

**FREQUENTLY ASKED QUESTIONS (FAQs)**  
**FOR THE MILITARY & OVERSEAS VOTERS PROTOCOL**

1. What are the types of overseas civilians and military voters (electors) and when must they register to vote? See Part II, ¶ 3, pp. 4 - 5 in the Military & Overseas Voters Protocol.

<u>Type of Voter</u>	<u>Voter Registration Requirement</u>	<u>Citation</u>
Qualified elector in the military service of the U.S.	Not required to register to vote	25 P.S. § 3146.1(a)
Spouse or dependent of a person in military service	May apply at any time to register to vote	25 Pa.C.S. §§ 1102 & 1324(c)
Individual in the service of the Merchant Marine and their spouse or dependent	May apply at any time to register to vote	25 Pa.C.S. §§ 1102 & 1324(c)
Individual in a religious or welfare group officially attached to and serving with the armed forces of the U.S. and their spouse/dependent	May apply at any time to register to vote	25 Pa.C.S. §§ 1102 & 1324(c)
Individual is a civilian employee of the U.S. or their spouse or dependent	May apply at any time to register to vote	25 Pa.C.S. §§ 1102 & 1324(c)
“Overseas citizens” who are not “military electors” <sup>1</sup>	Must register at least 30 days before the primary/election	25 Pa.C.S. § 1326(b)(4)

2. What are examples of “overseas citizens” who are not “military electors” and who must then register to vote at least 30 days before a primary or general election? U.S. citizens who are: working for private sector employers abroad, traveling abroad on vacation, serving as Red Cross overseas volunteers not attached to the armed forces of the United States and serving as missionaries overseas who are not attached to the armed forces. See Part II, ¶ 3, p. 5, footnote 1.

3. Does a military voter include both an individual stationed in the United States (outside their place of residence) as well as an individual stationed overseas? Yes, county boards of elections must treat military voters alike if they are stationed outside their place of residence in the U.S. or if they are stationed overseas. See Part V, ¶ 2, pp. 14 - 15.

4. May a U.S. citizen, who will be 18 by the day of the general election, was born in Pennsylvania, spent at least the first day of his or her life in Pennsylvania, and never returned to Pennsylvania and established residency here, vote in both federal and state elections in the general election in Pennsylvania? This individual is an example of a “**Federal elector**,” who can vote for federal offices, but not state offices, in Pennsylvania. See Part IV, ¶ 4, pp. 11 - 12.

5. May a U.S. citizen, who will be 18 by the day of the general election, and who was born abroad of parents who are U.S. citizens, and has never established residency in Pennsylvania, vote in both federal and state elections in Pennsylvania? This individual cannot vote in federal or state elections in Pennsylvania. See Part IV, ¶ 4, pp. 11 - 12.

<sup>1</sup> For “overseas voters” under federal law who no longer reside in Pennsylvania, see questions 4 and 5.

6. How far back must counties go to check the Federal Post Card Applications (FPCAs) on file to determine if an elector would like to 2010 ballot sent by email? January 1, 2010.

7. What is a special write-in ballot and when is it used? When an official state ballot is not yet available, and the statutory deadlines in the Pennsylvania Election Code require counties to send ballots to military or overseas civilian voters, counties must then send a special write-in ballot, which lists the offices to be voted and includes a list of candidates (as it is known at the time) so that an individual may vote the ballot and return it to the county in time to be counted. County election officials may email the special write-in absentee to military and overseas civilian voters. See Part II, ¶¶ 1, 2, 5 and 7, pp. 3 - 7.

8. a. What is a Federal write-in absentee ballot (FWAB) and when is it used? Any military or overseas civilian voter who has applied for but not yet received a state absentee ballot may use the FWAB to vote for both state and federal candidates. The advantage of the FWAB is that it is readily available. It is posted on the Federal Voting Assistance Program (FVAP) website, [www.fvap.gov](http://www.fvap.gov), and includes a secrecy envelope and mailing envelope for the ballot, which can be printed and then folded and sealed prior to mailing. The Department has interpreted the use of the FVAP's envelopes for the FWAB to comply with the envelope requirements in the Pennsylvania Election Code. See Part V, ¶¶ 4 - 10, pp. 15 - 17.

b. If a county receives both a voted FWAB and a voted state absentee ballot from the same voter, what should the county do? Count the voted state absentee ballot if it is received in timely fashion. In order to be received in timely fashion, the county board of elections must receive the voted ballot by 5:00 P.M. on the seventh day following the date of the election, as long as the envelope was postmarked by the day before the election. See Part V, ¶ 8, p. 16.

9. May counties accept a Federal write-in absentee ballot (FWAB) during a municipal election year? Yes, although a county board of elections is not required to do so, it may accept an FWAB during a municipal election year. See Part V, ¶ 6, p. 16.

10. By what means may a military or an overseas civilian voter request an absentee ballot? The voter may request it electronically (by fax or email), by mail, in person or by an adult member of the voter's immediate family. Although the county board of elections may approve an application for an absentee ballot that is submitted to the board electronically (fax or email), the county must receive the original application before Election Day. See Part IV, ¶¶ 5 - 6, pp. 12 - 13.

11. By what means may county boards of elections send blank absentee ballots to military and overseas civilian voters? The county must send a blank absentee ballot out electronically (by fax or email) if requested by the voter (see Question 6 above). If the voter does not provide a preference, then the county must either send the ballot out by first class mail, or may, **at its discretion**, send the ballot by air mail, express mail or overnight mail. See Part VI, ¶¶ 3 - 4, pp. 18 - 20.

12. By what means may a military or overseas civilian voter return a voted ballot? A voted ballot must be returned in person, through the U.S. mail, or by express or overnight mail. The facsimile method shall not be acceptable for the return of the official voted absentee ballot. Also, secrecy of the ballot must be maintained. See Part VII, ¶ 1, p. 20.