

109TH CONGRESS
1ST SESSION

S. 1867

To extend to individuals evacuated from their residences as a result of Hurricane Katrina the right to use the absentee balloting and registration procedures available to military and overseas voters under the Uniformed and Overseas Citizens Absentee Voting Act, and for other purposes.

IN THE SENATE OF THE UNITED STATES

OCTOBER 7 (legislative day, OCTOBER 6), 2005

Mr. FEINGOLD introduced the following bill; which was read twice and referred to the Committee on Rules and Administration

A BILL

To extend to individuals evacuated from their residences as a result of Hurricane Katrina the right to use the absentee balloting and registration procedures available to military and overseas voters under the Uniformed and Overseas Citizens Absentee Voting Act, 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 “Displaced Citizens
5 Voter Protection Act of 2005”.

1 **SEC. 2. APPLICABILITY OF PROTECTIONS FOR ABSENT**
2 **MILITARY AND OVERSEAS VOTERS TO**
3 **KATRINA EVACUEES.**

4 (a) **RIGHT OF KATRINA EVACUEES TO USE ABSEN-**
5 **TEE BALLOTING AND REGISTRATION PROCEDURES**
6 **AVAILABLE TO MILITARY AND OVERSEAS VOTERS.**—In
7 the case of any individual who is an eligible Hurricane
8 Katrina evacuee—

9 (1) the individual shall be treated in the same
10 manner as an absent uniformed services voter and
11 overseas voter for purposes of the Uniformed and
12 Overseas Citizens Absentee Voting Act (42 U.S.C.
13 1973ff et seq.), other than section 103(b)(1) (42
14 U.S.C. 1973ff–2(b)(1)); and

15 (2) the individual shall be deemed to be an indi-
16 vidual who is entitled to vote by absentee ballot for
17 purposes of the National Voter Registration Act of
18 1993 and the Help America Vote Act of 2002.

19 (b) **DEFINITION.**—For purposes of this section, the
20 term “eligible Hurricane Katrina evacuee” means an indi-
21 vidual—

22 (1) who certifies to the appropriate State elec-
23 tion official that the individual is absent from the
24 place of residence where the individual is otherwise
25 qualified to vote as a result of evacuation from an
26 area affected by Hurricane Katrina; and

1 (2) who provides the official with an affidavit
2 stating that the individual intends to return to such
3 place of residence after the election or elections in-
4 volved.

5 (c) EFFECTIVE DATE.—This section shall apply with
6 respect to elections for Federal office held in calendar
7 years 2006 through 2008.

8 **SEC. 3. REQUIRING DESIGNATED VOTER REGISTRATION**
9 **AGENCIES TO NOTIFY DISPLACED INDIVID-**
10 **UALS OF AVAILABILITY OF PROTECTIONS.**

11 Each motor vehicle authority in a State and each
12 voter registration agency designated in a State under sec-
13 tion 7(a) of the National Voter Registration Act of 1993
14 (42 U.S.C. 1973gg-5(a)) shall take such steps as may be
15 necessary to notify individuals to whom services are pro-
16 vided of the protections provided by section 2 and of the
17 requirements for obtaining those protections, including the
18 requirement to submit an affidavit stating that the indi-
19 vidual intends to return to the place of residence where
20 the individual is otherwise qualified to vote.

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