

State of Wisconsin\Government Accountability Board

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MEMORANDUM

TO: Wisconsin Municipal Clerks
City of Milwaukee Election Commission
Wisconsin County Clerks
Milwaukee County Election Commission

FROM: Michael Haas
Elections Division Administrator

Meagan Wolfe
Election Specialist-Voter Services/MOVE Act

DATE: September 12, 2014

SUBJECT: UOCAVA Absentee Ballot Deadlines for the November 4, 2014

REMINDER

**If a UOCAVA voter makes a request for a ballot on or before
September 18, 2014, you MUST send them the requested ballot
no later than
Thursday, September 18, 2014.**

If you were a municipal or county clerk during the 2012 General Election, you probably remember the lengthy absentee ballot reporting requirements that you had to complete for the U.S. Department of Justice (USDOJ) due to the delivery deadline in the Uniformed and Overseas Citizens Absentee Voter Act (UOCAVA). The reporting requirements in 2012 were a result of a Consent Decree issued by a federal court because some absentee ballots were delivered to military and overseas voters for the 2010 election after the deadline under federal law. The USDOJ has again asked Wisconsin to track and report all of their UOCAVA absentee ballots to ensure that they are issued in accordance to the State and Federal deadlines.

As with the Partisan Primary, the G.A.B. has received approval from USDOJ to report UOCAVA absentee activity on behalf of Wisconsin's 1,852 municipalities. We are doing this by compiling UOCAVA absentee reports directly from SVRS. While this approach worked well for the August 2014 Primary, there were a handful of municipalities with late UOCAVA ballots or with UOCAVA absentee ballot information that was entered incorrectly into SVRS. To ensure that there are no late UOCAVA ballots for the November 2014 election and to ensure that the report we submit to USDOJ for the General Election is complete requires timely action and coordination among the G.A.B. and county and municipal election officials.

If even one Wisconsin UOCAVA ballot is late for the November 4, 2014 General Election there is a possibility that USDOJ would again pursue a federal court action, and all Wisconsin municipalities may again be subject to the demanding reporting requirements from 2012. To avoid this result for

you and your colleagues, we need each of you to make the timely transmittal of UOCAVA ballots a top priority for the November 2014 Election. In addition, your efforts in entering UOCAVA absentee ballot information into SVRS in a timely and accurate manner will ensure that the G.A.B. is able to continue to submit reporting requirements to USDOJ on the behalf of municipalities in the future.

To help clarify the UOCAVA absentee deadlines for the November 4, 2014 election, we are outlining the following scenarios:

Military Voters

Military voters are voters who are away from home on active military duty. They may be on active military duty in the U.S. or overseas; some may even be on active duty within Wisconsin. Active Military voters are not required to register to vote in Wisconsin. Military voters can use MyVote.wi.gov to request or access their ballot if they choose*.

**Remember, you may receive military absentee ballot requests through a MyVote.wi.gov email notification. Please read all MyVote notifications thoroughly to see if you need to mail, fax, or email a ballot to a UOCAVA voter.*

Scenario 1: Military voter submits a mailed, emailed, faxed, or online request to the clerk asking the clerk to send their ballots by mail, email, or fax for the *entire calendar year*. The request is received by the clerk *on, or prior to*, September 18, 2014.

Action by clerk: You must mail, email, or fax (as requested) the voter's ballot no later than **September 18, 2014**.

Scenario 2: Military voter submits a mailed, emailed, faxed, or online request to the clerk asking the clerk to send their ballots by mail, email, or fax for the *entire calendar year*. The request is received by the clerk *after* September 18, 2014.

Action by clerk: You must mail, email, or fax (as requested) the voter's ballot within **24 hours** of receiving it. For example, if you receive the request on a Friday at noon, you must send the ballot no later than Saturday at noon.

Scenario 3: Military voter submits a mailed, emailed, online, or faxed request to the clerk asking the clerk to send their ballot for *only* the November election. The request is received by the clerk *on, or prior to*, September 18, 2014.

Action by clerk: You must mail, email, or fax (as requested) the voter's ballot no later than **September 18, 2014**.

Scenario 4: Military voter submits a mailed, emailed, faxed, or online request to the clerk asking the clerk to send their ballot for *only* the November election. The request is received by the clerk *after* September 18, 2014.

Action by clerk: You must mail, email, or fax (as requested) the voter's ballot within **24 hours** from receiving the request. For example, if you receive the voter's request on Friday at noon, you must mail, email, or fax the ballot no later than Saturday at noon.

Permanent Overseas Voters

Permanent Overseas voters are those voters who are overseas with NO intention of returning to the U.S. These voters are only eligible to vote in federal contests, so you would issue them a federal-only ballot. Permanent Overseas voters can use MyVote.wi.gov to request, or access their ballot if they choose*.

**Remember, you may receive Permanent Overseas absentee ballot requests through a MyVote.wi.gov email notification. Please read all MyVote notifications thoroughly to see if you need to mail, fax, or email a ballot to a UOCAVA voter.*

Scenario 1: Permanent Overseas voter submits a mailed, emailed, faxed, or online request to the clerk asking the clerk to send their ballots by mail, email, or fax for *the entire calendar year*. The request is received by the clerk *on, or prior to, September 18, 2018*.

Action by clerk: You must mail, email, or fax (as requested) the voter's ballot no later than **September 18, 2014**.

Scenario 2: Permanent Overseas voter submits a mailed, emailed, faxed, or online request to the clerk asking the clerk to send their ballots by mail, email, or fax for *the entire calendar year*. The request is received by the clerk *after September 18, 2018*.

Action by clerk: You must mail, email, or fax (as requested) the voter's ballot within **24 hours** of receiving it. For example, if you receive the request on a Friday at noon, you must send the ballot no later than Saturday at noon.

Scenario 3: Permanent Overseas voter submits a mailed, emailed, faxed, or online request to the clerk asking the clerk to send their ballot for *only the November election*. The request is received by the clerk *on, or prior to, September 18, 2014*.

Action by clerk: You must mail, email, or fax (as requested) the voter's ballot no later than **September 18, 2014**.

Scenario 4: Permanent Overseas voter submits a mailed, emailed, faxed, or online request to the clerk asking the clerk to send their ballot for *only the November election*. The request is received by the clerk *after September 18, 2014*.

Action by clerk: You must mail, email, or fax (as requested) the voter's ballot within **24 hours** from receiving the request. For example, if you receive the voter's request on Friday at noon, you must mail, email, or fax the ballot no later than Saturday at noon.

Thank you for your assistance in this matter. We know that you take very seriously your role in ensuring that Military and Permanent Overseas voters are able to cast their ballots. We feel confident that with your cooperation all UOCAVA voters from Wisconsin will receive their ballot on or before the deadlines for the November 4, 2014 election.

If you have any questions, or anticipate any problems with meeting the UOCAVA absentee ballot deadlines, please contact Meagan McCord Wolfe at Meagan.Wolfe@wi.gov