

111<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 3473

To direct the Presidential designee under the Uniformed and Overseas Citizens Absentee Voting Act to carry out pilot programs to permit States to test the feasibility of using alternative methods, including the use of advanced electronic technologies and the Internet, to enable absent uniformed services voters to register to vote and vote in elections for Federal office, and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

JULY 31, 2009

Mr. DAVIS of Alabama introduced the following bill; which was referred to the Committee on House Administration

---

## A BILL

To direct the Presidential designee under the Uniformed and Overseas Citizens Absentee Voting Act to carry out pilot programs to permit States to test the feasibility of using alternative methods, including the use of advanced electronic technologies and the Internet, to enable absent uniformed services voters to register to vote and vote in elections for Federal office, and for other purposes.

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

1 **SECTION 1. OPERATION OF PROGRAMS.**

2 (a) PROGRAMS ESTABLISHED.—The Presidential  
3 designee under the Uniformed and Overseas Citizens Ab-  
4 sentee Voting Act (hereafter referred to as the “Presi-  
5 dential designee”) shall carry out a series of pilot pro-  
6 grams to test the feasibility of using alternative methods,  
7 including the use of advanced electronic technologies and  
8 the Internet, to enable absent uniformed services voters  
9 to register to vote and vote in elections for Federal office.

10 (b) AGREEMENTS WITH PARTICIPATING STATES.—  
11 To carry out a pilot program under this Act, the Presi-  
12 dential designee and the chief State election official of a  
13 participating State shall enter into an agreement which  
14 sets forth the following:

15 (1) The specific alternative methods for ena-  
16 bling absent uniformed services voters to register to  
17 vote and vote in elections for Federal office in the  
18 State which will be tested under the program.

19 (2) The steps to be taken by the Presidential  
20 designee, the chief State election official, and other  
21 election officials in the State to enable these alter-  
22 native methods to be tested under the program.

23 (3) The role to be played by the State advisory  
24 panel described in section 2(b) in assisting the chief  
25 State election official in carrying out the agreement.

26 (4) The duration of the program.

1           (5) Such other terms and conditions as may be  
2           agreed to by the Presidential designee and the chief  
3           State election official (consistent with the require-  
4           ments of this Act).

5           (c) ISSUES TO BE CONSIDERED IN PROGRAMS.—In  
6           carrying out a pilot program under this Act, the Presi-  
7           dential designee may consider the following issues:

8           (1) The transmission of electronic voting mate-  
9           rial across military networks.

10          (2) Virtual private networks, cryptographic vot-  
11          ing systems, centrally controlled voting stations, and  
12          other information security techniques.

13          (3) The transmission of ballot representations  
14          and scanned pictures in a secure manner.

15          (4) Capturing, retaining, and comparing elec-  
16          tronic and physical ballot representations.

17          (5) Utilization of voting stations at military  
18          bases.

19          (6) Document delivery and upload systems.

20          (7) The functional effectiveness of the applica-  
21          tion or adoption of the pilot program to operational  
22          environments, taking into account environmental  
23          and logistical obstacles and State procedures.

24          (d) PRIORITY IN SELECTION OF ELIGIBLE  
25          STATES.—In selecting among States eligible to participate

1 in a pilot program under this Act, the Presidential des-  
2 ignee shall give priority to States with the greatest number  
3 of individuals eligible to register to vote and vote in elec-  
4 tions for Federal office in the State who are absent uni-  
5 formed services voters.

6 (e) NO EFFECT ON OTHER FEDERAL ELECTION  
7 LAWS.—The operation of a pilot program under this Act  
8 may not conflict with or substitute for existing Federal  
9 laws, regulations, or procedures with respect to the partici-  
10 pation of absent uniformed services voters in elections for  
11 Federal office.

12 **SEC. 2. ELIGIBILITY OF STATES TO PARTICIPATE.**

13 (a) IN GENERAL.—A State is eligible to participate  
14 in a pilot program under this Act if the chief State election  
15 official of the State submits to the Presidential designee,  
16 at such time and in such form as the Presidential designee  
17 may require, an application containing—

18 (1) assurances that the State has established an  
19 advisory panel described in subsection (b); and

20 (2) such other information and assurances as  
21 the Presidential designee may require.

22 (b) STATE ADVISORY PANEL.—

23 (1) PANELS DESCRIBED.—An advisory panel  
24 described in this subsection is a panel established by  
25 the State to assist the chief State election official in

1 entering into and carrying out an agreement with  
2 the Presidential designee under section 1(b), con-  
3 sisting of representatives of the following:

4 (A) Local election officials in the State.

5 (B) Members of the uniformed services  
6 who are residents of the State, including mem-  
7 bers of the National Guard and Reserve Com-  
8 ponents thereof.

9 (C) The spouses and dependents of mem-  
10 bers of the uniformed services who are residents  
11 of the State, including members of the National  
12 Guard and Reserve Components thereof.

13 (D) The committees of the State legisla-  
14 ture with jurisdiction over the election adminis-  
15 tration laws of the State.

16 (E) Organizations promoting the integrity  
17 of the voting process in the State.

18 (2) METHOD OF ESTABLISHMENT.—The State  
19 shall establish the advisory panel under this sub-  
20 section in a manner which ensures that the panel  
21 will be bipartisan in nature and will reflect the var-  
22 ious geographic regions of the State.

23 **SEC. 3. REPORTS.**

24 The Presidential designee shall submit to Congress  
25 reports on the progress and outcomes of any pilot program

1 conducted under this Act, and shall include in the reports  
2 such recommendations as the Presidential designee con-  
3 siderers appropriate for further legislation and administra-  
4 tive action.

5 **SEC. 4. DEFINITIONS.**

6 In this Act—

7 (1) the term “absent uniformed services voter”  
8 has the meaning given such term in section 107(1)  
9 of the Uniformed and Overseas Citizens Absentee  
10 Voting Act (42 U.S.C. 1973ff–6(1));

11 (2) the “chief State election official” of a State  
12 is the individual designated by the State under sec-  
13 tion 10 of the National Voter Registration Act of  
14 1993 (42 U.S.C. 1973gg–8) to be responsible for co-  
15 ordination of the State’s responsibilities under such  
16 Act; and

17 (3) the term “State” includes the District of  
18 Columbia, the Commonwealth of Puerto Rico,  
19 Guam, American Samoa, and the United States Vir-  
20 gin Islands.

21 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

22 There are authorized to be appropriated to carry out  
23 this Act such sums as may be necessary, to remain avail-  
24 able until expended.

○