

116TH CONGRESS
1ST SESSION

S. 549

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

FEBRUARY 25, 2019

Mrs. GILLIBRAND (for herself, Ms. DUCKWORTH, Ms. HARRIS, Mr. SANDERS, Mr. BLUMENTHAL, Mr. DURBIN, Mr. WHITEHOUSE, Mr. MARKEY, and Mr. CARDIN) 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 2019”.

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

1 (1) all eligible citizens of the United States
 2 should access and exercise their constitutional right
 3 to vote in a free, fair, and timely manner; and

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

9 **SEC. 2. TABLE OF CONTENTS.**

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

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Sec. 114. One-time contributing agency assistance in registration of eligible voters in existing records.

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

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- Sec. 151. Acceptance of voter registration applications from individuals under 18 years of age.
 Sec. 152. Annual reports on voter registration statistics.

Subtitle F—Availability of HAVA Requirements Payments

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

Subtitle G—Prohibiting Interference With Voter Registration

- Sec. 171. Prohibiting hindering, interfering with, or preventing voter registration.
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- Sec. 201. Requirements for States to promote access to voter registration and voting for individuals with disabilities.
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TITLE III—PROHIBITING VOTER CAGING

- Sec. 301. Voter caging and other questionable challenges prohibited.
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TITLE IV—PROHIBITING DECEPTIVE PRACTICES AND
 PREVENTING VOTER INTIMIDATION

- Sec. 401. Short title.
 Sec. 402. Prohibition on deceptive practices in Federal elections.
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TITLE VI—PROMOTING ACCURACY, INTEGRITY, AND SECURITY
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- Sec. 601. Short title.
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- Sec. 701. Requirements for counting provisional ballots; establishment of uniform and nondiscriminatory standards.

TITLE VIII—EARLY VOTING

- Sec. 801. Early voting.

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- Sec. 901. Voting by mail.

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- Sec. 1201. Enhancement of enforcement of Help America Vote Act of 2002.

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- Sec. 1401. Grants to States for conducting risk-limiting audits of results of elections.
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- Sec. 1501. Treatment of universities as voter registration agencies.
- Sec. 1502. Minimum notification requirements for voters affected by polling place changes.
- Sec. 1503. Election Day holiday.
- Sec. 1504. Permitting use of sworn written statement to meet identification requirements for voting.
- Sec. 1505. Postage-free ballots.
- Sec. 1506. Reimbursement for costs incurred by States in establishing program to track and confirm receipt of absentee ballots.
- Sec. 1507. Voter information response systems and hotline.

Subtitle B—Improvements in Operation of Election Assistance Commission

- Sec. 1511. Reauthorization of Election Assistance Commission.
- Sec. 1512. Requiring States to participate in post-general election surveys.
- Sec. 1513. Reports by National Institute of Standards and Technology on use of funds transferred from Election Assistance Commission.
- Sec. 1514. Recommendations to improve operations of Election Assistance Commission.
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- Sec. 1521. Application of laws to Commonwealth of Northern Mariana Islands.
- Sec. 1522. Repeal of exemption of Election Assistance Commission from certain government contracting requirements.
- Sec. 1523. No effect on other laws.

TITLE XVI—SEVERABILITY

- Sec. 1601. 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 2019”.

1 **Subtitle A—Promoting Internet**
 2 **Registration**

3 **SEC. 101. REQUIRING AVAILABILITY OF INTERNET FOR**
 4 **VOTER REGISTRATION.**

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

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

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

12 “(1) AVAILABILITY OF ONLINE REGISTRA-
 13 TION.—Each State, acting through the chief State
 14 election official, shall ensure that the following serv-
 15 ices are available to the public at any time on the
 16 official public websites of the appropriate State and
 17 local election officials in the State, in the same man-
 18 ner and subject to the same terms and conditions as
 19 the services provided by voter registration agencies
 20 under section 7(a):

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

23 “(B) Online assistance to applicants in ap-
 24 plying to register to vote.

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

7 “(D) Online receipt of completed voter reg-
8 istration applications.

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

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

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

25 “(c) SIGNATURE REQUIREMENTS.—

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

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

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

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

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

1 “(A) permit the individual to complete all
2 other elements of the online voter registration
3 application;

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

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

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

18 “(d) CONFIRMATION AND DISPOSITION.—

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

1 the individual may check the status of the applica-
2 tion.

3 “(2) NOTICE OF DISPOSITION.—As soon as the
4 appropriate State or local election official has ap-
5 proved or rejected an application submitted by an in-
6 dividual under this section, the official shall send the
7 individual a notice of the disposition of the applica-
8 tion.

9 “(3) METHOD OF NOTIFICATION.—The appro-
10 priate State or local election official shall send the
11 notices required under this subsection by regular
12 mail, and, in the case of an individual who has re-
13 quested that the State provide voter registration and
14 voting information through electronic mail, by both
15 electronic mail and regular mail.

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

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

23 “(2) there is no display on the website pro-
24 moting any political preference or party allegiance,
25 except that nothing in this paragraph may be con-

1 strued to prohibit an applicant from registering to
2 vote as a member of a political party.

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

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

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

17 “(h) NONDISCRIMINATION AMONG REGISTERED
18 VOTERS USING MAIL AND ONLINE REGISTRATION.—In
19 carrying out this Act, the Help America Vote Act of 2002,
20 or any other Federal, State, or local law governing the
21 treatment of registered voters in the State or the adminis-
22 tration of elections for public office in the State, a State
23 shall treat a registered voter who registered to vote online
24 in accordance with this section in the same manner as the

1 State treats a registered voter who registered to vote by
2 mail.”.

3 (b) SPECIAL REQUIREMENTS FOR INDIVIDUALS
4 USING ONLINE REGISTRATION.—

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

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

16 (A) by redesignating paragraph (5) as
17 paragraph (6); and

18 (B) by inserting after paragraph (4) the
19 following new paragraph:

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

22 “(A) IN GENERAL.—A State shall, in a
23 uniform and nondiscriminatory manner, require
24 an individual to meet the requirements of sub-
25 paragraph (B) if—

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

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

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

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

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

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

21 “(i) entitled to vote by absentee ballot
22 under the Uniformed and Overseas Citi-
23 zens Absentee Voting Act (52 U.S.C.
24 20302 et seq.);

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

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

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

13 (c) CONFORMING AMENDMENTS.—

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

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

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

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

23 “(D) in the case of online registration
24 through the official public website of an election
25 official under section 6A, if the valid voter reg-

1 istration application is submitted online not
 2 later than the lesser of 30 days, or the period
 3 provided by State law, before the date of the
 4 election (as determined by treating the date on
 5 which the application is sent electronically as
 6 the date on which it is submitted); and”.

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

11 **SEC. 102. USE OF INTERNET TO UPDATE REGISTRATION IN-**
 12 **FORMATION.**

13 (a) IN GENERAL.—

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

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

21 “(A) IN GENERAL.—The appropriate State
 22 or local election official shall ensure that any
 23 registered voter on the computerized list may at
 24 any time update the voter’s registration infor-
 25 mation, including the voter’s address and elec-

1 tronic mail address, online through the official
2 public website of the election official responsible
3 for the maintenance of the list, so long as the
4 voter attests to the contents of the update by
5 providing a signature in electronic form in the
6 same manner required under section 6A(c) of
7 the National Voter Registration Act of 1993.

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

13 “(i) revise any information on the
14 computerized list to reflect the update
15 made by the voter; and

16 “(ii) if the updated registration infor-
17 mation affects the voter’s eligibility to vote
18 in an election for Federal office, ensure
19 that the information is processed with re-
20 spect to the election if the voter updates
21 the information not later than the lesser of
22 7 days, or the period provided by State
23 law, before the date of the election.

24 “(C) CONFIRMATION AND DISPOSITION.—

1 “(i) CONFIRMATION OF RECEIPT.—

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

10 “(ii) NOTICE OF DISPOSITION.—As

11 soon as the appropriate State or local elec-
12 tion official has accepted or rejected up-
13 dated information submitted by an indi-
14 vidual under this paragraph, the official
15 shall send the individual a notice of the
16 disposition of the update.

17 “(iii) METHOD OF NOTIFICATION.—

18 The appropriate State or local election offi-
19 cial shall send the notices required under
20 this subparagraph by regular mail, and, in
21 the case of an individual who has re-
22 quested that the State provide voter reg-
23 istration and voting information through
24 electronic mail, by both electronic mail and
25 regular mail.”.

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

6 (b) ABILITY OF REGISTRANT TO USE ONLINE UP-
7 DATE TO PROVIDE INFORMATION ON RESIDENCE.—Sec-
8 tion 8(d)(2)(A) of the National Voter Registration Act of
9 1993 (52 U.S.C. 20507(d)(2)(A)) is amended—

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

16 (2) in the second sentence, by striking “re-
17 turned,” and inserting the following: “returned or if
18 the registrant does not update the registrant’s infor-
19 mation on the computerized statewide voter registra-
20 tion list using such online method,”.

1 **SEC. 103. PROVISION OF ELECTION INFORMATION BY**
2 **ELECTRONIC MAIL TO INDIVIDUALS REG-**
3 **ISTERED TO VOTE.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

16 **SEC. 104. CLARIFICATION OF REQUIREMENT REGARDING**
17 **NECESSARY INFORMATION TO SHOW ELIGI-**
18 **BILITY TO VOTE.**

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

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

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

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

9 “(1) the applicant has accurately completed the
 10 application form and attested to the statement re-
 11 quired by section 9(b)(2); and

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

16 **SEC. 105. EFFECTIVE DATE.**

17 (a) IN GENERAL.—Except as provided in subsection
 18 (b), the amendments made by this subtitle (other than the
 19 amendments made by section 104) shall take effect Janu-
 20 ary 1, 2020.

21 (b) WAIVER.—Subject to the approval of the Election
 22 Assistance Commission, if a State certifies to the Election
 23 Assistance Commission that the State will not meet the
 24 deadline referred to in subsection (a) because of extraor-
 25 dinary circumstances and includes in the certification the

1 reasons for the failure to meet the deadline, subsection
2 (a) shall apply to the State as if the reference in such
3 subsection to “January 1, 2020” were a reference to
4 “January 1, 2022”.

5 **Subtitle B—Automatic Voter** 6 **Registration**

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

8 (a) **SHORT TITLE.**—This subtitle may be cited as the
9 “Automatic Voter Registration Act of 2019”.

10 (b) **FINDINGS AND PURPOSE.**—

11 (1) **FINDINGS.**—Congress finds that—

12 (A) the right to vote is a fundamental
13 right of citizens of the United States;

14 (B) it is the responsibility of the State and
15 Federal governments to ensure that every eligi-
16 ble citizen is registered to vote;

17 (C) existing voter registration systems can
18 be inaccurate, costly, inaccessible and con-
19 fusing, with damaging effects on voter partici-
20 pation in elections and disproportionate impacts
21 on young people, persons with disabilities, and
22 racial and ethnic minorities; and

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

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

3 (A) to establish that it is the responsibility
4 of government at every level to ensure that all
5 eligible citizens are registered to vote;

6 (B) to enable the State and Federal gov-
7 ernments to register all eligible citizens to vote
8 with accurate, cost-efficient, and up-to-date pro-
9 cedures;

10 (C) to modernize voter registration and list
11 maintenance procedures with electronic and
12 Internet capabilities; and

13 (D) to protect and enhance the integrity,
14 accuracy, efficiency, and accessibility of the
15 electoral process for all eligible citizens.

16 **SEC. 112. AUTOMATIC REGISTRATION OF ELIGIBLE INDI-**
17 **VIDUALS.**

18 (a) REQUIRING STATES TO ESTABLISH AND OPER-
19 ATE AUTOMATIC REGISTRATION SYSTEM.—

20 (1) IN GENERAL.—The chief State election offi-
21 cial of each State shall establish and operate a sys-
22 tem of automatic registration for the registration of
23 eligible individuals to vote for elections for Federal
24 office in the State, in accordance with the provisions
25 of this subtitle.

1 (2) DEFINITION.—The term “automatic reg-
2 istration” means a system that registers an indi-
3 vidual to vote in elections for Federal office in a
4 State, if eligible, by electronically transferring the
5 information necessary for registration from govern-
6 ment agencies to election officials of the State so
7 that, unless the individual affirmatively declines to
8 be registered, the individual will be registered to vote
9 in such elections.

10 (b) REGISTRATION OF VOTERS BASED ON NEW
11 AGENCY RECORDS.—The chief State election official
12 shall—

13 (1) not later than 15 days after a contributing
14 agency has transmitted information with respect to
15 an individual pursuant to section 113, ensure that
16 the individual is registered to vote in elections for
17 Federal office in the State if the individual is eligible
18 to be registered to vote in such elections; and

19 (2) send written notice to the individual, in ad-
20 dition to other means of notice established by this
21 subtitle, of the individual’s voter registration status.

22 (c) ONE-TIME REGISTRATION OF VOTERS BASED ON
23 EXISTING CONTRIBUTING AGENCY RECORDS.—The chief
24 State election official shall—

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

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

10 (A) an explanation that voter registration
11 is voluntary, but if the individual does not de-
12 cline registration, the individual will be reg-
13 istered to vote;

14 (B) a statement offering the opportunity to
15 decline voter registration through means con-
16 sistent with the requirements of this subtitle;

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

1 (D) the substantive qualifications of an
2 elector in the State as listed in the mail voter
3 registration application form for elections for
4 Federal office prescribed pursuant to section 9
5 of the National Voter Registration Act of 1993,
6 the consequences of false registration, and a
7 statement that the individual should decline to
8 register if the individual does not meet all those
9 qualifications;

10 (E) instructions for correcting any erro-
11 neous information; and

12 (F) instructions for providing any addi-
13 tional information which is listed in the mail
14 voter registration application form for elections
15 for Federal office prescribed pursuant to section
16 9 of the National Voter Registration Act of
17 1993;

18 (3) ensure that each such individual who is eli-
19 gible to register to vote in elections for Federal of-
20 fice in the State is promptly registered to vote not
21 later than 45 days after the official sends the indi-
22 vidual the written notice under paragraph (2), un-
23 less, during the 30-day period which begins on the
24 date the election official sends the individual such
25 written notice, the individual declines registration in

1 writing, through a communication made over the
 2 Internet, or by an officially logged telephone commu-
 3 nication; and

4 (4) send written notice to each such individual,
 5 in addition to other means of notice established by
 6 this subtitle, of the individual's voter registration
 7 status.

8 (d) TREATMENT OF INDIVIDUALS UNDER 18 YEARS
 9 OF AGE.—A State may not refuse to treat an individual
 10 as an eligible individual for purposes of this subtitle on
 11 the grounds that the individual is less than 18 years of
 12 age at the time a contributing agency receives information
 13 with respect to the individual, so long as the individual
 14 is at least 16 years of age at such time.

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

18 **SEC. 113. CONTRIBUTING AGENCY ASSISTANCE IN REG-**
 19 **ISTRATION.**

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

24 (b) REQUIREMENTS FOR CONTRIBUTING AGEN-
 25 CIES.—

1 (1) INSTRUCTIONS ON AUTOMATIC REGISTRA-
2 TION.—With each application for service or assist-
3 ance, and with each related recertification, renewal,
4 or change of address, or, in the case of an institu-
5 tion of higher education, with each registration of a
6 student for enrollment in a course of study, each
7 contributing agency that (in the normal course of its
8 operations) requests individuals to affirm United
9 States citizenship (either directly or as part of the
10 overall application for service or assistance) shall in-
11 form each such individual who is a citizen of the
12 United States of the following:

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

18 (B) The substantive qualifications of an
19 elector in the State as listed in the mail voter
20 registration application form for elections for
21 Federal office prescribed pursuant to section 9
22 of the National Voter Registration Act of 1993,
23 the consequences of false registration, and the
24 individual should decline to register if the indi-
25 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.—Each contributing agency shall ensure
15 that each application for service or assistance, and
16 each related recertification, renewal, or change of
17 address, or, in the case of an institution of higher
18 education, each registration of a student for enroll-
19 ment in a course of study, cannot be completed until
20 the individual is given the opportunity to decline to
21 be registered to vote.

22 (3) INFORMATION TRANSMITTAL.—Upon the
23 expiration of the 30-day period which begins on the
24 date the contributing agency informs the individual
25 of the information described in paragraph (1), each

1 contributing agency shall electronically transmit to
2 the appropriate State election official, in a format
3 compatible with the statewide voter database main-
4 tained under section 303 of the Help America Vote
5 Act of 2002 (52 U.S.C. 21083), the following infor-
6 mation, unless during such 30-day period the indi-
7 vidual declined to be registered to vote:

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) Information regarding the individual's
20 affiliation or enrollment with a political party,
21 if the individual provides such information.

22 (H) Any additional information listed in
23 the mail voter registration application form for
24 elections for Federal office prescribed pursuant
25 to section 9 of the National Voter Registration

1 Act of 1993, including any valid driver's license
2 number or the last 4 digits of the individual's
3 social security number, if the individual pro-
4 vided such information.

5 (c) ALTERNATE PROCEDURE FOR CERTAIN CON-
6 TRIBUTING AGENCIES.—With each application for service
7 or assistance, and with each related recertification, re-
8 newal, or change of address, or in the case of an institu-
9 tion of higher education, with each registration of a stu-
10 dent for enrollment in a course of study, any contributing
11 agency that in the normal course of its operations does
12 not request individuals applying for service or assistance
13 to affirm United States citizenship (either directly or as
14 part of the overall application for service or assistance)
15 shall—

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

19 (2) ensure that each applicant's transaction
20 with the agency cannot be completed until the appli-
21 cant has indicated whether the applicant wishes to
22 register to vote or declines to register to vote in elec-
23 tions for Federal office held in the State; and

1 (3) for each individual who wishes to register to
2 vote, transmit that individual's information in ac-
3 cordance with subsection (b)(3).

4 (d) REQUIRED AVAILABILITY OF AUTOMATIC REG-
5 ISTRATION OPPORTUNITY WITH EACH APPLICATION FOR
6 SERVICE OR ASSISTANCE.—Each contributing agency
7 shall offer each individual, with each application for serv-
8 ice or assistance, and with each related recertification, re-
9 newal, or change of address, or in the case of an institu-
10 tion of higher education, with each registration of a stu-
11 dent for enrollment in a course of study, the opportunity
12 to register to vote as prescribed by this section without
13 regard to whether the individual previously declined a reg-
14 istration opportunity.

15 (e) CONTRIBUTING AGENCIES.—

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

19 (A) Each agency in a State that is re-
20 quired by Federal law to provide voter registra-
21 tion services, including the State motor vehicle
22 authority and other voter registration agencies
23 under the National Voter Registration Act of
24 1993.

1 (B) Each agency in a State that admin-
2 isters a program pursuant to title III of the So-
3 cial Security Act (42 U.S.C. 501 et seq.), title
4 XIX of the Social Security Act (42 U.S.C. 1396
5 et seq.), or the Patient Protection and Afford-
6 able Care Act (Public Law 111–148).

7 (C) Each State agency primarily respon-
8 sible for regulating the private possession of
9 firearms.

10 (D) Each State agency primarily respon-
11 sible for maintaining identifying information for
12 students enrolled at public secondary schools,
13 including, where applicable, the State agency
14 responsible for maintaining the education data
15 system described in section 6201(e)(2) of the
16 America COMPETES Act (20 U.S.C.
17 9871(e)(2)).

18 (E) In the case of a State in which an in-
19 dividual disenfranchised by a criminal convic-
20 tion may become eligible to vote upon comple-
21 tion of a criminal sentence or any part thereof,
22 or upon formal restoration of rights, the State
23 agency responsible for administering that sen-
24 tence, or part thereof, or that restoration of
25 rights.

1 (F) Any other agency of the State which is
2 designated by the State as a contributing agen-
3 cy.

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

9 (A) The Social Security Administration,
10 the Department of Veterans Affairs, the De-
11 fense Manpower Data Center of the Depart-
12 ment of Defense, the Employee and Training
13 Administration of the Department of Labor,
14 and the Center for Medicare & Medicaid Serv-
15 ices of the Department of Health and Human
16 Services.

17 (B) The Bureau of Citizenship and Immi-
18 gration Services, but only with respect to indi-
19 viduals who have completed the naturalization
20 process.

21 (C) In the case of an individual who is a
22 resident of a State in which an individual
23 disenfranchised by a criminal conviction under
24 Federal law may become eligible to vote upon
25 completion of a criminal sentence or any part

1 thereof, or upon formal restoration of rights,
2 the Federal agency responsible for admin-
3 istering that sentence or part thereof (without
4 regard to whether the agency is located in the
5 same State in which the individual is a resi-
6 dent), but only with respect to individuals who
7 have completed the criminal sentence or any
8 part thereof.

9 (D) Any other agency of the Federal Gov-
10 ernment which the State designates as a con-
11 tributing agency, but only if the State and the
12 head of the agency determine that the agency
13 collects information sufficient to carry out the
14 responsibilities of a contributing agency under
15 this section.

16 (3) INSTITUTIONS OF HIGHER EDUCATION.—

17 Each institution of higher education that receives
18 Federal funds shall be treated as a contributing
19 agency in the State in which it is located, but only
20 with respect to students of the institution (including
21 students who attend classes online) who reside in the
22 State. An institution of higher education described
23 in the previous sentence shall be exempt from the
24 voter registration requirements of section 487(a)(23)
25 of the Higher Education Act of 1965 (20 U.S.C.

1 1094(a)(23)) if the institution is in compliance with
2 the applicable requirements of this subtitle.

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

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

14 **SEC. 114. ONE-TIME CONTRIBUTING AGENCY ASSISTANCE**
15 **IN REGISTRATION OF ELIGIBLE VOTERS IN**
16 **EXISTING RECORDS.**

17 (a) INITIAL TRANSMITTAL OF INFORMATION.—For
18 each individual already listed in a contributing agency's
19 records as of the date of enactment of this Act, and for
20 whom the agency has the information listed in section
21 113(b)(3), the agency shall promptly transmit that infor-
22 mation to the appropriate State election official in accord-
23 ance with section 113(b)(3) not later than the effective
24 date described in section 111(a).

1 (b) TRANSITION.—For each individual listed in a con-
2 tributing agency’s records as of the effective date de-
3 scribed in section 111(a) (but who was not listed in a con-
4 tributing agency’s records as of the date of enactment of
5 this Act), and for whom the agency has the information
6 listed in section 113(b)(3), the Agency shall promptly
7 transmit that information to the appropriate State election
8 official in accordance with section 113(b)(3) not later than
9 6 months after the effective date described in section
10 111(a).

11 **SEC. 115. VOTER PROTECTION AND SECURITY IN AUTO-**
12 **MATIC REGISTRATION.**

13 (a) PROTECTIONS FOR ERRORS IN REGISTRATION.—
14 An individual shall not be prosecuted under any Federal
15 law, adversely affected in any civil adjudication concerning
16 immigration status or naturalization, or subject to an alle-
17 gation in any legal proceeding that the individual is not
18 a citizen of the United States on any of the following
19 grounds:

20 (1) The individual notified an election office of
21 the individual’s automatic registration to vote under
22 this subtitle.

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

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

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

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

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

21 (1) knowingly and willfully makes a false state-
22 ment to effectuate or perpetuate automatic voter
23 registration by any individual; or

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

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

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

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

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

12 (e) ELECTION OFFICIALS' PROTECTION OF INFOR-
13 MATION.—

14 (1) PUBLIC DISCLOSURE PROHIBITED.—

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

21 (i) The identity of the contributing
22 agency.

23 (ii) Any information not necessary to
24 voter registration.

1 (iii) Any voter information otherwise
2 shielded from disclosure under State law or
3 section 8(a) of the National Voter Reg-
4 istration Act of 1993 (52 U.S.C.
5 20507(a)).

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

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

10 (vi) The individual's signature.

11 (vii) The individual's telephone num-
12 ber.

13 (viii) The individual's email address.

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

22 (i) The identity of the contributing
23 agency.

24 (ii) Any information not necessary to
25 voter registration.

1 (iii) Any voter information otherwise
2 shielded from disclosure under State law or
3 section 8(a) of the National Voter Reg-
4 istration Act of 1993 (52 U.S.C.
5 20507(a)).

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

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

10 (vi) The individual's signature.

11 (2) VOTER RECORD CHANGES.—Each State
12 shall maintain for at least 2 years and shall make
13 available for public inspection and, where available,
14 photocopying at a reasonable cost, all records of
15 changes to voter records, including removals and up-
16 dates.

17 (3) DATABASE MANAGEMENT STANDARDS.—
18 The Director of the National Institute of Standards
19 and Technology shall, after providing the public with
20 notice and the opportunity to comment—

21 (A) establish standards governing the com-
22 parison of data for voter registration list main-
23 tenance purposes, identifying as part of such
24 standards the specific data elements, the
25 matching rules used, and how a State may use

1 the data to determine and deem that an indi-
2 vidual is ineligible under State law to vote in an
3 election, or to deem a record to be a duplicate
4 or outdated;

5 (B) ensure that the standards developed
6 pursuant to this paragraph are uniform and
7 nondiscriminatory and are applied in a uniform
8 and nondiscriminatory manner; and

9 (C) publish the standards developed pursu-
10 ant to this paragraph on the Director's website
11 and make those standards available in written
12 form upon request.

13 (4) SECURITY POLICY.—The Director of the
14 National Institute of Standards and Technology
15 shall, after providing the public with notice and the
16 opportunity to comment, publish privacy and secu-
17 rity standards for voter registration information.
18 The standards shall require the chief State election
19 official of each State to adopt a policy that shall
20 specify—

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

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

3 (B) security safeguards to protect personal
4 information transmitted through the informa-
5 tion transmittal processes of section 113 or sec-
6 tion 114, the online system used pursuant to
7 section 117, any telephone interface, the main-
8 tenance of the voter registration database, and
9 any audit procedure to track access to the sys-
10 tem.

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

13 (A) CERTIFICATION.—The chief executive
14 officer of the State shall annually file with the
15 Election Assistance Commission a statement
16 certifying to the Director of the National Insti-
17 tute of Standards and Technology that the
18 State is in compliance with the standards re-
19 ferred to in paragraphs (4) and (5). A State
20 may meet the requirement of the previous sen-
21 tence by filing with the Commission a statement
22 which reads as follows: “_____ hereby
23 certifies that it is in compliance with the stand-
24 ards referred to in paragraphs (4) and (5) of
25 section 115(e) of the Automatic Voter Registra-

1 tion Act of 2019.” (with the blank to be filled
2 in with the name of the State involved).

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

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

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

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

6 (1) Voter registration records.

7 (2) An individual’s declination to register to
8 vote or complete an affirmation of citizenship under
9 section 113(b).

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

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

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

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

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

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

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

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

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

1 **SEC. 117. PAYMENTS AND GRANTS.**

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

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

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

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

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

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

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

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

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

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

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

16 (d) AUTHORIZATION OF APPROPRIATIONS.—

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

19 (A) \$500,000,000 for fiscal year 2020; and

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

22 (2) CONTINUING AVAILABILITY OF FUNDS.—

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

1 **SEC. 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 1006 and 1007 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 santee 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 an automatic voter registration program
23 under which an individual is automatically registered
24 to vote in elections for Federal office in the State if
25 the individual provides the motor vehicle authority of

1 the State with such identifying information as the
2 State may require.

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

5 **SEC. 121. EFFECTIVE DATE.**

6 (a) IN GENERAL.—Except as provided in subsection
7 (b), this subtitle and the amendments made by this sub-
8 title shall apply with respect to a State beginning January
9 1, 2021.

10 (b) WAIVER.—Subject to the approval of the Com-
11 mission, if a State certifies to the Commission that the
12 State will not meet the deadline referred to in subsection
13 (a) because of extraordinary circumstances and includes
14 in the certification the reasons for the failure to meet the
15 deadline, subsection (a) shall apply to the State as if the
16 reference in such subsection to “January 1, 2021” were
17 a reference to “January 1, 2023”.

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

20 **SEC. 131. SAME DAY REGISTRATION.**

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

23 (1) by redesignating sections 304 and 305 as
24 sections 305 and 306; 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.—Notwithstanding section
6 8(a)(1)(D) of the National Voter Registration Act of
7 1993 (52 U.S.C. 20507(a)(1)(D)), each State shall
8 permit any eligible individual on the day of a Fed-
9 eral election and on any day when voting, including
10 early voting, is permitted for a Federal election—

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

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

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

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

5 “(c) EFFECTIVE DATE.—Each State shall be re-
6 quired to comply with the requirements of subsection (a)
7 for the regularly scheduled general election for Federal of-
8 fice occurring in November 2020 and for any subsequent
9 election for Federal office.”.

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

14 (c) CLERICAL AMENDMENT.—The table of contents
15 of such Act is amended—

16 (1) by redesignating the items relating to sec-
17 tions 304 and 305 as relating to sections 305 and
18 306; and

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

“Sec. 304. Same day registration.”.

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

3 **SEC. 141. CONDITIONS ON REMOVAL OF REGISTRANTS**
4 **FROM OFFICIAL LIST OF ELIGIBLE VOTERS**
5 **ON BASIS OF INTERSTATE CROSS-CHECKS.**

6 (a) MINIMUM INFORMATION REQUIRED FOR RE-
7 MOVAL UNDER CROSS-CHECK.—Section 8(c)(2) of the
8 National Voter Registration Act of 1993 (52 U.S.C.
9 20507(c)(2)) is amended—

10 (1) by redesignating subparagraph (B) as sub-
11 paragraph (D); and

12 (2) by inserting after subparagraph (A) the fol-
13 lowing new subparagraphs:

14 “(B) To the extent that the program carried out by
15 a State under subparagraph (A) to systematically remove
16 the names of ineligible voters from the official lists of eligi-
17 ble voters uses information obtained in an interstate cross-
18 check, the State may not remove the name of the voter
19 from such a list unless—

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

1 “(ii) the State obtained documentation from the
2 ERIC system that the voter is no longer a resident
3 of the State.

4 “(C) In this paragraph—

5 “(i) the term ‘interstate cross-check’ means the
6 transmission of information from an election official
7 in one State to an election official of another State;
8 and

9 “(ii) the term ‘ERIC system’ means the system
10 operated by the Electronic Registration Information
11 Center to share voter registration information and
12 voter identification information among participating
13 States.”.

14 (b) REQUIRING COMPLETION OF CROSS-CHECKS
15 NOT LATER THAN 6 MONTHS PRIOR TO ELECTION.—
16 Subparagraph (A) of section 8(c)(2) of such Act (52
17 U.S.C. 20507(c)(2)) is amended by striking “not later
18 than 90 days” and inserting the following: “not later than
19 90 days (or, in the case of a program in which the State
20 uses interstate cross-checks, not later than 6 months)”.

21 (c) CONFORMING AMENDMENT.—Subparagraph (F)
22 of section 8(c)(2) of such Act (52 U.S.C. 20507(c)(2)) is
23 amended by striking “Subparagraph (A)” and inserting
24 “This paragraph”.

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

5 **Subtitle E—Other Initiatives To**
 6 **Promote Voter Registration**

7 **SEC. 151. ACCEPTANCE OF VOTER REGISTRATION APPLICA-**
 8 **TIONS FROM INDIVIDUALS UNDER 18 YEARS**
 9 **OF AGE.**

10 (a) ACCEPTANCE OF APPLICATIONS.—Section 8 of
 11 the National Voter Registration Act of 1993 (52 U.S.C.
 12 20507), as amended by section 104, is amended—

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

15 (2) by inserting after subsection (j) the fol-
 16 lowing new subsection:

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

19 “(1) IN GENERAL.—A State may not refuse to
 20 accept or process an individual’s application to reg-
 21 ister to vote in elections for Federal office on the
 22 grounds that the individual is under 18 years of age
 23 at the time the individual submits the application, so
 24 long as the individual is at least 16 years of age at
 25 such time.

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

6 (b) EFFECTIVE DATE.—The amendment made by
7 subsection (a) shall apply with respect to elections occur-
8 ring on or after January 1, 2020.

9 **SEC. 152. ANNUAL REPORTS ON VOTER REGISTRATION STA-**
10 **TISTICS.**

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

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

18 (2) The number of voter registration applica-
19 tion forms completed by individuals that were trans-
20 mitted by motor vehicle authorities in the State
21 (pursuant to section 5(d) of the National Voter Reg-
22 istration Act of 1993) and voter registration agen-
23 cies in the State (as designated under section 7 of
24 such Act) to the chief State election official of the

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

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

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

18 (5) The number of individuals on the statewide
19 computerized voter registration list (as established
20 and maintained under section 303 of the Help
21 America Vote Act of 2002) whose voter registration
22 information was revised by the chief State election
23 official as a result of the forms transmitted to the
24 official by such motor vehicle authorities and voter
25 registration agencies (as described in paragraph

1 (3)), broken down by each such authority and agen-
2 cy and the type of form transmitted.

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

8 (b) BREAKDOWN OF INFORMATION BY RACE AND
9 ETHNICITY OF INDIVIDUALS.—In preparing the report
10 under this section, the State shall, for each category of
11 information described in subsection (a), include a break-
12 down by race and ethnicity of the individuals whose infor-
13 mation is included in the category, to the extent that infor-
14 mation on the race and ethnicity of such individuals is
15 available to the State.

16 (c) CONFIDENTIALITY OF INFORMATION.—In pre-
17 paring and submitting a report under this section, the
18 chief State election official shall ensure that no informa-
19 tion regarding the identification of any individual is re-
20 vealed.

21 (d) STATE DEFINED.—In this section, a “State” in-
22 cludes the District of Columbia, the Commonwealth of
23 Puerto Rico, the United States Virgin Islands, Guam,
24 American Samoa, and the Commonwealth of the Northern
25 Mariana Islands, but does not include any State in which,

1 under a State law in effect continuously on and after the
 2 date of the enactment of this Act, there is no voter reg-
 3 istration requirement for individuals in the State with re-
 4 spect to elections for Federal office.

5 **Subtitle F—Availability of HAVA**
 6 **Requirements Payments**

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

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

12 (1) in paragraph (1), by striking “(2) and (3)”
 13 and inserting “(2), (3), and (4)”; and

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

16 “(4) CERTAIN VOTER REGISTRATION ACTIVI-
 17 TIES.—A State may use a requirements payment to
 18 carry out any of the requirements of the Voter Reg-
 19 istration Modernization Act of 2019, including the
 20 requirements of the National Voter Registration Act
 21 of 1993 which are imposed pursuant to the amend-
 22 ments made to such Act by the Voter Registration
 23 Modernization Act of 2019.”.

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

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

3 (c) EFFECTIVE DATE.—The amendments made by
4 this section shall apply with respect to fiscal year 2020
5 and each succeeding fiscal year.

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

8 **SEC. 171. PROHIBITING HINDERING, INTERFERING WITH,** 9 **OR PREVENTING VOTER REGISTRATION.**

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

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

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

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

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

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

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

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

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

15 (a) BEST PRACTICES.—Not later than 180 days after
16 the date of the enactment of this Act, the Election Assist-
17 ance Commission shall develop and publish recommenda-
18 tions for best practices for States to use to deter and pre-
19 vent violations of section 612 of title 18, United States
20 Code (as added by section 171), and section 12 of the Na-
21 tional Voter Registration Act of 1993 (52 U.S.C. 20511)
22 (relating to the unlawful interference with registering to
23 vote, or voting, or attempting to register to vote or vote),
24 including practices to provide for the posting of relevant
25 information at polling places and voter registration agen-

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

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

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

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

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

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

1 **Subtitle H—Saving Voters From**
2 **Voter Purging**

3 **SEC. 181. SHORT TITLE.**

4 This subtitle may be cited as the “Stop Automatically
5 Voiding Eligible Voters Off Their Enlisted Rolls in States
6 Act” or the “Save Voters Act”.

7 **SEC. 182. CONDITIONS FOR REMOVAL OF VOTERS FROM**
8 **LIST OF REGISTERED VOTERS.**

9 (a) **CONDITIONS DESCRIBED.**—The National Voter
10 Registration Act of 1993 (52 U.S.C. 20501 et seq.) is
11 amended by inserting after section 8 the following new
12 section:

13 **“SEC. 8A. CONDITIONS FOR REMOVAL OF VOTERS FROM**
14 **OFFICIAL LIST OF REGISTERED VOTERS.**

15 “(a) **VERIFICATION ON BASIS OF OBJECTIVE AND**
16 **RELIABLE EVIDENCE OF INELIGIBILITY.**—Notwith-
17 standing any other provision of this Act, a State may not
18 remove any registrant from the official list of voters eligi-
19 ble to vote in elections for Federal office in the State un-
20 less the State verifies, on the basis of objective and reliable
21 evidence, that the registrant is ineligible to vote in such
22 elections on any of the grounds described in paragraph
23 (3) or paragraph (4) of section 8(a).

24 “(b) **FACTORS NOT CONSIDERED AS OBJECTIVE AND**
25 **RELIABLE EVIDENCE OF INELIGIBILITY.**—For purposes

1 of subsection (a), the following factors, or any combination
2 thereof, shall not be treated as objective and reliable evi-
3 dence of a registrant’s ineligibility to vote:

4 “(1) The failure of the registrant to vote in any
5 election.

6 “(2) The failure of the registrant to respond to
7 any notice sent under section 8(d).

8 “(3) The failure of the registrant to take any
9 other action with respect to voting in any election or
10 with respect to the registrant’s status as a reg-
11 istrant.”.

12 (b) CONFORMING AMENDMENTS.—

13 (1) NATIONAL VOTER REGISTRATION ACT OF
14 1993.—Section 8(a) of such Act (52 U.S.C.
15 20507(a)) is amended—

16 (A) in paragraph (3), by striking “pro-
17 vide” and inserting “subject to section 8A, pro-
18 vide”; and

19 (B) in paragraph (4), by striking “con-
20 duct” and inserting “subject to section 8A, con-
21 duct”.

22 (2) HELP AMERICA VOTE ACT OF 2002.—Section
23 303(a)(4)(A) of the Help America Vote Act of 2002
24 (52 U.S.C. 21083(a)(4)(A)) is amended by striking

1 “, registrants” and inserting “, and subject to sec-
2 tion 8A of such Act, registrants”.

3 (c) EFFECTIVE DATE.—The amendments made by
4 this section shall take effect on the date of the enactment
5 of this Act.

6 **TITLE II—ACCESS TO VOTING**
7 **FOR INDIVIDUALS WITH DIS-**
8 **ABILITIES**

9 **SEC. 201. REQUIREMENTS FOR STATES TO PROMOTE AC-**
10 **CESS TO VOTER REGISTRATION AND VOTING**
11 **FOR INDIVIDUALS WITH DISABILITIES.**

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

15 (1) by redesignating sections 305 and 306 as
16 sections 306 and 307; and

17 (2) by inserting after section 304 the following
18 new section:

19 **“SEC. 305. ACCESS TO VOTER REGISTRATION AND VOTING**
20 **FOR INDIVIDUALS WITH DISABILITIES.**

21 **“(a) TREATMENT OF APPLICATIONS AND BAL-**
22 **LOTS.—**Each State shall—

23 **“(1) permit individuals with disabilities to use**
24 **absentee registration procedures and to vote by ab-**
25 **sentee ballot in elections for Federal office;**

1 “(2) accept and process, with respect to any
2 election for Federal office, any otherwise valid voter
3 registration application and absentee ballot applica-
4 tion from an individual with a disability if the appli-
5 cation is received by the appropriate State election
6 official not less than 30 days before the election;

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

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

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

22 “(C) by which such an individual can des-
23 ignate whether the individual prefers that such
24 voter registration application or absentee ballot

1 application be transmitted by mail or electroni-
2 cally;

3 “(4) in addition to any other method of trans-
4 mitting blank absentee ballots in the State, establish
5 procedures for transmitting by mail and electroni-
6 cally blank absentee ballots to individuals with dis-
7 abilities with respect to elections for Federal office
8 in accordance with subsection (d);

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

11 “(A) except as provided in subsection (e),
12 in the case in which the request is received at
13 least 45 days before an election for Federal of-
14 fice, not later than 45 days before the election;
15 and

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

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

20 “(ii) if practicable and as determined
21 appropriate by the State, in a manner that
22 expedites the transmission of such absen-
23 tee ballot; and

24 “(6) if the State declares or otherwise holds a
25 runoff election for Federal office, establish a written

1 plan that provides absentee ballots are made avail-
2 able to individuals with disabilities in a manner that
3 gives them sufficient time to vote in the runoff elec-
4 tion.

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

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

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

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

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

9 “(C) for the purpose of providing related
10 voting, balloting, and election information to in-
11 dividuals with disabilities.

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

20 “(3) INCLUSION OF DESIGNATED MEANS OF
21 ELECTRONIC COMMUNICATION WITH INFORMA-
22 TIONAL AND INSTRUCTIONAL MATERIALS THAT AC-
23 COMPANY BALLOTING MATERIALS.—Each State shall
24 include a means of electronic communication so des-
25 ignated with all informational and instructional ma-

1 materials that accompany balloting materials sent by
2 the State to individuals with disabilities.

3 “(4) TRANSMISSION IF NO PREFERENCE INDI-
4 CATED.—In the case where an individual with a dis-
5 ability does not designate a preference under sub-
6 section (a)(3)(C), the State shall transmit the voter
7 registration application or absentee ballot application
8 by any delivery method allowable in accordance with
9 applicable State law, or if there is no applicable
10 State law, by mail.

11 “(d) TRANSMISSION OF BLANK ABSENTEE BALLOTS
12 BY MAIL AND ELECTRONICALLY.—

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

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

21 “(B) by which the individual with a dis-
22 ability can designate whether the individual pre-
23 fers that such blank absentee ballot be trans-
24 mitted by mail or electronically.

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

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

20 “(e) HARDSHIP EXEMPTION.—

21 “(1) IN GENERAL.—If the chief State election
22 official determines that the State is unable to meet
23 the requirement under subsection (a)(5)(A) with re-
24 spect to an election for Federal office due to an
25 undue hardship described in paragraph (2)(B), the

1 chief State election official shall request that the At-
2 torney General grant a waiver to the State of the
3 application of such subsection. Such request shall in-
4 clude—

5 “(A) a recognition that the purpose of
6 such subsection is to individuals with disabil-
7 ities enough time to vote in an election for Fed-
8 eral office;

9 “(B) an explanation of the hardship that
10 indicates why the State is unable to transmit
11 such individuals an absentee ballot in accord-
12 ance with such subsection;

13 “(C) the number of days prior to the elec-
14 tion for Federal office that the State requires
15 absentee ballots be transmitted to such individ-
16 uals; and

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

24 “(i) the steps the State will undertake
25 to ensure that such individuals have time

1 to receive, mark, and submit their ballots
2 in time to have those ballots counted in the
3 election;

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

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

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

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

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

1 “(i) The State’s primary election date
2 prohibits the State from complying with
3 subsection (a)(5)(A).

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

6 “(iii) The State Constitution prohibits
7 the State from complying with such sub-
8 section.

9 “(3) TIMING OF WAIVER.—

10 “(A) IN GENERAL.—Except as provided
11 under subparagraph (B), a State that requests
12 a waiver under paragraph (1) shall submit to
13 the Attorney General the written waiver request
14 not later than 90 days before the election for
15 Federal office with respect to which the request
16 is submitted. The Attorney General shall ap-
17 prove or deny the waiver request not later than
18 65 days before such election.

19 “(B) EXCEPTION.—If a State requests a
20 waiver under paragraph (1) as the result of an
21 undue hardship described in paragraph
22 (2)(B)(ii), the State shall submit to the Attor-
23 ney General the written waiver request as soon
24 as practicable. The Attorney General shall ap-
25 prove or deny the waiver request not later than

1 5 business days after the date on which the re-
2 quest is received.

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

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

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

19 “(h) EFFECTIVE DATE.—This section shall apply
20 with respect to elections for Federal office held on or after
21 January 1, 2020.”.

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

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

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

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

7 “(4) in the case of the recommendations with
8 respect to section 305, January 1, 2020.”.

9 (c) CLERICAL AMENDMENT.—The table of contents
10 of such Act, as amended by section 131(c), is amended—

11 (1) by redesignating the items relating to sec-
12 tions 305 and 306 as relating to sections 306 and
13 307; and

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

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

16 **SEC. 202. PILOT PROGRAMS FOR ENABLING INDIVIDUALS**
17 **WITH DISABILITIES TO REGISTER TO VOTE**
18 **AND VOTE PRIVATELY AND INDEPENDENTLY**
19 **AT RESIDENCES.**

20 (a) ESTABLISHMENT OF PILOT PROGRAMS.—The
21 Election Assistance Commission (hereafter referred to as
22 the “Commission”) shall make grants to eligible States to
23 conduct pilot programs under which—

1 (1) individuals with disabilities may use elec-
2 tronic means (including the Internet and telephones
3 utilizing assistive devices) to register to vote and to
4 request and receive absentee ballots, in a manner
5 which permits such individuals to do so privately
6 and independently at their own residences; and

7 (2) individuals with disabilities may use the
8 telephone to cast ballots electronically from their
9 own residences, but only if the telephone used is not
10 connected to the Internet.

11 (b) REPORTS.—

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

17 (2) DEADLINE.—A State shall submit a report
18 under paragraph (1) not later than 90 days after
19 the last election for public office held in the State
20 during the year.

21 (c) ELIGIBILITY.—A State is eligible to receive a
22 grant under this section if the State submits to the Com-
23 mission, at such time and in such form as the Commission
24 may require, an application containing such information
25 and assurances as the Commission may require.

1 (d) TIMING.—The Commission shall make the first
2 grants under this section for pilot programs which will be
3 in effect with respect to elections for Federal office held
4 in 2020, or, at the option of a State, with respect to other
5 elections for public office held in the State in 2020.

6 (e) AUTHORIZATION OF APPROPRIATIONS.—There is
7 authorized to be appropriated for grants for pilot pro-
8 grams under this section \$30,000,000 for fiscal year 2020
9 and each succeeding fiscal year.

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

15 **SEC. 203. EXPANSION AND REAUTHORIZATION OF GRANT**
16 **PROGRAM TO ASSURE VOTING ACCESS FOR**
17 **INDIVIDUALS WITH DISABILITIES.**

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

22 “(1) making absentee voting and voting at
23 home accessible to individuals with the full range of
24 disabilities (including impairments involving vision,
25 hearing, mobility, or dexterity) through the imple-

1 mentation of accessible absentee voting systems that
2 work in conjunction with assistive technologies for
3 which individuals have access at their homes, inde-
4 pendent living centers, or other facilities;

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

12 “(3) providing solutions to problems of access
13 to voting and elections for individuals with disabil-
14 ities that are universally designed and provide the
15 same opportunities for individuals with and without
16 disabilities.”.

17 (b) REAUTHORIZATION.—Section 264(a) of such Act
18 (52 U.S.C. 21024(a)) is amended by adding at the end
19 the following new paragraph:

20 “(4) For fiscal year 2020 and each succeeding
21 fiscal year, such sums as may be necessary to carry
22 out this part.”.

23 (c) PERIOD OF AVAILABILITY OF FUNDS.—Section
24 264 of such Act (52 U.S.C. 21024) is amended—

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

4 (2) by adding at the end the following new sub-
5 section:

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

7 “(1) DEADLINE FOR OBLIGATION AND EXPEND-
8 ITURE.—In the case of any amounts appropriated
9 pursuant to the authority of subsection (a) for a
10 payment to a State or unit of local government for
11 fiscal year 2020 or any succeeding fiscal year, any
12 portion of such amounts which have not been obli-
13 gated or expended by the State or unit of local gov-
14 ernment prior to the expiration of the 4-year period
15 which begins on the date the State or unit of local
16 government first received the amounts shall be
17 transferred to the Commission.

18 “(2) REALLOCATION OF TRANSFERRED
19 AMOUNTS.—

20 “(A) IN GENERAL.—The Commission shall
21 use the amounts transferred under paragraph
22 (1) to make payments on a pro rata basis to
23 each covered payment recipient described in
24 subparagraph (B), which may obligate and ex-
25 pend such payment for the purposes described

1 in section 261(b) during the 1-year period
 2 which begins on the date of receipt.

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

7 “(i) amounts were appropriated pur-
 8 suant to the authority of subsection (a);
 9 and

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

12 **TITLE III—PROHIBITING VOTER** 13 **CAGING**

14 **SEC. 301. VOTER CAGING AND OTHER QUESTIONABLE** 15 **CHALLENGES PROHIBITED.**

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

19 **“§ 613. Voter caging and other questionable chal-** 20 **lenges**

21 “(a) DEFINITIONS.—In this section—

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

23 “(A) a nonforwardable document that is
 24 returned to the sender or a third party as unde-
 25 livered or undeliverable despite an attempt to

1 deliver such document to the address of a reg-
2 istered voter or applicant; or

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

10 “(2) the term ‘voter caging list’ means a list of
11 individuals compiled from voter caging documents;
12 and

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

23 “(b) PROHIBITION AGAINST VOTER CAGING.—No
24 State or local election official shall prevent an individual
25 from registering or voting in any election for Federal of-

1 fice, or permit in connection with any election for Federal
2 office a formal challenge under State law to an individual's
3 registration status or eligibility to vote, if the basis for
4 such decision is evidence consisting of—

5 “(1) a voter caging document or voter caging
6 list;

7 “(2) an unverified match list;

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

14 “(4) any other evidence so designated for pur-
15 poses of this section by the Election Assistance Com-
16 mission,

17 except that the election official may use such evidence if
18 it is corroborated by independent evidence of the individ-
19 ual's ineligibility to register or vote.

20 “(c) REQUIREMENTS FOR CHALLENGES BY PERSONS
21 OTHER THAN ELECTION OFFICIALS.—No person, other
22 than a State or local election official, shall submit a formal
23 challenge to an individual's eligibility to register to vote
24 in an election for Federal office or to vote in an election
25 for Federal office unless that challenge is supported by

1 personal knowledge regarding the grounds for ineligibility
2 which is—

3 “(1) documented in writing; and

4 “(2) subject to an oath or attestation under
5 penalty of perjury that the challenger has a good
6 faith factual basis to believe that the individual who
7 is the subject of the challenge is ineligible to register
8 to vote or vote in that election, except a challenge
9 which is based on the race, ethnicity, or national ori-
10 gin of the individual who is the subject of the chal-
11 lenge may not be considered to have a good faith
12 factual basis for purposes of this paragraph.

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

21 “(e) NO EFFECT ON RELATED LAWS.—Nothing in
22 this section is intended to override the protections of the
23 National Voter Registration Act of 1993 (52 U.S.C.
24 20501 et seq.) or to affect the Voting Rights Act of 1965
25 (52 U.S.C. 10301 et seq.).”.

1 (b) CLERICAL AMENDMENT.—The table of sections
 2 for chapter 29 of title 18, United States Code, as amended
 3 by section 171(b), is amended by adding at the end the
 4 following:

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

5 **SEC. 302. DEVELOPMENT AND ADOPTION OF BEST PRACTICES FOR PREVENTING VOTER CAGING.**
 6

7 (a) BEST PRACTICES.—Not later than 180 days after
 8 the date of the enactment of this Act, the Election Assist-
 9 ance Commission shall develop and publish for the use of
 10 States recommendations for best practices to deter and
 11 prevent violations of section 613 of title 18, United States
 12 Code, as added by section 1201(a), including practices to
 13 provide for the posting of relevant information at polling
 14 places and voter registration agencies, the training of poll
 15 workers and election officials, and relevant educational
 16 measures. For purposes of this subsection, the term
 17 “State” includes the District of Columbia, the Common-
 18 wealth of Puerto Rico, Guam, American Samoa, the
 19 United States Virgin Islands, and the Commonwealth of
 20 the Northern Mariana Islands.

21 (b) INCLUSION IN VOTING INFORMATION REQUIRE-
 22 MENTS.—Section 302(b)(2) of the Help America Vote Act
 23 of 2002 (52 U.S.C. 21082(b)(2)), as amended by section
 24 172(b), is amended—

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

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

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

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

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

17 **SEC. 401. SHORT TITLE.**

18 This title may be cited as the “Deceptive Practices
19 and Voter Intimidation Prevention Act of 2019”.

20 **SEC. 402. PROHIBITION ON DECEPTIVE PRACTICES IN FED-**
21 **ERAL ELECTIONS.**

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

24 (1) by striking “No person” and inserting the
25 following:

1 “(1) IN GENERAL.—No person”; and

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

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

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

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

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

22 “(B) INFORMATION DESCRIBED.—Infor-
23 mation is described in this subparagraph if such
24 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) Whenever any person”; and

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

18 “(2) Any person aggrieved by a violation of
19 subsection (b)(2), (b)(3), or (b)(4) may institute a
20 civil action for preventive relief, including an appli-
21 cation in a United States district court for a perma-
22 nent or temporary injunction, restraining order, or
23 other order. In any such action, the court, in its dis-
24 cretion, may allow the prevailing party a reasonable
25 attorney’s fee as part of the costs.”.

1 (2) CONFORMING AMENDMENTS.—

2 (A) Subsection (e) of section 2004 of the
3 Revised Statutes (52 U.S.C. 10101(e)) is
4 amended by striking “subsection (e)” and in-
5 serting “subsection (e)(1)”.

6 (B) Subsection (g) of section 2004 of the
7 Revised Statutes (52 U.S.C. 10101(g)) is
8 amended by striking “subsection (e)” and in-
9 serting “subsection (e)(1)”.

10 (c) CRIMINAL PENALTIES.—

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

13 (A) by striking “Whoever” and inserting
14 the following:

15 “(a) INTIMIDATION.—Whoever”;

16 (B) in subsection (a), as inserted by sub-
17 paragraph (A), by striking “at any election”
18 and inserting “at any general, primary, run-off,
19 or special election”; and

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

22 “(b) DECEPTIVE ACTS.—

23 “(1) FALSE STATEMENTS REGARDING FEDERAL
24 ELECTIONS.—

1 “(A) PROHIBITION.—It shall be unlawful
2 for any person, whether acting under color of
3 law or otherwise, within 60 days before an elec-
4 tion described in subsection (e), by any means,
5 including by means of written, electronic, or tel-
6 ephonic communications, to communicate or
7 cause to be communicated information de-
8 scribed in subparagraph (B), or produce infor-
9 mation described in subparagraph (B) with the
10 intent that such information be communicated,
11 if such person—

12 “(i) knows such information to be ma-
13 terially false; and

14 “(ii) has the intent to mislead voters,
15 or the intent to impede or prevent another
16 person from exercising the right to vote in
17 an election described in subsection (e).

18 “(B) INFORMATION DESCRIBED.—Infor-
19 mation is described in this subparagraph if such
20 information is regarding—

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

23 “(ii) the qualifications for or restric-
24 tions on voter eligibility for any such elec-
25 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 corruptly hinder, interfere with, or pre-
15 vent another person from voting, registering to vote,
16 or aiding another person to vote or register to vote
17 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, Member of the Senate,
6 Member of the House of Representatives, or Delegate or
7 Commissioner from a Territory or possession.”.

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 1302(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 1302(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 4(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 1302(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 2019”.

1 **SEC. 502. 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. 503. 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. 504. 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 notify in writ-
11 ing any individual who has been convicted of a
12 criminal offense under the law of that State that
13 such individual has the right to vote in an election
14 for Federal office pursuant to the Democracy Res-
15 toration Act of 2019 and may register to vote in any
16 such election.

17 (2) DATE OF NOTIFICATION.—

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

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

1 (ii) is released from the custody of
2 that State (other than to the custody of
3 another State or the Federal Government
4 to serve a term of imprisonment for a fel-
5 ony conviction).

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

12 (b) FEDERAL NOTIFICATION.—

13 (1) NOTIFICATION.—Any individual who has
14 been convicted of a criminal offense under Federal
15 law shall be notified in accordance with paragraph
16 (2) that such individual has the right to vote in an
17 election for Federal office pursuant to the Democ-
18 racy Restoration Act of 2019 and may register to
19 vote in any such election.

20 (2) DATE OF NOTIFICATION.—

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

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

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

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

22 **SEC. 505. DEFINITIONS.**

23 For purposes of this title:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

10 **SEC. 506. RELATION TO OTHER LAWS.**

11 (a) STATE LAWS RELATING TO VOTING RIGHTS.—

12 Nothing in this title be construed to prohibit the States
13 from enacting any State law which affords the right to
14 vote in any election for Federal office on terms less restric-
15 tive than those established by this title.

16 (b) CERTAIN FEDERAL ACTS.—The rights and rem-

17 edies established by this title are in addition to all other

18 rights and remedies provided by law, and neither rights

19 and remedies established by this Act shall supersede, re-

20 strict, or limit the application of the Voting Rights Act

21 of 1965 (52 U.S.C. 10301 et seq.) or the National Voter

22 Registration Act of 1993 (52 U.S.C. 20501 et seq.).

23 **SEC. 507. FEDERAL PRISON FUNDS.**

24 No State, unit of local government, or other person

25 may receive or use, to construct or otherwise improve a

1 prison, jail, or other place of incarceration, any Federal
 2 funds unless that person has in effect a program under
 3 which each individual incarcerated in that person’s juris-
 4 diction who is a citizen of the United States is notified,
 5 upon release from such incarceration, of that individual’s
 6 rights under section 502.

7 **SEC. 508. EFFECTIVE DATE.**

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

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

16 **SEC. 601. SHORT TITLE.**

17 This title may be cited as the “Voter Confidence and
 18 Increased Accessibility Act of 2019”.

19 **SEC. 602. PAPER BALLOT AND MANUAL COUNTING RE-**
 20 **QUIREMENTS.**

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

24 “(2) PAPER BALLOT REQUIREMENT.—

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

1 “(i) PAPER BALLOT REQUIREMENT.—

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

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

23 “(III) The voting system shall not
24 preserve the voter-verified paper ballots in
25 any manner that makes it possible, at any

1 time after the ballot has been cast, to asso-
2 ciate a voter with the record of the voter's
3 vote without the voter's consent.

4 “(ii) PRESERVATION AS OFFICIAL
5 RECORD.—The individual, durable, voter-
6 verified, paper ballot used in accordance
7 with clause (i) shall constitute the official
8 ballot and shall be preserved and used as
9 the official ballot for purposes of any re-
10 count or audit conducted with respect to
11 any election for Federal office in which the
12 voting system is used.

13 “(iii) MANUAL COUNTING REQUIRE-
14 MENTS FOR RECOUNTS AND AUDITS.—(I)
15 Each paper ballot used pursuant to clause
16 (i) shall be suitable for a manual audit,
17 and shall be counted by hand in any re-
18 count or audit conducted with respect to
19 any election for Federal office.

20 “(II) In the event of any inconsist-
21 encies or irregularities between any elec-
22 tronic vote tallies and the vote tallies de-
23 termined by counting by hand the indi-
24 vidual, durable, voter-verified, paper ballots
25 used pursuant to clause (i), and subject to

1 subparagraph (B), the individual, durable,
2 voter-verified, paper ballots shall be the
3 true and correct record of the votes cast.

4 “(iv) APPLICATION TO ALL BAL-
5 LOTS.—The requirements of this subpara-
6 graph shall apply to all ballots cast in elec-
7 tions for Federal office, including ballots
8 cast by absent uniformed services voters
9 and overseas voters under the Uniformed
10 and Overseas Citizens Absentee Voting Act
11 and other absentee voters.

12 “(B) SPECIAL RULE FOR TREATMENT OF
13 DISPUTES WHEN PAPER BALLOTS HAVE BEEN
14 SHOWN TO BE COMPROMISED.—

15 “(i) IN GENERAL.—In the event
16 that—

17 “(I) there is any inconsistency
18 between any electronic vote tallies and
19 the vote tallies determined by count-
20 ing by hand the individual, durable,
21 voter-verified, paper ballots used pur-
22 suant to subparagraph (A)(i) with re-
23 spect to any election for Federal of-
24 fice; and

1 “(II) it is demonstrated by clear
2 and convincing evidence (as deter-
3 mined in accordance with the applica-
4 ble standards in the jurisdiction in-
5 volved) in any recount, audit, or con-
6 test of the result of the election that
7 the paper ballots have been com-
8 promised (by damage or mischief or
9 otherwise) and that a sufficient num-
10 ber of the ballots have been so com-
11 promised that the result of the elec-
12 tion could be changed,

13 the determination of the appropriate rem-
14 edy with respect to the election shall be
15 made in accordance with applicable State
16 law, except that the electronic tally shall
17 not be used as the exclusive basis for de-
18 termining the official certified result.

19 “(ii) RULE FOR CONSIDERATION OF
20 BALLOTS ASSOCIATED WITH EACH VOTING
21 MACHINE.—For purposes of clause (i),
22 only the paper ballots deemed com-
23 promised, if any, shall be considered in the
24 calculation of whether or not the result of

1 the election could be changed due to the
2 compromised paper ballots.”.

3 (b) CONFORMING AMENDMENT CLARIFYING APPLI-
4 CABILITY OF ALTERNATIVE LANGUAGE ACCESSIBILITY.—
5 Section 301(a)(4) of such Act (52 U.S.C. 21081(a)(4))
6 is amended by inserting “(including the paper ballots re-
7 quired to be used under paragraph (2))” after “voting sys-
8 tem”.

9 (c) OTHER CONFORMING AMENDMENTS.—Section
10 301(a)(1) of such Act (52 U.S.C. 21081(a)(1)) is amend-
11 ed—

12 (1) in subparagraph (A)(i), by striking “count-
13 ed” and inserting “counted, in accordance with
14 paragraphs (2) and (3)”;

15 (2) in subparagraph (A)(ii), by striking “count-
16 ed” and inserting “counted, in accordance with
17 paragraphs (2) and (3)”;

18 (3) in subparagraph (A)(iii), by striking “count-
19 ed” each place it appears and inserting “counted, in
20 accordance with paragraphs (2) and (3)”;

21 (4) in subparagraph (B)(ii), by striking “count-
22 ed” and inserting “counted, in accordance with
23 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 as for other voters;

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 PAPER BALLOT
10 VERIFICATION MECHANISMS.—

11 (1) STUDY AND REPORTING.—Subtitle C of
12 title II of such Act (52 U.S.C. 21081 et seq.) is
13 amended—

14 (A) by redesignating section 247 as section
15 248; and

16 (B) by inserting after section 246 the fol-
17 lowing new section:

18 **“SEC. 247. STUDY AND REPORT ON ACCESSIBLE PAPER**
19 **BALLOT VERIFICATION MECHANISMS.**

20 “(a) STUDY AND REPORT.—The Director of the Na-
21 tional Science Foundation shall make grants to not fewer
22 than 3 eligible entities to study, test, and develop acces-
23 sible paper ballot voting, verification, and casting mecha-
24 nisms and devices and best practices to enhance the acces-
25 sibility of paper ballot voting and verification mechanisms

1 for individuals with disabilities, for voters whose primary
2 language is not English, and for voters with difficulties
3 in literacy, including best practices for the mechanisms
4 themselves and the processes through which the mecha-
5 nisms are used.

6 “(b) ELIGIBILITY.—An entity is eligible to receive a
7 grant under this part if it submits to the Director (at such
8 time and in such form as the Director may require) an
9 application containing—

10 “(1) certifications that the entity shall specifi-
11 cally investigate enhanced methods or devices, in-
12 cluding non-electronic devices, that will assist such
13 individuals and voters in marking voter-verified
14 paper ballots and presenting or transmitting the in-
15 formation printed or marked on such ballots back to
16 such individuals and voters, and casting such ballots;

17 “(2) a certification that the entity shall com-
18 plete the activities carried out with the grant not
19 later than December 31, 2020; and

20 “(3) such other information and certifications
21 as the Director may require.

22 “(c) AVAILABILITY OF TECHNOLOGY.—Any tech-
23 nology developed with the grants made under this section
24 shall be treated as non-proprietary and shall be made

1 available to the public, including to manufacturers of vot-
 2 ing systems.

3 “(d) COORDINATION WITH GRANTS FOR TECH-
 4 NOLOGY IMPROVEMENTS.—The Director shall carry out
 5 this section so that the activities carried out with the
 6 grants made under subsection (a) are coordinated with the
 7 research conducted under the grant program carried out
 8 by the Commission under section 271, to the extent that
 9 the Director and Commission determine necessary to pro-
 10 vide for the advancement of accessible voting technology.

11 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
 12 is authorized to be appropriated to carry out subsection
 13 (a) \$5,000,000, to remain available until expended.”.

14 (2) CLERICAL AMENDMENT.—The table of con-
 15 tents of such Act is amended—

16 (A) by redesignating the item relating to
 17 section 247 as relating to section 248; and

18 (B) by inserting after the item relating to
 19 section 246 the following new item:

“Sec. 247. Study and report on accessible paper ballot verification mecha-
 nisms.”.

20 (c) CLARIFICATION OF ACCESSIBILITY STANDARDS
 21 UNDER VOLUNTARY VOTING SYSTEM GUIDANCE.—In
 22 adopting any voluntary guidance under subtitle B of title
 23 III of the Help America Vote Act with respect to the ac-
 24 cessibility of the paper ballot verification requirements for

1 individuals with disabilities, the Election Assistance Com-
 2 mission shall include and apply the same accessibility
 3 standards applicable under the voluntary guidance adopt-
 4 ed for accessible voting systems under such subtitle.

5 (d) PERMITTING USE OF FUNDS FOR PROTECTION
 6 AND ADVOCACY SYSTEMS TO SUPPORT ACTIONS TO EN-
 7 FORCE ELECTION-RELATED DISABILITY ACCESS.—Sec-
 8 tion 292(a) of the Help America Vote Act of 2002 (52
 9 U.S.C. 21062(a)) is amended by striking “; except that”
 10 and all that follows and inserting a period.

11 **SEC. 604. DURABILITY AND READABILITY REQUIREMENTS**
 12 **FOR BALLOTS.**

13 Section 301(a) of the Help America Vote Act of 2002
 14 (52 U.S.C. 21081(a)) is amended by adding at the end
 15 the following new paragraph:

16 “(7) DURABILITY AND READABILITY REQUIRE-
 17 MENTS FOR BALLOTS.—

18 “(A) DURABILITY REQUIREMENTS FOR
 19 PAPER BALLOTS.—

20 “(i) IN GENERAL.—All voter-verified
 21 paper ballots required to be used under
 22 this Act shall be marked or printed on du-
 23 rable paper.

24 “(ii) DEFINITION.—For purposes of
 25 this Act, paper is ‘durable’ if it is capable

1 of withstanding multiple counts and re-
2 counts by hand without compromising the
3 fundamental integrity of the ballots, and
4 capable of retaining the information
5 marked or printed on them for the full du-
6 ration of a retention and preservation pe-
7 riod of 22 months.

8 “(B) READABILITY REQUIREMENTS FOR
9 PAPER BALLOTS MARKED BY BALLOT MARKING
10 DEVICE.—All voter-verified paper ballots com-
11 pleted by the voter through the use of a ballot
12 marking device shall be clearly readable by the
13 voter without assistance (other than eyeglasses
14 or other personal vision enhancing devices) and
15 by an optical character recognition device or
16 other device equipped for individuals with dis-
17 abilities.”.

18 **SEC. 605. EFFECTIVE DATE FOR NEW REQUIREMENTS.**

19 Section 301(d) of the Help America Vote Act of 2002
20 (52 U.S.C. 21081(d)) is amended to read as follows:

21 “(d) EFFECTIVE DATE.—

22 “(1) IN GENERAL.—Except as provided in para-
23 graph (2), each State and jurisdiction shall be re-
24 quired to comply with the requirements of this sec-
25 tion on and after January 1, 2006.

1 “(2) SPECIAL RULE FOR CERTAIN REQUIRE-
2 MENTS.—

3 “(A) IN GENERAL.—Except as provided in
4 subparagraphs (B) and (C), the requirements of
5 this section which are first imposed on a State
6 and jurisdiction pursuant to the amendments
7 made by the Voter Confidence and Increased
8 Accessibility Act of 2019 shall apply with re-
9 spect to voting systems used for any election for
10 Federal office held in 2024 or any succeeding
11 year.

12 “(B) DELAY FOR JURISDICTIONS USING
13 CERTAIN PAPER RECORD PRINTERS OR CERTAIN
14 SYSTEMS USING OR PRODUCING VOTER-
15 VERIFIABLE PAPER RECORDS IN 2022.—

16 “(i) DELAY.—In the case of a juris-
17 diction described in clause (ii), subpara-
18 graph (A) shall apply to a voting system in
19 the jurisdiction as if the reference in such
20 subparagraph to ‘2024’ were a reference to
21 ‘2026’, but only with respect to the fol-
22 lowing requirements of this section:

23 “(I) Paragraph (2)(A)(i)(I) of
24 subsection (a) (relating to the use of
25 voter-marked paper ballots).

1 “(II) Paragraph (3)(B)(ii)(I) and
2 (II) of subsection (a) (relating to ac-
3 cess to verification from and casting
4 of the durable paper ballot).

5 “(III) Paragraph (7) of sub-
6 section (a) (relating to durability and
7 readability requirements for ballots).

8 “(ii) JURISDICTIONS DESCRIBED.—A
9 jurisdiction described in this clause is a ju-
10 risdiction—

11 “(I) which used voter verifiable
12 paper record printers attached to di-
13 rect recording electronic voting ma-
14 chines, or which used other voting
15 systems that used or produced paper
16 records of the vote verifiable by voters
17 but that are not in compliance with
18 paragraphs (2)(A)(i)(I), (3)(B)(iii)(I)
19 and (II), and (7) of subsection (a) (as
20 amended or added by the Voter Con-
21 fidence and Increased Accessibility
22 Act of 2019), for the administration
23 of the regularly scheduled general
24 election for Federal office held in No-
25 vember 2022; and

1 “(II) which will continue to use
2 such printers or systems for the ad-
3 ministration of elections for Federal
4 office held in years before 2024.

5 “(iii) MANDATORY AVAILABILITY OF
6 PAPER BALLOTS AT POLLING PLACES
7 USING GRANDFATHERED PRINTERS AND
8 SYSTEMS.—

9 “(I) REQUIRING BALLOTS TO BE
10 OFFERED AND PROVIDED.—The ap-
11 propriate election official at each poll-
12 ing place that uses a printer or sys-
13 tem described in clause (ii)(I) for the
14 administration of elections for Federal
15 office shall offer each individual who
16 is eligible to cast a vote in the election
17 at the polling place the opportunity to
18 cast the vote using a blank pre-print-
19 ed paper ballot which the individual
20 may mark by hand and which is not
21 produced by the direct recording elec-
22 tronic voting machine or other such
23 system. The official shall provide the
24 individual with the ballot and the sup-
25 plies necessary to mark the ballot, and

1 shall ensure (to the greatest extent
2 practicable) that the waiting period
3 for the individual to cast a vote is the
4 lesser of 30 minutes or the average
5 waiting period for an individual who
6 does not agree to cast the vote using
7 such a paper ballot under this clause.

8 “(II) TREATMENT OF BALLOT.—

9 Any paper ballot which is cast by an
10 individual under this clause shall be
11 counted and otherwise treated as a
12 regular ballot for all purposes (includ-
13 ing by incorporating it into the final
14 unofficial vote count (as defined by
15 the State) for the precinct) and not as
16 a provisional ballot, unless the indi-
17 vidual casting the ballot would have
18 otherwise been required to cast a pro-
19 visional ballot.

20 “(III) POSTING OF NOTICE.—

21 The appropriate election official shall
22 ensure there is prominently displayed
23 at each polling place a notice that de-
24 scribes the obligation of the official to
25 offer individuals the opportunity to

1 cast votes using a pre-printed blank
2 paper ballot.

3 “(IV) TRAINING OF ELECTION
4 OFFICIALS.—The chief State election
5 official shall ensure that election offi-
6 cials at polling places in the State are
7 aware of the requirements of this
8 clause, including the requirement to
9 display a notice under subclause (III),
10 and are aware that it is a violation of
11 the requirements of this title for an
12 election official to fail to offer an indi-
13 vidual the opportunity to cast a vote
14 using a blank pre-printed paper ballot.

15 “(V) PERIOD OF APPLICA-
16 BILITY.—The requirements of this
17 clause apply only during the period in
18 which the delay is in effect under
19 clause (i).

20 “(C) SPECIAL RULE FOR JURISDICTIONS
21 USING CERTAIN NONTABULATING BALLOT
22 MARKING DEVICES.—In the case of a jurisdic-
23 tion which uses a nontabulating ballot marking
24 device which automatically deposits the ballot
25 into a privacy sleeve, subparagraph (A) shall

1 apply to a voting system in the jurisdiction as
2 if the reference in such subparagraph to ‘any
3 election for Federal office held in 2024 or any
4 succeeding year’ were a reference to ‘elections
5 for Federal office occurring held in 2026 or
6 each succeeding year’, but only with respect to
7 paragraph (3)(B)(iii)(II) of subsection (a) (re-
8 lating to nonmanual casting of the durable
9 paper ballot).”.

10 **SEC. 606. CLARIFICATION OF ABILITY OF STATES TO USE**
11 **ELECTION ADMINISTRATION PAYMENTS TO**
12 **MEET REQUIREMENTS.**

13 Nothing in the amendments made by this title or in
14 any provision of the Help America Vote Act of 2002 may
15 be construed to prohibit a State from using any payment
16 made under title I of such Act (52 U.S.C. 20901 et seq.)
17 or part 1 of subtitle D of title II of such Act (52 U.S.C.
18 21001 et seq.) to comply with the requirements of the
19 amendments made by this title.

1 **TITLE VII—PROVISIONAL**
2 **BALLOTS**

3 **SEC. 701. REQUIREMENTS FOR COUNTING PROVISIONAL**
4 **BALLOTS; ESTABLISHMENT OF UNIFORM AND**
5 **NONDISCRIMINATORY STANDARDS.**

6 (a) **IN GENERAL.**—Section 302 of the Help America
7 Vote Act of 2002 (52 U.S.C. 21082) is amended—

8 (1) by redesignating subsection (d) as sub-
9 section (f); and

10 (2) by inserting after subsection (c) the fol-
11 lowing new subsections:

12 “(d) **STATEWIDE COUNTING OF PROVISIONAL BAL-**
13 **LOTS.**—

14 “(1) **IN GENERAL.**—For purposes of subsection
15 (a)(4), notwithstanding the precinct or polling place
16 at which a provisional ballot is cast within the State,
17 the appropriate election official shall count each vote
18 on such ballot for each election in which the indi-
19 vidual who cast such ballot is eligible to vote.

20 “(2) **EFFECTIVE DATE.**—This subsection shall
21 apply with respect to elections held on or after Janu-
22 ary 1, 2020.

23 “(e) **UNIFORM AND NONDISCRIMINATORY STAND-**
24 **ARDS.**—

1 “(1) IN GENERAL.—Consistent with the re-
2 quirements of this section, each State shall establish
3 uniform and nondiscriminatory standards for the
4 issuance, handling, and counting of provisional bal-
5 lots.

6 “(2) EFFECTIVE DATE.—This subsection shall
7 apply with respect to elections held on or after Janu-
8 ary 1, 2020.”.

9 (b) CONFORMING AMENDMENT.—Section 302(f) of
10 such Act (52 U.S.C. 21082(f)), as redesignated by sub-
11 section (a), is amended by striking “Each State” and in-
12 serting “Except as provided in subsections (d)(2) and
13 (e)(2), each State”.

14 **TITLE VIII—EARLY VOTING**

15 **SEC. 801. EARLY VOTING.**

16 (a) REQUIREMENTS.—Subtitle A of title III of the
17 Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.),
18 as amended by section 131(a) and section 201(a), is
19 amended—

20 (1) by redesignating sections 306 and 307 as
21 sections 307 and 308; and

22 (2) by inserting after section 305 the following
23 new section:

1 **“SEC. 306. EARLY VOTING.**

2 “(a) **REQUIRING VOTING PRIOR TO DATE OF ELEC-**
3 **TION.—**

4 “(1) **IN GENERAL.—**Each State shall allow indi-
5 viduals to vote in an election for Federal office dur-
6 ing an early voting period which occurs prior to the
7 date of the election, in the same manner as voting
8 is allowed on such date.

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

17 “(b) **MINIMUM EARLY VOTING REQUIREMENTS.—**
18 Each polling place which allows voting during an early vot-
19 ing period under subsection (a) shall—

20 “(1) allow such voting for no less than 4 hours
21 on each day, except that the polling place may allow
22 such voting for fewer than 4 hours on Sundays; and

23 “(2) have uniform hours each day for which
24 such voting occurs.

25 “(c) **LOCATION OF POLLING PLACES NEAR PUBLIC**
26 **TRANSPORTATION.—**To the greatest extent practicable, a

1 State shall ensure that each polling place which allows vot-
2 ing during an early voting period under subsection (a) is
3 located within walking distance of a stop on a public trans-
4 portation route.

5 “(d) STANDARDS.—

6 “(1) IN GENERAL.—The Commission shall issue
7 standards for the administration of voting prior to
8 the day scheduled for a Federal election. Such
9 standards shall include the nondiscriminatory geo-
10 graphic placement of polling places at which such
11 voting occurs.

12 “(2) DEVIATION.—The standards described in
13 paragraph (1) shall permit States, upon providing
14 adequate public notice, to deviate from any require-
15 ment in the case of unforeseen circumstances such
16 as a natural disaster, terrorist attack, or a change
17 in voter turnout.

18 “(e) EFFECTIVE DATE.—This section shall apply
19 with respect to elections held on or after January 1,
20 2020.”.

21 (b) CONFORMING AMENDMENT RELATING TO
22 ISSUANCE OF VOLUNTARY GUIDANCE BY ELECTION AS-
23 SISTANCE COMMISSION.—Section 311(b) of such Act (52
24 U.S.C. 21101(b)), as amended by section 201(b), is
25 amended—

1 (1) by striking “and” at the end of paragraph
2 (3);

3 (2) by striking the period at the end of para-
4 graph (4) and inserting “; and”; and

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

7 “(5) in the case of the recommendations with
8 respect to section 306, June 30, 2020.”.

9 (c) CLERICAL AMENDMENT.—The table of contents
10 of such Act, as amended by section 131(c) and section
11 201(c), is amended—

12 (1) by redesignating the items relating to sec-
13 tions 306 and 307 as relating to sections 307 and
14 308; and

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

“Sec. 306. Early voting.”.

17 **TITLE IX—VOTING BY MAIL**

18 **SEC. 901. VOTING BY MAIL.**

19 (a) REQUIREMENTS.—Subtitle A of title III of the
20 Help America Vote Act of 2002 (52 U.S.C. 21081 et seq.),
21 as amended by section 131(a), section 201(a), and section
22 801(a), is amended—

23 (1) by redesignating sections 307 and 308 as
24 sections 308 and 309; and

1 (2) by inserting after section 306 the following
2 new section:

3 **“SEC. 307. PROMOTING ABILITY OF VOTERS TO VOTE BY**
4 **MAIL.**

5 “(a) IN GENERAL.—If an individual in a State is eli-
6 gible to cast a vote in an election for Federal office, the
7 State may not impose any additional conditions or require-
8 ments on the eligibility of the individual to cast the vote
9 in such election by absentee ballot by mail, except as re-
10 quired under subsection (b) and except to the extent that
11 the State imposes a deadline for requesting the ballot and
12 related voting materials from the appropriate State or
13 local election official and for returning the ballot to the
14 appropriate State or local election official.

15 “(b) REQUIRING SIGNATURE VERIFICATION.—A
16 State may not accept and process an absentee ballot sub-
17 mitted by any individual with respect to an election for
18 Federal office unless the State verifies the identification
19 of the individual by comparing the individual’s signature
20 on the absentee ballot with the individual’s signature on
21 the official list of registered voters in the State, in accord-
22 ance with such procedures as the State may adopt.

23 “(c) DEADLINE FOR PROVIDING BALLOTING MATE-
24 RIALS.—If an individual requests to vote by absentee bal-
25 lot in an election for Federal office, the appropriate State

1 or local election official shall ensure that the ballot and
2 relating voting materials are transmitted to the indi-
3 vidual—

4 “(1) not later than 2 weeks before the date of
5 the election; or

6 “(2) in the case of a State which imposes a
7 deadline for requesting an absentee ballot and re-
8 lated voting materials which is less than 2 weeks be-
9 fore the date of the election, as expeditiously as pos-
10 sible.

11 “(d) ACCESSIBILITY FOR INDIVIDUALS WITH DIS-
12 ABILITIES.—Consistent with section 305, the State shall
13 ensure that all absentee ballots and related voting mate-
14 rials in elections for Federal office are accessible to indi-
15 viduals with disabilities in a manner that provides the
16 same opportunity for access and participation (including
17 with privacy and independence) as for other voters.

18 “(e) UNIFORM DEADLINE FOR ACCEPTANCE OF
19 MAILED BALLOTS.—If a ballot submitted by an individual
20 by mail with respect to an election for Federal office in
21 a State is postmarked on or before the date of the election,
22 the State may not refuse to accept or process the ballot
23 on the grounds that the individual did not meet a deadline
24 for returning the ballot to the appropriate State or local
25 election official.

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

7 “(g) EFFECTIVE DATE.—This section shall apply
8 with respect to elections held on or after January 1,
9 2020.”.

10 (b) CONFORMING AMENDMENT RELATING TO
11 ISSUANCE OF VOLUNTARY GUIDANCE BY ELECTION AS-
12 SISTANCE COMMISSION.—Section 311(b) of such Act (52
13 U.S.C. 21101(b)), as amended by section 201(b) and sec-
14 tion 801(b), is amended—

15 (1) by striking “and” at the end of paragraph
16 (4);

17 (2) by striking the period at the end of para-
18 graph (5) and inserting “; and”; and

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

21 “(6) in the case of the recommendations with
22 respect to section 307, June 30, 2020.”.

23 (c) CLERICAL AMENDMENT.—The table of contents
24 of such Act, as amended by section 131(c), section 201(c),
25 and section 801(c), is amended—

1 (1) by redesignating the items relating to sec-
 2 tions 307 and 308 as relating to sections 308 and
 3 309; and

4 (2) by inserting after the item relating to sec-
 5 tion 306 the following new item:

“Sec. 307. Promoting ability of voters to vote by mail.”.

6 **TITLE X—ABSENT UNIFORMED**
 7 **SERVICES VOTERS AND**
 8 **OVERSEAS VOTERS**

9 **SEC. 1001. EXTENDING GUARANTEE OF RESIDENCY FOR**
 10 **VOTING PURPOSES TO FAMILY MEMBERS OF**
 11 **ABSENT MILITARY PERSONNEL.**

12 Section 705 of the Servicemembers Civil Relief Act
 13 (50 U.S.C. 4025) is amended—

14 (1) in the heading, by striking “**SPOUSES**” and
 15 inserting “**FAMILY MEMBERS**”; and

16 (2) by amending subsection (b) to read as fol-
 17 lows:

18 “(b) **FAMILY MEMBERS**.—For the purposes of voting
 19 for in any election for any Federal office (as defined in
 20 section 301 of the Federal Election Campaign Act of 1971
 21 (52 U.S.C. 30101)) or any State or local office, a spouse,
 22 domestic partner, or dependent of a person who is absent
 23 from a State in compliance with military or naval orders
 24 shall not, solely by reason of that person’s absence and

1 without regard to whether or not such family member is
 2 accompanying that person—

3 “(1) be deemed to have lost a residence or
 4 domicile in that State, without regard to whether or
 5 not the person intends to return to that State;

6 “(2) be deemed to have acquired a residence or
 7 domicile in any other State; or

8 “(3) be deemed to have become a resident in or
 9 a resident of any other State.”.

10 **SEC. 1002. PRE-ELECTION REPORTS ON AVAILABILITY AND**
 11 **TRANSMISSION OF ABSENTEE BALLOTS.**

12 Section 102(c) of the Uniformed and Overseas Citi-
 13 zens Absentee Voting Act (52 U.S.C. 20302(c)) is amend-
 14 ed to read as follows:

15 “(c) REPORTS ON AVAILABILITY, TRANSMISSION,
 16 AND RECEIPT OF ABSENTEE BALLOTS.—

17 “(1) PRE-ELECTION REPORT ON ABSENTEE
 18 BALLOT AVAILABILITY.—Not later than 55 days be-
 19 fore any regularly scheduled general election for
 20 Federal office, each State shall submit a report to
 21 the Attorney General, the Election Assistance Com-
 22 mission (hereafter in this subsection referred to as
 23 the ‘Commission’), and the Presidential Designee,
 24 and make that report publicly available that same
 25 day, certifying that absentee ballots for the election

1 are or will be available for transmission to absent
2 uniformed services voters and overseas voters by not
3 later than 45 days before the election. The report
4 shall be in a form prescribed jointly by the Attorney
5 General and the Commission and shall require the
6 State to certify specific information about ballot
7 availability from each unit of local government which
8 will administer the election.

9 “(2) PRE-ELECTION REPORT ON ABSENTEE
10 BALLOT TRANSMISSION.—Not later than 43 days be-
11 fore any regularly scheduled general election for
12 Federal office, each State shall submit a report to
13 the Attorney General, the Commission, and the
14 Presidential Designee, and make that report publicly
15 available that same day, certifying whether all ab-
16 sentee ballots have been transmitted by not later
17 than 45 days before the election to all qualified ab-
18 sent uniformed services and overseas voters whose
19 requests were received at least 45 days before the
20 election. The report shall be in a form prescribed
21 jointly by the Attorney General and the Commission,
22 and shall require the State to certify specific infor-
23 mation about ballot transmission, including the total
24 numbers of ballot requests received and ballots

1 transmitted, from each unit of local government
2 which will administer the election.

3 “(3) POST-ELECTION REPORT ON NUMBER OF
4 ABSENTEE BALLOTS TRANSMITTED AND RE-
5 CEIVED.—Not later than 90 days after the date of
6 each regularly scheduled general election for Federal
7 office, each State and unit of local government
8 which administered the election shall (through the
9 State, in the case of a unit of local government) sub-
10 mit a report to the Attorney General, the Commis-
11 sion, and the Presidential Designee on the combined
12 number of absentee ballots transmitted to absent
13 uniformed services voters and overseas voters for the
14 election and the combined number of such ballots
15 which were returned by such voters and cast in the
16 election, and shall make such report available to the
17 general public that same day.”.

18 **SEC. 1003. ENFORCEMENT.**

19 (a) AVAILABILITY OF CIVIL PENALTIES AND PRI-
20 VATE RIGHTS OF ACTION.—Section 105 of the Uniformed
21 and Overseas Citizens Absentee Voting Act (52 U.S.C.
22 20307) is amended to read as follows:

23 **“SEC. 105. ENFORCEMENT.**

24 “(a) ACTION BY ATTORNEY GENERAL.—

1 “(1) IN GENERAL.—The Attorney General may
2 bring civil action in an appropriate district court for
3 such declaratory or injunctive relief as may be nec-
4 essary to carry out this title.

5 “(2) PENALTY.—In a civil action brought under
6 paragraph (1), if the court finds that the State vio-
7 lated any provision of this title, it may, to vindicate
8 the public interest, assess a civil penalty against the
9 State—

10 “(A) in an amount not to exceed \$110,000
11 for each such violation, in the case of a first
12 violation; or

13 “(B) in an amount not to exceed \$220,000
14 for each such violation, for any subsequent vio-
15 lation.

16 “(3) REPORT TO CONGRESS.—Not later than
17 December 31 of each year, the Attorney General
18 shall submit to Congress an annual report on any
19 civil action brought under paragraph (1) during the
20 preceding year.

21 “(b) PRIVATE RIGHT OF ACTION.—A person who is
22 aggrieved by a State’s violation of this title may bring a
23 civil action in an appropriate district court for such declar-
24 atory or injunctive relief as may be necessary to carry out
25 this title.

1 “(c) STATE AS ONLY NECESSARY DEFENDANT.—In
 2 any action brought under this section, the only necessary
 3 party defendant is the State, and it shall not be a defense
 4 to any such action that a local election official or a unit
 5 of local government is not named as a defendant, notwith-
 6 standing that a State has exercised the authority described
 7 in section 576 of the Military and Overseas Voter Em-
 8 powerment Act to delegate to another jurisdiction in the
 9 State any duty or responsibility which is the subject of
 10 an action brought under this section.”.

11 (b) EFFECTIVE DATE.—The amendments made by
 12 this section shall apply with respect to violations alleged
 13 to have occurred on or after the date of the enactment
 14 of this Act.

15 **SEC. 1004. REVISIONS TO 45-DAY ABSENTEE BALLOT**
 16 **TRANSMISSION RULE.**

17 (a) REPEAL OF WAIVER AUTHORITY.—

18 (1) IN GENERAL.—Section 102 of the Uni-
 19 formed and Overseas Citizens Absentee Voting Act
 20 (52 U.S.C. 20302) is amended by striking sub-
 21 section (g).

22 (2) CONFORMING AMENDMENT.—Section
 23 102(a)(8)(A) of such Act (52 U.S.C.
 24 20302(a)(8)(A)) is amended by striking “except as
 25 provided in subsection (g),”.

1 (b) REQUIRING USE OF EXPRESS DELIVERY IN CASE
 2 OF FAILURE TO MEET REQUIREMENT.—Section 102 of
 3 such Act (52 U.S.C. 20302), as amended by subsection
 4 (a), is amended by inserting after subsection (f) the fol-
 5 lowing new subsection:

6 “(g) REQUIRING USE OF EXPRESS DELIVERY IN
 7 CASE OF FAILURE TO TRANSMIT BALLOTS WITHIN
 8 DEADLINES.—

9 “(1) TRANSMISSION OF BALLOT BY EXPRESS
 10 DELIVERY.—If a State fails to meet the requirement
 11 of subsection (a)(8)(A) to transmit a validly re-
 12 quested absentee ballot to an absent uniformed serv-
 13 ices voter or overseas voter not later than 45 days
 14 before the election (in the case in which the request
 15 is received at least 45 days before the election)—

16 “(A) the State shall transmit the ballot to
 17 the voter by express delivery; or

18 “(B) in the case of a voter who has des-
 19 igned that absentee ballots be transmitted
 20 electronically in accordance with subsection
 21 (f)(1), the State shall transmit the ballot to the
 22 voter electronically.

23 “(2) SPECIAL RULE FOR TRANSMISSION FEWER
 24 THAN 40 DAYS BEFORE THE ELECTION.—If, in car-
 25 rying out paragraph (1), a State transmits an ab-

1 sentee ballot to an absent uniformed services voter
 2 or overseas voter fewer than 40 days before the elec-
 3 tion, the State shall enable the ballot to be returned
 4 by the voter by express delivery, except that in the
 5 case of an absentee ballot of an absent uniformed
 6 services voter for a regularly scheduled general elec-
 7 tion for Federal office, the State may satisfy the re-
 8 quirement of this paragraph by notifying the voter
 9 of the procedures for the collection and delivery of
 10 such ballots under section 103A.”.

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. 1005. 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. 1006. EFFECTIVE DATE.**

16 The amendments made by this title shall apply with
 17 respect to elections occurring on or after January 1, 2020.

18 **TITLE XI—POLL WORKER**
 19 **RECRUITMENT AND TRAINING**

20 **SEC. 1101. LEAVE TO SERVE AS A POLL WORKER FOR FED-**
 21 **ERAL EMPLOYEES.**

22 (a) IN GENERAL.—Subchapter II of chapter 63 of
 23 title 5, United States Code, is amended by inserting after
 24 section 6329c the following:

1 **“§ 6329d. Absence in connection with serving as a**
2 **poll worker**

3 “(a) IN GENERAL.—An employee in or under an Ex-
4 ecutive agency is entitled to leave, without loss of or reduc-
5 tion in pay, leave to which otherwise entitled, credit for
6 time or service, or performance or efficiency rating, not
7 to exceed 6 days in a leave year, in order—

8 “(1) to provide election administration assist-
9 ance to a State or unit of local government at a poll-
10 ing place on the date of any election for public of-
11 fice; or

12 “(2) to receive any training without which such
13 employee would be ineligible to provide such assist-
14 ance.

15 “(b) REGULATIONS.—The Director of the Office of
16 Personnel Management may prescribe regulations for the
17 administration of this section, including regulations set-
18 ting forth the terms and conditions of the election admin-
19 istration assistance an employee may provide for purposes
20 of subsection (a).”.

21 (b) CLERICAL AMENDMENT.—The table of sections
22 for chapter 63 of title 5, United States Code, is amended
23 by inserting after the item relating to section 6329c the
24 following:

“6329d. Absence in connection with serving as a poll worker.”.

1 **SEC. 1102. GRANTS TO STATES FOR POLL WORKER RE-**
2 **CRUITMENT AND TRAINING.**

3 (a) GRANTS BY ELECTION ASSISTANCE COMMIS-
4 SION.—

5 (1) IN GENERAL.—The Election Assistance
6 Commission (hereafter referred to as the “Commis-
7 sion”) shall make a grant to each eligible State for
8 recruiting and training individuals to serve as poll
9 workers on dates of elections for public office.

10 (2) USE OF COMMISSION MATERIALS.—In car-
11 rying out activities with a grant provided under this
12 section, the recipient of the grant shall use the man-
13 ual prepared by the Commission on successful prac-
14 tices for poll worker recruiting, training and reten-
15 tion as an interactive training tool, and shall develop
16 training programs with the participation and input
17 of experts in adult learning.

18 (b) REQUIREMENTS FOR ELIGIBILITY.—

19 (1) APPLICATION.—Each State that desires to
20 receive a payment under this section shall submit an
21 application for the payment to the Commission at
22 such time and in such manner and containing such
23 information as the Commission shall require.

24 (2) CONTENTS OF APPLICATION.—Each appli-
25 cation submitted under paragraph (1) shall—

1 (A) describe the activities for which assist-
2 ance under this section is sought;

3 (B) provide assurances that the funds pro-
4 vided under this section will be used to supple-
5 ment and not supplant other funds used to
6 carry out the activities;

7 (C) provide assurances that the State will
8 furnish the Commission with information on the
9 number of individuals who served as poll work-
10 ers after recruitment and training with the
11 funds provided under this section; and

12 (D) provide such additional information
13 and certifications as the Commission deter-
14 mines to be essential to ensure compliance with
15 the requirements of this section.

16 (c) AMOUNT OF GRANT.—

17 (1) IN GENERAL.—The amount of a grant
18 made to a State under this section shall be equal to
19 the product of—

20 (A) the aggregate amount made available
21 for grants to States under this section; and

22 (B) the voting age population percentage
23 for the State.

1 (2) VOTING AGE POPULATION PERCENTAGE DE-
2 FINED.—In paragraph (1), the “voting age popu-
3 lation percentage” for a State is the quotient of—

4 (A) the voting age population of the State
5 (as determined on the basis of the most recent
6 information available from the Bureau of the
7 Census); and

8 (B) the total voting age population of all
9 States (as determined on the basis of the most
10 recent information available from the Bureau of
11 the Census).

12 (d) REPORTS TO CONGRESS.—

13 (1) REPORTS BY RECIPIENTS OF GRANTS.—Not
14 later than 6 months after the date on which the
15 final grant is made under this section, each recipient
16 of a grant shall submit a report to the Commission
17 on the activities conducted with the funds provided
18 by the grant.

19 (2) REPORTS BY COMMISSION.—Not later than
20 1 year after the date on which the final grant is
21 made under this section, the Commission shall sub-
22 mit a report to Congress on the grants made under
23 this section and the activities carried out by recipi-
24 ents with the grants, and shall include in the report

1 such recommendations as the Commission considers
2 appropriate.

3 (e) FUNDING.—

4 (1) CONTINUING AVAILABILITY OF AMOUNT AP-
5 PROPRIATED.—Any amount appropriated to carry
6 out this section shall remain available without fiscal
7 year limitation until expended.

8 (2) ADMINISTRATIVE EXPENSES.—Of the
9 amount appropriated for any fiscal year to carry out
10 this section, not more than 3 percent shall be avail-
11 able for administrative expenses of the Commission.

12 **SEC. 1103. MODEL POLL WORKER TRAINING PROGRAM.**

13 (a) DEVELOPMENT OF PROGRAM BY ELECTION AS-
14 SISTANCE COMMISSION.—Not later than 1 year after the
15 date of the enactment of this Act, the Election Assistance
16 Commission shall develop and provide to each State mate-
17 rials for a model poll worker training program which the
18 State may use to train individuals to serve as poll workers
19 in elections for Federal office.

20 (b) CONTENTS OF MATERIALS.—The materials for
21 the model poll worker training program developed under
22 this section shall include materials to provide training with
23 respect to the following:

24 (1) The relevant provisions of the Federal laws
25 which apply to the administration of elections for

1 Federal office in the State, including the Voting
2 Rights Act of 1965 and the Help America Vote Act
3 of 2002.

4 (2) The provision of access to voting to individ-
5 uals with disabilities in a manner which preserves
6 the dignity and privacy of such individuals.

7 (3) The provision of access to voting to individ-
8 uals with limited English language proficiency, and
9 to individuals who are members or racial or ethnic
10 minorities, consistent with the protections provided
11 for such individuals under relevant law, in a manner
12 which preserves the dignity of such individuals.

13 (4) Practical experience in the use of the voting
14 machines which will be used in the election involved,
15 including the accessibility features of such machines.

16 (5) Such other election administration subjects
17 as the Commission considers appropriate to ensure
18 that poll workers are able to effectively assist with
19 the administration of elections for Federal office.

20 **SEC. 1104. STATE DEFINED.**

21 In this title, the term “State” includes the District
22 of Columbia, the Commonwealth of Puerto Rico, Guam,
23 American Samoa, the United States Virgin Islands, and
24 the Commonwealth of the Northern Mariana Islands.

1 **TITLE XII—ENHANCEMENT OF**
2 **ENFORCEMENT**

3 **SEC. 1201. ENHANCEMENT OF ENFORCEMENT OF HELP**
4 **AMERICA VOTE ACT OF 2002.**

5 (a) COMPLAINTS; AVAILABILITY OF PRIVATE RIGHT
6 OF ACTION.—Section 401 of the Help America Vote Act
7 of 2002 (52 U.S.C. 21111) is amended—

8 (1) by striking “The Attorney General” and in-
9 serting “(a) IN GENERAL.—The Attorney General”;
10 and

11 (2) by adding at the end the following new sub-
12 sections:

13 “(b) FILING OF COMPLAINTS BY AGGRIEVED PER-
14 SONS.—

15 “(1) IN GENERAL.—A person who is aggrieved
16 by a violation of title III which has occurred, is oc-
17 curring, or is about to occur may file a written,
18 signed, notarized complaint with the Attorney Gen-
19 eral describing the violation and requesting the At-
20 torney General to take appropriate action under this
21 section. The Attorney General shall immediately pro-
22 vide a copy of a complaint filed under the previous
23 sentence to the entity responsible for administering
24 the State-based administrative complaint procedures
25 described in section 402(a) for the State involved.

1 “(2) RESPONSE BY ATTORNEY GENERAL.—The
2 Attorney General shall respond to each complaint
3 filed under paragraph (1), in accordance with proce-
4 dures established by the Attorney General that re-
5 quire responses and determinations to be made with-
6 in the same (or shorter) deadlines which apply to a
7 State under the State-based administrative com-
8 plaint procedures described in section 402(a)(2).
9 The Attorney General shall immediately provide a
10 copy of the response made under the previous sen-
11 tence to the entity responsible for administering the
12 State-based administrative complaint procedures de-
13 scribed in section 402(a) for the State involved.

14 “(c) AVAILABILITY OF PRIVATE RIGHT OF AC-
15 TION.—Any person who is authorized to file a complaint
16 under subsection (b)(1) (including any individual who
17 seeks to enforce the individual’s right to a voter-verified
18 paper ballot, the right to have the voter-verified paper bal-
19 lot counted in accordance with this Act, or any other right
20 under title III) may file an action under section 1979 of
21 the Revised Statutes of the United States (42 U.S.C.
22 1983) to enforce the uniform and nondiscriminatory elec-
23 tion technology and administration requirements under
24 subtitle A of title III.

1 “(d) NO EFFECT ON STATE PROCEDURES.—Nothing
 2 in this section may be construed to affect the availability
 3 of the State-based administrative complaint procedures re-
 4 quired under section 402 to any person filing a complaint
 5 under this subsection.”.

6 (b) EFFECTIVE DATE.—The amendments made by
 7 this section shall apply with respect to violations occurring
 8 with respect to elections for Federal office held in 2020
 9 or any succeeding year.

10 **TITLE XIII—FEDERAL ELECTION**
 11 **INTEGRITY**

12 **SEC. 1301. PROHIBITION ON CAMPAIGN ACTIVITIES BY**
 13 **CHIEF STATE ELECTION ADMINISTRATION**
 14 **OFFICIALS.**

15 (a) IN GENERAL.—Title III of the Federal Election
 16 Campaign Act of 1971 (52 U.S.C. 30101 et seq.) is
 17 amended by inserting after section 319 the following new
 18 section:

19 “CAMPAIGN ACTIVITIES BY CHIEF STATE ELECTION
 20 ADMINISTRATION OFFICIALS

21 “SEC. 319A. (a) PROHIBITION.—It shall be unlawful
 22 for a chief State election administration official to take
 23 an active part in political management or in a political
 24 campaign with respect to any election for Federal office
 25 over which such official has supervisory authority.

1 “(b) CHIEF STATE ELECTION ADMINISTRATION OF-
2 FICIAL.—The term ‘chief State election administration of-
3 ficial’ means the highest State official with responsibility
4 for the administration of Federal elections under State
5 law.

6 “(c) ACTIVE PART IN POLITICAL MANAGEMENT OR
7 IN A POLITICAL CAMPAIGN.—The term ‘active part in po-
8 litical management or in a political campaign’ means—

9 “(1) serving as a member of an authorized com-
10 mittee of a candidate for Federal office;

11 “(2) the use of official authority or influence
12 for the purpose of interfering with or affecting the
13 result of an election for Federal office;

14 “(3) the solicitation, acceptance, or receipt of a
15 contribution from any person on behalf of a can-
16 didate for Federal office; and

17 “(4) any other act which would be prohibited
18 under paragraph (2) or (3) of section 7323(b) of
19 title 5, United States Code, if taken by an individual
20 to whom such paragraph applies (other than any
21 prohibition on running for public office).

22 “(d) EXCEPTION IN CASE OF RECUSAL FROM AD-
23 MINISTRATION OF ELECTIONS INVOLVING OFFICIAL OR
24 IMMEDIATE FAMILY MEMBER.—

1 “(1) IN GENERAL.—This section does not apply
 2 to a chief State election administration official with
 3 respect to an election for Federal office in which the
 4 official or an immediate family member of the offi-
 5 cial is a candidate, but only if such official recuses
 6 himself or herself from all of the official’s respon-
 7 sibilities for the administration of such election.

8 “(2) IMMEDIATE FAMILY MEMBER DEFINED.—
 9 In paragraph (1), the term ‘immediate family mem-
 10 ber’ means, with respect to a candidate, a father,
 11 mother, son, daughter, brother, sister, husband,
 12 wife, father-in-law, or mother-in-law.”.

13 (b) EFFECTIVE DATE.—The amendments made by
 14 subsection (a) shall apply with respect to elections for
 15 Federal office held after December 2019.

16 **TITLE XIV—GRANTS FOR RISK-**
 17 **LIMITING AUDITS OF RE-**
 18 **SULTS OF ELECTIONS**

19 **SEC. 1401. GRANTS TO STATES FOR CONDUCTING RISK-LIM-**
 20 **ITING AUDITS OF RESULTS OF ELECTIONS.**

21 (a) AVAILABILITY OF GRANTS.—Subtitle D of title
 22 II of the Help America Vote Act of 2002 (52 U.S.C.
 23 21001 et seq.) is amended by adding at the end the fol-
 24 lowing new part:

1 **“PART 7—GRANTS FOR CONDUCTING RISK-**
2 **LIMITING AUDITS OF RESULTS OF ELECTIONS**
3 **“SEC. 297. GRANTS FOR CONDUCTING RISK-LIMITING AU-**
4 **DITS OF RESULTS OF ELECTIONS.**

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

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

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

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

25 “(c) REQUIREMENTS FOR RULES AND PROCE-
26 DURES.—The rules and procedures established for con-

1 ducting a risk-limiting audit shall include the following
2 elements:

3 “(1) Rules for ensuring the security of ballots
4 and documenting that prescribed procedures were
5 followed.

6 “(2) Rules and procedures for ensuring the ac-
7 curacy of ballot manifests produced by election agen-
8 cies.

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

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

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

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

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

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

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

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

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

9 “(C) The record contains the following in-
10 formation with respect to the ballots cast and
11 counted in the election:

12 “(i) The total number of ballots cast
13 and counted by the agency (including
14 undervotes, overvotes, and other invalid
15 votes).

16 “(ii) The total number of ballots cast
17 in each election administered by the agency
18 (including undervotes, overvotes, and other
19 invalid votes).

20 “(iii) A precise description of the
21 manner in which the ballots are physically
22 stored, including the total number of phys-
23 ical groups of ballots, the numbering sys-
24 tem for each group, a unique label for each

1 group, and the number of ballots in each
2 such group.

3 “(2) The term ‘election agency’ means any com-
4 ponent of a State, or any component of a unit of
5 local government in a State, which is responsible for
6 the administration of elections for Federal office in
7 the State.

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

13 “(4) The term ‘outcome’ means the winner of
14 an election, whether a candidate or a position.

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

20 **“SEC. 297A. ELIGIBILITY OF STATES.**

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

1 “(1) a certification that, not later than 5 years
2 after receiving the grant, the State will conduct risk-
3 limiting audits of the results of elections for Federal
4 office held in the State as described in section 297;

5 “(2) a certification that, not later than one year
6 after the date of the enactment of this section, the
7 chief State election official of the State has estab-
8 lished or will establish the rules and procedures for
9 conducting the audits which meet the requirements
10 of section 297(c);

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

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

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

1 “(6) such other information and assurances as
2 the Commission may require.

3 **“SEC. 297B. AUTHORIZATION OF APPROPRIATIONS.**

4 “‘There are authorized to be appropriated for grants
5 under this part \$20,000,000 for fiscal year 2019, to re-
6 main available until expended.’”.

7 (b) CLERICAL AMENDMENT.—The table of contents
8 of such Act is amended by adding at the end of the items
9 relating to subtitle D of title II the following:

“PART 7—GRANTS FOR CONDUCTING RISK-LIMITING AUDITS OF RESULTS
OF ELECTIONS

“Sec. 297. Grants for conducting risk-limiting audits of results of elections.

“Sec. 297A. Eligibility of States.

“Sec. 297B. Authorization of appropriations.”.

10 **SEC. 1402. GAO ANALYSIS OF EFFECTS OF AUDITS.**

11 (a) ANALYSIS.—Not later than 6 months after the
12 first election for Federal office is held after grants are
13 first awarded to States for conducting risk-limiting under
14 part 7 of subtitle D of title II of the Help America Vote
15 Act of 2002 (as added by section 1401) for conducting
16 risk-limiting audits of elections for Federal office, the
17 Comptroller General of the United States shall conduct
18 an analysis of the extent to which such audits have im-
19 proved the administration of such elections and the secu-
20 rity of election infrastructure in the States receiving such
21 grants.

1 (b) REPORT.—The Comptroller General of the
2 United States shall submit a report on the analysis con-
3 ducted under subsection (a) to the appropriate congres-
4 sional committees.

5 (c) DEFINITIONS.—In this section—

6 (1) the term “appropriate congressional com-
7 mittees” means the Committees on Homeland Secu-
8 rity and House Administration of the House of Rep-
9 resentatives and the Committees on Homeland Secu-
10 rity and Governmental Affairs and Rules and Ad-
11 ministration of the Senate;

12 (2) the term “election agency” means any com-
13 ponent of a State, or any component of a unit of
14 local government in a State, which is responsible for
15 the administration of elections for Federal office in
16 the State; and

17 (3) the term “election infrastructure” means
18 storage facilities, polling places, and centralized vote
19 tabulation locations used to support the administra-
20 tion of elections for public office, as well as related
21 information and communications technology, includ-
22 ing voter registration databases, voting machines,
23 electronic mail and other communications systems
24 (including electronic mail and other systems of ven-
25 dors who have entered into contracts with election

1 agencies to support the administration of elections,
 2 manage the election process, and report and display
 3 election results), and other systems used to manage
 4 the election process and to report and display elec-
 5 tion results on behalf of an election agency.

6 **TITLE XV—PROMOTING VOTER**
 7 **ACCESS THROUGH ELECTION**
 8 **ADMINISTRATION IMPROVE-**
 9 **MENTS**

10 **Subtitle A—Promoting Voter**
 11 **Access**

12 **SEC. 1501. TREATMENT OF UNIVERSITIES AS VOTER REG-**
 13 **ISTRATION AGENCIES.**

14 (a) IN GENERAL.—Section 7(a) of the National Voter
 15 Registration Act of 1993 (52 U.S.C. 20506(a)) is amend-
 16 ed—

17 (1) in paragraph (2)—

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

20 (B) by striking the period at the end of
 21 subparagraph (B) and inserting “; and”; and

22 (C) by adding at the end the following new
 23 subparagraph:

24 “(C) each institution of higher education
 25 (as defined in section 101 of the Higher Edu-

1 cation Act of 1965 (20 U.S.C. 1001)) in the
2 State that receives Federal funds.”; and

3 (2) in paragraph (6)(A), by inserting “or, in
4 the case of an institution of higher education, with
5 each registration of a student for enrollment in a
6 course of study” after “assistance,”.

7 (b) AMENDMENT TO HIGHER EDUCATION ACT OF
8 1965.—Section 487(a) of the Higher Education Act of
9 1965 (20 U.S.C. 1094(a)) is amended by striking para-
10 graph (23).

11 (c) SENSE OF CONGRESS RELATING TO OPTION OF
12 STUDENTS TO REGISTER IN JURISDICTION OF INSTITU-
13 TION OF HIGHER EDUCATION OR JURISDICTION OF DOMI-
14 CILE.—It is the sense of Congress that, as provided under
15 existing law, students who attend an institution of higher
16 education and reside in the jurisdiction of the institution
17 while attending the institution should have the option of
18 registering to vote in elections for Federal office in that
19 jurisdiction or in the jurisdiction of their own domicile.

20 (d) EFFECTIVE DATE.—The amendments made by
21 this section shall apply with respect to elections held on
22 or after January 1, 2020.

1 **SEC. 1502. MINIMUM NOTIFICATION REQUIREMENTS FOR**
2 **VOTERS AFFECTED BY POLLING PLACE**
3 **CHANGES.**

4 (a) REQUIREMENTS.—Section 302 of the Help Amer-
5 ica Vote Act of 2002 (52 U.S.C. 21082), as amended by
6 section 701(a), is amended—

7 (1) by redesignating subsection (f) as sub-
8 section (g); and

9 (2) by inserting after subsection (e) the fol-
10 lowing new subsection:

11 “(f) MINIMUM NOTIFICATION REQUIREMENTS FOR
12 VOTERS AFFECTED BY POLLING PLACE CHANGES.—

13 “(1) IN GENERAL.—If a State assigns an indi-
14 vidual who is a registered voter in a State to a poll-
15 ing place with respect to an election for Federal of-
16 fice which is not the same polling place to which the
17 individual was previously assigned with respect to
18 the most recent election for Federal office in the
19 State in which the individual was eligible to vote—

20 “(A) the State shall notify the individual of
21 the location of the polling place not later than
22 7 days before the date of the election; or

23 “(B) if the State makes such an assign-
24 ment fewer than 7 days before the date of the
25 election and the individual appears on the date
26 of the election at the polling place to which the

1 individual was previously assigned, the State
2 shall make every reasonable effort to enable the
3 individual to vote on the date of the election.

4 “(2) EFFECTIVE DATE.—This subsection shall
5 apply with respect to elections held on or after Janu-
6 ary 1, 2020.”.

7 (b) CONFORMING AMENDMENT.—Section 302(g) of
8 such Act (52 U.S.C. 21082(g)), as redesignated by sub-
9 section (a) and as amended by section 701(b), is amended
10 by striking “(d)(2) and (e)(2)” and inserting “(d)(2),
11 (e)(2), and (f)(2)”.

12 **SEC. 1503. ELECTION DAY HOLIDAY.**

13 (a) TREATMENT OF ELECTION DAY IN SAME MAN-
14 NER AS LEGAL PUBLIC HOLIDAY FOR PURPOSES OF FED-
15 ERAL EMPLOYMENT.—For purposes of any law relating
16 to Federal employment, the Tuesday next after the first
17 Monday in November in 2020 and each even-numbered
18 year thereafter shall be treated in the same manner as
19 a legal public holiday described in section 6103 of title
20 5, United States Code.

21 (b) SENSE OF CONGRESS RELATING TO TREATMENT
22 OF DAY BY PRIVATE EMPLOYERS.—It is the sense of Con-
23 gress that private employers in the United States should
24 give their employees a day off on the Tuesday next after
25 the first Monday in November in 2020 and each even-

1 numbered year thereafter to enable the employees to cast
2 votes in the elections held on that day.

3 **SEC. 1504. 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 TO MEET IDENTIFICATION REQUIRE-**
12 **MENTS.**

13 “(a) USE OF STATEMENT.—

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

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

1 individual's identification and attesting that the
2 individual is eligible to vote in the election; or

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

7 “(2) PROVIDING PRE-PRINTED COPY OF STATE-
8 MENT.—A State which is subject to paragraph (1)
9 shall—

10 “(A) prepare a pre-printed version of the
11 statement described in paragraph (1)(A) which
12 includes a blank space for an individual to pro-
13 vide a name and signature;

14 “(B) make copies of the pre-printed
15 version available at polling places for election
16 officials to distribute to individuals who desire
17 to vote in person; and

18 “(C) include a copy of the pre-printed
19 version with each blank absentee or other ballot
20 transmitted to an individual who desires to vote
21 by mail.

22 “(b) REQUIRING USE OF REGULAR BALLOT.—An in-
23 dividual who presents or submits a sworn written state-
24 ment in accordance with subsection (a)(1) shall be per-

1 mitted to cast a regular ballot in the election in the same
2 manner as an individual who presents identification.

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

8 (b) REQUIRING STATES TO INCLUDE INFORMATION
9 ON USE OF SWORN WRITTEN STATEMENT IN VOTING IN-
10 FORMATION MATERIAL POSTED AT POLLING PLACES.—
11 Section 302(b)(2) of such Act (52 U.S.C. 21082(b)(2)),
12 as amended by section 172(b) and section 302(b), is
13 amended—

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

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

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

20 “(I) in the case of a State that has in ef-
21 fect a requirement that an individual present
22 identification as a condition of receiving and
23 casting a ballot in an election for Federal office,
24 information on how an individual may meet

1 such requirement by presenting a sworn written
2 statement in accordance with section 303A.”.

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

“Sec. 303A. Permitting use of sworn written statement to meet identification requirements.”.

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

9 **SEC. 1505. POSTAGE-FREE BALLOTS.**

10 (a) ABSENTEE BALLOTS CARRIED FREE OF POST-
11 AGE.—

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

15 **“§ 3407. Absentee ballots carried free of postage**

16 “(a) Any absentee ballot for any election shall be car-
17 ried expeditiously and free of postage.

18 “(b) As used in this section, the term ‘absentee ballot’
19 does not include any ballot covered by section 3406.”.

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

“3407. Absentee ballots carried free of postage.”.

1 (3) REIMBURSEMENT.—Section 2401(c) of title
2 39, United States Code, is amended by striking
3 “3406” and inserting “3407”.

4 (b) USE BY STATES OF REQUIREMENTS PAYMENTS
5 UNDER HELP AMERICA VOTE ACT OF 2002 TO REIM-
6 BURSE POSTAL SERVICE.—

7 (1) AUTHORIZING USE OF PAYMENTS.—Section
8 251(b) of the Help America Vote Act of 2002 (52
9 U.S.C. 21001(b)) is amended—

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

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

15 “(4) REIMBURSEMENT OF POSTAL SERVICE
16 FOR COSTS ASSOCIATED WITH ABSENTEE BAL-
17 LOTS.—A State shall use a requirements payment to
18 reimburse the United States Postal Service for the
19 revenue which the Postal Service would have ob-
20 tained as the result of the mailing of absentee bal-
21 lots in the State but for section 3407 of title 39,
22 United States Code.”.

23 (2) EFFECTIVE DATE.—The amendment made
24 by paragraph (1) shall apply with respect to the re-
25 quirements payments made to a State under part 1

1 of subtitle D of title II of the Help America Vote
2 Act of 2002 (52 U.S.C. 21001 et seq.)—

3 (A) for fiscal year 2019 or any previous
4 fiscal year, but only to the extent that any such
5 payment remains unobligated or unexpended by
6 the State as of the date of the enactment of
7 this Act; and

8 (B) for fiscal year 2020 and each suc-
9 ceeding fiscal year.

10 **SEC. 1506. REIMBURSEMENT FOR COSTS INCURRED BY**
11 **STATES IN ESTABLISHING PROGRAM TO**
12 **TRACK AND CONFIRM RECEIPT OF ABSENTEE**
13 **BALLOTS.**

14 (a) REIMBURSEMENT.—Subtitle D of title II of the
15 Help America Vote Act of 2002 (42 U.S.C. 15401 et seq.),
16 as amended by section 1401(a), is further amended by
17 adding at the end the following new part:

18 **“PART 8—PAYMENTS TO REIMBURSE STATES**
19 **FOR COSTS INCURRED IN ESTABLISHING**
20 **PROGRAM TO TRACK AND CONFIRM RE-**
21 **CEIPT OF ABSENTEE BALLOTS**

22 **“SEC. 298. PAYMENTS TO STATES.**

23 “(a) PAYMENTS FOR COSTS OF ESTABLISHING PRO-
24 GRAM.—In accordance with this section, the Commission
25 shall make a payment to a State to reimburse the State

1 for the costs incurred in establishing, if the State so choos-
2 es to establish, an absentee ballot tracking program with
3 respect to elections for Federal office held in the State
4 (including costs incurred prior to the date of the enact-
5 ment of this part).

6 “(b) ABSENTEE BALLOT TRACKING PROGRAM DE-
7 SCRIBED.—

8 “(1) PROGRAM DESCRIBED.—

9 “(A) IN GENERAL.—In this part, an ‘ab-
10 sentee ballot tracking program’ is a program to
11 track and confirm the receipt of absentee bal-
12 lots in an election for Federal office under
13 which the State or local election official respon-
14 sible for the receipt of voted absentee ballots in
15 the election carries out procedures to track and
16 confirm the receipt of such ballots, and makes
17 information on the receipt of such ballots avail-
18 able to the individual who cast the ballot, by
19 means of online access using the Internet site
20 of the official’s office.

21 “(B) INFORMATION ON WHETHER VOTE
22 WAS COUNTED.—The information referred to
23 under subparagraph (A) with respect to the re-
24 ceipt of an absentee ballot shall include infor-
25 mation regarding whether the vote cast on the

1 ballot was counted, and, in the case of a vote
2 which was not counted, the reasons therefor.

3 “(2) USE OF TOLL-FREE TELEPHONE NUMBER
4 BY OFFICIALS WITHOUT INTERNET SITE.—A pro-
5 gram established by a State or local election official
6 whose office does not have an Internet site may
7 meet the description of a program under paragraph
8 (1) if the official has established a toll-free telephone
9 number that may be used by an individual who cast
10 an absentee ballot to obtain the information on the
11 receipt of the voted absentee ballot as provided
12 under such paragraph.

13 “(c) CERTIFICATION OF COMPLIANCE AND COSTS.—

14 “(1) CERTIFICATION REQUIRED.—In order to
15 receive a payment under this section, a State shall
16 submit to the Commission a statement containing—

17 “(A) a certification that the State has es-
18 tablished an absentee ballot tracking program
19 with respect to elections for Federal office held
20 in the State; and

21 “(B) a statement of the costs incurred by
22 the State in establishing the program.

23 “(2) AMOUNT OF PAYMENT.—The amount of a
24 payment made to a State under this section shall be
25 equal to the costs incurred by the State in estab-

1 lishing the absentee ballot tracking program, as set
2 forth in the statement submitted under paragraph
3 (1), except that such amount may not exceed the
4 product of—

5 “(A) the number of jurisdictions in the
6 State which are responsible for operating the
7 program; and

8 “(B) \$3,000.

9 “(3) LIMIT ON NUMBER OF PAYMENTS RE-
10 CEIVED.—A State may not receive more than one
11 payment under this part.

12 **“SEC. 298A. AUTHORIZATION OF APPROPRIATIONS.**

13 “(a) AUTHORIZATION.—There are authorized to be
14 appropriated to the Commission for fiscal year 2020 and
15 each succeeding fiscal year such sums as may be necessary
16 for payments under this part.

17 “(b) CONTINUING AVAILABILITY OF FUNDS.—Any
18 amounts appropriated pursuant to the authorization under
19 this section shall remain available until expended.”.

20 (b) CLERICAL AMENDMENT.—The table of contents
21 of such Act, as amended by section 1401(b), is further

1 amended by adding at the end of the items relating to
 2 subtitle D of title II the following:

“PART 8—PAYMENTS TO REIMBURSE STATES FOR COSTS INCURRED IN ESTABLISHING PROGRAM TO TRACK AND CONFIRM RECEIPT OF ABSENTEE BALLOTS

“Sec. 298. Payments to States.

“Sec. 298A. Authorization of appropriations.”.

3 **SEC. 1507. VOTER INFORMATION RESPONSE SYSTEMS AND**
 4 **HOTLINE.**

5 (a) ESTABLISHMENT AND OPERATION OF SYSTEMS
 6 AND SERVICES.—

7 (1) STATE-BASED RESPONSE SYSTEMS.—The
 8 Attorney General shall coordinate the establishment
 9 of a State-based response system for responding to
 10 questions and complaints from individuals voting or
 11 seeking to vote, or registering to vote or seeking to
 12 register to vote, in elections for Federal office. Such
 13 system shall provide—

14 (A) State-specific, same-day, and imme-
 15 diate assistance to such individuals, including
 16 information on how to register to vote, the loca-
 17 tion and hours of operation of polling places,
 18 and how to obtain absentee ballots; and

19 (B) State-specific, same-day, and imme-
 20 diate assistance to individuals encountering
 21 problems with registering to vote or voting, in-

1 including individuals encountering intimidation or
2 deceptive practices.

3 (2) HOTLINE.—The Attorney General, in con-
4 sultation with State election officials, shall establish
5 and operate a toll-free telephone service, using a
6 telephone number that is accessible throughout the
7 United States and that uses easily identifiable nu-
8 merals, through which individuals throughout the
9 United States—

10 (A) may connect directly to the State-
11 based response system described in paragraph
12 (1) with respect to the State involved;

13 (B) may obtain information on voting in
14 elections for Federal office, including informa-
15 tion on how to register to vote in such elections,
16 the locations and hours of operation of polling
17 places, and how to obtain absentee ballots; and

18 (C) may report information to the Attor-
19 ney General on problems encountered in reg-
20 istering to vote or voting, including incidences
21 of voter intimidation or suppression.

22 (3) COLLABORATION WITH STATE AND LOCAL
23 ELECTION OFFICIALS.—

24 (A) COLLECTION OF INFORMATION FROM
25 STATES.—The Attorney General shall coordi-

1 nate the collection of information on State and
2 local election laws and policies, including infor-
3 mation on the statewide computerized voter reg-
4 istration lists maintained under title III of the
5 Help America Vote Act of 2002, so that indi-
6 viduals who contact the free telephone service
7 established under paragraph (2) on the date of
8 an election for Federal office may receive an
9 immediate response on that day.

10 (B) FORWARDING QUESTIONS AND COM-
11 PLAINTS TO STATES.—If an individual contacts
12 the free telephone service established under
13 paragraph (2) on the date of an election for
14 Federal office with a question or complaint with
15 respect to a particular State or jurisdiction
16 within a State, the Attorney General shall for-
17 ward the question or complaint immediately to
18 the appropriate election official of the State or
19 jurisdiction so that the official may answer the
20 question or remedy the complaint on that date.

21 (4) CONSULTATION REQUIREMENTS FOR DE-
22 VELOPMENT OF SYSTEMS AND SERVICES.—The At-
23 torney General shall ensure that the State-based re-
24 sponse system under paragraph (1) and the free
25 telephone service under paragraph (2) are each de-

1 developed in consultation with civil rights organiza-
2 tions, voting rights groups, State and local election
3 officials, voter protection groups, and other inter-
4 ested community organizations, especially those that
5 have experience in the operation of similar systems
6 and services.

7 (b) USE OF SERVICE BY INDIVIDUALS WITH DIS-
8 ABILITIES AND INDIVIDUALS WITH LIMITED ENGLISH
9 LANGUAGE PROFICIENCY.—The Attorney General shall
10 design and operate the telephone service established under
11 this section in a manner that ensures that individuals with
12 disabilities are fully able to use the service, and that as-
13 sistance is provided in any language in which the State
14 (or any jurisdiction in the State) is required to provide
15 election materials under section 203 of the Voting Rights
16 Act of 1965.

17 (c) VOTER HOTLINE TASK FORCE.—

18 (1) APPOINTMENT BY ATTORNEY GENERAL.—
19 The Attorney General shall appoint individuals (in
20 such number as the Attorney General considers ap-
21 propriate but in no event fewer than 3) to serve on
22 a Voter Hotline Task Force to provide ongoing anal-
23 ysis and assessment of the operation of the tele-
24 phone service established under this section, and
25 shall give special consideration in making appoint-

1 ments to the Task Force to individuals who rep-
2 resent civil rights organizations. At least one mem-
3 ber of the Task Force shall be a representative of
4 an organization promoting voting rights or civil
5 rights which has experience in the operation of simi-
6 lar telephone services or in protecting the rights of
7 individuals to vote, especially individuals who are
8 members of racial, ethnic, or linguistic minorities or
9 of communities who have been adversely affected by
10 efforts to suppress voting rights.

11 (2) ELIGIBILITY.—An individual shall be eligi-
12 ble to serve on the Task Force under this subsection
13 if the individual meets such criteria as the Attorney
14 General may establish, except that an individual may
15 not serve on the Task Force if the individual has
16 been convicted of any criminal offense relating to
17 voter intimidation or voter suppression.

18 (3) TERM OF SERVICE.—An individual ap-
19 pointed to the Task Force shall serve a single term
20 of 2 years, except that the initial terms of the mem-
21 bers first appointed to the Task Force shall be stag-
22 gered so that there are at least 3 individuals serving
23 on the Task Force during each year. A vacancy in
24 the membership of the Task Force shall be filled in
25 the same manner as the original appointment.

1 (4) NO COMPENSATION FOR SERVICE.—Mem-
2 bers of the Task Force shall serve without pay, but
3 shall receive travel expenses, including per diem in
4 lieu of subsistence, in accordance with applicable
5 provisions under subchapter I of chapter 57 of title
6 5, United States Code.

7 (d) BI-ANNUAL REPORT TO CONGRESS.—Not later
8 than March 1 of each odd-numbered year, the Attorney
9 General shall submit a report to Congress on the operation
10 of the telephone service established under this section dur-
11 ing the previous 2 years, and shall include in the report—

12 (1) an enumeration of the number and type of
13 calls that were received by the service;

14 (2) a compilation and description of the reports
15 made to the service by individuals citing instances of
16 voter intimidation or suppression;

17 (3) an assessment of the effectiveness of the
18 service in making information available to all house-
19 holds in the United States with telephone service;

20 (4) any recommendations developed by the
21 Task Force established under subsection (c) with re-
22 spect to how voting systems may be maintained or
23 upgraded to better accommodate voters and better
24 ensure the integrity of elections, including but not
25 limited to identifying how to eliminate coordinated

1 voter suppression efforts and how to establish effective
2 mechanisms for distributing updates on changes
3 to voting requirements; and

4 (5) any recommendations on best practices for
5 the State-based response systems established under
6 subsection (a)(1).

7 (e) AUTHORIZATION OF APPROPRIATIONS.—

8 (1) AUTHORIZATION.—There are authorized to
9 be appropriated to the Attorney General for fiscal
10 year 2019 and each succeeding fiscal year such sums
11 as may be necessary to carry out this section.

12 (2) SET-ASIDE FOR OUTREACH.—Of the
13 amounts appropriated to carry out this section for a
14 fiscal year pursuant to the authorization under para-
15 graph (1), not less than 15 percent shall be used for
16 outreach activities to make the public aware of the
17 availability of the telephone service established under
18 this section, with an emphasis on outreach to indi-
19 viduals with disabilities and individuals with limited
20 proficiency in the English language.

1 **Subtitle B—Improvements in Oper-**
2 **ation of Election Assistance**
3 **Commission**

4 **SEC. 1511. REAUTHORIZATION OF ELECTION ASSISTANCE**
5 **COMMISSION.**

6 Section 210 of the Help America Vote Act of 2002
7 (52 U.S.C. 20930) is amended—

8 (1) by striking “for each of the fiscal years
9 2003 through 2005” and inserting “for fiscal year
10 2019 and each succeeding fiscal year”; and

11 (2) by striking “(but not to exceed \$10,000,000
12 for each such year)”.

13 **SEC. 1512. REQUIRING STATES TO PARTICIPATE IN POST-**
14 **GENERAL ELECTION SURVEYS.**

15 (a) **REQUIREMENT.**—Title III of the Help America
16 Vote Act of 2002 (52 U.S.C. 21081 et seq.), as amended
17 by section 1504(a), is further amended by inserting after
18 section 303A the following new section:

19 **“SEC. 303B. REQUIRING PARTICIPATION IN POST-GENERAL**
20 **ELECTION SURVEYS.**

21 “(a) **REQUIREMENT.**—Each State shall furnish to the
22 Commission such information as the Commission may re-
23 quest for purposes of conducting any post-election survey
24 of the States with respect to the administration of a regu-
25 larly scheduled general election for Federal office.

1 “(b) EFFECTIVE DATE.—This section shall apply
2 with respect to the regularly scheduled general election for
3 Federal office held in November 2020 and any succeeding
4 election.”.

5 (b) CLERICAL AMENDMENT.—The table of contents
6 of such Act, as amended by section 1504(c), is further
7 amended by inserting after the item relating to section
8 303A the following new item:

“Sec. 303B. Requiring participation in post-general election surveys.”.

9 **SEC. 1513. REPORTS BY NATIONAL INSTITUTE OF STAND-**
10 **ARDS AND TECHNOLOGY ON USE OF FUNDS**
11 **TRANSFERRED FROM ELECTION ASSISTANCE**
12 **COMMISSION.**

13 (a) REQUIRING REPORTS ON USE OF FUNDS AS
14 CONDITION OF RECEIPT.—Section 231 of the Help Amer-
15 ica Vote Act of 2002 (52 U.S.C. 20971) is amended by
16 adding at the end the following new subsection:

17 “(e) REPORT ON USE OF FUNDS TRANSFERRED
18 FROM COMMISSION.—To the extent that funds are trans-
19 ferred from the Commission to the Director of the Na-
20 tional Institute of Standards and Technology for purposes
21 of carrying out this section during any fiscal year, the Di-
22 rector may not use such funds unless the Director certifies
23 at the time of transfer that the Director will submit a re-
24 port to the Commission not later than 90 days after the

1 end of the fiscal year detailing how the Director used such
2 funds during the year.”.

3 (b) EFFECTIVE DATE.—The amendment made by
4 subsection (a) shall apply with respect to fiscal year 2020
5 and each succeeding fiscal year.

6 **SEC. 1514. RECOMMENDATIONS TO IMPROVE OPERATIONS**
7 **OF ELECTION ASSISTANCE COMMISSION.**

8 (a) ASSESSMENT OF INFORMATION TECHNOLOGY
9 AND CYBERSECURITY.—Not later than December 31,
10 2019, the Election Assistance Commission shall carry out
11 an assessment of the security and effectiveness of the
12 Commission’s information technology systems, including
13 the cybersecurity of such systems.

14 (b) IMPROVEMENTS TO ADMINISTRATIVE COMPLAINT
15 PROCEDURES.—

16 (1) REVIEW OF PROCEDURES.—The Election
17 Assistance Commission shall carry out a review of
18 the effectiveness and efficiency of the State-based
19 administrative complaint procedures established and
20 maintained under section 402 of the Help America
21 Vote Act of 2002 (52 U.S.C. 21112) for the inves-
22 tigation and resolution of allegations of violations of
23 title III of such Act.

24 (2) RECOMMENDATIONS TO STREAMLINE PRO-
25 CEDURES.—Not later than December 31, 2019, the

1 Commission shall submit to Congress a report on
 2 the review carried out under paragraph (1), and
 3 shall include in the report such recommendations as
 4 the Commission considers appropriate to streamline
 5 and improve the procedures which are the subject of
 6 the review.

7 **SEC. 1515. REPEAL OF EXEMPTION OF ELECTION ASSIST-**
 8 **ANCE COMMISSION FROM CERTAIN GOVERN-**
 9 **MENT CONTRACTING REQUIREMENTS.**

10 (a) **IN GENERAL.**—Section 205 of the Help America
 11 Vote Act of 2002 (52 U.S.C. 20925) is amended by strik-
 12 ing subsection (e).

13 (b) **EFFECTIVE DATE.**—The amendment made by
 14 subsection (a) shall apply with respect to contracts entered
 15 into by the Election Assistance Commission on or after
 16 the date of the enactment of this Act.

17 **Subtitle C—Miscellaneous**
 18 **Provisions**

19 **SEC. 1521. APPLICATION OF LAWS TO COMMONWEALTH OF**
 20 **NORTHERN MARIANA ISLANDS.**

21 (a) **NATIONAL VOTER REGISTRATION ACT OF**
 22 **1993.**—Section 3(4) of the National Voter Registration
 23 Act of 1993 (52 U.S.C. 20502(4)) is amended by striking
 24 “States and the District of Columbia” and inserting

1 “States, the District of Columbia, and the Commonwealth
2 of the Northern Mariana Islands”.

3 (b) HELP AMERICA VOTE ACT OF 2002.—

4 (1) COVERAGE OF COMMONWEALTH OF THE
5 NORTHERN MARIANA ISLANDS.—Section 901 of the
6 Help America Vote Act of 2002 (52 U.S.C. 21141)
7 is amended by striking “and the United States Vir-
8 gin Islands” and inserting “the United States Virgin
9 Islands, and the Commonwealth of the Northern
10 Mariana Islands”.

11 (2) CONFORMING AMENDMENTS TO HELP
12 AMERICA VOTE ACT OF 2002.—Such Act is further
13 amended as follows:

14 (A) The second sentence of section
15 213(a)(2) (52 U.S.C. 20943(a)(2)) is amended
16 by striking “and American Samoa” and insert-
17 ing “American Samoa, and the Commonwealth
18 of the Northern Mariana Islands”.

19 (B) Section 252(c)(2) (52 U.S.C.
20 21002(c)(2)) is amended by striking “or the
21 United States Virgin Islands” and inserting
22 “the United States Virgin Islands, or the Com-
23 monwealth of the Northern Mariana Islands”.

24 (3) CONFORMING AMENDMENT RELATING TO
25 CONSULTATION OF HELP AMERICA VOTE FOUNDA-

1 TION WITH LOCAL ELECTION OFFICIALS.—Section
2 90102(c) of title 36, United States Code, is amend-
3 ed by striking “and the United States Virgin Is-
4 lands” and inserting “the United States Virgin Is-
5 lands, and the Commonwealth of the Northern Mar-
6 iana Islands”.

7 **SEC. 1522. REPEAL OF EXEMPTION OF ELECTION ASSIST-**
8 **ANCE COMMISSION FROM CERTAIN GOVERN-**
9 **MENT CONTRACTING REQUIREMENTS.**

10 (a) IN GENERAL.—Section 205 of the Help America
11 Vote Act of 2002 (52 U.S.C. 20925) is amended by strik-
12 ing subsection (e).

13 (b) EFFECTIVE DATE.—The amendment made by
14 subsection (a) shall apply with respect to contracts entered
15 into by the Election Assistance Commission on or after
16 the date of the enactment of this Act.

17 **SEC. 1523. NO EFFECT ON OTHER LAWS.**

18 (a) IN GENERAL.—Except as specifically provided,
19 nothing in this Act may be construed to authorize or re-
20 quire conduct prohibited under any of the following laws,
21 or to supersede, restrict, or limit the application of such
22 laws:

23 (1) The Voting Rights Act of 1965 (52 U.S.C.
24 10301 et seq.).

1 (2) The Voting Accessibility for the Elderly and
2 Handicapped Act (52 U.S.C. 20101 et seq.).

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

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

7 (5) The Americans with Disabilities Act of
8 1990 (42 U.S.C. 12101 et seq.).

9 (6) The Rehabilitation Act of 1973 (29 U.S.C.
10 701 et seq.).

11 (b) NO EFFECT ON PRECLEARANCE OR OTHER RE-
12 QUIREMENTS UNDER VOTING RIGHTS ACT.—The ap-
13 proval by any person of a payment or grant application
14 under this Act, or any other action taken by any person
15 under this Act, shall not be considered to have any effect
16 on requirements for preclearance under section 5 of the
17 Voting Rights Act of 1965 (52 U.S.C. 10304) or any other
18 requirements of such Act.

19 **TITLE XVI—SEVERABILITY**

20 **SEC. 1601. SEVERABILITY.**

21 If any provision of this Act or amendment made by
22 this Act, or the application of a provision or amendment
23 to any person or circumstance, is held to be unconstitu-
24 tional, the remainder of this Act and amendments made
25 by this Act, and the application of the provisions and

- 1 amendment to any person or circumstance, shall not be
- 2 affected by the holding.

○