

117TH CONGRESS
1ST SESSION

H. R. 2358

To modernize voter registration, promote access to voting for individuals with disabilities, protect the ability of individuals to exercise the right to vote in elections for Federal office, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 5, 2021

Mr. CLYBURN (for himself, Ms. WILLIAMS of Georgia, Ms. ADAMS, Ms. BARRAGÁN, Mrs. BEATTY, Mr. BISHOP of Georgia, Mr. BLUMENAUER, Mr. BROWN, Ms. BUSH, Mr. COURTNEY, Mrs. DEMINGS, Mr. EVANS, Ms. GARCIA of Texas, Mr. GRIJALVA, Mr. HASTINGS, Mrs. HAYES, Ms. JAYAPAL, Mrs. LAWRENCE, Ms. LEE of California, Mrs. MCBATH, Mr. MCGOVERN, Ms. NORTON, Mr. POCAN, Mr. RUSH, Mr. SARBANES, Ms. SCHAKOWSKY, Mr. SOTO, Mr. TAKANO, Mr. TORRES of New York, Mrs. TRAHAN, and Mr. WELCH) introduced the following bill; which was referred to the Committee on House Administration, and in addition to the Committees on the Judiciary, Science, Space, and Technology, Oversight and Reform, Education and Labor, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To modernize voter registration, promote access to voting for individuals with disabilities, protect the ability of individuals to exercise the right to vote in elections for Federal office, 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,*

1 **SECTION 1. SHORT TITLE; STATEMENT OF POLICY.**

2 (a) SHORT TITLE.—This Act may be cited as the
3 “Voter Empowerment Act of 2021”.

4 (b) STATEMENT OF POLICY.—It is the policy of the
5 United States that—

6 (1) the ability of all eligible citizens of the
7 United States to access and exercise their constitu-
8 tional right to vote in a free, fair, and timely manner
9 must be vigilantly enhanced, protected, and main-
10 tained; and

11 (2) the integrity, security, and accountability of
12 the voting process must be vigilantly protected,
13 maintained, and enhanced in order to protect and
14 preserve electoral and participatory democracy in the
15 United States.

16 **SEC. 2. TABLE OF CONTENTS.**

17 The table of contents of this Act is as follows:

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- Sec. 1405. Permission to place exhibits.
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- Sec. 1601. Prohibiting hindering, interfering with, or preventing voter registration.
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- Sec. 2001. Requirements for States to promote access to voter registration and voting for individuals with disabilities.
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 Sec. 10005. Extending guarantee of residency for voting purposes to family members of absent military personnel.
 Sec. 10006. Requiring transmission of blank absentee ballots under UOCAVA to certain voters.
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- Sec. 14202. Requiring States to participate in post-general election surveys.
- Sec. 14203. Reports by National Institute of Standards and Technology on use of funds transferred from Election Assistance Commission.
- Sec. 14204. Recommendations to improve operations of Election Assistance Commission.
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- Sec. 14301. Application of Federal election administration laws to territories of the United States.
- Sec. 14302. Definition of election for Federal office.
- Sec. 14303. Authorizing payments to voting accessibility protection and advocacy systems serving the American Indian Consortium.
- Sec. 14304. Application of Federal voter protection laws to territories of the United States.
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- Sec. 14401. Public education campaigns in event of changes in elections in response to emergencies.
- Sec. 14402. Requirements for websites of election officials.
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TITLE XV—SEVERABILITY

- Sec. 15001. Severability.

1 **TITLE I—VOTER REGISTRATION**
2 **MODERNIZATION**
3 **Subtitle A—Promoting Internet**
4 **Registration**

5 **SEC. 1001. REQUIRING AVAILABILITY OF INTERNET FOR**
6 **VOTER REGISTRATION.**

7 (a) REQUIRING AVAILABILITY OF INTERNET FOR
8 REGISTRATION.—The National Voter Registration Act of
9 1993 (52 U.S.C. 20501 et seq.) is amended by inserting
10 after section 6 the following new section:

11 **“SEC. 6A. INTERNET REGISTRATION.**

12 “(a) REQUIRING AVAILABILITY OF INTERNET FOR
13 ONLINE REGISTRATION.—Each State, acting through the
14 chief State election official, shall ensure that the following
15 services are available to the public at any time on the offi-
16 cial public websites of the appropriate State and local elec-
17 tion officials in the State, in the same manner and subject
18 to the same terms and conditions as the services provided
19 by voter registration agencies under section 7(a):

20 “(1) Online application for voter registration.

21 “(2) Online assistance to applicants in applying
22 to register to vote.

23 “(3) Online completion and submission by ap-
24 plicants of the mail voter registration application
25 form prescribed by the Election Assistance Commis-

1 sion pursuant to section 9(a)(2), including assist-
 2 ance with providing a signature as required under
 3 subsection (c)).

4 “(4) Online receipt of completed voter registra-
 5 tion applications.

6 “(b) ACCEPTANCE OF COMPLETED APPLICATIONS.—
 7 A State shall accept an online voter registration applica-
 8 tion provided by an individual under this section, and en-
 9 sure that the individual is registered to vote in the State,
 10 if—

11 “(1) the individual meets the same voter reg-
 12 istration requirements applicable to individuals who
 13 register to vote by mail in accordance with section
 14 6(a)(1) using the mail voter registration application
 15 form prescribed by the Election Assistance Commis-
 16 sion pursuant to section 9(a)(2); and

17 “(2) the individual meets the requirements of
 18 subsection (c) to provide a signature in electronic
 19 form (but only in the case of applications submitted
 20 during or after the second year in which this section
 21 is in effect in the State).

22 “(c) SIGNATURE REQUIREMENTS.—

23 “(1) IN GENERAL.—For purposes of this sec-
 24 tion, an individual meets the requirements of this
 25 subsection as follows:

1 “(A) In the case of an individual who has
2 a signature on file with a State agency, includ-
3 ing the State motor vehicle authority, that is
4 required to provide voter registration services
5 under this Act or any other law, the individual
6 consents to the transfer of that electronic signa-
7 ture.

8 “(B) If subparagraph (A) does not apply,
9 the individual submits with the application an
10 electronic copy of the individual’s handwritten
11 signature through electronic means.

12 “(C) If subparagraph (A) and subpara-
13 graph (B) do not apply, the individual executes
14 a computerized mark in the signature field on
15 an online voter registration application, in ac-
16 cordance with reasonable security measures es-
17 tablished by the State, but only if the State ac-
18 cepts such mark from the individual.

19 “(2) TREATMENT OF INDIVIDUALS UNABLE TO
20 MEET REQUIREMENT.—If an individual is unable to
21 meet the requirements of paragraph (1), the State
22 shall—

23 “(A) permit the individual to complete all
24 other elements of the online voter registration
25 application;

1 “(B) permit the individual to provide a sig-
2 nature at the time the individual requests a bal-
3 lot in an election (whether the individual re-
4 quests the ballot at a polling place or requests
5 the ballot by mail); and

6 “(C) if the individual carries out the steps
7 described in subparagraph (A) and subpara-
8 graph (B), ensure that the individual is reg-
9 istered to vote in the State.

10 “(3) NOTICE.—The State shall ensure that in-
11 dividuals applying to register to vote online are noti-
12 fied of the requirements of paragraph (1) and of the
13 treatment of individuals unable to meet such re-
14 quirements, as described in paragraph (2).

15 “(d) CONFIRMATION AND DISPOSITION.—

16 “(1) CONFIRMATION OF RECEIPT.—Upon the
17 online submission of a completed voter registration
18 application by an individual under this section, the
19 appropriate State or local election official shall send
20 the individual a notice confirming the State’s receipt
21 of the application and providing instructions on how
22 the individual may check the status of the applica-
23 tion.

24 “(2) NOTICE OF DISPOSITION.—Not later than
25 7 days after the appropriate State or local election

1 official has approved or rejected an application sub-
2 mitted by an individual under this section, the offi-
3 cial shall send the individual a notice of the disposi-
4 tion of the application.

5 “(3) METHOD OF NOTIFICATION.—The appro-
6 priate State or local election official shall send the
7 notices required under this subsection by regular
8 mail and—

9 “(A) in the case of an individual who has
10 provided the official with an electronic mail ad-
11 dress, by electronic mail; and

12 “(B) at the option of the individual, by
13 text message.

14 “(e) PROVISION OF SERVICES IN NONPARTISAN
15 MANNER.—The services made available under subsection
16 (a) shall be provided in a manner that ensures that, con-
17 sistent with section 7(a)(5)—

18 “(1) the online application does not seek to in-
19 fluence an applicant’s political preference or party
20 registration; and

21 “(2) there is no display on the website pro-
22 moting any political preference or party allegiance,
23 except that nothing in this paragraph may be con-
24 strued to prohibit an applicant from registering to
25 vote as a member of a political party.

1 “(f) PROTECTION OF SECURITY OF INFORMATION.—

2 In meeting the requirements of this section, the State shall
3 establish appropriate technological security measures to
4 prevent to the greatest extent practicable any unauthor-
5 ized access to information provided by individuals using
6 the services made available under subsection (a).

7 “(g) ACCESSIBILITY OF SERVICES.—A state shall en-
8 sure that the services made available under this section
9 are made available to individuals with disabilities to the
10 same extent as services are made available to all other in-
11 dividuals.

12 “(h) USE OF ADDITIONAL TELEPHONE-BASED SYS-
13 TEM.—A State shall make the services made available on-
14 line under subsection (a) available through the use of an
15 automated telephone-based system, subject to the same
16 terms and conditions applicable under this section to the
17 services made available online, in addition to making the
18 services available online in accordance with the require-
19 ments of this section.

20 “(i) NONDISCRIMINATION AMONG REGISTERED VOT-
21 ERS USING MAIL AND ONLINE REGISTRATION.—In car-
22 rying out this Act, the Help America Vote Act of 2002,
23 or any other Federal, State, or local law governing the
24 treatment of registered voters in the State or the adminis-
25 tration of elections for public office in the State, a State

1 shall treat a registered voter who registered to vote online
2 in accordance with this section in the same manner as the
3 State treats a registered voter who registered to vote by
4 mail.”.

5 (b) SPECIAL REQUIREMENTS FOR INDIVIDUALS
6 USING ONLINE REGISTRATION.—

7 (1) TREATMENT AS INDIVIDUALS REGISTERING
8 TO VOTE BY MAIL FOR PURPOSES OF FIRST-TIME
9 VOTER IDENTIFICATION REQUIREMENTS.—Section
10 303(b)(1)(A) of the Help America Vote Act of 2002
11 (52 U.S.C. 21083(b)(1)(A)) is amended by striking
12 “by mail” and inserting “by mail or online under
13 section 6A of the National Voter Registration Act of
14 1993”.

15 (2) REQUIRING SIGNATURE FOR FIRST-TIME
16 VOTERS IN JURISDICTION.—Section 303(b) of such
17 Act (52 U.S.C. 21083(b)) is amended—

18 (A) by redesignating paragraph (5) as
19 paragraph (6); and

20 (B) by inserting after paragraph (4) the
21 following new paragraph:

22 “(5) SIGNATURE REQUIREMENTS FOR FIRST-
23 TIME VOTERS USING ONLINE REGISTRATION.—

24 “(A) IN GENERAL.—A State shall, in a
25 uniform and nondiscriminatory manner, require

1 an individual to meet the requirements of sub-
2 paragraph (B) if—

3 “(i) the individual registered to vote
4 in the State online under section 6A of the
5 National Voter Registration Act of 1993;
6 and

7 “(ii) the individual has not previously
8 voted in an election for Federal office in
9 the State.

10 “(B) REQUIREMENTS.—An individual
11 meets the requirements of this subparagraph
12 if—

13 “(i) in the case of an individual who
14 votes in person, the individual provides the
15 appropriate State or local election official
16 with a handwritten signature; or

17 “(ii) in the case of an individual who
18 votes by mail, the individual submits with
19 the ballot a handwritten signature.

20 “(C) INAPPLICABILITY.—Subparagraph
21 (A) does not apply in the case of an individual
22 who is—

23 “(i) entitled to vote by absentee ballot
24 under the Uniformed and Overseas Citi-

zens Absentee Voting Act (52 U.S.C.
20302 et seq.);

“(ii) provided the right to vote other-
wise than in person under section
3(b)(2)(B)(ii) of the Voting Accessibility
for the Elderly and Handicapped Act (52
U.S.C. 20102(b)(2)(B)(ii)); or

“(iii) entitled to vote otherwise than
in person under any other Federal law.”.

(3) CONFORMING AMENDMENT RELATING TO
EFFECTIVE DATE.—Section 303(d)(2)(A) of such
Act (52 U.S.C. 21083(d)(2)(A)) is amended by
striking “Each State” and inserting “Except as pro-
vided in subsection (b)(5), each State”.

(c) CONFORMING AMENDMENTS.—

(1) TIMING OF REGISTRATION.—Section 8(a)(1)
of the National Voter Registration Act of 1993 (52
U.S.C. 20507(a)(1)) is amended—

(A) by striking “and” at the end of sub-
paragraph (C);

(B) by redesignating subparagraph (D) as
subparagraph (E); and

(C) by inserting after subparagraph (C)
the following new subparagraph:

“(D) in the case of online registration through the official public website of an election official under section 6A, if the valid voter registration application is submitted online not later than the lesser of 28 days, or the period provided by State law, before the date of the election (as determined by treating the date on which the application is sent electronically as the date on which it is submitted); and”.

(2) INFORMING APPLICANTS OF ELIGIBILITY REQUIREMENTS AND PENALTIES.—Section 8(a)(5) of such Act (52 U.S.C. 20507(a)(5)) is amended by striking “and 7” and inserting “6A, and 7”.

SEC. 1002. USE OF INTERNET TO UPDATE REGISTRATION INFORMATION.

(a) IN GENERAL.—

(1) UPDATES TO INFORMATION CONTAINED ON COMPUTERIZED STATEWIDE VOTER REGISTRATION LIST.—Section 303(a) of the Help America Vote Act of 2002 (52 U.S.C. 21083(a)) is amended by adding at the end the following new paragraph:

“(6) USE OF INTERNET BY REGISTERED VOTERS TO UPDATE INFORMATION.—

“(A) IN GENERAL.—The appropriate State or local election official shall ensure that any

1 registered voter on the computerized list may at
2 any time update the voter's registration infor-
3 mation, including the voter's address and elec-
4 tronic mail address, online through the official
5 public website of the election official responsible
6 for the maintenance of the list, so long as the
7 voter attests to the contents of the update by
8 providing a signature in electronic form in the
9 same manner required under section 6A(c) of
10 the National Voter Registration Act of 1993.

11 “(B) PROCESSING OF UPDATED INFORMA-
12 TION BY ELECTION OFFICIALS.—If a registered
13 voter updates registration information under
14 subparagraph (A), the appropriate State or
15 local election official shall—

16 “(i) revise any information on the
17 computerized list to reflect the update
18 made by the voter; and

19 “(ii) if the updated registration infor-
20 mation affects the voter's eligibility to vote
21 in an election for Federal office, ensure
22 that the information is processed with re-
23 spect to the election if the voter updates
24 the information not later than the lesser of

1 7 days, or the period provided by State
2 law, before the date of the election.

3 “(C) CONFIRMATION AND DISPOSITION.—

4 “(i) CONFIRMATION OF RECEIPT.—

5 Upon the online submission of updated
6 registration information by an individual
7 under this paragraph, the appropriate
8 State or local election official shall send
9 the individual a notice confirming the
10 State’s receipt of the updated information
11 and providing instructions on how the indi-
12 vidual may check the status of the update.

13 “(ii) NOTICE OF DISPOSITION.—Not

14 later than 7 days after the appropriate
15 State or local election official has accepted
16 or rejected updated information submitted
17 by an individual under this paragraph, the
18 official shall send the individual a notice of
19 the disposition of the update.

20 “(iii) METHOD OF NOTIFICATION.—

21 The appropriate State or local election offi-
22 cial shall send the notices required under
23 this subparagraph by regular mail and—

24 “(I) in the case of an individual

25 who has requested that the State pro-

1 vide voter registration and voting in-
2 formation through electronic mail, by
3 electronic mail; and

4 “(II) at the option of the indi-
5 vidual, by text message.”.

6 (2) CONFORMING AMENDMENT RELATING TO
7 EFFECTIVE DATE.—Section 303(d)(1)(A) of such
8 Act (52 U.S.C. 21083(d)(1)(A)) is amended by
9 striking “subparagraph (B)” and inserting “sub-
10 paragraph (B) and subsection (a)(6)”.

11 (b) ABILITY OF REGISTRANT TO USE ONLINE UP-
12 DATE TO PROVIDE INFORMATION ON RESIDENCE.—Sec-
13 tion 8(d)(2)(A) of the National Voter Registration Act of
14 1993 (52 U.S.C. 20507(d)(2)(A)) is amended—

15 (1) in the first sentence, by inserting after “re-
16 turn the card” the following: “or update the reg-
17 istrant’s information on the computerized statewide
18 voter registration list using the online method pro-
19 vided under section 303(a)(6) of the Help America
20 Vote Act of 2002”; and

21 (2) in the second sentence, by striking “re-
22 turned,” and inserting the following: “returned or if
23 the registrant does not update the registrant’s infor-
24 mation on the computerized Statewide voter reg-
25 istration list using such online method,”.

1 **SEC. 1003. PROVISION OF ELECTION INFORMATION BY**
2 **ELECTRONIC MAIL TO INDIVIDUALS REG-**
3 **ISTERED TO VOTE.**

4 (a) INCLUDING OPTION ON VOTER REGISTRATION
5 APPLICATION TO PROVIDE EMAIL ADDRESS AND RE-
6 CEIVE INFORMATION.—

7 (1) IN GENERAL.—Section 9(b) of the National
8 Voter Registration Act of 1993 (52 U.S.C.
9 20508(b)) is amended—

10 (A) by striking “and” at the end of para-
11 graph (3);

12 (B) by striking the period at the end of
13 paragraph (4) and inserting “; and”; and

14 (C) by adding at the end the following new
15 paragraph:

16 “(5) shall include a space for the applicant to
17 provide (at the applicant’s option) an electronic mail
18 address, together with a statement that, if the appli-
19 cant so requests, instead of using regular mail the
20 appropriate State and local election officials shall
21 provide to the applicant, through electronic mail sent
22 to that address, the same voting information (as de-
23 fined in section 302(b)(2) of the Help America Vote
24 Act of 2002) which the officials would provide to the
25 applicant through regular mail.”.

1 (2) PROHIBITING USE FOR PURPOSES UNRE-
2 LATED TO OFFICIAL DUTIES OF ELECTION OFFI-
3 CIALS.—Section 9 of such Act (52 U.S.C. 20508) is
4 amended by adding at the end the following new
5 subsection:

6 “(c) PROHIBITING USE OF ELECTRONIC MAIL AD-
7 DRESSES FOR OTHER THAN OFFICIAL PURPOSES.—The
8 chief State election official shall ensure that any electronic
9 mail address provided by an applicant under subsection
10 (b)(5) is used only for purposes of carrying out official
11 duties of election officials and is not transmitted by any
12 State or local election official (or any agent of such an
13 official, including a contractor) to any person who does
14 not require the address to carry out such official duties
15 and who is not under the direct supervision and control
16 of a State or local election official.”.

17 (b) REQUIRING PROVISION OF INFORMATION BY
18 ELECTION OFFICIALS.—Section 302(b) of the Help Amer-
19 ica Vote Act of 2002 (52 U.S.C. 21082(b)) is amended
20 by adding at the end the following new paragraph:

21 “(3) PROVISION OF OTHER INFORMATION BY
22 ELECTRONIC MAIL.—If an individual who is a reg-
23 istered voter has provided the State or local election
24 official with an electronic mail address for the pur-
25 pose of receiving voting information (as described in

1 section 9(b)(5) of the National Voter Registration
2 Act of 1993), the appropriate State or local election
3 official, through electronic mail transmitted not later
4 than 7 days before the date of the election for Fed-
5 eral office involved, shall provide the individual with
6 information on how to obtain the following informa-
7 tion by electronic means:

8 “(A) The name and address of the polling
9 place at which the individual is assigned to vote
10 in the election.

11 “(B) The hours of operation for the polling
12 place.

13 “(C) A description of any identification or
14 other information the individual may be re-
15 quired to present at the polling place.”.

16 **SEC. 1004. CLARIFICATION OF REQUIREMENT REGARDING**
17 **NECESSARY INFORMATION TO SHOW ELIGI-**
18 **BILITY TO VOTE.**

19 Section 8 of the National Voter Registration Act of
20 1993 (52 U.S.C. 20507) is amended—

21 (1) by redesignating subsection (j) as sub-
22 section (k); and

23 (2) by inserting after subsection (i) the fol-
24 lowing new subsection:

1 “(j) REQUIREMENT FOR STATE TO REGISTER APPLI-
 2 CANTS PROVIDING NECESSARY INFORMATION TO SHOW
 3 ELIGIBILITY TO VOTE.—For purposes meeting the re-
 4 quirement of subsection (a)(1) that an eligible applicant
 5 is registered to vote in an election for Federal office within
 6 the deadlines required under such subsection, the State
 7 shall consider an applicant to have provided a ‘valid voter
 8 registration form’ if—

9 “(1) the applicant has substantially completed
 10 the application form and attested to the statement
 11 required by section 9(b)(2); and

12 “(2) in the case of an applicant who registers
 13 to vote online in accordance with section 6A, the ap-
 14 plicant provides a signature in accordance with sub-
 15 section (c) of such section.”.

16 **SEC. 1005. PROHIBITING STATE FROM REQUIRING APPLI-**
 17 **CANTS TO PROVIDE MORE THAN LAST 4 DIG-**
 18 **ITS OF SOCIAL SECURITY NUMBER.**

19 (a) FORM INCLUDED WITH APPLICATION FOR
 20 MOTOR VEHICLE DRIVER’S LICENSE.—Section
 21 5(c)(2)(B)(ii) of the National Voter Registration Act of
 22 1993 (52 U.S.C. 20504(c)(2)(B)(ii)) is amended by strik-
 23 ing the semicolon at the end and inserting the following:
 24 “, and to the extent that the application requires the appli-
 25 cant to provide a Social Security number, may not require

1 the applicant to provide more than the last 4 digits of such
2 number;”.

3 (b) NATIONAL MAIL VOTER REGISTRATION FORM.—
4 Section 9(b)(1) of such Act (52 U.S.C. 20508(b)(1)) is
5 amended by striking the semicolon at the end and insert-
6 ing the following: “, and to the extent that the form re-
7 quires the applicant to provide a Social Security number,
8 the form may not require the applicant to provide more
9 than the last 4 digits of such number;”.

10 **SEC. 1006. REPORT ON DATA COLLECTION.**

11 Not later than 1 year after the date of enactment
12 of this Act, the Attorney General shall submit to Congress
13 a report on local, State, and Federal personally identifi-
14 able information data collections efforts, the cyber security
15 resources necessary to defend such efforts from online at-
16 tacks, and the impact of a potential data breach of local,
17 State, or Federal online voter registration systems.

18 **SEC. 1007. PERMITTING VOTER REGISTRATION APPLICA-**
19 **TION FORM TO SERVE AS APPLICATION FOR**
20 **ABSENTEE BALLOT.**

21 Section 5(c)(2) of the National Voter Registration
22 Act of 1993 (52 U.S.C. 20504(c)(2)) is amended—

23 (1) by striking “and” at the end of subpara-
24 graph (D);

1 (2) by striking the period at the end of sub-
2 paragraph (E) and inserting “; and”; and

3 (3) by adding at the end the following new sub-
4 paragraph:

5 “(F) at the option of the applicant, shall serve
6 as an application to vote by absentee ballot in the
7 next election for Federal office held in the State and
8 in each subsequent election for Federal office held in
9 the State.”.

10 **SEC. 1008. EFFECTIVE DATE.**

11 (a) IN GENERAL.—Except as provided in subsection
12 (b), the amendments made by this subtitle (other than the
13 amendments made by section 1004) shall take effect Jan-
14 uary 1, 2022.

15 (b) WAIVER.—Subject to the approval of the Election
16 Assistance Commission, if a State certifies to the Election
17 Assistance Commission that the State will not meet the
18 deadline referred to in subsection (a) because of extraor-
19 dinary circumstances and includes in the certification the
20 reasons for the failure to meet the deadline, subsection
21 (a) shall apply to the State as if the reference in such
22 subsection to “January 1, 2022” were a reference to
23 “January 1, 2024”.

Subtitle B—Automatic Voter Registration

SEC. 1101. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds that—

(1) the right to vote is a fundamental right of citizens of the United States;

(2) it is the responsibility of the State and Federal Governments to ensure that every eligible citizen is registered to vote;

(3) existing voter registration systems can be inaccurate, costly, inaccessible and confusing, with damaging effects on voter participation in elections for Federal office and disproportionate impacts on young people, persons with disabilities, and racial and ethnic minorities; and

(4) voter registration systems must be updated with 21st Century technologies and procedures to maintain their security.

(b) PURPOSE.—It is the purpose of this subtitle—

(1) to establish that it is the responsibility of government at every level to ensure that all eligible citizens are registered to vote in elections for Federal office;

1 (2) to enable the State and Federal Govern-
2 ments to register all eligible citizens to vote with ac-
3 curate, cost-efficient, and up-to-date procedures;

4 (3) to modernize voter registration and list
5 maintenance procedures with electronic and internet
6 capabilities; and

7 (4) to protect and enhance the integrity, accu-
8 racy, efficiency, and accessibility of the electoral
9 process for all eligible citizens.

10 **SEC. 1102. AUTOMATIC REGISTRATION OF ELIGIBLE INDIVIDUALS.**
11

12 (a) **REQUIRING STATES TO ESTABLISH AND OPERATE AUTOMATIC REGISTRATION SYSTEM.—**

13 (1) **IN GENERAL.**—The chief State election official of each State shall establish and operate a system of automatic registration for the registration of eligible individuals to vote for elections for Federal office in the State, in accordance with the provisions of this part.

14 (2) **DEFINITION.**—The term “automatic registration” means a system that registers an individual to vote in elections for Federal office in a State, if eligible, by electronically transferring the information necessary for registration from government agencies to election officials of the State so

1 that, unless the individual affirmatively declines to
2 be registered, the individual will be registered to vote
3 in such elections.

4 (b) REGISTRATION OF VOTERS BASED ON NEW
5 AGENCY RECORDS.—The chief State election official
6 shall—

7 (1) not later than 15 days after a contributing
8 agency has transmitted information with respect to
9 an individual pursuant to section 1103, ensure that
10 the individual is registered to vote in elections for
11 Federal office in the State if the individual is eligible
12 to be registered to vote in such elections; and

13 (2) not later than 120 days after a contributing
14 agency has transmitted such information with re-
15 spect to the individual, send written notice to the in-
16 dividual, in addition to other means of notice estab-
17 lished by this subtitle, of the individual's voter reg-
18 istration status.

19 (c) ONE-TIME REGISTRATION OF VOTERS BASED ON
20 EXISTING CONTRIBUTING AGENCY RECORDS.—The chief
21 State election official shall—

22 (1) identify all individuals whose information is
23 transmitted by a contributing agency pursuant to
24 section 1104 and who are eligible to be, but are not
25 currently, registered to vote in that State;

1 (2) promptly send each such individual written
2 notice, in addition to other means of notice estab-
3 lished by this subtitle, which shall not identify the
4 contributing agency that transmitted the informa-
5 tion but shall include—

6 (A) an explanation that voter registration
7 is voluntary, but if the individual does not de-
8 cline registration, the individual will be reg-
9 istered to vote;

10 (B) a statement offering the opportunity to
11 decline voter registration through means con-
12 sistent with the requirements of this subtitle;

13 (C) in the case of a State in which affili-
14 ation or enrollment with a political party is re-
15 quired in order to participate in an election to
16 select the party's candidate in an election for
17 Federal office, a statement offering the indi-
18 vidual the opportunity to affiliate or enroll with
19 a political party or to decline to affiliate or en-
20 roll with a political party, through means con-
21 sistent with the requirements of this subtitle;

22 (D) the substantive qualifications of an
23 elector in the State as listed in the mail voter
24 registration application form for elections for
25 Federal office prescribed pursuant to section 9

1 of the National Voter Registration Act of 1993,
2 the consequences of false registration, and a
3 statement that the individual should decline to
4 register if the individual does not meet all those
5 qualifications;

6 (E) instructions for correcting any erro-
7 neous information;

8 (F) instructions for providing any addi-
9 tional information which is listed in the mail
10 voter registration application form for elections
11 for Federal office prescribed pursuant to section
12 9 of the National Voter Registration Act of
13 1993; and

14 (G) an explanation of what information the
15 State and local election officials maintain with
16 respect to an individual voter registration status
17 for purposes of elections for Federal office in
18 the State, how that information is shared or
19 sold and with whom, what information is auto-
20 matically kept confidential, what information is
21 needed to access voter information online, and
22 what privacy programs are available, such as
23 those described in section 1406;

24 (3) ensure that each such individual who is eli-
25 gible to register to vote in elections for Federal of-

1 fice in the State is promptly registered to vote not
2 later than 45 days after the official sends the indi-
3 vidual the written notice under paragraph (2), un-
4 less, during the 30-day period which begins on the
5 date the election official sends the individual such
6 written notice, the individual declines registration in
7 writing, through a communication made over the
8 internet, or by an officially logged telephone commu-
9 nication; and

10 (4) send written notice to each such individual,
11 in addition to other means of notice established by
12 this subtitle, of the individual's voter registration
13 status.

14 (d) TREATMENT OF INDIVIDUALS UNDER 18 YEARS
15 OF AGE.—A State may not refuse to treat an individual
16 as an eligible individual for purposes of this subtitle on
17 the grounds that the individual is less than 18 years of
18 age at the time a contributing agency receives information
19 with respect to the individual, so long as the individual
20 is at least 16 years of age at such time. Nothing in the
21 previous sentence may be construed to require a State to
22 permit an individual who is under 18 years of age at the
23 time of an election for Federal office to vote in the elec-
24 tion.

1 (e) CONTRIBUTING AGENCY DEFINED.—In this sub-
2 title, the term “contributing agency” means, with respect
3 to a State, an agency listed in section 1103(e).

4 **SEC. 1103. CONTRIBUTING AGENCY ASSISTANCE IN REG-**
5 **ISTRATION.**

6 (a) IN GENERAL.—In accordance with this subtitle,
7 each contributing agency in a State shall assist the State’s
8 chief election official in registering to vote all eligible indi-
9 viduals served by that agency.

10 (b) REQUIREMENTS FOR CONTRIBUTING AGEN-
11 CIES.—

12 (1) INSTRUCTIONS ON AUTOMATIC REGISTRA-
13 TION.—With each application for service or assist-
14 ance, and with each related recertification, renewal,
15 or change of address, or, in the case of an institu-
16 tion of higher education, with each registration of a
17 student for enrollment in a course of study, each
18 contributing agency that (in the normal course of its
19 operations) requests individuals to affirm United
20 States citizenship (either directly or as part of the
21 overall application for service or assistance) shall in-
22 form each such individual who is a citizen of the
23 United States of the following:

24 (A) Unless that individual declines to reg-
25 ister to vote, or is found ineligible to vote, the

1 individual will be registered to vote or, if appli-
2 cable, the individual's registration will be up-
3 dated.

4 (B) The substantive qualifications of an
5 elector in the State as listed in the mail voter
6 registration application form for elections for
7 Federal office prescribed pursuant to section 9
8 of the National Voter Registration Act of 1993,
9 the consequences of false registration, and the
10 individual should decline to register if the indi-
11 vidual does not meet all those qualifications.

12 (C) In the case of a State in which affili-
13 ation or enrollment with a political party is re-
14 quired in order to participate in an election to
15 select the party's candidate in an election for
16 Federal office, the requirement that the indi-
17 vidual must affiliate or enroll with a political
18 party in order to participate in such an election.

19 (D) Voter registration is voluntary, and
20 neither registering nor declining to register to
21 vote will in any way affect the availability of
22 services or benefits, nor be used for other pur-
23 poses.

24 (2) OPPORTUNITY TO DECLINE REGISTRATION
25 REQUIRED.—Except as otherwise provided in this

1 section, each contributing agency shall ensure that
2 each application for service or assistance, and each
3 related recertification, renewal, or change of address
4 cannot be completed until the individual is given the
5 opportunity to decline to be registered to vote.

6 (3) INFORMATION TRANSMITTAL.—Upon the
7 expiration of the 30-day period which begins on the
8 date a contributing agency as described in para-
9 graph (1) informs an individual of the information
10 described in such paragraph, unless the individual
11 has declined to be registered to vote or informs the
12 agency that they are already registered to vote, each
13 contributing agency shall electronically transmit to
14 the appropriate State election official, in a format
15 compatible with the statewide voter database main-
16 tained under section 303 of the Help America Vote
17 Act of 2002 (52 U.S.C. 21083), the following infor-
18 mation:

19 (A) The individual's given name(s) and
20 surname(s).

21 (B) The individual's date of birth.

22 (C) The individual's residential address.

23 (D) Information showing that the indi-
24 vidual is a citizen of the United States.

1 (E) The date on which information per-
2 taining to that individual was collected or last
3 updated.

4 (F) If available, the individual's signature
5 in electronic form.

6 (G) Except in the case in which the con-
7 tributing agency is a covered institution of
8 higher education, in the case of a State in
9 which affiliation or enrollment with a political
10 party is required in order to participate in an
11 election to select the party's candidate in an
12 election for Federal office, information regard-
13 ing the individual's affiliation or enrollment
14 with a political party, but only if the individual
15 provides such information.

16 (H) Any additional information listed in
17 the mail voter registration application form for
18 elections for Federal office prescribed pursuant
19 to section 9 of the National Voter Registration
20 Act of 1993, including any valid driver's license
21 number or the last 4 digits of the individual's
22 social security number, if the individual pro-
23 vided such information.

24 (c) ALTERNATE PROCEDURE FOR CERTAIN CON-
25 TRIBUTING AGENCIES.—With each application for service

1 or assistance, and with each related recertification, re-
 2 newal, or change of address, any contributing agency that
 3 in the normal course of its operations does not request
 4 individuals applying for service or assistance to affirm
 5 United States citizenship (either directly or as part of the
 6 overall application for service or assistance) shall—

7 (1) complete the requirements of section 7(a)(6)
 8 of the National Voter Registration Act of 1993 (52
 9 U.S.C. 20506(a)(6));

10 (2) ensure that each applicant’s transaction
 11 with the agency cannot be completed until the appli-
 12 cant has indicated whether the applicant wishes to
 13 register to vote or declines to register to vote in elec-
 14 tions for Federal office held in the State; and

15 (3) for each individual who wishes to register to
 16 vote, transmit that individual’s information in ac-
 17 cordance with subsection (b)(3).

18 (d) REQUIRED AVAILABILITY OF AUTOMATIC REG-
 19 ISTRATION OPPORTUNITY WITH EACH APPLICATION FOR
 20 SERVICE OR ASSISTANCE.—Each contributing agency
 21 shall offer each individual, with each application for serv-
 22 ice or assistance, and with each related recertification, re-
 23 newal, or change of address, or in the case of an institu-
 24 tion of higher education, with each registration of a stu-
 25 dent for enrollment in a course of study, the opportunity

1 to register to vote as prescribed by this section without
2 regard to whether the individual previously declined a reg-
3 istration opportunity.

4 (e) CONTRIBUTING AGENCIES.—

5 (1) STATE AGENCIES.—In each State, each of
6 the following agencies shall be treated as a contrib-
7 uting agency:

8 (A) Each agency in a State that is re-
9 quired by Federal law to provide voter registra-
10 tion services, including the State motor vehicle
11 authority and other voter registration agencies
12 under the National Voter Registration Act of
13 1993.

14 (B) Each agency in a State that admin-
15 isters a program pursuant to title III of the So-
16 cial Security Act (42 U.S.C. 501 et seq.), title
17 XIX of the Social Security Act (42 U.S.C. 1396
18 et seq.), or the Patient Protection and Afford-
19 able Care Act (Public Law 111–148).

20 (C) Each State agency primarily respon-
21 sible for regulating the private possession of
22 firearms.

23 (D) Each State agency primarily respon-
24 sible for maintaining identifying information for
25 students enrolled at public secondary schools,

1 including, where applicable, the State agency
2 responsible for maintaining the education data
3 system described in section 6201(e)(2) of the
4 America COMPETES Act (20 U.S.C.
5 9871(e)(2)).

6 (E) In the case of a State in which an in-
7 dividual disenfranchised by a criminal convic-
8 tion may become eligible to vote upon comple-
9 tion of a criminal sentence or any part thereof,
10 or upon formal restoration of rights, the State
11 agency responsible for administering that sen-
12 tence, or part thereof, or that restoration of
13 rights.

14 (F) Any other agency of the State which is
15 designated by the State as a contributing agen-
16 cy.

17 (2) FEDERAL AGENCIES.—In each State, each
18 of the following agencies of the Federal Government
19 shall be treated as a contributing agency with re-
20 spect to individuals who are residents of that State
21 (except as provided in subparagraph (C)):

22 (A) The Social Security Administration,
23 the Department of Veterans Affairs, the De-
24 fense Manpower Data Center of the Depart-
25 ment of Defense, the Employee and Training

1 Administration of the Department of Labor,
2 and the Center for Medicare & Medicaid Serv-
3 ices of the Department of Health and Human
4 Services.

5 (B) The Bureau of Citizenship and Immi-
6 gration Services, but only with respect to indi-
7 viduals who have completed the naturalization
8 process.

9 (C) In the case of an individual who is a
10 resident of a State in which an individual
11 disenfranchised by a criminal conviction under
12 Federal law may become eligible to vote upon
13 completion of a criminal sentence or any part
14 thereof, or upon formal restoration of rights,
15 the Federal agency responsible for admin-
16 istering that sentence or part thereof (without
17 regard to whether the agency is located in the
18 same State in which the individual is a resi-
19 dent), but only with respect to individuals who
20 have completed the criminal sentence or any
21 part thereof.

22 (D) Any other agency of the Federal Gov-
23 ernment which the State designates as a con-
24 tributing agency, but only if the State and the
25 head of the agency determine that the agency

1 collects information sufficient to carry out the
2 responsibilities of a contributing agency under
3 this section.

4 (3) PUBLICATION.—Not later than 180 days
5 prior to the date of each election for Federal office
6 held in the State, the chief State election official
7 shall publish on the public website of the official an
8 updated list of all contributing agencies in that
9 State.

10 (4) PUBLIC EDUCATION.—The chief State elec-
11 tion official of each State, in collaboration with each
12 contributing agency, shall take appropriate measures
13 to educate the public about voter registration under
14 this section.

15 (f) INSTITUTIONS OF HIGHER EDUCATION.—

16 (1) IN GENERAL.—Each covered institution of
17 higher education shall be treated as a contributing
18 agency in the State in which the institution is lo-
19 cated with respect to in-State students.

20 (2) PROCEDURES.—

21 (A) IN GENERAL.—Notwithstanding sec-
22 tion 444 of the General Education Provisions
23 Act (20 U.S.C. 1232g; commonly referred to as
24 the “Family Educational Rights and Privacy
25 Act of 1974”) or any other provision of law,

1 each covered institution of higher education
2 shall comply with the requirements of sub-
3 section (b) with respect to each in-State stu-
4 dent.

5 (B) RULES FOR COMPLIANCE.—In com-
6 plying with the requirements described in sub-
7 paragraph (A), the institution—

8 (i) may use information provided in
9 the Free Application for Federal Student
10 Aid described in section 483 of the Higher
11 Education Act of 1965 (20 U.S.C. 1090)
12 to collect information described in para-
13 graph (3) of such subsection for purposes
14 of transmitting such information to the ap-
15 propriate State election official pursuant to
16 such paragraph; and

17 (ii) shall not be required to prevent or
18 delay students from enrolling in a course
19 of study or otherwise impede the comple-
20 tion of the enrollment process; and (iii)
21 shall not withhold, delay, or impede the
22 provision of Federal financial aid provided
23 under title IV of the Higher Education Act
24 of 1965.

(C) CLARIFICATION.—Nothing in this subtitle may be construed to require an institution of higher education to request each student to affirm whether or not the student is a United States citizen or otherwise collect information with respect to citizenship.

(3) DEFINITIONS.—

(A) COVERED INSTITUTION OF HIGHER EDUCATION.—In this section, the term “covered institution of higher education” means an institution of higher education that—

(i) has a program participation agreement in effect with the Secretary of Education under section 487 of the Higher Education Act of 1965 (20 U.S.C. 1094);

(ii) in its normal course of operations, requests each in-State student enrolling in the institution to affirm whether or not the student is a United States citizen; and

(iii) is located in a State to which section 4(b)(1) of the National Voter Registration Act of 1993 (52 U.S.C. 20503(b)(1)) does not apply.

(B) IN-STATE STUDENT.—In this section, the term “in-State student”—

1 (i) means a student enrolled in a cov-
 2 ered institution of higher education who,
 3 for purposes related to in-State tuition, fi-
 4 nancial aid eligibility, or other similar pur-
 5 poses, resides in the State; and

6 (ii) includes a student described in
 7 clause (i) who is enrolled in a program of
 8 distance education, as defined in section
 9 103 of the Higher Education Act of 1965
 10 (20 U.S.C. 1003).

11 **SEC. 1104. ONE-TIME CONTRIBUTING AGENCY ASSISTANCE**
 12 **IN REGISTRATION OF ELIGIBLE VOTERS IN**
 13 **EXISTING RECORDS.**

14 (a) INITIAL TRANSMITTAL OF INFORMATION.—For
 15 each individual already listed in a contributing agency’s
 16 records as of the date of enactment of this Act, and for
 17 whom the agency has the information listed in section
 18 1103(b)(3), the agency shall promptly transmit that infor-
 19 mation to the appropriate State election official in accord-
 20 ance with section 1103(b)(3) not later than the effective
 21 date described in section 1111(a).

22 (b) TRANSITION.—For each individual listed in a con-
 23 tributing agency’s records as of the effective date de-
 24 scribed in section 1111(a) (but who was not listed in a
 25 contributing agency’s records as of the date of enactment

1 of this Act), and for whom the agency has the information
2 listed in section 1103(b)(3), the Agency shall promptly
3 transmit that information to the appropriate State election
4 official in accordance with section 1103(b)(3) not later
5 than 6 months after the effective date described in section
6 1111(a).

7 **SEC. 1105. VOTER PROTECTION AND SECURITY IN AUTO-**
8 **MATIC REGISTRATION.**

9 (a) PROTECTIONS FOR ERRORS IN REGISTRATION.—
10 An individual shall not be prosecuted under any Federal
11 or State law, adversely affected in any civil adjudication
12 concerning immigration status or naturalization, or sub-
13 ject to an allegation in any legal proceeding that the indi-
14 vidual is not a citizen of the United States on any of the
15 following grounds:

16 (1) The individual notified an election office of
17 the individual's automatic registration to vote under
18 this part.

19 (2) The individual is not eligible to vote in elec-
20 tions for Federal office but was automatically reg-
21 istered to vote under this part.

22 (3) The individual was automatically registered
23 to vote under this subtitle at an incorrect address.

24 (4) The individual declined the opportunity to
25 register to vote or did not make an affirmation of

1 citizenship, including through automatic registration,
2 under this part.

3 (b) LIMITS ON USE OF AUTOMATIC REGISTRA-
4 TION.—The automatic registration of any individual or the
5 fact that an individual declined the opportunity to register
6 to vote or did not make an affirmation of citizenship (in-
7 cluding through automatic registration) under this subtitle
8 may not be used as evidence against that individual in any
9 State or Federal law enforcement proceeding, and an indi-
10 vidual’s lack of knowledge or willfulness of such registra-
11 tion may be demonstrated by the individual’s testimony
12 alone.

13 (c) PROTECTION OF ELECTION INTEGRITY.—Noth-
14 ing in subsections (a) or (b) may be construed to prohibit
15 or restrict any action under color of law against an indi-
16 vidual who—

17 (1) knowingly and willfully makes a false state-
18 ment to effectuate or perpetuate automatic voter
19 registration by any individual; or

20 (2) casts a ballot knowingly and willfully in vio-
21 lation of State law or the laws of the United States.

22 (d) CONTRIBUTING AGENCIES’ PROTECTION OF IN-
23 FORMATION.—Nothing in this subtitle authorizes a con-
24 tributing agency to collect, retain, transmit, or publicly
25 disclose any of the following:

1 (1) An individual’s decision to decline to reg-
2 ister to vote or not to register to vote.

3 (2) An individual’s decision not to affirm his or
4 her citizenship.

5 (3) Any information that a contributing agency
6 transmits pursuant to section 1103(b)(3), except in
7 pursuing the agency’s ordinary course of business.

8 (e) ELECTION OFFICIALS’ PROTECTION OF INFOR-
9 MATION.—

10 (1) PUBLIC DISCLOSURE PROHIBITED.—

11 (A) IN GENERAL.—Subject to subpara-
12 graph (B), with respect to any individual for
13 whom any State election official receives infor-
14 mation from a contributing agency, the State
15 election officials shall not publicly disclose any
16 of the following:

17 (i) The identity of the contributing
18 agency.

19 (ii) Any information not necessary to
20 voter registration.

21 (iii) Any voter information otherwise
22 shielded from disclosure under State law or
23 section 8(a) of the National Voter Reg-
24 istration Act of 1993 (52 U.S.C.
25 20507(a)).

1 (iv) Any portion of the individual's so-
2 cial security number.

3 (v) Any portion of the individual's
4 motor vehicle driver's license number.

5 (vi) The individual's signature.

6 (vii) The individual's telephone num-
7 ber.

8 (viii) The individual's email address.

9 (B) SPECIAL RULE FOR INDIVIDUALS REG-
10 ISTERED TO VOTE.—With respect to any indi-
11 vidual for whom any State election official re-
12 ceives information from a contributing agency
13 and who, on the basis of such information, is
14 registered to vote in the State under this sub-
15 title, the State election officials shall not pub-
16 licly disclose any of the following:

17 (i) The identity of the contributing
18 agency.

19 (ii) Any information not necessary to
20 voter registration.

21 (iii) Any voter information otherwise
22 shielded from disclosure under State law or
23 section 8(a) of the National Voter Reg-
24 istration Act of 1993 (52 U.S.C.
25 20507(a)).

1 (iv) Any portion of the individual's so-
2 cial security number.

3 (v) Any portion of the individual's
4 motor vehicle driver's license number.

5 (vi) The individual's signature.

6 (2) VOTER RECORD CHANGES.—Each State
7 shall maintain for at least 2 years and shall make
8 available for public inspection (and, where available,
9 photocopying at a reasonable cost), including in elec-
10 tronic form and through electronic methods, all
11 records of changes to voter records, including remov-
12 als, the reasons for removals, and updates.

13 (3) DATABASE MANAGEMENT STANDARDS.—
14 The Director of the National Institute of Standards
15 and Technology shall, after providing the public with
16 notice and the opportunity to comment—

17 (A) establish standards governing the com-
18 parison of data for voter registration list main-
19 tenance purposes, identifying as part of such
20 standards the specific data elements, the
21 matching rules used, and how a State may use
22 the data to determine and deem that an indi-
23 vidual is ineligible under State law to vote in an
24 election, or to deem a record to be a duplicate
25 or outdated;

1 (B) ensure that the standards developed
2 pursuant to this paragraph are uniform and
3 nondiscriminatory and are applied in a uniform
4 and nondiscriminatory manner; and

5 (C) not later than 45 days after the dead-
6 line for public notice and comment, publish the
7 standards developed pursuant to this paragraph
8 on the Director's website and make those
9 standards available in written form upon re-
10 quest.

11 (4) SECURITY POLICY.—The Director of the
12 National Institute of Standards and Technology
13 shall, after providing the public with notice and the
14 opportunity to comment, publish privacy and secu-
15 rity standards for voter registration information not
16 later than 45 days after the deadline for public no-
17 tice and comment. The standards shall require the
18 chief State election official of each State to adopt a
19 policy that shall specify—

20 (A) each class of users who shall have au-
21 thorized access to the computerized statewide
22 voter registration list, specifying for each class
23 the permission and levels of access to be grant-
24 ed, and setting forth other safeguards to pro-

1 tect the privacy, security, and accuracy of the
2 information on the list; and

3 (B) security safeguards to protect personal
4 information transmitted through the informa-
5 tion transmittal processes of section 1103 or
6 section 1104, the online system used pursuant
7 to section 1107, any telephone interface, the
8 maintenance of the voter registration database,
9 and any audit procedure to track access to the
10 system.

11 (5) STATE COMPLIANCE WITH NATIONAL
12 STANDARDS.—

13 (A) CERTIFICATION.—The chief executive
14 officer of the State shall annually file with the
15 Election Assistance Commission a statement
16 certifying to the Director of the National Insti-
17 tute of Standards and Technology that the
18 State is in compliance with the standards re-
19 ferred to in paragraphs (3) and (4). A State
20 may meet the requirement of the previous sen-
21 tence by filing with the Commission a statement
22 which reads as follows: “_____ hereby
23 certifies that it is in compliance with the stand-
24 ards referred to in paragraphs (3) and (4) of
25 section 1105(e) of the Voter Empowerment Act

1 of 2021.” (with the blank to be filled in with
2 the name of the State involved).

3 (B) PUBLICATION OF POLICIES AND PRO-
4 CEDURES.—The chief State election official of a
5 State shall publish on the official’s website the
6 policies and procedures established under this
7 section, and shall make those policies and pro-
8 cedures available in written form upon public
9 request.

10 (C) FUNDING DEPENDENT ON CERTIFI-
11 CATION.—If a State does not timely file the cer-
12 tification required under this paragraph, it shall
13 not receive any payment under this subtitle for
14 the upcoming fiscal year.

15 (D) COMPLIANCE OF STATES THAT RE-
16 QUIRE CHANGES TO STATE LAW.—In the case
17 of a State that requires State legislation to
18 carry out an activity covered by any certifi-
19 cation submitted under this paragraph, for a
20 period of not more than 2 years the State shall
21 be permitted to make the certification notwith-
22 standing that the legislation has not been en-
23 acted at the time the certification is submitted,
24 and such State shall submit an additional cer-
25 tification once such legislation is enacted.

1 (f) RESTRICTIONS ON USE OF INFORMATION.—No
2 person acting under color of law may discriminate against
3 any individual based on, or use for any purpose other than
4 voter registration, election administration, or enforcement
5 relating to election crimes, any of the following:

6 (1) Voter registration records.

7 (2) An individual's declination to register to
8 vote or complete an affirmation of citizenship under
9 section 1103(b).

10 (3) An individual's voter registration status.

11 (g) PROHIBITION ON THE USE OF VOTER REGISTRA-
12 TION INFORMATION FOR COMMERCIAL PURPOSES.—In-
13 formation collected under this subtitle shall not be used
14 for commercial purposes. Nothing in this subsection may
15 be construed to prohibit the transmission, exchange, or
16 dissemination of information for political purposes, includ-
17 ing the support of campaigns for election for Federal,
18 State, or local public office or the activities of political
19 committees (including committees of political parties)
20 under the Federal Election Campaign Act of 1971.

21 **SEC. 1106. REGISTRATION PORTABILITY AND CORRECTION.**

22 (a) CORRECTING REGISTRATION INFORMATION AT
23 POLLING PLACE.—Notwithstanding section 302(a) of the
24 Help America Vote Act of 2002 (52 U.S.C. 21082(a)), if
25 an individual is registered to vote in elections for Federal

1 office held in a State, the appropriate election official at
2 the polling place for any such election (including a location
3 used as a polling place on a date other than the date of
4 the election) shall permit the individual to—

5 (1) update the individual's address for purposes
6 of the records of the election official;

7 (2) correct any incorrect information relating to
8 the individual, including the individual's name and
9 political party affiliation, in the records of the elec-
10 tion official; and

11 (3) cast a ballot in the election on the basis of
12 the updated address or corrected information, and to
13 have the ballot treated as a regular ballot and not
14 as a provisional ballot under section 302(a) of such
15 Act.

16 (b) UPDATES TO COMPUTERIZED STATEWIDE VOTER
17 REGISTRATION LISTS.—If an election official at the poll-
18 ing place receives an updated address or corrected infor-
19 mation from an individual under subsection (a), the offi-
20 cial shall ensure that the address or information is
21 promptly entered into the computerized statewide voter
22 registration list in accordance with section
23 303(a)(1)(A)(vi) of the Help America Vote Act of 2002
24 (52 U.S.C. 21083(a)(1)(A)(vi)).

1 **SEC. 1107. PAYMENTS AND GRANTS.**

2 (a) IN GENERAL.—The Election Assistance Commis-
3 sion shall make grants to each eligible State to assist the
4 State in implementing the requirements of this subtitle
5 (or, in the case of an exempt State, in implementing its
6 existing automatic voter registration program).

7 (b) ELIGIBILITY; APPLICATION.—A State is eligible
8 to receive a grant under this section if the State submits
9 to the Commission, at such time and in such form as the
10 Commission may require, an application containing—

11 (1) a description of the activities the State will
12 carry out with the grant;

13 (2) an assurance that the State shall carry out
14 such activities without partisan bias and without
15 promoting any particular point of view regarding
16 any issue; and

17 (3) such other information and assurances as
18 the Commission may require.

19 (c) AMOUNT OF GRANT; PRIORITIES.—The Commis-
20 sion shall determine the amount of a grant made to an
21 eligible State under this section. In determining the
22 amounts of the grants, the Commission shall give priority
23 to providing funds for those activities which are most like-
24 ly to accelerate compliance with the requirements of this
25 subtitle (or, in the case of an exempt State, which are
26 most likely to enhance the ability of the State to automati-

1 cally register individuals to vote through its existing auto-
2 matic voter registration program), including—

3 (1) investments supporting electronic informa-
4 tion transfer, including electronic collection and
5 transfer of signatures, between contributing agencies
6 and the appropriate State election officials;

7 (2) updates to online or electronic voter reg-
8 istration systems already operating as of the date of
9 the enactment of this Act;

10 (3) introduction of online voter registration sys-
11 tems in jurisdictions in which those systems did not
12 previously exist; and

13 (4) public education on the availability of new
14 methods of registering to vote, updating registration,
15 and correcting registration.

16 (d) AUTHORIZATION OF APPROPRIATIONS.—

17 (1) AUTHORIZATION.—There are authorized to
18 be appropriated to carry out this section—

19 (A) \$500,000,000 for fiscal year 2021; and

20 (B) such sums as may be necessary for
21 each succeeding fiscal year.

22 (2) CONTINUING AVAILABILITY OF FUNDS.—

23 Any amounts appropriated pursuant to the authority
24 of this subsection shall remain available without fis-
25 cal year limitation until expended.

1 **SEC. 1108. TREATMENT OF EXEMPT STATES.**

2 (a) WAIVER OF REQUIREMENTS.—Except as pro-
3 vided in subsection (b), this subtitle does not apply with
4 respect to an exempt State.

5 (b) EXCEPTIONS.—The following provisions of this
6 subtitle apply with respect to an exempt State:

7 (1) Section 1106 (relating to registration port-
8 ability and correction).

9 (2) Section 1107 (relating to payments and
10 grants).

11 (3) Section 1109(e) (relating to enforcement).

12 (4) Section 1109(f) (relating to relation to
13 other laws).

14 **SEC. 1109. MISCELLANEOUS PROVISIONS.**

15 (a) ACCESSIBILITY OF REGISTRATION SERVICES.—
16 Each contributing agency shall ensure that the services
17 it provides under this subtitle are made available to indi-
18 viduals with disabilities to the same extent as services are
19 made available to all other individuals.

20 (b) TRANSMISSION THROUGH SECURE THIRD PARTY
21 PERMITTED.—Nothing in this subtitle shall be construed
22 to prevent a contributing agency from contracting with a
23 third party to assist the agency in meeting the information
24 transmittal requirements of this subtitle, so long as the
25 data transmittal complies with the applicable requirements

1 of this subtitle, including the privacy and security provi-
2 sions of section 1105.

3 (c) NONPARTISAN, NONDISCRIMINATORY PROVISION
4 OF SERVICES.—The services made available by contrib-
5 uting agencies under this subtitle and by the State under
6 sections 1105 and 1106 shall be made in a manner con-
7 sistent with paragraphs (4), (5), and (6)(C) of section 7(a)
8 of the National Voter Registration Act of 1993 (52 U.S.C.
9 20506(a)).

10 (d) NOTICES.—Each State may send notices under
11 this subtitle via electronic mail if the individual has pro-
12 vided an electronic mail address and consented to elec-
13 tronic mail communications for election-related materials.
14 All notices sent pursuant to this subtitle that require a
15 response must offer the individual notified the opportunity
16 to respond at no cost to the individual.

17 (e) ENFORCEMENT.—Section 11 of the National
18 Voter Registration Act of 1993 (52 U.S.C. 20510), relat-
19 ing to civil enforcement and the availability of private
20 rights of action, shall apply with respect to this subtitle
21 in the same manner as such section applies to such Act.

22 (f) RELATION TO OTHER LAWS.—Except as pro-
23 vided, nothing in this subtitle may be construed to author-
24 ize or require conduct prohibited under, or to supersede,
25 restrict, or limit the application of any of the following:

1 (1) The Voting Rights Act of 1965 (52 U.S.C.
2 10301 et seq.).

3 (2) The Uniformed and Overseas Citizens Ab-
4 sentee Voting Act (52 U.S.C. 20301 et seq.).

5 (3) The National Voter Registration Act of
6 1993 (52 U.S.C. 20501 et seq.).

7 (4) The Help America Vote Act of 2002 (52
8 U.S.C. 20901 et seq.).

9 **SEC. 1110. DEFINITIONS.**

10 In this subtitle, the following definitions apply:

11 (1) The term “chief State election official”
12 means, with respect to a State, the individual des-
13 ignated by the State under section 10 of the Na-
14 tional Voter Registration Act of 1993 (52 U.S.C.
15 20509) to be responsible for coordination of the
16 State’s responsibilities under such Act.

17 (2) The term “Commission” means the Election
18 Assistance Commission.

19 (3) The term “exempt State” means a State
20 which, under law which is in effect continuously on
21 and after the date of the enactment of this Act, op-
22 erates an automatic voter registration program
23 under which an individual is automatically registered
24 to vote in elections for Federal office in the State if
25 the individual provides the motor vehicle authority of

1 the State (or, in the case of a State in which an in-
2 dividual is automatically registered to vote at the
3 time the individual applies for benefits or services
4 with a Permanent Dividend Fund of the State, pro-
5 vides the appropriate official of such Fund) with
6 such identifying information as the State may re-
7 quire.

8 (4) The term “State” means each of the several
9 States, the District of Columbia, the Commonwealth
10 of Puerto Rico, the United States Virgin Islands,
11 Guam, American Samoa, and the Commonwealth of
12 the Northern Mariana Islands.

13 **SEC. 1111. EFFECTIVE DATE.**

14 (a) IN GENERAL.—Except as provided in subsection
15 (b), this subtitle and the amendments made by this sub-
16 title shall apply with respect to a State beginning January
17 1, 2023.

18 (b) WAIVER.—Subject to the approval of the Com-
19 mission, if a State certifies to the Commission that the
20 State will not meet the deadline referred to in subsection
21 (a) because of extraordinary circumstances and includes
22 in the certification the reasons for the failure to meet the
23 deadline, subsection (a) shall apply to the State as if the
24 reference in such subsection to “January 1, 2023” were
25 a reference to “January 1, 2025”.

Subtitle C—Same Day Voter Registration

SEC. 1201. SAME DAY REGISTRATION.

(a) IN GENERAL.—Title III of the Help America
Vote Act of 2002 (52 U.S.C. 21081 et seq.) is amended—

(1) by redesignating sections 304 and 305 as
sections 305 and 306; and

(2) by inserting after section 303 the following
new section:

“SEC. 304. SAME DAY REGISTRATION.

“(a) IN GENERAL.—

“(1) REGISTRATION.—Each State shall permit
any eligible individual on the day of a Federal elec-
tion and on any day when voting, including early
voting, is permitted for a Federal election—

“(A) to register to vote in such election at
the polling place using a form that meets the
requirements under section 9(b) of the National
Voter Registration Act of 1993 (or, if the indi-
vidual is already registered to vote, to revise
any of the individual’s voter registration infor-
mation); and

“(B) to cast a vote in such election.

“(2) EXCEPTION.—The requirements under
paragraph (1) shall not apply to a State in which,

1 under a State law in effect continuously on and after
2 the date of the enactment of this section, there is no
3 voter registration requirement for individuals in the
4 State with respect to elections for Federal office.

5 “(b) ELIGIBLE INDIVIDUAL.—For purposes of this
6 section, the term ‘eligible individual’ means, with respect
7 to any election for Federal office, an individual who is oth-
8 erwise qualified to vote in that election.

9 “(c) ENSURING AVAILABILITY OF FORMS.—The
10 State shall ensure that each polling place has copies of
11 any forms an individual may be required to complete in
12 order to register to vote or revise the individual’s voter
13 registration information under this section.

14 “(d) EFFECTIVE DATE.—Each State shall be re-
15 quired to comply with the requirements of subsection (a)
16 for the regularly scheduled general election for Federal of-
17 fice occurring in November 2022 and for any subsequent
18 election for Federal office.”.

19 (b) CONFORMING AMENDMENT RELATING TO EN-
20 FORCEMENT.—Section 401 of such Act (52 U.S.C. 21111)
21 is amended by striking “sections 301, 302, and 303” and
22 inserting “subtitle A of title III”.

23 (c) CLERICAL AMENDMENT.—The table of contents
24 of such Act is amended—

1 (1) by redesignating the items relating to sec-
 2 tions 304 and 305 as relating to sections 305 and
 3 306; and

4 (2) by inserting after the item relating to sec-
 5 tion 303 the following new item:

“Sec. 304. Same day registration.”.

6 **Subtitle D—Conditions on Removal**
 7 **on Basis of Interstate Cross-Checks**

8 **SEC. 1301. CONDITIONS ON REMOVAL OF REGISTRANTS**
 9 **FROM OFFICIAL LIST OF ELIGIBLE VOTERS**
 10 **ON BASIS OF INTERSTATE CROSS-CHECKS.**

11 (a) MINIMUM INFORMATION REQUIRED FOR RE-
 12 MOVAL UNDER CROSS-CHECK.—Section 8(c)(2) of the
 13 National Voter Registration Act of 1993 (52 U.S.C.
 14 20507(c)(2)) is amended—

15 (1) by redesignating subparagraph (B) as sub-
 16 paragraph (D); and

17 (2) by inserting after subparagraph (A) the fol-
 18 lowing new subparagraphs:

19 “(B) To the extent that the program carried out by
 20 a State under subparagraph (A) to systematically remove
 21 the names of ineligible voters from the official lists of eligi-
 22 ble voters uses information obtained in an interstate cross-
 23 check, in addition to any other conditions imposed under
 24 this Act on the authority of the State to remove the name

1 of the voter from such a list, the State may not remove
2 the name of the voter from such a list unless—

3 “(i) the State obtained the voter’s full name
4 (including the voter’s middle name, if any) and date
5 of birth, and the last 4 digits of the voter’s social
6 security number, in the interstate cross-check; or

7 “(ii) the State obtained documentation from the
8 ERIC system that the voter is no longer a resident
9 of the State.

10 “(C) In this paragraph—

11 “(i) the term ‘interstate cross-check’ means the
12 transmission of information from an election official
13 in one State to an election official of another State;
14 and

15 “(ii) the term ‘ERIC system’ means the system
16 operated by the Electronic Registration Information
17 Center to share voter registration information and
18 voter identification information among participating
19 States.”.

20 (b) REQUIRING COMPLETION OF CROSS-CHECKS
21 NOT LATER THAN 6 MONTHS PRIOR TO ELECTION.—

22 Subparagraph (A) of section 8(c)(2) of such Act (52
23 U.S.C. 20507(c)(2)) is amended by striking “not later
24 than 90 days” and inserting the following: “not later than

1 90 days (or, in the case of a program in which the State
2 uses interstate cross-checks, not later than 6 months)”.

3 (c) CONFORMING AMENDMENT.—Subparagraph (D)
4 of section 8(c)(2) of such Act (52 U.S.C. 20507(c)(2)),
5 as redesignated by subsection (a)(1), is amended by strik-
6 ing “Subparagraph (A)” and inserting “This paragraph”.

7 (d) EFFECTIVE DATE.—The amendments made by
8 this Act shall apply with respect to elections held on or
9 after the expiration of the 6-month period which begins
10 on the date of the enactment of this Act.

11 **Subtitle E—Other Initiatives To** 12 **Promote Voter Registration**

13 **SEC. 1401. ANNUAL REPORTS ON VOTER REGISTRATION** 14 **STATISTICS.**

15 (a) ANNUAL REPORT.—Not later than 90 days after
16 the end of each year, each State shall submit to the Elec-
17 tion Assistance Commission and Congress a report con-
18 taining the following categories of information for the
19 year:

20 (1) The number of individuals who were reg-
21 istered under part 2.

22 (2) The number of voter registration applica-
23 tion forms completed by individuals that were trans-
24 mitted by motor vehicle authorities in the State
25 (pursuant to section 5(d) of the National Voter Reg-

1 istration Act of 1993) and voter registration agen-
2 cies in the State (as designated under section 7 of
3 such Act) to the chief State election official of the
4 State, broken down by each such authority and
5 agency.

6 (3) The number of such individuals whose voter
7 registration application forms were accepted and
8 who were registered to vote in the State and the
9 number of such individuals whose forms were re-
10 jected and who were not registered to vote in the
11 State, broken down by each such authority and
12 agency.

13 (4) The number of change of address forms and
14 other forms of information indicating that an indi-
15 vidual's identifying information has been changed
16 that were transmitted by such motor vehicle authori-
17 ties and voter registration agencies to the chief State
18 election official of the State, broken down by each
19 such authority and agency and the type of form
20 transmitted.

21 (5) The number of individuals on the statewide
22 computerized voter registration list (as established
23 and maintained under section 303 of the Help
24 America Vote Act of 2002) whose voter registration
25 information was revised by the chief State election

1 official as a result of the forms transmitted to the
2 official by such motor vehicle authorities and voter
3 registration agencies (as described in paragraph
4 (3)), broken down by each such authority and agen-
5 cy and the type of form transmitted.

6 (6) The number of individuals who requested
7 the chief State election official to revise voter reg-
8 istration information on such list, and the number of
9 individuals whose information was revised as a result
10 of such a request.

11 (7) The number of individuals who were purged
12 from the official voter registration list or moved to
13 inactive status, broken down by the reason for those
14 actions, including the method used for identifying
15 those voters.

16 (b) BREAKDOWN OF INFORMATION.—In preparing
17 the report under this section, the State shall, for each cat-
18 egory of information described in subsection (a), include
19 a breakdown by race, ethnicity, age, and gender of the
20 individuals whose information is included in the category,
21 to the extent that information on the race, ethnicity, age,
22 and gender of such individuals is available to the State.

23 (c) CONFIDENTIALITY OF INFORMATION.—In pre-
24 paring and submitting a report under this section, the
25 chief State election official shall ensure that no informa-

1 tion regarding the identification of any individual is re-
2 vealed.

3 (d) STATE DEFINED.—In this section, a “State” in-
4 cludes the District of Columbia, the Commonwealth of
5 Puerto Rico, the United States Virgin Islands, Guam,
6 American Samoa, and the Commonwealth of the Northern
7 Mariana Islands, but does not include any State in which,
8 under a State law in effect continuously on and after the
9 date of the enactment of this Act, there is no voter reg-
10 istration requirement for individuals in the State with re-
11 spect to elections for Federal office.

12 **SEC. 1402. ENSURING PRE-ELECTION REGISTRATION DEAD-**
13 **LINES ARE CONSISTENT WITH TIMING OF**
14 **LEGAL PUBLIC HOLIDAYS.**

15 (a) IN GENERAL.—Section 8(a)(1) of the National
16 Voter Registration Act of 1993 (52 U.S.C. 20507(a)(1))
17 is amended by striking “30 days” each place it appears
18 and inserting “28 days”.

19 (b) EFFECTIVE DATE.—The amendment made by
20 subsection (a) shall apply with respect to elections held
21 in 2022 or any succeeding year.

1 **SEC. 1403. USE OF POSTAL SERVICE HARD COPY CHANGE**
2 **OF ADDRESS FORM TO REMIND INDIVIDUALS**
3 **TO UPDATE VOTER REGISTRATION.**

4 (a) IN GENERAL.—Not later than 1 year after the
5 date of the enactment of this Act, the Postmaster General
6 shall modify any hard copy change of address form used
7 by the United States Postal Service so that such form con-
8 tains a reminder that any individual using such form
9 should update the individual’s voter registration as a re-
10 sult of any change in address.

11 (b) APPLICATION.—The requirement in subsection
12 (a) shall not apply to any electronic version of a change
13 of address form used by the United States Postal Service.

14 **SEC. 1404. GRANTS TO STATES FOR ACTIVITIES TO EN-**
15 **COURAGE INVOLVEMENT OF MINORS IN**
16 **ELECTION ACTIVITIES.**

17 (a) GRANTS.—

18 (1) IN GENERAL.—The Election Assistance
19 Commission (hereafter in this section referred to as
20 the “Commission”) shall make grants to eligible
21 States to enable such States to carry out a plan to
22 increase the involvement of individuals under 18
23 years of age in public election activities in the State.

24 (2) CONTENTS OF PLANS.—A State’s plan
25 under this subsection shall include—

1 (A) methods to promote the use of the pre-
2 registration process implemented under section
3 8A of the National Voter Registration Act of
4 1993 (as added by section 2(a));

5 (B) modifications to the curriculum of sec-
6 ondary schools in the State to promote civic en-
7 gagement; and

8 (C) such other activities to encourage the
9 involvement of young people in the electoral
10 process as the State considers appropriate.

11 (b) ELIGIBILITY.—A State is eligible to receive a
12 grant under this section if the State submits to the Com-
13 mission, at such time and in such form as the Commission
14 may require, an application containing—

15 (1) a description of the State’s plan under sub-
16 section (a);

17 (2) a description of the performance measures
18 and targets the State will use to determine its suc-
19 cess in carrying out the plan; and

20 (3) such other information and assurances as
21 the Commission may require.

22 (c) PERIOD OF GRANT; REPORT.—

23 (1) PERIOD OF GRANT.—A State receiving a
24 grant under this section shall use the funds provided

1 by the grant over a 2-year period agreed to between
2 the State and the Commission.

3 (2) REPORT.—Not later than 6 months after
4 the end of the 2-year period agreed to under para-
5 graph (1), the State shall submit to the Commission
6 a report on the activities the State carried out with
7 the funds provided by the grant, and shall include
8 in the report an analysis of the extent to which the
9 State met the performance measures and targets in-
10 cluded in its application under subsection (b)(2).

11 (d) STATE DEFINED.—In this section, the term
12 “State” means each of the several States and the District
13 of Columbia.

14 (e) AUTHORIZATION OF APPROPRIATIONS.—There
15 are authorized to be appropriated for grants under this
16 section \$25,000,000, to remain available until expended.

17 **SEC. 1405. PERMISSION TO PLACE EXHIBITS.**

18 The Secretary of Homeland Security shall implement
19 procedures to allow the chief election officer of a State
20 to provide information about voter registration, including
21 through a display or exhibit, after the conclusion of an
22 administrative naturalization ceremony in that State.

1 **SEC. 1406. REQUIRING STATES TO ESTABLISH AND OPER-**
2 **ATE VOTER PRIVACY PROGRAMS.**

3 (a) IN GENERAL.—Each State shall establish and op-
4 erate a privacy program to enable victims of domestic vio-
5 lence, dating violence, stalking, sexual assault, and traf-
6 ficking to have personally identifiable information that the
7 State or local election officials maintain with respect to
8 an individual voter registration status for purposes of elec-
9 tions for Federal office in the State, including addresses,
10 be kept confidential.

11 (b) NOTICE.—Each State shall notify residents of
12 that State of the information that State and local election
13 officials maintain with respect to an individual voter reg-
14 istration status for purposes of elections for Federal office
15 in the State, how that information is shared or sold and
16 with whom, what information is automatically kept con-
17 fidential, what information is needed to access voter infor-
18 mation online, and the privacy programs that are avail-
19 able.

20 (c) PUBLIC AVAILABILITY.—Each State shall make
21 information about the program established under sub-
22 section (a) available on a publicly accessible website.

23 (d) DEFINITIONS.—In this section:

24 (1) The terms “domestic violence”, “stalking”,
25 “sexual assault”, and “dating violence” have the
26 meanings given such terms in section 40002 of the

1 Violence Against Women Act of 1994 (34 U.S.C.
2 12291).

3 (2) The term “trafficking” means an act or
4 practice described in paragraph (11) or (12) of sec-
5 tion 103 of the Trafficking Victims Protection Act
6 of 2000 (22 U.S.C. 7102).

7 **SEC. 1407. INCLUSION OF VOTER REGISTRATION INFORMA-**
8 **TION WITH CERTAIN LEASES AND VOUCHERS**
9 **FOR FEDERALLY ASSISTED RENTAL HOUSING**
10 **AND MORTGAGE APPLICATIONS.**

11 (a) DEVELOPMENT OF UNIFORM STATEMENT.—The
12 Director of the Bureau of Consumer Financial Protection,
13 in coordination with the Election Assistance Commission,
14 shall develop a uniform statement designed to provide re-
15 cipients of such statement pursuant to this section of how
16 they can register to vote and their voting rights under law.

17 (b) LEASES AND VOUCHERS FOR FEDERALLY AS-
18 SISTED RENTAL HOUSING.—The Secretary of Housing
19 and Urban Development shall require—

20 (1) each public housing agency to provide a
21 copy of the uniform statement developed pursuant to
22 subsection (a) to each lessee of a dwelling unit in
23 public housing administered by such agency—

1 (A) together with the lease for such a
2 dwelling unit, at the same time such lease is
3 provided to the lessee; and

4 (B) together with any income verification
5 form, at the same time such form is provided
6 to the lessee;

7 (2) each public housing agency that administers
8 rental assistance under the Housing Choice Voucher
9 program under section 8(o) of the United States
10 Housing Act of 1937 (42 U.S.C. 1437f(o)), includ-
11 ing the program under paragraph (13) of such sec-
12 tion 8(o), to provide a copy of the uniform statement
13 developed pursuant to subsection (a) to each assisted
14 family or individual—

15 (A) together with the voucher for such as-
16 sistance, at the time such voucher is issued for
17 such family or individual; and

18 (B) together with any income verification
19 form, at the same time such form is provided
20 to the applicant or assisted family or individual;
21 and

22 (3) each owner of a dwelling unit assisted with
23 Federal project-based rental assistance to provide a
24 copy of the uniform statement developed pursuant to

1 subsection (a) to provide to the lessee of such dwell-
2 ing unit—

3 (A) together with the lease for such dwell-
4 ing unit, at the same time such form is pro-
5 vided to the lessee; and

6 (B) together with any income verification
7 form, at the same time such form is provided
8 to the applicant or tenant;

9 except that the Secretary of Agriculture shall admin-
10 ister the requirement under this paragraph with re-
11 spect to Federal project-based rental assistance
12 specified in subsection (e)(1)(D).

13 (c) APPLICATIONS FOR RESIDENTIAL MORTGAGE
14 LOANS.—The Director of the Bureau of Consumer Finan-
15 cial Protection shall require each creditor that receives an
16 application (within the meaning of such term as used in
17 the Equal Credit Opportunity Act (15 U.S.C. 1691)) for
18 a residential mortgage loan to provide a copy of the uni-
19 form statement developed pursuant to subsection (a) in
20 written form to the applicant for such residential mort-
21 gage loan, within 5 business days of the date of applica-
22 tion.

23 (d) OPTIONAL COMPLETION OF APPLICATION.—
24 Nothing in this section may be construed to require any

1 individual to complete an application for voter registra-
2 tion.

3 (e) DEFINITIONS.—As used in this section:

4 (1) FEDERAL PROJECT-BASED RENTAL ASSIST-
5 ANCE.—The term “Federal project-based rental as-
6 sistance” means project-based rental assistance pro-
7 vided under—

8 (A) section 8 of the United States Housing
9 Act of 1937 (42 U.S.C. 1437f);

10 (B) section 202 of the Housing Act of
11 1959 (12 U.S.C. 1701q);

12 (C) section 811 of the Cranston-Gonzalez
13 National Affordable Housing Act (42 U.S.C.
14 8013);

15 (D) title V of the Housing Act of 1949 (42
16 U.S.C. 1471 et seq.), including voucher assist-
17 ance under section 542 of such title (42 U.S.C.
18 1490r);

19 (E) subtitle D of title VIII of the Cran-
20 ston-Gonzalez National Affordable Housing Act
21 (42 U.S.C. 12901 et seq.);

22 (F) title II of the Cranston-Gonzalez Na-
23 tional Affordable Housing Act (42 U.S.C.
24 12721 et seq.);

1 (G) the Housing Trust Fund program
2 under section 1338 of the Federal Housing En-
3 terprises Financial Safety and Soundness Act
4 of 1992 (12 U.S.C. 4588); or

5 (H) subtitle C of title IV of the McKinney-
6 Vento Homeless Assistance Act (42 U.S.C.
7 11381 et seq.).

8 (2) OWNER.—The term “owner” has the mean-
9 ing given such term in section 8(f) of the United
10 States Housing Act of 1937 (42 U.S.C. 1437f(f)).

11 (3) PUBLIC HOUSING; PUBLIC HOUSING AGEN-
12 CY.—The terms “public housing” and “public hous-
13 ing agency” have the meanings given such terms in
14 section 3(b) of the United States Housing Act of
15 1937 (42 U.S.C. 1437a(b)).

16 (4) RESIDENTIAL MORTGAGE LOAN.—The term
17 “residential mortgage loan” includes any loan which
18 is secured by a first or subordinate lien on residen-
19 tial real property (including individual units of con-
20 dominiums and cooperatives) designed principally for
21 the occupancy of from 1 to 4 families.

22 (f) REGULATIONS.—The Secretary of Housing and
23 Urban Development, the Secretary of Agriculture, and the
24 Director of the Consumer Financial Protection Bureau

1 may issue such regulations as may be necessary to carry
 2 out this section.

3 **Subtitle F—Availability of HAVA**
 4 **Requirements Payments**

5 **SEC. 1501. AVAILABILITY OF REQUIREMENTS PAYMENTS**
 6 **UNDER HAVA TO COVER COSTS OF COMPLI-**
 7 **ANCE WITH NEW REQUIREMENTS.**

8 (a) IN GENERAL.—Section 251(b) of the Help Amer-
 9 ica Vote Act of 2002 (52 U.S.C. 21001(b)) is amended—

10 (1) in paragraph (1), by striking “as provided
 11 in paragraphs (2) and (3)” and inserting “as other-
 12 wise provided in this subsection”; and

13 (2) by adding at the end the following new
 14 paragraph:

15 “(4) CERTAIN VOTER REGISTRATION ACTIVI-
 16 TIES.—A State may use a requirements payment to
 17 carry out any of the requirements of the Voter Reg-
 18 istration Modernization Act of 2021, including the
 19 requirements of the National Voter Registration Act
 20 of 1993 which are imposed pursuant to the amend-
 21 ments made to such Act by the Voter Registration
 22 Modernization Act of 2021.”.

23 (b) CONFORMING AMENDMENT.—Section 254(a)(1)
 24 of such Act (52 U.S.C. 21004(a)(1)) is amended by strik-

1 ing “section 251(a)(2)” and inserting “section
2 251(b)(2)”.

3 (c) EFFECTIVE DATE.—The amendments made by
4 this section shall apply with respect to fiscal year 2022
5 and each succeeding fiscal year.

6 **Subtitle G—Prohibiting Inter-** 7 **ference With Voter Registration**

8 **SEC. 1601. PROHIBITING HINDERING, INTERFERING WITH,** 9 **OR PREVENTING VOTER REGISTRATION.**

10 (a) IN GENERAL.—Chapter 29 of title 18, United
11 States Code is amended by adding at the end the following
12 new section:

13 **“§ 612. Hindering, interfering with, or preventing** 14 **registering to vote**

15 “(a) PROHIBITION.—It shall be unlawful for any per-
16 son, whether acting under color of law or otherwise, to
17 corruptly hinder, interfere with, or prevent another person
18 from registering to vote or to corruptly hinder, interfere
19 with, or prevent another person from aiding another per-
20 son in registering to vote.

21 “(b) ATTEMPT.—Any person who attempts to commit
22 any offense described in subsection (a) shall be subject to
23 the same penalties as those prescribed for the offense that
24 the person attempted to commit.

1 “(c) PENALTY.—Any person who violates subsection
2 (a) shall be fined under this title, imprisoned not more
3 than 5 years, or both.”.

4 (b) CLERICAL AMENDMENT.—The table of sections
5 for chapter 29 of title 18, United States Code is amended
6 by adding at the end the following new item:

“612. Hindering, interfering with, or preventing registering to vote.”.

7 (c) EFFECTIVE DATE.—The amendments made by
8 this section shall apply with respect to elections held on
9 or after the date of the enactment of this Act, except that
10 no person may be found to have violated section 612 of
11 title 18, United States Code (as added by subsection (a)),
12 on the basis of any act occurring prior to the date of the
13 enactment of this Act.

14 **SEC. 1602. ESTABLISHMENT OF BEST PRACTICES.**

15 (a) BEST PRACTICES.—Not later than 180 days after
16 the date of the enactment of this Act, the Election Assist-
17 ance Commission shall develop and publish recommenda-
18 tions for best practices for States to use to deter and pre-
19 vent violations of section 612 of title 18, United States
20 Code (as added by section 1601), and section 12 of the
21 National Voter Registration Act of 1993 (52 U.S.C.
22 20511) (relating to the unlawful interference with reg-
23 istering to vote, or voting, or attempting to register to vote
24 or vote), including practices to provide for the posting of
25 relevant information at polling places and voter registra-

1 tion agencies under such Act, the training of poll workers
2 and election officials, and relevant educational materials.
3 For purposes of this subsection, the term “State” includes
4 the District of Columbia, the Commonwealth of Puerto
5 Rico, Guam, American Samoa, the United States Virgin
6 Islands, and the Commonwealth of the Northern Mariana
7 Islands.

8 (b) INCLUSION IN VOTER INFORMATION REQUIRE-
9 MENTS.—Section 302(b)(2) of the Help America Vote Act
10 of 2002 (52 U.S.C. 21082(b)(2)) is amended—

11 (1) by striking “and” at the end of subpara-
12 graph (E);

13 (2) by striking the period at the end of sub-
14 paragraph (F) and inserting “; and”; and

15 (3) by adding at the end the following new sub-
16 paragraph:

17 “(G) information relating to the prohibi-
18 tions of section 612 of title 18, United States
19 Code, and section 12 of the National Voter
20 Registration Act of 1993 (52 U.S.C. 20511)
21 (relating to the unlawful interference with reg-
22 istering to vote, or voting, or attempting to reg-
23 ister to vote or vote), including information on
24 how individuals may report allegations of viola-
25 tions of such prohibitions.”.

Subtitle H—Voter Registration Efficiency Act

**SEC. 1701. REQUIRING APPLICANTS FOR MOTOR VEHICLE
DRIVER'S LICENSES IN NEW STATE TO INDICATE WHETHER STATE SERVES AS RESIDENCE FOR VOTER REGISTRATION PURPOSES.**

(a) REQUIREMENTS FOR APPLICANTS FOR LICENSES.—Section 5(d) of the National Voter Registration Act of 1993 (52 U.S.C. 20504(d)) is amended—

(1) by striking “Any change” and inserting “(1) Any change”; and

(2) by adding at the end the following new paragraph:

“(2)(A) A State motor vehicle authority shall require each individual applying for a motor vehicle driver’s license in the State—

“(i) to indicate whether the individual resides in another State or resided in another State prior to applying for the license, and, if so, to identify the State involved; and

“(ii) to indicate whether the individual intends for the State to serve as the individual’s residence for purposes of registering to vote in elections for Federal office.

1 “(B) If pursuant to subparagraph (A)(ii) an in-
 2 dividual indicates to the State motor vehicle author-
 3 ity that the individual intends for the State to serve
 4 as the individual’s residence for purposes of reg-
 5 istering to vote in elections for Federal office, the
 6 authority shall notify the motor vehicle authority of
 7 the State identified by the individual pursuant to
 8 subparagraph (A)(i), who shall notify the chief State
 9 election official of such State that the individual no
 10 longer intends for that State to serve as the individ-
 11 ual’s residence for purposes of registering to vote in
 12 elections for Federal office.”.

13 (b) EFFECTIVE DATE.—The amendments made by
 14 subsection (a) shall take effect with respect to elections
 15 occurring in 2021 or any succeeding year.

16 **Subtitle I—Providing Voter Reg-**
 17 **istration Information to Sec-**
 18 **ondary School Students**

19 **SEC. 1801. PILOT PROGRAM FOR PROVIDING VOTER REG-**
 20 **ISTRATION INFORMATION TO SECONDARY**
 21 **SCHOOL STUDENTS PRIOR TO GRADUATION.**

22 (a) PILOT PROGRAM.—The Election Assistance Com-
 23 mission (hereafter in this subtitle referred to as the “Com-
 24 mission”) shall carry out a pilot program under which the
 25 Commission shall provide funds during the 1-year period

1 beginning after the date of the enactment of this subtitle
2 to eligible local educational agencies for initiatives to pro-
3 vide information on registering to vote in elections for pub-
4 lic office to secondary school students in the 12th grade.

5 (b) ELIGIBILITY.—A local educational agency is eligi-
6 ble to receive funds under the pilot program under this
7 subtitle if the agency submits to the Commission, at such
8 time and in such form as the Commission may require,
9 an application containing—

10 (1) a description of the initiatives the agency
11 intends to carry out with the funds;

12 (2) a description of how the agency will
13 prioritize access to such initiatives for schools that
14 serve—

15 (A) the highest numbers or percentages of
16 students counted under section 1124(c) of the
17 Elementary and Secondary Education Act of
18 1965 (20 U.S.C. 6333(c)); and

19 (B) the highest percentages of students
20 who are eligible for a free or reduced price
21 lunch under the Richard B. Russell National
22 School Lunch Act (42 U.S.C. 1751 et seq.)
23 (which, in the case of a high school, may be cal-
24 culated using comparable data from the schools
25 that feed into the high school), as compared to

1 other public schools in the jurisdiction of the
2 agency;

3 (3) an estimate of the costs associated with
4 such initiatives; and

5 (4) such other information and assurances as
6 the Commission may require.

7 (c) PRIORITY FOR SCHOOLS RECEIVING TITLE I
8 FUNDS.—In selecting among eligible local educational
9 agencies for receiving funds under the pilot program under
10 this subtitle, the Commission shall give priority to local
11 educational agencies that receive funds under part A of
12 title I of the Elementary and Secondary Education Act
13 of 1965 (20 U.S.C. 6311 et seq.).

14 (d) CONSULTATION WITH ELECTION OFFICIALS.—A
15 local educational agency receiving funds under the pilot
16 program shall consult with the State and local election of-
17 ficials who are responsible for administering elections for
18 public office in the area served by the agency in developing
19 the initiatives the agency will carry out with the funds.

20 (e) DEFINITIONS.—In this subtitle, the terms “local
21 educational agency” and “secondary school” have the
22 meanings given such terms in section 8101 of the Elemen-
23 tary and Secondary Education Act of 1965 (20 U.S.C.
24 7801).

1 **SEC. 1802. REPORTS.**

2 (a) REPORTS BY RECIPIENTS OF FUNDS.—Not later
 3 than the expiration of the 90-day period which begins on
 4 the date of the receipt of the funds, each local educational
 5 agency receiving funds under the pilot program under this
 6 subtitle shall submit a report to the Commission describ-
 7 ing the initiatives carried out with the funds and analyzing
 8 their effectiveness.

9 (b) REPORT BY COMMISSION.—Not later than the ex-
 10 piration of the 60-day period which begins on the date
 11 the Commission receives the final report submitted by a
 12 local educational agency under subsection (a), the Com-
 13 mission shall submit a report to Congress on the pilot pro-
 14 gram under this part.

15 **SEC. 1803. AUTHORIZATION OF APPROPRIATIONS.**

16 There are authorized to be appropriated such sums
 17 as may be necessary to carry out this subtitle.

18 **Subtitle J—Voter Registration of**
 19 **Minors**

20 **SEC. 1901. ACCEPTANCE OF VOTER REGISTRATION APPLI-**
 21 **CATIONS FROM INDIVIDUALS UNDER 18**
 22 **YEARS OF AGE.**

23 (a) ACCEPTANCE OF APPLICATIONS.—Section 8 of
 24 the National Voter Registration Act of 1993 (52 U.S.C.
 25 20507), as amended by section 1004, is amended—

1 (1) by redesignating subsection (k) as sub-
2 section (l); and

3 (2) by inserting after subsection (j) the fol-
4 lowing new subsection:

5 “(k) ACCEPTANCE OF APPLICATIONS FROM INDIVID-
6 UALS UNDER 18 YEARS OF AGE.—

7 “(1) IN GENERAL.—A State may not refuse to
8 accept or process an individual’s application to reg-
9 ister to vote in elections for Federal office on the
10 grounds that the individual is under 18 years of age
11 at the time the individual submits the application, so
12 long as the individual is at least 16 years of age at
13 such time.

14 “(2) NO EFFECT ON STATE VOTING AGE RE-
15 QUIREMENTS.—Nothing in paragraph (1) may be
16 construed to require a State to permit an individual
17 who is under 18 years of age at the time of an elec-
18 tion for Federal office to vote in the election.”.

19 (b) EFFECTIVE DATE.—The amendment made by
20 subsection (a) shall apply with respect to elections occur-
21 ring on or after January 1, 2022.

1 **TITLE II—ACCESS TO VOTING**
2 **FOR INDIVIDUALS WITH DIS-**
3 **ABILITIES**

4 **SEC. 2001. REQUIREMENTS FOR STATES TO PROMOTE AC-**
5 **CESS TO VOTER REGISTRATION AND VOTING**
6 **FOR INDIVIDUALS WITH DISABILITIES.**

7 (a) REQUIREMENTS.—Subtitle A of title III of the
8 Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.),
9 as amended by section 1201(a), is amended—

10 (1) by redesignating sections 305 and 306 as
11 sections 306 and 307; and

12 (2) by inserting after section 304 the following
13 new section:

14 **“SEC. 305. ACCESS TO VOTER REGISTRATION AND VOTING**
15 **FOR INDIVIDUALS WITH DISABILITIES.**

16 “(a) TREATMENT OF APPLICATIONS AND BAL-
17 LOTS.—Each State shall—

18 “(1) permit individuals with disabilities to use
19 absentee registration procedures and to vote by ab-
20 sentee ballot in elections for Federal office;

21 “(2) accept and process, with respect to any
22 election for Federal office, any otherwise valid voter
23 registration application and absentee ballot applica-
24 tion from an individual with a disability if the appli-
25 cation is received by the appropriate State election

1 official within the deadline for the election which is
2 applicable under Federal law;

3 “(3) in addition to any other method of reg-
4 istering to vote or applying for an absentee ballot in
5 the State, establish procedures—

6 “(A) for individuals with disabilities to re-
7 quest by mail and electronically voter registra-
8 tion applications and absentee ballot applica-
9 tions with respect to elections for Federal office
10 in accordance with subsection (c);

11 “(B) for States to send by mail and elec-
12 tronically (in accordance with the preferred
13 method of transmission designated by the indi-
14 vidual under subparagraph (C)) voter registra-
15 tion applications and absentee ballot applica-
16 tions requested under subparagraph (A) in ac-
17 cordance with subsection (c)); and

18 “(C) by which such an individual can des-
19 ignate whether the individual prefers that such
20 voter registration application or absentee ballot
21 application be transmitted by mail or electroni-
22 cally;

23 “(4) in addition to any other method of trans-
24 mitting blank absentee ballots in the State, establish
25 procedures for transmitting by mail and electroni-

1 cally blank absentee ballots to individuals with dis-
2 abilities with respect to elections for Federal office
3 in accordance with subsection (d);

4 “(5) transmit a validly requested absentee bal-
5 lot to an individual with a disability—

6 “(A) except as provided in subsection (e),
7 in the case in which the request is received at
8 least 45 days before an election for Federal of-
9 fice, not later than 45 days before the election;
10 and

11 “(B) in the case in which the request is re-
12 ceived less than 45 days before an election for
13 Federal office—

14 “(i) in accordance with State law; and

15 “(ii) if practicable and as determined
16 appropriate by the State, in a manner that
17 expedites the transmission of such absen-
18 tee ballot; and

19 “(6) if the State declares or otherwise holds a
20 runoff election for Federal office, establish a written
21 plan that provides absentee ballots are made avail-
22 able to individuals with disabilities in a manner that
23 gives them sufficient time to vote in the runoff elec-
24 tion.

1 “(b) DESIGNATION OF SINGLE STATE OFFICE TO
2 PROVIDE INFORMATION ON REGISTRATION AND ABSEN-
3 TEE BALLOT PROCEDURES FOR ALL DISABLED VOTERS
4 IN STATE.—Each State shall designate a single office
5 which shall be responsible for providing information re-
6 garding voter registration procedures and absentee ballot
7 procedures to be used by individuals with disabilities with
8 respect to elections for Federal office to all individuals
9 with disabilities who wish to register to vote or vote in
10 any jurisdiction in the State.

11 “(c) DESIGNATION OF MEANS OF ELECTRONIC COM-
12 MUNICATION FOR INDIVIDUALS WITH DISABILITIES TO
13 REQUEST AND FOR STATES TO SEND VOTER REGISTRA-
14 TION APPLICATIONS AND ABSENTEE BALLOT APPLICA-
15 TIONS, AND FOR OTHER PURPOSES RELATED TO VOTING
16 INFORMATION.—

17 “(1) IN GENERAL.—Each State shall, in addi-
18 tion to the designation of a single State office under
19 subsection (b), designate not less than 1 means of
20 electronic communication—

21 “(A) for use by individuals with disabilities
22 who wish to register to vote or vote in any ju-
23 risdiction in the State to request voter registra-
24 tion applications and absentee ballot applica-
25 tions under subsection (a)(3);

1 “(B) for use by States to send voter reg-
2 istration applications and absentee ballot appli-
3 cations requested under such subsection; and

4 “(C) for the purpose of providing related
5 voting, balloting, and election information to in-
6 dividuals with disabilities.

7 “(2) CLARIFICATION REGARDING PROVISION OF
8 MULTIPLE MEANS OF ELECTRONIC COMMUNICA-
9 TION.—A State may, in addition to the means of
10 electronic communication so designated, provide
11 multiple means of electronic communication to indi-
12 viduals with disabilities, including a means of elec-
13 tronic communication for the appropriate jurisdic-
14 tion of the State.

15 “(3) INCLUSION OF DESIGNATED MEANS OF
16 ELECTRONIC COMMUNICATION WITH INFORMA-
17 TIONAL AND INSTRUCTIONAL MATERIALS THAT AC-
18 COMPANY BALLOTING MATERIALS.—Each State shall
19 include a means of electronic communication so des-
20 ignated with all informational and instructional ma-
21 terials that accompany balloting materials sent by
22 the State to individuals with disabilities.

23 “(4) TRANSMISSION IF NO PREFERENCE INDI-
24 CATED.—In the case where an individual with a dis-
25 ability does not designate a preference under sub-

1 section (a)(3)(C), the State shall transmit the voter
2 registration application or absentee ballot application
3 by any delivery method allowable in accordance with
4 applicable State law, or if there is no applicable
5 State law, by mail.

6 “(d) TRANSMISSION OF BLANK ABSENTEE BALLOTS
7 BY MAIL AND ELECTRONICALLY.—

8 “(1) IN GENERAL.—Each State shall establish
9 procedures—

10 “(A) to securely transmit blank absentee
11 ballots by mail and electronically (in accordance
12 with the preferred method of transmission des-
13 ignated by the individual with a disability under
14 subparagraph (B)) to individuals with disabili-
15 ties for an election for Federal office; and

16 “(B) by which the individual with a dis-
17 ability can designate whether the individual pre-
18 fers that such blank absentee ballot be trans-
19 mitted by mail or electronically.

20 “(2) TRANSMISSION IF NO PREFERENCE INDI-
21 CATED.—In the case where an individual with a dis-
22 ability does not designate a preference under para-
23 graph (1)(B), the State shall transmit the ballot by
24 any delivery method allowable in accordance with ap-

1 applicable State law, or if there is no applicable State
2 law, by mail.

3 “(3) APPLICATION OF METHODS TO TRACK DE-
4 LIVERY TO AND RETURN OF BALLOT BY INDIVIDUAL
5 REQUESTING BALLOT.—Under the procedures estab-
6 lished under paragraph (1), the State shall apply
7 such methods as the State considers appropriate,
8 such as assigning a unique identifier to the ballot,
9 to ensure that if an individual with a disability re-
10 quests the State to transmit a blank absentee ballot
11 to the individual in accordance with this subsection,
12 the voted absentee ballot which is returned by the
13 individual is the same blank absentee ballot which
14 the State transmitted to the individual.

15 “(e) HARDSHIP EXEMPTION.—

16 “(1) IN GENERAL.—If the chief State election
17 official determines that the State is unable to meet
18 the requirement under subsection (a)(5)(A) with re-
19 spect to an election for Federal office due to an
20 undue hardship described in paragraph (2)(B), the
21 chief State election official shall request that the At-
22 torney General grant a waiver to the State of the
23 application of such subsection. Such request shall in-
24 clude—

1 “(A) a recognition that the purpose of
2 such subsection is to individuals with disabil-
3 ities enough time to vote in an election for Fed-
4 eral office;

5 “(B) an explanation of the hardship that
6 indicates why the State is unable to transmit
7 such individuals an absentee ballot in accord-
8 ance with such subsection;

9 “(C) the number of days prior to the elec-
10 tion for Federal office that the State requires
11 absentee ballots be transmitted to such individ-
12 uals; and

13 “(D) a comprehensive plan to ensure that
14 such individuals are able to receive absentee
15 ballots which they have requested and submit
16 marked absentee ballots to the appropriate
17 State election official in time to have that ballot
18 counted in the election for Federal office, which
19 includes—

20 “(i) the steps the State will undertake
21 to ensure that such individuals have time
22 to receive, mark, and submit their ballots
23 in time to have those ballots counted in the
24 election;

1 “(ii) why the plan provides such indi-
2 viduals sufficient time to vote as a sub-
3 stitute for the requirements under such
4 subsection; and

5 “(iii) the underlying factual informa-
6 tion which explains how the plan provides
7 such sufficient time to vote as a substitute
8 for such requirements.

9 “(2) APPROVAL OF WAIVER REQUEST.—The
10 Attorney General shall approve a waiver request
11 under paragraph (1) if the Attorney General deter-
12 mines each of the following requirements are met:

13 “(A) The comprehensive plan under sub-
14 paragraph (D) of such paragraph provides indi-
15 viduals with disabilities sufficient time to re-
16 ceive absentee ballots they have requested and
17 submit marked absentee ballots to the appro-
18 priate State election official in time to have that
19 ballot counted in the election for Federal office.

20 “(B) One or more of the following issues
21 creates an undue hardship for the State:

22 “(i) The State’s primary election date
23 prohibits the State from complying with
24 subsection (a)(5)(A).

1 “(ii) The State has suffered a delay in
2 generating ballots due to a legal contest.

3 “(iii) The State Constitution prohibits
4 the State from complying with such sub-
5 section.

6 “(3) TIMING OF WAIVER.—

7 “(A) IN GENERAL.—Except as provided
8 under subparagraph (B), a State that requests
9 a waiver under paragraph (1) shall submit to
10 the Attorney General the written waiver request
11 not later than 90 days before the election for
12 Federal office with respect to which the request
13 is submitted. The Attorney General shall ap-
14 prove or deny the waiver request not later than
15 65 days before such election.

16 “(B) EXCEPTION.—If a State requests a
17 waiver under paragraph (1) as the result of an
18 undue hardship described in paragraph
19 (2)(B)(ii), the State shall submit to the Attor-
20 ney General the written waiver request as soon
21 as practicable. The Attorney General shall ap-
22 prove or deny the waiver request not later than
23 5 business days after the date on which the re-
24 quest is received.

1 “(4) APPLICATION OF WAIVER.—A waiver ap-
2 proved under paragraph (2) shall only apply with re-
3 spect to the election for Federal office for which the
4 request was submitted. For each subsequent election
5 for Federal office, the Attorney General shall only
6 approve a waiver if the State has submitted a re-
7 quest under paragraph (1) with respect to such elec-
8 tion.

9 “(f) RULE OF CONSTRUCTION.—Nothing in this sec-
10 tion may be construed to allow the marking or casting of
11 ballots over the internet.

12 “(g) INDIVIDUAL WITH A DISABILITY DEFINED.—
13 In this section, an ‘individual with a disability’ means an
14 individual with an impairment that substantially limits
15 any major life activities and who is otherwise qualified to
16 vote in elections for Federal office.

17 “(h) EFFECTIVE DATE.—This section shall apply
18 with respect to elections for Federal office held on or after
19 January 1, 2022.”.

20 (b) CONFORMING AMENDMENT RELATING TO
21 ISSUANCE OF VOLUNTARY GUIDANCE BY ELECTION AS-
22 SISTANCE COMMISSION.—

23 (1) TIMING OF ISSUANCE.—Section 311(b) of
24 such Act (52 U.S.C. 21101(b)) is amended—

1 (A) by striking “and” at the end of para-
2 graph (2);

3 (B) by striking the period at the end of
4 paragraph (3) and inserting “; and”; and

5 (C) by adding at the end the following new
6 paragraph:

7 “(4) in the case of the recommendations with
8 respect to section 305, January 1, 2022.”.

9 (2) REDESIGNATION.—Title III of such Act (52
10 U.S.C. 21081 et seq.) is amended by redesignating
11 sections 311 and 312 as sections 321 and 322.

12 (c) CLERICAL AMENDMENTS.—The table of contents
13 of such Act, as amended by section 1201(c)), is amend-
14 ed—

15 (1) by redesignating the items relating to sec-
16 tions 305 and 306 as relating to sections 306 and
17 307;

18 (2) by inserting after the item relating to sec-
19 tion 304 the following new item:

“Sec. 305. Access to voter registration and voting for individuals with disabili-
ties.”;

20 and

21 (3) by redesignating the items relating to sec-
22 tions 311 and 312 as relating to sections 321 and
23 322.

1 **SEC. 2002. EXPANSION AND REAUTHORIZATION OF GRANT**
2 **PROGRAM TO ASSURE VOTING ACCESS FOR**
3 **INDIVIDUALS WITH DISABILITIES.**

4 (a) PURPOSES OF PAYMENTS.—Section 261(b) of the
5 Help America Vote Act of 2002 (52 U.S.C. 21021(b)) is
6 amended by striking paragraphs (1) and (2) and inserting
7 the following:

8 “(1) making absentee voting and voting at
9 home accessible to individuals with the full range of
10 disabilities (including impairments involving vision,
11 hearing, mobility, or dexterity) through the imple-
12 mentation of accessible absentee voting systems that
13 work in conjunction with assistive technologies for
14 which individuals have access at their homes, inde-
15 pendent living centers, or other facilities;

16 “(2) making polling places, including the path
17 of travel, entrances, exits, and voting areas of each
18 polling facility, accessible to individuals with disabil-
19 ities, including the blind and visually impaired, in a
20 manner that provides the same opportunity for ac-
21 cess and participation (including privacy and inde-
22 pendence) as for other voters; and

23 “(3) providing solutions to problems of access
24 to voting and elections for individuals with disabil-
25 ities that are universally designed and provide the

1 same opportunities for individuals with and without
2 disabilities.”.

3 (b) REAUTHORIZATION.—Section 264(a) of such Act
4 (52 U.S.C. 21024(a)) is amended by adding at the end
5 the following new paragraph:

6 “(4) For fiscal year 2022 and each succeeding
7 fiscal year, such sums as may be necessary to carry
8 out this part.”.

9 (c) PERIOD OF AVAILABILITY OF FUNDS.—Section
10 264 of such Act (52 U.S.C. 21024) is amended—

11 (1) in subsection (b), by striking “Any
12 amounts” and inserting “Except as provided in sub-
13 section (b), any amounts”; and

14 (2) by adding at the end the following new sub-
15 section:

16 “(c) RETURN AND TRANSFER OF CERTAIN FUNDS.—

17 “(1) DEADLINE FOR OBLIGATION AND EXPEND-
18 ITURE.—In the case of any amounts appropriated
19 pursuant to the authority of subsection (a) for a
20 payment to a State or unit of local government for
21 fiscal year 2022 or any succeeding fiscal year, any
22 portion of such amounts which have not been obli-
23 gated or expended by the State or unit of local gov-
24 ernment prior to the expiration of the 4-year period
25 which begins on the date the State or unit of local

1 government first received the amounts shall be
2 transferred to the Commission.

3 “(2) REALLOCATION OF TRANSFERRED
4 AMOUNTS.—

5 “(A) IN GENERAL.—The Commission shall
6 use the amounts transferred under paragraph
7 (1) to make payments on a pro rata basis to
8 each covered payment recipient described in
9 subparagraph (B), which may obligate and ex-
10 pend such payment for the purposes described
11 in section 261(b) during the 1-year period
12 which begins on the date of receipt.

13 “(B) COVERED PAYMENT RECIPIENTS DE-
14 SCRIBED.—In subparagraph (A), a ‘covered
15 payment recipient’ is a State or unit of local
16 government with respect to which—

17 “(i) amounts were appropriated pur-
18 suant to the authority of subsection (a);
19 and

20 “(ii) no amounts were transferred to
21 the Commission under paragraph (1).”.

1 **SEC. 2003. PILOT PROGRAMS FOR ENABLING INDIVIDUALS**
2 **WITH DISABILITIES TO REGISTER TO VOTE**
3 **PRIVATELY AND INDEPENDENTLY AT RESI-**
4 **DENCES.**

5 (a) ESTABLISHMENT OF PILOT PROGRAMS.—The
6 Election Assistance Commission (hereafter referred to as
7 the “Commission”) shall, subject to the availability of ap-
8 propriations to carry out this section, make grants to eligi-
9 ble States to conduct pilot programs under which individ-
10 uals with disabilities may use electronic means (including
11 the internet and telephones utilizing assistive devices) to
12 register to vote and to request and receive absentee ballots
13 in a manner which permits such individuals to do so pri-
14 vately and independently at their own residences.

15 (b) REPORTS.—

16 (1) IN GENERAL.—A State receiving a grant for
17 a year under this section shall submit a report to the
18 Commission on the pilot programs the State carried
19 out with the grant with respect to elections for pub-
20 lic office held in the State during the year.

21 (2) DEADLINE.—A State shall submit a report
22 under paragraph (1) not later than 90 days after
23 the last election for public office held in the State
24 during the year.

25 (c) ELIGIBILITY.—A State is eligible to receive a
26 grant under this section if the State submits to the Com-

1 mission, at such time and in such form as the Commission
2 may require, an application containing such information
3 and assurances as the Commission may require.

4 (d) TIMING.—The Commission shall make the first
5 grants under this section for pilot programs which will be
6 in effect with respect to elections for Federal office held
7 in 2022, or, at the option of a State, with respect to other
8 elections for public office held in the State in 2022.

9 (e) STATE DEFINED.—In this section, the term
10 “State” includes the District of Columbia, the Common-
11 wealth of Puerto Rico, Guam, American Samoa, the
12 United States Virgin Islands, and the Commonwealth of
13 the Northern Mariana Islands.

14 **SEC. 2004. GAO ANALYSIS AND REPORT ON VOTING ACCESS**
15 **FOR INDIVIDUALS WITH DISABILITIES.**

16 (a) ANALYSIS.—The Comptroller General of the
17 United States shall conduct an analysis after each regu-
18 larly scheduled general election for Federal office with re-
19 spect to the following:

20 (1) In relation to polling places located in
21 houses of worship or other facilities that may be ex-
22 empt from accessibility requirements under the
23 Americans with Disabilities Act—

24 (A) efforts to overcome accessibility chal-
25 lenges posed by such facilities; and

1 (B) the extent to which such facilities are
2 used as polling places in elections for Federal
3 office.

4 (2) Assistance provided by the Election Assist-
5 ance Commission, Department of Justice, or other
6 Federal agencies to help State and local officials im-
7 prove voting access for individuals with disabilities
8 during elections for Federal office.

9 (3) When accessible voting machines are avail-
10 able at a polling place, the extent to which such ma-
11 chines—

12 (A) are located in places that are difficult
13 to access;

14 (B) malfunction; or

15 (C) fail to provide sufficient privacy to en-
16 sure that the ballot of the individual cannot be
17 seen by another individual.

18 (4) The process by which Federal, State, and
19 local governments track compliance with accessibility
20 requirements related to voting access, including
21 methods to receive and address complaints.

22 (5) The extent to which poll workers receive
23 training on how to assist individuals with disabil-
24 ities, including the receipt by such poll workers of

1 information on legal requirements related to voting
2 rights for individuals with disabilities.

3 (6) The extent and effectiveness of training pro-
4 vided to poll workers on the operation of accessible
5 voting machines.

6 (7) The extent to which individuals with a de-
7 velopmental or psychiatric disability experience
8 greater barriers to voting, and whether poll worker
9 training adequately addresses the needs of such indi-
10 viduals.

11 (8) The extent to which State or local govern-
12 ments employ, or attempt to employ, individuals
13 with disabilities to work at polling sites.

14 (b) REPORT.—

15 (1) IN GENERAL.—Not later than 9 months
16 after the date of a regularly scheduled general elec-
17 tion for Federal office, the Comptroller General shall
18 submit to the appropriate congressional committees
19 a report with respect to the most recent regularly
20 scheduled general election for Federal office that
21 contains the following:

22 (A) The analysis required by subsection
23 (a).

24 (B) Recommendations, as appropriate, to
25 promote the use of best practices used by State

1 and local officials to address barriers to accessi-
 2 bility and privacy concerns for individuals with
 3 disabilities in elections for Federal office.

4 (2) APPROPRIATE CONGRESSIONAL COMMIT-
 5 TEES.—For purposes of this subsection, the term
 6 “appropriate congressional committees” means—

7 (A) the Committee on House Administra-
 8 tion of the House of Representatives;

9 (B) the Committee on Rules and Adminis-
 10 tration of the Senate;

11 (C) the Committee on Appropriations of
 12 the House of Representatives; and

13 (D) the Committee on Appropriations of
 14 the Senate.

15 **TITLE III—PROHIBITING VOTER** 16 **CAGING**

17 **SEC. 3001. VOTER CAGING AND OTHER QUESTIONABLE** 18 **CHALLENGES PROHIBITED.**

19 (a) IN GENERAL.—Chapter 29 of title 18, United
 20 States Code, as amended by section 1601(a), is amended
 21 by adding at the end the following:

22 **“§ 613. Voter caging and other questionable chal-** 23 **lenges**

24 “(a) DEFINITIONS.—In this section—

25 “(1) the term ‘voter caging document’ means—

1 “(A) a nonforwardable document that is
2 returned to the sender or a third party as unde-
3 livered or undeliverable despite an attempt to
4 deliver such document to the address of a reg-
5 istered voter or applicant; or

6 “(B) any document with instructions to an
7 addressee that the document be returned to the
8 sender or a third party but is not so returned,
9 despite an attempt to deliver such document to
10 the address of a registered voter or applicant,
11 unless at least two Federal election cycles have
12 passed since the date of the attempted delivery;

13 “(2) the term ‘voter caging list’ means a list of
14 individuals compiled from voter caging documents;
15 and

16 “(3) the term ‘unverified match list’ means a
17 list produced by matching the information of reg-
18 istered voters or applicants for voter registration to
19 a list of individuals who are ineligible to vote in the
20 registrar’s jurisdiction, by virtue of death, convic-
21 tion, change of address, or otherwise; unless one of
22 the pieces of information matched includes a signa-
23 ture, photograph, or unique identifying number en-
24 suring that the information from each source refers
25 to the same individual.

1 “(b) PROHIBITION AGAINST VOTER CAGING.—No
2 State or local election official shall prevent an individual
3 from registering or voting in any election for Federal of-
4 fice, or permit in connection with any election for Federal
5 office a formal challenge under State law to an individual’s
6 registration status or eligibility to vote, if the basis for
7 such decision is evidence consisting of—

8 “(1) a voter caging document or voter caging
9 list;

10 “(2) an unverified match list;

11 “(3) an error or omission on any record or
12 paper relating to any application, registration, or
13 other act requisite to voting, if such error or omis-
14 sion is not material to an individual’s eligibility to
15 vote under section 2004 of the Revised Statutes, as
16 amended (52 U.S.C. 10101(a)(2)(B)); or

17 “(4) any other evidence so designated for pur-
18 poses of this section by the Election Assistance Com-
19 mission,

20 except that the election official may use such evidence if
21 it is corroborated by independent evidence of the individ-
22 ual’s ineligibility to register or vote.

23 “(c) REQUIREMENTS FOR CHALLENGES BY PERSONS
24 OTHER THAN ELECTION OFFICIALS.—

1 “(1) REQUIREMENTS FOR CHALLENGES.—No
2 person, other than a State or local election official,
3 shall submit a formal challenge to an individual’s eli-
4 gibility to register to vote in an election for Federal
5 office or to vote in an election for Federal office un-
6 less that challenge is supported by personal knowl-
7 edge regarding the grounds for ineligibility which
8 is—

9 “(A) documented in writing; and

10 “(B) subject to an oath or attestation
11 under penalty of perjury that the challenger has
12 a good faith factual basis to believe that the in-
13 dividual who is the subject of the challenge is
14 ineligible to register to vote or vote in that elec-
15 tion, except a challenge which is based on the
16 age, race, ethnicity, or national origin of the in-
17 dividual who is the subject of the challenge may
18 not be considered to have a good faith factual
19 basis for purposes of this paragraph.

20 “(2) PROHIBITION ON CHALLENGES ON OR
21 NEAR DATE OF ELECTION.—No person, other than
22 a State or local election official, shall be permitted—

23 “(A) to challenge an individual’s eligibility
24 to vote in an election for Federal office on Elec-
25 tion Day, or

1 “(B) to challenge an individual’s eligibility
2 to register to vote in an election for Federal of-
3 fice or to vote in an election for Federal office
4 less than 10 days before the election unless the
5 individual registered to vote less than 20 days
6 before the election.

7 “(d) PENALTIES FOR KNOWING MISCONDUCT.—
8 Whoever knowingly challenges the eligibility of one or
9 more individuals to register or vote or knowingly causes
10 the eligibility of such individuals to be challenged in viola-
11 tion of this section with the intent that one or more eligi-
12 ble voters be disqualified, shall be fined under this title
13 or imprisoned not more than 1 year, or both, for each such
14 violation. Each violation shall be a separate offense.

15 “(e) NO EFFECT ON RELATED LAWS.—Nothing in
16 this section is intended to override the protections of the
17 National Voter Registration Act of 1993 (52 U.S.C.
18 20501 et seq.) or to affect the Voting Rights Act of 1965
19 (52 U.S.C. 10301 et seq.).”.

20 (b) CLERICAL AMENDMENT.—The table of sections
21 for chapter 29 of title 18, United States Code, as amended
22 by section 1601(b), is amended by adding at the end the
23 following:

“613. Voter caging and other questionable challenges.”.

1 **SEC. 3002. DEVELOPMENT AND ADOPTION OF BEST PRACTICES FOR PREVENTING VOTER CAGING.**
2

3 (a) BEST PRACTICES.—Not later than 180 days after
4 the date of the enactment of this Act, the Election Assist-
5 ance Commission shall develop and publish for the use of
6 States recommendations for best practices to deter and
7 prevent violations of section 613 of title 18, United States
8 Code, as added by section 3001(a), including practices to
9 provide for the posting of relevant information at polling
10 places and voter registration agencies, the training of poll
11 workers and election officials, and relevant educational
12 measures. For purposes of this subsection, the term
13 “State” includes the District of Columbia, the Common-
14 wealth of Puerto Rico, Guam, American Samoa, the
15 United States Virgin Islands, and the Commonwealth of
16 the Northern Mariana Islands.

17 (b) INCLUSION IN VOTING INFORMATION REQUIRE-
18 MENTS.—Section 302(b)(2) of the Help America Vote Act
19 of 2002 (52 U.S.C. 21082(b)(2)), as amended by section
20 1602(b), is amended—

21 (1) by striking “and” at the end of subpara-
22 graph (F);

23 (2) by striking the period at the end of sub-
24 paragraph (G) and inserting “; and”; and

25 (3) by adding at the end the following new sub-
26 paragraph:

1 “(H) information relating to the prohibi-
 2 tion against voter caging and other questionable
 3 challenges (as set forth in section 613 of title
 4 18, United States Code), including information
 5 on how individuals may report allegations of
 6 violations of such prohibition.”.

7 **TITLE IV—PROHIBITING DECEP-**
 8 **TIVE PRACTICES AND PRE-**
 9 **VENTING VOTER INTIMIDA-**
 10 **TION**

11 **SEC. 4001. PROHIBITION ON DECEPTIVE PRACTICES IN**
 12 **FEDERAL ELECTIONS.**

13 (a) PROHIBITION.—Subsection (b) of section 2004 of
 14 the Revised Statutes (52 U.S.C. 10101(b)) is amended—

15 (1) by striking “No person” and inserting the
 16 following:

17 “(1) IN GENERAL.—No person”; and

18 (2) by inserting at the end the following new
 19 paragraphs:

20 “(2) FALSE STATEMENTS REGARDING FEDERAL
 21 ELECTIONS.—

22 “(A) PROHIBITION.—No person, whether
 23 acting under color of law or otherwise, shall,
 24 within 60 days before an election described in
 25 paragraph (5), by any means, including by

1 means of written, electronic, or telephonic com-
2 munications, communicate or cause to be com-
3 municated information described in subpara-
4 graph (B), or produce information described in
5 subparagraph (B) with the intent that such in-
6 formation be communicated, if such person—

7 “(i) knows such information to be ma-
8 terially false; and

9 “(ii) has the intent to impede or pre-
10 vent another person from exercising the
11 right to vote in an election described in
12 paragraph (5).

13 “(B) INFORMATION DESCRIBED.—Infor-
14 mation is described in this subparagraph if such
15 information is regarding—

16 “(i) the time, place, or manner of
17 holding any election described in para-
18 graph (5); or

19 “(ii) the qualifications for or restric-
20 tions on voter eligibility for any such elec-
21 tion, including—

22 “(I) any criminal, civil, or other
23 legal penalties associated with voting
24 in any such election; or

1 “(II) information regarding a
2 voter’s registration status or eligi-
3 bility.

4 “(3) FALSE STATEMENTS REGARDING PUBLIC
5 ENDORSEMENTS.—

6 “(A) PROHIBITION.—No person, whether
7 acting under color of law or otherwise, shall,
8 within 60 days before an election described in
9 paragraph (5), by any means, including by
10 means of written, electronic, or telephonic com-
11 munications, communicate, or cause to be com-
12 municated, a materially false statement about
13 an endorsement, if such person—

14 “(i) knows such statement to be false;
15 and

16 “(ii) has the intent to impede or pre-
17 vent another person from exercising the
18 right to vote in an election described in
19 paragraph (5).

20 “(B) DEFINITION OF ‘MATERIALLY
21 FALSE’.—For purposes of subparagraph (A), a
22 statement about an endorsement is ‘materially
23 false’ if, with respect to an upcoming election
24 described in paragraph (5)—

1 “(i) the statement states that a spe-
2 cifically named person, political party, or
3 organization has endorsed the election of a
4 specific candidate for a Federal office de-
5 scribed in such paragraph; and

6 “(ii) such person, political party, or
7 organization has not endorsed the election
8 of such candidate.

9 “(4) HINDERING, INTERFERING WITH, OR PRE-
10 VENTING VOTING OR REGISTERING TO VOTE.—No
11 person, whether acting under color of law or other-
12 wise, shall intentionally hinder, interfere with, or
13 prevent another person from voting, registering to
14 vote, or aiding another person to vote or register to
15 vote in an election described in paragraph (5).

16 “(5) ELECTION DESCRIBED.—An election de-
17 scribed in this paragraph is any general, primary,
18 run-off, or special election held solely or in part for
19 the purpose of nominating or electing a candidate
20 for the office of President, Vice President, presi-
21 dential elector, Member of the Senate, Member of
22 the House of Representatives, or Delegate or Com-
23 missioner from a Territory or possession.”.

24 (b) PRIVATE RIGHT OF ACTION.—

1 (1) IN GENERAL.—Subsection (c) of section
2 2004 of the Revised Statutes (52 U.S.C. 10101(c))
3 is amended—

4 (A) by striking “Whenever any person”
5 and inserting the following:

6 “(1) IN GENERAL.—Whenever any person”; and

7 (B) by adding at the end the following new
8 paragraph:

9 “(2) CIVIL ACTION.—Any person aggrieved by a
10 violation of subsection (b)(2), (b)(3), or (b)(4) may
11 institute a civil action for preventive relief, including
12 an application in a United States district court for
13 a permanent or temporary injunction, restraining
14 order, or other order. In any such action, the court,
15 in its discretion, may allow the prevailing party a
16 reasonable attorney’s fee as part of the costs.”.

17 (2) CONFORMING AMENDMENTS.—Section 2004
18 of the Revised Statutes (52 U.S.C. 10101) is
19 amended—

20 (A) in subsection (e), by striking “sub-
21 section (c)” and inserting “subsection (c)(1)”;
22 and

23 (B) in subsection (g), by striking “sub-
24 section (c)” and inserting “subsection (c)(1)”.

25 (c) CRIMINAL PENALTIES.—

1 (1) DECEPTIVE ACTS.—Section 594 of title 18,
2 United States Code, is amended—

3 (A) by striking “Whoever” and inserting
4 the following:

5 “(a) INTIMIDATION.—Whoever”;

6 (B) in subsection (a), as inserted by sub-
7 paragraph (A), by striking “at any election”
8 and inserting “at any general, primary, run-off,
9 or special election”; and

10 (C) by adding at the end the following new
11 subsections:

12 “(b) DECEPTIVE ACTS.—

13 “(1) FALSE STATEMENTS REGARDING FEDERAL
14 ELECTIONS.—

15 “(A) PROHIBITION.—It shall be unlawful
16 for any person, whether acting under color of
17 law or otherwise, within 60 days before an elec-
18 tion described in subsection (e), by any means,
19 including by means of written, electronic, or tel-
20 ephonic communications, to communicate or
21 cause to be communicated information de-
22 scribed in subparagraph (B), or produce infor-
23 mation described in subparagraph (B) with the
24 intent that such information be communicated,
25 if such person—

1 “(i) knows such information to be ma-
2 terially false; and

3 “(ii) has the intent to mislead voters,
4 or the intent to impede or prevent another
5 person from exercising the right to vote in
6 an election described in subsection (e).

7 “(B) INFORMATION DESCRIBED.—Infor-
8 mation is described in this subparagraph if such
9 information is regarding—

10 “(i) the time or place of holding any
11 election described in subsection (e); or

12 “(ii) the qualifications for or restric-
13 tions on voter eligibility for any such elec-
14 tion, including—

15 “(I) any criminal, civil, or other
16 legal penalties associated with voting
17 in any such election; or

18 “(II) information regarding a
19 voter’s registration status or eligi-
20 bility.

21 “(2) PENALTY.—Any person who violates para-
22 graph (1) shall be fined not more than \$100,000,
23 imprisoned for not more than 5 years, or both.

24 “(c) HINDERING, INTERFERING WITH, OR PRE-
25 VENTING VOTING OR REGISTERING TO VOTE.—

1 “(1) PROHIBITION.—It shall be unlawful for
2 any person, whether acting under color of law or
3 otherwise, to intentionally hinder, interfere with, or
4 prevent another person from voting, registering to
5 vote, or aiding another person to vote or register to
6 vote in an election described in subsection (e), in-
7 cluding by operating a polling place or ballot box
8 that falsely purports to be an official location estab-
9 lished for such an election by a unit of government.

10 “(2) PENALTY.—Any person who violates para-
11 graph (1) shall be fined not more than \$100,000,
12 imprisoned for not more than 5 years, or both.

13 “(d) ATTEMPT.—Any person who attempts to commit
14 any offense described in subsection (a), (b)(1), or (c)(1)
15 shall be subject to the same penalties as those prescribed
16 for the offense that the person attempted to commit.

17 “(e) ELECTION DESCRIBED.—An election described
18 in this subsection is any general, primary, run-off, or spe-
19 cial election held solely or in part for the purpose of nomi-
20 nating or electing a candidate for the office of President,
21 Vice President, presidential elector, Senator, Member of
22 the House of Representatives, or Delegate or Resident
23 Commissioner to the Congress.”.

24 (2) MODIFICATION OF PENALTY FOR VOTER IN-
25 TIMIDATION.—Section 594(a) of title 18, United

1 States Code, as amended by paragraph (1), is
2 amended by striking “fined under this title or im-
3 prisoned not more than one year” and inserting
4 “fined not more than \$100,000, imprisoned for not
5 more than 5 years”.

6 (3) SENTENCING GUIDELINES.—

7 (A) REVIEW AND AMENDMENT.—Not later
8 than 180 days after the date of enactment of
9 this Act, the United States Sentencing Commis-
10 sion, pursuant to its authority under section
11 994 of title 28, United States Code, and in ac-
12 cordance with this section, shall review and, if
13 appropriate, amend the Federal sentencing
14 guidelines and policy statements applicable to
15 persons convicted of any offense under section
16 594 of title 18, United States Code, as amend-
17 ed by this section.

18 (B) AUTHORIZATION.—The United States
19 Sentencing Commission may amend the Federal
20 Sentencing Guidelines in accordance with the
21 procedures set forth in section 21(a) of the Sen-
22 tencing Act of 1987 (28 U.S.C. 994 note) as
23 though the authority under that section had not
24 expired.

1 (4) PAYMENTS FOR REFRAINING FROM VOT-
2 ING.—Subsection (c) of section 11 of the Voting
3 Rights Act of 1965 (52 U.S.C. 10307) is amended
4 by striking “either for registration to vote or for vot-
5 ing” and inserting “for registration to vote, for vot-
6 ing, or for not voting”.

7 **SEC. 4002. CORRECTIVE ACTION.**

8 (a) CORRECTIVE ACTION.—

9 (1) IN GENERAL.—If the Attorney General re-
10 ceives a credible report that materially false informa-
11 tion has been or is being communicated in violation
12 of paragraphs (2) and (3) of section 2004(b) of the
13 Revised Statutes (52 U.S.C. 10101(b)), as added by
14 section 4001(a), and if the Attorney General deter-
15 mines that State and local election officials have not
16 taken adequate steps to promptly communicate accu-
17 rate information to correct the materially false infor-
18 mation, the Attorney General shall, pursuant to the
19 written procedures and standards under subsection
20 (b), communicate to the public, by any means, in-
21 cluding by means of written, electronic, or telephonic
22 communications, accurate information designed to
23 correct the materially false information.

1 (2) COMMUNICATION OF CORRECTIVE INFORMA-
2 TION.—Any information communicated by the Attor-
3 ney General under paragraph (1)—

4 (A) shall—

5 (i) be accurate and objective;

6 (ii) consist of only the information
7 necessary to correct the materially false in-
8 formation that has been or is being com-
9 municated; and

10 (iii) to the extent practicable, be by a
11 means that the Attorney General deter-
12 mines will reach the persons to whom the
13 materially false information has been or is
14 being communicated; and

15 (B) shall not be designed to favor or dis-
16 favor any particular candidate, organization, or
17 political party.

18 (b) WRITTEN PROCEDURES AND STANDARDS FOR
19 TAKING CORRECTIVE ACTION.—

20 (1) IN GENERAL.—Not later than 180 days
21 after the date of enactment of this Act, the Attorney
22 General shall publish written procedures and stand-
23 ards for determining when and how corrective action
24 will be taken under this section.

1 (2) INCLUSION OF APPROPRIATE DEADLINES.—

2 The procedures and standards under paragraph (1)
3 shall include appropriate deadlines, based in part on
4 the number of days remaining before the upcoming
5 election.

6 (3) CONSULTATION.—In developing the proce-
7 dures and standards under paragraph (1), the Attor-
8 ney General shall consult with the Election Assist-
9 ance Commission, State and local election officials,
10 civil rights organizations, voting rights groups, voter
11 protection groups, and other interested community
12 organizations.

13 (c) AUTHORIZATION OF APPROPRIATIONS.—There
14 are authorized to be appropriated to the Attorney General
15 such sums as may be necessary to carry out this subtitle.

16 **SEC. 4003. REPORTS TO CONGRESS.**

17 (a) IN GENERAL.—Not later than 180 days after
18 each general election for Federal office, the Attorney Gen-
19 eral shall submit to Congress a report compiling all allega-
20 tions received by the Attorney General of deceptive prac-
21 tices described in paragraphs (2), (3), and (4) of section
22 2004(b) of the Revised Statutes (52 U.S.C. 10101(b)), as
23 added by section 4001(a), relating to the general election
24 for Federal office and any primary, run-off, or a special

1 election for Federal office held in the 2 years preceding
2 the general election.

3 (b) CONTENTS.—

4 (1) IN GENERAL.—Each report submitted
5 under subsection (a) shall include—

6 (A) a description of each allegation of a
7 deceptive practice described in subsection (a),
8 including the geographic location, racial and
9 ethnic composition, and language minority-
10 group membership of the persons toward whom
11 the alleged deceptive practice was directed;

12 (B) the status of the investigation of each
13 allegation described in subparagraph (A);

14 (C) a description of each corrective action
15 taken by the Attorney General under section
16 4(a) in response to an allegation described in
17 subparagraph (A);

18 (D) a description of each referral of an al-
19 legation described in subparagraph (A) to other
20 Federal, State, or local agencies;

21 (E) to the extent information is available,
22 a description of any civil action instituted under
23 section 2004(c)(2) of the Revised Statutes (52
24 U.S.C. 10101(c)(2)), as added by section

1 4001(b), in connection with an allegation de-
2 scribed in subparagraph (A); and

3 (F) a description of any criminal prosecu-
4 tion instituted under section 594 of title 18,
5 United States Code, as amended by section
6 4001(c), in connection with the receipt of an al-
7 legation described in subparagraph (A) by the
8 Attorney General.

9 (2) EXCLUSION OF CERTAIN INFORMATION.—

10 (A) IN GENERAL.—The Attorney General
11 shall not include in a report submitted under
12 subsection (a) any information protected from
13 disclosure by rule 6(e) of the Federal Rules of
14 Criminal Procedure or any Federal criminal
15 statute.

16 (B) EXCLUSION OF CERTAIN OTHER IN-
17 FORMATION.—The Attorney General may deter-
18 mine that the following information shall not be
19 included in a report submitted under subsection
20 (a):

- 21 (i) Any information that is privileged.
22 (ii) Any information concerning an
23 ongoing investigation.

1 (iii) Any information concerning a
2 criminal or civil proceeding conducted
3 under seal.

4 (iv) Any other nonpublic information
5 that the Attorney General determines the
6 disclosure of which could reasonably be ex-
7 pected to infringe on the rights of any in-
8 dividual or adversely affect the integrity of
9 a pending or future criminal investigation.

10 (c) REPORT MADE PUBLIC.—On the date that the
11 Attorney General submits the report under subsection (a),
12 the Attorney General shall also make the report publicly
13 available through the internet and other appropriate
14 means.

15 **TITLE V—DEMOCRACY** 16 **RESTORATION**

17 **SEC. 5001. FINDINGS.**

18 Congress makes the following findings:

19 (1) The right to vote is the most basic constitu-
20 tive act of citizenship. Regaining the right to vote
21 reintegrates individuals with criminal convictions
22 into free society, helping to enhance public safety.

23 (2) Article I, section 4, of the Constitution
24 grants Congress ultimate supervisory power over

1 Federal elections, an authority which has repeatedly
2 been upheld by the Supreme Court.

3 (3) Basic constitutional principles of fairness
4 and equal protection require an equal opportunity
5 for citizens of the United States to vote in Federal
6 elections. The right to vote may not be abridged or
7 denied by the United States or by any State on ac-
8 count of race, color, gender, or previous condition of
9 servitude. The 13th, 14th, 15th, 19th, 24th, and
10 26th Amendments to the Constitution empower Con-
11 gress to enact measures to protect the right to vote
12 in Federal elections. The 8th Amendment to the
13 Constitution provides for no excessive bail to be re-
14 quired, nor excessive fines imposed, nor cruel and
15 unusual punishments inflicted.

16 (4) There are 3 areas in which discrepancies in
17 State laws regarding criminal convictions lead to un-
18 fairness in Federal elections:

19 (A) The lack of a uniform standard for
20 voting in Federal elections leads to an unfair
21 disparity and unequal participation in Federal
22 elections based solely on where a person lives.

23 (B) Laws governing the restoration of vot-
24 ing rights after a criminal conviction vary
25 throughout the country, and persons in some

1 States can easily regain their voting rights
2 while in other States persons effectively lose
3 their right to vote permanently.

4 (C) State disenfranchisement laws dis-
5 proportionately impact racial and ethnic minori-
6 ties.

7 (5) Two States (Maine and Vermont), the Dis-
8 trict of Columbia, and the Commonwealth of Puerto
9 Rico do not disenfranchise individuals with criminal
10 convictions at all, but 48 States have laws that deny
11 convicted individuals the right to vote while they are
12 in prison.

13 (6) In some States disenfranchisement results
14 from varying State laws that restrict voting while in-
15 dividuals are under the supervision of the criminal
16 justice system or after they have completed a crimi-
17 nal sentence. In 30 States, convicted individuals may
18 not vote while they are on parole and 27 States dis-
19 enfranchise individuals on felony probation as well.
20 In 11 States, a conviction can result in lifetime dis-
21 enfranchisement.

22 (7) Several States deny the right to vote to in-
23 dividuals convicted of certain misdemeanors.

24 (8) An estimated 5,200,000 citizens of the
25 United States, or about 1 in 44 adults in the United

1 States, currently cannot vote as a result of a felony
2 conviction. Of the 5,200,000 citizens barred from
3 voting, only 24 percent are in prison. By contrast,
4 75 percent of the disenfranchised reside in their
5 communities while on probation or parole or after
6 having completed their sentences. Approximately
7 2,200,000 citizens who have completed their sen-
8 tences remain disenfranchised due to restrictive
9 State laws. In at least 6 States—Alabama, Florida,
10 Kentucky, Mississippi, Tennessee, and Virginia—
11 more than 5 percent of the total voting-age popu-
12 lation is disenfranchised.

13 (9) In those States that disenfranchise individ-
14 uals post-sentence, the right to vote can be regained
15 in theory, but in practice this possibility is often
16 granted in a non-uniform and potentially discrimina-
17 tory manner. Disenfranchised individuals must ei-
18 ther obtain a pardon or an order from the Governor
19 or an action by the parole or pardon board, depend-
20 ing on the offense and State. Individuals convicted
21 of a Federal offense often have additional barriers to
22 regaining voting rights.

23 (10) State disenfranchisement laws dispropor-
24 tionately impact racial and ethnic minorities. More
25 than 6 percent of the African-American voting-age

1 population, or 1,800,000 African Americans, are
2 disenfranchised. Currently, 1 of every 16 voting-age
3 African Americans are rendered unable to vote be-
4 cause of felony disenfranchisement, which is a rate
5 more than 3.7 times greater than non-African Amer-
6 icans. Over 6 percent of African-American adults are
7 disenfranchised whereas only 1.7 percent of non-Af-
8 rican Americans are. In 7 States (Alabama, 16 per-
9 cent; Florida, 15 percent; Kentucky, 15 percent;
10 Mississippi, 16 percent; Tennessee, 21 percent; Vir-
11 ginia, 16 percent; and Wyoming, 36 percent), more
12 than 1 in 7 African Americans are unable to vote
13 because of prior convictions, twice the national aver-
14 age for African Americans.

15 (11) Latino citizens are disproportionately
16 disenfranchised based upon their disproportionate
17 representation in the criminal justice system. In re-
18 cent years, Latinos have been imprisoned at 2.5
19 times the rate of Whites. More than 2 percent of the
20 voting-age Latino population, or 560,000 Latinos,
21 are disenfranchised due to a felony conviction. In 34
22 states Latinos are disenfranchised at a higher rate
23 than the general population. In 11 states 4 percent
24 or more of Latino adults are disenfranchised due to
25 a felony conviction (Alabama, 4 percent; Arizona, 7

1 percent; Arkansas, 4 percent; Idaho, 4 percent;
2 Iowa, 4 percent; Kentucky, 6 percent; Minnesota, 4
3 percent; Mississippi, 5 percent; Nebraska, 6 percent;
4 Tennessee, 11 percent, Wyoming, 4 percent), twice
5 the national average for Latinos.

6 (12) Disenfranchising citizens who have been
7 convicted of a criminal offense and who are living
8 and working in the community serves no compelling
9 State interest and hinders their rehabilitation and
10 reintegration into society.

11 (13) State disenfranchisement laws can sup-
12 press electoral participation among eligible voters by
13 discouraging voting among family and community
14 members of disenfranchised persons. Future elec-
15 toral participation by the children of disenfranchised
16 parents may be impacted as well.

17 (14) The United States is the only Western de-
18 mocracy that permits the permanent denial of voting
19 rights for individuals with felony convictions.

20 **SEC. 5002. RIGHTS OF CITIZENS.**

21 The right of an individual who is a citizen of the
22 United States to vote in any election for Federal office
23 shall not be denied or abridged because that individual has
24 been convicted of a criminal offense unless such individual

1 is serving a felony sentence in a correctional institution
2 or facility at the time of the election.

3 **SEC. 5003. ENFORCEMENT.**

4 (a) ATTORNEY GENERAL.—The Attorney General
5 may, in a civil action, obtain such declaratory or injunctive
6 relief as is necessary to remedy a violation of this subtitle.

7 (b) PRIVATE RIGHT OF ACTION.—

8 (1) IN GENERAL.—A person who is aggrieved
9 by a violation of this title may provide written notice
10 of the violation to the chief election official of the
11 State involved.

12 (2) RELIEF.—Except as provided in paragraph
13 (3), if the violation is not corrected within 90 days
14 after receipt of a notice under paragraph (1), or
15 within 20 days after receipt of the notice if the viola-
16 tion occurred within 120 days before the date of an
17 election for Federal office, the aggrieved person
18 may, in a civil action, obtain declaratory or injunc-
19 tive relief with respect to the violation.

20 (3) EXCEPTION.—If the violation occurred
21 within 30 days before the date of an election for
22 Federal office, the aggrieved person need not provide
23 notice to the chief election official of the State under
24 paragraph (1) before bringing a civil action to obtain

1 declaratory or injunctive relief with respect to the
2 violation.

3 **SEC. 5004. NOTIFICATION OF RESTORATION OF VOTING**
4 **RIGHTS.**

5 (a) STATE NOTIFICATION.—

6 (1) NOTIFICATION.—On the date determined
7 under paragraph (2), each State shall notify in writ-
8 ing any individual who has been convicted of a
9 criminal offense under the law of that State that
10 such individual has the right to vote in an election
11 for Federal office pursuant to the Democracy Res-
12 toration Act of 2021 and may register to vote in any
13 such election and provide such individual with any
14 materials that are necessary to register to vote in
15 any such election.

16 (2) DATE OF NOTIFICATION.—

17 (A) FELONY CONVICTION.—In the case of
18 such an individual who has been convicted of a
19 felony, the notification required under para-
20 graph (1) shall be given on the date on which
21 the individual—

22 (i) is sentenced to serve only a term
23 of probation; or

24 (ii) is released from the custody of
25 that State (other than to the custody of

1 another State or the Federal Government
2 to serve a term of imprisonment for a fel-
3 ony conviction).

4 (B) MISDEMEANOR CONVICTION.—In the
5 case of such an individual who has been con-
6 victed of a misdemeanor, the notification re-
7 quired under paragraph (1) shall be given on
8 the date on which such individual is sentenced
9 by a State court.

10 (b) FEDERAL NOTIFICATION.—

11 (1) NOTIFICATION.—Any individual who has
12 been convicted of a criminal offense under Federal
13 law shall be notified in accordance with paragraph
14 (2) that such individual has the right to vote in an
15 election for Federal office pursuant to the Democ-
16 racy Restoration Act of 2021 and may register to
17 vote in any such election and provide such individual
18 with any materials that are necessary to register to
19 vote in any such election.

20 (2) DATE OF NOTIFICATION.—

21 (A) FELONY CONVICTION.—In the case of
22 such an individual who has been convicted of a
23 felony, the notification required under para-
24 graph (1) shall be given—

1 (i) in the case of an individual who is
2 sentenced to serve only a term of proba-
3 tion, by the Assistant Director for the Of-
4 fice of Probation and Pretrial Services of
5 the Administrative Office of the United
6 States Courts on the date on which the in-
7 dividual is sentenced; or

8 (ii) in the case of any individual com-
9 mitted to the custody of the Bureau of
10 Prisons, by the Director of the Bureau of
11 Prisons, during the period beginning on
12 the date that is 6 months before such indi-
13 vidual is released and ending on the date
14 such individual is released from the cus-
15 tody of the Bureau of Prisons.

16 (B) MISDEMEANOR CONVICTION.—In the
17 case of such an individual who has been con-
18 victed of a misdemeanor, the notification re-
19 quired under paragraph (1) shall be given on
20 the date on which such individual is sentenced
21 by a court established by an Act of Congress.

22 **SEC. 5005. DEFINITIONS.**

23 For purposes of this title:

24 (1) CORRECTIONAL INSTITUTION OR FACIL-
25 ITY.—The term “correctional institution or facility”

1 means any prison, penitentiary, jail, or other institu-
2 tion or facility for the confinement of individuals
3 convicted of criminal offenses, whether publicly or
4 privately operated, except that such term does not
5 include any residential community treatment center
6 (or similar public or private facility).

7 (2) ELECTION.—The term “election” means—

8 (A) a general, special, primary, or runoff
9 election;

10 (B) a convention or caucus of a political
11 party held to nominate a candidate;

12 (C) a primary election held for the selec-
13 tion of delegates to a national nominating con-
14 vention of a political party; or

15 (D) a primary election held for the expres-
16 sion of a preference for the nomination of per-
17 sons for election to the office of President.

18 (3) FEDERAL OFFICE.—The term “Federal of-
19 fice” means the office of President or Vice President
20 of the United States, or of Senator or Representa-
21 tive in, or Delegate or Resident Commissioner to,
22 the Congress of the United States.

23 (4) PROBATION.—The term “probation” means
24 probation, imposed by a Federal, State, or local

1 court, with or without a condition on the individual
2 involved concerning—

3 (A) the individual's freedom of movement;

4 (B) the payment of damages by the indi-
5 vidual;

6 (C) periodic reporting by the individual to
7 an officer of the court; or

8 (D) supervision of the individual by an of-
9 ficer of the court.

10 **SEC. 5006. RELATION TO OTHER LAWS.**

11 (a) STATE LAWS RELATING TO VOTING RIGHTS.—
12 Nothing in this title be construed to prohibit the States
13 from enacting any State law which affords the right to
14 vote in any election for Federal office on terms less restric-
15 tive than those established by this subtitle.

16 (b) CERTAIN FEDERAL ACTS.—The rights and rem-
17 edies established by this title are in addition to all other
18 rights and remedies provided by law, and neither rights
19 and remedies established by this Act shall supersede, re-
20 strict, or limit the application of the Voting Rights Act
21 of 1965 (52 U.S.C. 10301 et seq.) or the National Voter
22 Registration Act of 1993 (52 U.S.C. 20501 et seq.).

23 **SEC. 5007. FEDERAL PRISON FUNDS.**

24 No State, unit of local government, or other person
25 may receive or use, to construct or otherwise improve a

1 prison, jail, or other place of incarceration, any Federal
 2 funds unless that person has in effect a program under
 3 which each individual incarcerated in that person’s juris-
 4 diction who is a citizen of the United States is notified,
 5 upon release from such incarceration, of that individual’s
 6 rights under section 5002.

7 **SEC. 5008. EFFECTIVE DATE.**

8 This subtitle shall apply to citizens of the United
 9 States voting in any election for Federal office held after
 10 the date of the enactment of this Act.

11 **TITLE VI—PROMOTING ACCU-**
 12 **RACY, INTEGRITY, AND SECU-**
 13 **RITY THROUGH VOTER-**
 14 **VERIFIED PERMANENT**
 15 **PAPER BALLOT**

16 **SEC. 6001. PAPER BALLOT AND MANUAL COUNTING RE-**
 17 **QUIREMENTS.**

18 (a) IN GENERAL.—Section 301(a)(2) of the Help
 19 America Vote Act of 2002 (52 U.S.C. 21081(a)(2)) is
 20 amended to read as follows:

21 “(2) PAPER BALLOT REQUIREMENT.—

22 “(A) VOTER-VERIFIED PAPER BALLOTS.—

23 “(i) PAPER BALLOT REQUIREMENT.—

24 (I) The voting system shall require the use
 25 of an individual, durable, voter-verified

1 paper ballot of the voter's vote that shall
2 be marked and made available for inspec-
3 tion and verification by the voter before
4 the voter's vote is cast and counted, and
5 which shall be counted by hand or read by
6 an optical character recognition device or
7 other counting device. For purposes of this
8 subclause, the term 'individual, durable,
9 voter-verified paper ballot' means a paper
10 ballot marked by the voter by hand or a
11 paper ballot marked through the use of a
12 nontabulating ballot marking device or sys-
13 tem, so long as the voter shall have the op-
14 tion to mark his or her ballot by hand.

15 “(II) The voting system shall provide
16 the voter with an opportunity to correct
17 any error on the paper ballot before the
18 permanent voter-verified paper ballot is
19 preserved in accordance with clause (ii).

20 “(III) The voting system shall not
21 preserve the voter-verified paper ballots in
22 any manner that makes it possible, at any
23 time after the ballot has been cast, to asso-
24 ciate a voter with the record of the voter's
25 vote without the voter's consent.

1 “(ii) PRESERVATION AS OFFICIAL
2 RECORD.—The individual, durable, voter-
3 verified paper ballot used in accordance
4 with clause (i) shall constitute the official
5 ballot and shall be preserved and used as
6 the official ballot for purposes of any re-
7 count or audit conducted with respect to
8 any election for Federal office in which the
9 voting system is used.

10 “(iii) MANUAL COUNTING REQUIRE-
11 MENTS FOR RECOUNTS AND AUDITS.—(I)
12 Each paper ballot used pursuant to clause
13 (i) shall be suitable for a manual audit,
14 and shall be counted by hand in any re-
15 count or audit conducted with respect to
16 any election for Federal office.

17 “(II) In the event of any inconsis-
18 tencies or irregularities between any elec-
19 tronic vote tallies and the vote tallies de-
20 termined by counting by hand the indi-
21 vidual, durable, voter-verified paper ballots
22 used pursuant to clause (i), and subject to
23 subparagraph (B), the individual, durable,
24 voter-verified paper ballots shall be the
25 true and correct record of the votes cast.

1 “(iv) APPLICATION TO ALL BAL-
2 LOTS.—The requirements of this subpara-
3 graph shall apply to all ballots cast in elec-
4 tions for Federal office, including ballots
5 cast by absent uniformed services voters
6 and overseas voters under the Uniformed
7 and Overseas Citizens Absentee Voting Act
8 and other absentee voters.

9 “(B) SPECIAL RULE FOR TREATMENT OF
10 DISPUTES WHEN PAPER BALLOTS HAVE BEEN
11 SHOWN TO BE COMPROMISED.—

12 “(i) IN GENERAL.—In the event
13 that—

14 “(I) there is any inconsistency
15 between any electronic vote tallies and
16 the vote tallies determined by count-
17 ing by hand the individual, durable,
18 voter-verified paper ballots used pur-
19 suant to subparagraph (A)(i) with re-
20 spect to any election for Federal of-
21 fice; and

22 “(II) it is demonstrated by clear
23 and convincing evidence (as deter-
24 mined in accordance with the applica-
25 ble standards in the jurisdiction in-

1 volved) in any recount, audit, or con-
2 test of the result of the election that
3 the paper ballots have been com-
4 promised (by damage or mischief or
5 otherwise) and that a sufficient num-
6 ber of the ballots have been so com-
7 promised that the result of the elec-
8 tion could be changed,
9 the determination of the appropriate rem-
10 edy with respect to the election shall be
11 made in accordance with applicable State
12 law, except that the electronic tally shall
13 not be used as the exclusive basis for de-
14 termining the official certified result.

15 “(ii) RULE FOR CONSIDERATION OF
16 BALLOTS ASSOCIATED WITH EACH VOTING
17 MACHINE.—For purposes of clause (i),
18 only the paper ballots deemed com-
19 promised, if any, shall be considered in the
20 calculation of whether or not the result of
21 the election could be changed due to the
22 compromised paper ballots.”.

23 (b) CONFORMING AMENDMENT CLARIFYING APPLI-
24 CABILITY OF ALTERNATIVE LANGUAGE ACCESSIBILITY.—
25 Section 301(a)(4) of such Act (52 U.S.C. 21081(a)(4))

1 is amended by inserting “(including the paper ballots re-
 2 quired to be used under paragraph (2))” after “voting sys-
 3 tem”.

4 (c) OTHER CONFORMING AMENDMENTS.—Section
 5 301(a)(1) of such Act (52 U.S.C. 21081(a)(1)) is amend-
 6 ed—

7 (1) in subparagraph (A)(i), by striking “count-
 8 ed” and inserting “counted, in accordance with
 9 paragraphs (2) and (3)”;

10 (2) in subparagraph (A)(ii), by striking “count-
 11 ed” and inserting “counted, in accordance with
 12 paragraphs (2) and (3)”;

13 (3) in subparagraph (A)(iii), by striking “count-
 14 ed” each place it appears and inserting “counted, in
 15 accordance with paragraphs (2) and (3)”;

16 (4) in subparagraph (B)(ii), by striking “count-
 17 ed” and inserting “counted, in accordance with
 18 paragraphs (2) and (3)”.

19 **SEC. 6002. ACCESSIBILITY AND BALLOT VERIFICATION FOR**
 20 **INDIVIDUALS WITH DISABILITIES.**

21 (a) IN GENERAL.—Section 301(a)(3)(B) of the Help
 22 America Vote Act of 2002 (52 U.S.C. 21081(a)(3)(B)) is
 23 amended to read as follows:

24 “(B)(i) ensure that individuals with dis-
 25 abilities and others are given an equivalent op-

1 portunity to vote, including with privacy and
2 independence, in a manner that produces a
3 voter-verified paper ballot as for other voters;

4 “(ii) satisfy the requirement of subpara-
5 graph (A) through the use of a sufficient num-
6 ber, but at least one, of voting systems, as de-
7 termined by the Commission in consultation
8 with the United States Access Board and the
9 National Institute of Standards and Tech-
10 nology, equipped to serve individuals with and
11 without disabilities, including nonvisual and en-
12 hanced visual accessibility for the blind and vis-
13 ually impaired, and nonmanual and enhanced
14 manual accessibility for the mobility and dex-
15 terity impaired, for all in person voting options;
16 and

17 “(iii) meet the requirements of subpara-
18 graph (A) and paragraph (2)(A) by using a sys-
19 tem that—

20 “(I) allows the voter to privately and
21 independently verify the permanent paper
22 ballot through the presentation, in acces-
23 sible form, of the printed or marked vote
24 selections from the same printed or

1 marked information that would be used for
2 any vote counting or auditing; and

3 “(II) allows the voter to privately and
4 independently verify and cast the perma-
5 nent paper ballot without requiring the
6 voter to manually handle the paper bal-
7 lot;”.

8 (b) SPECIFIC REQUIREMENT OF STUDY, TESTING,
9 AND DEVELOPMENT OF ACCESSIBLE VOTING OPTIONS.—

10 (1) STUDY AND REPORTING.—Subtitle C of
11 title II of such Act (52 U.S.C. 21081 et seq.) is
12 amended—

13 (A) by redesignating section 247 as section
14 248; and

15 (B) by inserting after section 246 the fol-
16 lowing new section:

17 **“SEC. 247. STUDY AND REPORT ON ACCESSIBLE VOTING**
18 **OPTIONS.**

19 “(a) GRANTS TO STUDY AND REPORT.—The Com-
20 mission, in coordination with the Access Board and the
21 Cybersecurity and Infrastructure Security Agency, shall
22 make grants to not fewer than three eligible entities to
23 study, test, and develop accessible and secure remote vot-
24 ing systems and voting, verification, and casting devices

1 to enhance the accessibility of voting and verification for
2 individuals with disabilities.

3 “(b) ELIGIBILITY.—An entity is eligible to receive a
4 grant under this part if it submits to the Commission (at
5 such time and in such form as the Commission may re-
6 quire) an application containing—

7 “(1) a certification that the entity shall com-
8 plete the activities carried out with the grant not
9 later than January 1, 2024; and

10 “(2) such other information and certifications
11 as the Commission may require.

12 “(c) AVAILABILITY OF TECHNOLOGY.—Any tech-
13 nology developed with the grants made under this section
14 shall be treated as non-proprietary and shall be made
15 available to the public, including to manufacturers of vot-
16 ing systems.

17 “(d) COORDINATION WITH GRANTS FOR TECH-
18 NOLOGY IMPROVEMENTS.—The Commission shall carry
19 out this section so that the activities carried out with the
20 grants made under subsection (a) are coordinated with the
21 research conducted under the grant program carried out
22 by the Commission under section 271, to the extent that
23 the Commission determines necessary to provide for the
24 advancement of accessible voting technology.

1 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
 2 is authorized to be appropriated to carry out subsection
 3 (a) \$10,000,000, to remain available until expended.”.

4 (2) CLERICAL AMENDMENT.—The table of con-
 5 tents of such Act is amended—

6 (A) by redesignating the item relating to
 7 section 247 as relating to section 248; and

8 (B) by inserting after the item relating to
 9 section 246 the following new item:

“Sec. 247. Study and report on accessible voting options.”.

10 (c) CLARIFICATION OF ACCESSIBILITY STANDARDS
 11 UNDER VOLUNTARY VOTING SYSTEM GUIDANCE.—In
 12 adopting any voluntary guidance under subtitle B of title
 13 III of the Help America Vote Act with respect to the ac-
 14 cessibility of the paper ballot verification requirements for
 15 individuals with disabilities, the Election Assistance Com-
 16 mission shall include and apply the same accessibility
 17 standards applicable under the voluntary guidance adopt-
 18 ed for accessible voting systems under such subtitle.

19 (d) PERMITTING USE OF FUNDS FOR PROTECTION
 20 AND ADVOCACY SYSTEMS TO SUPPORT ACTIONS TO EN-
 21 FORCE ELECTION-RELATED DISABILITY ACCESS.—Sec-
 22 tion 292(a) of the Help America Vote Act of 2002 (52
 23 U.S.C. 21062(a)) is amended by striking “; except that”
 24 and all that follows and inserting a period.

1 **SEC. 6003. DURABILITY AND READABILITY REQUIREMENTS**
2 **FOR BALLOTS.**

3 Section 301(a) of the Help America Vote Act of 2002
4 (52 U.S.C. 21081(a)) is amended by adding at the end
5 the following new paragraph:

6 “(7) DURABILITY AND READABILITY REQUIRE-
7 MENTS FOR BALLOTS.—

8 “(A) DURABILITY REQUIREMENTS FOR
9 PAPER BALLOTS.—

10 “(i) IN GENERAL.—All voter-verified
11 paper ballots required to be used under
12 this Act shall be marked or printed on du-
13 rable paper.

14 “(ii) DEFINITION.—For purposes of
15 this Act, paper is ‘durable’ if it is capable
16 of withstanding multiple counts and re-
17 counts by hand without compromising the
18 fundamental integrity of the ballots, and
19 capable of retaining the information
20 marked or printed on them for the full du-
21 ration of a retention and preservation pe-
22 riod of 22 months.

23 “(B) READABILITY REQUIREMENTS FOR
24 PAPER BALLOTS MARKED BY BALLOT MARKING
25 DEVICE.—All voter-verified paper ballots com-
26 pleted by the voter through the use of a ballot

1 marking device shall be clearly readable by the
2 voter without assistance (other than eyeglasses
3 or other personal vision enhancing devices) and
4 by an optical character recognition device or
5 other device equipped for individuals with dis-
6 abilities.”.

7 **SEC. 6004. STUDY AND REPORT ON OPTIMAL BALLOT DE-**
8 **SIGN.**

9 (a) STUDY.—The Election Assistance Commission
10 shall conduct a study of the best ways to design ballots
11 used in elections for public office, including paper ballots
12 and electronic or digital ballots, to minimize confusion and
13 user errors.

14 (b) REPORT.—Not later than January 1, 2022, the
15 Election Assistance Commission shall submit to Congress
16 a report on the study conducted under subsection (a).

17 **SEC. 6005. PAPER BALLOT PRINTING REQUIREMENTS.**

18 Section 301(a) of the Help America Vote Act of 2002
19 (52 U.S.C. 21081(a)), as amended by section 6003, is fur-
20 ther amended by adding at the end the following new para-
21 graph:

22 “(8) PRINTING REQUIREMENTS FOR BAL-
23 LOTS.—All paper ballots used in an election for Fed-
24 eral office shall be printed in the United States on
25 paper manufactured in the United States.”.

1 **SEC. 6006. EFFECTIVE DATE FOR NEW REQUIREMENTS.**

2 Section 301(d) of the Help America Vote Act of 2002
3 (52 U.S.C. 21081(d)) is amended to read as follows:

4 “(d) EFFECTIVE DATE.—

5 “(1) IN GENERAL.—Except as provided in para-
6 graph (2), each State and jurisdiction shall be re-
7 quired to comply with the requirements of this sec-
8 tion on and after January 1, 2006.

9 “(2) SPECIAL RULE FOR CERTAIN REQUIRE-
10 MENTS.—

11 “(A) IN GENERAL.—Except as provided in
12 subparagraphs (B) and (C), the requirements of
13 this section which are first imposed on a State
14 and jurisdiction pursuant to the amendments
15 made by the Voter Confidence and Increased
16 Accessibility Act of 2021 shall apply with re-
17 spect to voting systems used for any election for
18 Federal office held in 2022 or any succeeding
19 year.

20 “(B) DELAY FOR JURISDICTIONS USING
21 CERTAIN PAPER RECORD PRINTERS OR CERTAIN
22 SYSTEMS USING OR PRODUCING VOTER-
23 VERIFIABLE PAPER RECORDS IN 2020.—

24 “(i) DELAY.—In the case of a juris-
25 diction described in clause (ii), subpara-
26 graph (A) shall apply to a voting system in

1 the jurisdiction as if the reference in such
2 subparagraph to ‘2022’ were a reference to
3 ‘2024’, but only with respect to the fol-
4 lowing requirements of this section:

5 “(I) Paragraph (2)(A)(i)(I) of
6 subsection (a) (relating to the use of
7 voter-verified paper ballots).

8 “(II) Paragraph (3)(B)(ii)(I) and
9 (II) of subsection (a) (relating to ac-
10 cess to verification from and casting
11 of the durable paper ballot).

12 “(III) Paragraph (7) of sub-
13 section (a) (relating to durability and
14 readability requirements for ballots).

15 “(ii) JURISDICTIONS DESCRIBED.—A
16 jurisdiction described in this clause is a ju-
17 risdiction—

18 “(I) which used voter verifiable
19 paper record printers attached to di-
20 rect recording electronic voting ma-
21 chines, or which used other voting
22 systems that used or produced paper
23 records of the vote verifiable by voters
24 but that are not in compliance with
25 paragraphs (2)(A)(i)(I), (3)(B)(iii)(i)

1 and (II), and (7) of subsection (a) (as
2 amended or added by the Voter Con-
3 fidence and Increased Accessibility
4 Act of 2021), for the administration
5 of the regularly scheduled general
6 election for Federal office held in No-
7 vember 2020; and

8 “(II) which will continue to use
9 such printers or systems for the ad-
10 ministration of elections for Federal
11 office held in years before 2024.

12 “(iii) MANDATORY AVAILABILITY OF
13 PAPER BALLOTS AT POLLING PLACES
14 USING GRANDFATHERED PRINTERS AND
15 SYSTEMS.—

16 “(I) REQUIRING BALLOTS TO BE
17 OFFERED AND PROVIDED.—The ap-
18 propriate election official at each poll-
19 ing place that uses a printer or sys-
20 tem described in clause (ii)(I) for the
21 administration of elections for Federal
22 office shall offer each individual who
23 is eligible to cast a vote in the election
24 at the polling place the opportunity to
25 cast the vote using a blank pre-print-

1 ed paper ballot which the individual
2 may mark by hand and which is not
3 produced by the direct recording elec-
4 tronic voting machine or other such
5 system. The official shall provide the
6 individual with the ballot and the sup-
7 plies necessary to mark the ballot, and
8 shall ensure (to the greatest extent
9 practicable) that the waiting period
10 for the individual to cast a vote is the
11 lesser of 30 minutes or the average
12 waiting period for an individual who
13 does not agree to cast the vote using
14 such a paper ballot under this clause.

15 “(II) TREATMENT OF BALLOT.—
16 Any paper ballot which is cast by an
17 individual under this clause shall be
18 counted and otherwise treated as a
19 regular ballot for all purposes (includ-
20 ing by incorporating it into the final
21 unofficial vote count (as defined by
22 the State) for the precinct) and not as
23 a provisional ballot, unless the indi-
24 vidual casting the ballot would have

1 otherwise been required to cast a pro-
2 visional ballot.

3 “(III) POSTING OF NOTICE.—

4 The appropriate election official shall
5 ensure there is prominently displayed
6 at each polling place a notice that de-
7 scribes the obligation of the official to
8 offer individuals the opportunity to
9 cast votes using a pre-printed blank
10 paper ballot. The notice shall take
11 into consideration factors including
12 the linguistic preferences of voters in
13 the jurisdiction.

14 “(IV) TRAINING OF ELECTION

15 OFFICIALS.—The chief State election
16 official shall ensure that election offi-
17 cials at polling places in the State are
18 aware of the requirements of this
19 clause, including the requirement to
20 display a notice under subclause (III),
21 and are aware that it is a violation of
22 the requirements of this title for an
23 election official to fail to offer an indi-
24 vidual the opportunity to cast a vote
25 using a blank pre-printed paper ballot.

1 “(V) PERIOD OF APPLICA-
2 BILITY.—The requirements of this
3 clause apply only during the period in
4 which the delay is in effect under
5 clause (i).

6 “(C) SPECIAL RULE FOR JURISDICTIONS
7 USING CERTAIN NONTABULATING BALLOT
8 MARKING DEVICES.—In the case of a jurisdic-
9 tion which uses a nontabulating ballot marking
10 device which automatically deposits the ballot
11 into a privacy sleeve, subparagraph (A) shall
12 apply to a voting system in the jurisdiction as
13 if the reference in such subparagraph to ‘any
14 election for Federal office held in 2022 or any
15 succeeding year’ were a reference to ‘elections
16 for Federal office occurring held in 2024 or
17 each succeeding year’, but only with respect to
18 paragraph (3)(B)(iii)(II) of subsection (a) (re-
19 lating to nonmanual casting of the durable
20 paper ballot).”.

TITLE VII—PROVISIONAL BALLOTS

SEC. 7001. REQUIREMENTS FOR COUNTING PROVISIONAL BALLOTS; ESTABLISHMENT OF UNIFORM AND NONDISCRIMINATORY STANDARDS.

(a) IN GENERAL.—Section 302 of the Help America
Vote Act of 2002 (52 U.S.C. 21082) is amended—

(1) by redesignating subsection (d) as subsection (f); and

(2) by inserting after subsection (c) the following new subsections:

“(d) STATEWIDE COUNTING OF PROVISIONAL BALLOTS.—

“(1) IN GENERAL.—For purposes of subsection (a)(4), notwithstanding the precinct or polling place at which a provisional ballot is cast within the State, the appropriate election official of the jurisdiction in which the individual is registered shall count each vote on such ballot for each election in which the individual who cast such ballot is eligible to vote.

“(2) EFFECTIVE DATE.—This subsection shall apply with respect to elections held on or after January 1, 2022.

“(e) UNIFORM AND NONDISCRIMINATORY STANDARDS.—

1 “(1) IN GENERAL.—Consistent with the re-
 2 quirements of this section, each State shall establish
 3 uniform and nondiscriminatory standards for the
 4 issuance, handling, and counting of provisional bal-
 5 lots.

6 “(2) EFFECTIVE DATE.—This subsection shall
 7 apply with respect to elections held on or after Janu-
 8 ary 1, 2022.”.

9 (b) CONFORMING AMENDMENT.—Section 302(f) of
 10 such Act (52 U.S.C. 21082(f)), as redesignated by sub-
 11 section (a), is amended by striking “Each State” and in-
 12 serting “Except as provided in subsections (d)(2) and
 13 (e)(2), each State”.

14 **TITLE VIII—EARLY VOTING**

15 **SEC. 8001. EARLY VOTING.**

16 (a) REQUIREMENTS.—Subtitle A of title III of the
 17 Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.),
 18 as amended by section 1201(a) and section 2001(a), is
 19 amended—

20 (1) by redesignating sections 306 and 307 as
 21 sections 307 and 308; and

22 (2) by inserting after section 305 the following
 23 new section:

1 **“SEC. 306. EARLY VOTING.**

2 “(a) REQUIRING VOTING PRIOR TO DATE OF ELEC-
3 TION.—

4 “(1) IN GENERAL.—Each State shall allow indi-
5 viduals to vote in an election for Federal office dur-
6 ing an early voting period which occurs prior to the
7 date of the election, in the same manner as voting
8 is allowed on such date.

9 “(2) LENGTH OF PERIOD.—The early voting
10 period required under this subsection with respect to
11 an election shall consist of a period of consecutive
12 days (including weekends) which begins on the 15th
13 day before the date of the election (or, at the option
14 of the State, on a day prior to the 15th day before
15 the date of the election) and ends on the date of the
16 election.

17 “(b) MINIMUM EARLY VOTING REQUIREMENTS.—
18 Each polling place which allows voting during an early vot-
19 ing period under subsection (a) shall—

20 “(1) allow such voting for no less than 10 hours
21 on each day;

22 “(2) have uniform hours each day for which
23 such voting occurs; and

24 “(3) allow such voting to be held for some pe-
25 riod of time prior to 9:00 a.m (local time) and some
26 period of time after 5:00 p.m. (local time).

1 “(c) LOCATION OF POLLING PLACES.—

2 “(1) PROXIMITY TO PUBLIC TRANSPORTATION.—To the greatest extent practicable, a State
3 shall ensure that each polling place which allows vot-
4 ing during an early voting period under subsection
5 (a) is located within walking distance of a stop on
6 a public transportation route.
7

8 “(2) AVAILABILITY IN RURAL AREAS.—The
9 State shall ensure that polling places which allow
10 voting during an early voting period under sub-
11 section (a) will be located in rural areas of the State,
12 and shall ensure that such polling places are located
13 in communities which will provide the greatest op-
14 portunity for residents of rural areas to vote during
15 the early voting period.

16 “(3) COLLEGE CAMPUSES.—The State shall en-
17 sure that polling places which allow voting during an
18 early voting period under subsection (a) will be lo-
19 cated on campuses of institutions of higher edu-
20 cation in the State.

21 “(d) STANDARDS.—

22 “(1) IN GENERAL.—The Commission shall issue
23 standards for the administration of voting prior to
24 the day scheduled for a Federal election. Such
25 standards shall include the nondiscriminatory geo-

1 graphic placement of polling places at which such
2 voting occurs.

3 “(2) DEVIATION.—The standards described in
4 paragraph (1) shall permit States, upon providing
5 adequate public notice, to deviate from any require-
6 ment in the case of unforeseen circumstances such
7 as a natural disaster, terrorist attack, or a change
8 in voter turnout.

9 “(e) BALLOT PROCESSING AND SCANNING REQUIRE-
10 MENTS.—

11 “(1) IN GENERAL.—The State shall begin proc-
12 essing and scanning ballots cast during in-person
13 early voting for tabulation at least 14 days prior to
14 the date of the election involved.

15 “(2) LIMITATION.—Nothing in this subsection
16 shall be construed to permit a State to tabulate bal-
17 lots in an election before the closing of the polls on
18 the date of the election.

19 “(f) EFFECTIVE DATE.—This section shall apply
20 with respect to the regularly scheduled general election for
21 Federal office held in November 2022 and each succeeding
22 election for Federal office.”.

23 (b) CONFORMING AMENDMENT RELATING TO
24 ISSUANCE OF VOLUNTARY GUIDANCE BY ELECTION AS-
25 SISTANCE COMMISSION.—Section 321(b) of such Act (52

1 U.S.C. 21101(b)), as redesignated and amended by sec-
 2 tion 2001(b), is amended—

3 (1) by striking “and” at the end of paragraph
 4 (3);

5 (2) by striking the period at the end of para-
 6 graph (4) and inserting “; and”; and

7 (3) by adding at the end the following new
 8 paragraph:

9 “(5) except as provided in paragraph (4), in the
 10 case of the recommendations with respect to any sec-
 11 tion added by the Voter Empowerment Act of 2021,
 12 June 30, 2022.”.

13 (c) CLERICAL AMENDMENT.—The table of contents
 14 of such Act, as amended by section 1201(c) and section
 15 2001(c), is amended—

16 (1) by redesignating the items relating to sec-
 17 tions 306 and 307 as relating to sections 307 and
 18 308; and

19 (2) by inserting after the item relating to sec-
 20 tion 305 the following new item:

“Sec. 306. Early voting.”.

21 **TITLE IX—VOTING BY MAIL**

22 **SEC. 9001. VOTING BY MAIL.**

23 (a) REQUIREMENTS.—Subtitle A of title III of the
 24 Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.),

1 as amended by section 1201(a), section 2001(a), and sec-
2 tion 8001(a), is amended—

3 (1) by redesignating sections 307 and 308 as
4 sections 308 and 309; and

5 (2) by inserting after section 306 the following
6 new section:

7 **“SEC. 307. PROMOTING ABILITY OF VOTERS TO VOTE BY**
8 **MAIL.**

9 “(a) UNIFORM AVAILABILITY OF ABSENTEE VOTING
10 TO ALL VOTERS.—

11 “(1) IN GENERAL.—If an individual in a State
12 is eligible to cast a vote in an election for Federal
13 office, the State may not impose any additional con-
14 ditions or requirements on the eligibility of the indi-
15 vidual to cast the vote in such election by absentee
16 ballot by mail.

17 “(2) ADMINISTRATION OF VOTING BY MAIL.—

18 “(A) PROHIBITING IDENTIFICATION RE-
19 QUIREMENT AS CONDITION OF OBTAINING BAL-
20 LOT.—A State may not require an individual to
21 provide any form of identification as a condition
22 of obtaining an absentee ballot, except that
23 nothing in this paragraph may be construed to
24 prevent a State from requiring a signature of

1 the individual or similar affirmation as a condi-
2 tion of obtaining an absentee ballot.

3 “(B) PROHIBITING REQUIREMENT TO PRO-
4 VIDE NOTARIZATION OR WITNESS SIGNATURE
5 AS CONDITION OF OBTAINING OR CASTING BAL-
6 LOT.—A State may not require notarization or
7 witness signature or other formal authentica-
8 tion (other than voter attestation) as a condi-
9 tion of obtaining or casting an absentee ballot.

10 “(C) DEADLINE FOR RETURNING BAL-
11 LOT.—A State may impose a reasonable dead-
12 line for requesting the absentee ballot and re-
13 lated voting materials from the appropriate
14 State or local election official and for returning
15 the ballot to the appropriate State or local elec-
16 tion official.

17 “(3) NO EFFECT ON IDENTIFICATION REQUIRE-
18 MENTS FOR FIRST-TIME VOTERS REGISTERING BY
19 MAIL.—Nothing in this subsection may be construed
20 to exempt any individual described in paragraph (1)
21 of section 303(b) from meeting the requirements of
22 paragraph (2) of such section.

23 “(b) DUE PROCESS REQUIREMENTS FOR STATES
24 REQUIRING SIGNATURE VERIFICATION.—

25 “(1) REQUIREMENT.—

1 “(A) IN GENERAL.—A State may not im-
2 pose a signature verification requirement as a
3 condition of accepting and counting an absentee
4 ballot submitted by any individual with respect
5 to an election for Federal office unless the
6 State meets the due process requirements de-
7 scribed in paragraph (2).

8 “(B) SIGNATURE VERIFICATION REQUIRE-
9 MENT DESCRIBED.—In this subsection, a ‘sig-
10 nature verification requirement’ is a require-
11 ment that an election official verify the identi-
12 fication of an individual by comparing the indi-
13 vidual’s signature on the absentee ballot with
14 the individual’s signature on the official list of
15 registered voters in the State or another official
16 record or other document used by the State to
17 verify the signatures of voters.

18 “(2) DUE PROCESS REQUIREMENTS.—

19 “(A) NOTICE AND OPPORTUNITY TO CURE
20 DISCREPANCY IN SIGNATURES.—If an indi-
21 vidual submits an absentee ballot and the ap-
22 propriate State or local election official deter-
23 mines that a discrepancy exists between the sig-
24 nature on such ballot and the signature of such
25 individual on the official list of registered voters

1 in the State or other official record or document
2 used by the State to verify the signatures of
3 voters, such election official, prior to making a
4 final determination as to the validity of such
5 ballot, shall—

6 “(i) make a good faith effort to imme-
7 diately notify the individual by mail, tele-
8 phone, and (if available) text message and
9 electronic mail that—

10 “(I) a discrepancy exists between
11 the signature on such ballot and the
12 signature of the individual on the offi-
13 cial list of registered voters in the
14 State or other official record or docu-
15 ment used by the State to verify the
16 signatures of voters, and

17 “(II) if such discrepancy is not
18 cured prior to the expiration of the
19 10-day period which begins on the
20 date the official notifies the individual
21 of the discrepancy, such ballot will not
22 be counted; and

23 “(ii) cure such discrepancy and count
24 the ballot if, prior to the expiration of the
25 10-day period described in clause (i)(II),

1 the individual provides the official with in-
2 formation to cure such discrepancy, either
3 in person, by telephone, or by electronic
4 methods.

5 “(B) NOTICE AND OPPORTUNITY TO CURE
6 MISSING SIGNATURE OR OTHER DEFECT.—If an
7 individual submits an absentee ballot without a
8 signature or submits an absentee ballot with
9 another defect which, if left uncured, would
10 cause the ballot to not be counted, the appro-
11 priate State or local election official, prior to
12 making a final determination as to the validity
13 of the ballot, shall—

14 “(i) make a good faith effort to imme-
15 diately notify the individual by mail, tele-
16 phone, and (if available) text message and
17 electronic mail that—

18 “(I) the ballot did not include a
19 signature or has some other defect,
20 and

21 “(II) if the individual does not
22 provide the missing signature or cure
23 the other defect prior to the expira-
24 tion of the 10-day period which begins
25 on the date the official notifies the in-

1 dividual that the ballot did not include
2 a signature or has some other defect,
3 such ballot will not be counted; and

4 “(ii) count the ballot if, prior to the
5 expiration of the 10-day period described
6 in clause (i)(II), the individual provides the
7 official with the missing signature on a
8 form proscribed by the State or cures the
9 other defect.

10 This subparagraph does not apply with respect
11 to a defect consisting of the failure of a ballot
12 to meet the applicable deadline for the accept-
13 ance of the ballot, as described in subsection
14 (e).

15 “(C) OTHER REQUIREMENTS.—An election
16 official may not make a determination that a
17 discrepancy exists between the signature on an
18 absentee ballot and the signature of the indi-
19 vidual who submits the ballot on the official list
20 of registered voters in the State or other official
21 record or other document used by the State to
22 verify the signatures of voters unless—

23 “(i) at least 2 election officials make
24 the determination;

1 “(ii) each official who makes the de-
2 termination has received training in proce-
3 dures used to verify signatures; and

4 “(iii) of the officials who make the de-
5 termination, at least one is affiliated with
6 the political party whose candidate received
7 the most votes in the most recent statewide
8 election for Federal office held in the State
9 and at least one is affiliated with the polit-
10 ical party whose candidate received the
11 second most votes in the most recent state-
12 wide election for Federal office held in the
13 State.

14 “(3) REPORT.—

15 “(A) IN GENERAL.—Not later than 120
16 days after the end of a Federal election cycle,
17 each chief State election official shall submit to
18 Congress and the Commission a report con-
19 taining the following information for the appli-
20 cable Federal election cycle in the State:

21 “(i) The number of ballots invalidated
22 due to a discrepancy under this subsection.

23 “(ii) Description of attempts to con-
24 tact voters to provide notice as required by
25 this subsection.

1 “(iii) Description of the cure process
2 developed by such State pursuant to this
3 subsection, including the number of ballots
4 determined valid as a result of such proc-
5 ess.

6 “(B) FEDERAL ELECTION CYCLE DE-
7 FINED.—For purposes of this subsection, the
8 term ‘Federal election cycle’ means the period
9 beginning on January 1 of any odd numbered
10 year and ending on December 31 of the fol-
11 lowing year.

12 “(4) RULE OF CONSTRUCTION.—Nothing in
13 this subsection shall be construed—

14 “(A) to prohibit a State from rejecting a
15 ballot attempted to be cast in an election for
16 Federal office by an individual who is not eligi-
17 ble to vote in the election; or

18 “(B) to prohibit a State from providing an
19 individual with more time and more methods
20 for curing a discrepancy in the individual’s sig-
21 nature, providing a missing signature, or curing
22 any other defect than the State is required to
23 provide under this subsection.

24 “(c) TRANSMISSION OF APPLICATIONS, BALLOTS,
25 AND BALLOTING MATERIALS TO VOTERS.—

1 “(1) AUTOMATIC TRANSMISSION OF ABSENTEE
2 BALLOT APPLICATIONS BY MAIL.—

3 “(A) TRANSMISSION OF APPLICATIONS.—
4 Not later than 60 days before the date of an
5 election for Federal office, the appropriate
6 State or local election official shall transmit by
7 mail an application for an absentee ballot for
8 the election to each individual who is registered
9 to vote in the election, or, in the case of any
10 State that does not register voters, all individ-
11 uals who are in the State’s central voter file (or
12 if the State does not keep a central voter file,
13 all individuals who are eligible to vote in such
14 election).

15 “(B) EXCEPTION FOR INDIVIDUALS AL-
16 READY RECEIVING APPLICATIONS AUTOMATI-
17 CALLY.—Subparagraph (A) does not apply with
18 respect to an individual to whom the State is
19 already required to transmit an application for
20 an absentee ballot for the election because the
21 individual exercised the option described in sub-
22 paragraph (D) of paragraph (2) to treat an ap-
23 plication for an absentee ballot in a previous
24 election for Federal office in the State as an ap-

1 plication for an absentee ballot in all subse-
2 quent elections for Federal office in the State.

3 “(C) EXCEPTION FOR STATES TRANSMIT-
4 TING BALLOTS WITHOUT APPLICATION.—Sub-
5 paragraph (A) does not apply with respect to a
6 State which transmits a ballot in an election for
7 Federal office in the State to a voter prior to
8 the date of the election without regard to
9 whether or not the voter submitted an applica-
10 tion for the ballot to the State.

11 “(D) RULE OF CONSTRUCTION.—Nothing
12 in this paragraph may be construed to prohibit
13 an individual from submitting to the appro-
14 priate State or local election official an applica-
15 tion for an absentee ballot in an election for
16 Federal office, including through the methods
17 described in paragraph (2).

18 “(2) OTHER METHODS FOR APPLYING FOR AB-
19 SENTEE BALLOT.—

20 “(A) IN GENERAL.—In addition to such
21 other methods as the State may establish for an
22 individual to apply for an absentee ballot, the
23 State shall permit an individual—

24 “(i) to submit an application for an
25 absentee ballot online; and

1 “(ii) to submit an application for an
2 absentee ballot through the use of an auto-
3 mated telephone-based system, subject to
4 the same terms and conditions applicable
5 under this paragraph to the services made
6 available online.

7 “(B) TREATMENT OF WEBSITES.—The
8 State shall be considered to meet the require-
9 ments of subparagraph (A)(i) if the website of
10 the appropriate State or local election official
11 allows an application for an absentee ballot to
12 be completed and submitted online and if the
13 website permits the individual—

14 “(i) to print the application so that
15 the individual may complete the application
16 and return it to the official; or

17 “(ii) request that a paper copy of the
18 application be transmitted to the individual
19 by mail or electronic mail so that the indi-
20 vidual may complete the application and
21 return it to the official.

22 “(C) ENSURING DELIVERY PRIOR TO
23 ELECTION.—If an individual who is eligible to
24 vote in an election for Federal office submits an
25 application for an absentee ballot in the elec-

tion, the appropriate State or local election official shall ensure that the ballot and relating voting materials are received by the individual prior to the date of the election so long as the individual's application is received by the official not later than 5 days (excluding Saturdays, Sundays, and legal public holidays) before the date of the election, except that nothing in this paragraph shall preclude a State or local jurisdiction from allowing for the acceptance and processing of absentee ballot applications submitted or received after such required period.

“(D) APPLICATION FOR ALL FUTURE ELECTIONS.—At the option of an individual, a State shall treat the individual's application to vote by absentee ballot by mail in an election for Federal office as an application for an absentee ballot by mail in all subsequent Federal elections held in the State.

“(3) SAME-DAY PROCESSING.—The United States Postal Service shall ensure, to the maximum extent practicable, that ballots are processed and cleared from any postal facility or post office on the same day the ballots are received at such a facility or post office.

1 “(d) ACCESSIBILITY FOR INDIVIDUALS WITH DIS-
2 ABILITIES.—The State shall ensure that all absentee bal-
3 lot applications, absentee ballots, and related voting mate-
4 rials in elections for Federal office are accessible to indi-
5 viduals with disabilities in a manner that provides the
6 same opportunity for access and participation (including
7 with privacy and independence) as for other voters.

8 “(e) UNIFORM DEADLINE FOR ACCEPTANCE OF
9 MAILED BALLOTS.—

10 “(1) IN GENERAL.—A State may not refuse to
11 accept or process a ballot submitted by an individual
12 by mail with respect to an election for Federal office
13 in the State on the grounds that the individual did
14 not meet a deadline for returning the ballot to the
15 appropriate State or local election official if—

16 “(A) the ballot is postmarked or otherwise
17 indicated by the United States Postal Service to
18 have been mailed on or before the date of the
19 election, or has been signed by the voter on or
20 before the date of the election; and

21 “(B) the ballot is received by the appro-
22 priate election official prior to the expiration of
23 the 10-day period which begins on the date of
24 the election.

1 “(2) RULE OF CONSTRUCTION.—Nothing in
2 this subsection shall be construed to prohibit a State
3 from having a law that allows for counting of ballots
4 in an election for Federal office that are received
5 through the mail after the date that is 10 days after
6 the date of the election.

7 “(f) ALTERNATIVE METHODS OF RETURNING BAL-
8 LOTS.—

9 “(1) IN GENERAL.—In addition to permitting
10 an individual to whom a ballot in an election was
11 provided under this section to return the ballot to an
12 election official by mail, the State shall permit the
13 individual to cast the ballot by delivering the ballot
14 at such times and to such locations as the State may
15 establish, including—

16 “(A) permitting the individual to deliver
17 the ballot to a polling place on any date on
18 which voting in the election is held at the poll-
19 ing place; and

20 “(B) permitting the individual to deliver
21 the ballot to a designated ballot drop-off loca-
22 tion, a tribally designated building, or the office
23 of a State or local election official.

24 “(2) PERMITTING VOTERS TO DESIGNATE
25 OTHER PERSON TO RETURN BALLOT.—The State—

1 “(A) shall permit a voter to designate any
2 person to return a voted and sealed absentee
3 ballot to the post office, a ballot drop-off loca-
4 tion, tribally designated building, or election of-
5 fice so long as the person designated to return
6 the ballot does not receive any form of com-
7 pensation based on the number of ballots that
8 the person has returned and no individual,
9 group, or organization provides compensation
10 on this basis; and

11 “(B) may not put any limit on how many
12 voted and sealed absentee ballots any des-
13 ignated person can return to the post office, a
14 ballot drop-off location, tribally designated
15 building, or election office.

16 “(g) BALLOT PROCESSING AND SCANNING REQUIRE-
17 MENTS.—

18 “(1) IN GENERAL.—The State shall begin proc-
19 essing and scanning ballots cast by mail for tabula-
20 tion at least 14 days prior to the date of the election
21 involved.

22 “(2) LIMITATION.—Nothing in this subsection
23 shall be construed to permit a State to tabulate bal-
24 lots in an election before the closing of the polls on
25 the date of the election.

1 “(h) PROHIBITING CERTAIN RESTRICTIONS ON AC-
2 CESS TO VOTING MATERIALS.—

3 “(1) DISTRIBUTION OF ABSENTEE BALLOT AP-
4 PLICATIONS BY THIRD PARTIES.—A State may not
5 prohibit any person from providing an application
6 for an absentee ballot in the election to any indi-
7 vidual who is eligible to vote in the election.

8 “(2) UNSOLICITED PROVISION OF VOTER REG-
9 ISTRATION APPLICATIONS BY ELECTION OFFI-
10 CIALS.—A State may not prohibit an election official
11 from providing an unsolicited application to register
12 to vote in an election for Federal office to any indi-
13 vidual who is eligible to register to vote in the elec-
14 tion.

15 “(i) RULE OF CONSTRUCTION.—Nothing in this sec-
16 tion shall be construed to affect the authority of States
17 to conduct elections for Federal office through the use of
18 polling places at which individuals cast ballots.

19 “(j) NO EFFECT ON BALLOTS SUBMITTED BY AB-
20 SENT MILITARY AND OVERSEAS VOTERS.—Nothing in
21 this section may be construed to affect the treatment of
22 any ballot submitted by an individual who is entitled to
23 vote by absentee ballot under the Uniformed and Overseas
24 Citizens Absentee Voting Act (52 U.S.C. 20301 et seq.).

1 “(k) EFFECTIVE DATE.—This section shall apply
2 with respect to the regularly scheduled general election for
3 Federal office held in November 2022 and each succeeding
4 election for Federal office.”.

5 (b) CLERICAL AMENDMENT.—The table of contents
6 of such Act, as amended by section 1201(c), section
7 2001(c), and section 8001(c), is amended—

8 (1) by redesignating the items relating to sec-
9 tions 307 and 308 as relating to sections 308 and
10 309; and

11 (2) by inserting after the item relating to sec-
12 tion 306 the following new item:

“Sec. 307. Promoting ability of voters to vote by mail.”.

13 (c) DEVELOPMENT OF ALTERNATIVE VERIFICATION
14 METHODS.—

15 (1) DEVELOPMENT OF STANDARDS.—The Na-
16 tional Institute of Standards, in consultation with
17 the Election Assistance Commission, shall develop
18 standards for the use of alternative methods which
19 could be used in place of signature verification re-
20 quirements for purposes of verifying the identifica-
21 tion of an individual voting by absentee ballot in
22 elections for Federal office.

23 (2) PUBLIC NOTICE AND COMMENT.—The Na-
24 tional Institute of Standards shall solicit comments

1 from the public in the development of standards
2 under paragraph (1).

3 (3) DEADLINE.—Not later than 1 year after
4 the date of the enactment of this Act, the National
5 Institute of Standards shall publish the standards
6 developed under paragraph (1).

7 **SEC. 9002. ABSENTEE BALLOT TRACKING PROGRAM.**

8 (a) REQUIREMENTS.—Subtitle A of title III of the
9 Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.),
10 as amended by section 1201(a), section 2001(a), section
11 8001(a), and section 9001(a), is amended—

12 (1) by redesignating sections 308 and 309 as
13 sections 309 and 310; and

14 (2) by inserting after section 307 the following
15 new section:

16 **“SEC. 308. ABSENTEE BALLOT TRACKING PROGRAM.**

17 “(a) REQUIREMENT.—Each State shall carry out a
18 program to track and confirm the receipt of absentee bal-
19 lots in an election for Federal office under which the State
20 or local election official responsible for the receipt of voted
21 absentee ballots in the election carries out procedures to
22 track and confirm the receipt of such ballots, and makes
23 information on the receipt of such ballots available to the
24 individual who cast the ballot, by means of online access
25 using the Internet site of the official’s office.

1 “(b) INFORMATION ON WHETHER VOTE WAS AC-
2 CEPTED.—The information referred to under subsection
3 (a) with respect to the receipt of an absentee ballot shall
4 include information regarding whether the vote cast on the
5 ballot was accepted, and, in the case of a vote which was
6 rejected, the reasons therefor.

7 “(c) USE OF TOLL-FREE TELEPHONE NUMBER BY
8 OFFICIALS WITHOUT INTERNET SITE.—A program estab-
9 lished by a State or local election official whose office does
10 not have an Internet site may meet the requirements of
11 subsection (a) if the official has established a toll-free tele-
12 phone number that may be used by an individual who cast
13 an absentee ballot to obtain the information on the receipt
14 of the voted absentee ballot as provided under such sub-
15 section.

16 “(d) EFFECTIVE DATE.—This section shall apply
17 with respect to the regularly scheduled general election for
18 Federal office held in November 2022 and each succeeding
19 election for Federal office.”.

20 (b) REIMBURSEMENT FOR COSTS INCURRED BY
21 STATES IN ESTABLISHING PROGRAM.—Subtitle D of title
22 II of the Help America Vote Act of 2002 (42 U.S.C.
23 15401 et seq.) is amended by adding at the end the fol-
24 lowing new part:

1 **“PART 7—PAYMENTS TO REIMBURSE STATES**
2 **FOR COSTS INCURRED IN ESTABLISHING**
3 **PROGRAM TO TRACK AND CONFIRM RE-**
4 **CEIPT OF ABSENTEE BALLOTS**

5 **“SEC. 297. PAYMENTS TO STATES.**

6 “(a) PAYMENTS FOR COSTS OF PROGRAM.—In ac-
7 cordance with this section, the Commission shall make a
8 payment to a State to reimburse the State for the costs
9 incurred in establishing the absentee ballot tracking pro-
10 gram under section 308 (including costs incurred prior to
11 the date of the enactment of this part).

12 “(b) CERTIFICATION OF COMPLIANCE AND COSTS.—

13 “(1) CERTIFICATION REQUIRED.—In order to
14 receive a payment under this section, a State shall
15 submit to the Commission a statement containing—

16 “(A) a certification that the State has es-
17 tablished an absentee ballot tracking program
18 with respect to elections for Federal office held
19 in the State; and

20 “(B) a statement of the costs incurred by
21 the State in establishing the program.

22 “(2) AMOUNT OF PAYMENT.—The amount of a
23 payment made to a State under this section shall be
24 equal to the costs incurred by the State in estab-
25 lishing the absentee ballot tracking program, as set
26 forth in the statement submitted under paragraph

1 (1), except that such amount may not exceed the
2 product of—

3 “(A) the number of jurisdictions in the
4 State which are responsible for operating the
5 program; and

6 “(B) \$3,000.

7 “(3) LIMIT ON NUMBER OF PAYMENTS RE-
8 CEIVED.—A State may not receive more than one
9 payment under this part.

10 **“SEC. 297A. AUTHORIZATION OF APPROPRIATIONS.**

11 “(a) AUTHORIZATION.—There are authorized to be
12 appropriated to the Commission for fiscal year 2022 and
13 each succeeding fiscal year such sums as may be necessary
14 for payments under this part.

15 “(b) CONTINUING AVAILABILITY OF FUNDS.—Any
16 amounts appropriated pursuant to the authorization under
17 this section shall remain available until expended.”.

18 “(c) CLERICAL AMENDMENTS.—The table of contents
19 of such Act, as amended by section 1201(c), section
20 2001(c), section 8001(c), and section 9001(b), is amend-
21 ed—

1 (1) by adding at the end of the items relating
2 to subtitle D of title II the following:

“PART 7—PAYMENTS TO REIMBURSE STATES FOR COSTS INCURRED IN ESTABLISHING PROGRAM TO TRACK AND CONFIRM RECEIPT OF ABSENTEE BALLOTS

“Sec. 297. Payments to States.

“Sec. 297A. Authorization of appropriations.”;

3 (2) by redesignating the items relating to sec-
4 tions 308 and 309 as relating to sections 309 and
5 310; and

6 (3) by inserting after the item relating to sec-
7 tion 307 the following new item:

“Sec. 308. Absentee ballot tracking program.”.

8 **SEC. 9003. VOTING MATERIALS POSTAGE.**

9 (a) PREPAYMENT OF POSTAGE ON RETURN ENVE-
10 LOPES.—

11 (1) IN GENERAL.—Subtitle A of title III of the
12 Help America Vote Act of 2002 (52 U.S.C. 21081
13 et seq.), as amended by section 1201(a), section
14 2001(a), section 8001(a), section 9001(a), and sec-
15 tion 9002(a), is amended—

16 (A) by redesignating sections 309 and 310
17 as sections 310 and 311; and

18 (B) by inserting after section 308 the fol-
19 lowing new section:

1 **“SEC. 309. PREPAYMENT OF POSTAGE ON RETURN ENVE-**
2 **LOPES FOR VOTING MATERIALS.**

3 “(a) PROVISION OF RETURN ENVELOPES.—The ap-
4 propriate State or local election official shall provide a
5 self-sealing return envelope with—

6 “(1) any voter registration application form
7 transmitted to a registrant by mail;

8 “(2) any application for an absentee ballot
9 transmitted to an applicant by mail; and

10 “(3) any blank absentee ballot transmitted to a
11 voter by mail.

12 “(b) PREPAYMENT OF POSTAGE.—Consistent with
13 regulations of the United States Postal Service, the State
14 or the unit of local government responsible for the admin-
15 istration of the election involved shall prepay the postage
16 on any envelope provided under subsection (a).

17 “(c) NO EFFECT ON BALLOTS OR BALLOTING MATE-
18 RIALS TRANSMITTED TO ABSENT MILITARY AND OVER-
19 SEAS VOTERS.—Nothing in this section may be construed
20 to affect the treatment of any ballot or balloting materials
21 transmitted to an individual who is entitled to vote by ab-
22 sentee ballot under the Uniformed and Overseas Citizens
23 Absentee Voting Act (52 U.S.C. 20301 et seq.).

24 “(d) EFFECTIVE DATE.—This section shall take ef-
25 fect on the date that is 90 days after the date of the enact-
26 ment of this section, except that—

1 “(1) State and local jurisdictions shall make ar-
 2 rangements with the United States Postal Service to
 3 pay for all postage costs that such jurisdictions
 4 would be required to pay under this section if this
 5 section took effect on the date of enactment; and

6 “(2) States shall take all reasonable efforts to
 7 provide self-sealing return envelopes as provided in
 8 this section.”.

9 (2) CLERICAL AMENDMENT.—The table of con-
 10 tents of such Act, as amended by section 1201(c),
 11 section 2001(c), section 8001(c), and section
 12 9001(b), is amended—

13 (A) by redesignating the items relating to
 14 sections 309 and 310 as relating to sections
 15 310 and 311; and

16 (B) by inserting after the item relating to
 17 section 308 the following new item:

“Sec. 309. Prepayment of postage on return envelopes for voting materials.”.

18 (b) ROLE OF UNITED STATES POSTAL SERVICE.—

19 (1) IN GENERAL.—Chapter 34 of title 39,
 20 United States Code, is amended by adding after sec-
 21 tion 3406 the following:

22 **“§ 3407. Voting materials; restrictions on operational**
 23 **changes prior to elections**

24 “(a) Any voter registration application, absentee bal-
 25 lot application, or absentee ballot with respect to any elec-

1 tion for Federal office shall be carried in accordance with
2 the service standards established for first-class mail, re-
3 gardless of the class of postage prepaid.

4 “(b) In the case of any election mail carried by the
5 Postal Service that consists of a ballot, the Postal Service
6 shall indicate on the ballot envelope, using a postmark or
7 otherwise—

8 “(1) the fact that the ballot was carried by the
9 Postal Service; and

10 “(2) the date on which the ballot was mailed.

11 “(c) During the 120-day period which ends on the
12 date of an election for Federal office, the Postal Service
13 may not carry out any new operational change that would
14 restrict the prompt and reliable delivery of voting mate-
15 rials with respect to the election, including voter registra-
16 tion applications, absentee ballot applications, and absen-
17 tee ballots. This paragraph applies to operational changes
18 which include removing or eliminating any mail collection
19 box without immediately replacing it, and removing, de-
20 commissioning, or any other form of stopping the oper-
21 ation of mail sorting machines, other than for routine
22 maintenance.

23 “(d) The Postal Service shall appoint an Election
24 Mail Coordinator in every Postal Area and District to fa-
25 cilitate relevant information sharing with State, territorial,

1 local, and tribal election officials in regards to the mailing
2 of voter registration applications, absentee ballot applica-
3 tions, and absentee ballots.

4 “(e) As used in this section—

5 “(1) the term ‘absentee ballot’ means any ballot
6 transmitted by a voter by mail in an election for
7 Federal office, but does not include any ballot cov-
8 ered by section 3406; and

9 “(2) the term ‘election for Federal office’ means
10 a general, special, primary, or runoff election for the
11 office of President or Vice President, or of Senator
12 or Representative in, or Delegate or Resident Com-
13 missioner to, the Congress.

14 “(f) Nothing in this section may be construed to af-
15 fect the treatment of any ballot or balloting materials
16 transmitted to an individual who is entitled to vote by ab-
17 sentee ballot under the Uniformed and Overseas Citizens
18 Absentee Voting Act (52 U.S.C. 20301 et seq.).”.

19 (2) MAIL-IN BALLOTS AND POSTAL SERVICE
20 BARCODE SERVICE.—

21 (A) IN GENERAL.—Section 3001 of title
22 39, United States Code, is amended by adding
23 at the end the following:

24 “(p) Any ballot sent within the United States for an
25 election for Federal office is nonmailable and shall not be

1 carried or delivered by mail unless the ballot is mailed in
 2 an envelope that—

3 “(1) contains a Postal Service barcode (or suc-
 4 cessive service or marking) that enables tracking of
 5 each individual ballot;

6 “(2) satisfies requirements for ballot envelope
 7 design that the Postal Service may promulgate by
 8 regulation;

9 “(3) satisfies requirements for machineable let-
 10 ters that the Postal Service may promulgate by reg-
 11 ulation; and

12 “(4) includes the Official Election Mail Logo
 13 (or any successor label that the Postal Service may
 14 establish for ballots).”.

15 (B) APPLICATION.—The amendment made
 16 by subsection (a) shall apply to any election for
 17 Federal office occurring after the date of enact-
 18 ment of this Act.

19 (3) CLERICAL AMENDMENT.—The table of sec-
 20 tions for chapter 34 of such title is amended by in-
 21 serting after the item relating to section 3406 the
 22 following:

“3407. Voting materials; restrictions on operational changes prior to elections.”.

1 **SEC. 9004. STUDY AND REPORT ON VOTE-BY-MAIL PROCE-**
 2 **DURES.**

3 (a) STUDY.—The Election Assistance Commission
 4 shall conduct a study on the 2020 elections and compile
 5 a list of recommendations to—

6 (1) help States transitioning to vote-by-mail
 7 procedures; and

8 (2) improve their current vote-by-mail systems.

9 (b) REPORT.—Not later than January 1, 2022, the
 10 Election Assistance Commission shall submit to Congress
 11 a report on the study conducted under subsection (a).

12 **TITLE X—ABSENT UNIFORMED**
 13 **SERVICES VOTERS AND**
 14 **OVERSEAS VOTERS**

15 **SEC. 10001. PRE-ELECTION REPORTS ON AVAILABILITY**
 16 **AND TRANSMISSION OF ABSENTEE BALLOTS.**

17 Section 102(c) of the Uniformed and Overseas Citi-
 18 zens Absentee Voting Act (52 U.S.C. 20302(c)) is amend-
 19 ed to read as follows:

20 “(c) REPORTS ON AVAILABILITY, TRANSMISSION,
 21 AND RECEIPT OF ABSENTEE BALLOTS.—

22 “(1) PRE-ELECTION REPORT ON ABSENTEE
 23 BALLOT AVAILABILITY.—Not later than 55 days be-
 24 fore any regularly scheduled general election for
 25 Federal office, each State shall submit a report to
 26 the Attorney General, the Election Assistance Com-

1 mission (hereafter in this subsection referred to as
2 the ‘Commission’), and the Presidential Designee,
3 and make that report publicly available that same
4 day, certifying that absentee ballots for the election
5 are or will be available for transmission to absent
6 uniformed services voters and overseas voters by not
7 later than 45 days before the election. The report
8 shall be in a form prescribed jointly by the Attorney
9 General and the Commission and shall require the
10 State to certify specific information about ballot
11 availability from each unit of local government which
12 will administer the election.

13 “(2) PRE-ELECTION REPORT ON ABSENTEE
14 BALLOT TRANSMISSION.—Not later than 43 days be-
15 fore any regularly scheduled general election for
16 Federal office, each State shall submit a report to
17 the Attorney General, the Commission, and the
18 Presidential Designee, and make that report publicly
19 available that same day, certifying whether all ab-
20 sentee ballots have been transmitted by not later
21 than 45 days before the election to all qualified ab-
22 sent uniformed services and overseas voters whose
23 requests were received at least 45 days before the
24 election. The report shall be in a form prescribed
25 jointly by the Attorney General and the Commission,

1 and shall require the State to certify specific infor-
2 mation about ballot transmission, including the total
3 numbers of ballot requests received and ballots
4 transmitted, from each unit of local government
5 which will administer the election.

6 “(3) POST-ELECTION REPORT ON NUMBER OF
7 ABSENTEE BALLOTS TRANSMITTED AND RE-
8 CEIVED.—Not later than 90 days after the date of
9 each regularly scheduled general election for Federal
10 office, each State and unit of local government
11 which administered the election shall (through the
12 State, in the case of a unit of local government) sub-
13 mit a report to the Attorney General, the Commis-
14 sion, and the Presidential Designee on the combined
15 number of absentee ballots transmitted to absent
16 uniformed services voters and overseas voters for the
17 election and the combined number of such ballots
18 which were returned by such voters and cast in the
19 election, and shall make such report available to the
20 general public that same day.”.

21 **SEC. 10002. ENFORCEMENT.**

22 (a) AVAILABILITY OF CIVIL PENALTIES AND PRI-
23 VATE RIGHTS OF ACTION.—Section 105 of the Uniformed
24 and Overseas Citizens Absentee Voting Act (52 U.S.C.
25 20307) is amended to read as follows:

1 **“SEC. 105. ENFORCEMENT.**

2 “(a) ACTION BY ATTORNEY GENERAL.—

3 “(1) IN GENERAL.—The Attorney General may
4 bring civil action in an appropriate district court for
5 such declaratory or injunctive relief as may be nec-
6 essary to carry out this title.

7 “(2) PENALTY.—In a civil action brought under
8 paragraph (1), if the court finds that the State vio-
9 lated any provision of this title, it may, to vindicate
10 the public interest, assess a civil penalty against the
11 State—

12 “(A) in an amount not to exceed \$110,000
13 for each such violation, in the case of a first
14 violation; or

15 “(B) in an amount not to exceed \$220,000
16 for each such violation, for any subsequent vio-
17 lation.

18 “(3) REPORT TO CONGRESS.—Not later than
19 December 31 of each year, the Attorney General
20 shall submit to Congress an annual report on any
21 civil action brought under paragraph (1) during the
22 preceding year.

23 “(b) PRIVATE RIGHT OF ACTION.—A person who is
24 aggrieved by a State’s violation of this title may bring a
25 civil action in an appropriate district court for such declar-

1 atory or injunctive relief as may be necessary to carry out
2 this title.

3 “(c) STATE AS ONLY NECESSARY DEFENDANT.—In
4 any action brought under this section, the only necessary
5 party defendant is the State, and it shall not be a defense
6 to any such action that a local election official or a unit
7 of local government is not named as a defendant, notwith-
8 standing that a State has exercised the authority described
9 in section 576 of the Military and Overseas Voter Em-
10 powerment Act to delegate to another jurisdiction in the
11 State any duty or responsibility which is the subject of
12 an action brought under this section.”.

13 (b) EFFECTIVE DATE.—The amendments made by
14 this section shall apply with respect to violations alleged
15 to have occurred on or after the date of the enactment
16 of this Act.

17 **SEC. 10003. REVISIONS TO 45-DAY ABSENTEE BALLOT**
18 **TRANSMISSION RULE.**

19 (a) REPEAL OF WAIVER AUTHORITY.—

20 (1) IN GENERAL.—Section 102 of the Uni-
21 formed and Overseas Citizens Absentee Voting Act
22 (52 U.S.C. 20302) is amended by striking sub-
23 section (g).

24 (2) CONFORMING AMENDMENT.—Section
25 102(a)(8)(A) of such Act (52 U.S.C.

1 20302(a)(8)(A)) is amended by striking “except as
2 provided in subsection (g),”.

3 (b) REQUIRING USE OF EXPRESS DELIVERY IN CASE
4 OF FAILURE TO MEET REQUIREMENT.—Section 102 of
5 such Act (52 U.S.C. 20302), as amended by subsection
6 (a), is amended by inserting after subsection (f) the fol-
7 lowing new subsection:

8 “(g) REQUIRING USE OF EXPRESS DELIVERY IN
9 CASE OF FAILURE TO TRANSMIT BALLOTS WITHIN
10 DEADLINES.—

11 “(1) TRANSMISSION OF BALLOT BY EXPRESS
12 DELIVERY.—If a State fails to meet the requirement
13 of subsection (a)(8)(A) to transmit a validly re-
14 quested absentee ballot to an absent uniformed serv-
15 ices voter or overseas voter not later than 45 days
16 before the election (in the case in which the request
17 is received at least 45 days before the election)—

18 “(A) the State shall transmit the ballot to
19 the voter by express delivery; or

20 “(B) in the case of a voter who has des-
21 ignated that absentee ballots be transmitted
22 electronically in accordance with subsection
23 (f)(1), the State shall transmit the ballot to the
24 voter electronically.

1 “(2) SPECIAL RULE FOR TRANSMISSION FEWER
2 THAN 40 DAYS BEFORE THE ELECTION.—If, in car-
3 rying out paragraph (1), a State transmits an ab-
4 sentee ballot to an absent uniformed services voter
5 or overseas voter fewer than 40 days before the elec-
6 tion, the State shall enable the ballot to be returned
7 by the voter by express delivery, except that in the
8 case of an absentee ballot of an absent uniformed
9 services voter for a regularly scheduled general elec-
10 tion for Federal office, the State may satisfy the re-
11 quirement of this paragraph by notifying the voter
12 of the procedures for the collection and delivery of
13 such ballots under section 103A.

14 “(3) PAYMENT FOR USE OF EXPRESS DELIV-
15 ERY.—The State shall be responsible for the pay-
16 ment of the costs associated with the use of express
17 delivery for the transmittal of ballots under this sub-
18 section.”.

19 (c) CLARIFICATION OF TREATMENT OF WEEK-
20 ENDS.—Section 102(a)(8)(A) of such Act (52 U.S.C.
21 20302(a)(8)(A)) is amended by striking “the election;”
22 and inserting the following: “the election (or, if the 45th
23 day preceding the election is a weekend or legal public hol-
24 iday, not later than the most recent weekday which pre-
25 cedes such 45th day and which is not a legal public holi-

1 day, but only if the request is received by at least such
2 most recent weekday);”.

3 **SEC. 10004. USE OF SINGLE ABSENTEE BALLOT APPLICA-**
4 **TION FOR SUBSEQUENT ELECTIONS.**

5 (a) IN GENERAL.—Section 104 of the Uniformed and
6 Overseas Citizens Absentee Voting Act (52 U.S.C. 20306)
7 is amended to read as follows:

8 **“SEC. 104. USE OF SINGLE APPLICATION FOR SUBSEQUENT**
9 **ELECTIONS.**

10 “(a) IN GENERAL.—If a State accepts and processes
11 an official post card form (prescribed under section 101)
12 submitted by an absent uniformed services voter or over-
13 seas voter for simultaneous voter registration and absen-
14 tee ballot application (in accordance with section
15 102(a)(4)) and the voter requests that the application be
16 considered an application for an absentee ballot for each
17 subsequent election for Federal office held in the State
18 through the next regularly scheduled general election for
19 Federal office (including any runoff elections which may
20 occur as a result of the outcome of such general election),
21 the State shall provide an absentee ballot to the voter for
22 each such subsequent election.

23 “(b) EXCEPTION FOR VOTERS CHANGING REGISTRA-
24 TION.—Subsection (a) shall not apply with respect to a
25 voter registered to vote in a State for any election held

1 after the voter notifies the State that the voter no longer
2 wishes to be registered to vote in the State or after the
3 State determines that the voter has registered to vote in
4 another State or is otherwise no longer eligible to vote in
5 the State.

6 “(c) PROHIBITION OF REFUSAL OF APPLICATION ON
7 GROUNDS OF EARLY SUBMISSION.—A State may not
8 refuse to accept or to process, with respect to any election
9 for Federal office, any otherwise valid voter registration
10 application or absentee ballot application (including the
11 postcard form prescribed under section 101) submitted by
12 an absent uniformed services voter or overseas voter on
13 the grounds that the voter submitted the application be-
14 fore the first date on which the State otherwise accepts
15 or processes such applications for that election which are
16 submitted by absentee voters who are not members of the
17 uniformed services or overseas citizens.”.

18 (b) EFFECTIVE DATE.—The amendment made by
19 subsection (a) shall apply with respect to voter registration
20 and absentee ballot applications which are submitted to
21 a State or local election official on or after the date of
22 the enactment of this Act.

1 **SEC. 10005. EXTENDING GUARANTEE OF RESIDENCY FOR**
2 **VOTING PURPOSES TO FAMILY MEMBERS OF**
3 **ABSENT MILITARY PERSONNEL.**

4 Section 102 of the Uniformed and Overseas Citizens
5 Absentee Voting Act (52 U.S.C. 20302) is amended by
6 adding at the end the following new subsection:

7 “(j) GUARANTEE OF RESIDENCY FOR SPOUSES AND
8 DEPENDENTS OF ABSENT MEMBERS OF UNIFORMED
9 SERVICE.—For the purposes of voting for in any election
10 for any Federal office or any State or local office, a spouse
11 or dependent of an individual who is an absent uniformed
12 services voter described in subparagraph (A) or (B) of sec-
13 tion 107(1) shall not, solely by reason of that individual’s
14 absence and without regard to whether or not such spouse
15 or dependent is accompanying that individual—

16 “(1) be deemed to have lost a residence or
17 domicile in that State, without regard to whether or
18 not that individual intends to return to that State;

19 “(2) be deemed to have acquired a residence or
20 domicile in any other State; or

21 “(3) be deemed to have become a resident in or
22 a resident of any other State.”.

1 **SEC. 10006. REQUIRING TRANSMISSION OF BLANK ABSEN-**
2 **TEE BALLOTS UNDER UOCAVA TO CERTAIN**
3 **VOTERS.**

4 (a) IN GENERAL.—The Uniformed and Overseas
5 Citizens Absentee Voting Act (52 U.S.C. 20301 et seq.)
6 is amended by inserting after section 103B the following
7 new section:

8 **“SEC. 103C. TRANSMISSION OF BLANK ABSENTEE BALLOTS**
9 **TO CERTAIN OTHER VOTERS.**

10 “(a) IN GENERAL.—

11 “(1) STATE RESPONSIBILITIES.—Subject to the
12 provisions of this section, each State shall transmit
13 blank absentee ballots electronically to qualified indi-
14 viduals who request such ballots in the same manner
15 and under the same terms and conditions under
16 which the State transmits such ballots electronically
17 to absent uniformed services voters and overseas vot-
18 ers under the provisions of section 102(f), except
19 that no such marked ballots shall be returned elec-
20 tronically.

21 “(2) REQUIREMENTS.—Any blank absentee bal-
22 lot transmitted to a qualified individual under this
23 section—

24 “(A) must comply with the language re-
25 quirements under section 203 of the Voting
26 Rights Act of 1965 (52 U.S.C. 10503); and

1 “(B) must comply with the disability re-
2 quirements under section 508 of the Rehabilita-
3 tion Act of 1973 (29 U.S.C. 794d).

4 “(3) AFFIRMATION.—The State may not trans-
5 mit a ballot to a qualified individual under this sec-
6 tion unless the individual provides the State with a
7 signed affirmation in electronic form that—

8 “(A) the individual is a qualified individual
9 (as defined in subsection (b));

10 “(B) the individual has not and will not
11 cast another ballot with respect to the election;
12 and

13 “(C) acknowledges that a material
14 misstatement of fact in completing the ballot
15 may constitute grounds for conviction of per-
16 jury.

17 “(4) CLARIFICATION REGARDING FREE POST-
18 AGE.—An absentee ballot obtained by a qualified in-
19 dividual under this section shall be considered bal-
20 lotting materials as defined in section 107 for pur-
21 poses of section 3406 of title 39, United States
22 Code.

23 “(5) PROHIBITING REFUSAL TO ACCEPT BAL-
24 LOT FOR FAILURE TO MEET CERTAIN REQUIRE-
25 MENTS.—A State shall not refuse to accept and

1 process any otherwise valid blank absentee ballot
2 which was transmitted to a qualified individual
3 under this section and used by the individual to vote
4 in the election solely on the basis of the following:

5 “(A) Notarization or witness signature re-
6 quirements.

7 “(B) Restrictions on paper type, including
8 weight and size.

9 “(C) Restrictions on envelope type, includ-
10 ing weight and size.

11 “(b) QUALIFIED INDIVIDUAL.—

12 “(1) IN GENERAL.—In this section, except as
13 provided in paragraph (2), the term ‘qualified indi-
14 vidual’ means any individual who is otherwise quali-
15 fied to vote in an election for Federal office and who
16 meets any of the following requirements:

17 “(A) The individual—

18 “(i) has previously requested an ab-
19 sentee ballot from the State or jurisdiction
20 in which such individual is registered to
21 vote; and

22 “(ii) has not received such absentee
23 ballot at least 2 days before the date of the
24 election.

25 “(B) The individual—

1 “(i) resides in an area of a State with
2 respect to which an emergency or public
3 health emergency has been declared by the
4 chief executive of the State or of the area
5 involved within 5 days of the date of the
6 election under the laws of the State due to
7 reasons including a natural disaster, in-
8 cluding severe weather, or an infectious
9 disease; and

10 “(ii) has not previously requested an
11 absentee ballot.

12 “(C) The individual expects to be absent
13 from such individual’s jurisdiction on the date
14 of the election due to professional or volunteer
15 service in response to a natural disaster or
16 emergency as described in subparagraph (B).

17 “(D) The individual is hospitalized or ex-
18 pects to be hospitalized on the date of the elec-
19 tion.

20 “(E) The individual is an individual with a
21 disability (as defined in section 3 of the Ameri-
22 cans with Disabilities Act of 1990 (42 U.S.C.
23 12102)) and resides in a State which does not
24 offer voters the ability to use secure and acces-
25 sible remote ballot marking. For purposes of

1 this subparagraph, a State shall permit an indi-
2 vidual to self-certify that the individual is an in-
3 dividual with a disability.

4 “(2) EXCLUSION OF ABSENT UNIFORMED SERV-
5 ICES AND OVERSEAS VOTERS.—The term ‘qualified
6 individual’ shall not include an absent uniformed
7 services voter or an overseas voter.

8 “(c) STATE.—For purposes of this section, the term
9 ‘State’ includes the District of Columbia, the Common-
10 wealth of Puerto Rico, Guam, American Samoa, the
11 United States Virgin Islands, and the Commonwealth of
12 the Northern Mariana Islands.

13 “(d) EFFECTIVE DATE.—This section shall apply
14 with respect to the regularly scheduled general election for
15 Federal office held in November 2022 and each succeeding
16 election for Federal office.”.

17 (b) CONFORMING AMENDMENT.—Section 102(a) of
18 such Act (52 U.S.C. 20302(a)) is amended—

19 (1) by striking “and” at the end of paragraph
20 (10);

21 (2) by striking the period at the end of para-
22 graph (11) and inserting “; and”; and

23 (3) by adding at the end the following new
24 paragraph:

1 “(12) meet the requirements of section 103C
 2 with respect to the provision of blank absentee bal-
 3 lots for the use of qualified individuals described in
 4 such section.”.

5 (c) CLERICAL AMENDMENTS.—The table of contents
 6 of such Act is amended by inserting the following after
 7 section 103:

“Sec. 103A. Procedures for collection and delivery of marked absentee ballots
 of absent overseas uniformed services voters.

“Sec. 103B. Federal voting assistance program improvements.

“Sec. 103C. Transmission of blank absentee ballots to certain other voters.”.

8 **SEC. 10007. DEPARTMENT OF JUSTICE REPORT ON VOTER**
 9 **DISENFRANCHISEMENT.**

10 Not later than 1 year of enactment of this Act, the
 11 Attorney General shall submit to Congress a report on the
 12 impact of wide-spread mail-in voting on the ability of ac-
 13 tive duty military servicemembers to vote, how quickly
 14 their votes are counted, and whether higher volumes of
 15 mail-in votes makes it harder for such individuals to vote
 16 in federal elections.

17 **SEC. 10008. EFFECTIVE DATE.**

18 Except as provided in section 10002(b) and section
 19 10004(b), the amendments made by this title shall apply
 20 with respect to elections occurring on or after January 1,
 21 2022.

1 **TITLE XI—POLL WORKER**
2 **RECRUITMENT AND TRAINING**

3 **SEC. 11001. GRANTS TO STATES FOR POLL WORKER RE-**
4 **CRUITMENT AND TRAINING.**

5 (a) GRANTS BY ELECTION ASSISTANCE COMMIS-
6 SION.—

7 (1) IN GENERAL.—The Election Assistance
8 Commission (hereafter referred to as the “Commis-
9 sion”) shall, subject to the availability of appropria-
10 tions provided to carry out this section, make a
11 grant to each eligible State for recruiting and train-
12 ing individuals to serve as poll workers on dates of
13 elections for public office.

14 (2) USE OF COMMISSION MATERIALS.—In car-
15 rying out activities with a grant provided under this
16 section, the recipient of the grant shall use the man-
17 ual prepared by the Commission on successful prac-
18 tices for poll worker recruiting, training and reten-
19 tion as an interactive training tool, and shall develop
20 training programs with the participation and input
21 of experts in adult learning.

22 (3) ACCESS AND CULTURAL CONSIDER-
23 ATIONS.—The Commission shall ensure that the
24 manual described in paragraph (2) provides training
25 in methods that will enable poll workers to provide

1 access and delivery of services in a culturally com-
2 petent manner to all voters who use their services,
3 including those with limited English proficiency, di-
4 verse cultural and ethnic backgrounds, disabilities,
5 and regardless of gender, sexual orientation, or gen-
6 der identity. These methods must ensure that each
7 voter will have access to poll worker services that are
8 delivered in a manner that meets the unique needs
9 of the voter.

10 (b) REQUIREMENTS FOR ELIGIBILITY.—

11 (1) APPLICATION.—Each State that desires to
12 receive a payment under this section shall submit an
13 application for the payment to the Commission at
14 such time and in such manner and containing such
15 information as the Commission shall require.

16 (2) CONTENTS OF APPLICATION.—Each appli-
17 cation submitted under paragraph (1) shall—

18 (A) describe the activities for which assist-
19 ance under this section is sought;

20 (B) provide assurances that the funds pro-
21 vided under this section will be used to supple-
22 ment and not supplant other funds used to
23 carry out the activities;

24 (C) provide assurances that the State will
25 furnish the Commission with information on the

1 number of individuals who served as poll work-
2 ers after recruitment and training with the
3 funds provided under this section;

4 (D) provide assurances that the State will
5 dedicate poll worker recruitment efforts with re-
6 spect to youth and minors, including by recruit-
7 ing at institutions of higher education and sec-
8 ondary education; and

9 (E) provide such additional information
10 and certifications as the Commission deter-
11 mines to be essential to ensure compliance with
12 the requirements of this section.

13 (c) AMOUNT OF GRANT.—

14 (1) IN GENERAL.—The amount of a grant
15 made to a State under this section shall be equal to
16 the product of—

17 (A) the aggregate amount made available
18 for grants to States under this section; and

19 (B) the voting age population percentage
20 for the State.

21 (2) VOTING AGE POPULATION PERCENTAGE DE-
22 FINED.—In paragraph (1), the “voting age popu-
23 lation percentage” for a State is the quotient of—

24 (A) the voting age population of the State
25 (as determined on the basis of the most recent

1 information available from the Bureau of the
2 Census); and

3 (B) the total voting age population of all
4 States (as determined on the basis of the most
5 recent information available from the Bureau of
6 the Census).

7 (d) REPORTS TO CONGRESS.—

8 (1) REPORTS BY RECIPIENTS OF GRANTS.—Not
9 later than 6 months after the date on which the
10 final grant is made under this section, each recipient
11 of a grant shall submit a report to the Commission
12 on the activities conducted with the funds provided
13 by the grant.

14 (2) REPORTS BY COMMISSION.—Not later than
15 1 year after the date on which the final grant is
16 made under this section, the Commission shall sub-
17 mit a report to Congress on the grants made under
18 this section and the activities carried out by recipi-
19 ents with the grants, and shall include in the report
20 such recommendations as the Commission considers
21 appropriate.

22 (e) FUNDING.—

23 (1) CONTINUING AVAILABILITY OF AMOUNT AP-
24 PROPRIATED.—Any amount appropriated to carry

1 out this section shall remain available without fiscal
 2 year limitation until expended.

3 (2) ADMINISTRATIVE EXPENSES.—Of the
 4 amount appropriated for any fiscal year to carry out
 5 this section, not more than 3 percent shall be avail-
 6 able for administrative expenses of the Commission.

7 **SEC. 11002. STATE DEFINED.**

8 In this title, the term “State” includes the District
 9 of Columbia, the Commonwealth of Puerto Rico, Guam,
 10 American Samoa, the United States Virgin Islands, and
 11 the Commonwealth of the Northern Mariana Islands.

12 **TITLE XII—ENHANCEMENT OF**
 13 **ENFORCEMENT**

14 **SEC. 12001. ENHANCEMENT OF ENFORCEMENT OF HELP**
 15 **AMERICA VOTE ACT OF 2002.**

16 (a) COMPLAINTS; AVAILABILITY OF PRIVATE RIGHT
 17 OF ACTION.—Section 401 of the Help America Vote Act
 18 of 2002 (52 U.S.C. 21111) is amended—

19 (1) by striking “The Attorney General” and in-
 20 serting “(a) IN GENERAL.—The Attorney General”;
 21 and

22 (2) by adding at the end the following new sub-
 23 sections:

24 “(b) FILING OF COMPLAINTS BY AGGRIEVED PER-
 25 SONS.—

1 “(1) IN GENERAL.—A person who is aggrieved
2 by a violation of title III which has occurred, is oc-
3 curring, or is about to occur may file a written,
4 signed, notarized complaint with the Attorney Gen-
5 eral describing the violation and requesting the At-
6 torney General to take appropriate action under this
7 section. The Attorney General shall immediately pro-
8 vide a copy of a complaint filed under the previous
9 sentence to the entity responsible for administering
10 the State-based administrative complaint procedures
11 described in section 402(a) for the State involved.

12 “(2) RESPONSE BY ATTORNEY GENERAL.—The
13 Attorney General shall respond to each complaint
14 filed under paragraph (1), in accordance with proce-
15 dures established by the Attorney General that re-
16 quire responses and determinations to be made with-
17 in the same (or shorter) deadlines which apply to a
18 State under the State-based administrative com-
19 plaint procedures described in section 402(a)(2).
20 The Attorney General shall immediately provide a
21 copy of the response made under the previous sen-
22 tence to the entity responsible for administering the
23 State-based administrative complaint procedures de-
24 scribed in section 402(a) for the State involved.

1 “(c) AVAILABILITY OF PRIVATE RIGHT OF AC-
2 TION.—Any person who is authorized to file a complaint
3 under subsection (b)(1) (including any individual who
4 seeks to enforce the individual’s right to a voter-verified
5 paper ballot, the right to have the voter-verified paper bal-
6 lot counted in accordance with this Act, or any other right
7 under title III) may file an action under section 1979 of
8 the Revised Statutes of the United States (42 U.S.C.
9 1983) to enforce the uniform and nondiscriminatory elec-
10 tion technology and administration requirements under
11 subtitle A of title III.

12 “(d) NO EFFECT ON STATE PROCEDURES.—Nothing
13 in this section may be construed to affect the availability
14 of the State-based administrative complaint procedures re-
15 quired under section 402 to any person filing a complaint
16 under this subsection.”.

17 (b) EFFECTIVE DATE.—The amendments made by
18 this section shall apply with respect to violations occurring
19 with respect to elections for Federal office held in 2022
20 or any succeeding year.

1 **TITLE XIII—FEDERAL ELECTION**
2 **INTEGRITY**

3 **SEC. 13001. PROHIBITION ON CAMPAIGN ACTIVITIES BY**
4 **CHIEF STATE ELECTION ADMINISTRATION**
5 **OFFICIALS.**

6 (a) IN GENERAL.—Title III of the Federal Election
7 Campaign Act of 1971 (52 U.S.C. 30101 et seq.) is
8 amended by inserting after section 319 the following new
9 section:

10 “CAMPAIGN ACTIVITIES BY CHIEF STATE ELECTION
11 ADMINISTRATION OFFICIALS

12 “SEC. 319A. (a) PROHIBITION.—It shall be unlawful
13 for a chief State election administration official to take
14 an active part in political management or in a political
15 campaign with respect to any election for Federal office
16 over which such official has supervisory authority.

17 “(b) CHIEF STATE ELECTION ADMINISTRATION OF-
18 FICIAL.—The term ‘chief State election administration of-
19 ficial’ means the highest State official with responsibility
20 for the administration of Federal elections under State
21 law.

22 “(c) ACTIVE PART IN POLITICAL MANAGEMENT OR
23 IN A POLITICAL CAMPAIGN.—The term ‘active part in po-
24 litical management or in a political campaign’ means—

1 “(1) holding any position (including any unpaid
2 or honorary position) with an authorized committee
3 of a candidate, or participating in any decision-mak-
4 ing of an authorized committee of a candidate;

5 “(2) the use of official authority or influence
6 for the purpose of interfering with or affecting the
7 result of an election for Federal office;

8 “(3) the solicitation, acceptance, or receipt of a
9 contribution from any person on behalf of a can-
10 didate for Federal office; and

11 “(4) any other act which would be prohibited
12 under paragraph (2) or (3) of section 7323(b) of
13 title 5, United States Code, if taken by an individual
14 to whom such paragraph applies (other than any
15 prohibition on running for public office).

16 “(d) EXCEPTION IN CASE OF RECUSAL FROM AD-
17 MINISTRATION OF ELECTIONS INVOLVING OFFICIAL OR
18 IMMEDIATE FAMILY MEMBER.—

19 “(1) IN GENERAL.—This section does not apply
20 to a chief State election administration official with
21 respect to an election for Federal office in which the
22 official or an immediate family member of the offi-
23 cial is a candidate, but only if—

1 “(A) such official recuses himself or herself
 2 from all of the official’s responsibilities for the
 3 administration of such election; and

4 “(B) the official who assumes responsi-
 5 bility for supervising the administration of the
 6 election does not report directly to such official.

7 “(2) IMMEDIATE FAMILY MEMBER DEFINED.—

8 In paragraph (1), the term ‘immediate family mem-
 9 ber’ means, with respect to a candidate, a father,
 10 mother, son, daughter, brother, sister, husband,
 11 wife, father-in-law, or mother-in-law.”.

12 (b) EFFECTIVE DATE.—The amendments made by
 13 subsection (a) shall apply with respect to elections for
 14 Federal office held after December 2021.

15 **TITLE XIV—PROMOTING VOTER**
 16 **ACCESS THROUGH ELECTION**
 17 **ADMINISTRATION IMPROVE-**
 18 **MENTS**

19 **Subtitle A—Promoting Voter**
 20 **Access**

21 **SEC. 14001. TREATMENT OF INSTITUTIONS OF HIGHER**
 22 **EDUCATION.**

23 (a) TREATMENT OF CERTAIN INSTITUTIONS AS
 24 VOTER REGISTRATION AGENCIES UNDER NATIONAL
 25 VOTER REGISTRATION ACT OF 1993.—Section 7(a) of the

1 National Voter Registration Act of 1993 (52 U.S.C.
2 20506(a)) is amended—

3 (1) in paragraph (2)—

4 (A) by striking “and” at the end of sub-
5 paragraph (A);

6 (B) by striking the period at the end of
7 subparagraph (B) and inserting “; and”; and

8 (C) by adding at the end the following new
9 subparagraph:

10 “(C) each institution of higher education
11 which has a program participation agreement in
12 effect with the Secretary of Education under
13 section 487 of the Higher Education Act of
14 1965 (20 U.S.C. 1094), other than an institu-
15 tion which is treated as a contributing agency
16 under the Automatic Voter Registration Act of
17 2021.”; and

18 (2) in paragraph (6)(A), by inserting “or, in
19 the case of an institution of higher education, with
20 each registration of a student for enrollment in a
21 course of study, including enrollment in a program
22 of distance education, as defined in section 103(7)
23 of the Higher Education Act of 1965 (20 U.S.C.
24 1003(7)),” after “assistance,”.

1 (b) RESPONSIBILITIES OF INSTITUTIONS UNDER
2 HIGHER EDUCATION ACT OF 1965.—

3 (1) IN GENERAL.—Section 487(a)(23) of the
4 Higher Education Act of 1965 (20 U.S.C.
5 1094(a)(23)) is amended to read as follows:

6 “(23)(A)(i) The institution will ensure that an
7 appropriate staff person or office is designated pub-
8 licly as a ‘Campus Vote Coordinator’ and will ensure
9 that such person’s or office’s contact information is
10 included on the institution’s website.

11 “(ii) Not fewer than twice during each calendar
12 year (beginning with 2021), the Campus Vote Coor-
13 dinator shall transmit electronically to each student
14 enrolled in the institution (including students en-
15 rolled in distance education programs) a message
16 containing the following information:

17 “(I) Information on the location of polling
18 places in the jurisdiction in which the institu-
19 tion is located, together with information on
20 available methods of transportation to and from
21 such polling places.

22 “(II) A referral to a government-affiliated
23 website or online platform which provides cen-
24 tralized voter registration information for all
25 States, including access to applicable voter reg-

1 istration forms and information to assist indi-
2 viduals who are not registered to vote in reg-
3 istering to vote.

4 “(III) Any additional voter registration
5 and voting information the Coordinator con-
6 siders appropriate, in consultation with the ap-
7 propriate State election official.

8 “(iii) In addition to transmitting the message
9 described in clause (ii) not fewer than twice during
10 each calendar year, the Campus Vote Coordinator
11 shall transmit the message under such clause, and
12 shall include on the institution’s website and boost
13 awareness on the institution’s social media plat-
14 forms, not fewer than 30 days prior to the deadline
15 for registering to vote for any election for Federal,
16 State, or local office in the State.

17 “(B) If the institution in its normal course of
18 operations requests each student registering for en-
19 rollment in a course of study, including students
20 registering for enrollment in a program of distance
21 education, to affirm whether or not the student is a
22 United States citizen, the institution will comply
23 with the applicable requirements for a contributing
24 agency under the Automatic Voter Registration Act
25 of 2021.

1 “(C) If the institution is not described in sub-
2 paragraph (B), the institution will comply with the
3 requirements for a voter registration agency in the
4 State in which it is located in accordance with sec-
5 tion 7 of the National Voter Registration Act of
6 1993 (52 U.S.C. 20506).

7 “(D) This paragraph applies only with respect
8 to an institution which is located in a State to which
9 section 4(b) of the National Voter Registration Act
10 of 1993 (52 U.S.C. 20503(b)) does not apply.”.

11 (2) EFFECTIVE DATE.—The amendments made
12 by this subsection shall apply with respect to elec-
13 tions held on or after January 1, 2022.

14 (c) GRANTS TO INSTITUTIONS DEMONSTRATING EX-
15 CELLENCE IN STUDENT VOTER REGISTRATION.—

16 (1) GRANTS AUTHORIZED.—The Secretary of
17 Education may award competitive grants to public
18 and private nonprofit institutions of higher edu-
19 cation that are subject to the requirements of sec-
20 tion 487(a)(23) of the Higher Education Act of
21 1965 (20 U.S.C. 1094(a)(23)), as amended by sub-
22 section (a), and that the Secretary determines have
23 demonstrated excellence in registering students to
24 vote in elections for public office beyond meeting the
25 minimum requirements of such section.

1 (2) ELIGIBILITY.—An institution of higher edu-
2 cation is eligible to receive a grant under this sub-
3 section if the institution submits to the Secretary of
4 Education, at such time and in such form as the
5 Secretary may require, an application containing
6 such information and assurances as the Secretary
7 may require to make the determination described in
8 paragraph (1), including information and assurances
9 that the institution carried out activities to promote
10 voter registration by students, such as the following:

11 (A) Sponsoring large on-campus voter mo-
12 bilization efforts.

13 (B) Engaging the surrounding community
14 in nonpartisan voter registration and get out
15 the vote efforts, including initiatives to facilitate
16 the enfranchisement of groups of individuals
17 that have historically faced barriers to voting.

18 (C) Creating a website for students with
19 centralized information about voter registration
20 and election dates.

21 (D) Inviting candidates to speak on cam-
22 pus.

23 (E) Offering rides to students to the polls
24 to increase voter education, registration, and
25 mobilization.

1 (3) AUTHORIZATION OF APPROPRIATIONS.—

2 There are authorized to be appropriated for fiscal
3 year 2022 and each succeeding fiscal year such sums
4 as may be necessary to award grants under this sub-
5 section. Of the funds appropriated, the Secretary
6 shall ensure that 25 percent is reserved for Minority
7 Institutions described in section 371(a) of the High-
8 er Education Act of 1965 (20 U.S.C. 1067q(a)).

9 (d) SENSE OF CONGRESS RELATING TO OPTION OF
10 STUDENTS TO REGISTER IN JURISDICTION OF INSTITU-
11 TION OF HIGHER EDUCATION OR JURISDICTION OF DOMI-
12 CILE.—It is the sense of Congress that, as provided under
13 existing law, students who attend an institution of higher
14 education and reside in the jurisdiction of the institution
15 while attending the institution should have the option of
16 registering to vote, without being subjected to intimidation
17 or deceptive practices, in elections for Federal office in
18 that jurisdiction or in the jurisdiction of their own domi-
19 cile.

20 **SEC. 14002. MINIMUM NOTIFICATION REQUIREMENTS FOR**
21 **VOTERS AFFECTED BY POLLING PLACE**
22 **CHANGES.**

23 (a) REQUIREMENTS.—Section 302 of the Help Amer-
24 ica Vote Act of 2002 (52 U.S.C. 21082), as amended by
25 section 7001(a), is amended—

1 (1) by redesignating subsection (f) as sub-
2 section (g); and

3 (2) by inserting after subsection (e) the fol-
4 lowing new subsection:

5 “(f) MINIMUM NOTIFICATION REQUIREMENTS FOR
6 VOTERS AFFECTED BY POLLING PLACE CHANGES.—

7 “(1) IN GENERAL.—If a State assigns an indi-
8 vidual who is a registered voter in a State to a poll-
9 ing place with respect to an election for Federal of-
10 fice which is not the same polling place to which the
11 individual was previously assigned with respect to
12 the most recent election for Federal office in the
13 State in which the individual was eligible to vote—

14 “(A) the State shall notify the individual of
15 the location of the polling place not later than
16 7 days before the date of the election or the
17 first day of an early voting period (whichever
18 occurs first); or

19 “(B) if the State makes such an assign-
20 ment fewer than 7 days before the date of the
21 election and the individual appears on the date
22 of the election at the polling place to which the
23 individual was previously assigned, the State
24 shall make every reasonable effort to enable the
25 individual to vote on the date of the election.

1 “(2) METHODS OF NOTIFICATION.—The State
2 shall notify an individual under subparagraph (A) of
3 paragraph (1) by mail, telephone, and (if available)
4 text message and electronic mail, taking into consid-
5 eration factors which include the linguistic pref-
6 erences of voters in the jurisdiction.

7 “(3) PLACEMENT OF SIGNS AT CLOSED POLL-
8 ING PLACES.—If a location which served as a polling
9 place in an election for Federal office does not serve
10 as a polling place in the next election for Federal of-
11 fice held in the jurisdiction involved, the State shall
12 ensure that signs are posted at such location on the
13 date of the election and during any early voting pe-
14 riod for the election containing the following infor-
15 mation, taking into consideration factors which in-
16 clude the linguistic preferences of voters in the juris-
17 diction:

18 “(A) A statement that the location is not
19 serving as a polling place in the election.

20 “(B) The locations serving as polling
21 places in the election in the jurisdiction in-
22 volved.

23 “(C) Contact information, including a tele-
24 phone number and website, for the appropriate
25 State or local election official through which an

1 individual may find the polling place to which
 2 the individual is assigned for the election.

3 “(4) EFFECTIVE DATE.—This subsection shall
 4 apply with respect to elections held on or after Janu-
 5 ary 1, 2021.”.

6 (b) CONFORMING AMENDMENT.—Section 302(g) of
 7 such Act (52 U.S.C. 21082(g)), as redesignated by sub-
 8 section (a) and as amended by section 7001(b), is amend-
 9 ed by striking “(d)(2) and (e)(2)” and inserting “(d)(2),
 10 (e)(2), and (f)(4)”.

11 **SEC. 14003. PERMITTING USE OF SWORN WRITTEN STATE-**
 12 **MENT TO MEET IDENTIFICATION REQUIRE-**
 13 **MENTS FOR VOTING.**

14 (a) PERMITTING USE OF STATEMENT.—Title III of
 15 the Help America Vote Act of 2002 (52 U.S.C. 21081 et
 16 seq.) is amended by inserting after section 303 the fol-
 17 lowing new section:

18 **“SEC. 303A. PERMITTING USE OF SWORN WRITTEN STATE-**
 19 **MENT TO MEET IDENTIFICATION REQUIRE-**
 20 **MENTS.**

21 “(a) USE OF STATEMENT.—

22 “(1) IN GENERAL.—Except as provided in sub-
 23 section (c), if a State has in effect a requirement
 24 that an individual present identification as a condi-
 25 tion of receiving and casting a ballot in an election

1 for Federal office, the State shall permit the indi-
2 vidual to meet the requirement—

3 “(A) in the case of an individual who de-
4 sires to vote in person, by presenting the appro-
5 priate State or local election official with a
6 sworn written statement, signed by the indi-
7 vidual under penalty of perjury, attesting to the
8 individual’s identity and attesting that the indi-
9 vidual is eligible to vote in the election; or

10 “(B) in the case of an individual who de-
11 sires to vote by mail, by submitting with the
12 ballot the statement described in subparagraph
13 (A).

14 “(2) DEVELOPMENT OF PRE-PRINTED VERSION
15 OF STATEMENT BY COMMISSION.—The Commission
16 shall develop a pre-printed version of the statement
17 described in paragraph (1)(A) which includes a
18 blank space for an individual to provide a name and
19 signature for use by election officials in States which
20 are subject to paragraph (1).

21 “(3) PROVIDING PRE-PRINTED COPY OF STATE-
22 MENT.—A State which is subject to paragraph (1)
23 shall—

24 “(A) make copies of the pre-printed
25 version of the statement described in paragraph

1 (1)(A) which is prepared by the Commission
2 available at polling places for election officials
3 to distribute to individuals who desire to vote in
4 person; and

5 “(B) include a copy of such pre-printed
6 version of the statement with each blank absen-
7 tee or other ballot transmitted to an individual
8 who desires to vote by mail.

9 “(b) REQUIRING USE OF BALLOT IN SAME MANNER
10 AS INDIVIDUALS PRESENTING IDENTIFICATION.—An in-
11 dividual who presents or submits a sworn written state-
12 ment in accordance with subsection (a)(1) shall be per-
13 mitted to cast a ballot in the election in the same manner
14 as an individual who presents identification.

15 “(c) EXCEPTION FOR FIRST-TIME VOTERS REG-
16 ISTERING BY MAIL.—Subsections (a) and (b) do not apply
17 with respect to any individual described in paragraph (1)
18 of section 303(b) who is required to meet the requirements
19 of paragraph (2) of such section.”.

20 (b) REQUIRING STATES TO INCLUDE INFORMATION
21 ON USE OF SWORN WRITTEN STATEMENT IN VOTING IN-
22 FORMATION MATERIAL POSTED AT POLLING PLACES.—
23 Section 302(b)(2) of such Act (52 U.S.C. 21082(b)(2)),
24 as amended by section 1602(b) and section 3002(b), is
25 amended—

1 (1) by striking “and” at the end of subpara-
 2 graph (G);

3 (2) by striking the period at the end of sub-
 4 paragraph (H) and inserting “; and”; and

5 (3) by adding at the end the following new sub-
 6 paragraph:

7 “(I) in the case of a State that has in ef-
 8 fect a requirement that an individual present
 9 identification as a condition of receiving and
 10 casting a ballot in an election for Federal office,
 11 information on how an individual may meet
 12 such requirement by presenting a sworn written
 13 statement in accordance with section 303A.”.

14 (c) CLERICAL AMENDMENT.—The table of contents
 15 of such Act is amended by inserting after the item relating
 16 to section 303 the following new item:

“Sec. 303A. Permitting use of sworn written statement to meet identification
 requirements.”.

17 (d) EFFECTIVE DATE.—The amendments made by
 18 this section shall apply with respect to elections occurring
 19 on or after the date of the enactment of this Act.

20 **SEC. 14004. ACCOMMODATIONS FOR VOTERS RESIDING IN**
 21 **INDIAN LANDS.**

22 (a) ACCOMMODATIONS DESCRIBED.—

23 (1) DESIGNATION OF BALLOT PICKUP AND COL-
 24 LECTION LOCATIONS.—Given the widespread lack of

1 residential mail delivery in Indian Country, an In-
2 dian Tribe may designate buildings as ballot pickup
3 and collection locations with respect to an election
4 for Federal office at no cost to the Indian Tribe. An
5 Indian Tribe may designate one building per pre-
6 cinct located within Indian lands. The applicable
7 State or political subdivision shall collect ballots
8 from those locations. The applicable State or polit-
9 ical subdivision shall provide the Indian Tribe with
10 accurate precinct maps for all precincts located with-
11 in Indian lands 60 days before the election.

12 (2) PROVISION OF MAIL-IN AND ABSENTEE
13 BALLOTS.—The State or political subdivision shall
14 provide mail-in and absentee ballots with respect to
15 an election for Federal office to each individual who
16 is registered to vote in the election who resides on
17 Indian lands in the State or political subdivision in-
18 volved without requiring a residential address or a
19 mail-in or absentee ballot request.

20 (3) USE OF DESIGNATED BUILDING AS RESI-
21 DENTIAL AND MAILING ADDRESS.—The address of a
22 designated building that is a ballot pickup and col-
23 lection location with respect to an election for Fed-
24 eral office may serve as the residential address and
25 mailing address for voters living on Indian lands if

1 the tribally designated building is in the same pre-
2 cinct as that voter. If there is no tribally designated
3 building within a voter's precinct, the voter may use
4 another tribally designated building within the In-
5 dian lands where the voter is located. Voters using
6 a tribally designated building outside of the voter's
7 precinct may use the tribally designated building as
8 a mailing address and may separately designate the
9 voter's appropriate precinct through a description of
10 the voter's address, as specified in section
11 9428.4(a)(2) of title 11, Code of Federal Regula-
12 tions.

13 (4) LANGUAGE ACCESSIBILITY.—In the case of
14 a State or political subdivision that is a covered
15 State or political subdivision under section 203 of
16 the Voting Rights Act of 1965 (52 U.S.C. 10503),
17 that State or political subdivision shall provide ab-
18 sentee or mail-in voting materials with respect to an
19 election for Federal office in the language of the ap-
20 plicable minority group as well as in the English lan-
21 guage, bilingual election voting assistance, and writ-
22 ten translations of all voting materials in the lan-
23 guage of the applicable minority group, as required
24 by section 203 of the Voting Rights Act of 1965 (52
25 U.S.C. 10503), as amended by subsection (b).

1 (5) CLARIFICATION.—Nothing in this section
2 alters the ability of an individual voter residing on
3 Indian lands to request a ballot in a manner avail-
4 able to all other voters in the State.

5 (6) DEFINITIONS.—In this section:

6 (A) ELECTION FOR FEDERAL OFFICE.—
7 The term “election for Federal office” means a
8 general, special, primary or runoff election for
9 the office of President or Vice President, or of
10 Senator or Representative in, or Delegate or
11 Resident Commissioner to, the Congress.

12 (B) INDIAN.—The term “Indian” has the
13 meaning given the term in section 4 of the In-
14 dian Self-Determination and Education Assist-
15 ance Act (25 U.S.C. 5304).

16 (C) INDIAN LANDS.—The term “Indian
17 lands” includes—

18 (i) any Indian country of an Indian
19 Tribe, as defined under section 1151 of
20 title 18, United States Code;

21 (ii) any land in Alaska owned, pursu-
22 ant to the Alaska Native Claims Settle-
23 ment Act (43 U.S.C. 1601 et seq.), by an
24 Indian Tribe that is a Native village (as
25 defined in section 3 of that Act (43 U.S.C.

1 1602)) or by a Village Corporation that is
2 associated with an Indian Tribe (as de-
3 fined in section 3 of that Act (43 U.S.C.
4 1602));

5 (iii) any land on which the seat of the
6 Tribal Government is located; and

7 (iv) any land that is part or all of a
8 Tribal designated statistical area associ-
9 ated with an Indian Tribe, or is part or all
10 of an Alaska Native village statistical area
11 associated with an Indian Tribe, as defined
12 by the Census Bureau for the purposes of
13 the most recent decennial census.

14 (D) INDIAN TRIBE.—The term “Indian
15 Tribe” has the meaning given the term “Indian
16 tribe” in section 4 of the Indian Self-Deter-
17 mination and Education Assistance Act (25
18 U.S.C. 5304).

19 (E) TRIBAL GOVERNMENT.—The term
20 “Tribal Government” means the recognized
21 governing body of an Indian Tribe.

22 (7) ENFORCEMENT.—

23 (A) ATTORNEY GENERAL.—The Attorney
24 General may bring a civil action in an appro-
25 priate district court for such declaratory or in-

1 injunctive relief as is necessary to carry out this
2 subsection.

3 (B) PRIVATE RIGHT OF ACTION.—

4 (i) A person or Tribal Government
5 who is aggrieved by a violation of this sub-
6 section may provide written notice of the
7 violation to the chief election official of the
8 State involved.

9 (ii) An aggrieved person or Tribal
10 Government may bring a civil action in an
11 appropriate district court for declaratory
12 or injunctive relief with respect to a viola-
13 tion of this subsection, if—

14 (I) that person or Tribal Govern-
15 ment provides the notice described in
16 clause (i); and

17 (II)(aa) in the case of a violation
18 that occurs more than 120 days be-
19 fore the date of an election for Fed-
20 eral office, the violation remains and
21 90 days or more have passed since the
22 date on which the chief election offi-
23 cial of the State receives the notice
24 under clause (i); or

1 (bb) in the case of a violation
2 that occurs 120 days or less before
3 the date of an election for Federal of-
4 fice, the violation remains and 20
5 days or more have passed since the
6 date on which the chief election offi-
7 cial of the State receives the notice
8 under clause (i).

9 (iii) In the case of a violation of this
10 section that occurs 30 days or less before
11 the date of an election for Federal office,
12 an aggrieved person or Tribal Government
13 may bring a civil action in an appropriate
14 district court for declaratory or injunctive
15 relief with respect to the violation without
16 providing notice to the chief election offi-
17 cial of the State under clause (i).

18 (b) BILINGUAL ELECTION REQUIREMENTS.—Section
19 203 of the Voting Rights Act of 1965 (52 U.S.C. 10503)
20 is amended—

21 (1) in subsection (b)(3)(C)), by striking “1990”
22 and inserting “2010”; and

23 (2) by striking subsection (c) and inserting the
24 following:

1 “(c) PROVISION OF VOTING MATERIALS IN THE LAN-
2 GUAGE OF A MINORITY GROUP.—

3 “(1) IN GENERAL.—Whenever any State or po-
4 litical subdivision subject to the prohibition of sub-
5 section (b) of this section provides any registration
6 or voting notices, forms, instructions, assistance, or
7 other materials or information relating to the elec-
8 toral process, including ballots, it shall provide them
9 in the language of the applicable minority group as
10 well as in the English language.

11 “(2) EXCEPTIONS.—

12 “(A) In the case of a minority group that
13 is not American Indian or Alaska Native and
14 the language of that minority group is oral or
15 unwritten, the State or political subdivision
16 shall only be required to furnish, in the covered
17 language, oral instructions, assistance, trans-
18 lation of voting materials, or other information
19 relating to registration and voting.

20 “(B) In the case of a minority group that
21 is American Indian or Alaska Native, the State
22 or political subdivision shall only be required to
23 furnish in the covered language oral instruc-
24 tions, assistance, or other information relating
25 to registration and voting, including all voting

1 materials, if the Tribal Government of that mi-
2 nority group has certified that the language of
3 the applicable American Indian or Alaska Na-
4 tive language is presently unwritten or the
5 Tribal Government does not want written trans-
6 lations in the minority language.

7 “(3) WRITTEN TRANSLATIONS FOR ELECTION
8 WORKERS.—Notwithstanding paragraph (2), the
9 State or political division may be required to provide
10 written translations of voting materials, with the
11 consent of any applicable Indian Tribe, to election
12 workers to ensure that the translations from English
13 to the language of a minority group are complete,
14 accurate, and uniform.”.

15 (c) EFFECTIVE DATE.—This section and the amend-
16 ments made by this section shall apply with respect to the
17 regularly scheduled general election for Federal office held
18 in November 2022 and each succeeding election for Fed-
19 eral office.

20 **SEC. 14005. VOTER INFORMATION RESPONSE SYSTEMS AND**
21 **HOTLINE.**

22 (a) ESTABLISHMENT AND OPERATION OF SYSTEMS
23 AND SERVICES.—

24 (1) STATE-BASED RESPONSE SYSTEMS.—The
25 Attorney General shall coordinate the establishment

1 of a State-based response system for responding to
2 questions and complaints from individuals voting or
3 seeking to vote, or registering to vote or seeking to
4 register to vote, in elections for Federal office. Such
5 system shall provide—

6 (A) State-specific, same-day, and imme-
7 diate assistance to such individuals, including
8 information on how to register to vote, the loca-
9 tion and hours of operation of polling places,
10 and how to obtain absentee ballots; and

11 (B) State-specific, same-day, and imme-
12 diate assistance to individuals encountering
13 problems with registering to vote or voting, in-
14 cluding individuals encountering intimidation or
15 deceptive practices.

16 (2) HOTLINE.—The Attorney General, in con-
17 sultation with State election officials, shall establish
18 and operate a toll-free telephone service, using a
19 telephone number that is accessible throughout the
20 United States and that uses easily identifiable nu-
21 merals, through which individuals throughout the
22 United States—

23 (A) may connect directly to the State-
24 based response system described in paragraph
25 (1) with respect to the State involved;

1 (B) may obtain information on voting in
2 elections for Federal office, including informa-
3 tion on how to register to vote in such elections,
4 the locations and hours of operation of polling
5 places, and how to obtain absentee ballots; and

6 (C) may report information to the Attor-
7 ney General on problems encountered in reg-
8 istering to vote or voting, including incidences
9 of voter intimidation or suppression.

10 (3) COLLABORATION WITH STATE AND LOCAL
11 ELECTION OFFICIALS.—

12 (A) COLLECTION OF INFORMATION FROM
13 STATES.—The Attorney General shall coordi-
14 nate the collection of information on State and
15 local election laws and policies, including infor-
16 mation on the statewide computerized voter reg-
17 istration lists maintained under title III of the
18 Help America Vote Act of 2002, so that indi-
19 viduals who contact the free telephone service
20 established under paragraph (2) on the date of
21 an election for Federal office may receive an
22 immediate response on that day.

23 (B) FORWARDING QUESTIONS AND COM-
24 PLAINTS TO STATES.—If an individual contacts
25 the free telephone service established under

1 paragraph (2) on the date of an election for
2 Federal office with a question or complaint with
3 respect to a particular State or jurisdiction
4 within a State, the Attorney General shall for-
5 ward the question or complaint immediately to
6 the appropriate election official of the State or
7 jurisdiction so that the official may answer the
8 question or remedy the complaint on that date.

9 (4) CONSULTATION REQUIREMENTS FOR DE-
10 VELOPMENT OF SYSTEMS AND SERVICES.—The At-
11 torney General shall ensure that the State-based re-
12 sponse system under paragraph (1) and the free
13 telephone service under paragraph (2) are each de-
14 veloped in consultation with civil rights organiza-
15 tions, voting rights groups, State and local election
16 officials, voter protection groups, and other inter-
17 ested community organizations, especially those that
18 have experience in the operation of similar systems
19 and services.

20 (b) USE OF SERVICE BY INDIVIDUALS WITH DIS-
21 ABILITIES AND INDIVIDUALS WITH LIMITED ENGLISH
22 LANGUAGE PROFICIENCY.—The Attorney General shall
23 design and operate the telephone service established under
24 this section in a manner that ensures that individuals with
25 disabilities are fully able to use the service, and that as-

1 sistance is provided in any language in which the State
2 (or any jurisdiction in the State) is required to provide
3 election materials under section 203 of the Voting Rights
4 Act of 1965.

5 (c) VOTER HOTLINE TASK FORCE.—

6 (1) APPOINTMENT BY ATTORNEY GENERAL.—

7 The Attorney General shall appoint individuals (in
8 such number as the Attorney General considers ap-
9 propriate but in no event fewer than 3) to serve on
10 a Voter Hotline Task Force to provide ongoing anal-
11 ysis and assessment of the operation of the tele-
12 phone service established under this section, and
13 shall give special consideration in making appoint-
14 ments to the Task Force to individuals who rep-
15 resent civil rights organizations. At least one mem-
16 ber of the Task Force shall be a representative of
17 an organization promoting voting rights or civil
18 rights which has experience in the operation of simi-
19 lar telephone services or in protecting the rights of
20 individuals to vote, especially individuals who are
21 members of racial, ethnic, or linguistic minorities or
22 of communities who have been adversely affected by
23 efforts to suppress voting rights.

24 (2) ELIGIBILITY.—An individual shall be eligi-
25 ble to serve on the Task Force under this subsection

1 if the individual meets such criteria as the Attorney
2 General may establish, except that an individual may
3 not serve on the task force if the individual has been
4 convicted of any criminal offense relating to voter in-
5 timidation or voter suppression.

6 (3) TERM OF SERVICE.—An individual ap-
7 pointed to the Task Force shall serve a single term
8 of 2 years, except that the initial terms of the mem-
9 bers first appointed to the Task Force shall be stag-
10 gered so that there are at least 3 individuals serving
11 on the Task Force during each year. A vacancy in
12 the membership of the Task Force shall be filled in
13 the same manner as the original appointment.

14 (4) NO COMPENSATION FOR SERVICE.—Mem-
15 bers of the Task Force shall serve without pay, but
16 shall receive travel expenses, including per diem in
17 lieu of subsistence, in accordance with applicable
18 provisions under subchapter I of chapter 57 of title
19 5, United States Code.

20 (d) BI-ANNUAL REPORT TO CONGRESS.—Not later
21 than March 1 of each odd-numbered year, the Attorney
22 General shall submit a report to Congress on the operation
23 of the telephone service established under this section dur-
24 ing the previous 2 years, and shall include in the report—

1 (1) an enumeration of the number and type of
2 calls that were received by the service;

3 (2) a compilation and description of the reports
4 made to the service by individuals citing instances of
5 voter intimidation or suppression, together with a
6 description of any actions taken in response to such
7 instances of voter intimidation or suppression;

8 (3) an assessment of the effectiveness of the
9 service in making information available to all house-
10 holds in the United States with telephone service;

11 (4) any recommendations developed by the
12 Task Force established under subsection (c) with re-
13 spect to how voting systems may be maintained or
14 upgraded to better accommodate voters and better
15 ensure the integrity of elections, including but not
16 limited to identifying how to eliminate coordinated
17 voter suppression efforts and how to establish effec-
18 tive mechanisms for distributing updates on changes
19 to voting requirements; and

20 (5) any recommendations on best practices for
21 the State-based response systems established under
22 subsection (a)(1).

23 (e) AUTHORIZATION OF APPROPRIATIONS.—

24 (1) AUTHORIZATION.—There are authorized to
25 be appropriated to the Attorney General for fiscal

1 year 2021 and each succeeding fiscal year such sums
2 as may be necessary to carry out this section.

3 (2) SET-ASIDE FOR OUTREACH.—Of the
4 amounts appropriated to carry out this section for a
5 fiscal year pursuant to the authorization under para-
6 graph (1), not less than 15 percent shall be used for
7 outreach activities to make the public aware of the
8 availability of the telephone service established under
9 this section, with an emphasis on outreach to indi-
10 viduals with disabilities and individuals with limited
11 proficiency in the English language.

12 **SEC. 14006. ENSURING EQUITABLE AND EFFICIENT OPER-**
13 **ATION OF POLLING PLACES.**

14 (a) IN GENERAL.—Subtitle A of title III of the Help
15 America Vote Act of 2002 (52 U.S.C. 21081 et seq.), as
16 amended by section 1201(a), section 2001(a), section
17 8001(a), section 9001(a), section 9002(a), and section
18 9003(a), is amended—

19 (1) by redesignating sections 310 and 311 as
20 sections 311 and 312; and

21 (2) by inserting after section 309 the following
22 new section:

1 **“SEC. 310. ENSURING EQUITABLE AND EFFICIENT OPER-**
2 **ATION OF POLLING PLACES.**

3 “(a) PREVENTING UNREASONABLE WAITING TIMES
4 FOR VOTERS.—

5 “(1) IN GENERAL.—Each State shall provide a
6 sufficient number of voting systems, poll workers,
7 and other election resources (including physical re-
8 sources) at a polling place used in any election for
9 Federal office, including a polling place at which in-
10 dividuals may cast ballots prior to the date of the
11 election, to ensure—

12 “(A) a fair and equitable waiting time for
13 all voters in the State; and

14 “(B) that no individual will be required to
15 wait longer than 30 minutes to cast a ballot at
16 the polling place.

17 “(2) CRITERIA.—In determining the number of
18 voting systems, poll workers, and other election re-
19 sources provided at a polling place for purposes of
20 paragraph (1), the State shall take into account the
21 following factors:

22 “(A) The voting age population.

23 “(B) Voter turnout in past elections.

24 “(C) The number of voters registered.

25 “(D) The number of voters who have reg-
26 istered since the most recent Federal election.

1 “(E) Census data for the population served
2 by the polling place, such as the proportion of
3 the voting-age population who are under 25
4 years of age or who are naturalized citizens.

5 “(F) The needs and numbers of voters
6 with disabilities and voters with limited English
7 proficiency.

8 “(G) The type of voting systems used.

9 “(H) The length and complexity of initia-
10 tives, referenda, and other questions on the bal-
11 lot.

12 “(I) Such other factors, including relevant
13 demographic factors relating to the population
14 served by the polling place, as the State con-
15 siders appropriate.

16 “(3) RULE OF CONSTRUCTION.—Nothing in
17 this subsection may be construed to authorize a
18 State to meet the requirements of this subsection by
19 closing any polling place, prohibiting an individual
20 from entering a line at a polling place, or refusing
21 to permit an individual who has arrived at a polling
22 place prior to closing time from voting at the polling
23 place.

24 “(4) GUIDELINES.—Not later than 180 days
25 after the date of the enactment of this section, the

1 Commission shall establish and publish guidelines to
2 assist States in meeting the requirements of this
3 subsection.

4 “(5) EFFECTIVE DATE.—This subsection shall
5 take effect upon the expiration of the 180-day period
6 which begins on the date of the enactment of this
7 subsection, without regard to whether or not the
8 Commission has established and published guidelines
9 under paragraph (4).

10 “(b) LIMITING VARIATIONS ON NUMBER OF HOURS
11 OF OPERATION OF POLLING PLACES WITHIN A STATE.—

12 “(1) LIMITATION.—

13 “(A) IN GENERAL.—Except as provided in
14 subparagraph (B) and paragraph (2), each
15 State shall establish hours of operation for all
16 polling places in the State on the date of any
17 election for Federal office held in the State
18 such that the polling place with the greatest
19 number of hours of operation on such date is
20 not in operation for more than 2 hours longer
21 than the polling place with the fewest number
22 of hours of operation on such date.

23 “(B) PERMITTING VARIANCE ON BASIS OF
24 POPULATION.—Subparagraph (A) does not
25 apply to the extent that the State establishes

1 variations in the hours of operation of polling
2 places on the basis of the overall population or
3 the voting age population (as the State may se-
4 lect) of the unit of local government in which
5 such polling places are located.

6 “(2) EXCEPTIONS FOR POLLING PLACES WITH
7 HOURS ESTABLISHED BY UNITS OF LOCAL GOVERN-
8 MENT.—Paragraph (1) does not apply in the case of
9 a polling place—

10 “(A) whose hours of operation are estab-
11 lished, in accordance with State law, by the unit
12 of local government in which the polling place
13 is located; or

14 “(B) which is required pursuant to an
15 order by a court to extend its hours of oper-
16 ation beyond the hours otherwise established.

17 “(c) MINIMUM HOURS OF OPERATION OUTSIDE OF
18 TYPICAL WORKING HOURS.—Each State shall establish
19 hours of operation for all polling places in the State on
20 the date of any election for Federal office held in the State
21 such that no polling place is open for less than a total
22 of 4 hours outside of the hours between 9:00 a.m. and
23 5:00 p.m. in time zone in which the polling place is lo-
24 cated.”.

1 (b) STUDY OF METHODS TO ENFORCE FAIR AND
2 EQUITABLE WAITING TIMES.—

3 (1) STUDY.—The Election Assistance Commis-
4 sion and the Comptroller General of the United
5 States shall conduct a joint study of the effective-
6 ness of various methods of enforcing the require-
7 ments of section 310(a) of the Help America Vote
8 Act of 2002, as added by subsection (a), including
9 methods of best allocating resources to jurisdictions
10 which have had the most difficulty in providing a
11 fair and equitable waiting time at polling places to
12 all voters, and to communities of color in particular.

13 (2) REPORT.—Not later than 18 months after
14 the date of the enactment of this Act, the Election
15 Assistance Commission and the Comptroller General
16 of the United States shall publish and submit to
17 Congress a report on the study conducted under
18 paragraph (1).

19 (c) CLERICAL AMENDMENT.—The table of contents
20 of the Help America Vote Act of 2002, as amended by
21 section 1201(c), section 2001(c), section 8001(c), section
22 9001(b), section 9002(c), and section 9003(a), is amend-
23 ed—

1 (1) by redesignating the items relating to sec-
 2 tions 310 and 311 as relating to sections 311 and
 3 312; and

4 (2) by inserting after the item relating to sec-
 5 tion 309 the following new item:

“Sec. 310. Ensuring equitable and efficient operation of polling places.”.

6 **SEC. 14007. REQUIRING STATES TO PROVIDE SECURED**
 7 **DROP BOXES FOR VOTED ABSENTEE BAL-**
 8 **LOTS IN ELECTIONS FOR FEDERAL OFFICE.**

9 (a) REQUIREMENT.—Subtitle A of title III of the
 10 Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.),
 11 as amended by section 1201(a), section 2001(a), section
 12 8001(a), section 9001(a), section 9002(a), section
 13 9003(a), and section 14006(a), is amended—

14 (1) by redesignating sections 311 and 312 as
 15 sections 312 and 313; and

16 (2) by inserting after section 310 the following
 17 new section:

18 **“SEC. 311. USE OF SECURED DROP BOXES FOR VOTED AB-**
 19 **SENTEE BALLOTS.**

20 “(a) REQUIREING USE OF DROP BOXES.—In each
 21 county in the State, each State shall provide in-person,
 22 secured, and clearly labeled drop boxes at which individ-
 23 uals may, at any time during the period described in sub-
 24 section (b), drop off voted absentee ballots in an election
 25 for Federal office.

1 “(b) MINIMUM PERIOD FOR AVAILABILITY OF DROP
2 BOXES.—The period described in this subsection is, with
3 respect to an election, the period which begins 45 days
4 before the date of the election and which ends at the time
5 the polls close for the election in the county involved.

6 “(c) ACCESSIBILITY.—

7 “(1) IN GENERAL.—Each State shall ensure
8 that the drop boxes provided under this section are
9 accessible for use—

10 “(A) by individuals with disabilities, as de-
11 termined in consultation with the protection
12 and advocacy systems (as defined in section 102
13 of the Developmental Disabilities Assistance
14 and Bill of Rights Act of 2000 (42 U.S.C.
15 15002)) of the State;

16 “(B) by individuals with limited proficiency
17 in the English language; and

18 “(C) by homeless individuals (as defined in
19 section 103 of the McKinney–Vento Homeless
20 Assistance Act of 1987 (42 U.S.C. 11302)) of
21 the State.

22 “(2) DETERMINATION OF ACCESSIBILITY FOR
23 INDIVIDUALS WITH DISABILITIES.—For purposes of
24 this subsection, drop boxes shall be considered to be
25 accessible for use by individuals with disabilities if

1 the drop boxes meet such criteria as the Attorney
2 General may establish for such purposes.

3 “(3) RULE OF CONSTRUCTION.—If a State pro-
4 vides a drop box under this section on the grounds
5 of or inside a building or facility which serves as a
6 polling place for an election during the period de-
7 scribed in subsection (b), nothing in this subsection
8 may be construed to waive any requirements regard-
9 ing the accessibility of such polling place for the use
10 of individuals with disabilities or individuals with
11 limited proficiency in the English language.

12 “(d) NUMBER OF DROP BOXES.—

13 “(1) FORMULA FOR DETERMINATION OF NUM-
14 BER.—The number of drop boxes provided under
15 this section in a county with respect to an election
16 shall be determined as follows:

17 “(A) In the case of a county in which the
18 number of individuals who are residents of the
19 county and who are registered to vote in the
20 election is equal to or greater than 20,000, the
21 number of drop boxes shall be a number equal
22 to or greater than the number of such individ-
23 uals divided by 20,000 (rounded to the nearest
24 whole number).

1 “(B) In the case of any other county, the
2 number of drop boxes shall be equal to or
3 greater than one.

4 “(C) The State shall ensure that the num-
5 ber of drop boxes provided is sufficient to pro-
6 vide a reasonable opportunity for voters to sub-
7 mit their voted ballots in a timely manner.

8 “(2) TIMING.—For purposes of this subsection,
9 the number of individuals who reside in a county
10 and who are registered to vote in the election shall
11 be determined as of the 90th day before the date of
12 the election.

13 “(e) LOCATION OF DROP BOXES.—The State shall
14 determine the location of drop boxes provided under this
15 section in a county on the basis of criteria which ensure
16 that the drop boxes are—

17 “(1) available to all voters on a non-discrimina-
18 tory basis;

19 “(2) accessible to voters with disabilities (in ac-
20 cordance with subsection (c));

21 “(3) accessible by public transportation to the
22 greatest extent possible;

23 “(4) available during all hours of the day;

24 “(5) sufficiently available in all communities in
25 the county, including rural communities and on

1 Tribal lands within the county (subject to subsection
2 (f)); and

3 “(6) geographically distributed to provide a rea-
4 sonable opportunity for voters to submit their voted
5 ballot in a timely manner.

6 “(f) RULES FOR DROP BOXES ON TRIBAL LANDS.—
7 In making a determination of the number and location of
8 drop boxes provided under this section on Tribal lands in
9 a county, the appropriate State and local election officials
10 shall—

11 “(1) consult with Tribal leaders prior to making
12 the determination; and

13 “(2) take into account criteria such as the
14 availability of direct-to-door residential mail delivery,
15 the distance and time necessary to travel to the drop
16 box locations (including in inclement weather),
17 modes of transportation available, conditions of
18 roads, and the availability (if any) of public trans-
19 portation.

20 “(g) TIMING OF SCANNING AND PROCESSING OF
21 BALLOTS.—For purposes of section 306(e) (relating to
22 the timing of the processing and scanning of ballots for
23 tabulation), a vote cast using a drop box provided under
24 this section shall be treated in the same manner as any
25 other vote cast during early voting.

1 “(h) POSTING OF INFORMATION.—On or adjacent to
2 each drop box provided under this section, the State shall
3 post information on the requirements that voted absentee
4 ballots must meet in order to be counted and tabulated
5 in the election.

6 “(i) REMOTE SURVEILLANCE PERMITTED.—The
7 State may provide for the security of drop boxes through
8 remote or electronic surveillance.

9 “(j) EFFECTIVE DATE.—This section shall apply
10 with respect to the regularly scheduled general election for
11 Federal office held in November 2022 and each succeeding
12 election for Federal office.”.

13 (b) CLERICAL AMENDMENT.—The table of contents
14 of such Act, as amended by section 1201(c), section
15 2001(c), section 8001(c), section 9001(b), section
16 9002(c), section 9003(a), and section 14006(c), is amend-
17 ed—

18 (1) by redesignating the items relating to sec-
19 tions 311 and 312 as relating to sections 312 and
20 313; and

21 (2) by inserting after the item relating to sec-
22 tion 310 the following new item:

“Sec. 311. Use of secured drop boxes for voted absentee ballots.”.

1 **SEC. 14008. PROHIBITING STATES FROM RESTRICTING**
2 **CURBSIDE VOTING.**

3 (a) REQUIREMENT.—Subtitle A of title III of the
4 Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.),
5 as amended by section 1201(a), section 2001(a), section
6 8001(a), section 9001(a), section 9002(a), section
7 9003(a), section 14006(a), and section 14007(a), is
8 amended—

9 (1) by redesignating sections 312 and 313 as
10 sections 313 and 314; and

11 (2) by inserting after section 311 the following
12 new section:

13 **“SEC. 312. PROHIBITING STATES FROM RESTRICTING**
14 **CURBSIDE VOTING.**

15 “(a) PROHIBITION.—A State may not—

16 “(1) prohibit any jurisdiction administering an
17 election for Federal office in the State from utilizing
18 curbside voting as a method by which individuals
19 may cast ballots in the election; or

20 “(2) impose any restrictions which would ex-
21 clude any individual who is eligible to vote in such
22 an election in a jurisdiction which utilizes curbside
23 voting from casting a ballot in the election by the
24 method of curbside voting.

25 “(b) EFFECTIVE DATE.—This section shall apply
26 with respect to the regularly scheduled general election for

1 Federal office held in November 2022 and each succeeding
2 election for Federal office.”.

3 (b) CLERICAL AMENDMENT.—The table of contents
4 of such Act, as amended by section 1201(c), section
5 2001(c), section 8001(c), section 9001(b), section
6 9002(c), section 9003(a), section 14006(c), and section
7 14007(b), is amended—

8 (1) by redesignating the items relating to sec-
9 tions 312 and 313 as relating to sections 313 and
10 314; and

11 (2) by inserting after the item relating to sec-
12 tion 311 the following new item:

“Sec. 312. Prohibiting States from restricting curbside voting.”.

13 **SEC. 14009. ELECTION DAY HOLIDAY.**

14 (a) TREATMENT OF ELECTION DAY IN SAME MAN-
15 NER AS LEGAL PUBLIC HOLIDAY FOR PURPOSES OF FED-
16 ERAL EMPLOYMENT.—For purposes of any law relating
17 to Federal employment, the Tuesday next after the first
18 Monday in November in 2022 and each even-numbered
19 year thereafter shall be treated in the same manner as
20 a legal public holiday described in section 6103 of title
21 5, United States Code.

22 (b) SENSE OF CONGRESS RELATING TO TREATMENT
23 OF DAY BY PRIVATE EMPLOYERS.—It is the sense of Con-
24 gress that private employers in the United States should
25 give their employees a day off on the Tuesday next after

1 the first Monday in November in 2022 and each even-
2 numbered year thereafter to enable the employees to cast
3 votes in the elections held on that day.

4 **SEC. 14010. GAO STUDY ON VOTER TURNOUT RATES.**

5 The Comptroller General of the United States shall
6 conduct a study on voter turnout rates delineated by age
7 in States and localities that permit voters to participate
8 in elections before reaching the age of 18, with a focus
9 on localities that permit voting upon reaching the age of
10 16.

11 **SEC. 14011. STUDY ON RANKED-CHOICE VOTING.**

12 (a) STUDY.—The Comptroller General shall conduct
13 a study on the implementation and impact of ranked-
14 choice voting in States and localities with a focus on how
15 to best implement a model for Federal elections nation-
16 wide. The study shall include the impact on voter turnout,
17 negative campaigning, and who decides to run for office.

18 (b) REPORT.—Not later than 1 year after the date
19 of enactment of this section, the Comptroller General shall
20 transmit to Congress a report on the study conducted
21 under subsection (a), including any recommendations on
22 how to best implement a ranked-choice voting for Federal
23 elections nationwide.

**Subtitle B—Disaster and
Emergency Contingency Plans**

**SEC. 14101. REQUIREMENTS FOR FEDERAL ELECTION CON-
TINGENCY PLANS IN RESPONSE TO NATURAL
DISASTERS AND EMERGENCIES.**

(a) IN GENERAL.—

(1) ESTABLISHMENT.—Not later than 90 days after the date of the enactment of this Act, each State and each jurisdiction in a State which is responsible for administering elections for Federal office shall establish and make publicly available a contingency plan to enable individuals to vote in elections for Federal office during a state of emergency, public health emergency, or national emergency which has been declared for reasons including—

(A) a natural disaster; or

(B) an infectious disease.

(2) UPDATING.—Each State and jurisdiction shall update the contingency plan established under this subsection not less frequently than every 5 years.

(b) REQUIREMENTS RELATING TO SAFETY.—The contingency plan established under subsection (a) shall include initiatives to provide equipment and resources need-

1 ed to protect the health and safety of poll workers and
2 voters when voting in person.

3 (c) REQUIREMENTS RELATING TO RECRUITMENT OF
4 POLL WORKERS.—The contingency plan established
5 under subsection (a) shall include initiatives by the chief
6 State election official and local election officials to recruit
7 poll workers from resilient or unaffected populations,
8 which may include—

9 (1) employees of other State and local govern-
10 ment offices; and

11 (2) in the case in which an infectious disease
12 poses significant increased health risks to elderly in-
13 dividuals, students of secondary schools and institu-
14 tions of higher education in the State.

15 (d) ENFORCEMENT.—

16 (1) ATTORNEY GENERAL.—The Attorney Gen-
17 eral may bring a civil action against any State or ju-
18 risdiction in an appropriate United States District
19 Court for such declaratory and injunctive relief (in-
20 cluding a temporary restraining order, a permanent
21 or temporary injunction, or other order) as may be
22 necessary to carry out the requirements of this sec-
23 tion.

24 (2) PRIVATE RIGHT OF ACTION.—

1 (A) IN GENERAL.—In the case of a viola-
2 tion of this section, any person who is aggrieved
3 by such violation may provide written notice of
4 the violation to the chief election official of the
5 State involved.

6 (B) RELIEF.—If the violation is not cor-
7 rected within 20 days after receipt of a notice
8 under subparagraph (A), or within 5 days after
9 receipt of the notice if the violation occurred
10 within 120 days before the date of an election
11 for Federal office, the aggrieved person may, in
12 a civil action, obtain declaratory or injunctive
13 relief with respect to the violation.

14 (C) SPECIAL RULE.—If the violation oc-
15 curred within 5 days before the date of an elec-
16 tion for Federal office, the aggrieved person
17 need not provide notice to the chief election of-
18 ficial of the State involved under subparagraph
19 (A) before bringing a civil action under sub-
20 paragraph (B).

21 (e) DEFINITIONS.—

22 (1) ELECTION FOR FEDERAL OFFICE.—For
23 purposes of this section, the term “election for Fed-
24 eral office” means a general, special, primary, or
25 runoff election for the office of President or Vice

1 President, or of Senator or Representative in, or
2 Delegate or Resident Commissioner to, the Con-
3 gress.

4 (2) STATE.—For purposes of this section, the
5 term “State” includes the District of Columbia, the
6 Commonwealth of Puerto Rico, Guam, American
7 Samoa, the United States Virgin Islands, and the
8 Commonwealth of the Northern Mariana Islands.

9 (f) EFFECTIVE DATE.—This section shall apply with
10 respect to the regularly scheduled general election for Fed-
11 eral office held in November 2022 and each succeeding
12 election for Federal office.

13 **Subtitle C—Improvements in Oper-**
14 **ation of Election Assistance**
15 **Commission**

16 **SEC. 14201. REAUTHORIZATION OF ELECTION ASSISTANCE**
17 **COMMISSION.**

18 Section 210 of the Help America Vote Act of 2002
19 (52 U.S.C. 20930) is amended—

20 (1) by striking “for each of the fiscal years
21 2003 through 2005” and inserting “for fiscal year
22 2021 and each succeeding fiscal year”; and

23 (2) by striking “(but not to exceed \$10,000,000
24 for each such year)”.

1 **SEC. 14202. REQUIRING STATES TO PARTICIPATE IN POST-**
2 **GENERAL ELECTION SURVEYS.**

3 (a) REQUIREMENT.—Title III of the Help America
4 Vote Act of 2002 (52 U.S.C. 21081 et seq.), as amended
5 by section 14003(a), is further amended by inserting after
6 section 303A the following new section:

7 **“SEC. 303B. REQUIRING PARTICIPATION IN POST-GENERAL**
8 **ELECTION SURVEYS.**

9 “(a) REQUIREMENT.—Each State shall furnish to the
10 Commission such information as the Commission may re-
11 quest for purposes of conducting any post-election survey
12 of the States with respect to the administration of a regu-
13 larly scheduled general election for Federal office.

14 “(b) EFFECTIVE DATE.—This section shall apply
15 with respect to the regularly scheduled general election for
16 Federal office held in November 2022 and any succeeding
17 election.”.

18 (b) CLERICAL AMENDMENT.—The table of contents
19 of such Act, as amended by section 14003(c), is further
20 amended by inserting after the item relating to section
21 303A the following new item:

“Sec. 303B. Requiring participation in post-general election surveys.”.

1 **SEC. 14203. REPORTS BY NATIONAL INSTITUTE OF STAND-**
2 **ARDS AND TECHNOLOGY ON USE OF FUNDS**
3 **TRANSFERRED FROM ELECTION ASSISTANCE**
4 **COMMISSION.**

5 (a) **REQUIRING REPORTS ON USE FUNDS AS CONDI-**
6 **TION OF RECEIPT.**—Section 231 of the Help America
7 Vote Act of 2002 (52 U.S.C. 20971) is amended by adding
8 at the end the following new subsection:

9 “(e) **REPORT ON USE OF FUNDS TRANSFERRED**
10 **FROM COMMISSION.**—To the extent that funds are trans-
11 ferred from the Commission to the Director of the Na-
12 tional Institute of Standards and Technology for purposes
13 of carrying out this section during any fiscal year, the Di-
14 rector may not use such funds unless the Director certifies
15 at the time of transfer that the Director will submit a re-
16 port to the Commission not later than 90 days after the
17 end of the fiscal year detailing how the Director used such
18 funds during the year.”.

19 (b) **EFFECTIVE DATE.**—The amendment made by
20 subsection (a) shall apply with respect to fiscal year 2022
21 and each succeeding fiscal year.

22 **SEC. 14204. RECOMMENDATIONS TO IMPROVE OPERATIONS**
23 **OF ELECTION ASSISTANCE COMMISSION.**

24 (a) **ASSESSMENT OF INFORMATION TECHNOLOGY**
25 **AND CYBERSECURITY.**—Not later than December 31,
26 2021, the Election Assistance Commission shall carry out

1 an assessment of the security and effectiveness of the
2 Commission's information technology systems, including
3 the cybersecurity of such systems.

4 (b) IMPROVEMENTS TO ADMINISTRATIVE COMPLAINT
5 PROCEDURES.—

6 (1) REVIEW OF PROCEDURES.—The Election
7 Assistance Commission shall carry out a review of
8 the effectiveness and efficiency of the State-based
9 administrative complaint procedures established and
10 maintained under section 402 of the Help America
11 Vote Act of 2002 (52 U.S.C. 21112) for the inves-
12 tigation and resolution of allegations of violations of
13 title III of such Act.

14 (2) RECOMMENDATIONS TO STREAMLINE PRO-
15 CEDURES.—Not later than December 31, 2021, the
16 Commission shall submit to Congress a report on
17 the review carried out under paragraph (1), and
18 shall include in the report such recommendations as
19 the Commission considers appropriate to streamline
20 and improve the procedures which are the subject of
21 the review.

1 **SEC. 14205. REPEAL OF EXEMPTION OF ELECTION ASSIST-**
2 **ANCE COMMISSION FROM CERTAIN GOVERN-**
3 **MENT CONTRACTING REQUIREMENTS.**

4 (a) IN GENERAL.—Section 205 of the Help America
5 Vote Act of 2002 (52 U.S.C. 20925) is amended by strik-
6 ing subsection (e).

7 (b) EFFECTIVE DATE.—The amendment made by
8 subsection (a) shall apply with respect to contracts entered
9 into by the Election Assistance Commission on or after
10 the date of the enactment of this Act.

11 **Subtitle D—Miscellaneous**
12 **Provisions**

13 **SEC. 14301. APPLICATION OF FEDERAL ELECTION ADMINIS-**
14 **TRATION LAWS TO TERRITORIES OF THE**
15 **UNITED STATES.**

16 (a) NATIONAL VOTER REGISTRATION ACT OF
17 1993.—Section 3(4) of the National Voter Registration
18 Act of 1993 (52 U.S.C. 20502(4)) is amended by striking
19 “States and the District of Columbia” and inserting
20 “States, the District of Columbia, the Commonwealth of
21 Puerto Rico, Guam, American Samoa, the United States
22 Virgin Islands, and the Commonwealth of the Northern
23 Mariana Islands”.

24 (b) HELP AMERICA VOTE ACT OF 2002.—

25 (1) COVERAGE OF COMMONWEALTH OF THE
26 NORTHERN MARIANA ISLANDS.—Section 901 of the

1 Help America Vote Act of 2002 (52 U.S.C. 21141)
2 is amended by striking “and the United States Vir-
3 gin Islands” and inserting “the United States Virgin
4 Islands, and the Commonwealth of the Northern
5 Mariana Islands”.

6 (2) CONFORMING AMENDMENTS TO HELP
7 AMERICA VOTE ACT OF 2002.—Such Act is further
8 amended as follows:

9 (A) The second sentence of section
10 213(a)(2) (52 U.S.C. 20943(a)(2)) is amended
11 by striking “and American Samoa” and insert-
12 ing “American Samoa, and the Commonwealth
13 of the Northern Mariana Islands”.

14 (B) Section 252(c)(2) (52 U.S.C.
15 21002(c)(2)) is amended by striking “or the
16 United States Virgin Islands” and inserting
17 “the United States Virgin Islands, or the Com-
18 monwealth of the Northern Mariana Islands”.

19 (3) CONFORMING AMENDMENT RELATING TO
20 CONSULTATION OF HELP AMERICA VOTE FOUNDA-
21 TION WITH LOCAL ELECTION OFFICIALS.—Section
22 90102(c) of title 36, United States Code, is amend-
23 ed by striking “and the United States Virgin Is-
24 lands” and inserting “the United States Virgin Is-

1 lands, and the Commonwealth of the Northern Mar-
 2 iana Islands”.

3 **SEC. 14302. DEFINITION OF ELECTION FOR FEDERAL OF-**
 4 **FICE.**

5 (a) DEFINITION.—Title IX of the Help America Vote
 6 Act of 2002 (52 U.S.C. 21141 et seq.) is amended by add-
 7 ing at the end the following new section:

8 **“SEC. 907. ELECTION FOR FEDERAL OFFICE DEFINED.**

9 “For purposes of titles I through III, the term ‘elec-
 10 tion for Federal office’ means a general, special, primary,
 11 or runoff election for the office of President or Vice Presi-
 12 dent, or of Senator or Representative in, or Delegate or
 13 Resident Commissioner to, the Congress.”.

14 (b) CLERICAL AMENDMENT.—The table of contents
 15 of such Act is amended by adding at the end of the items
 16 relating to title IX the following new item:

“Sec. 907. Election for Federal office defined.”.

17 **SEC. 14303. AUTHORIZING PAYMENTS TO VOTING ACCESSI-**
 18 **BILITY PROTECTION AND ADVOCACY SYS-**
 19 **TEMS SERVING THE AMERICAN INDIAN CON-**
 20 **SORTIUM.**

21 (a) RECIPIENTS DEFINED.—Section 291 of the Help
 22 America Vote Act of 2002 (52 U.S.C. 21061) is amend-
 23 ed—

24 (1) by redesignating subsection (c) as sub-
 25 section (d); and

1 (2) by inserting after subsection (b) the fol-
2 lowing new subsection:

3 “(c) AMERICAN INDIAN CONSORTIUM ELIGIBILITY.—
4 A system serving the American Indian Consortium for
5 which funds have been reserved under section
6 509(c)(1)(B) of the Rehabilitation Act of 1973 (29 U.S.C.
7 794e(c)(1)(B)) shall be eligible for payments under sub-
8 section (a) in the same manner as a protection and advo-
9 cacy system of a State.”.

10 (b) GRANT MINIMUMS FOR AMERICAN INDIAN CON-
11 SORTIUM.—Section 291(b) of such Act (52 U.S.C.
12 21061(b)) is amended—

13 (1) by inserting “(c)(1)(B),” after “as set forth
14 in subsections”; and

15 (2) by striking “subsections (c)(3)(B) and
16 (c)(4)(B) of that section shall be not less than
17 \$70,000 and \$35,000, respectively” and inserting
18 “subsection (c)(3)(B) shall not be less than \$70,000,
19 and the amount of the grants to systems referred to
20 in subsections (c)(1)(B) and (c)(4)(B) shall not be
21 less than \$35,000”.

22 (c) EFFECTIVE DATE.—The amendments made by
23 this section shall take effect at the start of the first fiscal
24 year following the date of enactment of this Act.

1 **SEC. 14304. APPLICATION OF FEDERAL VOTER PROTEC-**
2 **TION LAWS TO TERRITORIES OF THE UNITED**
3 **STATES.**

4 (a) INTIMIDATION OF VOTERS.—Section 594 of title
5 18, United States Code, is amended by striking “Delegate
6 from the District of Columbia, or Resident Commis-
7 sioner,” and inserting “or Delegate or Resident Commis-
8 sioner to the Congress”.

9 (b) INTERFERENCE BY GOVERNMENT EMPLOY-
10 EES.—Section 595 of title 18, United States Code, is
11 amended by striking “Delegate from the District of Co-
12 lumbia, or Resident Commissioner,” and inserting “or
13 Delegate or Resident Commissioner to the Congress”.

14 (c) VOTING BY NONCITIZENS.—Section 611(a) of
15 title 18, United States Code, is amended by striking “Del-
16 egate from the District of Columbia, or Resident Commis-
17 sioner,” and inserting “or Delegate or Resident Commis-
18 sioner to the Congress”.

19 **SEC. 14305. PLACEMENT OF STATUES OF CITIZENS OF TER-**
20 **RITORIES OF THE UNITED STATES IN STAT-**
21 **UARY HALL.**

22 (a) IN GENERAL.—Section 1814 of the Revised Stat-
23 utes of the United States (2 U.S.C. 2131) is amended by
24 adding at the end the following new sentence: “For pur-
25 poses of this section, the term ‘State’ includes American
26 Samoa, Guam, the Commonwealth of the Northern Mar-

1 iana Islands, the Commonwealth of Puerto Rico, and the
2 United States Virgin Islands, and the term ‘citizen’ in-
3 cludes a national of the United States, as defined in sec-
4 tion 101(a)(22) of the Immigration and Nationality Act
5 (8 U.S.C. 1101(a)(22)).”.

6 (b) CONFORMING AMENDMENT RELATING TO PRO-
7 CEDURES FOR REPLACEMENT OF STATUES.—Section 311
8 of the Legislative Branch Appropriations Act, 2001 (2
9 U.S.C. 2132) is amended by adding at the end the fol-
10 lowing new subsection:

11 “(f) For purposes of this section, the term ‘State’ in-
12 cludes American Samoa, Guam, the Commonwealth of the
13 Northern Mariana Islands, the Commonwealth of Puerto
14 Rico, and the United States Virgin Islands.”.

15 **SEC. 14306. NO EFFECT ON OTHER LAWS.**

16 (a) IN GENERAL.—Except as specifically provided,
17 nothing in this Act may be construed to authorize or re-
18 quire conduct prohibited under any of the following laws,
19 or to supersede, restrict, or limit the application of such
20 laws:

21 (1) The Voting Rights Act of 1965 (52 U.S.C.
22 10301 et seq.).

23 (2) The Voting Accessibility for the Elderly and
24 Handicapped Act (52 U.S.C. 20101 et seq.).

1 (3) The Uniformed and Overseas Citizens Ab-
2 santee Voting Act (52 U.S.C. 20301 et seq.).

3 (4) The National Voter Registration Act of
4 1993 (52 U.S.C. 20501 et seq.).

5 (5) The Americans with Disabilities Act of
6 1990 (42 U.S.C. 12101 et seq.).

7 (6) The Rehabilitation Act of 1973 (29 U.S.C.
8 701 et seq.).

9 (b) NO EFFECT ON PRECLEARANCE OR OTHER RE-
10 QUIREMENTS UNDER VOTING RIGHTS ACT.—The ap-
11 proval by any person of a payment or grant application
12 under this Act, or any other action taken by any person
13 under this Act, shall not be considered to have any effect
14 on requirements for preclearance under section 5 of the
15 Voting Rights Act of 1965 (52 U.S.C. 10304) or any other
16 requirements of such Act.

17 (c) NO EFFECT ON AUTHORITY OF STATES TO PRO-
18 VIDE GREATER OPPORTUNITIES FOR VOTING.—Nothing
19 in this Act or the amendments made by this Act may be
20 construed to prohibit any State from enacting any law
21 which provides greater opportunities for individuals to reg-
22 ister to vote and to vote in elections for Federal office than
23 are provided by this Act and the amendments made by
24 this Act.

1 **SEC. 14307. CLARIFICATION OF EXEMPTION FOR STATES**
2 **WITHOUT VOTER REGISTRATION.**

3 To the extent that any provision of this Act or any
4 amendment made by this Act imposes a requirement on
5 a State relating to registering individuals to vote in elec-
6 tions for Federal office, such provision shall not apply in
7 the case of any State in which, under law that is in effect
8 continuously on and after the date of the enactment of
9 this Act, there is no voter registration requirement for any
10 voter in the State with respect to an election for Federal
11 office.

12 **Subtitle E—Voter Notice**

13 **SEC. 14401. PUBLIC EDUCATION CAMPAIGNS IN EVENT OF**
14 **CHANGES IN ELECTIONS IN RESPONSE TO**
15 **EMERGENCIES.**

16 (a) REQUIREMENT FOR ELECTION OFFICIALS TO
17 CONDUCT CAMPAIGNS.—Section 302 of the Help America
18 Vote Act of 2002 (52 U.S.C. 21082), as amended by sec-
19 tion 7001(a) and section 14001(a), is amended—

20 (1) by redesignating subsection (g) as sub-
21 section (h); and

22 (2) by inserting after subsection (f) the fol-
23 lowing new subsection:

24 “(g) PUBLIC EDUCATION CAMPAIGNS IN EVENT OF
25 CHANGES IN ELECTIONS IN RESPONSE TO EMER-
26 GENCIES.—

1 “(1) REQUIREMENT.—If the administration of
2 an election for Federal office, including the methods
3 of voting or registering to vote in the election, is
4 changed in response to an emergency affecting pub-
5 lic health and safety, the appropriate State or local
6 election official shall conduct a public education
7 campaign through at least one direct mailing to each
8 individual who is registered to vote in the election,
9 and through additional direct mailings, newspaper
10 advertisements, broadcasting (including through tel-
11 evision, radio, satellite, and the Internet), and social
12 media, to notify individuals who are eligible to vote
13 or to register to vote in the election of the changes.

14 “(2) FREQUENCY AND METHODS OF PROVIDING
15 INFORMATION.—The election official shall carry out
16 the public education campaign under this subsection
17 at such frequency, and using such methods, as will
18 have the greatest likelihood of providing timely
19 knowledge of the change in the administration of the
20 election to those individuals who will be most ad-
21 versely affected by the change.

22 “(3) LANGUAGE ACCESSIBILITY.—In the case
23 of a State or political subdivision that is a covered
24 State or political subdivision under section 203 of
25 the Voting Rights Act of 1965 (52 U.S.C. 10503),

1 the appropriate election official shall ensure that the
2 information disseminated under a public education
3 campaign conducted under this subsection is pro-
4 vided in the language of the applicable minority
5 group as well as in the English language, as re-
6 quired by section 203 of such Act.

7 “(4) EFFECTIVE DATE.—This subsection shall
8 apply with respect to the regularly scheduled general
9 election for Federal office held in November 2020
10 and each succeeding election for Federal office.”.

11 (b) CONFORMING AMENDMENT RELATING TO EF-
12 FECTIVE DATE.—Section 302(h) of such Act (52 U.S.C.
13 21082(h)), as redesignated by subsection (a) and as
14 amended by section 7001(b) and section 14001(b), is
15 amended by striking “and (f)(4)” and inserting “(f)(4),
16 and (g)(4)”.

17 **SEC. 14402. REQUIREMENTS FOR WEBSITES OF ELECTION**
18 **OFFICIALS.**

19 (a) REQUIREMENTS.—Subtitle A of title III of the
20 Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.),
21 as amended by section 1201(a), section 2001(a), section
22 8001(a), section 9001(a), section 9002(a), section
23 9003(a), section 14006(a), section 14007(a), and
24 14008(a), is amended—

1 (1) by redesignating sections 313 and 314 as
2 sections 314 and 315; and

3 (2) by inserting after section 312 the following
4 new section:

5 **“SEC. 313. REQUIREMENTS FOR WEBSITES OF ELECTION**
6 **OFFICIALS.**

7 “(a) ACCESSIBILITY.—Each State and local election
8 official shall ensure that the official public website of the
9 official is fully accessible for individuals with disabilities,
10 including the blind and visually impaired, in a manner
11 that provides the same opportunity for access and partici-
12 pation as the website provides for other individuals.

13 “(b) CONTINUING OPERATION IN CASE OF EMER-
14 GENCIES.—

15 “(1) ESTABLISHMENT OF BEST PRACTICES.—

16 “(A) IN GENERAL.—The Director of the
17 National Institute of Standards and Technology
18 shall establish and regularly update best prac-
19 tices for ensuring the continuing operation of
20 the official public websites of State and local
21 election officials during emergencies affecting
22 public health and safety.

23 “(B) DEADLINE.—The Director shall first
24 establish the best practices required under this
25 paragraph as soon as practicable after the date

1 of the enactment of this section, but in no case
2 later than August 15, 2021.

3 “(2) REQUIRING WEBSITES TO MEET BEST
4 PRACTICES.—Each State and local election official
5 shall ensure that the official public website of the of-
6 ficial is in compliance with the best practices estab-
7 lished by the Director of the National Institute of
8 Standards and Technology under paragraph (2).

9 “(c) EFFECTIVE DATE.—This section shall apply
10 with respect to the regularly scheduled general election for
11 Federal office held in November 2020 and each succeeding
12 election for Federal office.”.

13 (b) CONFORMING AMENDMENT RELATING TO ADOP-
14 TION OF VOLUNTARY GUIDANCE BY ELECTION ASSIST-
15 ANCE COMMISSION.—Section 321(b) of such Act (52
16 U.S.C. 21101(b)), as redesignated and amended by sec-
17 tion 2001(b) and section 8001(b), is amended—

18 (1) by striking “and” at the end of paragraph
19 (4);

20 (2) by striking the period at the end of para-
21 graph (5) and inserting “; and”; and

22 (3) by adding at the end the following new
23 paragraph:

24 “(6) in the case of the recommendations with
25 respect to section 304, as soon as practicable after

1 the date of the enactment of this paragraph, but in
 2 no case later than August 15, 2021.”.

3 (c) CLERICAL AMENDMENT.—The table of contents
 4 of such Act, as amended by section 1201(c), section
 5 2001(c), section 8001(c), section 9001(b), section
 6 9002(c), section 9003(a), section 14006(c), section
 7 14007(b), and section 14008(b), is amended—

8 (1) by redesignating the items relating to sec-
 9 tions 313 and 314 as relating to sections 314 and
 10 315; and

11 (2) by inserting after the item relating to sec-
 12 tion 312 the following new item:

“Sec. 313. Requirements for websites of election officials.”.

13 **SEC. 14403. PAYMENTS BY ELECTION ASSISTANCE COMMIS-**
 14 **SION TO STATES FOR COSTS OF COMPLI-**
 15 **ANCE.**

16 (a) AVAILABILITY OF PAYMENTS.—Title IX of the
 17 Help America Vote Act of 2002 (52 U.S.C. 21141 et seq.)
 18 is amended by adding at the end the following new section:

19 **“SEC. 907. PAYMENTS FOR COSTS OF COMPLIANCE WITH**
 20 **CERTAIN REQUIREMENTS RELATING TO PUB-**
 21 **LIC NOTIFICATION.**

22 “(a) PAYMENTS.—

23 “(1) AVAILABILITY AND USE OF PAYMENTS.—

24 The Commission shall make a payment to each eligi-
 25 ble State to cover the costs the State incurs or ex-

1 pects to incur in meeting the requirements of section
2 302(g) (relating to public education campaigns in
3 event of changes in elections in response to emer-
4 gencies) and section 313 (relating to requirements
5 for the websites of election officials).

6 “(2) SCHEDULE OF PAYMENTS.—As soon as
7 practicable after the date of the enactment of this
8 section, and not less frequently than once each cal-
9 endar year thereafter, the Commission shall make
10 payments under this section.

11 “(3) ADMINISTRATION OF PAYMENTS.—The
12 chief State election official of the State shall receive
13 the payment made to a State under this section, and
14 may use the payment for the purposes set forth in
15 this section without intervening action by the legisla-
16 ture of the State.

17 “(b) AMOUNT OF PAYMENT.—

18 “(1) IN GENERAL.—The amount of a payment
19 made to an eligible State for a year under this sec-
20 tion shall be determined by the Commission on the
21 basis of the information provided by the State in its
22 application under subsection (c).

23 “(2) CONTINUING AVAILABILITY OF FUNDS
24 AFTER APPROPRIATION.—A payment made to an eli-

1 gible State under this section shall be available with-
2 out fiscal year limitation.

3 “(c) REQUIREMENTS FOR ELIGIBILITY.—

4 “(1) APPLICATION.—Each State that desires to
5 receive a payment under this section for a fiscal year
6 shall submit an application for the payment to the
7 Commission at such time and in such manner and
8 containing such information as the Commission shall
9 require.

10 “(2) CONTENTS OF APPLICATION.—Each appli-
11 cation submitted under paragraph (1) shall—

12 “(A) describe the activities for which as-
13 sistance under this section is sought; and

14 “(B) provide an estimate of the costs the
15 State has incurred or expects to incur in car-
16 rying out the provisions described in subsection
17 (a), together with such additional information
18 and certifications as the Commission deter-
19 mines to be essential to ensure compliance with
20 the requirements of this section.

21 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
22 are authorized to be appropriated for payments under this
23 section such sums as may be necessary for each of the
24 fiscal years 2022 through 2025.

25 “(e) REPORTS.—

1 “(1) REPORTS BY RECIPIENTS.—Not later than
 2 the 6 months after the end of each fiscal year for
 3 which an eligible State received a payment under
 4 this section, the State shall submit a report to the
 5 Commission on the activities conducted with the
 6 funds provided during the year.

7 “(2) REPORTS BY COMMISSION TO COMMIT-
 8 TEES.—With respect to each fiscal year for which
 9 the Commission makes payments under this section,
 10 the Commission shall submit a report on the activi-
 11 ties carried out under this part to the Committee on
 12 House Administration of the House of Representa-
 13 tives and the Committee on Rules and Administra-
 14 tion of the Senate.”.

15 (b) CLERICAL AMENDMENT.—The table of contents
 16 of such Act is amended by adding at the end of the items
 17 relating to title IX the following:

“Sec. 907. Payments for costs of compliance with certain requirements relating
 to public notification.”.

18 **TITLE XV—SEVERABILITY**

19 **SEC. 15001. SEVERABILITY.**

20 If any provision of this Act or amendment made by
 21 this Act, or the application of a provision or amendment
 22 to any person or circumstance, is held to be unconstitu-
 23 tional, the remainder of this Act and amendments made
 24 by this Act, and the application of the provisions and

- 1 amendment to any person or circumstance, shall not be
- 2 affected by the holding.

