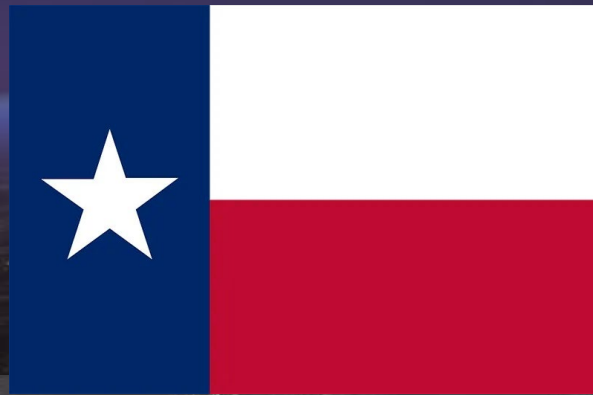


UOCAVA & FVAP 41st Annual Election Law Seminar for Texas County Election Officials



August 1, 2023
Scott Wiedmann

Federal Voting Assistance Program



FVAP.gov
FEDERAL VOTING ASSISTANCE PROGRAM

Overview

Today I'll cover...

- ✓ UOCAVA & FVAP
- ✓ UOCAVA 2020 Statistics
- ✓ FVAP Resources for Election Officials
- ✓ FVAP State & Local Engagement



UOCAVA & FVAP



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Uniformed and Overseas Citizens Absentee Voting Act

Passed in 1986 and known as “UOCAVA”

Allows certain U.S. citizens to apply to register and vote absentee in elections for federal office.

*FVAP administers UOCAVA on
behalf of the Secretary of Defense*

- **2002** – The Help America Vote Act (HAVA) amended UOCAVA to require states to notify voters of the reasons for rejecting a registration application or absentee ballot request.
- **2009** – The Military and Overseas Voter Empowerment Act (MOVE) amended UOCAVA to require states to send requested absentee ballots 45 days prior to an election for federal office, and to provide those ballots electronically upon request.

Military Spouse Residency Relief Act

2018 Amendment gave military spouses greater flexibility to align their residency with active duty sponsor. They may:

1. Retain sponsor's or Service member's residency or domicile
2. Keep their own separate but current and established residency or domicile
3. Take the appropriate steps to establish a new residency or domicile when moving

Complexities involved underscore importance of using FPCA to differentiate this group of voters



50 U.S. Code § 4025 - Guarantee of residency for military personnel and spouses of military personnel (amended December 31, 2018).

(b) Spouses - (2) the spouse of a servicemember may elect to use the same residence as the servicemember regardless of the date on which the marriage of the spouse and the servicemember occurred.

FVAP Responsibilities



- Training
 - Installation and Unit Voting Action Officers
 - Embassy and Consulate Staff
 - Federal Government Agencies
- Maintain voter resources
 - Forms
 - Voting Assistance Guide
 - FVAP.gov Website
 - Online Assistants for Form Completion
- Reports to Congress
- Code of Federal Regulations Title 32, Part 233
- DOD Instruction 1000.04
- Data Collection
- Waiver Requests
- Ensure State and Local Election Official Awareness

UOCAVA Statistics 2022



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UOCAVA 2022 Numbers

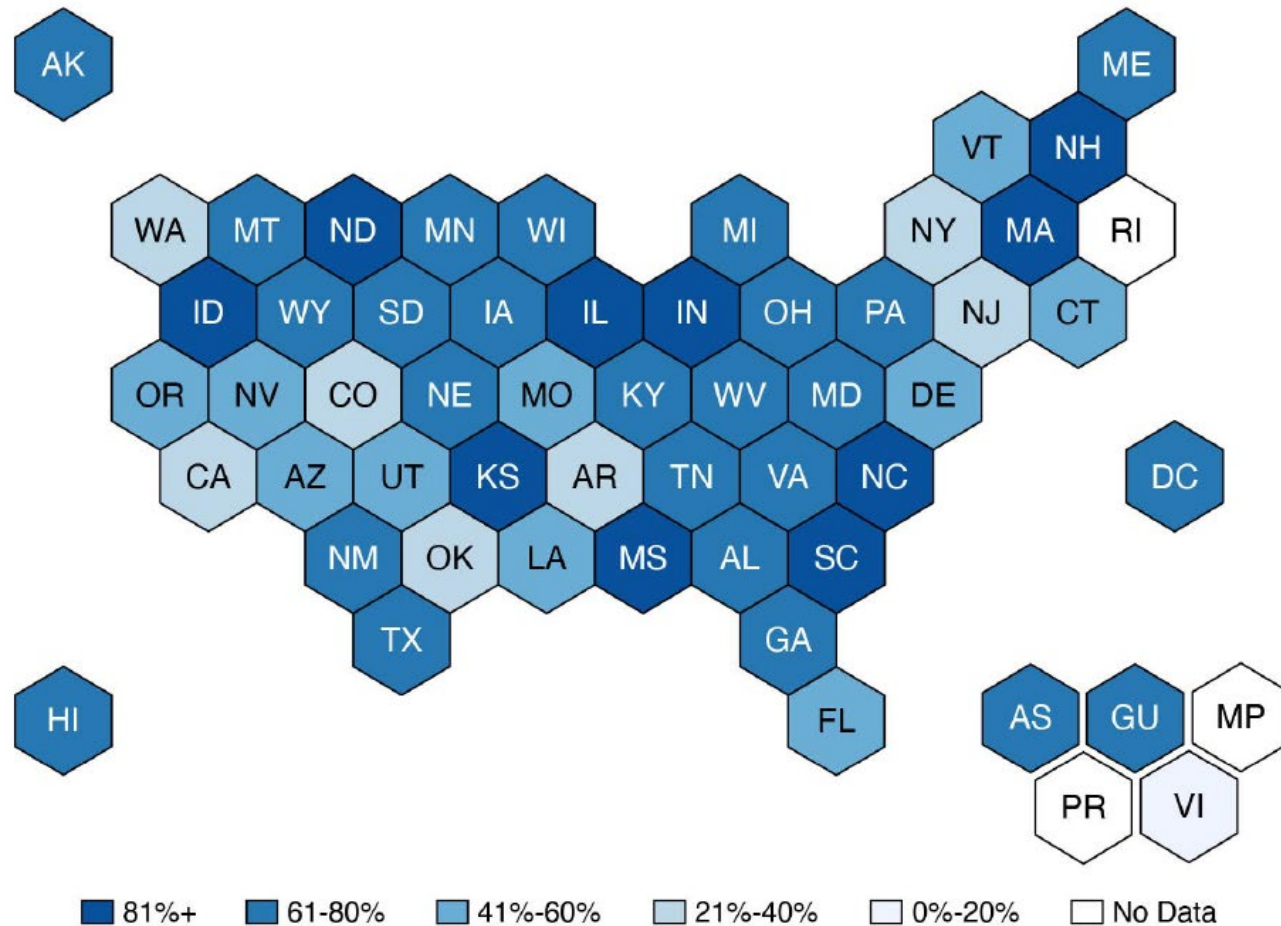
In 2022: **737,438 registered and eligible UOCAVA voters**

Of this number, 43.1% were Service members (317,932)
and 56.5% were overseas citizens (416,648)

In 2020: **1,253,629 registered and eligible UOCAVA voters**

Of this number, 42.3% were Service members (528,328)
and 57.4% were overseas citizens (717,134)

2022 UOCAVA Ballots Returned

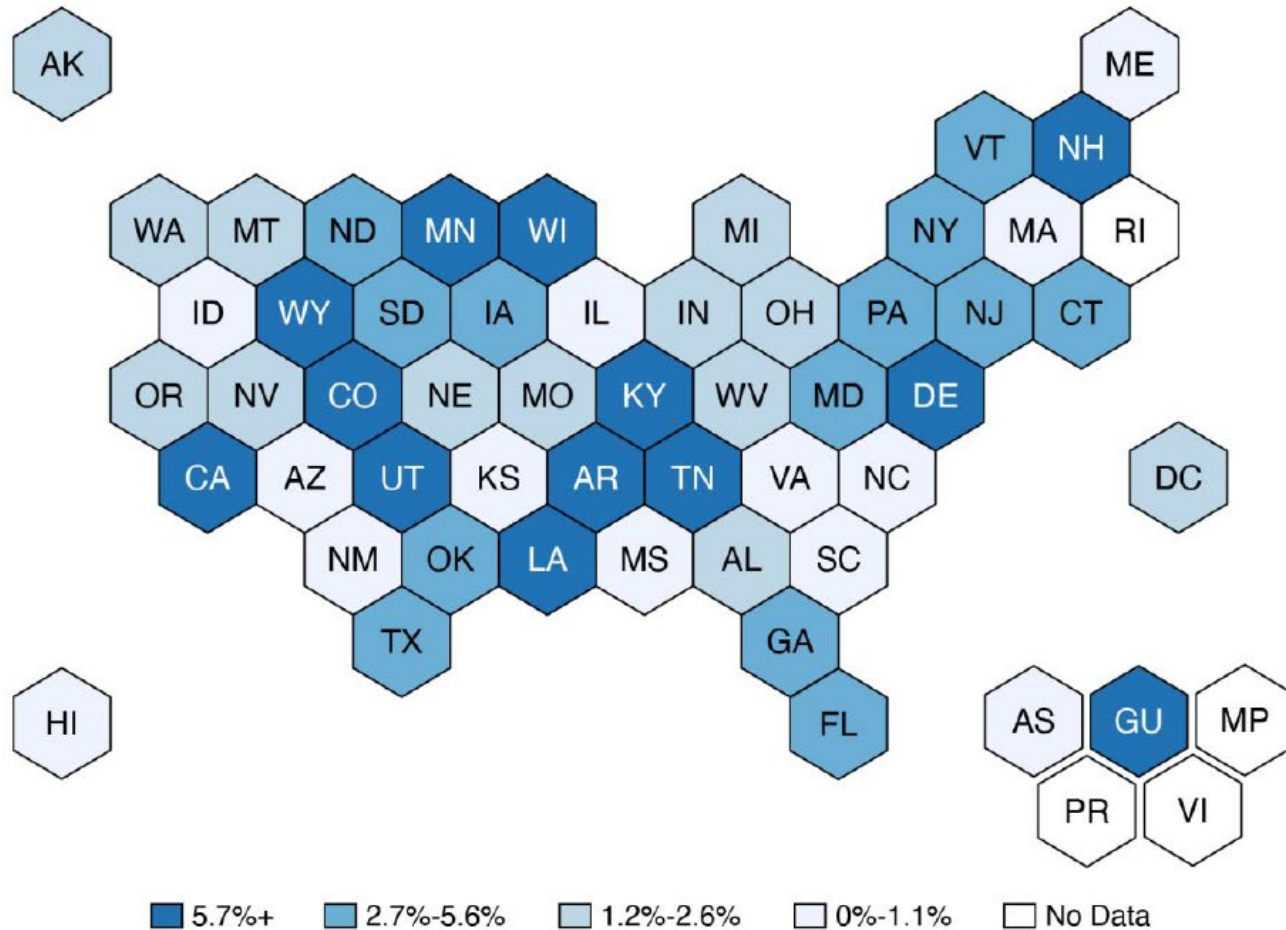


In the 2022 General Election, 654,786 ballots were transmitted to UOCAVA voters, and 267,403 were returned.

Texas transmitted 21,644 ballots with 13,867 returned.

Data source: 2022 Election Administration Voting Survey, Section B, EAC, Pg. 219, <https://www.eac.gov/>

2022 UOCAVA Ballots Rejected



Nationwide, 257,657 UOCAVA Ballots were counted with 10,465 rejected in the 2022 General Election.

Texas counted 13,228 with 654 rejected.

Data source: 2022 Election Administration Voting Survey, Section B, EAC, Pg. 219, <https://www.eac.gov/>

Resources for the 2024 Election Cycle



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 **FVAP.GOV**
FEDERAL VOTING ASSISTANCE PROGRAM

*Voting assistance for Service members,
their families and overseas citizens*

Election Forms and Materials | Voting Assistance Guide | FAQs | Links | Contact | Translate

Looking for Something?

[Home](#) | [Military Voter](#) | [Overseas Citizen Voter](#) | [Voting Assistance Officers](#) | [Election Officials](#) | [General Information](#)

Military and overseas citizens can vote. Wherever they are.



 [Request your ballot now](#)

Haven't received a ballot? Get a back-up ballot, [here](#).

Looking for something specific? Select your state to:

- See your state's guidelines
- See election dates and deadlines
- Find your election office
- Check the status of your voted ballot

Select your state

Determine your state of voting residence if you're a [Service member and family](#) or an [overseas citizen](#).

Federal Post Card Application (FPCA)

- ✓ No updates for 2024
- ✓ Previous versions should still be accepted
- ✓ State requirements referenced

**Used for both
Registration & Ballot
Request**

Voter Registration and Absentee Ballot Request		This form is for absent Uniformed Service members, their families, and citizens residing outside the United States. It is used to register to vote, request an absentee ballot, and update your contact information. See your state's guidelines at FVAP.gov.	
Federal Post Card Application (FPCA)			
Print clearly in blue or black ink, please see back for instructions.			
1. Who are you? Pick one.			
I request an absentee ballot for all elections <input type="checkbox"/> I am on active duty in the Uniformed Services or Merchant Marine -OR- <input type="checkbox"/> I am an eligible spouse or dependent. in which I am eligible <input type="checkbox"/> I am a U.S. citizen living outside the country, and I intend to return.			
to vote AND: <input type="checkbox"/> I am a U.S. citizen living outside the country, and my intent to return is uncertain.			
<input type="checkbox"/> I am a U.S. citizen living outside the country, I have never lived in the United States.			
Last name		Suffix (Jr., II)	
First name		Previous names (if applicable)	
Middle name		Birth date (MM/DD/YYYY)	
Social Security Number		Driver's license or State ID#	
2. What is your address in the U.S. state or territory where you are registering to vote and requesting an absentee ballot?			
Your voting materials will not be sent to this address. See instructions on the other side of form.			
Street address		Apt #	
City, town, village		State	
County		ZIP	
3. Where are you now? You MUST give your CURRENT address to receive your voting materials.			
Your mailing address. (Different from above)		Your mail forwarding address. (If different from mailing address)	
4. What is your contact information? This is so election officials can reach you about your request.			
Provide the country code and area code with your phone and fax number. Do not use a Defense Switched Network (DSN) number.			
Email:		Phone:	
Alternate email:		Fax:	
5. What are your preferences for upcoming elections?			
A. How do you want to receive voting materials from your election office? (Select One)		B. What is your political party for primary elections?	
<input type="checkbox"/> Mail <input type="checkbox"/> Email or online <input type="checkbox"/> Fax			
6. What additional information must you provide?			
Puerto Rico and Vermont require more information, see back for instructions. Additional state guidelines may be found at FVAP.gov. You may also use this space to clarify your voter information.			
7. You must read and sign this statement.			
I swear or affirm, under penalty of perjury, that:			
<input type="checkbox"/> 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.			
<input type="checkbox"/> 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			
<input type="checkbox"/> I am not disqualified to vote due to having been convicted of a felony or other disqualifying offense, nor have I been adjudicated mentally incompetent; or if so, my voting rights have been reinstated; and			
<input type="checkbox"/> I am not registering, requesting a ballot, or voting in any other jurisdiction in the United States, except the jurisdiction cited in this voting form.			
Sign here X		Today's date (MM/DD/YYYY)	
<small>This information is for official use only. Any unauthorized release may be punishable by law. Previous editions are obsolete. Standard Form 76 (Rev. 09-2021), OMB No. 0704-0503, NSN 7540-00-643-5053</small>			

Federal Write-In Absentee Ballot (FWAB)

- ✓ No updates for 2024
- ✓ If both state ballot and FWAB are received, follow state procedures
- ✓ UOCAVA voters can use a FWAB well in advance of an election if necessary by noting the intended election date on the mailing envelope
- ✓ UOCAVA voters may vote by writing the name of a political party
- ✓ Can not be rejected based on the paper or envelope type it arrives in

Voters need to be registered before using a FWAB

Voter Information
Federal Write-In Absentee Ballot (FWAB)
Print clearly in blue or black ink, please see back for instructions.

1. Who are you? Pick one.
For absent Uniformed Service members, their families, and citizens residing outside the United States. I am on active duty in the Uniformed Services or Merchant Marine -OR- I am an eligible spouse or dependent. I am a U.S. citizen living outside the United States. I am a U.S. citizen living outside the United States.

Last name _____
First name _____
Middle name _____
Social Security Number _____

2. What is your U.S. voting residence address?
Your voting materials will not be sent to this address. See back for instructions.
Street address _____
City, town, village _____
County _____

3. Where are you now? You MUST give your CURRENT mailing address. (Different from above)

4. What is your contact information? This is so election officials can reach you.
Provide the country code and area code with your phone number.
Email: _____
Alternate email: _____

5. What are your preferences for future elections?
A. Do you want to register and request a ballot for all elections you are eligible to vote in? Yes No
B. How do you want to receive voting materials from your election? _____

6. What additional information must you provide?
Alabama requires two witness signatures; Alaska, Virginia, and more information, see back for instructions. Additional state information: _____

7. You must read and sign this statement.
I swear or affirm, under penalty of perjury, that:
■ The information on this form is true, accurate, and complete to the best of my knowledge.
■ I am a U.S. citizen, at least 18 years of age (or will be by the time of the election).
■ I am not disqualified to vote due to having been convicted of a felony; or if so, my voting rights have been reinstated;
■ I am not registering, requesting a ballot, or voting in any other election on the same day as this election.
■ In voting, I have marked and sealed this ballot in private and authorized to assist voters under State and Federal law.

Sign here X _____

Official Backup Ballot
Federal Write-In Absentee Ballot (FWAB)
Print clearly in blue or black ink.

Instructions

- The FWAB is intended to serve as a backup ballot. It can be used to vote for federal offices. Refer to your state or local election official for any special ballot instructions (e.g., instant runoff voting or ranked choice voting).
- State laws vary on the use of the FWAB for state and local contests. Learn more online at [FVAP.gov](https://fvap.gov).
- DO NOT write your name or any identifying number (SSN, driver's license) on this ballot.
- If you are voting in American Samoa, Guam, Puerto Rico, or the U.S. Virgin Islands, you may vote for Delegate or Resident Commissioner, and in presidential primaries.
- Photocopy this page if you require additional room for candidates or ballot initiatives.

Federal Offices		
President and Vice President	_____	_____
U.S. Senator	_____	_____
U. S. Representative, Delegate, or Resident Commissioner to Congress	_____	_____

Other offices	Candidate name	Political party
Office	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Ballot initiatives or other items

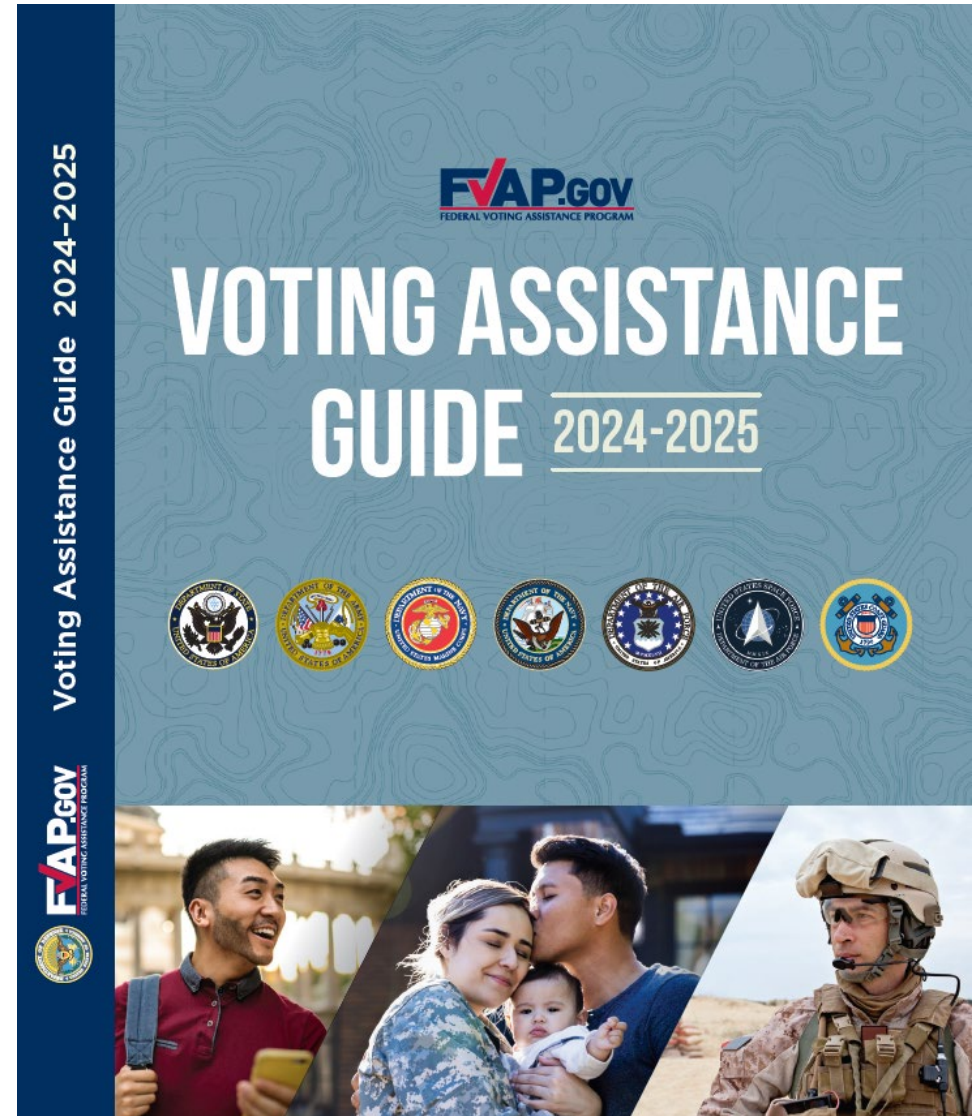
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_____	_____

This information is for official use only. Any unauthorized release may be punishable.

Standard Form 186 (Rev. 09-2021), OMB No. 0704-0502

Voting Assistance Guide

- ✓ Coordinated with all 55 States and territories
 - Contact information
 - Dates/Deadlines
 - State specific requirements
- ✓ Distributed to military installations, Consulates, and Embassies worldwide
- ✓ Standardization of the *Voting Assistance Guide* into plain language to better support VAOs in the field and individual voters who visit FVAP.gov:
89% VAOs found it useful. (2020)



Electronic Transmission Service (ETS) Changes

ETS began in 1992 for Service members deployed in Operation Desert Shield/Storm to transmit their election materials. It currently offers:

- Forwarding of a voter's emailed election materials as a fax where state law allows fax, but not email, receipt

NOTE:

- Voters that have the ability to email or fax their election official directly, should do so
- FVAP will no longer forward emails between voters and local election officials where email receipt is accepted
- Voters encouraged to use cover sheet (with secrecy waiver for voted ballot)
- Hazardous Duty pay zones listed at FVAP.gov

States and localities should:

- Keep fax machines/fax servers operating 24/7 during election periods
- Have procedures for handling incoming faxed election materials



FVAP Call Center

Our most popular resource

- ✓ 40,000+ inquires in 2020 and 2016 (presidential)
- ✓ 13,000+ inquiries in 2018 (midterm)
- ✓ Available Monday – Friday
- ✓ 7:30am – 4:00pm Eastern Standard Time
- ✓ **1-800-438-VOTE (8683)**
- ✓ vote@fvap.gov



*Call center available to voters
and election officials!*

FVAP 2024 Prep

November 5, 2024 General Election



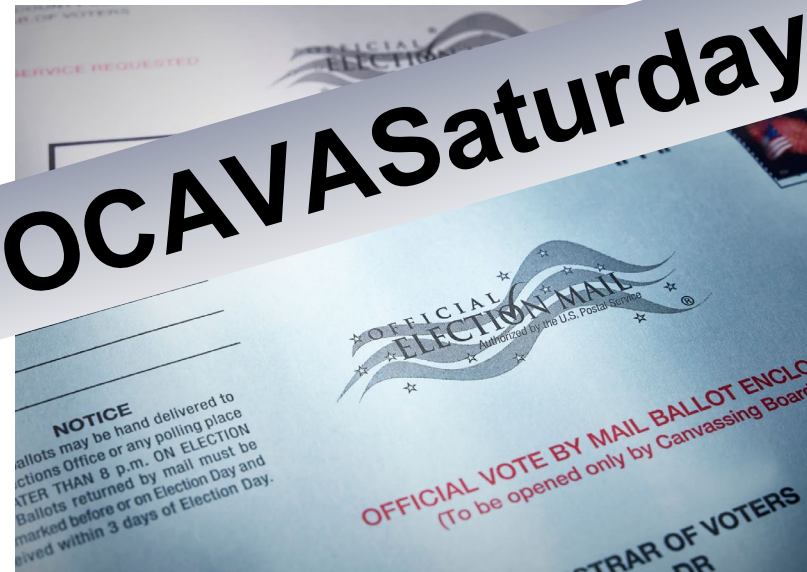
@FVAP



Facebook.com/DoDFVAP



#UOCAVASaturday



Things to consider leading up to an election!

- ✓ Review UOCAVA address formatting for military and overseas citizens
- ✓ Coordinate envelope design, drop-offs and pick-ups with local postal officials
- ✓ Leverage FVAP.gov for your new staff or a refresher for current staff
- ✓ Let FVAP know when your address changes!

Military Voter Example

PFC John Doe
PSC 3 Box 4120
APO AE 09021

Overseas Citizen Example

MR THOMAS CLARK
117 RUSSELL DRIVE
LONDON W1P 6HQ
UNITED KINGDOM

Emailing to [.mil] addresses:

- Heightened security concerns
- Attachments may be removed – recommend sending second email without the attachment
- Hyperlinks disabled
 - Separate links in email body
 - Clearly identify your contact information
- Bouncebacks
 - Be aware
 - Ask for private email, if necessary/possible



FVAP 2024 Prep - Customer Service

Voter Emphasis Weeks

- **Armed Forces Voters Week – Independence Day week**
- **Overseas Citizens Voters Week – Independence Day week**
- **Absentee Voting Week – Late September/early October**



FVAP 2024 Prep - Information Saturation

Through VAO Workshops, we train service members on where to find UOCAVA information on:

- ✓ Key state deadlines
- ✓ Changes to election information in particular states, like changes in submission methods or sharing emergency information that impacts elections
- ✓ Participation by state and local election officials
- ✓ Monthly distribution of upcoming elections to all active duty personnel
- ✓ Combination of in-person and virtual



State & Local Engagement



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Legislative Actions

Legislative monitoring:

- Avoid shortening windows for return of ballot materials
- Changes in authorized methods of ballot return
- Pilot studies authorizing ballot return
- Section 6 requirements on the FPCA/FWAB
- General impacts to UOCAVA voters

Priorities for enactment:

- Digital Signatures using DoD Common Access Cards
- Removal of existing FPCA/FWAB Section 6 requirements

How FVAP can help:

- Serve as the legislative resource at both the state and Federal level by responding to requests for feedback or input on a given, UOCAVA-related topic.



FVAP 2023 Activities

- Updates to materials to include 2024 Voting Assistance Guide
- Multiple Language alternatives for FVAP materials
- State and local election meetings and UOCAVA briefings
- Exploring refinements to DoD Fax Service
- Legislative monitoring:
 - FPCA Section 6 requirements
 - General impacts to UOCAVA
- FVAP EASE Grants
 - Transmission of blank ballots to voters
 - Digital Signature using DoD Common Access Cards
 - Outbound mail tracking
- Participate in State Election Conferences/Trainings
- 2022 Military Ballot Tracking Project study

HOW TO VOTE FROM ANYWHERE IN
2 Simple Steps...
FOR U.S. MILITARY AND OVERSEAS CITIZENS

Did you know U.S. military members, their families and overseas citizens can exercise their right to vote from anywhere in the world?

HERE'S HOW:

STEP 1
FILL OUT THE FEDERAL POST CARD APPLICATION (FPCA) AT FVAP.GOV TO REGISTER AND REQUEST YOUR BALLOT

WHEN?
Send it to your election office by **August 1*** (or later depending on your state) for the General Election on November 3, 2020.

STEP 2
FILL OUT AND SEND IN YOUR BALLOT WHEN IT ARRIVES

WHEN?
By your recommended deadline:

October 5, 2020
on a ship at sea

October 13, 2020
outside the U.S.

October 27, 2020
stateside

Thank You!

More information:

heather.d.eudy.civ@mail.mil

571-395-6134

FVAP.gov

Connect with us:

vote@fvap.gov

1 (800) 438-VOTE (8683)

 @FVAP  Facebook.com/DoDFVAP



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