

NASS Summary of HR1 / S1

(Provisions concerning election administration)

NOTE: strikethrough text reflects language only included in HR1. Underlined text reflects language only included in S1.

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Election Access

A. Voter Registration Modernization

1. Promoting Internet Registration

Availability of Online Voter Registration

- States must ensure that the appropriate election officials provide the public with the ability to submit a voter registration application online, and have it accepted online. The system must provide applicants with online assistance with registering to vote, and must provide for online completion and submission of the National Mail Voter Registration Form, including assistance with providing an electronic signature.
- States must accept an online voter registration application and ensure an individual is registered to vote if the individual meets the same registration requirements applicable to individuals who register to vote by mail using the National Mail Voter Registration Form and, for applications submitted during or after the second year that the bill has been in effect, the individual provides an electronic signature.
- States must ensure that an individual is registered to vote if the person submits a valid online voter registration application no later than the lesser of 28 days, or the period provided by state law, prior to the election.

Availability of Telephone System

- ~~• In addition to online registration, states must provide an automated telephone-based system that provides the same services as the online registration system.~~

Accessibility of Services

- A state shall ensure that the services made available under this section are made available to individuals with disabilities to the same extent as services are made available to all other individuals.

Signature Requirements

- An individual meets the signature requirements if:
 - the individual consents to the transfer of an electronic signature on file with a state agency required to provide voter registration services, including the state motor vehicle authority;
 - If the above does not apply, the individual submits an electronic copy of the handwritten signature through electronic means with the application;
 - If neither of the above apply, the individual makes a computerized mark in the signature field of the online application, in accordance with reasonable security measures established by the state, and only if the state accepts the mark.
- If an individual is unable to meet any of the above signature requirements, the state must ensure the individual is registered to vote if the individual completes all other elements of the online application and provides a signature at the time the individual requests a ballot (whether by mail or at a polling place).
- The state must ensure that individual applying to register online are notified of the signature requirements and the options for those unable to meet those requirements.

Security Measures

- The state must establish appropriate security measures to prevent, to the greatest extent practicable, unauthorized access to the registration information submitted online.

Notices

- The appropriate election official must ~~send~~ provide an individual with notice confirming receipt of a completed online application and instructions on checking the status of the application. The confirmation of receipt must be ~~sent by mail~~ provided through the online submission process; by email (if the individual has provided an email address); and by text message, at the option of the individual.
- The appropriate election official must ~~send~~ provide the individual with a notice of disposition no later than 7 days after the application has been accepted or rejected. The disposition notice must be ~~sent~~ provided by mail; by email (if the individual has provided an email address); and by text message, at the option of the individual.

HAVA Identification Requirement

- Individuals who register to vote online and have not voted in a federal election must comply with the applicable identification requirements under HAVA and, with certain exceptions (see p. 24), must provide a handwritten signature.

Updating Online Voter Registration Information

- The appropriate state or local election official must ensure that any registered voter may update the voter's registration information online, including the voter's address and email address. A voter must attest to the update by providing an electronic signature. The election official must send the individual a notice confirming receipt of the application with instructions on checking the status of the update. The election official must also send a notice of disposition no later than 7 days after the update has been accepted or rejected. The notices must be sent by mail, and by email if requested by the individual.
- If updated registration information affects a voter's eligibility to vote in an upcoming federal election, the appropriate election official must ensure that the information is processed with respect to that election if the voter updates the information no later than the lesser of 7 days, or the period provided by state law, prior to the election.
- A notice sent by election officials under NVRA to confirm a registered voter's change of address must indicate that the voter may update their registration information online as a way to confirm that voter did not move or moved within the jurisdiction.

Collection of Email Addresses

- Requires that the National Mail Voter Registration Form include a space for an email address (at the applicant's option), along with a statement that if the applicant's so requests, election officials will send the same voter registration and voting information that would be sent by mail to that email address. The state election official must ensure that any email addresses provided are used only for the purpose of official election duties.
- If an email address is provided on the mail registration form for the purpose of receiving voting information, election officials must send the voter an email no later than 7 days before an election notifying the voter how they can obtain, through electronic means, the name, address, and hours of the voter's polling place, and information on identification requirements.

Clarification on Information to Show Eligibility

- For the purpose of meeting NVRA deadlines for submitting a voter registration application, a state must consider an application as valid if the applicant substantially completes the application attests to the required statement, and, if the application is submitted online, provides a signature in accordance with applicable requirements.

Prohibiting requiring applicants to provide more than last 4 of SSN

- The National Mail Voter Registration Form, and voter registration applications provided through the department of motor vehicles, may not require applicants to provide more than the last 4 digits of the SSN.

Report on Data Collection

- ~~No later than 1 year after enactment, the DOJ must submit a report to Congress on local, state, and federal personally identifiable information data collection efforts, the cybersecurity resources necessary to defend the efforts from online attacks, and the impact of a potential data breach on local, state, or federal online voter registration systems.~~

Voter Registration Application as Application for Absentee Ballot

- ~~At the option of the application, a voter registration application through the state department of motor vehicles must serve as an application to vote by absentee ballot in the next federal election and each subsequent federal election.~~

Application to Exempt States

- The following provisions of the bill apply to states that are exempt from NVRA because of same day registration:
 - provisions regarding requirements to provide online registration
 - provision requiring acceptance of an online registration submitted at least 28 days before the election
 - provision extending NVRA requirement to inform applicants of eligibility and requirements, as it pertains to online registration
 - provision regarding acceptance of a valid voter registration form if the application is substantially completed (as it pertains to online registration) and provides a signature in accordance with the online registration requirements.

Effective Date

- The voter registration modernization provisions would take effect on January 1, 2022. Subject to the approval of the EAC, if a state certifies to the EAC that it will not meet the effective date because of extraordinary circumstances, and includes the reasons for failing to meet the deadline, the state will have until January 1 2024 to comply with the provisions.

2. Automatic Voter Registration

Automatic Voter Registration Requirements

- Each chief state election official must implement an automatic registration system. The term “automatic registration” means a system that registers eligible individuals to vote in federal elections by electronically transferring voter registration information from government agencies to the state election official so that an individual will be registered to vote, unless the individual affirmatively declines.

Contributing Agencies

- Each chief state election official must publish on the public website of the official an updated listing of all contributing agencies in the state no later than 180 days before each election.
- The following agencies in each state must be treated as a contributing agency:
 - each agency that is required by federal law to provide voter registration services, including the state motor vehicle authority and other voter registration agencies NVRA;
 - each agency that administers a program under applicable sections of the Social Security Act or the Patient Protection and Affordable Care Act;

- each agency primarily responsible for regulating the private possession of firearms;
- each state agency primarily responsible for maintaining identifying information for students enrolled at public secondary schools, including, where applicable, the agency responsible for maintaining the education data system described in the America COMPETES Act
- in the case of a state in which an individual disenfranchised by a criminal conviction may become eligible to vote upon completion of a criminal sentence or any part thereof, or upon formal restoration of rights, the state agency responsible for administering that sentence, or part thereof, or restoration of rights;
- other agency designated by the state as a contributing agency
- The following federal agencies must be treated as a contributing agency with respect to individuals who are residents of that state:
 - the Social Security Administration, the Department of Veterans Affairs, the Defense Manpower Data Center of the Department of Defense, the Employee and Training Administration of the Department of Labor, and the Center for Medicare & Medicaid Services of the Department of Health and Human Services;
 - the Bureau of Citizenship and Immigration Services, but only with respect to individuals who have completed the naturalization process;
 - in the case of an individual who is a resident of a state in which an individual disenfranchised by a criminal conviction under federal law may become eligible to vote upon completion of a criminal sentence or any part thereof, or upon formal restoration of rights, the federal agency responsible for administering that sentence or part thereof (without regard to whether the agency is located in the same state in which the individual is a resident), but only with respect to individuals who have completed the criminal sentence or any part thereof;
 - any other agency of the federal government which the state designates as a contributing agency, but only if the state and the head of the agency determine that the agency collects information sufficient to carry out the responsibilities of a contributing agency.
- Amends the Social Security Act to permit State Medicaid Agencies to share information with election officials for voter registration purposes.

Institutions of Higher Education

- Each covered institution of higher education must be treated as a contributing agency in the state where it is located with respect in-state students, and must comply with the provisions regarding automatic registration based on new agency records.
- An institution of higher education may use information provided in the Free Application for Federal Student Aid to collect information for transmitting to state election officials.
- A covered institution of higher education is one that has a program participation agreement in effect with the Secretary of Education ~~requests in its normal course of operations that each in-state student enrolling in the institution affirms whether or not they are a U.S. citizen;~~ and is located in a state that is not exempt from NVRA.
- These requirements may not be construed to require an institution to request each student to affirm whether or not the student is a U.S. citizen or collect information with respect to citizenship.

Contributing Agencies Collaboration with State

- Each state and federal agency and institution of higher education required to be treated as a contributing agency in a state must assist the chief state election officials in registering to vote all eligible individuals served by that agency.
- Each chief state election official must in collaboration with each contributing agency take appropriate measures to educate the public about the automatic voter registration procedures.

Contributing Agency Assistance

- Each contributing agency (other than an agency under Title XIX of the Social Security Act), or covered institution of higher education, that requests that individuals affirm US citizenship with each application for service or assistance (or other specified transaction) must inform each individual of the following:
 - that the individual will be registered to vote (or registration updated) unless the individual declines or is found ineligible;
 - the substantive qualifications for an elector based on the national mail registration form, the consequences of false registration, and that the individual should decline to register if the individual does not meet all the qualifications;
 - where applicable, the requirement that the individual must affiliate or enroll with a political party in order to participate in the election;
 - that voter registration is voluntary and neither registering or declining to register will affect the availability of services or benefits.
- Except as otherwise provided, each contributing agency must ensure that no application for service or assistance (or other specified transaction), can be completed until the individual is given the opportunity to decline to be registered to vote.

Transmittal of Information from Contributing Agency

- Upon expiration of the 30-day period beginning on the date the contributing agency informs the individual, each contributing agency must transmit to the state, unless the individual declines registration or informs the agency that they are already registered to vote, the following data in a format compatible with the state voter registration database:
 - the individual's name, date of birth, and residential address;
 - information confirming US citizenship;
 - the date the individual's information was collected;
 - the individual's signature in electronic form (if available)
 - except in the case of a contributing agency that is an institution of higher education, if the state requires party affiliation or enrollment to select the party's candidate in a federal election, information regarding the individual's affiliation or enrollment with a political party (only if provided by the individual)
 - and additional information listed in the national mail voter registration form
- Each contributing agency ~~that in the normal course of operations does not request individuals apply for service or assistance (or other specified transaction) to confirm US citizenship~~ must complete the relevant NVRA requirements regarding the mail registration form and ensure each applicant's transaction cannot be completed until the applicant indicates whether the applicant wishes to register or declines to register. If the individual registers the information must be transmitted in accordance with the above provisions. A contributing agency for purposes of this provision is:

- any contributing agency (other than a covered institution of higher education) that in the normal course of operations does not request individuals applying for services or assistance to affirm US citizenship
- an agency under Title XIX of the Social Security Act
- Each contributing agency must offer each individual with each application for service or assistance (or other specified transaction) the opportunity to register as provided above regardless of whether the individual previously declined a registration opportunity.
- No later than 15 days after a contributing agency has transmitted the relevant information, the state election official must ensure the individual is registered to vote and not later than 120 days after a contributing agency has transmitted such information with respect to the individual, send written notice to the individual of the individual's registration status.

Registration Based on Existing Contributing Agency Records

- Each contributing agency must transmit to the state election official no later than the effective date the relevant information for each individual listed in the agency's existing records as of the date of enactment. The agency must transmit information for individuals listed in the records as of the effective date but not the date of enactment no later than 6 months after the effective date.
- After a contributing agency transfers the information on individuals in its existing records to the state, each state election official must identify all individuals who are eligible to be, but are not currently registered to vote and send each of the individuals a written notice that informs the individual of the following:
 - that voter registration is voluntary but if the individual does not decline registration the individual will be registered;
 - a statement offering the opportunity to decline registration;
 - the substantive qualifications for an elector based on the national mail registration form, and a statement that the individual should decline to register if the individual does not meet all the qualifications;
 - where applicable, the requirement that the individual must affiliate or enroll with a political party in order to participate in the election;
 - instructions for correcting any erroneous information;
 - instructions for providing any additional information listed in the national mail registration form.
 - ~~an explanation of what information state and local election officials maintain with respect to an individual voter registration status, how the information is shared or sold, what is automatically kept confidential, what is needed to access voter information online, and what privacy programs are available.~~
- Each state election official must ensure that each such eligible individual is registered to vote no later than 45 days after sending the official sending the above notice, unless during the 30-day period beginning on the date the notice is sent the individual declines registration in writing, through internet communication, or officially logged telephone communication. Each state election official must also send written notice to each such individual of the individual's voter registration status.
- States may not refuse to treat an individual as eligible because the individual is less than 18 at the time a contributing agency receives information with respect to the individual as long as the individual is at least 16 years of age.

Voter Protection and Security

- An individual must not be prosecuted under federal or state law or adversely affected in legal proceedings concerning immigration status or citizenship based on certain errors in automatic registration process or because the individual declined voter registration or did not make an affirmation of citizenship. Declining voter registration or not affirming citizenship may not be used as evidence against an individual in any law enforcement proceeding. Legal actions based on certain actions or statements made knowingly and willfully are not restricted.
- Contributing agencies are not authorized to collect, retain, transmit, or publicly disclose an individual's decision to decline voter registration, a decision not to affirm citizenship, or any of the information transmitted to the state, except in the ordinary course of business.
- States are restricted from publicly disclosing certain information received from a contributing including any portion of the individual's SSN or driver's license number, signature, and, except where the individual is registered based on the information from a contributing agency, the individual's telephone number and email.
- States must maintain and make publicly available, including in electronic form and through electronic methods, all records of changes to voter records, including removals, the reasons for removals, and updates, for 2 years.

NIST Database Management Standards

- NIST must establish and publish standards governing comparison of data for voter registration and list maintenance purposes that address specific criteria, including specific data elements, matching rules, use of data to determine ineligibility and determining a record to be a duplicate or outdated. The standards must be published not later than 45 days after the deadline for public notice and comment.

NIST Privacy and Security Standards

- NIST must develop and publish privacy and security standards that require the chief state election official to adopt a policy that specifies each class of users with access to the statewide voter registration list and associated permissions and levels of access, sets forth safeguards to protect the privacy, security and accuracy of the list, and specifies safeguards to protect personal information transmitted through the automatic registration procedures. The standards must be published not later than 45 days after the deadline for public notice and comment.
- The CEO of each state must annually file a certification with NIST that the state is in compliance with the privacy and security standards for voter registration. No state may receive payments pertaining to this part of the bill if the certification is not timely filed. If a state requires changes in state law to implement the NIST standards the state may make the certification for no more than 2 years and must submit an addition certification once legislation is enacted.
- Each state election official must publish the privacy and security standards online and make available in written form.
- Prohibits discrimination against an individual based on voter registration records, declination to register or affirm citizenship under automatic registration procedures, or voter registration status, and prohibits unauthorized use of that information.

Prohibition on Use of Information for Commercial Purposes

- Prohibits use of voter registration information collected under the automatic voter registration provisions for commercial purposes. Does not prohibit transmission, exchange, or dissemination for political purposes.

Registration Portability and Correction

- If an individual is registered for an election the election officials at the polling place must permit the individual to update the individual's address, correct any incorrect information, and cast a ballot based on the update or correct information that is treated as a regular ballot and not provisional.
- Polling place officials must ensure that any updated or corrected information is promptly entered into the state voter registration system.

Payments and Grants

- Authorizes a total of \$500 million for FY 2021 and such sums as necessary for succeeding years for the EAC to make grants to states to assist in implementing the automatic voter registration provisions, or, for exempt states, implementing the existing automatic voter registration program.
- An exempt state is one that already operates an automatic voter registration program. Exempt states must still comply with certain provisions (see section below on exempt states)
- To receive a grant states must submit to the EAC an application containing a description of the activities that will be carried out with the grant, assurances that the activities will be carried out without partisan bias, and any other information required by the EAC.
- The EAC must determine the grant amounts made to an eligible state, giving priority to funds for activities most likely to accelerate compliance with the requirements, including investments supporting electronic information transfer between contributing agencies and the state, updates to online voter registration systems, introduction of online voter registration systems, and public education on new methods of voter registration, and updating or correcting voter registration.

Miscellaneous Provisions

- Contributing agencies must ensure services are provided to individuals with disabilities to the same extent as other individuals. Services must be made in a nonpartisan and nondiscriminatory manner and comply with applicable laws.
- Contributing agencies are not prohibited from contracting with a third party to assist the agency in meeting information transmittal requirements, provided applicable requirements are met.
- States may send required notices via email if the individual has provided an email and consented to email communications for election materials.
- NVRA provision regarding civil enforcement and private right of action apply to these provisions.

Exempt States

- The automatic voter registration provisions do not apply to an exempt state, except for the provisions relating to registration portability and correction, payments and grants, enforcement, and relation to other laws.
- A state is exempt if it has an automatic voter registration program as defined under the Act (see below) in effect on the date of enactment ~~in which an individual is automatically registered to vote if the individual provides at the motor vehicle authority of the state (or, in the case of a state in which an individual is automatically registered to vote at the time the individual applies for benefits or services with or a Permanent Dividend Fund of the state, provides the appropriate official of such Fund) with any identifying information that the state requires.~~ under which an individual is provided the opportunity to decline registration during the transaction, or by way of a notice sent by mail or email after the transaction.
- The Act defines an automatic registration system as a system that registers an individual to vote, if eligible, by electronically transferring the information necessary for registration from government agencies to

election officials of the state so that, unless the individual affirmatively declines to be registered, the individual will be registered to vote.

Effective Date

- The automatic voter registration requirements apply with respect to a state beginning January 1, 2023.
- A state may seek a waiver from the EAC to have until January 1 2025 if it certifies to the EAC that it will not meet the deadline because of extraordinary circumstances and includes the reasons for failing to meet the deadline.

3. Same Day Voter Registration

Same Day Registration Availability

- On the day of a federal election, and on any day when voting, including early voting, is permitted for a federal election, each state must permit any eligible voter to register to vote in the election at the polling place using a form that meets the requirements of NVRA, or revise information if already registered, and cast a vote in the election. This requirement does not apply to a state in which there is no voter registration requirement with respect to elections for federal office.
- ~~• Each state must ensure that each polling place has copies of any forms an individual may be required to complete in order to register to vote or revise voter registration information.~~

Effective Date

- Each state must comply with this requirement beginning with the general election for federal office in November 2022.

4. Conditions on Removal on Basis of Interstate Cross Check

Conditions on Removal of Registrants from List of Eligible Voters on Basis of Interstate Cross-Checks

- To the extent that the program carried out by a state under NVRA to systematically remove the names of ineligible voters from the official lists of eligible voters uses information obtained in an interstate crosscheck, in addition to any other conditions imposed under the Act on the authority of the state to remove the name of the voter from such a list, the state may not remove the name of the voter from the list unless:
 - the state obtained the voter's full name (including the voter's middle name, if any) and date of birth, and the last 4 digits of the voter's SSN, in the interstate cross-check; or
 - the state obtained documentation from the ERIC system that the voter is no longer a resident of the state
- NVRA is amended to require completion of cross-checks no later than 6 months prior to the election.

Effective Date

- The above provisions apply with respect to elections held on or after the expiration of the 6-month period beginning on the date of enactment.

5. Other Initiatives to Promote Voter Registration

~~Annual~~ Biennial Report on Voter Registration Statistics

- No later than 90 days after the end of each even-numbered year, each state must submit to the EAC ~~and Congress~~ a report containing the following categories of information for the year:

- the number of individuals who were registered under the automatic registration requirements of the Act;
 - the number of voter registration application forms completed by individuals that were transmitted by motor vehicle authorities and voter registration agencies to the chief state election official of the, broken down by each such authority and agency;
 - the number of individuals whose voter registration application forms were accepted and who were registered to vote and the number whose forms were rejected and who were not registered to vote, broken down by each such authority and agency;
 - the number of changes of address forms and other forms indicating that an individual's identifying information has been changed that were transmitted by motor vehicle authorities and voter registration agencies to the chief state election official, broken down by each such authority and agency and the type of form transmitted;
 - the number of individuals on the state voter registration list whose voter registration information was revised by the chief state election official as a result of the forms transmitted by motor vehicle authorities and voter registration agencies broken down by each such authority and agency and the type of form transmitted;
 - the number of individuals who requested the chief state election official to revise voter registration information on the list, and the number of individuals whose information was revised as a result of the request.
 - ~~○ the number of individuals purged from the official voter registration list or moved to inactive status, broken down by reason for those actions.~~
- In preparing the above report, the state must, for each category of information, include a breakdown by race, ethnicity, age, and gender of the individuals whose information is included in the category, to the extent that information is available to the state.
 - No later than 10 days after receiving the report, the EAC must transmit the report to Congress.
 - Expresses the Sense of Congress that the EAC should use the information submitted in the above report as part of the state's participation in the EAVS survey.

Ensuring Pre-Election Registration Deadline Consistency with Legal Public Holidays

- Changes the deadlines for submitting a voter registration application under Section 8(a)(1) of NVRA from 30 days to 28 days.
- The above change goes into effect beginning with the 2022 election.

USPS Change of Address Forms to Remind Voters to Update Registration

- Requires that no later than 1 year after enactment USPS modifies hard copy change of address forms to contain a reminder to update voter registration. Requirement does not apply to electronic versions of the form.

Grants to Encourage Involvement of Minors in Election Activities

- Requires the EAC to make grants to states to carry out a plan to increase the involvement of individuals under 18 in public election activities.
- States requesting a grant must submit a plan that includes methods to promote the use of ~~the NVRA~~ pre-registration process (as amended by the Act); civic engagement modifications to secondary school curriculums; and other activities to encourage involvement of young people in the electoral process.

- Authorizes \$25 million in grants for the program. The funds must be used over a 2-year period, after which states must submit a report to the EAC on efforts carried out using the funds.

Permission for Voter Registration Exhibits at Naturalization Ceremonies

- ~~DHS must implement procedures to allow the chief election officer of a state to provide information about voter registration, including through a display or exhibit, after the conclusion of a naturalization ceremony in the state.~~

Voter Privacy Programs

- ~~Requires states to establish and operate a privacy program to enable victims of domestic violence, dating violence, stalking, sexual assault, and trafficking to have personally identifiable voter registration information, including addresses, be kept confidential.~~
- ~~Each state must notify state residents of the information that state and local election officials maintain with respect to voter registration status; how that information is shared or sold and with whom, what information is automatically kept confidential, what information is needed to access voter information online, and the privacy programs that are available.~~
- ~~Each state must make information about the program established on a publicly accessible website~~

Inclusion of Voter Registration Information with Certain Leases and Vouchers

- ~~Requires the Bureau of Consumer and Financial Protection in coordination with the EAC to develop a uniform statement designed to provide recipients with information on how to register to vote and their voting rights.~~
- ~~Requires the Secretary of Housing and Urban Development to require each public housing agency to provide a copy of the uniform statement to each lessee of a dwelling unit in public housing administered by the agency.~~
- ~~Requires each public housing agency that administers rental assistance under the Housing Choice Voucher program to provide a copy of the uniform statement to each assisted family or individual.~~
- ~~Requires each owner of a dwelling unit assisted with federal project based rental assistance to provide a copy of the uniform statement to the lessee of each dwelling unit.~~
- ~~Requires the Director of the Bureau of Consumer Financial Protection to require each creditor that receives an application for a residential mortgage loan to provide a copy of the uniform statement to the applicant within 5 business days of the date of application.~~

6. Prohibiting Interference with Voter Registration

Prohibiting Hindering, Interfering With, or Preventing Voter Registration

- No person may corruptly hinder, interfere with, or prevent another person from registering to vote or to corruptly hinder, interfere with, or prevent another person from aiding another person in registering to vote, including by operating a polling place or ballot box that falsely purports to be an official location established for an election by a unit of government. Any person who attempts to commit these offenses will be subject to the same penalties.
- Any person who violates this provision will be fined, imprisoned not more than 5 years, or both.

Effective Date

- The above provision applies with respect to election on or after the date of enactment.

EAC Best Practices

- No later than 180 days after date of the enactment, the EAC must develop and publish recommendations for best practices for states to use to deter and prevent violations relating to the above provisions, and section 12 of NVREA (concerning unlawful interference with registering to vote and voting) including practices to provide for the posting of relevant information at polling places and voter registration agencies for the training of poll workers and election officials, and relevant educational materials.

HAVA Voting Information Requirement

- Voting information posted by election officials on Election Day under HAVA must include information relating to the prohibitions above and in NVRA against interfering with voting and voter registration, including information on how individuals may report allegations of violations.

7. Voter Registration Efficiency Act

Requirement for Driver's License Applicants in New State

- Requires driver's license applicants to indicate if the individual resides or resided in another state prior to applying for the license, and if so, identify the state involved and indicate whether the individual intends for the state to serve as the individual's voting residence. If the individual indicated the intent for the state to serve as the individual's residence for voting purposes, the motor vehicle authority must notify the previous state of residence.
- The above requirements are effective beginning with election occurring in 2021.

8. Voter Registration Information to Secondary School Students

Pilot Program for Providing Voter Registration Information to Students

- Requires the EAC to carry out a pilot program to provide funds during the one-year period after the date of the enactment to eligible local educational agencies for initiatives to provide information on registering to vote in elections for public office to secondary school students in the 12th grade.
- A local educational agency is eligible to receive funds if the agency submits an application to the EAC that includes a description of the initiatives the agency intends to carry out with the funds; a ~~description of how the agency will prioritize access to initiatives for schools that serve the highest numbers of students and the higher percentage of students eligible for free or reduced-price lunch;~~ an estimate of the costs associated with the initiatives; and other information and assurances the EAC may require.
- ~~In selecting among eligible local educational agencies for the program, the EAC must give priority to local education agencies that receive funds under Part A of Title I of the Elementary and Secondary Education Act.~~
- A local educational agency receiving funds under the program must consult with state and local election officials in developing the initiatives the agency will carry out with the funds.
- Local education agencies must submit a report to the EAC on the initiatives carried out with the funds and the EAC must submit a report to Congress on the pilot program.
- Authorizes such sums as may be necessary for the pilot program.

9. Voter Registration of Minors

Acceptance of Voter Registration Applications from Individuals Under 18

- Prohibits states from refusing to accept a voter registration application on the grounds the individual is under 18 years of age at the time the application is submitted so long as the individual is at least 16 at that time. Does not require states to permit an individual 18 to vote in the election.
- The above requirement is effective with respect to elections occurring on or after January 1, 2022.

10. Availability of HAVA Requirements Payments

Use of Requirements Payments for Implementation

- Beginning FY 2022 and each succeeding year, a state may use a requirements payment to carry out any of the requirements of the Voter Registration Modernization Act including the requirements of NVRA which are imposed by the Voter Registration Modernization Act.

B. Access to Voting for Individuals with Disabilities

Absentee Voting Availability for Individuals with Disabilities

- Each state must ensure that absentee registration forms, absentee ballot applications, and absentee ballots that are available electronically are accessible; permit individuals with disabilities to use absentee registration procedures and vote by absentee ballot in federal elections; and must accept and process any otherwise valid voter registration application and absentee ballot application received by the appropriate state election official no less than 30 days before the election.

Procedures for Absentee Ballot Requests by Mail or Electronically

- States must establish procedures that allow individuals with disabilities to request voter registration applications and absentee ballot applications by mail or electronically for federal elections. The procedures must include a means for the voter to designate whether the voter wants to receive the application by mail or electronically. The state must transmit the voter registration application or absentee ballot application based on the preference selected by the voter. If the voter does not indicate a preference, the application must be delivered in accordance with state law. In the absence of any relevant state law, the application must be delivered by mail.

Procedures for Blank Ballot Delivery by Mail or Electronically

- States must establish procedures for security transmitting blank absentee ballots by mail and electronically to individuals with disabilities. The procedures must include a means for the voter to designate whether the voter wants to receive the blank ballot by mail or electronically. The state must transmit the ballot based on the preference selected by the voter. If the voter does not indicate a preference, the ballot must be delivered in accordance with state law. In the absence of any relevant state law, the ballot must be delivered by mail.
- Specifies that the language may not be construed to allow a voter's ballot selections to be transmitted over the internet or to allow for the electronic submission of a marked ballot.

Tracking Measures for Absentee Ballots

- States must apply such methods as the state considers appropriate, such as assigning a unique identifier to the ballot, to ensure that if an individual with a disability requests the state to transmit a blank absentee ballot to the individual, the voted absentee ballot which is returned is the same blank absentee ballot which the state transmitted to the individual.

Absentee Ballot Transmission Time

- Absentee ballots must be sent at least 45 days before the election to any individual with a disability who has submitted a request by that date. If the request is received less than 45 days before the

election, the ballot may be sent in accordance with state law and, if practicable, in an expedited manner.

- If a state declares or otherwise holds a runoff election, the state must establish a written plan that provides absentee ballots to individuals with disabilities in a manner that gives them sufficient time to vote.

Designation of Single Office for Absentee Voting Information

- Each state must designate a single office that is responsible for providing information regarding voter registration procedures; ~~and~~ absentee ballot procedures; and in-person voting procedures to be used by individuals with disabilities with respect to federal elections.
- Through the designated single office, each state must:
 - provide information to election officials on how to set up and operate accessible voting systems, including guidance on compatibility with assistive technologies such as screen readers and ballot marking devices.
 - integrate information on accessibility, accommodations, disability, and older individuals into regular training materials for poll workers and election administration officials
 - train poll workers on how to make polling places accessible for individuals with disabilities and older individuals
 - promote the hiring of individuals with disabilities and older individuals as poll workers and election staff
 - publicly post the results of any audits to determine the accessibility of polling places no later than 6 months after the completion of the audit

Designation of Electronic Communication Methods

- Each state must designate at least one means of electronic communication for the following purposes: for use by individuals with disabilities to request voter registration applications and absentee ballot applications; for use by the states to send voter registration and absentee ballot applications to individuals with disabilities; and for providing individuals with disabilities with election and voting information.
- In addition to the means of electronic communication designated by the state, the state may provide multiple means of electronic communication to individuals with disabilities, including a means of electronic communication for jurisdictions within the state.
- The state must include the designated means of electronic communication on all information and instructional materials that accompany balloting materials sent by the state to individuals with disabilities voters.

Transmission Time Waiver for Undue Hardship

- A state may request a waiver from the 45-day transit time provision if the chief state election official determines that the state cannot meet the requirements due to undue hardship. The undue hardship must be one of the following: the date of the state primary; a delay in generating ballots due to a legal contest; or provision in the state constitution that prohibit the state from complying with the time frame requirements. The waiver request must include: a recognition that the purpose of the 45-day transit time is to allow individuals with disabilities enough time to vote in federal elections; an explanation of why the state cannot meet the requirement; the number of days prior to federal elections that the state requires absentee ballots be sent to such individuals; and a comprehensive

plan to ensure that such individuals are able to receive and submit an absentee ballot in time for it to be counted.

- A written waiver request must be submitted to the Attorney General no later than 90 days before the election. The Attorney General must grant the waiver request if the comprehensive plan is deemed sufficient and the Attorney General determines that an undue hardship exists. The Attorney General must approve or deny a waiver request no later than 65 days before the Election.
- If a state requests a waiver based on a delay in generating ballots due to a legal contest, the request must be submitted as soon as practicable. The Attorney General must approve or deny the request no later than 5 days after the waiver request is received.
- If a waiver request is granted, it is valid only for the election for which the request was submitted.

Effective Date

- The above provisions regarding absentee voting by individuals with disabilities apply with respect to elections held on or after January 1, 2022.

Establishment and Maintenance of State Accessible Election Websites

- Requires each state to establish a single website that is accessible and meets the following requirements:
 - provides local election officials, poll workers, and volunteers with guidance to ensure that polling places are accessible for individuals with disabilities and older individuals
 - provides online training and resources on:
 - how best to promote the access and participation of individuals with disabilities and older individuals in elections,
 - the voting rights and protections for individuals with disabilities and older individuals under state and federal law
 - provides information about voting, including:
 - the accessibility of all polling places within the state, including outreach programs to inform individuals about the availability of accessible polling places
 - how to register to vote and confirm voter registration in the state
 - the location and operating hours of all polling places in the state;
 - the availability of aid or assistance for individuals with disabilities and older individuals to cast their vote
 - the availability of transportation aid or assistance to the polling place for individuals with disabilities or older individuals
 - the rights and protections under state and Federal law for individuals with disabilities and older individuals to participate in elections
 - how to contact State, local, and federal officials with complaints or grievances if individuals with disabilities, older individuals, Native Americans, Alaska Natives, and individuals with limited proficiency in the English language feel their ability to register to vote or vote has been blocked or delayed
- Requires the chief state election official, working through a Committee of appropriate individuals (see below), to:
 - partner with an outside technical organization with experience in establishing accessible election websites to develop an accessible election website that complies with the bill or update an existing election website to comply with the bill
 - develop a state plan to describe how state and local government will meet the provisions in the bill regarding the state accessible election website

- partner with at least two of the following organizations to monitor and verify the accessibility, completeness, and accuracy of the election website:
 - University Centers for Excellence in Developmental Disabilities Education, Research, and Services
 - Centers for Independent Living
 - A State Council on Developmental Disabilities
 - State protection and advocacy systems as
 - Statewide Independent Living
 - State Assistive Technology Act Programs.
 - A visual access advocacy organization.
 - An organization for the deaf
 - A mental health organization.
- The Committee of appropriate individuals must include chief election officials from jurisdiction within the state, representatives from disability advocacy groups, representatives from older individual advocacy groups; representatives from organizations with expertise in accessible websites; representatives from voting rights organizations; and representatives from state protection and advocacy systems
- The above provisions apply beginning January 1, 2022

Protections for In-Person Voting for Individuals with Disabilities and Older Individuals

- Requires each state to ensure all polling places within the state are accessible; consider procedures to address long wait times at polling places that allow individuals with disabilities and older individuals alternate options to cast a ballot in person; and consider options to establish 'mobile polling sites' to allow election officials or volunteers to travel to long-term care facilities and assist residents who request assistance in casting a ballot
- The above provision takes effect beginning with elections after January 1, 2024

Protections for Individuals Subject to Guardianship

- States are prohibited from determining that an individual lacks the capacity to vote in an election for on the ground that the individual is subject to guardianship, unless a court of competent jurisdiction issues a court order finding by clear and convincing evidence that the individual cannot communicate, with or without accommodations, a desire to participate in the voting process.
- The above provision applies beginning with elections after January 1, 2022

Expansion and Reauthorization of HHS Grant Program

- Reauthorizes the HHS grant program under HAVA for assuring access to individuals with disabilities is reauthorized for FY2022, and each succeeding year, with such sums as may be necessary to carry out the program.
- The HHS grants may be used for making absentee voting and voting at home accessible to individuals with disabilities; make polling places more accessible to individuals with disabilities; and providing solutions to problems of access to voting and elections for individuals with disabilities.
- Any amounts appropriated for the HHS grant program for FY 2022 or succeeding years which have not been obligated or expended by the state or local government prior to the 4-year expiration period must be transferred to the EAC. The EAC must reallocate the funds to state or local governments that expended all funds previously received.

Appointments to EAC Board of Advisors

- Expands the membership of the Board of Advisors to include:
 - 2 members appointed by the National Council on Disability
 - 2 members appointed by the Assistant Secretary of Health and Human Services for Aging
 - 4 members from organizations, whose executive leadership team consists of fifty-one percent of individuals with disabilities, representing the interests of voters with disabilities, of whom:
 - 2 must be appointed by the House Committee on Education and Labor, with 1 appointed by the chair and 1 appointed by the ranking minority member; and
 - 2 members appointed by the Senate Committee on Health, Education, Labor, and Pensions of the Senate, with 1 appointed by the chair and 1 appointed by the ranking minority member
 - 4 members from organizations representing the interests of older voters, of whom:
 - 2 must be appointed by the House Committee on Education and Labor, with 1 appointed by the chair and 1 appointed by the ranking minority member; and
 - 2 members appointed by the Special Committee on Aging of the Senate, with 1 appointed by the chair and 1 appointed by the ranking minority member
- The above provision takes effect January 1, 2022

Protection and Advocacy System Funding for the American Indian Consortium

- Authorizes payments of no less than \$70,000 to protection and advocacy systems serving the American Indian Consortium.
- ~~The above provision takes affect at the start of the first fiscal year after enactment.~~

Pilot Program for Individuals with Disabilities to Register to Vote at Residences.

- Requires the EAC (subject to the availability of appropriations) to make grants to states to conduct pilot programs to allow individuals with disabilities to use electronic means (including the Internet and telephones utilizing assistive devices) to register to vote and to request and receive absentee ballots in a manner which permits the individuals to do so privately and independently at their own residences.
- States must apply to the EAC to receive a pilot program grant. States receiving a grant must submit a report to the EAC on the pilot programs carried out with the grant with respect to elections during that year.
- The EAC must make the first grants available for pilot programs in effect for the 2022 election.

GAO Report on Voting Access for Individuals with Disabilities

- Requires GAO to conduct an analysis after each election that covers the following topics
 - polling places located in houses of worship or other facilities that may be exempt from accessibility requirements under the ADA, including efforts to overcome accessibility challenges posed by the facilities and the extent to which the facilities are used as polling places;
 - assistance provided by the EAC, DOJ, and other federal agencies to help election officials improve voting access for individuals with disabilities;
 - the extent to which accessible voting machines at a polling place are located in places that are difficult to access; malfunction; or fail to provide sufficient privacy to ensure that the ballot of the individual cannot be seen by another individual.
 - the process by which federal, state, and local governments track compliance with accessibility requirements related to voting access;
 - the extent to which poll workers receive training on how to assist individuals with disabilities;

- the extent and effectiveness of training provided to poll workers on the operation of accessible voting machines;
- the to which individuals with a developmental or psychiatric disability experience greater barriers to voting, and whether poll worker training adequately addresses the needs of such individuals;
- the extent to which state or local governments employ, or attempt to employ, individuals with disabilities to work at polling sites.
- GAO must submit report a report to Congress after each election that contains the above analysis and recommendations to promote the use of best practices used by state and local officials to address barriers to accessibility and privacy concerns for individuals with disabilities in elections.

C. Prohibiting Voter Caging

- The term “Voter Caging Document” means a non-forwardable document, sent to a registered voter or applicant and returned to the sender or a third party as undeliverable, or, any document, sent to a registered voter or applicant, with instructions to return to the sender but not returned, despite an attempt to deliver the document to a registered voter or applicant, unless at least two Federal election cycles have passed.
- The term “voter caging list” means a list of individuals compiled from voter caging documents.
- The term “unverified match list” means any list produced by matching the information of registered voters or applicants to a list of individuals who are ineligible to vote because of death, conviction, change of address, or otherwise, unless one of the pieces of information matched includes a signature, photograph, or unique identifying number ensuring that the information from each source refers to the same individual.

Prohibition Against Voter Caging

- No state or local election official may prevent an individual from registering or voting, or permit a challenge to an individual’s eligibility, based on a voter caging document or list, an unverified match list, an immaterial error or omission on voting materials, or any other evidence designate by the EAC, unless the official has other independent evidence of the individual’s ineligibility to vote.

Challenges by Persons Other Than Election Officials

- No person other than a state or local election official may challenge an individual’s ability to register and vote unless the challenge is supported by personal knowledge of the grounds for ineligibility which is documented in writing and subject to oath or attestation under penalty of perjury that the challenger has a good faith factual belief that the individual is ineligible to register or vote, except a challenge based on age, race, ethnicity, or national origin may not be considered to have a good faith basis.

Prohibition on Challenges On or Near Date of Election

- No person, other than a state or local election official, shall be permitted to challenge an individual’s eligibility to vote in an election for federal office on Election Day, or to challenge an individual’s eligibility to register to vote in an election for federal office or to vote in an election for federal office less than 10 days before the election unless the individual registered to vote less than 20 days before the election.

Penalties

- Anyone who knowingly challenges the eligibility of an individual to register to vote or causes the individual to be challenged in violation of the above provisions with the intent that the voter be disqualified will be fined, imprisoned for up to 1 year, or both.

EAC Best Practices to Prevent Voter Caging

No later than 180 days after the enactment, the EAC must develop and publish recommendations for best practices to deter and prevent violations of voter caging prohibitions, including practices to provide for the posting of relevant information at polling places and voter registration agencies, the training of poll workers and election officials, and relevant educational measures.

D. Prohibiting Deceptive Practices and Preventing Voter Intimidation

False Election Statements

- Prohibits any person within 60 days of an election from communicating, by any means, or producing with the intent to communicate, certain election related information that the person knows to be materially false and with the intent to impede or prevent another person from voting. Information prohibited by this provision includes false information regarding:
 - the time, place, or manner of an election;
 - the qualifications for or restrictions on voter eligibility for an election, including any criminal, civil, ~~or other legal~~ penalties associated with voting, or information regarding a voter's registration status or eligibility.

False Statements Regarding Public Endorsements

- Prohibits any person within 60 days of an election from communicating, by any means, information about an endorsement that the person knows to be materially false and with the intent to impede or person from voting. Information is materially false if it falsely claims that person, political party, or organization has endorsed a specific candidate.

Hindering, Interfering With, or Preventing Registration and Voting

- Prohibits any person from intentionally hindering, interfering with, or preventing another person from voting, registering to vote, or aiding another person to vote or register in an election.
- A violation of the above provision is punishable by a fine of up to \$100,000, 5 years imprisonment, or both.

Private Right of Action

- Authorizes a person aggrieved by a violation of the above provisions to institute a civil action for preventive relief.

Voter Intimidation Penalty

- The penalty for voter intimidation in Title 18 of the U.S. Code (crimes and criminal procedure) is amended to provide for a penalty of up to 5 years imprisonment or a fine of up to \$100,000.

Sentencing Guidelines

- No later than 180 days after enactment of the Act, the US Sentencing Commission must review and if appropriate amend the federal sentencing guidelines applicable to persons convicted of any offense under the above provisions.

Corrective Action

- If the Attorney General receives a credible report that materially false information has been or is being communicated in violation of the above prohibitions against false statements, and the Attorney General determines that state and local election officials have not taken adequate steps to promptly communicate accurate information to correct the materially false information, the Attorney General communicate to the public, by any means, accurate information designed to correct the materially false information. The

communication must be accurate and objective and consist of only the information necessary to correct the false information.

- No later than 180 after the date of enactment of this Act, the Attorney General must publish written procedures and standards for determining when and how corrective action will be taken. The procedures and standards must include appropriate deadlines. The Attorney General must consult with the EAC, state and local election officials, civil right organization, and other stakeholder groups in developing the procedures and standards.

Authorization of Appropriations

- Authorizes to be appropriated to the Attorney General such sums as may be necessary to carry out the above provision.

Reports to Congress

- No later than 180 days after each general election the Attorney General must submit to Congress a report compiling all allegations received by the Attorney General of deceptive practices. Each report must address several criteria, including a description of the allegations, the status of each investigation, and the corrective action taken.
- The report must be made public on the day it is submitted.

E. Democracy Restoration

Voting Rights of Citizens

- Prohibits denying a US citizen in a correctional facility the right to vote in federal elections because the individual has been convicted of a criminal offense, unless the individual is serving a felony sentence at the time of the election.

Enforcement

- A violation may be reported to the chief state election official. If the violation is not corrected within 90 days (or within 20 days if the violation occurred within 120 days before a federal election) the individual may bring a civil action to obtain declaratory or injunctive relief. If the violation occurs within 30 days before a federal election, the individual is not required to give notice to the chief state election official before bringing a civil action.

State Notification Requirements

- On the date that an individual convicted of a felony is either released from custody or sentenced to probation, the state (if a violation of state law) must notify the individual of the right to register and vote.

Federal Notification Requirements

- On the date that an individual convicted of a felony under federal law is sentenced to probation, the Office of Probation and Pretrial Services must notify the individual of the right to register and vote.
- During the 6-month period before an individual convicted of a felony under federal law is released, the Bureau of Prisons must notify the individual of the right to register and vote.
- If an individual is convicted of a misdemeanor under federal, the above notification must be given on the date the individual is sentenced.

Use of Federal Prison Funds

- No state or local government may receive or use federal prison funds to construct or improve a jail or other incarceration facility unless it has implemented a program for notifying incarcerated individuals of their right to register and vote upon release from incarceration.

Effective Date

The above requirements apply to all federal election held after enactment.

F. Promoting Accuracy, Integrity, and Security Through Voter Verified Permanent Paper Ballot

Voter Verified Paper Ballot Requirement

- All voting systems must use voter verified paper ballots that are marked by the voter or a ballot marking device and counted by hand, optical scanner, or other counting device. The voting system must provide the voter with the opportunity to inspect, verify, and correct any errors on the ballot before it is cast and counted.
- The voting system must not preserve the paper ballot in any way that makes it possible after the vote is cast to associate a voter with the record of the voter’s vote without the voter’s consent.
- The voting system must prevent, through mechanical means or through independently verified protections, the modification or addition of vote selections on a printed or marked ballot at any time after the voter has been provided an opportunity to correct errors on the ballot.
- The paper ballots must be preserved and counted by hand in any recount or audit. If there is a discrepancy between the electronic vote tally and the paper ballot hand count tally, the hand count tally will be the correct record of votes cast.
- If any audit, recount, or election contest shows clear and convincing evidence that a sufficient number of paper ballots have been compromised that could change the results of the election, the determination of the appropriate remedy must be made in accordance with state law, except that the electronic tally must not be used as the exclusive basis for determining the official certified result.
- All paper ballots must be printed on durable paper. Paper is durable if it can withstand multiple counts and recounts and still retain the information printed on them for a 22-month retention period.
- All paper ballots completed through a ballot marking device must be clearly readable by the voter without assistance and by an optical character recognition device or other device equipped for individuals with disabilities.

Study and Report on Optimal Ballot Design

- The EAC must conduct a study of the best ways to design ballots, including paper ballots and electronic or digital ballots, to minimize confusion and user errors. The EAC must report to Congress on the study no later than January 1, 2022.

Accessible Voting Machines

- Individuals with disabilities must be given an equivalent opportunity to vote, including privacy and independence, in a manner that produces a voter verified paper ballot as for other voters.
- HAVA voting system requirements for individuals with disabilities may be met through the use of a sufficient number, but at least one, voting system as determined by the EAC for all in-person voting options at each polling place that:
 - is equipped to serve individuals with ~~and without~~ disabilities including nonvisual and enhanced visual accessibility for the blind and visually impaired, and nonmanual and enhanced manual accessibility for the mobility and dexterity impaired;

- allows the voter to privately and independently verify the paper ballot through the accessible presentation of the same printed or marked vote selections that will be used for vote counting and auditing; and
- allows the voter to verify and cast the paper ballot without requiring the voter to manually handle the paper ballot.

Implementation Deadlines

- The voting system requirements apply beginning with elections held in 2022, except that states with voting systems that use a paper record printer attached to a DRE or other voting system that uses or produces a verifiable paper record of the vote may delay implementation of paper ballot voting systems until the 2024 election.
- States that use nontabulating marking devices that automatically deposit the ballot into a privacy sleeve have until 2024 to meet the requirement regarding nonmanual casting of paper ballots for individuals with disabilities.
- Jurisdictions which delay the implementation of paper ballot voting systems until 2024 must provide voters with the opportunity to mark and cast a paper ballot. Election officials must ensure (to the greatest extent practicable) that the waiting period for individuals to cast a paper ballot is the lesser of 30 minutes or the average wait period of a voter who does not use a paper ballot. Any paper ballot cast under these provisions must be treated as a regular ballot for all purposes. Election officials must display prominent notice that paper ballots are available ~~and the notice must take into consideration factors including the linguistic preferences of voters in the jurisdiction.~~ The chief state election official must ensure that polling place election officials are aware of the optional paper ballot requirements.

Study and Report on Accessible Voting Options

- The EAC, in coordination with the Access Board and CISA, must make grants to at least 3 eligible entities to study, test, and develop accessible and secure remote voting systems and voting, verification, and casting devices to enhance the accessibility of voting and verification for individuals with disabilities.
- An entity is eligible to receive a grant if it submits to the EAC an application that certifies that it will complete the activities by January 1, 2024.
- Any technology developed with the grants must be considered non-proprietary and be made publicly available.
- \$10 million is authorized to be appropriated to the National Science Foundation.

G. Provisional Ballots

Statewide Counting of Provisional Ballots

- The appropriate election official of the jurisdiction in which the individual is registered must count each vote on a provisional ballot, regardless of the precinct or polling place at which the provisional ballot was cast within the state.
- Each state must establish uniform and nondiscriminatory standards for the issuance, handling, and counting of provisional ballots.
- The above provisions apply with respect to elections held on or after January 1, 2022.

H. Early Voting

Early Voting Requirement

- Each state must allow individuals to vote in an election during a period of consecutive days (including weekends) beginning 15 days prior to the election (or earlier at the option of the state) in the same manner as voting is allowed on Election Day.
- Each polling place for early voting must allow voting no less than 10 hours on each day and have uniform hours for each day of voting; and allow early voting to be held for some time period of time prior to 9 AM (local time) and some period of time after 5 PM (local time).
- To the greatest extent practicable, a state must ensure that each polling place which allows early voting is located within walking distance of a stop on a public transportation route.
- States must ensure that polling places which allow voting during an early voting period will be located in rural areas of the state, and ensure the polling places are located in communities which will provide the greatest opportunity for residents of rural areas to vote during the early voting period.
- ~~States must ensure that polling places which allow early voting during an early voting period will be located on campuses of higher education in the state.~~
- The EAC must issue standards for the administration of early voting, including the nondiscriminatory geographic placement of polling places. The standards must allow states to deviate from any requirements in the case of unforeseen circumstances such as a natural disaster.
- Each state must begin processing and scanning ballots cast during in-person early voting at least 14 days prior to the election. This provision is not construed to permit states to tabulate ballots before the closing of the polls.
- The above early voting requirements apply with respect to elections held on or after January 1, 2022.

I. Voting by Mail

Promoting Vote by Mail

- If an individual is eligible to cast a vote in a federal election, the state may not impose any additional requirements on an individual's ability to vote by mail, except for ballot request and return deadlines and signature verification requirements.
- States are prohibited from requiring individuals to provide any form of identification in order to obtain an absentee ballot (does not prevent states from requiring a signature or similar affirmation).
- States are prohibited from requiring a notarization, witness signature, or other formal authentication (other than attestation) in order to obtain and cast an absentee ballot.
- States may impose a reasonable deadline for requesting and returning absentee ballots.

Signature Verification

- States may not impose a signature verification requirement for absentee ballots unless it meets the following due process requirements:
 - if there is a discrepancy between the signature on the absentee ballot and the individual's signature in the voter registration list or other official record used to verify signatures:
 - election officials must make a good faith effort to immediately notify the individual by mail, phone, and if available, text message and email, that the discrepancy must be cured within 10 days of the notice in order for the ballot to be counted
 - election officials must cure the discrepancy and count the ballot if the required information is provided in person, by phone, or by other electronic methods, within the 10-day period

- if the absentee ballot is submitted without a signature or with another defect that would cause the ballot to not be counted, election officials must:
 - make a good faith effort to immediately notify the individual by mail, phone, and, if available, text message and email, that the absentee ballot has a missing signature or other defect that must be cured within 10 days of the notice in order for the ballot to be counted
 - election officials must count the ballot if the missing signature is provided on a form proscribed by the state, or another defect is cured, within the 10-day period.
 - the above requirements do not apply with respect to a failure to meet the deadline for acceptance of the absentee ballot.
- An election official may not make a determination that a discrepancy exists between the signature on an absentee ballot and the signature in the voter registration list or other official record used to verify signatures, unless at least 2 election officials make the determination; each official who makes the determination has received training in procedures used to verify signatures; and of the officials who make the determination, at least one is affiliated with the party whose candidate received the most votes in the most recent statewide election for federal office, and at least one is affiliated with the party whose candidates received the second most votes in that election.
- No later than 120 days after the end of a federal election cycle, each chief state election official must submit to ~~Congress~~ and the EAC a report that includes the number of ballots invalidated due to a discrepancy; a description of attempts to contact voters to provide notice; and a description of the cure process developed by the state, including the number of ballots determined valid as a result of such process. The EAC must submit the report to Congress no later than 10 days after receiving the report.
- The provisions of the bill pertaining to voting by mail are not construed to prohibit states from rejecting a ballot submitted by an ineligible voter, or from providing an individual with more time and more methods to cure a signature discrepancy, provide a missing signature, or cure another defect.

Automatic Transmission of Online Applications for Absentee Ballots

- ~~No later than 60 days before an election, the appropriate election official must transmit an absentee ballot application to each registered voter, or, if the state does not register voters, all individuals in the state's central voter file or if the state does not have a central voter file, all individual who are eligible to vote.~~
- ~~The above provision does not apply to states that automatically transmit a ballot to voters prior to the election without requiring an application, or to individuals that have exercised the option to have an absentee ballot application serve as an application for all subsequent elections (as authorized under the bill).~~
- States must allow an individual to submit an absentee ballot request online, ~~and through an automated phone-based system subject to the same terms and conditions as the online services.~~ The website must also allow individuals to print an application, or request to receive a paper copy of the application by mail or email.

Deadline for Absentee Ballot Materials

- Election officials must ensure that an individual who requests an absentee ballot receives the ballot prior to the election if the request is received no later than 5 days (excluding weekends and public holidays) before the election. Nothing precludes states or local jurisdictions from accepting a ballot request submitted after this period.

Application for Future Elections

States must provide individuals with the option to have an absentee ballot application serve as an application to vote absentee by mail in all subsequent federal elections.

Same-Day Processing

- ~~USPS must ensure, to the extent practicable, that ballots are processed and cleared from any postal facility or post office on the same day ballots are received at that location.~~

Accessibility for Individuals with Disabilities

- The state must ensure that all absentee ballot applications, absentee ballots and related materials are accessible to individuals with disabilities in a manner that provides the same opportunity for access and participation (including with privacy and independence) as for other voters.

Deadline for Acceptance of Mailed Ballots

- Prohibits states from refusing to accept a ballot submitted by mail on the grounds that it did not meet a state return deadline if:
 - the ballot is postmarked or otherwise indicated by USPS that it was mailed on or before Election Day, or has been signed by the voter on or before Election Day; and
 - the ballot is received by election officials within a 10-day period beginning on the date of the election.
- The above provision is not construed to prohibit states from counting ballots received by mail more than 10 days after the election.

Alternate Methods of Returning Ballots

- In addition to allowing voters to whom a mail ballot was provided to return the ballot by mail, states must permit individuals to deliver the ballot to a polling place on any day that voting takes place, designated ballot drop off locations, a tribally-designated building, or the office of a state or local election official.
- States must permit voters to designate another person to return a voted and sealed absentee ballot to the post office, drop off location, tribally designated building, or election office provided the person does not receive compensation based on the number of ballots returned. States may not put any limits on how many absentee ballots may be returned by a designated person.

Ballot Processing and Scanning

- States must begin processing ballots cast by mail at least 14 days prior to the election.
- This provision is not construed to permit a state to tabulate ballots before the closing of polls on Election Day.

Providing Applications

- ~~A state may not prohibit anyone from providing an absentee ballot application to someone who is eligible to vote.~~
- ~~A state may not prohibit an election official from providing an unsolicited voter registration application to someone who is eligible to vote.~~

No Impact on UOCAVA

- None of the above provisions affect the treatment of UOCAVA ballots.

Effective Date

The above voting by mail requirements apply beginning with the November 2022 election.

Development of Alternative Verification

- NIST in consultation with the EAC must develop standards for the use of alternative methods which could be used in place of signature verification requirements for purposes of verifying the identification of an individual voting by absentee ballot. NIST must solicit comments from the public in the development of standards. No later than one year after enactment NIST must publish the standards.

Absentee Ballot Tracking Program

- Requires states to develop a program to track and confirm the receipt of absentee ballots and make information on the receipt of the ballots available online to the individual who cast the ballot. The ballot tracking information must include whether the ballot was accepted and if it was rejected the reasons why.
- Jurisdictions without an internet site may meet the ballot tracking requirements through use of a toll-free telephone number.
- The EAC must make payments to reimburse states for the cost of establishing the absentee ballot tracking program. The amount of payment may not exceed \$3,000 for each jurisdiction in the state responsible for operating the program.
- Authorizes such sums as necessary in FY 2022 for payments to states.
- The above provisions apply beginning with the November 2022 election.

Role of USPS

- ~~Requires that any voter registration application, absentee ballot application, or absentee ballot must be carried in accordance with the service standards established for first-class mail, regardless of the class of postage prepaid.~~
- ~~During the 120-day period prior to an election for federal office, USPS may not carry out any new operation change that would restrict the prompt and reliable delivery of voting materials with respect to the election. This includes operational changes involving the removal or elimination of any mail collection box without immediate replacement, and removing, decommissioning, or any other form of stopping the operation of mail sorting machines other than routine maintenance.~~
- ~~USPS must appoint an Election Mail Coordinator in every postal area and district to facilitate relevant information sharing with state and local election officials with regard to the mailing of voter registration and absentee ballot applications, and absentee ballots.~~

Postmark Required for Ballots

- In the case of any ~~election mail~~ absentee ballot carried by USPS ~~that consists of a ballot~~, USPS must indicate on the ballot envelope, using a postmark or otherwise, the fact that the ballot was carried by USPS, and the date on which it was mailed.
- The above provision takes effect January 1, 2022

Greater Visibility for Ballots

- Each state or local election official must:
 - affix Tag 191, Domestic and International Mail-In Ballots (or any successor tag designated by the USPS), to any tray or sack of ballot mail relating to an election for federal office that is destined for a domestic or international address

- use the Official Election Mail logo to designate mail pieces relating to an election for federal office that is destined for a domestic or international address
- if an intelligent mail barcode is utilized for any mail relating to an election for federal office that is destined for a domestic or international address, ensure the specific ballot service type identifier for that mail is visible
- The above provision takes effect January 1, 2022

Treatment as First-Class Mail

- Requires that any voter registration application, absentee ballot application, or absentee ballot must be carried in accordance with the service standards established for first-class mail, regardless of the class of postage prepaid.

Voting Materials Postage

- The appropriate state or local election official must provide a prepaid, self-sealing return envelope with all voter registration applications, absentee ballot applications, and absentee ballots, that are transmitted to a voter by mail.
- A state is treated as meeting the above requirement if it makes all reasonable efforts to provide self-sealing return envelopes.
- This provision takes effect 90 days after enactment, except that state and local jurisdiction must make arrangements with USPS to pay postage costs it would be required to pay if this section took effect on the day of enactment, and states must take reasonable efforts to provide self-sealing envelopes as provided under the provision.

Mail Ballots and USPS Barcode Service

- ~~Any ballot sent within the US for a federal election is nonmailable and must not be carried or delivered by mail unless the ballot is mailed in an envelope that:

 - ~~contains a USPS barcode (or successive service or marking) that enables tracking of each individual ballot~~
 - ~~satisfies requirements for ballot envelope design that USPS may promulgate by regulation;~~
 - ~~satisfies requirements for machinable letters that USPS may promulgate by regulation; and~~
 - ~~includes the Official Election Mail Logo (or any successor logo USPS may establish for ballots).~~~~
- ~~The above provisions apply with respect to any election occurring after enactment.~~

EAC Study on Vote-by-Mail Procedures

- ~~Requires the EAC to conduct a study on the 2020 elections and compile a list of recommendations to help states transitioning to vote-by-mail procedures and improve their current vote-by-mail systems. The EAC must submit the report to Congress no later than January 1, 2022.~~

J. Absent Uniformed Services Voters and Overseas Voters

Pre-Election Reporting

- No later than 55 days before the election, each state must submit a report to the DOJ, the EAC, and the DOD certifying that absentee ballots will be available for transmission to UOCAVA voters no later than 45 days before the election. The state must make the report publicly available the same day. The report must be in a form specified by the Attorney General and the EAC and must require the state to certify specific information about ballot availability from each unit of local government that will administer the election.

- No later than 43 days before the election, states must submit a report to the DOJ, EAC, and the DOD certifying that whether all absentee ballots were transmitted to UOCAVA voters no later than 45 days before the election. The state must make the report publicly available the same day. The report must be in a form specified by the Attorney General and the EAC and must require the state to certify specific information about ballot transmission, including the total number of ballot requests received and ballots transmitted from each unit of local government that administers the election.

Post-Election Reporting

- No later than 90 days after the election, each state must submit a report to the DOJ, EAC, and DOJ on the combined number of absentee ballots transmitted to UOCAVA voters, and the combined number of ballots returned by UOCAVA voters and cast. The state must make the report publicly available the same day.

DOJ Enforcement and Penalties

- The DOJ may bring a civil action in district court for declaratory or injunctive relief. If a court finds that a state violated provisions of UOCAVA, it may, to vindicate the public interest, assess a penalty against the state of up to \$110,000 for a first violation, and up to \$220,000 for each subsequent violation.

Report to Congress

- No later than December 31st of each year, the DOJ must submit a report to Congress on any civil actions brought under this provision.

Private Right of Action

- A person aggrieved by UOCAVA may bring a civil action for declaratory or injunctive relief.

State as Defendant

- In any civil action brought under the above provisions, the only necessary party is the state, and it is no defense to any action that a local election official or unit of government is not named as a defendant, regardless of whether a state has exercised authority under the MOVE Act to delegate relevant duties to another jurisdiction.

Effective Date

The above enforcement and litigation provisions apply with respect to any violations alleged to have occurred on or after the date of the enactment of the Act.

Waiver Provision Repealed

- The waiver provision in the MOVE Act is repealed.

Express Delivery Requirement

- If a state fails to transmit an absentee ballot to a UOCAVA no later than 45 days before the election, the state must transmit the ballot to the voter by express delivery, or, transmit the ballot electronically, if the voter has designated this option.
- If a state transmits a ballot to a UOCAVA voter less than 40 days before an election, the state must enable return of the ballot by express delivery, however, with regard to absentee ballots for uniformed services voters, the state may satisfy the requirement by notifying the voter of the DOD express delivery procedures under the MOVE Act.
- The state is responsible for the payment of the costs associated with the use of express delivery for the transmittal of ballots.

Clarification of Weekend Mailing Deadlines

- When the 45th day before an election falls on a weekend or holiday, absentee ballots must be sent no later than the most recent weekday which precedes 45th day and is not a legal public holiday, but only if the request is received by at least such most recent weekday.
- The above provision applies with respect to voter registration and absentee ballot applications submitted to state or local election officials on or after the date of enactment.

Use of FPCA for Subsequent Elections

- A voter may request that an FPCA be considered an application for absentee ballots for each subsequent federal election in the state through the next regularly scheduled general election. This provision does not apply with regard to any election held after the voter notifies the state that the voter no longer wishes to be registered to vote or the state determines that the voter is no longer eligible in the state.
- The above provision applies with respect to applications submitted after the date of enactment.

Prohibiting Refusal of Early Submissions

- A state must accept and process a valid voter registration/absentee ballot application submitted by either a uniformed services voter or overseas voter at any time during the calendar year in which an election for federal office is held.
- The above provision applies with respect to applications submitted on or after the date of enactment.

Extending Guarantee of Voting Residency to Military Personnel Family

- Amends UOCAVA to require that for purposes of voting in any federal, state, or local office, a spouse or dependent of an individual who is an absent uniformed services voter must not, solely because of the absence and without regard to whether or not such spouse or dependent is accompanying that individual: be deemed to have lost a residence or domicile in that state, without regard to whether or not that individual intends to return to that state; be deemed to have acquired a residence or domicile in any other state; or be deemed to have become a resident in or a resident of any other state.

Transmitting Blank Ballots to Other Voters

- Requires states to transmit blank absentee ballots electronically to qualified individuals in the same manner as the ballots are electronically transmitted to UOCAVA voters. Prohibits those ballots from being returned electronically.
- The blank ballots must be compliant with the language requirements of the Voting Rights act and the disability requirements of the Rehabilitation Act.
- Defines a “qualified individual” as someone who is otherwise qualified to vote in a federal election and who:
 - has requested an absentee ballot from the state or jurisdiction where the individual is registered, and has not received the absentee ballot at least 2 days before election day;
 - resides in an area of the state where an emergency has been declared by the chief executive of the state within 5 days of the election and has not previously requested an absentee ballot;
 - expects to be absent from the individual’s jurisdiction on the day of the election due to professional or volunteer service in response to a declared natural disaster or emergency;
 - is hospitalized or expects to be hospitalized on the day of the election; or
 - is an individual with a disability and resides in a state which does not offer voters the ability to use secure and accessible remote ballot marking. For purposes of this provision a state must permit an individual to self-certify that the individual is an individual with a disability.
- The term “qualified voter” does not include a UOCAVA voter.

- Individuals receiving a blank ballot transmitted electronically must provide an affirmation under penalty of perjury that they are a qualified individual; has not and will not cast another ballot in the election; and acknowledges that a material misstatement of fact may constitute grounds for conviction of perjury.
- States are prohibited from refusing to accept and process an absentee ballot transmitted electronically to a qualified individual solely on the basis of notarization and witness requirements, or restrictions on paper or envelope type, weight, and size.
- The above provisions apply beginning with the November 2022 general election.

Effective Dates

- Except as otherwise indicated, the above provisions related to UOCAVA take effect January 1, 2022.

DOJ Report on Voter Disenfranchisement

- ~~No later than 1 year after enactment, DOJ must submit to Congress a report on the impact of widespread mail-in voting on the ability of active duty military servicemembers to vote.~~

K. Poll Worker Recruitment and Training

Grants for Poll Worker Training and Recruitment

- The EAC must make grants available to each state (subject to the availability of appropriations) for recruiting and training individuals to serve as poll workers. In carrying out activities with a grant, the recipient must use the poll worker practices manual prepared by the EAC and develop training programs with assistance from experts in adult learning. The EAC must ensure that the manual provides training in methods that will enable poll workers to provide access and delivery of services in a culturally competent manner to all voters who use their services, including those with limited English proficiency, diverse cultural and ethnic backgrounds, disabilities, and regardless of gender, sexual orientation, or gender identity.
- States seeking a grant must submit an application to the EAC describing the activities to be carried out providing on the use of the funds and provide assurances that the state will provide the EAC with relevant recruitment and training data. ~~and assurances that the state will dedicate poll worker recruitment efforts with respect to youth and minors.~~
- The amount of a grant to a state must be equal to the product of the aggregate amount made available for grants to states and the voting age population percentage for the state.

Reporting

- No later than 6 months after a grant is made, each recipient must submit a report to the EAC on the activities conducted with the grant funds.
- No later than 1 year after a grant is made, the EAC must submit a report to Congress on the grant activities carried out by recipients, and any recommendations.

Funding

- Any amount appropriated to carry out the above provisions must remain available without fiscal year limitation.
- Of the amounts appropriated for any fiscal year, no more than 3 percent must be available for EAC administrative expenses.

L. Enhancement of Enforcement

Filing of Complaints

- A person aggrieved by Title III of HAVA (election technology and administration requirements) may file a written, notarized complaint with the Attorney General describing the violation and requesting appropriate action. The Attorney General must provide a copy of the complaint to the entity responsible for administering the state based administrative complaint procedures under HAVA.
- The Attorney General must respond to each complaint within the same deadlines that apply to state based administrative complaint procedures under HAVA.

Private Right of Action

- Any person who files a complaint under the previous section (including for purposes of enforcing the individual's right to a voter verified paper ballot) may file an action to enforce the uniform and nondiscriminatory election technology and administration requirements of Title III.

Effective Date

- The above requirements apply with respect to violations that occur with respect to federal elections beginning in 2022.

M. Federal Election Integrity

Prohibition on Chief Election Official Campaign Activity

- Chief state election administration officials are prohibited from taking an active part in political management, or in a political campaign with respect to any election for federal office over which the official has supervisory authority.
- A chief state election official is defined as the highest state official with responsibility for administering federal election under state law.

Prohibited Activities

- Prohibited activities with regard to taking an active part in political management or in a political campaign includes:
 - holding any position (including any unpaid or honorary position) with an authorized committee of a candidate, or participating in any decision making of an authorized committee of a candidate;
 - using official authority to interfere with or affect the results of an election; and
 - soliciting, accepting, or receiving a contribution from anyone on behalf of a candidate for federal office

Exception

- The prohibition does not apply to any chief state election official with respect to a federal election in which the official or an immediate family member is an official candidate, but only if the official recuses himself or herself from all official responsibilities for the administration of that election and the official who assumes responsibility for supervising the administration of the election does not report directly to the official.

Effective Date

- The above requirements apply with respect to federal elections held after December 2021.

N. Promoting Voter Access Through Election Administration Improvements

1. Promoting Voter Access

Universities as Voter Registration Agencies

- Institution of higher education are designated as voter registration agencies under NVRA if they have a program participation agreement in effect with the Secretary of Education, other than an institution which is treated as a contributing agency under the automatic voter registration provisions of the bill.

Responsibilities of Institutions of Higher Education under Higher Education Act

- Amends section 487(a)(23) of the Higher Education Act of 1965 (regarding good faith voter registration efforts for institutions located in states that are not exempt from NVRA) to require the following that the institution will make every reasonable effort to:
 - distribute voter registration applications using a form that meets the requirement of NVRA
 - provide clear guidance that each student enrolled at the institution should register in the state in which the student is eligible to vote if registration is required in the state, or update the student's existing registration where necessary
 - periodically share credible, non-partisan resources (to be identified in consultation with the Election Assistance Commission) to help students determine where and how they are eligible to vote
 - in distributing voting materials that are produced by a covered state or jurisdiction under the Voting Rights Act, ensure to the greatest extent practicable that the materials are provided in accordance with that law, and materials and information made available electronically are accessible to individuals with disabilities
- An institution is considered to have met the above requirements if:
 - with respect to each student enrolled in the institution who is not exclusively enrolled in distance education and has not already been registered to vote by the institution under the automatic voter registration provision of the bill:
 - no less than 30 days before the deadline to register to vote, the institution distributes voter registration applications to the students or electronically transmits a message to each such student with a voter registration application or a link to where a voter registration application can be accessed
 - during a period where students are required or encouraged to remain off campus due to a national, state, or local public health or other emergency, the institution:
 - requests that the state provide it with absentee ballot application or share an official state website or portal for absentee ballot request that can be distributed to students
 - notifies the students of applicable deadlines for requesting and submitting an absentee ballot and additional options for early and in-person voting and voting on Election Day
 - shares credible, nonpartisan resources (to be identified in consultation with the EAC) to help students registered in another state to apply for absentee ballots in that state

- the institution ensures that an appropriate staff person or office has been designated as a Campus Vote Coordinator, who ensures compliance with the above provisions; is publicly designated as the Campus Vote Coordinator; and provides students with residency requirements for voting
 - with respect to each student enrolled exclusively in distance education or correspondence programs, the institution:
 - transmits a message that refers the students to a centralized voter registration website or platform that provides voter registration application and voting information for all states and is hosted by the federal, state or local government; transmit the message at least twice each calendar year; and maintains information on the institution's website containing credible, nonpartisan resources to help students determine where and how they are eligible to vote
 - provides information to the students in the same manner it provides information to students not enrolled exclusively in distance education
- The institution will substantially comply with the requirements that apply under section 7 of NVRA
- ~~○ The institution must ensure that an appropriate staff person or office is designated publicly as a 'Campus Vote Coordinator';~~
- ~~○ Not fewer than twice during each calendar year (beginning with 2021), the Campus Vote Coordinator must transmit electronically to each student enrolled in the institution (including students enrolled in distance education programs) a message containing the following information: information on the location of polling places in the jurisdiction in which the institution is located, together with information on available methods of transportation to and from such polling places; a referral to a government-affiliated website or online platform which provides centralized voter registration information for all states, including access to applicable voter registration forms and information to assist individuals who are not registered to vote in registering to vote; any additional voter registration and voting information the Coordinator considers appropriate, in consultation with the appropriate state election official.~~
- ~~○ In addition to transmitting the message not fewer than twice during each calendar year, the Campus Vote Coordinator must transmit the message, and include on the institutions website and boost awareness on the institutions social media platform, not fewer than 30 days prior to the deadline for registering to vote for any election for federal, state, or local office in the state.~~
- ~~If the institution in its normal course of operations requests each student registering for enrollment in a course of study, including students registering for enrollment in a program of distance education, to affirm whether or not the student is a United States citizen, the institution will comply with the applicable requirements for a contributing agency under the Automatic Voter Registration Act. If the institution does not meet these criteria, the institution will comply with the requirements for a voter registration agency in the state.~~
- ~~The above provisions apply only with respect to an institution located in a state which is not exempt from NVRA.~~
- ~~The above requirements apply respect to elections held on or after January 1, 2022. Of the funds appropriated, the Secretary of Education must ensure that 25% is reserved for Minority Institutions.~~

Grants to Institutions Demonstrating Excellence in Student Voter Registration

- The Secretary of Education may award competitive grants to institutions of higher education that the Secretary determines have demonstrated excellence in registering students to vote in elections for public

office beyond meeting the minimum requirements under applicable laws. An institution of higher education is eligible to receive a grant if the institution submits to the Secretary of Education an application containing such information and assurances as the Secretary may require to make the determination, including information and assurances that the institution carried out activities to promote voter registration by students, such as sponsoring large on-campus voter mobilization efforts; engaging the surrounding community in nonpartisan voter registration and get out the vote efforts, ~~including initiatives to facilitate the enfranchisement of groups that have historically faced barriers to voting~~; creating a website for students with centralized information about voter registration and election dates; inviting candidates to speak on campus; offering rides to students to the polls to increase voter education, registration, and mobilization.

- Authorizes such sums as may be necessary for FY 2022 and succeeding fiscal years.

Polling Place Notification Requirements

- If a state assigned a registered voter to a new polling place, the state must notify the individual of the location of the new polling place no later than 7 days before the election, or if the state makes the assignment less than 7 days before the election and the individual appears at the previous polling place, the state must make every effort to enable the individual to vote on the day of the election. States must notify an individual by mail, telephone, and (if available) text message and email. ~~The notice must take into consideration factors which include the linguistic preferences of voters in the jurisdiction.~~
- If a location which served as a polling place in an election does not serve as a polling place in the next election, the state must ensure that signs are posted at such location on the date of the election and during any early voting period for the election containing the following information, ~~taking into consideration factors which include the linguistic preferences of voters in the jurisdiction~~: a statement that the location is not serving as a polling place in the election; the locations serving as polling places in the jurisdiction involved; and contact information for the appropriate state or local election official through which an individual may find their polling location.
- This above requirement applies with respect to elections held on or after January 1, 2021.

Use of Sworn Written Statements or Student Identification Card to Meet Voter Identification Requirements

- If a state requires that an individual present identification as a condition of receiving and casting a ballot the state must permit the individual, when voting in person, to meet the requirement by presenting the appropriate state or local election official with a sworn written statement, signed by the individual under penalty of perjury, attesting to the individual's identification and attesting that the individual is eligible to vote in the election, or, if the individual is a student enrolled at an institution of higher education, a student identification card assigned by the institution
- Where a person desires to vote by mail, the person must be permitted to meet the requirement by submitting the sworn written statement with the ballot, or, if the individual is a student enrolled at an institution of higher education, a copy of the student identification card assigned by the institution
- The EAC must develop:
 - prepare a pre-printed version of the statement which includes a blank space for an individual to provide a name and signature; for use by election official in states subject to the above provisions.
 - make copies of the pre-printed version developed by the EAC available at polling places for election officials to distribute to individuals who desire to vote in person; and
 - include a copy of the pre-printed version with each blank absentee or other ballot transmitted to an individual who desires to vote by mail.

- An individual who presents or submits a sworn written statement or a student identification card must be permitted to cast a regular ballot in the election in the same manner as an individual who presents identification.
- The above requirements do not apply with respect to an individual required to meet the HAVA requirements for first-time voters registering by mail.
- In states with a voter identification requirement, informational materials required to be posted at polling places under HAVA must include information on how an individual may meet the identification requirement by presenting a sworn written or a student identification card.
- The above requirements apply with respect to elections held on or after enactment.

Accommodations for Voters Residing in Indian Lands

- Authorizes an Indian Tribe to designate one building precinct on Indian Lands as ballot pickup and collection locations at no cost to the Indian Tribe. The applicable state or local jurisdiction must collect ballots from those locations. The applicable state or local jurisdiction must collect ballots from those locations must provide the Indian Tribe with accurate precinct maps for all precincts located within Indian lands 60 days before any election.
- Requires the state or local jurisdiction to provide mail-in and absentee ballots to each registered voter residing on Indian lands without requiring a residential address or a mail-in or absentee ballot request.
- Allows the address of a designated building that is a ballot pickup and collection location to serve as the residential address and mailing address for voters living on Indian lands if the tribally designated Tribal building is in the same precinct as that voter. If there is no tribally designated building within a voter's precinct, the voter may use another tribally designated building within the Indian lands where the voter is located.
- Allows voters using a tribally designated building outside of the voter's precinct to use the tribally designated building as a mailing address and may separately designate the voter's appropriate precinct through a description of the voter's address.
- Nothing in the above provisions alters the ability of an individual voter residing on Indian lands to request a ballot in a manner available to all other voters in the state.
- Authorizes the Attorney General to bring a civil action against any state or jurisdiction for declaratory and injunctive relief to carry out the above requirements.
- Authorizes any person or Tribal Government aggrieved by a violation of the above provisions to provide written notice of the violation to the chief state election officials. If the violation is not corrected within the specified timeframes, the person may obtain declaratory or injunctive relief in a civil action.
- The above provision apply beginning with the November 2022 general election.

Bilingual Election Requirements

- Covered states or jurisdiction under the Voting Rights Act must provide absentee or mail-in voting materials in the language of the applicable minority group (as well as English) bilingual election voting assistance, and written translations of all voting materials in the language of the applicable minority group.
- Whenever a subject state or political subdivision subject to the relevant prohibitions provides any registration or voting notices, forms, instructions, assistance, or other materials or information relating to the electoral process, including ballots, it must provide them in the language of the applicable minority group as well as in the English language.

- In the case of a minority group that is not American Indian or Alaska Native and the language of that minority group is oral or unwritten, the state or political subdivision shall only be required to furnish, in the covered language, oral instructions, assistance, translation of voting materials, or other information relating to registration and voting.
- In the case of a minority group that is American Indian or Alaska Native, the State or political subdivision shall only be required to furnish in the covered language oral instructions, assistance, or other information relating to registration and voting, including all voting materials, if the Tribal Government of that minority group has certified that the language of the applicable American Indian or Alaska Native language is presently unwritten or the Tribal Government does not want written translations in the minority language.
- Notwithstanding the above exceptions, the state or political division may be required to provide written translations of voting materials, with the consent of any applicable Indian Tribe, to election workers to ensure that the translations from English to the language of a minority group are complete, accurate, and uniform.
- The above provision apply beginning with the November 2022 general election.

Voter Information Response Systems and Hotline

- ~~The Attorney General must coordinate the establishment of a state-based response system for responding to voting-related questions and complaints. The system must provide state specific, same day immediate assistance, including information on registering to vote, polling place hours and locations, and obtaining absentee ballots, and assistance to individuals encountering problems with registering to vote or voting including intimidation or deceptive practices.~~
- ~~The Attorney General, in consultation with state election officials, must establish a toll-free hotline through which individuals may connect directly to the state-based response system, obtain information on voting, and report information to the Attorney General on problems encountered in registering to vote or voting, including voter intimidation or suppression.~~
- ~~The Attorney General must coordinate the collection of information on state and local election laws and policies, including information on the statewide voter registration lists, so that individuals who contact the hotline may receive an immediate response on that day.~~
- ~~If a person contacts the hotline on Election Day with a question or complaint, the Attorney General must forward the matter to the appropriate state or local election official.~~
- ~~The Attorney General must ensure the state-based response systems are developed in consultation with civil rights organization, voting rights groups, state and local election officials, and other stakeholders.~~
- ~~The Attorney General must provide a telephone service that individuals with disabilities are fully able to use, and must ensure the assistance is provided in any language the state or jurisdiction must provide election materials under the Voting Rights Act.~~
- ~~The Attorney General must appoint no less than 3 individuals to serve on a Voter Hotline Task Force to provide ongoing analysis and assessment of the operation of the telephone service.~~
- ~~At least one member of the Task Force must be a representative of an organization promoting voting rights or civil rights with experience in operating similar telephone services or in protecting the rights of individuals to vote.~~
- ~~Task Force members serve a single term of 2 years. No compensation is provided.~~
- ~~No later than March 1st of each odd numbered year the Attorney General must submit a report to Congress on the operation of the telephone service.~~

- ~~Such sums as are necessary are authorized to be appropriated to the Attorney General for Fiscal Year 2021 and each succeeding fiscal year. No less than 15% of the funding must be used for public outreach activities.~~

Equitable and Efficient Polling Places

- Requires each state to provide a sufficient number of voting systems, poll workers, and other resources at a polling place to ensure a fair and equitable waiting time, and that no individual waits longer than 30 minutes to cast a ballot.
- States must consider the following criteria in determining the number of polling places:
 - voting age population
 - voter turnout in past elections
 - number of voters registered
 - number of voters who have registered since the most recent federal election
 - census data
 - voters with disabilities and voters with limited English proficiency.
 - type of voting systems used
 - length and complexity of initiatives, referenda, and other questions on the ballot
- The EAC must establish guidelines assist states no later than 180 days after enactment. The above provisions take effect 180 days after enactment regardless of whether the EAC has published guidelines.

Limiting Variations on Number and Hours of Polling Places

- Requires each state to establish polling place hours for all polling places in the state so that the polling place with the greatest number of hours of operation is not in operation more than 2 hours longer than the polling place with the fewest number of operating hours.
- The above provision does not apply to the extent the state establishes variations in polling places hours on the basis of the overall population or the voting age population (as the state may select) of the unit of local government in which the polling places are located.
- Provides an exception to the polling place hours requirement for polling places whose hours of operation are established, in accordance with state law, by the unit of local government in which the polling place is located, or which is required pursuant to an order by a court to extend its hours of operation.
- ~~Each state must establish hours of operation for all polling places in the state on the date of any federal election so that no polling place is open for less than 4 hours outside of the hours between 9am and 5pm.~~

Study on Enforcement of Waiting Times

~~Requires the EAC and GAO to conduct a joint study of the effectiveness of various methods of enforcing the provisions requiring fair and equitable waiting times, including methods of best allocation resources to jurisdiction with the most difficulty in providing fair and equitable wait times to all voters and communities of color in particular. The report must be submitted to Congress no later than 18 months after enactment.~~

Requiring States to Provide Drop Boxes

- Each county election jurisdiction in a state must provide in-person, secured, and clearly labeled drop boxes beginning 45 days before the election through the close of polls for the election in the county election jurisdiction involved.
- Drop boxes must be accessible for use by individuals with disabilities; individuals with limited English proficiency; ~~and homeless individuals.~~

- At least 1 drop box must be provided in each county election jurisdiction. In ~~counties election jurisdictions~~ with more than 20,000 registered voters, the number of drop boxes must be based on the number of registered voters divided by 20,000, rounded to the nearest whole number. ~~States must ensure that the number of drop boxes provided is sufficient to provide a reasonable opportunity for voters to submit voted ballots in a timely manner.~~
- The location of drop boxes must be based on criteria ensuring that the drop boxes are available to all voters on a non-discriminatory basis; accessible to voters with disabilities; accessible by public transportation to the greatest extent possible; available during all hours of the day; sufficiently available in all communities in the ~~county election jurisdiction~~; and geographically distributed to provide a reasonable opportunity to submit a voted ballot in a timely manner.
- In determining the number of drop boxes on Tribal lands, state and local election officials must consult with Tribal leaders and take into account the availability of direct-to-door residential mail delivery, the distance and time necessary to travel to the drop box locations (including in inclement weather), modes of transportation available, conditions of roads, and the availability of public transportation.
- Information about the requirements for absentee ballots to be counted must be included on or near each drop box.
- ~~States may provide for security of drop boxes through remote or electronic surveillance.~~
- For the purposes of the above provisions, the term ‘election jurisdiction’ has the same meaning given to the term ‘registrar’s jurisdiction’ under section 8(j) of NVRA.
- The above provisions apply beginning with the November 2022 election.

Election Day as a Public Holiday

- ~~Designates Election Day (Tuesday after the first Monday in November of even-numbered years) as a legal public holiday.~~
- ~~The above provision takes affect beginning with 2022 federal elections.~~

Prohibiting Curbside Voting Restrictions

- State may not prohibit jurisdictions from utilizing curbside voting as a method for casting ballots or impose any restrictions that exclude eligible voter from utilizing curbside voting.
- The above provision applies beginning with the November 2022 election.

GAO Study on Voter Turnout Rates

- ~~GAO must conduct a study on voter turnout rates delineated by age in states and localities that permit voters to participate in elections before reaching the age of 18, with a focus on localities that permit voting on reaching the age of 16.~~

GAO Study on Ranked Choice Voting

- ~~GAO must conduct a study on the implementation and impact of ranked choice voting in state and localities with a focus on how to best implement a model for federal election nationwide. The GAO must submit a report to Congress no later than 1 year after enactment with any recommendations.~~

Election Contingency Plans

- Requires states and local jurisdictions to develop contingency plans within 90 days of enactment that enable individuals to vote during a state of emergency, public health emergency, or national emergency

declared as a result of a natural disaster or infectious disease. The plans must be made publicly available and updated at least every 5 years.

- The contingency plans must include initiatives to provide equipment and resources to protect poll workers and voters for in person voting. The plan must also include initiatives to recruit poll workers from resilient or unaffected populations, including state and local government employees, and students of secondary schools and institutions of higher education (where an infectious disease poses significant risks to elderly individuals).
- Provides enforcement authority to the Attorney General and authorizes a private right of action for any person aggrieved by a violation of the above provisions.
- The above provisions apply beginning with the November 2022 election.

2. Improvements in the Operation of the EAC

Reauthorization of the EAC

Appropriations are authorized for FY 2021 and each succeeding fiscal year for the EAC to carry out HAVA.

Requiring State Participation in Post-Election Surveys

- Each state must provide the EAC with the information required for purposes of conducting any post-election survey of the states with respect to election administration.
- This requirement applies with respect to the 2022 election and succeeding elections.

Recommendations to Improve the EAC

- No later than December 31, 2021 the EAC must shall carry out an assessment of the security and effectiveness of the its information technology systems, including the cybersecurity of the systems.
- The EAC must carry out a review of the effectiveness and efficiency of the state-based administrative complaint procedures under HAVA. No later than December 31, 2021, the EAC must submit to Congress a report on the review that includes recommendations the EAC considers appropriate to streamline and improve the procedures.
- Repeals Section 205(e) of HAVA which provides an exemption to the EAC for certain contracting requirements. This provision goes into effect with respect to contracts entered into by the EAC on or after the date of enactment.

3. Miscellaneous Provisions

Clarification on Exemption for States Without Voter Registration

- To the extent that any provision of Title I or any amendment made by Title I imposes a requirement on a state relating to registering individuals to vote in elections for federal office, the provisions do not apply in the case of any state in which, under law that is in effect continuously on and after the date of the enactment, there is no voter registration requirement for any voter in the state with respect to an election for federal office.

4. Voter Notice

Public Education in Event of Election Changes in Response to Emergencies

- ~~If the methods of registering to vote or voting change in response to an emergency affecting public health and safety, state or local election officials must conduct a public education campaign through~~

~~at least one direct mailing to each individual registered for the election, and through additional direct mailings, newspaper advertisements, broadcasting (including television, radio, satellite, and the Internet), and social media, to notify individuals who are eligible to vote or register to vote of the changes.~~

- ~~• Election officials must carry out the public education campaign at the frequency, and using the methods, that have the greatest likelihood of providing timely knowledge of the changes to the individuals affected.~~
- ~~• States covered under Section 203 of the Voting Rights Act must ensure the information disseminated is provided in the language of the applicable minority group.~~
- ~~• The above provisions apply beginning with the 2020 election.~~

Election Official Website Requirements

- ~~• Each state and local election official must ensure that the official public website of the official is fully accessible for individuals with disabilities, including the blind and visually impaired.~~
- ~~• No later than August 15, 2021, NIST must establish best practices for ensuring the continuing operation of election official websites during emergencies affecting public health and safety.~~
- ~~• Each state and local election official must ensure their website is in compliance with the NIST best practices beginning with the November 2020 election.~~

Payments for Compliance with Public Education and Election Website Requirements

- ~~• Requires the EAC to make payments to eligible states at least once each calendar year for costs involved with meeting the requirements relating to public education campaigns in the event of election changes due to emergencies, and the requirements regarding the websites of election officials.~~
- ~~• States must apply to the EAC for a payment and must describe the activities to be carried out with the funds and an estimate of the cost. The amount of payment to a state is determined by the EAC based on the information provided by the state.~~
- ~~• States that receive a payment must submit a report to the EAC on the activities no later than 6 months after each fiscal year. The EAC must submit a report to Congress on activities carried out with the payments each fiscal year.~~
- ~~• Authorizes such sums as may be necessary for FY 2022 through FY 2025 for payments.~~

Election Integrity

A. Findings

Expresses the findings of Congress on the following topics:

- Findings Reaffirming Commitment of Congress to Restore the Voting Rights Act
- Findings Relating to Native American Voting Rights
- Findings Relating to District of Columbia Statehood
- Findings Relating to Territorial Voting Rights

B. Saving Voters from Voter Purging

Conditions for Removal of Voters from List of Registered Voters

- A state may not remove any registrant from the official list of voters eligible to vote in elections for Federal office in the State unless the State verifies, on the basis of objective and reliable evidence, that the registrant is ineligible to vote in such elections on any of the grounds described in applicable provisions in NVRA.
- The following factors, or any combination, must not be treated as objective and reliable evidence of a registrant's ineligibility to vote:
 - the failure of the registrant to vote in any election;
 - the failure of the registrant to respond to any notice sent under the applicable provisions of NVRA, unless the notice has been returned as undeliverable;
 - the failure of the registrant to take any other action with respect to voting in any election or with respect to the registrant's status as a registrant.
- No later than 48 hours after a state removes the name of a registrant from the official list of eligible voters for any reason (other than the death of the registrant), the state shall send notice of the removal to the former registrant, and must include in the notice the grounds for the removal and information on how the former registrant may contest the removal or be reinstated, including a telephone number for the appropriate election official.
- The above paragraph does not apply in the case of a registrant who sends written confirmation to the state that the registrant is no longer eligible to vote in the registrar's jurisdiction in which the registrant was registered or who is removed from the official list of eligible voters by reason of the death of the registrant.
- No later than 48 hours after conducting any general program to remove the names of ineligible voters from the official list of eligible voters the state shall disseminate a public notice through such methods as may be reasonable to reach the general public (including by publishing the notice in a newspaper of wide circulation or posting the notice on the websites of the appropriate election official that list maintenance is taking place and that registrants should check their registration status to ensure no errors or mistakes have been made. The state must ensure that the public notice disseminated under this paragraph is in a format that is reasonably convenient and accessible to voters with disabilities, including voters who have low vision or are blind.
- A state may not transmit a removal notice to a registrant unless the state obtains objective and reliable evidence (in accordance with the above standards for such evidence) that the registrant has changed residence to a place outside the registrar's jurisdiction in which the registrant is registered.
- The above requirements are effective on the date of enactment.

Findings Related to Youth Voting

- Expresses the findings of Congress related to youth voter suppression.

Election Security

A. Financial Support Election Infrastructure

1. Voting System Security Improvement Grants

Grants for Paper Ballot Voting Systems and Election Security Improvements

- The EAC must make grants to states for the following activities:
 - replacing voting systems that do not meet the requirements of the Voter Confidence and Increased Accessibility Act with systems that do meet the requirements for use in the 2022 election; or that are not in compliance with the most recent VVSG prior to the 2022 election with systems that are in compliance with the guidelines
 - to carry out voting system security improvements (described below), and to implement and model best practices for ballot design, ballot instructions, and the testing of ballots.
- The EAC must determine the appropriate grant amount, except that it may not be less than the product of \$1 and the average of the number of individuals who cast votes in any of the two most recent regularly scheduled general elections for Federal office in the state.
- The EAC must make pro rata reductions as necessary to ensure the entire amount appropriated is distributed to states.
- If the amount of funds appropriated exceeds the amount necessary to meet the grant requirements, the EAC must consider the following in making a determination to award remaining funds to a state:
 - The record of the state in carrying out the following:
 - providing voting machines that are less than 10 years old;
 - implementing strong chain of custody procedures for the physical security of voting equipment and paper records;
 - conducting pre-election testing on every voting machine and ensuring that paper ballots are available wherever electronic machines are used;
 - maintaining offline backups of voter registration lists;
 - providing a secure voter registration database that logs requests submitted to the database;
 - publishing and enforcing a policy detailing use limitations and security safeguards to protect the personal information of voters in the voter registration process;
 - providing a secure processes and procedures for reporting vote tallies;
 - providing a secure platform for disseminating vote totals;
 - evidence of established conditions of innovation and reform in providing voting system security and the proposed plan of the State for implementing additional conditions;
 - evidence of collaboration between relevant stakeholders;
 - the plan of the state to conduct a rigorous evaluation of the effectiveness of the activities carried out with the grant.

- To the greatest extent practicable, an eligible state which receives a grant to replace a voting system must ensure that the replacement system is capable of administering a system of ranked choice voting under which each voter shall rank the candidates for the office in the order of the voter’s preference.
- Voting system security improvements for purposes of the receiving grant funds are any of the following:
 - the acquisition of goods and services from qualified election infrastructure vendors;
 - cyber and risk mitigation training;
 - a security risk and vulnerability assessment of the state’s election infrastructure carried out by a provider of cybersecurity services under a contract entered into between the chief state election official and the provider;
 - the maintenance of election infrastructure, including addressing risks and vulnerabilities;
 - providing increased technical support for any information technology infrastructure that the chief state election official deems to be part of the state’s election infrastructure or designates as critical to the operation of the state’s election infrastructure;
 - enhancing the cybersecurity and operations of the information technology infrastructure;
 - enhancing the cybersecurity of voter registration systems;
- For the purposes of voting system security improvements, a “qualified election infrastructure vendor” is any person who provides, supports, or maintains infrastructure on behalf of a state, local government, or election agency that meets the criteria requirements established by the EAC and DHS/DHS, in consultation with the EAC, which must include the following criteria:
 - the vendor must be owned and controlled by a citizen or permanent resident of the US or a member of the Five Eyes intelligence sharing alliance, and, in the case of a votign machine, must ensure that the machine is assembled in the US;
 - the vendor must disclose to the EAC and DHS/DHS and the EAC, and the chief state election official of any state to which the vendor provides goods and services, any sourcing outside the US for parts of the election infrastructure;
 - the vendor must disclose to the EAC, DHS/DHS and the EAC, and relevant chief state election official the identification of any entity or individual with a more than five percent ownership interest in the vendor.
 - the vendor agrees to ensure that the election infrastructure will be developed and maintained in a manner consistent with cybersecurity best practices issued by the TGDC/CISA;
 - the vendor agrees to maintain its information technology infrastructure in a manner consistent with the cybersecurity best practices issued by the EAC and DHS/CISA;
 - the vendor agrees to ensure that the election infrastructure will be developed and maintained in a manner that is consistent with the supply chain best practices issued by the Technical Guidelines Development Committee CISA;
 - the vendor agrees to ensure that it has personnel policies and practices in place that are consistent with personnel best practices, including cybersecurity training and back- ground checks, issued by the Technical Guidelines Development Committee CISA;
 - the vendor agrees to ensure that the election infrastructure will be developed and maintained in a manner that is consistent with data integrity best practices, including requirements for encrypted transfers and validation, testing and checking printed materials for accuracy, and

- disclosure of quality control incidents, issued by ~~the Technical Guidelines Development Committee~~ CISA;
 - the vendor agrees to meet the requirements for reporting any known or suspected cybersecurity incidents involving any of the goods and services provided by the vendor;
 - the vendor agrees to permit independent testing by the EAC and DHS of the goods and services provided.
- A vendor meets the relevant reporting requirements if, upon becoming aware of the possibility that an election cybersecurity incident has occurred involving any of the goods and services provided pursuant to the grant:
 - the vendor promptly assesses whether or not such an incident occurred and submits the required notification to the EAC and DHS of the assessment as soon as practicable, but no later than 3 days after the vendor first becomes aware of the possibility that the incident occurred;
 - if the incident involves goods or services provided to an election agency, the vendor submits a notification meeting the applicable requirements to the agency as soon as practicable (but in no case later than 3 days after the vendor first becomes aware of the possibility that the incident occurred), and cooperates with the agency in providing any other necessary notifications relating to the incident; and
 - the vendor provides all necessary updates to any notification submitted as required;
- Each required notification from a vendor must contain the following information with respect to any election cybersecurity incident covered by the notification:
 - the date, time, and time zone when the election cybersecurity incident began, if known;
 - the date, time, and time zone when the election cybersecurity incident was detected;
 - the date, time, and duration of the election cybersecurity incident;
 - the circumstances of the election cybersecurity incident, including the specific election infrastructure systems believed to have been accessed and information acquired, if any;
 - any planned and implemented technical measures to respond to and recover from the incident;
 - in the case of any notification which is an update to a prior notification, any additional material information relating to the incident, including technical data, as it becomes available.
- a state is eligible to receive a grant if it submits to the EAC an application describing how it will use the grant to carry out the activities and a certification not later than 5 years after receiving the grant the state will carry out risk-limiting audits.
- Not later than 90 days after the end of each fiscal year, the EAC must submit a report to the appropriate congressional committees on the activities carried out with the grant funds.
- Authorizes \$1 billion for FY 2021 and \$175 million for FY2022, 2024, 2026 and 2028 for the voting system security improvement grants.

EAC Duties

- ~~Adds “the security of election infrastructure” to the scope of EAC duties under HAVA and requires the EAC to develop, maintain, and disseminate cybersecurity guidelines to identify vulnerabilities that could lead to, protect against, detect, respond to and recover from cybersecurity incidents.~~

DHS Membership on EAC Board of Advisors and TGDC

- Expands the Board of Advisors and TGDC membership to include a representative from DHS.

EAC Studies

- Requires the EAC to consult with DHS on periodic studies, as appropriate.
- Requires that the goal of EAC studies include promoting election methods that are secure against attempts to undermine the integrity of election systems by cyber or other means.

Use of Requirements Payments

- Allows states to use a requirements payment to carry out any of the following activities:
 - cyber and risk mitigation training;
 - providing increased technical support for any information technology infrastructure that the chief state election official deems to be part of the state's election infrastructure or designates as critical to the operation of the state's election infrastructure;
 - enhancing the cybersecurity and operations of the information technology infrastructure;
 - enhancing the security of voter registration databases

State Plan Description Update

- Requires that the state plan description of how the state will use requirements payments to improve the administration of elections include the protection of election infrastructure.

Composition of State Plan Committee

- Updates the composition of the committee responsible for developing the state plan to require the membership be a representative group of individuals from the state's counties, cities, towns, and Indian tribes, and represent the needs of rural as well as urban areas of the state.

Protection of Voter Registration List

- Requires that the technology measures for securing the voter registration list include measures to prevent and deter cybersecurity incidents, as identified by the EAC, DHS, and the TGDC.

EAC Senior Cyber Policy Advisor

- ~~Requires the EAC to appoint a Senior Cyber Policy Advisor who serves as the primary policy advisor to the EAC on matters of cybersecurity for federal elections.~~

2. Grants for Risk-Limiting Audits of Results of Elections

Grants for Risk-Limiting Audits

- Requires that the make grants to states to conduct risk limiting audits with respect to the 2022 election and each succeeding election
- A risk-limiting audit is a post-election process:
 - conducted in accordance with rules and procedures established by the chief state election official of the state which meet the applicable requirements;
 - under which, if the reported outcome of the election is incorrect, there is at least a predetermined percentage chance that the audit will replace the incorrect outcome with the correct outcome as determined by a full, hand-to-eye tabulation of all votes validly cast in that election that ascertains voter intent manually and directly from voter verifiable paper records.

Risk-Limiting Audit Requirements

- Rules and procedures established for conducting a risk-limiting audit must include the following elements:
 - rules for ensuring the security of ballots and documenting that prescribed procedures were followed;
 - rules and procedures for ensuring the accuracy of ballot manifests produced by election agencies;
 - rules and procedures for governing the format of ballot manifests, cast vote records, and other data involved in the audit;
 - methods to ensure that any cast vote records used in the audit are those used by the voting system to tally the election results sent to the chief state election official and made public;
 - procedures for the random selection of ballots to be inspected manually during each audit;
 - rules for the calculations and other methods to be used in the audit and to determine whether and when the audit of an election is complete;
 - procedures and requirements for testing any software used to conduct risk-limiting audits.
- The term “ballot manifest” means a record maintained by each election agency that meets each of the following requirements:
 - the record is created without reliance on any part of the voting system used to tabulate votes;
 - the record functions as a sampling frame for conducting a risk-limiting audit;
 - the record contains the following information with respect to the ballots cast and counted in the election:
 - the total number of ballots cast and counted by the agency (including undervotes, overvotes, and other invalid votes)
 - the total number of ballots cast in each election administered by the agency (including undervotes, overvotes, and other invalid votes)
 - A precise description of the manner in which the ballots are physically stored, including the total number of physical groups of ballots, the numbering system for each group, a unique label for each group, and the number of ballots in each such group.
- The term “incorrect outcome” means an outcome that differs from the outcome that would be determined by a full tabulation of all votes validly cast in the election, determining voter intent manually, directly from voter-verifiable paper records.
- The term “outcome” means the winner of an election, whether a candidate or a position.
- The term “reported outcome” means the outcome of an election which is determined according to the canvass and which will become the official, certified outcome unless it is revised by an audit, recount, or other legal process.

Eligibility for Risk-Limiting Audit Grant

- A state is eligible to receive a grant by submitting an application to the EAC that includes:
 - A certification that, no later than 5 years after receiving the grant, the state will conduct risk limiting audits of the results of elections for federal office;
 - a certification that, no later than one year after the date of enactment, the chief state election official of the state has established or will establish the rules and procedures for conducting the audits which meet the requirements;
 - a certification that the audit will be completed no later than the date on which the state certifies the results of the election;

- a certification that, after completing the audit, the state will publish a report on the results of the audit, together with such information as necessary to confirm that the audit was conducted properly;
- a certification that, if a risk-limiting audit leads to a full manual tally of an election, state law requires that the state or election agency use the results of the full manual tally as the official results of the election

Authorization of Appropriations

- Authorizes to be appropriated for risk limiting audit grants \$20 million for fiscal year 2021.

GAO Analysis

- No later than 6 months after the first election for federal office held after grants are first awarded to states for conducting risk-limiting GAO must conduct an analysis of the extent to which the audits have improved the administration of such and the security of election infrastructure.

3. Election Infrastructure Innovation Grant Program

Competitive Grant Program

- DHS, in coordination with the EAC ~~and in consultation with the NSF~~ must establish a competitive grant program to award grants to eligible entities, on a competitive basis, for purposes of research and development that are determined to have the potential to significantly to improve the security (including cybersecurity), quality, reliability, accuracy, accessibility, and affordability of election infrastructure.
- No later than 90 days after the conclusion of each fiscal year for which grants are awarded DHS must submit a report to Congress describing the grants and analyzing the impact, if any, of the grants on the security and operation of election infrastructure.
- Authorizes to be appropriated to DHS \$20,000,000 for each of fiscal years 2021 through 2029.
- An “eligible entity” for purposes of the grant means:
 - an institution of higher education
 - an organization described in section 501(c)(3) of the Internal Revenue Code;
 - an organization, association, or a for-profit company, including a small business concern

B. Security Measures

Election Infrastructure Definition

- Amends the Homeland Security Act to define “election infrastructure” as storage facilities, polling places, and centralized vote tabulation locations used to support the administration of elections for public office, as well as related information and communications technology, including voter registration databases, voting machines, electronic mail and other communications systems (including electronic mail and other systems of vendors who have entered into contracts with election agencies to support the administration of elections, manage the election process, and report and display election results), and other systems used to manage the election process and to report and display election results on behalf of an election agency.

Election Infrastructure Designation

- Amends the Homeland Security Act to include election infrastructure as part of the government facilities critical infrastructure sector.

DHS Responsibilities

- Updates the DHS Secretary’s responsibilities relating to intelligence and analysis to include providing timely threat information regarding election infrastructure to the chief state election official of the pertinent state.

Security clearance assistance for election officials

- Provides that in order to promote the timely sharing of information on threats to election infrastructure, DHS may:
 - help expedite a security clearance for the chief state election official and other appropriate state personnel involved in the administration of elections, as designated by the chief state election official;
 - sponsor a security clearance for the chief state election official and other appropriate state personnel involved in the administration of elections, as designated by the chief state election official; and
 - facilitate the issuance of a temporary clearance to the chief state election official and other appropriate state personnel involved in the administration of elections, as designated by the chief state election official, if DHS determines classified information to be timely and relevant to the election infrastructure of the state at issue

Security risk and vulnerability assessments

- No later than 90 days after receiving a written request from a chief state election official, the DHS must, to the extent practicable, commence a security risk and vulnerability assessment on election infrastructure in the state at issue.
- If DHS determines that a security risk and vulnerability assessment cannot be commenced within 90 days, it must expeditiously notify the chief state election official who submitted the request.

Report on DHS Assistance

- No later than one year after the date of the enactment and annually thereafter through 2028, DHS must submit to Congress a report on:
 - efforts to carry out the security clearance assistance provisions during the prior year, including specific information on which states were helped, how many officials have been helped in each state, how many security clearances have been sponsored in each state, and how many temporary clearances have been issued in each state; and
 - efforts to carry out the risk and vulnerability assessment provisions during the prior year, including specific information on which states were helped, the dates on which the DHS received a request for a security risk and vulnerability assessment, the dates on which DHS commenced request, and the dates on which DHS transmitted a notification as required.

Report on Foreign Threats

- No later than 90 days after the end of each fiscal year (beginning with fiscal year 2021), DHS and the Director of National Intelligence, in coordination with the heads of appropriate offices of the Federal government, must submit a report to the appropriate congressional committees on foreign threats to elections in the US, including physical and cybersecurity threats.

Report on Assistance from States

- For the purpose of preparing the above reports DHS must solicit and consider information and comments from states and election agencies, except that providing the information and comments by a state or election agency must be voluntary and at the discretion of the state or agency.

Pre-Election Threat Assessments

- No later than 180 days before the date of each election Director of National Intelligence must submit an assessment of the full scope of threats to election infrastructure, including cybersecurity threats posed by state actors and terrorist groups, and recommendations to address or mitigate the threats, as developed by DHS and the EAC to each chief state election official and relevant Congressional committee.
- If, at any time after submitting an assessment the Director of National Intelligence determines that the assessment should be updated to reflect new information regarding the threats involved, the Director must submit a revised assessment.

C. Enhancing Protections for United States Democratic Institutions

National Strategy to Protect US Democratic Institutions

- No later than one year after the date of enactment the President must issue a national strategy to protect against cyber-attacks, influence operations, disinformation campaigns, and other activities that could undermine the security and integrity of US democratic institutions. The national strategy must include consideration of the following:
 - the threat of a foreign state actor, foreign terrorist organization or a domestic actor carrying out a cyber-attack, influence operation, disinformation campaign, or other activity;
 - the extent to which US democratic institutions are vulnerable to a cyber-attack, influence operation, disinformation campaign, or other activity;
 - potential consequences that could result from a successful cyber-attack, influence operation, disinformation campaign, or other activity;
 - lessons learned from other Western government institutions which were subject to a cyber-attack, influence operation, disinformation campaign, or other activity;
 - potential impacts an erosion of public trust in democratic institutions as could be associated with a successful cyber breach or other activity negatively affecting election infrastructure;
 - roles and responsibilities of DHS, EAC, other federal and non-federal entities, including election officials, and representatives of a multi-state information sharing and analysis center;
 - any findings, conclusions, and recommendations to strengthen protections for US democratic institutions that have been agreed to by a majority of members on the National Commission to Protect United States Democratic Institutions
- No later than 90 days after ~~issuance of the date on which~~ the national strategy is issued, the President must issue an implementation plan for federal efforts to implement the strategy that includes:
 - strategic objectives and corresponding tasks
 - projected timelines and costs for the tasks
 - metrics to evaluate performance of the tasks

National Commission to Protect United States Democratic Institutions

- Establishes within the legislative branch the National Commission to Protect United States Democratic Institutions to counter efforts to undermine democratic institutions within the US.
- The Commission must be composed of 10 members appointed for the life of the Commission as follows:
 - one member appointed by DHS;
 - one member appointed by the EAC;

- two members appointed by the majority leader of the Senate;
- two members appointed by the minority leader of the Senate;
- two members appointed by the Speaker of the House of Representatives;
- two members appointed by the minority leader of the House of Representatives
- Individuals must be selected for appointment to the Commission solely on the basis of their professional qualifications, achievements, public stature, experience, and expertise in relevant fields, including, but not limited to cybersecurity, national security, and the U.S. Constitution.
- No later than 18 months after the date of the first meeting the Commission must submit to the President and Congress a final report containing the findings, conclusions, and recommendations to strengthen protections for democratic institutions in the US as have been agreed to by a majority of the members of the Commission.
- The Commission must terminate within 60 days of submitting the final report.

D. Promoting Cybersecurity Through Improvements in Election Administration

Compliance Testing of Existing Voting Systems

- Requires that no later than 9 months before a federal election the EAC provide for testing by an accredited laboratory of the voting system hardware and software certified for use in the most recent election, based on the most recent voting system guidelines, including cybersecurity guidelines issued under the bill.
- If any voting system hardware or software does not meet the most recent guidelines based on the testing, it must be decertified by the EAC.
- The above requirements apply beginning with the 2022 election.

~~TGDC~~ CISA Cybersecurity Guidelines

- Requires that no later than 6 months after enactment ~~the TGDC CISA~~, in consultation with the EAC, must issue election cybersecurity guidelines including standards and best practices for procuring, maintaining, testing, operating, and updating election systems to prevent and deter cybersecurity incidents.

Blockchain Study

- ~~Requires the EAC to conduct a study on the use of blockchain technology to enhance voter security in elections. The EAC must submit a report to Congress on the study no later than 90 days after enactment.~~

Electronic Ball Book Treatment

- Amends HAVA to treat electronic poll books as part of a voting system and defines electronic poll books as the total combination of mechanical, electromechanical, or electronic equipment (including the software, firmware, and documentation required to program, control, and support the equipment) used to retain the list of registered voters at a polling location, or vote center, or other location at which voters cast votes in an election and to identify registered voters who are eligible to vote in an election.
- The above provision applies with respect to any requirements relating to electronic poll books on and after January 1, 2022.

Pre-Election Reports on Voting System Usage

- Requires that no later than 120 days before the date of each federal election the chief state election official submit a report to the EAC containing a detailed voting system usage plan for each jurisdiction in the state which will administer the election, including a detailed plan for the usage of electronic poll books and other equipment and components of such system.

- The above provision applies beginning with the 2022 election.

E. Preventing Election Hacking

Bug Bounty Program

- No later than 1 year after enactment of this Act, DHS must establish a program to be known as the “Election Security Bug Bounty Program” to improve the cybersecurity of the systems used to administer elections by facilitating and encouraging assessments by independent technical experts, in cooperation with state and local election officials and election service providers, to identify and report election cybersecurity vulnerabilities.
- Participation in the program by state and local election officials and election service providers is voluntary.
- In developing the program DHS must solicit input from, and encourage participation by, state and local election officials.
- In establishing and carrying out the program, DHS must:
 - establish a process for state and local election officials and election service providers to voluntarily participate;
 - designate appropriate information systems to be included;
 - provide compensation to eligible individuals, organizations, and companies for reports of previously unidentified security vulnerabilities within the information systems and establish criteria to be considered eligible such compensation;
 - consult with DOJ on how to ensure that approved individuals, organizations, or companies are protected from prosecution and liability for specific activities authorized under the program;
 - consult with DOD and other departments and agencies that have implemented programs to provide compensation for reports of previously undisclosed vulnerabilities in information systems, regarding lessons that may be applied from the programs;
 - develop an expeditious process by which an individual, organization, or company can register with DHS, submit to a background check, and receive a determination as to eligibility for participation in the program;
 - engage qualified interested persons, including representatives of private entities, about the structure of the program and, to the extent practicable, establish a recurring competition for independent technical experts to assess election systems for the purpose of identifying and reporting election cybersecurity vulnerabilities
- DHS may award competitive contracts as necessary to manage the program.

F. Election Security Grants Advisory Committee

- Establishes an advisory committee to assist the EAC with the award of grants to states under the Act for the purpose of election security. The Committee must review grant applications received by the EAC and recommend to the EAC whether to award the grant to the applicant. In reviewing an application, the Committee must consider:
 - the record of the applicant with respect to compliance of the applicant with the requirements under subtitle A of title III and adoption of voluntary guidelines issued by the EAC under subtitle B of title III; and the goals and requirements of election security as described in title III.
 - the Committee must be composed of 15 individuals appointed by the Executive Director of the EAC with experience and expertise in election security.

- The advisory committee requirement takes effect 1 year after the date of enactment.

H. Use of Voting Machines Manufactured in the United States

- No later than the November 202 election each state must seek to ensure that any voting machine used in the election and in any subsequent election is manufactured in the United States.

I. ~~Study and Report on Bots~~

- ~~No later than 90 days after enactment the EAC, in consultation with CISA, must establish a task force to carry out a study on the impact of automated accounts on social media, public discourse, and elections, including what qualifies as a bot or automated account; how and to what extent automated accounts are used, and how to most effectively combat the use of automated accounts that negatively affect social media, public discourse, and elections.~~
- ~~No later than 1 year after establishment of the task force the study must be submitted to Congress.~~