

110TH CONGRESS
2D SESSION

H. CON. RES. 388

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 22 (legislative day, SEPTEMBER 17), 2008

Received

OCTOBER 2 (legislative day, SEPTEMBER 17), 2008

Referred to the Committee on Rules and Administration

CONCURRENT RESOLUTION

Expressing the sense of Congress that the Department of Defense and the Federal Voting Assistance Program should take certain additional and timely measures to ensure that members of the Armed Forces and their dependents and citizens living overseas are provided with reasonable information on how to register to vote and vote in the 2008 general elections.

Whereas members of the Armed Forces and their dependents deserve every reasonable opportunity to participate in the electoral process given their daily sacrifices to protect our liberty and freedom;

Whereas Congress enacted the Uniformed and Overseas Citizens Absentee Voting Act in part to ensure that members of the Armed Forces and their dependents and

citizens living overseas are provided with sufficient information, opportunities, and balloting materials to foster their participation in Federal elections;

Whereas the Election Assistance Commission found that less than 17 percent of the 6 million citizens eligible under the Uniformed and Overseas Citizens Absentee Voting Act chose to participate in the 2006 general election;

Whereas the Election Assistance Commission further found that of the 48,600 Uniformed and Overseas Citizens Absentee Voting Act ballots that were not counted by States and local jurisdictions in the November 2006 elections, 70 percent were not counted due to incorrect or undeliverable addresses;

Whereas the Election Assistance Commission further found that more than 10 percent of all uncounted military and overseas absentee ballots were rejected because they were received past the required deadline;

Whereas the Election Assistance Commission further found that more effort needs to be made by the States and the Department of Defense to ensure that members of the Armed Forces and their dependents and citizens living overseas are made fully aware of their voting rights;

Whereas the Under Secretary of Defense for Personnel and Readiness and the Federal Voting Assistance Program are required to create and utilize a Federal Post Card Application that allows members of the Armed Forces and their dependents and citizens living overseas to use a single application to register to vote and request an absentee ballot;

Whereas a survey conducted recently by the Inspector General for the Department of Defense analyzed the effec-

tiveness of the Federal Voting Assistance Program during the 2006 general election, and found that only 40 percent of members of the Armed Forces received voting information from the military and only 33 percent were aware of the Federal Post Card Application;

Whereas in April 2008 testimony before the Committee on House Administration revealed that the Department of Defense had not provided all members of the Armed Forces and their dependents with post card applications by the January 15, 2008, deadline as required by Department policy, and that the Department has yet to comply with this requirement; and

Whereas many of Department of Defense's outreach efforts, including its Armed Forces Voter Week, are scheduled to occur 60 days before the November 2008 election, which may not provide members of the Armed Forces and their dependents or citizens living overseas with sufficient time to complete and return the Federal Post Card Applications: Now, therefore, be it

1 *Resolved by the House of Representatives (the Senate*
 2 *concurring), That it is the sense of Congress that—*

3 (1) it is in the interests of the United States to
 4 ensure that the Secretary of Defense and the Fed-
 5 eral Voting Assistance Program provide members of
 6 the Armed Forces and their dependents and citizens
 7 living overseas who are eligible under the Uniformed
 8 and Overseas Citizens Absentee Voting Act with suf-
 9 ficient information regarding opportunities to reg-
 10 ister to vote and to request an absentee ballot for

1 elections occurring in 2008, including the November
2 2008 general election;

3 (2) the Secretary of Defense and the Federal
4 Voting Assistance Program must, on a monthly
5 basis starting September 22, 2008, and continuing
6 on the first of each month through the November
7 2008 general election, provide all eligible members of
8 the Armed Forces and their dependents with an
9 electronic reminder of the voter registration and ab-
10 sentee ballot process available under the Uniformed
11 and Overseas Citizens Absentee Voting Act, and, as
12 required by Department policy, provide all members
13 of the Armed Forces and their dependents with an
14 electronic or paper copy of the Federal Post Card
15 Application, along with sufficient instruction on
16 completing and returning the application to the ap-
17 propriate election official;

18 (3) State and local election officials should work
19 with the Federal Voting Assistance Program to de-
20 velop methods, consistent with privacy and security,
21 for obtaining updated addresses and contact infor-
22 mation, if possible, for any member of the Armed
23 Forces or dependent and any citizen living overseas
24 who has been identified by the State or local election
25 official as having an undeliverable ballot address;

1 (4) the Under Secretary of Defense for Per-
2 sonnel and Readiness should report to the Com-
3 mittee on House Administration of the House of
4 Representatives, the Committee on Rules and Ad-
5 ministration of the Senate, and the Committees on
6 Armed Services of the House of Representatives and
7 Senate not later than October 15, 2008, on the ef-
8 forts made by the Department of Defense to—

9 (A) educate members of the Armed Forces
10 and citizens living overseas on the process of
11 voter registration and absentee voting in the
12 2008 general election,

13 (B) provide all eligible members of the
14 Armed Forces and their dependents and citi-
15 zens living overseas with the Federal Post Card
16 Application to register to vote and cast absentee
17 ballots in such election, and

18 (C) cooperate effectively with State and
19 local election officials in their efforts to register
20 these individuals and distribute and collect their
21 absentee ballots;

22 (5) States must redouble their efforts to make
23 sure that local jurisdictions collect the mandated in-
24 formation for individuals who are eligible under the
25 Uniformed and Overseas Citizens Absentee Voting

1 Act, and should work in partnership with the Fed-
2 eral Government to develop best practices (including
3 the use of electronic means) for encouraging voting
4 participation among members of the Armed Forces
5 and their dependents and citizens living overseas;
6 and

7 (6) the Department of Defense, the Federal
8 Voting Assistance Program, the Election Assistance
9 Commission, and State governments should examine
10 recommendations made by the Election Assistance
11 Commission in its September 2007 survey findings
12 regarding the Uniformed and Overseas Citizens Ab-
13 sentee Voting Act.

Passed the House of Representatives September 17,
2008.

Attest: LORRAINE C. MILLER,
Clerk.