

S.1556

Title: A bill to require the Secretary of Veterans Affairs to permit facilities of the Department of Veterans Affairs to be designated as voter registration agencies, and for other purposes.

Sponsor: [Sen Feinstein, Dianne](#) [CA] (introduced 8/3/2009) [Cosponsors](#) (6)

Latest Major Action: 10/21/2009 Senate committee/subcommittee actions. Status: Committee on Veterans' Affairs. Hearings held.

SUMMARY AS OF:

8/3/2009--Introduced.

Veteran Voting Support Act of 2009 - Directs the Secretary of Veterans Affairs to provide mail voter registration application forms to each veteran who: (1) seeks to enroll in the Department of Veterans Affairs (VA) health care system at the time of such enrollment; and (2) is already enrolled in such system when there is a change in the veteran's enrollment status or when there is a change in the veteran's address.

Requires the Secretary to accept completed application forms for transmittal to appropriate state election officials. Instructs that forms accepted at VA medical centers, community living centers, community-based outpatient centers, and domiciliaries be transmitted within ten days of acceptance, unless a completed form is accepted within five days before the last day for registration to vote in an election in which case the application shall be transmitted to the appropriate state election official within five days of acceptance.

Prohibits any information relating to registering to vote or a declination to register to vote under this Act from being used for any purpose other than voter registration.

Requires each Director of a VA community living center, domiciliary, or medical center to provide assistance in voting by absentee ballot to resident veterans. Requires such assistance to include: (1) providing information relating to the opportunity to request an absentee ballot; (2) making available absentee ballot applications upon request, as well as assisting in completing such applications and ballots; and (3) working with local election administration officials to ensure the proper transmission of the applications and ballots.

Directs the Secretary to permit nonpartisan organizations to provide voter registration information and assistance at facilities of the VA health care system.

Prohibits the Secretary from banning any election administration official, whether state or local, party-affiliated or non-party affiliated, or elected or appointed, from providing voting information to veterans at any VA facility.

Directs the Secretary to provide reasonable access to facilities of the VA health care system to state and local election officials for the purpose of providing nonpartisan voter registration services to individuals.

S 1556 IS

111th CONGRESS
1st Session
S. 1556

To require the Secretary of Veterans Affairs to permit facilities of the Department of Veterans Affairs to be designated as voter registration agencies, and for other purposes.

IN THE SENATE OF THE UNITED STATES

August 3, 2009

Mrs. FEINSTEIN (for herself, Mr. KERRY, Mr. DODD, Mr. LEAHY, and Ms. MIKULSKI) introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

A BILL

To require the Secretary of Veterans Affairs to permit facilities of the Department of Veterans Affairs to be designated as voter registration agencies, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the `Veteran Voting Support Act of 2009'.

SEC. 2. FINDINGS.

Congress makes the following findings:

- (1) Veterans have performed a great service to, and risked the greatest sacrifice in the name of, our country, and should be supported by the people and the Government of the United States.
- (2) Veterans are especially qualified to understand issues of war, foreign policy, and government support for veterans, and they should have the opportunity to voice that understanding through voting.
- (3) The Department of Veterans Affairs should assist veterans to register to vote and to vote.

SEC. 3. VOTER REGISTRATION AND ASSISTANCE.

(a) In General- The Secretary of Veterans Affairs (in this section referred to as the 'Secretary') shall provide a mail voter registration application form to each veteran--

- (1) who seeks to enroll in the Department of Veterans Affairs health care system (including enrollment in a medical center, a community living center, a community-based outpatient center, or a domiciliary of the Department of Veterans Affairs health care system), at the time of such enrollment; and
- (2) who is enrolled in such health care system--

(A) at any time when there is a change in the enrollment status of the veteran; and

(B) at any time when there is a change in the address of the veteran.

(b) Providing Voter Registration Information and Assistance- The Secretary shall provide to each veteran described in subsection (a) the same degree of information and assistance with voter registration as is provided by the Veterans Administration with regard to the completion of its own forms, unless the applicant refuses such assistance.

(c) Transmittal of Voter Registration Application Forms-

(1) IN GENERAL- The Secretary shall accept completed voter registration application forms for transmittal to the appropriate State election official.

(2) TRANSMITTAL DEADLINE-

(A) IN GENERAL- Subject to subparagraph (B), a completed voter registration application form accepted at a medical center, community living center, community-based outpatient center, or domiciliary of the Department of Veterans Affairs shall be transmitted to the appropriate State election official not later than 10 days after the date of acceptance.

(B) EXCEPTION- If a completed voter registration application form is accepted within 5 days before the last day for registration to vote in an election, the application shall be transmitted to the appropriate State election official not later than 5 days after the date of acceptance.

(d) Requirements of Voter Registration Information and Assistance- The Secretary shall ensure that the information and assistance with voter registration that is provided under subsection (b) will not--

- (1) seek to influence an applicant's political preference or party registration;
- (2) display any such political preference or party allegiance;
- (3) make any statement to an applicant or take any action the purpose or effect of which is to discourage the applicant from registering to vote; or
- (4) make any statement to an applicant or take any action the purpose or effect of which is to lead the applicant to believe that a decision to register or not register has any bearing on the availability of services or benefits.

(e) Limitation on Use of Information- No information relating to registering to vote, or a declination to register to vote, under this section may be used for any purpose other than voter registration.

(f) Enforcement-

(1) NOTICE-

(A) NOTICE TO THE FACILITY DIRECTOR OR THE SECRETARY- A person who is aggrieved by a violation of this section or section 4 may provide written notice of the violation to the Director of the facility of the Department of Veterans Affairs health care system involved or to the Secretary. The Director or the Secretary shall respond to a written notice provided under the preceding sentence within 20 days of receipt of such written notice.

(B) NOTICE TO THE ATTORNEY GENERAL AND THE ELECTION ASSISTANCE COMMISSION- If the violation is not corrected within 90 days after receipt of a notice under subparagraph (A), the aggrieved person may provide written notice of the violation to the Attorney General and the Election Assistance Commission.

(2) ATTORNEY GENERAL- The Attorney General may bring a civil action in an appropriate district court for such declaratory or injunctive relief as is necessary to carry out this section or section 4.

SEC. 4. ASSISTANCE WITH ABSENTEE BALLOTS.

(a) In General- Consistent with State and local laws, each director of a community living center, a domiciliary, or a medical center of the Department of Veterans Affairs health care system shall provide assistance in voting by absentee ballot to veterans residing in the community living center or domiciliary or who are inpatients of the medical center, as the case may be.

(b) Assistance Provided- The assistance provided under subsection (a) shall include--

(1) providing information relating to the opportunity to request an absentee ballot;

(2) making available absentee ballot applications upon request, as well as assisting in completing such applications and ballots; and

(3) working with local election administration officials to ensure proper transmission of absentee ballot applications and absentee ballots.

SEC. 5. INFORMATION PROVIDED BY NONPARTISAN ORGANIZATIONS.

The Secretary of Veterans Affairs shall permit nonpartisan organizations to provide voter registration information and assistance at facilities of the Department of Veterans Affairs health care system, subject to reasonable time, place, and manner restrictions, including limiting activities to regular business hours and requiring advance notice.

SEC. 6. ASSISTANCE PROVIDED BY ELECTION OFFICIALS AT DEPARTMENT OF VETERANS AFFAIRS FACILITIES.

(a) Distribution of Information-

(1) IN GENERAL- Subject to reasonable time, place, and manner restrictions, the Secretary of Veterans Affairs shall not prohibit any election administration official, whether State or local, party-affiliated or non-party affiliated, or elected or appointed, from providing voting information to veterans at any facility of the Department of Veterans Affairs.

(2) VOTING INFORMATION- In this subsection, the term `voting information' means nonpartisan information intended for the public about voting, including information about voter registration, voting systems, absentee balloting, polling locations, and other important resources for voters.

(b) Voter Registration Services- The Secretary of Veterans Affairs shall provide reasonable access to facilities of the Department of Veterans Affairs health care system to State and local election officials for the purpose of providing nonpartisan voter registration services to individuals, subject to reasonable time, place, and manner restrictions, including limiting activities to regular business hours and requiring advance notice.

SEC. 7. ANNUAL REPORT ON COMPLIANCE.

The Secretary of Veterans Affairs (in this section referred to as the `Secretary') shall submit to Congress an annual report on how the Secretary has complied with the requirements of this Act. Such report shall include the following information with respect to the preceding year:

(1) The number of veterans who were served by facilities of the Department of Veterans Affairs health care system.

(2) The number of such veterans who requested information on or assistance with voter registration.

(3) The number of such veterans who received information on or assistance with voter registration.

(4) Information with respect to written notices submitted under section 3(f), including information with respect to the resolution of the violations alleged in such written notices.

SEC. 8. RULES OF CONSTRUCTION.

(a) No Individual Benefit- Nothing in this Act may be construed to convey a benefit to an individual veteran.

(b) No Effect on Other Laws- Nothing in this Act may be construed to authorize or require conduct prohibited under any of the following laws, or to supersede, restrict, or limit the application of such laws:

(1) The Voting Rights Act of 1965 (42 U.S.C. 1973 et seq.).

(2) The Voting Accessibility for the Elderly and Handicapped Act (42 U.S.C. 1973ee et seq.).

- (3) The Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff et seq.).
- (4) The National Voter Registration Act of 1993 (42 U.S.C. 1973gg et seq.).
- (5) The Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).
- (6) The Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.).

END