

110TH CONGRESS
1ST SESSION

H. R. 3169

To direct the Election Assistance Commission to make grants to States to respond to election administration needs which result from a major natural disaster, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 24, 2007

Mr. JEFFERSON introduced the following bill; which was referred to the Committee on House Administration

A BILL

To direct the Election Assistance Commission to make grants to States to respond to election administration needs which result from a major natural disaster, 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 “Disaster Voting Re-
5 form Act of 2007”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) On August 29, 2005, Hurricane Katrina
2 came ashore and destroyed 295 out of 442 polling
3 locations in Orleans Parish, Louisiana.

4 (2) In advance of the April 2006 municipal
5 elections, Louisiana election officials requested \$2.4
6 million from the Federal Emergency Management
7 Agency (FEMA) for replacement, repairs, re-inspec-
8 tion, and certification of voting machines damaged
9 by the hurricane.

10 (3) While FEMA provided \$733,000 for re-
11 pairs, those funds could not be used to locate Orle-
12 ans Parish voters spread across 48 states, and the
13 State of Louisiana incurred a cost of \$750,000 for
14 the purposes of voter outreach and education for
15 those displaced voters.

16 **SEC. 3. GRANTS TO STATES FOR RESPONDING TO ELEC-**
17 **TION ADMINISTRATION NEEDS RESULTING**
18 **FROM NATURAL DISASTERS.**

19 (a) **AUTHORITY TO MAKE GRANTS.**—The Election
20 Assistance Commission shall make a grant to each eligible
21 State, in such amount as the Commission considers appro-
22 priate, for purposes of restoring and replacing supplies,
23 materials, and equipment used in the administration of
24 elections in the State which were damaged as a result of
25 a major natural disaster, and for conducting voter out-

1 reach and education for voters displaced as a result of a
2 major natural disaster, as determined on the basis of such
3 criteria as the Commission may establish.

4 (b) ELIGIBILITY.—

5 (1) IN GENERAL.—A State is eligible to receive
6 a grant under this Act if it submits to the Commis-
7 sion (at such time and in such form as the Commis-
8 sion may require) a certification that supplies, mate-
9 rials, and equipment used in the administration of
10 elections in the State were damaged as a result of
11 a major natural disaster.

12 (2) PREFERENCE FOR STATES USING FUNDS
13 FOR SATELLITE VOTING SITES.—In determining the
14 eligibility of States for receiving grants under this
15 Act and the amount of the grant awarded to a
16 State, the Commission shall give preference to
17 States which will use the grant to operate voting
18 sites for displaced voters which are located outside
19 of the area which was affected by the major natural
20 disaster.

21 (c) AUTHORIZATION OF APPROPRIATIONS.—There
22 are authorized to be appropriated for fiscal year 2008 for
23 grants under this section \$50,000,000, to remain available
24 until expended.

1 **SEC. 4. APPLICABILITY OF PROTECTIONS FOR ABSENT**
2 **MILITARY AND OVERSEAS VOTERS TO DIS-**
3 **PLACED CITIZENS.**

4 (a) **RIGHT OF EVACUEES TO USE ABSENTEE BAL-**
5 **LOTING AND REGISTRATION PROCEDURES AVAILABLE TO**
6 **MILITARY AND OVERSEAS VOTERS.**—In the case of any
7 individual who is an eligible disaster evacuee, with respect
8 to any election occurring during the period described in
9 subsection (d)—

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

16 (2) the individual shall be deemed to be an indi-
17 vidual who is entitled to vote by absentee ballot for
18 purposes of the National Voter Registration Act of
19 1993 and the Help America Vote Act of 2002.

20 (b) **ELIGIBLE DISASTER EVACUEE DEFINED.**—

21 (1) **IN GENERAL.**—For purposes of this section,
22 the term “eligible disaster evacuee” means an indi-
23 vidual—

24 (A) whose place of residence where the in-
25 dividual is otherwise qualified to vote is located
26 within a jurisdiction described in paragraph (2);

1 (B) who provides the appropriate State
2 election official with a certification that the in-
3 dividual is absent from such place of residence
4 as a result of evacuation from an area affected
5 by a major natural disaster; and

6 (C) who provides the official with an affi-
7 davit stating that the individual intends to re-
8 turn to such place of residence after the elec-
9 tion or elections involved.

10 (2) JURISDICTION DESCRIBED.—A jurisdiction
11 described in this paragraph is a registrar’s jurisdic-
12 tion defined in section 8(j) of the National Voter
13 Registration Act of 1993 (42 U.S.C. 1973gg–6(j)) in
14 which not fewer than 20 percent of the voting age
15 population is absent as a result of evacuation from
16 an area affected by a major natural disaster (deter-
17 mined as of the date on which the individual pro-
18 vides the certification and affidavit referred to in
19 paragraph (1)).

20 (c) REQUIRING DESIGNATED VOTER REGISTRATION
21 AGENCIES TO NOTIFY DISPLACED INDIVIDUALS OF
22 AVAILABILITY OF PROTECTIONS.—Each motor vehicle au-
23 thority in a State and each voter registration agency des-
24 igned in a State under section 7(a) of the National Voter
25 Registration Act of 1993 shall take such steps as may be

1 necessary to notify individuals to whom services are pro-
2 vided of the protections provided by this section and of
3 the requirements for obtaining those protections, including
4 the requirement to submit an affidavit stating that the
5 individual intends to return to the place of residence where
6 the individual is otherwise qualified to vote.

7 (d) PERIOD OF APPLICABILITY.—The period de-
8 scribed in this subsection is, with respect to an individual
9 who is absent from a place of residence as a result of evac-
10 uation from an area affected by a major natural disaster,
11 the period—

12 (1) which begins on the date of the individual’s
13 evacuation; and

14 (2) which ends on the date of the second regu-
15 larly scheduled general election for Federal office
16 (or, if a runoff election is held with respect to that
17 second regularly scheduled general election for Fed-
18 eral office, the date of the runoff election) which oc-
19 curs after the date of the individual’s evacuation.

20 **SEC. 5. MAJOR NATURAL DISASTER DEFINED.**

21 In this Act, the term “major natural disaster” means
22 a major disaster declared by the President under section
23 102 of the Robert T. Stafford Disaster Relief and Emer-
24 gency Assistance Act (42 U.S.C. 5122).

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