

117TH CONGRESS
1ST SESSION

S. 954

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

IN THE SENATE OF THE UNITED STATES

MARCH 24, 2021

Mrs. GILLIBRAND (for herself and Mr. WARNOCK) introduced the following bill; which was read twice and referred to the Committee on Rules and Administration

A BILL

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

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

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

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

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

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

6 (2) the integrity, security, and accountability of
 7 the voting process must be vigilantly protected,
 8 maintained, and enhanced in order to protect and
 9 preserve electoral and participatory democracy in the
 10 United States.

11 **SEC. 2. TABLE OF CONTENTS.**

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

- Sec. 1. Short title; statement of policy.
- Sec. 2. Table of contents.

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- Sec. 111. Short title; findings and purpose.
- Sec. 112. Automatic registration of eligible individuals.
- Sec. 113. Contributing agency assistance in registration.
- Sec. 114. One-time contributing agency assistance in registration of eligible voters in existing records.
- Sec. 115. Voter protection and security in automatic registration.
- Sec. 116. Registration portability and correction.
- Sec. 117. Payments and grants.

- Sec. 118. Treatment of exempt States.
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Subtitle C—Same Day Voter Registration

- Sec. 131. Same day registration.

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

- Sec. 141. Conditions on removal of registrants from official list of eligible voters on basis of interstate cross-checks.

Subtitle E—Other Initiatives To Promote Voter Registration

- Sec. 151. Biennial reports on voter registration statistics.
- Sec. 152. Ensuring pre-election registration deadlines are consistent with timing of legal public holidays.
- Sec. 153. Use of Postal Service hard copy change of address form to remind individuals to update voter registration.
- Sec. 154. Grants to States for activities to encourage involvement of minors in election activities.

Subtitle F—Availability of HAVA Requirements Payments

- Sec. 161. Availability of requirements payments under HAVA to cover costs of compliance with new requirements.

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Subtitle I—Providing Voter Registration Information to Secondary School Students

- Sec. 191. Pilot program for providing voter registration information to secondary school students prior to graduation.
- Sec. 192. Reports.
- Sec. 193. Authorization of appropriations.

Subtitle J—Voter Registration of Minors

- Sec. 194. Acceptance of voter registration applications from individuals under 18 years of age.

TITLE II—ACCESS TO VOTING FOR INDIVIDUALS WITH DISABILITIES

- Sec. 201. Requirements for States to promote access to voter registration and voting for individuals with disabilities.
- Sec. 202. Establishment and maintenance of State accessible election websites.
- Sec. 203. Protections for in-person voting for individuals with disabilities and older individuals.
- Sec. 204. Protections for individuals subject to guardianship.
- Sec. 205. Expansion and reauthorization of grant program to assure voting access for individuals with disabilities.
- Sec. 206. Appointments to EAC Board of Advisors.
- Sec. 207. Funding for protection and advocacy systems.
- Sec. 208. Pilot programs for enabling individuals with disabilities to register to vote privately and independently at residences.
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TITLE III—PROHIBITING VOTER CAGING

- Sec. 301. Voter caging and other questionable challenges prohibited.
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- Sec. 401. Short title.
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- Sec. 601. Short title.
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TITLE VII—PROVISIONAL BALLOTS

- Sec. 701. Requirements for counting provisional ballots; establishment of uniform and nondiscriminatory standards.

TITLE VIII—EARLY VOTING

Sec. 801. Early voting.

TITLE IX—VOTING BY MAIL

Sec. 901. Voting by mail.

Sec. 902. Absentee ballot tracking program.

Sec. 903. Election mail and delivery improvements.

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TITLE X—ABSENT UNIFORMED SERVICES VOTERS AND OVERSEAS VOTERS

Sec. 1001. Pre-election reports on availability and transmission of absentee ballots.

Sec. 1002. Enforcement.

Sec. 1003. Revisions to 45-day absentee ballot transmission rule.

Sec. 1004. Use of single absentee ballot application for subsequent elections.

Sec. 1005. Extending guarantee of residency for voting purposes to family members of absent military personnel.

Sec. 1006. Requiring transmission of blank absentee ballots under UOCAVA to certain voters.

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TITLE XI—POLL WORKER RECRUITMENT AND TRAINING

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Sec. 1403. Permitting use of sworn written statement to meet identification requirements for voting.

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Sec. 1406. Requiring States to provide secured drop boxes for voted absentee ballots in elections for Federal office.

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- Sec. 1421. Reauthorization of Election Assistance Commission.
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 of funds transferred from Election Assistance Commission.
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 Commission.
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 government contracting requirements.

Subtitle D—Miscellaneous Provisions

- Sec. 1431. Application of laws to Commonwealth of Northern Mariana Islands.
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TITLE XV—SEVERABILITY

- Sec. 1501. Severability.

1 **TITLE I—VOTER REGISTRATION**
 2 **MODERNIZATION**

3 **SEC. 100. SHORT TITLE.**

4 This title may be cited as the “Voter Registration
 5 Modernization Act of 2021”.

6 **Subtitle A—Promoting Internet**
 7 **Registration**

8 **SEC. 101. REQUIRING AVAILABILITY OF INTERNET FOR**
 9 **VOTER REGISTRATION.**

10 (a) **REQUIRING AVAILABILITY OF INTERNET FOR**
 11 **REGISTRATION.**—The National Voter Registration Act of
 12 1993 (52 U.S.C. 20501 et seq.) is amended by inserting
 13 after section 6 the following new section:

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

15 **“(a) REQUIRING AVAILABILITY OF INTERNET FOR**
 16 **ONLINE REGISTRATION.**—Each State, acting through the
 17 chief State election official, shall ensure that the following

1 services are available to the public at any time on the offi-
2 cial public websites of the appropriate State and local elec-
3 tion officials in the State, in the same manner and subject
4 to the same terms and conditions as the services provided
5 by voter registration agencies under section 7(a):

6 “(1) Online application for voter registration.

7 “(2) Online assistance to applicants in applying
8 to register to vote.

9 “(3) Online completion and submission by ap-
10 plicants of the mail voter registration application
11 form prescribed by the Election Assistance Commis-
12 sion pursuant to section 9(a)(2), including assist-
13 ance with providing a signature as required under
14 subsection (c).

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

17 “(b) ACCEPTANCE OF COMPLETED APPLICATIONS.—

18 A State shall accept an online voter registration applica-
19 tion provided by an individual under this section, and en-
20 sure that the individual is registered to vote in the State,
21 if—

22 “(1) the individual meets the same voter reg-
23 istration requirements applicable to individuals who
24 register to vote by mail in accordance with section
25 6(a)(1) using the mail voter registration application

1 form prescribed by the Election Assistance Commis-
2 sion pursuant to section 9(a)(2); and

3 “(2) the individual meets the requirements of
4 subsection (c) to provide a signature in electronic
5 form (but only in the case of applications submitted
6 during or after the second year in which this section
7 is in effect in the State).

8 “(c) SIGNATURE REQUIREMENTS.—

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

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

19 “(B) If subparagraph (A) does not apply,
20 the individual submits with the application an
21 electronic copy of the individual’s handwritten
22 signature through electronic means.

23 “(C) If subparagraph (A) and subpara-
24 graph (B) do not apply, the individual executes
25 a computerized mark in the signature field on

1 an online voter registration application, in ac-
2 cordance with reasonable security measures es-
3 tablished by the State, but only if the State ac-
4 cepts such mark from the individual.

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

9 “(A) permit the individual to complete all
10 other elements of the online voter registration
11 application;

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

17 “(C) if the individual carries out the steps
18 described in subparagraph (A) and subpara-
19 graph (B), ensure that the individual is reg-
20 istered to vote in the State.

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

1 “(d) CONFIRMATION AND DISPOSITION.—

2 “(1) CONFIRMATION OF RECEIPT.—

3 “(A) IN GENERAL.—Upon the online sub-
4 mission of a completed voter registration appli-
5 cation by an individual under this section, the
6 appropriate State or local election official shall
7 provide the individual a notice confirming the
8 State’s receipt of the application and providing
9 instructions on how the individual may check
10 the status of the application.

11 “(B) METHOD OF NOTIFICATION.—The
12 appropriate State or local election official shall
13 provide the notice required under subparagraph
14 (A) though the online submission process and—

15 “(i) in the case of an individual who
16 has provided the official with an electronic
17 mail address, by electronic mail; and

18 “(ii) at the option of the individual,
19 by text message.

20 “(2) NOTICE OF DISPOSITION.—

21 “(A) IN GENERAL.—Not later than 7 days
22 after the appropriate State or local election offi-
23 cial has approved or rejected an application
24 submitted by an individual under this section,

1 the official shall provide the individual a notice
2 of the disposition of the application.

3 “(B) METHOD OF NOTIFICATION.—The
4 appropriate State or local election official shall
5 provide the notice required under subparagraph
6 (A) by regular mail and—

7 “(i) in the case of an individual who
8 has provided the official with an electronic
9 mail address, by electronic mail; and

10 “(ii) at the option of the individual,
11 by text message.

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

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

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

24 “(f) PROTECTION OF SECURITY OF INFORMATION.—
25 In meeting the requirements of this section, the State shall

1 establish appropriate technological security measures to
2 prevent to the greatest extent practicable any unauthor-
3 ized access to information provided by individuals using
4 the services made available under subsection (a).

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

10 “(h) NONDISCRIMINATION AMONG REGISTERED
11 VOTERS USING MAIL AND ONLINE REGISTRATION.—In
12 carrying out this Act, the Help America Vote Act of 2002,
13 or any other Federal, State, or local law governing the
14 treatment of registered voters in the State or the adminis-
15 tration of elections for public office in the State, a State
16 shall treat a registered voter who registered to vote online
17 in accordance with this section in the same manner as the
18 State treats a registered voter who registered to vote by
19 mail.”.

20 (b) SPECIAL REQUIREMENTS FOR INDIVIDUALS
21 USING ONLINE REGISTRATION.—

22 (1) TREATMENT AS INDIVIDUALS REGISTERING
23 TO VOTE BY MAIL FOR PURPOSES OF FIRST-TIME
24 VOTER IDENTIFICATION REQUIREMENTS.—Section
25 303(b)(1)(A) of the Help America Vote Act of 2002

1 (52 U.S.C. 21083(b)(1)(A)) is amended by striking
2 “by mail” and inserting “by mail or online under
3 section 6A of the National Voter Registration Act of
4 1993”.

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

8 (A) by redesignating paragraph (5) as
9 paragraph (6); and

10 (B) by inserting after paragraph (4) the
11 following new paragraph:

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

14 “(A) IN GENERAL.—A State shall, in a
15 uniform and nondiscriminatory manner, require
16 an individual to meet the requirements of sub-
17 paragraph (B) if—

18 “(i) the individual registered to vote
19 in the State online under section 6A of the
20 National Voter Registration Act of 1993;
21 and

22 “(ii) the individual has not previously
23 voted in an election for Federal office in
24 the State.

1 “(B) REQUIREMENTS.—An individual
2 meets the requirements of this subparagraph
3 if—

4 “(i) in the case of an individual who
5 votes in person, the individual provides the
6 appropriate State or local election official
7 with a handwritten signature; or

8 “(ii) in the case of an individual who
9 votes by mail, the individual submits with
10 the ballot a handwritten signature.

11 “(C) INAPPLICABILITY.—Subparagraph
12 (A) does not apply in the case of an individual
13 who is—

14 “(i) entitled to vote by absentee ballot
15 under the Uniformed and Overseas Citi-
16 zens Absentee Voting Act (52 U.S.C.
17 20302 et seq.);

18 “(ii) provided the right to vote other-
19 wise than in person under section
20 3(b)(2)(B)(ii) of the Voting Accessibility
21 for the Elderly and Handicapped Act (52
22 U.S.C. 20102(b)(2)(B)(ii)); or

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

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

6 (c) CONFORMING AMENDMENTS.—

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

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

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

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

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

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

5 **SEC. 102. USE OF INTERNET TO UPDATE REGISTRATION IN-**
 6 **FORMATION.**

7 (a) IN GENERAL.—

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

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

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

1 same manner required under section 6A(c) of
2 the National Voter Registration Act of 1993.

3 “(B) PROCESSING OF UPDATED INFORMA-
4 TION BY ELECTION OFFICIALS.—If a registered
5 voter updates registration information under
6 subparagraph (A), the appropriate State or
7 local election official shall—

8 “(i) revise any information on the
9 computerized list to reflect the update
10 made by the voter; and

11 “(ii) if the updated registration infor-
12 mation affects the voter’s eligibility to vote
13 in an election for Federal office, ensure
14 that the information is processed with re-
15 spect to the election if the voter updates
16 the information not later than the lesser of
17 7 days, or the period provided by State
18 law, before the date of the election.

19 “(C) CONFIRMATION AND DISPOSITION.—

20 “(i) CONFIRMATION OF RECEIPT.—
21 Upon the online submission of updated
22 registration information by an individual
23 under this paragraph, the appropriate
24 State or local election official shall send
25 the individual a notice confirming the

1 State’s receipt of the updated information
2 and providing instructions on how the indi-
3 vidual may check the status of the update.

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

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

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

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

22 (2) CONFORMING AMENDMENT RELATING TO
23 EFFECTIVE DATE.—Section 303(d)(1)(A) of such
24 Act (52 U.S.C. 21083(d)(1)(A)) is amended by

1 striking “subparagraph (B)” and inserting “sub-
 2 paragraph (B) and subsection (a)(6)”.

3 (b) ABILITY OF REGISTRANT TO USE ONLINE UP-
 4 DATE TO PROVIDE INFORMATION ON RESIDENCE.—Sec-
 5 tion 8(d)(2)(A) of the National Voter Registration Act of
 6 1993 (52 U.S.C. 20507(d)(2)(A)) is amended—

7 (1) in the first sentence, by inserting after “re-
 8 turn the card” the following: “or update the reg-
 9 istrant’s information on the computerized Statewide
 10 voter registration list using the online method pro-
 11 vided under section 303(a)(6) of the Help America
 12 Vote Act of 2002”; and

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

18 **SEC. 103. PROVISION OF ELECTION INFORMATION BY**
 19 **ELECTRONIC MAIL TO INDIVIDUALS REG-**
 20 **ISTERED TO VOTE.**

21 (a) INCLUDING OPTION ON VOTER REGISTRATION
 22 APPLICATION TO PROVIDE EMAIL ADDRESS AND RE-
 23 CEIVE INFORMATION.—

1 (1) IN GENERAL.—Section 9(b) of the National
2 Voter Registration Act of 1993 (52 U.S.C.
3 20508(b)) is amended—

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

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

8 (C) by adding at the end the following new
9 paragraph:

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

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

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

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

16 “(3) PROVISION OF OTHER INFORMATION BY
17 ELECTRONIC MAIL.—If an individual who is a reg-
18 istered voter has provided the State or local election
19 official with an electronic mail address for the pur-
20 pose of receiving voting information (as described in
21 section 9(b)(5) of the National Voter Registration
22 Act of 1993), the appropriate State or local election
23 official, through electronic mail transmitted not later
24 than 7 days before the date of the election for Fed-
25 eral office involved, shall provide the individual with

1 information on how to obtain the following informa-
 2 tion by electronic means:

3 “(A) The name and address of the polling
 4 place at which the individual is assigned to vote
 5 in the election.

6 “(B) The hours of operation for the polling
 7 place.

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

11 **SEC. 104. CLARIFICATION OF REQUIREMENT REGARDING**
 12 **NECESSARY INFORMATION TO SHOW ELIGI-**
 13 **BILITY TO VOTE.**

14 Section 8 of the National Voter Registration Act of
 15 1993 (52 U.S.C. 20507) is amended—

16 (1) by redesignating subsection (j) as sub-
 17 section (k); and

18 (2) by inserting after subsection (i) the fol-
 19 lowing new subsection:

20 “(j) REQUIREMENT FOR STATE TO REGISTER APPLI-
 21 CANTS PROVIDING NECESSARY INFORMATION TO SHOW
 22 ELIGIBILITY TO VOTE.—For purposes meeting the re-
 23 quirement of subsection (a)(1) that an eligible applicant
 24 is registered to vote in an election for Federal office within
 25 the deadlines required under such subsection, the State

1 shall consider an applicant to have provided a ‘valid voter
2 registration form’ if—

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

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

10 **SEC. 105. PROHIBITING STATE FROM REQUIRING APPLI-**
11 **CANTS TO PROVIDE MORE THAN LAST 4 DIG-**
12 **ITS OF SOCIAL SECURITY NUMBER.**

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

22 (b) NATIONAL MAIL VOTER REGISTRATION FORM.—
23 Section 9(b)(1) of such Act (52 U.S.C. 20508(b)(1)) is
24 amended by striking the semicolon at the end and insert-
25 ing the following: “, and to the extent that the form re-

1 quires the applicant to provide a Social Security number,
2 the form may not require the applicant to provide more
3 than the last 4 digits of such number;”.

4 **SEC. 106. APPLICATION OF RULES TO CERTAIN EXEMPT**
5 **STATES.**

6 Section 4 of the National Voter Registration Act of
7 1993 (52 U.S.C. 20503) is amended by adding at the end
8 the following new subsection:

9 “(c) APPLICATION OF INTERNET VOTER REGISTRA-
10 TION RULES.—Notwithstanding subsection (b), the fol-
11 lowing provisions shall apply to a State described in para-
12 graph (2) thereof:

13 “(1) Section 6A (as added by section 1001(a)
14 of the Voter Registration Modernization Act of
15 2021).

16 “(2) Section 8(a)(1)(D) (as added by section
17 1001(e)(1) of the Voter Registration Modernization
18 Act of 2021).

19 “(3) Section 8(a)(5) (as amended by section
20 1001(e)(2) of Voter Registration Modernization Act
21 of 2021), but only to the extent such provision re-
22 lates to section 6A.

23 “(4) Section 8(j) (as added by section 1004 of
24 the Voter Registration Modernization Act of 2021),

1 but only to the extent such provision relates to sec-
2 tion 6A.”.

3 **SEC. 107. EFFECTIVE DATE.**

4 (a) IN GENERAL.—Except as provided in subsection
5 (b), the amendments made by this subtitle (other than the
6 amendments made by section 104) shall take effect Janu-
7 ary 1, 2022.

8 (b) WAIVER.—Subject to the approval of the Election
9 Assistance Commission, if a State certifies to the Election
10 Assistance Commission that the State will not meet the
11 deadline referred to in subsection (a) because of extraor-
12 dinary circumstances and includes in the certification the
13 reasons for the failure to meet the deadline, subsection
14 (a) shall apply to the State as if the reference in such
15 subsection to “January 1, 2022” were a reference to
16 “January 1, 2024”.

17 **Subtitle B—Automatic Voter**
18 **Registration**

19 **SEC. 111. SHORT TITLE; FINDINGS AND PURPOSE.**

20 (a) SHORT TITLE.—This subtitle may be cited as the
21 “Automatic Voter Registration Act of 2021”.

22 (b) FINDINGS AND PURPOSE.—

23 (1) FINDINGS.—Congress finds that—

24 (A) the right to vote is a fundamental
25 right of citizens of the United States;

1 (B) it is the responsibility of the State and
2 Federal Governments to ensure that every eligi-
3 ble citizen is registered to vote;

4 (C) existing voter registration systems can
5 be inaccurate, costly, inaccessible and con-
6 fusing, with damaging effects on voter partici-
7 pation in elections for Federal office and dis-
8 proportionate impacts on young people, persons
9 with disabilities, and racial and ethnic minori-
10 ties; and

11 (D) voter registration systems must be up-
12 dated with 21st century technologies and proce-
13 dures to maintain their security.

14 (2) PURPOSE.—It is the purpose of this sub-
15 title—

16 (A) to establish that it is the responsibility
17 of government at every level to ensure that all
18 eligible citizens are registered to vote in elec-
19 tions for Federal office;

20 (B) to enable the State and Federal Gov-
21 ernments to register all eligible citizens to vote
22 with accurate, cost-efficient, and up-to-date pro-
23 cedures;

1 (C) to modernize voter registration and list
2 maintenance procedures with electronic and
3 internet capabilities; and

4 (D) to protect and enhance the integrity,
5 accuracy, efficiency, and accessibility of the
6 electoral process for all eligible citizens.

7 **SEC. 112. AUTOMATIC REGISTRATION OF ELIGIBLE INDI-**
8 **VIDUALS.**

9 (a) **REQUIRING STATES TO ESTABLISH AND OPER-**
10 **ATE AUTOMATIC REGISTRATION SYSTEM.—**

11 (1) **IN GENERAL.—**The chief State election offi-
12 cial of each State shall establish and operate a sys-
13 tem of automatic registration for the registration of
14 eligible individuals to vote for elections for Federal
15 office in the State, in accordance with the provisions
16 of this subtitle.

17 (2) **DEFINITION.—**The term “automatic reg-
18 istration” means a system that registers an indi-
19 vidual to vote in elections for Federal office in a
20 State, if eligible, by electronically transferring the
21 information necessary for registration from govern-
22 ment agencies to election officials of the State so
23 that, unless the individual affirmatively declines to
24 be registered, the individual will be registered to vote
25 in such elections.

1 (b) REGISTRATION OF VOTERS BASED ON NEW
2 AGENCY RECORDS.—The chief State election official
3 shall—

4 (1) not later than 15 days after a contributing
5 agency has transmitted information with respect to
6 an individual pursuant to section 113, ensure that
7 the individual is registered to vote in elections for
8 Federal office in the State if the individual is eligible
9 to be registered to vote in such elections; and

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

16 (c) ONE-TIME REGISTRATION OF VOTERS BASED ON
17 EXISTING CONTRIBUTING AGENCY RECORDS.—The chief
18 State election official shall—

19 (1) identify all individuals whose information is
20 transmitted by a contributing agency pursuant to
21 section 114 and who are eligible to be, but are not
22 currently, registered to vote in that State;

23 (2) promptly send each such individual written
24 notice, in addition to other means of notice estab-
25 lished by this subtitle, which shall not identify the

1 contributing agency that transmitted the informa-
2 tion but shall include—

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

7 (B) a statement offering the opportunity to
8 decline voter registration through means con-
9 sistent with the requirements of this subtitle;

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

19 (D) the substantive qualifications of an
20 elector in the State as listed in the mail voter
21 registration application form for elections for
22 Federal office prescribed pursuant to section 9
23 of the National Voter Registration Act of 1993,
24 the consequences of false registration, and a
25 statement that the individual should decline to

1 register if the individual does not meet all those
2 qualifications;

3 (E) instructions for correcting any erro-
4 neous information; and

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

11 (3) ensure that each such individual who is eli-
12 gible to register to vote in elections for Federal of-
13 fice in the State is promptly registered to vote not
14 later than 45 days after the official sends the indi-
15 vidual the written notice under paragraph (2), un-
16 less, during the 30-day period which begins on the
17 date the election official sends the individual such
18 written notice, the individual declines registration in
19 writing, through a communication made over the
20 internet, or by an officially-logged telephone commu-
21 nication; and

22 (4) send written notice to each such individual,
23 in addition to other means of notice established by
24 this subtitle, of the individual's voter registration
25 status.

1 (d) TREATMENT OF INDIVIDUALS UNDER 18 YEARS
 2 OF AGE.—A State may not refuse to treat an individual
 3 as an eligible individual for purposes of this subtitle on
 4 the grounds that the individual is less than 18 years of
 5 age at the time a contributing agency receives information
 6 with respect to the individual, so long as the individual
 7 is at least 16 years of age at such time. Nothing in the
 8 previous sentence may be construed to require a State to
 9 permit an individual who is under 18 years of age at the
 10 time of an election for Federal office to vote in the elec-
 11 tion.

12 (e) CONTRIBUTING AGENCY DEFINED.—In this sub-
 13 title, the term “contributing agency” means, with respect
 14 to a State, an agency listed in section 113(e).

15 **SEC. 113. CONTRIBUTING AGENCY ASSISTANCE IN REG-**
 16 **ISTRATION.**

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

21 (b) REQUIREMENTS FOR CONTRIBUTING AGEN-
 22 CIES.—

23 (1) INSTRUCTIONS ON AUTOMATIC REGISTRA-
 24 TION.—Except as otherwise provided in this section,
 25 with each application for service or assistance, and

1 with each related recertification, renewal, or change
2 of address, or, in the case of a covered institution
3 of higher education, upon initial enrollment of an in-
4 State student, each contributing agency (other than
5 a contributing agency described in subsection
6 (e)(1)(B)(ii)) that (in the normal course of its oper-
7 ations) requests individuals to affirm United States
8 citizenship (either directly or as part of the overall
9 application for service or assistance or enrollment)
10 shall inform each such individual who is a citizen of
11 the United States of the following:

12 (A) Unless that individual declines to reg-
13 ister to vote, or is found ineligible to vote, the
14 individual will be registered to vote or, if appli-
15 cable, the individual's registration will be up-
16 dated.

17 (B) The substantive qualifications of an
18 elector in the State as listed in the mail voter
19 registration application form for elections for
20 Federal office prescribed pursuant to section 9
21 of the National Voter Registration Act of 1993,
22 the consequences of false registration, and the
23 individual should decline to register if the indi-
24 vidual does not meet all those qualifications.

1 (C) In the case of a State in which affili-
2 ation or enrollment with a political party is re-
3 quired in order to participate in an election to
4 select the party's candidate in an election for
5 Federal office, the requirement that the indi-
6 vidual must affiliate or enroll with a political
7 party in order to participate in such an election.

8 (D) Voter registration is voluntary, and
9 neither registering nor declining to register to
10 vote will in any way affect the availability of
11 services or benefits, nor be used for other pur-
12 poses.

13 (2) OPPORTUNITY TO DECLINE REGISTRATION
14 REQUIRED.—Except as otherwise provided in this
15 section, each contributing agency shall ensure that
16 each application for service or assistance, and each
17 related recertification, renewal, or change of address,
18 cannot be completed until the individual is given the
19 opportunity to decline to be registered to vote.

20 (3) INFORMATION TRANSMITTAL.—Upon the
21 expiration of the 30-day period which begins on the
22 date a contributing agency as described in para-
23 graph (1) informs an individual of the information
24 described in such paragraph, unless the individual
25 has declined to be registered to vote or informs the

1 agency that they are already registered to vote, each
2 contributing agency shall electronically transmit to
3 the appropriate State election official, in a format
4 compatible with the statewide voter database main-
5 tained under section 303 of the Help America Vote
6 Act of 2002 (52 U.S.C. 21083), the following infor-
7 mation:

8 (A) The individual's given name(s) and
9 surname(s).

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

11 (C) The individual's residential address.

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

14 (E) The date on which information per-
15 taining to that individual was collected or last
16 updated.

17 (F) If available, the individual's signature
18 in electronic form.

19 (G) Except in the case in which the con-
20 tributing agency is a covered institution of
21 higher education, in the case of a State in
22 which affiliation or enrollment with a political
23 party is required in order to participate in an
24 election to select the party's candidate in an
25 election for Federal office, information regard-

1 ing the individual’s affiliation or enrollment
2 with a political party, but only if the individual
3 provides such information.

4 (H) Any additional information listed in
5 the mail voter registration application form for
6 elections for Federal office prescribed pursuant
7 to section 9 of the National Voter Registration
8 Act of 1993, including any valid driver’s license
9 number or the last 4 digits of the individual’s
10 Social Security number, if the individual pro-
11 vided such information.

12 (c) ALTERNATE PROCEDURE FOR CERTAIN CON-
13 TRIBUTING AGENCIES.—

14 (1) IN GENERAL.—With each application for
15 service or assistance, and with each related recertifi-
16 cation, renewal, or change of address, a contributing
17 agency described in paragraph (2) shall—

18 (A) complete the requirements of section
19 7(a)(6) of the National Voter Registration Act
20 of 1993 (52 U.S.C. 20506(a)(6));

21 (B) ensure that each applicant’s trans-
22 action with the agency cannot be completed
23 until the applicant has indicated whether the
24 applicant wishes to register to vote or declines

1 to register to vote in elections for Federal office
2 held in the State; and

3 (C) for each individual who wishes to reg-
4 ister to vote, transmit that individual's informa-
5 tion in accordance with subsection (b)(3).

6 (2) CONTRIBUTING AGENCIES DESCRIBED.—
7 The following contributing agencies are described in
8 this paragraph:

9 (A) Any contributing agency (other than a
10 contributing agency that is a covered institution
11 of higher education) that in the normal course
12 of its operations does not request individuals
13 applying for service or assistance to affirm
14 United States citizenship (either directly or as
15 part of the overall application for service or as-
16 sistance).

17 (B) A contributing agency described in
18 subsection (e)(1)(B)(ii).

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

1 dent, the opportunity to register to vote as prescribed by
2 this section without regard to whether the individual pre-
3 viously declined a registration opportunity.

4 (e) CONTRIBUTING AGENCIES.—

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

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

14 (B) Each agency in a State that admin-
15 isters a program pursuant to—

16 (i) title III of the Social Security Act
17 (42 U.S.C. 501 et seq.);

18 (ii) title XIX of the Social Security
19 Act (42 U.S.C. 1396 et seq.); or

20 (iii) the Patient Protection and Af-
21 fordable Care Act (Public Law 111–148).

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

1 (D) Each State agency primarily respon-
2 sible for maintaining identifying information for
3 students enrolled at public secondary schools,
4 including, where applicable, the State agency
5 responsible for maintaining the education data
6 system described in section 6201(e)(2) of the
7 America COMPETES Act (20 U.S.C.
8 9871(e)(2)).

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

17 (F) Any other agency of the State which is
18 designated by the State as a contributing agen-
19 cy.

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

1 (A) The Social Security Administration,
2 the Department of Veterans Affairs, the De-
3 fense Manpower Data Center of the Depart-
4 ment of Defense, the Employee and Training
5 Administration of the Department of Labor,
6 and the Center for Medicare & Medicaid Serv-
7 ices of the Department of Health and Human
8 Services.

9 (B) The Bureau of Citizenship and Immi-
10 gration Services, but only with respect to indi-
11 viduals who have completed the naturalization
12 process.

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

1 (D) Any other agency of the Federal gov-
2 ernment which the State designates as a con-
3 tributing agency, but only if the State and the
4 head of the agency determine that the agency
5 collects information sufficient to carry out the
6 responsibilities of a contributing agency under
7 this section.

8 (3) INSTITUTIONS OF HIGHER EDUCATION.—

9 (A) IN GENERAL.—Each covered institu-
10 tion of higher education shall be treated as a
11 contributing agency in the State in which the
12 institution is located with respect to in-State
13 students.

14 (B) PROCEDURES FOR INSTITUTIONS OF
15 HIGHER EDUCATION.—Notwithstanding section
16 444 of the General Education Provisions Act
17 (20 U.S.C. 1232g; commonly referred to as the
18 “Family Educational Rights and Privacy Act of
19 1974”) or any other provision of law, each cov-
20 ered institution of higher education shall com-
21 ply with the requirements of subsection (b) with
22 respect to each in-State student. In complying
23 with such requirements, an institution of higher
24 education—

1 (i) may use information provided in
2 the Free Application for Federal Student
3 Aid described in section 483 of the Higher
4 Education Act of 1965 (20 U.S.C.1090) to
5 collect information described in paragraph
6 (3) of such subsection (b) for purposes of
7 transmitting such information to the ap-
8 propriate State election official pursuant to
9 such paragraph;

10 (ii) shall not be required to prevent or
11 delay students from enrolling in a course
12 of study or otherwise impede the comple-
13 tion of the enrollment process;

14 (iii) shall not request information on
15 the affiliation or enrollment with a political
16 party of a student in accordance with sub-
17 section (b)(3)(G); and

18 (iv) shall not withhold, delay, or im-
19 pede the provision of Federal financial aid
20 provided under title IV of the Higher Edu-
21 cation Act of 1965 (20 U.S.C. 1070 et
22 seq.).

23 (C) CLARIFICATION.—Nothing in this sub-
24 title shall be construed to require an institution
25 of higher education to request each student af-

1 firm whether or not the student is a United
2 States citizen or otherwise collect information
3 with respect to citizenship.

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

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

15 (6) PERMITTING STATE MEDICAID AGENCIES TO
16 SHARE INFORMATION WITH ELECTION OFFICIALS
17 FOR VOTER REGISTRATION PURPOSES.—Section
18 1902(a)(7)(A) of the Social Security Act (42 U.S.C.
19 1396a(a)(7)(A)) is amended—

20 (A) in clause (i), by striking “; and” and
21 inserting a semicolon; and

22 (B) by adding at the end the following new
23 clause:

24 “(iii) the provision to an appropriate
25 State election official, in accordance with

1 subsection (c) of section 113 of the Auto-
2 matic Voter Registration Act of 2021, of
3 information described in subsection (b)(3)
4 of such section with respect to an applicant
5 or recipient; and”.

6 (f) DEFINITIONS.—In this section:

7 (1) COVERED INSTITUTION OF HIGHER EDU-
8 CATION.—The term “covered institution of higher
9 education” means an institution of higher education
10 that—

11 (A) has a program participation agreement
12 in effect with the Secretary of Education under
13 section 487 of the Higher Education Act of
14 1965 (20 U.S.C. 1094);

15 (B) is located in a State to which section
16 4(b)(1) of the National Voter Registration Act
17 of 1993 (52 U.S.C. 20503(b)(1)) does not
18 apply.

19 (2) IN-STATE STUDENT.—The term “in-State
20 student”—

21 (A) means a student enrolled in a covered
22 institution of higher education who, for pur-
23 poses related to in-State tuition, financial aid
24 eligibility, or other similar purposes, resides in
25 the State; and

1 (B) includes a student described in sub-
2 paragraph (A) who is enrolled in a program of
3 distance education, as defined in section 103 of
4 the Higher Education Act of 1965 (20 U.S.C.
5 1003).

6 **SEC. 114. ONE-TIME CONTRIBUTING AGENCY ASSISTANCE**
7 **IN REGISTRATION OF ELIGIBLE VOTERS IN**
8 **EXISTING RECORDS.**

9 (a) INITIAL TRANSMITTAL OF INFORMATION.—For
10 each individual already listed in a contributing agency’s
11 records as of the date of enactment of this Act, and for
12 whom the agency has the information listed in section
13 113(b)(3), the agency shall promptly transmit that infor-
14 mation to the appropriate State election official in accord-
15 ance with section 113(b)(3) not later than the effective
16 date described in section 121(a).

17 (b) TRANSITION.—For each individual listed in a con-
18 tributing agency’s records as of the effective date de-
19 scribed in section 121(a) (but who was not listed in a con-
20 tributing agency’s records as of the date of enactment of
21 this Act), and for whom the agency has the information
22 listed in section 113(b)(3), the Agency shall promptly
23 transmit that information to the appropriate State election
24 official in accordance with section 113(b)(3) not later than

1 6 months after the effective date described in section
2 121(a).

3 **SEC. 115. VOTER PROTECTION AND SECURITY IN AUTO-**
4 **MATIC REGISTRATION.**

5 (a) PROTECTIONS FOR ERRORS IN REGISTRATION.—

6 An individual shall not be prosecuted under any Federal
7 or State law, adversely affected in any civil adjudication
8 concerning immigration status or naturalization, or sub-
9 ject to an allegation in any legal proceeding that the indi-
10 vidual is not a citizen of the United States on any of the
11 following grounds:

12 (1) The individual notified an election office of
13 the individual's automatic registration to vote under
14 this subtitle.

15 (2) The individual is not eligible to vote in elec-
16 tions for Federal office but was automatically reg-
17 istered to vote under this subtitle.

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

20 (4) The individual declined the opportunity to
21 register to vote or did not make an affirmation of
22 citizenship, including through automatic registration,
23 under this subtitle.

24 (b) LIMITS ON USE OF AUTOMATIC REGISTRA-
25 TION.—The automatic registration of any individual or the

1 fact that an individual declined the opportunity to register
2 to vote or did not make an affirmation of citizenship (in-
3 cluding through automatic registration) under this subtitle
4 may not be used as evidence against that individual in any
5 State or Federal law enforcement proceeding, and an indi-
6 vidual's lack of knowledge or willfulness of such registra-
7 tion may be demonstrated by the individual's testimony
8 alone.

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

13 (1) knowingly and willfully makes a false state-
14 ment to effectuate or perpetuate automatic voter
15 registration by any individual; or

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

18 (d) CONTRIBUTING AGENCIES' PROTECTION OF IN-
19 FORMATION.—Nothing in this subtitle authorizes a con-
20 tributing agency to collect, retain, transmit, or publicly
21 disclose any of the following:

22 (1) An individual's decision to decline to reg-
23 ister to vote or not to register to vote.

24 (2) An individual's decision not to affirm his or
25 her citizenship.

1 (3) Any information that a contributing agency
2 transmits pursuant to section 113(b)(3), except in
3 pursuing the agency's ordinary course of business.

4 (e) ELECTION OFFICIALS' PROTECTION OF INFOR-
5 MATION.—

6 (1) PUBLIC DISCLOSURE PROHIBITED.—

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

13 (i) The identity of the contributing
14 agency.

15 (ii) Any information not necessary to
16 voter registration.

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

22 (iv) Any portion of the individual's
23 Social Security number.

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

1 (vi) The individual's signature.

2 (vii) The individual's telephone num-
3 ber.

4 (viii) The individual's email address.

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

13 (i) The identity of the contributing
14 agency.

15 (ii) Any information not necessary to
16 voter registration.

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

22 (iv) Any portion of the individual's
23 Social Security number.

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

1 (vi) The individual's signature.

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

9 (3) DATABASE MANAGEMENT STANDARDS.—
10 The Director of the National Institute of Standards
11 and Technology shall, after providing the public with
12 notice and the opportunity to comment—

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

22 (B) ensure that the standards developed
23 pursuant to this paragraph are uniform and
24 nondiscriminatory and are applied in a uniform
25 and nondiscriminatory manner; and

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

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

16 (A) each class of users who shall have au-
17 thorized access to the computerized statewide
18 voter registration list, specifying for each class
19 the permission and levels of access to be grant-
20 ed, and setting forth other safeguards to pro-
21 tect the privacy, security, and accuracy of the
22 information on the list; and

23 (B) security safeguards to protect personal
24 information transmitted through the informa-
25 tion transmittal processes of section 113 or sec-

1 tion 114, the online system used pursuant to
2 section 6A of the National Voter Registration
3 Act of 1993 (as added by section 101), any
4 telephone interface, the maintenance of the
5 voter registration database, and any audit pro-
6 cedure to track access to the system.

7 (5) STATE COMPLIANCE WITH NATIONAL
8 STANDARDS.—

9 (A) CERTIFICATION.—The chief executive
10 officer of the State shall annually file with the
11 Election Assistance Commission a statement
12 certifying to the Director of the National Insti-
13 tute of Standards and Technology that the
14 State is in compliance with the standards re-
15 ferred to in paragraphs (3) and (4). A State
16 may meet the requirement of the previous sen-
17 tence by filing with the Commission a statement
18 which reads as follows: “_____ hereby
19 certifies that it is in compliance with the stand-
20 ards referred to in paragraphs (3) and (4) of
21 section 115(e) of the Automatic Voter Registra-
22 tion Act of 2021.” (with the blank to be filled
23 in with the name of the State involved).

24 (B) PUBLICATION OF POLICIES AND PRO-
25 CEDURES.—The chief State election official of a

1 State shall publish on the official's website the
2 policies and procedures established under this
3 section, and shall make those policies and pro-
4 cedures available in written form upon public
5 request.

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

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

22 (f) RESTRICTIONS ON USE OF INFORMATION.—No
23 person acting under color of law may discriminate against
24 any individual based on, or use for any purpose other than

1 voter registration, election administration, or enforcement
2 relating to election crimes, any of the following:

3 (1) Voter registration records.

4 (2) An individual's declination to register to
5 vote or complete an affirmation of citizenship under
6 section 113(b).

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

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

18 **SEC. 116. REGISTRATION PORTABILITY AND CORRECTION.**

19 (a) CORRECTING REGISTRATION INFORMATION AT
20 POLLING PLACE.—Notwithstanding section 302(a) of the
21 Help America Vote Act of 2002 (52 U.S.C. 21082(a)), if
22 an individual is registered to vote in elections for Federal
23 office held in a State, the appropriate election official at
24 the polling place for any such election (including a location

1 used as a polling place on a date other than the date of
2 the election) shall permit the individual to—

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

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

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

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

23 **SEC. 117. PAYMENTS AND GRANTS.**

24 (a) IN GENERAL.—The Election Assistance Commis-
25 sion shall make grants to each eligible State to assist the

1 State in implementing the requirements of this subtitle
2 (or, in the case of an exempt State, in implementing its
3 existing automatic voter registration program).

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

8 (1) a description of the activities the State will
9 carry out with the grant;

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

14 (3) such other information and assurances as
15 the Commission may require.

16 (c) AMOUNT OF GRANT; PRIORITIES.—The Commis-
17 sion shall determine the amount of a grant made to an
18 eligible State under this section. In determining the
19 amounts of the grants, the Commission shall give priority
20 to providing funds for those activities which are most like-
21 ly to accelerate compliance with the requirements of this
22 subtitle (or, in the case of an exempt State, which are
23 most likely to enhance the ability of the State to automati-
24 cally register individuals to vote through its exist-
25 ing automatic voter registration program), including—

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

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

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

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

14 (d) AUTHORIZATION OF APPROPRIATIONS.—

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

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

18 (B) such sums as may be necessary for
19 each succeeding fiscal year.

20 (2) CONTINUING AVAILABILITY OF FUNDS.—

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

1 **SEC. 118. TREATMENT OF EXEMPT STATES.**

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

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

7 (1) Section 116 (relating to registration port-
8 ability and correction).

9 (2) Section 117 (relating to payments and
10 grants).

11 (3) Section 119(e) (relating to enforcement).

12 (4) Section 119(f) (relating to relation to other
13 laws).

14 **SEC. 119. MISCELLANEOUS PROVISIONS.**

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

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

1 of this subtitle, including the privacy and security provi-
2 sions of section 115.

3 (c) NONPARTISAN, NONDISCRIMINATORY PROVISION
4 OF SERVICES.—The services made available by contrib-
5 uting agencies under this subtitle and by the State under
6 sections 115 and 116 shall be made in a manner con-
7 sistent with paragraphs (4), (5), and (6)(C) of section 7(a)
8 of the National Voter Registration Act of 1993 (52 U.S.C.
9 20506(a)).

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

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

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

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

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

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

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

9 **SEC. 120. DEFINITIONS.**

10 In this subtitle, the following definitions apply:

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

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

19 (3) The term “exempt State” means a State
20 which, under law which is in effect continuously on
21 and after the date of the enactment of this Act, op-
22 erates a system of automatic registration (as defined
23 in section 112(a)(2)) at the motor vehicle authority
24 of the State or a Permanent Dividend Fund of the
25 State under which an individual is provided the op-

1 portunity to decline registration during the trans-
2 action or by way of a notice sent by mail or elec-
3 tronically after the transaction.

4 (4) The term “State” means each of the several
5 States and the District of Columbia.

6 **SEC. 121. EFFECTIVE DATE.**

7 (a) IN GENERAL.—Except as provided in subsection
8 (b), this subtitle and the amendments made by this sub-
9 title shall apply with respect to a State beginning January
10 1, 2023.

11 (b) WAIVER.—Subject to the approval of the Com-
12 mission, if a State certifies to the Commission that the
13 State will not meet the deadline referred to in subsection
14 (a) because of extraordinary circumstances and includes
15 in the certification the reasons for the failure to meet the
16 deadline, subsection (a) shall apply to the State as if the
17 reference in such subsection to “January 1, 2023” were
18 a reference to “January 1, 2025”.

19 **Subtitle C—Same Day Voter**
20 **Registration**

21 **SEC. 131. SAME DAY REGISTRATION.**

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

24 (1) by redesignating sections 304 and 305 as
25 sections 305 and 306, respectively; and

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

3 **“SEC. 304. SAME DAY REGISTRATION.**

4 “(a) IN GENERAL.—

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

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

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

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

23 “(b) ELIGIBLE INDIVIDUAL.—For purposes of this
24 section, the term ‘eligible individual’ means, with respect

1 to any election for Federal office, an individual who is oth-
 2 erwise qualified to vote in that election.

3 “(c) EFFECTIVE DATE.—Each State shall be re-
 4 quired to comply with the requirements of subsection (a)
 5 for the regularly scheduled general election for Federal of-
 6 fice occurring in November 2022 and for any subsequent
 7 election for Federal office.”.

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

12 (c) CLERICAL AMENDMENTS.—The table of contents
 13 of such Act is amended—

14 (1) by redesignating the items relating to sec-
 15 tions 304 and 305 as relating to sections 305 and
 16 306, respectively; and

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

“Sec. 304. Same day registration.”.

19 **Subtitle D—Conditions on Removal**
 20 **on Basis of Interstate Cross-Checks**

21 **SEC. 141. CONDITIONS ON REMOVAL OF REGISTRANTS**
 22 **FROM OFFICIAL LIST OF ELIGIBLE VOTERS**
 23 **ON BASIS OF INTERSTATE CROSS-CHECKS.**

24 (a) MINIMUM INFORMATION REQUIRED FOR RE-
 25 MOVAL UNDER CROSS-CHECK.—Section 8(c)(2) of the

1 National Voter Registration Act of 1993 (52 U.S.C.
2 20507(c)(2)) is amended—

3 (1) by redesignating subparagraph (B) as sub-
4 paragraph (D); and

5 (2) by inserting after subparagraph (A) the fol-
6 lowing new subparagraphs:

7 “(B) To the extent that the program carried out by
8 a State under subparagraph (A) to systematically remove
9 the names of ineligible voters from the official lists of eligi-
10 ble voters uses information obtained in an interstate cross-
11 check, in addition to any other conditions imposed under
12 this Act on the authority of the State to remove the name
13 of the voter from such a list, the State may not remove
14 the name of the voter from such a list unless—

15 “(i) the State obtained the voter’s full name
16 (including the voter’s middle name, if any) and date
17 of birth, and the last 4 digits of the voter’s Social
18 Security number, in the interstate cross-check; or

19 “(ii) the State obtained documentation from the
20 ERIC system that the voter is no longer a resident
21 of the State.

22 “(C) In this paragraph—

23 “(i) the term ‘interstate cross-check’ means the
24 transmission of information from an election official

1 in one State to an election official of another State;
2 and

3 “(ii) the term ‘ERIC system’ means the system
4 operated by the Electronic Registration Information
5 Center to share voter registration information and
6 voter identification information among participating
7 States.”.

8 (b) REQUIRING COMPLETION OF CROSS-CHECKS
9 NOT LATER THAN 6 MONTHS PRIOR TO ELECTION.—
10 Subparagraph (A) of section 8(c)(2) of such Act (52
11 U.S.C. 20507(c)(2)) is amended by striking “not later
12 than 90 days” and inserting the following: “not later than
13 90 days (or, in the case of a program in which the State
14 uses interstate cross-checks, not later than 6 months)”.

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

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

1 **Subtitle E—Other Initiatives To**
2 **Promote Voter Registration**

3 **SEC. 151. BIENNIAL REPORTS ON VOTER REGISTRATION**
4 **STATISTICS.**

5 (a) ANNUAL REPORT.—Not later than 90 days after
6 the end of each even-numbered year, each State shall sub-
7 mit to the Election Assistance Commission a report con-
8 taining the following categories of information for the pre-
9 ceding 2 years:

10 (1) The number of individuals who were reg-
11 istered under subtitle B.

12 (2) The number of voter registration applica-
13 tion forms completed by individuals that were trans-
14 mitted by motor vehicle authorities in the State
15 (pursuant to section 5(d) of the National Voter Reg-
16 istration Act of 1993) and voter registration agen-
17 cies in the State (as designated under section 7 of
18 such Act) to the chief State election official of the
19 State, broken down by each such authority and
20 agency.

21 (3) The number of such individuals whose voter
22 registration application forms were accepted and
23 who were registered to vote in the State and the
24 number of such individuals whose forms were re-
25 jected and who were not registered to vote in the

1 State, broken down by each such authority and
2 agency.

3 (4) The number of change of address forms and
4 other forms of information indicating that an indi-
5 vidual's identifying information has been changed
6 that were transmitted by such motor vehicle authori-
7 ties and voter registration agencies to the chief State
8 election official of the State, broken down by each
9 such authority and agency and the type of form
10 transmitted.

11 (5) The number of individuals on the Statewide
12 computerized voter registration list (as established
13 and maintained under section 303 of the Help
14 America Vote Act of 2002) whose voter registration
15 information was revised by the chief State election
16 official as a result of the forms transmitted to the
17 official by such motor vehicle authorities and voter
18 registration agencies (as described in paragraph
19 (3)), broken down by each such authority and agen-
20 cy and the type of form transmitted.

21 (6) The number of individuals who requested
22 the chief State election official to revise voter reg-
23 istration information on such list, and the number of
24 individuals whose information was revised as a result
25 of such a request.

1 (b) BREAKDOWN OF INFORMATION.—In preparing
2 the report under this section, the State shall, for each cat-
3 egory of information described in subsection (a), include
4 a breakdown by race, ethnicity, age, and gender of the
5 individuals whose information is included in the category,
6 to the extent that information on the race, ethnicity, age,
7 and gender of such individuals is available to the State.

8 (c) CONFIDENTIALITY OF INFORMATION.—In pre-
9 paring and submitting a report under this section, the
10 chief State election official shall ensure that no informa-
11 tion regarding the identification of any individual is re-
12 vealed.

13 (d) SUBMISSION TO CONGRESS.—Not later than 10
14 days after receiving a report under subsection (a), the
15 Election Assistance Commission shall transmit such re-
16 port to Congress.

17 (e) STATE DEFINED.—In this section, a “State” in-
18 cludes the District of Columbia, the Commonwealth of
19 Puerto Rico, the United States Virgin Islands, Guam,
20 American Samoa, and the Commonwealth of the Northern
21 Mariana Islands, but does not include any State in which,
22 under a State law in effect continuously on and after the
23 date of the enactment of this Act, there is no voter reg-
24 istration requirement for individuals in the State with re-
25 spect to elections for Federal office.

1 (f) SENSE OF CONGRESS.—It is the Sense of Con-
2 gress that for any State participating in the Election Ad-
3 ministration and Voting Survey administered by the Elec-
4 tion Assistance Commission, the Commission should use
5 the information submitted in the report under subsection
6 (a) as part of the State’s participation in the survey.

7 **SEC. 152. ENSURING PRE-ELECTION REGISTRATION DEAD-**
8 **LINES ARE CONSISTENT WITH TIMING OF**
9 **LEGAL PUBLIC HOLIDAYS.**

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

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

17 **SEC. 153. USE OF POSTAL SERVICE HARD COPY CHANGE OF**
18 **ADDRESS FORM TO REMIND INDIVIDUALS TO**
19 **UPDATE VOTER REGISTRATION.**

20 (a) IN GENERAL.—Not later than 1 year after the
21 date of the enactment of this Act, the Postmaster General
22 shall modify any hard copy change of address form used
23 by the United States Postal Service so that such form con-
24 tains a reminder that any individual using such form

1 should update the individual’s voter registration as a re-
 2 sult of any change in address.

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

6 **SEC. 154. GRANTS TO STATES FOR ACTIVITIES TO ENCOUR-**
 7 **AGE INVOLVEMENT OF MINORS IN ELECTION**
 8 **ACTIVITIES.**

9 (a) GRANTS.—

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

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

18 (A) methods to promote the use of pre-reg-
 19 istration processes;

20 (B) modifications to the curriculum of sec-
 21 ondary schools in the State to promote civic en-
 22 gagement; and

23 (C) such other activities to encourage the
 24 involvement of young people in the electoral
 25 process as the State considers appropriate.

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

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

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

10 (3) such other information and assurances as
11 the Commission may require.

12 (c) PERIOD OF GRANT; REPORT.—

13 (1) PERIOD OF GRANT.—A State receiving a
14 grant under this section shall use the funds provided
15 by the grant over a 2-year period agreed to between
16 the State and the Commission.

17 (2) REPORT.—Not later than 6 months after
18 the end of the 2-year period agreed to under para-
19 graph (1), the State shall submit to the Commission
20 a report on the activities the State carried out with
21 the funds provided by the grant, and shall include
22 in the report an analysis of the extent to which the
23 State met the performance measures and targets in-
24 cluded in its application under subsection (b)(2).

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

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

7 **Subtitle F—Availability of HAVA**
 8 **Requirements Payments**

9 **SEC. 161. AVAILABILITY OF REQUIREMENTS PAYMENTS**
 10 **UNDER HAVA TO COVER COSTS OF COMPLI-**
 11 **ANCE WITH NEW REQUIREMENTS.**

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

14 (1) in paragraph (1), by striking “as provided
 15 in paragraphs (2) and (3)” and inserting “as other-
 16 wise provided in this subsection”; and

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

19 “(4) CERTAIN VOTER REGISTRATION ACTIVI-
 20 TIES.—Notwithstanding paragraph (3), a State may
 21 use a requirements payment to carry out any of the
 22 requirements of the Voter Registration Moderniza-
 23 tion Act of 2021, including the requirements of the
 24 National Voter Registration Act of 1993 which are
 25 imposed pursuant to the amendments made to such

1 Act by the Voter Registration Modernization Act of
2 2021.”.

3 (b) CONFORMING AMENDMENT.—Section 254(a)(1)
4 of such Act (52 U.S.C. 21004(a)(1)) is amended by strik-
5 ing “section 251(a)(2)” and inserting “section
6 251(b)(2)”.

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

10 **Subtitle G—Prohibiting Inter-** 11 **ference With Voter Registration**

12 **SEC. 171. PROHIBITING HINDERING, INTERFERING WITH,** 13 **OR PREVENTING VOTER REGISTRATION.**

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

17 **“§ 612. Hindering, interfering with, or preventing** 18 **registering to vote**

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

1 “(b) ATTEMPT.—Any person who attempts to commit
2 any offense described in subsection (a) shall be subject to
3 the same penalties as those prescribed for the offense that
4 the person attempted to commit.

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

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

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

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

18 **SEC. 172. ESTABLISHMENT OF BEST PRACTICES.**

19 (a) BEST PRACTICES.—Not later than 180 days after
20 the date of the enactment of this Act, the Election Assist-
21 ance Commission shall develop and publish recommenda-
22 tions for best practices for States to use to deter and pre-
23 vent violations of section 612 of title 18, United States
24 Code (as added by section 171), and section 12 of the Na-
25 tional Voter Registration Act of 1993 (52 U.S.C. 20511)

1 (relating to the unlawful interference with registering to
2 vote, or voting, or attempting to register to vote or vote),
3 including practices to provide for the posting of relevant
4 information at polling places and voter registration agen-
5 cies under such Act, the training of poll workers and elec-
6 tion officials, and relevant educational materials. For pur-
7 poses of this subsection, the term “State” includes the
8 District of Columbia, the Commonwealth of Puerto Rico,
9 Guam, American Samoa, the United States Virgin Is-
10 lands, and the Commonwealth of the Northern Mariana
11 Islands.

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

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

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

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

21 “(G) information relating to the prohibi-
22 tions of section 612 of title 18, United States
23 Code, and section 12 of the National Voter
24 Registration Act of 1993 (52 U.S.C. 20511)
25 (relating to the unlawful interference with reg-

1 istering to vote, or voting, or attempting to reg-
 2 ister to vote or vote), including information on
 3 how individuals may report allegations of viola-
 4 tions of such prohibitions.”.

5 **Subtitle H—Voter Registration** 6 **Efficiency Act**

7 **SEC. 181. SHORT TITLE.**

8 This subtitle may be cited as the “Voter Registration
 9 Efficiency Act”.

10 **SEC. 182. REQUIRING APPLICANTS FOR MOTOR VEHICLE** 11 **DRIVER’S LICENSES IN NEW STATE TO INDI-** 12 **CATE WHETHER STATE SERVES AS RESI-** 13 **DENCE FOR VOTER REGISTRATION PUR-** 14 **POSES.**

15 (a) REQUIREMENTS FOR APPLICANTS FOR LI-
 16 CENSES.—Section 5(d) of the National Voter Registration
 17 Act of 1993 (52 U.S.C. 20504(d)) is amended—

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

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

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

1 “(i) to indicate whether the individual
2 resides in another State or resided in an-
3 other State prior to applying for the li-
4 cense, and, if so, to identify the State in-
5 volved; and

6 “(ii) to indicate whether the individual
7 intends for the State to serve as the indi-
8 vidual’s residence for purposes of reg-
9 istering to vote in elections for Federal of-
10 fice.

11 “(B) If pursuant to subparagraph (A)(ii)
12 an individual indicates to the State motor vehi-
13 cle authority that the individual intends for the
14 State to serve as the individual’s residence for
15 purposes of registering to vote in elections for
16 Federal office, the authority shall notify the
17 motor vehicle authority of the State identified
18 by the individual pursuant to subparagraph
19 (A)(i), who shall notify the chief State election
20 official of such State that the individual no
21 longer intends for that State to serve as the in-
22 dividual’s residence for purposes of registering
23 to vote in elections for Federal office.”.

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

4 **Subtitle I—Providing Voter Reg-**
 5 **istration Information to Sec-**
 6 **ondary School Students**

7 **SEC. 191. PILOT PROGRAM FOR PROVIDING VOTER REG-**
 8 **ISTRATION INFORMATION TO SECONDARY**
 9 **SCHOOL STUDENTS PRIOR TO GRADUATION.**

10 (a) PILOT PROGRAM.—The Election Assistance Com-
 11 mission (hereafter in this subtitle referred to as the “Com-
 12 mission”) shall carry out a pilot program under which the
 13 Commission shall provide funds during the one-year period
 14 beginning after the date of the enactment of this subtitle
 15 to eligible local educational agencies for initiatives to pro-
 16 vide information on registering to vote in elections for pub-
 17 lic office to secondary school students in the 12th grade.

18 (b) ELIGIBILITY.—A local educational agency is eligi-
 19 ble to receive funds under the pilot program under this
 20 subtitle if the agency submits to the Commission, at such
 21 time and in such form as the Commission may require,
 22 an application containing—

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

1 (2) an estimate of the costs associated with
2 such initiatives; and

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

5 (c) CONSULTATION WITH ELECTION OFFICIALS.—A
6 local educational agency receiving funds under the pilot
7 program shall consult with the State and local election of-
8 ficials who are responsible for administering elections for
9 public office in the area served by the agency in developing
10 the initiatives the agency will carry out with the funds.

11 (d) DEFINITIONS.—In this subtitle, the terms “local
12 educational agency” and “secondary school” have the
13 meanings given such terms in section 8101 of the Elemen-
14 tary and Secondary Education Act of 1965 (20 U.S.C.
15 7801).

16 **SEC. 192. REPORTS.**

17 (a) REPORTS BY RECIPIENTS OF FUNDS.—Not later
18 than the expiration of the 90-day period which begins on
19 the date of the receipt of the funds, each local educational
20 agency receiving funds under the pilot program under this
21 subtitle shall submit a report to the Commission describ-
22 ing the initiatives carried out with the funds and analyzing
23 their effectiveness.

24 (b) REPORT BY COMMISSION.—Not later than the ex-
25 piration of the 60-day period which begins on the date

1 the Commission receives the final report submitted by a
 2 local educational agency under subsection (a), the Com-
 3 mission shall submit a report to Congress on the pilot pro-
 4 gram under this subtitle.

5 **SEC. 193. AUTHORIZATION OF APPROPRIATIONS.**

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

8 **Subtitle J—Voter Registration of**
 9 **Minors**

10 **SEC. 194. ACCEPTANCE OF VOTER REGISTRATION APPLICA-**
 11 **TIONS FROM INDIVIDUALS UNDER 18 YEARS**
 12 **OF AGE.**

13 (a) ACCEPTANCE OF APPLICATIONS.—Section 8 of
 14 the National Voter Registration Act of 1993 (52 U.S.C.
 15 20507), as amended by section 104, is amended—

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

18 (2) by inserting after subsection (j) the fol-
 19 lowing new subsection:

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

22 “(1) IN GENERAL.—A State may not refuse to
 23 accept or process an individual’s application to reg-
 24 ister to vote in elections for Federal office on the
 25 grounds that the individual is under 18 years of age

1 at the time the individual submits the application, so
 2 long as the individual is at least 16 years of age at
 3 such time.

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

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

12 **TITLE II—ACCESS TO VOTING**
 13 **FOR INDIVIDUALS WITH DIS-**
 14 **ABILITIES**

15 **SEC. 201. REQUIREMENTS FOR STATES TO PROMOTE AC-**
 16 **CESS TO VOTER REGISTRATION AND VOTING**
 17 **FOR INDIVIDUALS WITH DISABILITIES.**

18 (a) REQUIREMENTS.—Subtitle A of title III of the
 19 Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.),
 20 as amended by section 131(a), is amended—

21 (1) by redesignating sections 305 and 306 as
 22 sections 306 and 307, respectively; and

23 (2) by inserting after section 304 the following
 24 new section:

1 **“SEC. 305. ACCESS TO VOTER REGISTRATION AND VOTING**
2 **FOR INDIVIDUALS WITH DISABILITIES.**

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

5 “(1) ensure that absentee registration forms,
6 absentee ballot applications, and absentee ballots
7 that are available electronically are accessible (as de-
8 fined in section 306);

9 “(2) permit individuals with disabilities to use
10 absentee registration procedures and to vote by ab-
11 sentee ballot in elections for Federal office;

12 “(3) accept and process, with respect to any
13 election for Federal office, any otherwise valid voter
14 registration application and absentee ballot applica-
15 tion from an individual with a disability if the appli-
16 cation is received by the appropriate State election
17 official within the deadline for the election which is
18 applicable under Federal law;

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

22 “(A) for individuals with disabilities to re-
23 quest by mail and electronically voter registra-
24 tion applications and absentee ballot applica-
25 tions with respect to elections for Federal office
26 in accordance with subsection (c);

1 “(B) for States to send by mail and elec-
2 tronically (in accordance with the preferred
3 method of transmission designated by the indi-
4 vidual under subparagraph (C)) voter registra-
5 tion applications and absentee ballot applica-
6 tions requested under subparagraph (A) in ac-
7 cordance with subsection (c); and

8 “(C) by which such an individual can des-
9 ignate whether the individual prefers that such
10 voter registration application or absentee ballot
11 application be transmitted by mail or electroni-
12 cally;

13 “(5) in addition to any other method of trans-
14 mitting blank absentee ballots in the State, establish
15 procedures for transmitting by mail and electroni-
16 cally blank absentee ballots to individuals with dis-
17 abilities with respect to elections for Federal office
18 in accordance with subsection (d);

19 “(6) transmit a validly requested absentee bal-
20 lot to an individual with a disability—

21 “(A) except as provided in subsection (e),
22 in the case in which the request is received at
23 least 45 days before an election for Federal of-
24 fice, not later than 45 days before the election;
25 and

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

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

5 “(ii) if practicable and as determined
 6 appropriate by the State, in a manner that
 7 expedites the transmission of such absen-
 8 tee ballot; and

9 “(7) if the State declares or otherwise holds a
 10 runoff election for Federal office, establish a written
 11 plan that provides absentee ballots are made avail-
 12 able to individuals with disabilities in a manner that
 13 gives them sufficient time to vote in the runoff elec-
 14 tion.

15 “(b) DESIGNATION OF SINGLE STATE OFFICE TO
 16 PROVIDE INFORMATION ON REGISTRATION AND ABSEN-
 17 TEE BALLOT PROCEDURES FOR VOTERS WITH DISABIL-
 18 ITIES IN STATE.—

19 “(1) IN GENERAL.—Each State shall designate
 20 a single office which shall be responsible for pro-
 21 viding information regarding voter registration pro-
 22 cedures, absentee ballot procedures, and in-person
 23 voting procedures to be used by individuals with dis-
 24 abilities with respect to elections for Federal office

1 to all individuals with disabilities who wish to reg-
2 ister to vote or vote in any jurisdiction in the State.

3 “(2) RESPONSIBILITIES.—Each State shall,
4 through the office designated in paragraph (1)—

5 “(A) provide information to election offi-
6 cials—

7 “(i) on how to set up and operate ac-
8 cessible voting systems; and

9 “(ii) regarding the accessibility of vot-
10 ing procedures, including guidance on com-
11 patibility with assistive technologies such
12 as screen readers and ballot marking de-
13 vices;

14 “(B) integrate information on accessibility,
15 accommodations, disability, and older individ-
16 uals into regular training materials for poll
17 workers and election administration officials;

18 “(C) train poll workers on how to make
19 polling places accessible for individuals with dis-
20 abilities and older individuals;

21 “(D) promote the hiring of individuals with
22 disabilities and older individuals as poll workers
23 and election staff; and

24 “(E) publicly post the results of any audits
25 to determine the accessibility of polling places

1 no later than 6 months after the completion of
2 the audit.

3 “(c) DESIGNATION OF MEANS OF ELECTRONIC COM-
4 MUNICATION FOR INDIVIDUALS WITH DISABILITIES TO
5 REQUEST AND FOR STATES TO SEND VOTER REGISTRA-
6 TION APPLICATIONS AND ABSENTEE BALLOT APPLICA-
7 TIONS, AND FOR OTHER PURPOSES RELATED TO VOTING
8 INFORMATION.—

9 “(1) IN GENERAL.—Each State shall, in addi-
10 tion to the designation of a single State office under
11 subsection (b), designate not less than 1 means of
12 accessible electronic communication—

13 “(A) for use by individuals with disabilities
14 who wish to register to vote or vote in any ju-
15 risdiction in the State to request voter registra-
16 tion applications and absentee ballot applica-
17 tions under subsection (a)(4);

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

21 “(C) for the purpose of providing related
22 voting, balloting, and election information to in-
23 dividuals with disabilities.

24 “(2) CLARIFICATION REGARDING PROVISION OF
25 MULTIPLE MEANS OF ELECTRONIC COMMUNICA-

1 TION.—A State may, in addition to the means of
2 electronic communication so designated, provide
3 multiple means of electronic communication to indi-
4 viduals with disabilities, including a means of elec-
5 tronic communication for the appropriate jurisdic-
6 tion of the State.

7 “(3) INCLUSION OF DESIGNATED MEANS OF
8 ELECTRONIC COMMUNICATION WITH INFORMA-
9 TIONAL AND INSTRUCTIONAL MATERIALS THAT AC-
10 COMPANY BALLOTING MATERIALS.—Each State shall
11 include a means of electronic communication so des-
12 ignated with all informational and instructional ma-
13 terials that accompany balloting materials sent by
14 the State to individuals with disabilities.

15 “(4) TRANSMISSION IF NO PREFERENCE INDI-
16 CATED.—In the case where an individual with a dis-
17 ability does not designate a preference under sub-
18 section (a)(4)(C), the State shall transmit the voter
19 registration application or absentee ballot application
20 by any delivery method allowable in accordance with
21 applicable State law, or if there is no applicable
22 State law, by mail.

23 “(d) TRANSMISSION OF BLANK ABSENTEE BALLOTS
24 BY MAIL AND ELECTRONICALLY.—

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

3 “(A) to securely transmit blank absentee
4 ballots by mail and electronically (in accordance
5 with the preferred method of transmission des-
6 ignated by the individual with a disability under
7 subparagraph (B)) to individuals with disabil-
8 ities for an election for Federal office; and

9 “(B) by which the individual with a dis-
10 ability can designate whether the individual pre-
11 fers that such blank absentee ballot be trans-
12 mitted by mail or electronically.

13 “(2) TRANSMISSION IF NO PREFERENCE INDI-
14 CATED.—In the case where an individual with a dis-
15 ability does not designate a preference under para-
16 graph (1)(B), the State shall transmit the ballot by
17 any delivery method allowable in accordance with ap-
18 plicable State law, or if there is no applicable State
19 law, by mail.

20 “(3) APPLICATION OF METHODS TO TRACK DE-
21 LIVERY TO AND RETURN OF BALLOT BY INDIVIDUAL
22 REQUESTING BALLOT.—Under the procedures estab-
23 lished under paragraph (1), the State shall apply
24 such methods as the State considers appropriate,
25 such as assigning a unique identifier to the ballot,

1 to ensure that if an individual with a disability re-
2 quests the State to transmit a blank absentee ballot
3 to the individual in accordance with this subsection,
4 the voted absentee ballot which is returned by the
5 individual is the same blank absentee ballot which
6 the State transmitted to the individual.

7 “(e) HARDSHIP EXEMPTION.—

8 “(1) IN GENERAL.—If the chief State election
9 official determines that the State is unable to meet
10 the requirement under subsection (a)(6)(A) with re-
11 spect to an election for Federal office due to an
12 undue hardship described in paragraph (2)(B), the
13 chief State election official shall request that the At-
14 torney General grant a waiver to the State of the
15 application of such subsection. Such request shall in-
16 clude—

17 “(A) a recognition that the purpose of
18 such subsection is to individuals with disabil-
19 ities enough time to vote in an election for Fed-
20 eral office;

21 “(B) an explanation of the hardship that
22 indicates why the State is unable to transmit
23 such individuals an absentee ballot in accord-
24 ance with such subsection;

1 “(C) the number of days prior to the elec-
2 tion for Federal office that the State requires
3 absentee ballots be transmitted to such individ-
4 uals; and

5 “(D) a comprehensive plan to ensure that
6 such individuals are able to receive absentee
7 ballots which they have requested and submit
8 marked absentee ballots to the appropriate
9 State election official in time to have that ballot
10 counted in the election for Federal office, which
11 includes—

12 “(i) the steps the State will undertake
13 to ensure that such individuals have time
14 to receive, mark, and submit their ballots
15 in time to have those ballots counted in the
16 election;

17 “(ii) why the plan provides such indi-
18 viduals sufficient time to vote as a sub-
19 stitute for the requirements under such
20 subsection; and

21 “(iii) the underlying factual informa-
22 tion which explains how the plan provides
23 such sufficient time to vote as a substitute
24 for such requirements.

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

5 “(A) The comprehensive plan under sub-
6 paragraph (D) of such paragraph provides indi-
7 viduals with disabilities sufficient time to re-
8 ceive absentee ballots they have requested and
9 submit marked absentee ballots to the appro-
10 priate State election official in time to have that
11 ballot counted in the election for Federal office.

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

14 “(i) The State’s primary election date
15 prohibits the State from complying with
16 subsection (a)(6)(A).

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

19 “(iii) The State Constitution prohibits
20 the State from complying with such sub-
21 section.

22 “(3) TIMING OF WAIVER.—

23 “(A) IN GENERAL.—Except as provided
24 under subparagraph (B), a State that requests
25 a waiver under paragraph (1) shall submit to

1 the Attorney General the written waiver request
2 not later than 90 days before the election for
3 Federal office with respect to which the request
4 is submitted. The Attorney General shall ap-
5 prove or deny the waiver request not later than
6 65 days before such election.

7 “(B) EXCEPTION.—If a State requests a
8 waiver under paragraph (1) as the result of an
9 undue hardship described in paragraph
10 (2)(B)(ii), the State shall submit to the Attor-
11 ney General the written waiver request as soon
12 as practicable. The Attorney General shall ap-
13 prove or deny the waiver request not later than
14 5 business days after the date on which the re-
15 quest is received.

16 “(4) APPLICATION OF WAIVER.—A waiver ap-
17 proved under paragraph (2) shall only apply with re-
18 spect to the election for Federal office for which the
19 request was submitted. For each subsequent election
20 for Federal office, the Attorney General shall only
21 approve a waiver if the State has submitted a re-
22 quest under paragraph (1) with respect to such elec-
23 tion.

24 “(f) RULE OF CONSTRUCTION.—Nothing in this sec-
25 tion may be construed to allow a voter’s ballot selections

1 to be transmitted over the internet or to allow for the elec-
2 tronic submission of a marked ballot.

3 “(g) INDIVIDUAL WITH A DISABILITY DEFINED.—

4 In this section, an ‘individual with a disability’ means an
5 individual with an impairment that substantially limits
6 any major life activities and who is otherwise qualified to
7 vote in elections for Federal office.

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

11 (b) CONFORMING AMENDMENT RELATING TO
12 ISSUANCE OF VOLUNTARY GUIDANCE BY ELECTION AS-
13 SISTANCE COMMISSION.—

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

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

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

20 (C) by adding at the end the following new
21 paragraph:

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

24 (2) REDESIGNATION.—Title III of such Act (52
25 U.S.C. 21081 et seq.) is amended by redesignating

1 sections 311 and 312 as sections 321 and 322, re-
 2 spectively.

3 (c) CLERICAL AMENDMENTS.—The table of contents
 4 of such Act, as amended by section 131(c), is amended—

5 (1) by redesignating the items relating to sec-
 6 tions 305 and 306 as relating to sections 306 and
 7 307, respectively; and

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

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

10 **SEC. 202. ESTABLISHMENT AND MAINTENANCE OF STATE**

11 **ACCESSIBLE ELECTION WEBSITES.**

12 (a) IN GENERAL.—Subtitle A of title III of the Help
 13 America Vote Act of 2002 (52 U.S.C. 21081 et seq.), as
 14 amended by section 131(a) and section 201(a), is amend-
 15 ed—

16 (1) by redesignating sections 306 and 307 as
 17 sections 307 and 308, respectively; and

18 (2) by inserting after section 305 the following:

19 **“SEC. 306. ESTABLISHMENT AND MAINTENANCE OF ACCES-**
 20 **SIBLE ELECTION WEBSITES.**

21 “(a) IN GENERAL.—Each State shall establish a sin-
 22 gle election website that is accessible and meets the fol-
 23 lowing requirements:

1 “(1) LOCAL ELECTION OFFICIALS.—The
2 website shall provide local election officials, poll
3 workers, and volunteers with—

4 “(A) guidance to ensure that polling places
5 are accessible for individuals with disabilities
6 and older individuals in a manner that provides
7 the same opportunity for access and participa-
8 tion (including privacy and independence) as for
9 other voters; and

10 “(B) online training and resources on—

11 “(i) how best to promote the access
12 and participation of individuals with dis-
13 abilities and older individuals in elections
14 for public office; and

15 “(ii) the voting rights and protections
16 for individuals with disabilities and older
17 individuals under State and Federal law.

18 “(2) VOTERS.—The website shall provide infor-
19 mation about voting, including—

20 “(A) the accessibility of all polling places
21 within the State, including outreach programs
22 to inform individuals about the availability of
23 accessible polling places;

24 “(B) how to register to vote and confirm
25 voter registration in the State;

1 “(C) the location and operating hours of
2 all polling places in the State;

3 “(D) the availability of aid or assistance
4 for individuals with disabilities and older indi-
5 viduals to cast their vote in a manner that pro-
6 vides the same opportunity for access and par-
7 ticipation (including privacy and independence)
8 as for other voters at polling places;

9 “(E) the availability of transportation aid
10 or assistance to the polling place for individuals
11 with disabilities or older individuals;

12 “(F) the rights and protections under
13 State and Federal law for individuals with dis-
14 abilities and older individuals to participate in
15 elections; and

16 “(G) how to contact State, local, and Fed-
17 eral officials with complaints or grievances if in-
18 dividuals with disabilities, older individuals, Na-
19 tive Americans, Alaska Natives, and individuals
20 with limited proficiency in the English language
21 feel their ability to register to vote or vote has
22 been blocked or delayed.

23 “(b) PARTNERSHIP WITH OUTSIDE TECHNICAL OR-
24 GANIZATION.—The chief State election official of each
25 State, through the committee of appropriate individuals

1 under subsection (c)(2), shall partner with an outside
2 technical organization with demonstrated experience in es-
3 tablishing accessible and easy to use accessible election
4 websites to—

5 “(1) update an existing election website to
6 make it fully accessible in accordance with this sec-
7 tion; or

8 “(2) develop an election website that is fully ac-
9 cessible in accordance with this section.

10 “(c) STATE PLAN.—

11 “(1) DEVELOPMENT.—The chief State election
12 official of each State shall, through a committee of
13 appropriate individuals as described in paragraph
14 (2), develop a State plan that describes how the
15 State and local governments will meet the require-
16 ments under this section.

17 “(2) COMMITTEE MEMBERSHIP.—The com-
18 mittee shall comprise at least the following individ-
19 uals:

20 “(A) The chief election officials of the four
21 most populous jurisdictions within the State.

22 “(B) The chief election officials of the four
23 least populous jurisdictions within the State.

24 “(C) Representatives from two disability
25 advocacy groups, including at least one such

1 representative who is an individual with a dis-
2 ability.

3 “(D) Representatives from two older indi-
4 vidual advocacy groups, including at least one
5 such representative who is an older individual.

6 “(E) Representatives from two inde-
7 pendent non-governmental organizations with
8 expertise in establishing and maintaining acces-
9 sible websites.

10 “(F) Representatives from two inde-
11 pendent non-governmental voting rights organi-
12 zations.

13 “(G) Representatives from State protection
14 and advocacy systems as defined in section 102
15 of the Developmental Disabilities Assistance
16 and Bill of Rights Act of 2000 (42 U.S.C.
17 15002).

18 “(d) PARTNERSHIP TO MONITOR AND VERIFY AC-
19 CESSIBILITY.—The chief State election official of each eli-
20 gible State, through the committee of appropriate individ-
21 uals under subsection (c)(2), shall partner with at least
22 two of the following organizations to monitor and verify
23 the accessibility of the election website and the complete-
24 ness of the election information and the accuracy of the
25 disability information provided on such website:

1 “(1) University Centers for Excellence in Devel-
2 opmental Disabilities Education, Research, and
3 Services designated under section 151(a) of the De-
4 velopmental Disabilities Assistance and Bill of
5 Rights Act of 2000 (42 U.S.C. 15061(a)).

6 “(2) Centers for Independent Living, as de-
7 scribed in part C of title VII of the Rehabilitation
8 Act of 1973 (29 U.S.C. 796f et seq.).

9 “(3) A State Council on Developmental Disabil-
10 ities described in section 125 of the Developmental
11 Disabilities Assistance and Bill of Rights Act of
12 2000 (42 U.S.C. 15025).

13 “(4) State protection and advocacy systems as
14 defined in section 102 of the Developmental Disabil-
15 ities Assistance and Bill of Rights Act of 2000 (42
16 U.S.C. 15002).

17 “(5) Statewide Independent Living Councils es-
18 tablished under section 705 of the Rehabilitation Act
19 of 1973 (29 U.S.C. 796d).

20 “(6) State Assistive Technology Act Programs.

21 “(7) A visual access advocacy organization.

22 “(8) An organization for the deaf.

23 “(9) A mental health organization.

24 “(e) DEFINITIONS.—For purposes of this section,
25 section 305, and section 307:

1 “(1) ACCESSIBLE.—The term ‘accessible’
2 means—

3 “(A) in the case of the election website
4 under subsection (a) or an electronic commu-
5 nication under section 305—

6 “(i) that the functions and content of
7 the website or electronic communication,
8 including all text, visual, and aural con-
9 tent, are as accessible to people with dis-
10 abilities as to those without disabilities;

11 “(ii) that the functions and content of
12 the website or electronic communication
13 are accessible to individuals with limited
14 proficiency in the English language; and

15 “(iii) that the website or electronic
16 communication meets, at a minimum, con-
17 formance to Level AA of the Web Content
18 Accessibility Guidelines 2.0 of the Web Ac-
19 cessibility Initiative (or any successor
20 guidelines); and

21 “(B) in the case of a facility (including a
22 polling place), that the facility is readily acces-
23 sible to and usable by individuals with disabil-
24 ities and older individuals, as determined under
25 the 2010 ADA Standards for Accessible Design

1 adopted by the Department of Justice (or any
2 successor standards).

3 “(2) INDIVIDUAL WITH A DISABILITY.—The
4 term ‘individual with a disability’ means an indi-
5 vidual with a disability, as defined in section 3 of the
6 Americans with Disabilities Act of 1990 (42 U.S.C.
7 12102), and who is otherwise qualified to vote in
8 elections for Federal office.

9 “(3) OLDER INDIVIDUAL.—The term ‘older in-
10 dividual’ means an individual who is 60 years of age
11 or older and who is otherwise qualified to vote in
12 elections for Federal office.

13 “(4) STATE.—The term ‘State’ means a State
14 of the United States, the District of Columbia, the
15 Commonwealth of Puerto Rico, and any territory or
16 possession of the United States.

17 “(f) EFFECTIVE DATE.—This section shall apply on
18 or after January 1, 2022.”.

19 (b) VOLUNTARY GUIDANCE.—Section 321(b)(4) such
20 Act (52 U.S.C. 21101(b)), as added and redesignated by
21 section 201(b), is amended by striking “section 305” and
22 inserting “sections 305 and 306”.

23 (c) CLERICAL AMENDMENTS.—The table of contents
24 of such Act, as amended by section 131(c) and section
25 201(c), is amended—

1 (1) by redesignating the items relating to sec-
 2 tions 306 and 307 as relating to sections 307 and
 3 308, respectively; and

4 (2) by inserting after the item relating to sec-
 5 tion 305 the following new item:

“Sec. 306. Establishment and maintenance of accessible election websites.”.

6 **SEC. 203. PROTECTIONS FOR IN-PERSON VOTING FOR INDI-**
 7 **VIDUALS WITH DISABILITIES AND OLDER IN-**
 8 **DIVIDUALS.**

9 (a) REQUIREMENT.—

10 (1) IN GENERAL.—Subtitle A of title III of the
 11 Help America Vote Act of 2002 (52 U.S.C. 21081
 12 et seq.), as amended by section 131(a), section
 13 201(a), and section 202(a), is amended—

14 (A) by redesignating sections 307 and 308
 15 as sections 308 and 309, respectively; and

16 (B) by inserting after section 306 the fol-
 17 lowing:

18 **“SEC. 307. ACCESS TO VOTING FOR INDIVIDUALS WITH DIS-**
 19 **ABILITIES AND OLDER INDIVIDUALS.**

20 “(a) IN GENERAL.—Each State shall—

21 “(1) ensure all polling places within the State
 22 are accessible, as defined in section 306;

23 “(2) consider procedures to address long wait
 24 times at polling places that allow individuals with
 25 disabilities and older individuals alternate options to

1 cast a ballot in person in an election for Federal of-
2 fice, such as the option to cast a ballot outside of
3 the polling place or from a vehicle, or providing an
4 expedited voting line; and

5 “(3) consider options to establish ‘mobile poll-
6 ing sites’ to allow election officials or volunteers to
7 travel to long-term care facilities and assist residents
8 who request assistance in casting a ballot in order
9 to maintain the privacy and independence of voters
10 in these facilities.

11 “(b) CLARIFICATION.—Nothing in this section may
12 be construed to alter the requirements under Federal law
13 that all polling places for Federal elections are accessible
14 to individuals with disabilities and older individuals.

15 “(c) EFFECTIVE DATE.—This section shall apply
16 with respect to elections for Federal office held on or after
17 January 1, 2024.”

18 (2) VOLUNTARY GUIDANCE.—Section 321(b)(4)
19 such Act (52 U.S.C. 21101(b)), as added and reded-
20 igned by section 201(b) and as amended by section
21 202, is amended by striking “and 306” and insert-
22 ing “, 306, and 307”.

23 (3) CLERICAL AMENDMENTS.—The table of
24 contents of such Act, as amended by section 131(c),
25 section 201(c), and section 202(c), is amended—

1 (A) by redesignating the items relating to
 2 sections 307 and 308 as relating to sections
 3 308 and 309, respectively; and

4 (B) by inserting after the item relating to
 5 section 306 the following new item:

“Sec. 307. Access to voting for individuals with disabilities and older individuals.”.

6 (b) REVISIONS TO VOTING ACCESSIBILITY FOR THE
 7 ELDERLY AND HANDICAPPED ACT.—

8 (1) REPORTS TO ELECTION ASSISTANCE COM-
 9 MISSION.—Section 3(c) of the Voting Accessibility
 10 for the Elderly and Handicapped Act (52 U.S.C.
 11 20102(c)) is amended—

12 (A) in the subsection heading, by striking
 13 “FEDERAL ELECTION COMMISSION” and in-
 14 serting “ELECTION ASSISTANCE COMMISSION”;

15 (B) in each of paragraphs (1) and (2), by
 16 striking “Federal Election Commission” and in-
 17 serting “Election Assistance Commission”; and

18 (C) by striking paragraph (3).

19 (2) CONFORMING AMENDMENTS RELATING TO
 20 REFERENCES.—The Voting Accessibility for the El-
 21 derly and Handicapped Act (52 U.S.C. 20101 et
 22 seq.), as amended by paragraph (1), is amended—

23 (A) by striking “handicapped and elderly
 24 individuals” each place it appears and inserting

1 “individuals with disabilities and older individ-
2 uals”;

3 (B) by striking “handicapped and elderly
4 voters” each place it appears and inserting “in-
5 dividuals with disabilities and older individ-
6 uals”;

7 (C) in section 3(b)(2)(B), by striking
8 “handicapped or elderly voter” and inserting
9 “individual with a disability or older indi-
10 vidual”;

11 (D) in section 5(b), by striking “handi-
12 capped voter” and inserting “individual with a
13 disability”; and

14 (E) in section 8—

15 (i) by striking paragraphs (1) and (2)
16 and inserting the following:

17 “(1) ‘accessible’ has the meaning given that
18 term in section 306 of the Help America Vote Act
19 of 2002, as added by section 202(a) of the Voter
20 Empowerment Act of 2021;

21 “(2) ‘older individual’ has the meaning given
22 that term in such section 306;” and

23 (ii) by striking paragraph (4), and in-
24 serting the following:

1 “(4) ‘individual with a disability’ has the mean-
2 ing given that term in such section 306; and”.

3 (3) SHORT TITLE AMENDMENT.—

4 (A) IN GENERAL.—Section 1 of the “Vot-
5 ing Accessibility for the Elderly and Handi-
6 capped Act” (Public Law 98–435; 42 U.S.C.
7 1973see note) is amended by striking “for the
8 Elderly and Handicapped” and inserting “for
9 Individuals with Disabilities and Older Individ-
10 uals”.

11 (B) REFERENCES.—Any reference in any
12 other provision of law, regulation, document,
13 paper, or other record of the United States to
14 the “Voting Accessibility for the Elderly and
15 Handicapped Act” shall be deemed to be a ref-
16 erence to the “Voting Accessibility for Individ-
17 uals with Disabilities and Older Individuals
18 Act”.

19 (4) EFFECTIVE DATE.—The amendments made
20 by this subsection shall take effect on January 1,
21 2024, and apply to with respect to elections for Fed-
22 eral office held on or after that date.

1 **SEC. 204. PROTECTIONS FOR INDIVIDUALS SUBJECT TO**
2 **GUARDIANSHIP.**

3 (a) **IN GENERAL.**—Subtitle A of title III of the Help
4 America Vote Act of 2002 (52 U.S.C. 21081 et seq.), as
5 amended by section 131(a), section 201(a), section 202(a),
6 and section 203(a)(1), is amended—

7 (1) by redesignating sections 308 and 309 as
8 sections 309 and 310, respectively; and

9 (2) by inserting after section 307 the following:

10 **“SEC. 308. PROTECTIONS FOR INDIVIDUALS SUBJECT TO**
11 **GUARDIANSHIP.**

12 “(a) **IN GENERAL.**—A State shall not determine that
13 an individual lacks the capacity to vote in an election for
14 Federal office on the ground that the individual is subject
15 to guardianship, unless a court of competent jurisdiction
16 issues a court order finding by clear and convincing evi-
17 dence that the individual cannot communicate, with or
18 without accommodations, a desire to participate in the vot-
19 ing process.

20 “(b) **EFFECTIVE DATE.**—This section shall apply
21 with respect to elections for Federal office held on or after
22 January 1, 2022.”.

23 (b) **VOLUNTARY GUIDANCE.**—Section 321(b)(4) such
24 Act (52 U.S.C. 21101(b)), as added and redesignated by
25 section 201(b) and as amended by sections 202 and 203,

1 is amended by striking “and 307” and inserting “307, and
2 308”.

3 (c) CLERICAL AMENDMENTS.—The table of contents
4 of such Act, as amended by section 131(c), section 201(c),
5 section 202(c), and section 203(a)(3), is amended—

6 (1) by redesignating the items relating to sec-
7 tions 308 and 309 as relating to sections 309 and
8 310, respectively; and

9 (A) by inserting after the item relating to
10 section 307 the following new item:

“Sec. 308. Protections for individuals subject to guardianship.”.

11 **SEC. 205. EXPANSION AND REAUTHORIZATION OF GRANT**
12 **PROGRAM TO ASSURE VOTING ACCESS FOR**
13 **INDIVIDUALS WITH DISABILITIES.**

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

18 “(1) making absentee voting and voting at
19 home accessible to individuals with the full range of
20 disabilities (including impairments involving vision,
21 hearing, mobility, or dexterity) through the imple-
22 mentation of accessible absentee voting systems that
23 work in conjunction with assistive technologies for
24 which individuals have access at their homes, inde-
25 pendent living centers, or other facilities;

1 “(2) making polling places, including the path
2 of travel, entrances, exits, and voting areas of each
3 polling facility, accessible to individuals with disabili-
4 ties, including the blind and visually impaired, in a
5 manner that provides the same opportunity for ac-
6 cess and participation (including privacy and inde-
7 pendence) as for other voters; and

8 “(3) providing solutions to problems of access
9 to voting and elections for individuals with disabili-
10 ties that are universally designed and provide the
11 same opportunities for individuals with and without
12 disabilities.”.

13 (b) REAUTHORIZATION.—Section 264(a) of such Act
14 (52 U.S.C. 21024(a)) is amended by adding at the end
15 the following new paragraph:

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

19 (c) PERIOD OF AVAILABILITY OF FUNDS.—Section
20 264 of such Act (52 U.S.C. 21024) is amended—

21 (1) in subsection (b), by striking “Any
22 amounts” and inserting “Except as provided in sub-
23 section (b), any amounts”; and

24 (2) by adding at the end the following new sub-
25 section:

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

2 “(1) DEADLINE FOR OBLIGATION AND EXPEND-
3 ITURE.—In the case of any amounts appropriated
4 pursuant to the authority of subsection (a) for a
5 payment to a State or unit of local government for
6 fiscal year 2022 or any succeeding fiscal year, any
7 portion of such amounts which have not been obli-
8 gated or expended by the State or unit of local gov-
9 ernment prior to the expiration of the 4-year period
10 which begins on the date the State or unit of local
11 government first received the amounts shall be
12 transferred to the Commission.

13 “(2) REALLOCATION OF TRANSFERRED
14 AMOUNTS.—

15 “(A) IN GENERAL.—The Commission shall
16 use the amounts transferred under paragraph
17 (1) to make payments on a pro rata basis to
18 each covered payment recipient described in
19 subparagraph (B), which may obligate and ex-
20 pend such payment for the purposes described
21 in section 261(b) during the 1-year period
22 which begins on the date of receipt.

23 “(B) COVERED PAYMENT RECIPIENTS DE-
24 SCRIBED.—In subparagraph (A), a ‘covered

1 payment recipient' is a State or unit of local
2 government with respect to which—

3 “(i) amounts were appropriated pur-
4 suant to the authority of subsection (a);
5 and

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

8 **SEC. 206. APPOINTMENTS TO EAC BOARD OF ADVISORS.**

9 (a) IN GENERAL.—Section 214(a) of the Help Amer-
10 ica Vote Act of 2002 (52 U.S.C. 20944(a)) is amended—

11 (1) in the matter preceding paragraph (1), by
12 striking “37” and inserting “49”; and

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

15 “(17) Two members appointed by the National
16 Council on Disability.

17 “(18) Two members appointed by the Assistant
18 Secretary of Health and Human Services for Aging.

19 “(19) Four members from organizations, whose
20 executive leadership team consists of fifty-one per-
21 cent of individuals with disabilities, representing the
22 interests of voters with disabilities, of whom—

23 “(A) two members shall be appointed by
24 the Committee on Education and Labor of the
25 House of Representatives, of whom one shall be

1 appointed by the chair and one shall be ap-
 2 pointed by the ranking minority member; and

3 “(B) two members shall be appointed by
 4 the Committee on Health, Education, Labor,
 5 and Pensions of the Senate, of whom one shall
 6 be appointed by the chair and one shall be ap-
 7 pointed by the ranking minority member.

8 “(20) Four members from organizations rep-
 9 resenting the interests of older voters, of whom—

10 “(A) two members shall be appointed by
 11 the Committee on Education and Labor of the
 12 House of Representatives, of whom one shall be
 13 appointed by the chair and one shall be ap-
 14 pointed by the ranking minority member; and

15 “(B) two members shall be appointed by
 16 the Special Committee on Aging of the Senate,
 17 of whom one shall be appointed by the chair
 18 and one shall be appointed by the ranking mi-
 19 nority member.”.

20 (b) **EFFECTIVE DATE.**—The amendments made by
 21 subsection (a) shall take effect on January 1, 2022.

22 **SEC. 207. FUNDING FOR PROTECTION AND ADVOCACY SYS-**
 23 **TEMS.**

24 (a) **INCLUSION OF SYSTEM SERVING AMERICAN IN-**
 25 **DIAN CONSORTIUM.**—Section 291(a) of the Help America

1 Vote Act of 2002 (52 U.S.C. 21061(a)) is amended by
2 striking “of each State” and inserting “of each State and
3 the eligible system serving the American Indian consor-
4 tium (within the meaning of section 509(c)(1)(B) of the
5 Rehabilitation Act of 1973 (29 U.S.C. 794e(c)(1)(B)))”.

6 (b) GRANT AMOUNT.—Section 291(b) of the Help
7 America Vote Act of 2002 (52 U.S.C. 21061(b)) is amend-
8 ed—

9 (1) by striking “as set forth in subsections
10 (c)(3)” and inserting “as set forth in subsections
11 (c)(1)(B) (regardless of the fiscal year), (c)(3)”;

12 (2) by striking “except that” and all that fol-
13 lows and inserting “except that the amount of the
14 grants to systems referred to in subsection (c)(3)(B)
15 of that section shall not be less than \$70,000 and
16 the amount of the grants to systems referred to in
17 subsections (c)(1)(B) and (c)(4)(B) of that section
18 shall not be less than \$35,000.”.

19 (c) DEFINITION.—Section 291 of the Help America
20 Vote Act of 2002 (52 U.S.C. 21061) is amended by adding
21 at the end the following:

22 “(d) STATE.—In this section, the term ‘State’
23 means—

24 “(1) a State as defined in section 901; and

1 “(2) the Commonwealth of the Northern Mar-
2 iana Islands.”.

3 **SEC. 208. PILOT PROGRAMS FOR ENABLING INDIVIDUALS**
4 **WITH DISABILITIES TO REGISTER TO VOTE**
5 **PRIVATELY AND INDEPENDENTLY AT RESI-**
6 **DENCES.**

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

17 (b) REPORTS.—

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

23 (2) DEADLINE.—A State shall submit a report
24 under paragraph (1) not later than 90 days after

1 the last election for public office held in the State
2 during the year.

3 (c) ELIGIBILITY.—A State is eligible to receive a
4 grant under this section if the State submits to the Com-
5 mission, at such time and in such form as the Commission
6 may require, an application containing such information
7 and assurances as the Commission may require.

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

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

18 **SEC. 209. GAO ANALYSIS AND REPORT ON VOTING ACCESS**

19 **FOR INDIVIDUALS WITH DISABILITIES.**

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

24 (1) In relation to polling places located in
25 houses of worship or other facilities that may be ex-

1 empt from accessibility requirements under the
2 Americans with Disabilities Act—

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

5 (B) the extent to which such facilities are
6 used as polling places in elections for Federal
7 office.

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

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

16 (A) are located in places that are difficult
17 to access;

18 (B) malfunction; or

19 (C) fail to provide sufficient privacy to en-
20 sure that the ballot of the individual cannot be
21 seen by another individual.

22 (4) The process by which Federal, State, and
23 local governments track compliance with accessibility
24 requirements related to voting access, including
25 methods to receive and address complaints.

1 (5) The extent to which poll workers receive
2 training on how to assist individuals with disabili-
3 ties, including the receipt by such poll workers of
4 information on legal requirements related to voting
5 rights for individuals with disabilities.

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

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

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

17 (b) REPORT.—

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

1 (A) The analysis required by subsection
2 (a).

3 (B) Recommendations, as appropriate, to
4 promote the use of best practices used by State
5 and local officials to address barriers to accessi-
6 bility and privacy concerns for individuals with
7 disabilities in elections for Federal office.

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

11 (A) the Committee on House Administra-
12 tion of the House of Representatives;

13 (B) the Committee on Rules and Adminis-
14 tration of the Senate;

15 (C) the Committee on Appropriations of
16 the House of Representatives; and

17 (D) the Committee on Appropriations of
18 the Senate.

19 **TITLE III—PROHIBITING VOTER**
20 **CAGING**

21 **SEC. 301. VOTER CAGING AND OTHER QUESTIONABLE**
22 **CHALLENGES PROHIBITED.**

23 (a) IN GENERAL.—Chapter 29 of title 18, United
24 States Code, as amended by section 171(a), is amended
25 by adding at the end the following:

1 **“§ 613. Voter caging and other questionable chal-**
2 **lenges**

3 “(a) DEFINITIONS.—In this section—

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

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

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

17 “(2) the term ‘voter caging list’ means a list of
18 individuals compiled from voter caging documents;
19 and

20 “(3) the term ‘unverified match list’ means a
21 list produced by matching the information of reg-
22 istered voters or applicants for voter registration to
23 a list of individuals who are ineligible to vote in the
24 registrar’s jurisdiction, by virtue of death, convic-
25 tion, change of address, or otherwise; unless one of
26 the pieces of information matched includes a signa-

1 ture, photograph, or unique identifying number en-
2 suring that the information from each source refers
3 to the same individual.

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

11 “(1) a voter caging document or voter caging
12 list;

13 “(2) an unverified match list;

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

20 “(4) any other evidence so designated for pur-
21 poses of this section by the Election Assistance Com-
22 mission,

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

1 “(c) REQUIREMENTS FOR CHALLENGES BY PERSONS
2 OTHER THAN ELECTION OFFICIALS.—

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

11 “(A) documented in writing; and

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

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

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

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

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

18 “(e) NO EFFECT ON RELATED LAWS.—Nothing in
19 this section is intended to override the protections of the
20 National Voter Registration Act of 1993 (52 U.S.C.
21 20501 et seq.) or to affect the Voting Rights Act of 1965
22 (52 U.S.C. 10301 et seq.).”.

23 “(b) CLERICAL AMENDMENT.—The table of sections
24 for chapter 29 of title 18, United States Code, as amended

1 by section 171(b), is amended by adding at the end the
 2 following:

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

3 **SEC. 302. DEVELOPMENT AND ADOPTION OF BEST PRACTICES FOR PREVENTING VOTER CAGING.**
 4

5 (a) BEST PRACTICES.—Not later than 180 days after
 6 the date of the enactment of this Act, the Election Assist-
 7 ance Commission shall develop and publish for the use of
 8 States recommendations for best practices to deter and
 9 prevent violations of section 613 of title 18, United States
 10 Code, as added by section 301(a), including practices to
 11 provide for the posting of relevant information at polling
 12 places and voter registration agencies, the training of poll
 13 workers and election officials, and relevant educational
 14 measures. For purposes of this subsection, the term
 15 “State” includes the District of Columbia, the Common-
 16 wealth of Puerto Rico, Guam, American Samoa, the
 17 United States Virgin Islands, and the Commonwealth of
 18 the Northern Mariana Islands.

19 (b) INCLUSION IN VOTING INFORMATION REQUIRE-
 20 MENTS.—Section 302(b)(2) of the Help America Vote Act
 21 of 2002 (52 U.S.C. 21082(b)(2)), as amended by section
 22 172(b), is amended—

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

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

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

5 “(H) information relating to the prohibi-
6 tion against voter caging and other questionable
7 challenges (as set forth in section 613 of title
8 18, United States Code), including information
9 on how individuals may report allegations of
10 violations of such prohibition.”.

11 **TITLE IV—PROHIBITING DECEP-**
12 **TIVE PRACTICES AND PRE-**
13 **VENTING VOTER INTIMIDA-**
14 **TION**

15 **SEC. 401. SHORT TITLE.**

16 This title may be cited as the “Deceptive Practices
17 and Voter Intimidation Prevention Act of 2021”.

18 **SEC. 402. PROHIBITION ON DECEPTIVE PRACTICES IN FED-**
19 **ERAL ELECTIONS.**

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

22 (1) by striking “No person” and inserting the
23 following:

24 “(1) IN GENERAL.—No person”; and

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

3 “(2) FALSE STATEMENTS REGARDING FEDERAL
4 ELECTIONS.—

5 “(A) PROHIBITION.—No person, whether
6 acting under color of law or otherwise, shall,
7 within 60 days before an election described in
8 paragraph (5), by any means, including by
9 means of written, electronic, or telephonic com-
10 munications, communicate or cause to be com-
11 municated information described in subpara-
12 graph (B), or produce information described in
13 subparagraph (B) with the intent that such in-
14 formation be communicated, if such person—

15 “(i) knows such information to be ma-
16 terially false; and

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

21 “(B) INFORMATION DESCRIBED.—Infor-
22 mation is described in this subparagraph if such
23 information is regarding—

1 “(i) the time, place, or manner of
2 holding any election described in para-
3 graph (5); or

4 “(ii) the qualifications for or restric-
5 tions on voter eligibility for any such elec-
6 tion, including—

7 “(I) any criminal penalties asso-
8 ciated with voting in any such elec-
9 tion; or

10 “(II) information regarding a
11 voter’s registration status or eligi-
12 bility.

13 “(3) FALSE STATEMENTS REGARDING PUBLIC
14 ENDORSEMENTS.—

15 “(A) PROHIBITION.—No person, whether
16 acting under color of law or otherwise, shall,
17 within 60 days before an election described in
18 paragraph (5), by any means, including by
19 means of written, electronic, or telephonic com-
20 munications, communicate, or cause to be com-
21 municated, a materially false statement about
22 an endorsement, if such person—

23 “(i) knows such statement to be false;
24 and

1 “(ii) has the intent to impede or pre-
2 vent another person from exercising the
3 right to vote in an election described in
4 paragraph (5).

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

10 “(i) the statement states that a spe-
11 cifically named person, political party, or
12 organization has endorsed the election of a
13 specific candidate for a Federal office de-
14 scribed in such paragraph; and

15 “(ii) such person, political party, or
16 organization has not endorsed the election
17 of such candidate.

18 “(4) HINDERING, INTERFERING WITH, OR PRE-
19 VENTING VOTING OR REGISTERING TO VOTE.—No
20 person, whether acting under color of law or other-
21 wise, shall intentionally hinder, interfere with, or
22 prevent another person from voting, registering to
23 vote, or aiding another person to vote or register to
24 vote in an election described in paragraph (5).

1 “(5) ELECTION DESCRIBED.—An election de-
2 scribed in this paragraph is any general, primary,
3 run-off, or special election held solely or in part for
4 the purpose of nominating or electing a candidate
5 for the office of President, Vice President, Presi-
6 dential elector, Member of the Senate, Member of
7 the House of Representatives, or Delegate or Com-
8 missioner from a Territory or possession.”.

9 (b) PRIVATE RIGHT OF ACTION.—

10 (1) IN GENERAL.—Subsection (c) of section
11 2004 of the Revised Statutes (52 U.S.C. 10101(e))
12 is amended—

13 (A) by striking “Whenever any person”
14 and inserting the following:

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

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

18 “(2) CIVIL ACTION.—Any person aggrieved by a
19 violation of subsection (b)(2), (b)(3), or (b)(4) may
20 institute a civil action for preventive relief, including
21 an application in a United States district court for
22 a permanent or temporary injunction, restraining
23 order, or other order. In any such action, the court,
24 in its discretion, may allow the prevailing party a
25 reasonable attorney’s fee as part of the costs.”.

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

4 (A) in subsection (e), by striking “sub-
5 section (c)” and inserting “subsection (c)(1)”;
6 and

7 (B) in subsection (g), by striking “sub-
8 section (e)” and inserting “subsection (e)(1)”.

9 (c) CRIMINAL PENALTIES.—

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

12 (A) by striking “Whoever” and inserting
13 the following:

14 “(a) INTIMIDATION.—Whoever”;

15 (B) in subsection (a), as inserted by sub-
16 paragraph (A), by striking “at any election”
17 and inserting “at any general, primary, run-off,
18 or special election”; and

19 (C) by adding at the end the following new
20 subsections:

21 “(b) DECEPTIVE ACTS.—

22 “(1) FALSE STATEMENTS REGARDING FEDERAL
23 ELECTIONS.—

24 “(A) PROHIBITION.—It shall be unlawful
25 for any person, whether acting under color of

1 law or otherwise, within 60 days before an elec-
2 tion described in subsection (e), by any means,
3 including by means of written, electronic, or tel-
4 ephonic communications, to communicate or
5 cause to be communicated information de-
6 scribed in subparagraph (B), or produce infor-
7 mation described in subparagraph (B) with the
8 intent that such information be communicated,
9 if such person—

10 “(i) knows such information to be ma-
11 terially false; and

12 “(ii) has the intent to mislead voters,
13 or the intent to impede or prevent another
14 person from exercising the right to vote in
15 an election described in subsection (e).

16 “(B) INFORMATION DESCRIBED.—Infor-
17 mation is described in this subparagraph if such
18 information is regarding—

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

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

1 “(I) any criminal penalties asso-
2 ciated with voting in any such elec-
3 tion; or

4 “(II) information regarding a
5 voter’s registration status or eligi-
6 bility.

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

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

12 “(1) PROHIBITION.—It shall be unlawful for
13 any person, whether acting under color of law or
14 otherwise, to intentionally hinder, interfere with, or
15 prevent another person from voting, registering to
16 vote, or aiding another person to vote or register to
17 vote in an election described in subsection (e).

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

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

1 “(e) ELECTION DESCRIBED.—An election described
2 in this subsection is any general, primary, run-off, or spe-
3 cial election held solely or in part for the purpose of nomi-
4 nating or electing a candidate for the office of President,
5 Vice President, Presidential elector, Senator, Member of
6 the House of Representatives, or Delegate or Resident
7 Commissioner to the Congress.”.

8 (2) MODIFICATION OF PENALTY FOR VOTER IN-
9 TIMIDATION.—Section 594(a) of title 18, United
10 States Code, as amended by paragraph (1), is
11 amended by striking “fined under this title or im-
12 prisoned not more than one year” and inserting
13 “fined not more than \$100,000, imprisoned for not
14 more than 5 years”.

15 (3) SENTENCING GUIDELINES.—

16 (A) REVIEW AND AMENDMENT.—Not later
17 than 180 days after the date of enactment of
18 this Act, the United States Sentencing Commis-
19 sion, pursuant to its authority under section
20 994 of title 28, United States Code, and in ac-
21 cordance with this section, shall review and, if
22 appropriate, amend the Federal sentencing
23 guidelines and policy statements applicable to
24 persons convicted of any offense under section

1 594 of title 18, United States Code, as amend-
2 ed by this section.

3 (B) AUTHORIZATION.—The United States
4 Sentencing Commission may amend the Federal
5 Sentencing Guidelines in accordance with the
6 procedures set forth in section 21(a) of the Sen-
7 tencing Act of 1987 (28 U.S.C. 994 note) as
8 though the authority under that section had not
9 expired.

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

16 **SEC. 403. CORRECTIVE ACTION.**

17 (a) CORRECTIVE ACTION.—

18 (1) IN GENERAL.—If the Attorney General re-
19 ceives a credible report that materially false informa-
20 tion has been or is being communicated in violation
21 of paragraphs (2) and (3) of section 2004(b) of the
22 Revised Statutes (52 U.S.C. 10101(b)), as added by
23 section 402(a), and if the Attorney General deter-
24 mines that State and local election officials have not
25 taken adequate steps to promptly communicate accu-

1 rate information to correct the materially false infor-
2 mation, the Attorney General shall, pursuant to the
3 written procedures and standards under subsection
4 (b), communicate to the public, by any means, in-
5 cluding by means of written, electronic, or telephonic
6 communications, accurate information designed to
7 correct the materially false information.

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

11 (A) shall—

12 (i) be accurate and objective;

13 (ii) consist of only the information
14 necessary to correct the materially false in-
15 formation that has been or is being com-
16 municated; and

17 (iii) to the extent practicable, be by a
18 means that the Attorney General deter-
19 mines will reach the persons to whom the
20 materially false information has been or is
21 being communicated; and

22 (B) shall not be designed to favor or dis-
23 favor any particular candidate, organization, or
24 political party.

1 (b) WRITTEN PROCEDURES AND STANDARDS FOR
2 TAKING CORRECTIVE ACTION.—

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

8 (2) INCLUSION OF APPROPRIATE DEADLINES.—
9 The procedures and standards under paragraph (1)
10 shall include appropriate deadlines, based in part on
11 the number of days remaining before the upcoming
12 election.

13 (3) CONSULTATION.—In developing the proce-
14 dures and standards under paragraph (1), the Attor-
15 ney General shall consult with the Election Assist-
16 ance Commission, State and local election officials,
17 civil rights organizations, voting rights groups, voter
18 protection groups, and other interested community
19 organizations.

20 (c) AUTHORIZATION OF APPROPRIATIONS.—There
21 are authorized to be appropriated to the Attorney General
22 such sums as may be necessary to carry out this title.

23 **SEC. 404. REPORTS TO CONGRESS.**

24 (a) IN GENERAL.—Not later than 180 days after
25 each general election for Federal office, the Attorney Gen-

1 eral shall submit to Congress a report compiling all allega-
2 tions received by the Attorney General of deceptive prac-
3 tices described in paragraphs (2), (3), and (4) of section
4 2004(b) of the Revised Statutes (52 U.S.C. 10101(b)), as
5 added by section 402(a), relating to the general election
6 for Federal office and any primary, run-off, or a special
7 election for Federal office held in the 2 years preceding
8 the general election.

9 (b) CONTENTS.—

10 (1) IN GENERAL.—Each report submitted
11 under subsection (a) shall include—

12 (A) a description of each allegation of a
13 deceptive practice described in subsection (a),
14 including the geographic location, racial and
15 ethnic composition, and language minority-
16 group membership of the persons toward whom
17 the alleged deceptive practice was directed;

18 (B) the status of the investigation of each
19 allegation described in subparagraph (A);

20 (C) a description of each corrective action
21 taken by the Attorney General under section
22 403(a) in response to an allegation described in
23 subparagraph (A);

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

4 (E) to the extent information is available,
5 a description of any civil action instituted under
6 section 2004(c)(2) of the Revised Statutes (52
7 U.S.C. 10101(c)(2)), as added by section
8 402(b), in connection with an allegation de-
9 scribed in subparagraph (A); and

10 (F) a description of any criminal prosecu-
11 tion instituted under section 594 of title 18,
12 United States Code, as amended by section
13 402(c), in connection with the receipt of an alle-
14 gation described in subparagraph (A) by the
15 Attorney General.

16 (2) EXCLUSION OF CERTAIN INFORMATION.—

17 (A) IN GENERAL.—The Attorney General
18 shall not include in a report submitted under
19 subsection (a) any information protected from
20 disclosure by rule 6(e) of the Federal Rules of
21 Criminal Procedure or any Federal criminal
22 statute.

23 (B) EXCLUSION OF CERTAIN OTHER IN-
24 FORMATION.—The Attorney General may deter-
25 mine that the following information shall not be

1 included in a report submitted under subsection

2 (a):

3 (i) Any information that is privileged.

4 (ii) Any information concerning an
5 ongoing investigation.

6 (iii) Any information concerning a
7 criminal or civil proceeding conducted
8 under seal.

9 (iv) Any other nonpublic information
10 that the Attorney General determines the
11 disclosure of which could reasonably be ex-
12 pected to infringe on the rights of any in-
13 dividual or adversely affect the integrity of
14 a pending or future criminal investigation.

15 (c) REPORT MADE PUBLIC.—On the date that the
16 Attorney General submits the report under subsection (a),
17 the Attorney General shall also make the report publicly
18 available through the internet and other appropriate
19 means.

20 **TITLE V—DEMOCRACY**
21 **RESTORATION**

22 **SEC. 501. SHORT TITLE.**

23 This title may be cited as the “Democracy Restora-
24 tion Act of 2021”.

1 **SEC. 502. FINDINGS.**

2 Congress makes the following findings:

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

7 (2) Article I, section 4, of the Constitution
8 grants Congress ultimate supervisory power over
9 Federal elections, an authority which has repeatedly
10 been upheld by the United States Supreme Court.

11 (3) Basic constitutional principles of fairness
12 and equal protection require an equal opportunity
13 for citizens of the United States to vote in Federal
14 elections. The right to vote may not be abridged or
15 denied by the United States or by any State on ac-
16 count of race, color, gender, or previous condition of
17 servitude. The 13th, 14th, 15th, 19th, 24th, and
18 26th Amendments to the Constitution empower Con-
19 gress to enact measures to protect the right to vote
20 in Federal elections. The 8th Amendment to the
21 Constitution provides for no excessive bail to be re-
22 quired, nor excessive fines imposed, nor cruel and
23 unusual punishments inflicted.

24 (4) There are 3 areas in which discrepancies in
25 State laws regarding criminal convictions lead to un-
26 fairness in Federal elections—

1 (A) the lack of a uniform standard for vot-
2 ing in Federal elections leads to an unfair dis-
3 parity and unequal participation in Federal
4 elections based solely on where a person lives;

5 (B) laws governing the restoration of vot-
6 ing rights after a criminal conviction vary
7 throughout the country and persons in some
8 States can easily regain their voting rights
9 while in other States persons effectively lose
10 their right to vote permanently; and

11 (C) State disenfranchisement laws dis-
12 proportionately impact racial and ethnic minori-
13 ties.

14 (5) State disenfranchisement laws vary widely.
15 Two States (Maine and Vermont) and the Common-
16 wealth of Puerto Rico do not disenfranchise individ-
17 uals with criminal convictions at all. In 2020, the
18 District of Columbia re-enfranchised its citizens who
19 are under the supervision of the Federal Bureau of
20 Prisons. In 30 States, individuals with convictions
21 may not vote while they are on parole and 28 of
22 those States disenfranchise individuals on felony
23 probation as well. In 11 States, a conviction can re-
24 sult in lifetime disenfranchisement.

1 (6) Several States deny the right to vote to in-
2 dividuals convicted of certain misdemeanors.

3 (7) In 2020, an estimated 5,200,000 citizens of
4 the United States, or about 1 in 44 adults in the
5 United States, could not vote as a result of a felony
6 conviction. Of the 5,200,000 citizens barred from
7 voting then, only 24 percent were in prison. By con-
8 trast, 75 percent of persons disenfranchised then re-
9 sided in their communities while on probation or pa-
10 role or after having completed their sentences. Ap-
11 proximately 2,200,000 citizens who had completed
12 their sentences were disenfranchised due to restric-
13 tive State laws. As of November 2018, the lifetime
14 ban for persons with certain felony convictions was
15 eliminated through a Florida ballot initiative. As a
16 result, as many as 1,400,000 people are now eligible
17 to have their voting rights restored. In 4 States—
18 Alabama, Florida, Mississippi, and Tennessee—more
19 than 7 percent of the total population is
20 disenfranchised.

21 (8) In those States that disenfranchise individ-
22 uals post-sentence, the right to vote can be regained
23 in theory, but in practice this possibility is often
24 granted in a non-uniform and potentially discrimina-
25 tory manner. Disenfranchised individuals sometimes

1 must either obtain a pardon or an order from the
2 Governor or an action by the parole or pardon
3 board, depending on the offense and State. Individ-
4 uals convicted of a Federal offense often have addi-
5 tional barriers to regaining voting rights.

6 (9) State disenfranchisement laws dispropor-
7 tionately impact racial and ethnic minorities. In re-
8 cent years, African Americans have been imprisoned
9 at over 5 times the rate of Whites. More than 6 per-
10 cent of the voting-age African-American population,
11 or 1,800,000 African Americans, are disenfranchised
12 due to a felony conviction. In 9 States—Alabama
13 (16 percent), Arizona (13 percent), Florida (15 per-
14 cent), Kentucky (15 percent), Mississippi (16 per-
15 cent), South Dakota (14 percent), Tennessee (21
16 percent), Virginia (16 percent), and Wyoming (36
17 percent)—more than 1 in 8 African Americans are
18 unable to vote because of a felony conviction, twice
19 the national average for African Americans.

20 (10) Latino citizens are also disproportionately
21 disenfranchised based upon their disproportionate
22 representation in the criminal justice system. In re-
23 cent years, Latinos have been imprisoned at 2.5
24 times the rate of Whites. More than 2 percent of the
25 voting-age Latino population, or 560,000 Latinos,

1 are disenfranchised due to a felony conviction. In 34
2 states Latinos are disenfranchised at a higher rate
3 than the general population. In 11 states 4 percent
4 or more of Latino adults are disenfranchised due to
5 a felony conviction (Alabama, 4 percent; Arizona, 7
6 percent; Arkansas, 4 percent; Idaho, 4 percent;
7 Iowa, 4 percent; Kentucky, 6 percent; Minnesota, 4
8 percent; Mississippi, 5 percent; Nebraska, 6 percent;
9 Tennessee, 11 percent, Wyoming, 4 percent), twice
10 the national average for Latinos.

11 (11) Disenfranchising citizens who have been
12 convicted of a criminal offense and who are living
13 and working in the community serves no compelling
14 State interest and hinders their rehabilitation and
15 reintegration into society.

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

22 (13) The United States is one of the only West-
23 ern democracies that permits the permanent denial
24 of voting rights for individuals with felony convic-
25 tions.

1 **SEC. 503. RIGHTS OF CITIZENS.**

2 The right of an individual who is a citizen of the
3 United States to vote in any election for Federal office
4 shall not be denied or abridged because that individual has
5 been convicted of a criminal offense unless such individual
6 is serving a felony sentence in a correctional institution
7 or facility at the time of the election.

8 **SEC. 504. ENFORCEMENT.**

9 (a) **ATTORNEY GENERAL.**—The Attorney General
10 may, in a civil action, obtain such declaratory or injunctive
11 relief as is necessary to remedy a violation of this title.

12 (b) **PRIVATE RIGHT OF ACTION.**—

13 (1) **IN GENERAL.**—A person who is aggrieved
14 by a violation of this title may provide written notice
15 of the violation to the chief election official of the
16 State involved.

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

25 (3) **EXCEPTION.**—If the violation occurred
26 within 30 days before the date of an election for

1 Federal office, the aggrieved person need not provide
2 notice to the chief election official of the State under
3 paragraph (1) before bringing a civil action to obtain
4 declaratory or injunctive relief with respect to the
5 violation.

6 **SEC. 505. NOTIFICATION OF RESTORATION OF VOTING**
7 **RIGHTS.**

8 (a) STATE NOTIFICATION.—

9 (1) NOTIFICATION.—On the date determined
10 under paragraph (2), each State shall—

11 (A) notify in writing any individual who
12 has been convicted of a criminal offense under
13 the law of that State that such individual—

14 (i) has the right to vote in an election
15 for Federal office pursuant to the Democ-
16 racy Restoration Act of 2021; and

17 (ii) may register to vote in any such
18 election; and

19 (B) provide such individual with any mate-
20 rials that are necessary to register to vote in
21 any such election.

22 (2) DATE OF NOTIFICATION.—

23 (A) FELONY CONVICTION.—In the case of
24 such an individual who has been convicted of a
25 felony, the notification required under para-

1 graph (1) shall be given on the date on which
2 the individual—

3 (i) is sentenced to serve only a term
4 of probation; or

5 (ii) is released from the custody of
6 that State (other than to the custody of
7 another State or the Federal Government
8 to serve a term of imprisonment for a fel-
9 ony conviction).

10 (B) MISDEMEANOR CONVICTION.—In the
11 case of such an individual who has been con-
12 victed of a misdemeanor, the notification re-
13 quired under paragraph (1) shall be given on
14 the date on which such individual is sentenced
15 by a State court.

16 (b) FEDERAL NOTIFICATION.—

17 (1) NOTIFICATION.—Any individual who has
18 been convicted of a criminal offense under Federal
19 law—

20 (A) shall be notified in accordance with
21 paragraph (2) that such individual—

22 (i) has the right to vote in an election
23 for Federal office pursuant to the Democ-
24 racy Restoration Act of 2021; and

1 (ii) may register to vote in any such
2 election; and

3 (B) shall be provided with any materials
4 that are necessary to register to vote in any
5 such election.

6 (2) DATE OF NOTIFICATION.—

7 (A) FELONY CONVICTION.—In the case of
8 such an individual who has been convicted of a
9 felony, the notification required under para-
10 graph (1) shall be given—

11 (i) in the case of an individual who is
12 sentenced to serve only a term of proba-
13 tion, by the Assistant Director for the Of-
14 fice of Probation and Pretrial Services of
15 the Administrative Office of the United
16 States Courts on the date on which the in-
17 dividual is sentenced; or

18 (ii) in the case of any individual com-
19 mitted to the custody of the Bureau of
20 Prisons, by the Director of the Bureau of
21 Prisons, during the period beginning on
22 the date that is 6 months before such indi-
23 vidual is released and ending on the date
24 such individual is released from the cus-
25 tody of the Bureau of Prisons.

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

7 **SEC. 506. DEFINITIONS.**

8 For purposes of this title:

9 (1) CORRECTIONAL INSTITUTION OR FACIL-
10 ITY.—The term “correctional institution or facility”
11 means any prison, penitentiary, jail, or other institu-
12 tion or facility for the confinement of individuals
13 convicted of criminal offenses, whether publicly or
14 privately operated, except that such term does not
15 include any residential community treatment center
16 (or similar public or private facility).

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

18 (A) a general, special, primary, or runoff
19 election;

20 (B) a convention or caucus of a political
21 party held to nominate a candidate;

22 (C) a primary election held for the selec-
23 tion of delegates to a national nominating con-
24 vention of a political party; or

1 (D) a primary election held for the expres-
2 sion of a preference for the nomination of per-
3 sons for election to the office of President.

4 (3) FEDERAL OFFICE.—The term “Federal of-
5 fice” means the office of President or Vice President
6 of the United States, or of Senator or Representa-
7 tive in, or Delegate or Resident Commissioner to,
8 the Congress of the United States.

9 (4) PROBATION.—The term “probation” means
10 probation, imposed by a Federal, State, or local
11 court, with or without a condition on the individual
12 involved concerning—

13 (A) the individual’s freedom of movement;

14 (B) the payment of damages by the indi-
15 vidual;

16 (C) periodic reporting by the individual to
17 an officer of the court; or

18 (D) supervision of the individual by an of-
19 ficer of the court.

20 **SEC. 507. RELATION TO OTHER LAWS.**

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

1 (b) CERTAIN FEDERAL ACTS.—The rights and rem-
2 edies established by this title—

3 (1) are in addition to all other rights and rem-
4 edies provided by law, and

5 (2) shall not supersede, restrict, or limit the ap-
6 plication of the Voting Rights Act of 1965 (52
7 U.S.C. 10301 et seq.) or the National Voter Reg-
8 istration Act of 1993 (52 U.S.C. 20501 et seq.).

9 **SEC. 508. FEDERAL PRISON FUNDS.**

10 No State, unit of local government, or other person
11 may receive or use, to construct or otherwise improve a
12 prison, jail, or other place of incarceration, any Federal
13 funds unless that person has in effect a program under
14 which each individual incarcerated in that person's juris-
15 diction who is a citizen of the United States is notified,
16 upon release from such incarceration, of that individual's
17 rights under section 503.

18 **SEC. 509. EFFECTIVE DATE.**

19 This title shall apply to citizens of the United States
20 voting in any election for Federal office held after the date
21 of the enactment of this Act.

1 **TITLE VI—PROMOTING ACCU-**
 2 **RACY, INTEGRITY, AND SECUR-**
 3 **RITY THROUGH VOTER-**
 4 **VERIFIED PERMANENT**
 5 **PAPER BALLOT**

6 **SEC. 601. SHORT TITLE.**

7 This title may be cited as the “Voter Confidence and
 8 Increased Accessibility Act of 2021”.

9 **SEC. 602. PAPER BALLOT AND MANUAL COUNTING RE-**
 10 **QUIREMENTS.**

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

14 “(2) **PAPER BALLOT REQUIREMENT.**—

15 “(A) **VOTER-VERIFIED PAPER BALLOTS.**—

16 “(i) **PAPER BALLOT REQUIREMENT.**—

17 (I) The voting system shall require the use
 18 of an individual, durable, voter-verified
 19 paper ballot of the voter’s vote that shall
 20 be marked and made available for inspec-
 21 tion and verification by the voter before
 22 the voter’s vote is cast and counted, and
 23 which shall be counted by hand or read by
 24 an optical character recognition device or
 25 other counting device. For purposes of this

1 subclause, the term ‘individual, durable,
2 voter-verified paper ballot’ means a paper
3 ballot marked by the voter by hand or a
4 paper ballot marked through the use of a
5 nontabulating ballot marking device or sys-
6 tem, so long as the voter shall have the op-
7 tion to mark his or her ballot by hand.

8 “(II) The voting system shall provide
9 the voter with an opportunity to correct
10 any error on the paper ballot before the
11 permanent voter-verified paper ballot is
12 preserved in accordance with clause (ii).

13 “(III) The voting system shall not
14 preserve the voter-verified paper ballots in
15 any manner that makes it possible, at any
16 time after the ballot has been cast, to asso-
17 ciate a voter with the record of the voter’s
18 vote without the voter’s consent.

19 “(IV) The voting system shall pre-
20 vent, through mechanical means or
21 through independently verified protections,
22 the modification or addition of vote selec-
23 tions on a printed or marked ballot at any
24 time after the voter has been provided an

1 opportunity to correct errors on the ballot
2 pursuant to subclause (II).

3 “(ii) PRESERVATION AS OFFICIAL
4 RECORD.—The individual, durable, voter-
5 verified paper ballot used in accordance
6 with clause (i) shall constitute the official
7 ballot and shall be preserved and used as
8 the official ballot for purposes of any re-
9 count or audit conducted with respect to
10 any election for Federal office in which the
11 voting system is used.

12 “(iii) MANUAL COUNTING REQUIRE-
13 MENTS FOR RECOUNTS AND AUDITS.—(I)
14 Each paper ballot used pursuant to clause
15 (i) shall be suitable for a manual audit,
16 and shall be counted by hand in any re-
17 count or audit conducted with respect to
18 any election for Federal office.

19 “(II) In the event of any inconsist-
20 encies or irregularities between any elec-
21 tronic vote tallies and the vote tallies de-
22 termined by counting by hand the indi-
23 vidual, durable, voter-verified paper ballots
24 used pursuant to clause (i), and subject to
25 subparagraph (B), the individual, durable,

1 voter-verified paper ballots shall be the
2 true and correct record of the votes cast.

3 “(iv) APPLICATION TO ALL BAL-
4 LOTS.—The requirements of this subpara-
5 graph shall apply to all ballots cast in elec-
6 tions for Federal office, including ballots
7 cast by absent uniformed services voters
8 and overseas voters under the Uniformed
9 and Overseas Citizens Absentee Voting Act
10 and other absentee voters.

11 “(B) SPECIAL RULE FOR TREATMENT OF
12 DISPUTES WHEN PAPER BALLOTS HAVE BEEN
13 SHOWN TO BE COMPROMISED.—

14 “(i) IN GENERAL.—In the event
15 that—

16 “(I) there is any inconsistency
17 between any electronic vote tallies and
18 the vote tallies determined by count-
19 ing by hand the individual, durable,
20 voter-verified paper ballots used pur-
21 suant to subparagraph (A)(i) with re-
22 spect to any election for Federal of-
23 fice; and

24 “(II) it is demonstrated by clear
25 and convincing evidence (as deter-

1 mined in accordance with the applica-
2 ble standards in the jurisdiction in-
3 volved) in any recount, audit, or con-
4 test of the result of the election that
5 the paper ballots have been com-
6 promised (by damage or mischief or
7 otherwise) and that a sufficient num-
8 ber of the ballots have been so com-
9 promised that the result of the elec-
10 tion could be changed,

11 the determination of the appropriate rem-
12 edy with respect to the election shall be
13 made in accordance with applicable State
14 law, except that the electronic tally shall
15 not be used as the exclusive basis for de-
16 termining the official certified result.

17 “(ii) RULE FOR CONSIDERATION OF
18 BALLOTS ASSOCIATED WITH EACH VOTING
19 MACHINE.—For purposes of clause (i),
20 only the paper ballots deemed com-
21 promised, if any, shall be considered in the
22 calculation of whether or not the result of
23 the election could be changed due to the
24 compromised paper ballots.”.

1 (b) CONFORMING AMENDMENT CLARIFYING APPLI-
2 CABILITY OF ALTERNATIVE LANGUAGE ACCESSIBILITY.—
3 Section 301(a)(4) of such Act (52 U.S.C. 21081(a)(4))
4 is amended by inserting “(including the paper ballots re-
5 quired to be used under paragraph (2))” after “voting sys-
6 tem”.

7 (c) OTHER CONFORMING AMENDMENTS.—Section
8 301(a)(1) of such Act (52 U.S.C. 21081(a)(1)) is amend-
9 ed—

10 (1) in subparagraph (A)(i), by striking “count-
11 ed” and inserting “counted, in accordance with
12 paragraphs (2) and (3)”;

13 (2) in subparagraph (A)(ii), by striking “count-
14 ed” and inserting “counted, in accordance with
15 paragraphs (2) and (3)”;

16 (3) in subparagraph (A)(iii), by striking “count-
17 ed” each place it appears and inserting “counted, in
18 accordance with paragraphs (2) and (3)”;

19 (4) in subparagraph (B)(ii), by striking “count-
20 ed” and inserting “counted, in accordance with
21 paragraphs (2) and (3)”.

1 **SEC. 603. ACCESSIBILITY AND BALLOT VERIFICATION FOR**
2 **INDIVIDUALS WITH DISABILITIES.**

3 (a) IN GENERAL.—Section 301(a)(3)(B) of the Help
4 America Vote Act of 2002 (52 U.S.C. 21081(a)(3)(B)) is
5 amended to read as follows:

6 “(B)(i) ensure that individuals with dis-
7 abilities and others are given an equivalent op-
8 portunity to vote, including with privacy and
9 independence, in a manner that produces a
10 voter-verified paper ballot;

11 “(ii) satisfy the requirement of subpara-
12 graph (A) through the use of at least one voting
13 system equipped for individuals with disabili-
14 ties, including nonvisual and enhanced visual
15 accessibility for the blind and visually impaired,
16 and nonmanual and enhanced manual accessi-
17 bility for the mobility and dexterity impaired, at
18 each polling place; and

19 “(iii) meet the requirements of subpara-
20 graph (A) and paragraph (2)(A) by using a sys-
21 tem that—

22 “(I) allows the voter to privately and
23 independently verify the permanent paper
24 ballot through the presentation, in acces-
25 sible form, of the printed or marked vote
26 selections from the same printed or

1 marked information that would be used for
2 any vote counting or auditing; and

3 “(II) allows the voter to privately and
4 independently verify and cast the perma-
5 nent paper ballot without requiring the
6 voter to manually handle the paper bal-
7 lot;”.

8 (b) SPECIFIC REQUIREMENT OF STUDY, TESTING,
9 AND DEVELOPMENT OF ACCESSIBLE VOTING OPTIONS.—

10 (1) STUDY AND REPORTING.—Subtitle C of
11 title II of such Act (52 U.S.C. 21081 et seq.) is
12 amended—

13 (A) by redesignating section 247 as section
14 248; and

15 (B) by inserting after section 246 the fol-
16 lowing new section:

17 **“SEC. 247. STUDY AND REPORT ON ACCESSIBLE VOTING**
18 **OPTIONS.**

19 “(a) GRANTS TO STUDY AND REPORT.—The Com-
20 mission, in coordination with the Access Board and the
21 Cybersecurity and Infrastructure Security Agency, shall
22 make grants to not fewer than 3 eligible entities to study,
23 test, and develop accessible and secure remote voting sys-
24 tems and voting, verification, and casting devices to en-

1 hance the accessibility of voting and verification for indi-
2 viduals with disabilities.

3 “(b) ELIGIBILITY.—An entity is eligible to receive a
4 grant under this part if it submits to the Commission (at
5 such time and in such form as the Commission may re-
6 quire) an application containing—

7 “(1) a certification that the entity shall com-
8 plete the activities carried out with the grant not
9 later than January 1, 2024; and

10 “(2) such other information and certifications
11 as the Commission may require.

12 “(c) AVAILABILITY OF TECHNOLOGY.—Any tech-
13 nology developed with the grants made under this section
14 shall be treated as non-proprietary and shall be made
15 available to the public, including to manufacturers of vot-
16 ing systems.

17 “(d) COORDINATION WITH GRANTS FOR TECH-
18 NOLOGY IMPROVEMENTS.—The Commission shall carry
19 out this section so that the activities carried out with the
20 grants made under subsection (a) are coordinated with the
21 research conducted under the grant program carried out
22 by the Commission under section 271, to the extent that
23 the Commission determine necessary to provide for the ad-
24 vancement of accessible voting technology.

1 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
 2 is authorized to be appropriated to carry out subsection
 3 (a) \$10,000,000, to remain available until expended.”.

4 (2) CLERICAL AMENDMENT.—The table of con-
 5 tents of such Act is amended—

6 (A) by redesignating the item relating to
 7 section 247 as relating to section 248; and

8 (B) by inserting after the item relating to
 9 section 246 the following new item:

“Sec. 247. Study and report on accessible voting options.”.

10 (c) CLARIFICATION OF ACCESSIBILITY STANDARDS
 11 UNDER VOLUNTARY VOTING SYSTEM GUIDANCE.—In
 12 adopting any voluntary guidance under subtitle B of title
 13 III of the Help America Vote Act with respect to the ac-
 14 cessibility of the paper ballot verification requirements for
 15 individuals with disabilities, the Election Assistance Com-
 16 mission shall include and apply the same accessibility
 17 standards applicable under the voluntary guidance adopt-
 18 ed for accessible voting systems under such subtitle.

19 (d) PERMITTING USE OF FUNDS FOR PROTECTION
 20 AND ADVOCACY SYSTEMS TO SUPPORT ACTIONS TO EN-
 21 FORCE ELECTION-RELATED DISABILITY ACCESS.—Sec-
 22 tion 292(a) of the Help America Vote Act of 2002 (52
 23 U.S.C. 21062(a)) is amended by striking “; except that”
 24 and all that follows and inserting a period.

1 **SEC. 604. DURABILITY AND READABILITY REQUIREMENTS**
2 **FOR BALLOTS.**

3 Section 301(a) of the Help America Vote Act of 2002
4 (52 U.S.C. 21081(a)) is amended by adding at the end
5 the following new paragraph:

6 “(7) DURABILITY AND READABILITY REQUIRE-
7 MENTS FOR BALLOTS.—

8 “(A) DURABILITY REQUIREMENTS FOR
9 PAPER BALLOTS.—

10 “(i) IN GENERAL.—All voter-verified
11 paper ballots required to be used under
12 this Act shall be marked or printed on du-
13 rable paper.

14 “(ii) DEFINITION.—For purposes of
15 this Act, paper is ‘durable’ if it is capable
16 of withstanding multiple counts and re-
17 counts by hand without compromising the
18 fundamental integrity of the ballots, and
19 capable of retaining the information
20 marked or printed on them for the full du-
21 ration of a retention and preservation pe-
22 riod of 22 months.

23 “(B) READABILITY REQUIREMENTS FOR
24 PAPER BALLOTS MARKED BY BALLOT MARKING
25 DEVICE.—All voter-verified paper ballots com-
26 pleted by the voter through the use of a ballot

1 marking device shall be clearly readable by the
2 voter without assistance (other than eyeglasses
3 or other personal vision enhancing devices) and
4 by an optical character recognition device or
5 other device equipped for individuals with dis-
6 abilities.”.

7 **SEC. 605. STUDY AND REPORT ON OPTIMAL BALLOT DE-**
8 **SIGN.**

9 (a) **STUDY.**—The Election Assistance Commission
10 shall conduct a study of the best ways to design ballots
11 used in elections for public office, including paper ballots
12 and electronic or digital ballots, to minimize confusion and
13 user errors.

14 (b) **REPORT.**—Not later than January 1, 2022, the
15 Election Assistance Commission shall submit to Congress
16 a report on the study conducted under subsection (a).

17 **SEC. 606. PAPER BALLOT PRINTING REQUIREMENTS.**

18 Section 301(a) of the Help America Vote Act of 2002
19 (52 U.S.C. 21081(a)), as amended by section 604, is fur-
20 ther amended by adding at the end the following new para-
21 graph:

22 “(8) **PRINTING REQUIREMENTS FOR BAL-**
23 **LOTS.**—All paper ballots used in an election for Fed-
24 eral office shall be printed in the United States on
25 paper manufactured in the United States.”.

1 **SEC. 607. EFFECTIVE DATE FOR NEW REQUIREMENTS.**

2 Section 301(d) of the Help America Vote Act of 2002
3 (52 U.S.C. 21081(d)) is amended to read as follows:

4 “(d) EFFECTIVE DATE.—

5 “(1) IN GENERAL.—Except as provided in para-
6 graph (2), each State and jurisdiction shall be re-
7 quired to comply with the requirements of this sec-
8 tion on and after January 1, 2006.

9 “(2) SPECIAL RULE FOR CERTAIN REQUIRE-
10 MENTS.—

11 “(A) IN GENERAL.—Except as provided in
12 subparagraphs (B) and (C), the requirements of
13 this section which are first imposed on a State
14 and jurisdiction pursuant to the amendments
15 made by the Voter Confidence and Increased
16 Accessibility Act of 2021 shall apply with re-
17 spect to voting systems used for any election for
18 Federal office held in 2022 or any succeeding
19 year.

20 “(B) DELAY FOR JURISDICTIONS USING
21 CERTAIN PAPER RECORD PRINTERS OR CERTAIN
22 SYSTEMS USING OR PRODUCING VOTER-
23 VERIFIABLE PAPER RECORDS IN 2020.—

24 “(i) DELAY.—In the case of a juris-
25 diction described in clause (ii), subpara-
26 graph (A) shall apply to a voting system in

1 the jurisdiction as if the reference in such
2 subparagraph to ‘2022’ were a reference to
3 ‘2024’, but only with respect to the fol-
4 lowing requirements of this section:

5 “(I) Paragraph (2)(A)(i)(I) of
6 subsection (a) (relating to the use of
7 voter-verified paper ballots).

8 “(II) Paragraph (3)(B)(iii)(I)
9 and (II) of subsection (a) (relating to
10 access to verification from and casting
11 of the durable paper ballot).

12 “(III) Paragraph (7) of sub-
13 section (a) (relating to durability and
14 readability requirements for ballots).

15 “(ii) JURISDICTIONS DESCRIBED.—A
16 jurisdiction described in this clause is a ju-
17 risdiction—

18 “(I) which used voter verifiable
19 paper record printers attached to di-
20 rect recording electronic voting ma-
21 chines, or which used other voting
22 systems that used or produced paper
23 records of the vote verifiable by voters
24 but that are not in compliance with
25 paragraphs (2)(A)(i)(I), (3)(B)(iii)(i)

1 and (II), and (7) of subsection (a) (as
2 amended or added by the Voter Con-
3 fidence and Increased Accessibility
4 Act of 2021), for the administration
5 of the regularly scheduled general
6 election for Federal office held in No-
7 vember 2020; and

8 “(II) which will continue to use
9 such printers or systems for the ad-
10 ministration of elections for Federal
11 office held in years before 2024.

12 “(iii) MANDATORY AVAILABILITY OF
13 PAPER BALLOTS AT POLLING PLACES
14 USING GRANDFATHERED PRINTERS AND
15 SYSTEMS.—

16 “(I) REQUIRING BALLOTS TO BE
17 OFFERED AND PROVIDED.—The ap-
18 propriate election official at each poll-
19 ing place that uses a printer or sys-
20 tem described in clause (ii)(I) for the
21 administration of elections for Federal
22 office shall offer each individual who
23 is eligible to cast a vote in the election
24 at the polling place the opportunity to
25 cast the vote using a blank pre-print-

1 ed paper ballot which the individual
2 may mark by hand and which is not
3 produced by the direct recording elec-
4 tronic voting machine or other such
5 system. The official shall provide the
6 individual with the ballot and the sup-
7 plies necessary to mark the ballot, and
8 shall ensure (to the greatest extent
9 practicable) that the waiting period
10 for the individual to cast a vote is the
11 lesser of 30 minutes or the average
12 waiting period for an individual who
13 does not agree to cast the vote using
14 such a paper ballot under this clause.

15 “(II) TREATMENT OF BALLOT.—
16 Any paper ballot which is cast by an
17 individual under this clause shall be
18 counted and otherwise treated as a
19 regular ballot for all purposes (includ-
20 ing by incorporating it into the final
21 unofficial vote count (as defined by
22 the State) for the precinct) and not as
23 a provisional ballot, unless the indi-
24 vidual casting the ballot would have

1 otherwise been required to cast a pro-
2 visional ballot.

3 “(III) POSTING OF NOTICE.—

4 The appropriate election official shall
5 ensure there is prominently displayed
6 at each polling place a notice that de-
7 scribes the obligation of the official to
8 offer individuals the opportunity to
9 cast votes using a pre-printed blank
10 paper ballot.

11 “(IV) TRAINING OF ELECTION

12 OFFICIALS.—The chief State election
13 official shall ensure that election offi-
14 cials at polling places in the State are
15 aware of the requirements of this
16 clause, including the requirement to
17 display a notice under subclause (III),
18 and are aware that it is a violation of
19 the requirements of this title for an
20 election official to fail to offer an indi-
21 vidual the opportunity to cast a vote
22 using a blank pre-printed paper ballot.

23 “(V) PERIOD OF APPLICA-

24 BILITY.—The requirements of this
25 clause apply only during the period in

1 which the delay is in effect under
2 clause (i).

3 “(C) SPECIAL RULE FOR JURISDICTIONS
4 USING CERTAIN NONTABULATING BALLOT
5 MARKING DEVICES.—In the case of a jurisdic-
6 tion which uses a nontabulating ballot marking
7 device which automatically deposits the ballot
8 into a privacy sleeve, subparagraph (A) shall
9 apply to a voting system in the jurisdiction as
10 if the reference in such subparagraph to ‘any
11 election for Federal office held in 2022 or any
12 succeeding year’ were a reference to ‘elections
13 for Federal office occurring held in 2024 or
14 each succeeding year’, but only with respect to
15 paragraph (3)(B)(iii)(II) of subsection (a) (re-
16 lating to nonmanual casting of the durable
17 paper ballot).”.

18 **TITLE VII—PROVISIONAL**
19 **BALLOTS**

20 **SEC. 701. REQUIREMENTS FOR COUNTING PROVISIONAL**
21 **BALLOTS; ESTABLISHMENT OF UNIFORM AND**
22 **NONDISCRIMINATORY STANDARDS.**

23 (a) IN GENERAL.—Section 302 of the Help America
24 Vote Act of 2002 (52 U.S.C. 21082) is amended—

1 (1) by redesignating subsection (d) as sub-
2 section (f); and

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

5 “(d) STATEWIDE COUNTING OF PROVISIONAL BAL-
6 LOTS.—

7 “(1) IN GENERAL.—For purposes of subsection
8 (a)(4), notwithstanding the precinct or polling place
9 at which a provisional ballot is cast within the State,
10 the appropriate election official of the jurisdiction in
11 which the individual is registered shall count each
12 vote on such ballot for each election in which the in-
13 dividual who cast such ballot is eligible to vote.

14 “(2) EFFECTIVE DATE.—This subsection shall
15 apply with respect to elections held on or after Janu-
16 ary 1, 2022.

17 “(e) UNIFORM AND NONDISCRIMINATORY STAND-
18 ARDS.—

19 “(1) IN GENERAL.—Consistent with the re-
20 quirements of this section, each State shall establish
21 uniform and nondiscriminatory standards for the
22 issuance, handling, and counting of provisional bal-
23 lots.

1 “(2) EFFECTIVE DATE.—This subsection shall
2 apply with respect to elections held on or after Janu-
3 ary 1, 2022.”.

4 (b) CONFORMING AMENDMENT.—Section 302(f) of
5 such Act (52 U.S.C. 21082(f)), as redesignated by sub-
6 section (a), is amended by striking “Each State” and in-
7 serting “Except as provided in subsections (d)(2) and
8 (e)(2), each State”.

9 **TITLE VIII—EARLY VOTING**

10 **SEC. 801. EARLY VOTING.**

11 (a) REQUIREMENTS.—Subtitle A of title III of the
12 Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.),
13 as amended by section 131(a), section 201(a), section
14 202(a), section 203(a)(1), and section 204(a), is amend-
15 ed—

16 (1) by redesignating sections 309 and 310 as
17 sections 310 and 311, respectively; and

18 (2) by inserting after section 308 the following
19 new section:

20 **“SEC. 309. EARLY VOTING.**

21 “(a) REQUIRING VOTING PRIOR TO DATE OF ELEC-
22 TION.—

23 “(1) IN GENERAL.—Each State shall allow indi-
24 viduals to vote in an election for Federal office dur-
25 ing an early voting period which occurs prior to the

1 date of the election, in the same manner as voting
2 is allowed on such date.

3 “(2) LENGTH OF PERIOD.—The early voting
4 period required under this subsection with respect to
5 an election shall consist of a period of consecutive
6 days (including weekends) which begins on the 15th
7 day before the date of the election (or, at the option
8 of the State, on a day prior to the 15th day before
9 the date of the election) and ends on the date of the
10 election.

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

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

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

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

21 “(c) LOCATION OF POLLING PLACES.—

22 “(1) PROXIMITY TO PUBLIC TRANSPOR-
23 TATION.—To the greatest extent practicable, a State
24 shall ensure that each polling place which allows vot-
25 ing during an early voting period under subsection

1 (a) is located within walking distance of a stop on
2 a public transportation route.

3 “(2) AVAILABILITY IN RURAL AREAS.—The
4 State shall ensure that polling places which allow
5 voting during an early voting period under sub-
6 section (a) will be located in rural areas of the State,
7 and shall ensure that such polling places are located
8 in communities which will provide the greatest op-
9 portunity for residents of rural areas to vote during
10 the early voting period.

11 “(d) STANDARDS.—

12 “(1) IN GENERAL.—The Commission shall issue
13 standards for the administration of voting prior to
14 the day scheduled for a Federal election. Such
15 standards shall include the nondiscriminatory geo-
16 graphic placement of polling places at which such
17 voting occurs.

18 “(2) DEVIATION.—The standards described in
19 paragraph (1) shall permit States, upon providing
20 adequate public notice, to deviate from any require-
21 ment in the case of unforeseen circumstances such
22 as a natural disaster, terrorist attack, or a change
23 in voter turnout.

24 “(e) BALLOT PROCESSING AND SCANNING REQUIRE-
25 MENTS.—

1 “(1) IN GENERAL.—The State shall begin proc-
2 essing and scanning ballots cast during in-person
3 early voting for tabulation at least 14 days prior to
4 the date of the election involved.

5 “(2) LIMITATION.—Nothing in this subsection
6 shall be construed to permit a State to tabulate bal-
7 lots in an election before the closing of the polls on
8 the date of the election.

9 “(f) EFFECTIVE DATE.—This section shall apply
10 with respect to the regularly scheduled general election for
11 Federal office held in November 2022 and each succeeding
12 election for Federal office.”.

13 (b) CONFORMING AMENDMENTS RELATING TO
14 ISSUANCE OF VOLUNTARY GUIDANCE BY ELECTION AS-
15 SISTANCE COMMISSION.—Section 321(b) of such Act (52
16 U.S.C. 21101(b)), as redesignated and amended by sec-
17 tion 201(b), is amended—

18 (1) by striking “and” at the end of paragraph

19 (3);

20 (2) by striking the period at the end of para-
21 graph (4) and inserting “; and”; and

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

24 “(5) except as provided in paragraph (4), in the
25 case of the recommendations with respect to any sec-

1 tion added by the Voter Empowerment Act of 2021,
2 June 30, 2022.”.

3 (c) CLERICAL AMENDMENTS.—The table of contents
4 of such Act, as amended by section 131(c), section 201(d),
5 section 202(c), section 203(a)(3), and section 204(c), is
6 amended—

7 (1) by redesignating the items relating to sec-
8 tions 309 and 310 as relating to sections 310 and
9 311, respectively; and

10 (2) by inserting after the item relating to sec-
11 tion 308 the following new item:

“Sec. 309. Early voting.”.

12 **TITLE IX—VOTING BY MAIL**

13 **SEC. 901. VOTING BY MAIL.**

14 (a) REQUIREMENTS.—Subtitle A of title III of the
15 Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.),
16 as amended by section 131(a), section 201(a), section
17 202(a), section 203(a)(1), section 204(a), and section
18 801(a), is amended—

19 (1) by redesignating sections 310 and 311 as
20 sections 311 and 312, respectively; and

21 (2) by inserting after section 309 the following
22 new section:

1 **“SEC. 310. 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 reasonable dead-
5 line for requesting the absentee ballot and re-
6 lated voting materials from the appropriate
7 State or local election official and for returning
8 the ballot to the appropriate State or local elec-
9 tion official.

10 “(3) NO EFFECT ON IDENTIFICATION REQUIRE-
11 MENTS FOR FIRST-TIME VOTERS REGISTERING BY
12 MAIL.—Nothing in this subsection may be construed
13 to exempt any individual described in paragraph (1)
14 of section 303(b) from meeting the requirements of
15 paragraph (2) of such section.

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

18 “(1) REQUIREMENT.—

19 “(A) IN GENERAL.—A State may not im-
20 pose a signature verification requirement as a
21 condition of accepting and counting an absentee
22 ballot submitted by any individual with respect
23 to an election for Federal office unless the
24 State meets the due process requirements de-
25 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 IN SIGNATURES.—If an indi-
14 vidual submits an absentee ballot and the ap-
15 propriate State or local election official deter-
16 mines that a discrepancy exists between the sig-
17 nature on such ballot and the signature of such
18 individual on the official list of registered voters
19 in the State or other official record or document
20 used by the State to verify the signatures of
21 voters, such election official, prior to making a
22 final determination as to the validity of such
23 ballot, shall—

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

1 phone, and (if available) text message and
2 electronic mail 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 or other official record or docu-
8 ment used by the State to verify the
9 signatures of voters; and

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

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

23 “(B) NOTICE AND OPPORTUNITY TO CURE
24 MISSING SIGNATURE OR OTHER DEFECT.—If an
25 individual submits an absentee ballot without a

1 signature or submits an absentee ballot with
2 another defect which, if left uncured, would
3 cause the ballot to not be counted, the appro-
4 priate State or local election official, prior to
5 making a final determination as to the validity
6 of the ballot, shall—

7 “(i) make a good faith effort to imme-
8 diately notify the individual by mail, tele-
9 phone, and (if available) text message and
10 electronic mail that—

11 “(I) the ballot did not include a
12 signature or has some other defect;
13 and

14 “(II) if the individual does not
15 provide the missing signature or cure
16 the other defect prior to the expira-
17 tion of the 10-day period which begins
18 on the date the official notifies the in-
19 dividual that the ballot did not include
20 a signature or has some other defect,
21 such ballot will not be counted; and

22 “(ii) count the ballot if, prior to the
23 expiration of the 10-day period described
24 in clause (i)(II), the individual provides the
25 official with the missing signature on a

1 form proscribed by the State or cures the
2 other defect.

3 This subparagraph does not apply with respect
4 to a defect consisting of the failure of a ballot
5 to meet the applicable deadline for the accept-
6 ance of the ballot, as described in subsection
7 (e).

8 “(C) OTHER REQUIREMENTS.—An election
9 official may not make a determination that a
10 discrepancy exists between the signature on an
11 absentee ballot and the signature of the indi-
12 vidual who submits the ballot on the official list
13 of registered voters in the State or other official
14 record or other document used by the State to
15 verify the signatures of voters unless—

16 “(i) at least 2 election officials make
17 the determination;

18 “(ii) each official who makes the de-
19 termination has received training in proce-
20 dures used to verify signatures; and

21 “(iii) of the officials who make the de-
22 termination, at least one is affiliated with
23 the political party whose candidate received
24 the most votes in the most recent statewide
25 election for Federal office held in the State

1 and at least one is affiliated with the polit-
2 ical party whose candidate received the
3 second most votes in the most recent state-
4 wide election for Federal office held in the
5 State.

6 “(3) REPORT.—

7 “(A) IN GENERAL.—Not later than 120
8 days after the end of a Federal election cycle,
9 each chief State election official shall submit to
10 the Commission a report containing the fol-
11 lowing information for the applicable Federal
12 election cycle in the State:

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

15 “(ii) Description of attempts to con-
16 tact voters to provide notice as required by
17 this subsection.

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

23 “(B) SUBMISSION TO CONGRESS.—Not
24 later than 10 days after receiving a report

1 under subparagraph (A), the Commission shall
2 transmit such report to Congress.

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

9 “(4) RULE OF CONSTRUCTION.—Nothing in
10 this subsection shall be construed—

11 “(A) to prohibit a State from rejecting a
12 ballot attempted to be cast in an election for
13 Federal office by an individual who is not eligi-
14 ble to vote in the election; or

15 “(B) to prohibit a State from providing an
16 individual with more time and more methods
17 for curing a discrepancy in the individual’s sig-
18 nature, providing a missing signature, or curing
19 any other defect than the State is required to
20 provide under this subsection.

21 “(c) ONLINE APPLICATIONS FOR ABSENTEE BAL-
22 LOTS.—

23 “(1) IN GENERAL.—In addition to such other
24 methods as the State may establish for an individual
25 to apply for an absentee ballot, the State shall per-

1 mit an individual to submit an application for an ab-
2 sentee ballot online.

3 “(2) TREATMENT OF WEBSITES.—The State
4 shall be considered to meet the requirements of
5 paragraph (1) if the website of the appropriate State
6 or local election official allows an application for an
7 absentee ballot to be completed and submitted online
8 and if the website permits the individual—

9 “(A) to print the application so that the
10 individual may complete the application and re-
11 turn it to the official; or

12 “(B) to request that a paper copy of the
13 application be transmitted to the individual by
14 mail or electronic mail so that the individual
15 may complete the application and return it to
16 the official.

17 “(3) ENSURING DELIVERY PRIOR TO ELEC-
18 TION.—If an individual who is eligible to vote in an
19 election for Federal office submits an application for
20 an absentee ballot in the election, the appropriate
21 State or local election official shall ensure that the
22 ballot and relating voting materials are received by
23 the individual prior to the date of the election so
24 long as the individual’s application is received by the
25 official not later than 5 days (excluding Saturdays,

1 Sundays, and legal public holidays) before the date
2 of the election, except that nothing in this paragraph
3 shall preclude a State or local jurisdiction from al-
4 lowing for the acceptance and processing of absentee
5 ballot applications submitted or received after such
6 required period.

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

13 “(d) ACCESSIBILITY FOR INDIVIDUALS WITH DIS-
14 ABILITIES.—The State shall ensure that all absentee bal-
15 lot applications, absentee ballots, and related voting mate-
16 rials in elections for Federal office are accessible to indi-
17 viduals with disabilities in a manner that provides the
18 same opportunity for access and participation (including
19 with privacy and independence) as for other voters.

20 “(e) UNIFORM DEADLINE FOR ACCEPTANCE OF
21 MAILED BALLOTS.—

22 “(1) IN GENERAL.—A State may not refuse to
23 accept or process a ballot submitted by an individual
24 by mail with respect to an election for Federal office
25 in the State on the grounds that the individual did

1 not meet a deadline for returning the ballot to the
2 appropriate State or local election official if—

3 “(A) the ballot is postmarked or otherwise
4 indicated by the United States Postal Service to
5 have been mailed on or before the date of the
6 election, or has been signed by the voter on or
7 before the date of the election; and

8 “(B) the ballot is received by the appro-
9 priate election official prior to the expiration of
10 the 10-day period which begins on the date of
11 the election.

12 “(2) RULE OF CONSTRUCTION.—Nothing in
13 this subsection shall be construed to prohibit a State
14 from having a law that allows for counting of ballots
15 in an election for Federal office that are received
16 through the mail after the date that is 10 days after
17 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, a tribally-designated building, or the office
10 of a State or local election official.

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

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

23 “(B) may not put any limit on how many
24 voted and sealed absentee ballots any des-
25 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 2022 and each succeeding
2 election for Federal office.”.

3 (b) CLERICAL AMENDMENTS.—The table of contents
4 of such Act, as amended by section 131(c), section 201(d),
5 section 202(c), section 203(a)(3), section 204(c), and sec-
6 tion 801(c), is amended—

7 (1) by redesignating the items relating to sec-
8 tions 310 and 311 as relating to sections 311 and
9 312, respectively; and

10 (2) by inserting after the item relating to sec-
11 tion 309 the following new item:

“Sec. 310. Promoting ability of voters to vote by mail.”.

12 (c) DEVELOPMENT OF ALTERNATIVE VERIFICATION
13 METHODS.—

14 (1) DEVELOPMENT OF STANDARDS.—The Na-
15 tional Institute of Standards, in consultation with
16 the Election Assistance Commission, shall develop
17 standards for the use of alternative methods which
18 could be used in place of signature verification re-
19 quirements for purposes of verifying the identifica-
20 tion of an individual voting by absentee ballot in
21 elections for Federal office.

22 (2) PUBLIC NOTICE AND COMMENT.—The Na-
23 tional Institute of Standards shall solicit comments
24 from the public in the development of standards
25 under paragraph (1).

1 (3) DEADLINE.—Not later than 6 months after
2 the date of the enactment of this Act, the National
3 Institute of Standards shall publish the standards
4 developed under paragraph (1).

5 **SEC. 902. ABSENTEE BALLOT TRACKING PROGRAM.**

6 (a) REQUIREMENTS.—Subtitle A of title III of the
7 Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.),
8 as amended by section 131(a), section 201(a), section
9 202(a), section 203(a)(1), section 204(a), section 801(a),
10 and section 901(a), is amended—

11 (1) by redesignating sections 311 and 312 as
12 sections 312 and 313, respectively; and

13 (2) by inserting after section 310 the following
14 new section:

15 **“SEC. 311. ABSENTEE BALLOT TRACKING PROGRAM.**

16 “(a) REQUIREMENT.—Each State shall carry out a
17 program to track and confirm the receipt of absentee bal-
18 lots in an election for Federal office under which the State
19 or local election official responsible for the receipt of voted
20 absentee ballots in the election carries out procedures to
21 track and confirm the receipt of such ballots, and makes
22 information on the receipt of such ballots available to the
23 individual who cast the ballot, by means of online access
24 using the Internet site of the official’s office.

1 “(b) INFORMATION ON WHETHER VOTE WAS AC-
2 CEPTED.—The information referred to under subsection
3 (a) with respect to the receipt of an absentee ballot shall
4 include information regarding whether the vote cast on the
5 ballot was accepted, and, in the case of a vote which was
6 rejected, the reasons therefor.

7 “(c) USE OF TOLL-FREE TELEPHONE NUMBER BY
8 OFFICIALS WITHOUT INTERNET SITE.—A program estab-
9 lished by a State or local election official whose office does
10 not have an Internet site may meet the requirements of
11 subsection (a) if the official has established a toll-free tele-
12 phone number that may be used by an individual who cast
13 an absentee ballot to obtain the information on the receipt
14 of the voted absentee ballot as provided under such sub-
15 section.

16 “(d) EFFECTIVE DATE.—This section shall apply
17 with respect to the regularly scheduled general election for
18 Federal office held in November 2022 and each succeeding
19 election for Federal office.”.

20 (b) REIMBURSEMENT FOR COSTS INCURRED BY
21 STATES IN ESTABLISHING PROGRAM.—Subtitle D of title
22 II of the Help America Vote Act of 2002 (42 U.S.C.
23 15401 et seq.) is amended by adding at the end the fol-
24 lowing new part:

1 **“PART 7—PAYMENTS TO REIMBURSE STATES**
2 **FOR COSTS INCURRED IN ESTABLISHING**
3 **PROGRAM TO TRACK AND CONFIRM RE-**
4 **CEIPT OF ABSENTEE BALLOTS**

5 **“SEC. 297. PAYMENTS TO STATES.**

6 “(a) PAYMENTS FOR COSTS OF PROGRAM.—In ac-
7 cordance with this section, the Commission shall make a
8 payment to a State to reimburse the State for the costs
9 incurred in establishing the absentee ballot tracking pro-
10 gram under section 311 (including costs incurred prior to
11 the date of the enactment of this part).

12 “(b) CERTIFICATION OF COMPLIANCE AND COSTS.—

13 “(1) CERTIFICATION REQUIRED.—In order to
14 receive a payment under this section, a State shall
15 submit to the Commission a statement containing—

16 “(A) a certification that the State has es-
17 tablished an absentee ballot tracking program
18 with respect to elections for Federal office held
19 in the State; and

20 “(B) a statement of the costs incurred by
21 the State in establishing the program.

22 “(2) AMOUNT OF PAYMENT.—The amount of a
23 payment made to a State under this section shall be
24 equal to the costs incurred by the State in estab-
25 lishing the absentee ballot tracking program, as set
26 forth in the statement submitted under paragraph

1 (1), except that such amount may not exceed the
2 product of—

3 “(A) the number of jurisdictions in the
4 State which are responsible for operating the
5 program; and

6 “(B) \$3,000.

7 “(3) LIMIT ON NUMBER OF PAYMENTS RE-
8 CEIVED.—A State may not receive more than one
9 payment under this part.

10 **“SEC. 297A. AUTHORIZATION OF APPROPRIATIONS.**

11 “(a) AUTHORIZATION.—There are authorized to be
12 appropriated to the Commission for fiscal year 2022 and
13 each succeeding fiscal year such sums as may be necessary
14 for payments under this part.

15 “(b) CONTINUING AVAILABILITY OF FUNDS.—Any
16 amounts appropriated pursuant to the authorization under
17 this section shall remain available until expended.”.

18 (c) CLERICAL AMENDMENTS.—The table of contents
19 of such Act, as amended by section 131(c), section 201(d),
20 section 202(c), section 203(a)(3), section 204(c), section
21 801(c), and section 901(b), is amended—

1 (1) by adding at the end of the items relating
2 to subtitle D of title II the following:

“PART 7—PAYMENTS TO REIMBURSE STATES FOR COSTS INCURRED IN ESTABLISHING PROGRAM TO TRACK AND CONFIRM RECEIPT OF ABSENTEE BALLOTS

“Sec. 297. Payments to States.

“Sec. 297A. Authorization of appropriations.”;

3 (2) by redesignating the items relating to sections 311 and 312 as relating to sections 312 and 313, respectively; and

6 (3) by inserting after the item relating to section 310 the following new item:

“Sec. 311. Absentee ballot tracking program.”.

8 **SEC. 903. ELECTION MAIL AND DELIVERY IMPROVEMENTS.**

9 (a) **POSTMARK REQUIRED FOR BALLOTS.**—

10 (1) **IN GENERAL.**—Chapter 34 of title 39, United States Code, is amended by adding at the end the following:

13 **“§ 3407. Postmark required for ballots**

14 “(a) **IN GENERAL.**—In the case of any absentee ballot carried by the Postal Service, the Postal Service shall indicate on the ballot envelope, using a postmark or otherwise—

18 “(1) the fact that the ballot was carried by the Postal Service; and

20 “(2) the date on which the ballot was mailed.

21 “(b) **DEFINITIONS.**—As used in this section—

1 “(1) the term ‘absentee ballot’ means any ballot
2 transmitted by a voter by mail in an election for
3 Federal office, but does not include any ballot cov-
4 ered by section 3406; and

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

10 (2) TECHNICAL AND CONFORMING AMEND-
11 MENT.—The table of sections for chapter 34 of title
12 39, United States Code, is amended by adding at
13 the end the following:

“3407. Postmark required for ballots.”.

14 (3) EFFECTIVE DATE.—The amendments made
15 by this subsection shall apply to absentee ballots re-
16 lating to an election for Federal office occurring on
17 or after January 1, 2022.

18 (b) GREATER VISIBILITY FOR BALLOTS.—

19 (1) IN GENERAL.—Subtitle A of title III of the
20 Help America Vote Act of 2002 (52 U.S.C. 21081
21 et seq.), as amended by section 131(a), section
22 201(a), section 202(a), section 203(a)(1), section
23 204(a), section 801(a), section 901(a), and section
24 902(a), is amended—

1 (A) by redesignating sections 312 and 313
2 as sections 313 and 314, respectively; and

3 (B) by inserting after section 311 the fol-
4 lowing new section:

5 **“SEC. 312. BALLOT VISIBILITY.**

6 “(a) IN GENERAL.—Each State or local election offi-
7 cial shall—

8 “(1) affix Tag 191, Domestic and International
9 Mail-In Ballots (or any successor tag designated by
10 the United States Postal Service), to any tray or
11 sack of ballot mail relating to an election for Federal
12 office that is destined for a domestic or international
13 address;

14 “(2) use the Official Election Mail logo to des-
15 ignate mail pieces relating to an election for Federal
16 office that is destined for a domestic or international
17 address; and

18 “(3) if an intelligent mail barcode is utilized for
19 any mail relating to an election for Federal office
20 that is destined for a domestic or international ad-
21 dress, ensure the specific ballot service type identi-
22 fier for such mail is visible.

23 “(b) EFFECTIVE DATE.—The requirements of this
24 section shall apply to elections for Federal office occurring
25 on and after January 1, 2022.”.

1 (2) CLERICAL AMENDMENTS.—The table of
 2 contents of such Act, as amended by section 131(c),
 3 section 201(d), section 202(c), section 203(a)(3),
 4 section 204(c), section 801(c), section 901(b) and
 5 section 902(c), is amended—

6 (A) by redesignating the items relating to
 7 sections 312 and 313 as relating to sections
 8 313 and 314; and

9 (B) by inserting after the item relating to
 10 section 311 the following new item:

“Sec. 312. Ballot visibility.”.

11 **SEC. 904. VOTING MATERIALS POSTAGE.**

12 (a) PREPAYMENT OF POSTAGE ON RETURN ENVE-
 13 LOPES.—

14 (1) IN GENERAL.—Subtitle A of title III of the
 15 Help America Vote Act of 2002 (52 U.S.C. 21081
 16 et seq.), as amended by section 131(a), section
 17 201(a), section 202(a), section 203(a)(1), section
 18 204(a), section 801(a), section 901(a), section
 19 902(a), and section 903(b), is amended—

20 (A) by redesignating sections 313 and 314
 21 as sections 314 and 315, respectively; and

22 (B) by inserting after section 312 the fol-
 23 lowing new section:

1 **“SEC. 313. PREPAYMENT OF POSTAGE ON RETURN ENVE-**
2 **LOPES FOR VOTING MATERIALS.**

3 “(a) PROVISION OF RETURN ENVELOPES.—

4 “(1) IN GENERAL.—The appropriate State or
5 local election official shall provide a self-sealing re-
6 turn envelope with—

7 “(A) any voter registration application
8 form transmitted to a registrant by mail;

9 “(B) any application for an absentee ballot
10 transmitted to an applicant by mail; and

11 “(C) any blank absentee ballot transmitted
12 to a voter by mail.

13 “(2) REASONABLE EFFORTS.—A State shall be
14 treated as meeting the requirements of paragraph
15 (1) if the State makes all reasonable efforts to pro-
16 vide self-sealing return envelopes as provided in such
17 paragraph.

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

23 “(c) NO EFFECT ON BALLOTS OR BALLOTING MATE-
24 RIALS TRANSMITTED TO ABSENT MILITARY AND OVER-
25 SEAS VOTERS.—Nothing in this section may be construed
26 to affect the treatment of any ballot or balloting materials

1 transmitted to an individual who is entitled to vote by ab-
 2 sentee ballot under the Uniformed and Overseas Citizens
 3 Absentee Voting Act (52 U.S.C. 20301 et seq.).

4 “(d) EFFECTIVE DATE.—This section shall take ef-
 5 fect on the date that is 90 days after the date of the enact-
 6 ment of this section, except that State and local jurisdic-
 7 tions shall make arrangements with the United States
 8 Postal Service to pay for all postage costs that such juris-
 9 dictions would be required to pay under this section if this
 10 section took effect on the date of enactment.”.

11 (2) CLERICAL AMENDMENTS.—The table of
 12 contents of such Act, as amended by section 131(c),
 13 section 201(d), section 202(c), section 203(a)(3),
 14 section 204(c), section 801(c), section 901(b), sec-
 15 tion 902(c), and section 903(b), is amended—

16 (A) by redesignating the items relating to
 17 sections 313 and 314 as relating to sections
 18 314 and 315, respectively; and

19 (B) by inserting after the item relating to
 20 section 312 the following new item:

“Sec. 313. Prepayment of postage on return envelopes for voting materials.”.

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

22 (1) IN GENERAL.—Chapter 34 of title 39,
 23 United States Code, as amended by section 903(a),
 24 is amended by inserting after section 3407 the fol-
 25 lowing:

1 **“§ 3408. Carriage of voting materials**

2 “(a) TREATMENT AS FIRST-CLASS MAIL.—Any voter
3 registration application, absentee ballot application, or ab-
4 sentee ballot with respect to any election for Federal office
5 shall be carried in accordance with the service standards
6 established for first-class mail, regardless of the class of
7 postage prepaid.

8 “(b) DEFINITIONS.—As used in this section, the
9 terms ‘absentee ballot’ and ‘election for Federal office’
10 have the meanings given those terms in section 3407.

11 “(c) RULE OF CONSTRUCTION.—Nothing in this sec-
12 tion may be construed to affect the treatment of any ballot
13 or balloting materials transmitted to an individual who is
14 entitled to vote by absentee ballot under the Uniformed
15 and Overseas Citizens Absentee Voting Act (52 U.S.C.
16 20301 et seq.).”.

17 (2) CLERICAL AMENDMENT.—The table of sec-
18 tions for chapter 34 of such title, as amended by
19 section 903(a), is amended by inserting after the
20 item relating to section 3407 the following:

“3408. Carriage of voting materials.”.

1 **TITLE X—ABSENT UNIFORMED**
2 **SERVICES VOTERS AND**
3 **OVERSEAS VOTERS**

4 **SEC. 1001. PRE-ELECTION REPORTS ON AVAILABILITY AND**
5 **TRANSMISSION OF ABSENTEE BALLOTS.**

6 Section 102(c) of the Uniformed and Overseas Citi-
7 zens Absentee Voting Act (52 U.S.C. 20302(c)) is amend-
8 ed to read as follows:

9 “(c) REPORTS ON AVAILABILITY, TRANSMISSION,
10 AND RECEIPT OF ABSENTEE BALLOTS.—

11 “(1) PRE-ELECTION REPORT ON ABSENTEE
12 BALLOT AVAILABILITY.—Not later than 55 days be-
13 fore any regularly scheduled general election for
14 Federal office, each State shall submit a report to
15 the Attorney General, the Election Assistance Com-
16 mission (hereafter in this subsection referred to as
17 the ‘Commission’), and the Presidential Designee,
18 and make that report publicly available that same
19 day, certifying that absentee ballots for the election
20 are or will be available for transmission to absent
21 uniformed services voters and overseas voters by not
22 later than 45 days before the election. The report
23 shall be in a form prescribed jointly by the Attorney
24 General and the Commission and shall require the
25 State to certify specific information about ballot

1 availability from each unit of local government which
2 will administer the election.

3 “(2) PRE-ELECTION REPORT ON ABSENTEE
4 BALLOT TRANSMISSION.—Not later than 43 days be-
5 fore any regularly scheduled general election for
6 Federal office, each State shall submit a report to
7 the Attorney General, the Commission, and the
8 Presidential Designee, and make that report publicly
9 available that same day, certifying whether all ab-
10 sentee ballots have been transmitted by not later
11 than 45 days before the election to all qualified ab-
12 sent uniformed services and overseas voters whose
13 requests were received at least 45 days before the
14 election. The report shall be in a form prescribed
15 jointly by the Attorney General and the Commission,
16 and shall require the State to certify specific infor-
17 mation about ballot transmission, including the total
18 numbers of ballot requests received and ballots
19 transmitted, from each unit of local government
20 which will administer the election.

21 “(3) POST-ELECTION REPORT ON NUMBER OF
22 ABSENTEE BALLOTS TRANSMITTED AND RE-
23 CEIVED.—Not later than 90 days after the date of
24 each regularly scheduled general election for Federal
25 office, each State and unit of local government

1 which administered the election shall (through the
2 State, in the case of a unit of local government) sub-
3 mit a report to the Attorney General, the Commis-
4 sion, and the Presidential Designee on the combined
5 number of absentee ballots transmitted to absent
6 uniformed services voters and overseas voters for the
7 election and the combined number of such ballots
8 which were returned by such voters and cast in the
9 election, and shall make such report available to the
10 general public that same day.”.

11 **SEC. 1002. ENFORCEMENT.**

12 (a) AVAILABILITY OF CIVIL PENALTIES AND PRI-
13 VATE RIGHTS OF ACTION.—Section 105 of the Uniformed
14 and Overseas Citizens Absentee Voting Act (52 U.S.C.
15 20307) is amended to read as follows:

16 **“SEC. 105. ENFORCEMENT.**

17 “(a) ACTION BY ATTORNEY GENERAL.—

18 “(1) IN GENERAL.—The Attorney General may
19 bring civil action in an appropriate district court for
20 such declaratory or injunctive relief as may be nec-
21 essary to carry out this title.

22 “(2) PENALTY.—In a civil action brought under
23 paragraph (1), if the court finds that the State vio-
24 lated any provision of this title, it may, to vindicate

1 the public interest, assess a civil penalty against the
2 State—

3 “(A) in an amount not to exceed \$110,000
4 for each such violation, in the case of a first
5 violation; or

6 “(B) in an amount not to exceed \$220,000
7 for each such violation, for any subsequent vio-
8 lation.

9 “(3) REPORT TO CONGRESS.—Not later than
10 December 31 of each year, the Attorney General
11 shall submit to Congress an annual report on any
12 civil action brought under paragraph (1) during the
13 preceding year.

14 “(b) PRIVATE RIGHT OF ACTION.—A person who is
15 aggrieved by a State’s violation of this title may bring a
16 civil action in an appropriate district court for such declar-
17 atory or injunctive relief as may be necessary to carry out
18 this title.

19 “(c) STATE AS ONLY NECESSARY DEFENDANT.—In
20 any action brought under this section, the only necessary
21 party defendant is the State, and it shall not be a defense
22 to any such action that a local election official or a unit
23 of local government is not named as a defendant, notwith-
24 standing that a State has exercised the authority described
25 in section 576 of the Military and Overseas Voter Em-

1 powerment Act to delegate to another jurisdiction in the
2 State any duty or responsibility which is the subject of
3 an action brought under this section.”.

4 (b) EFFECTIVE DATE.—The amendments made by
5 this section shall apply with respect to violations alleged
6 to have occurred on or after the date of the enactment
7 of this Act.

8 **SEC. 1003. REVISIONS TO 45-DAY ABSENTEE BALLOT**
9 **TRANSMISSION RULE.**

10 (a) REPEAL OF WAIVER AUTHORITY.—

11 (1) IN GENERAL.—Section 102 of the Uni-
12 formed and Overseas Citizens Absentee Voting Act
13 (52 U.S.C. 20302) is amended by striking sub-
14 section (g).

15 (2) CONFORMING AMENDMENT.—Section
16 102(a)(8)(A) of such Act (52 U.S.C.
17 20302(a)(8)(A)) is amended by striking “except as
18 provided in subsection (g),”.

19 (b) REQUIRING USE OF EXPRESS DELIVERY IN CASE
20 OF FAILURE TO MEET REQUIREMENT.—Section 102 of
21 such Act (52 U.S.C. 20302), as amended by subsection
22 (a), is amended by inserting after subsection (f) the fol-
23 lowing new subsection:

1 “(g) REQUIRING USE OF EXPRESS DELIVERY IN
2 CASE OF FAILURE TO TRANSMIT BALLOTS WITHIN
3 DEADLINES.—

4 “(1) TRANSMISSION OF BALLOT BY EXPRESS
5 DELIVERY.—If a State fails to meet the requirement
6 of subsection (a)(8)(A) to transmit a validly re-
7 quested absentee ballot to an absent uniformed serv-
8 ices voter or overseas voter not later than 45 days
9 before the election (in the case in which the request
10 is received at least 45 days before the election)—

11 “(A) the State shall transmit the ballot to
12 the voter by express delivery; or

13 “(B) in the case of a voter who has des-
14 igned that absentee ballots be transmitted
15 electronically in accordance with subsection
16 (f)(1), the State shall transmit the ballot to the
17 voter electronically.

18 “(2) SPECIAL RULE FOR TRANSMISSION FEWER
19 THAN 40 DAYS BEFORE THE ELECTION.—If, in car-
20 rying out paragraph (1), a State transmits an ab-
21 sentee ballot to an absent uniformed services voter
22 or overseas voter fewer than 40 days before the elec-
23 tion, the State shall enable the ballot to be returned
24 by the voter by express delivery, except that in the
25 case of an absentee ballot of an absent uniformed

1 services voter for a regularly scheduled general elec-
2 tion for Federal office, the State may satisfy the re-
3 quirement of this paragraph by notifying the voter
4 of the procedures for the collection and delivery of
5 such ballots under section 103A.

6 “(3) PAYMENT FOR USE OF EXPRESS DELIV-
7 ERY.—The State shall be responsible for the pay-
8 ment of the costs associated with the use of express
9 delivery for the transmittal of ballots under this sub-
10 section.”.

11 (c) CLARIFICATION OF TREATMENT OF WEEK-
12 ENDS.—Section 102(a)(8)(A) of such Act (52 U.S.C.
13 20302(a)(8)(A)) is amended by striking “the election;”
14 and inserting the following: “the election (or, if the 45th
15 day preceding the election is a weekend or legal public hol-
16 iday, not later than the most recent weekday which pre-
17 cedes such 45th day and which is not a legal public holi-
18 day, but only if the request is received by at least such
19 most recent weekday);”.

20 **SEC. 1004. USE OF SINGLE ABSENTEE BALLOT APPLICA-**
21 **TION FOR SUBSEQUENT ELECTIONS.**

22 (a) IN GENERAL.—Section 104 of the Uniformed and
23 Overseas Citizens Absentee Voting Act (52 U.S.C. 20306)
24 is amended to read as follows:

1 **“SEC. 104. USE OF SINGLE APPLICATION FOR SUBSEQUENT**
2 **ELECTIONS.**

3 “(a) IN GENERAL.—If a State accepts and processes
4 an official post card form (prescribed under section 101)
5 submitted by an absent uniformed services voter or over-
6 seas voter for simultaneous voter registration and absen-
7 tee ballot application (in accordance with section
8 102(a)(4)) and the voter requests that the application be
9 considered an application for an absentee ballot for each
10 subsequent election for Federal office held in the State
11 through the next regularly scheduled general election for
12 Federal office (including any runoff elections which may
13 occur as a result of the outcome of such general election),
14 the State shall provide an absentee ballot to the voter for
15 each such subsequent election.

16 “(b) EXCEPTION FOR VOTERS CHANGING REGISTRA-
17 TION.—Subsection (a) shall not apply with respect to a
18 voter registered to vote in a State for any election held
19 after the voter notifies the State that the voter no longer
20 wishes to be registered to vote in the State or after the
21 State determines that the voter has registered to vote in
22 another State or is otherwise no longer eligible to vote in
23 the State.

24 “(c) PROHIBITION OF REFUSAL OF APPLICATION ON
25 GROUNDS OF EARLY SUBMISSION.—A State may not
26 refuse to accept or to process, with respect to any election

1 for Federal office, any otherwise valid voter registration
 2 application or absentee ballot application (including the
 3 postcard form prescribed under section 101) submitted by
 4 an absent uniformed services voter or overseas voter on
 5 the grounds that the voter submitted the application be-
 6 fore the first date on which the State otherwise accepts
 7 or processes such applications for that election which are
 8 submitted by absentee voters who are not members of the
 9 uniformed services or overseas citizens.”.

10 (b) EFFECTIVE DATE.—The amendment made by
 11 subsection (a) shall apply with respect to voter registration
 12 and absentee ballot applications which are submitted to
 13 a State or local election official on or after the date of
 14 the enactment of this Act.

15 **SEC. 1005. EXTENDING GUARANTEE OF RESIDENCY FOR**
 16 **VOTING PURPOSES TO FAMILY MEMBERS OF**
 17 **ABSENT MILITARY PERSONNEL.**

18 Section 102 of the Uniformed and Overseas Citizens
 19 Absentee Voting Act (52 U.S.C. 20302) is amended by
 20 adding at the end the following new subsection:

21 “(j) GUARANTEE OF RESIDENCY FOR SPOUSES AND
 22 DEPENDENTS OF ABSENT MEMBERS OF UNIFORMED
 23 SERVICE.—For the purposes of voting for in any election
 24 for any Federal office or any State or local office, a spouse
 25 or dependent of an individual who is an absent uniformed

1 services voter described in subparagraph (A) or (B) of sec-
 2 tion 107(1) shall not, solely by reason of that individual’s
 3 absence and without regard to whether or not such spouse
 4 or dependent is accompanying that individual—

5 “(1) be deemed to have lost a residence or
 6 domicile in that State, without regard to whether or
 7 not that individual intends to return to that State;

8 “(2) be deemed to have acquired a residence or
 9 domicile in any other State; or

10 “(3) be deemed to have become a resident in or
 11 a resident of any other State.”.

12 **SEC. 1006. REQUIRING TRANSMISSION OF BLANK ABSEN-**
 13 **TEE BALLOTS UNDER UOCAVA TO CERTAIN**
 14 **VOTERS.**

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

19 **“SEC. 103C. TRANSMISSION OF BLANK ABSENTEE BALLOTS**
 20 **TO CERTAIN OTHER VOTERS.**

21 “(a) IN GENERAL.—

22 “(1) STATE RESPONSIBILITIES.—Subject to the
 23 provisions of this section, each State shall transmit
 24 blank absentee ballots electronically to qualified indi-
 25 viduals who request such ballots in the same manner

1 and under the same terms and conditions under
2 which the State transmits such ballots electronically
3 to absent uniformed services voters and overseas vot-
4 ers under the provisions of section 102(f), except
5 that no such marked ballots shall be returned elec-
6 tronically.

7 “(2) REQUIREMENTS.—Any blank absentee bal-
8 lot transmitted to a qualified individual under this
9 section—

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

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

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

20 “(A) the individual is a qualified individual
21 (as defined in subsection (b));

22 “(B) the individual has not and will not
23 cast another ballot with respect to the election;
24 and

1 “(C) acknowledges that a material
2 misstatement of fact in completing the ballot
3 may constitute grounds for conviction of per-
4 jury.

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

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

18 “(A) Notarization or witness signature re-
19 quirements.

20 “(B) Restrictions on paper type, including
21 weight and size.

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

24 “(b) QUALIFIED INDIVIDUAL.—

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

6 “(A) The individual—

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

11 “(ii) has not received such absentee
12 ballot at least 2 days before the date of the
13 election.

14 “(B) The individual—

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

24 “(ii) has not previously requested an
25 absentee ballot.

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

6 “(D) The individual is hospitalized or ex-
7 pects to be hospitalized on the date of the elec-
8 tion.

9 “(E) The individual is an individual with a
10 disability (as defined in section 3 of the Ameri-
11 cans with Disabilities Act of 1990 (42 U.S.C.
12 12102)) and resides in a State which does not
13 offer voters the ability to use secure and acces-
14 sible remote ballot marking. For purposes of
15 this subparagraph, a State shall permit an indi-
16 vidual to self-certify that the individual is an in-
17 dividual with a disability.

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

22 “(c) STATE.—For purposes of this section, the term
23 ‘State’ includes the District of Columbia, the Common-
24 wealth of Puerto Rico, Guam, American Samoa, the

1 United States Virgin Islands, and the Commonwealth of
2 the Northern Mariana Islands.

3 “(d) EFFECTIVE DATE.—This section shall apply
4 with respect to the regularly scheduled general election for
5 Federal office held in November 2022 and each succeeding
6 election for Federal office.”.

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

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

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

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

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

19 (c) CLERICAL AMENDMENTS.—The table of contents
20 of such Act is amended by inserting the following after
21 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. 1007. EFFECTIVE DATE.**

2 Except as provided in section 1002(b) and section
3 1004(b), the amendments made by this title shall apply
4 with respect to elections occurring on or after January 1,
5 2022.

6 **TITLE XI—POLL WORKER**
7 **RECRUITMENT AND TRAINING**

8 **SEC. 1101. GRANTS TO STATES FOR POLL WORKER RE-**
9 **CRUITMENT AND TRAINING.**

10 (a) GRANTS BY ELECTION ASSISTANCE COMMIS-
11 SION.—

12 (1) IN GENERAL.—The Election Assistance
13 Commission (hereafter referred to as the “Commis-
14 sion”) shall, subject to the availability of appropria-
15 tions provided to carry out this section, make a
16 grant to each eligible State for recruiting and train-
17 ing individuals to serve as poll workers on dates of
18 elections for public office.

19 (2) USE OF COMMISSION MATERIALS.—In car-
20 rying out activities with a grant provided under this
21 section, the recipient of the grant shall use the man-
22 ual prepared by the Commission on successful prac-
23 tices for poll worker reeruiting, training, and reten-
24 tion as an interactive training tool, and shall develop
25 training programs with the participation and input
26 of experts in adult learning.

1 (3) ACCESS AND CULTURAL CONSIDER-
2 ATIONS.—The Commission shall ensure that the
3 manual described in paragraph (2) provides training
4 in methods that will enable poll workers to provide
5 access and delivery of services in a culturally com-
6 petent manner to all voters who use their services,
7 including those with limited English proficiency, di-
8 verse cultural and ethnic backgrounds, disabilities,
9 and regardless of gender, sexual orientation, or gen-
10 der identity. These methods must ensure that each
11 voter will have access to poll worker services that are
12 delivered in a manner that meets the unique needs
13 of the voter.

14 (b) REQUIREMENTS FOR ELIGIBILITY.—

15 (1) APPLICATION.—Each State that desires to
16 receive a payment under this section shall submit an
17 application for the payment to the Commission at
18 such time and in such manner and containing such
19 information as the Commission shall require.

20 (2) CONTENTS OF APPLICATION.—Each appli-
21 cation submitted under paragraph (1) shall—

22 (A) describe the activities for which assist-
23 ance under this section is sought;

24 (B) provide assurances that the funds pro-
25 vided under this section will be used to supple-

1 ment and not supplant other funds used to
2 carry out the activities;

3 (C) provide assurances that the State will
4 furnish the Commission with information on the
5 number of individuals who served as poll work-
6 ers after recruitment and training with the
7 funds provided under this section; and

8 (D) provide such additional information
9 and certifications as the Commission deter-
10 mines to be essential to ensure compliance with
11 the requirements of this section.

12 (c) AMOUNT OF GRANT.—

13 (1) IN GENERAL.—The amount of a grant
14 made to a State under this section shall be equal to
15 the product of—

16 (A) the aggregate amount made available
17 for grants to States under this section; and

18 (B) the voting age population percentage
19 for the State.

20 (2) VOTING AGE POPULATION PERCENTAGE DE-
21 FINED.—In paragraph (1), the “voting age popu-
22 lation percentage” for a State is the quotient of—

23 (A) the voting age population of the State
24 (as determined on the basis of the most recent

1 information available from the Bureau of the
2 Census); and

3 (B) the total voting age population of all
4 States (as determined on the basis of the most
5 recent information available from the Bureau of
6 the Census).

7 (d) REPORTS TO CONGRESS.—

8 (1) REPORTS BY RECIPIENTS OF GRANTS.—Not
9 later than 6 months after the date on which the
10 final grant is made under this section, each recipient
11 of a grant shall submit a report to the Commission
12 on the activities conducted with the funds provided
13 by the grant.

14 (2) REPORTS BY COMMISSION.—Not later than
15 1 year after the date on which the final grant is
16 made under this section, the Commission shall sub-
17 mit a report to Congress on the grants made under
18 this section and the activities carried out by recipi-
19 ents with the grants, and shall include in the report
20 such recommendations as the Commission considers
21 appropriate.

22 (e) FUNDING.—

23 (1) CONTINUING AVAILABILITY OF AMOUNT AP-
24 PROPRIATED.—Any amount appropriated to carry

1 out this section shall remain available without fiscal
2 year limitation until expended.

3 (2) ADMINISTRATIVE EXPENSES.—Of the
4 amount appropriated for any fiscal year to carry out
5 this section, not more than 3 percent shall be avail-
6 able for administrative expenses of the Commission.

7 **SEC. 1102. STATE DEFINED.**

8 In this title, the term “State” includes the District
9 of Columbia, the Commonwealth of Puerto Rico, Guam,
10 American Samoa, the United States Virgin Islands, and
11 the Commonwealth of the Northern Mariana Islands.

12 **TITLE XII—ENHANCEMENT OF**
13 **ENFORCEMENT**

14 **SEC. 1201. ENHANCEMENT OF ENFORCEMENT OF HELP**
15 **AMERICA VOTE ACT OF 2002.**

16 (a) COMPLAINTS; AVAILABILITY OF PRIVATE RIGHT
17 OF ACTION.—Section 401 of the Help America Vote Act
18 of 2002 (52 U.S.C. 21111) is amended—

19 (1) by striking “The Attorney General” and in-
20 serting “(a) IN GENERAL.—The Attorney General”;
21 and

22 (2) by adding at the end the following new sub-
23 sections:

24 “(b) FILING OF COMPLAINTS BY AGGRIEVED PER-
25 SONS.—

1 “(1) IN GENERAL.—A person who is aggrieved
2 by a violation of title III which has occurred, is oc-
3 curring, or is about to occur may file a written,
4 signed, notarized complaint with the Attorney Gen-
5 eral describing the violation and requesting the At-
6 torney General to take appropriate action under this
7 section. The Attorney General shall immediately pro-
8 vide a copy of a complaint filed under the previous
9 sentence to the entity responsible for administering
10 the State-based administrative complaint procedures
11 described in section 402(a) for the State involved.

12 “(2) RESPONSE BY ATTORNEY GENERAL.—The
13 Attorney General shall respond to each complaint
14 filed under paragraph (1), in accordance with proce-
15 dures established by the Attorney General that re-
16 quire responses and determinations to be made with-
17 in the same (or shorter) deadlines which apply to a
18 State under the State-based administrative com-
19 plaint procedures described in section 402(a)(2).
20 The Attorney General shall immediately provide a
21 copy of the response made under the previous sen-
22 tence to the entity responsible for administering the
23 State-based administrative complaint procedures de-
24 scribed in section 402(a) for the State involved.

1 “(c) AVAILABILITY OF PRIVATE RIGHT OF AC-
2 TION.—Any person who is authorized to file a complaint
3 under subsection (b)(1) (including any individual who
4 seeks to enforce the individual’s right to a voter-verified
5 paper ballot, the right to have the voter-verified paper bal-
6 lot counted in accordance with this Act, or any other right
7 under title III) may file an action under section 1979 of
8 the Revised Statutes of the United States (42 U.S.C.
9 1983) to enforce the uniform and nondiscriminatory elec-
10 tion technology and administration requirements under
11 subtitle A of title III.

12 “(d) NO EFFECT ON STATE PROCEDURES.—Nothing
13 in this section may be construed to affect the availability
14 of the State-based administrative complaint procedures re-
15 quired under section 402 to any person filing a complaint
16 under this subsection.”.

17 (b) EFFECTIVE DATE.—The amendments made by
18 this section shall apply with respect to violations occurring
19 with respect to elections for Federal office held in 2022
20 or any succeeding year.

1 **TITLE XIII—FEDERAL ELECTION**
 2 **INTEGRITY**

3 **SEC. 1301. PROHIBITION ON CAMPAIGN ACTIVITIES BY**
 4 **CHIEF STATE ELECTION ADMINISTRATION**
 5 **OFFICIALS.**

6 (a) IN GENERAL.—Title III of the Federal Election
 7 Campaign Act of 1971 (52 U.S.C. 30101 et seq.) is
 8 amended by inserting after section 319 the following new
 9 section:

10 “CAMPAIGN ACTIVITIES BY CHIEF STATE ELECTION
 11 ADMINISTRATION OFFICIALS

12 “SEC. 319A. (a) PROHIBITION.—It shall be unlawful
 13 for a chief State election administration official to take
 14 an active part in political management or in a political
 15 campaign with respect to any election for Federal office
 16 over which such official has supervisory authority.

17 “(b) CHIEF STATE ELECTION ADMINISTRATION OF-
 18 FICIAL.—The term ‘chief State election administration of-
 19 ficial’ means the highest State official with responsibility
 20 for the administration of Federal elections under State
 21 law.

22 “(c) ACTIVE PART IN POLITICAL MANAGEMENT OR
 23 IN A POLITICAL CAMPAIGN.—The term ‘active part in po-
 24 litical management or in a political campaign’ means—

1 “(1) holding any position (including any unpaid
2 or honorary position) with an authorized committee
3 of a candidate, or participating in any decision-mak-
4 ing of an authorized committee of a candidate;

5 “(2) the use of official authority or influence
6 for the purpose of interfering with or affecting the
7 result of an election for Federal office;

8 “(3) the solicitation, acceptance, or receipt of a
9 contribution from any person on behalf of a can-
10 didate for Federal office; and

11 “(4) any other act which would be prohibited
12 under paragraph (2) or (3) of section 7323(b) of
13 title 5, United States Code, if taken by an individual
14 to whom such paragraph applies (other than any
15 prohibition on running for public office).

16 “(d) EXCEPTION IN CASE OF RECUSAL FROM AD-
17 MINISTRATION OF ELECTIONS INVOLVING OFFICIAL OR
18 IMMEDIATE FAMILY MEMBER.—

19 “(1) IN GENERAL.—This section does not apply
20 to a chief State election administration official with
21 respect to an election for Federal office in which the
22 official or an immediate family member of the offi-
23 cial is a candidate, but only if—

1 “(A) such official recuses himself or herself
2 from all of the official’s responsibilities for the
3 administration of such election; and

4 “(B) the official who assumes responsi-
5 bility for supervising the administration of the
6 election does not report directly to such official.

7 “(2) IMMEDIATE FAMILY MEMBER DEFINED.—
8 In paragraph (1), the term ‘immediate family mem-
9 ber’ means, with respect to a candidate, a father,
10 mother, son, daughter, brother, sister, husband,
11 wife, father-in-law, or mother-in-law.”.

12 (b) EFFECTIVE DATE.—The amendments made by
13 subsection (a) shall apply with respect to elections for
14 Federal office held after December 2021.

15 **TITLE XIV—PROMOTING VOTER**
16 **ACCESS THROUGH ELECTION**
17 **ADMINISTRATION IMPROVE-**
18 **MENTS**

19 **Subtitle A—Promoting Voter**
20 **Access**

21 **SEC. 1401. TREATMENT OF INSTITUTIONS OF HIGHER EDU-**
22 **CATION.**

23 (a) TREATMENT OF CERTAIN INSTITUTIONS AS
24 VOTER REGISTRATION AGENCIES UNDER NATIONAL
25 VOTER REGISTRATION ACT OF 1993.—Section 7(a) of the

1 National Voter Registration Act of 1993 (52 U.S.C.
2 20506(a)) is amended—

3 (1) in paragraph (2)—

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

6 (B) by striking the period at the end of
7 subparagraph (B) and inserting “; and”; and

8 (C) by adding at the end the following new
9 subparagraph:

10 “(C) each institution of higher education
11 which has a program participation agreement in
12 effect with the Secretary of Education under
13 section 487 of the Higher Education Act of
14 1965 (20 U.S.C. 1094), other than an institu-
15 tion which is treated as a contributing agency
16 under section 113 of the Automatic Voter Reg-
17 istration Act of 2021.”; and

18 (2) in paragraph (6)(A), by inserting “or, in
19 the case of an institution of higher education, upon
20 initial enrollment of a student,” after “assistance,”.

21 (b) RESPONSIBILITIES OF INSTITUTIONS UNDER
22 HIGHER EDUCATION ACT OF 1965.—Section 487(a)(23)
23 of the Higher Education Act of 1965 (20 U.S.C.
24 1094(a)(23)) is amended to read as follows:

1 “(23)(A) The institution will make every rea-
2 sonable effort to—

3 “(i) distribute voter registration applica-
4 tions for elections for Federal office using a
5 form that meets the requirements of section
6 9(b) of the National Voter Registration Act of
7 1993 (52 U.S.C. 20508), which may include
8 sharing a direct, guided link to such applica-
9 tion, to each student enrolled at the institution
10 who has not been automatically registered to
11 vote by the institution in accordance with sec-
12 tion 113 of the Voter Empowerment Act of
13 2021, including students who do not qualify as
14 an in-State student as defined in section
15 113(f)(2) of the Voter Empowerment Act of
16 2021;

17 “(ii) provide clear guidance that each stu-
18 dent enrolled at the institution should—

19 “(I) register in the State in which the
20 student is eligible to vote in the next elec-
21 tion if registration is required, which may
22 include informing students from another
23 State of the ability to vote in the State of
24 the institution in which the students are

1 enrolled and physically in attendance, in
2 accordance with applicable State law; and

3 “(II) in the case of a student who has
4 already registered to vote in a State de-
5 scribed in subclause (I), update the stu-
6 dent’s existing voter registration if the stu-
7 dent’s address has changed recently or
8 since the last election in which the student
9 was eligible to vote;

10 “(iii) periodically share credible, non-
11 partisan resources (to be identified in consulta-
12 tion with the Election Assistance Commission)
13 to help students determine where and how they
14 are eligible to vote, which may include resources
15 from State and local election officials on voter
16 registration and voting requirements, including
17 voter registration deadlines, residency require-
18 ments, voter identification requirements, and
19 absentee voting options, as applicable; and

20 “(iv) in distributing voting materials (as
21 defined in section 203(b)(3) of the Voting
22 Rights Act of 1965 (52 U.S.C. 10503(b)(3)))
23 that are produced by a covered State or polit-
24 ical subdivision described in subsection

1 203(b)(2) of such Act, ensure to the greatest
2 extent practicable that—

3 “(I) such voting materials are pro-
4 vided in accordance with section 203 of
5 that Act (52 U.S.C. 10503); and

6 “(II) all materials and information
7 made available electronically under this
8 paragraph—

9 “(aa) are accessible to individuals
10 with disabilities; and

11 “(bb) are compliant with the
12 most recent Web Content Accessibility
13 Guidelines, or successor guidelines.

14 “(B) An institution shall be considered to have
15 satisfied the requirements of clauses (i), (ii), and
16 (iii) of subparagraph (A) if—

17 “(i) with respect to each student enrolled
18 in the institution who is not exclusively enrolled
19 in distance education at the institution and who
20 has not already been registered to vote by the
21 institution in accordance with section 113 of
22 the Voter Empowerment Act of 2021, including
23 students who do not qualify as an in-State stu-
24 dent as defined in section 113(f)(2) of such
25 Act—

1 “(I) the institution, not less than 30
2 days in advance of the deadline for reg-
3 istering to vote within the State for the
4 next scheduled statewide Federal or State
5 primary election and not less than 30 days
6 in advance of the deadline for registering
7 to vote within the State for the next sched-
8 uled statewide Federal or State general
9 election—

10 “(aa) distributes voter registra-
11 tion applications to such students; or

12 “(bb) electronically transmits a
13 message to each such student that is
14 devoted exclusively to voter registra-
15 tion and contains a voter registration
16 application acceptable for use in the
17 State in which the institution is lo-
18 cated, or an internet address where
19 such voter registration application can
20 be accessed or downloaded;

21 “(II) during a period that an institu-
22 tion requires or encourages such students
23 to remain off-campus due to a national,
24 State, or local public health or other emer-
25 gency for an extended period of time, re-

1 sulting in a significant disruption to such
2 students' ability to vote in person, as appli-
3 cable, the institution additionally—

4 “(aa) requests that the State
5 provide the institution with absentee
6 ballot applications, as applicable, or
7 that the State share the official State
8 website or online portal through which
9 eligible voters can directly request an
10 absentee ballot;

11 “(bb) distributes to each such
12 student an absentee ballot application
13 requested from the State under item
14 (aa) or the official State website or
15 online portal through which eligible
16 voters can directly request an absen-
17 tee ballot, with instructions that the
18 form, website, or online portal should
19 be used only by students eligible to
20 vote in the State;

21 “(cc) notifies such students of—

22 “(AA) applicable deadlines
23 for requesting and submitting an
24 absentee ballot; and

1 “(BB) additional options for
2 early and in-person voting and
3 voting on Election Day, as appli-
4 cable; and

5 “(dd) shares credible, non-
6 partisan resources (to be identified in
7 consultation with the Election Assist-
8 ance Commission) to help students
9 who are registered in another State to
10 apply for absentee ballots in such
11 State, which may include resources
12 from State and local election officials;
13 and

14 “(III) the institution ensures that an
15 appropriate staff person or office has been
16 designated as a Campus Vote Coordinator,
17 who shall—

18 “(aa) ensure compliance in ac-
19 cordance with this paragraph at the
20 institution;

21 “(bb) be publicly designated as
22 the Campus Vote Coordinator, includ-
23 ing the Campus Vote Coordinator’s
24 contact information, on the website of
25 the institution; and

1 “(cc) upon request, provide to
2 students residency requirements for
3 voting, including the ability of stu-
4 dents from other States to vote in the
5 State of the institution in which they
6 are enrolled and physically in attend-
7 ance, in accordance with applicable
8 State law; and

9 “(ii) with respect to each student enrolled
10 exclusively in distance education or correspond-
11 ence programs, the institution—

12 “(I)(aa) transmits a message devoted
13 exclusively to voter registration that refers
14 such students to a centralized voter reg-
15 istration website or platform by providing
16 the Internet address or other method to
17 access such website or platform, that—

18 “(AA) provides applicable voter
19 registration application and voting in-
20 formation for all States; and

21 “(BB) is hosted by a website op-
22 erated by the Federal, State or local
23 government;

24 “(bb) transmits such message not less
25 than twice in each calendar year; and

1 “(cc) maintains information on the in-
2 stitution’s website containing credible, non-
3 partisan resources to help students deter-
4 mine where and how they are eligible to
5 vote, or a link to such resources; or

6 “(II) provides information to such
7 students in the same manner as the insti-
8 tution provides information to students not
9 enrolled exclusively in distance education
10 under clause (i)(I).

11 “(C) The institution will substantially comply
12 with the requirements that apply to the institution
13 under section 7 of the National Voter Registration
14 Act of 1993 (52 U.S.C. 20506) or section 113 of the
15 Automatic Voter Registration Act of 2021, as the
16 case may be.

17 “(D) In this paragraph—

18 “(i) the term ‘voter registration applica-
19 tion’ means the mail voter registration applica-
20 tion form for elections for Federal office pre-
21 scribed pursuant to section 9 of the National
22 Voter Registration Act of 1993 (52 U.S.C.
23 20508);

1 “(ii) the term ‘absentee ballot’ means any
2 ballot cast by any means other than in person
3 and for which the State requires an application;

4 “(iii) the term ‘distance education’ has the
5 meaning given the term in section 103, except
6 such term shall not include distance education
7 that is provided due to a decision of an institu-
8 tion to require or encourage students of the in-
9 stitution to remain off-campus due to a na-
10 tional, State, or local public health or other
11 emergency; and

12 “(iv) the term ‘Federal office’ has the
13 meaning given in section 301(3) of the Federal
14 Election Campaign Act of 1971 (52 U.S.C.
15 30101(3)).”.

16 (c) GRANTS TO INSTITUTIONS DEMONSTRATING EX-
17 CELLENCE IN STUDENT VOTER REGISTRATION.—

18 (1) GRANTS AUTHORIZED.—The Secretary of
19 Education may award competitive grants to public
20 and private nonprofit institutions of higher edu-
21 cation that are subject to the requirements of sec-
22 tion 487(a)(23) of the Higher Education Act of
23 1965 (20 U.S.C. 1094(a)(23)), as amended by sub-
24 section (b), and that the Secretary determines have
25 demonstrated excellence in registering students to

1 vote in elections for public office beyond meeting the
2 minimum requirements of such section.

3 (2) ELIGIBILITY.—An institution of higher edu-
4 cation is eligible to receive a grant under this sub-
5 section if the institution submits to the Secretary of
6 Education, at such time and in such form as the
7 Secretary may require, an application containing
8 such information and assurances as the Secretary
9 may require to make the determination described in
10 paragraph (1), including information and assurances
11 that the institution carried out activities to promote
12 voter registration by students, such as the following:

13 (A) Sponsoring large on-campus voter mo-
14 bilization efforts.

15 (B) Engaging the surrounding community
16 in nonpartisan voter registration and get out
17 the vote efforts.

18 (C) Creating a website for students with
19 centralized information about voter registration
20 and election dates.

21 (D) Inviting candidates to speak on cam-
22 pus.

23 (E) Offering rides to students to the polls
24 to increase voter education, registration, and
25 mobilization.

1 (3) AUTHORIZATION OF APPROPRIATIONS.—

2 There are authorized to be appropriated for fiscal
3 year 2022 and each succeeding fiscal year such sums
4 as may be necessary to award grants under this sub-
5 section.

6 (d) SENSE OF CONGRESS RELATING TO OPTION OF
7 STUDENTS TO REGISTER IN JURISDICTION OF INSTITU-
8 TION OF HIGHER EDUCATION OR JURISDICTION OF DOMI-
9 CILE.—It is the sense of Congress that, as provided under
10 existing law, students who attend an institution of higher
11 education and reside in the jurisdiction of the institution
12 while attending the institution should have the option of
13 registering to vote in elections for Federal office in that
14 jurisdiction or in the jurisdiction of their own domicile.

15 **SEC. 1402. MINIMUM NOTIFICATION REQUIREMENTS FOR**
16 **VOTERS AFFECTED BY POLLING PLACE**
17 **CHANGES.**

18 (a) REQUIREMENTS.—Section 302 of the Help Amer-
19 ica Vote Act of 2002 (52 U.S.C. 21082), as amended by
20 section 701(a), is amended—

21 (1) by redesignating subsection (f) as sub-
22 section (g); and

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

1 “(f) MINIMUM NOTIFICATION REQUIREMENTS FOR
2 VOTERS AFFECTED BY POLLING PLACE CHANGES.—

3 “(1) IN GENERAL.—If a State assigns an indi-
4 vidual who is a registered voter in a State to a poll-
5 ing place with respect to an election for Federal of-
6 fice which is not the same polling place to which the
7 individual was previously assigned with respect to
8 the most recent election for Federal office in the
9 State in which the individual was eligible to vote—

10 “(A) the State shall notify the individual of
11 the location of the polling place not later than
12 7 days before the date of the election or the
13 first day of an early voting period (whichever
14 occurs first); or

15 “(B) if the State makes such an assign-
16 ment fewer than 7 days before the date of the
17 election and the individual appears on the date
18 of the election at the polling place to which the
19 individual was previously assigned, the State
20 shall make every reasonable effort to enable the
21 individual to vote on the date of the election.

22 “(2) METHODS OF NOTIFICATION.—The State
23 shall notify an individual under subparagraph (A) of
24 paragraph (1) by mail, telephone, and (if available)
25 text message and electronic mail.

1 “(3) PLACEMENT OF SIGNS AT CLOSED POLL-
2 ING PLACES.—If a location which served as a polling
3 place in an election for Federal office does not serve
4 as a polling place in the next election for Federal of-
5 fice held in the jurisdiction involved, the State shall
6 ensure that signs are posted at such location on the
7 date of the election and during any early voting pe-
8 riod for the election containing the following infor-
9 mation:

10 “(A) A statement that the location is not
11 serving as a polling place in the election.

12 “(B) The locations serving as polling
13 places in the election in the jurisdiction in-
14 volved.

15 “(C) Contact information, including a tele-
16 phone number and website, for the appropriate
17 State or local election official through which an
18 individual may find the polling place to which
19 the individual is assigned for the election.

20 “(4) EFFECTIVE DATE.—This subsection shall
21 apply with respect to elections held on or after Janu-
22 ary 1, 2022.”.

23 (b) CONFORMING AMENDMENT.—Section 302(g) of
24 such Act (52 U.S.C. 21082(g)), as redesignated by sub-
25 section (a) and as amended by section 701(b), is amended

1 by striking “(d)(2) and (e)(2)” and inserting “(d)(2),
2 (e)(2), and (f)(4)”.

3 **SEC. 1403. PERMITTING USE OF SWORN WRITTEN STATE-**
4 **MENT TO MEET IDENTIFICATION REQUIRE-**
5 **MENTS FOR VOTING.**

6 (a) PERMITTING USE OF STATEMENT.—Title III of
7 the Help America Vote Act of 2002 (52 U.S.C. 21081 et
8 seq.) is amended by inserting after section 303 the fol-
9 lowing new section:

10 **“SEC. 303A. PERMITTING USE OF SWORN WRITTEN STATE-**
11 **MENT OR STUDENT IDENTIFICATION CARD**
12 **TO MEET IDENTIFICATION REQUIREMENTS.**

13 “(a) USE OF STATEMENT OR STUDENT IDENTIFICA-
14 TION CARD.—

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

24 “(i) a sworn written statement, signed
25 by the individual under penalty of perjury,

1 attesting to the individual’s identity and
2 attesting that the individual is eligible to
3 vote in the election; or

4 “(ii) if such individual is a student en-
5 rolled at an institution of higher education
6 (as defined under section 102 of the High-
7 er Education Act of 1965 (20 U.S.C.
8 1002)), a student identification card as-
9 signed to the individual from an institution
10 of higher education; or

11 “(B) in the case of an individual who de-
12 sires to vote by mail, by submitting with the
13 ballot—

14 “(i) the statement described in sub-
15 paragraph (A)(i); or

16 “(ii) if such individual is a student en-
17 rolled at an institution of higher education
18 (as so defined), a copy of the student iden-
19 tification card described in subparagraph
20 (A)(ii).

21 “(2) DEVELOPMENT OF PRE-PRINTED VERSION
22 OF STATEMENT BY COMMISSION.—The Commission
23 shall develop a pre-printed version of the statement
24 described in paragraph (1)(A)(i) which includes a
25 blank space for an individual to provide a name and

1 signature for use by election officials in States which
2 are subject to paragraph (1).

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

6 “(A) make copies of the pre-printed
7 version of the statement described in paragraph
8 (1)(A)(i) which is prepared by the Commission
9 available at polling places for election officials
10 to distribute to individuals who desire to vote in
11 person; and

12 “(B) include a copy of such pre-printed
13 version of the statement with each blank absen-
14 tee or other ballot transmitted to an individual
15 who desires to vote by mail.

16 “(b) REQUIRING USE OF BALLOT IN SAME MANNER
17 AS INDIVIDUALS PRESENTING IDENTIFICATION.—An in-
18 dividual who presents or submits a sworn written state-
19 ment or presents a student identification card in accord-
20 ance with subsection (a)(1) shall be permitted to cast a
21 ballot in the election in the same manner as an individual
22 who presents identification.

23 “(c) EXCEPTION FOR FIRST-TIME VOTERS REG-
24 ISTERING BY MAIL.—Subsections (a) and (b) do not apply
25 with respect to any individual described in paragraph (1)

1 of section 303(b) who is required to meet the requirements
2 of paragraph (2) of such section.”.

3 (b) REQUIRING STATES TO INCLUDE INFORMATION
4 ON USE OF SWORN WRITTEN STATEMENT AND STUDENT
5 IDENTIFICATION CARD IN VOTING INFORMATION MATE-
6 RIAL POSTED AT POLLING PLACES.—Section 302(b)(2) of
7 such Act (52 U.S.C. 21082(b)(2)), as amended by section
8 172(b) and section 302(b), is amended—

9 (1) by striking “and” at the end of subpara-
10 graph (G);

11 (2) by striking the period at the end of sub-
12 paragraph (H) and inserting “; and”; and

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

15 “(I) in the case of a State that has in ef-
16 fect any requirement that an individual present
17 identification as a condition of receiving and
18 casting a ballot in an election for Federal office,
19 information on how an individual may meet
20 such requirement by presenting a sworn written
21 statement or student identification card in ac-
22 cordance with section 303A.”.

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

“Sec. 303A. Permitting use of sworn written statement or student identification card to meet identification requirements.”.

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

4 **SEC. 1404. ACCOMMODATIONS FOR VOTERS RESIDING IN**
5 **INDIAN LANDS.**

6 (a) ACCOMMODATIONS DESCRIBED.—

7 (1) DESIGNATION OF BALLOT PICKUP AND COL-
8 LECTION LOCATIONS.—Given the widespread lack of
9 residential mail delivery in Indian Country, an In-
10 dian Tribe may designate buildings as ballot pickup
11 and collection locations with respect to an election
12 for Federal office at no cost to the Indian Tribe. An
13 Indian Tribe may designate one building per pre-
14 cinct located within Indian lands. The applicable
15 State or political subdivision shall collect ballots
16 from those locations. The applicable State or polit-
17 ical subdivision shall provide the Indian Tribe with
18 accurate precinct maps for all precincts located with-
19 in Indian lands 60 days before the election.

20 (2) PROVISION OF MAIL-IN AND ABSENTEE
21 BALLOTS.—The State or political subdivision shall
22 provide mail-in and absentee ballots with respect to
23 an election for Federal office to each individual who
24 is registered to vote in the election who resides on

1 Indian lands in the State or political subdivision in-
2 volved without requiring a residential address or a
3 mail-in or absentee ballot request.

4 (3) USE OF DESIGNATED BUILDING AS RESI-
5 DENTIAL AND MAILING ADDRESS.—The address of a
6 designated building that is a ballot pickup and col-
7 lection location with respect to an election for Fed-
8 eral office may serve as the residential address and
9 mailing address for voters living on Indian lands if
10 the tribally designated building is in the same pre-
11 cinct as that voter. If there is no tribally designated
12 building within a voter’s precinct, the voter may use
13 another tribally designated building within the In-
14 dian lands where the voter is located. Voters using
15 a tribally designated building outside of the voter’s
16 precinct may use the tribally designated building as
17 a mailing address and may separately designate the
18 voter’s appropriate precinct through a description of
19 the voter’s address, as specified in section
20 9428.4(a)(2) of title 11, Code of Federal Regula-
21 tions.

22 (4) LANGUAGE ACCESSIBILITY.—In the case of
23 a State or political subdivision that is a covered
24 State or political subdivision under section 203 of
25 the Voting Rights Act of 1965 (52 U.S.C. 10503),

1 that State or political subdivision shall provide ab-
2 sentee or mail-in voting materials with respect to an
3 election for Federal office in the language of the ap-
4 plicable minority group as well as in the English lan-
5 guage, bilingual election voting assistance, and writ-
6 ten translations of all voting materials in the lan-
7 guage of the applicable minority group, as required
8 by section 203 of the Voting Rights Act of 1965 (52
9 U.S.C. 10503), as amended by subsection (b).

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

14 (6) DEFINITIONS.—In this section:

15 (A) ELECTION FOR FEDERAL OFFICE.—

16 The term “election for Federal office” means a
17 general, special, primary or runoff election for
18 the office of President or Vice President, or of
19 Senator or Representative in, or Delegate or
20 Resident Commissioner to, the Congress.

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

1 (C) INDIAN LANDS.—The term “Indian
2 lands” includes—

3 (i) any Indian country of an Indian
4 Tribe, as defined under section 1151 of
5 title 18, United States Code;

6 (ii) any land in Alaska owned, pursu-
7 ant to the Alaska Native Claims Settle-
8 ment Act (43 U.S.C. 1601 et seq.), by an
9 Indian Tribe that is a Native village (as
10 defined in section 3 of that Act (43 U.S.C.
11 1602)) or by a Village Corporation that is
12 associated with an Indian Tribe (as de-
13 fined in section 3 of that Act (43 U.S.C.
14 1602));

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

17 (iv) any land that is part or all of a
18 Tribal designated statistical area associ-
19 ated with an Indian Tribe, or is part or all
20 of an Alaska Native village statistical area
21 associated with an Indian Tribe, as defined
22 by the Census Bureau for the purposes of
23 the most recent decennial census.

24 (D) INDIAN TRIBE.—The term “Indian
25 Tribe” has the meaning given the term “Indian

1 tribe” in section 4 of the Indian Self-Deter-
2 mination and Education Assistance Act (25
3 U.S.C. 5304).

4 (E) TRIBAL GOVERNMENT.—The term
5 “Tribal Government” means the recognized
6 governing body of an Indian Tribe.

7 (7) ENFORCEMENT.—

8 (A) ATTORNEY GENERAL.—The Attorney
9 General may bring a civil action in an appro-
10 priate district court for such declaratory or in-
11 junctive relief as is necessary to carry out this
12 subsection.

13 (B) PRIVATE RIGHT OF ACTION.—

14 (i) A person or Tribal Government
15 who is aggrieved by a violation of this sub-
16 section may provide written notice of the
17 violation to the chief election official of the
18 State involved.

19 (ii) An aggrieved person or Tribal
20 Government may bring a civil action in an
21 appropriate district court for declaratory
22 or injunctive relief with respect to a viola-
23 tion of this subsection, if—

1 (I) that person or Tribal Govern-
2 ment provides the notice described in
3 clause (i); and

4 (II)(aa) in the case of a violation
5 that occurs more than 120 days be-
6 fore the date of an election for Fed-
7 eral office, the violation remains and
8 90 days or more have passed since the
9 date on which the chief election offi-
10 cial of the State receives the notice
11 under clause (i); or

12 (bb) in the case of a violation
13 that occurs 120 days or less before
14 the date of an election for Federal of-
15 fice, the violation remains and 20
16 days or more have passed since the
17 date on which the chief election offi-
18 cial of the State receives the notice
19 under clause (i).

20 (iii) In the case of a violation of this
21 section that occurs 30 days or less before
22 the date of an election for Federal office,
23 an aggrieved person or Tribal Government
24 may bring a civil action in an appropriate
25 district court for declaratory or injunctive

1 relief with respect to the violation without
2 providing notice to the chief election offi-
3 cial of the State under clause (i).

4 (b) BILINGUAL ELECTION REQUIREMENTS.—Section
5 203 of the Voting Rights Act of 1965 (52 U.S.C. 10503)
6 is amended—

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

9 (2) by striking subsection (c) and inserting the
10 following:

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

13 “(1) IN GENERAL.—Whenever any State or po-
14 litical subdivision subject to the prohibition of sub-
15 section (b) of this section provides any registration
16 or voting notices, forms, instructions, assistance, or
17 other materials or information relating to the elec-
18 toral process, including ballots, it shall provide them
19 in the language of the applicable minority group as
20 well as in the English language.

21 “(2) EXCEPTIONS.—

22 “(A) In the case of a minority group that
23 is not American Indian or Alaska Native and
24 the language of that minority group is oral or
25 unwritten, the State or political subdivision

1 shall only be required to furnish, in the covered
2 language, oral instructions, assistance, trans-
3 lation of voting materials, or other information
4 relating to registration and voting.

5 “(B) In the case of a minority group that
6 is American Indian or Alaska Native, the State
7 or political subdivision shall only be required to
8 furnish in the covered language oral instruc-
9 tions, assistance, or other information relating
10 to registration and voting, including all voting
11 materials, if the Tribal Government of that mi-
12 nority group has certified that the language of
13 the applicable American Indian or Alaska Na-
14 tive language is presently unwritten or the
15 Tribal Government does not want written trans-
16 lations in the minority language.

17 “(3) WRITTEN TRANSLATIONS FOR ELECTION
18 WORKERS.—Notwithstanding paragraph (2), the
19 State or political division may be required to provide
20 written translations of voting materials, with the
21 consent of any applicable Indian Tribe, to election
22 workers to ensure that the translations from English
23 to the language of a minority group are complete,
24 accurate, and uniform.”.

1 (c) **EFFECTIVE DATE.**—This section and the amend-
2 ments made by this section shall apply with respect to the
3 regularly scheduled general election for Federal office held
4 in November 2022 and each succeeding election for Fed-
5 eral office.

6 **SEC. 1405. ENSURING EQUITABLE AND EFFICIENT OPER-**
7 **ATION OF POLLING PLACES.**

8 (a) **IN GENERAL.**—Subtitle A of title III of the Help
9 America Vote Act of 2002 (52 U.S.C. 21081 et seq.), as
10 amended by section 131(a), section 201(a), section 202(a),
11 section 203(a)(1), section 204(a), section 801(a), section
12 901(a), section 902(a), section 903(b), and section 904(a),
13 is amended—

14 (1) by redesignating sections 314 and 315 as
15 sections 316 and 317, respectively; and

16 (2) by inserting after section 313 the following
17 new section:

18 **“SEC. 314. ENSURING EQUITABLE AND EFFICIENT OPER-**
19 **ATION OF POLLING PLACES.**

20 “(a) **PREVENTING UNREASONABLE WAITING TIMES**
21 **FOR VOTERS.**—

22 “(1) **IN GENERAL.**—Each State shall provide a
23 sufficient number of voting systems, poll workers,
24 and other election resources (including physical re-
25 sources) at a polling place used in any election for

1 Federal office, including a polling place at which in-
2 dividuals may cast ballots prior to the date of the
3 election, to ensure—

4 “(A) a fair and equitable waiting time for
5 all voters in the State; and

6 “(B) that no individual will be required to
7 wait longer than 30 minutes to cast a ballot at
8 the polling place.

9 “(2) CRITERIA.—In determining the number of
10 voting systems, poll workers, and other election re-
11 sources provided at a polling place for purposes of
12 paragraph (1), the State shall take into account the
13 following factors:

14 “(A) The voting age population.

15 “(B) Voter turnout in past elections.

16 “(C) The number of voters registered.

17 “(D) The number of voters who have reg-
18 istered since the most recent Federal election.

19 “(E) Census data for the population served
20 by the polling place, such as the proportion of
21 the voting-age population who are under 25
22 years of age or who are naturalized citizens.

23 “(F) The needs and numbers of voters
24 with disabilities and voters with limited English
25 proficiency.

1 “(G) The type of voting systems used.

2 “(H) The length and complexity of initia-
3 tives, referenda, and other questions on the bal-
4 lot.

5 “(I) Such other factors, including relevant
6 demographic factors relating to the population
7 served by the polling place, as the State con-
8 siderers appropriate.

9 “(3) RULE OF CONSTRUCTION.—Nothing in
10 this subsection may be construed to authorize a
11 State to meet the requirements of this subsection by
12 closing any polling place, prohibiting an individual
13 from entering a line at a polling place, or refusing
14 to permit an individual who has arrived at a polling
15 place prior to closing time from voting at the polling
16 place.

17 “(4) GUIDELINES.—Not later than 180 days
18 after the date of the enactment of this section, the
19 Commission shall establish and publish guidelines to
20 assist States in meeting the requirements of this
21 subsection.

22 “(5) EFFECTIVE DATE.—This subsection shall
23 take effect upon the expiration of the 180-day period
24 which begins on the date of the enactment of this
25 subsection, without regard to whether or not the

1 Commission has established and published guidelines
2 under paragraph (4).

3 “(b) LIMITING VARIATIONS ON NUMBER OF HOURS
4 OF OPERATION OF POLLING PLACES WITHIN A STATE.—

5 “(1) LIMITATION.—

6 “(A) IN GENERAL.—Except as provided in
7 subparagraph (B) and paragraph (2), each
8 State shall establish hours of operation for all
9 polling places in the State on the date of any
10 election for Federal office held in the State
11 such that the polling place with the greatest
12 number of hours of operation on such date is
13 not in operation for more than 2 hours longer
14 than the polling place with the fewest number
15 of hours of operation on such date.

16 “(B) PERMITTING VARIANCE ON BASIS OF
17 POPULATION.—Subparagraph (A) does not
18 apply to the extent that the State establishes
19 variations in the hours of operation of polling
20 places on the basis of the overall population or
21 the voting age population (as the State may se-
22 lect) of the unit of local government in which
23 such polling places are located.

24 “(2) EXCEPTIONS FOR POLLING PLACES WITH
25 HOURS ESTABLISHED BY UNITS OF LOCAL GOVERN-

1 MENT.—Paragraph (1) does not apply in the case of
2 a polling place—

3 “(A) whose hours of operation are estab-
4 lished, in accordance with State law, by the unit
5 of local government in which the polling place
6 is located; or

7 “(B) which is required pursuant to an
8 order by a court to extend its hours of oper-
9 ation beyond the hours otherwise established.”.

10 (b) CLERICAL AMENDMENTS.—The table of contents
11 of such Act, as amended by section 131(c), section 201(d),
12 section 202(c), section 203(a)(3), section 204(c), section
13 801(c), section 901(c), section 902(c), section 903(b), and
14 section 904(a), is amended—

15 (1) by redesignating the items relating to sec-
16 tions 314 and 315 as relating to sections 315 and
17 316, respectively; and

18 (2) by inserting after the item relating to sec-
19 tion 313 the following new item:

“Sec. 314. Ensuring equitable and efficient operation of polling places.”.

20 **SEC. 1406. REQUIRING STATES TO PROVIDE SECURED**
21 **DROP BOXES FOR VOTED ABSENTEE BAL-**
22 **LOTS IN ELECTIONS FOR FEDERAL OFFICE.**

23 (a) REQUIREMENT.—Subtitle A of title III of the
24 Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.),
25 as amended by section 131(a), section 201(a), section

1 202(a), section 203(a)(1), section 204(a), section 801(a),
2 section 901(a), section 902(a), section 903(b), section
3 904(a), and section 1405(a), is amended—

4 (1) by redesignating sections 315 and 316 as
5 sections 316 and 317, respectively; and

6 (2) by inserting after section 314 the following
7 new section:

8 **“SEC. 315. USE OF SECURED DROP BOXES FOR VOTED AB-**
9 **SENTEE BALLOTS.**

10 “(a) **REQUIRING USE OF DROP BOXES.**—In each
11 election jurisdiction in the State, each State shall provide
12 in-person, secured, and clearly labeled drop boxes at which
13 individuals may, at any time during the period described
14 in subsection (b), drop off voted absentee ballots in an
15 election for Federal office.

16 “(b) **MINIMUM PERIOD FOR AVAILABILITY OF DROP**
17 **BOXES.**—The period described in this subsection is, with
18 respect to an election, the period which begins 45 days
19 before the date of the election and which ends at the time
20 the polls close for the election in the election jurisdiction
21 involved.

22 “(c) **ACCESSIBILITY.**—

23 “(1) **IN GENERAL.**—Each State shall ensure
24 that the drop boxes provided under this section are
25 accessible for use—

1 “(A) by individuals with disabilities, as de-
2 termined in consultation with the protection
3 and advocacy systems (as defined in section 102
4 of the Developmental Disabilities Assistance
5 and Bill of Rights Act of 2000 (42 U.S.C.
6 15002)) of the State; and

7 “(B) by individuals with limited proficiency
8 in the English language.

9 “(2) DETERMINATION OF ACCESSIBILITY FOR
10 INDIVIDUALS WITH DISABILITIES.—For purposes of
11 this subsection, drop boxes shall be considered to be
12 accessible for use by individuals with disabilities if
13 the drop boxes meet such criteria as the Attorney
14 General may establish for such purposes.

15 “(3) RULE OF CONSTRUCTION.—If a State pro-
16 vides a drop box under this section on the grounds
17 of or inside a building or facility which serves as a
18 polling place for an election during the period de-
19 scribed in subsection (b), nothing in this subsection
20 may be construed to waive any requirements regard-
21 ing the accessibility of such polling place for the use
22 of individuals with disabilities or individuals with
23 limited proficiency in the English language.

24 “(d) NUMBER OF DROP BOXES.—

1 “(1) FORMULA FOR DETERMINATION OF NUM-
2 BER.—The number of drop boxes provided under
3 this section in an election jurisdiction with respect to
4 an election shall be determined as follows:

5 “(A) In the case of an election jurisdiction
6 in which the number of individuals who are
7 residents of the election jurisdiction and who
8 are registered to vote in the election is equal to
9 or greater than 20,000, the number of drop
10 boxes shall be a number equal to or greater
11 than the number of such individuals divided by
12 20,000 (rounded to the nearest whole number).

13 “(B) In the case of any other election ju-
14 risdiction, the number of drop boxes shall be
15 equal to or greater than one.

16 “(2) TIMING.—For purposes of this subsection,
17 the number of individuals who reside in an election
18 jurisdiction and who are registered to vote in the
19 election shall be determined as of the 90th day be-
20 fore the date of the election.

21 “(e) LOCATION OF DROP BOXES.—The State shall
22 determine the location of drop boxes provided under this
23 section in an election jurisdiction on the basis of criteria
24 which ensure that the drop boxes are—

1 “(1) available to all voters on a non-discrimina-
2 tory basis;

3 “(2) accessible to voters with disabilities (in ac-
4 cordance with subsection (c));

5 “(3) accessible by public transportation to the
6 greatest extent possible;

7 “(4) available during all hours of the day; and

8 “(5) sufficiently available in all communities in
9 the election jurisdiction, including rural communities
10 and on Tribal lands within the election jurisdiction
11 (subject to subsection (f)).

12 “(f) RULES FOR DROP BOXES ON TRIBAL LANDS.—
13 In making a determination of the number and location of
14 drop boxes provided under this section on Tribal lands in
15 an election jurisdiction, the appropriate State and local
16 election officials shall—

17 “(1) consult with Tribal leaders prior to making
18 the determination; and

19 “(2) take into account criteria such as the
20 availability of direct-to-door residential mail delivery,
21 the distance and time necessary to travel to the drop
22 box locations (including in inclement weather),
23 modes of transportation available, conditions of
24 roads, and the availability (if any) of public trans-
25 portation.

1 “(g) TIMING OF SCANNING AND PROCESSING OF
2 BALLOTS.—For purposes of section 306(e) (relating to
3 the timing of the processing and scanning of ballots for
4 tabulation), a vote cast using a drop box provided under
5 this section shall be treated in the same manner as any
6 other vote cast during early voting.

7 “(h) POSTING OF INFORMATION.—On or adjacent to
8 each drop box provided under this section, the State shall
9 post information on the requirements that voted absentee
10 ballots must meet in order to be counted and tabulated
11 in the election.

12 “(i) ELECTION JURISDICTION.—For purposes of this
13 section, the term ‘election jurisdiction’ has the same mean-
14 ing given to the term ‘registrar’s jurisdiction’ under sec-
15 tion 8(j) of the National Voter Registration Act of 1993
16 (52 U.S.C. 20507(j)).

17 “(j) EFFECTIVE DATE.—This section shall apply
18 with respect to the regularly scheduled general election for
19 Federal office held in November 2022 and each succeeding
20 election for Federal office.”.

21 (b) CLERICAL AMENDMENTS.—The table of contents
22 of such Act, as amended by section 131(c), section 201(d),
23 section 202(c), section 203(a)(3), section 204(c), section
24 801(c), section 901(c), section 902(c), section 903(b), sec-
25 tion 904(a), and section 1405(b), is amended—

1 (1) by redesignating the items relating to sec-
2 tions 315 and 316 as relating to sections 316 and
3 317, respectively; and

4 (2) by inserting after the item relating to sec-
5 tion 314 the following new item:

“Sec. 315. Use of secured drop boxes for voted absentee ballots.”.

6 **SEC. 1407. PROHIBITING STATES FROM RESTRICTING**
7 **CURBSIDE VOTING.**

8 (a) REQUIREMENT.—Subtitle A of title III of the
9 Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.),
10 as amended by section 131(a), section 201(a), section
11 202(a), section 203(a)(1), section 204(a), section 801(a),
12 section 901(a), section 902(a), section 903(b), section
13 904(a), section 1405(a), and section 1406(a), is amend-
14 ed—

15 (1) by redesignating sections 316 and 317 as
16 sections 317 and 318, respectively; and

17 (2) by inserting after section 315 the following
18 new section:

19 **“SEC. 316. PROHIBITING STATES FROM RESTRICTING**
20 **CURBSIDE VOTING.**

21 “(a) PROHIBITION.—A State may not—

22 “(1) prohibit any jurisdiction administering an
23 election for Federal office in the State from utilizing
24 curbside voting as a method by which individuals
25 may cast ballots in the election; or

1 “(2) impose any restrictions which would ex-
2 clude any individual who is eligible to vote in such
3 an election in a jurisdiction which utilizes curbside
4 voting from casting a ballot in the election by the
5 method of curbside voting.

6 “(b) EFFECTIVE DATE.—This section shall apply
7 with respect to the regularly scheduled general election for
8 Federal office held in November 2022 and each succeeding
9 election for Federal office.”.

10 (b) CLERICAL AMENDMENTS.—The table of contents
11 of such Act, as amended by section 131(c), section 201(d),
12 section 202(c), section 203(a)(3), section 204(c), section
13 801(c), section 901(c), section 902(c), section 903(b), sec-
14 tion 904(a), section 1405(b), and section 1406(b), is
15 amended—

16 (1) by redesignating the items relating to sec-
17 tions 316 and 317 as relating to sections 317 and
18 318, respectively; and

19 (2) by inserting after the item relating to sec-
20 tion 315 the following new item:

“Sec. 316. Prohibiting States from restricting curbside voting.”.

1 **Subtitle B—Disaster and**
2 **Emergency Contingency Plans**

3 **SEC. 1411. REQUIREMENTS FOR FEDERAL ELECTION CON-**
4 **TINGENCY PLANS IN RESPONSE TO NATURAL**
5 **DISASTERS AND EMERGENCIES.**

6 (a) IN GENERAL.—

7 (1) ESTABLISHMENT.—Not later than 90 days
8 after the date of the enactment of this Act, each
9 State and each jurisdiction in a State which is re-
10 sponsible for administering elections for Federal of-
11 fice shall establish and make publicly available a
12 contingency plan to enable individuals to vote in
13 elections for Federal office during a state of emer-
14 gency, public health emergency, or national emer-
15 gency which has been declared for reasons includ-
16 ing—

17 (A) a natural disaster; or

18 (B) an infectious disease.

19 (2) UPDATING.—Each State and jurisdiction
20 shall update the contingency plan established under
21 this subsection not less frequently than every 5
22 years.

23 (b) REQUIREMENTS RELATING TO SAFETY.—The
24 contingency plan established under subsection (a) shall in-
25 clude initiatives to provide equipment and resources need-

1 ed to protect the health and safety of poll workers and
2 voters when voting in person.

3 (c) REQUIREMENTS RELATING TO RECRUITMENT OF
4 POLL WORKERS.—The contingency plan established
5 under subsection (a) shall include initiatives by the chief
6 State election official and local election officials to recruit
7 poll workers from resilient or unaffected populations,
8 which may include—

9 (1) employees of other State and local govern-
10 ment offices; and

11 (2) in the case in which an infectious disease
12 poses significant increased health risks to elderly in-
13 dividuals, students of secondary schools and institu-
14 tions of higher education in the State.

15 (d) ENFORCEMENT.—

16 (1) ATTORNEY GENERAL.—The Attorney Gen-
17 eral may bring a civil action against any State or ju-
18 risdiction in an appropriate United States District
19 Court for such declaratory and injunctive relief (in-
20 cluding a temporary restraining order, a permanent
21 or temporary injunction, or other order) as may be
22 necessary to carry out the requirements of this sec-
23 tion.

24 (2) PRIVATE RIGHT OF ACTION.—

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

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

14 (C) SPECIAL RULE.—If the violation oc-
15 curred within 5 days before the date of an elec-
16 tion for Federal office, the aggrieved person
17 need not provide notice to the chief election of-
18 ficial of the State involved under subparagraph
19 (A) before bringing a civil action under sub-
20 paragraph (B).

21 (e) DEFINITIONS.—

22 (1) ELECTION FOR FEDERAL OFFICE.—For
23 purposes of this section, the term “election for Fed-
24 eral office” means a general, special, primary, or
25 runoff election for the office of President or Vice

1 President, or of Senator or Representative in, or
2 Delegate or Resident Commissioner to, the Con-
3 gress.

4 (2) STATE.—For purposes of this section, the
5 term “State” includes the District of Columbia, the
6 Commonwealth of Puerto Rico, Guam, American
7 Samoa, the United States Virgin Islands, and the
8 Commonwealth of the Northern Mariana Islands.

9 (f) EFFECTIVE DATE.—This section shall apply with
10 respect to the regularly scheduled general election for Fed-
11 eral office held in November 2022 and each succeeding
12 election for Federal office.

13 **Subtitle C—Improvements in Oper-**
14 **ation of Election Assistance**
15 **Commission**

16 **SEC. 1421. REAUTHORIZATION OF ELECTION ASSISTANCE**
17 **COMMISSION.**

18 Section 210 of the Help America Vote Act of 2002
19 (52 U.S.C. 20930) is amended—

20 (1) by striking “for each of the fiscal years
21 2003 through 2005” and inserting “for fiscal year
22 2021 and each succeeding fiscal year”; and

23 (2) by striking “(but not to exceed \$10,000,000
24 for each such year)”.

1 **SEC. 1422. REQUIRING STATES TO PARTICIPATE IN POST-**
2 **GENERAL ELECTION SURVEYS.**

3 (a) REQUIREMENT.—Title III of the Help America
4 Vote Act of 2002 (52 U.S.C. 21081 et seq.), as amended
5 by section 1403(a), is further amended by inserting after
6 section 303A the following new section:

7 **“SEC. 303B. REQUIRING PARTICIPATION IN POST-GENERAL**
8 **ELECTION SURVEYS.**

9 “(a) REQUIREMENT.—Each State shall furnish to the
10 Commission such information as the Commission may re-
11 quest for purposes of conducting any post-election survey
12 of the States with respect to the administration of a regu-
13 larly scheduled general election for Federal office.

14 “(b) EFFECTIVE DATE.—This section shall apply
15 with respect to the regularly scheduled general election for
16 Federal office held in November 2022 and any succeeding
17 election.”.

18 (b) CLERICAL AMENDMENT.—The table of contents
19 of such Act, as amended by section 1403(c), is further
20 amended by inserting after the item relating to section
21 303A the following new item:

“Sec. 303B. Requiring participation in post-general election surveys.”.

1 **SEC. 1423. REPORTS BY NATIONAL INSTITUTE OF STAND-**
2 **ARDS AND TECHNOLOGY ON USE OF FUNDS**
3 **TRANSFERRED FROM ELECTION ASSISTANCE**
4 **COMMISSION.**

5 (a) **REQUIRING REPORTS ON USE FUNDS AS CONDI-**
6 **TION OF RECEIPT.**—Section 231 of the Help America
7 Vote Act of 2002 (52 U.S.C. 20971) is amended by adding
8 at the end the following new subsection:

9 “(e) **REPORT ON USE OF FUNDS TRANSFERRED**
10 **FROM COMMISSION.**—To the extent that funds are trans-
11 ferred from the Commission to the Director of the Na-
12 tional Institute of Standards and Technology for purposes
13 of carrying out this section during any fiscal year, the Di-
14 rector may not use such funds unless the Director certifies
15 at the time of transfer that the Director will submit a re-
16 port to the Commission not later than 90 days after the
17 end of the fiscal year detailing how the Director used such
18 funds during the year.”.

19 (b) **EFFECTIVE DATE.**—The amendment made by
20 subsection (a) shall apply with respect to fiscal year 2022
21 and each succeeding fiscal year.

22 **SEC. 1424. RECOMMENDATIONS TO IMPROVE OPERATIONS**
23 **OF ELECTION ASSISTANCE COMMISSION.**

24 (a) **ASSESSMENT OF INFORMATION TECHNOLOGY**
25 **AND CYBERSECURITY.**—Not later than December 31,
26 2021, the Election Assistance Commission shall carry out

1 an assessment of the security and effectiveness of the
2 Commission's information technology systems, including
3 the cybersecurity of such systems.

4 (b) IMPROVEMENTS TO ADMINISTRATIVE COMPLAINT
5 PROCEDURES.—

6 (1) REVIEW OF PROCEDURES.—The Election
7 Assistance Commission shall carry out a review of
8 the effectiveness and efficiency of the State-based
9 administrative complaint procedures established and
10 maintained under section 402 of the Help America
11 Vote Act of 2002 (52 U.S.C. 21112) for the inves-
12 tigation and resolution of allegations of violations of
13 title III of such Act.

14 (2) RECOMMENDATIONS TO STREAMLINE PRO-
15 CEDURES.—Not later than December 31, 2021, the
16 Commission shall submit to Congress a report on
17 the review carried out under paragraph (1), and
18 shall include in the report such recommendations as
19 the Commission considers appropriate to streamline
20 and improve the procedures which are the subject of
21 the review.

1 **SEC. 1425. REPEAL OF EXEMPTION OF ELECTION ASSIST-**
 2 **ANCE COMMISSION FROM CERTAIN GOVERN-**
 3 **MENT CONTRACTING REQUIREMENTS.**

4 (a) **IN GENERAL.**—Section 205 of the Help America
 5 Vote Act of 2002 (52 U.S.C. 20925) is amended by strik-
 6 ing subsection (e).

7 (b) **EFFECTIVE DATE.**—The amendment made by
 8 subsection (a) shall apply with respect to contracts entered
 9 into by the Election Assistance Commission on or after
 10 the date of the enactment of this Act.

11 **Subtitle D—Miscellaneous**
 12 **Provisions**

13 **SEC. 1431. APPLICATION OF LAWS TO COMMONWEALTH OF**
 14 **NORTHERN MARIANA ISLANDS.**

15 (a) **NATIONAL VOTER REGISTRATION ACT OF**
 16 **1993.**—Section 3(4) of the National Voter Registration
 17 Act of 1993 (52 U.S.C. 20502(4)) is amended by striking
 18 “States and the District of Columbia” and inserting
 19 “States, the District of Columbia, and the Commonwealth
 20 of the Northern Mariana Islands”.

21 (b) **HELP AMERICA VOTE ACT OF 2002.**—

22 (1) **COVERAGE OF COMMONWEALTH OF THE**
 23 **NORTHERN MARIANA ISLANDS.**—Section 901 of the
 24 Help America Vote Act of 2002 (52 U.S.C. 21141)
 25 is amended by striking “and the United States Vir-
 26 gin Islands” and inserting “the United States Virgin

1 Islands, and the Commonwealth of the Northern
2 Mariana Islands”.

3 (2) CONFORMING AMENDMENTS TO HELP
4 AMERICA VOTE ACT OF 2002.—Such Act is further
5 amended as follows:

6 (A) The second sentence of section
7 213(a)(2) (52 U.S.C. 20943(a)(2)) is amended
8 by striking “and American Samoa” and insert-
9 ing “American Samoa, and the Commonwealth
10 of the Northern Mariana Islands”.

11 (B) Section 252(c)(2) (52 U.S.C.
12 21002(c)(2)) is amended by striking “or the
13 United States Virgin Islands” and inserting
14 “the United States Virgin Islands, or the Com-
15 monwealth of the Northern Mariana Islands”.

16 (3) CONFORMING AMENDMENT RELATING TO
17 CONSULTATION OF HELP AMERICA VOTE FOUNDA-
18 TION WITH LOCAL ELECTION OFFICIALS.—Section
19 90102(c) of title 36, United States Code, is amend-
20 ed by striking “and the United States Virgin Is-
21 lands” and inserting “the United States Virgin Is-
22 lands, and the Commonwealth of the Northern Mar-
23 iana Islands”.

1 **SEC. 1432. DEFINITION OF ELECTION FOR FEDERAL OF-**
2 **FICE.**

3 (a) DEFINITION.—Title IX of the Help America Vote
4 Act of 2002 (52 U.S.C. 21141 et seq.) is amended by add-
5 ing at the end the following new section:

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

7 “For purposes of titles I through III, the term ‘elec-
8 tion for Federal office’ means a general, special, primary,
9 or runoff election for the office of President or Vice Presi-
10 dent, or of Senator or Representative in, or Delegate or
11 Resident Commissioner to, the Congress.”.

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

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

15 **SEC. 1433. NO EFFECT ON OTHER LAWS.**

16 (a) IN GENERAL.—Except as specifically provided,
17 nothing in this title may be construed to authorize or re-
18 quire conduct prohibited under any of the following laws,
19 or to supersede, restrict, or limit the application of such
20 laws:

21 (1) The Voting Rights Act of 1965 (52 U.S.C.
22 10301 et seq.).

23 (2) The Voting Accessibility for the Elderly and
24 Handicapped Act (52 U.S.C. 20101 et seq.).

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

3 (4) The National Voter Registration Act of
4 1993 (52 U.S.C. 20501 et seq.).

5 (5) The Americans with Disabilities Act of
6 1990 (42 U.S.C. 12101 et seq.).

7 (6) The Rehabilitation Act of 1973 (29 U.S.C.
8 701 et seq.).

9 (b) NO EFFECT ON PRECLEARANCE OR OTHER RE-
10 QUIREMENTS UNDER VOTING RIGHTS ACT.—The ap-
11 proval by any person of a payment or grant application
12 under this title, or any other action taken by any person
13 under this title, shall not be considered to have any effect
14 on requirements for preclearance under section 5 of the
15 Voting Rights Act of 1965 (52 U.S.C. 10304) or any other
16 requirements of such Act.

17 (c) NO EFFECT ON AUTHORITY OF STATES TO PRO-
18 VIDE GREATER OPPORTUNITIES FOR VOTING.—Nothing
19 in this title or the amendments made by this title may
20 be construed to prohibit any State from enacting any law
21 which provides greater opportunities for individuals to reg-
22 ister to vote and to vote in elections for Federal office than
23 are provided by this title and the amendments made by
24 this title.

1 **SEC. 1434. CLARIFICATION OF EXEMPTION FOR STATES**
2 **WITHOUT VOTER REGISTRATION.**

3 To the extent that any provision of this title or any
4 amendment made by this title imposes a requirement on
5 a State relating to registering individuals to vote in elec-
6 tions for Federal office, such provision shall not apply in
7 the case of any State in which, under law that is in effect
8 continuously on and after the date of the enactment of
9 this Act, there is no voter registration requirement for any
10 voter in the State with respect to an election for Federal
11 office.

12 **TITLE XV—SEVERABILITY**

13 **SEC. 1501. SEVERABILITY.**

14 If any provision of this Act or amendment made by
15 this Act, or the application of a provision or amendment
16 to any person or circumstance, is held to be unconstitu-
17 tional, the remainder of this Act and amendments made
18 by this Act, and the application of the provisions and
19 amendment to any person or circumstance, shall not be
20 affected by the holding.

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