

CACEO

California Association of Clerks and Election Officials



Military and Overseas Voters

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CALIFORNIA ASSOCIATION OF CLERKS AND ELECTIONS OFFICIALS

Military and Overseas Voters Manual

Compiled by the
Military and Provisional Subcommittee
CACEO Legislative Committee
Diane Jones, Chair
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Introduction

The Military and Overseas Subcommittee of the CACEO Legislative Committee met monthly in 2005 and 2006 monthly to discuss policies and best practices at the county level. The result of those meetings is this manual.

It is written to provide an employee new to elections the foundation of information necessary to serve and assist those voters who are in the military or living overseas. There are many chapters, starting with a brief history of military voters in California, definitions, and a situational table. Experienced staff may use one or other of the chapters more often, but given the amount of staff turnover, the committee thought it best to include basic information as well as higher level, pragmatic procedural data.

Please contact the subcommittee chair or vice chair to report any necessary changes or errors; we fully expect this document to be updated as the law changes and procedures evolve.

Acknowledgements

Many dedicated volunteers from a variety of counties helped to compile this manual. Diane Jones, Sacramento, has chaired the Military and Overseas Sub-committee for several years, beginning in August 2005. Heartfelt thanks go out to all the following: Robert Pennisi (San Diego), Cathy Cooper (Solano), Cathy Darling (Shasta), Alex Olvera (Los Angeles), Elma Rosas (Santa Clara), Victor Salazar (Fresno), Ryan Ronco (Placer), Terry Ringle (Solano), Pauline Glaser (San Diego), Maria Alvarado (San Diego), Erin Mendez (Contra Costa), Candy Lopez (Contra Costa), Terry Hansen (Yuba), Donna Hillegass (Yuba), Reva Corriea (Yolo), Judy Chase (Contra Costa), Karen Fears (Contra Costa). Thanks also to Steve Trout and Scott Konopasek for allowing us to borrow their chart.

We would be remiss if we did not include a mention of the Secretary of State staff; each administration has willingly participated in this effort and it has been appreciated.

A Brief History

Military and Overseas Voters, called Special Absentees in California, have been voting earlier than other absentee voters since 1955.

There have been three major pieces of legislation passed by Congress to help protect the voting rights of military personnel and overseas citizens.

“The Federal Voting Assistance Act (FVAA)”

The Federal Voting Assistance Act (FVAA) was established in 1955 to encourage states to provide for absentee ballots to military voters overseas. This was expanded to include spouses and family members also overseas and eventually all Americans abroad. The FVAA also established the Federal Voting Assistance Program (FVAP) to provide election information to military and overseas voters. Information was mainly circulated by distribution of the Voter Assistance Guide.

The FVAA had three main elements. First, it established the standard Federal Post Card Application (FPCA) that could be used for both voter registration and ballot purposes. Secondly, the FVAA made recommendations to the States on such matters as voter registration and absentee ballot mailing guidelines. Finally, the FVAA required expedited mailing and provided free postage for FPCA's, ballots and voting instructions mailed under the Act.

“Overseas Citizens Voting Rights Act (OCVRA)”

In 1975, Congress enacted the OCVRA because of the confusing and restrictive nature of many State laws. This Act ensured the right to vote in federal elections for all citizens overseas, even if they did not maintain a legal domicile in the United States. Under the OCVRA, citizens may register and vote absentee in a federal election (without tax consequences under a 1978 amendment) from the county or city where they were last domiciled prior to leaving the country. The OCVRA also required States to honor registration requests



Elections Code that applies to this chapter:
3000

received no later than 30 days prior to a federal election.

“The Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA)”

The Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) of 1986 (42 USC 1973ff) protects the voting rights of:

- members of the Uniformed Services (on active duty) and their eligible dependents,
- members of the Merchant Marine and their eligible dependents,
- Commissioner Corps of the Public Health Service,
- Commissioned Corps of the National Oceanic and Atmospheric Administration, and
- U.S. citizens residing outside the U.S.

UOCAVA requires States/territories to allow these citizens to register and vote in elections for federal office using absentee procedures.



The 1988 Executive Order 12642 names the Secretary of Defense as the Presidential designee for administering UOCAVA. Executive Branch departments and agencies with employees residing overseas provide voting assistance under guidance from the Presidential designee. The U.S. Postal Service and the Department of Defense Military Postal Service Agency facilitate the physical transmission of election materials between voter and local election officials. The Department of Justice enforces UOCAVA protections through litigation.

The Help America Vote Act (HAVA) of 2002 mandates that for each regularly scheduled general election for federal office, the Election Assistance Commission (EAC) shall collect comprehensive data from the states on all of the ballots sent to and received from UOCAVA voters. Specifically, HAVA, section 703 (a), amended section 102 of UOCAVA by adding the following requirement:



“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 HAVA 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 a report available to the general public.”

HAVA section 703(b) requires the EAC to work with the EAC Board of Advisors and the EAC Standards Board to develop a standardized format for the reports submitted by States

and units of local government under UOCAVA Section 102, as revised. HAVA also requires the EAC to make the format available to the States and local units of government submitting such reports.

Section 702 of HAVA also requires each State to establish a single State office that is “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.” It further recommends that this state office be the organization responsible for carrying out the entire state’s responsibilities under UOCAVA; in California the Secretary of State’s (SoS) office carries this responsibility.

Definitions

Following are commonly used terms related to military and overseas voters in California.

8D2 Card An 8d2 is a residency confirmation card. This card is sent by first-class, forwardable mail to a registered voter that has been inactivated due to a third party change of address notification. This card is used to correct the voter registration file pursuant to the National Voter Registration Act of 1993.



AA Military state abbreviation; Armed Forces Americas except Canada.

Absent Uniformed Service Voter A member of a uniformed service on active duty, merchant marine, spouse, or dependent of a member who, by reason of such active duty, is absent from the place of residence where the member is otherwise qualified to vote.

Absent Voter Any voter casting a ballot in any way other than at the polling place.

AE Military state abbreviation; Armed Forces Africa, Canada, Europe, and Middle East.

AP Military state abbreviation; Armed Forces Pacific.

APO Air Force/Army Post Office.

ARC card Alternate Residency Confirmation card, used to assist in correcting the voter file of voters who haven't voted in 2 consecutive federal elections.

DMM Domestic Mail Manual; a manual for all domestic mail information and requirements.

DOD Department of Defense.

EAC Election Assistance Commission.

EC Election Code.

EMS Election Management System: a computer database that holds data essential to conducting elections and typically includes a voter registration database.

Federal Voter A voter living overseas indefinitely who by virtue of citizenship is entitled to vote on US federal contests based on their last US residence.

FPCA Federal Postcard Application (Standard Form 76A); per EC it is a voter registration and a request for permanent absentee status.

FPO Fleet Post Office (Navy).

FTFV First Time Federal Voter: under HAVA, a voter that registers by mail who possesses no state-issued ID, no social security number and has no history of voting in a federal election in any county in California; per HAVA military and overseas voters are exempt from the ID requirements most FTFVs are subject to.

FBVP Federal Voting Assistance Program of the Department of Defense. Provides voting related information and resources for UOCAVA citizens. U.S. citizens covered by the UOCAVA include: members of the U.S. Uniformed Services (on active duty) and merchant marine, their family members, and U.S. citizens residing outside the United States.

FWAB The Federal Write-in Absentee Ballot (Standard Form 186) is a backup "emergency" ballot available for citizens covered under UOCAVA. Only valid in federal general elections, these are usually downloaded and printed out then completed by the military/overseas voter. Voters are only eligible to use a FWAB if they have requested an absentee ballot from the county in a timely manner AND have not received it. In most cases, the requests must be checked for eligibility and then remarked onto official ballots as appropriate.

HAVA Help America Vote Act of 2002. Congress passed the Help America Vote Act to ensure fairness in elections, to educate voters about their rights and responsibilities and to establish the Election Assistance Commission to assist in the administration of federal elections and to otherwise provide assistance with the administration of certain federal election laws and programs.

Military Voter An absent uniformed services voter who, by reason of active duty or service is absent from the United States or their domiciled voting jurisdiction on the date of the election involved. A person who resides outside the United States and (but for such residence) would be qualified to vote in the last place in which the person was domiciled before leaving the United States.

MOV Military Overseas Voter.

MPO Military Post Office.

MPS Military Postal Service; provides postal services to Armed Forces personnel, family members, and other DoD personnel authorized to use military post offices in 82 countries worldwide.

NVRA National Voter Registration Act of 1993.

OFPCA Online version of the Federal Post Card Application.

OFWAB Online version of the Federal Write-in Absentee Ballot.

Overseas Voter Any US citizen, 18 years of age or older, who resides overseas and is registered in their county of residence. (*San Diego County uses this term to identify federal ballot voters only)

ROV Registrar of Voters.

SOS Secretary of State.

Special Absentee Voter An elector who is any of the following:

1. A member of the armed forces of the United States or any auxiliary branch thereof.
2. A citizen of the United States temporarily living outside of the territorial limits of the United States or the District of Columbia.
3. A person serving on a merchant vessel documented under the laws of the United States. (Merchant marine)
4. A spouse or dependent of a member of the armed forces or any auxiliary branch thereof.

UOCAVA Uniformed and Overseas Citizens Absentee Voting Act.

VNC Voter Notification Card. A postcard sent to a newly registered voter confirming their registration/application to vote. See Elections Code 2155.

VRC Voter Registration Card or Affidavit of Registration.

Voting Residence The address where the military or overseas voter actually lived before leaving the country. See Elections Code 3302.

Timeline

The chart below is a suggested timeline to schedule all special absentee voter activities.

E-Days Prior	Date *	Process
	Ongoing	<ul style="list-style-type: none"> ▪ Process incoming FPCA's; allow CalValidator to process overnight ▪ Code by Military Type/Overseas citizen ▪ Enter voter in voter registration database ▪ Send confirmation letter or 8D2 card as county policy dictates
129 – 99	July 1 – July 31	<ul style="list-style-type: none"> ▪ Inventory envelopes - order if necessary. ▪ Allow 4 weeks if only reproducing ▪ Allow 6 to 8 weeks if redesigning
120 – 100	Jul 10 – Jul 30	<ul style="list-style-type: none"> ▪ Send Election Notification to Military Voters to update status prior to issuing ballots (optional)
98 – 68	Aug 1 – Aug 31	<ul style="list-style-type: none"> ▪ Run reports by type to compare information in voter registration database in order to eliminate duplicates and undeliverables; this also confirms the number of ballots mailed matches registered special absentee voters within the county
78 – 60	Aug 21 – Sept 8	<ul style="list-style-type: none"> ▪ Prepare Voter Information Pamphlet ▪ Print 2 sets for labels, 1 for ID envelope, 1 for outgoing envelope ▪ Print Sample Ballot Proofs, using Ballot Type Pull list ▪ Insert Sample Ballots Proofs, State Ballot Pamphlets, Voter Information Pamphlet, Fax Voted Ballot Instructions, How to Mark Your Ballot info, etc
60 – 45	Sept 8 – Sept 23	<ul style="list-style-type: none"> ▪ Begin mailing initial 60 day overseas voters ballots
45 – 7	Sept 23 – Oct 31	<ul style="list-style-type: none"> ▪ Supplemental mailing-Continue to mail, fax or email ballots as requested
After Canvass	Undeliverables must be accounted in the report to the SoS in Chapter 9 of this Manual	<ul style="list-style-type: none"> ▪ Post Undeliverable Ballots in AV system ▪ Update voters in voter registration database as Third Party Change of Address based on returned information by updating mailing addresses or making voter undeliverable ▪ Send letters w/a new FPCA to voters who have a new mailing address to update their information ▪ Send letters to the residence of record for voters whose mailing address is undeliverable

* Based upon a November election.

Affidavits

Voters indicate in several ways the fact that they are currently in military service or living overseas.

Voters may send in several kinds of documents to their county of residence that indicate that their status is not one of a “conventional” voter.

Military voters stationed overseas or stateside may send in a Federal Postcard Application (FPCA). A regular VRC, or Voter Registration Card, may be submitted with a mailing address that clearly indicates military service (using an FPO or APO for example), or the mailing address may be overseas. Requests may also come in the form of a letter. Samples of various voter registration applications follow on the next pages.

It is the practice of most counties to process military and overseas voters as permanent absentee voters, per Elections Code 3104.



Elections Code that applies to this chapter:
3100, 3101, 3103, 3104,
3106, 3107, 3108, 3109,
3302, 3304, 3305, 3308

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

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

Standard Form 76A (Rev. 10-2005)

REGISTRATION AND ABSENTEE BALLOT REQUEST - FEDERAL POST CARD APPLICATION (FPCA)				
1. I REQUEST ABSENTEE BALLOTS FOR ALL ELECTIONS IN WHICH I AM ELIGIBLE TO VOTE AND I AM (Mark only one):				
<input type="checkbox"/> (a) A MEMBER OF THE UNIFORMED SERVICES OR MERCHANT MARINE ON ACTIVE DUTY, OR AN ELIGIBLE SPOUSE OR DEPENDENT				
<input type="checkbox"/> (b) A U.S. CITIZEN RESIDING OUTSIDE THE U.S. TEMPORARILY				
<input type="checkbox"/> (c) A U.S. CITIZEN RESIDING OUTSIDE THE U.S. INDEFINITELY				
2. MY INFORMATION (Required)				
a. TYPED OR PRINTED NAME (Last, First, Middle)			SUFFIX (Jr., Sr., Ill, etc.)	b. PREVIOUS NAME (if applicable)
c. SEX <input type="checkbox"/> M <input type="checkbox"/> F	d. RACE	e. DATE OF BIRTH (MMDDYYYY)	f. SOCIAL SECURITY NUMBER	
g. STATE DRIVER'S LICENSE OR I.D. NUMBER			h. TELEPHONE NUMBER (No DSN number; include all international prefixes)	
i. FAX NUMBER (No DSN number; include all international prefixes)			j. EMAIL ADDRESS	
3. MY VOTING RESIDENCE ADDRESS (Required) (Military, use legal residence. Overseas citizens, use last legal residence in U.S.)				
a. NUMBER AND STREET (Cannot be a P.O. Box)				
b. CITY, TOWN OR VILLAGE		c. COUNTY		d. STATE
e. ZIP CODE				-
4. WHERE TO SEND MY VOTING MATERIALS				
a. MY CURRENT ADDRESS (Where I live now) (Required)			b. MY FORWARDING ADDRESS (NOTE: Complete 4b. only if you do not want your ballot mailed to the address in Block 4a.)	
_____ _____ _____			_____ _____ _____	
c. I PREFER TO RECEIVE MY ABSENTEE BALLOT, AS PERMITTED BY MY STATE, BY: <input type="checkbox"/> MAIL <input type="checkbox"/> FAX <input type="checkbox"/> EMAIL				
5. MY POLITICAL PARTY PREFERENCE (Optional, but may be required by states to register to vote in primary elections):				
6. ADDITIONAL INFORMATION (Designate the period for which you want to receive ballots - see instructions for Block 6, paragraph (3). Consult the Voting Assistance Guide for other specific state instructions.)				
_____ _____ _____				
7. AFFIRMATION (Required)				
I swear or affirm, under penalty of perjury, that:				
1. I am 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 day of the election), 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., and 5. My signature and date below indicate when I completed this document, and 6. The information on this form is true 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 conviction of perjury.				
Signed: _____		Date: _____		Signed: _____
(MMDDYYYY)		(MMDDYYYY)		(Witness/Notary and Address (if required))
(MMDDYYYY)		(MMDDYYYY)		(MMDDYYYY)

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

Adobe Designer 6.0

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

Standard Form 186A (Rev. 10-2005)

VOTER'S DECLARATION/AFFIRMATION - FEDERAL WRITE-IN ABSENTEE BALLOT (FWAB)				
1.a. I AM (Mark only one): <input type="checkbox"/> A MEMBER OF THE UNIFORMED SERVICES OR MERCHANT MARINE ON ACTIVE DUTY, OR AN ELIGIBLE SPOUSE OR DEPENDENT <input type="checkbox"/> A U.S. CITIZEN RESIDING OUTSIDE THE U.S. TEMPORARILY <input type="checkbox"/> A U.S. CITIZEN RESIDING OUTSIDE THE U.S. INDEFINITELY				
1.b. I ALSO REQUEST VOTER REGISTRATION (where permitted by state law) <input type="checkbox"/>				
2. MY INFORMATION (Required)				
a. TYPED OR PRINTED NAME (Last, First, Middle)			SUFFIX (Jr., Sr., III, etc.)	b. PREVIOUS NAME (if applicable)
c. SEX <input type="checkbox"/> M <input type="checkbox"/> F	d. RACE	e. DATE OF BIRTH (MMDDYYYY)	f. SOCIAL SECURITY NUMBER _ _ - _ -	g. STATE DRIVER'S LICENSE OR I.D. NUMBER
h. TELEPHONE NUMBER (No DSN number; include all international prefixes)			i. FAX NUMBER (No DSN number; include all international prefixes)	
j. EMAIL ADDRESS				
3. MY VOTING RESIDENCE ADDRESS (Required) (Military, use legal residence. Overseas citizens, use last legal residence in U.S.)				
a. NUMBER AND STREET (Cannot be a P.O. Box.)				
b. CITY, TOWN OR VILLAGE		c. COUNTY	d. STATE	e. ZIP CODE _ -
4. WHERE TO SEND MY VOTING MATERIALS				
a. MY CURRENT ADDRESS (Where I live now) (Required)			b. MY FORWARDING ADDRESS (NOTE: Complete 4b. only if you do not want your ballot mailed to the address in Block 4a.)	
_____			_____	
_____			_____	
5. MY POLITICAL PARTY PREFERENCE (Optional, but may be required by states to register to vote in primary elections):				
6. ADDITIONAL INFORMATION (Designate the period for which you want to receive future ballots. See instructions. Consult your state pages of the Voting Assistance Guide for additional information requested.)				
7. AFFIRMATION: (Required) I swear or affirm, under penalty of perjury, that: 1. I am 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 day of the election), 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., and 5. My application for a regular absentee ballot was mailed in time to be received by the local election official 30 days prior to this election, or the state deadline, whichever is later, and 6. I have not received the requested ballot, and 7. I understand that if my regular absentee ballot is received by the local election official in time to be counted, that ballot will be counted and this write-in ballot will be voided, and 8. I have voted and sealed this ballot in private and have not allowed any person to observe the marking of this ballot, except for those authorized to assist voters under state or Federal law and I have not been influenced, and 9. I am a Uniformed Services member, or dependent, who is absent from my voting jurisdiction, or I am an overseas citizen and have submitted this ballot from outside the U.S., or my state has made special provisions to allow me to mail this ballot inside the U.S., and 10. My signature and date below indicate when I completed this document, and 11. The information on this form is true 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 conviction of perjury.				
Signed: _____ Date: _____ Signed: _____ Date: _____ (MMDDYYYY) Witness/Notary and Address (if required) (MMDDYYYY)				

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

Voter Registration Application

Before completing this form, review the General, Application, and State specific instructions.

Are you a citizen of the United States of America? <input type="checkbox"/> Yes <input type="checkbox"/> No Will you be 18 years old on or before election day? <input type="checkbox"/> Yes <input type="checkbox"/> No If you checked "No" in response to either of these questions, do not complete form. <small>(Please see state-specific instructions for rules regarding eligibility to register prior to age 18.)</small>		This space for office use only.					
1 (Circle one) Last Name Mr. Mrs. Miss Ms.		First Name		Middle Name(s)		(Circle one) Jr Sr II III IV	
2 Home Address			Apt. or Lot #	City/Town		State	Zip Code
3 Address Where You Get Your Mail If Different From Above				City/Town		State	Zip Code
4 Date of Birth / / Month Day Year		5 Telephone Number (optional)		6 ID Number - (See item 6 in the instructions for your state)			
7 Choice of Party <small>(see item 7 in the instructions for your state)</small>		8 Race or Ethnic Group <small>(see item 8 in the instructions for your state)</small>					
9 I have reviewed my state's instructions and I swear/affirm that: <input type="checkbox"/> I am a United States citizen <input type="checkbox"/> I meet the eligibility requirements of my state and subscribe to any oath required. <input type="checkbox"/> The information I have provided is true to the best of my knowledge under penalty of perjury. If I have provided false information, I may be fined, imprisoned, or (if not a U.S. citizen) deported from or refused entry to the United States.							
Please sign full name (or put mark)						Date: / / Month Day Year	

If you are registering to vote for the first time, please refer to the application instructions for information on submitting copies of valid identification documents with this form.

Please fill out the sections below if they apply to you.

If this application is for a change of name, what was your name before you changed it?

A Last Name <small>Mr. Mrs. Miss Ms.</small>		First Name		Middle Name(s)		(Circle one) Jr Sr II III IV	
---	--	------------	--	----------------	--	---------------------------------	--

If you were registered before but this is the first time you are registering from the address in Box 2, what was your address where you were registered before?

B Street (or route and box number)		Apt. or Lot #	City/Town/County		State	Zip Code
------------------------------------	--	---------------	------------------	--	-------	----------

If you live in a rural area but do not have a street number, or if you have no address, please show on the map where you live.

C		Write in the names of the crossroads (or streets) nearest to where you live. Draw an X to show where you live. Use a dot to show any schools, churches, stores, or other landmarks near where you live, and write the name of the landmark.					
Example		Public School ●		Grocery Store ●		NORTH ↑	
Woodchuck Road		X					

If the applicant is unable to sign, who helped the applicant fill out this application? Give name, address and phone number (phone number optional).

D							
---	--	--	--	--	--	--	--

Mail this application to the address provided for your State.

Ballots

There are several kinds of ballots voted by military and overseas voters.

On the following pages you will find fax balloting instructions, the generic write in ballot developed by the Secretary of State for California voters, and a sample of the federal write in ballot from the FVAP website and various samples improvised by counties using their sample ballot booklets. Of course, military voters may also vote on a traditional absentee ballot issued by the county.



California counties began accepting faxed ballots from military and overseas voters during the October 2003 Special Recall Election. In October 2004, a lawsuit was filed against the Secretary of State seeking to eliminate the requirement that an overseas citizen must sign an oath to waive their right to a secret ballot. In 2005, the court ruled that this violated the constitutional guarantee of a secret ballot. Faxed balloting in California for military and overseas voters was challenged in court through most of 2005 and 2006. In June 2006, the Third District Court of Appeal heard arguments on the issue and on July 11, 2006 issued its opinion, reversing the decision of the lower court.

The court concluded that “the constitutional guarantee of a secret ballot must be balanced against the constitutional right of voters to cast a vote” and that “given a choice between fax voting and not voting at all, citizens should be able to choose to vote by fax and to waive their right to a secret ballot.” The court reasoned that the history of Elections Code section 3103.5 demonstrates that the Legislature enacted the statute based on a desire to allow overseas voters to vote “in circumstances where they would otherwise be disenfranchised.”



Elections Code that applies to this chapter:
3102, 3103.5, 3307, 3310, 3311

Print Form

STATE OF CALIFORNIA
Military & Overseas Voter Absentee Ballot

<Enter Election Title Here> County:

OFFICES

OFFICE:
I VOTE FOR:

BALLOT MEASURES/PROPOSITIONS

BALLOT MEASURE/PROPOSITION
NUMBER/TITLE:
YES NO

Sacramento County *Sample* Federal Ballot

UNITED STATES SENATOR SENADOR DE LOS ESTADOS UNIDOS	UNITED STATES REPRESENTATIVE REPRESENTANTE DE LOS ESTADOS UNIDOS
U S SENATOR Senador Federal Vote for One/Vote por Uno	CONGRESSIONAL DISTRICT 3 Distrito 3 del Congreso Vote for One/Vote por Uno
<input type="radio"/> MARSHA FEINLAND Peace And Freedom/Partido Paz y Libertad Retired Teacher/ Maestra jubilada	<input type="radio"/> MICHAEL ROSKEY Peace And Freedom/Partido Paz y Libertad Researcher/Union Officer/ Investigador/Funcionario de sindicato
<input type="radio"/> DIANNE FEINSTEIN Democratic/Partido Demócrata United States Senator/ Senadora de Estados Unidos	<input type="radio"/> DAN LUNGREN Republican/Partido Republicano United States Representative/ Representante de Estados Unidos
<input type="radio"/> DON J. GRUNDMANN American Independent Partido Americano Independiente Doctor of Chiropractic/ Doctor en quiropráctica	<input type="radio"/> DOUGLAS ARTHUR TUMA Libertarian/Partido Libertario Retired Civil Engineer/ Ingeniero civil jubilado
<input type="radio"/> RICHARD "DICK" MOUNTJOY Republican/Partido Republicano Immigration Control Consultant/ Consultor de control de inmigración	<input type="radio"/> BILL DURSTON Democratic/Partido Demócrata Emergency Physician/ Médico de urgencias
<input type="radio"/> MICHAEL S. METTI Libertarian/Partido Libertario Parent/Educator/Businessman/ Padre/Educador/Empresario	<input type="radio"/> Write-in
<input type="radio"/> TODD CHRETIEN Green/Partido Verde Writer/ Escritor	<input type="radio"/> Write-in
<input type="radio"/> Write-in	<input type="radio"/> Write-in

OFFICIAL BALLOT - DIRECT PRIMARY ELECTION/BALOTA OFICIAL - ELECCION PRIMARIA DIRECTA

BT: 1-A

DEMOCRATIC/DEMOCRATA
COUNTY OF SACRAMENTO/CONDOMIO DE SACRAMENTO
JUNE 6, 2006 / 6 DE JUNIO DE 2006

INSTRUCTIONS TO VOTER

1. To vote, BLACKEN the oval (●) to the left of any candidate or to the left of the word "YES" or word "NO." Do not vote for more than the authorized number of candidate(s).
2. Use only the marking device provided. (Absentee voters use black ink.)
3. To cast a write-in vote, write the name of the candidate in the space provided AND blacken the oval next to your choice with the marking device provided. (Absentee voters use black ink.)
4. Insert the ballot into the secrecy folder. Do Not Fold The Ballot. (Absentee voters should return their folded ballot as provided.)

INSTRUCCIONES PARA EL VOTANTE

1. Para votar RELLENE el óvalo (●) que aparece a la izquierda del candidato o a la izquierda de la palabra "SI" o de la palabra "NO". No vote por más candidatos de los autorizados.
2. Utilice solamente el dispositivo marcador que se le proporciona. (Si usted es un votante ausente, use tinta negra).
3. Para emitir un voto "write-in", escriba el nombre del candidato en el espacio que se proporciona a este efecto Y TAMBIÉN rellene el óvalo que aparece al lado de su selección con el dispositivo marcador que se le proporciona. (Si usted es un votante ausente, use tinta negra).
4. Introduzca la balota en el sobre confidencial. No Doble la Balota. (Los votantes ausentes tienen que devolver su balota doblada tal como se les envió).

PARTISAN OFFICES
CARGOS CON AFILIACIÓN POLÍTICA

STATE ESTADO	STATE ESTADO	STATE ESTADO
Governor Gobernador Vote for One/Vote por Uno	Secretary of State Secretario de Estado Vote for One/Vote por Uno	Insurance Commissioner Comisionado de Seguros Vote for One/Vote por Uno
<input type="radio"/> JOE BROUILLETTE High School Teacher/ Maestro de escuela secundaria	<input type="radio"/> DEBORAH V. ORTIZ State Senator/ Senadora estatal	<input type="radio"/> JOHN KRAFT Insurance Healthcare Consultant/ Asesor de seguros de salud
<input type="radio"/> MICHAEL STRIMLINS Attorney/ Abogado	<input type="radio"/> DEBRA BOWEN State Senator/ Senadora estatal	<input type="radio"/> CRUZ M. BUSTAMANTE California Lt. Governor/ Vicegobernador de California
<input type="radio"/> STEVE WESTLY Controller of the State of California/ Contralor del Estado de California	<input type="radio"/> Write-in	<input type="radio"/> Write-in
<input type="radio"/> FRANK A. MACALUSO, JR. Physician/Medical Doctor/ Medico/Doctor en medicina	Controller Contralor Vote for One/Vote por Uno	Member, State Board of Equalization, District 2 Miembro, Junta de Igualación, Distrito 2 Vote for One/Vote por Uno
<input type="radio"/> PHIL ANGELES Treasurer of the State of California/ Tesorero del Estado de California	<input type="radio"/> JOE DUNN State Senator/ Senador estatal	<input type="radio"/> TOM BRIGHT Printing Executive/ Ejecutivo de impresión
<input type="radio"/> JERALD ROBERT GERST Medical Doctor/Physician/ Doctor en medicina/Médico	<input type="radio"/> JOHN CHIANG Member, State Board of Equalization/ Miembro de la Directiva Estatal de Impuestos sobre Ventas, Uso y Otros	<input type="radio"/> TIM RABOY Supervising Investigator/ Investigador supervisor
<input type="radio"/> VIBERT GREENE Engineer/ Ingeniero	<input type="radio"/> Write-in	<input type="radio"/> Write-in
<input type="radio"/> BARBARA BECNEL Executive Director/ Directora ejecutiva	Treasurer Tesorero Vote for One/Vote por Uno	UNITED STATES SENATOR SENADOR DE LOS ESTADOS UNIDOS
<input type="radio"/> Write-in	<input type="radio"/> BILL LOCKYER California Attorney General/ Procurador general de California	US Senator Senador Federal Vote for One/Vote por Uno
Lieutenant Governor Vicegobernador Vote for One/Vote por Uno	<input type="radio"/> Write-in	<input type="radio"/> COLLEEN FERNALD Mother/Artist/Entrepreneur/ Madre/Artista/Empresaria
<input type="radio"/> LIZ FIGUEROA California State Senator/ Senadora del Estado de California	Attorney General Procurador General Vote for One/Vote por Uno	<input type="radio"/> DIANNE FEINSTEIN United States Senator/ Senadora de Estados Unidos
<input type="radio"/> JACKIE SPEIER California State Senator/ Senadora del Estado de California	<input type="radio"/> ROCKY DELGADILLO Prosecutor/Attorney/ Fiscal/Abogado municipal	<input type="radio"/> MARTIN LUTHER CHURCH Retired Program Manager/ Administrador de programas jubilado
<input type="radio"/> JOHN GARAMENDI California State Insurance Commissioner/ Comisionado de Seguros del Estado de California	<input type="radio"/> JERRY BROWN Oakland Mayor/Attorney/ Alcalde de Oakland/Abogado	<input type="radio"/> Write-in
<input type="radio"/> Write-in	<input type="radio"/> Write-in	
CONTINUE VOTING ON NEXT COLUMN CONTINUE VOTANDO EN LA SIGUIENTE COLUMNA	CONTINUE VOTING ON NEXT COLUMN CONTINUE VOTANDO EN LA SIGUIENTE COLUMNA	CONTINUE VOTING ON THE BACK OF THIS BALLOT CONTINUE VOTANDO EN EL REVERSO DE ESTA BALOTA

TURN BALLOT OVER
DE F I A V I F I T A A I A R I A O T A

Shasta County *Sample* FAXED BALLOT INSTRUCTIONS

Notice to Military and Overseas Voters

Instructions on Returning Your Voted Ballot Via Fax

For Special Absentee Voters who are in the **Military or citizens residing overseas**, California can now accept official voted ballots via facsimile. You can return your Official Absent Voter Ballot either by mail or by fax to our office **no later than** June 6, 2006 by 8:00pm, pacific standard/local time.

You may fax your ballot only if you feel that there is not sufficient time to return the voted ballot through the mail. The following steps **must** be completed in order for your faxed ballot to be counted:

- Complete and sign Oath of Voter form
- Complete and sign the ID Envelope Fax form, Vote all ballot pages
- Fax all pages to (530) 225-5454: the Oath, ID Envelope Fax form, and voted ballot pages

Your faxed ballot cannot be counted UNLESS YOU SIGN and RETURN both the Oath of Voter form and the ID Envelope Fax form along with your voted ballot.

Questions? Please email us for assistance – elections@co.shasta.ca.us.

OATH OF VOTER

June 6, 2006

I, _____, acknowledge that by returning my voted ballot by facsimile transmission I have waived my right to have my ballot kept secret. Nevertheless, I understand that, as with any absent voter, my signature, whether on this oath of voter form or my identification envelope, will be permanently separated from my voted ballot to maintain its secrecy at the outset of the tabulation process and thereafter.

My Shasta County residence address is:

Street Address City Zip Code

My current mailing address is:

Mailing Scenarios

The following chart details many different scenarios you may encounter with military or overseas voters, and includes guidelines for handling the different circumstances.

Voter Status	Form of Request	Scenario	Action
Civilian-Overseas	FPCA- Form 76	Voter submits prior to 15 day close.	Register the voter and mark them as a special absentee voter. Send voter a 60 day absentee ballot. If affidavit is received near the 15 day close, send a letter or email correspondence (if available) that due to the time constraints, their absentee ballot may not be received by the Registrar of Voters on Election Day. Advise them of the agency's website for the faxed ballot option.
Civilian-Overseas	Affidavit of Registration	Voter submits prior to 15 day close.	Register the voter and if permanent status is checked, mark them as a special absentee voter. Send voter a 60 day absentee ballot.
Civilian-Overseas	Affidavit of Registration	Voter does not check permanent absentee status box.	Register the voter only. Mail the voter a permanent absentee request form and letter regarding the website for faxed ballot option. When permanent absentee request form is received, change their status for future elections.
Civilian-Overseas	Letter	Voter submits a letter requesting an absentee ballot.	If person is not registered, the letter becomes an affidavit of registration and a request for an absentee ballot as long as it contains the information set forth in EC 3201 and 2150. Review EC 3001, 3100, 3304 and 3307. Send voter an FPCA form to update their information.
Any UOCAVA Voter	FPCA or Affidavit of Registration	Voter submits <u>after</u> 15 day close.	Any request for registration should be accepted but any after the 15 day close is not eligible for current election. Register the voter but a ballot should not be issued.
Military-Overseas	E-Mail from FVAP Officer	The FVAP Officer sends an e-mail requesting absentee ballots on behalf of multiple overseas voters in a platoon.	Verify the names that the FVAP Officer provided are registered; issue ballots to registered voters at their designated mailing address. If any are not registered, notify the Officer as soon as possible so that he can have the person register on a FPCA form. Advise the officer that we will accept a faxed copy of the FPCA and to mail the original as

continues on page 21

MILITARY & OVERSEAS VOTERS

			soon as possible. Issue a ballot when the FPCA form is received by fax or mail.
Registered Military Voter	E-mail	Voter sends an e-mail to request an absentee ballot to be mailed to a temporary address.	To provide the utmost cooperation to military and overseas voters, the ballot should be issued. The signature can be verified once the ballot is returned in accordance with EC 3009.
Spouse of Military or Overseas Voters	Letter	The spouse of a military or overseas civilian requests in writing to have their absentee ballot mailed to a different mailing address.	Verify that the residence address matches and the spouse's signature is valid, then send the ballot to the new mailing address that the spouse provided.
Parent of Military or Overseas Voter	Letter or phone call	The parent of a military or overseas civilian requests in writing to have their child's absentee ballot mailed to a different mailing address.	The parent does not have authority to request a change to their child's address. Registrars do not have the means to verify that the parent is in fact who they state they are. The voter must contact the Registrar of Voter's office in any means possible to them (in writing, fax, email, telephone) to change their address.
Unregistered voter	FPCA- Form 76	Voter submits FPCA with county residence and county mailing address	Voter is not eligible for a 60 day ballot. Send a regular absentee ballot and a letter notifying them that they are not eligible for a special absentee voter ballot. If time allows, contact voter by phone or email address if available to determine voter's status as a special absentee voter. NOTE: Exceptions exist in the form of citizens residing overseas but maintaining a US mailing address; research unique situations carefully before rejecting an FPCA.
Unregistered voter living in another country	FPCA- Form 76, Affidavit of Registration or letter	Voter has no prior county residence, born outside of the country to a US citizen	Pursuant to EC 3302, the person is not eligible to vote in California as they never lived in this state. However, the FVAP has conflicting regulations, found in Chapter III of the Federal "Voter Assistance Guide." Some counties do allow these voters to register and vote in the county of their parent's last domicile.

F.A.Q.'s

The following are FAQs from the California Secretary of State's web page and information from the US Department of Defense Federal Voting Assistance Program.

From the Secretary of State:

FAQ #5

QUESTION:

DO THE IDENTIFICATION REQUIREMENTS OF HAVA SECTION 303(b) APPLY TO MILITARY AND OVERSEAS VOTERS WHO VOTE-BY-MAIL?

ANSWER:

NO, EXCEPT FOR NON-MILITARY "OVERSEAS VOTERS" WHO ARE ONLY OVERSEAS "TEMPORARILY."

ANALYSIS:

HAVA Section 303(b) requires certain first time voters who register by mail to provide identification before voting in person or by mail. There are, however, exceptions specified in HAVA which exempt certain voters from having to show identification. One of the exceptions is set forth in Section 303(b)(3)(C)(i) which makes the identification inapplicable to a person who is "entitled to vote by absentee ballot under the UOCAVA (42 U.S.C. 1973ff-1 et seq.).

The Uniformed Overseas Citizens Absentee Voting Act ("Act") provides that each state shall "permit absent uniformed service voters and overseas voters to use absentee registration procedures and to vote by absentee ballot in general, special, primary, and runoff elections for federal office." [emphasis added]

The Act defines "absent uniformed service voter" as:

(A) A member of a uniformed service on active duty who, by reason of such active duty, is absent from the place of residence where the member is otherwise qualified to vote;

(B) A member of the merchant marine who, by reason of service in the merchant marine, is absent from the place of residence where the member is otherwise qualified to vote; and

(C) A spouse or dependent of a member referred to in (A) or (B) who, by reason of the active duty or service of the member, is absent from the place of residence where the spouse or dependent is otherwise qualified to vote. [42 U.S.C. 1973ff-6(1)]

The Act defines “overseas voter” as:

(A) An absent uniformed services voter who, by reason of active duty or service is absent from the United States on the date of the election involved;

(B) A person who resides outside the United States and is qualified to vote in the last place in which the person was domiciled before leaving the United States; or

(C) A person who resides outside the United States and (but for such residence) would be qualified to vote in the last place in which the person was domiciled before leaving the United States. [emphasis added]

[42 U.S.C. 1973ff-6(5)]

Thus, under these provisions of law, the HAVA identification requirements, generally, do not apply to military personnel or to their dependents who are overseas or to California voters residing overseas who were last qualified to vote in California. However, it appears that the identification requirements do apply to non-military California residents only temporarily overseas. It should be noted that those subject to the identification requirements who do not present identification are entitled to vote “provisional” ballots.

FAQ#6

Is The Number Of Overseas And Military Voters Increasing?

Yes. Our office was required by Section 703 of HAVA to survey each county to determine the number of persons registered and voting as military or overseas citizens. A copy of the report showing county-by-county data for both the November and March elections in 2004 will be posted on the SoS web site (http://www.sos.ca.gov/elections/hava_county_faqs.htm).

Statewide, 62,469 persons living overseas or in the military registered to vote for the November 2, 2004 election, compared to only 9,221 for the March 2, 2004 election. Similarly, 44,686 (71.5%) of such persons actually cast ballots in November, compared to only 3,661 (39.7%) in March.



Perhaps most notably, the new law enabling overseas and military voters to apply for an absentee ballot and vote by FAX resulted in 5,041 faxed ballots in the November election.

FAQ #7

Persons Who Are Overseas Or In The Military Can Use The “Federal Post Card Application” (FPCA) To Register To Vote And Obtain An Absentee Ballot. Is This Registration And Absentee Application Only Good For One Election?

NO. The registration and request for an absentee ballot is good for more than one election. See CCRoV #05013 (you can find this on our web site at http://www.sos.ca.gov/elections/hava_county_faq.htm).

Section 704 of HAVA specifically amended Section 104(a) of the Uniformed Overseas Citizen and Absent Voter Act (UOCAVA) to indicate that a FPCA is good “through the next two regularly scheduled general elections for federal office (including any run-off elections which may occur as a result of the outcome of such general elections).” It further states that the state “shall provide an absentee ballot to the voter for each such subsequent election.”

In sum, if a county received a FPCA for the November 2004 general election, the voter is registered and must be sent an absentee ballot for that election, the 2006 primary election, and for the 2006 general election.

FAQ#8

If A County Office Receives A “Federal Post Card Application” (FPCA) But For Any Reason Rejects That Application, Must The County Inform The Voter Of The Reason For That Rejection?

YES. Section 704 of the HAVA amends the Uniformed and Overseas Citizen Absentee Voting Act (42 USC 1973-ff-1) to require that “if the state rejects the application or request, the State shall provide the voter with the reason for the rejection.” More information is available in CCRoV #05013 (http://www.sos.ca.gov/elections/hava_county_faq.htm).

From the FVAP:

Absentee Voting Frequently Asked Questions

INTRODUCTION

The Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) covers the voting rights of members of the Uniformed Services (on active duty), members of the Merchant Marine, their eligible family members, and citizens residing outside the United States. The Federal Voting Assistance Program (FVAP) carries out the responsibilities of the Act by informing and educating U.S. citizens worldwide of their right to vote, fostering voting participation, and protecting and enhancing the electoral process at the federal, state and local levels. The procedures and deadlines to vote absentee vary from state to state.

GENERAL INFORMATION

Am I a UOCAVA Voter?

UOCAVA voters are all members of the Uniformed Services, their family members and members of the Merchant Marine and their family members, and U.S. citizens 18 years or older who reside outside the United States

In What Elections May I Vote?

Generally, all U.S. citizens 18 years or older who are or will be residing outside the United States during an election period are eligible to vote absentee in any election for federal office. In addition, all members of the Uniformed Services, their family members and members of the Merchant Marine and their family members, who are U.S. citizens, may vote absentee in federal, state and local elections.

How do I register to vote, or apply for an absentee ballot?

The Federal Post Card Application (FPCA) is accepted by all states and territories as an application for registration and for absentee ballot. The FPCA is postage-paid in the U.S. mail, including the Military Postal System, and State Department Pouch mail. An online version of the FPCA is available at the FVAP website, www.fvap.gov. The online form must be completed, printed, signed, dated and mailed to your Local Election Official. The online form must be mailed in an envelope with proper postage, or using our prepaid return envelope. All States and Territories except American Samoa and Guam accept the OFPCA. You may also send a written request for a ballot to your county, city, town or parish clerk.



I would like to vote but don't know how. Where can I find assistance?

Information on applying for absentee registration and a ballot is available in the [Voting Assistance Guide](#). Voting Assistance Officers assigned to units at military installations and at each U.S. embassy or consulate have a copy of the Guide to assist you in completing the FPCA. U.S. citizen organizations overseas and many corporate offices of U.S. companies also have copies of the Guide available. Members of the Uniformed Services and U.S. embassy/consulate personnel may request hard copies of the Guide through their normal distribution channels or by contacting their Service or Department of State Voting Action Officer. Other overseas citizens may request these materials by contacting the FVAP directly at vote@fvap.ncr.gov. You will find PDF versions of the Guide as well as other voting related information and links on the FVAP website: www.fvap.gov.

Do I have to be registered to vote absentee?

Registration requirements vary from state to state. States and territories allow voters to register and request an absentee ballot by submitting a single FPCA during the election year. If you are permanently registered you should submit an FPCA early in the election year. Consult [Chapter 3](#) of the Guide for specifics.

Where do I send my FPCA?

[Chapter 3](#) of the Guide outlines absentee voting procedures for each state and territory. In section IV under the heading of "Where to Send It" you will find a list of addresses for county and local election officials. These officials may need to contact you for further information or clarification. If available, please provide a current e-mail address, phone and fax number on the FPCA.

Must I submit a separate application for each election?

One FPCA will allow you to receive all ballots for federal offices for an entire calendar year. The Help America Vote Act of October 2002 has extended the effective period of the FPCA through two regularly scheduled general elections for federal office. However, due to the transient nature of many UOCAVA citizens, FVAP recommends that each voter submit an FPCA to their state of legal residence in January of each year and again each time there is a change in the voters' mailing address.

If I am required to have my FPCA or ballot notarized, how do I do it?

Generally, election materials may be required to be witnessed or sworn to before a notary, U.S. Commissioned Officer, embassy or consular officer, or other officials authorized to administer oaths. Most states and territories do not require notarization of the FPCA or ballot; therefore, consult [Chapter 3](#) of the Guide to determine your state or territory's requirements. In all instances you must sign and date the FPCA. [This is not required in California.]

When mailing an FPCA or other election materials to my state or territory, do I have to pay postage?

Generally, all election-related materials are mailed postage-free from any APO or FPO mail facility, all U.S. embassies and consulates and any post office in the U.S. You must pay postage if the materials are mailed from a non-U.S. postal facility. The on-line version of the FPCA must be printed, signed, dated and mailed in an envelope with proper postage affixed. Ensure that your ballot or FPCA is postmarked.

When is the best time to apply for an absentee ballot?

Generally, the FPCA used only to request a ballot should be received by election officials at least forty-five days before Election Day to allow ample time to process the request and mail the ballot. FVAP recommends submitting an FPCA in January of each year. If applying for both registration and an absentee ballot, the FPCA may have to be mailed earlier. FVAP recommends submitting the FPCA in January of each year. Consult [Chapter 3](#) of the Guide for further information on state or territorial registration deadlines. Be sure to notify your election official of any change to your address.

When should I receive my ballot?

Under normal circumstances, most states and territories begin mailing ballots to citizens 30-45 days before an election. If you have not received your ballot two weeks before the election, contact FVAP's Ombudsman Service. They will assist you in determining the status of your ballot. Always execute and return your absentee ballot regardless of when you receive it. Court decisions sometimes require the counting of ballots voted by Election Day, but received by the Local Election Official for a certain period of time following Election Day.

What is an election for federal office?

An election for federal office is any general, special, runoff or primary election held solely or in part for the purpose of selecting, nominating, or electing any candidate for the office of President, Vice President, Presidential elector, Member of the United States Senate, Member of the United States House of Representatives, Delegates from the District of Columbia, Guam, Virgin Islands, and American Samoa, and Resident Commissioner of the Commonwealth of Puerto Rico.



What is the Federal Write-In Absentee Ballot (FWAB)?

UOCAVA voters may be able to use a Federal Write-In Absentee Ballot (FWAB) available through Voting Assistance Officers at military installations or at U.S. embassies/consulates. Generally, an absent uniformed services member or citizen outside the United States can only use the FWAB under very specific conditions.

THE ABSENT UNIFORMED SERVICES VOTER MUST:

Be absent from his/her voting residence;

Have applied for a regular ballot early enough so the request is received by the appropriate local election official not later than the State deadline; or the date that is 30 days before the general election; **AND**

Have not received the requested regular absentee ballot from the state.

THE CITIZEN OUTSIDE THE UNITED STATES MUST:

Be located outside the United States (including APO/FPO addresses);

Have applied for a regular ballot early enough so the request is received by the appropriate local election official not later than the State deadline; or

the date that is 30 days before the general election; **AND**

have not received the requested regular absentee ballot from the state.

An online version of the FWAB is available at the FVAP website, www.fvap.gov/pubs/onlinefwab.html. The online version must be completed, printed, signed, dated, and mailed to your local election official. The online form must be mailed in an envelope with proper postage, or using our prepaid [return envelope](#). Refer to [Chapter 3](#) of the Guide to determine your state or territory's witness or notary requirements for voted ballots. Return the voted FWAB to the local election official to meet the state or territorial deadline for counting.

Additionally, eleven states have expanded the use of the FWAB: Colorado, Connecticut, Iowa, Maryland, Montana, Nebraska, Oklahoma, Rhode Island, Texas, Virginia and West Virginia. Refer to Chapter 3 of the Guide for details.

Where would I obtain information on issues, positions and candidates?

In addition to reading U.S. news magazines and newspapers, both Democrats Abroad and Republicans Abroad maintain overseas offices and have information about the candidates and issues. Alternatively, the party organizations can be contacted as follows:

Democrats Abroad
430 South Capitol Street, S.E.
Washington, D.C. 20003
Phone: 202.863.8177
Fax: 202.863.8063
www.democratsabroad.org
info@democratsabroad.org

Republicans Abroad International
1275 K Street, N.W., Suite 102
Washington, D.C. 20005
Phone: 202.608.1423
Fax:: 202.608.1431
www.republicansabroad.org
chairman@republicansabroad.org

Information about candidates, issues, and local news are available on the internet. The Armed Forces Radio and Television Service broadcasts American news and entertainment programs throughout the world. Alternatively, subscribe to hometown newspapers, or contact friends and relatives for information on state and local issues.

MILITARY

Where is my "legal voting residence?"

For voting purposes, your "legal voting residence" can be the state or territory where you last resided prior to entering military service or the state or territory that you have since claimed as your legal residence. Even though you may no longer maintain formal ties to that residence, the address determines your proper district, ward, precinct or parish for voting purposes. To claim a new legal residence you must have simultaneous physical presence and the intent to return to that location as your primary residence. Military and family members may change their legal residence every time they change permanent duty stations or they may retain their legal residence without change. Family members may have a different legal voting residence from the member. A JAG officer or legal counsel should be consulted before legal residence is changed because there are usually other factors that should be considered besides voting.

Can I vote in person where I am stationed?

Military members may vote in the state or territory where stationed if they change their legal residence to that state or territory, even if they live on a military installation. Be advised that there are legal obligations that may be incurred, such as taxation, if you change your state or territory of residence. Therefore, consult a JAG officer or legal counsel before making such a decision. At the present time, there are no provisions for personnel stationed outside the United States to vote, in person, where stationed.

My family members are not in the military; can they also vote absentee?

The law entitles eligible family members of military personnel to vote absentee. Family members are considered to be in the same category of absentee voter as military members and generally should follow the same procedures. Family members of military personnel residing overseas, who are U.S. citizens and who have never resided in the U.S. may claim one of their U.S. citizen parent's legal

state or territory of residence as their own if allowed by the state. Check [Chapter 3](#) of the Guide.

OVERSEAS CITIZENS

If I do not maintain a legal residence in the U.S., what is my "legal state of residence?"

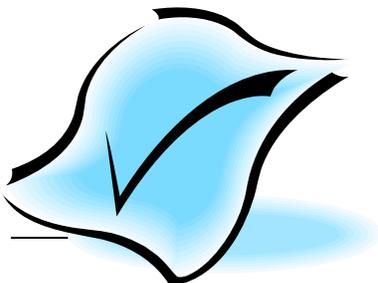
Your "legal state of residence" for voting purposes is the state or territory where you last resided immediately prior to your departure from the United States. This right extends to overseas citizens even though they may not have property or other ties in their last state or territory of residence and their intent to return to that state or territory may be uncertain. When completing the FPCA's Voting Residence section, be sure to enter the entire mailing address of your last residence, including street or rural route and number. The address determines your proper district, ward, precinct or parish for voting purposes. Family members of citizens residing overseas, who are U.S. citizens and who have never resided in the U.S. may claim one of their U.S. citizen parent's legal state or territory of residence as their own if allowed by the state. Check [Chapter 3](#) of the Guide.

Will I be taxed by my last state or territory of residence if I vote absentee?

Exercising your right to vote in elections for **federal offices only**, does not affect the determination of residence or domicile for purposes of any tax imposed under federal, state, or local law. Voting in an election for **federal office only**, may not be used as the sole basis to determine residency for the purpose of imposing state and local taxes. If you claim a particular state or territory as your residence and have other ties with that state or territory in addition to voting, then you may be liable for state and local taxation, depending upon the laws of that particular state or territory. Consult legal counsel for information on probable tax obligations.

Can I register or vote in person at the embassy or consulate?

At the present time, there are no provisions for in-person voting or on-site registration to be conducted at U.S. embassies or consulates. U.S. embassy and consular officials will assist U.S. citizens in completing FPCA forms for their state, witness or notarize FPCA forms and ballots (if required), and provide other absentee voting information. U.S. embassy and consulate locations serve also as a mailing point. FPCA forms and other election materials may be mailed back, postage-paid, from these locations to your local voting jurisdiction in the U.S. where absentee registration and ballot requests are processed.



OMBUDSMAN SERVICE

Citizens covered by the UOCAVA can obtain additional information about the absentee voting process by calling the FVAP toll free

from many countries. The phone number from your country is available in the Voting Assistance Guide, FVAP's website, www.fvap.gov, the International Operator in the United States, or from your local U. S. embassy or consulate. If a country does not have a toll free number, call (703) 588-1584. The toll free number in the U.S., Canada, Guam, Puerto Rico and the Virgin Islands is 800-438-VOTE or 800-438-8683. Assistance is available during normal business hours, Eastern Time; if our office is closed, please leave a recorded message with your complete contact information.

ELECTRONIC TRANSMISSION OF ELECTION MATERIALS

Often, transmitting voting materials by mail may delay timely receipt and return of materials. When such conditions exist, possibly preventing an individual from voting, faxing may be possible. Generally, there are three possibilities or combinations allowed by states:

Send the FPCA or registration and ballot request by fax.

Receive the blank ballot by fax.

Return the voted ballot by fax.

Consult your unit or embassy/consulate Voting Assistance Officer for the procedures for the electronic transmission process. The [Voting Assistance Guide](#) explains your state's faxing procedure and provides a fax cover sheet. Always mail the original FPCA after faxing.

For election-related materials, citizens in the U.S., Canada, Guam, Puerto Rico and the Virgin Islands may use one of the following fax numbers: (703) 693-5527, (800) 368-8683 or DSN 223-5527. See the [Voting Assistance Guide](#) or FVAP's website, www.fvap.gov, for international toll free fax numbers.

The use of email to transmit voting materials may be allowed by your state. Please check your state's election web site for more information. Links to all state election sites is at www.fvap.gov/links/statelinks.html.

VOTING INFORMATION CENTER

The Voting Information Center (VIC) provides information on elections and recorded messages from U.S. Senators, U.S. Representatives and state Governors. Callers may connect directly to the office of U.S. Senators, U.S. Representative, Governor or their chief state election official through the VIC. The VIC also provides direct access to Service Voting Action Officers during normal business hours in the U.S.

Telephone numbers:

Commercial (703) 588-1343 (Collect calls not accepted).

DSN 425-1343. DSN use is authorized for all military and family members.

[Toll free numbers](#) are available for over 60 countries.

Each Military Service and the Department of State has a Voting Action Officer who is the point of contact for assisting voters who have unique questions/problems. The VIC also provides direct access to these Action Officers during normal business hours in the U.S.; a recorded message may be left at other times.

Any person may call the VIC. Telephone: Commercial - (703) 588-1343 (Collect calls not accepted), DSN- 425-1343. DSN use is authorized for all military and family members. Toll-free numbers are available for over 60 countries. The Guide contains further information on the VIC and access by [toll-free numbers](#).

Any question which cannot be answered by a Voting Assistance Officer should be directed to the:

Director, Federal Voting Assistance Program
Department of Defense
1155 Defense Pentagon
Washington, DC 20301-1155
FVAP website: www.fvap.gov
Email: vote@fvap.ncr.gov
Commercial: (703) 588-1584
DSN (military): 425-1584
Fax: (703) 696-1352, DSN: 426-1352
Toll Free (U.S., Canada, Guam, Puerto Rico, Virgin Islands): 1-800-438-VOTE
(8683)
International toll free [phone](#) and [fax](#) numbers are available.



EAC Reporting

These federal reporting requirements were established by HAVA in 2002 and are compiled by the California SoS.

The SoS provides the form below to counties prior to each election, and must be completed and returned to meet federal requirements. Coding your military and overseas voters within your registration database from the beginning, i.e., from initial data entry and forward, will greatly facilitate this process.



Military and Overseas Voters Required Reporting Form

County of: _____

Contact Person: _____

E-mail: _____

Fax: _____

Phone: _____

The EAC has notified us that we are to collect from counties and report the following data for the November 7, 2006 General Election:

NUMBER OF BALLOTS ISSUED

	<u>REGULAR AV</u>	<u>60-DAY</u>	<u>TOTAL</u>
Domestic military voters	_____	_____	(N/A)
Overseas military voters	_____	_____	_____
Overseas citizens voters	_____	_____	_____
TOTAL	_____	_____	_____

NUMBER OF VOTED BALLOTS RETURNED

	<u>MAIL</u>	<u>FAX</u>	<u>TOTAL</u>
Domestic military voters	_____	_____	_____
Overseas military voters	_____	_____	_____
Overseas citizens	_____	_____	_____
Total	_____	_____	_____

Number of ballots returned as Undeliverable: _____

Number of Federal Write-In ballots received: _____

NUMBER OF BALLOTS COUNTED/NOT COUNTED

Number of Ballots Counted: _____

Number of ballots rejected/not counted: _____

NUMBER OF BALLOTS REJECTED BECAUSE

- _____ No signature
- _____ Unable to verify signature
- _____ Ballot received after close of the polls
- _____ Other

*****PLEASE RETURN THIS FORM BY DECEMBER 22, 2006*****

The above form was created and distributed for the November 2006 election.



Envelope Design & Samples

The following pages contain the oath prescribed by the FVAP for military ballot return envelopes and sample ballot envelope layouts from the FVAP website. Also included are sample identification envelopes from various counties in California. It has been recommended that return envelopes designate USA on the final line of the address.

The next chapter, Postal Coordination, gives resource information for design and approval process through the US Postal Service for your envelopes.

Listed below are the requirements for absentee identification envelopes pursuant to E.C. 3011.

- (a) The identification envelope shall contain all of the following:
 - (1) A declaration, under penalty of perjury, stating that the voter resides within the precinct in which he or she is voting and is the person whose name appears on the envelope.
 - (2) The signature of the voter.
 - (3) The residence address of the voter as shown on the affidavit of registration.
 - (4) The date of signing.
 - (5) A notice that the envelope contains an official ballot and is to be opened only by the canvassing board.
 - (6) A warning plainly stamped or printed on it that voting twice constitutes a crime.
 - (7) A warning plainly stamped or printed on it that the voter must sign the envelope in his or her own handwriting in order for the ballot to be counted.
 - (8) A statement that the voter has neither applied, nor intends to apply, for an absent voter's ballot from any other jurisdiction for the same election.
- (b) Except at a primary election for partisan office, and notwithstanding any other provision of law, the absentee voter's party affiliation may not be stamped or printed on the identification envelope.

MILITARY & OVERSEAS VOTERS

MAX
 Height 6 1/8 inches
 Length 11 1/2 inches

MIN
 Height 3 1/2 inches
 Length 5 1/2 inches
 Use Black Ink

BALLOT RETURN ENVELOPE

(Sample)

If mailed in non U.S. Postal System - Voter must pay postage

Name and complete address _____



OFFICIAL ABSENTEE BALLOTING MATERIAL - FIRST-CLASS MAIL

NO POSTAGE NECESSARY IN THE U.S. MAIL-DMM 703.8.0

**SECRETARY OF THE STATE OF MARYLAND
 MONTGOMERY COUNTY ELECTIONS BOARD
 MONTGOMERY COUNTY COURT HOUSE
 1234 MAIN STREET
 ANYWHERE, MD 00000-0000
 USA**



U.S. Postage Paid
 39 USC 3406

PAR AVION

MAX
 Height 6 1/8 inches
 Length 11 1/2 inches

MIN
 Height 3 1/2 inches
 Length 5 1/2 inches
 Use Black Ink

BALLOT RETURN ENVELOPE - BACK (Sample)

For States Requiring no Witness or Notary

Standard Oath

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 conviction of perjury.

Signed: _____ Date: _____
Month/Day/Year

Contra Costa Envelope Sample

Name and complete address



U.S. Postage Paid
39 USC 3409

OFFICIAL ABSENTEE BALLOTING MATERIAL - FIRST CLASS POSTAGE

NO POSTAGE NECESSARY IN THE U.S. MAIL-DMM 703.9.0

CONTRA COSTA COUNTY CLERK
ELECTIONS DEPARTMENT
P O BOX 271
MARTINEZ, CA 94553-0027
USA



MF-2

Standard Oath: 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 conviction of perjury.

Return your Vote-by-Mail ballot to the Elections Department or to any polling place in Contra Costa County no later than 8 p.m. On Election Day. Your ballot will not be counted if received after 8 p.m., regardless of postmark.

WARNING: Your ballot will not be counted unless you sign in your own handwriting and your signature compares with your signature on your voter registration card.

**VOTING MORE THAN ONCE IN THE SAME ELECTION IS A CRIME.
IF BALLOT IS SPOILED, CALL (925) 646-4160 FOR A REPLACEMENT.**

FROM

024-0867-0001-1 ABS: 80000113
00FD000000 ISS DT: 09/15/2006 REG: 0028001-A
BLT: 001 ELEC DT: 11/07/2006 VOT: 0000113

JUDITH KATHRYN CHASE
123 RUE DE ESPAGNE
APO AE 09342



Signature of Voter (Power of Attorney not accepted)

Date

Contra Costa Insert Samples – This ballot insert is used by Contra Costa County to emphasize to military and overseas voters the importance of completing all requirements in order to insure that their ballot will be counted.

PLEASE READ

In order for **Your Ballot** to be **Counted**

1. You must **Sign your Envelope**.
Your **signature will be compared to your Voter Registration**.

DECLARATION: I am a resident and a voter in the precinct, and the person whose name appears on the envelope. I have not applied for our precinct to apply for a Vote-by-Mail ballot from any other jurisdiction for the same election. I declare under penalty of perjury that my declaration is true and correct.

DECLARACION: Soy residente y votante en el distrito, y la persona a quien pertenece este sobre. No he aplicado al distrito electoral para una Ballot-by-Mail desde una jurisdicción para la misma elección. Declaro bajo juramento que lo prescrito es verdad y correcto.

FROM

GWEN SAXON
1234 APPLE BERRY ST.
REDBERRY, CA 94444

Gwen Saxon
Signature of Voter (Power of Attorney not accepted) Date (Fecha)
Firma del Votante (Poderes no aceptados) Fecha (Fecha)

2. If you **Fax your Ballot**, you **MUST Sign and Fax the Oath of Voter for Facsimile Transmission**

3. Vote and return your ballot early.

**Ballots must be received by the Election Official
by 8:00 pm on Election Day, November 7th.**

➤ The Elections Office at 524 Main St. Martinez will be open from **9:00 am until 3:00 pm on Saturday, November 4th**, for you to return **your own ballot**.

➤ You may return your ballot to any Contra Costa polling place on Election Day.

➤ If you need the location of a polling place, call (925) 646-4166 or you can use the List of Contra Costa Polling Places at **www.cocovote.us**.

MOV Ballot Mailing Insert 11-07-03



Special Vote-by-Mail Election Notice

Contra Costa County Elections Department Special Election May 8, 2007

This is to notify you **there will not be any polling place** for the Crockett Community Services District Election to be held on May 8, 2007 in the Port Costa portion only.

Enclosed: Official ballot, secrecy envelope and pre-paid return envelope.

Ballot drop off location on May 8, 2007:

Port Costa School
Canyon Lake & Reservoir Dr.
Port Costa, CA 94569

To return your ballot by mail

- Your ballot must be received in our office by 8 p.m. on Election Day.
- Postmarks do not count.

To return your ballot in person on Election Day Only

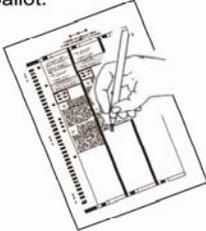
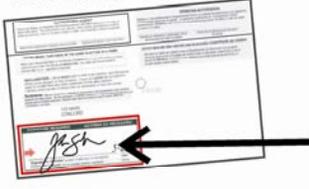
- On **Election Day only**, return your ballot at the drop off location listed above.
- The drop off location will be open **May 8 2007** from 4:00 p.m. to 8:00 p.m.
- For your ballot to be counted **it must be received** by 8:00 p.m.
- Follow the instructions on the back of the return envelope before you or your designee return your sealed ballot.
- There will be **no replacement ballots** available at the drop off location.

To vote in person

- Cast your ballot in our office located at 524 Main St., Martinez.
- Office hours are Monday through Friday, 8 a.m. to 5 p.m., and on Election Day from 7 a.m. to 8 p.m.
- Ballots will be available from April 9, 2007 through May 8, 2007.

If you have any questions or need a replacement ballot

- Call the Contra Costa County Elections Department at (925) 646-4166.

Instructions																		
<p>Step 1</p> <ul style="list-style-type: none"> • Use only a black pen to mark your ballot. 	<p>Step 2</p> <ul style="list-style-type: none"> • To vote, blacken the oval to the left of the word "Yes" or the word "No." <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;">  Correct! </div> <div style="text-align: center;">  Wrong </div> <div style="text-align: center;">  Wrong </div> </div>	<p>Step 3</p> <ul style="list-style-type: none"> • Fold your ballot and place it inside the secrecy envelope. • Put the secrecy envelope inside the return envelope. 																
<p>Step 4</p> <ul style="list-style-type: none"> • Sign on the back of your return envelope. • Your signature must compare with the original signature on your registration card. • If you fail to sign the return envelope, your ballot cannot be counted. 	<p>Step 5</p> <ul style="list-style-type: none"> • If you are ill or disabled, and wish to have your ballot returned by someone in your household, fill in the information requested on the flap of the return envelope. 	<p>Oops...Marked the wrong oval</p> <p>If you make an error in marking your ballot, we recommend you call and request a replacement. If time does not permit that, you may correct your ballot as shown. DO NOT put your name or initials on the ballot. Identifying marks will void your ballot and we cannot count it. (\$14287 EC)</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2" style="text-align: center; font-size: small;">COMMISSIONER FOR PUBLIC RELATIONS</th> </tr> <tr> <th colspan="2" style="text-align: center; font-size: x-small;">Vote for one</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;"><input checked="" type="radio"/></td> <td style="font-size: x-small;">MORTIMER SNERD Professional Dummy</td> </tr> <tr> <td style="text-align: center;"><input type="radio"/></td> <td style="font-size: x-small;">GERALDINE TOMLIN Telephone Operator</td> </tr> <tr> <td style="text-align: center;"><input type="radio"/></td> <td style="font-size: x-small;">BULLWINKLE T. MOOSE Cartoon Character</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="radio"/></td> <td style="font-size: x-small;">SPONGE BOB ← Yes Cartoon Character</td> </tr> <tr> <td style="text-align: center;"><input type="radio"/></td> <td style="font-size: x-small;">THOMAS EDISON Inventor</td> </tr> <tr> <td style="text-align: center;"><input type="radio"/></td> <td style="font-size: x-small;">Qualified Written</td> </tr> </tbody> </table>	COMMISSIONER FOR PUBLIC RELATIONS		Vote for one		<input checked="" type="radio"/>	MORTIMER SNERD Professional Dummy	<input type="radio"/>	GERALDINE TOMLIN Telephone Operator	<input type="radio"/>	BULLWINKLE T. MOOSE Cartoon Character	<input checked="" type="radio"/>	SPONGE BOB ← Yes Cartoon Character	<input type="radio"/>	THOMAS EDISON Inventor	<input type="radio"/>	Qualified Written
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<input type="radio"/>	THOMAS EDISON Inventor																	
<input type="radio"/>	Qualified Written																	

MB-F1 / 3-07

Solano Envelope Sample

FROM:

U.S. POSTAGE PAID 39 USC 3406 PAR AVION

OFFICIAL ELECTION MAIL
Authorized by the U.S. Postal Service

OFFICIAL ABSENTEE BALLOTING MATERIAL - FIRST CLASS MAIL
NO POSTAGE NECESSARY IN THE U.S MAIL - DMM 703.8.0

**REGISTRAR OF VOTERS
COUNTY OF SOLANO
675 TEXAS ST SUITE 2600
FAIRFIELD CA 94533-6338
USA**

YOU MUST READ THIS SECTION & SIGN YOUR NAME FOR YOUR BALLOT TO BE COUNTED.

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 registered, requesting a ballot, or voting in any other jurisdiction in the U.S., except the jurisdiction cited in this voting form.

NOTICE
Your voted absentee ballot must be returned to the Elections Department or any polling place in Solano County **NO LATER THAN 8:00 P.M. ON ELECTION DAY.** Your ballot **will not be counted** if received after 8:00 P.M. or if this envelope is not signed.

WARNING:
Voting twice in the same election constitutes a crime in the State of California.

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 of perjury.

Signed: _____ Date: _____

YOU MUST COMPLETE THIS SECTION BELOW

MAILING ADDRESS IMPRINT AREA

Voting Residence Address (P.O. Box is not acceptable)

City or Town, State, Zip Code _____

MARKED OFFICIAL BALLOT ENCLOSED to be opened only by canvassing board

Spoiled your ballot?
 Check here if the enclosed ballot is spoiled and a new ballot will be sent to you.

Yuba County Envelope

58-F893B (0606)

YOUR BALLOT CANNOT BE COUNTED UNLESS YOUR IDENTIFICATION ENVELOPE IS SIGNED BELOW IN YOUR OWN HANDWRITING. VOTER: READ STATEMENT BELOW, SIGN AND DATE

- 1. 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, in any other way, been found guilty of a crime involving moral turpitude; and
4. The jurisdiction cited in this voting form:
I have not been influenced.
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.
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 conviction of perjury.

FROM / REMITE:



008-0003-0003-1
58ZA303687
BAL: 001 Party: N-P

ABS: 8000005
REG: 05-A
VOT: 05

SU BALOTA NO PUEDE SER CONTADA A MENOS QUE USTED FIRME A CONTINUACION DE SU PUNO Y LETRA. EL SOBRE DE IDENTIFICACION. ESTIMADO ELECTOR: LEA LA DECLARACION A CONTINUACION Y PONGA SU FIRMA Y LA FECHA

- Yo juro o declaro, bajo pena de perjurio.
1. Que soy reconocido a las fuerzas armadas o a la marina mercante y estoy prestando servicio militar activo, o que soy dependiente de un miembro de las fuerzas armadas o de la marina mercante, o un ciudadano o ciudadana de los Estados Unidos que reside temporalmente fuera de este pais; o, ciudadano o ciudadana de los Estados Unidos que vive fuera del pais; y
2. Que soy ciudadano o ciudadana de los Estados Unidos, que tengo por lo menos 18 años de edad (o que los voy a cumplir para la fecha de las elecciones), y que reúno los requisitos para votar en la jurisdicción solicitada; y
3. Que no he sido condenado o condenada por un delito mayor, ni por otro delito que me impida votar, ni tampoco se ha dictado un fallo de que no tenga pleno uso de mis facultades o, en caso afirmativo, mi derecho de votar ha sido restablecido; y
4. Que no me he inculcado, ni he pedido un boleto, ni tampoco he solicitado de otra manera votar en ninguna otra jurisdicción, salvo las personas autorizadas para ayudar a los electores, a tenor de las leyes federales. Nadie me ha influenciado.
Al poner mi firma y la fecha a continuación, doy fe del momento en que llené este documento.
La información enumerada en este formulario es fiel, exacta y completa según mi buen saber y entender. Me consta además, que si incluyo información falsa sustancial, al llenar este documento, eso puede ser mi causa para encontrarme culpable del delito de dar falso testimonio.

WARNING—VOTING TWICE IN THE SAME ELECTION CONSTITUTES A CRIME
ADVERTENCIA—SI VOTA MAS DE UNA VEZ EN LA MISMA ELECCION, COMETE UN DELITO

X
WRITTEN SIGNATURE
RESIDENCE ADDRESS AS REGISTERED
CITY OR TOWN, STATE, ZIP CODE
DATE AND PLACE OF SIGNING
(DIRECCION DE DOMICILIO COMO ESTA REGISTRADO)
(CIUDAD O PUEBLO, ESTADO, ZONA POSTAL)
(FECHA Y LUGAR DE LA FIRMA)

SIGNATURE & ADDRESS INFORMATION IS REQUIRED FOR VERIFICATION PURPOSES. SE REQUIERE LA FIRMA DEL ELECTOR Y SU DOMICILIO PARA LOS FINES DE VERIFICACION

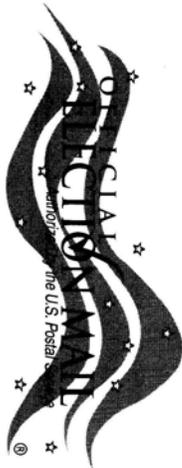
The above signer declares under penalty of perjury that she/he: 1) resides within the voting precinct; 2) is the person whose name appears on this envelope; and 3) has not applied, nor intends to apply, for an absent voter's ballot from any other jurisdiction for the same election. La persona que firma aquí declara, bajo pena de perjurio, que él o ella: 1) vive dentro de los límites del distrito electoral; 2) es la persona cuyo nombre aparece en este sobre; y 3) no ha solicitado, ni tiene la intención de solicitar una balota de elector en ausencia de ninguna otra jurisdicción para la misma elección.

NAME AND COMPLETE ADDRESS

58-E989F (06/06)

ABSENT VOTER'S BALLOT
TO BE OPENED ONLY BY CANVASSING BOARD

BALOTA DE VOTANTE AUSENTE
SOLAMENTE PUEDE SER ABIERTA POR EL
CONSEJO DE ESCRUTINIO DE VOTOS



OFFICIAL ABSENTEE BALLOTING MATERIAL - FIRST-CLASS MAIL

NO POSTAGE NECESSARY IN THE U.S. MAIL - DMM 703.8.0



U.S. Postage Paid
39 USC 3406

PAR AVION

TERRY A. HANSEN
YUBA COUNTY CLERK RECORDER
REGISTRAR OF VOTERS
915 8TH ST STE 107
MARYSVILLE CA 95901-5273

USA



San Diego County Envelope Sample

OFFICIAL VOTER'S BALLOT

RETURN/IDENTIFICATION ENVELOPE
TO BE OPENED ONLY BY CANVASSING BOARD



U.S. Postage Paid
39 USC 3406

PAR AVION

OFFICIAL ABSENTEE BALLOTING MATERIAL - FIRST-CLASS MAIL

NO POSTAGE NECESSARY IN THE U.S. MAIL - DMM 703.8.0

REGISTRAR OF VOTERS
5201 RUFFIN RD
PO BOX 85902
SAN DIEGO CA 92186-5902
USA

921865902026

Your voted ballot must be received by the Registrar of Voters office no later than 8 p.m. on election day. (Postmark not acceptable)

- **Before Election Day** - You may return your voted ballot through the U.S. mail, or you may drop it off personally at the San Diego County Registrar of Voters office.
- **On Election Day** - You may personally return your ballot to any polling place in San Diego County, or to the San Diego County Registrar of Voters office, no later than 8 p.m.

WARNING: Voting twice in the same election constitutes a crime in the State of California

CHECK BOX IF ENCLOSED BALLOT IS SPOILED AND YOU ARE REQUESTING A SECOND ONE.

Polls officer use only:	Precinct #:	Poll Worker Sign:
-------------------------	-------------	-------------------

STANDARD OATH - PLEASE READ AND SIGN BELOW

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 registered, 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 material misstatement of fact in completion of this document may constitute grounds for a conviction of perjury.

Complete this authorization if ill or disabled and ballot is to be returned by another person.
Bylaw, you must return your own ballot. However, if you are ill or disabled, you may authorize your spouse, child, parent, grandparent, grandchild, brother, sister, or a person residing in your household to return your ballot. No absent voter's ballot shall be returned by any paid or volunteer worker for any group, organization, political committee, political party or campaign with the exception of a candidate for political office or their spouse. The authorization below must be completed in order for the ballot to be counted.

X _____ X _____
Name of person returning ballot Relationship to voter

X _____
Signature of person authorized to return ballot

Your ballot cannot be counted unless you hand write your signature here.

X _____
Signature Do not print (Power of Attorney not accepted) Date

_____ Date
San Diego County residence address as registered (not mailing address)

If the voter is unable to sign, s/he may make a mark witnessed by one person over the age of 18 years.

Witness _____

Postal Coordination

In order to ensure the efficient and accurate distribution of special absentee ballots to the voter and then, in its turn, to the Elections Department, the postal service established guidelines in conjunction with state and local election officials. These guidelines are as follows and may be accessed at:

<http://www.usps.com/electionmail/welcome.htm>



Using Reply Mail and Sending Mail to Armed Forces Personnel and Overseas Voters

Business Reply Mail: If you provide return envelopes for mail such as ballots, consider using Business Reply Mail (BRM) service. BRM is a First-Class Mail service that enables you to pay the return postage (including a per-piece fee), but only for pieces returned to you. You can distribute BRM cards, envelopes, self-mailers, cartons, or labels and have them returned to you at any Post Office. The pieces you distribute need to conform to a specific format, including a unique ZIP+4 code assigned by the Postal Service.

For more information on BRM, see Quick Service Guide 507a and DMM 507.8.0.

Qualified Business Reply Mail: If you are anticipating receiving 834 or more return pieces annually, consider the use of Qualified Business Reply Mail (QBRM). QBRM service provides you with discounts on postage and per-piece fees. It can be used only on BRM cards and letter-size mail weighing up to 2 ounces. The design must be approved by the Postal Service before distribution, and there are requirements for advance deposits and accounting fees.

For more information on QBRM, see Quick Service Guide 507a and DMM 507.8.3 and 507.8.10.

Courtesy Reply Mail: Courtesy Reply Mail (CRM) pieces consist of preaddressed postcards or envelopes that you provide to the voters both to expedite their responses and to provide accurate delivery to the correct return address. CRM differs from BRM in that the voter is responsible for applying the correct

postage to the return piece and no permit or fees are required. For further information, see Quick Service Guide 507b.

Postal Service Publication 25, Designing Letter and Reply Mail, will provide you detailed information about both types of reply mail, BRM and CRM. There is also information available on the Reply Mail Web site about the features and benefits for BRM, QBRM, and CRM at www.usps.com/replymail.

Absentee Balloting Materials for Military Personnel and Overseas Voters: Absentee balloting materials may be sent through the mail without prepayment of postage to enable eligible persons in the following categories to apply for registration and vote by absentee ballot when absent from their place of voting residence:

- Members of the Armed Forces in active service and their spouses and dependents.
- Members of the U.S. Merchant Marine and their spouses and dependents.
- U.S. citizens residing outside the territorial limits of the United States and the District of Columbia and their spouses and dependents residing with or accompanying them.

Postage must be prepaid on all other balloting materials. Balloting materials must be prepared in accordance to DMM 703.8.0 to be mailable without prepayment of postage.

Preparing Your Address List

Having an updated, correct, and complete address list will help ensure accurate and timely delivery of your mail. By maximizing your address quality, you can also minimize your mailing costs. The Postal Service has established minimum standards for address quality for certain postage rates.

Accurate and standardized addresses will help reduce the amount of undeliverable-as-addressed (UAA) pieces in your mailings. To learn more about the correct way to standardize your addresses, see Publication 28, Postal Addressing Standards.

PHYSICAL ADDRESS HYGIENE AND MOVE UPDATE

The Postal Service has a variety of products and services that will help improve the accuracy of your mailing lists, the quality of the physical addresses and move updates. These are available through either the Postal Service or private mail service providers.

PHYSICAL ADDRESS HYGIENE AND QUALITY

a. Coding Accuracy Support System (CASS) CASS- certified address matching software will help standardize your addresses and update your files with ZIP+4 codes. You can obtain CASS-certified software from numerous mail service providers or have your own software CASS-certified. Having ZIP+4 codes on your mailpieces improves the speed and efficiency of your mail delivery and can reduce postage rates.

b. Delivery Point Validation (DPV). DPV can confirm the existence of an address on a mailing list as a valid delivery point and helps mailers identify inaccurate or incomplete addresses. The DPV product

must be used in conjunction with CASS-certified address matching software. It too is available from various vendors or can be acquired by the end user.

c. Address Element Correction (AEC). AEC is an entirely computerized address correction process which uses logic routines to assist in ZIP+4 coding previously un-coded addresses, allowing mail to qualify for automation rate discounts.

d. Address Element Correction II (AEC II). AEC II is for addresses that AEC cannot resolve electronically. In AEC II, addresses are sent to delivery personnel, carriers and clerks, in local Post Offices for resolution.

MOVE UPDATE INFORMATION

Move Update information on your mailing list is important, regardless of what class of mail you are sending. Mailers are required to update all addresses on discounted First-Class Mail within 180 days prior to a mailing. The following are approved move update methods. The most effective are listed first. You need to determine which works best for your organization.

a. National Change of Address (NCOALink). The NCOALink process provides change-of-address (COA) data, submitted by voters using Postal Form 3575, for the past 18 or 48 months prior to a mailing. Updated, computerized change-of-address information is provided on a regular basis to the NCOALink licensees by the USPS. NCOALink is very effective because it corrects your addresses before a mailing.

b. Address Change Service (ACS). ACS provides mailers a cost-effective means of obtaining current residential change-of-address information, submitted by voters, when mail is undeliverable-as-addressed (UAA). ACS allows you to update address files electronically, eliminating the cost, time, and errors of manual keying. ACS provides mail-forwarding information in days, rather than weeks, after a new change-of-address (PS 3575) becomes effective. The changes can be forwarded on magnetic tape or online. A fee is charged for each address record and is available for all classes of mail. With ACS, you get corrected information after the mailing. It is more expensive than NCOALink.

c. Ancillary Service Endorsements (ASE). Ancillary service endorsements are used to request an addressee's new address and to provide the Postal Service with instructions on how to handle undeliverable-as-addressed mail. The endorsements are the same for all classes of mail, but costs will vary depending on what class of mail you use, the weight per piece, and the options you choose. ASE gives you information after a mailing. It is your most expensive option.

Certain Ancillary Service Endorsements (see DMM 507.1.5.1) meet the Move Update requirement for discounted First-Class Mail. The endorsement most commonly used by election boards and voter registration commissions is "Return Service Requested." This endorsement does not meet the Move Update requirement.

MORE ADDRESSING TIPS FOR ELECTION MAILERS

To help you with the processing of your mail, consider including the following information on your mail in addition to the voter name and address

- Election date or code.
- Voter identification.
- Precinct number or name.
- Party code (primary election only).

However, if you include this type of information on your election mail, it should be printed so it is not in the optical character read area used by Postal Service processing equipment to read the delivery address. If voter information must appear in the delivery address block area (i.e., address labels are used for both the voter information and the delivery address), then the voter information line should appear above the recipient line of the delivery address.

A Postal Service mailpiece design analyst (MDA) can assist you, at no charge, with this and other aspects of proper mail design.

For more information on Postal Service addressing products and services contact:

NATIONAL CUSTOMER SUPPORT CENTER
UNITED STATES POSTAL SERVICE
6060 PRIMACY PKWY STE 201
MEMPHIS TN 38188-0001

TEL.: (800) 238-3150
FAX: (901) 767-8853

Addressing Official Election Mail to Persons Overseas and in the Military

Foreign addresses except Canada: The very last line of mail addressed to a foreign country should contain the country name printed in capital letters (no abbreviations). When using a foreign postal code, place it on the line above the country of destination. Example:

MR THOMAS CLARK
117 RUSSELL DRIVE
LONDON WIP7HQ
ENGLAND

Canadian addresses: For mail addressed to Canada, the last line of the address must show only the country name, written in full (no abbreviations) and in capital letters. There must be two spaces between the province abbreviation and the postal code, as shown below between ON and K1A OB1. Example:

MRS HELEN K SAUNDERS
1010 CLEAR STREET
OTTAWA ONTARIO K1A OB1
CANADA

Military addresses: Overseas mail addressed to military personnel must show grade; full name, including first name and middle name or initial; and unit number. The last line must contain the APO or FPO designation and the appropriate two-letter "state" abbreviation (AA, AE, or AP), followed by the ZIP+4 or 5-digit ZIP Code. Examples:

PC1 DAVID LEE JONES
X-1 DIV/ADMIN
USS KITTY HAWK (CVA-61)
FPO AP 96634-2770

PFC SUSAN M SMITH
COMPANY A 122 SIG BN
UNIT 20511 BOX 4290
APO AA 34049-2342

For additional information on mailing to foreign countries, consult the International Mail Manual.

Meeting with the Postal Service Election Mail Representative in Your Area and Planning the Mailing

The Postal Service will help you with every step of your mailing process. Get acquainted with the Postal Service Election Mail representative in your area.

The best person for you to contact at the Postal Service is determined by your ZIP Code. We have included a guide for determining your Postal Service Election Mail representative on the Election Mail Web site. Consider the Postal Service as part of your team.

Arrange a Meeting with Your Local Postal Service Representative

Contact your local Postal Service Election Mail representative to arrange a meeting. You may also want to have direct contact with all local Post Offices within your county for mailing coordination. In this meeting, include the following people:

- All your personnel involved in ordering, designing, addressing, and preparing mail.
- Any outside mail service providers or suppliers you are using.

In the meeting, your Postal Service Election Mail representative will discuss the logistics of your mailings with you, including the following:

Delivery date. When planning the date, you will want to consider the size of the mailing, the time sensitivity of the contents, and the class of mail (e.g., First-Class Mail, Nonprofit Standard Mail). For ballots, take into consideration holidays and 3-day weekends so that ballots will not sit in mailboxes over a long weekend. The Postal Service delivers 6 days a week, Monday through Saturday, but does not deliver on national holidays.

When to give the mailpieces to the Postal Service. The Postal Service can help schedule a time that

allows for the immediate acceptance of your mailing. If more than one county is involved, it is important to coordinate the time of acceptance for each. *This should be done no earlier than E-60 but no later than E-45 for Military Mailing and no earlier than E-29 for regular absentee bulk mailing. –Editor’s note*

Where to give the mailpieces to the Postal Service. Typically, you will be presenting your mailings to a business mail entry unit, but larger Post Offices may need to direct the mailing to a specific dock area.

Presort preparation supplies and equipment you will need. Talk with your Postal Service Election Mail representative about Postal Service supplies (e.g., forms, tags, trays, sacks), and when and where you can order them. There are no charges for these items.

Required forms and mailing profiles. Forms are required if you want to mail at bulk (large-volume) discount postage rates for First-Class Mail, Standard Mail, or Nonprofit Standard Mail.

Send a courtesy letter to your Postal Service representative of large mailings and mail pick-up times in advance of each election so they are aware of and will give high priority to processing election mail. Send samples of Absentee identification envelopes along with the letter so postal staff knows exactly what to look for. Sample letters can be found at the end of this chapter. – Editor’s note

Options for mail that cannot be delivered. (*Elections materials are not forwardable, per EC 3008(b).*) Discuss how you want the mail to be treated if it is undeliverable-as-addressed; see Ancillary Service Endorsements in Section III.

Return Address options. You have a number of options for your return mailing address for completed ballots, including the following:

- Use your office address and ZIP+4 code.
- Rent a Post Office box. This service allows you to pick up your mail during the hours the box lobby is open.
- Rent a "phantom" Post Office Box (Caller Service). Caller Service is a premium service available for a fee which allows you to pick up mail at a Post Office call window or loading dock when the office is open.

Working with Your Mailpiece Design Analyst to Ensure Mailpiece Quality

Mailpiece design is one of the most critical components in determining your mailing costs. Properly designed mail can allow you to receive automation rate discounts.

MEET YOUR MAILPIECE DESIGN ANALYST BEFORE PRINTING YOUR ENVELOPES

Most of your questions about mailpiece design can be answered by a Postal Service mailpiece design analyst (MDA Lookup).

Arrange to meet with a mailpiece design analyst to discuss the design for the cover or envelope of every mailpiece you plan to mail (e.g., postcards, envelopes, or larger mail such as manila envelopes and

catalogs, also known as flats). This service is free, and it can save significant costs for your mailing operation.

Bring at least 25 sample mailpieces for each anticipated mailing to the meeting, using new samples, or if none are available, materials from similar past mailings. The mailpiece design analyst will check to see if they meet current Postal Service standards for automation (e.g., envelope dimensions, paper stock, and ink colors for readability).

Ask the mailpiece design analyst (MDA) to do the following:

- Help you design outgoing and return envelopes to meet automation-compatibility standards.
- Review and assist with proper wording and placement of postal markings and endorsements on your envelopes.
- Review and approve the blueline or PDF file of your envelopes, postcards, and other mail before it is printed.

MORE DESIGN TIPS FOR ELECTION MAILERS

- Always consider using the Official Election Mail logo. The purpose of the Official Election Mail logo is to alert all Postal Service employees that mail so designated is either from or to an official state or local election organization, and that appropriate handling should be provided.
- Consider possible weight limitations. Printing instructions and information on both sides of forms will reduce the amount of paper and overall weight of your mail, saving postage costs.
- Consider different colors for different ballot types, districts, elections, parties, or inserts. Instead of colored envelopes, consider using colored bands that encircles only part of the envelopes, but away from the delivery address. Discuss this with your MDA.
- Some ink and paper colors will not work well on automated postal equipment. Discuss potential colors with your MDA.
- If the return mailpieces weigh more than 1 ounce, add printing on the return envelopes to notify voters they need additional postage to return the ballot. Alternatively, consider redesigning the return envelopes to reduce the need for additional postage.

DESIGN RESOURCES

Other sources of information include:

- Quick Service Guides. The Quick Service Guides (QSG) provide information covering design of letters, cards, flats, and various reply forms for automation compatibility, along with schematics, as well as the requirements for absentee ballot design.
- Postal Explorer. Most of the information you need to make informed decisions can be found using Postal Explorer.
- Publication 25, Designing Letter and Reply Mail.

MILITARY & OVERSEAS VOTERS

- Publication 28, Postal Addressing Standards.
- Publication 177, Guidelines for Optimizing Readability of Flat-Size Mail.
- Publication 178, Recommendations for Designing Flat-Size Mail.
- Publication 610, Election Mail Logo Guide.

February 27, 2007

Leslie Lawson, Day Supervisor
Bill Hammon, Night Supervisor
Dale Stone, Night Manager
Jim Thrower, Night Supervisor
U. S. Postal Service
2535 Midway Dr
San Diego CA 92138

Attention: Box Section Supervisors

Tuesday, March 6, 2007 is the deadline for accepting voted ballots for the Special Election.

Please issue all the First Class and Business Reply mail from PO Box 85902 and 85520 on March 6th at 8 p.m. to the representative from the Registrar of Voters Office.

We appreciate your assistance in processing our mail for this election.

Sincerely,

Maria Alvarado, Election Processing Supervisor
Absentee/Mail Ballot Section

Cc: Jonathan Johnson, Postal Acct. Rep.

MIKEL HAAS
Registrar of Voters



Office: (858) 565-5800
Fax: (858) 694-2955
TDD: (858) 694-3441
Toll Free: (800) 696-0136

October 2, 2006

Leslie Lawson, Day Supervisor
Bill Hammon, Night Supervisor
Dale Stone, Night Manager
Jim Thrower, Night Supervisor
U. S. Postal Service
2535 Midway Dr
San Diego CA 92138

ATTENTION: Box Section Supervisors:

General Election is November 7, 2006, and we are requesting special handling and processing of certain mail pieces, October 7th through November 7th.

Jonathan Johnson has made arrangements to ensure our office that there will be postal staff available **both Saturday and Sunday, October 7th and October 8th**, to "wall mail" and calculate the business reply postage, so that all mail will be logged and in our boxes **85093** and **85520** by **9:30 a.m.** for special pickup by Registrar of Voters staff.

A special 7:30 a.m. pick up will be made daily, beginning October 9th through November 7th including weekends, by Registrar of Voters staff. County Mail Personnel will pick up additional mail at the standard time of 9:30 a.m., Monday through Friday.

Thank you for your assistance and if you have any questions please call Maria Alvarado at (858) 694-3431 or Norma Westbrook at (858) 694-3023.

Sincerely,



Maria Alvarado
Election Processing Supervisor

cc: Jonathan Johnson, Postal Acct. Rep.

MIKEL HAAS
Registrar of Voters



Office: (858) 565-5800
Fax: (858) 694-2955
TDD: (858) 694-3441
Toll Free: (800) 696-0136

February 21, 2007

Leslie Lawson, Day Supervisor
Bill Hammon, Night Supervisor
Dale Stone, Night Manager
U. S. Postal Service
2535 Midway Dr
San Diego CA 92138

Attention: Box Section Supervisors:

Tuesday, February 27, 2007 is the close for accepting applications for absentee ballots for the Special Election.

Please issue all the First Class and Business Reply mail from PO Box 85520 on February 27th at 5 p.m. to the representative from the Registrar of Voters Office.

We appreciate your assistance in processing our mail for this election.

Sincerely,

Maria Alvarado, Election Processing Supervisor
Absentee/Mail Ballot Section

Cc: Jonathan Johnson, Postal Acct. Rep.

MIKEL HAAS
Registrar of Voters



Office: (858) 565-5800
Fax: (858) 694-2955
TDD: (858) 694-3441
Toll Free: (800) 696-0136

February 27, 2007

Tom Wilson, Senior Plant Manager
James Land, In-Plant Support Manager
Margaret Sellers Processing and Distribution Center
11251 Rancho Carmel Drive
San Diego CA 92199-9621

Attention: Mr. Wilson & Mr. Land

Tuesday, March 6, 2007 is Election Day for the Special Election.

Please ensure that all mail addressed to P.O. Box 85902 and 85520 on the workroom floor is collected and delivered to the BMEU by 8 p.m. on March 6th. Enclosed are sample envelopes for the mail we are asking you to process. At 8 p.m. a representative from the Registrar of Voters office will pick up the mail for P.O. Box 85902 and 85520 from the Midway Post Office and Margaret Sellers Center.

Thank you for your assistance in processing our mail for this election. If you have any questions, please call me at (858) 694-3431.

Sincerely,

Maria Alvarado, Election Processing Supervisor
Absentee/Mail Ballot Section

MA:ma

Enclosure
Cc: Jonathan Johnson

The Law – Federal Codes

Below you will find the Federal Code sections that govern military and overseas voters. References to the California Elections Code sections can be found in each relevant chapter.

SECTION 103 UOCAVA

(b) Submission and Processing: Except as otherwise provided in this title, a federal write-in absentee ballot shall be submitted and processed in the manner provided by law for absentee ballots in the State involved. A federal write-in absentee ballot of an absent uniformed services voter or overseas voter shall not be counted. --

(1) in the case of a ballot submitted by an overseas voter who is not an absent uniformed services voter, if the ballot is submitted from any location in the United States;

(2) if the application of the absent uniformed services voters or overseas voter for a State absentee ballot is received by the appropriate State election official after the latter of-

(A) the deadline of the State for receipt of such application; or

(B) the date that is 30 days before the general election; or

(3) if a State absentee ballot of an absent uniformed services voters or overseas voter is received by the appropriate State election official not later than the deadline for receipt of the State absentee ballot under State law.

(c) Special Rules: With respect to federal write-in absentee ballots:

In completing the ballot, the absent uniformed services voters or overseas voter may designate a candidate by writing in the name of the candidate or by writing in the name of political party (in which case the ballot shall be counted for the candidate of that political party).

(2) In the case of the offices of President and Vice President, a vote for a named candidate or a vote by writing in the name of a political party shall be counted as a vote for the electors supporting the candidate involved.

(3) Any abbreviation, misspelling, or other minor variation in the form of the name of a candidate or a political party shall be disregarded in determining the validity of the ballot, if the intention of the voter can be ascertained.

(d) SECOND BALLOT SUBMISSION:

An absent uniformed services voter or overseas voter who submits a federal write-in absentee ballot and later receives a State absentee ballot, may submit the State absentee ballot.



Contacts

The information below can be used to assist voters or Elections Officers.

General Information Email: chairman@republicansabroad.org

Director, Federal Voting Assistance Program

Department of Defense

1155 Defense Pentagon

Washington, DC 20301-1155

FVAP website: www.fvap.gov

Email: vote@fvap.ncr.gov

Commercial: (703) 588-1584

DSN (military): 425-1584

Fax: (703) 696-1352, DSN: 426-1352

Toll Free (U.S., Canada, Guam, Puerto Rico, Virgin Islands): 1-800-438-VOTE (8683)

Overseas Vote Foundation

www.overseasvotefoundation.org

Secretary of State

Rhonda Rodriguez

(916) 657-2166

1500 11th Street, 5th Floor

Sacramento, CA 95814

http://www.sos.ca.gov/elections/elections_mov.htm

Democrats Abroad

430 South Capitol Street, S.E.

Washington, DC 20003

Phone: (202) 863-8177

Fax: (202) 863-8063

World Wide Web: www.democratsabroad.org

Email: info@democratsabroad.org

Republicans Abroad International

1275 K Street, NW, Suite 102

Washington, D.C. 20005

Phone: (202) 608-1423

Fax: (202) 608-1431

World Wide Web: www.republicansabroad.com

Department of State –

A listing of US consulars around the world:

http://www.travel.state.gov/law/consular/consular_745.html

Information about upcoming elections for voters overseas:

http://www.travel.state.gov/law/info/info_2964.html

Chapter 14

Outreach

The following pages contain selected samples of letters and flyers designed by the FVAP, Los Angeles, Santa Cruz and San Diego counties.

Election Code 3004 requires the county elections official to place a notice in any office within the county where applications are taken for federal passports or where military enlistments are received to inform potential special absentee voters of their right to an absent voter's ballot and where registration materials and application forms can be obtained.



MILITARY AND OUT OF COUNTRY VOTING

UNIFORMED SERVICE MEMBERS OR U.S. CITIZENS TEMPORARILY LIVING OUTSIDE PLACE OF RESIDENCE for reasons of military service, employment, study program or family relationship are eligible to register to vote and request an absentee ballot. To register to vote and request an absentee ballot, you must complete a Federal Post Card Application (FPCA).



U.S. CITIZENS PERMANENTLY RESIDING OUTSIDE THE UNITED STATES are eligible to vote for federal elections only (President, Vice-President, U.S. Senator, Representative of Congress). To register to vote and request an absentee ballot, you must complete a Federal Post Card Application (FPCA). You may request that your application be valid through the next two (2) regularly scheduled general elections.



FPCA's are available at any: Voting Assistance Office at a military base, American Embassy or Consulate, or Registrar of Voters Office.

FPCA FORMS must be received by the Registrar of Voters office on or before the deadline, **seven (7) days** prior to an election. Electronic FPCA forms are available on our website at www.lavote.net and the California Secretary of State website, www.ss.ca.gov. Voters outside the United States should apply as early as possible to ensure timely receipt and return of their ballots to the Registrar of Voters office by 8:00 p.m. Pacific Standard Time on Election Day.

IF YOU ARE ALREADY REGISTERED IN LOS ANGELES COUNTY you may submit a letter or note stating you are a member of the uniformed services or U.S. citizen temporarily residing outside place of residence and you wish to vote an absentee ballot. Please include the following information:



- Your name and LA County residence address;
- The mailing address where the ballot is to be sent;
- The election for which the ballot is being requested;
- Your signature.

Forward the letter or note to: **County of Los Angeles Registrar-Recorder/County Clerk, Absentee Voting Section, P.O. Box 30450, Los Angeles CA, 90030-0450.**

You may submit a letter or note by e-mail. Send absentee ballot requests or inquiries to: MilitaryOverseasAV@rrcc.co.la.ca.us (signature will be verified upon receipt of ballot).

You may also vote a Special Absentee Ballot by printing a Sample Ballot and completing a Special Absentee Voter Signature and Oath available on our website at www.lavote.net.

Access to a **Federal Write-In Absentee Ballot (FWAB)** is available to uniformed service members, their spouses and dependents, or U.S. citizens outside the United States who are registered voters **AND** who applied for an absentee ballot no later than 7 days prior to Election Day, but never received their ballot. California allows FWABs to be returned by fax to the elections official. Online information is available at <http://www.fvap.gov/index.html>.



 County of Los Angeles Registrar Recorder/County Clerk, 12400 Imperial Highway, Norwalk CA 90650 USA
SAVNotice 7/2003



Elections Code that applies to this chapter:
3004

INTRODUCTION

The *Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA)* covers the voting rights of members of the Uniformed Services (on active duty), members of the Merchant Marine, their eligible family members, and U.S. citizens residing outside the U.S. The Federal Voting Assistance Program (FVAP) carries out the responsibilities of the Act by providing guidance about participating in the process to provide assistance about regardless of their location in the world.

The procedures and deadlines to vote absentee vary from state to state. This brochure answers frequently asked questions concerning absentee voting.

GENERAL INFORMATION

Can I vote absentee?

Generally, all U.S. citizens, 18 years or older who are or will be residing outside the United States during an election period are eligible to vote absentee in any election for Federal office. In addition, all members of the Uniformed Services, their family members and members of the Merchant Marine and their family members, who are U.S. citizens, may vote absentee in Federal, state and local elections.

How do I apply for an absentee ballot?

Use the Federal Post Card Application (FPCA). The FPCA is accepted by all states and territories as an application for registration and for absentee ballot. It is postage-free when placed in the U.S. mail. You may also send a written request for a ballot to your county, city, town or parish clerk. The online version of the FPCA (OPFPCA) is available at the Federal Voting Assistance Programs (FVAP) website, www.fvap.gov, but must be completed, printed, signed, dated and placed in an envelope affixed with proper postage, and mailed to your Local Election Official, with the correct return address for the ballot. For more information, contact the nearest UOCAVA office in the States, the District of Columbia and U.S. territories, with the exception of American Samoa and Guam, except the OPFPCA.

I would like to vote but don't know how. Where can I find assistance?

Specific information on applying for absentee registration and a ballot is contained in the *Uniformed Services Guide*. Voting Assistance Officers assigned to units at military installations and at each U.S. embassy/consulate have a copy of the *Guide* to assist you in completing your FPCA. U.S. citizen organizations overseas and many corporate offices of U.S. companies also have copies of the *Guide* to assist you. Members of the Uniformed Services and U.S. embassies/consulate personnel may request hard copies of the *Guide* through their normal distribution channels or by contacting their Service or Department of State Voting Action Officer. Other overseas citizens may request these materials by contacting the FVAP directly at Vote@fvap.nrc.gov. You will find PDF versions of the *Guide* as well as other voting related information and links on the FVAP website.

Do I have to be registered to vote absentee?

Registration requirements vary from state to state. States and territories allow the citizen to register and request an absentee ballot by submitting a single FPCA during the election year. If you are permanently registered you should submit an FPCA early in the election year. Consult Chapter 3 of the *Guide* for specifics.

Where do I send my FPCA?

Chapter 3 of the *Guide* outlines absentee voting procedures for each state and territory. In section IV, under the heading "Where to Send It," you will find a list of addresses for county and local election officials for your state or territory for legal residence. These officials may need to contact you for further information or clarification. If available, please provide a current e-mail address, phone and fax number on the FPCA.

Must I submit a separate application for each election?

In all states and territories, one FPCA will secure for the applicant both primary and general election ballots for Federal offices for an entire calendar year. The Help America Vote Act of October, 2002 has extended the effective period of the FPCA through two regularly scheduled general elections for federal office. However, due to the transient nature of many UOCAVA citizens, FVAP continues to recommend that each citizen submit an FPCA to their state or territory of legal residence in January of each year and again each time there is a change in the citizen's mailing address.

If I am required to have my FPCA or ballot notarized, how do I do it?

Generally, election materials may be witnessed or sworn to before a notary, U.S. Commissioned Officer, embassy or consulate officer, or other officials authorized to administer oaths. Most states and territories do not require notarization of the FPCA or ballot. Therefore, consult Chapter 3 of the *Guide* to determine your state or territory's requirements. In all instances, you must sign and date the FPCA.

When mailing an FPCA or other election materials to my state or territory, do I have to pay postage?

Generally, all election-related materials are mailed postage-free from any APO or FPO mail facility, all U.S. embassies and consulates and any post office in the U.S. You must pay postage if the materials are mailed from a non-U.S. postal facility. The online version of the FPCA must be printed, signed, dated and mailed in an envelope with proper postage affixed. Ensure that your ballot or FPCA is postmarked.

When is the best time to apply for an absentee ballot?

Generally, the FPCA used to request only a ballot should be received by election officials at least forty-five days before election day to allow ample time to process the request and mail the ballot. If applying for both registration and an absentee ballot, the FPCA may have to be mailed earlier. FVAP recommends submitting the FPCA in January of each

year. Consult Chapter 3 of the *Guide* for further information on state or territorial registration deadlines. Be sure to notify your election official of any change to your address.

When should I receive my ballot?

Under normal circumstances, most states and territories begin mailing ballots to citizens 30-45 days before an election. If you have not received your ballot two weeks before the election, contact the FVAP Ombudsman Service. They will assist you in determining when your ballot was mailed. Always execute and return your absentee ballot regardless of when you receive it. Court decisions sometimes require the counting of ballots voted by election day, but received late. See Ombudsman Service and Federal Write-In Absentee Ballot sections below.

What is an election for Federal office?

An election for Federal office is any general, special, runoff or primary election held solely or in part for the purpose of selecting, nominating or electing any candidate for the office of President, Vice President, Member of the United States House of Representatives, Delegate from the District of Columbia, Guam, Virgin Islands and American Samoa, and Resident Commissioner of the Commonwealth of Puerto Rico.

What is the Federal Write-In Absentee Ballot (FWAB)?

Military personnel and their voting age dependants both in the United States and overseas, and U.S. citizens overseas may be able to use a Federal Write-In Absentee Ballot (FWAB) available through Voting Assistance Officers at military installations or at U.S. embassies/consulates. To be eligible for this ballot, a citizen must:

1. Be located overseas (including APO/FPO addresses) or a member of the Uniformed Services (including dependents) absent from their voting residence.
2. Apply for a regular ballot early enough so that the FWAB is received by the local election official at least 30 days before the election or by state deadline, whichever is later.
3. Not have received the requested/regular absentee ballot.

The online version of the FWAB (OPFWAB) is available at the FVAP website, www.fvap.gov, but must be answered completely, printed, signed, dated and placed in an envelope affixed with proper postage, and mailed to your Local Election Official. Refer to Chapter 3 of the *Guide* to determine your state or territory's witness or notary requirements for your ballot.

Return the voted FWAB to the local election official to meet the state or territorial deadline for counting. Presently, eleven states have expanded the use of the FWAB: Colorado, Connecticut, Iowa, Maryland, Montana, Nebraska, Oklahoma, Rhode Island, Texas, Virginia and West Virginia. Refer to Chapter 3 of the *Guide* for details.

Where would I obtain information on issues and positions taken by candidates?

In addition to reading U.S. news magazines and newspapers, both Democrats Abroad and Republicans Abroad maintain overseas offices and have information about the candidates and issues. U.S. embassies and consulates can provide the local addresses or phone numbers for these organizations. Alternatively, the party organizations may be contacted as follows:

Democrats Abroad
430 South Capitol Street, S.E.
Washington, DC 20003
Phone: (202) 863-8177
Fax: (202) 863-8093
Website: www.democratsabroad.org
E-mail: info@democratsabroad.org

Republicans Abroad International
1215 K Street, NW, Suite 102
Washington, DC 20005
Phone: (202) 608-1423
Fax: (202) 608-1431
Website: www.republicansabroad.com
E-mail: charman@republicansabroad.org

Where can I find information on state and local issues while overseas?

Surf the Web for information! Alternatively, subscribe to hometown newspapers, or contact friends and relatives for information on state and local issues. Armed Forces Radio and Television Service broadcasts American news and entertainment programs throughout the world. Also, the DOD Voting Information Center (VIC) provides an avenue for information on candidates for citizens voting under the UOCAVA. See VIC section below.

MILITARY

Where is my "legal voting residence"?

For voting purposes, your "legal voting residence" can be the state or territory where you last resided prior to entering military service or the state or territory that you have since claimed as your legal residence. To claim a new legal residence, you must have simultaneous physical presence and the intent to return to that location as your primary residence. Military and family members may change their legal residence every time they change permanent duty stations or they may retain their legal residence without change. Family members may have a different legal voting residence from the military member. A legal officer should be consulted before legal residence is changed because there are usually other factors that should be considered besides voting. Be sure to enter the complete address of your legal voting residence, including street or rural route and number, when completing the residence section of the FPCA. Even though you may no longer maintain formal ties such as property ownership to that residence, the address is needed to place you in a proper voting district, ward, precinct or parish.



Can I vote in person where I am stationed?

Military members may vote in the state or territory where stationed if they change their legal residence to that state or territory, even if they live in a military installation. Be advised that there are legal obligations that may be incurred such as taxation, if you change your state or territory of residence. Therefore, consult a legal officer before making such a decision. At the present time, there are no provisions for personnel stationed outside the United States to vote, in person, where stationed.

My family members are not in the military; can they also vote absentee?

The law entitles eligible family members of military personnel to vote absentee. Family members are considered to be in the same category of absentee voter as military members and generally should follow the same procedures. Family members of military personnel residing overseas, who are U.S. citizens and who have never resided in the U.S., usually claim a U.S. citizen parent's legal state of residence as their own.

OVERSEAS CITIZENS

If I do not maintain a legal residence in the U.S., what is my "legal state of residence?"

Your "legal state of residence" for voting purposes is the state or territory where you last resided immediately prior to your departure from the United States. This right extends to overseas citizens even though they may not have property or other ties in their last state or territory of residence and their intent to return to that state or territory may be uncertain. When completing the FP/CA's Voting Residence section, be sure to enter the entire mailing address of your last legal residence including state and zip code. This information is necessary to place you in the proper voting district, ward, precinct or parish. Family members of citizens residing overseas, who are U.S. citizens and who have never resided in the U.S., usually, if the state allows, claim one of their U.S. citizen parent's legal state or territory of residence as their own. Check Chapter 3 of the *Guide*.

Will I be taxed by my last state or territory of residence if I vote absentee?

Exercising your right to vote in elections for Federal offices only, does not affect the determination of residence or domicile for purposes of any tax imposed under Federal, state, or local law. Voting in an election for Federal office only, may not be used as the sole basis to determine residency for the purpose of imposing state and local taxes. If you claim a particular state or territory as your residence and have other ties with that state or territory in addition to voting, then you may be liable for state and local taxation, depending upon the laws of that particular state or territory. Consult the *Guide* or a legal advisor for information on probable tax obligations.

Can I register or vote in person at the embassy or consulate?

At the present time, there are no provisions for in-person voting or on-site registration to be conducted at U.S. embassies or consulates. U.S. embassy and consular officials will assist U.S. citizens in completing FP/CA forms for their state, witness or notarize FP/CA forms and ballots (if required), and provide or notarize voting information. U.S. embassy and consulate locations serve also as a mailing point. FP/CA forms and other election materials may be mailed back, postage-paid, from these locations to your local voting jurisdiction in the U.S. where absentee registration and ballot requests are processed.

THE FVAP'S WEBSITE

The FVAP website is home to a variety of information about voting and elections. The information is updated regularly. Answers to almost any voting related question can be found 24 hours a day, seven days a week just by accessing the website. The website contains general information on absentee voting, including a list of frequently asked questions, and training schedules for voting assistance officers during federal election years. The on-line version of the *Guide* contains up to date information for state-by-state registration and absentee ballot request procedures. Also available on the website is the on-line version of the FP/CA and the FVAB. All FVAP publications, including News Releases and archived issues of the monthly *Voting Information News* can be found on the site. The website also contains links to many voting related sites, including all state elections sites, which provide information about upcoming elections, and links to U.S. Senate and U.S. House of Representatives.

OMBUDSMAN SERVICE

Citizens covered by the *Uniformed and Overseas Citizens Absentee Voting Act* may obtain additional information about the absentee voting process by calling the FVAP toll-free from many countries. The phone number from your country is available in the *Guide*, the FVAP's website, the International Operator in the United States, or from your local U.S. embassy or consulate. If a country does not have a toll-free number, a citizen may call (703) 588-1584. The toll-free number in the U.S., Canada, Guam, Puerto Rico and the Virgin Islands is 800-438-VOTE or 800-438-8883. Assistance is available during normal business hours, Eastern Standard Time; you may have a recorded message with complete contact information at other times.

ELECTRONIC TRANSMISSION OF ELECTION MATERIALS

Often, transmitting voting materials by mail may delay timely receipt and return of materials. When such conditions exist, possibly preventing an individual from voting, faxing may be possible. Generally, there are three possibilities or combinations allowed by states:

1. Send the FP/CA or registration and ballot request by fax.
2. Receive the blank ballot by fax.
3. Return the voted ballot by fax.

Consult your unit or embassy/consulate Voting Assistance Officer for the procedures for the electronic transmission process. The *Guide* explains the fax process, each state's procedures, and provides a fax cover sheet. **Always mail the original FP/CA and voted ballot after faxing.**

For election-related materials, the U.S., Canada, Guam, Puerto Rico and the Virgin Islands may use either the form number 8880-527 (60) 380-8883 or DSN 223-5527. See the *Guide* or the FVAP's website for international toll-free fax numbers.

VOTING INFORMATION CENTER

The Voting Information Center (VIC) provides information on elections and recorded messages from U.S. Senators, U.S. Representatives and state Governors. Approximately thirty days prior to an election, messages from candidates for these offices are also available. Callers may connect directly to the office of U.S. Senators, U.S. Representative, Governor or their other state election official through the VIC. Any questions that cannot be answered locally, concerning election dates or candidates, may be referred to the VIC.

Each Military Service and the Department of State has a Voting Action Officer who is the point of contact for assisting voters who have unique questions/problems. The VIC also provides direct access to these Action Officers during normal business hours in the U.S.; a recorded message may be left at other times.

Any person may call the VIC. Telephone: Commercial- (703) 588-1343 (Colled calls not accepted), DSN- 425-1343. DSN use is authorized for all military and family members. Toll-free numbers are available for over 60 countries. The *Guide* contains further information on the VIC and access by toll-free numbers.

Any question which cannot be answered by a Voting Assistance Officer should be directed to the:

Director, Federal Voting Assistance Program
 Department of Defense
 1155 Defense Pentagon
 Washington, DC 20301-1155

Phone: (703) 588-1584, DSN: 425-1584
 Fax: (703) 696-1352, DSN: 426-1352

Toll-Free from the U.S., Canada, Guam, Puerto Rico and the Virgin Islands:
 1-800-438-VOTE (6883). Fax: 1-800-368-VOTE (6883).
 International toll-free phone and fax numbers from over 60 countries available at FVAP website:
www.fvap.gov
vote@fvap.dnc.gov



VOTERS WHO NO LONGER PHYSICALLY RESIDE IN SANTA CRUZ COUNTY

As a voter who is not now physically residing in Santa Cruz County, you need to define for yourself what is your voting domicile.

Voting domicile is defined in Elections Code Section 349. (a) "Residence" for voting purposes means a person's domicile. (b) The domicile of a person is that place in which his or her habitation is fixed, wherein the person has the intention of remaining, and to which, whenever he or she is absent, the person has the intention of returning. At a given time, a person may have only one domicile."

So, if you once resided and were registered to vote in Santa Cruz County and since then you have left this county, you need to define for yourself whether you have the intention to return to Santa Cruz County or not. There are three categories to choose from.

1. If you are currently living somewhere outside of Santa Cruz County and intend to return to Santa Cruz County at some future time, then you may maintain Santa Cruz County as your voting domicile and continue to vote on state and local issues. Voters serving in the military, living overseas temporarily or part-time, or who travel for business or education are often in this category.
2. If you do not intend to return to Santa Cruz County and you live within the United States, you must re-register to vote prior to voting in the next election in your new home. If you are now residing outside the United States and you have no intention of returning, then we would advise you to become a federal voter. A federal voter is only eligible to vote on the office of President, Vice President, U.S. Senate and Congress. U.S. citizens living permanently abroad are mostly in this category.
3. If you have moved away from Santa Cruz County but, you have not re-establish a voting domicile, you may continue to use Santa Cruz County as your voting domicile until a new one is established -- even though you may have no intention of returning here. This is pursuant to a court case *Walters v. Weed* (1988) AKA "UCSC Student Voting Case." 45 Cal.3rd.1. Voters who are students, traveling around the country, or are transient are often in this category.

Please let us know which category of voter defines you and we will process your request accordingly.

Voters who vote absentee or at the polls are required to provide the address where they live in Santa Cruz County and sign under penalty of perjury that the information is correct.



County of San Diego

REGISTRAR OF VOTERS

5201 Ruffin Road, Suite I, San Diego, California 92123-1693

MIKEL HAAS
Registrar of Voters

TIM McNAMARA
Assistant Registrar

Office: (858) 565-5800
Fax: (858) 694-2955
TDD: (858) 694-3441
Toll Free: (800) 696-0136

July 14, 2005

Ms. D. [REDACTED]
2525 [REDACTED] #0512
Eules [REDACTED]

Dear Ms. [REDACTED]:

This letter is in regards to our telephone conversation we had today. You indicated that you are moving and becoming a resident of the United Kingdom. Please complete the enclosed yellow card to cancel your registration in San Diego County and return it in the postage paid envelope provided as soon as possible.

A voter who lives in another country on permanent basis, and maintains U.S. Citizenship may register as an Overseas Voter, eligible to vote for federal offices only. These offices include President, Vice-President, U.S. Senate and U.S. Congress. You do have to apply for a ballot from the county and address you resided at immediately before departing from the United States.

Enclosed is an Overseas Affidavit of Registration if you wish to vote on Federal Offices in 2006. Be sure to complete the affidavit, listing your last residence in San Diego County immediately before departing the country. This cannot be a post office box. Please return the blue Affidavit of Registration to our office no earlier than January 2, 2006.

If you have any questions, please feel free to call us at (619) 694-3415. Thank you for your attention and cooperation on this matter.

Sincerely,

Pauline Glaser, Senior Clerk
Absentee/Mail Ballot Section

PRG: ma

Enclosures



MIKEL HAAS
Registrar of Voters

TIM McNAMARA
Assistant Registrar

County of San Diego

REGISTRAR OF VOTERS
5201 Ruffin Road, Suite I, San Diego, California 92123-1693

Office: (858) 565-5800
Fax: (858) 694-2955
TDD: (858) 694-3441
Toll Free: (800) 696-0136

February 14, 2006

Dear Voter:

Our files indicate that you are a former resident of San Diego County, indefinitely residing overseas, and are therefore eligible to vote for Federal Offices in subsequent Federal Elections. There are Federal offices on the ballot for two Federal Elections in 2006: the June 6, 2006 Gubernatorial Primary Election, and the November 7, 2006 General Election.

Prior to the November 2004 Presidential Election, the Federal Postcard Application (FPCA) supported an absentee Federal ballot for one federal election year; however, in 2002 Congress amended the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA). The FPCA now serves as a registration and absentee ballot application for the next two regularly scheduled general elections for Federal office. As such, a new FPCA will serve as the request to receive an absentee ballot for each federal election held through 2008, specifically Federal elections in June and November, 2006 and 2008, respectively.

If you wish to vote for Federal Offices in 2006, please complete the enclosed FPCA and return it to the Registrar of Voters office 5201 Ruffin Road, Suite I, San Diego, CA, 92123. Please complete the entire application, including your last residence address in San Diego County, immediately before departing the country. In order to receive a ballot for the June, 2006 Gubernatorial Primary Election, please enter a political party in the "**Political Party Affiliation box.**" We also need a correct and current mailing address where you can receive election material. Please notify our office immediately whenever you change your location and/or mailing address. You may use the FPCA card to report any changes.

If you wish to vote in the June 6, 2006 Gubernatorial Primary Election, please return your FPCA card either by mail or by fax no later than March 31, 2006. Our fax number is 858-694-2955.

We stand ready to provide you an absentee ballot without delay to give you every meaningful opportunity to return it in time to be counted. Your attention to detail in completing the application will help us expedite the process. Election information can be found on our website www.sdvote.com. If you need further assistance please contact Pauline Glaser at 858-495-5370, or by email at pauline.glaser@sdcounty.ca.gov.

Sincerely,

Robert A. Pennisi
Chief Deputy Registrar of Voters, Voter Services

Enclosures

RP:prg



MIKEL HAAS
Registrar of Voters

TIM McNAMARA
Assistant Registrar

County of San Diego

REGISTRAR OF VOTERS
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Office: (858) 565-5800
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Toll Free: (800) 696-0136

June 22, 2005

Dear Military and/or Overseas Voter:

For the November 2004 Presidential General Election you submitted the Federal Post Card Application (FPCA) as a simultaneous voter registration application and absentee ballot request.

Prior to that election, this form was only valid for Federal elections held in that calendar year. However, in 2002, Congress amended the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA), concerning the use of the FPCA. The FPCA now serves as an application for the next two regularly scheduled general elections for Federal office. As such, your FPCA will serve as your request to receive an absentee ballot for each federal election held *through 2006*, specifically *Federal* elections in June and November 2006.

We recognize that you may have a different duty station and mailing address in 2006 than you had in 2004, and may have in 2005. However, to help provide your every opportunity to vote, we need to always have your most current address information on file. Please inform our office whenever you have a change in your location and mailing address. You may continue to use the FPCA document to report changes in your location and mailing address.

Additionally, we have enclosed a California State Affidavit of Registration and a Permanent Absentee Application. You may use the affidavit of registration to provide your current address and mailing information. It will also keep you registered for all future elections after your FPCA document expires in November 2006. You may use the permanent absentee application to apply for permanent absentee status. This will allow you to automatically receive absentee ballots without applying. To improve our ability to serve you in all future elections, we recommend that you complete and return these documents at your earliest convenience.

We are prepared to do whatever we can to provide you an absentee ballot without delay and give you every meaningful opportunity to return it in time to be counted. If you have any questions please contact Maria Alvarado toll free at 800.696.0136, or by email at maria.alvarado@sdcounty.ca.us.

Sincerely,

Robert A. Pennisi
Division Chief, Voter Services

Enclosures

RP:prg

Voter Roll Maintenance – Voter Registration

Regular maintenance of the voter file ensures the correct ballot is received by each military or overseas voter for every election.

In order to keep the voter file clean and accurate, there are procedures that counties must follow to update, inactivate or cancel voter records. Special absentee voters are designated as permanent absentee voters. Pursuant to Election 3206, a permanent absentee voter will be mailed an absentee ballot for each election conducted within his or her precinct in which he or she is eligible to vote. If the voter fails to return an executed absent voter ballot in two consecutive statewide general elections, the voter's name shall be deleted from the permanent absentee voter list.

Election Code 2224 prescribes the procedures to begin the process to inactivate and eventually cancel the voters when their voter record remains inactive.

As demonstrated on the following pages, an Alternate Residency Confirmation Card is mailed to the voters who failed to vote in 2 consecutive general elections. In order for the voter to remain on the active file, they must respond within 15 days by mailing the prepaid return post card.

If the voter fails to respond and does not appear or offer to vote at any election in the period between the date of the notice (ARC card) and the second federal general election after the date of the notice, their voter registration will be cancelled and the voter will have to reregister in order to vote.

If a voter's affidavit has been in Cancelled status for 5 years, their record can be purged from the voter file, in accordance with Elections Code 17000. Counties interpret this code differently; some counties purge the files from their active database and store the cancelled files on a separate server or an electronic medium. Please consult Administration in your county Elections Department, and consider following your county's retention schedule procedures.



**Elections Code that
applies to this chapter:**
2224, 3206, 17000

Solano County:

ARC CARD PROCEDURES

If a voter has not voted in any election within the preceding four years, and his or her residence address, name, or party affiliation has not been updated during that time, our office sends a residency confirmation postcard.

Procedure for Working Returned ARC cards in DIMS:

- (1) click on Voter in Dims and select Find Voter from menu options
- (2) enter the name of the voter and click the Locate button
- (3) compare name and address of voter from the ARC card with the voter record in DIMS
- (4) if the records match, tab to the reason field and enter appropriate code, if a comment is required tab to the 3rd page (Flags/Misc) of voter record, click on the Comment button, enter appropriate comment and click Ok button

Codes for Returned Residency Confirmation Postcards – returned ARC postcards from the post office

- (1) undeliverable/unable to forward/forwarding order expired - **code 33** ARC Undeliverable
- (2) forwarding address in county– **code 57** Ret Mail/In County – change existing information on voter record to address on yellow sticker provided by the post office. Enter appropriate comment. This code will generate an 8d2 card that will be mailed to the voter when a DTRAN is run.
- (3) forwarding address out of county - **code 32** ARC Out of County/No Signature – enter comment: ARC card returned by post office out of county – this code will generate a 8d2 card
- (4) ARC card with Deceased sticker attached – **code 35** Deceased - add appropriate comment

Codes for Returned Residency Confirmation Postcards – returned by voter

- (1) in county address change – **code 32** ARC In County – change address of voter in DIMS – this code will generate a 8d2 card that will be mailed to voter when a DTRAN is run
- (2) out of county address change – **code 30** with comment: ARC card returned out of county
- (3) ARC card returned with a 3rd party notification voter on card – **code 17** with comment: ARC returned 3rd party notification voter on card not at this address or 3rd party notification moved out of county, whatever comment is appropriate – this code will generate a 8d2 card

When you have completed entering all ARC cards, bundle the cards in batches of twenty-five, scan and attach ARC cards to voter record.

Sacramento County:

ALTERNATE RESIDENCY CONFIRMATION Return card procedures

Separate the returned cards into the following 4 types of groups:

1. Returned by the Post office with a new address sticker
2. Returned by the voter or resident
3. Returned by the Post Office as undeliverable
4. Returned by the Post Office as undeliverable with a mailing address

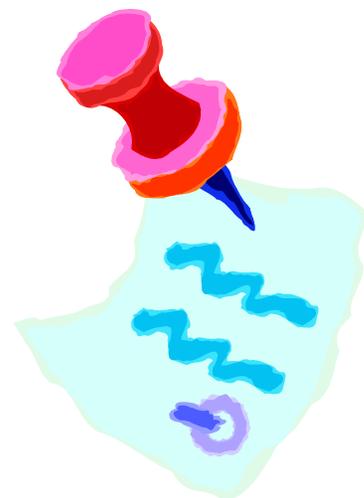
Once the cards have been separated follow the procedures below:

1. Cards that are returned by the post office with a new address label.
 - Count the cards and put the number on the ARC chart.
 - Reinstate the voter in a new update group
 - In the reason code field use ARC Confirmed
 - In the Remarks field type ARC 8C MM/DD/YY (the date the cards were received)
2. Cards returned by the voter or resident.
 - Separate into the categories listed below:
 - Count the cards in each category; put the total on the ARC chart
 - a. Confirmed want to remain in the Active Voter File
 - Reinstate voter status
 - In the reason code field type ARC Confirmed
 - In the remarks field type ARC 8C MM/DD/YY
 - b. Confirmed new in county residence address
 - Reinstate voter status
 - Update voter residence
 - In the reason code field type ARC Confirmed
 - In remarks field type ARC 8C MM/DD/YY
 - c. Confirmed moved out of County
 - Cancel voter status
 - In the reason code field type ARC Confirmed
 - In the remarks field type ARC 8C MM/DD/YY
 - d. Deceased
 - Cancel Voter Status
 - In the reason code field type Death –List
 - In remarks field type ARC 8C MM/DD/YY
 - e. Miscellaneous
 - See the registration supervisor
3. Cards returned by the post office as undeliverable or forwarding order expired.
 - Count the cards and enter the total on the ARC chart
 - Place cards in to be destroyed box after 22 months
4. Cards returned undeliverable or forwarding order expired that were sent to a mailing address
 - Count the cards and enter the total on the ARC chart
 - Create a new ARC card by using the 3PCOA process
 - Mail ARC card by permit mail if there is more than 200 cards
 - If this card is returned by the post office again, follow the group 3 process
 - If this card is returned by the voter or current resident follow the group 2 process.

Chapter
16

SoS Memos

The following pages contain relevant information sent by the SoS' office regarding emailing, faxing, oaths and various other military and overseas specific topics. Additionally, you may call their office at (916) 657-2166 and request copies of specific CCRoVs that address your concerns.





BRUCE MCPHERSON | SECRETARY OF STATE | STATE OF CALIFORNIA
ELECTIONS | 1500 11th Street, 5th floor, Sacramento, CA 95814 | tel 916.657.2166 | fax 916.653.3214 | www.ss.ca.gov

June 6, 2005

TO: ALL COUNTY CLERKS/REGISTRARS OF VOTERS (05130)

FROM: _____
Susete Machado
Staff Services Analyst

SUBJECT: FVAP Comments

Our office received a letter from the Federal Voting Assistant Program (FVAP) explaining their interpretation of Section 704 of the Help America Vote Act of 2002 (HAVA), Extension of Period Covered by Single Absentee Ballot Application. I wanted to share this with all of you. The text of their letter is included below.

The current Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) Section 104(a) as amended by the HAVA reads as follows:

“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 (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 interpretation of the FVAP is that upon receipt and approval of a Federal Post Card Application (FPCA) from a UOCAVA citizen, the State shall provide the citizen with ballots for each subsequent election for Federal office through the next two general elections. This became effective January 1, 2004. For example:

- If an election official received an FPCA from a UOCAVA citizen qualified to vote in the jurisdiction between January 1, 2004 and the state's registration deadline for the November 2004 election, the State will provide the citizen with ballots for each election that includes Federal offices through the 2006 election cycle; or,
- If the election official receives an FPCA from a UOCAVA citizen qualified to vote in the jurisdiction after the State's registration deadline for the November 2004

election and before the state registration deadline for the November 2006 election, 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.

The complete Help America Vote Act Interpretive Memorandum by the FVAP may be accessed on their website at <http://www.fvap.gov/leo/havamemo.html>.

If you have any questions or need any assistance, please feel free to contact me at (916) 651-8190 or smachado@ss.ca.gov



BRUCE MCPHERSON | SECRETARY OF STATE | STATE OF CALIFORNIA
ELECTIONS | 1500 11th Street, 5th floor, Sacramento, CA 95814 | tel 916.657.2166 | fax 916.653.3214 | www.ss.ca.gov

August 15, 2005

TO: All County Clerks/Registrars of Voters (05198)

FROM: _____
SUSETE MACHADO
Military and Overseas Voters

SUBJECT: **RETURN IDENTIFICATION ENVELOPE FOR MILITARY AND OVERSEAS VOTERS**

Sacramento County has raised an interesting point about military and overseas voters (MOV's). In a nutshell, Section 705(b) of HAVA amends the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) to require:

1. That the Federal Voting Assistance Program (FVAP) develop a **standard oath** for use with voting "materials" for MOV's, and;
2. That "**each state shall** ...if the state requires an oath or affirmation to accompany any document under this title, **use the standard oath**"

The UOCAVA includes a specific definition of "balloting materials" --- "official post card forms ... federal write-in absentee ballots ... and any state balloting materials that, as determined by the (FVAP), are essential to carrying out this title."

Section 3011 of the Elections Code addresses "regular" absentee ballots, and requires that the ID envelope include, among other things, "(a) A declaration, under penalty of perjury, stating that the voter resides within the precinct in which he or she is voting and is the person whose name appears on the envelope." Section 3103(d) requires that special absentee ballots be received and processed the same as regular absentee ballots.

Our office has confirmed with the FVAP that Section 705(b) of HAVA does apply to the oath on return ID envelopes **for overseas and military voters**, and the oath on the envelopes used by these voters must be the one prescribed by the feds.

Attached, for your reference, is a copy of the "Standard Oath" as well as the text of the UOCAVA, should you wish to review it. The oath and the text of the UOCAVA are also available on our web site (http://www.ss.ca.gov/elections/elections_mov.htm).

If you have any questions, please do not hesitate to call me directly at 916/651-8190.

Vote/uocavaoath-085



BRUCE McPHERSON | SECRETARY OF STATE | STATE OF CALIFORNIA
ELECTIONS | 1500 11th Street, 5th floor, Sacramento, CA 95814 | tel 916.657.2166 | fax 916.653.3214 | www.ss.ca.gov

September 27, 2006

To: County Clerks/Registrars of Voters (06346)

From: _____
Jane Howell
Associate Governmental Program Analyst

Subject: Faxing/Emailing Military & Overseas Voter Election Materials

It has come to our attention that there is some confusion regarding the faxing and emailing of election materials to and from military and overseas voters. As you may know, California Elections Code section 3103(f) provides that a special absentee voter may register to vote and apply for an absent voter's ballot by facsimile transmission, and the elections official may send the special absentee ballot or absent voter's ballot to the qualified special absentee voter either by mail, facsimile, or electronic transmission.

Further, Elections Code section 3103.5(a)(1) permits a special absentee voter to return his or her ballot by facsimile transmission. Please be aware that there is currently no provision enabling voters to submit their ballots electronically (i.e., by scanning and emailing to elections officials). Our elections counsel has confirmed that the law only allows a special absentee voter to return his or her ballot via fax or regular mail with the signed oath. So, although the voter can request and receive a special absentee ballot via email, returning the completed ballot by email is not an option.

We hope this information will help clarify appropriate handling of military and overseas voting materials. Please contact me at (916) 653-2744 or jhowell@ss.ca.gov if you have any additional questions regarding this issue.