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October 29, 2004

RULES REGARDING SUBMISSION OF THE FEDERAL WRITE-IN ABSENTEE BALLOT CHANGED BY THE NDAA FY 05 TO INCLUDE ABSENT UNIFORMED SERVICES VOTERS WITHIN THE U.S.

The President has signed the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (NDAA FY05). Section 566 of the NDAA FY05 makes two key changes to Section 103 of the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) that sets forth the requirements for the use of the Federal Write-In Absentee Ballot (FWAB) by UOCAVA voters in elections for Federal office. Both changes are effective immediately.

The first change is that Uniformed Services members on active duty, members of the merchant marine, and their spouses or dependents who are in the U.S. but are away from their voting residence by reason of the active duty or merchant marine service are authorized to use the FWAB as an emergency or back-up ballot in the same manner as overseas voters.

The second change applies to the rule addressing when states may not count FWABs. One rule has read that states may not count FWABs if the state receives the voter's application for a state absentee ballot less than 30 days before the general election. The new change to that rule permits the states to establish a deadline for accepting a voter's application that is less than 30 days prior to the general election. The states may then count FWABs from voters whose applications were received EITHER at least 30 days before the general election OR on or before the deadline established by the state.

FWABs may be obtained from an Installation or Unit Voting Assistance Officer, a U.S. Embassy or Consulate, or an overseas citizen organization such as the Democrats Abroad or Republicans International Abroad; voters may also use the official on-line version of the FWAB that is available at www.fvap.gov/pubs/onlinefwab.html.

The FVAP can be contacted through the DoD Voting Information Center (VIC). Citizens may reach the VIC toll-free using the toll-free numbers listed on the FVAP website, <http://www.fvap.gov/services/tollfree.html>. In the U.S. or Canada call 1-800-438-VOTE (8683) or local (703) 588-1343 or use DSN (military) 425-1343. Additionally, the FVAP can be reached via e-mail at vote@fvap.ncr.gov.