



Heidi Burch <heidi.burch@democratsabroad.org>

DE (Delaware): SOS response re: overseas voting in state elections

1 message

H Burch <heidilburch@gmail.com>

Thu, Aug 2, 2018 at 8:47 AM

To: Heidi Burch <HeidiB@democratsabroad.org>

----- Forwarded message -----

From: Sheehan, Catherine P (Elect_COE) <Catherine.Sheehan@state.de.us>

Date: Tue, Jul 31, 2018 at 6:26 AM

Subject: RE: voting from abroad information needed

To: H Burch <heidilburch@gmail.com>

Cc: "COE_VOTE (MailBox Resources)" <COE_VOTE@state.de.us>

Good morning Ms. Burch,

If a U.S. citizen is residing abroad and they intend to return, they are allowed to vote in state elections if they use the Federal Post Card Application (FPCA). If they use the Absentee Ballot Application they will receive a full primary election ballot, but will only have federal offices for the General Election. I have attached the updated Absentee Ballot Application. Also, you can click on the below link to read more about absentee voting for overseas citizens.

<https://elections.delaware.gov/services/voter/absentee/uocava.shtml>

I hope this helps.

Regards,

Catherine Sheehan

Election and Voter Registration Clerk

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Office of the State Election Commissioner

905 South Governors Avenue, Suite 170, Dover, DE 19904

(Phone



Fax

(302) 739-4277

(302) 739-6794

.....
elections.delaware.gov



From: H Burch [mailto:heidilburch@gmail.com]
Sent: Thursday, July 26, 2018 3:59 PM
To: Sheehan, Catherine P (Elect_COE) <Catherine.Sheehan@state.de.us>
Subject: Fwd: voting from abroad information needed

Dear Ms Sheehan,

I'm a volunteer with VoteFromAbroad--we help US citizens and military personnel living overseas when they have questions about voting from abroad.

Back in November 2017, one of our volunteers sent in a request for information and she received the response below from your office. I wanted to ask a follow-up question regarding the response to Question No 1:

"1. If a U.S. citizen is residing abroad and they intend to return, are they allowed to vote in state elections? **NO"**

The question used the phrase "intend to return" to match the Federal Post Card Application (FPCA). As you are no doubt aware, the FPCA sets out two categories for overseas non-military voters who previously resided in the US: "intend to return" and "return is uncertain" (www.fvap.gov/uploads/FVAP/Forms/fpca.pdf). The category "intend to return" is for US citizens who are living abroad temporarily.

It seems clear that under Delaware law, an overseas voter who is **permanently** living outside the US (that is, their "return is uncertain") will receive a federal ballot only ([Delaware Code Title 15 sec. 1901\(b\)\(3\)](#))

However, it also seems that Delaware allows those overseas voter who are **temporarily** living outside the US (that is, they "intend to return") to receive a state ballot as well. Under [Delaware Code Title 15, sec 5502\(1\)](#), any registered voter who is "temporarily residing outside the territorial limits of the United States" may vote "by absentee ballot in any primary election, general election, special election for statewide or local offices".

We really appreciate you taking the time to respond so we can provide correct information to Delaware voters living overseas.

Thank you!

Heidi Burch

Volunteer

----- Forwarded message -----

From: **Sheehan, Catherine P (Elect_COE)** <Catherine.Sheehan@state.de.us>

Date: Tue, Nov 28, 2017 at 9:00 PM

Subject: RE: voting from abroad information needed

To: Melissa Herron <herro048@umn.edu>

Cc: "COE_VOTE (MailBox Resources)" <COE_VOTE@state.de.us>

Good morning Ms. Herron,

I am replying to your request for information on behalf of Elaine Manlove, State Election Commissioner. Please see answers below.

Regards,

Catherine Sheehan
Election and Voter Registration Clerk

Office of the State Election Commissioner

905 South Governors Avenue, Suite 170, Dover, DE 19904

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Fax

(302) 739-4277

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elections.delaware.gov



From: Melissa Herron [mailto:herro048@umn.edu]

Sent: Tuesday, November 28, 2017 2:14 AM

To: COE_VOTE (MailBox Resources) <COE_VOTE@state.de.us>

Subject: voting from abroad information needed

Dear Ms. Manlove,

I'm a volunteer helping US citizens, living overseas, vote in US elections. We want to make sure that votefromabroad.org provides accurate and up-to-date voting information. Would you please answer the following questions.

1. If a U.S. citizen is residing abroad and they intend to return, are they allowed to vote in state elections? **NO**
- NO** 2. If a U.S. citizen is residing abroad and their return is uncertain, are they allowed to vote in state elections?
3. If a U.S. citizen has never resided in the United States, are they eligible to vote in state elections? **NO**
4. If a US citizen has never resided in the United States, are they eligible to vote in federal elections? **YES**

Thank you for taking the time to answer our questions. We appreciate you helping Americans execute one of their most important rights!

Take Care,

Melissa Herron



absentee_ballot_application.pdf

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