

107TH CONGRESS
1ST SESSION

S. 467

To provide grants for States to adopt the Federal write-in absentee ballot and to amend the Uniformed and Overseas Citizens Absentee Voting Act to require uniform treatment by States of Federal write-in absentee ballots.

IN THE SENATE OF THE UNITED STATES

MARCH 6, 2001

Mr. ROBERTS introduced the following bill; which was read twice and referred to the Committee on Rules and Administration

A BILL

To provide grants for States to adopt the Federal write-in absentee ballot and to amend the Uniformed and Overseas Citizens Absentee Voting Act to require uniform treatment by States of Federal write-in absentee ballots.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. GRANT PROGRAM.**

4 (a) GRANT AUTHORIZED.—The Secretary of Defense,
5 through the Federal Voting Assistance Program, is au-
6 thorized to award grants to States to enable States to
7 adopt and use—

1 (1) the Federal write-in absentee ballot under
2 section 103 of the Uniformed and Overseas Citizens
3 Absentee Voting Act (42 U.S.C. 1973ff-2); and

4 (2) the absentee ballot mailing envelopes pre-
5 scribed under section 101 of such Act (42 U.S.C.
6 1973ff);

7 in lieu of any State absentee ballot or envelope with re-
8 spect to ballots of overseas voters for a primary or general
9 election for Federal office.

10 (b) APPLICATION.—

11 (1) IN GENERAL.—The Secretary of State, or
12 any other State official responsible for implementing
13 and monitoring elections, of each State desiring a
14 grant under this section shall submit an application
15 to the Secretary of Defense at such time, in such
16 manner, and accompanied by such information as
17 the Secretary of Defense by regulation may reason-
18 ably require.

19 (2) CONTENTS.—Each application submitted
20 under paragraph (1) shall—

21 (A) describe the activities for which assist-
22 ance under this section is sought; and

23 (B) provide such additional assurances as
24 the Secretary of Defense determines to be es-
25 sential to ensure compliance with the require-

1 ments of this section and section 103 of the
 2 Uniformed and Overseas Citizens Absentee Vot-
 3 ing Act (42 U.S.C. 1973ff-2).

4 (c) AMOUNT OF GRANT.—The Secretary of Defense
 5 shall determine the amount of any grant to be provided
 6 under this section in such a manner to ensure that all
 7 costs for the purposes for which the grant is awarded will
 8 be reimbursed.

9 (d) AUTHORIZATION OF APPROPRIATIONS.—There
 10 are authorized to be appropriated such sums as may be
 11 necessary to carry out the provisions of this section.

12 **SEC. 2. TREATMENT OF FEDERAL WRITE-IN ABSENTEE BAL-**
 13 **LOT.**

14 Section 103 of the Uniformed and Overseas Citizens
 15 Absentee Voting Act (42 U.S.C. 1973ff-2) is amended by
 16 adding at the end the following:

17 “(g) REQUIREMENTS FOR STATES RECEIVING CER-
 18 TAIN GRANTS.—If a State receives a grant amount with
 19 respect to use of Federal write-in absentee ballots under
 20 the program administered by the Federal Voting Assist-
 21 ance Program within the Department of Defense, the
 22 State shall, in addition to the other requirements of this
 23 section—

24 “(1) treat any otherwise valid Federal write-in
 25 absentee ballot, that meets the uniform requirements

1 promulgated by the Presidential designee under this
2 title for such ballot, as meeting applicable State law
3 regarding acceptance of absentee ballots; and

4 “(2) accept and count any otherwise valid Fed-
5 eral write-in absentee ballot received by the appro-
6 priate State election official on a date that is not
7 later than 10 days after the date of the election to
8 which the ballot refers.

9 “(h) REGULATIONS.—The Presidential designee shall
10 promulgate a regulation—

11 “(1) stating uniform requirements for treat-
12 ment and acceptance of Federal write-in absentee
13 ballots; and

14 “(2) to provide that the design of any absentee
15 ballot or envelope under this title—

16 “(A) has a marking to distinguish the bal-
17 lot and envelope as belonging to an overseas
18 voter; and

19 “(B) allows the voter to attest on the bal-
20 lot that the ballot is cast prior to the date of
21 the election to which the ballot refers.”.

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