

**Section by Section Summary: H.R. 4237, the “UOCAVA Internet-Ready and Practical Amendments Act of 2007”**

*(Prepared by the Office of Congresswoman Carolyn B. Maloney)*

**SECTION 1.**

**SHORT TITLE: “Overseas Voting Practical Amendments Act of 2007”**

**SECTION 2.**

**DESIGNATION OF OFFICIAL FEDERAL FORM AS FEDERAL VOTER REGISTRATION AND BALLOT APPLICATION**

This section seeks to reduce and alleviate confusion by users of the form.

- The use of legal or historical jargon complicates the UOCAVA voting process.
- Giving voters a form with a title that indicates to them its purpose and function is an essential part of enabling voter participation (i.e., the form is not a “postcard” and that term is misleading).
- Reduction in the use of cryptic technical terms will improve the UOCAVA program making it more accessible to voters and voter registration authorities.

**SECTION 3.**

**PROHIBITING REFUSAL TO ACCEPT APPLICATIONS, BALLOTS, AND OTHER MATERIALS FOR FAILURE TO MEET NONESSENTIAL REQUIREMENTS.**

Prohibits States from refusing to accept voter registration, ballot requests and/or absentee ballots for any of the following reasons:

1. If the paper it is printed on does not meet certain paper size/weight requirements. Paper weight and size vary considerably particularly in developing countries.
2. The States shall not be allowed to impose informational requirements on the form for which there are no fields. Should a voter be missing additional information requested by the State, but not listed on the federal form, it should not be grounds for the rejection of her/him as a voter or of the voter’s application.
3. If the application, envelopes or affidavits or their equivalents do not conform to state specific state law requirements on size, shape, weight or color of paper.
4. In cases where the notary or witness requirements are not met (these are additional requirements imposed by a few States only). For uniformed and civilian voters overseas, finding a notary may be nearly impossible.

5. If the application or ballot is delivered in a method other than via the U.S. Postal Service (this allows hand delivery, courier, or express mail services). Foreign services are not always reliable.
6. If the application, ballot, envelope or affidavit does not meet some arbitrary requirement that is not essential to prevent fraud.

#### **SECTION 4.**

##### **REQUIRING CLARIFICATION OF POSTAGE MARKINGS ON CERTAIN BALLOTING MATERIALS MAILED BY STATES**

This section is meant to ensure that States provide sufficient correct information on pre-addressed materials (if used) to ensure that they can be used to send mail overseas to reduce the number of completed ballots being returned-to-sender due to incomplete addressing or insufficient postage.

- Pre-printed ballot mailing addresses must include “USA” in address block to avoid mail going astray
- Postage-paid designations must be clarified to avoid materials being posted from areas where the pre-paid postage does not apply and hence will not be delivered.

#### **SECTION 5.**

##### **PROVISION OF BALLOTS IN SUBSEQUENT ELECTIONS**

Allows for overseas voters who would be otherwise entitled under UOCAVA to automatically receive requests for absentee ballots.

- Permits “early” registration, not based on a calendar year, to facilitate participation in early primary or special elections (particularly important in 2008 given the advanced presidential primary calendar).
- Allows election officials to discontinue sending voting materials to voters if the materials are returned as undeliverable or with no forwarding address within the State. The address will then be considered out-of-date.

#### **SECTION 6.**

##### **APPLICATION OF UOCAVA TO INDIVIDUALS NEVER RESIDING IN UNITED STATES WHOSE PARENTS ARE OVERSEAS VOTERS**

Extends UOCAVA voting rights to American-citizen children born overseas who may have never spent enough time on any visit to United States to establish residency in the United States before voting age. These voters will use the voting residence address of their American parent/s.

This section of the bill identifies an oversight of the original act while remaining in the spirit of that act

#### **SECTION 7.**

#### **REQUIRING PROMPT NOTIFICATION OF REJECTION OF VOTER REGISTRATION OR ABSENTEE BALLOT REQUEST.**

The intent of this section is to motivate more efficient communications between election officials and UOCAVA voters encouraging speedier action when a voter's application is rejected and thereby giving the voter time to remedy the situation prior to the election taking place.

#### **SECTION 8.**

#### **USE OF DIPLOMATIC POUCH FOR RETURNING COMPLETED ABSENTEE BALLOTS;**

In certain areas of the world mail service may not be adequate to handle in a timely way the transmission of absentee ballots. This section would allow the State Department to determine what countries have inadequate mail service and in those countries the State Department will provide for mail service for those countries for ballot transmission. It is intended as a compliment to Section 3.

#### **SECTION 9.**

#### **EFFECTIVE DATE**

Goes into effect starting with elections at the expiration of 45 days after act is passed.