

To: Drafting Committee on a Military Services and Overseas Civilian Absentee Voters Act
From: Steve Huefner, *Reporter*
Date: October 29, 2009
Re: Update on Congressional Activity: MOVE Becomes Law

Yesterday President Obama signed into law the National Defense Authorization Act for Fiscal Year 2010, which Congress passed earlier this month. This act includes the Military and Overseas Voter Empowerment Act (“MOVE”), introduced this past summer by U.S. Senators Schumer (D-NY), Chambliss (R-GA), and Nelson (D-NE). The enacted version is substantially the same as the version that we discussed in Minneapolis. Most importantly, MOV E has now amended the UOCAVA to require that states (1) offer UOCAVA voters electronic options to request and receive registration applications and ballot applications and to receive blank unvoted ballots, and (2) provide these voters with blank ballots 45 days before the election. The amended UOCAVA allows states to seek a hardship waiver of this 45 day requirement, election by election. MOVE also repeals the UOCAVA provision permitting a single application to serve as a standing request for absentee ballots through the next two federal election cycles.

Other things that MOVE accomplishes that are most relevant to our committee’s work include extending the Federal Write-In Absentee Ballot to primary and special elections for federal offices, prohibiting the rejection of ballots for reasons unrelated to voter qualification (specifically notarization requirements, paper type, envelope size), and requiring states to develop a tracking system by which voters can determine whether their ballot has been received. MOVE also provides military voters with free express mail delivery of ballots, strengthens the Federal Voting Assistance Program, and creates a pilot program to develop additional voting technologies, issues with which our act has had no concern.