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MOVE ACT SUMMARY (SEC. 582-587)¹

SEC. 582. PROHIBITING REFUSAL TO ACCEPT VOTER REGISTRATION AND ABSENTEE BALLOT APPLICATIONS, MARKED ABSENTEE BALLOTS, AND FEDERAL WRITE-IN ABSENTEE BALLOTS FOR FAILURE TO MEET CERTAIN REQUIREMENTS.

- This section begins by amending *42 U.S.C. 1973ff-1*. It adds a new section titled “Prohibiting Refusal to Accept Applications for Failure to Meet Certain Requirements.” 101)
 - This added section prohibits states from refusing to accept and process any valid voter registration application or absentee ballot application submitted by a service member. *Id.*
 - The section further details that (1) Notarization requirements; (2) Restrictions on paper type, including weight and size; and (3) Restrictions on envelope type, including weight and size are not acceptable reasons for refusing military absentee applications. *Id.*
- This section continues by adding the same prohibitions detailed above on States when it pertains to accepting and processing absentee ballots. This section prohibits States from refusing to process and accept valid write in absentee ballots of service members.
 - States may not reject valid Federal write in ballots because of (1) Notarization requirements;(2) Restrictions on paper type, including weight and size; and (3) Restrictions on envelope type, including weight and size *Id.*

SEC. 583. FEDERAL VOTING ASSISTANCE PROGRAM IMPROVEMENTS.

- This section amends *42 USCA § 1973ff-2B* by adding an additional section titled “Federal Voting Assistance Program Improvements”
 - This Section requires the Presidential designee to 1) develop a website for armed service members to inform them on voter registration and absentee ballot procedures 2) Establish a program to notify absent uniformed services voters of voter registration information and resources, the availability of the Federal postcard application, and the availability of the Federal write-in absentee ballot on the military Global Network, and shall use the military Global Network to notify absent uniformed services voters of the foregoing 90, 60, and 30 days prior to each election for Federal office.
- The section continues by clarifying that this section doesn’t relieve the Presidential designee from the Department of Defense’s regulations and mandates

¹ *National Defense Authorization Act For Fiscal Year 2010*, PL 111-84, October 28, 2009, 123 Stat 2190.

that the designee have appropriate appropriations to fulfill his new duties detailed above.

- These changes are codified in *42 USCA § 1973ff*
- This section continues by amending Chapter 80 of 10 USCA and adds a new section. (§ 1566(a)).
 - § 1566a is titled “Voting assistance: voter assistance offices”
 - This new section gives 180 days to the Secretaries of the military departments to designate the offices on installations (under their jurisdiction) to provide absent uniformed services voters 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.)*.
 - The “Covered Individuals” for these changes are “(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.
- Finally the section permits the Secretary of Defense to 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.

SEC. 584. DEVELOPMENT OF STANDARDS FOR REPORTING AND STORING CERTAIN DATA.

- This section amends *42 USCA § 1973ff* by adding a new paragraph: The language requires the military officials to work with the Election Assistance Commission and the Chief State election official of each State.
- The new paragraph mandates that the designee develop new standards for States to report data on the number of absentee ballots transmitted and received under section 102(c) and such other data as the Presidential designee determines appropriate; and that the Presidential designee store the data reported.” *Id.*

- The Section continues by amending *42 USCA § 1973ff-1* by adding a new paragraph at the end: The Paragraph requires the Presidential designee to report the data on the number of absentee ballots transmitted and received under section 102(c) and such other data as the Presidential designee determines appropriate in accordance with the standards developed by the Presidential designee. *Id.*

SEC. 585. REPEAL OF PROVISIONS RELATING TO USE OF SINGLE APPLICATION FOR ALL SUBSEQUENT ELECTIONS.

- This Section begins by repealing sections (a) through (d) of section *104 of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff-3)*

SEC. 586. REPORTING REQUIREMENTS.

- This Section begins by amending *The Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff et seq.)*. This section adds a new section (105A), which is immediately after section 105.
- The new section requires the Presidential designee to report on the status of the implementation of the new procedures within 180 days of the enactment of the *Military and Overseas Voter Empowerment Act*,
 - The report must provide information regarding the status of the implementation of the procedures established for the collection and delivery of marked absentee ballots of absent overseas uniformed services voters, and a detailed description of the specific steps taken towards such implementation for the regularly scheduled general election for Federal office held in November 2010; (2) An assessment of whether the Program, is effectively assisting absent uniformed services voters in exercising their right to vote. (3) An explanation of any areas of voter assistance in which the Program has failed to accomplish its stated objectives and potential remedies to cure these defaults.
- The section continues by requiring an Annual Report due to the relevant Congressional committees each year on March 31 detailing the effectiveness of the programs.

SEC. 587. ANNUAL REPORT ON ENFORCEMENT.

- This section amends *Section 105 of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973f-4)* by adding a new paragraphs, which requires the Attorney General to submit a report to Congress by December 31 of on any civil action brought under subsection (a) during the preceding year.

Conclusion & Summary

The previously outlined sections make substantive changes to existing language in an attempt to make absentee voting easier for service members. The above sections establish a new presidential appointee to enact changes to work with states, the department of defense, provide more information to service members and reporting guidelines to Congress. The primary goal is to set uniform standards for all states as it relates to oversees service members ballots, while creating easily accessible information centers for service members.