

112TH CONGRESS
1ST SESSION

S. 331

To ensure that military voters have the right to bring a civil action under the Uniformed and Overseas Citizens Absentee Voting Act to safeguard their right to vote.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 14, 2011

Mr. BARRASSO (for himself and Mr. CORNYN) introduced the following bill; which was read twice and referred to the Committee on Rules and Administration

A BILL

To ensure that military voters have the right to bring a civil action under the Uniformed and Overseas Citizens Absentee Voting Act to safeguard their right to vote.

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 “Military and Overseas
5 Voters’ Relief Act”.

6 **SEC. 2. PRIVATE RIGHT OF ACTION.**

7 Section 105 of the Uniformed and Overseas Citizens
8 Absentee Voting Act (42 U.S.C. 1973ff–4) is amended by
9 striking subsection (b) and inserting the following:

1 “(b) PRIVATE RIGHT OF ACTION.—A person who is
2 aggrieved by a violation of this Act may bring a civil action
3 in an appropriate district court for such declaratory or in-
4 junctive relief as may be necessary to carry out this Act.

5 “(c) ATTORNEY’S FEES.—In a civil action under this
6 section, the court may allow the prevailing party (other
7 than the United States) reasonable attorney’s fees, includ-
8 ing litigation expenses, and costs.

9 “(d) REPORTS TO CONGRESS.—

10 “(1) ANNUAL REPORT.—Not later than Decem-
11 ber 31 of each year, the Attorney General shall sub-
12 mit to Congress an annual report on any civil action
13 brought by the Attorney General under subsection
14 (a) during the preceding year or any civil action
15 brought by a private party under subsection (b) in
16 which the Attorney General intervened.

17 “(2) REPORT ON ENFORCEMENT.—Not later
18 than July 1 of each year in which a general election
19 for Federal office is scheduled, the Attorney General
20 shall submit to Congress a report on the number of
21 attorneys and other staff within the Department of
22 Justice assigned to enforce the Uniformed and Over-
23 seas Citizen Absentee Voting Act, as well as the At-
24 torney General’s plan to detect noncompliance by

- 1 State and local election officials with the require-
- 2 ments of the law.”.

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