

August 6, 2010

## Setting the Record Straight

There is a nasty and untrue rumor circulating that Delaware does not let military persons vote. The rumor comes out of the media reports that Delaware has asked for a waiver from complying with the Military and Overseas Voter Empowerment Act (MOVE). Delaware has asked for the waiver, but that is far from the whole story.

Delaware has requested the waiver because the State's Election Officials may not be able to send General Election absentee ballots to our military and overseas citizen voters the MOVE mandated 45 days before Election Day. In 2010, 2020, and some other future years, Delaware will have difficulty meeting the 45 day deadline. In all other years, Delaware has an extra week to send ballots.

Delaware is asking for the waiver because of MOVE's 45 day mandate. While the State's Election Officials have put together a plan to send the ballots on September 18<sup>th</sup>, the 45th day before Election Day, any difficulty certifying the results of the Primary would make it impossible for the State or one or more counties to comply. The request for the waiver is to cover the State in case something happens. The authority to ask for the waiver due to the date of the Primary is specifically authorized in the MOVE Act.

As many know, especially our legions of Uniformed Services and Overseas Citizen voters, Delaware is a very military and overseas citizen friendly state. An overseas citizen in response to an informational email recently wrote: "New Castle County is on the leading edge of overseas voter assistance and, naturally, I find myself singing your praises to my friends, colleagues and contacts everywhere..." The same comments hold true for work done by the Departments in both Kent and Sussex Counties.

Delaware is complying with all other provisions of MOVE and in many instances goes beyond the requirements of MOVE and the Uniformed Services and Overseas Citizen Absentee Voting Act (UOCAVA) that it amends. Delaware:

- Sends voting information to voters by the means that they request - mail, FAX or email.
- Has links on Web Sites to the Federal Post Card Application and the Federal Write-in Absentee Ballot and will send copies to anyone who asks.
- Does not require military and overseas citizen voters to have their applications, ballots or any other documents notarized. The State ended that requirement for these folks several years ago.
- Does not and has not rejected Federal Post Card Applications and Federal Write-in Absentee Ballots for not substantive reasons such as the type of paper.
- Has designated multiple electronic means, email and FAX, as methods to send and receive applications, ballots, etc.

- Protects personally identifiable information for military and overseas citizen voters as well as for all registered voters.
- Transmits blank ballots electronically to military and overseas citizens upon request, and goes beyond MOVE by letting them return their voted ballots electronically.
- Is developing inserts for ballots mailed to military and overseas citizen voters that tells them how to return their ballot by mail, FAX or email. This is particularly important for those who get their ballots just a few days before an election.
- Lets military and overseas citizens register to vote 10 days later than other citizens.
- Accepts the Federal Write-in Absentee Ballot (FWAB) for all elections for federal office. Delaware has done this for years and goes beyond MOVE and UOCAVA by letting voters vote for any office on their district ballot by means of the FWAB.
- Accepts the FWAB even if the person has not previously applied for an absentee ballot. Also, if the person is not registered, the State accepts it as long as it is received before the registration deadline.
- Repealed the requirement that applications for absentee ballots from military and overseas citizens are good for two general elections. But, made an application for a ballot from a military and overseas citizen received after a general election good for all elections through the next general election.
- Established a Permanent Absentee Voter program that lets military and overseas citizens and disabled persons apply once and then get ballots for all future elections.
- Gives U. S. citizens born overseas who have never lived in the U. S. the same eligibility to vote as their parents.
- Implemented a free access system that lets military and overseas citizens and all other Delaware absentee voters track the status of their absentee ballots. The system tells a person when their application was received, when their ballot was sent, when their voted ballot was received and if it was counted. It will also tell them why it was not counted.
- Is partnering with the Federal Voting Assistance Program (an agency within the Department of Defense) to implement a ballot marking wizard that gives military and overseas citizen voters a very user friendly method to get, vote and return their ballots.

Delaware has a strong and long-standing commitment to supporting its military and overseas citizen community. It has achieved this remarkable record due a strong partnership between the State's Election Officials, the Department of Technology and Information, the General Assembly and the Governor. Bills that implemented these and other changes have had strong bi-partisan support and pass without any opposition.