

112TH CONGRESS  
1ST SESSION

# S. 1264

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.

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## IN THE SENATE OF THE UNITED STATES

JUNE 23, 2011

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

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## 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.

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. SHORT TITLE.**

4       This Act may be cited as the “Veteran Voting Sup-  
5       port Act of 2011”.

6       **SEC. 2. FINDINGS.**

7       Congress makes the following findings:

1           (1) Veterans have performed a great service to,  
2           and risked the greatest sacrifice in the name of, our  
3           country, and should be supported by the people and  
4           the Government of the United States.

5           (2) Veterans are especially qualified to under-  
6           stand issues of war, foreign policy, and government  
7           support for veterans, and they should have the op-  
8           portunity to voice that understanding through vot-  
9           ing.

10          (3) The Department of Veterans Affairs should  
11          assist veterans to register to vote and to vote.

12 **SEC. 3. VOTER REGISTRATION AND ASSISTANCE.**

13          (a) IN GENERAL.—The Secretary of Veterans Affairs  
14 shall provide a mail voter registration application form to  
15 each veteran—

16           (1) who seeks to enroll in the Department of  
17 Veterans Affairs health care system (including en-  
18 rollment in a medical center, a community living  
19 center, a community-based outpatient center, or a  
20 domiciliary of the Department of Veterans Affairs  
21 health care system), at the time of such enrollment;  
22 and

23           (2) who is enrolled in such health care sys-  
24 tem—

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

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

5 (b) PROVIDING VOTER REGISTRATION INFORMATION  
6 AND ASSISTANCE.—The Secretary shall provide to each  
7 veteran described in subsection (a) the same degree of in-  
8 formation and assistance with voter registration as is pro-  
9 vided by the Department with regard to the completion  
10 of its own forms, unless the applicant refuses such assist-  
11 ance.

12 (c) TRANSMITTAL OF VOTER REGISTRATION APPLI-  
13 CATION FORMS.—

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

17 (2) TRANSMITTAL DEADLINE.—

18 (A) IN GENERAL.—Subject to subpara-  
19 graph (B), a completed voter registration appli-  
20 cation form accepted at a medical center, com-  
21 munity living center, community-based out-  
22 patient center, or domiciliary of the Depart-  
23 ment shall be transmitted to the appropriate  
24 State election official not later than 10 days  
25 after the date of acceptance.

1           (B) EXCEPTION.—If a completed voter  
2 registration application form is accepted within  
3 5 days before the last day for registration to  
4 vote in an election, the application shall be  
5 transmitted to the appropriate State election of-  
6 ficial not later than 5 days after the date of ac-  
7 ceptance.

8           (d) REQUIREMENTS OF VOTER REGISTRATION IN-  
9 FORMATION AND ASSISTANCE.—The Secretary shall en-  
10 sure that the information and assistance with voter reg-  
11 istration that is provided under subsection (b) will not—

12           (1) seek to influence an applicant’s political  
13 preference or party registration;

14           (2) display any such political preference or  
15 party allegiance;

16           (3) make any statement to an applicant or take  
17 any action the purpose or effect of which is to dis-  
18 courage the applicant from registering to vote; or

19           (4) make any statement to an applicant or take  
20 any action the purpose or effect of which is to lead  
21 the applicant to believe that a decision to register or  
22 not register has any bearing on the availability of  
23 services or benefits.

24           (e) LIMITATION ON USE OF INFORMATION.—No in-  
25 formation relating to registering to vote, or a declination

1 to register to vote, under this section may be used for any  
2 purpose other than voter registration.

3 (f) ENFORCEMENT.—

4 (1) NOTICE.—

5 (A) NOTICE TO THE FACILITY DIRECTOR  
6 OR THE SECRETARY.—A person who is ag-  
7 grieved by a violation of this section or section  
8 4 may provide written notice of the violation to  
9 the Director of the facility of the Department  
10 health care system involved or to the Secretary.  
11 The Director or the Secretary shall respond to  
12 a written notice provided under the preceding  
13 sentence within 20 days of receipt of such writ-  
14 ten notice.

15 (B) NOTICE TO THE ATTORNEY GENERAL  
16 AND THE ELECTION ASSISTANCE COMMIS-  
17 SION.—If the violation is not corrected within  
18 90 days after receipt of a notice under subpara-  
19 graph (A), the aggrieved person may provide  
20 written notice of the violation to the Attorney  
21 General and the Election Assistance Commis-  
22 sion.

23 (2) ATTORNEY GENERAL.—The Attorney Gen-  
24 eral may bring a civil action in an appropriate dis-

1           trict court for such declaratory or injunctive relief as  
2           is necessary to carry out this section or section 4.

3   **SEC. 4. ASSISTANCE WITH ABSENTEE BALLOTS.**

4           (a) IN GENERAL.—Consistent with State and local  
5 laws, each director of a community living center, a domi-  
6 ciliary, or a medical center of the Department of Veterans  
7 Affairs health care system shall provide assistance in vot-  
8 ing by absentee ballot to veterans residing in the commu-  
9 nity living center or domiciliary or who are inpatients of  
10 the medical center, as the case may be.

11          (b) ASSISTANCE PROVIDED.—The assistance pro-  
12 vided under subsection (a) shall include—

13                 (1) providing information relating to the oppor-  
14 tunity to request an absentee ballot;

15                 (2) making available absentee ballot applica-  
16 tions upon request, as well as assisting in completing  
17 such applications and ballots; and

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

21   **SEC. 5. INFORMATION PROVIDED BY NONPARTISAN ORGA-**  
22                           **NIZATIONS.**

23           The Secretary of Veterans Affairs shall permit non-  
24 partisan organizations to provide voter registration infor-  
25 mation and assistance at facilities of the Department of

1 Veterans Affairs health care system, subject to reasonable  
2 time, place, and manner restrictions, including limiting ac-  
3 tivities to regular business hours and requiring advance  
4 notice.

5 **SEC. 6. ASSISTANCE PROVIDED BY ELECTION OFFICIALS**

6 **AT DEPARTMENT OF VETERANS AFFAIRS FA-**  
7 **CILITIES.**

8 (a) DISTRIBUTION OF INFORMATION.—

9 (1) IN GENERAL.—Subject to reasonable time,  
10 place, and manner restrictions, the Secretary of Vet-  
11 erans Affairs shall not prohibit any election adminis-  
12 tration official, whether State or local, party-affili-  
13 ated or non-party affiliated, or elected or appointed,  
14 from providing voting information to veterans at any  
15 facility of the Department of Veterans Affairs.

16 (2) VOTING INFORMATION.—In this subsection,  
17 the term “voting information” means nonpartisan  
18 information intended for the public about voting, in-  
19 cluding information about voter registration, voting  
20 systems, absentee balloting, polling locations, and  
21 other important resources for voters.

22 (b) VOTER REGISTRATION SERVICES.—The Sec-  
23 retary shall provide reasonable access to facilities of the  
24 Department health care system to State and local election  
25 officials for the purpose of providing nonpartisan voter

1 registration services to individuals, subject to reasonable  
2 time, place, and manner restrictions, including limiting ac-  
3 tivities to regular business hours and requiring advance  
4 notice.

5 **SEC. 7. ANNUAL REPORT ON COMPLIANCE.**

6 The Secretary of Veterans Affairs shall submit to  
7 Congress an annual report on how the Secretary has com-  
8 plied with the requirements of this Act. Such report shall  
9 include the following information with respect to the pre-  
10 ceding year:

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

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

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

18 (4) Information with respect to written notices  
19 submitted under section 3(f), including information  
20 with respect to the resolution of the violations al-  
21 leged in such written notices.

22 **SEC. 8. RULES OF CONSTRUCTION.**

23 (a) **NO INDIVIDUAL BENEFIT.**—Nothing in this Act  
24 may be construed to convey a benefit to an individual vet-  
25 eran.



1 (b) NO EFFECT ON OTHER LAWS.—Nothing in this  
2 Act may be construed to authorize or require conduct pro-  
3 hibited under any of the following laws, or to supersede,  
4 restrict, or limit the application of such laws:

5 (1) The Voting Rights Act of 1965 (42 U.S.C.  
6 1973 et seq.).

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

9 (3) The Uniformed and Overseas Citizens Ab-  
10 sentee Voting Act (42 U.S.C. 1973ff et seq.).

11 (4) The National Voter Registration Act of  
12 1993 (42 U.S.C. 1973gg et seq.).

13 (5) The Americans with Disabilities Act of  
14 1990 (42 U.S.C. 12101 et seq.).

15 (6) The Rehabilitation Act of 1973 (29 U.S.C.  
16 701 et seq.).

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