Public Law 296 CHAPTER 656

August 9, 1955
[H.R. 4048]

AN ACT

Making recommendations to the States for the enactment of legislation to permit and assist Federal personnel, including members of the Armed Forces, and their families, to exercise their voting franchise, and for other purposes.

The Federal Voting Assistance Act of 1955.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as "The Federal Voting Assistance Act of 1955".

TITLE I

RECOMMENDATIONS OF THE CONGRESS TO THE SEVERAL STATES

Absentee ballot.

SEC. 101. The Congress hereby expresses itself as favoring, and recommends that the several States take, immediate legislative or administrative action to enable every person in any of the following categories who is absent from the place of his voting residence to vote by absentee ballot in any primary, special, or general election held in his election district or precinct, if he is otherwise eligible to vote in that election:

(1) Members of the Armed Forces while in the active service, and their spouses and dependents.

(2) Members of the merchant marine of the United States, and their spouses and dependents.

(3) Civilian employees of the United States in all categories serving outside the territorial limits of the several States of the United States and the District of Columbia and their spouses and dependents when residing with or accompanying them, whether or not the employee is subject to the civil-service laws and the Classification Act of 1949, and whether or not paid from funds appropriated by the Congress.

63 Stat. 954.
5 USC 1071 note.

(4) Members of religious groups or welfare agencies assisting members of the Armed Forces, who are officially attached to and serving with the Armed Forces, and their spouses and dependents.

Procedures.

SEC. 102. To afford ample opportunity for persons covered by section 101 of this Act to vote for Federal, State, and local officials and to use the absentee balloting procedures to the greatest extent possible, it is recommended that each of the several States—

(1) accept as applications for absentee ballots under such States' absentee balloting laws, as applications for registration under such States' election laws, and as sources of information to implement State absentee balloting laws, the form of post card (when duly executed by a person covered by section 101 of this Act) provided pursuant to this Act;

(2) waive registration of persons covered by section 101 of this Act, who, by reason of their service, have been deprived of an opportunity to register;

(3) accept the post card application provided pursuant to this Act as a simultaneous application for registration and for ballot;

(4) if a special application is required for registration by mail, provide that the necessary forms will be sent with the absentee ballot and may be returned with it;

(5) make provision for persons eligible to register and qualified to vote, who have been honorably discharged from the Armed Forces, or have terminated their service or employment, too late to register at the time when, and at the place where, registration is required, to vote at the election next ensuing after such discharge or termination.

AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

(6) authorize and instruct the State or local election officials, upon receipt of the post card application provided pursuant to this Act, to mail immediately to the applicant a ballot, instructions for voting and returning the ballot, and a self-addressed envelope;

(7) provide that there be printed across the face of each envelope in which a ballot is sent two parallel horizontal red bars, each one-quarter inch wide, extending from one side of the envelope to the other side, with an intervening space of one-quarter inch, the top bar to be one and one-quarter inches from the top of the envelope, and with the words "Official Election Balloting Material—via Air Mail", or similar language, between the bars; that there be printed in the upper right corner of each such envelope, in a box, the words "Free of U. S. Postage, Including Air Mail"; that all printing on the face of each such envelope be in red; and that there be printed in red in the upper left corner of each State ballot envelope an appropriate inscription or blanks for return address of sender;

(8) provide that the gummed flap of the State envelope supplied for the return of the ballot be separated by a wax paper or other appropriate protective insert from the remaining balloting material and that there be included in State voting instructions a procedure to be followed by absentee voters, such as notation of the facts on the back of the envelope duly signed by the voter and witnessing officer, in instances of adhesion of the balloting material;

(9) reduce in size and weight of paper, as much as possible, envelopes, ballots, and instructions for voting procedure;

(10) for the purposes of this Act, authorized oaths required by State law to be administered and attested by any commissioned officer in the active service of the Armed Forces, or any member of the merchant marine of the United States designated for this purpose by the Secretary of Commerce, or any civilian official empowered by State or Federal law to administer oaths;

(11) include in State voting instructions express information concerning the type or types of writing instruments which may be used to mark the absentee ballot, preferably pen or indelible pencil; and

(12) provide that absentee ballots will be available for mailing to the applicant as soon as practicable before the last date on which such ballot will be counted.

Statistical data.

SEC. 103. It is recommended that each of the several States make available to the officer designated by the President under section 201 of this Act appropriate statistical data to assist him in compiling comprehensive information of operations under this Act.

TITLE II

FEDERAL RESPONSIBILITIES

Presidential designee.

SEC. 201. The President is hereby authorized to designate, with provision for redelegation, the head (hereinafter referred to as the Presidential designee) of any executive department or agency to coordinate and facilitate such actions as may be required to discharge Federal responsibilities under this Act. The Presidential designee is authorized to request from other executive departments and agencies such assistance as he deems necessary to effectuate the purposes of this Act, and shall submit a report to the President and to the Congress in odd-numbered years. Such report shall cover the administration of Federal responsibilities authorized under this title, the progress of the States in carrying out the recommendations contained in title I, sta-

Report.

tistical data relating to absentee voting, and such other information as the Presidential designee may consider appropriate.

Current information for States.

SEC. 202. The Presidential designee shall request, annually or more often when appropriate, each State to furnish him with current absentee voting information for such State. Such information shall include election dates, officers to be elected, constitutional amendments, and other proposals to be voted on, absentee registration and voting procedures, and other relevant data. As soon as possible after receipt of such information, he shall furnish it to the departments and agencies of the executive branch affected by this Act. Such departments and agencies are authorized to reprint and distribute such information to the extent necessary.

Cooperation of Gov't. officials.

SEC. 203. All Government officials shall, to the extent practicable and compatible with their primary responsibilities, cooperate with the Presidential designee in carrying out the purposes of this Act. All such officials shall, as far as practicable, take all reasonable measures to expedite, transmit, deliver, and return post cards, ballots, envelopes, and instructions for voting procedures mailed to or by persons to whom this Act is applicable. In addition, and as requested by the Presidential designee, it shall be the duty of—

(1) the Attorney General to cooperate and advise with the Council of State Governments in the formulation of drafts of State legislation designed to implement the recommendations for State action contained in this Act;

(2) the Administrator of General Services to cause to be printed and distributed post cards for use in accordance with the provisions of this Act. Such post cards shall, wherever practicable and compatible with other operations, be made available by the department or agency concerned to persons to whom this Act is applicable for use at any general election at which electors for President and Vice President or Senators and Representatives are to be voted for. For use in such elections post cards shall be made available outside the territorial limits of the United States not later than August 15 prior to the election and within the territorial limits of the United States not later than September 15 prior to the election. To the extent practicable and compatible with other operations, post cards shall also be made available at appropriate times to such persons for use in other general, primary, and special elections; and

(3) the Postmaster General and the heads of the departments and agencies concerned, where practicable and compatible with their operations, to facilitate the transmission of balloting material to and from persons to whom this Act is applicable. Ballots executed outside the United States by persons to whom this Act is applicable shall be returned by priority airmail wherever practicable, and such mail may be segregated from other forms of mail and placed in special bags marked with special tags printed and distributed by the Postmaster General for this purpose.

Federal post card application.

SEC. 204. The form of the Federal post card application shall be as follows:

(a) The cards shall be approximately nine and one-half by four and one-eighth inches in size.

(b) Upon one side, perpendicular to the long dimension of the card, there shall be printed in black type the following:

FILL OUT BOTH SIDES OF CARD

POST CARD APPLICATION FOR ABSENTEE BALLOT

State or Commonwealth of _____
(Fill in name of State or Commonwealth)

(1) I hereby request an absentee ballot to vote in the coming election:
(GENERAL) (PRIMARY)* (SPECIAL) ELECTION
(Strike out inapplicable words)

(2) * If a ballot is requested for a primary election, print your political party affiliation or preference in this box: ☐
(If primary election is secret in your State, do not answer)

(3) I am a citizen of the United States, eligible to vote in above State, and am:

a. A member of the Armed Forces of the United States ☐

b. A member of the merchant marine of the United States ☐

c. A member of a religious or welfare organization assisting servicemen ☐

d. A civilian employed by the United States Government outside the United States (continental) ☐

e. A spouse or dependent of a person listed in (a), (b), or (c) above ☐

f. A spouse or dependent residing with a person described in (d) above ☐

(4) I was born on _____
(Day) (Month) (Year)

(5) For ____ years preceding the above election my home (not military) residence in the above State has been _____
(Street and number or rural route, etc.)
The voting precinct or election district for this residence is _____
_____
(Enter if known)

(6) Remarks: _____
_____

(7) Mail my ballot to the following official address:
_____
(Unit (Co., Sq., Trp., Bn., Etc.), Governmental Agency, or Office)
_____
(Military Base, Station, Camp, Fort, Ship, Airfield, etc.)
_____
(Street No., APO, or FPO No.)
_____
(City, Postal Zone, and State)

(8) I am NOT requesting a ballot from any other State and am not voting in any other manner in this election, except by absentee process, and have not voted and do not intend to vote in this election at any other address.

(9) _____
(Signature of person requesting ballot)

(10) _____
(Full name, typed or printed, with rank or grade, and service number)

(11) Subscribed and sworn to before me on _____
(Day, month, and year)

_____ _____
(Signature of official administering oath) (Typed or printed name of official administering oath)

_____
(Title or rank, service number, and organization of administering official)

INSTRUCTIONS

A. Before filling out this form see your voting officer in regard to the voting laws of your State and absentee registration and voting procedure.
B. Type or print all entries except signatures. FILL OUT BOTH SIDES OF CARD.
C. Address card to proper State official. Your voting officer or commanding officer will furnish you his title and address.
D. Mail card as soon as your State will accept your application.
E. NO postage is required for the card.

(c) Upon the other side of the card there shall be printed in red type the following:

FILL OUT BOTH SIDES OF THE CARD

(Name)

(Unit, Gov. Agency, or Office)

(Mil. Base, Station, Ship or Office)

(Street No., APO, or FPO No.)

(City, Postal Zone, State)

FREE OF U. S. Postage
Including Air Mail

OFFICIAL ELECTION BALLOTING MATERIAL—VIA AIR MAIL

To: (Title of Election Official)

(County or Township)

(City or Town, State)

Election for Members of Congress.

SEC. 205. The previously authorized Federal post card form shall be utilized prior to and in connection with the election for Members of Congress next ensuing after the date of enactment of this Act, and the Presidential designee shall initiate action to make such forms available to departments and agencies having a need therefor. Thereafter only the post card form authorized in this Act shall be utilized.

TITLE III

DEFINITIONS AND MISCELLANEOUS PROVISIONS

SEC. 301. As used in this Act—

37 USC 231.

(1) The term "Armed Forces" means the uniformed services as defined in section 102 of the Career Compensation Act of 1949 (63 Stat. 804), as amended.

(2) The term "members of the merchant marine of the United States" means persons (other than members of the Armed Forces) employed as officers or members of crews of vessels documented under the laws of the United States, or of vessels owned by the United States, or of vessels of foreign-flag registry under charter to or control of the United States, and persons (other than members of the Armed Forces) enrolled with the United States for employment, or for training for employment, or maintained by the United States for emergency relief service, as officers or members of crews of any such vessels; but does not include persons so employed, or enrolled for such employment or for training for such employment, or maintained for such emergency relief service, on the Great Lakes or the Inland waterways.

(3) The term "dependent" means any person who is in fact a dependent.

SEC. 302. Official post cards, ballots, voting instructions, and envelopes referred to in this Act, whether transmitted individually or in bulk, shall be free of postage, including air-mail postage, in the United States mails.

SEC. 303. Every individual concerned with the administration of this Act shall take all necessary steps to prevent fraud, to protect voters against coercion of any sort, and to safeguard the integrity and secrecy of ballots cast.

Acts in good faith, etc.

SEC. 304. No act done in good faith under this Act by a person serving in or with the Federal or military service of the United States in the exercise of his judgment as to what was practicable and compatible with military, merchant marine, or other Federal governmental operations, shall constitute a violation of any provision of law relating to the elective franchise.

SEC. 305. It shall be unlawful for any commissioned, noncommissioned, warrant, or petty officer in the Armed Forces (1) to attempt to influence any member of the Armed Forces to vote or not to vote for any particular candidate, or (2) to require any member of the Armed Forces to march to any polling place or place of voting, but nothing in this Act shall be deemed to prohibit free discussion regarding political issues or candidates for public office.

Separability.

SEC. 306. If any provision of this Act or the application of such provision to any person or circumstance shall be held invalid, the validity of the remainder of the Act and the applicability of such provision to other persons or circumstances shall not be affected thereby.

Repeal.

SEC. 307. The Act entitled "An Act to provide for a method of voting, in time of war, by members of the land and naval forces absent from the place of their residence", approved September 16, 1942 (56 Stat. 753), as amended, is repealed.

50 USC 301-355.

Appropriation.

SEC. 308. There are hereby authorized to be appropriated such funds as may be necessary to carry out the purposes of this Act.

Approved August 9, 1955.

Public Law 297 — CHAPTER 657

JOINT RESOLUTION

August 9, 1955
[H. J. Res. 278]

To provide that a gold medal be coined and presented to Doctor Jonas E. Salk in honor of his achievements in the field of medicine.

Dr. Jonas E. Salk.
Gold medal.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That in recognition of the great achievement of Doctor Jonas E. Salk in the field of medicine by his discovery of a serum for the prevention of poliomyelitis, the Secretary of the Treasury is authorized and directed to cause to be struck and presented to Doctor Jonas E. Salk a gold medal with suitable emblems, devices, and inscriptions to be determined by the Secretary. For such purpose there is authorized to be appropriated the sum of $2,500.

Appropriation.

Sale of duplicates.

SEC. 2. The Secretary of the Treasury shall cause duplicates in bronze of such medal to be coined and sold, under such regulations as he may prescribe, at a price sufficient to cover the cost thereof (including labor), and the appropriations used for carrying out the provisions of this section shall be reimbursed out of the proceeds of such sale.

Approved August 9, 1955.

Public Law 298 — CHAPTER 658

AN ACT

August 9, 1955
[H.R. 5469]

To extend the authority of the Corregidor Bataan Memorial Commission, and for other purposes.

Corregidor Bataan Memorial Commission.

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