Legislative Action Needed to Improve Voting Abroad

*compiled by Alexander P. Lee, General Counsel, DA-China*

**Description of Problem:** DHL Express, an express carrier with corporate headquarters in Bonn, Germany and US headquarters for DHL Express at 1210 South Pine Island Road, Fourth Floor, FL 33324, refused some Americans in China on the basis that it was “interference in US domestic affairs” for them to carry US ballots. Other carriers also with American headquarters similarly refused on first request. The main problem seems to be with people who seal their ballot and hope to present it to the express carrier without showing them that there is no contraband inside.

**Suggested solution:** Legislation that declares: “No company shall be able to operate a delivery service in the United States if they will not accept mail containing ballot material from US citizens living or posted abroad.”

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**Description of Problem:** Voters bringing ballot material to a US diplomatic post for inclusion in a diplomatic pouch are not able to track the envelope.

**Suggested Solution:** An appropriation to the Department of State’s Federal Voter Assistance Program budget to provide, only for ballot material, the same tracking services that are afforded to US government employees and military families.

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**Description of Problem:** Inconsistent consular outreach around primaries and general elections.

**Suggested Solution:** Establishment of protocols for each consulate.

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**Description of Problem:** Inconsistent deadlines for the final pouch available before a general election, which can further vary from consulate to consulate across a single foreign country with multiple posts, sows voter confusion about deadlines and builds ill-will towards the mission(s).

**Suggested Solution:** Ballots are sent to voters abroad 45 days before the election. The consulates should set a “final return date to be included in diplomatic pouch in time for election” as ten days later (e.g., ballots arrive on September 19th and must be to consulate by September 29th). Consulates should be encouraged to accept ballots after that time on a walk-in basis if they can guarantee sufficient time for the ballot’s arrival; however, they should not advertise their ability to deal with ballots after the ten-days-after-ballots-are-sent deadline.

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**Description of Problem:** Lack of guidance on envelope size that is permitted for mailing ballot.

**Suggested Solution:** The USPS regulations about what size envelope are permissible for the postage-paid indicia are hard to find. FVAP should have this information on their website.

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**Description of Problem:** Consular events held without proper supplies. In Guangzhou, for instance, a voter registration booth was set up at a fair hosted at and by the consulate, but the employee registering people did not have security envelopes available or seem to be aware that some ballots and all FWABs had to be inside of one.

**Suggested Solution:** Ensure that State Department or FVAP guidance to VAOs and other consular employees registering people to vote includes a checklist of necessary supplies.