

The Uniformed and Overseas Citizens Absentee Voting Act

(as amended by Pub. L. No. 111-84, §§ 577 to 582, 583(a), 584 to 587, 123 Stat. 2190 (2009))

If you are a Uniformed or Overseas Citizen and meet any of the definitions below you are entitled to use UOCAVA to register to vote and obtain an absentee application in the Virgin Islands.

DEFINITIONS.

(1) “absent uniformed services voter” means -

(A) a member of a uniformed service on active duty who, by reason of such active duty, is absent from the place of residence where the member is otherwise qualified to vote;

(B) a member of the merchant marine who, by reason of service in the merchant marine, is absent from the place of residence where the member is otherwise qualified to vote;
and

(C) a spouse or dependent of a member referred to in subparagraph (A) or (B) who, by reason of the active duty or service of the member, is absent from the place of residence where the spouse or dependent is otherwise qualified to vote;

(2) “balloting materials” means official post card forms (prescribed under section 101 of the ACT), Federalwrite-in absentee ballots (prescribed under section 103 of the ACT), and any State balloting materials that, as determined by the Presidential designee, are essential to the carrying out of the title;

(3) “Federal office” means the office of President or Vice President, or of Senator or Representative in, or Delegate or Resident Commissioner to, the Congress;

(4) “member of the merchant marine” means an individual (other than a member of a uniformed service or an individual employed, enrolled, or maintained on the Great Lakes or the inland waterways) -

(A) employed as an officer or crew member of a vessel documented under the laws of the United States, or a vessel owned by the United States, or a vessel of foreign-flag registry under charter to or control of the United States; or

(B) enrolled with the United States for employment or training for employment, or maintained by the United States for emergency relief service, as an officer or crew member of any such vessel;

(5) “overseas voter” means -

(A) an absent uniformed services voter who, by reason of active duty or service is absent from the United States on the date of the election involved;

(B) a person who resides outside the United States and is qualified to vote in the last place in which the person was domiciled before leaving the United States; or

(C) a person who resides outside the United States and (but for such residence) would be qualified to vote in the last place in which the person was domiciled before leaving the United States.

(6) "State" means a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, and American Samoa;

(7) "uniformed services" means the Army, Navy, Air Force, Marine Corps, and Coast Guard, the commissioned corps of the Public Health Service, and the commissioned corps of the National Oceanic and Atmospheric Administration; and

(8) "United States", where used in the territorial sense, means the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, and American Samoa.

PROVISIONS OF UOCAVA

United States citizens covered by UOCAVA include:

- members of the United States Uniformed Services and merchant marine;
- their family members; and
- United States citizens residing outside the United States.

Among its key provisions, UOCAVA provides for an application called the [Federal Post Card Application](#) that qualified servicemembers and overseas citizens can use to register to vote and request an absentee ballot simultaneously. The law also allows for the use of a "back-up" ballot for federal offices, called the [Federal Write-In Absentee Ballot](#). This ballot may be cast by voters covered by the Act who have made timely application for, but have not received, their regular ballot from their state or territory, subject to certain conditions.

In 2009, a subtitle of the National Defense Authorization Act for Fiscal Year 2010, titled the [Military and Overseas Voter Empowerment Act \("MOVE Act"\)](#), amended UOCAVA to establish new voter registration and absentee ballot procedures which states must follow in all federal elections. An unofficial compilation of the amended UOCAVA is available [here](#).

Most of these new procedures must be implemented by the November 2010 general elections. As amended by the MOVE Act, UOCAVA now requires territorial officials to:

- provide UOCAVA voters with an option to request and receive voter registration and absentee ballot applications by electronic transmissions and establish electronic transmission options for delivery of blank absentee ballots to UOCAVA voters;

- transmit validly-requested absentee ballots to UOCAVA voters no later than 45 days before an election for a federal office, when the request has been received by that date, except where an undue hardship waiver is approved by the Department of Defense for that election;
- take steps to ensure that electronic transmission procedures protect the security of the balloting process and the privacy of the identity and personal data of UOCAVA voters using the procedures;
- expand the acceptance of the [Federal Write-In Absentee Ballot](#) to all elections for federal office beginning December 31, 2010;
- accept otherwise valid voter registration applications, absentee ballot applications, voted ballots, or [Federal Write-In Absentee Ballots](#) without regard to state notarization requirements, or restrictions on paper type, or envelope type; and
- allow UOCAVA voters to track the receipt of their absentee ballots through a free access system.

To track the receipt of your absentee ballot you can utilize any of the following free access systems in the Virgin Islands.

TDD Toll Free: (877) 773-1021 St. Croix
(877) 774-3107 St. Thomas | St. John

Website: www.vivote.gov

E-mail: [E-mail Contact Form](#)