

116TH CONGRESS
2D SESSION

H. R. 8092

To amend the Help America Vote Act of 2002 to establish the methods by which individuals may apply for an absentee ballot in elections for Federal office, to permit individuals to cast absentee ballots at polling places and early voting locations on or before the date of the election, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 22, 2020

Ms. JACKSON LEE (for herself, Mrs. LAWRENCE, Mr. RASKIN, Ms. KELLY of Illinois, Ms. BLUNT ROCHESTER, Mr. TONKO, Mr. GARCÍA of Illinois, Mrs. BEATTY, Ms. LEE of California, Ms. FUDGE, Mr. MCNERNEY, Ms. SEWELL of Alabama, Mr. CÁRDENAS, Mr. HASTINGS, Mr. COHEN, Ms. NORTON, Ms. KAPTUR, Mr. KHANNA, Mr. MFUME, Ms. SHERRILL, Ms. TLAIB, Mr. CUELLAR, and Mr. NEGUSE) introduced the following bill; which was referred to the Committee on House Administration, and in addition to the Committee on Oversight and Reform, 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 the methods by which individuals may apply for an absentee ballot in elections for Federal office, to permit individuals to cast absentee ballots at polling places and early voting locations on or before the date of the election, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; FINDINGS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the
5 “Protecting Democracy by Securing the Right To Vote by
6 Mail Act”.

7 (b) **FINDINGS.**—Congress finds the following:

8 (1) The freedoms of the press and of speech
9 guaranteed in the First Amendment to the Constitu-
10 tion and the establishment of a national postal sys-
11 tem, an authority vested by the Constitution in the
12 Congress in article I, section 8, clause 7, are indis-
13 pensable features of a strong and stable democracy.

14 (2) A national postal system to collect and dis-
15 tribute mail efficiently, affordably, reliably, and
16 without regard to the sender’s or recipient’s race,
17 creed, color, national origin, religion, region of resi-
18 dence, or political affiliation strengthens and for-
19 tifies democracy by enabling all persons to commu-
20 nicate with any or all other Americans.

21 (3) A functioning and effective national postal
22 system strengthens the economy by facilitating the
23 efficient delivery of goods and services, promotes the
24 public health by facilitating the timely delivery of
25 needed medical supplies and prescription drugs to

1 senior citizens and veterans, and enriches civil soci-
2 ety by facilitating the delivery of letters of greetings,
3 sympathy, congratulations, and love, thus strength-
4 ening the mystic bonds of affection of Americans for
5 each other and for the United States.

6 **SEC. 2. RULES FOR TREATMENT OF ABSENTEE BALLOTS.**

7 (a) IN GENERAL.—Title III of the Help America
8 Vote Act of 2002 (52 U.S.C. 21081 et seq.) is amended
9 by inserting after section 303 the following new section:
10 **“SEC. 303A. RULES FOR TREATMENT OF ABSENTEE BAL-**
11 **LOTS.**

12 “(a) METHODS FOR REQUESTING BALLOT.—In addi-
13 tion to such other methods as the State may establish for
14 an individual to request an absentee ballot, the State shall
15 permit an individual to submit a request for an absentee
16 ballot through the internet or mobile application and by
17 telephone. The State shall be considered to meet the re-
18 quirements of this paragraph if the website of the appro-
19 priate State or local election official allows an absentee
20 ballot request application to be completed and submitted
21 online and if the website permits the individual—

22 “(1) to print the application so that the indi-
23 vidual may complete the application and return it to
24 the official; or

1 “(2) to request that a paper copy of the appli-
2 cation be transmitted to the individual by mail or
3 electronic mail so that the individual may complete
4 the application and return it to the official.

5 “(b) METHODS FOR RETURNING BALLOTS.—In addi-
6 tion to permitting an individual to whom an absentee bal-
7 lot in an election was provided to return the ballot to an
8 election official by mail, the State shall permit the indi-
9 vidual to cast the ballot by delivering the ballot at such
10 times and to such locations as the State may establish,
11 including—

12 “(1) permitting the individual to deliver the bal-
13 lot to a polling place on any date on which voting
14 in the election is held at the polling place; and

15 “(2) permitting the individual to deliver the bal-
16 lot to a designated ballot drop-off location.

17 “(c) DEADLINE FOR ACCEPTANCE OF BALLOTS.—A
18 State may not refuse to accept or process an absentee bal-
19 lot submitted by an individual by mail with respect to an
20 election for Federal office in the State on the grounds that
21 the individual did not meet a deadline for returning the
22 ballot to the appropriate State or local election official if—

23 “(1) the ballot is postmarked, signed, or other-
24 wise indicated by the United States Postal Service to

1 have been mailed on or before the date of the elec-
2 tion; and

3 “(2) the ballot is received by the appropriate
4 election official prior to the expiration of the 10-day
5 period (excluding Saturdays, Sundays, and legal
6 public holidays) which begins on the date of the elec-
7 tion.”.

8 (b) CONFORMING AMENDMENT RELATING TO EN-
9 FORCEMENT.—Section 401 of such Act (52 U.S.C. 21111)
10 is amended by striking “and 303” and inserting “303, and
11 303A”.

12 (c) CLERICAL AMENDMENT.—The table of contents
13 of such Act is amended by inserting after the item relating
14 to section 303 the following new item:

“Sec. 303A. Rules for treatment of absentee ballots.”.

15 **SEC. 3. GAO REPORT ON POSTAL SERVICE.**

16 Not later than 260 days after the date of enactment
17 of this Act, the Comptroller General shall submit a report
18 to Congress on the critical need for a fully staffed and
19 fully operational United States Postal Service to carry out
20 elections, domestic and international commerce, and pro-
21 tection of constitutional rights including the First Amend-
22 ment rights of freedom of speech, assembly, press, and
23 religion. The report shall include—

24 (1) a review of the current level of Postal Serv-
25 ice staffing, funding, equipment, technology, vehi-

1 cles, training, compensation, recruitment and reten-
2 tion, diversity, and opportunities provided to workers
3 for advancement and stable work, as well as com-
4 petitive income; and

5 (2) recommendations on how the Postal Service
6 may be improved to provide low-cost and efficient
7 postal delivery services 6 days a week to every gov-
8 ernment, residential, and business address.

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