

116TH CONGRESS
2D SESSION

H. R. 7427

To amend the Help America Vote Act of 2002 to establish election contingency plans to enable individuals to vote in elections for Federal office during an emergency, to require States to make early voting and absentee voting available to all individuals eligible to vote in such elections, to encourage voter registration, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 30, 2020

Ms. LOFGREN introduced the following bill; which was referred to the Committee on House Administration, and in addition to the Committees on Oversight and Reform, and the Judiciary, 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 amend the Help America Vote Act of 2002 to establish election contingency plans to enable individuals to vote in elections for Federal office during an emergency, to require States to make early voting and absentee voting available to all individuals eligible to vote in such elections, to encourage voter registration, 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; TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the
 3 “American Coronavirus/COVID–19 Election Safety and
 4 Security Act” or the “ACCESS Act”.

5 (b) TABLE OF CONTENTS.—The table of contents of
 6 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Requirements for Federal election contingency plans in response to natural disasters and emergencies.
- Sec. 3. Early voting and voting by mail.
- Sec. 4. Permitting use of sworn written statement to meet identification requirements for voting.
- Sec. 5. Voting materials postage.
- Sec. 6. Requiring transmission of blank absentee ballots under UOCAVA to certain voters.
- Sec. 7. Voter registration.
- Sec. 8. Accommodations for voters residing in Indian lands.
- Sec. 9. Payments by Election Assistance Commission to States to assist with costs of compliance.
- Sec. 10. Grants to States for conducting risk-limiting audits of results of elections.
- Sec. 11. Additional appropriations for the Election Assistance Commission.
- Sec. 12. Definition.

7 **SEC. 2. REQUIREMENTS FOR FEDERAL ELECTION CONTIN-**
 8 **GENCY PLANS IN RESPONSE TO NATURAL**
 9 **DISASTERS AND EMERGENCIES.**

10 (a) IN GENERAL.—

11 (1) ESTABLISHMENT.—Not later than 30 days
 12 after the date of the enactment of this Act, each
 13 State and each jurisdiction in a State which is re-
 14 sponsible for administering elections for Federal of-
 15 fice shall establish and make publicly available a
 16 contingency plan to enable individuals to vote in
 17 elections for Federal office during a state of emer-

1 agency, public health emergency, or national emer-
2 gency which has been declared for reasons includ-
3 ing—

4 (A) a natural disaster; or

5 (B) an infectious disease.

6 (2) UPDATING.—Each State and jurisdiction
7 shall update the contingency plan established under
8 this subsection not less frequently than every 5
9 years.

10 (b) REQUIREMENTS RELATING TO SAFETY.—The
11 contingency plan established under subsection (a) shall in-
12 clude initiatives to provide equipment and resources need-
13 ed to protect the health and safety of poll workers and
14 voters when voting in person.

15 (c) REQUIREMENTS RELATING TO RECRUITMENT OF
16 POLL WORKERS.—The contingency plan established
17 under subsection (a) shall include initiatives by the chief
18 State election official and local election officials to recruit
19 poll workers from resilient or unaffected populations,
20 which may include—

21 (1) employees of other State and local govern-
22 ment offices; and

23 (2) in the case in which an infectious disease
24 poses significant increased health risks to elderly in-

dividuals, students of secondary schools and institutions of higher education in the State.

(d) ENFORCEMENT.—

(1) ATTORNEY GENERAL.—The Attorney General may bring a civil action against any State or jurisdiction in an appropriate United States District Court for such declaratory and injunctive relief (including a temporary restraining order, a permanent or temporary injunction, or other order) as may be necessary to carry out the requirements of this section.

(2) PRIVATE RIGHT OF ACTION.—

(A) IN GENERAL.—In the case of a violation of this section, any person who is aggrieved by such violation may provide written notice of the violation to the chief election official of the State involved.

(B) RELIEF.—If the violation is not corrected within 20 days after receipt of a notice under subparagraph (A), or within 5 days after receipt of the notice if the violation occurred within 120 days before the date of an election for Federal office, the aggrieved person may, in a civil action, obtain declaratory or injunctive relief with respect to the violation.

1 (C) SPECIAL RULE.—If the violation oc-
2 curred within 5 days before the date of an elec-
3 tion for Federal office, the aggrieved person
4 need not provide notice to the chief election of-
5 ficial of the State involved under subparagraph
6 (A) before bringing a civil action under sub-
7 paragraph (B).

8 (e) DEFINITIONS.—

9 (1) ELECTION FOR FEDERAL OFFICE.—For
10 purposes of this section, the term “election for Fed-
11 eral office” means a general, special, primary, or
12 runoff election for the office of President or Vice
13 President, or of Senator or Representative in, or
14 Delegate or Resident Commissioner to, the Con-
15 gress.

16 (2) STATE.—For purposes of this section, the
17 term “State” includes the District of Columbia, the
18 Commonwealth of Puerto Rico, Guam, American
19 Samoa, the United States Virgin Islands, and the
20 Commonwealth of the Northern Mariana Islands.

21 (f) EFFECTIVE DATE.—This section shall apply with
22 respect to the regularly scheduled general election for Fed-
23 eral office held in November 2020 and each succeeding
24 election for Federal office.

1 **SEC. 3. EARLY VOTING AND VOTING BY MAIL.**

2 (a) REQUIREMENTS.—Title III of the Help America
3 Vote Act of 2002 (52 U.S.C. 21081 et seq.) is amended
4 by adding at the end the following new subtitle:

5 **“Subtitle C—Other Requirements**

6 **“SEC. 321. EARLY VOTING.**

7 “(a) REQUIRING ALLOWING VOTING PRIOR TO DATE
8 OF ELECTION.—

9 “(1) IN GENERAL.—Each State shall allow indi-
10 viduals to vote in an election for Federal office dur-
11 ing an early voting period which occurs prior to the
12 date of the election, in the same manner as voting
13 is allowed on such date.

14 “(2) LENGTH OF PERIOD.—The early voting
15 period required under this subsection with respect to
16 an election shall consist of a period of consecutive
17 days (including weekends) which begins on the 15th
18 day before the date of the election (or, at the option
19 of the State, on a day prior to the 15th day before
20 the date of the election) and ends on the date of the
21 election.

22 “(b) MINIMUM EARLY VOTING REQUIREMENTS.—
23 Each polling place which allows voting during an early vot-
24 ing period under subsection (a) shall—

25 “(1) allow such voting for no less than 10 hours
26 on each day;

1 “(2) have uniform hours each day for which
2 such voting occurs; and

3 “(3) allow such voting to be held for some pe-
4 riod of time prior to 9:00 a.m (local time) and some
5 period of time after 5:00 p.m. (local time).

6 “(c) LOCATION OF POLLING PLACES.—

7 “(1) PROXIMITY TO PUBLIC TRANSPOR-
8 TATION.—To the greatest extent practicable, a State
9 shall ensure that each polling place which allows vot-
10 ing during an early voting period under subsection
11 (a) is located within walking distance of a stop on
12 a public transportation route.

13 “(2) AVAILABILITY IN RURAL AREAS.—The
14 State shall ensure that polling places which allow
15 voting during an early voting period under sub-
16 section (a) will be located in rural areas of the State,
17 and shall ensure that such polling places are located
18 in communities which will provide the greatest op-
19 portunity for residents of rural areas to vote during
20 the early voting period.

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 early voting
13 for tabulation at least 14 days prior to the date of
14 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 2020 and each succeeding
22 election for Federal office.

1 **“SEC. 322. PROMOTING ABILITY OF VOTERS TO VOTE BY**
2 **MAIL.**

3 “(a) UNIFORM AVAILABILITY OF ABSENTEE VOTING
4 TO ALL VOTERS.—

5 “(1) IN GENERAL.—If an individual in a State
6 is eligible to cast a vote in an election for Federal
7 office, the State may not impose any additional con-
8 ditions or requirements on the eligibility of the indi-
9 vidual to cast the vote in such election by absentee
10 ballot by mail.

11 “(2) ADMINISTRATION OF VOTING BY MAIL.—

12 “(A) PROHIBITING IDENTIFICATION RE-
13 QUIREMENT AS CONDITION OF OBTAINING BAL-
14 LOT.—A State may not require an individual to
15 provide any form of identification as a condition
16 of obtaining an absentee ballot, except that
17 nothing in this paragraph may be construed to
18 prevent a State from requiring a signature of
19 the individual or similar affirmation as a condi-
20 tion of obtaining an absentee ballot.

21 “(B) PROHIBITING REQUIREMENT TO PRO-
22 VIDE NOTARIZATION OR WITNESS SIGNATURE
23 AS CONDITION OF OBTAINING OR CASTING BAL-
24 LOT.—A State may not require notarization or
25 witness signature or other formal authentica-

1 tion (other than voter attestation) as a condi-
2 tion of obtaining or casting an absentee ballot.

3 “(C) DEADLINE FOR RETURNING BAL-
4 LOT.—A State may impose a deadline for re-
5 questing the absentee ballot and related voting
6 materials from the appropriate State or local
7 election official and for returning the ballot to
8 the appropriate State or local election official.

9 “(3) APPLICATION FOR ALL FUTURE ELEC-
10 TIONS.—At the option of an individual, a State shall
11 treat the individual’s application to vote by absentee
12 ballot by mail in an election for Federal office as an
13 application to vote by absentee ballot by mail in all
14 subsequent Federal elections held in the State.

15 “(b) DUE PROCESS REQUIREMENTS FOR STATES
16 REQUIRING SIGNATURE VERIFICATION.—

17 “(1) REQUIREMENT.—

18 “(A) IN GENERAL.—A State may not im-
19 pose a signature verification requirement as a
20 condition of accepting and counting an absentee
21 ballot submitted by any individual with respect
22 to an election for Federal office unless the
23 State meets the due process requirements de-
24 scribed in paragraph (2).

1 “(B) SIGNATURE VERIFICATION REQUIRE-
2 MENT DESCRIBED.—In this subsection, a ‘sig-
3 nature verification requirement’ is a require-
4 ment that an election official verify the identi-
5 fication of an individual by comparing the indi-
6 vidual’s signature on the absentee ballot with
7 the individual’s signature on the official list of
8 registered voters in the State or another official
9 record or other document used by the State to
10 verify the signatures of voters.

11 “(2) DUE PROCESS REQUIREMENTS.—

12 “(A) NOTICE AND OPPORTUNITY TO CURE
13 DISCREPANCY.—If an individual submits an ab-
14 sentee ballot and the appropriate State or local
15 election official determines that a discrepancy
16 exists between the signature on such ballot and
17 the signature of such individual on the official
18 list of registered voters in the State or other of-
19 ficial record or document used by the State to
20 verify the signatures of voters, such election of-
21 ficial, prior to making a final determination as
22 to the validity of such ballot, shall—

23 “(i) make a good faith effort to imme-
24 diately notify the individual by mail, tele-

1 phone, and (if available) electronic mail
2 that—

3 “(I) a discrepancy exists between
4 the signature on such ballot and the
5 signature of the individual on the offi-
6 cial list of registered voters in the
7 State; and

8 “(II) if such discrepancy is not
9 cured prior to the expiration of the
10 10-day period which begins on the
11 date the official notifies the individual
12 of the discrepancy, such ballot will not
13 be counted; and

14 “(ii) cure such discrepancy and count
15 the ballot if, prior to the expiration of the
16 10-day period described in clause (i)(II),
17 the individual provides the official with in-
18 formation to cure such discrepancy, either
19 in person, by telephone, or by electronic
20 methods.

21 “(B) NOTICE AND OPPORTUNITY TO PRO-
22 VIDE MISSING SIGNATURE.—If an individual
23 submits an absentee ballot without a signature,
24 the appropriate State or local election official,

1 prior to making a final determination as to the
2 validity of the ballot, shall—

3 “(i) make a good faith effort to imme-
4 diately notify the individual by mail, tele-
5 phone, and (if available) electronic mail
6 that—

7 “(I) the ballot did not include a
8 signature; and

9 “(II) if the individual does not
10 provide the missing signature prior to
11 the expiration of the 10-day period
12 which begins on the date the official
13 notifies the individual that the ballot
14 did not include a signature, such bal-
15 lot will not be counted; and

16 “(ii) count the ballot if, prior to the
17 expiration of the 10-day period described
18 in clause (i)(II), the individual provides the
19 official with the missing signature on a
20 form proscribed by the State.

21 “(C) OTHER REQUIREMENTS.—An election
22 official may not make a determination that a
23 discrepancy exists between the signature on an
24 absentee ballot and the signature of the indi-
25 vidual who submits the ballot on the official list

1 of registered voters in the State or other official
2 record or other document used by the State to
3 verify the signatures of voters unless—

4 “(i) at least 2 election officials make
5 the determination; and

6 “(ii) each official who makes the de-
7 termination has received training in proce-
8 dures used to verify signatures.

9 “(3) REPORT.—

10 “(A) IN GENERAL.—Not later than 120
11 days after the end of a Federal election cycle,
12 each chief State election official shall submit to
13 Congress a report containing the following in-
14 formation for the applicable Federal election
15 cycle in the State:

16 “(i) The number of ballots invalidated
17 due to a discrepancy under this subsection.

18 “(ii) Description of attempts to con-
19 tact voters to provide notice as required by
20 this subsection.

21 “(iii) Description of the cure process
22 developed by such State pursuant to this
23 subsection, including the number of ballots
24 determined valid as a result of such proc-
25 ess.

1 “(B) FEDERAL ELECTION CYCLE DE-
2 FINED.—For purposes of this subsection, the
3 term ‘Federal election cycle’ means the period
4 beginning on January 1 of any odd numbered
5 year and ending on December 31 of the fol-
6 lowing year.

7 “(c) METHODS AND TIMING FOR TRANSMISSION OF
8 BALLOTS AND BALLOTING MATERIALS TO VOTERS.—

9 “(1) METHOD FOR REQUESTING BALLOT.—In
10 addition to such other methods as the State may es-
11 tablish for an individual to request an absentee bal-
12 lot, the State shall permit an individual to submit a
13 request for an absentee ballot online. The State shall
14 be considered to meet the requirements of this para-
15 graph if the website of the appropriate State or local
16 election official allows an absentee ballot request ap-
17 plication to be completed and submitted online and
18 if the website permits the individual—

19 “(A) to print the application so that the
20 individual may complete the application and re-
21 turn it to the official; or

22 “(B) request that a paper copy of the ap-
23 plication be transmitted to the individual by
24 mail or electronic mail so that the individual

1 may complete the application and return it to
2 the official.

3 “(2) ENSURING DELIVERY PRIOR TO ELEC-
4 TION.—If an individual requests to vote by absentee
5 ballot in an election for Federal office, the appro-
6 priate State or local election official shall ensure
7 that the ballot and relating voting materials are re-
8 ceived by the individual prior to the date of the elec-
9 tion so long as the individual’s request is received by
10 the official not later than 5 days (excluding Satur-
11 days, Sundays, and legal public holidays) before the
12 date of the election, except that nothing in this para-
13 graph shall preclude a State or local jurisdiction
14 from allowing for the acceptance and processing of
15 ballot requests submitted or received after such re-
16 quired period.

17 “(3) SPECIAL RULES IN CASE OF EMERGENCY
18 PERIODS.—

19 “(A) AUTOMATIC MAILING OF ABSENTEE
20 BALLOTS TO ALL VOTERS.—If the area in which
21 an election is held is in an area in which an
22 emergency or disaster which is described in sub-
23 paragraph (A) or (B) of section 1135(g)(1) of
24 the Social Security Act (42 U.S.C. 1320b–

1 5(g)(1)) is declared during the period described
2 in subparagraph (C)—

3 “(i) paragraphs (1) and (2) shall not
4 apply with respect to the election; and

5 “(ii) not later than 2 weeks before the
6 date of the election, the appropriate State
7 or local election official shall transmit by
8 mail absentee ballots and balloting mate-
9 rials for the election to all individuals who
10 are registered to vote in such election or,
11 in the case of any State that does not reg-
12 ister voters, all individuals who are in the
13 State’s central voter file (or if the State
14 does not keep a central voter file, to all in-
15 dividuals who are eligible to vote in such
16 election).

17 “(B) AFFIRMATION.—If an individual re-
18 ceives an absentee ballot from a State or local
19 election official pursuant to subparagraph (A)
20 and returns the voted ballot to the official, the
21 ballot shall not be counted in the election unless
22 the individual includes with the ballot a signed
23 affirmation that—

1 “(i) the individual has not and will
2 not cast another ballot with respect to the
3 election; and

4 “(ii) acknowledges that a material
5 misstatement of fact in completing the bal-
6 lot may constitute grounds for conviction
7 of perjury.

8 “(C) PERIOD DESCRIBED.—The period de-
9 scribed in this subparagraph with respect to an
10 election is the period which begins 120 days be-
11 fore the date of the election and ends 30 days
12 before the date of the election.

13 “(D) APPLICATION TO NOVEMBER 2020
14 GENERAL ELECTION.—Because of the public
15 health emergency declared pursuant to section
16 319 of the Public Health Service Act (42
17 U.S.C. 247d) resulting from the COVID–19
18 pandemic, the special rules set forth in this
19 paragraph shall apply with respect to the regu-
20 larly scheduled general election for Federal of-
21 fice held in November 2020 in each State.

22 “(d) ACCESSIBILITY FOR INDIVIDUALS WITH DIS-
23 ABILITIES.—The State shall ensure that all absentee bal-
24 lots and related voting materials in elections for Federal
25 office are accessible to individuals with disabilities in a

1 manner that provides the same opportunity for access and
2 participation (including with privacy and independence) as
3 for other voters.

4 “(e) UNIFORM DEADLINE FOR ACCEPTANCE OF
5 MAILED BALLOTS.—A State may not refuse to accept or
6 process a ballot submitted by an individual by mail with
7 respect to an election for Federal office in the State on
8 the grounds that the individual did not meet a deadline
9 for returning the ballot to the appropriate State or local
10 election official if—

11 “(1) the ballot is postmarked, signed, or other-
12 wise indicated by the United States Postal Service to
13 have been mailed on or before the date of the elec-
14 tion; and

15 “(2) the ballot is received by the appropriate
16 election official prior to the expiration of the 10-day
17 period which begins on the date of the election.

18 “(f) ALTERNATIVE METHODS OF RETURNING BAL-
19 LOTS.—

20 “(1) IN GENERAL.—In addition to permitting
21 an individual to whom a ballot in an election was
22 provided under this section to return the ballot to an
23 election official by mail, the State shall permit the
24 individual to cast the ballot by delivering the ballot

1 at such times and to such locations as the State may
2 establish, including—

3 “(A) permitting the individual to deliver
4 the ballot to a polling place on any date on
5 which voting in the election is held at the poll-
6 ing place; and

7 “(B) permitting the individual to deliver
8 the ballot to a designated ballot drop-off loca-
9 tion.

10 “(2) PERMITTING VOTERS TO DESIGNATE
11 OTHER PERSON TO RETURN BALLOT.—The State—

12 “(A) shall permit a voter to designate any
13 person to return a voted and sealed absentee
14 ballot to the post office, a ballot drop-off loca-
15 tion, tribally designated building, or election of-
16 fice so long as the person designated to return
17 the ballot does not receive any form of com-
18 pensation based on the number of ballots that
19 the person has returned and no individual,
20 group, or organization provides compensation
21 on this basis; and

22 “(B) may not put any limit on how many
23 voted and sealed absentee ballots any des-
24 ignated person can return to the post office, a

1 ballot drop off location, tribally designated
2 building, or election office.

3 “(g) BALLOT PROCESSING AND SCANNING REQUIRE-
4 MENTS.—

5 “(1) IN GENERAL.—The State shall begin proc-
6 essing and scanning ballots cast by mail for tabula-
7 tion at least 14 days prior to the date of the election
8 involved.

9 “(2) LIMITATION.—Nothing in this subsection
10 shall be construed to permit a State to tabulate bal-
11 lots in an election before the closing of the polls on
12 the date of the election.

13 “(h) RULE OF CONSTRUCTION.—Nothing in this sec-
14 tion shall be construed to affect the authority of States
15 to conduct elections for Federal office through the use of
16 polling places at which individuals cast ballots.

17 “(i) NO EFFECT ON BALLOTS SUBMITTED BY AB-
18 SENT MILITARY AND OVERSEAS VOTERS.—Nothing in
19 this section may be construed to affect the treatment of
20 any ballot submitted by an individual who is entitled to
21 vote by absentee ballot under the Uniformed and Overseas
22 Citizens Absentee Voting Act (52 U.S.C. 20301 et seq.).

23 “(j) EFFECTIVE DATE.—This section shall apply
24 with respect to the regularly scheduled general election for

1 Federal office held in November 2020 and each succeeding
2 election for Federal office.

3 **“SEC. 323. ABSENTEE BALLOT TRACKING PROGRAM.**

4 “(a) REQUIREMENT.—Each State shall carry out a
5 program to track and confirm the receipt of absentee bal-
6 lots in an election for Federal office under which the State
7 or local election official responsible for the receipt of voted
8 absentee ballots in the election carries out procedures to
9 track and confirm the receipt of such ballots, and makes
10 information on the receipt of such ballots available to the
11 individual who cast the ballot, by means of online access
12 using the Internet site of the official’s office.

13 “(b) INFORMATION ON WHETHER VOTE WAS
14 COUNTED.—The information referred to under subsection
15 (a) with respect to the receipt of an absentee ballot shall
16 include information regarding whether the vote cast on the
17 ballot was counted, and, in the case of a vote which was
18 not counted, the reasons therefor.

19 “(c) USE OF TOLL-FREE TELEPHONE NUMBER BY
20 OFFICIALS WITHOUT INTERNET SITE.—A program estab-
21 lished by a State or local election official whose office does
22 not have an Internet site may meet the requirements of
23 subsection (a) if the official has established a toll-free tele-
24 phone number that may be used by an individual who cast
25 an absentee ballot to obtain the information on the receipt

1 of the voted absentee ballot as provided under such sub-
2 section.

3 “(d) EFFECTIVE DATE.—This section shall apply
4 with respect to the regularly scheduled general election for
5 Federal office held in November 2020 and each succeeding
6 election for Federal office.

7 **“SEC. 324. RULES FOR COUNTING PROVISIONAL BALLOTS.**

8 “(a) STATEWIDE COUNTING OF PROVISIONAL BAL-
9 LOTS.—

10 “(1) IN GENERAL.—For purposes of section
11 302(a)(4), notwithstanding the precinct or polling
12 place at which a provisional ballot is cast within the
13 State, the appropriate election official shall count
14 each vote on such ballot for each election in which
15 the individual who cast such ballot is eligible to vote.

16 “(2) EFFECTIVE DATE.—This subsection shall
17 apply with respect to the regularly scheduled general
18 election for Federal office held in November 2020
19 and each succeeding election for Federal office.

20 “(b) UNIFORM AND NONDISCRIMINATORY STAND-
21 ARDS.—

22 “(1) IN GENERAL.—Consistent with the re-
23 quirements of section 302, each State shall establish
24 uniform and nondiscriminatory standards for the

1 issuance, handling, and counting of provisional bal-
2 lots.

3 “(2) EFFECTIVE DATE.—This subsection shall
4 apply with respect to the regularly scheduled general
5 election for Federal office held in November 2020
6 and each succeeding election for Federal office.

7 **“SEC. 325. COVERAGE OF COMMONWEALTH OF NORTHERN**
8 **MARIANA ISLANDS.**

9 “In this subtitle, the term ‘State’ includes the Com-
10 monwealth of the Northern Mariana Islands.

11 **“SEC. 326. MINIMUM REQUIREMENTS FOR EXPANDING**
12 **ABILITY OF INDIVIDUALS TO VOTE.**

13 “The requirements of this subtitle are minimum re-
14 quirements, and nothing in this subtitle may be construed
15 to prevent a State from establishing standards which pro-
16 mote the ability of individuals to vote in elections for Fed-
17 eral office, so long as such standards are not inconsistent
18 with the requirements of this subtitle or other Federal
19 laws.”.

20 (b) CONFORMING AMENDMENT RELATING TO
21 ISSUANCE OF VOLUNTARY GUIDANCE BY ELECTION AS-
22 SISTANCE COMMISSION.—Section 311(b) of such Act (52
23 U.S.C. 21101(b)) is amended—

24 (1) by striking “and” at the end of paragraph
25 (2);

1 (2) by striking the period at the end of para-
 2 graph (3) and inserting “; and”; and

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

5 “(4) in the case of the recommendations with
 6 respect to subtitle C, June 30, 2020.”.

7 (c) ENFORCEMENT.—

8 (1) COVERAGE UNDER EXISTING ENFORCE-
 9 MENT PROVISIONS.—Section 401 of such Act (52
 10 U.S.C. 21111) is amended by striking “and 303”
 11 and inserting “303, and subtitle C of title III”.

12 (2) AVAILABILITY OF PRIVATE RIGHT OF AC-
 13 TION.—Title IV of such (52 U.S.C. 21111 et seq.)
 14 is amended by adding at the end the following new
 15 section:

16 **“SEC. 403. PRIVATE RIGHT OF ACTION FOR VIOLATIONS OF**
 17 **CERTAIN REQUIREMENTS.**

18 “(a) IN GENERAL.—In the case of a violation of sub-
 19 title C of title III, section 402 shall not apply and any
 20 person who is aggrieved by such violation may provide
 21 written notice of the violation to the chief election official
 22 of the State involved.

23 “(b) RELIEF.—If the violation is not corrected within
 24 20 days after receipt of a notice under subsection (a), or
 25 within 5 days after receipt of the notice if the violation

1 occurred within 120 days before the date of an election
 2 for Federal office, the aggrieved person may, in a civil ac-
 3 tion, obtain declaratory or injunctive relief with respect
 4 to the violation.

5 “(c) SPECIAL RULE.—If the violation occurred within
 6 5 days before the date of an election for Federal office,
 7 the aggrieved person need not provide notice to the chief
 8 election official of the State involved under subsection (a)
 9 before bringing a civil action under subsection (b).”.

10 (d) CLERICAL AMENDMENT.—The table of contents
 11 of such Act is amended—

12 (1) by adding at the end of the items relating
 13 to title III the following:

“Subtitle C—Other Requirements

“Sec. 321. Early voting.

“Sec. 322. Promoting ability of voters to vote by mail.

“Sec. 323. Absentee ballot tracking program.

“Sec. 324. Rules for counting provisional ballots.

“Sec. 325. Coverage of Commonwealth of Northern Mariana Islands.

“Sec. 326. Minimum requirements for expanding ability of individuals to vote.”;

14 and

15 (2) by adding at the end of the items relating
 16 to title IV the following new item:

“Sec. 403. Private right of action for violations of certain requirements.”.

1 **SEC. 4. PERMITTING USE OF SWORN WRITTEN STATEMENT**
2 **TO MEET IDENTIFICATION REQUIREMENTS**
3 **FOR VOTING.**

4 (a) PERMITTING USE OF STATEMENT.—Subtitle C of
5 title III of the Help America Vote Act of 2002, as added
6 by section 3(a), is amended—

7 (1) by redesignating sections 325 and 326 as
8 sections 326 and 327; and

9 (2) by inserting after section 324 the following
10 new section:

11 **“SEC. 325. PERMITTING USE OF SWORN WRITTEN STATE-**
12 **MENT TO MEET IDENTIFICATION REQUIRE-**
13 **MENTS.**

14 “(a) USE OF STATEMENT.—

15 “(1) IN GENERAL.—Except as provided in sub-
16 section (c), if a State has in effect a requirement
17 that an individual present identification as a condi-
18 tion of casting a ballot in an election for Federal of-
19 fice, the State shall permit the individual to meet
20 the requirement—

21 “(A) in the case of an individual who de-
22 sires to vote in person, by presenting the appro-
23 priate State or local election official with a
24 sworn written statement, signed by the indi-
25 vidual under penalty of perjury, attesting to the

1 individual's identity and attesting that the indi-
2 vidual is eligible to vote in the election; or

3 “(B) in the case of an individual who de-
4 sires to vote by mail, by submitting with the
5 ballot the statement described in subparagraph
6 (A).

7 “(2) DEVELOPMENT OF PRE-PRINTED VERSION
8 OF STATEMENT BY COMMISSION.—The Commission
9 shall develop a pre-printed version of the statement
10 described in paragraph (1)(A) which includes a
11 blank space for an individual to provide a name and
12 signature for use by election officials in States which
13 are subject to paragraph (1).

14 “(3) PROVIDING PRE-PRINTED COPY OF STATE-
15 MENT.—A State which is subject to paragraph (1)
16 shall—

17 “(A) make copies of the pre-printed
18 version of the statement described in paragraph
19 (1)(A) which is prepared by the Commission
20 available at polling places for election officials
21 to distribute to individuals who desire to vote in
22 person; and

23 “(B) include a copy of such pre-printed
24 version of the statement with each blank absen-

tee or other ballot transmitted to an individual who desires to vote by mail.

“(b) REQUIRING USE OF BALLOT IN SAME MANNER AS INDIVIDUALS PRESENTING IDENTIFICATION.—An individual who presents or submits a sworn written statement in accordance with subsection (a)(1) shall be permitted to cast a ballot in the election in the same manner as an individual who presents identification.

“(c) EXCEPTION FOR FIRST-TIME VOTERS REGISTERING BY MAIL.—Subsections (a) and (b) do not apply with respect to any individual described in paragraph (1) of section 303(b) who is required to meet the requirements of paragraph (2) of such section.”.

(b) REQUIRING STATES TO INCLUDE INFORMATION ON USE OF SWORN WRITTEN STATEMENT IN VOTING INFORMATION MATERIAL POSTED AT POLLING PLACES.—Section 302(b)(2) of such Act (52 U.S.C. 21082(b)(2)), is amended—

(1) by striking “and” at the end of subparagraph (E);

(2) by striking the period at the end of subparagraph (F) and inserting “; and”; and

(3) by adding at the end the following new subparagraph:

1 “(G) in the case of a State that has in ef-
 2 fect a requirement that an individual present
 3 identification as a condition of casting a ballot
 4 in an election for Federal office, information on
 5 how an individual may meet such requirement
 6 by presenting a sworn written statement in ac-
 7 cordance with section 303A.”.

8 (c) CLERICAL AMENDMENT.—The table of contents
 9 of such Act, as amended by section 3, is amended—

10 (1) by redesignating the items relating to sec-
 11 tions 325 and 326 as relating to sections 326 and
 12 327; and

13 (2) by inserting after the item relating to sec-
 14 tion 324 the following new item:

“Sec. 325. Permitting use of sworn written statement to meet identification re-
 quirements.”.

15 (d) EFFECTIVE DATE.—The amendments made by
 16 this section shall apply with respect to elections occurring
 17 on or after the date of the enactment of this Act.

18 **SEC. 5. VOTING MATERIALS POSTAGE.**

19 (a) PREPAYMENT OF POSTAGE ON RETURN ENVE-
 20 LOPES.—

21 (1) IN GENERAL.—Subtitle C of title III of the
 22 Help America Vote Act of 2002, as added by section
 23 3(a) and as amended by section 4(a), is further
 24 amended—

1 (A) by redesignating sections 326 and 327
 2 as sections 327 and 328; and

3 (B) by inserting after section 325 the fol-
 4 lowing new section:

5 **“SEC. 326. PREPAYMENT OF POSTAGE ON RETURN ENVE-**
 6 **LOPES FOR VOTING MATERIALS.**

7 “(a) PROVISION OF RETURN ENVELOPES.—The ap-
 8 propriate State or local election official shall provide a
 9 self-sealing return envelope with—

10 “(1) any voter registration application form
 11 transmitted to a registrant by mail;

12 “(2) any application for an absentee ballot
 13 transmitted to an applicant by mail; and

14 “(3) any blank absentee ballot transmitted to a
 15 voter by mail.

16 “(b) PREPAYMENT OF POSTAGE.—Consistent with
 17 regulations of the United States Postal Service, the State
 18 or the unit of local government responsible for the admin-
 19 istration of the election involved shall prepay the postage
 20 on any envelope provided under subsection (a).

21 “(c) NO EFFECT ON BALLOTS OR BALLOTING MATE-
 22 RIALS TRANSMITTED TO ABSENT MILITARY AND OVER-
 23 SEAS VOTERS.—Nothing in this section may be construed
 24 to affect the treatment of any ballot or balloting materials
 25 transmitted to an individual who is entitled to vote by ab-

1 sentee ballot under the Uniformed and Overseas Citizens
 2 Absentee Voting Act (52 U.S.C. 20301 et seq.).”.

3 (2) CLERICAL AMENDMENT.—The table of con-
 4 tents of such Act, as amended by section 4(c), is
 5 amended—

6 (A) by redesignating the items relating to
 7 sections 326 and 327 as relating to sections
 8 327 and 328; and

9 (B) by inserting after the item relating to
 10 section 325 the following new item:

“Sec. 326. Prepayment of postage on return envelopes for voting materials.”.

11 (b) ROLE OF UNITED STATES POSTAL SERVICE.—

12 (1) IN GENERAL.—Chapter 34 of title 39,
 13 United States Code, is amended by adding after sec-
 14 tion 3406 the following:

15 **“§ 3407. Voting materials**

16 “(a) Any voter registration application, absentee bal-
 17 lot application, or absentee ballot with respect to any elec-
 18 tion for Federal office shall be carried expeditiously, with
 19 postage on the return envelope prepaid by the State or
 20 unit of local government responsible for the administration
 21 of the election.

22 “(b) As used in this section—

23 “(1) the term ‘absentee ballot’ means any ballot
 24 transmitted by a voter by mail in an election for

1 Federal office, but does not include any ballot cov-
 2 ered by section 3406; and

3 “(2) the term ‘election for Federal office’ means
 4 a general, special, primary, or runoff election for the
 5 office of President or Vice President, or of Senator
 6 or Representative in, or Delegate or Resident Com-
 7 missioner to, the Congress.

8 “(c) Nothing in this section may be construed to af-
 9 fect the treatment of any ballot or balloting materials
 10 transmitted to an individual who is entitled to vote by ab-
 11 sentee ballot under the Uniformed and Overseas Citizens
 12 Absentee Voting Act (52 U.S.C. 20301 et seq.).”.

13 (2) CLERICAL AMENDMENT.—The table of sec-
 14 tions for chapter 34 of such title is amended by in-
 15 serting after the item relating to section 3406 the
 16 following:

“3407. Voting materials.”.

17 **SEC. 6. REQUIRING TRANSMISSION OF BLANK ABSENTEE**
 18 **BALLOTS UNDER UOCAVA TO CERTAIN VOT-**
 19 **ERS.**

20 (a) IN GENERAL.—The Uniformed and Overseas
 21 Citizens Absentee Voting Act (52 U.S.C. 20301 et seq.)
 22 is amended by inserting after section 103B the following
 23 new section:

1 **“SEC. 103C. TRANSMISSION OF BLANK ABSENTEE BALLOTS**
2 **TO CERTAIN OTHER VOTERS.**

3 “(a) IN GENERAL.—

4 “(1) STATE RESPONSIBILITIES.—Subject to the
5 provisions of this section, each State shall transmit
6 blank absentee ballots electronically to qualified indi-
7 viduals who request such ballots in the same manner
8 and under the same terms and conditions under
9 which the State transmits such ballots electronically
10 to absent uniformed services voters and overseas vot-
11 ers under the provisions of section 102(f), except
12 that no such marked ballots shall be returned elec-
13 tronically.

14 “(2) REQUIREMENTS.—Any blank absentee bal-
15 lot transmitted to a qualified individual under this
16 section—

17 “(A) must comply with the language re-
18 quirements under section 203 of the Voting
19 Rights Act of 1965 (52 U.S.C. 10503); and

20 “(B) must comply with the disability re-
21 quirements under section 508 of the Rehabilita-
22 tion Act of 1973 (29 U.S.C. 794d).

23 “(3) AFFIRMATION.—The State may not trans-
24 mit a ballot to a qualified individual under this sec-
25 tion unless the individual provides the State with a
26 signed affirmation in electronic form that—

1 “(A) the individual is a qualified individual
2 (as defined in subsection (b));

3 “(B) the individual has not and will not
4 cast another ballot with respect to the election;
5 and

6 “(C) acknowledges that a material mis-
7 statement of fact in completing the ballot may
8 constitute grounds for conviction of perjury.

9 “(4) CLARIFICATION REGARDING FREE POST-
10 AGE.—An absentee ballot obtained by a qualified in-
11 dividual under this section shall be considered bal-
12 lotting materials as defined in section 107 for pur-
13 poses of section 3406 of title 39, United States
14 Code.

15 “(5) PROHIBITING REFUSAL TO ACCEPT BAL-
16 LOT FOR FAILURE TO MEET CERTAIN REQUIRE-
17 MENTS.—A State shall not refuse to accept and
18 process any otherwise valid blank absentee ballot
19 which was transmitted to a qualified individual
20 under this section and used by the individual to vote
21 in the election solely on the basis of the following:

22 “(A) Notarization or witness signature re-
23 quirements.

24 “(B) Restrictions on paper type, including
25 weight and size.

1 “(C) Restrictions on envelope type, includ-
2 ing weight and size.

3 “(b) QUALIFIED INDIVIDUAL.—

4 “(1) IN GENERAL.—In this section, except as
5 provided in paragraph (2), the term ‘qualified indi-
6 vidual’ means any individual who is otherwise quali-
7 fied to vote in an election for Federal office and who
8 meets any of the following requirements:

9 “(A) The individual—

10 “(i) has previously requested an ab-
11 sentee ballot from the State or jurisdiction
12 in which such individual is registered to
13 vote; and

14 “(ii) has not received such absentee
15 ballot at least 2 days before the date of the
16 election.

17 “(B) The individual—

18 “(i) resides in an area of a State with
19 respect to which an emergency or public
20 health emergency has been declared by the
21 chief executive of the State or of the area
22 involved within 5 days of the date of the
23 election under the laws of the State due to
24 reasons including a natural disaster, in-

1 cluding severe weather, or an infectious
2 disease; and

3 “(ii) has not previously requested an
4 absentee ballot.

5 “(C) The individual expects to be absent
6 from such individual’s jurisdiction on the date
7 of the election due to professional or volunteer
8 service in response to a natural disaster or
9 emergency as described in subparagraph (B).

10 “(D) The individual is hospitalized or ex-
11 pects to be hospitalized on the date of the elec-
12 tion.

13 “(E) The individual is an individual with a
14 disability (as defined in section 3 of the Ameri-
15 cans with Disabilities Act of 1990 (42 U.S.C.
16 12102)) and resides in a State which does not
17 offer voters the ability to use secure and acces-
18 sible remote ballot marking. For purposes of
19 this subparagraph, a State shall permit an indi-
20 vidual to self-certify that the individual is an in-
21 dividual with a disability.

22 “(2) EXCLUSION OF ABSENT UNIFORMED SERV-
23 ICES AND OVERSEAS VOTERS.—The term ‘qualified
24 individual’ shall not include an absent uniformed
25 services voter or an overseas voter.

1 “(c) STATE.—For purposes of this section, the term
 2 ‘State’ includes the District of Columbia, the Common-
 3 wealth of Puerto Rico, Guam, American Samoa, the
 4 United States Virgin Islands, and the Commonwealth of
 5 the Northern Mariana Islands.

6 “(d) EFFECTIVE DATE.—This section shall apply
 7 with respect to the regularly scheduled general election for
 8 Federal office held in November 2020 and each succeeding
 9 election for Federal office.”.

10 (b) CONFORMING AMENDMENT.—Section 102(a) of
 11 such Act (52 U.S.C. 20302(a)) is amended—

12 (1) by striking “and” at the end of paragraph
 13 (10);

14 (2) by striking the period at the end of para-
 15 graph (11) and inserting “; and”; and

16 (3) by adding at the end the following new
 17 paragraph:

18 “(12) meet the requirements of section 103C
 19 with respect to the provision of blank absentee bal-
 20 lots for the use of qualified individuals described in
 21 such section.”.

22 (c) CLERICAL AMENDMENTS.—The table of contents
 23 of such Act is amended by inserting the following after
 24 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.”.

1 **SEC. 7. VOTER REGISTRATION.**

2 (a) REQUIRING AVAILABILITY OF INTERNET FOR
3 VOTER REGISTRATION.—

4 (1) REQUIRING AVAILABILITY OF INTERNET
5 FOR REGISTRATION.—The National Voter Registra-
6 tion Act of 1993 (52 U.S.C. 20501 et seq.) is
7 amended by inserting after section 6 the following
8 new section:

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

10 “(a) REQUIRING AVAILABILITY OF INTERNET FOR
11 ONLINE REGISTRATION.—

12 “(1) AVAILABILITY OF ONLINE REGISTRATION
13 AND CORRECTION OF EXISTING REGISTRATION IN-
14 FORMATION.—Each State, acting through the chief
15 State election official, shall ensure that the following
16 services are available to the public at any time on
17 the official public websites of the appropriate State
18 and local election officials in the State, in the same
19 manner and subject to the same terms and condi-
20 tions as the services provided by voter registration
21 agencies under section 7(a):

22 “(A) Online application for voter registra-
23 tion.

1 “(B) Online assistance to applicants in ap-
2 plying to register to vote.

3 “(C) Online completion and submission by
4 applicants of the mail voter registration applica-
5 tion form prescribed by the Election Assistance
6 Commission pursuant to section 9(a)(2), includ-
7 ing assistance with providing a signature as re-
8 quired under subsection (c).

9 “(D) Online receipt of completed voter reg-
10 istration applications.

11 “(b) ACCEPTANCE OF COMPLETED APPLICATIONS.—
12 A State shall accept an online voter registration applica-
13 tion provided by an individual under this section, and en-
14 sure that the individual is registered to vote in the State,
15 if—

16 “(1) the individual meets the same voter reg-
17 istration requirements applicable to individuals who
18 register to vote by mail in accordance with section
19 6(a)(1) using the mail voter registration application
20 form prescribed by the Election Assistance Commis-
21 sion pursuant to section 9(a)(2); and

22 “(2) the individual meets the requirements of
23 subsection (c) to provide a signature in electronic
24 form (but only in the case of applications submitted

1 during or after the second year in which this section
2 is in effect in the State).

3 “(c) SIGNATURE REQUIREMENTS.—

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

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

14 “(B) If subparagraph (A) does not apply,
15 the individual submits with the application an
16 electronic copy of the individual’s handwritten
17 signature through electronic means.

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

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

5 “(A) permit the individual to complete all
6 other elements of the online voter registration
7 application;

8 “(B) permit the individual to provide a sig-
9 nature at the time the individual requests a bal-
10 lot in an election (whether the individual re-
11 quests the ballot at a polling place or requests
12 the ballot by mail); and

13 “(C) if the individual carries out the steps
14 described in subparagraph (A) and subpara-
15 graph (B), ensure that the individual is reg-
16 istered to vote in the State.

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

22 “(d) CONFIRMATION AND DISPOSITION.—

23 “(1) CONFIRMATION OF RECEIPT.—Upon the
24 online submission of a completed voter registration
25 application by an individual under this section, the

1 appropriate State or local election official shall send
2 the individual a notice confirming the State’s receipt
3 of the application and providing instructions on how
4 the individual may check the status of the applica-
5 tion.

6 “(2) NOTICE OF DISPOSITION.—Not later than
7 7 days after the appropriate State or local election
8 official has approved or rejected an application sub-
9 mitted by an individual under this section, the offi-
10 cial shall send the individual a notice of the disposi-
11 tion of the application.

12 “(3) METHOD OF NOTIFICATION.—The appro-
13 priate State or local election official shall send the
14 notices required under this subsection by regular
15 mail and—

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

19 “(B) at the option of an individual, by text
20 message.

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

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

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

9 “(f) PROTECTION OF SECURITY OF INFORMATION.—
10 In meeting the requirements of this section, the State shall
11 establish appropriate technological security measures to
12 prevent to the greatest extent practicable any unauthor-
13 ized access to information provided by individuals using
14 the services made available under subsection (a).

15 “(g) ACCESSIBILITY OF SERVICES.—A State shall en-
16 sure that the services made available under this section
17 are made available to individuals with disabilities to the
18 same extent as services are made available to all other in-
19 dividuals.

20 “(h) USE OF ADDITIONAL TELEPHONE-BASED SYS-
21 TEM.—A State shall make the services made available on-
22 line under subsection (a) available through the use of an
23 automated telephone-based system, subject to the same
24 terms and conditions applicable under this section to the
25 services made available online, in addition to making the

1 services available online in accordance with the require-
 2 ments of this section.

3 “(i) NONDISCRIMINATION AMONG REGISTERED VOT-
 4 ERS USING MAIL AND ONLINE REGISTRATION.—In car-
 5 rying out this Act, the Help America Vote Act of 2002,
 6 or any other Federal, State, or local law governing the
 7 treatment of registered voters in the State or the adminis-
 8 tration of elections for public office in the State, a State
 9 shall treat a registered voter who registered to vote online
 10 in accordance with this section in the same manner as the
 11 State treats a registered voter who registered to vote by
 12 mail.”.

13 (2) SPECIAL REQUIREMENTS FOR INDIVIDUALS
 14 USING ONLINE REGISTRATION.—

15 (A) TREATMENT AS INDIVIDUALS REG-
 16 ISTERING TO VOTE BY MAIL FOR PURPOSES OF
 17 FIRST-TIME VOTER IDENTIFICATION REQUIRE-
 18 MENTS.—Section 303(b)(1)(A) of the Help
 19 America Vote Act of 2002 (52 U.S.C.
 20 21083(b)(1)(A)) is amended by striking “by
 21 mail” and inserting “by mail or online under
 22 section 6A of the National Voter Registration
 23 Act of 1993”.

24 (B) REQUIRING SIGNATURE FOR FIRST-
 25 TIME VOTERS IN JURISDICTION.—Section

1 303(b) of such Act (52 U.S.C. 21083(b)) is
2 amended—

3 (i) by redesignating paragraph (5) as
4 paragraph (6); and

5 (ii) by inserting after paragraph (4)
6 the following new paragraph:

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

9 “(A) IN GENERAL.—A State shall, in a
10 uniform and nondiscriminatory manner, require
11 an individual to meet the requirements of sub-
12 paragraph (B) if—

13 “(i) the individual registered to vote
14 in the State online under section 6A of the
15 National Voter Registration Act of 1993;
16 and

17 “(ii) the individual has not previously
18 voted in an election for Federal office in
19 the State.

20 “(B) REQUIREMENTS.—An individual
21 meets the requirements of this subparagraph
22 if—

23 “(i) in the case of an individual who
24 votes in person, the individual provides the

1 appropriate State or local election official
2 with a handwritten signature; or

3 “(ii) in the case of an individual who
4 votes by mail, the individual submits with
5 the ballot a handwritten signature.

6 “(C) INAPPLICABILITY.—Subparagraph
7 (A) does not apply in the case of an individual
8 who is—

9 “(i) entitled to vote by absentee ballot
10 under the Uniformed and Overseas Citi-
11 zens Absentee Voting Act (52 U.S.C.
12 20302 et seq.);

13 “(ii) provided the right to vote other-
14 wise than in person under section
15 3(b)(2)(B)(ii) of the Voting Accessibility
16 for the Elderly and Handicapped Act (52
17 U.S.C. 20102(b)(2)(B)(ii)); or

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

20 (C) CONFORMING AMENDMENT RELATING
21 TO EFFECTIVE DATE.—Section 303(d)(2)(A) of
22 such Act (52 U.S.C. 21083(d)(2)(A)) is amend-
23 ed by striking “Each State” and inserting “Ex-
24 cept as provided in subsection (b)(5), each
25 State”.

1 (3) CONFORMING AMENDMENTS.—

2 (A) TIMING OF REGISTRATION.—Section
3 8(a)(1) of the National Voter Registration Act
4 of 1993 (52 U.S.C. 20507(a)(1)) is amended—

5 (i) by striking “and” at the end of
6 subparagraph (C);

7 (ii) by redesignating subparagraph
8 (D) as subparagraph (E); and

9 (iii) by inserting after subparagraph
10 (C) the following new subparagraph:

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

20 (B) INFORMING APPLICANTS OF ELIGI-
21 BILITY REQUIREMENTS AND PENALTIES.—Sec-
22 tion 8(a)(5) of such Act (52 U.S.C.
23 20507(a)(5)) is amended by striking “and 7”
24 and inserting “6A, and 7”.

1 (b) USE OF INTERNET TO UPDATE REGISTRATION
2 INFORMATION.—

3 (1) UPDATES TO INFORMATION CONTAINED ON
4 COMPUTERIZED STATEWIDE VOTER REGISTRATION
5 LIST.—

6 (A) IN GENERAL.—Section 303(a) of the
7 Help America Vote Act of 2002 (52 U.S.C.
8 21083(a)) is amended by adding at the end the
9 following new paragraph:

10 “(6) USE OF INTERNET BY REGISTERED VOT-
11 ERS TO UPDATE INFORMATION.—

12 “(A) IN GENERAL.—The appropriate State
13 or local election official shall ensure that any
14 registered voter on the computerized list may at
15 any time update the voter’s registration infor-
16 mation, including the voter’s address and elec-
17 tronic mail address, online through the official
18 public website of the election official responsible
19 for the maintenance of the list, so long as the
20 voter attests to the contents of the update by
21 providing a signature in electronic form in the
22 same manner required under section 6A(c) of
23 the National Voter Registration Act of 1993.

24 “(B) PROCESSING OF UPDATED INFORMA-
25 TION BY ELECTION OFFICIALS.—If a registered

1 voter updates registration information under
2 subparagraph (A), the appropriate State or
3 local election official shall—

4 “(i) revise any information on the
5 computerized list to reflect the update
6 made by the voter; and

7 “(ii) if the updated registration infor-
8 mation affects the voter’s eligibility to vote
9 in an election for Federal office, ensure
10 that the information is processed with re-
11 spect to the election if the voter updates
12 the information not later than the lesser of
13 7 days, or the period provided by State
14 law, before the date of the election.

15 “(C) CONFIRMATION AND DISPOSITION.—

16 “(i) CONFIRMATION OF RECEIPT.—
17 Upon the online submission of updated
18 registration information by an individual
19 under this paragraph, the appropriate
20 State or local election official shall send
21 the individual a notice confirming the
22 State’s receipt of the updated information
23 and providing instructions on how the indi-
24 vidual may check the status of the update.

1 “(ii) NOTICE OF DISPOSITION.—Not
 2 later than 7 days after the appropriate
 3 State or local election official has accepted
 4 or rejected updated information submitted
 5 by an individual under this paragraph, the
 6 official shall send the individual a notice of
 7 the disposition of the update.

8 “(iii) METHOD OF NOTIFICATION.—
 9 The appropriate State or local election offi-
 10 cial shall send the notices required under
 11 this subparagraph by regular mail and—

12 “(I) in the case of an individual
 13 who has requested that the State pro-
 14 vide voter registration and voting in-
 15 formation through electronic mail, by
 16 electronic mail; and

17 “(II) at the option of an indi-
 18 vidual, by text message.”.

19 (B) CONFORMING AMENDMENT RELATING
 20 TO EFFECTIVE DATE.—Section 303(d)(1)(A) of
 21 such Act (52 U.S.C. 21083(d)(1)(A)) is amend-
 22 ed by striking “subparagraph (B),” and insert-
 23 ing “subparagraph (B) and subsection (a)(6),”.

24 (2) ABILITY OF REGISTRANT TO USE ONLINE
 25 UPDATE TO PROVIDE INFORMATION ON RESI-

1 DENCE.—Section 8(d)(2)(A) of the National Voter
2 Registration Act of 1993 (52 U.S.C.
3 20507(d)(2)(A)) is amended—

4 (A) in the first sentence, by inserting after
5 “return the card” the following: “or update the
6 registrant’s information on the computerized
7 Statewide voter registration list using the online
8 method provided under section 303(a)(6) of the
9 Help America Vote Act of 2002”; and

10 (B) in the second sentence, by striking
11 “returned,” and inserting the following: “re-
12 turned or if the registrant does not update the
13 registrant’s information on the computerized
14 Statewide voter registration list using such on-
15 line method,”.

16 (c) SAME DAY REGISTRATION.—

17 (1) IN GENERAL.—Subtitle C of title III of the
18 Help America Vote Act of 2002, as added by section
19 3(a) and as amended by sections 4(a) and 5(a), is
20 further amended—

21 (A) by redesignating sections 327 and 328
22 as sections 328 and 329; and

23 (B) by inserting after section 326 the fol-
24 lowing new section:

1 **“SEC. 327. SAME DAY REGISTRATION.**

2 “(a) IN GENERAL.—

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

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

14 “(B) to cast a vote in such election.

15 “(2) EXCEPTION.—The requirements under
16 paragraph (1) shall not apply to a State in which,
17 under a State law in effect continuously on and after
18 the date of the enactment of this section, there is no
19 voter registration requirement for individuals in the
20 State with respect to elections for Federal office.

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

25 “(c) EFFECTIVE DATE.—Each State shall be re-
26 quired to comply with the requirements of subsection (a)

1 for the regularly scheduled general election for Federal of-
 2 fice occurring in November 2020 and for any subsequent
 3 election for Federal office.”.

4 (2) CLERICAL AMENDMENT.—The table of con-
 5 tents of such Act, as added by section 3 and as
 6 amended by sections 4 and 5, is further amended—

7 (A) by redesignating the items relating to
 8 sections 327 and 328 as relating to sections
 9 328 and 329; and

10 (B) by inserting after the item relating to
 11 section 326 the following new item:

“Sec. 327. Same day registration.”.

12 (d) PROHIBITING STATE FROM REQUIRING APPLI-
 13 CANTS TO PROVIDE MORE THAN LAST 4 DIGITS OF SO-
 14 CIAL SECURITY NUMBER.—

15 (1) FORM INCLUDED WITH APPLICATION FOR
 16 MOTOR VEHICLE DRIVER’S LICENSE.—Section
 17 5(c)(2)(B)(ii) of the National Voter Registration Act
 18 of 1993 (52 U.S.C. 20504(c)(2)(B)(ii)) is amended
 19 by striking the semicolon at the end and inserting
 20 the following: “, and to the extent that the applica-
 21 tion requires the applicant to provide a Social Secu-
 22 rity number, may not require the applicant to pro-
 23 vide more than the last 4 digits of such number;”.

24 (2) NATIONAL MAIL VOTER REGISTRATION
 25 FORM.—Section 9(b)(1) of such Act (52 U.S.C.

1 20508(b)(1)) is amended by striking the semicolon
 2 at the end and inserting the following: “, and to the
 3 extent that the form requires the applicant to pro-
 4 vide a Social Security number, the form may not re-
 5 quire the applicant to provide more than the last 4
 6 digits of such number;”.

7 (3) EFFECTIVE DATE.—The amendments made
 8 by this subsection shall apply with respect to the
 9 regularly scheduled general election for Federal of-
 10 fice held in November 2020 and each succeeding
 11 election for Federal office.

12 **SEC. 8. ACCOMMODATIONS FOR VOTERS RESIDING IN IN-**
 13 **DIAN LANDS.**

14 (a) ACCOMMODATIONS DESCRIBED.—

15 (1) DESIGNATION OF BALLOT PICKUP AND COL-
 16 LECTION LOCATIONS.—Given the widespread lack of
 17 residential mail delivery in Indian Country, an In-
 18 dian Tribe may designate buildings as ballot pickup
 19 and collection locations with respect to an election
 20 for Federal office at no cost to the Indian Tribe. An
 21 Indian Tribe may designate one building per pre-
 22 cinct located within Indian lands. The applicable
 23 State or political subdivision shall collect ballots
 24 from those locations. The applicable State or polit-
 25 ical subdivision shall provide the Indian Tribe with

1 accurate precinct maps for all precincts located with-
2 in Indian lands 60 days before the election.

3 (2) PROVISION OF MAIL-IN AND ABSENTEE
4 BALLOTS.—The State or political subdivision shall
5 provide mail-in and absentee ballots with respect to
6 an election for Federal office to each individual who
7 is registered to vote in the election who resides on
8 Indian lands in the State or political subdivision in-
9 volved without requiring a residential address or a
10 mail-in or absentee ballot request.

11 (3) USE OF DESIGNATED BUILDING AS RESI-
12 DENTIAL AND MAILING ADDRESS.—The address of a
13 designated building that is a ballot pickup and col-
14 lection location with respect to an election for Fed-
15 eral office may serve as the residential address and
16 mailing address for voters living on Indian lands if
17 the tribally designated building is in the same pre-
18 cinct as that voter. If there is no tribally designated
19 building within a voter's precinct, the voter may use
20 another tribally designated building within the In-
21 dian lands where the voter is located. Voters using
22 a tribally designated building outside of the voter's
23 precinct may use the tribally designated building as
24 a mailing address and may separately designate the
25 voter's appropriate precinct through a description of

1 the voter's address, as specified in section
2 9428.4(a)(2) of title 11, Code of Federal Regula-
3 tions.

4 (4) LANGUAGE ACCESSIBILITY.—In the case of
5 a State or political subdivision that is a covered
6 State or political subdivision under section 203 of
7 the Voting Rights Act of 1965 (52 U.S.C. 10503),
8 that State or political subdivision shall provide ab-
9 sentee or mail-in voting materials with respect to an
10 election for Federal office in the language of the ap-
11 plicable minority group as well as in the English lan-
12 guage, bilingual election voting assistance, and writ-
13 ten translations of all voting materials in the lan-
14 guage of the applicable minority group, as required
15 by section 203 of the Voting Rights Act of 1965 (52
16 U.S.C. 10503), as amended by subsection (b).

17 (5) CLARIFICATION.—Nothing in this section
18 alters the ability of an individual voter residing on
19 Indian lands to request a ballot in a manner avail-
20 able to all other voters in the State.

21 (6) DEFINITIONS.—In this section:

22 (A) ELECTION FOR FEDERAL OFFICE.—
23 The term “election for Federal office” means a
24 general, special, primary or runoff election for
25 the office of President or Vice President, or of

1 Senator or Representative in, or Delegate or
2 Resident Commissioner to, the Congress.

3 (B) INDIAN.—The term “Indian” has the
4 meaning given the term in section 4 of the In-
5 dian Self-Determination and Education Assist-
6 ance Act (25 U.S.C. 5304).

7 (C) INDIAN LANDS.—The term “Indian
8 lands” includes—

9 (i) any Indian country of an Indian
10 Tribe, as defined under section 1151 of
11 title 18, United States Code;

12 (ii) any land in Alaska owned, pursu-
13 ant to the Alaska Native Claims Settle-
14 ment Act (43 U.S.C. 1601 et seq.), by an
15 Indian Tribe that is a Native village (as
16 defined in section 3 of that Act (43 U.S.C.
17 1602)) or by a Village Corporation that is
18 associated with an Indian Tribe (as de-
19 fined in section 3 of that Act (43 U.S.C.
20 1602));

21 (iii) any land on which the seat of the
22 Tribal Government is located; and

23 (iv) any land that is part or all of a
24 Tribal designated statistical area associ-
25 ated with an Indian Tribe, or is part or all

1 of an Alaska Native village statistical area
2 associated with an Indian Tribe, as defined
3 by the Census Bureau for the purposes of
4 the most recent decennial census.

5 (D) INDIAN TRIBE.—The term “Indian
6 Tribe” has the meaning given the term “Indian
7 tribe” in section 4 of the Indian Self-Deter-
8 mination and Education Assistance Act (25
9 U.S.C. 5304).

10 (E) TRIBAL GOVERNMENT.—The term
11 “Tribal Government” means the recognized
12 governing body of an Indian Tribe.

13 (7) ENFORCEMENT.—

14 (A) ATTORNEY GENERAL.—The Attorney
15 General may bring a civil action in an appro-
16 priate district court for such declaratory or in-
17 junctive relief as is necessary to carry out this
18 subsection.

19 (B) PRIVATE RIGHT OF ACTION.—

20 (i) A person or Tribal Government
21 who is aggrieved by a violation of this sub-
22 section may provide written notice of the
23 violation to the chief election official of the
24 State involved.

1 (ii) An aggrieved person or Tribal
2 Government may bring a civil action in an
3 appropriate district court for declaratory
4 or injunctive relief with respect to a viola-
5 tion of this subsection, if—

6 (I) that person or Tribal Govern-
7 ment provides the notice described in
8 clause (i); and

9 (II)(aa) in the case of a violation
10 that occurs more than 120 days be-
11 fore the date of an election for Fed-
12 eral office, the violation remains and
13 90 days or more have passed since the
14 date on which the chief election offi-
15 cial of the State receives the notice
16 under clause (i); or

17 (bb) in the case of a violation
18 that occurs 120 days or less before
19 the date of an election for Federal of-
20 fice, the violation remains and 20
21 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).

1 (iii) In the case of a violation of this
2 section that occurs 30 days or less before
3 the date of an election for Federal office,
4 an aggrieved person or Tribal Government
5 may bring a civil action in an appropriate
6 district court for declaratory or injunctive
7 relief with respect to the violation without
8 providing notice to the chief election offi-
9 cial of the State under clause (i).

10 (b) BILINGUAL ELECTION REQUIREMENTS.—Section
11 203 of the Voting Rights Act of 1965 (52 U.S.C. 10503)
12 is amended—

13 (1) in subsection (b)(3)(C), by striking “1990”
14 and inserting “2010”; and

15 (2) by striking subsection (c) and inserting the
16 following:

17 “(c) PROVISION OF VOTING MATERIALS IN THE LAN-
18 GUAGE OF A MINORITY GROUP.—

19 “(1) IN GENERAL.—Whenever any State or po-
20 litical subdivision subject to the prohibition of sub-
21 section (b) of this section provides any registration
22 or voting notices, forms, instructions, assistance, or
23 other materials or information relating to the elec-
24 toral process, including ballots, it shall provide them

1 in the language of the applicable minority group as
2 well as in the English language.

3 “(2) EXCEPTIONS.—

4 “(A) IN GENERAL.—

5 “(i) In the case of a minority group
6 that is not American Indian or Alaska Na-
7 tive and the language of that minority
8 group is oral or unwritten, the State or po-
9 litical subdivision shall only be required to
10 furnish, in the covered language, oral in-
11 structions, assistance, translation of voting
12 materials, or other information relating to
13 registration and voting.

14 “(ii) In the case of a minority group
15 that is American Indian or Alaska Native,
16 the State or political subdivision shall only
17 be required to furnish in the covered lan-
18 guage oral instructions, assistance, or
19 other information relating to registration
20 and voting, including all voting materials,
21 if the Tribal Government of that minority
22 group has certified that the language of
23 the applicable American Indian or Alaska
24 Native language is presently unwritten or

1 the Tribal Government does not want writ-
2 ten translations in the minority language.

3 “(3) WRITTEN TRANSLATIONS FOR ELECTION
4 WORKERS.—Notwithstanding paragraph (2), the
5 State or political division may be required to provide
6 written translations of voting materials, with the
7 consent of any applicable Indian Tribe, to election
8 workers to ensure that the translations from English
9 to the language of a minority group are complete,
10 accurate, and uniform.”.

11 (c) EFFECTIVE DATE.—This section and the amend-
12 ments made by this section shall apply with respect to the
13 regularly scheduled general election for Federal office held
14 in November 2020 and each succeeding election for Fed-
15 eral office.

16 **SEC. 9. PAYMENTS BY ELECTION ASSISTANCE COMMISSION**
17 **TO STATES TO ASSIST WITH COSTS OF COM-**
18 **PLIANCE.**

19 (a) AVAILABILITY OF GRANTS.—Subtitle D of title
20 II of the Help America Vote Act of 2002 (52 U.S.C.
21 21001 et seq.) is amended by adding at the end the fol-
22 lowing new part:

1 **“PART 7—PAYMENTS TO ASSIST WITH COSTS OF**
2 **COMPLIANCE WITH ACCESS ACT**

3 **“SEC. 297. PAYMENTS TO ASSIST WITH COSTS OF COMPLI-**
4 **ANCE WITH ACCESS ACT.**

5 “(a) AVAILABILITY AND USE OF PAYMENTS.—

6 “(1) IN GENERAL.—The Commission shall
7 make a payment to each eligible State to assist the
8 State with the costs of complying with the American
9 Coronavirus/COVID–19 Election Safety and Secu-
10 rity Act and the amendments made by such Act, in-
11 cluding the provisions of such Act and such amend-
12 ments which require States to pre-pay the postage
13 on absentee ballots and balloting materials.

14 “(2) PUBLIC EDUCATION CAMPAIGNS.—For
15 purposes of this part, the costs incurred by a State
16 in carrying out a campaign to educate the public
17 about the requirements of the American Coronavi-
18 rus/COVID–19 Election Safety and Security Act
19 and the amendments made by such Act shall be in-
20 cluded as the costs of complying with such Act and
21 such amendments.

22 “(b) PRIMARY ELECTIONS.—

23 “(1) PAYMENTS TO STATES.—In addition to
24 any payments under subsection (a), the Commission
25 shall make a payment to each eligible State to assist
26 the State with the costs incurred in voluntarily elect-

1 ing to comply with the American Coronavirus/
2 COVID–19 Election Safety and Security Act and
3 the amendments made by such Act with respect to
4 primary elections for Federal office held in the State
5 in 2020.

6 “(2) STATE PARTY-RUN PRIMARIES.—In addi-
7 tion to any payments under paragraph (1), the Com-
8 mission shall make payments to each eligible polit-
9 ical party of the State for costs incurred by such
10 parties to send absentee ballots and return envelopes
11 with prepaid postage to eligible voters participating
12 in such primaries during 2020.

13 “(c) PASS-THROUGH OF FUNDS TO LOCAL JURISDIC-
14 TIONS.—

15 “(1) IN GENERAL.—If a State receives a pay-
16 ment under this part for costs that include costs in-
17 curred by a local jurisdiction or Tribal government
18 within the State, the State shall pass through to
19 such local jurisdiction or Tribal government a por-
20 tion of such payment that is equal to the amount of
21 the costs incurred by such local jurisdiction or Trib-
22 al government.

23 “(2) TRIBAL GOVERNMENT DEFINED.—In this
24 subsection, the term ‘Tribal Government’ means the
25 recognized governing body of an Indian tribe (as de-

1 fined in section 4 of the Indian Self-Determination
2 and Education Assistance Act (25 U.S.C. 5304).

3 “(d) SCHEDULE OF PAYMENTS.—As soon as prac-
4 ticable after the date of the enactment of this part and
5 not less frequently than once each calendar year there-
6 after, the Commission shall make payments under this
7 part.

8 “(e) COVERAGE OF COMMONWEALTH OF NORTHERN
9 MARIANA ISLANDS.—In this part, the term ‘State’ in-
10 cludes the Commonwealth of the Northern Mariana Is-
11 lands.

12 “(f) LIMITATION.—No funds may be provided to a
13 State under this part for costs attributable to the elec-
14 tronic return of marked ballots by any voter.

15 **“SEC. 297A. AMOUNT OF PAYMENT.**

16 “(a) IN GENERAL.—Except as provided in section
17 297C, the amount of a payment made to an eligible State
18 for a year under this part shall be determined by the Com-
19 mission.

20 “(b) CONTINUING AVAILABILITY OF FUNDS AFTER
21 APPROPRIATION.—A payment made to an eligible State
22 or eligible unit of local government under this part shall
23 be available without fiscal year limitation.

1 **“SEC. 297B. REQUIREMENTS FOR ELIGIBILITY.**

2 “(a) APPLICATION.—Except as provided in section
3 297C, each State that desires to receive a payment under
4 this part for a fiscal year, and each political party of a
5 State that desires to receive a payment under section
6 297(b)(2), shall submit an application for the payment to
7 the Commission at such time and in such manner and con-
8 taining such information as the Commission shall require.

9 “(b) CONTENTS OF APPLICATION.—Each application
10 submitted under subsection (a) shall—

11 “(1) describe the activities for which assistance
12 under this part is sought; and

13 “(2) provide such additional information and
14 certifications as the Commission determines to be es-
15 sential to ensure compliance with the requirements
16 of this part.

17 **“SEC. 297C. SPECIAL RULES FOR PAYMENTS FOR ELEC-**
18 **TIONS SUBJECT TO EMERGENCY RULES.**

19 “(a) SUBMISSION OF ESTIMATED COSTS.—If the spe-
20 cial rules in the case of an emergency period under section
21 322(c)(3) apply to an election, not later than the applica-
22 ble deadline under subsection (c), the State shall submit
23 to the Commission a request for a payment under this
24 part, and shall include in the request the State’s estimate
25 of the costs the State expects to incur in the administra-

1 tion of the election which are attributable to the applica-
 2 tion of such special rules to the election.

3 “(b) PAYMENT.—Not later than 7 days after receiv-
 4 ing a request from the State under subsection (a), the
 5 Commission shall make a payment to the State in an
 6 amount equal to the estimate provided by the State in the
 7 request.

8 “(c) APPLICABLE DEADLINE.—The applicable dead-
 9 line under this paragraph with respect to an election is—

10 “(1) with respect to the regularly scheduled
 11 general election for Federal office held in November
 12 2020, 15 days after the date of the enactment of
 13 this part; and

14 “(2) with respect to any other election, 15 days
 15 after the emergency or disaster described in section
 16 322(c)(3) is declared.

17 **“SEC. 297D. AUTHORIZATION OF APPROPRIATIONS.**

18 “There are authorized to be appropriated for pay-
 19 ments under this part—

20 “(1) in the case of payments made under sec-
 21 tion 297C, such sums as may be necessary for fiscal
 22 year 2020 and each succeeding fiscal year; and

23 “(2) in the case of any other payments, such
 24 sums as may be necessary for fiscal year 2020.

1 **“SEC. 297E. REPORTS.**

2 “(a) REPORTS BY RECIPIENTS.—Not later than 6
3 months after the end of each fiscal year for which an eligi-
4 ble State received a payment under this part, the State
5 shall submit a report to the Commission on the activities
6 conducted with the funds provided during the year.

7 “(b) REPORTS BY COMMISSION TO COMMITTEES.—
8 With respect to each fiscal year for which the Commission
9 makes payments under this part, the Commission shall
10 submit a report on the activities carried out under this
11 part to the Committee on House Administration of the
12 House of Representatives and the Committee on Rules
13 and Administration of the Senate.”.

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 subtitle D of title II the following:

“PART 7—PAYMENTS TO ASSIST WITH COSTS OF COMPLIANCE WITH
ACCESS ACT

“Sec. 297. Payments to assist with costs of compliance with Access Act.

“Sec. 297A. Amount of payment.

“Sec. 297B. Requirements for eligibility.

“Sec. 297C. Special rules for payments for elections subject to emergency rules.

“Sec. 297D. Authorization of appropriations.

“Sec. 297E. Reports.”.

17 **SEC. 10. GRANTS TO STATES FOR CONDUCTING RISK-LIM-**
18 **ITING AUDITS OF RESULTS OF ELECTIONS.**

19 (a) AVAILABILITY OF GRANTS.—Subtitle D of title
20 II of the Help America Vote Act of 2002 (52 U.S.C.

1 21001 et seq.), as amended by section 9(a), is further
 2 amended by adding at the end the following new part:

3 **“PART 8—GRANTS FOR CONDUCTING RISK-**
 4 **LIMITING AUDITS OF RESULTS OF ELECTIONS**
 5 **“SEC. 298. GRANTS FOR CONDUCTING RISK-LIMITING AU-**
 6 **DITS OF RESULTS OF ELECTIONS.**

7 “(a) AVAILABILITY OF GRANTS.—The Commission
 8 shall make a grant to each eligible State to conduct risk-
 9 limiting audits as described in subsection (b) with respect
 10 to the regularly scheduled general elections for Federal of-
 11 fice held in November 2020 and each succeeding election
 12 for Federal office.

13 “(b) RISK-LIMITING AUDITS DESCRIBED.—In this
 14 part, a ‘risk-limiting audit’ is a post-election process—

15 “(1) which is conducted in accordance with
 16 rules and procedures established by the chief State
 17 election official of the State which meet the require-
 18 ments of subsection (c); and

19 “(2) under which, if the reported outcome of
 20 the election is incorrect, there is at least a predeter-
 21 mined percentage chance that the audit will replace
 22 the incorrect outcome with the correct outcome as
 23 determined by a full, hand-to-eye tabulation of all
 24 votes validly cast in that election that ascertains

1 voter intent manually and directly from voter-
2 verifiable paper records.

3 “(c) REQUIREMENTS FOR RULES AND PROCE-
4 DURES.—The rules and procedures established for con-
5 ducting a risk-limiting audit shall include the following
6 elements:

7 “(1) Rules for ensuring the security of ballots
8 and documenting that prescribed procedures were
9 followed.

10 “(2) Rules and procedures for ensuring the ac-
11 curacy of ballot manifests produced by election agen-
12 cies.

13 “(3) Rules and procedures for governing the
14 format of ballot manifests, cast vote records, and
15 other data involved in the audit.

16 “(4) Methods to ensure that any cast vote
17 records used in the audit are those used by the vot-
18 ing system to tally the election results sent to the
19 chief State election official and made public.

20 “(5) Procedures for the random selection of
21 ballots to be inspected manually during each audit.

22 “(6) Rules for the calculations and other meth-
23 ods to be used in the audit and to determine wheth-
24 er and when the audit of an election is complete.

1 “(7) Procedures and requirements for testing
2 any software used to conduct risk-limiting audits.

3 “(d) DEFINITIONS.—In this part, the following defi-
4 nitions apply:

5 “(1) The term ‘ballot manifest’ means a record
6 maintained by each election agency that meets each
7 of the following requirements:

8 “(A) The record is created without reliance
9 on any part of the voting system used to tab-
10 ulate votes.

11 “(B) The record functions as a sampling
12 frame for conducting a risk-limiting audit.

13 “(C) The record contains the following in-
14 formation with respect to the ballots cast and
15 counted in the election:

16 “(i) The total number of ballots cast
17 and counted by the agency (including
18 undervotes, overvotes, and other invalid
19 votes).

20 “(ii) The total number of ballots cast
21 in each election administered by the agency
22 (including undervotes, overvotes, and other
23 invalid votes).

24 “(iii) A precise description of the
25 manner in which the ballots are physically

1 stored, including the total number of phys-
2 ical groups of ballots, the numbering sys-
3 tem for each group, a unique label for each
4 group, and the number of ballots in each
5 such group.

6 “(2) The term ‘incorrect outcome’ means an
7 outcome that differs from the outcome that would be
8 determined by a full tabulation of all votes validly
9 cast in the election, determining voter intent manu-
10 ally, directly from voter-verifiable paper records.

11 “(3) The term ‘outcome’ means the winner of
12 an election, whether a candidate or a position.

13 “(4) The term ‘reported outcome’ means the
14 outcome of an election which is determined accord-
15 ing to the canvass and which will become the official,
16 certified outcome unless it is revised by an audit, re-
17 count, or other legal process.

18 **“SEC. 298A. ELIGIBILITY OF STATES.**

19 “A State is eligible to receive a grant under this part
20 if the State submits to the Commission, at such time and
21 in such form as the Commission may require, an applica-
22 tion containing—

23 “(1) a certification that, not later than 5 years
24 after receiving the grant, the State will conduct risk-

1 limiting audits of the results of elections for Federal
2 office held in the State as described in section 298;

3 “(2) a certification that, not later than one year
4 after the date of the enactment of this section, the
5 chief State election official of the State has estab-
6 lished or will establish the rules and procedures for
7 conducting the audits which meet the requirements
8 of section 298(c);

9 “(3) a certification that the audit shall be com-
10 pleted not later than the date on which the State
11 certifies the results of the election;

12 “(4) a certification that, after completing the
13 audit, the State shall publish a report on the results
14 of the audit, together with such information as nec-
15 essary to confirm that the audit was conducted prop-
16 erly;

17 “(5) a certification that, if a risk-limiting audit
18 conducted under this part leads to a full manual
19 tally of an election, State law requires that the State
20 or election agency shall use the results of the full
21 manual tally as the official results of the election;
22 and

23 “(6) such other information and assurances as
24 the Commission may require.

1 **“SEC. 298B. AUTHORIZATION OF APPROPRIATIONS.**

2 “There are authorized to be appropriated for grants
3 under this part \$20,000,000 for fiscal year 2020, to re-
4 main available until expended.”.

5 (b) CLERICAL AMENDMENT.—The table of contents
6 of such Act, as amended by section 9(b), is further amend-
7 ed by adding at the end of the items relating to subtitle
8 D of title II the following:

“PART 8—GRANTS FOR CONDUCTING RISK-LIMITING AUDITS OF RESULTS
OF ELECTIONS

“Sec. 298. Grants for conducting risk-limiting audits of results of elec-
tions.

“Sec. 298A. Eligibility of States.

“Sec. 298B. Authorization of appropriations.

9 (c) GAO ANALYSIS OF EFFECTS OF AUDITS.—

10 (1) ANALYSIS.—Not later than 6 months after
11 the first election for Federal office is held after
12 grants are first awarded to States for conducting
13 risk-limiting audits under part 8 of subtitle D of
14 title II of the Help America Vote Act of 2002 (as
15 added by subsection (a)) for conducting risk-limiting
16 audits of elections for Federal office, the Comp-
17 troller General of the United States shall conduct an
18 analysis of the extent to which such audits have im-
19 proved the administration of such elections and the
20 security of election infrastructure in the States re-
21 ceiving such grants.

1 (2) REPORT.—The Comptroller General of the
2 United States shall submit a report on the analysis
3 conducted under subsection (a) to the appropriate
4 congressional committees.

5 **SEC. 11. ADDITIONAL APPROPRIATIONS FOR THE ELEC-**
6 **TION ASSISTANCE COMMISSION.**

7 (a) IN GENERAL.—In addition to any funds other-
8 wise appropriated to the Election Assistance Commission
9 for fiscal year 2020, there is authorized to be appropriated
10 \$3,000,000 for fiscal year 2020 in order for the Commis-
11 sion to provide additional assistance and resources to
12 States for improving the administration of elections.

13 (b) AVAILABILITY OF FUNDS.—Amounts appro-
14 priated pursuant to the authorization under this sub-
15 section shall remain available without fiscal year limita-
16 tion.

17 **SEC. 12. DEFINITION.**

18 (a) DEFINITION OF ELECTION FOR FEDERAL OF-
19 FICE.—Title IX of the Help America Vote Act of 2002
20 (52 U.S.C. 21141 et seq.) is amended by adding at the
21 end the following new section:

22 **“SEC. 907. ELECTION FOR FEDERAL OFFICE DEFINED.**

23 “For purposes of titles I through III, the term ‘elec-
24 tion for Federal office’ means a general, special, primary,
25 or runoff election for the office of President or Vice Presi-

1 dent, or of Senator or Representative in, or Delegate or
2 Resident Commissioner to, the Congress.”.

3 (b) CLERICAL AMENDMENT.—The table of contents
4 of such Act is amended by adding at the end of the items
5 relating to title IX the following new item:

“Sec. 907. Election for Federal office defined.”.

