

UOCAVA / MOVE Act & CA Elections Code

TRAINING FOR COUNTY ELECTIONS
OFFICIALS



Acronyms

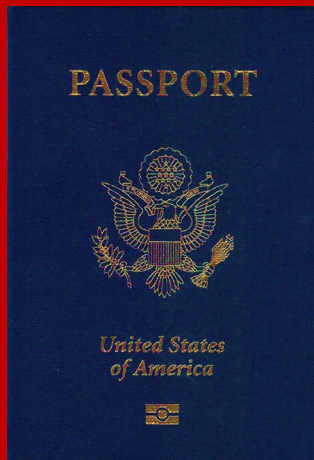
- **COVR** = California Online Voter Registration - RegisterToVote.ca.gov
- **CVR** = Conditional Voter Registration/Same Day Registration
- **EMS** = Elections Management System
- **FPCA** = Federal Post Card Application
- **FVAP** = Federal Voting Assistance Program
- **FWAB** = Federal Write-In Absentee Ballot
- **MOVE Act** = Military and Overseas Voter Empowerment Act
 - The MOVE Act was added to the UOCAVA in 2009
- **RAVBM** = Remote Accessible Vote By Mail
- **SOS** = Secretary of State
- **UOCAVA** = Uniformed and Overseas Citizens Absentee Voting Act

Training Overview

- How to identify UOCAVA voters
- Know the options for UOCAVA voters ballot delivery methods
- Using your EMS to capture UOCAVA voters' preferred ballot delivery method
- Transmitting ballots to UOCAVA voters via their preferred delivery method
- Transmitting ballots on or before E-45
- Take advantage of the FVAP online training modules
- UOCAVA surveys: brief history and examples
- Recent changes to the CA Elections Code & Code of Regulations



UOCAVA Voters: Identify



A UOCAVA voter is:

a U.S. citizen who is absent from the county in which they are otherwise eligible to vote

AND

one of the following:

UOCAVA

Voters:

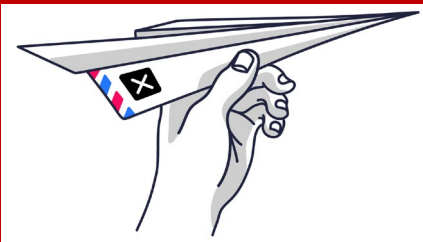
Identify

(continued)



- A member of the U.S. Army, Navy, Air Force, Marine Corps, or Coast Guard; Merchant Marines; a member of the U.S. Public Health Service Commissioned Corps; a member of the National Oceanic and Atmospheric Administration Commissioned Corps of the U.S.; or a member on activated status of the National Guard or state militia
- Residing outside the U.S.
- A spouse or dependent of any of the above
- A person born outside the U.S. who has not registered to vote in any other state and their parent/legal guardian was a California resident when parent/legal guardian was last living in the U.S.

UOCAVA Voters: Identify (continued²)



- **A person registering or reregistering:**
 - Using COVR or FPCA
 - Who meets all UOCAVA eligibility requirements

- **A person registering or reregistering on a paper voter registration card, using a mailing address that is not in your county**
 - **Examples:**
 - A military address within the U.S. or a military overseas address (APO/FPO)
 - A non-military overseas address for ballot materials

UOCAVA voters must be flagged in the county's EMS

UOCAVA Voters: Designate Preferred Delivery Method



On COVR (if voter identifies as UOCAVA):

- “Your ballot may be delivered to you by mail, email or fax. Please choose your delivery preferences”
- COVR asks the voters to rank the available choices from 1-3 in order of preference
- **On the FPCA:**
 - “How do you want to receive voting materials from your election office (Select One)”
 - FPCA instructions ask voters to select one preference
- **In California, the following ballot delivery methods are permitted:**
 - Email/Online
 - Mail
 - Fax

UOCAVA Voters: Capture Preferred Delivery Methods



- There are two EMSs currently in use in California
- Both systems are capable of capturing UOCAVA voters' ballot delivery preferences
- If you have questions about capturing ballot delivery preferences, **please contact your EMS**

UOCAVA Voters: Transmit Ballots by Preferred Delivery Methods



Transmit ballots by mail or electronically

Electronically = email/online or fax

Online delivery - emailing voter a link to county's website where the voter (who designated email delivery) can download and print ballot

Do not email a ballot just because your county has a UOCAVA voter's email address

Only email ballot if voter designates "email" as their preferred method of delivery

If the voter does not designate any preference, UOCAVA makes **mail the default preference**

E-45 (Saturday)



Ballots MUST be transmitted no later than E-45

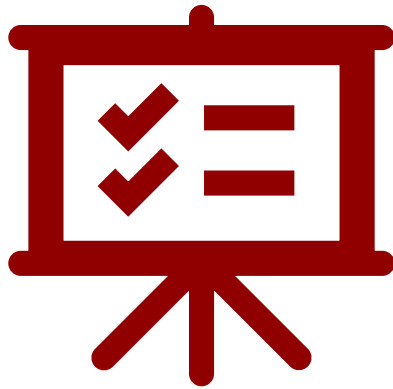
Best practice is to transmit ballots beginning E-60

E-45 always falls on a Saturday

Plan ahead to ensure ALL ballots including mail, email and fax go out **on or before E-45**

You cannot wait to transmit them until Monday

E-45 (Saturday) (continued)





Some issues to plan for, that have caused counties to be out of compliance in the past:

- Vendor Issues
- Staffing Issues
- Technology Issues
- UOCAVA Registrations between E-60 & E-45

E-45 (Saturday): Vendor Issues

Educate vendors that E-45 means E-45

Issue	Problem 	Solution 
Communication	Lack of contact with vendor as to whether the vendor or county will transmit ballots	Clear and consistent communication with vendors well before E-60
Printing	Not receiving ballots from vendor until right before E-45 or even after E-45	Send a PDF copy of the actual ballot, if available, by E-45
Mailing	Vendors mailed out a portion of the ballots on E-45 and then the remainder on Monday, E-43	Educate and communicate with the vendor that all mailing must be done by E-45

E-45 (Saturday): Staffing Issues

Understand the importance of the **E-45 deadline**

All ballots must be sent on or before E-45:

- **DO NOT** send out mail on Saturday, E-45 and leave the emails and faxes for Monday, E-43
- **DO NOT** get the majority of work done on Saturday, E-45 and leave the rest for Monday, E-43

Understaffed?

- Plan ahead and pull in help early
- Start transmitting ballots at E-60



E-45 (Saturday): Technology Issues



- Emailing issues
- Address labeling issues
- Work in advance with your county's IT Department
 - ✓ **Plan, plan, plan**
 - ✓ **Test, test, test**



IDEA: Send out a test email to UOCAVA voters – this can help with load testing and help to cure emails being returned as “undeliverable”

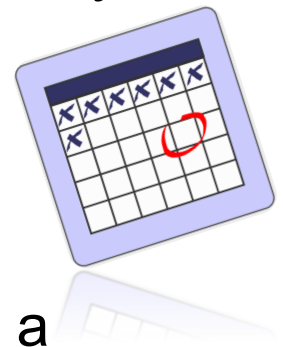
E-45 (Saturday): UOCAVA Registrations Between E-60 and E-45

- Many counties start transmitting ballots at E-60
- Capture UOCAVA registrations (FPCAs and COVR) that come in between **E-60 and E-45**

KEEP IN MIND:

If UOCAVA registrations come in after E-60, but by E-45, counties ***must*** capture those voters and transmit ballots by E-45

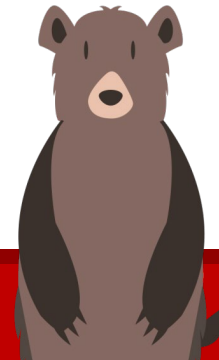
- Have a procedure in place to capture those applications



If a UOCAVA registration comes in after E-45, transmit a ballot as soon as possible (Elections Code, section [3114\(b\)](#))

E-45 (Saturday): Bottom Line

- ✓ Your office must have procedures and plans in place to transmit by E-45
- ✓ Transmit ballots via UOCAVA voters' designated preferred method of delivery
- ✓ **BEST PRACTICE:**
 - ✓ Start transmitting at E-60
(Elections Code, sections [3105](#) and [3114](#))



FVAP Resources: Training

FVAP has online training modules for Elections Officials:

You may access FVAP training modules here: <https://www.fvap.gov/eo/training>.

You may also access them through the SOS's Military & Overseas Voters webpage under the Resources for Elections Officials tab found here:

<https://www.sos.ca.gov/elections/voter-registration/military-overseas-voters/resources>.



FVAP Resources: DoD Fax Service



The Department of Defense (DoD) fax service is for voters who cannot fax their ballot directly to their county elections officials.

If a UOCAVA voter needs to return their voted ballot by fax, but they do not have access to a fax machine:

- they can email their ballot to fax@fvap.gov, and
- FVAP will fax it to their county elections office.

A voter returning their ballot by fax must include the:

- “Oath of Voter” form (to waive their right to a confidential vote) - they should use the form provided by their county; however, many counties also accept the [FVAP Fax Transmission Cover Sheet](#), and
- the voter’s declaration (on the Military or Overseas Voter Return Envelope).

FVAP

Resources:

DoD Fax

Service

(continued)



REMINDER:

California law allows UOCAVA voters to return their vote-by-mail ballots by mail, or in certain circumstances, by fax.

California law does NOT allow for ballots to be returned via email.

FVAP Resources: Military Address Lookup



FVAP can look up active-duty service members' addresses for elections officials

To request this information:

- Email vote@fvap.gov or fax your request to (571-372-0735 or 571-372-0749)
- Include your name and jurisdiction, as well as the voter's full name, date of birth (mm/dd/yyyy) and the last four digits of their Social Security Number

FVAP can only give available and releasable information. Please note that they do not have access to information on service members' eligible family members or overseas citizens.

UOCAVA Surveys: Brief History



Following a 2012 consent decree, the U.S. Department of Justice has requested, pursuant to their UOCAVA enforcement authority, that SOS continue to survey counties for UOCAVA transmission data.

Surveys focus on the transmission of UOCAVA ballots by E-45.

SOS must submit the results of the survey to the U.S. DOJ by E-43.

Keep a look out for CCROVs about the surveys.

UOCAVA Surveys: CCROVs

Starting a little before E-60, SOS begins to send out UOCAVA-related CCROVs:

- CCROV: UOCAVA/MOVE Act Survey/Point of Contact
- CCROV: UOCAVA/MOVE Act Survey and Schedule
- CCROV: UOCAVA/MOVE Act Survey

CCROV: UOCAVA/MOVE Act Survey/Point of Contact

Requests specific contact info from county staff in charge of UOCAVA. [Example](#) of Point of Contact Survey CCROV.

UOCAVA/MOVE Act Survey/Point of Contact

Please return this form to the attention of Paige Kent
via email to mov@sos.ca.gov or by fax to (916) 653-3214

County of: _____

Contact Person #1: _____ Contact Person #2: _____

Telephone Number: _____ Telephone Number: _____

Fax Number: _____ Fax Number: _____

Email: _____ Email: _____

CCROV: UOCAVA/MOVE Act Survey and Schedule

CC/ROV #22066
April 11, 2022
Page 2

DRAFT
Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA)
Survey in Compliance with USDOJ
June 7, 2022, Primary Election

County of: _____

Please send responses no later than
12:00 Noon on Monday, April 25, 2022, to:
Email: mov@sos.ca.gov
Or via Fax: (916) 653-3214 ATTN: Paige Kent

1. Number of valid UOCAVA ballot requests received by your county on or before E-45 (Saturday, April 23, 2022) from any voter entitled to vote pursuant to UOCAVA: _____
2. Number of UOCAVA ballots transmitted by your county by E-45 (Saturday, April 23, 2022) for valid requests received by that date: _____

If any county has failed to comply with the E-45 deadline, as prescribed by the MOVE Act, the USDOJ would like the following information:

3. If valid UOCAVA ballot requests were received by E-45 (Saturday, April 23, 2022), but not transmitted by E-45 (Saturday, April 23, 2022), please provide the following information:

Domestic Military	Overseas Military	Overseas Civilian
# by mail: _____	# by mail: _____	# by mail: _____
# by fax: _____	# by fax: _____	# by fax: _____
# by email: _____	# by email: _____	# by email: _____

Provides a draft of the survey and the survey reporting schedule.

[Example](#) of Survey and Schedule CCROV.

CCROV: UOCAVA/MOVE Act Survey

**Uniformed and Overseas Citizens Absentee Voting Act
(UOCAVA) Survey in Compliance with USDOJ
June 7, 2022, Primary Election**

County of: _____

**Please send responses no later than
12:00 Noon on Monday, April 25, 2022,
to: Email: mov@sos.ca.gov
Or via Fax: (916) 653-3214 ATTN: Paige Kent**

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Domestic Military	Overseas Military	Overseas Civilian
# by mail: _____	# by mail: _____	# by mail: _____
# by fax: _____	# by fax: _____	# by fax: _____
# by email: _____	# by email: _____	# by email: _____

Please provide an explanation as to why UOCAVA ballots were transmitted late and if the method used to transmit the late UOCAVA ballots was the method requested by the voter:

County Contact: _____ Phone Number: _____

Provides the actual survey with the deadline (**E-43 noon**) for reporting to SOS.

[Example](#) of Survey CCROV.

SOS reports to the U.S. DOJ

On **E-43**, after receiving all 58 counties' information, SOS compiles the survey responses and provides a report to the U.S. DOJ.



Recent Changes in CA

Elections Code Updates



**Every active registered voter
receives a vote-by-mail ballot for
every election**

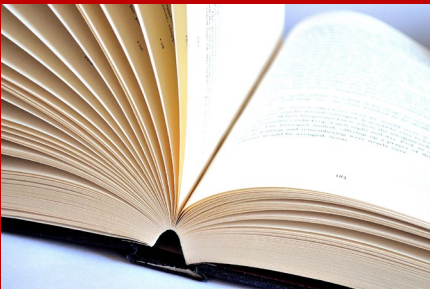
Voters do not need to request a vote-by-mail ballot.

No real change to UOCAVA voters, except to remove verbiage related to “requesting” a vote-by-mail ballot.

This change took effect January 2022 (Elections Code, section [3000.5](#))

Recent Changes in CA (continued)

Elections Code and Code of Regulations Updates



UOCAVA voters can use the **Conditional Voter Registration (CVR)** process to register and vote provisionally after the close of registration:

- **CVR** is also known as **Same Day Voter Registration**
- A UOCAVA voter, who registers through COVR and uses their DMV signature, may request to cast a provisional ballot using a certified remote accessible vote by mail (RAVBM) system
- UOCAVA voters should reach out to their county elections official for more information on RAVBM

Elections Code, section [2170\(b\)](#)
(Senate Bill [504](#) (Chapter 14, Statutes of 2022))
Code of Regulations, section [20021](#) (Title 2,
Division 7, Chapter 1, Article 3.5)

Final Reminders



Remember!

E-45 means E-45:

- By the UOCAVA voters' designated preferred delivery method
- It does NOT mean the following Monday

Best Practice:

- Start transmitting at E-60 (Elections Code, sections [3105](#) and [3114](#))
- Continue transmitting any requests received by E-45

The E-45 deadline is required by federal and California state law

Questions about UOCAVA



SOS MOV Coordinators

Please contact with any UOCAVA questions or concerns about meeting the E-45 ballot transmission deadline

Email: mov@sos.ca.gov

Federal Voting Assistance Program

Contact Heather Eudy

Email: Heather.d.eudy.civ@mail.mil