

# State of Wisconsin \ Elections Board

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## MEMORANDUM

**TO:** All Municipal Clerks and the Milwaukee City Board of Election Commissioners  
All County Clerks and the Milwaukee County Board of Election Commissioners

**FROM:** State Elections Board Staff

**DATE:** October 18, 2004

**SUBJECT:** Procedure for Handling Absentee Ballot Requests of Military and Overseas Electors

As you know one of the primary Get Out the Vote (GOTV) efforts is focused on military and overseas electors. We have already provided you with information on how to process absentee requests received on the Federal Post Card Application (FPCA) and sending write-in ballots to military and overseas electors. We have created a special section in the Clerks Corner on our website with information on facilitating voting for military and overseas electors.

According to the Federal Voting Assistance Program (FVAP) in the U.S. Department of Defense, Wisconsin has 17,440 individuals deployed in military service as of June 2004. Because of our late primary it is difficult for a ballot mailed to a military or overseas voter to be returned in time to be counted. Wisconsin law permits the municipal clerk to send an absentee ballot to an absentee elector by e-mail or Fax. S. 6.86(3)(d), Wis. Stats. The instructions for e-mailing or Faxing absentee ballots can be found at:

[http://elections.state.wi.us/Clerks\\_Corner/Faxing%20or%20Emailing%20Absentee%20Ballots.html](http://elections.state.wi.us/Clerks_Corner/Faxing%20or%20Emailing%20Absentee%20Ballots.html)

Absentee ballots that are e-mailed or Faxed to the voter must be returned by mail to the municipal clerk. Wisconsin does not permit receipt of voted ballots by e-mail or Fax.

The FVAP also has instructions for Faxing ballots at its website:  
<http://www.fvap.gov/services/faxing.html>

The FVAP provides the military voter with detailed instructions on how to return a voted ballot to the municipal clerk that include taking advantage of postage paid envelopes for use in the U.S. mail service. <http://www.fvap.gov/pubs/returnenvelope.html>

The Federal Voting Assistance Program (FVAP) is concerned about delays in processing absentee ballot requests from military and overseas electors. Absentee ballot requests from these individuals must be treated as high priority. Applications for Registration and Requests for Absentee Ballots may be e-mailed, Faxed or mailed. If the application is e-mailed or Faxed, remind the elector to also send the original signed form. **Send the ballot to the elector immediately; do not wait for the original to be delivered.**

- **Military electors are not required to register** prior to requesting and receiving an absentee ballot.

- **Military and Overseas electors generally request an absentee ballot by completing the Federal Post Card Application form.** This form may be received by mail, e-mail, Fax, or in person.
- The FPCA serves as both a voter registration application and an absentee ballot request for overseas electors.
- **Military and Overseas electors are not required to provide identification.**
- There is no requirement for the FPCA to be witnessed.
- **Where voter registration is currently required,** Overseas electors are required to register prior to receiving an absentee ballot. An overseas elector may submit the following completed forms in order to register and request an absentee ballot:
  - ✓ Application for Registration (EB-131) and an Application for Absentee Ballot (EB-121). (The EB-121 is not required; a signed letter which includes the information on the EB-121 is sufficient.)
  - ✓ Federal Post Card Application (FPCA)
- **Where voter registration is currently not required,** Overseas electors may request an absentee ballot by submitting the following completed forms:
  - ✓ Application for Absentee Ballot (EB-121). (The EB-121 is not required; a signed letter which includes the information on the EB-121 is sufficient.)
  - ✓ Federal Post Card Application (FPCA)

### **Procedures for Handling Absentee Ballot Requests**

**Step 1:** When a municipal clerk receives an absentee ballot request, the clerk immediately acts on the request.

**Step 2:** Municipal Clerk approves registration request or requests further information.

- A U.S. Citizen who was born abroad or who has never lived in the U.S. may register and vote in the municipality where a parent would be eligible to register and vote. (Federal offices only)

**Step 3:** Mail Absentee Ballot (the ballot may also be sent via fax or e-mail)

- Overseas electors are eligible to receive a ballot for *Federal Offices Only*
- Military electors are eligible to receive a *full ballot*

**Step 4:** Ballot is cast by elector and returned to municipal clerk.

**Step 5:** Keep an up-to date list of all Overseas & Military electors who requested an absentee ballot. The list shall include: complete name and address, last known residence and mailing address, the date in which the requests were received, the date the ballot was sent out and the date in which the ballot was received. (This list must be distributed by ward to each polling place, on election day.)

Sample List

Name	Last Residence	Mailing Address	Date Request was received	Date Ballot was sent out	Date Ballot was received	Comments
Sue Angler	1234 Liberty Ave.	567 Freedom Lane	M	B		

You will be asked to provide a report (Form EB-190) on the number of absentee ballot requests from military and overseas voters and the number of ballots actually received from military and overseas voters. The federal government has also indicated that it wants to know the reason any ballots received from military and overseas voters are not counted. This information should be added to your list of military and overseas voters. The reasons why a ballot would not be counted include: no voter signature, no witness, received after election day or returned as undeliverable.

You may also receive a request from a deployed national guard member to Fax their absentee ballot to them in care of the WING Judge Advocate office at (608) 242-3082. See the attached letter from the Wisconsin Department of Military Affairs. The ballot will then be e-mailed to the voter.

Remember in addition to the write-in absentee ballot mailed by the municipal clerk, military or overseas electors have access to a Federal Write-in Absentee Ballot (FWAB) that is placed at military installations overseas and at U.S. embassies and consulates. The FWAB is only counted if the clerk received a request for an absentee ballot from the military or overseas elector at least 30 days before the election, and the official ballot is not received by the time the polls close.

It is possible that military or overseas electors will be able to return the write-in absentee ballot that was mailed before the official ballots are printed as well as the official ballot. A write-in absentee ballot is only counted if the official ballot is not received by the time the polls close. Write-in absentee ballots are counted by hand or they may be remade on an optical scan ballot following the same procedures for duplicating ballots set out in the *Election Day Manual for Wisconsin Election Day Officials* at Pages 66 under item number 2 for certain rejected optical scan ballots.

**Additional Resources**

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- Federal Voting Assistance Program <http://www.fvap.gov/>
- Federal Post Card Application <http://www.fvap.gov/pubs/onlinefpca.pdf>
- The Association of Americans Resident Overseas <http://aaaro.org/>