

## **Military and Overseas Voters**

### **Frequently Asked Questions**

1) Question: How long under New Hampshire State law is a Federal Post Card Application (FPCA) received in the Fall of 2010 valid?

Answer: "An absentee ballot request on the Federal Post Card Application (FPCA) or in any other form received on or after January 1 of each year shall be valid through December 31 of the same year for all state and municipal elections to be held in that year, subject to the request of the voter and the eligibility of the voter. Provided, however, that an absentee ballot for the presidential primary shall be sent to all voters requesting an absentee ballot for the primary or any election prior to the primary during the general election year and the prior year." RSA 657:19-a

Hence, subject to the request of the voter, an FPCA received in the Fall of 2010 is valid through December 31, 2010, and an FPCA received in January of 2011 is valid through the 2012 Presidential Primary.

2) Question: What is the last day for a Federal Post Card Application (FPCA) can be received and valid for the November 2, 2010 election?

Answer: November 1, 2010

3) Question: Please describe the current validity of an FPCA received prior to 2010. Please address both an FPCA received in fall 2008 (before passage of the MOVE Act) and one received in December 2009 (after passage of the MOVE Act.)

Answer: A Federal Post Card Application (FPCA) received in 2008 or 2009 is valid through December 31, 2010 if the voter indicated on a previously submitted FPCA that they wanted it to apply to those elections.

4) Question: Please describe all ways in which the FPCA and the FWAB may be sent (a) to and/or (b) from a UOCAVA voter electronically? Can they be sent as an email attachment, faxed or posted online? If returned electronically, must a hard copy follow for it to count?

Answer:

(a) A uniformed or overseas citizen (UOCAVA) voter may be sent a Federal Post Card Application (FPCA) by mail, e-mail or fax, or be directed to an on-line site at <http://www.fvap.gov/> to print an FPCA or FWAB. The voter may download the FPCA or the FWAB from the U.S. Department of Defense FVAP website. The New Hampshire Secretary of State's website provides a link to this site. RSA 657:10-b

(b) A completed and signed FPCA can be sent by the voter in the mail, as a fax, or as an email attachment to the town or city clerk. RSA 657:12 (The original need not follow, although it is recommended because it may help the clerk and voter to clear up issues that may be unclear in the electronic version.)

An FWAB must be sent by the voter to the town or city clerk by mail. It cannot be counted if it is transmitted electronically to the clerk.

5) Question: Can the FWAB serve multiple functions? For example, can the FWAB also be a voter registration application? Please describe.

Answer: The Federal Write-in Absentee Ballot (FWAB) is treated as a ballot if there is a request for an absentee ballot on file. The registration information that comes with the FWAB can be treated to complete a voter registration if it is properly completed. If there is a signature on a voter registration document from the voter on file, the voter information can be used to complete the registration process and the FWAB can be counted as a ballot. If there is no voter signature on a previous voter registration application, the FWAB cannot be counted as a ballot, even if the voter registration material with the FWAB is completed. RSA 657:10-b; 657:12; 657:23

6) Question: What is the last day a FWAB can be received and still be counted?

The Federal Write-in Absentee Ballot (FWAB) can be counted if it is received in the U.S. mail or commercial carrier by 5:00 PM on a state/federal Election Day. RSA 657:22

7) Question: For what races/ballot issues is the FWAB allowed to be used? (Check all that apply)

- Federal general election only
- Federal primaries, special elections and run-offs
- State/local offices
- Non-candidate ballot issues, such as referenda or initiative or bond questions.

Answer: The Federal Write-in Absentee Ballot (FWAB) may be used by a voter to vote in general, special, and primary elections to vote for federal offices only. RSA 657:10-b

8) Question: Where is the link to the FWAB?

Answer: The link to the U.S. Department of Defense's FVAP site at <http://www.fvap.gov/resources/media/fwab.pdf> enables the voter to obtain a Federal Write-in Absentee Ballot (FWAB).

9) Question: Where are instructions provided for how to obtain and complete an FWAB?

Answer: Instructions to complete the Federal Write-in Absentee Ballot (FWAB) are on the U.S. Department of Defense's FWAB site at <http://www.fvap.gov/resources/media/fwab.pdf>.

10) Question: How can a military or overseas voter verify their registration?

Answer: Any voter may verify their registration by contacting the Supervisors of the Checklist or Town Clerk in your town of domicile at the number provided on the Secretary of State's website. <http://www.sos.nh.gov/clerks2010.pdf> Alternately, voters that have provided their date of birth on a voter registration form may go into the Secretary of State's Registered Voter web link at <http://cfs.sos.nh.gov/app/Public/AbsenteeBallot.aspx>, enter their first name, last name, town or city, and date of birth. If a person with that name and date of birth is found in the database, their name, date of birth and voter ID number will appear and will confirm that the individual is registered.

11) Question: Under what circumstances must military voters re-register?

Answer: Military voters must re-register if they move their domicile and elect to vote where they establish a new domicile. If they wish to remain as a voter in the State of New Hampshire, they are not obligated to re-register simply because they have moved from state to state or overseas. While they are in the military, they can vote at their "home of record", the address the military member had upon entry into the service, so long as they do not register to vote elsewhere.

If a military voter (or any voter) is registered in New Hampshire but does not vote in 2008, 2009 or 2010 in New Hampshire federal, state or local elections, that person shall be stricken from the checklist. However, not less than 30 days prior being stricken from the checklist, he or she will be sent a notice to the last known address of his failure to re-register, stating the procedure to be followed in order to re-register. If he or she does not re-register, the voter will be removed from the checklist, and must re-register the next time he or she wishes to vote. RSA 654:39

12) Question: Under what circumstances must military voters renew absentee ballot requests?

Answer: Absentee ballot requests in letter form are typically renewed for every election, unless the voter has established themselves as a uniformed or overseas voter and the voter has made a clear request to be sent ballots for more than one election. This is typically done on a Federal Post Card Application (FPCA). Absentee ballot requests on a FPCA form (and other clear requests from known UOCAVA voters) sent in 2006, 2008, and 2010 will be honored through December, 31, 2010. **Military and overseas voters are urged to update their Federal Post Card Application requests early in each calendar year that they intend to vote**, because information on these forms can become stale or be incomplete. Starting on January 1, 2010, FPCAs will be honored through the end of the calendar year that they are received, except that in each year before a Presidential Election, for example in 2011, requests on a FPCA form will be

honored through the Presidential Primary in the following year, subject to the voter's request.

13) Question: Is there a way to check whether a returned absentee ballot envelope has been received?

Answer: Yes. The voter can go on to the Secretary of State's Registered Voter web link at <http://cfs.sos.nh.gov/app/Public/AbsenteeBallot.aspx>, enter their first name, last name, town or city, date-of-birth and check to see whether the clerk has received such an envelope.

14) Question: What should one do if their ballot is not received by a military or overseas voter in time to vote?

Answer: If the military or overseas voter does not receive a blank absentee ballot in time to return a ballot within normal mailing time frames, the voter should attempt to return the ballot anyway, since the military and other overseas locations often provide express or expedited services to assist voters prior to federal elections. The voter is advised to download a Federal Write-in Absentee Ballot (FWAB) from the FVAP site and mail the FWAB using the military's express mail services.

There are many ways to determine whether there is time to vote. The location of the voter and proximity to mail facilities affects how much time there will be to return a ballot. In general, the voter should request the blank absentee ballot in time to obtain a ballot and mail it back. After the voter has requested an absentee ballot, the voter should regularly check the Secretary of State's absentee ballot tracking web link at <http://cfs.sos.nh.gov/app/Public/AbsenteeBallot.aspx> to determine whether (a) the clerk received it, and (b) whether the clerk mailed it out. As soon as ballots have been printed, clerks generally send out absentee ballots within one business day of receipt of the request. Therefore, if the system shows your request being received but not sent out after one business day, call or e-mail the clerk and ask whether there is a problem with the address you provided.