



FEDERAL VOTING ASSISTANCE PROGRAM

DEPARTMENT OF DEFENSE
WASHINGTON, DC 20301-1155

September 8, 2008

The Honorable Michael Mauro
Secretary of State
Office of the Secretary of State
1007 East Grand Avenue
Des Moines, IA 50319

Dear Secretary Mauro:

Every year I recommend specific legislative initiatives, which if enacted, would simplify and streamline the absentee voting process used by our citizens covered by the *Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA)*. I would like to thank you for the work you and the state of Iowa have done over the past several years to promote and support these initiatives.

Recent elections have emphasized the importance of the states enacting the provision of 45 or more days for ballot transit; electronic transmission of Federal Post Card Applications, blank ballots, and voted ballots; and, authorization for the state chief election official to implement emergency measures. States with these provisions were able to quickly respond to a greater number of situations faced by our brave men and women serving in combat areas such as Iraq and Afghanistan, and other U.S. citizens worldwide. I would ask you also to consider alternative methods that these citizens could use to request their absentee ballots such as phone, email or by proxy, and utilizing digital signatures with electronically transmitted materials.

After reviewing Iowa's existing election code and procedures, I have identified three initiatives that the Iowa legislature might consider during the upcoming legislative session. These initiatives are discussed in detail with suggested wording in the enclosed legislative initiatives document. If these initiatives are enacted and signed into law, they would significantly help to facilitate the absentee voting process for Iowa's citizens covered by *UOCAVA*. Information available to FVAP indicates that there are 9,128 Uniformed Services members, an estimated 6,850 family members and approximately 42,500 overseas citizens that claim Iowa as their voting residence.

As you review the enclosed initiatives for possible inclusion in Iowa's 2009 legislative agenda, please do not hesitate to contact us for assistance. We can provide legislative wording that other states have enacted to implement similar measures and provide written or in-person testimony, if desired. We have come a long way in simplifying the absentee voting process used by our *UOCAVA* citizens - let's continue to work together to achieve the simplest possible absentee voting process while maintaining the integrity of our elections.

Sincerely,

A handwritten signature in cursive script that reads "P. K. Brunelli".

P. K. Brunelli
Director

Enclosure:
2009 Legislative Initiatives and Suggested Wording

Iowa 2009 Legislative Initiatives and Sample Language

Electronic Transmission of Election Materials

Since the 1990 general election electronic transmission has proven to be a valuable alternative method for facilitating the enfranchisement of military persons and overseas citizens serving their country who may have otherwise been unable to vote. This initiative has helped ensure these citizens were not disenfranchised by allowing them to cast a ballot when they would not otherwise have been able to vote due to time and location constraints.

Throughout an election year cycle, various circumstances exist that require the need for this alternative procedure in order for citizens to vote. The basic concept of electronic transmission of election materials is to secure high-speed delivery of election materials to and from the voter and local election officials. Thus, we request your support **to develop acceptance in Iowa for the electronic transmission of the blank and voted ballots to all UOCAVA voters**. With proper controls, this would cut the ballot transit time at least in half, reduce a major obstacle to voting absentee and allow local election officials more administrative flexibility regarding election materials.

Please consider expanding the use of this modern technology in the absentee voting process. We realize that Iowa provides for the electronic transmission of the FPCA for registration and absentee ballots. Additionally, Iowa enacted regulations this year to allow the electronic transmission of the voted ballot by members of the U.S. Armed Forces if members are casting the ballot from an area where the members are eligible to receive imminent danger pay. However, we continue to encourage expanded use of this alternative to include electronically sending the blank ballot to all Iowa UOCAVA voters who request it and accepting the voted ballot where circumstances would otherwise disenfranchise a citizen.

Sample Language

An applicant who is a member of the United States Uniformed Services, merchant marine, a family member, or a qualified elector living outside the United States may apply for registration and an absentee ballot by electronic transmission if otherwise qualified to apply for and vote by absentee ballot. A local board of elections may receive FPCAs for registration, send blank ballots and accept voted ballots from eligible electors via electronic transmission.

Late Registration Procedures

We understand Iowa currently allows discharged military personnel to register late. **We encourage expanding this option to their family members and overseas citizens who may go through a transition period when they first leave the Uniformed Services or overseas employment and may reside in your state just prior to an election.** Often, the date of discharge or termination of overseas employment and a state's registration requirement combine to disenfranchise a citizen returning home after active duty or employment abroad. Special

procedures to allow these persons to register and vote would solve this problem. Thirty-two states currently allow such procedures.

Sample Language

An individual, or accompanying family member who has been discharged or separated from the Uniformed Services, the merchant marine, or from employment outside the territorial limits of the United States, too late to enable him or her to register by the regular state deadline for registration, shall be entitled to register for the purpose of voting at the next ensuing election after such discharge, separation, or termination of employment.

Acceptance of a Signature and Date on Ballot as Evidence of Time of Completion

We recommend that Iowa **accept the signature and date on a ballot envelope as evidence of the time the ballot was completed prior to the close of polls on election day by a uniformed service or overseas voter in lieu of a postmark.** Although UOCAVA voters may have voted and mailed their ballot in a timely manner, the ballot envelope may not have been postmarked on that date. By signing and dating the ballot the voter, under penalty of perjury, is certifying that their ballot was voted prior to the close of polls on election day.

Sample Language

If the voter is residing outside the United States, or is a member of the United States Uniformed Services, merchant marine, or a family member, and a qualified elector, the ballot shall be counted if it is signed and dated by the voter prior to the close of polls on election day and received by the absentee ballot deadline.