVA* voters will be able to cast their ballots is requested.

Forty-nine states and territories listed in Exhibit 2 mail absentee ballots 30 or more days prior to all elections as follows:

Alabama	Iowa	New Hampshire	South Dakota
Arizona	Kansas	New Jersey	Tennessee
Colorado	Kentucky	New Mexico	Texas
Connecticut	Louisiana	New York	Utah
Delaware	Maine	North Carolina	Vermont
District of Columbia	Maryland	North Dakota	Virginia
Florida	Michigan	Ohio	Virgin Islands
Georgia	Minnesota	Oklahoma	West Virginia
Guam	Mississippi	Oregon	Wisconsin
Hawaii	Missouri	Pennsylvania	Wyoming
Idaho	Montana	Puerto Rico	
Illinois	Nebraska	Rhode Island	
Indiana	Nevada	South Carolina	

The *UOCAVA* establishes the Federal Write-In Absentee Ballot (FWAB) (Exhibit 3) to be used by *UOCAVA* voters outside the U.S. during general elections when these citizens have requested a regular state absentee ballot at least 30 days prior to the election and have not received the state ballot in time to be voted and returned to the appropriate local election official. The FVAP distributes and pre-positions this form worldwide to be available prior to elections. Unless otherwise authorized by the state, the FWAB is limited to federal offices. Eleven states have expanded the use of the FWAB to include its use as a registration form, an absentee ballot request and a ballot for other than general elections and/or other than Federal offices or for use from within the U.S. The states which have passed laws to include one or more of these FWAB expansions are Colorado, Connecticut, Iowa, Maryland, Montana, Nebraska, Oklahoma, Rhode Island, Texas, Virginia and West Virginia.

(G) Security and privacy concerns in the transmission, receipt, and processing of ballots from absent uniformed services voters and overseas voters, including the need to protect against fraud.

Ballots are transported from the local election official (LEO) to the voter and back from the voter using postage indicia mandated by the *UOCAVA* described in the United States Postal Service's Domestic Mail Manual section E080. The FVAP provides sample ballot transmission and return envelopes for use by local election officials when printing their envelopes (see <http://www.fvap.gov/leo/postal.html#envdes>).

Local election officials compare the signature on the voted ballot envelope with the signature on file to verify that the individual who initially registered is the same person who voted the ballot.

Local election officials use a variety of methods to protect the integrity of the process and identify attempts to reproduce and cast more than one ballot for a particular election. They include comparing the number of absentee ballots mailed out against the number of absentee ballots returned, using ballot stub numbers and manual examination of ballots for authenticity.

Individual voters also sign an affidavit on the Federal Post Card Application (FPCA) form (Exhibit 4) declaring that all the information stated on the form is true and that they are not registering or voting in any other jurisdiction in the United States. The Federal Post Card Application form is also available on-line at <http://www.fvap.gov/pubs/onlinefpcapdf>. The required information may be typed in the appropriate spaces on the on-line version of the form, which must be printed, signed, dated and placed in an envelope with proper postage and mailed to the local election official.

Finally, the ballot return envelope from states that require oaths has the following oath that the *UOCAVA* citizen is required to sign upon completion of the ballot:

I swear or affirm, under penalty of perjury, that I am:	
1. A member of the Uniformed Services or merchant marine on active duty; or an eligible spouse or dependent of such a member; or, A U.S. citizen temporarily residing outside the U.S.; or, Other U.S. citizen residing outside the U.S.; and	
2. I am a U.S. citizen, at least 18 years of age (or will be by the date of the election), and I am eligible to vote in the requested jurisdiction; and	
3. I have not been convicted of a felony, or other disqualifying offense, or been adjudicated mentally incompetent, or, if so, my voting rights have been reinstated; and	
4. I am not registering, requesting a ballot, or voting in any other jurisdiction in the U.S., except the jurisdiction cited in this voting form.	
In voting, I have marked and sealed my ballot in private and have not allowed any person to observe the marking of the ballot, except for those authorized to assist voters under State or Federal law. I have not been influenced.	
My signature and date below indicate when I completed this document.	
The information on this form is true, accurate, and complete to the best of my knowledge. I understand that a material misstatement of fact in completion of this document may constitute grounds for a conviction for perjury.	
Signed: _____	Date: _____
	Month/Day/Year
Witness(es) or Notary signature and date: [if required]	
Signed: _____	Date: _____
	Month/Day/Year

(H) The use of a single application by absent uniformed services voters and overseas voters for absentee ballots for all Federal elections occurring during a year.

The *UOCAVA* was amended in 2001 by Section 1606 of the *NDAA FY-02* and in 2002 by Section 704 of the *HAVA* to allow for the use of a single application to be used to request ballots for Federal offices in two subsequent elections for Federal offices:

SEC. 104. USE OF SINGLE APPLICATION FOR ALL SUBSEQUENT ELECTIONS.

(a) **IN GENERAL.** —If a State accepts and processes an official post card form (prescribed under section 101) submitted by an absent Uniformed Services voter or overseas voter for simultaneous voter registration and absentee ballot application (in accordance with section 102(a)(4)) and the voter requests that the application be considered an application for an absentee ballot for each subsequent election for Federal office held in the State through the next 2 regularly scheduled general elections for Federal office (including any runoff elections which may occur as a result of the outcome of such general elections), the State shall provide an absentee ballot to the voter for each such subsequent election.

The FVAP informed the states of this requirement through letters (see Exhibit 5) and a published interpretive memorandum on the *HAVA* (see Exhibit 1 and <http://www.fvap.gov/leo/havamemo.pdf>) sent to each state chief election official as well as presenting the information at national and state level meetings of state and local election officials.

In order to notify local election officials of their current mailing address, the FVAP will continue to recommend that *UOCAVA* citizens submit the official post card form (the FPCA, SF-76) (Exhibit 4) to their local election official annually in the month of January and whenever they move or change their mailing address.

(I) The use of a single application for voter registration and absentee ballots by absent uniformed services voters and overseas voters.

Section 1606 of the *NDAA FY-02* amended the *UOCAVA* in 2001 to allow for the use of a single application to be used to request voter registration and to request an absentee ballot. The *UOCAVA*, Section 102 (a)(4) now includes the following:

SEC. 102. STATE RESPONSIBILITIES.

(a) **IN GENERAL.** —Each State shall —

(4) use the official post card form (prescribed under section 101) for simultaneous voter registration application and absentee ballot application

The FVAP informed the states of this requirement through a letter to each state chief election official (see Exhibit 5) as well as presenting the information at national and state level meetings of state and local election officials.

(J) The use of facsimile machines and electronic means of transmission of absentee ballot applications and absentee ballots to absent uniformed services voters and overseas voters.

The FVAP operates an Electronic Transmission Service (ETS) to allow for electronic transmission of election materials between local election officials and citizens covered by the UOCAVA.

The ETS enables local election officials to transmit and receive election materials via fax or email to/from Uniformed Services members and overseas citizens. As a local election official, you may use the service at no cost.

The ETS can forward the documents as either a fax or email, whichever the local election official decides will best serve the voter. Also, citizens in the Uniformed Services and other citizens in 51 countries can fax election materials to their local election official toll free where state law allows (see <http://www.fvap.gov/services/faxing.html>).

Forty-nine states and territories allow for electronic transmission of the FPCA form (Exhibit 4) for registration and/or absentee ballot request; 32 states permit delivery of blank ballots to voters by facsimile or other electronic means; 23 states permit return of voted ballot by facsimile (11 of these restrict use to special circumstances). These states are shown in Exhibit 2 and may be found at: <http://www.fvap.gov/vao/etschart.html>.

Some state and local jurisdictions, where state law permits, are using e-mail as another alternative delivery method of ballots to citizens:

Florida	All Counties
Illinois	Chicago/Cook County
Louisiana	All Counties
Mississippi	Pearl River County
Virginia	All Counties for Active Duty Military Counties Opt In To Pilot Program For Other UOCAVA Citizens
Washington	Benton, Chelan, Clallam, Clark, Cowlitz, Douglas, Franklin, Grays Harbor, Jefferson, King, Kitsap, Klickitat, Lincoln, Mason, Pierce, San Juan, Snohomish, Spokane, Stevens, Thurston, Walla Walla, Whatcom & Yakima Counties

Los Angeles County, California has allowed voters to download ballots from their website using the citizen's zip code and return them by mail.

(K) Other issues related to the rights of absent uniformed services voters and overseas voters to participate in elections.

The following are some other best practices by states that the FVAP has recognized:

- Minnesota has a special brochure titled *Minnesota Military Absentee Voting* (see Exhibit 6). The brochure is available on their website at http://www.sos.state.mn.us/election/Military_Voting.pdf
- The Texas Secretary of State's Elections Division homepage (<http://www.sos.state.tx.us/elections>, Exhibit 7) is a good example of providing a separate section specifically for *UOCAVA* absentee voters that is readily seen and accessed.
- Leon County, Florida works with their National Guard Family Assistance Center in Tallahassee to ensure that all members know how to vote by sending them an information packet that includes election dates and all mail voting deadlines and brochures titled *Frequently Asked Questions about Voter Registration*. They allow any registered voter of Leon County with access to the world wide web to request absentee ballots online from their website at <http://www.leonfl.org/elect> (see Exhibit 8). Many overseas civilians and military personnel from Leon County have utilized this service.
- Virginia Beach, Virginia has an easy to understand explanation of who gets what type of absentee ballot application. They state on their website at http://www.vbgov.com/dept/voter/vote_info.asp - abmail:

"In order to apply for an Absentee Ballot:

You must be registered to vote in the City of Virginia Beach.

Absent Active Duty Military, Virginia Voters Residing Overseas and Dependents residing with them **MUST USE** the Federal Post Card Application. You may file a single Federal Post Card Application, (form 76), at any time during the calendar year and receive ballots for all elections which you are eligible to vote if you are: 1) a member of a **UNIFORMED SERVICE OF THE UNITED STATES**, as defined in 42 U.S.C. § 1973ff-6(7), on active duty, or 2) a member of the **MERCHANT MARINES OF THE UNITED STATES**, or 3) a person temporarily residing outside the continental United States, or 4) the spouse or dependent residing with any person listed in (1), (2), or (3) above.

All other Virginia Beach registered voters must complete a separate absentee ballot application for each election in which you intend to vote absentee.

Items A through D and Part E, Assistant's Statement (if needed), of the Absentee Ballot Application must be completed. Applications cannot be accepted if they are not complete and signed by you."

- The Supervisor of Elections in Okaloosa County, Florida, Ms. Pat Hollarn (850-651-7272 or phollarn@co.okaloosa.fl.us) suggested these practices:

—Designated 2004 as the “Year of the Military Voter.” FVAP and local Voting Assistance Officers participated at the Florida State Association of Supervisors of Elections conference.

—For change of address requests, encourage citizens to use not only the FPCA (see Exhibit 4), but also any other means of communication allowed by state law.

—Local election officials should put their e-mail address on everything and ask for it from citizens on all forms, on their website, etc.

—If the local election office receives over 500 absentee ballot requests in a day it is not always possible to process “on receipt”. The date stamped in becomes the registration or request date and every document should be expedited as much as is humanly possible.

- The Commonwealth of Virginia has created a new position at the State Board of Elections, that of *UOCAVA* Coordinator. Ms. Vickie R. Williams (800-552-9745 or vickie.williams@sbe.virginia.gov) will manage all aspects of contact with Uniformed Services and overseas citizens covered by the *UOCAVA*.
- Virginia has a ballot transmission pilot program. In 2004, Virginia continues a special pilot program that assists citizens in reducing the time involved in the transmission of absentee ballots. *UOCAVA* voters can request that their ballots be transmitted to them either by e-mail or facsimile. All Virginia counties will attempt to fax or e-mail ballots to active duty military. Other counties will opt in to the pilot program for other *UOCAVA* citizens. Voters are required to return their ballots by either the postal service or commercial courier. The pilot program significantly reduces the process time by all but eliminating delays in getting the ballot to the voter.
- Nebraska has a brochure devoted to members of the Armed Forces (see Exhibit 9). The Nebraska Military Voters Guide was designed in response to the increasing number of Nebraska’s citizen soldiers being deployed overseas. The Secretary of State, Mr. John A Gale (402-471-2554 or sos08@nol.org) pursued this publication to ensure that our troops were informed of the process of casting a ballot while overseas. The guide has been posted on the Secretary of State’s website. They worked in cooperation with the Nebraska National Guard to have the guide posted on their family program website. They will also be e-mailing the guide to soldiers currently deployed. The guide can be found at: http://www.sos.state.ne.us/Elections/milvote/military_guide.pdf
- The Supervisor of Elections office, Nassau County, Florida (Ms. Mary Mercer, 904-491-7500) conducted voter registration drives aboard the USS Kennedy (CVN-67) and at Naval Station Mayport and Naval Air Station Jacksonville to assist sailors to register and request absentee ballots.

- Indiana has a booklet that provides clear instructions for military voters, families of military voters and overseas voters for how to register and vote absentee. It includes copies of all the forms described in the instructions, the Indiana election calendar, and contact information for federal, state and county election offices. (See Exhibit 10)
- The Missouri Secretary of State's web site has a section on military/overseas voter that is detailed and informative at <http://www.sos.mo.gov/elections/military/default.asp>. It does an excellent job of explaining Missouri's laws and practices for *UOCAVA* citizens.
- Michigan has their Qualified Voter File serving double duty as a voter education product by attaching it to their Voter Information Center. This allows Michigan voters to access information such as verification of registration status, view a tutorial on how to properly mark a ballot and cast a valid vote, and local election official contacts.

CONCLUSION

After the 2002 election, many areas of improvement to the U.S. election system became evident. Through legislation and practical aids, states have improved their processes and procedures. Undoubtedly, this has helped *UOCAVA* voters in exercising their right to vote. However, as this report indicates, more can be done to carry out this important responsibility to our Uniformed Services members and our overseas citizens.

EXHIBITS

- Exhibit 1 FVAP *HAVA* Interpretive Memo
- Exhibit 2 Comparative Chart of State Policies
- Exhibit 3 Federal Write-In Absentee Ballot (SF 186)
- Exhibit 4 Federal Post Card Application (SF 76)
- Exhibit 5 FVAP Letter to States After *NDAA FY-02* Passage dated 5/22/02 and FVAP Letter to States After *HAVA* Passage dated 12/20/02
- Exhibit 6 Minnesota Brochure
- Exhibit 7 Texas Elections Division Homepage
- Exhibit 8 Leon County, Florida Absentee Voting Homepage
- Exhibit 9 Nebraska Brochure
- Exhibit 10 State of Indiana *Military and Overseas Voter Guide 2004*
(Full report provided under separate cover)



Interpretation of the

Help America Vote Act of 2002

Public Law 107-252 — October 29, 2002

Based on the Requirements for U.S. Citizens Covered by the

Uniformed and Overseas Citizens Absentee Voting Act

42 USC 1973ff

August 2003

Federal Voting Assistance Program
Washington Headquarters Services
Department of Defense

Exhibit 1

Public Law 107-252—October 29, 2002
Help America Vote Act of 2002

TITLE II—COMMISSION

Subtitle C—Studies and Other Activities To Promote Effective Administration of Federal Elections

SEC. 242. STUDY, REPORT, AND RECOMMENDATIONS ON BEST PRACTICES FOR FACILITATING MILITARY AND OVERSEAS VOTING.

(a) **STUDY.**—

(1) **IN GENERAL.**—The Commission, in consultation with the Secretary of Defense, shall conduct a study on the best practices for facilitating voting by absent uniformed services voters (as defined in section 107(1) of the Uniformed and Overseas Citizens Absentee Voting Act) and overseas voters (as defined in section 107(5) of such Act).

(2) **ISSUES CONSIDERED.**—In conducting the study under paragraph (1) the Commission shall consider the following issues:

(A) The rights of residence of uniformed services voters absent due to military orders.

(B) The rights of absent uniformed services voters and overseas voters to register to vote and cast absentee ballots, including the right of such voters to cast a secret ballot.

(C) The rights of absent uniformed services voters and overseas voters to submit absentee ballot applications early during an election year.

(D) The appropriate pre-election deadline for mailing absentee ballots to absent uniformed services voters and overseas voters.

(E) The appropriate minimum period between the mailing of absentee ballots to absent uniformed services voters and overseas voters and the deadline for receipt of such ballots.

(F) The timely transmission of balloting materials to absent uniformed services voters and overseas voters.

(G) Security and privacy concerns in the transmission, receipt, and processing of ballots from absent uniformed services voters and overseas voters, including the need to protect against fraud.

(H) The use of a single application by absent uniformed services voters and overseas voters for absentee ballots for all Federal elections occurring during a year.

(I) The use of a single application for voter registration and absentee ballots by absent uniformed services voters and overseas voters.

(J) The use of facsimile machines and electronic means of transmission of absentee ballot applications and absentee ballots to absent uniformed services voters and overseas voters.

(K) Other issues related to the rights of absent uniformed services voters and overseas voters to participate in elections.

(b) **REPORT AND RECOMMENDATIONS.**—Not later than the date that is 18 months after the date of the enactment of this Act, the Commission shall submit to the President and Congress a report on the study conducted under subsection (a)(1) together with recommendations identifying the best practices used with respect to the issues considered under subsection (a)(2).

FVAP Interpretation: Once the Election Assistance Commission is appointed, FVAP will work with the Commission in their study of the issues outlined above. The report is due to the President and Congress by April 29, 2004. FVAP is gathering data from a variety of program sources and soliciting information on the above topics from State and local election officials.

SEC. 245. STUDY AND REPORT ON ELECTRONIC VOTING AND THE ELECTORAL PROCESS.

(a) **STUDY.**—

(1) **IN GENERAL.**—The Commission shall conduct a thorough study of issues and challenges, specifically to include the potential for election fraud, presented by incorporating communications and Internet technologies in the Federal, State, and local electoral process.

(2) **ISSUES TO BE STUDIED.**—The Commission may include in the study conducted under paragraph (1) an examination of—

(A) the appropriate security measures required and minimum standards for certification

of systems or technologies in order to minimize the potential for fraud in voting or in the registration of qualified citizens to register and vote;

(B) the possible methods, such as Internet or other communications technologies, that may be utilized in the electoral process, including the use of those technologies to register voters and enable citizens to vote online, and recommendations concerning statutes and rules to be adopted in order to implement an online or Internet system in the electoral process;

(C) the impact that new communications or Internet technology systems for use in the electoral process could have on voter participation rates, voter education, public accessibility, potential external influences during the elections process, voter privacy and anonymity, and other issues related to the conduct and administration of elections;

(D) whether other aspects of the electoral process, such as public availability of candidate information and citizen communication with candidates, could benefit from the increased use of online or Internet technologies;

(E) the requirements for authorization of collection, storage, and processing of electronically generated and transmitted digital messages to permit any eligible person to register to vote or vote in an election, including applying for and casting an absentee ballot;

(F) the implementation cost of an online or Internet voting or voter registration system and the costs of elections after implementation (including a comparison of total cost savings for the administration of the electoral process by using Internet technologies or systems);

(G) identification of current and foreseeable online and Internet technologies for use in the registration of voters, for voting, or for the purpose of reducing election fraud, currently available or in use by election authorities;

(H) the means by which to ensure and achieve equity of access to online or Internet voting or voter registration systems and address the fairness of such systems to all citizens; and

(I) the impact of technology on the speed, timeliness, and accuracy of vote counts in Federal, State, and local elections.

(b) REPORT.—

(1) SUBMISSION.—Not later than 20 months after the date of the enactment of this Act, the Commission shall transmit to the Committee on House Administration of the House of Representatives and the Committee on Rules and Administration of the Senate a report on the results of the study conducted under subsection (a), including such legislative recommendations or model State laws as are required to address the findings of the Commission.

(2) INTERNET POSTING.—In addition to the dissemination requirements under chapter 19 of title 44, United States Code, the Election Administration Commission shall post the report transmitted under paragraph (1) on an Internet website.

FVAP Interpretation: Title XVI, Section 1604 of *The National Defense Authorization Act for Fiscal Year 2002* requires the Secretary of Defense to conduct an electronic voting demonstration project. The project, called the Secure Electronic Registration and Voting Experiment (SERVE), will allow *Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA)* citizens in participating States to register and vote via the Internet in the 2004 elections. Sec. 1604 mandates a report to Congress on the effectiveness of SERVE by June 1, 2005. The SERVE evaluation methodology is being structured to capture data on many of the issues identified in Sec. 245.(a)(2) of the HAVA.

The EAC report to the House and Senate Committees is due June 29, 2004. The Director, FVAP, (on behalf of the Secretary of Defense) will work with the EAC in formulating their report.

**TITLE III—UNIFORM AND NONDISCRIMINATORY ELECTION TECHNOLOGY AND
ADMINISTRATION REQUIREMENTS**

Subtitle A—Requirements

**SEC. 303. COMPUTERIZED STATEWIDE VOTER REGISTRATION LIST REQUIREMENTS AND REQUIREMENTS FOR
VOTERS WHO REGISTER BY MAIL.**

(b) REQUIREMENTS FOR VOTERS WHO REGISTER BY MAIL.—

(1) IN GENERAL.—Notwithstanding section 6(c) of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg–4(c)) and subject to paragraph (3), a State shall, in a uniform and nondiscriminatory manner, require an individual to meet the requirements of paragraph (2) if—

(A) the individual registered to vote in a jurisdiction by mail; and

(B) (i) the individual has not previously voted in an election for Federal office in the State; or

(ii) the individual has not previously voted in such an election in the jurisdiction and the jurisdiction is located in a State that does not have a computerized list that complies with the requirements of subsection (a).

(2) REQUIREMENTS.—

(A) IN GENERAL.—An individual meets the requirements of this paragraph if the individual—

(i) in the case of an individual who votes in person—

(I) presents to the appropriate State or local election official a current and valid photo identification; or

(II) presents to the appropriate State or local election official a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the voter; or

(ii) in the case of an individual who votes by mail, submits with the ballot—

(I) a copy of a current and valid photo identification; or

(II) a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the voter; or

(B) FAIL-SAFE VOTING.—

(i) IN PERSON.—An individual who desires to vote in person, but who does not meet the requirements of subparagraph (A)(i), may cast a provisional ballot under section 302(a).

(ii) BY MAIL.—An individual who desires to vote by mail but who does not meet the requirements of subparagraph (A)(ii) may cast such a ballot by mail and the ballot shall be counted as a provisional ballot in accordance with section 302(a).

(3) INAPPLICABILITY.—Paragraph (1) shall not apply in the case of a person—

(A) who registers to vote by mail under section 6 of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg–4) and submits as part of such registration either—

(i) a copy of a current and valid photo identification; or

(ii) a copy of a current utility bill, bank statement, government check, paycheck, or government document that shows the name and address of the voter;

(B) (i) who registers to vote by mail under section 6 of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg–4) and submits with such registration either—

(I) a driver's license number; or

(II) at least the last 4 digits of the individual's social security number;

and

(ii) with respect to whom a State or local election official matches the information submitted under clause (i) with an existing State identification record bearing the same number, name and date of birth as provided in such registration; or

(C) who is—(i) entitled to vote by absentee ballot under the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff–1 et seq.);

(ii) provided the right to vote otherwise than in person under section 3(b)(2)(B)(ii) of the Voting Accessibility for the Elderly and Handicapped Act (42 U.S.C. 1973ee–1(b)(2)(B)(ii)); or

(iii) entitled to vote otherwise than in person under any other Federal law.

(c) PERMITTED USE OF LAST 4 DIGITS OF SOCIAL SECURITY NUMBERS.—The last 4 digits of a social security number described in subsections (a)(5)(A)(i)(II) and (b)(3)(B)(i)(II) shall not be considered to be a social security number for purposes of section 7 of the Privacy Act of 1974 (5 U.S.C. 552a note).

(d) EFFECTIVE DATE.—

(1) COMPUTERIZED STATEWIDE VOTER REGISTRATION LIST REQUIREMENTS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), each State and jurisdiction shall be required to comply with the requirements of subsection (a) on and after January 1, 2004.

(B) WAIVER.—If a State or jurisdiction certifies to the Commission not later than January 1, 2004, that the State or jurisdiction will not meet the deadline described in subparagraph (A) for good cause and includes in the certification the reasons for the failure to meet such deadline, subparagraph (A) shall apply to the State or jurisdiction as if the reference in such subparagraph to “January 1, 2004” were a reference to “January 1, 2006”.

(2) REQUIREMENT FOR VOTERS WHO REGISTER BY MAIL.—

(A) IN GENERAL.—Each State and jurisdiction shall be required to comply with the requirements of subsection (b) on and after January 1, 2004, and shall be prepared to receive registration materials submitted by individuals described in subparagraph (B) on and after the date described in such subparagraph.

(B) APPLICABILITY WITH RESPECT TO INDIVIDUALS.—The provisions of subsection (b) shall apply to any individual who registers to vote on or after January 1, 2003.

EVAP Interpretation: When registering by mail, citizens covered by the *Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA)* are exempt under SEC.303.(b)(3)(C) from the requirement to provide a copy of a valid photo identification or other documentation that shows the name and address of the voter as defined in paragraph (1) of SEC.303. UOCAVA citizens include members of the Uniformed Services, members of the merchant marine, and overseas citizens. Uniformed Services are defined as the U.S. Armed Forces (Army, Navy, Air Force, Marine Corps and Coast Guard); the commissioned corps of the Public Health Service and the National Oceanic and Atmospheric Administration; and family members of the above. Overseas citizens are defined as U.S. citizens who reside outside the United States.

TITLE VII—VOTING RIGHTS OF MILITARY MEMBERS AND OVERSEAS CITIZENS

SEC. 701. VOTING ASSISTANCE PROGRAMS.

(a) VOTING ASSISTANCE OFFICERS.—Subsection (f) of section 1566 of title 10, United States Code, as added by section 1602(a) of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107–107; 115 Stat. 1274), is amended—

(1) by striking “Voting assistance” in the first sentence and inserting “(1) Voting assistance”; and

(2) by adding at the end the following new paragraph:

“(2) Under regulations and procedures (including directives) prescribed by the Secretary, a member of the armed forces appointed or assigned to duty as a voting assistance officer shall, to the maximum extent practicable, be given the time and resources needed to perform the member’s duties as a voting assistance officer during the period in advance of a general election when members and their dependents are preparing and submitting absentee ballots.”.

EVAP Interpretation: This section requires the Service Secretaries to ensure that Voting Assistance Officers (VAOs) are provided time and other support needed to accomplish their duties. Assignment as a VAO is a collateral assignment that is subordinate to the individual’s primary responsibilities. This direction emphasizes the importance of the VAO duties, especially leading up to a general election. The Department of Defense Directive 1000.4 and the Secretary of Defense’s Voting Action Plan includes these requirements.

(b) POSTMARKING OF OVERSEAS VOTING MATERIALS.—Subsection (g)(2) of such section is amended by adding at the end the following: “The Secretary shall, to the maximum extent practicable,

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. The Secretary shall ensure that the measures implemented under the preceding sentence do not result in the delivery of absentee ballots to the final destination of such ballots after the date on which the election for Federal office is held. Not later than the date that is 6 months after the date of the enactment of the Help America Vote Act of 2002, the Secretary shall submit to Congress a report describing the measures to be implemented to ensure the timely transmittal and postmarking of voting materials and identifying the persons responsible for implementing such measures.”.

FVAP Interpretation: The postmarking measures addressed in this section were implemented starting with the 2002 General Election and the report to Congress was submitted in April 2003. These measures will guarantee postmarking of all absentee ballots to the maximum extent practicable and ensure that a postmark is placed on absentee ballot envelopes. In instances where a postmark is not evident, FVAP encourages election officials to accept the date the ballot envelope was signed and dated as evidence of when the voter cast the ballot.

(c) PROVIDING NOTICE OF DEADLINES AND REQUIREMENTS.— Such section is amended by adding at the end the following new subsection:

“(h) NOTICE OF DEADLINES AND REQUIREMENTS.—The Secretary of each military department, utilizing the voting assistance officer network established for each military installation, shall, to the maximum extent practicable, provide notice to members of the Armed Forces stationed at that installation of the last date before a general Federal election for which absentee ballots mailed from a postal facility located at that installation can reasonably be expected to be timely delivered to the appropriate State and local election officials.”.

FVAP Interpretation: This section requires the commanders of military installations to publicize a recommended date for absentee ballots to be mailed from their location prior to a general election for Federal Office. This procedure parallels the general procedure of recommending mailing dates from overseas for holiday letters and packages. FVAP will continue to recommend that *Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA)* citizens mail their voted ballots to their local election official by October 15, or as soon as they are received anytime up until election day, as many States have late-counting procedures in place.

(d) REGISTRATION AND VOTING INFORMATION FOR MEMBERS AND DEPENDENTS.—Such section is further amended by adding at the end the following new subsection:

“(i) REGISTRATION AND VOTING INFORMATION FOR MEMBERS AND DEPENDENTS.—(1) The Secretary of each military department, using a variety of means including both print and electronic media, shall, to the maximum extent practicable, 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 (including voter registration), 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.

“(2) The Secretary of each military department shall 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 shall receive such form at the time of the enlistment, or as soon thereafter as practicable.

“(3) Where practicable, a special day or days shall be designated at each military installation for the purpose of informing members of the Armed Forces and their dependents of election timing, registration requirements, and voting procedures.”.

FVAP Interpretation: This section requires the Services to publicly promote and advertise their voting programs including information on the availability of Voting Assistance Officers. This information is to be available to both Service members and voting age dependents. The FVAP continues to work with the Uniformed Services to ensure that each new enlistee receives an FPCA and instructions and assistance to complete the FPCA as part of basic training. This is a requirement of the Services through Department of Defense Directive 1000.4.

In even-numbered years, FVAP will continue to promote its Overseas Citizens Voters Week and Armed Forces Voters Week held around Independence Day and Labor Day, respectively. These events help to increase voter awareness of upcoming elections and provide an opportunity for citizens to receive assistance in completing the Federal Post Card Application form, which is used to apply for voter registration and to request an absentee ballot from the local election official in their jurisdiction of legal voting residence. FVAP encourages U.S. citizens, Uniformed Services and overseas Federal employee Voting Assistance Officers to hold voter registration and election awareness events year-round. FVAP distributes a biennial Voting Action Plan to the services that serves as a roadmap to carrying out voting assistance programs.

SEC. 702. DESIGNATION OF SINGLE STATE OFFICE TO PROVIDE INFORMATION ON REGISTRATION AND ABSENTEE BALLOTS FOR ALL VOTERS IN STATE.

Section 102 of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff-1) is amended—

- (1) by inserting “(a) IN GENERAL.—” before “Each State”; and
- (2) by adding at the end the following new subsection:

“(b) DESIGNATION OF SINGLE STATE OFFICE TO PROVIDE INFORMATION ON REGISTRATION AND ABSENTEE BALLOT PROCEDURES FOR ALL VOTERS IN STATE.—

“(1) IN GENERAL.—Each State shall designate a single office which shall be responsible for providing information regarding voter registration procedures and absentee ballot procedures to be used by absent uniformed services voters and overseas voters with respect to elections for Federal office (including procedures relating to the use of the Federal write-in absentee ballot) to all absent uniformed services voters and overseas voters who wish to register to vote or vote in any jurisdiction in the State.

FVAP Interpretation: FVAP recommends that this central office provide specific information online regarding the absentee balloting process for *Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA)* voters. The website should clearly differentiate between regular State absentee voters and UOCAVA absentee voters and include ways for voters to determine if they qualify to vote under UOCAVA status. FVAP suggests including information that allows the voter to:

- Determine if they meet State residency requirements;
- Obtain a Federal Post Card Application (FPCA);
- Access the Online Federal Post Card Application (OFPCA) via link to the FVAP site;
- Access the State specific pages in Chapter 3 of the *Voting Assistance Guide* via link to the FVAP site, which includes the proper mailing address (County, Parrish, City, etc.) for the submission of FPCAs.
- Get information concerning a State write-in absentee ballot (where applicable);
- Understand qualifications for receiving a ballot for primary and special elections;
- Read requirements concerning electronic transmission of election materials and information.

FVAP suggests the following sample language for the definition of UOCAVA voters on your website:

Citizens who are members of the Uniformed Services, merchant marine, commissioned corps of the Public Health Service, the National Oceanic and Atmospheric Administration and the family members of the above and overseas citizens. Uniformed Services are defined as the U.S. Armed Forces (Navy, Army, Air Force, Marine Corps and Coast Guard), merchant marine, commissioned corps of the Public Health Service and the National Oceanic and Atmospheric Administration and family members of all of the above. Overseas citizens are defined as citizens who reside outside the United States.

The Texas Secretary of State’s website {<http://www.sos.state.tx.us/elections>} is a good example to refer to when differentiating between UOCAVA absentee voters and other State absentee voters.

Local websites offering information for UOCAVA citizens should follow the guidelines above.

“(2) **RECOMMENDATION REGARDING USE OF OFFICE TO ACCEPT AND PROCESS MATERIALS.**—Congress recommends that the State office designated under paragraph (1) be responsible for carrying out the State’s duties under this Act, including accepting valid voter registration applications, absentee ballot applications, and absentee ballots (including Federal write-in absentee ballots) from all absent uniformed services voters and overseas voters who wish to register to vote or vote in any jurisdiction in the State.”.

FVAP Interpretation: The goal of the FVAP in working with the States is to assure the quickest delivery of ballots to *Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA)* citizens and the quickest return of ballots from *UOCAVA* citizens. FVAP recommends that States continue or adopt methods that achieve this end. We discourage any procedures that add a step or time delay into the process (i.e. a central State office address for receipt of registration forms which are then distributed to local election offices to be processed without a corresponding extension of mail transit time or registration and ballot due dates). The FVAP will work with any State considering a change to their current procedures to ensure the timely transmission and return of ballots to and from *UOCAVA* citizens.

SEC. 703. REPORT ON ABSENTEE BALLOTS TRANSMITTED AND RECEIVED AFTER GENERAL ELECTIONS.

(a) **IN GENERAL.**—Section 102 of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff-1), as amended by section 702, is amended by adding at the end the following new subsection:

“(c) **REPORT ON NUMBER OF ABSENTEE BALLOTS TRANSMITTED AND RECEIVED.**—Not later than 90 days after the date of each regularly scheduled general election for Federal office, each State and unit of local government which administered the election shall (through the State, in the case of a unit of local government) submit a report to the Election Assistance Commission (established under the Help America Vote Act of 2002) 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 which were returned by such voters and cast in the election, and shall make such report available to the general public.”.

(b) **DEVELOPMENT OF STANDARDIZED FORMAT FOR REPORTS.**— The Election Assistance Commission, working with the Election Assistance Commission Board of Advisors and the Election Assistance Commission Standards Board, shall develop a standardized format for the reports submitted by States and units of local government under section 102(c) of the Uniformed and Overseas Citizens Absentee Voting Act (as added by subsection (a)), and shall make the format available to the States and units of local government submitting such reports.

FVAP Interpretation: States are required to report the number of *Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA)* ballots that are sent, returned and counted after a general election for Federal office to the Election Assistance Commission (EAC). The Director, FVAP, will work with the EAC and the States to improve the percentage of ballots returned and counted. The FVAP 2004 post-election survey of local election officials will collect related data which, coupled with the EAC data will discern the reason why ballots were not counted and lead to further improvement of the absentee voting process for *UOCAVA* citizens.

SEC. 704. EXTENSION OF PERIOD COVERED BY SINGLE ABSENTEE BALLOT APPLICATION.

Section 104(a) of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff-1), as amended by section 1606(b) of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107-107; 115 Stat. 1279), is amended by striking “during that year,” and all that follows and inserting the following: “through the next 2 regularly scheduled general elections for Federal office (including any runoff elections which may occur as a result of the outcome of such general elections), the State shall provide an absentee ballot to the voter for each such subsequent election.”.

FVAP Interpretation: Upon receipt and approval of an FPCA from a *Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA)* citizen, the State shall provide the citizen with ballots for each subsequent election for Federal office in the State through the next two general elections for Federal office. This becomes effective January 1, 2004.

Example 1: Johnson County receives an FPCA from a *UOCAVA* citizen qualified to vote in the jurisdiction on January 1, 2004. The State will provide the citizen with ballots for each election that includes Federal offices through the 2006 election cycle.

Example 2: Johnson County receives an FPCA from a *UOCAVA* citizen qualified to vote in the jurisdiction on November 30, 2004. The State will provide the citizen with ballots for each election that includes Federal offices through the 2008 election cycle.

In order to notify local election officials of their current mailing address, the FVAP will continue to recommend that *UOCAVA* citizens submit an FPCA annually in the month of January and whenever they move or change their mailing address.

SEC. 705. ADDITIONAL DUTIES OF PRESIDENTIAL DESIGNEE UNDER UNIFORMED AND OVERSEAS CITIZENS ABSENTEE VOTING ACT.

(a) EDUCATING ELECTION OFFICIALS ON RESPONSIBILITIES UNDER ACT.—Section 101(b)(1) of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff(b)(1)) is amended by striking the semicolon at the end and inserting the following: “,and ensure that such officials are aware of the requirements of this Act;”.

FVAP Interpretation: Part of the FVAP’s mission in carrying out the *Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA)* is working with and ensuring the education of State and local election officials regarding the enfranchisement of *UOCAVA* citizens through presence at national election organizational conferences and meetings (e.g., The National Association of Secretaries of State, the National Association of State Election Directors, the International Association of Clerks, Recorders, Election Officials and Treasurers, the Election Center, the National Association of Counties) as well as regional or State and local election officials conferences.

The Director of the Federal Voting Assistance Program, as a member of the Election Assistance Commission’s Board of Advisors, along with representatives from the above organizations, will work with the EAC to improve the absentee voting process for *UOCAVA* citizens. The FVAP will also continue to utilize its website, newsletter and other publications, professional publications such as *Election Administration Reports*, and maintain daily contact with State and local election officials through the FVAP’s ombudsman service to ensure understanding of the *UOCAVA* requirements and processes by all election officials and *UOCAVA* citizens.

(b) DEVELOPMENT OF STANDARD OATH FOR USE WITH MATERIALS.—

(1) IN GENERAL.—Section 101(b) of such Act (42 U.S.C.1973ff(b)) is amended—

(A) by striking “and” at the end of paragraph (5);

(B) by striking the period at the end of paragraph (6) and inserting “; and”; and

(C) by adding at the end the following new paragraph:

“(7) prescribe a standard oath for use with any document under this title affirming that a material misstatement of fact in the completion of such a document may constitute grounds for a conviction for perjury.”.

(2) REQUIRING STATES TO USE STANDARD OATH.—Section 102(a) of such Act (42 U.S.C. 1973ff-1(b)), as amended by section 702, is amended—

(A) by striking “and” at the end of paragraph (3);

(B) by striking the period at the end of paragraph (4) and inserting “; and”; and

(C) by adding at the end the following new paragraph:

“(5) if the State requires an oath or affirmation to accompany any document under this title, use the standard oath prescribed by the Presidential designee under section 101(b)(7).”.

(c) PROVIDING STATISTICAL ANALYSIS OF VOTER PARTICIPATION FOR BOTH OVERSEAS VOTERS AND ABSENT UNIFORMED SERVICES VOTERS.—Section 101(b)(6) of such Act (42 U.S.C. 1973ff(b)(6)) is amended by striking “a general assessment” and inserting “a separate statistical analysis”.

FVAP Interpretation: The Director, Federal Voting Assistance Program (FVAP), acts for the Presidential designee for the administration of the *Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) of 1986*. The FVAP has and will continue to provide a report to the President and Congress on the effectiveness of assistance under the *Act*, including a statistical analysis of voter participation and a description of State-Federal cooperation.

SEC. 706. PROHIBITION OF REFUSAL OF VOTER REGISTRATION AND ABSENTEE BALLOT APPLICATIONS ON GROUNDS OF EARLY SUBMISSION.

(a) IN GENERAL.—Section 104 of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff-3), as amended by section 1606(b) of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107-107; 115 Stat. 1279), is amended by adding at the end the following new subsection:

“(e) PROHIBITION OF REFUSAL OF APPLICATIONS ON GROUNDS OF EARLY SUBMISSION.—A State may not refuse to accept or process, with respect to any election for Federal office, any otherwise valid voter registration application or absentee ballot application (including the postcard form prescribed under section 101) submitted by an absent uniformed services voter during a year on the grounds that the voter submitted the application before the first date on which the State otherwise accepts or processes such applications for that year submitted by absentee voters who are not members of the uniformed services.”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to elections for Federal office that occur after January 1, 2004.

FVAP Interpretation: The provisions of this section apply exclusively to members of the Uniformed Services that are defined as the U.S. Armed Forces (Navy, Army, Air Force, Marine Corps and Coast Guard), merchant marine, commissioned corps of the Public Health Service and the National Oceanic and Atmospheric Administration and family members of all of the above.

Example 1: Lt. Col. John Smith, stationed in Germany, submits an FPCA in January 2004 for the November 2004 election. State law says absentee ballot requests are not processed until 90 days before the election. The State must accept and process Lt. Col Smith’s application. It cannot be rejected on the grounds of early submission.

Example 2: Jane Smith, the spouse of Lt. Col. John Smith, resides in Germany where her husband is stationed. She submits an FPCA in January 2004 for the November 2004 election. State law says absentee ballot requests are not processed until 90 days before the election. The State must accept and process Mrs. Smith’s application. It cannot be rejected on the grounds of early submission.

Example 3: John Doe is a U.S. citizen working overseas with no official U.S. government affiliation. He submits an FPCA in January 2004 for the November 2004 election. State law says absentee ballot requests are not processed until 90 days before the election. FVAP recommends the State accept and process Mr. Doe’s application as soon as it arrives to avoid possible delays due to an incomplete form, no signature on the form, etc.

SEC. 707. OTHER REQUIREMENTS TO PROMOTE PARTICIPATION OF OVERSEAS AND ABSENT UNIFORMED SERVICES VOTERS.

Section 102 of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff-1), as amended by the preceding provisions of this title, is amended by adding at the end the following new subsection:

“(d) REGISTRATION NOTIFICATION.—With respect to each absent uniformed services voter and each overseas voter who submits a voter registration application or an absentee ballot request, if the State rejects the application or request, the State shall provide the voter with the reasons for the rejection.”.

FVAP Interpretation: States process voter registration applications and absentee ballot requests from Uniformed Services and overseas voters upon receipt. If the State rejects the application or ballot

request, the State should use the most expedient means available to notify the voter of the reasons for rejection. Such means may include postal mail (including the small postage paid return post card portion of the Federal Post Card Application), telephone, electronic mail, or facsimile. FVAP provides an electronic transmission service that state and local election officials may use to fax (toll free at 1-800-368-8683) absentee uniformed services and overseas voters. See www.fvap.gov.

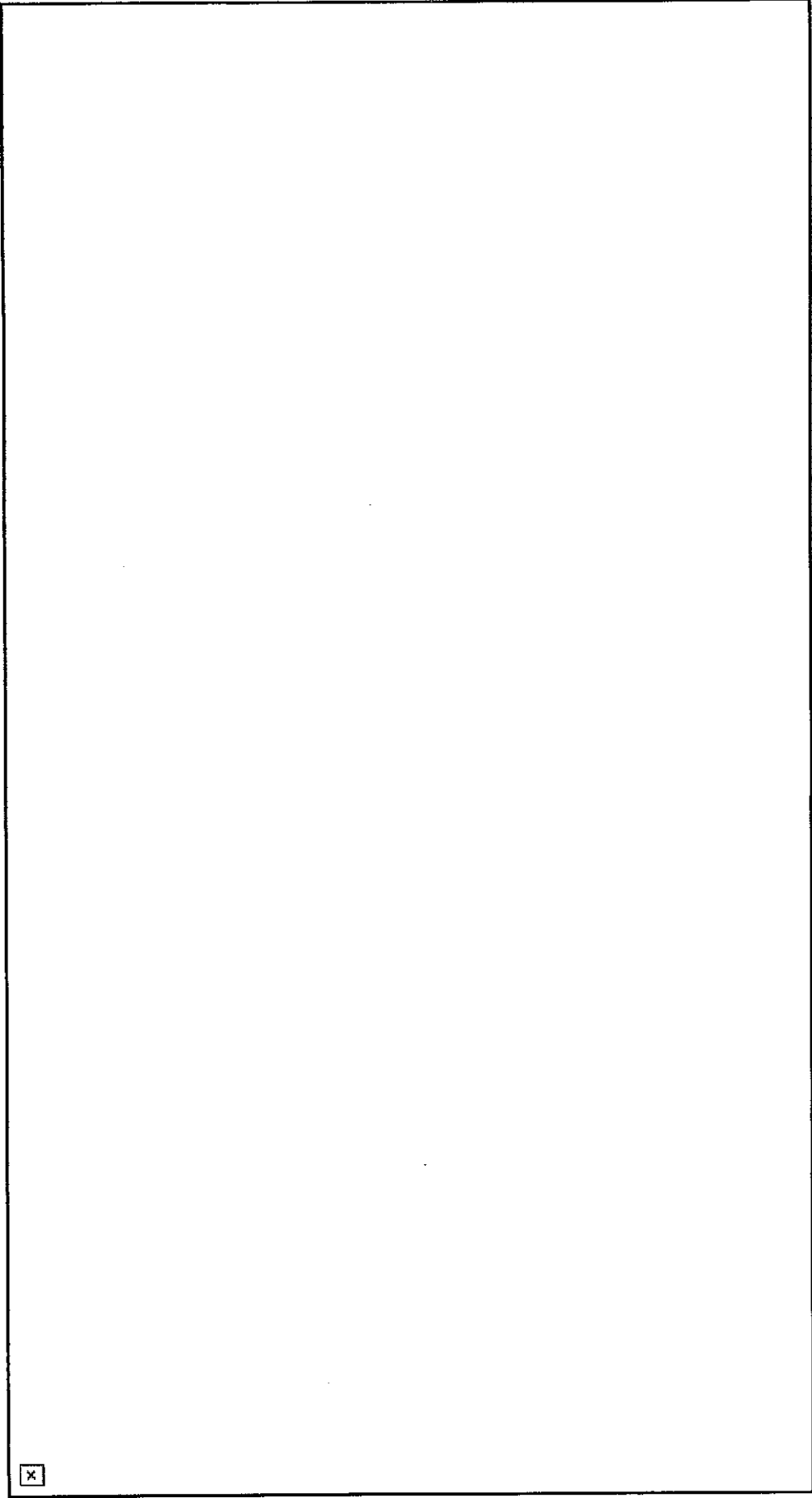
	45 Day Ballot Transit Time	State Write-in Absentee Ballots (30-180 days prior)	Mail Ballots 30 or more days prior to elections	Electronic Transmission of the FPCA	Permit Delivery of Blank Ballots to Voters by Facsimile	Permit Return of Voted Ballot by Facsimile ²	Permit Delivery of Blank Ballots by E-Mail ³
Alabama			X				
Alaska		X		X	X	X	
American Samoa				X			
Arizona		X	X	X	X	X	
Arkansas				X			
California		X		X	X		
Colorado		X	X	X	X	X	
Connecticut	X	X	X	X			
Delaware	X	X		X			
District of Columbia	X		X	X	X	X	
Florida	X	X	X	X	X	X	X
Georgia	X	X	X	X			
Guam	X		X				
Hawaii			X	X	X	X	
Idaho	X		X	X	X		
Illinois	X		X	X			X
Indiana	X	X	X	X	X	X	
Iowa	X	X	X	X			
Kansas	X		X	X	X	X	
Kentucky	X		X	X	X		
Louisiana	X	X	X	X	X	X	X
Maine	X	X	X	X	X	X	
Maryland	X		X	X	X		
Massachusetts	X ¹			X			
Michigan	X		X	X			
Minnesota			X	X			
Mississippi	X		X	X	X	X	X
Missouri		X	X	X			
Montana			X	X	X	X	
Nebraska	X	X	X	X			
Nevada			X	X	X		
New Hampshire		X	X				
New Jersey			X	X	X	X	
New Mexico	X		X	X	X	X	
New York	X		X				
North Carolina	X		X	X	X	X	
North Dakota		X	X	X	X	X	
Ohio	X		X	X	X		
Oklahoma		X	X	X	X	X	
Oregon	X	X	X	X	X		
Pennsylvania	X	X	X	X	X		
Puerto Rico	X		X	X			
Rhode Island	X	X	X	X	X	X	
South Carolina	X	X	X	X	X	X	
South Dakota			X				
Tennessee	X	X	X	X			
Texas	X	X	X	X		X	
Utah		X	X	X	X	X	
Vermont			X	X	X		
Virginia	X	X	X	X			X
Virgin Islands			X	X	X	X	
Washington		X		X	X	X	X
West Virginia	X		X	X			
Wisconsin		X	X	X	X		
Wyoming			X				
TOTALS	32	27	49	49	32	23	6

¹ Primary election

² See Voting Assistance Guide on-line at www.fvap.gov

³ Not all counties

Exhibit 2



**Federal Write-In Absentee Ballot
Exhibit 3**

REMOVE TAPE ON REVERSE AND FOLD HERE TO SEAL

OFFICIAL FEDERAL WRITE-IN ABSENTEE BALLOT

SECURITY ENVELOPE

(ONLY PUT VOTED BALLOT
INSIDE THIS ENVELOPE)

Standard Form 188 (Oct 95)

DETACH HERE, FOLD AND INSERT INTO SECURITY ENVELOPE

OFFICIAL FEDERAL WRITE-IN ABSENTEE BALLOT

PRESIDENT/VICE PRESIDENT

U.S. SENATOR(S)*

U.S. REPRESENTATIVE/DELEGATE**/RESIDENT COMMISSIONER**

* Legal residents of the District of Columbia may vote only for President/Vice President and Delegate.

** Legal residents of American Samoa, Guam, Puerto Rico, and the Virgin Islands may vote only for non-voting Delegate or Resident Commissioner to the Congress.

ADDENDUM

Some states allow the Federal Write-In Absentee Ballot to be used by military and overseas civilian voters in elections other than general elections or for offices other than Federal offices. Consult your state section in the *Voting Assistance Guide* to determine your state's policy. *If you are eligible to use this ballot to vote for offices/candidates other than those listed above, please indicate in the spaces provided below, the office for which you wish to vote (for example: Governor, Attorney General, Mayor, State Senator, etc.), and the name and/or party affiliation of the candidate for whom you wish to vote.*

OFFICE

CANDIDATE NAME or PARTY AFFILIATION

OFFICE	CANDIDATE NAME or PARTY AFFILIATION

Standard Form 188 (Oct 95)

Federal Write-In Absentee Ballot continued

FEDERAL POST CARD APPLICATION (FPCA) SF 76, REVISED 1995

(After completion, fold to the inside and seal before mailing.)

NSN 7840-00-634-5053

WARNING: Knowingly presenting false information in this application could result in criminal sanctions.

PRIVACY ACT STATEMENT

AUTHORITY: 42 USC 1973ff, Title 1 - Registration and Voting By Absent Uniformed Services Veterans and Overseas Voters in Elections for Federal Office.

PRINCIPAL PURPOSE: Serves as an application for registration or request for absentee ballot for all persons covered by the Uniformed and Overseas Citizens Absentee Voting Act.

DISCLOSURE: Voluntary; however, failure to provide the necessary information may keep the pertinent jurisdiction from processing this request and may prevent you from voting absentee.

MAILING INSTRUCTIONS: Self-address small post card to your current address. Fold so that large post card is on outside; seal, complete "TO" and upper left corner on large post card, and mail. **DO NOT STAPLE OR APPLY TAPE TO SEAL.**

Type or legibly print all applicable information. Sign the form.

SPECIFIC INSTRUCTIONS FOR COMPLETION

Complete the state, county, and city/township section at the top of the large postcard. Note that your state may require a separate FPCA for each election. Consult a Voting Assistance Officer or your state section in the Voting Assistance Guide for further information.

Standard Form 76 (Back)
(Rev. 10-85)

1. APPLICANT INFORMATION. Item 1.c. This information is requested from some states for statistical purposes by the Department of Justice in their enforcement of the Voting Rights Act and the National Voter Registration Act. Enter information for 1.a. through 1.i. For block 1.i, provide identification form and number of that form. For example: passport 0000, State Department 0000, driver's license 0000, birth certificate 0000.

2. I LAST VOTED or PLACE OF LAST REGISTRATION. Provide as much information as possible for the location where you last voted. This is not necessarily your last residence. Do not leave blank. Enter N/A if not applicable or if you are a first time voter.

3. VOTING RESIDENCE. Provide address where you ACTUALLY LIVED. Your right to vote in your state and determination of voting precinct depend on your physical residence while you were within the state. If your voting residence address does not contain a street name, you may provide a Rural Route number and box number, but DO NOT USE A POST OFFICE BOX NUMBER. A Post Office Box is not a residence address. If using Rural Route number, include specific location of residence. Examples of voting residence: military home of record; permanent home address in U.S.; locality or state where you paid taxes, however long ago it may have been. It would be helpful if you list a name and telephone number of a local contact in the Remarks Section. In the event the local election official has a question concerning the application.

4. MAIL ABSENTEE BALLOT TO. Provide the complete mailing address where you wish to receive your absentee ballot. Be sure to include APO or FPO (if applicable) and ZIP Code. If you will have a new address by the time registration forms or the ballot will be sent to you, be sure to list the new address.

5. YOUR FAX NUMBER. You complete fax number (country and city code) is required if you or the local election official will be transmitting any of your election materials by fax. Members of the U.S. Military are requested to provide their commercial as well as DSN number (write "DSN" as a prefix if a DSN number is provided). Faxing is available in some states, for limited purposes only. If your state allows you to submit this form by fax (IMPORTANT: CONSULT VOTING ASSISTANCE OFFICER OR VOTING ASSISTANCE GUIDE FOR FURTHER

(Specific instructions are continued on reverse.)

(fold to inside)

Election Official name and complete address



U.S. Postage Paid
39 USC 3405

PAR AVION

OFFICIAL ABSENTEE BALLOTING MATERIAL - FIRST-CLASS MAIL

NO POSTAGE NECESSARY IN THE U.S. MAELS - DMM E080

Applicant name and complete address

TO:

REGISTRATION AND ABSENTEE BALLOT REQUEST - FEDERAL POST CARD APPLICATION (FPCA)

APPLICATION FOR STATE OF _____ COUNTY OF _____ CITY OR TOWNSHIP OF _____ §

I REQUEST ABSENTEE BALLOTS FOR ALL ELECTIONS IN WHICH I AM ELIGIBLE TO VOTE.

1. APPLICANT INFORMATION (See instruction 1.) a. TYPED OR PRINTED NAME (Last, First, Middle Initial) _____ b. SEX _____ c. RACE _____			6. POLITICAL PARTY AFFILIATION (This information is required by most states to send you a ballot for primary elections. See instructions.) _____		
d. DATE OF BIRTH _____ M M D D Y Y e. SOCIAL SECURITY NUMBER _____ - - - - - f. OTHER IDENTIFICATION NO. (passport, ID card) _____			7. REMARKS (Provide additional information which will assist local election officials in determining your eligibility to register and vote. See instructions.) _____ _____ _____		
2. I LAST VOTED or PLACE OF LAST REGISTRATION (Do not leave this section blank. See instructions.)					
g. YEAR _____		h. COUNTY, CITY, OR TOWNSHIP _____		i. STATE _____ j. VOTER REGISTRATION NO. (if known) _____	
3. VOTING RESIDENCE (For military, legal residence. For overseas civilian, last residence in U.S. IF USING RURAL ROUTE, SEE INSTRUCTIONS.)				k. LAST DAY OF RESIDENCY M M D D Y Y	
l. NUMBER AND STREET (Do not use Post Office Box) _____					
m. CITY, TOWN OR VILLAGE _____				n. STATE _____	
o. COUNTY OR PARISH _____			p. ZIP CODE (9-digit if known) _____		
4. MAIL ABSENTEE BALLOT TO: (Mailing address where you want the ballot to be sent.) _____ _____ _____ _____					
5. YOUR FAX NUMBER (If this application is faxed, include all international prefixes. See instructions.) _____					
q. I am a U.S. Citizen, eligible to vote in the above jurisdiction, and subscribe to any required state/local oath or statement.				8. AFFIRMATION BY APPLICANT (X only one: a, b, c or d) I swear/affirm, under penalty of perjury, that I am: (See instructions.)	
r. I have not been convicted of a felony or other disqualifying offense or been adjudicated mentally incompetent, or if so, my voting rights have been reinstated.				a. a member of the Uniformed Services or merchant marine on active duty, or an eligible spouse or dependent.	
s. I am not registering, requesting a ballot, or voting in any other jurisdiction in the U.S.				b. a U.S. citizen temporarily residing outside the U.S.	
t. The information on this form is true and complete.				c. a U.S. citizen overseas by virtue of employment or accompanying spouse or dependent.	
u. I am a U.S. Citizen, eligible to vote in the above jurisdiction, and subscribe to any required state/local oath or statement.				d. other U.S. citizen residing outside the U.S.	
v. I have not been convicted of a felony or other disqualifying offense or been adjudicated mentally incompetent, or if so, my voting rights have been reinstated.				e. I am a U.S. Citizen, eligible to vote in the above jurisdiction, and subscribe to any required state/local oath or statement.	
w. I am not registering, requesting a ballot, or voting in any other jurisdiction in the U.S.				f. I have not been convicted of a felony or other disqualifying offense or been adjudicated mentally incompetent, or if so, my voting rights have been reinstated.	
x. The information on this form is true and complete.				g. I am not registering, requesting a ballot, or voting in any other jurisdiction in the U.S.	
y. I am a U.S. Citizen, eligible to vote in the above jurisdiction, and subscribe to any required state/local oath or statement.				h. The information on this form is true and complete.	
z. I have not been convicted of a felony or other disqualifying offense or been adjudicated mentally incompetent, or if so, my voting rights have been reinstated.				i. SIGNATURE OF APPLICANT _____	
aa. I am not registering, requesting a ballot, or voting in any other jurisdiction in the U.S.				j. DATE _____ M M D D Y Y	
ab. The information on this form is true and complete.				k. WITNESS/MOTARY ADDRESS AND SIGNATURE (If required by state law) _____ DATE SIGNED _____ M M D D Y Y	

The information contained herein is for official use only. Any unauthorized release of this information may be punishable by law.

PRIVACY ACT STATEMENT

AUTHORITY: 42 USC 1973ff, "Title I - Registration and Voting By Absentee Uniformed Services Voters and Overseas Voters in Elections for Federal Office."

PRINCIPAL PURPOSE: Serves as an application for registration or request for absentee ballot for all persons covered by the Uniformed and Overseas Citizens Absentee Voting Act.

DISCLOSURE: Voluntary; however, failure to provide the necessary information may keep the pertinent jurisdiction from processing this request and may prevent you from voting absentee.

MAILING INSTRUCTIONS

Print the completed Federal Post Card Application Form (FPCA), sign and date, place the form in an envelope, affix proper postage and address to the local election official.

SPECIFIC INSTRUCTIONS FOR COMPLETION

Complete the state, county, and city/township section at the top of the form. Note that your state may require a separate FPCA for each election. Consult a Voting Assistance Officer or your state section in the *Voting Assistance Guide* for further information.

1. APPLICANT INFORMATION. Item 1a. This information is requested from some states for statistical purposes by the Department of Justice in their enforcement of the Voting Rights Act and the National Voter Registration Act. Enter information for 1.a. through 1.f. For block 1.f, provide identification form and number of that form. For example: passport 0000, State Department 0000, driver's license 0000, birth certificate 0000.

2. LAST VOTED or PLACE OF LAST REGISTRATION. Provide as much information as possible for the location where you last voted. This is not necessarily your last residence. Do not leave blank. Enter N/A if not applicable or if you are a first time voter.

3. VOTING RESIDENCE. Provide address where you ACTUALLY LIVED. Your right to vote in your state and determination of voting precinct depend on your physical residence while you were within the state. If your voting residence address does not contain a street name, you may provide a Rural Route number and box number, but DO NOT USE A POST OFFICE BOX NUMBER. A Post Office Box is not a residence address. If using Rural Route number, include specific location of residence. Examples of voting residence: military home of record; permanent home address in U.S.; locality or state where you paid taxes, however long ago it may have been. It would be helpful if you list a name and telephone number of a local contact in the Remarks Section in the event the local election official has a question concerning the application.

4. MAIL ABSENTEE BALLOT TO. Provide the complete mailing address where you wish to receive your absentee ballot. Be sure to include APO or FPO (if applicable) and ZIP Code. If you will have a new address by the time registration forms or the ballot will be sent to you, be sure to list the new address.

5. YOUR FAX NUMBER. Your complete fax number (county and city code) is required if you or the local election official will be transmitting any of your election materials by fax.

Members of the U.S. Military are requested to provide their commercial as well as DSN number (write "DSN" as a prefix if a DSN number is provided). Faxing is available in some states, for limited purposes only. If your state allows you to submit this form by fax (IMPORTANT: CONSULT VOTING ASSISTANCE OFFICER OR *VOTING ASSISTANCE GUIDE* FOR FURTHER INFORMATION), you must fax this form ONLY to one of the following numbers: (800) 368-8683 or (703) 693-5527 or DSN (military) 223-5527. If your state does NOT allow you to submit the form by fax, DO NOT transmit this form by fax, as it will not be processed.

6. POLITICAL PARTY AFFILIATION. This information is required by most states in order to vote in primary elections. In most states, if you do not complete this section, you will not be sent a ballot for primary elections. Consult your individual state section in the *Voting Assistance Guide* for more specific information regarding your state's policy. Political party affiliation is not required if you live in Alaska (unless you are voting in a Republican party primary), American Samoa, Guam, Hawaii, Idaho, Michigan, Minnesota, Montana, North Dakota, Vermont, Washington or Wisconsin in order to vote in a primary election. You need not complete this section if your voting residence is in those states. If you want to indicate no affiliation or enrollment in a political party, write "unaffiliated."

7. REMARKS. Provide any information which may assist local election officials in approving this application, such as maiden name, name and telephone number of a local contact person, etc. If you are requesting the special state write-in ballot, indicate here the reason you are requesting the special state write-in ballot, i.e. you are in an isolated area with sporadic mail service, submarine duty, etc. In Colorado, you must indicate if you are a native born or naturalized citizen of the United States.

8. AFFIRMATION BY APPLICANT. Place an X in only one block: 8a., b., c., or d. In most states marking a., b. or c. will get you a full ballot. Marking b. or c. generally means that at some future time you intend to reside again in that state. Marking block d. generally means that you were a resident of the state before departing the U.S., and your intent to return at some time in the future is uncertain. Marking block d. applies for a Federal ballot only (if one is printed by the state). Federal law provides that no tax liability may be imposed based on exercising your right to vote in Federal elections. If you are a civilian citizen residing outside the U.S. and wish to avoid classifying yourself as a state resident for tax purposes, you should mark block 8d. If the state sends a full ballot because it does not print a separate Federal ballot, you may vote the full ballot.

Block 8.f. In some states, a criminal conviction for a felony or certain misdemeanors, or an adjudication of mental incompetency disqualifies a person from voting, unless there has been a reinstatement of voting rights if required by state law.

Block 8.i. Sign at the X. Provide the date you completed the form.

9. WITNESS/NOTARY. Not all states require completion of this item. Consult your state section of the *Voting Assistance Guide* or your Voting Assistance Officer for your state's requirements. If you require more space to complete this item, use Item 7, Remarks.

SOURCES OF

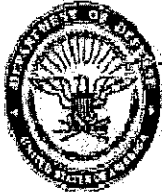
Assistance and information regarding the use and completion of this form, as well as specific state information may be obtained from military Unit Voting Assistance Officers, U.S. Embassy and Consular Voting Assistance Officers, or organizations of U.S. citizens overseas.

REGISTRATION AND ABSENTEE BALLOT REQUEST - FEDERAL POST CARD APPLICATION (FPCA)			
APPLICATION FOR STATE OF _____		COUNTY OF _____	
		CITY OR TOWNSHIP OF _____ §	
I REQUEST ABSENTEE BALLOTS FOR ALL ELECTIONS IN WHICH I AM ELIGIBLE TO VOTE.			
1. APPLICANT INFORMATION (See Instruction 1.)		6. POLITICAL PARTY AFFILIATION (This information is required by most states to send you a ballot for primary elections. See Instructions.)	
a. TYPED OR PRINTED NAME (Last, First, Middle Initial)	b. SEX	c. RACE	
d. DATE OF BIRTH MM DD YYYY	e. SOCIAL SECURITY NUMBER	f. OTHER IDENTIFICATION NO. (passport, ID card)	
7. REMARKS (Provide additional information which will assist local election officials in determining your eligibility to register and vote. See Instructions.)			
2. LAST VOTED or PLACE OF LAST REGISTRATION (Do not leave this section blank. See Instructions.)			
a. YEAR YYYY	b. COUNTY, CITY, OR TOWNSHIP	c. STATE	d. VOTER REGISTRATION NO. (if known)
3. VOTING RESIDENCE (For military, legal residence. For overseas civilians, last residence in U.S. IF USING RURAL ROUTE, SEE INSTRUCTIONS.)		a. LAST DATE OF RESIDENCY MM DD YYYY	
b. NUMBER AND STREET (Do not use Post Office Box)			
c. CITY, TOWN OR VILLAGE		d. STATE	
e. COUNTY OR PARISH		f. ZIP CODE (9-digit, if known)	
4. MAIL ABSENTEE BALLOT TO: (Mailing address where you want the ballot to be sent.)			
5. YOUR FAX NUMBER (If this application is faxed, include all international prefixes. See Instructions.)			
I SIGNATURE OF APPLICANT		J. DATE MM DD YYYY	
X			
9. WITNESS/NOTARY ADDRESS AND SIGNATURE (If required by state law)		DATES SIGNED MM DD YYYY	

The information contained herein is for official use only. Any unauthorized release of this information may be punishable by law.

Standard Form 76A (1-2000)

On-Line Federal Post Card Application



FEDERAL VOTING ASSISTANCE PROGRAM

DEPARTMENT OF DEFENSE
WASHINGTON, DC 20301-1155

May 22, 2002

Ms. Alice P. Miller
Executive Director
Board of Elections and Ethics
441 Fourth Street, NW, Suite 250N
Washington, DC 20001

Dear Ms. Miller.

In December 2001, the Congress amended the *Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA)* (42 U.S.C. 1973ff), and other federal statutes dealing with Uniformed Services voting. This legislation was enacted as Title XVI – Uniformed Services Voting of the National Defense Authorization Act for Fiscal Year 2002 (NDAA FY02), Public Law 107-107. The NDAA FY02 took effect when signed by President Bush on December 28, 2001. The purpose of this letter is to apprise you of these federal statutory changes so that you can modify any affected State election administration procedures and amend your State legislation, if required.

By enacting this legislation, the Congress is re-emphasizing the importance of voting and, in particular, the need to facilitate the enfranchisement of our Uniformed Services voters. They encourage each person who is an administrator of a Federal, State or local election to: (1) be aware of the importance of the ability of each Uniformed Services voter to exercise the right to vote, and (2) perform their election administration duties with intent to ensure that: each Uniformed Services voter receives the utmost consideration and cooperation when voting; each valid ballot cast by such a voter is duly counted; and all eligible American voters, regardless of race, ethnicity, disability, the language they speak, or the resources of the community in which they live, should have an equal opportunity to cast a vote and to have that vote counted.

Specific statutory changes are summarized below by topic:

Guarantee of Residency for Military Personnel. Section 1603 of the NDAA FY02 amends Article VII of the Soldiers and Sailors Civil Relief Act of 1940 (50 U.S.C. App. 590 et seq.) by adding Section 704. The new Section 704 provides that: "For purposes of voting for any Federal office...or a State or local office, a person who is absent from a State in compliance with military or naval orders shall not, solely by reason of that absence---

Exhibit 5

- (1) be deemed to have lost a residence or domicile in that State, without regard to whether or not the person intends to return to that State;
- (2) be deemed to have acquired a residence or domicile in any other State; or
- (3) be deemed to have become a resident in or a resident of any other State."

"...In this section, the term 'State' includes a territory or possession of the United States, a political subdivision of a State, territory or possession, and the District of Columbia."

In the Federal Voting Assistance Program's (FVAP) view this section is intended to apply the same rules to residence or domicile for voting purposes that have long applied to residence or domicile for tax purposes. This is to ensure that absent military voters retain their residence or domicile for voting purposes as long as they remain absent and in service.

Governors' Reports on Implementation of Recommendations for Changes in State Law Made Under the Federal Voting Assistance Program. Section 1605 requires the chief executive authority of each State to submit a report on the status of implementation of legislative recommendations received from FVAP. The report is required 90 days after receiving FVAP's state legislative package. FVAP, in turn, is required to transmit these reports to the respective Congressional delegations from each State. This is a temporary reporting requirement that takes effect with dissemination of FVAP's 2002 legislative initiatives and will continue through 2004.

FVAP is currently collecting information on the legislative schedules for each State to help us develop an appropriate procedure to implement this provision. We will also provide a suggested report format. We expect to provide guidance by July 2002.

Simplification of Voter Registration and Absentee Ballot Application Procedures for Absent Uniformed Services and Overseas Voters. Section 1606 requires States to accept the Federal Post Card Application (FPCA) for simultaneous voter registration and absentee ballot application. It also requires the use of a single FPCA as an absentee ballot request for all subsequent elections for Federal office held in the State during that year. This section of the NDAA FY02 amends Sections 102 and 104 of the *Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA)*.

Section 102 of the *UOCAVA* provides for the receipt of FPCAs by the appropriate State election official 30 days or more before the election. The federal statute is silent

regarding applications received less than 30 days before an election, thus leaving this matter to the discretion of the States. Therefore, FVAP recommends that any FPCAs received less than 30 days before an election be treated in a manner consistent with State law provisions.

Use of Certain Department of Defense (DoD) Facilities as Polling Places. Section 1607 amends Section 2670 of title 10 U.S.C. and makes the following provision for the use of DoD facilities as polling places for local, State or Federal elections:

(1) The Secretary of Defense or Secretary of a Military Department may not prohibit the designation of a qualifying facility as an official polling place if it was:

- a. Used as an official polling place since January 1, 1996 or
- b. Designated as an official polling place by a state or local election official as of December 31, 2000.

(2) The Secretary of Defense or Secretary of a Military Department may prohibit the designation or use of the facility based on local security conditions.

A qualifying facility is a DoD (i.e., federal) facility. State law governs the use of National Guard Armories.

In addition to those provisions that affect the States, the NDAA FY02 places new responsibilities on the DoD and Military Departments in carrying out and supporting the DoD Federal Voting Assistance Program.

Voting Assistance Programs. Section 1602 requires:

(1) The Services' Inspectors General (IG) to conduct annual effectiveness and compliance reviews of their voting assistance programs and submit a report of their review to the DoD IG. The DoD IG will submit an annual report to Congress not later than March 31, 2003.

(2) Commanders at all levels to ensure that unit voting assistance officers are appointed and trained to provide voting information and assistance to service members. Performance evaluation reports of Voting Assistance Officers will comment on that individual's performance as a Voting Assistance Officer.

(3) The DoD Military Postal Service to conduct regular surveys of specified locations, facilities, and vessels to ensure military postal authorities move voting materials expeditiously.

Electronic Voting Demonstration Project. Section 1604 directs the Secretary of Defense to carry out a demonstration project to allow absentee uniformed services voters to vote through an electronic voting system in the November 2002 or 2004 general election. The project is required to have a sufficient number of participant voters to produce statistically relevant results. The Secretary of Defense will carry out the demonstration under cooperative agreements with States that agree to participate in the project.

FVAP will conduct the demonstration project for the November 2004 general election. FVAP released a Request For Proposal in April 2002 for contractor support. Demonstration sites will be selected in August 2002.

I appreciate your support in implementing these provisions of the NDAA FY02. I ask your assistance in notifying local election officials within your State about these changes. If you have any questions or comments, please contact me on 1.800.438.8683 or email at brunellip@fvap.ncr.gov.

Sincerely,



P. K. Brunelli
Director



FEDERAL VOTING ASSISTANCE PROGRAM

DEPARTMENT OF DEFENSE
WASHINGTON, DC 20301-1155

December 20, 2002

The Honorable Mike Huckabee
Governor of Arkansas
State Capitol, Room 250
Little Rock, AR 72201

Dear Governor Huckabee:

In October 2002, the President signed the *Help America Vote Act (HAVA)*, Public Law 107-252, which, in part, amended the *Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA)* (42U.S.C. 1973ff), and other Federal statutes dealing with Uniformed Services and overseas citizen voting. The *HAVA* reinforces some of the provisions of the *National Defense Authorization Act for Fiscal Year 2002 (NDAA FY02)*, Public Law 107-107, as they affected *UOCAVA* voters and legislated new requirements regarding these voters. The purpose of this letter is to apprise you of these Federal statutory changes, as they apply to Uniformed Services and overseas citizen voting, so that you can modify any affected State election administration procedures and amend your State laws, if required.

Congress again has emphasized the importance of voting and, in particular, the need to facilitate the enfranchisement of our Uniformed Services and overseas citizen voters. The following is a summary of the statutory changes affecting *UOCAVA* voters and the Federal Voting Assistance Program's (FVAP) administration of the *Act*:

- The States shall designate a single office which shall be responsible for providing information regarding voter registration and absentee ballot procedures for *UOCAVA* voters. (*Help America Vote Act* §702)
- Each State will report to the Election Assistance Commission, created by the *HAVA*, not later than 90 days following a general election the number of absentee ballots sent to *UOCAVA* voters and the number of absentee ballots received back from *UOCAVA* voters. (§703) The Federal Post Card Application (FPCA)(SF-76) shall be accepted by the States as a request for all absentee ballots through the next two regularly scheduled general elections. (§704)
States may not refuse a request for voter registration or absentee ballots from a *UOCAVA* citizen based on grounds of early submission. (§706)
- States must inform a *UOCAVA* citizen if a voter registration request or absentee ballot application is rejected and the reason for the rejection. (§707)

The Election Assistance Commission, in consultation with the Secretary of Defense, has been charged with studying and reporting best practices for facilitating voting by *UOCAVA* voters. (§242) These best practices are developed by local election officials as ways to improve the efficiency of their election processes—your assistance in identifying these practices will be needed. The areas to be studied include:

- Residence rights of Uniformed Service voters
- Registration & voting rights of *UOCAVA* voters
- Early application for absentee ballots

- Appropriate pre-election deadline for states to mail absentee ballots to *UOCAVA* citizens
- Minimum period between mailing ballots to *UOCAVA* citizens and required receipt date
- Timely transmission of balloting materials to *UOCAVA* citizens
- Security & privacy concerns including fraud protection
- Use of single application for ballots for all Federal elections in a year
- Use of fax and electronic transmission of absentee ballot applications and absentee ballots to *UOCAVA* voters.

The Director, Federal Voting Assistance Program, has been appointed as a member of the Election Assistance Commission's Board of Advisors to represent the needs of *UOCAVA* citizens in the election process. (§214) In this capacity, FVAP will bring voice to not only the needs of these voters but also to the challenges the States face in enfranchising these citizens.

The Secretary of Defense is required to develop a standard oath affirming that a material misstatement of fact in the completion of *UOCAVA* prescribed voting materials may constitute grounds for conviction for perjury. (§705) The States will be required to use this standard oath on their voting materials for *UOCAVA* citizens.

- The Services will require that a postmark or other official proof of mailing is affixed to each absentee ballot collected by the Department of Defense at overseas locations or vessels at sea. (§701) The Services will notify members of deadlines to mail absentee ballots for the general election from individual base locations.

I will send a follow-on letter to Arkansas's Chief Election Official providing an interpretive memo regarding the requirements contained in *HAVA*.

These requirements are in addition to other requirements enacted last year by the *NDAA FY02* that provides for the guarantee of residency for Uniformed Service personnel and the requirement for State Governors to report on the progress in implementing FVAP's legislative recommendations. Those provisions of the *NDAA FY02* were discussed in my letter dated May 22, 2002. Shortly, you will be receiving FVAP's 2003 legislative recommendations to bring uniformity and simplification to the absentee voting process for *UOCAVA* citizens.

I appreciate your support in implementing the provisions of the *Help America Vote Act* and the *NDAA FY02* as they apply to the *UOCAVA* process. I ask your assistance in notifying local election officials within your State about these changes. If you have any questions or comments, please contact me or my deputy, J. Scott Wiedmann, on 1.800.438.8683 or e-mail at brunellip@fvap.ncr.gov or jswiedmann@fvap.ncr.gov.

Sincerely,



P. K. Brunelli
Director

County Auditor Phone And Fax Numbers

County	Phone Number	Fax Number
Aitkin	218-927-7354	218-927-7324
Anoka	763-323-5275	763-422-7526
Becker	218-846-7301	218-846-7257
Beltrami	218-759-6648	218-759-8138
Benton	320-968-5027	320-968-5337
Big Stone	320-839-2525	320-839-5253
Blue Earth	507-389-8341	507-389-8396
Brown	507-233-6615	507-359-1430
Carlton	218-384-9127	218-384-9116
Carver	952-361-1910	952-361-1919
Cass	218-547-7281	218-547-7278
Chippewa	320-269-7447	320-269-7412
Chicago	651-213-0424	651-213-0155
Clay	218-299-5066	218-299-5195
Clearwater	218-694-6520	218-684-6244
Cook	218-387-3000	218-387-3043
Cottonwood	507-831-1905	507-831-4553
Crow Wing	218-824-1045	218-824-1046
Dakota	651-438-4380	651-438-8366
Dodge	507-635-6239	507-635-6265
Douglas	320-762-3881	320-762-2389
Faribault	507-326-6211	507-526-6290
Fillmore	507-765-4701	507-765-4571
Freeborn	507-377-5121	507-377-5175
Goodhue	651-385-3032	651-385-3196
Grant	218-485-4520	218-685-4521
Hennepin	612-348-5151	612-348-9677
Houston	507-725-5803	507-725-2647
Hubbard	218-732-3196	218-732-3645
Isanti	763-689-1644	763-689-8210
Itasca	218-377-2860	218-327-7426
Jackson	507-847-2763	507-847-4718
Kanabec	320-679-6430	320-679-6431
Kandiyohi	320-231-6202	320-231-6263
Koochiching	218-843-2655	218-843-2656
Lac qui Parle	218-283-1101	218-283-1104
Lake	320-598-7444	320-598-3125
Lake of the Woods	218-834-8317	218-834-8358
LeSueur	218-634-2836	218-634-2509
Lincoln	507-357-2251	507-357-6375
Lyon	507-694-1529	507-694-1198
McLeod	507-537-6737	507-537-6091
	320-864-1210	320-864-1295

(Continued)

(Continued)

County	Phone Number	Fax Number
Mahnomen	218-935-5669	218-935-5946
Marshall	218-745-4851	218-745-5089
Martin	507-238-3259	507-238-3259
Meeker	320-693-5212	320-693-5444
Millie Lacs	320-983-8310	320-983-8336
Morrison	320-632-0132	320-632-0139
Mower	507-437-9535	507-437-9471
Murray	507-836-6148	507-836-8904
Nicollet	507-931-6800	507-931-0856
Nobles	507-372-8231	507-372-8390
Norman	218-784-5471	218-784-4531
Olmsted	507-287-2118	507-287-7186
Ontonagon	218-739-2271	218-739-3721
Penningson	218-683-7000	218-683-7026
Pine	320-629-5629	320-629-5679
Pipestone	507-825-6740	507-825-6741
Polk	218-281-2554	218-281-3801
Pope	320-634-5705	320-634-3087
Ramsey	651-266-2171	651-266-2177
Red Lake	218-253-2598	218-253-4894
Redwood	507-637-4013	507-637-4072
Renville	320-523-3624	320-523-3679
Rice	507-332-6104	507-333-3754
Rock	507-283-5060	507-283-1343
Roseau	218-463-1282	218-463-4283
St. Louis	218-726-2385	218-723-5060
Scott	952-496-8560	952-496-8174
Sherburne	763-241-2861	763-241-2869
Sibley	507-237-4070	507-237-4073
Stearns	320-656-3900	320-656-6621
Steele	507-444-7410	507-444-7470
Stevens	320-589-7409	320-589-2036
Swift	320-843-4069	320-843-2275
Todd	320-732-4467	320-732-4001
Traverse	320-563-4242	320-563-4424
Wabasha	651-565-2648	651-565-2774
Wadena	218-631-7650	218-631-7652
Waseca	507-835-0610	507-835-0633
Washington	651-430-6790	651-430-6178
Watonwan	507-375-1210	507-375-3547
Wilkin	218-643-7165	218-643-7169
Winona	507-457-6320	507-457-6454
Wright	763-682-7578	763-682-7873
Yellow Medicine	320-564-3132	320-564-3670

Minnesota Military Absentee Voting



Printed by the
Office of the Minnesota
Secretary of State
www.sos.state.mn.us
Phone: 651-296-2003
Toll Free: 1-877-600-0683

Minnesota Brochure Exhibit 6

Minnesota Military Absentee Voting

Dear Members of the Armed Forces,

On behalf of the people of Minnesota, I thank you for your service to Minnesota and the United States of America. We want to make it as easy as possible for you to vote, even as you are stationed away from home, and we will do everything we can to make sure your vote counts.

Mary Kiffmeyer
Minnesota Secretary of State

Note: Your absentee ballot must be received in your precinct by Election Day when the polls close, or it will not be counted. So, apply for and send in your ballot early.

Resources

Information on overseas voting is available from your Voting Assistance Officer or from the Federal Voting Assistance Program (FVAP) is available online at www.fvap.gov.

The Federal Post Card Application (FPCA) is available online at:
www.fvap.gov/pubs/onlinefpc.html.

Through the Voting Information Center you can hear messages from Secretary of State Mary Kiffmeyer at 800-438-8683.

You can also get more information on the Minnesota Secretary of State's website at www.sos.state.mn.us.

Procedures

These procedures apply to persons who are members of the Uniformed Services and their dependents who are also U.S. citizens and residents of Minnesota. Uniformed Services are defined as the U.S. Armed Forces, merchant marine, and commissioned corps of the Public Health Service and the National Oceanic and Atmospheric Administration.

Follow these steps:

1. Start by contacting your Unit/Organization Voting Assistance Officer for help in absentee registration and voting.

2. Obtain a FPCA (Federal Post Card Application) from your unit's Voting Assistance Officer or see www.fvap.gov/pubs/onlinefpc.pdf to download an online FPCA.

3. Carefully complete your application by following the instructions. When signing the application, you are swearing or affirming that the information is true and correct. The application needs to be witnessed or notarized only if the military ID or passport number of the voter is not provided. This also applies for an authorized individual signing on the voter's behalf. Then fax or mail your application to your county auditor.

4. The ballot will be mailed to you 30 days before each election, or after receipt of your application, if less than 30 days.

5. Mail your completed ballot to the county auditor ASAP (ballots must be received before the polls close on Election Day, or they will not be counted).

Tips to ensure that your vote gets counted:

- A. You must be a Minnesota resident, but you do not have to be a currently registered voter in Minnesota to apply.
- B. Mail or fax your FPCA to your auditor as soon as possible. The FPCA form is now valid for a span covering two general federal elections.
- C. Military spouses and dependents can use the same process to apply for absentee ballots.
- D. A member of your immediate family (spouse, parent, sister, brother, or child over 18 years of age) can complete and submit your application for you.
- E. Allow enough time to mail the ballot. Remember, the voted ballot must be received before the polls close on Election Day.
- F. Minnesota does not allow you to receive or return ballots by fax.
- G. If you are located outside the U.S., have applied for and have not received your state ballot in a timely manner, request a Federal Write-In Absentee Ballot from your Voting Assistance Officer.

The 2004 election dates in Minnesota are:
State Primary: September 14, 2004
State General Election: November 2, 2004

Minnesota Brochure continued

Texas Elections Division Homepage

<http://www.sos.state.tx.us/elections>

Texas Secretary of State
Geoffrey S. Connor

Search | Site Index | Help | Contacts | Press Office



Quick Links:

SELECT A TOPIC

Elections & Voter Information

- Elections & Voter Information
- Voter Information
- Conducting Your Elections
- Candidates
- Military/Overseas Voters
- Help America Vote Act (HAVA)
- Project V.O.T.E., for Teachers, Educators, and Students
- Election Returns
- Index of Forms
- Election Law Opinions
- D.O.J. Preclearance History

About the Elections Division

The Secretary of State is the chief election officer for the State of Texas. The Secretary of State's Elections Division provides assistance and advice to election officials on the proper conduct of elections. This includes hosting seminars and elections schools, providing calendars, ballot certification, primary election funding, and legal interpretations of election laws to election officials. We also provide assistance to the general public on voter registration and other election issues through our 1-800 toll-free number, 1-800-252-VOTE (8683), and via the internet at elections@sos.state.tx.us.

The Elections Division administers and maintains the Texas Voter Registration System, which is an online voter registration application designed for county officials to maintain accurate and efficient voter registration rolls. Currently, over 120 counties are online with TVRS. In addition, we maintain a statewide master file of all registered voters.

Texas Voter Registration Application



Request a Voter Registration Application Click on the link to fill out a simple form and request a postage-paid application.

new You may change your name or address online. Address changes must be within the same county you are currently registered in.



Solicite una Aplicación de Registro del Votante Puede llenar la información en la pantalla e imprimir la aplicación informal (seleccionando el condado de su residencia abajo.)

nuevo Puede cambiar su nombre y dirección en línea. El cambio de dirección se podrá electuar si se mudó dentro del mismo condado en el que está actualmente registrado.

Section Mailing Address

Elections Division
Secretary of State
P.O. Box 12060
Austin, Texas 78711-2060

Section Physical Address

Elections Division
Secretary of State
208 East 10th Street
Rusk Building, Third Floor
Austin, Texas 78701

Section Hours of Operation:

Customer Service
State
click here



Here click aquí
Español

Points of Interest

NEW Election Advisory No. 2004-5
• Please review post-election procedures, qualifications for office.

NEW Election Advisory No. 2004-6
• Please review recount deadlines for May 19, 2004 general election.

NEW Information for the Twentieth Annual Election Law Seminar for County Clerks and Elections Administrators

NEW Information for the Twentieth Annual Election Law Seminar for Voter Registrars and Elections Administrators

NEW Exhibitor information for the 22nd Annual Election Law Seminars for County Officials

NEW Sixteenth Annual Election Law Seminar for Cities, Schools, and Other Political Subdivisions

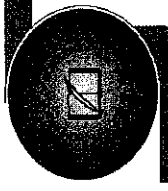
NEW Exhibitor information for the Sixteenth Annual Election Law Seminar for Cities, Schools, and Other Political Subdivisions

Secretary of State Geoff Connor releases 30-second public service announcements to encourage

Exhibit 7

Leon County Florida Absentee Voting Homepage

<http://www.leonfl.org/elect>



EARLY VOTING Leon County Supervisor of Elections Office Leon County, Florida, USA

- Home
- Meet the Supervisor
- Office Information
- ABC's of Voting
- Voter Registration
- Upcoming Elections
- Early Voting
- Candidate Filing and Qualifying
- Past Elections Results
- Voter Demographics
- Maps
- Campaign Treasurer's Reports
- Elected Officials List
- Precincts and Polling Places
- Database Availability
- School Elections
- Job Openings
- Florida Election Laws and Procedures
- Links to Other Sites
- Email/Feedback

Early Voting Period

Early Voting:

- **Who can vote early?**

Any registered voter who is eligible to vote in an upcoming election may vote early if they are unable to vote at their precinct on election day.

- **How do I vote early?**

It is easy to vote early. One can request a mail ballot, or vote at the Leon County Courthouse.

A person can request a mail ballot for his or her own use, either:

in person, over the telephone, by mail or,

Use our online form or,

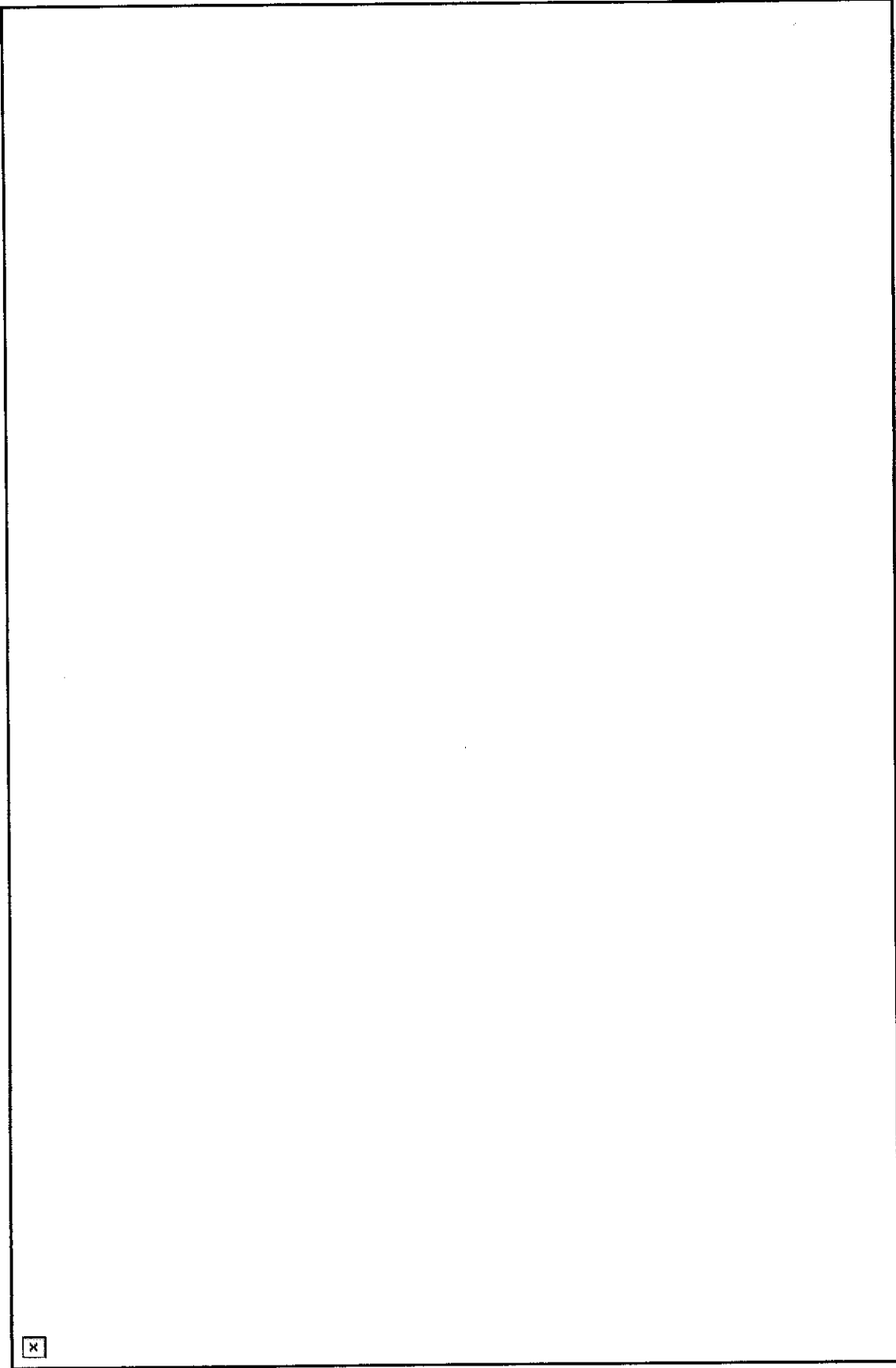
Print a form that you can complete and mail, fax, or deliver to our office.

If you are requesting a mail ballot for yourself, we are required by Florida Statute to get:

- YOUR NAME
- YOUR ADDRESS
- YOUR VOTER REGISTRATION NUMBER

Without this specific information, we are unable to process your mail ballot request.

Also, your mail ballot may be picked up by any person (except a candidate for office)



**Nebraska Brochure
Exhibit 9**

Dear Members of the Armed Forces,

On behalf of the people of Nebraska, I would like to thank you for your service to our country and our state. We are grateful for the sacrifices that you make in order to preserve our democracy.

One of the greatest rights in our society is the right to vote. We want to ensure you the opportunity to cast your ballot during your overseas deployment. By following these procedures, you will be exercising your freedom.

As the chief election official in Nebraska, I want to encourage you to take the time to participate in this year's elections.

John A. Gaft

Nebraska Secretary of State

VOTER QUALIFICATIONS

To Vote in Nebraska, you must be:

A U.S. citizen

At least 18 years old, or will be 18 on or before the 1st Tuesday following the 1st Monday in November of this year

A resident of Nebraska

The following will disqualify you from voting in Nebraska:

Felony conviction, without

restoration of civil rights

Adjudicated non compos

mentis (mentally incompetent)

OVERSEAS VOTING

You should send a FPCA (Federal Post Card Application) to your election official every year and whenever you change your mailing address. By using the FPCA, you are requesting to receive ballots for every election in which you are eligible to vote in the calendar year.

To register, your completed FPCA must be postmarked no later than the 3rd Friday before the election

If you are already registered and are requesting an absentee ballot, send your completed FPCA or a written request to the County Election Official so that it arrives no later than 4:00 pm on the Wednesday (6 days) before the election.

Nebraska law allows you to send the FPCA for registration and absentee ballot by fax. After faxing, submit the FPCA by mail. The deadline for faxed registration is the 3rd Friday before the election.

If your FPCA arrives before the deadline, it will be processed and a ballot will be issued to you. Absentee ballots are mailed to persons outside the U.S. approximately 45 days before the election.

If you are a Nebraska resident residing outside the territorial limits of the U.S. you are eligible to request a state special write-in ballot. These ballots are available 57 days before the election. To make this request, use the FPCA and in item 7 either write or place a label stating, "I am outside the territorial limits of the U.S. I request a special write-in absentee ballot." This special write-in ballot is especially useful

for those who serve in areas without regular mail service.

Nebraska does not allow you to receive a blank ballot by fax. Nebraska also does not allow for voted ballots to be returned by fax.

Your voted ballot must arrive at your County Election Official's office before the close of the polls on Election Day.

RESOURCES

The FPCA is available on line at <http://www.fvap.gov/subs/onlinefoca.html>

Information on overseas voting is available from your Voting Assistance Officer or from the Federal Voting Assistance Program (FVAP) <http://www.fvap.gov/>

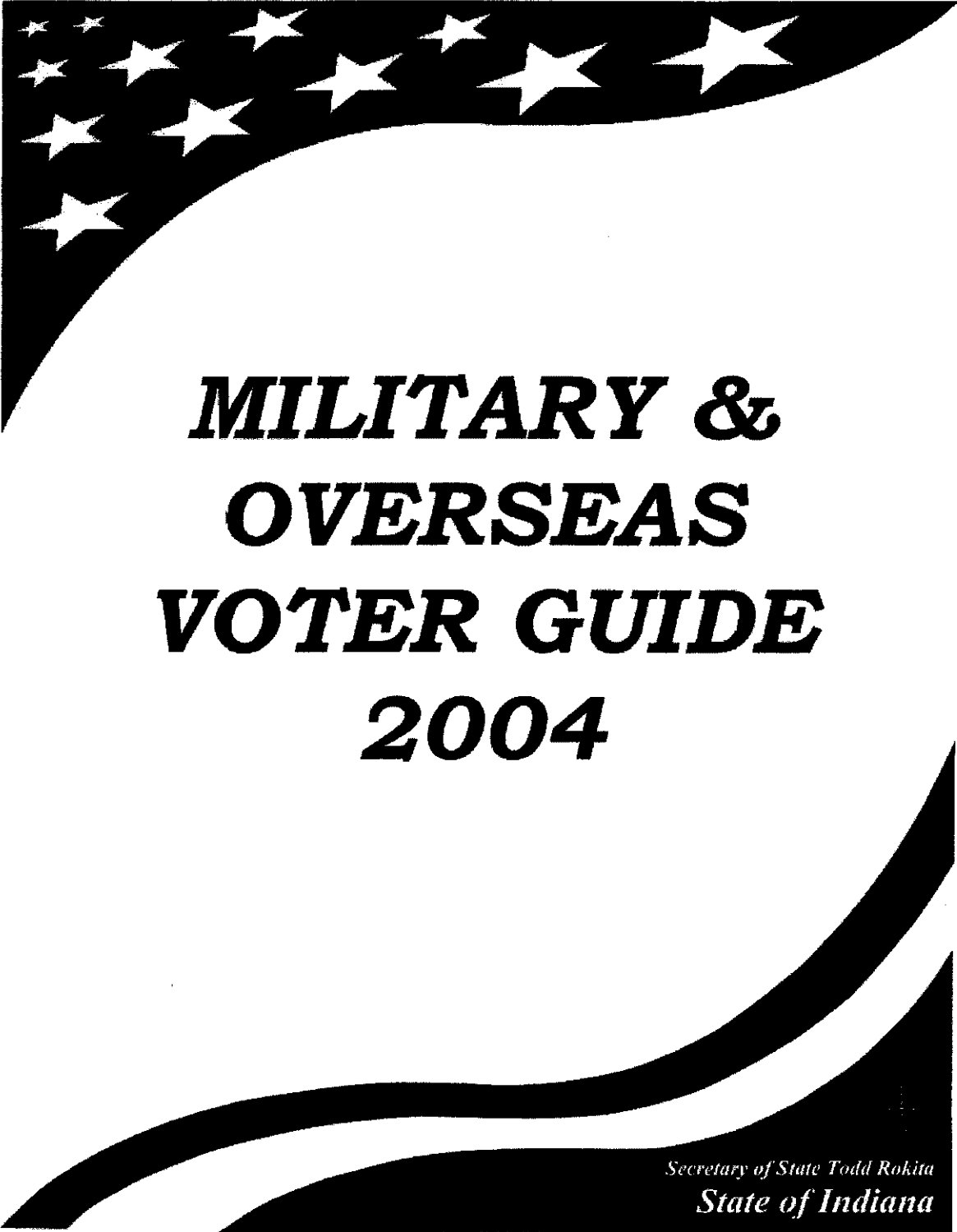
Through the Voting Information Center you can hear messages from Secretary Gaft as well as the Nebraska Congressional delegation at 800-438-8683 or DSN 425-1584.

Additional information on elections is available on the Nebraska Secretary of State's website at <http://www.sos.state.ne.us>

If you are stationed in Nebraska, but not a Nebraska resident, please contact either your Voting Assistance Officer or the Secretary of State in your residential state.

The 2004 election dates in Nebraska are:
Primary - May 11, 2004
General - November 2, 2004.

Nebraska Brochure continued



***MILITARY &
OVERSEAS
VOTER GUIDE
2004***

*Secretary of State Todd Rokita
State of Indiana*

Exhibit 10

State of Indiana Military and Overseas Voter Guide 2004
(Full report provided under separate cover)