

Title 10, United States Code

Sec. 1566. VOTING ASSISTANCE: COMPLIANCE ASSESSMENTS; ASSISTANCE

- (a) Regulations. - The Secretary of Defense shall prescribe regulations to require that the Army, Navy, Air Force, and Marine Corps ensure their compliance with any directives issued by the Secretary of Defense in implementing any voting assistance program.
- (b) Voting Assistance Programs Defined. - In this section, the term "voting assistance programs" means -
 - (1) the Federal Voting Assistance Program carried out under the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff et seq.); and
 - (2) any similar program.
- (c) Annual Effectiveness and Compliance Reviews. - (1) The Inspector General of each of the Army, Navy, Air Force, and Marine Corps shall conduct -
 - (A) an annual review of the effectiveness of voting assistance programs; and
 - (B) an annual review of the compliance with voting assistance programs of that armed force.
 - (2) Upon the completion of each annual review under paragraph(1), each Inspector General specified in that paragraph shall submit to the Inspector General of the Department of Defense a report on the results of each such review. Such report shall be submitted in time each year to be reflected in the report of the Inspector General of the Department of Defense under paragraph (3).
 - (3) Not later than March 31 each year, the Inspector General of the Department of Defense shall submit to Congress a report on -
 - (A) the effectiveness during the preceding calendar year of voting assistance programs; and
 - (B) the level of compliance during the preceding calendar year with voting assistance programs of each of the Army, Navy, Air Force, and Marine Corps.
- (d) Repealed.
- (e) Regular Military Department Assessments. - The Secretary of each military department shall include in the set of issues and programs to be reviewed during any management effectiveness review or inspection at the installation level an assessment of compliance with the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff et

seq.) and with Department of Defense regulations regarding the Federal Voting Assistance Program.

(f) Voting Assistance Officers. –

(1) Voting assistance officers shall be appointed or assigned under Department of Defense regulations. Commanders at all levels are responsible for ensuring that unit voting officers are trained and equipped to provide information and assistance to members of the armed forces on voting matters. Performance evaluation reports pertaining to a member who has been assigned to serve as a voting assistance officer shall comment on the performance of the member as a voting assistance officer.

(1) Under regulations and procedures (including directives) prescribed by the Secretary, a member of the armed forces appointed or assigned to duty as a voting assistance officer shall, to the maximum extent practicable, be given the time and resources needed to perform the member's duties as a voting assistance officer during the period in advance of a general election when members and their dependents are preparing and submitting absentee ballots.

(g) Delivery of Mail From Overseas Preceding Federal Elections. -

(1) During the four months preceding a general Federal election month, the Secretary of Defense shall periodically conduct surveys of all overseas locations and vessels at sea with military units responsible for collecting mail for return shipment to the United States and all port facilities in the United States and overseas where military-related mail is collected for shipment to overseas locations or to the United States. The purpose of each survey shall be to determine if voting materials are awaiting shipment at any such location and, if so, the length of time that such materials have been held at that location. During the fourth and third months before a general Federal election month, such surveys shall be conducted biweekly. During the second and first months before a general Federal election month, such surveys shall be conducted weekly.

(2) The Secretary shall ensure that voting materials are transmitted expeditiously by military postal authorities at all times. The Secretary shall, to the maximum extent practicable, implement measures to ensure that a postmark or other official proof of mailing date is provided on each absentee ballot collected at any overseas location or vessel at sea whenever the Department of Defense is responsible for collecting mail for return shipment to the United States. The Secretary shall ensure that the measures implemented under the preceding sentence do not result in the delivery of absentee ballots to the final destination of such ballots after the date on which the election for Federal office is held.

- (3) In this section, the term "general Federal election month" means November in an even-numbered year.
- (h) Notice of Deadlines and Requirements. - The Secretary of each military department, utilizing the voting assistance officer network established for each military installation, shall, to the maximum extent practicable, provide notice to members of the armed forces stationed at that installation of the last date before a general Federal election for which absentee ballots mailed from a postal facility located at that installation can reasonably be expected to be timely delivered to the appropriate State and local election officials.
- (i) Registration and Voting Information for Members and Dependents. –
 - (1) The Secretary of each military department, using a variety of means including both print and electronic media, shall, to the maximum extent practicable, ensure that members of the armed forces and their dependents who are qualified to vote have ready access to information regarding voter registration requirements and deadlines (including voter registration), absentee ballot application requirements and deadlines, and the availability of voting assistance officers to assist members and dependents to understand and comply with these requirements.
 - (2) The Secretary of each military department shall make the national voter registration form prepared for purposes of the Uniformed and Overseas Citizens Absentee Voting Act by the Federal Election Commission available so that each person who enlists shall receive such form at the time of the enlistment, or as soon thereafter as practicable.
 - (3) Where practicable, a special day or days shall be designated at each military installation for the purpose of informing members of the armed forces and their dependents of election timing, registration requirements, and voting procedures.

Sec. 1566a. VOTING ASSISTANCE: VOTER ASSISTANCE OFFICES

- (a) Designation of Offices on Military Installations as Voter Assistance Offices. — Not later than 180 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2010 and under regulations prescribed by the Secretary of Defense under subsection (f), the Secretaries of the departments shall designate offices on installations under their jurisdiction to provide absent uniformed services voters, particularly those individuals described in subsection (b), and their family members with the following:
 - (1) Information on voter registration procedures and absentee ballot procedures (including the official post card form prescribed under section 101 of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff).
 - (2) Information and assistance, if requested, including access to the Internet where practicable, to register to vote in an election for Federal office.

- (3) Information and assistance, if requested, including access to the Internet where practicable, to update the individual's voter registration information, including instructions for absent uniformed services voters to change their address by submitting the official post card form prescribed under section 101 of the Uniformed and Overseas Citizens Absentee Voting Act to the appropriate State election official.
 - (4) Information and assistance, if requested, to request an absentee ballot under the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff et seq.).
- (b) COVERED INDIVIDUALS.—The individuals described in this subsection are absent uniformed services voters who—
- (1) are undergoing a permanent change of duty station;
 - (2) are deploying overseas for at least six months;
 - (3) are returning from an overseas deployment of at least six months; or
 - (4) otherwise request assistance related to voter registration.
- (c) TIMING OF PROVISION OF ASSISTANCE.—The regulations prescribed by the Secretary of Defense under subsection (f) shall ensure, to the maximum extent practicable and consistent with military necessity, that the assistance provided under subsection (a) is provided to a covered individual described in subsection (b)—
- (1) if described in subsection (b)(1), as part of the administrative in-processing of the covered individual upon arrival at the new duty station of the covered individual;
 - (2) if described in subsection (b)(2), as part of the administrative out-processing of the covered individual in preparation for deployment from the home duty station of the covered individual;
 - (3) if described in subsection (b)(3), as part of the administrative in-processing of the covered individual upon return to the home duty station of the covered individual;
or
 - (4) if described in subsection (b)(4), at the time the covered individual requests such assistance.
- (d) OUTREACH.—The Secretary of each military department, or the Presidential designee, shall take appropriate actions to inform absent uniformed services voters of the assistance available under subsection (a), including—
- (1) the availability of information and voter registration assistance at offices designated under subsection (a); and

- (2) the time, location, and manner in which an absent uniformed services voter may utilize such assistance.
- (e) **AUTHORITY TO DESIGNATE VOTING ASSISTANCE OFFICES AS VOTER REGISTRATION AGENCY ON MILITARY INSTALLATIONS.**—The Secretary of Defense may authorize the Secretaries of the military departments to designate offices on military installations as voter registration agencies under section 7(a)(2) of the National Voter Registration Act of 1993 (42 U.S.C. 1973gg–5(a)(2)) for all purposes of such Act. Any office so designated shall discharge the requirements of this section, under the regulations prescribed by the Secretary of Defense under subsection (f).
 - (f) **REGULATIONS.**—The Secretary of Defense shall prescribe regulations relating to the administration of the requirements of this section. The regulations shall be prescribed before the regularly scheduled general election for Federal office held in November 2010, and shall be implemented for such general election for Federal office and for each succeeding election for Federal office.
 - (g) **DEFINITIONS.**—In this section:
 - (1) The term ‘absent uniformed services voter’ has the meaning given that term in section 107(1) of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff–6(1)).
 - (2) The term ‘Federal office’ has the meaning given that term in section 107(3) of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff–6(3)).

The term ‘Presidential designee’ means the official designated by the President under section 101(a) of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff(a)).