

109<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 3734

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.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 13, 2005

Mr. DAVIS of Alabama introduced the following bill; which was referred to the Committee on House Administration

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## 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           shall take such steps as may be necessary to notify individ-  
15           uals to whom services are provided of the protections pro-  
16           vided by section 2 and of the requirements for obtaining  
17           those protections, including the requirement to submit an  
18           affidavit stating that the individual intends to return to  
19           the place of residence where the individual is otherwise  
20           qualified to vote.

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