by this Act [see Tables for classification] shall apply with respect to elections taking place after December 31, 1987.''

SENSE OF CONGRESS REGARDING THE IMPORTANCE OF VOTING

Pub. L. 107–107, div. A, title XVI, §1601, Dec. 28, 2001, 115 Stat. 1274, provided that:

''(a) SENSE OF CONGRESS.—It is the sense of Congress that each person who is an administrator of a Federal, State, or local election—

''(1) should be aware of the importance of the ability of each uniformed services voter to exercise the right to vote; and

''(2) should perform that person's duties as an election administrator with the intent to ensure that—

''(A) each uniformed services voter receives the utmost consideration and cooperation when voting;

''(B) each valid ballot cast by such a voter is duly counted; and

''(C) all eligible American voters, regardless of race, ethnicity, disability, the language they speak, or the resources of the community in which they live, should have an equal opportunity to cast a vote and to have that vote counted.

''(b) UNIFORMED SERVICES VOTER DEFINED.—In this section, the term 'uniformed services voter' means—

''(1) a member of a uniformed service (as defined in section 101(a)(5) of title 10, United States Code) in active service;

''(2) a member of the merchant marine (as defined in section 107 of the Uniformed and Overseas Citizens Absentee Voting Act (42 U.S.C. 1973ff–6) [now 52 U.S.C. 20310]); and

''(3) a spouse or dependent of a member referred to in paragraph (1) or (2) who is qualified to vote.''

ELECTRONIC VOTING DEMONSTRATION PROJECT

Pub. L. 107–107, div. A, title XVI, §1604, Dec. 28, 2001, 115 Stat. 1277, as amended by Pub. L. 108–375, div. A, title V, §567, Oct. 28, 2004, 118 Stat. 1919, which established a demonstration project under which absent uniformed services voters were permitted to vote in the November 2002 general election for Federal office through an electronic voting system, was repealed by Pub. L. 113–291, div. A, title V, §593, Dec. 19, 2014, 128 Stat. 3395.

GOVERNORS' REPORTS ON IMPLEMENTATION OF RECOMMENDATIONS FOR CHANGES IN STATE LAW MADE UNDER FEDERAL VOTING ASSISTANCE PROGRAM

Pub. L. 107–107, div. A, title XVI, §1605, Dec. 28, 2001, 115 Stat. 1277, required the chief executive authority of a State to provide an implementation status report to the Secretary of Defense, acting as the Presidential designee, within 90 days of receiving a uniformed services voting assistance legislative recommendation from the Secretary of Defense and was applicable to any uniformed services voting assistance legislative recommendation transmitted to a state during the three-year period beginning on Dec. 28, 2001.

Executive Documents

EX. ORD. NO. 12642. DESIGNATION OF SECRETARY OF DEFENSE AS PRESIDENTIAL DESIGNEE

Ex. Ord. No. 12642, June 8, 1988, 53 F.R. 21975, provided:

By virtue of the authority vested in me as President by the Constitution and laws of the United States of America, including section 101(a) of the Uniformed and Overseas Citizens Absentee Voting Act (Public Law 99–410) (''the Act'') [52 U.S.C. 20301(a)], it is hereby ordered as follows:

SECTION 1. The Secretary of Defense is hereby designated as the ''Presidential designee'' under Title I of the Act [52 U.S.C. 20301 et seq.].

SEC. 2. In order to effectuate the purposes of the Act, the Secretary of Defense is hereby authorized to delegate any or all of the functions, responsibilities, powers, authority, or discretion devolving upon him in consequence of this Order to any person or persons within the Department of Defense.

RONALD REAGAN.

§ 20301a. Duties of Secretary under Uniformed and Overseas Citizens Absentee Voting Act

(a) Ensuring ability of absent uniformed services voters serving at diplomatic and consular posts to receive and transmit balloting materials

In carrying out the Secretary's duties as the Presidential designee under the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. 20301 et seq.), the Secretary shall take such actions as may be necessary, feasible, and practical to ensure that a uniformed services voter under such Act who is absent from the United States by reason of active duty or service at a diplomatic and consular post of the United States is able to receive and transmit balloting materials in the same manner and with the same rights and protections as a uniformed services voter under such Act who is absent from the United States by reason of active duty or service at a military installation.

(b) Effective date

This section shall apply with respect to elections held on or after January 1, 2021.

(Pub. L. 116–283, div. A, title X, §1086, Jan. 1, 2021, 134 Stat. 3877.)

Editorial Notes

REFERENCES IN TEXT

The Uniformed and Overseas Citizens Absentee Voting Act, referred to in subsec. (a), is Pub. L. 99–410, Aug. 28, 1986, 100 Stat. 924, which is classified principally to this chapter. For complete classification of this Act to the Code, see Tables.

CODIFICATION

Section was enacted as part of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021, and not as part of title I of the Uniformed and Overseas Citizens Absentee Voting Act which comprises this chapter.

§ 20302. State responsibilities

(a) In general

Each State shall—

(1) permit absent uniformed services voters and overseas voters to use absentee registration procedures and to vote by absentee ballot in general, special, primary, and runoff elections for Federal office;

(2) accept and process, with respect to any election for Federal office, any otherwise valid voter registration application and absentee ballot application from an absent uniformed services voter or overseas voter, if the application is received by the appropriate State election official not less than 30 days before the election;

(3) permit absent uniformed services voters and overseas voters to use Federal write-in absentee ballots (in accordance with section 20303 of this title) in general elections for Federal office;

(4) use the official post card form (prescribed under section 20301 of this title) for simulta-