

**Congress of the United States**  
**Washington, DC 20515**

September 23, 2010

The Honorable Eric Holder  
Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001

Dear Attorney General Holder:

As you are well aware, Congress passed the Military and Overseas Voter Empowerment Act (MOVE Act) in October, 2009. The MOVE Act requires states to mail unmarked absentee ballots to military and overseas voters at least 45 days prior to an election. While the legislation does allow for states to apply for a waiver from the 45-day requirement, this waiver is to be approved only when it has been determined that a jurisdiction is “unable” to comply with this law because of one of three specific circumstances.

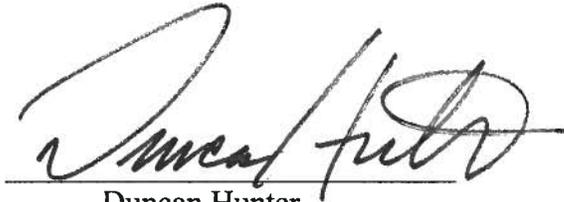
It is our understanding that requests have been made from Members of Congress to the Department of Justice (DoJ) for a state-by-state breakdown regarding compliance with the 45-day requirement for the 2010 general election. While information was provided about the ten states that requested a waiver from the Department of Defense, including the District of Columbia and the U.S. Virgin Islands, information about the 40 states that did not request a waiver has yet to be provided.

The 45-day requirement for states to mail these unmarked absentee ballots to military and overseas voters has come and gone and it is imperative that the DoJ provide detailed information on the ability of each state to comply with this 45-day requirement. In addition to ensuring each state follows the letter of the law, this process should be made open and completely transparent so that there is no concern that everything is being done to make certain that our men and women serving overseas and in harm’s way can exercise their constitutional right to vote.

Furthermore, the DoJ must act quickly to ensure that those jurisdictions which did not request or receive a waiver, mailed out their absentee ballots by the 45-day requirement which was Saturday, September 18, 2010 and that those jurisdictions that did receive a waiver will comply with the terms of their waiver. Our military men and women and their families have sacrificed too much for our country to have their government take a laissez-faire approach when it comes to protecting their civil rights. We need to make every effort to right this wrong and instill confidence in our Armed Forces that their voice does matter in the political process.

Congress started with the MOVE Act, it is now time for the states, other jurisdictions and the DoJ to do their part. We look forward to your prompt reply and working with you on this important matter as we continue to end the disenfranchisement of military voters.

Sincerely,



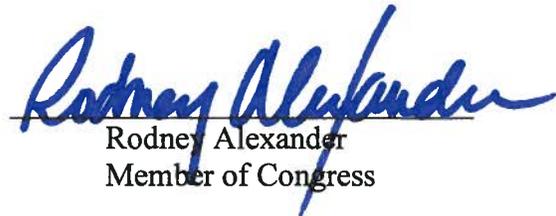
Duncan Hunter  
Member of Congress



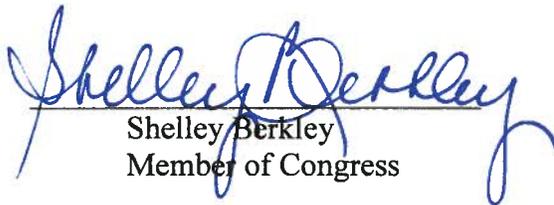
Robert Latta  
Member of Congress



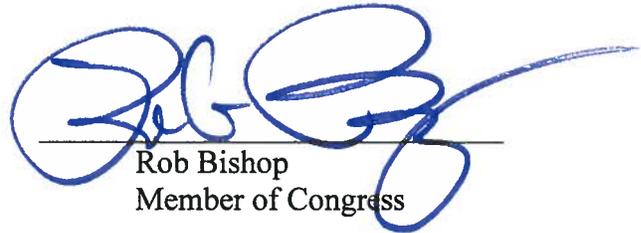
Todd Akin  
Member of Congress



Rodney Alexander  
Member of Congress



Shelley Berkley  
Member of Congress



Rob Bishop  
Member of Congress



Marsha Blackburn  
Member of Congress



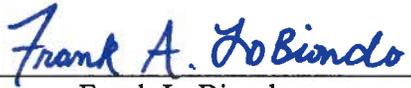
John Garamendi  
Member of Congress



Phil Gingrey  
Member of Congress



Doug Lamborn  
Member of Congress



Frank LoBiondo  
Member of Congress



Cathy McMorris Rodgers  
Member of Congress



Candice Miller  
Member of Congress



Jeff Miller  
Member of Congress



Harold Rogers  
Member of Congress



Mike Rogers (AL-3)  
Member of Congress



Mike Rogers (MI-08)  
Member of Congress



Rob Wittman  
Member of Congress



John Boozman  
Member of Congress



Mike Coffman  
Member of Congress

cc: The Honorable Robert Gates, Secretary of Defense