

STATE BOARD OF ELECTIONS
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August 25, 2010

Via Electronic Mail Only

Robert Carey, Director
Federal Voting Assistance Program
Department of Defense
1777 North Kent Street, Suite 14003
Arlington VA 22209-2162

Dear Mr. Carey:

This office submitted on July 28, 2010, a request for a waiver of the Military and Overseas Voter Empowerment (MOVE) Act requirement to mail absentee ballots to certain voters at least 45 days before the general election. Since that time, however, we have worked to identify a solution that enables elections officials in Maryland to transmit federal ballots at least 45 days before the general election.

On or before the 45th day before the general election, SBE will transmit a federal ballot to all military and overseas voters who have requested an absentee ballot for the 2010 General Election. The federal ballot is identical in design to the State's absentee ballots and will include the expected general election candidates for the federal offices on the ballot – U.S. Senator and the appropriate Representative in Congress. For your convenience, a sample federal ballot for the 2010 Primary Election is attached to this letter. These ballots will be transmitted by the method requested by the voter. When the State ballots have been certified and are ready for distribution, the State ballot will be transmitted to the military and overseas voters who are eligible to vote the State ballot. The voters will be instructed that the federal ballot will only be counted if the State ballot is not voted and returned to the appropriate local board of elections.

During our conference call this afternoon, you and Department of Justice personnel confirmed our understanding that the solution described above would constitute compliance with the MOVE Act. Based on this understanding, I hereby withdraw our request for a waiver. If your office or the Department of Justice requires additional information concerning this withdrawal, please contact me or have a staff member contact Nikki Baines Trella at [REDACTED] or [REDACTED].

Sincerely,

A handwritten signature in black ink that reads "Linda H. Lamone". The signature is written in a cursive style.

Linda H. Lamone
State Administrator

Enclosure: Sample federal ballot

LHL/nbt